

## ~ IV. Communities ~

“When we try to pick out anything by itself, we find it hitched to everything else in the universe.” — John Muir

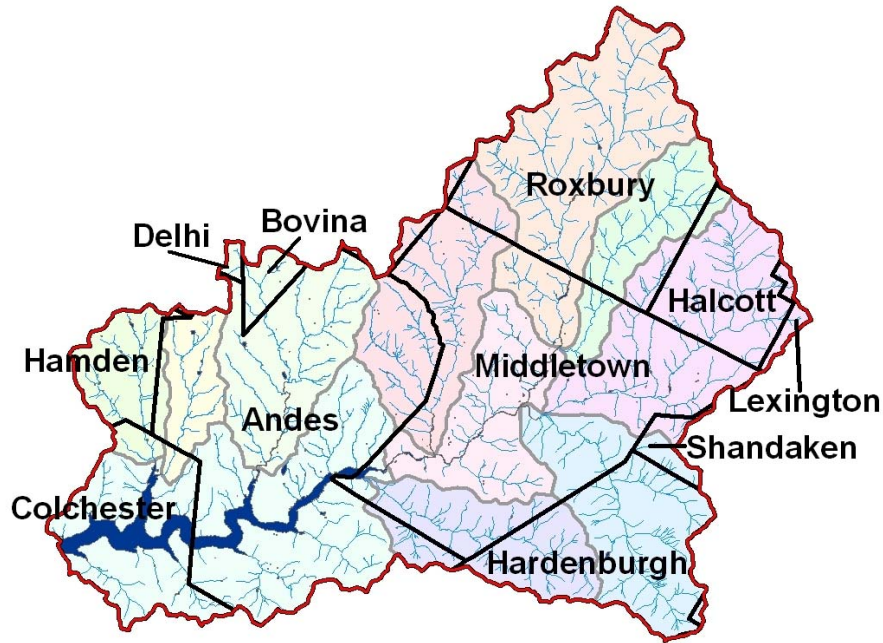
The towns and villages within the East Branch Delaware River watershed share many characteristics that range from rural landscapes to a common concern regarding stream management. Many communities utilize tools — such as comprehensive plans or subdivision regulations — to manage land use within their borders. These tools vary across the watershed, however, making each community unique in their approach to stream management. The following table highlights the guidelines and regulations adopted by each town and village within the watershed.

**Table 4. Land Use Regulations in Watershed Communities\***

	Comprehensive Plan	Ready for Comp. Plan update	Subdivision Regulations	Site Plan Review**	Zoning	Dump Control Law	Mobile Home Regulations	Critical Environmental Areas	Sourcewater Plan	Highway Management Plan	Stormwater Management Plan
<b>TOWNS</b>											
Andes	2003	X	2006	2007	2007	X	X			IP	
Bovina	2003	X	1997	X	1996	X	X			IP	
Colchester	2003	X	2004			X				IP	
Delhi	2002	X	1989	X	2002	X	X			IP	
Halcott	2003	X	2002	X		X					
Hamden	2000	X	2006	2001		X	X			IP	
Hardenburgh			X		2007						
Lexington											
Middletown			1989	X	2000	X	X			IP	
Roxbury	2002	X	1988			X		X	2004	IP	
Shandaken	2005		X		X						
<b>VILLAGES</b>											
Fleischmanns	E/U 2008				E/U 2008		X		2004		
Margaretville	E/U 2007			X	2005	X	X		2004		2003
Date = Year of Adoption or Amendment      X = Adopted      IP = In Progress E/U = Existing regulation, update in progress											

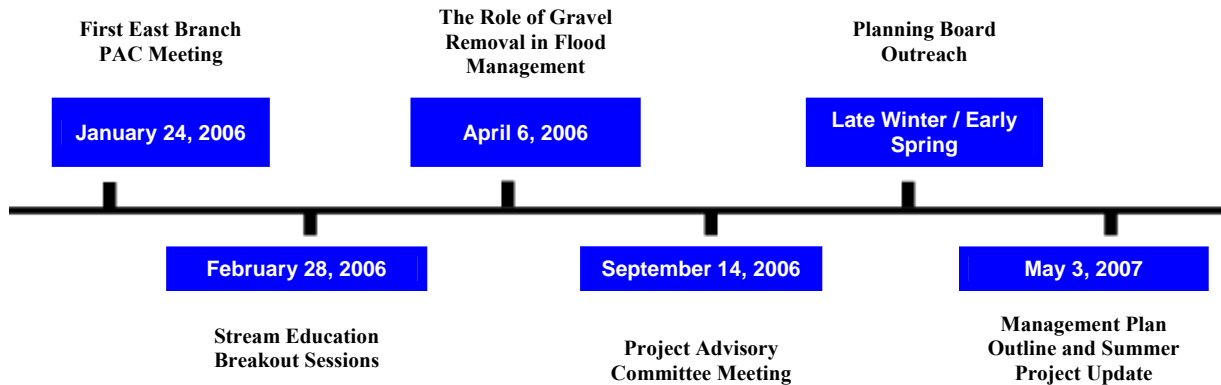
\*Note: Delaware County also has a “Right to Farm” law that applies to each community within its borders.

\*\* Many communities’ site plan review is part of their zoning regulations.



**Map 7. Town Locations**

As stated in the Introduction to Volume 1, “The DCSWCD, the Delaware County Planning Dept. (DCPD), and the NYCDEP recognize that local input and leadership is essential to developing and implementing the management plan.” These agencies worked with the PAC and local town and village planning boards in order to develop a vision for each community — a vision critical to formulation of stream management recommendations. The purposes of the Plan were discussed with and presented to the PAC and each board within the watershed, promoting discussion about local concerns and specific problematic areas.



In addition, a survey regarding stream management issues was provided to many of the planning boards. Nine surveys were returned and the results showed that gravel deposition/removal, debris removal, erosion, stormwater/highway management, floodplain issues, and invasive species are nearly universal problems in communities throughout the watershed. Also common

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were concerns about funding for stream management, the lack of stream-related knowledge, and permit accessibility. While many communities have existing stream protection tools in the form of local laws and comprehensive plans, these tools are due for updates and enhancements. Education — both municipal and public — is desired across the watershed, along with assistance with permit applications. Some communities want help in drafting local laws and comprehensive plan revisions, and some are interested in stream clean-ups and watershed associations. Others are interested in involving their local chambers of commerce in an active watershed management role.

Overall, there is a distinct concern about stream management within the East Branch watershed. Both the comments received at the meetings and the survey results have helped shape the management plan to fit the communities. On the following pages are demographic profiles of the watershed communities, issues and concerns raised by planning board members at the outreach meetings, and community-specific action plans.

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**ANDES**

Located along the southeastern border of Delaware County, Andes is a predominantly rural township. Adjacent townships consist of Colchester, Hamden, Delhi, Bovina, and Middletown. Covering 112.5 square miles (89.4% within the East Branch watershed), the town’s population consisted of 1,356 people as of the 2000 U.S. Census. There were 1,326 housing units within the town, 722 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$86,600.

*Planning Board Issues and Concerns:*

- Tree/debris removal from streams on state or “forever wild” lands?
- Debris inventory
- Permit accessibility municipalities and private landowners

**Suggested Town of Andes Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with NYSDEC and other private land trusts to develop a method to manage debris removal from state-owned and other “forever wild” lands.	Town Board
Develop a process to inventory stream debris and its removal	Town Board/Town Highway Department
Work with regulatory agencies to streamline the permitting process	Town Board

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**BOVINA**

Located in the east-central portion of Delaware County, Bovina is a largely rural township. Adjacent townships consist of Delhi, Hamden, Andes, Middletown, Roxbury, and Stamford. Covering 44.5 square miles (13.4% within the East Branch watershed), the town’s population consisted of 662 people as of the 2000 U.S. Census. There were 521 housing units, 244 of which were seasonal or vacant. Owner-occupied housing units exhibited a median value of \$92,900.

*Planning Board Issues and Concerns:*

- The highway department needs technical assistance with maintenance and improvements
- Gravel removal
- Streambank erosion within the hamlet of Bovina Center
- There is the general feeling that “we can only fix 20 years’ worth of problems during a flood” because that seems to be the only time people are allowed in the stream
- NYSDEC permitting process is too slow and needs to be streamlined
- Funding for restoration and maintenance is needed for projects on private property

**Suggested Town of Bovina Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams	Town Board/Town Highway Department
Develop a process to inventory, assess, and stabilize erosion within Bovina Center	Town Board/Town Highway Department
Locate funding sources to offset private landowner stream maintenance expenses	Town Board
Work with regulatory agencies to streamline the permitting process	Town Board

**COLCHESTER**

Located on the southern border of Delaware County, Colchester is mostly rural. Adjacent townships consist of Hancock, Walton, Hamden, and Andes. Covering 142.2 square miles (20.5% within the East Branch watershed), the town’s population consisted of 2,042 people as of the 2000 U.S. Census. There were 1,587 housing units in the town, 750 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$73,500.

*Planning Board Issues and Concerns:*

- Support and education is necessary outside watershed boundaries to ensure protection of tailwaters below the dam
- Permitting and approval for the construction of a stream crossing needs to be made easier
- General frustration with the permitting system; it needs to be streamlined
- Early warning system for flooding along the East Branch.
  - This is an action item in the Delaware County Multi-jurisdictional All-Hazard Mitigation Plan.

**Suggested Town of Colchester Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work in conjunction with the County All Hazard Mitigation Plan to develop an “early warning system” to be used in the event of stream flooding	Town Board/Emergency Services
Involve the Town with any watershed activities that are relevant to the tailwater region below the Pepacton Dam	Town Board/Town Highway Department
Work with regulatory agencies to streamline the permitting process	Town Board
Consider setback requirements specific to separation distances of structures from watercourses	Planning Board

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**DELHI**

Located in the central portion of Delaware County, the majority of the township of Delhi is rural. Adjacent townships consist of Hamden, Andes, Bovina, Stamford, Kortright, Meredith, and Franklin. Covering 64.6 square miles (1.6% within the East Branch watershed), the town's population consisted of 4,629 people (2,583 within the village of Delhi) as of the 2000 U.S. Census. There were 1,818 housing units, 325 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$86,300.

The Town of Delhi faces the same issues addressed by many other communities, although the majority of the town lies within the West Branch Delaware River watershed.

**Suggested Town of Delhi Action Plan**

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<b>RECOMMENDATION</b>	<b>PARTY RESPONSIBLE</b>
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board

**HALCOTT**

Halcott, with its pastoral view and rolling hills, is located in the western portion of Greene County. Adjacent townships consist of Roxbury and Middletown in Delaware County, and Lexington in Greene County. Covering 23 square miles (95.1% within the East Branch watershed), the town's population consisted of 193 people as of the 2000 U.S. Census. There were 288 housing units, 204 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$82,500.

*Planning Board Issues and Concerns:*

- Willows growing in the stream create problems
- Gravel deposition
- Japanese knotweed
- An abundance of vegetation is negatively viewed as 1.) limiting access and 2.) clogging the stream
- Water encroachment on property causing erosion issues
- Culvert at Elk Creek needs to be properly sized and brought up to standard
- More education is needed regarding debris removal rights during flood events

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- Stream management education is needed for second homeowners
- Informal watershed association is being developed and should be supported by the local community
- Seemingly fewer fishermen
- Very little development pressure to impact local streams

**Suggested Town of Halcott Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams	Town Board/Town Highway Department
Develop a program to address invasive species such as Japanese Knotweed	
Examine need to rehabilitate Elk Creek stormwater infrastructure	Town Highway Department
Develop a process to inventory stream debris and its removal	Town Board/Town Highway Department
Develop educational outreach materials that can be sent to second homeowners	Town Board
Work with regulatory agencies to streamline the permitting process	Town Board
Keep apprised of watershed association activities and strive to keep them up to date on town practices to avoid duplication or conflicting efforts	Town Board/Town Highway Department

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**HAMDEN**

Located in the central portion of Delaware County, Hamden is predominantly rural. Adjacent townships consist of Delhi, Andes, Colchester, Walton, and Franklin. Covering 59.9 square miles (19.3% within the East Branch watershed), the town’s population consisted of 1,280 people as of the 2000 U.S. Census. There were 902 housing units, 361 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$76,300.

*Planning Board Issues and Concerns:*

- Interested in assisting with an update to the West Branch Stream Corridor Plan to ensure uniform management and protection of streams within the community
- Education is needed so that contractors can avoid disturbing the streams and creating more problems
- Platner Brook has gravel issues

**Suggested Town of Hamden Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams such as Platner Brook	Town Board/Town Highway Department
Educate contractors on streambank construction and maintenance practices to avoid further problems that may result from improper stream excavation	Town Board

## HARDENBURGH

Located in the western corner of Ulster County, Hardenburgh is a largely rural township. Adjacent townships consist of Andes and Middletown in Delaware County, Shandaken and Denning in Ulster County, and Rockland in Sullivan County. Covering 81.5 square miles (43.4% within the East Branch watershed), the town's population consisted of 208 people as of the 2000 U.S. Census. There were 275 housing units, 180 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$89,000.

*Planning Board Issues and Concerns:*

- Work with NYSDEC to develop gravel removal protocol and criteria
- There are gravel deposition and flooding problems
  - Below confluence of Dry Brook and Mill Brook
  - Below Haynes Hollow and Kelly Flats
- Safety for human life becomes a concern for developments when one road is the ONLY road in and out and it is threatened by flood waters
- Mill Brook is a problem up by the schoolhouse and requires rehabilitation and management

### Suggested Town of Hardenburgh Action Plan

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams	Town Board/Town Highway Department
Increase level of caution regarding the safety of all town roads threatened by flood damage	Town Board/Town Highway Department

**LEXINGTON**

Located along the southwestern border of Greene County, Lexington is a rural township. Adjacent townships consist of Halcott, Prattsville, Ashland, Jewett, and Hunter in Greene County, Shandaken in Ulster County, and Roxbury in Delaware County. Covering 79.7 square miles (2.6% within the East Branch watershed), the town’s population consisted of 830 people as of the 2000 U.S. Census. There were 854 housing units, 479 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$80,800.

The Town of Lexington faces many of the same stream management issues that were raised in other watershed communities.

**Suggested Town of Lexington Action Plan**

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<b>RECOMMENDATION</b>	<b>PARTY RESPONSIBLE</b>
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board

## **MIDDLETOWN**

Located in the southeast corner of Delaware County, Middletown is a largely rural township. Adjacent townships consist of Andes, Bovina, and Roxbury. Covering 97.3 square miles (99.8% within the East Branch watershed), the town's population consisted of 4,051 people as of the 2000 U.S. Census. Of these, 643 resided within the Village of Margaretville and 351 lived in Fleischmanns. There were 3,013 housing units (350 Margaretville, 287 Fleischmanns) in the town, 1,341 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$83,600.

### *Planning Board Issues and Concerns:*

- What about cleaning out our streams?
  - Monitor, control, and “triggers”...do it scientifically
- Who would do the work of a watershed association?
- We need education regarding people's rights and limitations when it comes to stream management.
- Issues where the river may change dramatically and due to ownership changeover, nobody knows
- Gravel deposition problem “across from Alta”
- Issues with recreation access and misuse/abuse of access privileges
- What is the responsibility of the landowner to the quality of the watercourse running through his/her property?

### **The Village of Margaretville**

Located in the Town of Middletown, Margaretville is one of two small villages within the East Branch Delaware River watershed. As of the 2000 U.S. Census, 643 people resided within the Village. There were 350 housing units and a large business district. The Village is considered the main commercial district for Middletown and is the site for the local school.

### *Planning Board Issues and Concerns:*

- Bull Run is an ongoing problem, especially at the “slide”
- Ice jams create flooding that jeopardizes homes and businesses along Main Street
- The creation of a protocol for debris removal prior to, during, and after a flood is essential to ensuring the safety of Village residents, businesses, and highway infrastructure

### **The Village of Fleischmanns**

Located in the Town of Middletown, Fleischmanns is one of two villages in the East Branch Delaware River watershed. The population of Fleischmanns consisted of 351 people as of the 2000 U.S. Census. There were 287 housing units in the village, many of which are seasonal or second homes.

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*Planning Board Issues and Concerns:*

- The Village would like to acquire old Lake Switzerland, harvest topsoil, and restore it as a lake
- The Village comprehensive plan being developed should incorporate goals from the EBSCMP
- Tourism is large part of the economy and is reliant on fishing and other recreational opportunities along the streams
- The protection of fish habitat is important

**Suggested Town of Middletown Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams	Town Board/Town Highway Department
Educate private landowners on their rights, limitations, and responsibilities regarding stream management on their property	Town Board
Monitor recreational access points and address any misuse/abuse with rigid enforcement	Town Board
<b><i>Margaretville</i></b>	
Develop a strategy to address ice jams and the resulting damage	Village Board/Village Highway Department
Examine the conditions of the “slide” at Bull Run and determine a strategy to address the ongoing problem.	Village Board
Incorporate principles of stream stewardship into the Village Comprehensive Plan.	Village Board/Planning Board
<b><i>Fleischmanns</i></b>	
Incorporate principles of stream stewardship into the Village Comprehensive Plan.	Village Board/Planning Board

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**ROXBURY**

The eastern-most township in Delaware County, Roxbury is mostly rural. Adjacent townships consist of Stamford, Bovina, and Middletown. Covering 87.6 square miles (72.4% within the East Branch watershed), the town’s population consisted of 2,509 people as of the 2000 U.S. Census. There were 2,026 housing units in the town, 948 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$78,200.

*Planning Board Issues and Concerns:*

- Update local comprehensive plan to incorporate stream management
- Vega Mountain Rd. in the hamlet: debris gets clogged under the bridges and gravel in the stream causes water to flow over the hay field
- Highway superintendents would benefit from stream management education
- More development is leading to increased stormwater runoff
- Stream impacts should be considered prior to subdivision approval
- Should get gravel out of the stream as a temporary relief/fix and use that gravel as a resource
- Concerned with stormwater and highway impacts
- Concerned with stormwater impacts associated with wind towers and their access roads

**Suggested Town of Roxbury Action Plan**

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RECOMMENDATION	PARTY RESPONSIBLE
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board
Work with partners to facilitate a scientifically-based method to efficiently remove excess gravel from streams in bridge areas such as Vega Mountain Road	Town Board/Town Highway Department
Educate highway department on streambank construction and maintenance practices to avoid further problems that may result from improper stream management	Town Board/Town Highway Department

**SHANDAKEN**

Located along the northern border of Ulster County, Shandaken is a rural township. Adjacent townships consist of Hardenburgh, Denning, Olive, and Woodstock in Ulster County, Lexington and Hunter in Greene County, and Middletown in Delaware County. Covering 119.8 square miles (3.2% within the East Branch watershed), the town's population consisted of 3,235 people as of the 2000 U.S. Census. There were 2,666 housing units, 1,203 of which were seasonal or vacant. Owner-occupied housing units within the town exhibited a median value of \$91,200.

The Town of Shandaken experiences many of the same stream management concerns that were raised by other watershed communities.

**Suggested Town of Shandaken Action Plan**

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<b>RECOMMENDATION</b>	<b>PARTY RESPONSIBLE</b>
Adopt the EBDR SCMP at the local level	Town Board/Town Planning Board
Review floodplain regulations to ensure that the most up to date management techniques are being followed	Town Board
Develop local codes to include stream management practices in the local review processes	Town Board/Planning Board/Code Enforcement Officer
Update Comprehensive Plan to include BMPs for stream management	Town Board/Planning Board