

# Chapter II

## The Planning Process and Previous Initiatives

### Preparation of this Comprehensive Plan

The Niagara Communities Comprehensive Plan 2030 is the result of a planning process that began in early 2007 with the awarding of a New York State Qualities Communities Grant. This grant was combined with other grant monies and funds to prepare this Comprehensive Plan.

Upon notification of the Quality Communities Grant award, the Niagara County Legislature subsequently sought the services of a qualified planning consultant through a formal Request for Proposals (RFP) in May 2007. In response to the RFP, Clough Harbour & Associates LLP (CHA) was awarded the contract to assist the County and its communities in developing the first countywide comprehensive plan dedicated exclusively to Niagara County.

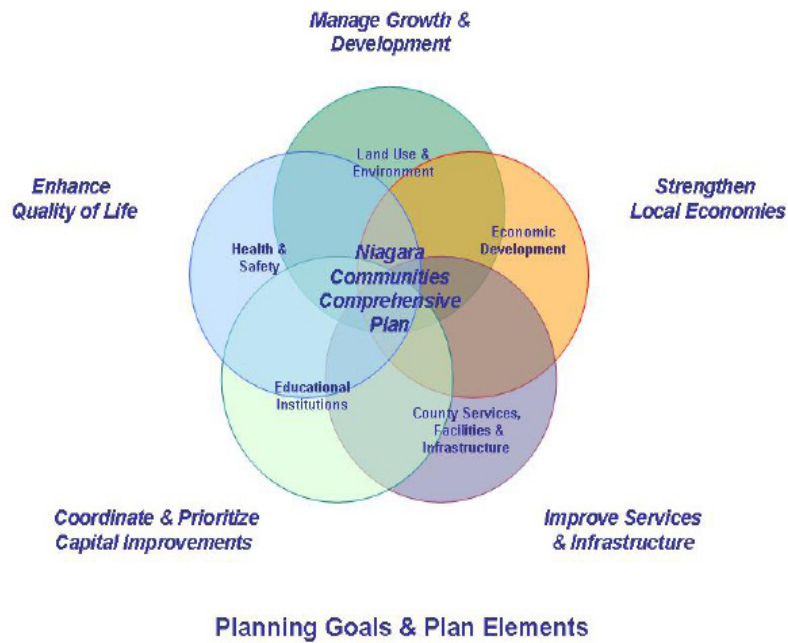
The Comprehensive Plan addresses five core planning topics or elements. These five elements are considered and discussed throughout the Plan in terms of planning goals and objectives; issues and opportunities; existing conditions and future needs; and strategies and recommendations. These five elements include:

1. Land Use and Environment
2. Economic Development
3. County Services, Facilities and Infrastructure
4. Education
5. Public Health and Safety

The planning process was also guided by five overall goals that were established early in the Plan's development. These goals were used as the basis for establishing further goals and objectives described throughout the Plan. These overarching goals include:

1. Manage Growth and Development
2. Strengthen Local Economies
3. Improve Services and Infrastructure
4. Coordinate & Prioritize Capital Improvements
5. Enhance Quality of Life

*The Niagara Communities Comprehensive Plan addresses five core planning elements and five overall goals.*



## Comprehensive Plan - Definition, Content & Authority

### Definition

A County Comprehensive Plan – Defined under Article 12-B, Section 239-b of New York State General Municipal Law as “the materials, written and/or graphic including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the county, as may be prepared pursuant to section two hundred thirty-nine-d of this article.”

### Content

Section 239-d of the NYS General Municipal Law describes the findings and intent for the content of a County Comprehensive Plan which “*may include, but shall not be limited to the following topics at the level of detail adapted to the special requirements of the county:*

- *General statements of goals, objectives, principles, policies, and standards upon which proposals for the immediate and long-range protection, enhancement, growth and development of the county are based;*
- *Consideration of regional needs and the official plans of other governmental units and agencies within the county;*
- *The existing and proposed location and intensity of land uses;*

*Section 239-d of NYS General Municipal Law describes the intent for the content of a County Comprehensive Plan.*

- *Consideration of agricultural uses, historic and cultural resources, coastal and natural and scenic resources and sensitive environmental areas;*
- *Consideration of population, demographic and socio-economic trends and future projections;*
- *The location and types of transportation facilities, including the reuse of abandoned transportation facilities;*
- *Existing and proposed general location of public and private utilities and infrastructure;*
- *Existing housing resources and future housing needs, including affordable housing;*
- *The present and future general location of educational and cultural facilities, historic sites, health facilities, and facilities for emergency services;*
- *Existing and proposed recreation facilities and parkland;*
- *The present and potential future general location of commercial and industrial facilities;*
- *Specific policies and strategies for improving the county economy in coordination with other plan topics;*
- *Proposed measures, programs, devices, and instruments to implement the goals and objectives of the various topics within the county comprehensive plan;*
- *All or part of the plan of another public agency;*
- *Any and all other items which are consistent with the protection, enhancement, orderly growth and development of the county; and*
- *Consideration of cumulative impacts of development, and other issues which promote compliance with the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations.”*

### *Legislative Authority*

Under the State’s General Municipal Law, the County Legislature is given the authority to determine who prepares the plan or any amendments thereto, including by its resolution, directing a county planning board or a special board to prepare such a plan.

### *SEQRA Compliance*

A county comprehensive plan is also subject to the provisions of the New York State Environmental Quality Review Act (SEQRA) and its implementing procedures. A county plan can also be designed to serve as, or be accompanied by, a generic environmental impact statement (GEIS). No further compliance with such law is required for subsequent site specific county actions that are in conformance with thresholds established for such county actions in the GEIS and its Findings Statement.

The Niagara Communities Comprehensive Plan 2030, its first version dated 2009, is accompanied by a Full Environmental Assessment Form with attachments included in the SEQRA Appendix to this Plan. The Plan at this time does not establish specific County policies or commit the County or any communities within Niagara County

to a specific course of action, permitting approvals, funding, or the undertaking of site specific projects that might require a Generic Environmental Impact Statement or other further SEQRA action at this time. However, as acknowledged in the Environmental Assessment Form further specific policies, approvals, funding or site specific projects by the County in the future may require additional SEQRA review, including the possibility of preparing an environmental impact statement at the time specific actions and/or projects are being considered.

### *Agricultural Review and Coordination*

A county comprehensive plan and any amendments for a county containing all or part of an agricultural district or lands receiving agricultural assessments within its jurisdiction, shall continue to be subject to the provisions of Article 25-AA of the State's Agriculture and Market Law. A newly adopted or amended plan must take into consideration applicable county agricultural and farmland protection plans as created under Article 25-AA of the Agriculture and Market Law.

### *Referrals*

The County Legislature, prior to adoption, must refer a proposed county comprehensive plan or any amendment thereto to the county and regional planning boards as well as the legislative bodies and the planning boards of each municipality within the county for review and recommendation.

### *Public Hearings*

Prior to its adoption or any amendments to a comprehensive plan, the county legislative body must hold one or more public hearings of the proposal and publish a notice of a public hearing in a general circulation newspaper in the county at least ten days in advance of the hearing.

### *Adoption and Filing*

The county legislative body may adopt a county comprehensive plan or any amendments thereto by resolution and then must have the plan filed in the County Clerk's office or register and a copy with the county planning board, the Secretary of State, as well as the clerk of each municipality within the county.

### *Effect of Adoption*

All county land acquisitions and public improvements, including those identified in the county official map adopted or amended pursuant to Article 12-B of the General Municipal Law, shall be in accordance with the county comprehensive plan. All plans for capital projects of a municipality or state governmental agency on land included in the county comprehensive plan adopted pursuant to Section 239-d of the General Municipal Law shall take the comprehensive plan into consideration.

### *Periodic Review*

The county legislative body shall provide, as a component of a proposed county comprehensive plan, the maximum intervals at which the adopted plan shall be reviewed.

## *Comprehensive vs. Strategic*

A comprehensive plan differs in content and purpose from a strategic plan. A comprehensive plan is more general in terms of describing existing conditions, future visions for an area, goals and objectives, and recommended actions. By its very nature, a comprehensive plan typically considers a wide range of topics, but may selectively delve into greater detail and strategies for specific issues and topics known to be important to a community. A strategic plan by comparison typically considers a specific topic, reflects a more focused approach, and provides specific recommendations and ways to measure progress in meeting future goals and objectives.

## *Document Features*

Most comprehensive plans consist of several common document features. The Niagara Communities Comprehensive Plan includes each of the following features and more. These include:

- A statement giving the governing body the authority to prepare and adopt a plan
- Identification of planning participants (stakeholders) and an outline of the public participation process used in preparing the plan
- A review of previous planning initiatives, reports, studies, and plans
- Baseline data and information on existing conditions in the area influenced by the plan
- A vision statement supported by goals and objectives
- Analyses of trends and future needs
- Recommended actions and alternatives
- An assessment of the potential impacts of the plan
- A future land use plan showing where growth and development is most suitable
- Plan implementation
- Plan adoption and periodic review and updating

## **Purpose, Value & Intent of the Plan**

The **purpose** of a comprehensive plan is to provide a “blueprint” so to speak, for the residents and property owners of communities within the county, decision-makers in those communities, as well as elected and appointed officials at all levels of government including the County, State and Federal governments.

As such, the purpose of the Niagara Communities Comprehensive Plan is to set a direct course of action that guides local officials in their day-to-day administration of government in an effort to meet the local community’s immediate and long-term needs. To remain effective, the Plan must be reviewed on a regular basis and updated periodically. The Plan is flexible enough to meet the ever-changing needs, issues and opportunities of County residents, businesses, governments and visitors to the area.

The real **value** of the Comprehensive Plan, however, will be derived from its day-to-day usefulness and relevancy towards achieving the stated vision, goals and objectives expressed throughout the planning process and reiterated in this Plan. It is often said

*To remain effective, the Plan must be reviewed on a regular basis and updated periodically.*

that the true and lasting value of a comprehensive plan or any sound planning initiative for that matter is with the process that leads to the creation of the planning document(s). That certainly holds true for this Comprehensive Plan as well.

It is the **intent** of the many participants in the planning process that the Niagara Communities Comprehensive Plan be the basis for making the day-to-day decisions that directly and indirectly affect the residents, taxpayers and communities of Niagara County. This document is intended to be the cornerstone for enhancing quality of life by providing a mechanism by which rationale decisions can be made about short and long-term priorities and identifying the means that will result in measurable progress towards a true and realistic Vision for Niagara County.

This Comprehensive Plan is a valuable source of information for the Niagara County Planning Board in fulfillment of its responsibilities in reviewing projects and providing planning guidance and assistance to community officials. The Niagara County Planning Board was established under NYS General Municipal Law. As stated under Municipal Law Section 239-c - “The development of a county comprehensive plan can foster cooperation among governmental agencies in the planning and implementation of capital projects. Similarly, county comprehensive plans can promote intermunicipal cooperation in the provision of public services.”

Powers and duties of the County Planning Board by which this Plan can be utilized include the review of certain municipal planning and zoning actions and certain subdivision plats per sections 239-l, 239-m and 239-n of Article 12-B of Municipal Law. Also, the County Planning Board can use the information contained in this Plan as allowed by Municipal Law to assist with local studies, conduct countywide studies, prepare a county official map, provide information to local boards, provide technical assistance to local governments and comment on state and county highway reconstruction.

Among its many responsibilities the Niagara County Planning Board members and staff maintain a planning and zoning library of countywide plans and regulations, conducts an annual planning and zoning census of municipalities, develops custom GIS applications to track County Planning Board referrals, and assist local officials in identifying properties that need to be sent to the County Planning Board for review. Planning Board members and staff, and the communities they serve, will benefit greatly from the contents and maintenance of this Plan as an up-to-date source of countywide information.

## Needs and Benefits

A variety of important public needs and benefits will be derived from this Comprehensive Plan. Benefits from creating an up-to-date countywide comprehensive plan as a source of information will be realized by the public and private sectors, agencies, organizations, groups and individuals alike. The following points are some of the significant day-to-day types of needs that will be met and benefits that will be derived from this Comprehensive Plan.

### Up-to-date Source of Information

- Changes in local population growth/decline and distribution, demographic characteristics (age, education, employment, income), housing conditions,



transportation and infrastructure, social services, education, and economic trends all need to be reviewed on a regular basis to reflect the changing conditions and needs of citizens. For example, a 10-year old plan may be based on data that are 10 to 20 years old or more. The comprehensive planning process is a means to identify what changes are occurring at a specific point in time and address how changing needs can be met using the most recent information available.

- An up-to-date comprehensive plan is a substantial source of community-based information and pride. Information may be used to forecast needs, revenues and costs. This is a valuable source of information to elected officials, administrators, planning boards and commissions, police and fire departments, schools, real estate and development interests, state and regional agencies, local institutions, civic groups, citizens and adjacent communities.
- A comprehensive plan allows for consideration and incorporation into one document, either directly or by reference other plans, regulations, and planning initiatives conducted by municipalities in the region.
- New York State SEQRA and Federal NEPA environmental review processes require local data collection, review and consideration of proposed projects relative to consistency with local, county and regional plans. An updated plan facilitates these processes as a source of current information about local resources, capital improvement needs and priorities.

#### Zoning Credibility and Defensibility in Litigation

- Frequent rezoning requests and variances at the local municipal level may indicate that zoning ordinances are no longer meeting the needs of the real estate market, economic development trends and/or resident priorities within a community. An updated county comprehensive plan can provide land use guidance to local communities to identify these changing trends, forecast future growth patterns and provide recommendations to modify local zoning regulations and anticipate where future public infrastructure is most needed.
- When project-related decisions are challenged in court, communities and public officials are in a much stronger position to defend municipal actions and decisions if they have current, recently adopted plans supported by community input and based upon up-to-date information and knowledge of local conditions.

#### Community Involvement

- The comprehensive planning process allows for consensus-building opportunities, citizen involvement in decision-making, mechanisms to formulate the County's Vision, and focuses planning efforts and resources on critical issues and priorities. A municipality that is not proactive in its planning initiatives may lead to local decisions being made reactively, on the spur of the moment, and/or by other involved institutions, such as the court system that may result in decisions that may not be in the best interest of a community.
- The comprehensive planning process is an opportunity to educate everyone on the importance of planning in resolving local issues and making informed decisions that enhance quality of life. The development and completion of an up-to-date comprehensive plan can be a milestone event generating enthusiasm, future interest and further involvement by the next generation of residents

*The Comprehensive Plan is intended to be the cornerstone for enhancing quality of life in Niagara County.*

and officials as they move forward in determining the future of their communities.

### Legal Framework and Responsibilities

- Land use regulations, and local zoning ordinances in particular, must be in conformance with a “comprehensive” or “well considered” plan. However, no clear definition of such a plan is stated in NY State statutes. Although courts have held that zoning can be legal even in the absence of a written plan, zoning and land use decisions are best supported by adopted plans. In New York State, the legal bases for communities to prepare such plans include: General City Law, Sections 25 and 28; Town Law, Sections 263 and 272; Village Law, Article 7 Section 7; and General Municipal Law, Article 12 Section 239.

### Public Infrastructure and Capital Improvements Planning

- The comprehensive planning process identifies deficiencies and future needs for public services and infrastructure. The provision of infrastructure can be costly and if not properly considered at a regional level can lead to unnecessary sprawl, undesirable land uses, conflicts among adjacent municipalities and increased costs in providing municipal services. A comprehensive plan is an effective land use management tool designed to guide future land use and capital improvement decisions.

### Natural Resource Protection

- An updated comprehensive plan identifies and addresses current natural and environmental resource issues in a community. Issues may relate to changing land use patterns and development activity that may pose concerns over the protection and management of valuable natural assets including open space, floodplains, aquifers, wetlands, surface waters, steep slopes, prime and unique soils, woodlands, endangered and threatened species habitats, and critical environmental areas.

### Community Character and Heritage Preservation

- An updated comprehensive plan also addresses implementation techniques for maintaining and enhancing community character by protecting and preserving significant landmarks, community character, scenic features, recreation areas, historic sites, and cultural resources.

### Comparisons to Other Regions

- An up-to-date comprehensive plan facilitates comparison of one region to another in terms of quality of life issues, housing, schools, employment, recreation, economic development, tax base, services and public facilities. The ability to make these comparisons can be an effective marketing tool in attracting new and appropriate economic development into the area.

### Grant Funding

- Funding agencies and private sector organizations are more likely to fund projects that are supported by an up-to-date plan based on consensus of local stakeholders and communities. The implementation section of a comprehensive plan typically identifies projects to be undertaken, project timeframes and potential sources of funding all of which facilitate successful project funding requests.



# Community & Stakeholder Participation

The Niagara County Legislature took the following position very early in the comprehensive planning process: To be truly meaningful and achievable the Niagara Communities Comprehensive Plan would involve the participation and input from all stakeholder communities in the County. Rather than a top-down approach to the planning process, it was agreed that this approach would use the knowledge, experiences and information gathered from each stakeholder community to prepare the comprehensive plan.

New York State is a “home rule” state in which decisions on land use and other significant issues are under the jurisdiction and responsibility of individual municipalities, such as towns, cities and villages. Because so many of the goals and objectives outlined in this Plan are best achieved at and by the local municipal levels of government, for example through municipal zoning and land use planning initiatives, under “home rule” the ultimate vision, goals and objectives identified at the County level will only be achievable through the input and consensus of each stakeholder community in Niagara County.

Stakeholder communities include the three cities, twelve towns, five villages and three Native American tribes that comprise Niagara County. Each of these communities has been afforded the opportunity to participate and guide the process for preparing this Comprehensive Plan. Stakeholder communities include:

- City of Lockport
- City of Niagara Falls
- City of North Tonawanda
- Town of Cambria
- Town of Hartland
- Town of Lewiston
- Town of Lockport
- Town of Newfane
- Town of Niagara
- Town of Pendleton
- Town of Porter
- Town of Royalton
- Town of Somerset
- Town of Wheatfield
- Town of Wilson
- Village of Barker
- Village of Lewiston
- Village of Middleport
- Village of Wilson
- Village of Youngstown
- Tuscarora Indian Reservation
- Tonawanda Indian Reservation
- Seneca Nation of Indians

*New York State is a “Home Rule” state. Decisions on land use issues are under the jurisdiction and responsibility of individual municipalities - cities, towns and villages.*

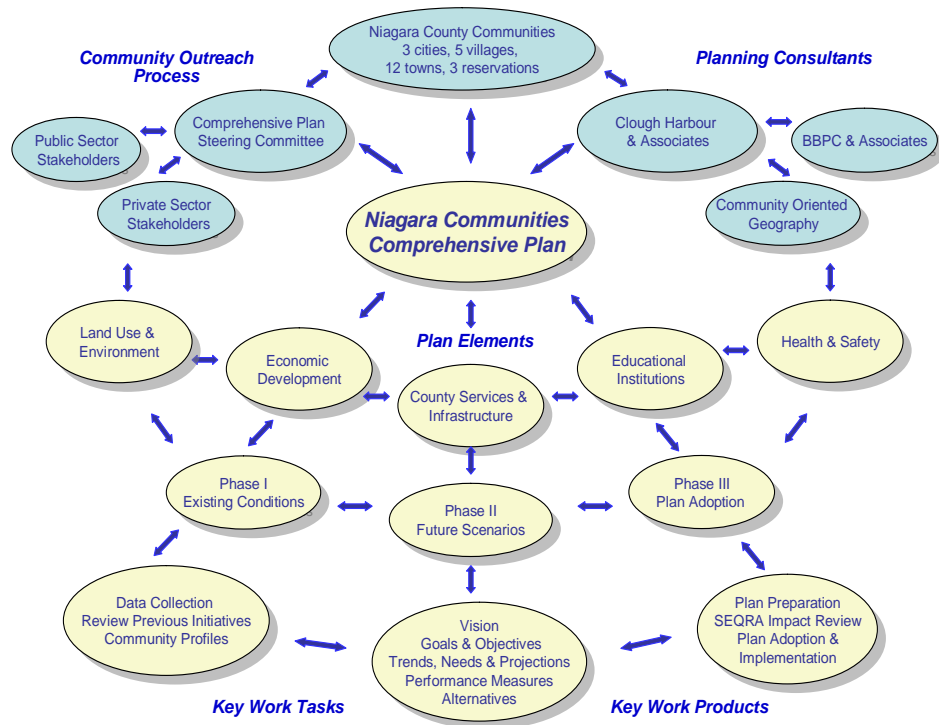
*Stakeholder communities include the 3 cities, 12 towns, 5 villages and 3 Native American tribes in Niagara County.*

Each stakeholder community delegated a community representative and an alternate(s) to participate in the planning process as a member of the Stakeholder Communities Plan Steering Committee. Members were asked to provide input and guidance on the preparation of the comprehensive plan as well as assist in the collection and dissemination of information and contribute to its content. Scheduled Plan Steering Committee meetings were held throughout the spring and summer of 2008. Minutes of those meetings are provided in Appendix A.

The planning process reached out to other stakeholder participants throughout the Plan's development and preparation. A listing of stakeholders invited to participate in the planning process is included in Appendix A with meeting documentation provided, including notices and minutes. Public participation occurred in many ways via the stakeholder community meetings, general public meetings, focus group discussions, interviews and through website links and other public media.

An important result of the community and public participation process was the identification and subsequent review and discussion of previous planning initiatives conducted at some local and regional levels. Important information gleaned from this information follows in this chapter and much of the information was used in the analysis and recommendation phases of the comprehensive planning process.

The overall comprehensive planning process is illustrated below. This illustration describes how the community outreach stakeholder participants (shown in blue) served as the basis for feeding information into each step of the planning process ranging from the various plan elements and phases of plan development to the key work tasks and work products that comprise the comprehensive plan.



Niagara Communities Comprehensive Plan Planning Process

# Review of Previous Planning Initiatives

As part of the preparation of this Niagara Communities Comprehensive Plan it was important to review previous planning initiatives that have been undertaken in recent years that have particular relevance to Niagara County, to the communities that comprise the County, and the Niagara region in general. The following documents were reviewed and are summarized because each contains information that is relevant to the preparation and ultimately the implementation of this Comprehensive Plan. Important initiatives are listed under the five plan elements considered throughout the planning process. Where available, website links are provided so that direct access can be gained to these documents.

## Land Use and Environment

### *Framework for Regional Growth (October 2006)*

The Framework establishes basic policies and principles to guide the future growth and development of the Erie County - Niagara County Region. The Framework identifies the major challenge facing the region as follows. “The combined effects of disinvestment and sprawling development has reduced the livability of older neighborhoods, eroded the competitive position of traditional centers of commerce and industry; increased fiscal stress; isolated low income, minority and elderly residents; and threatened the resources that make the region an attractive place to live – river and lake fronts, historic city, town and village centers, and rural landscapes.” These are issues that need to be addressed at the local and county levels of government.

This document is a regionwide vision for conservation, development, and public investment, providing direction for decisions regarding the location and pace of development, investments in economic development, the extension of sewer and water service, improvements to parks and major public facilities, and investments in transportation infrastructure.

The document is divided into three sections: *Context and Challenges*, *Guiding Growth and Investment*, and *Taking Action*.

*Context and Challenges* provides an overview of the regulatory and organizational context for regional planning, a review of the region’s context, a development history and demographics, and summaries of the counties’ challenges (e.g. declining population density and disinvestment, sprawl, limited development-ready sites, loss of agricultural lands, traffic congestion, threats to natural systems and strain on public infrastructure).

*Guiding Growth and Investment* establishes the principles for the region’s growth, development, and conservation. Policy and strategy statements are articulated that form the basis for county action agendas. This section establishes seven framework principles (A Vital Economy, Strong Rural Communities, Sustainable Neighborhoods, Improved Access and Mobility, Efficient Systems and Services, Conserved Natural and Cultural Assets, Effective Regional Stewardship) and distinguishes types and patterns of development for three broad geographic areas (development, developing, and rural) as well as three types of sub areas (centers,

*The Framework points out that with traditional planning authority granted to municipal governments (home rule), including the regulation of land use through zoning and land subdivision, the counties’ direct influence on the region’s development pattern is limited.*

corridors, and conservation overlays)

*Taking Action* outlines County actions to implement the Framework Plan. Early actions (Years 1 to 5) and longer term actions (Years 5 to 10) are identified. Early actions include initiating a planning assistance program for local municipalities, developing capital project review policies and procedures, developing New York State Environmental Quality Review Act (SEQRA) Type 1 Action lists, and strengthening reinvestment policies. Longer term actions include developing planning area specific standards for County roads, adjusting sewer and water district limits consistent with the Framework and expanding assistance for agricultural conservation efforts.

The report points out that with traditional planning authority granted to municipal governments (home rule), including the regulation of land use through zoning and land subdivision, the counties' direct influence on the region's development pattern is limited. "The Framework is not intended to serve as a conventional zoning or land use plan or capital improvement program – recommendations regarding future residential or commercial zoning districts are not part of the Framework nor are detailed recommendations concerning the extension of public utilities or investments in the transportation network."

The Framework provides policy and strategy statements organized by policy area. Some of the most relevant policies and strategies are summarized below. These strategies are categorized in the Framework for Developed Areas, Developing Areas, and Rural Areas.

#### Economic Development & Public Investment Strategies

- Develop a regional inventory and marketing strategies for vacant, underutilized and Brownfield properties
- Preserve and properly zone larger scale vacant and underutilized sites that can support large scale uses
- Encourage major government and educational facilities, sport and entertainment venues, and cultural facilities and attractions to locate in regional population centers
- Encourage public investments in existing infrastructure and public facilities and services
- Limit capacity improvements to roads and sewer infrastructure
- Support protection of future rights-of-way for future infrastructure
- Expand efforts to strengthen the region's rural economy

#### Development Guidance Strategies

- Support local comprehensive planning policies that designate areas appropriate for development and conservation, minimizes conversion of agricultural lands and natural areas, and avoids leap-frog development patterns
- Work with localities to identify and minimize regulatory and planning barriers to mixed-use and pedestrian-oriented development
- Support mixed-use land development and minimize conversion of significant open space, agricultural lands and natural systems
- Support local planning and zoning to protect sites deemed most suitable to employment intensive uses
- Identify and conserve agriculture and forested lands designated in local

- plans for rural or agricultural use
- Work with localities to resolve planning barriers to infill development and the preservation and adaptive reuse of older, historic buildings

#### Mobility & Accessibility Strategies

- Support GBNRTC’s “maintenance first” policies regarding existing transportation infrastructure
- Review criteria for curb-cut approvals on county roads to encourage access management and parcel to parcel connectivity
- Work with localities to restrict “strip” commercial and industrial development along highways in developing areas
- Explore feasibility of providing public transportation service between rural centers and developed area destinations

#### Public System & Service Strategies

- Assist localities in the assessment of economic, fiscal and environmental costs and benefits of extending sewer and water services
- Support local policies that channel growth where sewer and water exist
- Encourage authorities to evaluate the feasibility of contracting sewer district boundaries where they extend into areas designated for conservation or agricultural use
- Continue support for intermunicipal agreements that increase cost savings in the delivery of services
- Establish priorities for conservation of regionally, nationally and internationally significant natural and cultural heritage resources

### **Bi-National Transportation Strategy for the Niagara Frontier (December 2005)**

This report was prepared to address existing and future transportation needs of the region’s border crossings and approach corridors. This was a joint effort by the Ontario Ministry of Transportation and the NYS Department of Transportation with participation by other government agencies and industry stakeholders.

The four highway bridges and two railway bridges across the Niagara River make the Niagara Frontier the second busiest commercial border along the U.S. Canadian border carrying about 16% of all trade between the two countries. Over 15 million vehicles, including 2.3 million trucks crossed the border in 2004, carrying \$70 billion in goods by truck and \$14 billion by rail. An estimated 480,000 jobs in Ontario and 348,000 jobs in New York State rely on this trade.

The Niagara Region is served by the Canadian Pacific Railway (CPR), the Canadian National (CN) Railway and U.S. freight carriers Norfolk Southern and CSX Transportation, Inc. Amtrak provides passenger service between New York City and Niagara Falls, NY, connecting to Toronto by VIA Rail.

Marine transportation contributes \$6 billion annually to the U.S. Canadian economies along the Great Lakes Seaway System, of which the Welland Canal is the major component in the Niagara Region. Air transportation is primarily

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handled out of the Buffalo Niagara International Airport (BNIA) which handled over 4 million passengers in 2002 as well as providing air cargo and general aviation services.

The Niagara Falls International Airport (NFIA) operates in joint agreement with the U.S. military and provides charter and cargo services as well as acting as a reliever airport.

Six strategy elements are identified in the report including:

- Improving cross border coordination between agencies and stakeholders
- Ensuring adequacy of highway approach capacity and connectivity to economic centers
- Improving enforcement and processing to enhance efficiency, security and safety at the borders
- Providing sufficient river crossing capacity
- Optimizing use of all transportation modes to improve efficiency
- Realizing unique opportunities for overall border network management including innovative Intelligent Transportation Systems (ITS).

### **Niagara County Agricultural and Farmland Protection Plan (August 1999)**

This Plan identifies the importance of agriculture as an economic contributor to the rural communities of Niagara County with an annual impact of \$87 to \$230 million. The primary objective of the Plan is to help make farming viable in the County, otherwise as stated in the Plan, what agriculture brings to the County in positive economic impact and social value may be lost in the next twenty years as a result of residential build-out and sprawl forms of development.

The document points out that due to its rich soil and geographic location Niagara County ranked (in 1997) 22<sup>nd</sup> out of the State's 61 counties. The Plan refers to numerous studies that support the fact that agricultural land generates a positive tax base advantage to local towns because it consistently generates more in tax revenues than it requires in service expenditures, including schools.

The American Farmland Trust identifies the Ontario Plains and Finger Lakes Region of western NY, including Niagara County, as being ranked 11<sup>th</sup> of the top 20 most threatened Major Land Resource Areas (MLRA) in the U.S. due to the development pressures on the region's farmlands. Of the County's 20 municipalities, 12 have land located within six established agricultural districts encompassing approximately 52% of the County's land area or about 176,000 acres.

The Niagara County Agricultural and Farmland Protection Board recommends a number of strategies in the Plan concluding, "that economically strengthening agricultural enterprises, increasing the level of public awareness about farming and gaining supportive local public policies provides the most effective and affordable means to achieve the goals of both state and local agriculture and farmland protection." Strategies and recommended action items fall under three primary categories including:

- Agricultural Economic Development
- Education, Promotion and Public Relations
- Government Policies and Farmland Protection Strategies

*"...agricultural land generates a positive tax base advantage to local towns because it consistently generates more in tax revenues than it requires in service expenditures, including schools."*



A key conclusion of the Plan is that “land use controls to preserve farmland will not provide an effective mechanism to maintain a farmland base nor force an industry to exist that is not economically viable.” Key government policy strategies provided in the document include:

- Review of town comprehensive plans by the Agriculture and Farmland Protection Board prior to their formal adoption
- Encouraging creative developments utilizing Planned Unit Developments (PUD) and cluster development
- Establishing mechanisms for the Transfer and/or Purchase of Development Rights
- Encouraging infill development where existing infrastructure is in place
- Passing right to farm laws in all towns and the County
- Increasing quantity and quality of wildlife habitat
- Utilizing a land evaluation-site analysis (LESA) using GIS technology

### **Niagara River Greenway Plan and FEIS (April 2007)**

The Greenway Plan identifies priorities and a plan of action for improvements to the Niagara River corridor in Erie and Niagara counties, with the objective of promoting projects that address connectivity, environmental factors, redevelopment and opportunities for economic development/tourism. The plan focuses on the municipalities bordering the Niagara River (with the addition of the Town of Niagara in Niagara County and the Village of Kenmore in Erie County). Part of the impetus for the plan is the fact that the region has a dedicated funding source as a result of the NY Power Authority Relicensing Agreement, providing \$9 million per year for the next 50 years.

This plan provides an inventory of parks and public lands, ecological resources, trails and heritage sites. It also includes an extensive “Action Plan” that provides sketch-level project plans targeting specific improvements.

## **Economic Development**

### **“Niagara County Comprehensive Economic Development Strategy” (June 2007 and 2008)**

These documents represent Niagara County’s annual reporting on its strategy to address opportunities as well as challenges that have prevented growth, capitalizing on recent signs of economic potential and the County’s competitive strengths.

The reports begin with an overview of the County’s demographic and economic conditions as well as existing physical conditions (environmental and natural resources, infrastructure, water and sewer, utilities). The next section presents an overview of the Niagara County economy, including leading industry sectors, the County’s economy within the regional context, factors directly affecting

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economic performance, and the Industrial Development Authority. Economic development issues are presented in the next section, summarizing the County’s economic strengths, weaknesses, opportunities, and challenges. The final sections present the County’s economic development goals and anticipated successes, followed by an implementation agenda providing an overview of economic development projects by category and by priority level.

### **Niagara County Economic Development Fact Sheets**

This document was produced by the Niagara County Center for Economic Development and presents economic development “facts” about Niagara County. Topics covered include available financial incentives, transportation access, workforce unionization, labor force skills, industry sectors, building availability and location of industrial parks, home values, the Niagara Falls Empire Zone, educational opportunities, and tourism/recreation assets.

### **Niagara County Economic Development Market Facts**

This document was produced by the Niagara County Department of Economic Development and presents Niagara County market facts. Topics covered include agricultural facts (e.g. crops harvested, cattle and milk production, farmland acreage, cash receipts from farm marketing), banks, climate, the construction sector (permits, building inspector contact information, median home values), economic development agencies, educational institutions, the Foreign Trade Zone adjacent to the Niagara International Airport, health care institutions, the housing sector and utilities, incentive programs, location of industrial parks, largest employers and data on the County’s manufacturing sector, labor force statistics, population statistics, tourism/recreation assets, retail sector data, tax rates, transportation infrastructure, utilities and water, and industrial zoning.

### **“Revisiting Brownfields: A Regional Strategic Approach”**

This document was prepared for the New York State Department of State Division of Coastal Resources with funds provided under Title 11 of the Environmental Protection Fund. The plan provides a framework from which brownfield redevelopment projects in the Niagara region should be approached. The plan also establishes a prioritized approach for regional investment and identifies roles and responsibilities for local and regional leaders.

The plan is divided into five sections. It begins with an introduction to brownfields planning, providing and understanding of the regional context, opportunities and challenges, and the role of local and regional government. The next section addresses the community involvement process. The third section prioritizes brownfield sites and presents design concepts for redevelopment. The fourth section outlines brownfield funding and financing resources. The last section presents an implementation strategy. There are also several appendices, including site rankings, a financial analysis users guide, case studies, and demographic and socioeconomic data.

*“...the County’s strategy is to address challenges that have prevented growth, capitalizing on recent signs of economic potential and the County’s competitive strengths.”*

**“Niagara County Business Development and Commercial Revitalization Study: Villages of Lewiston, Youngstown, and Wilson”**

This study provides direction for business development and revitalization in three Niagara County villages – Lewiston, Youngstown, and Wilson. The projects include a market analysis, an inventory of downtown properties, a business survey, and recommendations for business development, marketing, and commercial revitalization.

General recommendations include incentives to encourage development/renovation of lodging facilities, partnerships with local educational institutions, installation of wireless internet service, and continued promotion of Niagara County Microenterprise Assistance Program. Village-specific recommendations address development of the tourism industry, selection of priority redevelopment sites, development of promotional/special events, streetscape improvements and landscaping, and public investments such as public bathrooms, ferry service, and other transportation improvements.

The following research reports are from the New York State Office of the State Comptroller.

**“Property Taxes in New York State”**

This report provides an overview of the property tax trends across New York State and gives insight into some of the salient issues arising from this tax.

The property tax is the largest tax imposed by local governments in the State, accounting for 79 percent of all local taxes outside of New York City. This results in a per capita property tax burden that is 49 percent higher than the national average and as a share of personal income is 28 percent higher. The increase in local property tax levies outstripped the rate of inflation from 1995 to 2005 (60 percent versus 28 percent).

In Niagara County, the property tax levy per household and per \$1,000 of personal income is relatively low. However, the property tax rate in relation to full property values is relatively high in the County, which is likely due, in part, to the relatively low property values characteristic of Niagara County.

Although the property tax is stable and easy to use, it has been noted for some serious flaws and has been the subject of much controversy, particularly in New York State. Some issues relayed in the article include:

- Property taxes are based on a fairly subjective property values assessment system
- Home values (upon which property taxes are assessed) may not accurately reflect ability to pay
- Property tax “rebates” commonly used to relieve tax burden are essentially a transfer of tax burden and not a tax cut
- Property taxes are often considered regressive – the burden falls more heavily on lower-income tax payers as a percentage of their income

### **“Local Government Sales Taxes in New York State”**

This report provides an overview of the use and trends in sales tax in New York counties and cities. Sales taxes are a significant source of revenue for local governments in the State, making up 8.6 percent of total local government revenues in 2004. These taxes are an even more significant component of Niagara County’s total revenues, representing 17.5 percent. Generally, the sales tax is levied at the county level and sales tax proceeds are distributed to other units of government within county boundaries, according to a sales tax sharing arrangement.

New York State has one of the highest combined state/local sales tax rates in the nation, with an average combined state-local sales tax of 8.25 percent, compared to the national average of 5.93 percent. The majority of counties in the State have sales tax rates exceeding 3 percent (Niagara County’s rate is 4 percent). Overall, 85 percent of New York’s population resides in areas where the combined tax rate is 8 percent or higher.

Counties that share sales taxes with municipalities within their borders retain anywhere from 31 percent to 98 percent of taxes levied. Niagara County falls roughly in the middle, retaining 58 percent of collected sales taxes for solely County purposes. In addition to sharing sales taxes with localities, some counties also share a portion of these taxes with school districts (Niagara not included). Some cities reserve the right to collect their own sales tax independent of counties (not the case for Niagara’s three cities).

### **“Town Special Districts”**

This report provides the background information on New York State’s town special districts and discusses trends and current issues with these districts. A town special district is a designated geographic area within a town established to address specific service needs of property owners within that area (i.e. garbage, sewer, water, fire protection, parks, lighting and drainage). These districts utilize charges, mainly through property taxes, and user fees paid by taxpayers within the district to finance these services.

There are currently 6,927 special districts across the State, 92 of which are located in Niagara County. The majority of the County’s special districts provide water, sewer, garbage, and lighting services. Revenues for town special service districts account for 41 percent of all town revenues in Niagara County (second highest percentage of all NY counties); 77 percent of all property tax revenues in the County go to fund these special districts (highest percentage of all NY counties).

Due to the rapidly-growing populations of some towns in New York, and therefore the rapidly-increasing use of town special service districts, concerns have arisen regarding the efficiency and effectiveness of using this mechanism to fund certain town services. There has been a general lack of transparency in the specific use of special district revenues and the actual cost of providing services within these districts. Additionally, the ad-hoc use of the districts has raised questions about the efficiency of the mechanism and the potential for district consolidation. The report discusses some potential actions to address these issues, specifically unit cost analysis, consolidation thresholds, and expansion of the State’s Shared Municipal Services Incentive.

*Counties that share sales taxes with municipalities within their borders retain anywhere from 31 percent to 98 percent of taxes levied. Niagara County falls roughly in the middle, retaining 58 percent of collected sales taxes for solely County purposes.*

*There are currently 6,927 special districts across the State, 92 of which are located in Niagara County. By comparison, Onondaga County has the second highest number of special districts in the State at 941 behind Erie County.*

*The majority of special districts in the County provide water, sewer, garbage, and lighting services.*

### **“Revenue Sharing in New York State”**

Revenue sharing is unrestricted State aid to local governments that can be used for any local governmental purpose. This unrestricted aid has been distributed to localities through a number of categories, such as General Purpose for Local Government Aid (GPLGA), Emergency Aid to Certain Cities, Emergency Aid to Eligible Municipalities, Supplemental Municipal Aid (SMA), and Local Government Aid to Counties. This report gives an overview of revenue sharing practices in New York State, and explores trends and current issues with the State’s allocation of unrestricted aid.

Revenue sharing in New York currently totals about \$800 million, with the vast majority of these funds (over 90 percent) going to cities. From FY-88 to FY-05, revenue sharing has been reduced by more than 26 percent, while cumulatively State funds have increased by 93 percent. In addition, revenue sharing funds have been outpaced by inflation, which has increased 65 percent over this 17-year period.

Several of the categories through which unrestricted aid was distributed have been eliminated. Since FY-01 cities have predominantly received funding through SMA (which make up over 50 percent of unrestricted aid payments) and GPLGA. The SMA was established in 1996 to help support cities receiving Emergency Financial Assistance, like Niagara Falls, who face fiscal difficulties due to constitutional tax limitations.

Many issues have arisen over the amount of revenue sharing provided by New York State and the mechanism for determining how much aid is distributed to each locality. Original statutory formulas based on population, per capita property valuation, and personal incomes were established to guide fair, equitable and flexible aid distributions. However, these formulas have been unused for decades, as unrestricted aid amounts have been frozen. The report suggests reinstating these formulas and assigning higher State budget priority to revenue sharing as a means of reestablishing sufficient levels of this funding to localities in need.

### **“Fiscal Challenges Ahead for New York’s Cities”**

This report gives an overview of the recent fiscal challenges faced by cities in New York State, and certain measures the State is taking to help cities deal with these challenges. Specifically, the State is helping cities focus on long-range planning as a tool for coping with rising expenditures and budget gaps. To promote this long-range planning, cities must certify that they have completed multiyear (at least three fiscal years) financial plans in order to receive additional State funds through the Aid and Incentives to Municipalities (AIM) program.

The report also analyzed the results of the financial plans submitted in 2006. Most cities reported budget gaps projected to increase over the next three years, averaging 5.2 percent of total revenues in 2007 and 9.8 percent by 2009. Ten cities projected gaps exceeding 10 percent of their total revenues, which generally indicates severe fiscal stress. Soaring service costs and expenditures appear to drive these expected budget gaps in the cities of the Hudson Valley and Long Island, while stagnant property values, population decline and thus



reduced revenues were likely the cause for projected gaps in upstate cities, such as those in Niagara County.

The City of Niagara Falls' financial plan was highlighted in the report. Flat property values, aging infrastructure and population losses have put a burden on generating tax revenues and caused budget gaps in recent years. In addition, the City has been constrained in its ability to raise property tax rates to close these gaps, due to being very close to its constitutional tax limits. Meager assessed value increases in Niagara Falls have further complicated this situation.

#### ***Achieving Niagara Falls' Future (April 2002)***

The report is essentially a catalog of 46 projects/initiatives estimated to cost \$145 million, to be implemented on the Niagara Falls waterfront, including both short-term (\$11 million) and long-term recommendations. As the report says it "has taken the best ideas from nearly a dozen different plans, reports, studies and proposals" and combined them. There are three strategies at work in the selection of projects: 1.) reconnect the City to the waterfront, 2.) repair the urban and natural environments, and 3.) build the visitor industry by developing "the means to tell the compelling stories of the city and region..."

Big ticket items (with estimated costs as provided in this report) include: the new Amtrak station proposal (\$20M), reconfiguring the Robert Moses Parkway (\$40M), gorge trail system and trailhead improvements (\$10M), redeveloping buildings adjacent to the Niagara Greenway (\$50 - \$100M), the Family Museum (\$13M), and the Discovery Center (\$22M). The report's appendices include a brief summary of several of the reports from which proposed projects were selected.

#### ***Rethinking Niagara – Heritage Tourism on the Bi-National Regional Agenda (October 2001)***

Information on Heritage Tourism initiatives, developed in collaboration with the Ontario Heritage Foundation, presented in newsletter format and summarizing progress made at a bi-national meeting held in October 2001. This initiative is bi-national, capitalizing on the common aspects of Ontario, Canada and Niagara County. Marketing and capital investments will be geared around several "themes" common to both sides of the river: the landscape, the bounty of nature (agriculture, vineyards), stories of war, peace and freedom, the wealth of a region (focusing on industrial history), and enterprise in the arts. Part of the effort is development of a single map that will highlight attractions on both the U.S. and Canadian sides corresponding to these themes.

#### ***Revealing Niagara – A Citizen Vision for Heritage and Cultural Tourism in the Bi-National Niagara Region (September 2002)***

"Two nations, many stories, one destination" is the over-arching message of this cultural tourism strategy. This report elaborates on the ideas in "Rethinking Niagara", providing summaries of each of the themes of this heritage tourism strategy, as well as mapping of the locations of heritage sites by theme. The report



also provides mapping of wetlands, agricultural districts and parks on the U.S. and Canadian sides of the border.

**Cultural Tourism in the Buffalo-Niagara Region – Plan and Policy Briefs (2002)**

This document was commissioned by the John R. Oishei foundation and prepared by the University of Buffalo’s Institute for Local Governance and Regional Growth. It includes an extensive inventory of previously completed cultural tourism planning work for Erie and Niagara Counties, as well as regionally, statewide and bi-nationally. This plan notes that previous cultural tourism efforts appear to have been inefficient and poorly coordinated. This plan outlines an approach that would remedy this deficiency by creating a new coordinating committee with a project manager, a timeline and goals and quantifiable results.

The bulk of the report is the inventory of previous work which was meant to lay the foundation for further studies, including an inventory of the Erie-Niagara region’s resources for arts and culture-based tourism. This document includes an appendix of mailing addresses for the initiative’s stakeholders.

**Preservation and Management Plan for the Erie Canal National Heritage Corridor**

The Erie Canal National Heritage Corridor encompasses lands surrounding the Erie Canal between Albany to the east and Lake Erie to the west, including the stretch of the canal passing through Niagara County. The Preservation and Management Plan’s stated objective is as follows:

“The Erie Canalway National Heritage Corridor, working through a wide range of partnerships, is preserving and interpreting our nation’s past, providing world class recreational and educational opportunities, fostering economic revitalization, improving the quality of life in corridor communities, and guiding the reemergence of the Erie Canalway as a 21st century “River of Commerce and Culture.”

The National Heritage Corridor Plan provides a framework to help enable Corridor communities statewide to harness the potential benefits provided by the historic canal. According to the Plan, development along the canal itself should be mindful of its historic significance, and uses capitalizing on the canal as an amenity are encouraged. Trail systems following the banks of the canal provide recreational and educational opportunities; by (1) making trailways suitable for pedestrian and bicycle uses and (2) providing connections among existing and future trail systems, these features will enhance public enjoyment of the canal and boost its appeal to tourists.

The Plan emphasizes preservation of natural and manmade features throughout the Corridor. Niagara County’s natural features, such as Lake Ontario, the Niagara Escarpment, Niagara Falls and the Niagara River, and the many streams running through the area, are among the important Corridor features to be protected for residents and tourists to enjoy. Many villages along the canal feature buildings with unique Canal Era architecture, and the preservation

of these properties is important to creating and maintaining a charming and harmonious experience for travelers of the National Heritage Corridor.

## Community Services

### *“The Demand for Local Services and Infrastructure Created by an Aging Population” (2007)*

This report, prepared by the Buffalo Branch of the Federal Reserve Bank, identifies concerns that local governments and institutions will be facing in providing services and infrastructure to the expanding segment of the population that is aging. The concerns are heightened by the fact that local economies are slow growing and being stressed fiscally by the need to provide increased services. The report indicates that between 2005 and 2030 Upstate New York is expected to experience a 40% increase in the number of older people, more than twice the rate of the previous 25 years and far above the rate expected for people under sixty-five years old.

By 2030, nearly 20% of the U.S. population will be 65 years old or older. This segment of the population heavily relies on age-related services and infrastructure including health care and accessible housing, services provided by local governments, community-based organizations and local institutions. Counties fund portions of in-home personal care and other related health services through Medicaid. Social services range from nutrition programs, such as Meals on Wheels and adult day care, to transportation for non-driving adults.

The report indicates that the greatest demand for services and infrastructure tends to be in areas already experiencing fiscal stress due to rising expenditures and eroding tax base, such as larger cities, inner ring suburbs and large counties that contain these areas – areas often experiencing slow economic and population growth as a result. These local governments that face the increased demand for services and infrastructure also face difficult decisions in where to allocate stressed resources, financial and otherwise. This also has a ripple effect on community-based groups that serve older populations as they may face difficulties in meeting demands because these groups often rely on local governments for resources.

### *2030 Long-Range Transportation Plan for the Erie and Niagara Counties Region (June 2007)*

This is the multimodal blueprint for transportation systems and services in this two-county region. It serves as a guide for development of the Transportation Improvement Program, which lays out funding priorities over a five-year period.

It also has an important land-use planning function, in that it provides forecasts for population and employment locations in 2030 based on a set of assumptions. This plan assumes that most new households will locate in existing developed areas of the region with modest increases in developing and rural areas. It also provides a forecast for the region based on existing (1990 – 2000) trends, demonstrating the more dispersed land use pattern that would result under these circumstances.

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The plan devotes 70% of funds to maintenance, leaving \$1.8 billion for other projects. Congestion is identified as a fairly minor problem, with the greatest need for spot improvements on I-90 between Exits 50 & 53 (Buffalo). Also, the South Grand Island Bridge is identified as seriously deficient and in need of congestion management.

**Niagara Frontier Urban Area Freight Transportation Study, Technical Memo 1 – “Air Cargo Sector Preliminary Traffic Flow Analysis” (April 2007)**

This study provides background information on freight flows in the Erie-Niagara Region, with an emphasis on air cargo facilities. Existing freight flows at the region’s two airports, Buffalo Niagara International and Niagara Falls International Airport (NFIA) are provided in detail.

Twelve airlines offer combined cargo and passenger service from Buffalo Niagara International, with 48,000 tons of air cargo shipped through this airport in 2006. Buffalo Niagara ranks 75<sup>th</sup> in the nation in terms of total cargo tonnage. This airport also has a “cargo complex” in which Fed Ex, UPS, DHL, the US Postal Service and Superior Cargo Services have facilities totaling 305,000 square feet.

Niagara Falls International shipped 12,000 tons of freight in 2006, making it 113<sup>th</sup> in the nation in terms of tonnage. There are no dedicated air cargo facilities at this airport: Kitty Hawk Air Cargo is the only scheduled freight provider at this facility. It is part of a nationwide air cargo network, with its hub in Ft. Wayne, Indiana.

The report identifies Niagara Falls International as having opportunities for freight service expansion, due to proximity to Canadian markets. At the same time, it faces challenges in the form of competition with Canada’s Hamilton International Airport, competition from freight trucking and the fact that there are no express freight carriers sited there.

**Niagara Frontier Urban Area Freight Transportation Study, Technical Memo 2 – “Transportation Infrastructure Profiles” (June 2007)**

This memo is part of a larger freight transportation study and is a detailed look at the Erie-Niagara Region’s freight transportation infrastructure, including air cargo, highways, rail, waterways and cross-border facilities. It includes little in the way of recommendations or analysis but provides extensive information on both domestic and Canadian infrastructure.

Highlights include a profile of key industrial highway routes in Niagara County, including the facilities served, a summary of a study examining the feasibility of a freight ferry on Lake Ontario, some recommendations for tying the AE Somerset facility into the Port of Buffalo’s terminal system and a summary of traffic volumes on the international bridges in the region.

### *Transportation Improvement Program, 2008 – 2012 (June 2007)*

This document is the transportation funding plan for the region through 2012, with priorities based on the 2030 Long-Range Transportation Plan. The Transportation Improvement Program (TIP) provides a brief recap of the 2030 Long Range Transportation Plan (LRTP), including the performance measures developed for the LRTP's goals. The document then provides information on the project development and selection process, a summary of the TIP's compatibility with the goals of Federal SAFETEA-LU policy and changes (by project) to the TIP since adoption of the 2006-2010 TIP. This is followed by the list of the nearly 300 programmed projects in the region.

*The TIP allocates approximately \$800 million in Federal funding and over \$300 million in other transportation funds to a variety of projects; one-half of this funding is allocated to bridge and highway maintenance.*

The TIP allocates approximately \$800 million in Federal funding and over \$300 million in other transportation funds to a variety of projects; one-half of this funding is allocated to bridge and highway maintenance. One-fifth is dedicated to congestion relief projects. Thirteen percent (\$150 million) is programmed for transit projects. The remainder goes to economic development, implementation of new technologies, bicycle/pedestrian facilities, and quality of life projects.

Major projects identified in Niagara County include maintenance work on 10<sup>th</sup> Street in Niagara Falls, between Niagara Street and Cedar Avenue, extension of the John B. Daly Boulevard from Niagara Street to Pine Avenue in Niagara Falls, the Niagara USA Visitor Center, restoration of the Flight of Five Locks in Lockport, funding for the Historic Lewiston Tourist Center and for the Lewiston Scenic Pathway.

### *Olcott Harbor Breakwater Project Summary*

This report summarizes a proposed project to construct a new breakwater and/or wave absorbers at Olcott Harbor located in the Town of Newfane, in order to improve the harbor's safety and protect its piers and marinas from storm surge and heightened wave action on Lake Ontario. Beyond protecting existing resources, the project is needed in order to expand the Port's docking facilities. Currently, demand for boat slips and other docking facilities exceeds supply, pushing boaters to use slips at other harbors. In addition to anticipated secondary effects (such as a boost in the number of boaters attending seasonal events in Olcott), the project would provide direct improvements in safety, benefitting a variety of current users. The report provides a summary of the services this harbor currently provides.

Olcott Harbor is located at the mouth of Eighteen Mile Creek and is the only deep-water port along the southern shore of Lake Ontario between the Niagara River and Rochester. The port is a critical safe harbor for vessels. The U.S. Coast Guard and NYS Police Marine Detail conduct boating patrols at the harbor. U.S. Customs and Border Protection maintains a videophone check-in point for boaters from Canada/international waters. The Niagara County Sheriff's Department Marine Division and the Olcott Volunteer Fire Department maintain boating stations here as well.

### *Niagara Falls International Railway Station (January 2007)*

This project overview report provides an introduction to the proposal to move the

*Olcott Harbor is located at the mouth of Eighteen Mile Creek and is the only deep-water port along the southern shore of Lake Ontario between the Niagara River and Rochester.*

existing Amtrak station from its location on the eastern edge of Niagara Falls' downtown area to the City's heart: the Whirlpool Bridge crossing of the U.S.-Canada Border. The project's cost is estimated at upwards of \$30 million and includes three phases: preserving the historic "Old U.S. Customs House" structure (a National Register-listed site) around which the new station would be built, re-constructing the CSX railroad bridge over the Niagara River and rehabilitating the CN bridge over Whirlpool Street, and station construction. The project would upgrade security screening operations, tie together multiple modes of transportation, and improve the experience of using rail to cross the border. Project completion is currently scheduled for 2011.

### *Niagara Falls International Airport (2006)*

This study looks at the possibilities of expanding Niagara Falls International Airport (NFIA) cargo-carrying capacity and charter flight service. The study looks at trends in the air cargo industry, NFIA's assets, constraints and competition, potential benefits, case studies of similar projects and what would be required to implement an expansion.

The dual themes running throughout this study are that air cargo is going to increase in importance in the future and that NFIA is uniquely well suited to increased air cargo traffic: there is room for expansion, there's very little congestion (for either planes or land-side freight haulers) and the airport's runway can accommodate planes of any size, unlike Buffalo Niagara International Airport (BNIA).

NFIA is identified as being within the "Greater Golden Horseshoe," a region that is generally identified with Toronto and the Canadian side of Lake Ontario, but which includes Niagara Falls. Within this region, airports with cargo-carrying capacity include Pearson International in Toronto and BNIA, both of which are characterized by congestion. Hamilton International in Ontario also provides air cargo services.

This report provides a description of Foreign Trade Zone 34; NFIA is located within this zone. The report states that "A Foreign Trade Zone/Free Trade Zone (FTZ) allows foreign goods to enter free of customs duties and taxes, pending their eventual processing, trans-shipment or re-exportation." This allows manufacturers to piece together components of a product without paying a duty on individual parts. Duty is paid on products to U.S. markets only on the final product; there are no taxes on exports. Most importantly, the report states that FTZ 34 "is currently dormant."

The report points to numerous potential benefits of increased air cargo activity at NFIA including making the area more attractive to high-tech or advanced manufacturing industries that may need access to specialized air freight facilities. At the same time, air freight is not a "silver bullet" for all of the issues confronting this area. This report recommends further cooperation with Canadian interests and residents of Niagara County to explore this concept.

*NFIA is uniquely well suited to increased air cargo traffic: there is room for expansion, there's very little congestion and the airport's runway can accommodate planes of any size.*



### Niagara National Heritage Area Study (2005)

This study looks primarily at Niagara Falls and the City of Niagara Falls as the heart of a potential National Heritage Area (NHA) that would include the municipalities along the River in Niagara County (from North Tonawanda to Youngstown/Town of Porter). The study itself was authorized by Congress and is organized around Federal requirements for an NHA, specifically that the area meets certain criteria. Management of this NHA would be either through a State agency, a regional nonprofit, or a Federal commission.

Goals of a Niagara National Heritage Area would include:

- Improving visitor experience,
- Strengthening the region's identity,
- Increasing public awareness of local history and the need for preservation,
- Encouraging research on local history, and
- Improving the local economy

The study identifies four "heritage themes": Natural Phenomenon, Tourism and Recreation, Power and Industry and Borderland / Border Crossing. The study also identifies three National Historic Landmarks in the study area:

- Adams Power Transformer House, Niagara Falls, the home of hydroelectric power
- Niagara Reservation (Niagara Falls State Park), designed by Frederick Law Olmstead
- Colonial Niagara District in Lewiston and Youngstown, including Old Fort Niagara

An Environmental Assessment was conducted to evaluate the potential effects of establishing an NHA in this region. It concludes that the potential impacts of this designation would not be significant. Additional visitors staying over longer periods of time would contribute to the tourism economy and specific sites might receive increased visitation as a result of this designation.

The study provides an inventory of conditions in the study area, including ongoing planning efforts, natural resources, cultural resources, recreational resources and socioeconomic resources. Items of interest in this inventory are summarized below.

- Niagara Falls State Park: Established in 1885 and formerly known as "the Niagara Reservation," this park is currently listed "threatened / damaged by the National Park Service's National Historic Landmark program" because of adjacent commercial development.
- Other State Parks in the area include:
  - Devil's Hole State Park
  - Whirlpool State Park
  - Reservoir State Park
  - DeVeaux Woods State Park
- Robert Moses Parkway: this multi-lane, limited-access highway extends from Grand Island Bridge in Niagara Falls to Youngstown. It is managed by the State Office of Parks, Recreation and Historic Preservation, with some components owned by the NY Power Authority (NYPA) and the NYS Department of Transportation. It was built in conjunction with

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the Niagara Power Project, circa 1960, “and originally cut through Niagara Falls State Park.” Since its development, direct public access to Niagara River/Gorge has been restricted. Several citizens’ groups have continually lobbied for the Parkway’s removal and restoration of open space, while others see it as an important route for commuters. Two lanes of the Parkway in Niagara Falls have been closed in recent years.

- Niagara Falls economic conditions: the report lists the major employers that have left Niagara Falls in recent years, including a number of industrial plants and a Nabisco plant. The report states, however that “Despite these closings, 28% of the jobs in Niagara Falls remain in the industrial sector (1997).”

## Health and Safety

### Niagara County Comprehensive Emergency Management Plan

This plan is intended to enhance Niagara County’s ability to manage emergency situations, with the focus on rapidly and adequately responding in order to minimize injury and speed recovery. It consists of three components: disaster prevention and mitigation, disaster response and disaster recovery. The CEMP defines roles and responsibilities in prevention, response and recovery, including a detailed chain of command during an emergency. This plan places an emphasis on the role of local jurisdictions as first-line responders, but identifies the key role that County departments play in the process. The CEMP points out the importance of land use controls and development regulations in hazard-prone areas (e.g., floodplain development) in hazard avoidance and minimization.

The Niagara County Emergency Management Office is identified as the coordinating office for all emergency management activities. It is “responsible for assisting individual towns and villages within Niagara County. The CEMP contains few specifics on hazards peculiar to Niagara County (e.g., sites using hazardous chemicals). This information is in Annexes on file with the Niagara County Emergency Management Office. Examples of incidents by their hazard level include: “High-hazard” incidents

- Terrorism
- Utility failure
- Severe winter storm
- Hazardous materials incident in transit

“Moderately high hazard” incidents

- Transportation accident
- Explosion
- Severe storm, ice storm or tornado
- Fixed site HAZMAT incident
- Cyber failure
- Earthquake
- Oil spill
- Ice jam
- Dam failure
- Air contamination

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