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# Town of Roxbury Comprehensive Plan

Delaware County, New York

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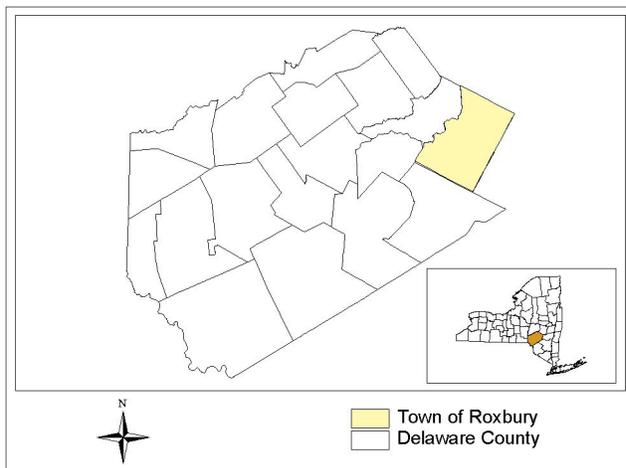
# The Town of Roxbury

## I. Background

### A. Location

The Town of Roxbury is located in the northeast corner of Delaware County, where the borders of Delaware, Greene, and Schoharie Counties meet. The hamlet of Grand Gorge and its valley lie at the intersection of NYS Routes 30 (north-south) and 23 (east-west), separated from the central and southern portions of the Town by uplands and the headwaters gorge that gives the hamlet its name. Wetlands and ponds in the gorge just south of the hamlet of Grand Gorge proper are the headwaters of the East Branch of the Delaware River. From that point south, the Town of Roxbury straddles the East Branch of the Delaware as the river flows south 7 miles to the hamlet of Roxbury and on through the Town of Middletown before reaching New York City's Pepacton Water

Supply Reservoir, a distance of some twenty miles from its source in the gorge. NYS Route 30 follows the course of the East Branch Delaware as it wends its way southward, providing the only linkage between the hamlet of Grand Gorge and the central and southern portions of the Town.



### B. History

#### 1. Early History:

“The Town of Roxbury was separated from the Town of Stamford on March 23, 1799. It includes the hamlets of Grand Gorge (then Moresville), Roxbury (then Beaver Dam), and Vega and Denver in the Batavia Kill valley, and the Thomson district of New Kingston. The first settler in Grand Gorge was John T. More in 1786; in Roxbury, it was Israel Inman in 1788; in Batavia-kill, John and Joseph Keator in 1794. The town is a part of the Queen Anne patent granted to Johannes Hardenberg in 1708. In 1899, the hamlet of Roxbury voted to disincorporate as a village.”

Master Plan, Town of Roxbury, 1989, page 16

Like much of the northern Catskills, the region around Roxbury was once covered with extensive stands of hemlock which were stripped to feed the tanning industry, which reached its peak in the late 1800's and then died off along with the hemlocks. Hardwood lumbering and bluestone quarrying in the

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region followed. As these activities declined, farming emerged as the area's most important industry. Only recently has farming declined from its previous pre-eminence.

## 2. The Railroad

During this earlier era of prosperity, the railroad came to town, reaching Roxbury and on to Moresville (Grand Gorge) and Stamford in 1872, then to Hobart and Bloomville in 1884, and, finally, Oneonta in 1900. The Roxbury depot was built in 1872:

"The combination freight and passenger station was built just after the Ulster & Delaware (then known as the "Rondout & Oswego") arrived in Roxbury in 1872, and for almost a century, it was the center of village life. One of the railroad's senior executives, Samuel Coykendall, financed the first creamery in the Roxbury area, and this plus the rapid transportation provided by the railroad meant that for the first time, local farmers had an economical way to ship fluid milk to the lucrative New York City market, instead of converting it to butter. At a time when there were no decent highways, the milk meant a boom for the railroad and for the region alike. The railroad like wise provided the first decent, reliable passenger transportation, making way for "drummers" - salesman of manufactured goods from the "outside world" - and for the "vacationist" boom. Meanwhile, the fastest means of communication - for personal and business messages, and for news of great events like wars and elections - was via the telegraph that came to the railroad station and was operated by the railroad's station agent.

Fading with the coming of highway competition, the decline in the Catskill vacation trade, and the loss of freight business as bluestone and coal lost importance, the Ulster & Delaware was merged into the New York Central in 1932; the Central closed and sold the Roxbury depot in 1964, even before the railroad was abandoned altogether by successor Conrail in 1976. For over 30 years, the former depot was used first for feed storage, and then as an auto body shop; fortunately, the owners were sensitive to its historical importance, and did little to alter the original structure. Instead, the original building has been hidden behind an outer curtain wall of corrugated steel; beneath it, the original clapboard building, complete with stained-glass windows and ornate eaves brackets, has been declared eligible for inclusion on the National Register of Historic Places, and registration will be pursued as one of the first stages of the restoration project."

Press Release, Ulster & Delaware, May 22, 2000

## 3. Memorial Church, Kirkside Park, Golf Course, The Terraces



Source: [www.roxburyny.com](http://www.roxburyny.com)

In 1892, Jay Gould, the railroad magnate and Roxbury native son, died, and shortly thereafter his heirs built the Jay Gould Memorial Reformed Church in his

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memory. In 1896, his daughter Helen Gould purchased Kirkside, the property next door and, between then and about 1910, developed what is now known as Kirkside Park, aided by Ferdinand Mangold, gardener and groundsman at Lyndhurst, Miss Gould's mansion on the Hudson. Beginning in 1908, Helen Gould began extending her property up the hills to the west, adding extensive areas including the property that now encompasses the Shephard Hills Golf Course, Kirkside Lake, and area of the Terraces on the hillside between the (now) golf course and Kirkside Park. In 1913, Helen Gould married Finley Shephard and turned her attention to development of the private golf course, lake, and the Stone Terraces, one of the finest examples of hand-laid stone masonry in then region. Helen Gould Shephard continued to spend a large portion of each year at Kirkside until she died in 1938, after which her creations fell into disrepair for lack of her attentions.

These two series of events in the history of the Town of Roxbury – the railroad and the Gould –Kirkside Park -- have left the Town and particularly the hamlet of Roxbury with historic resources that are currently in the process of restoration and incorporation into the modern lifeblood of the community. Local efforts have been successful in restoring Kirkside Park and are now focusing in on the Terraces. The Roxbury Depot has been acquired, and its restoration will follow. This may well lead to an expanded schedule of Ulster & Delaware rail rides to and from Roxbury, supporting further development of historic tourism in the Town.

One might say the future of the past looks promising in Roxbury.

#### 4. New York City and the Water Supply Reservoirs

New York City petitioned the New York State Water Commission for permission to extend its water supply system into the Catskills in 1905. After permission was granted, the Ashokan Reservoir was built (1907-1915) to impound the Esopus Creek and feed the Kensico Reservoir 75 miles south in Westchester County via the Catskill Aqueduct. Next built was the Schoharie Reservoir (1919-1927) which impounded the Schoharie Creek, feeding into the Ashokan via 18 miles of the Shandaken Tunnel and the Esopus Creek. These components constitute the Catskill System and provide approximately 40% of the NYC water supply. Grand Gorge lies in the watershed of the Schoharie Reservoir, giving rise to the 1929 agreement under which New York City Department of Environmental Protection (NYCDEP) provides sewage collection and treatment for the hamlet at NYC cost.

Between 1937 and 1965, NYC developed the Delaware System of their water supply. First came the Roundout Reservoir, constructed in Sullivan and Ulster Counties (1937-1943, 1946-1954), feeding water into the Kensico via the 85 mile

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Delaware Aqueduct. The Neversink (1941-43,1946-53), Pepacton (1947-54), and Cannonsville Reservoirs (1955-67) were then added to complete the system.

The hamlet of Roxbury is in the watershed of the Pepacton Reservoir. It is this that has resulted in the soon to be designed and built new sewage treatment infrastructure project to provide the hamlet with a sewage system at NYC expense.

Coinciding with Roxbury's bicentennial anniversary, the Hamlet of Roxbury Main Street Historic District was listed on the State and National Registers of Historic Places in 1988. The district consists of forty-eight (48) parcels, beginning with the Roxbury Central School and running north along both sides of Main Street. Two of the district homes were built in 1825, with rest averaging an 1866 construction date. There are many homes in the more rural sections of town worthy of historic consideration that are included in the historic district.

Source: [www.roxburyny.com](http://www.roxburyny.com)



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## II. Existing Conditions

### A. Physical Characteristics and Settlement Patterns

The physical and topographic features of the Town have naturally affected how the community has evolved. The Town is characterized by steep hills rising 600 to 1000 feet above the valley floors, with small streams flowing down from the hills to feed the larger watercourses on the valley floor below.

Three distinct major valleys characterize the Town of Roxbury and have had important impacts on past development patterns. As in most mountainous regions settled in the 19<sup>th</sup> century and earlier, road patterns follow stream courses and most early settlement

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occurred on the valley floors. The Town of Roxbury is no exception, and those patterns persist to this day, resulting in a Town with three distinct areas:

- The Hamlet of Grand Gorge lies on the Bear Kill, which flows east to join the Schoharie Creek just upstream of the New York City-owned Schoharie Reservoir near Prattsville. NYS Route 23 follows this east-west valley, connecting Grand Gorge with Prattsville 4 miles to the east (and on to Catskill and the Hudson River Valley) and with Stamford 7 miles to the west (and on to Oneonta and Interstate 88). Historically, this was an important commercial turnpike connecting the Hudson Valley and the upper Susquehanna Valley. Later, it was the railroad route that reached into the Catskills in their first emergence as a tourist destination -- when Stamford was known as "Queen of the Catskills" before World War I.

NYS Route 30 passes north-south through the hamlet, climbing precipitously out of the hamlet in each direction. To the north, it immediately enters Schoharie County, traversing approximately 10 miles of uplands before dropping into the rich Schoharie Valley beyond, not reaching a population center of note until Middleburgh, some 22 miles north. To the south it, climbs through the gorge that gives the hamlet its name and past the headwaters of the East Branch of the Delaware River, before dropping along with the river into the valley and on to the hamlet of Roxbury approximately 7 miles south.

Except for NYS Route 30, none of the roads in the Town of Roxbury connect the valley of the Bear Kill with the valley of the Delaware, thus limiting access between the hamlets of Grand Gorge and Roxbury to a single route.

This crossroads setting has served Grand Gorge well. It serves as a commercial center for southern Schoharie County, and it has strong commercial interchanges with the Town of Stamford and the Town of Prattsville. The east-west links to Stamford and Prattsville and its role as commercial center for southern Schoharie County may be reasons for the recognizable social and political distance between Grand Gorge and the central and southern portions of the Town of Roxbury.

- The somewhat unconsolidated hamlet area of Denver-Vega is located in the Vega Valley, which runs approximately parallel to and east of the Delaware River valley, joining the larger valley south of the Town line in the Town of Middletown. County Route 36 follows the Vega Valley floor and the Batavia Kill north-south, connecting with NYS Route 30 and the Delaware at Kelly's Corners approximately 8 miles south of the hamlet of Roxbury in the adjacent Town of Middletown. Only two roads climb over the ridge to connect the Vega Valley with the Delaware Valley. Vega Mountain Road connects the northern portion of the Vega Valley to the hamlet of Roxbury, and Scudder Hill Road (County Route 8) climbs the ridge, passes the Roxbury Run condominium development at the top of the ridge, and then drops to NYS
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Route 30 approximately 6 miles south of the hamlet of Roxbury and approximately equidistant between the Village of Margaretville and the hamlet of Roxbury. The Denver Post Office is actually in the Town of Middletown.

Unless they have children in the Roxbury Central School, residents of the Vega Valley (including Roxbury Run) are likely to feel more connected to the Village of Margaretville than to the rest of the Town of Roxbury. As the most likely route to the Town for part-time residents is NYS Route 28 from Kingston in the Hudson Valley to Margaretville and then north on NYS Route 30, particularly to reach the Vega Valley, this portion of the Town is more likely to relate to the Village of Margaretville in its social and commercial relations than it is to the Town of Roxbury.

- The hamlet of Roxbury is located in the valley of the East Branch of the Delaware River, approximately 7 miles south of Grand Gorge near the geographic center of the Town. NYS Route 30 follows the Delaware, passing north-south through the hamlet and serving as its Main Street. Side streams and valleys and the roads that serve them meander down from the upland valleys and farm areas to the east and west, joining with the Delaware and NYS Route 30 at various points along the valley floor.

This relative isolation from Grand Gorge to the north and from Denver-Vega to the southeast has perhaps helped preserve the historic quality of the hamlet of Roxbury. In general, development pressure has not recently been felt by the hamlet. Grand Gorge has experienced more commercial development because it is imbedded in the Stamford - Prattsville economic community and serves the southern Schoharie County area as a commercial center.

These historic and continuing transportation patterns and the parallel development patterns appear to have had important impacts on commercial, social, and political relations within the Town of Roxbury.

Grand Gorge residents tend to have an east-west orientation, relating more closely to Prattsville and Stamford than to the hamlet of Roxbury. Residents of the Vega Valley tend to relate more closely to Margaretville than to the hamlet of Roxbury.

This leaves the hamlet of Roxbury relatively isolated. To a certain extent, commercial development has passed it by because it is not geographically positioned to attract clientele from areas outside its own immediate environs. It is primarily the Roxbury Central School and the Town governmental structures that draw full-time residents of the other two hamlet areas to the hamlet of Roxbury physically, culturally and socially. This relative isolation may well have served to protect the historic resources that give the hamlet of Roxbury its distinctive 19<sup>th</sup> century historic ambience from alterations that might have resulted had more development pressure been faced. It also offers possible

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opportunities, only recently recognized by the community, to capitalize on that historic ambience.

**B. Demographics**

1. Permanent Population

The permanent population of the Town of Roxbury was 2,388 according to the 1990 U. S. Census. The permanent population increased just 64 persons (2.9%) from 1950 (2,227) to 1980 (2,291), then increased an additional 97 persons (4.2%) between 1980 and 1990. Census figures just released for 2000 indicate a population of 2,509, an increase of 121 persons, or 5.1%, over the previous decade.

For comparison purpose, the Delaware County permanent population increased approximately 5.7% between 1950 (44,420) and 1980 (46,931), and then increased an additional 4.9% between 1980 and 1990 (47,225). The 2000 Census indicates a total population of 48,055, an increase of 1.8% over the past decade.

U. S. Census: Total Population, 1950 – 2000												
	1950	1960	+ %	1970	+ %	1980	+ %	1990	+ %	2000	+ %	Total + %
Del. Co.	44,420	43,540	-2.0%	44,718	2.7%	46,931	4.9%	47,225	0.6%	48,055	1.8%	8.2%
Roxbury	2,227	2,238	0.5%	2,252	0.6%	2,291	1.7%	2,388	4.2%	2,509	5.1%	12.1%

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Little growth in permanent population is projected for either Roxbury or Delaware County over the next twenty years.

According to 2000\_Census figures, the Town of Roxbury ranks eighth in population among the nineteen towns in Delaware County. Population per square mile is approximately 28.6 persons, up from persons per square mile in 1990. Delaware County's 2000 population density is 32.8 persons per square mile, up from 32.3 in 1990.

2. Part Time and Seasonal Population

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The part-time and seasonal population is somewhat difficult to determine with confidence. The two components of this population are somewhat different. Seasonal population refers to those persons who live in the Town on a full-time basis for some portion of the year. Examples might include people who work during the academic school year elsewhere and then spend summers in the Catskills, or so-called "snowbirds" who live in the Town from, say, May until Thanksgiving and then head south for the winter. Part-time population refers to those persons who spend 2 to 5 days per week in the Town on a regular (even every week) basis but nonetheless maintain their primary residence elsewhere. This group increasingly includes telecommuters who do much of their work here, maintain contact with their place of employment via internet and phone, and then go to that home base a few days a week. Regular weekenders would also be included in this category.

The total persons in these two categories can be estimated from U. S. Census housing statistics. According to the Census, there were 2,026 total housing units in the Town of Roxbury in 2000, of which 948 (47%) were identified as vacant. Of those vacant units, 812 were identified as "For seasonal, recreational, or occasional use." These housing units represent 40% of the total housing units in the Town. If it is assumed that household size is the same for these units as for permanent residents of Roxbury (2.31 persons per household), then these housing units represent 1,876 persons. As the 2000 resident population of the Town is 2,509, it would appear that the part-time and seasonal population is slightly lower than the permanent population by about 633 persons.

This figure is not a direct Census figure and should not be treated as an actual count of part-time and seasonal residents of the Town of Roxbury. It does, however, suggest the general magnitude of that population. Further analysis of census figures and other data might produce a more accurate figure, and perhaps identify a strategy to differentiate between the part-time and seasonal components of this group. Nonetheless, it is clear that the estimated part-time and seasonal population approaches the permanent population. This is an important statistic indeed. According to the "1988 Non-Resident Study", prepared by SUNY - Delhi, this group will provide a source of economic opportunity for full time residents of Roxbury and Delaware County, through the service and building trades sectors.

A more graphic, if indirect, representation of seasonal population is provided in Table 1 (appendices), which shows the increase in number of land parcels in the Town over time. From 1950 to 1987, the number of land parcels increased three and a half times from 766 to 2,686 (51 parcels per year). From 1987 to 2000, the number of parcels increased to 3,399, an additional 713 parcels (55 parcels per year), or 27%. According to the Town Master Plan of 1989, non-resident land ownership tripled during the 1950-1987 period, increasing from 15.1% to 41%. It is assumed that non-resident ownership continues to increase

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along with, although not necessarily at the same rate as, the continued subdivision of real property.

### 3. Hamlet Population

The three hamlet areas – Grand Gorge, Roxbury, and the Vega Valley – contain about half of the population of the Town of Roxbury. The populations of the hamlets of Grand Gorge and Roxbury can be estimated from the records for their respective water districts. The population of the Roxbury Run development can be estimated in similar fashion (from sewer district records), but the rest of the Vega Valley lacks that statistical base from which to draw. The Roxbury Water District has 261 residential hookups; assuming 2.31 persons per household, the approximate total population of the hamlet would be 603 persons, or 24% of the total 2000 Town population. The Grand Gorge Water District has 211 residential hookups; assuming 2.31 persons per household, the approximate total population of the hamlet would be 487 persons, or 19.5% of the total 2000 Town population. Thus, the total population of the two water districts (1090) is just over half of the total Town population. The same calculation would generate a population for Roxbury Run of 282 persons, or 11.2% of the total 2000 Town population; the Roxbury Run figure, however, should be viewed with a great deal of skepticism, as the metered records for the sewer district clearly indicate the seasonal nature of the use of many units in the development. The hamlet areas of the Town contain about 54.7% or 1,372 persons out of the 2,509 population.

### 4. Age Characteristics

Census data from the NYS Office of the Aging show Delaware County's senior population (over sixty-five) population has been increasing much faster than that of NYS (13.6% increase 1980-90 versus 7.4%; 10.6% increase 1990-98 estimate versus 3.3%). In Delaware County, we can attribute this to the fact young people are moving out to seek economic opportunity while retirees are migrating from the metropolitan parts of the state to an area they perceive as less expensive and more secure. It is difficult, if not impossible to determine to what extent the increase in senior population is a function of part-time population settling full-time in the area.

Towns that had an older population than Roxbury are also known for their high seasonal population, perhaps supporting the theory that Delaware County is becoming a refuge for retirees. A possible future result of an aging population could be an increasing reliance on a service economy and an increased need for senior support programs ranging from public transportation to low cost housing, eldercare housing facilities with a continuum of care, and improved medical services.

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## **C. Housing**

The 2000 census figures indicate that total housing units for that year were 2,026, an increase of 48 units from 1990. This change is only a 2.5% increase from the 1990 figures, in contrast. The Town of Roxbury had a total of 1,978 housing units in 1990, an increase of 594 units (43%) over the 1980 census count of 1,384. This surpassed the growth in the previous decade, as the number of housing units increased by 369 units (36%) between 1970 and 1980. Thus, in thirty years, the total number of housing units in the Town has very nearly doubled from 1,015 units to 2,026, an increase of 99.6%. Building permits were issued for an additional 216 new housing units in the decade of the nineties.

The number of mobile homes has risen over the past two decades. In 1990, 279 mobile homes represented 14% of the total housing units in the Town. By comparison, 7% of housing units were mobile homes in 1980, according to the 1989 Master Plan (p.9). With the continuing increase in home prices, the 2000 Census is likely to show a continued increase in the number of mobile homes as local people search for affordable housing. Modular housing has also become more popular as a moderately priced alternative. Review of building permit records supports this interpretation. From 1990 to September 2000, building permits were issued for a total of 103 houses and a combined total of 113 mobile and/or modular homes.

As land and home prices rise, the demand for multiple unit housing is likely to increase, both in quality rentals and in townhouses and condominiums. The aging of the population will contribute to this trend, easing the home maintenance responsibilities of the local elderly and providing an attractive environment for downstate retirees.

## **D. Land Use**

### **1. Land Use Regulations**

Land use regulations currently in effect in the Town of Roxbury are as follows:

- Local Law for Administering the New York State Building Code (1984)
  - Local Law for Administering the New York State Uniform Fire Prevention Code (1984)
  - Local Law for Flood Damage Prevention (1989)
  - Local Law for Regulating Cell Towers (2001)
  - Subdivision Regulations (1985, amended 1986, 1988)
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The first three laws are administered by the Town Building Inspector, with requests for variances under the Flood Damage Prevention law heard by the Town Planning Board.

The Town Planning Board has the authority to review cell tower siting applications. This is a new regulation adopted by the Town Board to regulate the development of communications towers in order to accommodate the necessary infrastructure for the provision of telecommunications services within the Town.

Subdivision review is conducted by the Town Planning Board. The regulation defines, among other standards, a minimum lot size of one acre, minimum road frontage of 100 feet, a lot depth not more than 4 times the width, and other standards commonly found in local subdivision laws. The law appears to be a solid and effective instrument for subdivision review. Further, it is supplemented by the Planning Board requirement that a soil profile analysis be conducted for all proposed lots requiring an individual onsite sewage disposal system. This supplemental document is a clear set of standards and procedures to assure that “all proposed lots of a subdivision have at least one buildable site for an onsite septic system.” The Planning Board and Town Board have chosen not to enact this policy statement as a law because it specifies change periodically, and, if incorporated into the law, each such change would require amendment.

Although these laws and regulations seem adequate to some residents for the needs of the community at this time, there is reason for concern that no site plan review is required if a subdivision is not involved in a proposed project. This creates the possibility that a major development could occur without adequate attention to those issues addressed so well by the Planning Board for subdivisions. In fact, the Town may have no review authority whatsoever for a project not involving the subdivision of land. If water resources that trigger NYCDEP jurisdiction are involved, their attention to development proposals may be sufficient, if the Town residents are willing to leave such review to NYCDEP staff.

NYCDEP, however, is not always concerned with the same issues that concern town residents, and a good example of such a situation is currently under public discussion. A proposal has recently been brought forward to build a wind farm with multiple wind generators on a Roxbury ridge top. If the developer needs no subdivision, the Town will have no review authority; in fact, the Town will not even be defined as an Involved Agency under the SEQR regulations. NYCDEP will be concerned about erosion control during construction, perhaps, but as the largest consumer of electricity in the state and the most vulnerable to a California-type power shortage, New York City has every reason to support the wind farm proposal. Without site plan review (or another discretionary approval), the Town of Roxbury will have to depend on NYC and the U. S. Department of Energy to represent their interests in the review process.

Consequently, the Town Planning Board is developing a local law to regulate the development of large-scale wind turbine facilities. Wind resources within the Town of Roxbury are present along some ridgelines. Wind power is becoming a popular clean energy source throughout both the United States and New York State. The Town should

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complete the development of this local law so that the concerns of the Town are addressed.

## 2. Existing Land Use Patterns

The Town of Roxbury is a very subdivided Town. Over the past 20 years, the number of real property parcels has increased at an average rate of approximately 67 parcels per year. From 2068 parcels in 1980, parcels have increased to 3,399 in 2000, an increase of 1,331 parcels, or 64%. As of 2000, 75% of the real property parcels in the Town of Roxbury are under 10 acres in size, the size most attractive to part-time and seasonal residents who choose to live outside of the hamlets. Note further that, even in the “rural” parts of the Town (those outside the two hamlets and Roxbury Run where more than 97% are under ten acres), 70% of the parcels are smaller than ten acres (see Table 1, Table 2, Appendix).

Perusal of the existing land use maps (found in the Appendix) also indicates another interesting fact. A large proportion of the subdivided lands are assessed as vacant land; further analysis will be needed to quantify this factor, but the pattern is striking from the map presentation. Thus, properties have been subdivided and presumably put on the market, but often only one or two of, say, a total of eight to twelve have been developed. It cannot be determined without further investigation to what extent subdivided parcels were sold and then not developed and to what extent they remain in the ownership of the subdividing party.

This past subdivision activity has created a stock of small lots available for development in the future. This may be a positive force in the local economy as their development will provide continued support to the building trades and suppliers, but it may also have a negative side as development pushes growing budgets for public services, particularly roads. If development of these lots is done by and for full-time residents, public school costs could rise as well.

## E. Services

### 1. Public Water Service

There are two water districts within the Town of Roxbury, one serving the hamlet of Grand Gorge, and one serving the hamlet of Roxbury. In addition, a privately owned water system serves the Roxbury Run development atop Scudder Hill Road.

#### a. Grand Gorge Water District

The Grand Gorge Water District serves that hamlet, with its boundaries approximately coterminous with the MOA-designated hamlet area. According to the recent Preliminary Engineer’s Report (Lamont Engineers, November, 2000), there are 158 services on the system, as well as an additional 22 commercial

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customers. The estimated total Equivalent Dwelling Units (EDU – single residential unit or equivalent in water use) is 247 EDU for residential and commercial users combined.

The Grand Gorge Water District has a long history of problems with the reliability of its water source, and locating and developing an adequate and reliable source is problematic at best. For this reason, the Preliminary Engineer's Report recommends that the Grand Gorge system be connected to the Roxbury system via a transmission main to be installed along the railroad right-of-way between the two communities and water systems. This option is contingent, however, on NYCDEP agreement and funding for pumping of wastewater from Roxbury to the City-owned treatment facility in Grand Gorge (see discussion in section H.1., below). This option would address the water supply problem completely, but it is dependent on the cooperation of NYCDEP. Without the combined development of the railroad right-of-way for water and wastewater transmission, this option would be cost prohibitive. It currently appears that NYCDEP agreement will be forthcoming.

b. Roxbury Water District

The Roxbury Water District provides public water in a service area that is approximately coterminous with the MOA designated hamlet. The following discussion of the Roxbury Water District records has been excerpted from the New Sewage Treatment Infrastructure Program Study Task 2 Report (NIP Task 2),

Roxbury Water District facilities consist of 2 wells, a spring source consisting of 13 springs, treatment (chlorination) buildings at the spring source and at the wells, a 225,000 gallon water storage tank, and 4 inch, 6 inch and 8 inch cast iron and ductile iron pipe water distribution mains. The springs discharge directly into the storage tank and are not metered, nor are water services within the water district individually metered (Drinking Water State Revolving Fund (DWSRF) Hardship Determination, September, 1990, Lamont VanDeValk Engineers, P.C., Cobleskill, NY).

The Water District has master meters within the chlorination buildings located along the well discharge lines running to the water distribution system. Water pumping records covering the period January 1994 through April 1998, or a total of 52 months, were reviewed. For 18 of the 52 months, the water district did not operate the well pumps, or used them to a such a small extent that the amount was considered irrelevant. Since the spring source is not metered, it is not known what its contribution to the system is. It has been estimated that the spring source may have contributed 25,000 gallons per day (gpd) to as much as 50,000 gpd during the period of record, and that the springs flow nearly all year. Operations personnel have continuously improved the springs, and during most of the year, the springs are currently used as the sole source.

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The Average Daily Demand (ADD) based on the master meters is presented in the following chart. The highest yearly Average Daily Demand was 109,950 (gpd) for 1994. The highest month Average Daily Demand was 164,670 gpd for February, 1994. The Maximum Day Demand for the applicable 34 month period was 276,600 gpd, occurring on July 13, 1997.

A total of 280 existing separate water service lines are located within the Roxbury Water District. These services are not metered. In some instances, multiple users are on the same water service line.

Town of Roxbury Water District Water Demand			
Year	Master Meter ADD ( <u>wells Only</u> ) (gpd)		
	Yearly ADD	Highest Monthly ADD	Maximum Day Demand
1994	109,950	164,670	246,100
1995	91,750	130,660	240,200
1996	INSUFFICIENT DATA	INSUFFICIENT DATA	INSUFFICIENT DATA
1997	99,815	120,365	276,600

According to Town records and observations made during a Windshield Survey for the NIP Task 2 Study, the water district serves 207 single-family homes, 44 apartment units, 2 residential trailers, 34 commercial establishments, 8 non-residential/non-commercial establishments, and the Roxbury Central School, for a total of 296 units. The NIP Task 2 Study calculations result in the conclusion that the Roxbury Water District provides water for the equivalent of 846 persons for residential, commercial and other uses, also defined as 846 person-equivalents of use.

Although further testing has been recommended to confirm, the capacity of either of the two wells in the Roxbury Water District system is apparently sufficient to meet the needs of both the Roxbury and Grand Gorge Districts. Thus, if the transmission main is installed to pump water from Roxbury to Grand Gorge, the existing sources should be adequate, including the redundancy required by NYSDOH.

c. Roxbury Run Water System

A privately owned well system provides water to the 158 residential units in the Roxbury Run development.

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Areas outside the two water districts and Roxbury Run are served by private individual wells.

## 2. Wastewater Service

There are three sewer districts within the Town of Roxbury, one serving the hamlet of Grand Gorge, one serving the hamlet of Roxbury, and a third (Denver Sewer District) serving Roxbury Run.

### a. The hamlet of Grand Gorge

Grand Gorge is served by a sewage collection and treatment system that is wholly owned and operated by NYCDEP. A new treatment plant was completed in 1998 entirely at City expense, and all operating and maintenance costs are absorbed by the City. This arrangement was established when the Schoharie Reservoir was built (1919 -1927) and is the subject of a 1929 agreement that spells out the responsibilities of the City. Some elements of that agreement are currently subject to discussions between the City and the Town of Roxbury, and these discussions are intertwined with the question of pumping sewage from the hamlet of Roxbury to the NYC-owned treatment facility at Grand Gorge. NYC would like to change some now-unsatisfactory conditions of the 1929 agreement, and the Town prefers the option of pumping sewage to the Grand Gorge facility. A mutually acceptable resolution of these issues is anticipated.

As reported by NYCDEP on March 30, 1999 by letter to Henry Lamont, P.E. the capacities of the current plant are as follows:

1. Design Average Flow	0.5 MGD
2. Design Maximum Day Flow	1.25 MGD
3. Design Peak Hourly Flow	1.50 MGD
4. SPDES Permitted Flow (maximum 30 day arithmetic mean)	0.5 MGD

NYCDEP is currently in the final design stage for projects to extend sewers on NYS Route 23 from Settlement Road northwestward to Porn Road and southward on NYS Route 30 to include 3 more homes on the southeast side of NYS Route 30. With these extensions, the most densely populated areas of the hamlet of Grand Gorge will be connected.

Under an agreement reached in the spring of 2001 between the Town of Roxbury and the City of New York, Roxbury hamlet wastewater will be pumped to the Grand Gorge Wastewater Treatment Plant for treatment and discharge. This agreement establishes a Grand Gorge hamlet sewer service area boundary, which includes the extensions discussed above.

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Such sewer service area is shown on a map in Exhibit B to the agreement. Both the agreement and the map of Exhibit B are available in the Town of Roxbury office and at NYCDEP. The Town of Roxbury may seek New York City approval to expand the sewerage system, but even if approved, New York City does not have an obligation to pay for the attendant sewer extension, whereas inside the sewer service area, New York City is obligated to pay for sewer extensions where “the existing on-site subsurface treatment system (SSTS) has failed or is at imminent risk of failing and cannot reasonably be repaired, or where, for new construction, sewer construction, sewer extensions are necessary because an SSTS is not practical due to site conditions (e.g. lot size, soils, water table) and / or legal constraints”.

b. The hamlet of Roxbury

In 1997, the Coalition of Watershed Towns entered into the New York City Watershed Memorandum of Agreement (MOA) to assure the quality of the New York City drinking water supply system. One part of the MOA is the New Infrastructure Program (NIP), under which the City agreed to provide the finite amount of \$75 million to build new sewage collection and treatment facilities in the West-of-Hudson Watershed. Under the NIP, twenty-two (22) communities were identified as needing wastewater systems and were placed in priority order. The first seven of these identified communities were then to be treated as a high priority subset and considered as a single initial group, with project planning, selection of appropriate technology, and cost estimates for these seven to be completed prior to consideration of the remaining fifteen communities. The remaining fifteen communities will be funded in priority order depending on availability of funds only after commitment of necessary funds for the first seven.

The hamlet of Roxbury is Identified Community No. 5 on the MOA priority list. As such, it is within the high priority subset of communities under the MOA and is almost certain to be funded.

As the NIP study phase draws to a close, the Town of Roxbury has indicated that its preferred option is to pump the sewage from the collection system to be built in the hamlet to the NYC-owned treatment facility at Grand Gorge. NYCDEP has apparently agreed with this decision, at least in concept, and project design should begin in the near future with construction to follow.

The calculations generated in the NIP Task 2 Study indicate that the proposed service area will serve the 826 person-equivalents that are currently found in the agreed upon service area. At 100 gpd per person-equivalent design flow, that generates a total design flow of 82,600 gpd for

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the existing users within the base service area. Under the MOA, the Town is also allotted 10% for future growth, bringing the total approved capacity of the new sewage infrastructure system to 91,000 gpd.

As discussed elsewhere, the Town should consider the Shephard Hills Golf Course and the area surrounding and below for protection from acquisition by NYC as part of an overall plan for low impact, tourist-based development. As part of that effort, the NIP sewer service area should be extended to that area in order to encourage its development, particularly in light of current efforts to restore Kirkside Park, the Terraces, and the Roxbury Depot, perhaps with expanded Ulster & Delaware excursion train service to and from Roxbury in the offing. That extension will not result in an increased wastewater capacity allocation by NYCDEP under the NIP program, but the 10% growth allowance should be sufficient for flows from that area. Further, once actual flow data becomes available from the completed sewage system, it is possible that additional capacity will be available.

c. Denver Sewer District

The sewage collection and treatment system at the Roxbury Run development was originally built and then operated as a transportation corporation by the project developers. When faced with costly and required upgrade of the treatment facility, the owners turned the system over to the Town. Under New York State law, the Town had no choice but to accept it; the result was the creation of the Denver Sewer District, and the completion of the required upgrade, with the cost of the upgrade and continuing operation managed as a public sewer district under the auspices of the Town of Roxbury but paid for through assessments on the properties in the Roxbury Run development.

Other than these three areas, on-site septic systems are the only option available throughout the Town.

3. Solid Waste

All solid waste disposal is handled privately. The Town of Roxbury has a transfer station located just off NYS Route 30 approximately 3 miles north of the hamlet of Roxbury. Town residents can drop household refuse on specified days free of charge. Private contract haulers must deliver their collected refuse to the Delaware County Landfill.

4. Emergency Services

Firefighting and rescue services are provided entirely by volunteers. The Grand Gorge Fire District and the Roxbury Fire District each provide ambulance and

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rescue service in addition to their fire fighting duties. The Grand Gorge Fire District is supported by mutual aid agreements with the Roxbury, Prattsville, Stamford, and Conesville Fire Departments. The Roxbury Fire District is supported by mutual aid agreements with their counterparts in Grand Gorge, Halcottsville, and the Middletown / Hardenburgh Fire District.

The Roxbury Fire Department maintains an inventory of two (2) class A pumpers, one (1) 2,000 gallon tanker, one (1) 4X4 brush truck, and one (1) ambulance. Currently, there are six (6) EMT's (Emergency Medical Technicians), one (1) paramedic, and approximately sixty two (62) people on the volunteer roster; although, not all of them are currently active. The Fire Department feels a slight need for more volunteers, and does provide the youth the opportunity to get involved through an Explorers Post. This opportunity is not taken advantage of to the fullest extent. Lastly, the building in which the Fire Department is housed was constructed in 1962.

Emergency ambulance service is also provided directly by Margaretville Memorial Hospital. Backup medical transport is provided by CMT Cooperstown.

Hospital services are provided at Margaretville Memorial Hospital, Fox Hospital in Oneonta, and Bassett Community Hospital in Cobleskill.

Local police services are provided throughout the Town of Roxbury by Town Constable Steve Williamson, who conducts regular road patrols in all areas. The Town also depends on the Delaware County Sheriff's Department and the NY State Police.

## 5. Community Facilities

In the hamlet of Grand Gorge, the following services are provided: BOCES, Fire Hall, Community Center, and Senior Center. In the hamlet of Roxbury are found the Town Library, the Town Hall, the Roxbury Central School, the Roxbury Arts Group, the Kirkside Adult Home, and a Fire Hall. In addition, a Community Center is located in the Vega Valley, and the Manhattan Country School Farm (a branch of a New York City private school) is on New Kingston Road.

The residents of the Town are served by an association library that is located in the hamlet of Roxbury. The library offers services to the community, including a diverse selection of books, and a small collection of videos and audio books. There are two (2) computers with internet service, which are available to the patrons, and the only music collection the library offers are on vinyl records. The library also offers programs geared toward children on occasions such as summer vacation and other times when they may not be in school because of a vacation. Adult programs are also offered once a month from September to

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June. Programs include the showing of films, guest speakers and presentations. The library does have a special collection in their history room. This includes local genealogical and cemetery records, as well as other forms of memorabilia and photographs. Even though there seems to be somewhat limited hours of operation for the library, there is an availability of resources.

## **F. Transportation**

### **1. Public Transportation**

Public transportation within or to and from the Town of Roxbury is almost non-existent. A bus travels along Route 23 each way between Oneonta and Kingston twice daily, stopping at Grand Gorge on the way through. Each Thursday, a senior citizen bus serves Oneonta from the hamlets of Roxbury and Grand Gorge.

### **2. Roads**

There are 20.81 miles of New York state roads within the Town of Roxbury, consisting of the east-west Route 23 through Grand Gorge and the north-south Route 30 through Grand Gorge and the hamlet of Roxbury and on to the Town of Middletown. Route 30 is the more traveled, as it connects to Route 28 at Margaretville, a major entryway to the Catskills and Delaware County from the Hudson Valley and the NYS Thruway located there. Historically, Route 23 has been of importance as a commercial route and may be again, as it links Grand Gorge with Interstate 88 at Oneonta.

Delaware County roads within the town include:

- Route 36 running north-south along the Vega Valley
- Route 8 serving Roxbury Run and connecting the Vega Valley with NYS Route 30
- Route 41 along the western bank of the East Branch of the Delaware River towards the Plattekill Ski Center
- Route 53 at the northeastern-most corner along the Schoharie Reservoir.

The County Roads are paved and capable of handling heavier and higher capacity traffic, especially important for the Plattekill Ski Center and the more developed southeastern portion of the town. County roads total 9.98 miles in length, slightly less than 10% of the town road system.

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The Town of Roxbury has 108 miles of Town roads, an increase of 13.4 miles since 1987. As of 1987, 67% of the Town roads were two lane gravel/dirt roads, less than one percent were considered paved, and 15% were oiled and stoned to produce a hard surface. One-lane dirt roads made up 17% of the total, some of which were seasonal roads (closed six months of the year).

The latter category (one lane dirt roads) are likely to present problems in the near future as the subdivision trend over the past twenty years has divided up larger parcels into smaller residential lots, a very large number of which have not yet been developed. As this stock of previously subdivided lots is sold and developed, the single lane roads may not be able to handle the increased traffic, in all likelihood leading to an increase in the Town highway budget. Further, it is possible that, as lots are developed, new residents will place budgetary demands on the Town for all levels of roads, and costs may rise more generally.

According to the 1989 Town Master Plan:

“The Town of Roxbury in 1987 spent \$5,100 per mile for road maintenance. The 1987 highway budget (\$688,149) is 69% of the total town budget (\$1,003,779). . . In 1980 before the current subdivision boom, it cost the town \$2,660 per mile of road, almost half of the 1987 figure.”

Master Plan, Town of Roxbury, 1989, p. 10

The Master Plan is correct in pointing out that:

“The placement of subdivisions can have a large effect on the town budget, as the town has to expend extra money for upkeep and expansion of the town roads leading to the subdivision. Second home owners often demand more services such as snow removal and dust control than did local farmers in the past.”

*ibid.*, p. 10

The Town also may be required to build, improve or accept for dedication more roads as subdivision proceeds; note that the Town road mileage has increased from 94.6 miles to 108 miles between 1987 and 2000, an increase of 14%. This, however, overlooks an important consideration. A recent study (“The Impact of Subdivision Growth on Town Expenditures: A Study of Four Delaware County Towns”, B. Warren, K. Armstrong, T. Banks, 1990) concludes that, although Town highway budgets do indeed increase along with subdivision of real property, total assessed value of real property generally increases at a faster rate.

This appears to be the case in Roxbury. Based on the NYS Comptroller’s “Special Report on Municipal Affairs” for fiscal years ending in 1991 and 1997, Town of Roxbury expenditures for transportation increased from \$875,000 to

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\$1,009,600, or 15%. Over the same period, total taxable full valuation of real property increased from \$124,739,000 to \$158,534,000, or 27.1%. Thus, the tax base increased more than did Town transportation expenditures and should serve to offset the increased road maintenance costs. Further review of these relationships should be pursued to confirm the result over more years and differing periods; such additional review should include close attention to the cost per mile for road maintenance. Particular attention should be directed to the time lag that results from subdivided but not yet developed lots, a variable apparently not considered in the cited study.

## G. Cultural and Recreational Opportunities

### 1. The Roxbury Arts Group

Cultural resources are considered to be an asset, which contributes to the quality of life within the Town. The Roxbury Arts Group is a not – for – profit corporation that was founded in 1978 to meet the expanding cultural needs of the community. The availability of culture includes theater, dance, music, fine arts, crafts, workshops, children and youth programs, and historic features for the community. Re-grants are made available to non – profit organizations and artists based in Delaware County through the Roxbury Arts Group; furthermore, the establishment offers their facility to non – profit and civic organizations.

The building in which the establishment is located was built in 1911 and has been taking on numerous improvements as the decades have passed. The building includes the Walter F. Meade gallery, the Hilt Kelly performance hall, computer stations, and offices.

### 2. Catskill Scenic Trail

One resource that is partially located within the Town of Roxbury is the Catskill Scenic Trail. With trailheads in Grand Gorge and the other in Bloomville (Town of Kortright) this trail provides year round recreation for outdoor enthusiasts.

The trail provides nineteen (19) miles of hiking, biking, cross country skiing, running, or horseback riding terrain where the elevation change is not greater than four hundred feet (400’).

The trail is owned and maintained by the Catskill Revitalization Corporation, a not – for – profit organization established for charitable and educational purposes.

Source: [www.durr.org](http://www.durr.org)



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### 3. The Roxbury Nine

The Roxbury Nine is a vintage baseball club that has been reborn from the original team, which originated at the turn of the 20<sup>th</sup> century. The “gentlemen” of this team are putting forth the effort to restore the splendor of Kirkside Park and show their passion for the history of baseball. The team prefers to play the 1898 – year play of the game due to their location of their “home field” in Kirkside Park. The presence of this team is one way that the community is trying to restore the historic ambiance of Kirkside Park while providing an activity to watch for spectators of all ages.



Source: [www.roxburyny.com](http://www.roxburyny.com)

### 4. Kirkside Park

Kirkside Park is located in the hamlet of Roxbury just behind the Gould Memorial Church. The park is an eleven (11) acre facility that lies on both sides of the east branch of the Delaware River. At present, Kirkside Park provides a place for recreation for children as well as adults. The public, as well as the local school, is able to utilize the park. The local school helps maintain the facilities in exchange for the use of the grounds for a soccer field.

Visitors will find that the park is currently being reconditioned in a number of ways. Rustic bridges have been installed to cross the river to connect pathways within the park. Desired future improvements toward improving the park include the addition of public restrooms, new flower and shrub plantings, picnic facilities, and the completion of an archway that would be the entrance to a trail system. In particular, a unique feature of this park is the railroad just on the hillside in the park.

Kirkside Park is a vital center of activity for soccer games, concerts, outdoor theater, fishing, hiking, picnicking, and cross country skiing.

### 5. Plattekill Ski Center

Ski Plattekill is in the Southwest portion of the Town. This is also a year round recreation facility providing mountain biking trails in the summer season and thirty two (32) ski slopes in the winter months. In addition to the mountain biking

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opportunities at Plattekill, camping facilities, hiking trails and chairlift rides are also available.

Programs are available for the youth as well as adults who desire to learn how to ski or snowboard. Special events and competitions are hosted at the ski center throughout the year, which also draws attention from outside the Catskill region. Another feature for weekend recreation at Plattekill is snow tubing which operates after the regular ski day ends.

Plattekill is an excellent asset for the Town of Roxbury. Second homeowners sometimes travel to the area for a long weekend, and they are able to take advantage of the outdoors by visiting Plattekill.

#### 6. Delaware and Ulster Rail Ride

Located partially in Roxbury is a scenic train ride that takes visitors through a portion of the Catskill Mountains. The train currently provides its service during the months of May through October. Also during these months, riders have the opportunity to visit Belleayre Ski Center to take a chairlift ride to the top of the mountain.



There is a museum with train exhibits at the D&U depot located at one end of the ride in Arkville. This is yet another feature of recreation that can be enjoyed throughout the summer months.

Source: [www.durr.org](http://www.durr.org)

#### 7. Shephard Hills Golf Course



The Shephard Hills Golf Course provides another opportunity for recreation within the hamlet of Roxbury. Even though the course is small, it does provide an alternative golfing experience within Delaware County and the Catskill region. The nine-hole golf course also offers a junior program for children after school.

Source: [www.shephardhills.com](http://www.shephardhills.com)

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## H. Local economy

The following description gives a sense of the local business climate twelve years ago:

“. . . as of September 1988, the following business and commercial enterprises operated within the Town of Roxbury.

Farms, although declining at a rapid rate, still lead all other business concerns with fifteen operations. Retail stores placed second with fourteen businesses not counting antique shops. Restaurants added up to eleven full-time and two seasonal. This number could increase due to the current second home market. Though tourism is on the upswing Roxbury has just one motel and two bed and breakfast facilities.

Eight commercial and three industrial establishments were counted. Prominent are a creamery, ski slope and a modular home plant demonstrating the town's rural diversity. The seven real estate businesses are the most in the town's history. The automobile is well represented with two new car dealers, five used car dealers, five auto body shops, and five service stations.

Not included in the above are the service sector firms connected to the large second home market. New home and renovation construction companies, painters, landscapers, and others are an important factor in the Delaware County 1988 summer unemployment rate of 3.3%. Many of these are small one person operations, while others are based outside the Town of Roxbury and are therefore difficult to tabulate.”

Master Plan, Town of Roxbury, 1989, page 21

A field count of businesses in the Town was not conducted during the current effort. Two sources of information were consulted for current businesses. The first, Delaware County Planning Department GIS files based on assessment information about individual real property parcels, has the disadvantage that assessment information is not always clear as to specific commercial activity and, further, does not distinguish active from inactive commercial properties. For example, 26 properties are listed as multipurpose commercial (“a building readily adaptable, with little physical change, for more than one use or purpose,” NYS Assessor’s Manual); this neither identifies a business (or businesses) nor does it indicate current activity. Thus, this data is limited in judging the current level of economic activity. On the other hand, it is helpful in comparing the number of commercial properties in the various parts of the Town. According to these data, 38 parcels in the hamlet of Grand Gorge, 35 parcels in the hamlet of Roxbury, and 32 parcels in the rest of the Town (105 total parcels) are classified as commercial. By comparison, 94 parcels are listed as agricultural uses. These figures, of course, provide no information about relative value, employment, acreage or even the number of active commercial ventures; they do, however, suggest that the number of commercial parcels is divided approximately equally between the two hamlets and the balance of the Town of Roxbury.

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The second source, provided by the Delaware County Planning Department, lists individual businesses with addresses and type of business. The list has apparently been sorted by ZIP code. This results in a count of 61 businesses with Roxbury mailing addresses, many of which are apparently located well outside the hamlet. For example, Mountainside Farms (some 2 miles north of the hamlet), Quarltre's Marketplace (some 3.5 miles to the south), and Ski Plattekill are listed as Roxbury businesses. This is confirmed by the count of 35 commercial parcels in the hamlet, compared with 61 businesses on the Delaware County Planning Department Roxbury list. Approximately 20 to 25 of these businesses are apparently located in or immediately adjacent to the hamlet of Roxbury. These include two convenience stores, two restaurants, a bank, a building supply company, and various professional service agencies.

There is also a healthy commercial sector in the hamlet of Grand Gorge. According to the Delaware County Planning Department list, 42 businesses are active in the Grand Gorge ZIP code area. These businesses include a convenience store/gas station, a bank, two new and one used car dealership, four restaurants, three trucking companies, a motel, numerous retail shops, and a number of building contractors.

Whether viewed separately by hamlet or for the Town of Roxbury as a whole, this describes a healthy rural economy. With 2.31 persons per household and a full-time population of 2509, there is approximately one active business for each ten households in the Town.

Second homes and part-time residents in the area are a significant component of the local economy. Construction commissioned by second home owners, both new construction and additions or modifications to existing structures, contributes to the local construction sector. Building trades and their suppliers are well represented among the businesses in the Town of Roxbury; over 20% of the businesses (22 of 103) are identified as construction-oriented on the Delaware County Planning Department lists.

Income earned by part-time and seasonal residents in other localities has much the same effect as items produced locally and sold elsewhere. Spent locally, these funds transfer outside funds into the local economy. In general, the level of service expenditure required for part-time residents is less than for full-time residents, particularly comparatively low public school expenditures relative to tax base contributions. Some concern has been raised about the level of service expectation of part-time residents in rural areas generally, but this is likely to be offset by seasonal use and by lack of children in the local schools.

## **I. Agriculture and Farmland**

"Butter, cheese and milk produced by Roxbury's dairy farmers, and some manufacturing were important to the town's early twentieth century economy. As the boyhood home of naturalist John Burroughs (1838 – 1921) and industrialist Jay Gould (1836 – 1892), Roxbury earned attention and notoriety. Prominent visitors

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came to Burroughs' Woodchuck Lodge at the turn of the century. Commercial photographer Helen Bouton Underwood carried on the artistic traditions of Burroughs' spirit early in the twentieth century, and the Roxbury Arts Group is a hub of Roxbury's cultural community today. Mountainside Farms now processes milk at their Roxbury plant, including organic milk, kosher and conventional milk – keeping current with trends in the marketplace. Eight dairies grace the Town of Roxbury.”

Delaware County Agricultural and Farmland  
Protection Plan, 2000

The Town of Roxbury is part of two Agricultural Districts. Ag Districts one (1) and three (3) can be found within the Town. Combined, the two districts encompass 18,686 acres or approximately thirty-five percent (35%) of the town's 52,555 acres. Ag District one (1) was created in October 1973, and is also a part of the Towns of Harpersfield, Kortright, and Stamford. Ag District three (3) was created in July 1974, and is also a part of the Towns of Andes, and Middletown.

Of the 18,686 acres in the Agricultural Districts in Roxbury, only 6,810 acres are classified as agricultural land. The following is a summary of the agricultural land use classifications within the Agricultural Districts of the town.

### Agricultural Land Use Classifications

<i>Land Use</i>	<i>Acres</i>
Agricultural Vacant Land	353
Dairy Products: milk, butter and cheese	1,858
Cattle, Calves, Hogs	1,014
Honey, Beeswax	1
Other Livestock: donkeys, goats	139
Horse Farms	628
Field Crops: potatoes, wheat, hay, dry beans, corn, oats, etc	1,955
Truck Crops-Not Mucklands: onions, snap beans, tomatoes, lettuce, cauliflower, sweet corn, cabbage, celery, carrots, beets, peas, etc.	399
Nursery and Greenhouse	74
Specialty Farms	3
Fish, Game and Wildlife Preserves	386

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It is interesting to note that the remainder of land in the Agricultural Districts is classified as residential, vacant land, commercial, community services, industrial, and wild, forested, conservation lands and public parks. This constitutes 11,876 acres, or approximately 63% of the Agricultural Districts.

A Purchase of Agricultural Conservation Easement program is offered to farms located within the New York City Watershed through the Watershed Agricultural Program (WAP). The WAP is a partnership between watershed farmers and New York City that balances pollution prevention, economic viability and public health concerns. Farmers who voluntarily participate in the WAP develop and implement whole farm plans that protect water quality. They receive assistance with best management practices and will be relieved of costly environmental compliance measures in the future. Currently, thirteen (13) farms in the Town of Roxbury participate in the program (according to the Watershed Ag Council).

## **J. The Town of Roxbury within the New York City Watershed**

New York City and its water supply system is an important consideration in planning for the Town's future. The hamlet of Grand Gorge is within the watershed of the Schoharie Water Supply Reservoir, located on the Schoharie Creek at the mouth of the Bear Kill. Everything south of the Moresville Range and the gorge, including the hamlet of Roxbury, is within the watershed of the Pepacton Reservoir, located on the East Branch of the Delaware River 3 miles south of Margaretville in the Town of Middletown. Thus, all of the Town of Roxbury is within the NYC watershed and within the reach of NYCDEP's resulting regulatory authority.

The location of the Town of Roxbury within the NYC Watershed is clearly an important factor in planning decisions for the community and cannot be ignored. The Watershed regulations, the New Infrastructure Program (NIP), the Land Acquisition Program, and the permit requirements which will apply to all future construction and development in the Watershed are very real factors that will affect both public and private decisions for the foreseeable future.

This comprehensive plan, while recognizing and incorporating the presence of NYC as a factor to be considered, is not intended to be a plan either by or for NYC, or subject to its approval. It is intended to be a plan by and for the community, with the City but one unavoidable portion of the context within which the affairs of the Town must be conducted. Recognition of NYC as an actor on the local scene is no more than being realistic about the conditions that the community must consider. Good planning includes such realism.

In 1997, the Coalition of Watershed Towns entered into the New York City Watershed Memorandum of Agreement (MOA) to assure the quality of the New York City drinking water supply system. Two areas of the MOA are of particular importance to the current discussion, the New Infrastructure Program (NIP) and the Land Acquisition Program.

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1. The New Infrastructure Program (NIP) and the Hamlet of Roxbury

One part of the MOA is the New Infrastructure Program (NIP), under which the City agreed to provide the finite amount of \$75 million to build new sewage collection and treatment facilities in the West-of-Hudson Watershed. Under the NIP, twenty-two (22) communities were identified as needing wastewater systems and were ranked in priority order. The first seven of these identified communities were then to be treated as a high priority subset and considered as a single initial group, with project planning, selection of appropriate technology, and cost estimates for these seven to be completed prior to consideration of the remaining fifteen communities. The remaining fifteen communities will be funded in priority order depending on availability of funds only after commitment of necessary funds for the first seven.

The hamlet of Roxbury is Identified Community No. 5 on the MOA priority list. As such, it is within the high priority subset of communities under the MOA, and the Roxbury NIP project will be funded by NYC, provided the Town meets the conditions for funding delineated in the MOA and satisfactory resolution of various related issues can be reached.

During the study phase, the Town of Roxbury proposed that wastewater collected in the hamlet of Roxbury service area be pumped to the NYC-owned treatment plant at Grand Gorge via force main for treatment. Although some peripheral issues remain for resolution, NYCDEP has agreed to this technical strategy.

In addition to agreement on the technical issues that appears forthcoming, the MOA specifies that the Town must complete certain tasks to the satisfaction of NYCDEP in order to complete the funding process and proceed with final design and construction of the proposed NIP project. These tasks include at least the following:

- a. Establish a sewer district for the approved sewer service area.
  - b. Adopt or have in place a local sewer use law.
  - c. Adopt or have in place a comprehensive land use plan.
  - d. Adopt or modify subdivision regulations to assure that adequate wastewater capacity is available for all approved subdivisions.
  - e. Adopt or have in place other land use laws sufficient to assure that future growth within the approved service area will not exceed the capacity of the new wastewater system.
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According to members of the Town Board, they have been advised by legal counsel that local land use laws already in place satisfy the requirements of Tasks d and e, that the Master Plan of 1989 and this current update satisfy the requirements of Task c, and only Tasks a and b remain to be addressed during the design phase of the NIP.

## 2. Land Acquisition Program

Under the MOA, NYCDEP has committed \$250 million for the purchase of land in the Catskill and Delaware Watersheds, the area which includes the Town of Roxbury (see MOA, Article II, paragraphs 54 – 75, page 8 ff and attachments referenced there). All purchases must be on a willing seller, fair market value basis; that is, no condemnation proceedings under eminent domain law are allowed. Priority Areas were established based on “Natural Features Criteria”; all land of interest to NYC in the Town of Roxbury is in Priority Area 3 (sub-basins with identified water quality problems that are not in priority areas 1A, 1B, and 2). Within 105 days of execution of the MOA, the Town had the opportunity to designate areas in and around their Designated Hamlet Areas as Non-Acquirable Land up to defined maximum acreages, which for the Town of Roxbury are 450 acres for the hamlet Roxbury, 170 acres for Roxbury Run, and 400 acres for Grand Gorge. In addition, the Town also had the opportunity to designate up to 50 acres as a commercial or industrial area where acquisition in fee by the City is prohibited. These Town designations, once made, remain in force for the life of the MOA except for one remaining window of time. The Town may reassess their previous decision and adopt a resolution rescinding or exercising its rights for excluding land from acquisition by New York City. This window for reassessment is from January 1 to June 30 of 2006.

To date, NYC has acquired a total of 3,577 acres in the Town of Roxbury, of which 1,885 acres were purchased from a single seller (Chemtex, Inc.). In addition, as of the 1999 County Tax Roll, NYC owned 595 acres, for a total NYC-owned land in the Town of 4,171 acres. This represents approximately 7% of the total of 57,000 acres in the Town of Roxbury. Information is not currently available on NYC plans for further purchases in the Town.

According to the MOA:

“Historic recreational uses. . . will be allowed to continue on newly acquired fee property, subject to rules and regulations adopted, or permits issued, by NYCDEP. . . the following recreational uses are more likely to be allowed. . . fishing, (including fishing by boats) under regulation; hiking, especially where parcels intersect state trails; snowshoeing; cross country skiing; bird watching; educational programs, nature study, and interpretation; and hunting (only in certain areas under certain conditions). The following are not likely to be allowed. . . boating (other than for permitted fishing by boat);

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snowmobiling; camping; motorcycling; mountain bicycling; and horseback riding.”

MOA, Paragraph 72, p. 15

Although it is important that the Town recognize the constellation of prohibitions, permits, regulations, and permissions to which residents and visitors will be subject in order to use NYC lands for recreational purposes once purchased, NYC ownership will result in large parcels of land becoming permanently protected from development. This can be viewed as an opportunity to have large areas of the Town protected from further subdivision or development, while still being available (perhaps more available) for outdoor recreational activities. On the other hand, when the MOA was executed, the Town of Roxbury designated parcels in the hamlet of Roxbury as non-acquirable under its auspices, but did not do so with either Grand Gorge or Roxbury Run.

### III. Community Attitudes

On more than one occasion in recent years, input has been solicited from community residents about their feelings and attitudes about the Town of Roxbury, its assets and shortcomings and the quality of community life (Master Plan preparation, 1988; Zoning

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Law public hearing, 1989; Comprehensive Plan Public Participation meetings, July and August, 2000). In general, a consistent pattern of feelings, attitudes, issues, and concerns has emerged throughout the period.

**A. Positive Elements Identified:**

- History and historic fabric of the community
  - Hamlet of Roxbury Historic District
  - Kirkside Park and Jay Gould Memorial Reformed Church
  - Historic homes
  - John Burroughs Memorial and Historic Site
  
- Scenic values
  - Hills and valleys
  - Streams and river views
  - Open space
  - Rural scenery and open space
  
- Community values
  - The people, the neighborliness
  - Friendliness
  - The size of the community
  - Small town atmosphere of the hamlets

**B. Negative Elements Identified**

- Economic and Fiscal
    - Low tax base/ high taxes
    - Limited job opportunities
    - (‘Something to keep our kids here’)
  
  - Limited affordable housing opportunities
    - (‘Hard to afford homes with existing jobs’)
    - (‘High cost of housing relative to employment opportunities’)
  
  - Infrastructure problems
    - Public Sewer Service needed in hamlet of Roxbury
    - Water system problems in Grand Gorge
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**C. Community Assets to be Protected**

- Hamlet historic/small town atmosphere
- Scenic qualities
- Quiet atmosphere/easy pace

**D. Improvements Desired**

- Tax base increase/tax rate decrease
- Employment
- Second Home development on properly served sites
- Property Maintenance (Junk cars, junk yards, junky yards)
- Leisure activities
- Youth activities
- General activities

In sum, the residents of the Town of Roxbury appreciate their rural community, the commercial energy of Grand Gorge, the historic ambience of the hamlet of Roxbury, the scenic rural surroundings, and the quiet lifestyle. They would like to see reduced taxes and improved employment opportunities, but not at the cost of the small town atmosphere and neighborliness that they cherish. They would welcome a reasonable level of residential development in and close to the hamlet areas, and they would encourage the development of the second home market throughout the Town. Although they have no particular desire for substantial new development, they see little possibility that the community atmosphere is at risk, given the history of minimal development other than second homes and the lack of any economic motivation for major commercial investment in the area. They would like to see minor development that supports the second-home and tourist-recreational development that already exists, such as overnight accommodations and quality restaurants.

In short, they like the community as it is, and they are not looking to change it -- including being reluctant to enact major new land use regulations that might limit the type, intensity, or location of future development. For the foreseeable future, they see little need for substantial additional land use regulation.

**IV. Observations and Recommendations****A. Observations**

1. Subdivision of land and second homes
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a. Second Homes

The discovery of the Town as an attractive location for second homes for persons earning their primary livelihood elsewhere is evident in the sheer numbers of part-time and seasonal residents identified in the discussion above. There are as many part-timers as full-timers in the Town. Such second-home growth also tends to feed on itself; part-timers spread the word and others are drawn to the area. Continued growth in this category of development is likely.

b. Subdivision of land

The Town of Roxbury has experienced a very rapid rate of subdivision of real property, particularly outside the older hamlets of Grand Gorge and Roxbury and particularly in the Vega Valley. The number of real estate parcels has leaped by 1,331 (65%) since 1980, an average increase of 66 parcels per year. With approximately 3000 parcels in 1990 and less than 2000 housing units, there is a substantial stock of subdivided lots available for development. As each lot was subject to detailed review by the Planning Board to assure soil capacity for septic system development, these lots should meet the strict standards of NYCDEP as they are developed in the future.

2. New York City Watershed

a. New Infrastructure Program

The NIP project will provide public sewer service in the hamlet of Roxbury for the first time, service that has been available in Grand Gorge for decades and in Roxbury Run since it was built. This is a distinct advantage to the presence of NYC on the local scene and may remove an important barrier to development in the hamlet. It is a two-sided coin; increased commercial development pressure that might result from the availability of sewer service might also threaten historic resources in the hamlet.

b. Land Acquisition:

The NYC Land Acquisition Program should not be seen as a major detriment to the further development of second homes. Given the number of small acreage lots in the Town (approximately 2500 under ten acres), acquisition of land by NYC may tend to protect the continued serenity of the Town. It appears that land newly acquired by NYC will be available for use by the public for hiking, hunting and other relatively benign activities. When approximately 1,300 acres of State land is added to 4,171 acres of NYC land, the outdoor person has plenty of room to roam. This may tend to protect space and vistas that permanent residents love and second home buyers come here to find, while keeping the lands open to their historic recreational uses.

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### 3. “Rediscovery” of Historic Resources

- a. Over the past decade or more, community efforts have begun and accelerated to protect and restore historic resources, particularly in the hamlet of Roxbury. The Historic District was entered on the National Register in 1988, Kirkside Park has been partially restored and reactivated, preliminary plans and budgets have been assembled in order to pursue funding to complete the Park, and plans are afoot to restore the Terraces.

It appears that the hamlet of Grand Gorge has the potential to develop into the Town's business and commercial center because of its location at the intersection of New York State Routes 23 and 30. Perhaps a business inventory and a community assessment could be done to address the needs of the hamlet. At present, there are facades in the hamlet of Grand Gorge that need substantial reconditioning. Creating business opportunities at this crossroads could help the face of the community.

In contrast, the hamlet of Roxbury has retained its historic resources. Moreover, the proximity of cultural and recreational facilities in the hamlet creates the opportunity to capitalize on developing a niche market. Small antique shops would accentuate Main Street business fronts, and could serve as another reason to make Roxbury a destination point for travelers as well as residents. Both hamlets are very much a part of the Town, but each possesses different characteristics that contribute to the uniqueness of the communities.

## **B. Recommendations:**

### 1. Public-private partnership for Economic Development

The Town and its business owners should consider the formation of a public-private partnership of persons willing, interested, and capable of coordinating the development and implementation of a serious economic development plan for the entire Town. To be successful, the driving force must be the private sector, but assistance from public officials and bodies will be essential. This group should:

- a. With the assistance of Town, County, and professional assistance, develop an assessment of the existing private sector and its needs for growth;
  - b. With the assistance of Town, County, and professional assistance, assess the potential for new businesses and market niches that could be filled to the advantage of all involved;
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- c. With outside help, locate appropriate parties that might be interested in the filling the identified market niches, either locally or elsewhere;
  - d. Contact the potentials and recruit them to the area, offering public and private assistance in establishing or growing the business.

Note: these steps can overlap each other. If needs or market niches become evident early in the process, as they already have, then action should not await completion of study and assessment steps.

## 2. Encourage Second Home Ownership

Another fruitful avenue to economic development is further second home ownership. Second home owners, whether part-time or seasonal residents, tend to provide more tax revenue relative to service costs (particularly in relation to school district costs) than permanent residents. They also “import” their incomes, as do commuters; that is, they earn income elsewhere and spend at least a portion of that income in the local economy.

Second homeowners offer at least two routes to local economic development. First, the greater that their wants and needs are met within the local economy, the greater is the portion of their income from elsewhere “imported” into the local economy. If they stay longer or come more often, their impact on the local economy increases. To expand this element, second homeowners should be asked about their needs: Are there goods or services that they need or want that may differ from those identified by full-time residents? The Town should consult with current part-time residents as to their perceived needs for and treat those needs as market niches to be filled by the private sector. In short, what are the unique needs of the part-time residents, and how can the local economy meet those needs? To the extent that those needs are better met, visits will be extended and the local economy will benefit.

Second, additional second homeowners could be recruited. Again, contact with existing homeowners, both full- and part-time, may be helpful. Do they know of people who might be interested in Roxbury? The Town might assist in developing promotions that encourage current residents to bring guests to the area. Local businesses – realtors, restaurants, and recreational facilities – should be enlisted in the program.

Survey current owners of second homes as to their perceptions of the community, and what services and activities would make it more attractive for them and others as a destination/second home location. Develop a program of actively attracting persons interested in second homes in the area. In short, Roxbury should be marketed as an ideal place to have a second home, and current residents, both full- and part-time, should be enlisted in the effort.

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3. The NYC Land Acquisition Program Window

The Town Board should take steps to review their decisions relative to the designation of land as non-acquirable under the NYC Land Acquisition Program when appropriate.

- a. It may be advantageous to designate the maximum permissible land in each Designated Hamlet Area as non-acquirable. Those figures are 400 acres in Grand Gorge, 450 acres in Roxbury, and 170 acres in Roxbury Run. Apparently the Roxbury designation was done in 1997, but neither of the others were.
- b. During January 1, and June 30, 2006 the Town may reassess its earlier decision(s) as to whether or not land has been excluded from acquisition, and may, by resolution rescind or exercise its rights for excluding land from acquisition.

4. Extension of the NIP Sewer Service Area

In its ongoing negotiations with NYC relative to the outstanding NIP issues, the Town should pursue extension of the sewer service area to the Shephard Hills Golf Course and surrounding area. In public discussion relative to the current planning effort, the lack of overnight accommodations and adequate restaurants to support tourist and recreational activities already established, particularly Plattekill Ski Center and its expansion into mountain bike racing, has been identified. Designation of area surrounding and below the golf course as non-acquirable and adding it to the sewer service area is recommended in order to support and encourage the development of such facilities in that area.

5. Support Kirkside Park and Depot Restoration Efforts

Community members and non-profit groups have been active in restoring Kirkside Park and in pursuing funding to complete that task and to restore the Terraces above. The Town should continue to support those efforts in every way possible. Second home development and tourism appear to be the primary future of the Town of Roxbury. As historical areas have become a prime choice of destination for American travelers, the restoration of these resources will support other tourist activities as well as enhance the community for both full-time and part-time residents.

6. Encourage the Opening Up of the Golf Course to a Larger Market

A 9-hole hillside golf course is not the type of facility that will draw golfers as a destination market. It is, however, the type of course that will enhance the Roxbury experience for those who come to the area for other primary reasons. For example, it will

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support the second home market, or it will be a different golf experience for golfers who come to the area for another course.

7. Support and promote Plattekill Ski Center

A year round recreational experience such as this will not only provide enjoyment for residents and visitors to Roxbury, but Plattekill will also provide employment opportunities including ski instructors, equipment maintenance personnel, ski and bike repair specialists, and restaurant personnel. Also, by hosting special events at Plattekill, the facility will be exposed to areas outside the Town of Roxbury and hopefully would bring in outside visitors.

8. Promote all recreational opportunities within the Town

Roxbury has a tremendous amount of cultural and recreational opportunities to offer not only to the community, but to visitors as well. The current facilities provide opportunities for people to enjoy themselves, yet they may be looking for places to stay overnight. The Catskill region may be overlooked as a destination point for vacationers originating from the Finger Lakes and Western region of New York State because of the competition from the Adirondacks and Vermont. Promoting unique opportunities in the Town may increase interest in the region and may help to make new recreational opportunities available in the future.

9. Enforce NYS Law on Junk Cars and Junkyards

A concern raised repeatedly in the public participation workshops was the negative impact on the community of junk cars and unofficial auto junkyards. NYS law regulates and requires permits for auto junkyards, including a low definitional threshold and fairly stringent requirements. The Town should take all necessary steps to assure the existing NYS law on the subject is enforced. Simultaneously, the Town might arrange for some form of "Tow Away Days," during which legitimate junkyards take away junk cars free in return for the car itself. The cost for arrangements and publicity for such an effort would be minimal and might eliminate a longstanding problem.

10. Subdivision Regulation

In the area of land use regulations, little improvement is needed. The Subdivision Regulation is adequate to its purpose and is well administered by the Planning Board. It might clarify existing practice to an applicant if that law made specific reference to (but did not incorporate into the law itself) the Soil Profile Analysis that serves as a Planning Board design standard in the review process, but that is not legally necessary.

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11. Site Plan Review

There are a number of reasons that the Town might consider the enactment of a Site Plan Review Law with relatively mild performance standards so that development proposals that do not involve the subdivision of land are reviewed by the Planning Board. It is not difficult to imagine a large development project that would entirely escape local review. Among other considerations, without a discretionary approval at the local level, the Town Board and Planning Board would be effectively excluded from the SEQR review, and the entire review would be conducted by outside agencies. In fact, the current proposal to build a wind farm with multiple wind generators on a Roxbury ridge top is just such a situation. Without site plan review (or another discretionary approval), the review and approval process may well depend entirely on NYC and the U. S. DOE.

12. Regulation of Wind Turbine Facilities

Wind turbines have become an issue in the Town of Roxbury; therefore, the Town should consider the preparation of an appropriate local law regulating the siting of such facilities. The Delaware County Planning Department has gathered relevant information pertaining to wind turbine facilities and could be consulted when developing regulations.

Alternatively, specific language could be incorporated into a site plan review law to address various issues. A site plan law could empower the reviewing body to review on a case-by-case basis, the location and dimensions of buildings. A local law that is adopted in a municipality that does not have a zoning regulation should not contain strict dimensional requirements, as it may not hold up if challenged in court. Therefore, a local law for regulating wind turbines in the Town of Roxbury should not contain strict numerical requirements pertaining to height, dimensions, or setbacks.

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