

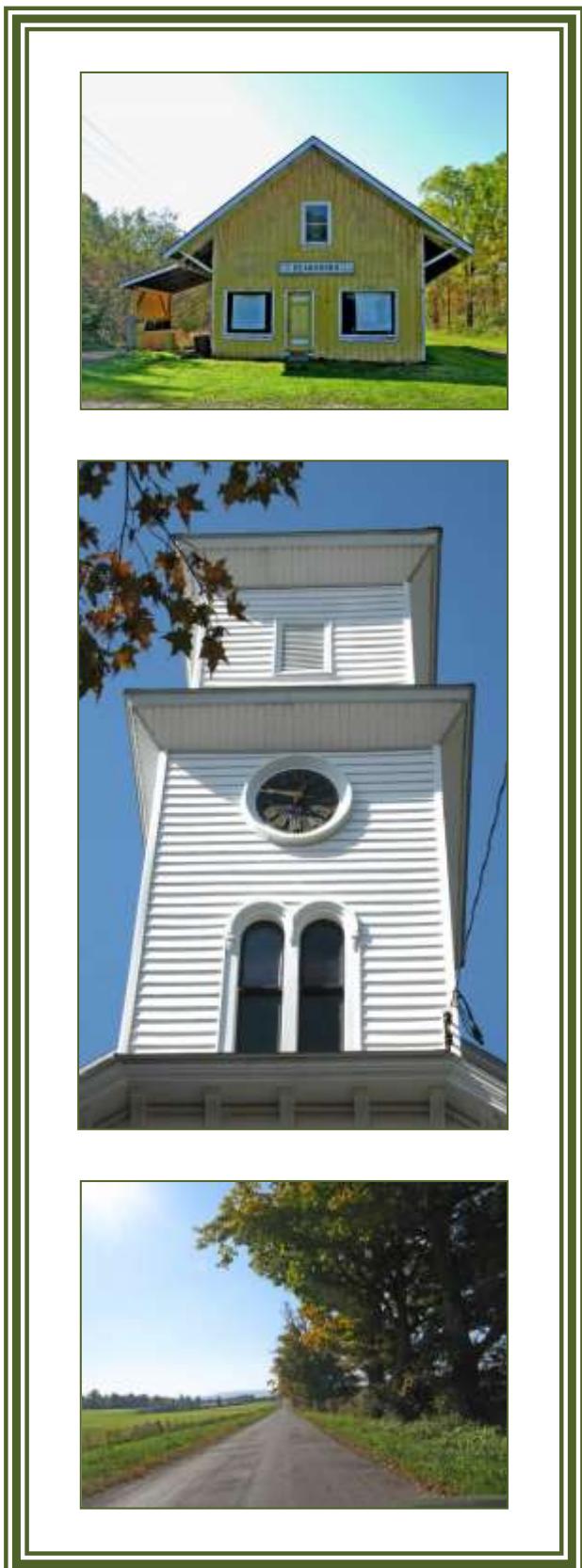
# Comprehensive Plan

## *Town of* **Marshall**



*December 2013*

# Marshall Comprehensive Plan



**The Comprehensive Plan Steering Committee** was a dedicated group of local citizens that compiled the information provided by local residents through the survey, interviews, and focus groups. The Plan document included the resident information along with data collected from county, state, and federal agencies.

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# Introduction

## Marshall as a Community

Marshall is a farming community rich with an abundance of choice agricultural land, clean water and prime soils. Its landscape is one of majestic beauty, being comprised of dramatic scenic vistas, with farms and homes nestled in rolling green hills and lush wooded areas.

The historical Hamlet of Deansboro serves as the center of town government and commerce in Marshall. Deansboro is comprised of a concentration of houses (many of which were built in the early 19th century), a post office, a fire department which is housed in a modern facility, a variety of small retail businesses, two churches and a town hall which contains Marshall's town offices, the Deansboro Water District office, a community library, and the Marshall Historical Society. There are town parks located in both the Hamlet of Deansboro and the Village of Waterville.

Marshall's quiet rural atmosphere and its striking natural beauty have been identified as among its best qualities by residents who took part in the surveys and interviews which were conducted as a part of the development of this Comprehensive Plan. Residents expressed a clear desire to preserve and enhance the Town's peaceful, friendly, small-town character, its agriculturally-based economy and its lush open spaces.

While many vital issues and suggestions for the Town of Marshall are discussed in this plan, perhaps chief among them is a growing concern that without adequate planning, a significant amount of agricultural land could be lost to development in the next few years. A variety of pressures exist to make this a real possibility including the persistent economic difficulties of operating on a narrow margin experienced by dairy farmers, a scarcity of younger farmers willing to keep lands in agriculture, and the desirability of hilltop locations with dramatic scenic views as sites for building homes and subdivisions.



Though there has been some new construction in Marshall in the past few years, thus far it has not usurped prime agricultural land. Residents who responded to the Town's initial survey, participated in focus groups, and shared their opinions in interviews conducted over two years' time, were clear that the loss of agricultural activity and open space would have a negative impact on the Town; that such a loss would threaten the very rural landscape, character, and atmosphere that makes Marshall a desirable place to live.

## Location

The Town of Marshall is centrally situated in New York State, in the southern part of Oneida County. It encompasses 32.8 square miles (85.0 square kilometers). Marshall is home to the highest point in Oneida County, Tassel Hill, located in the southeastern part of the town. Tassel Hill, which has an elevation of 1940 feet above sea level, was once the site of a fire tower.

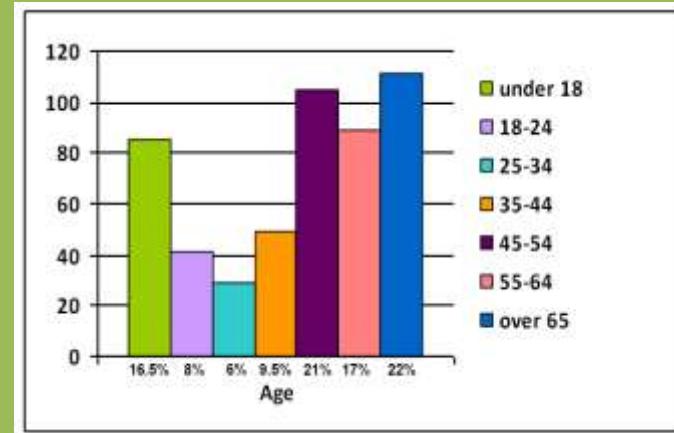
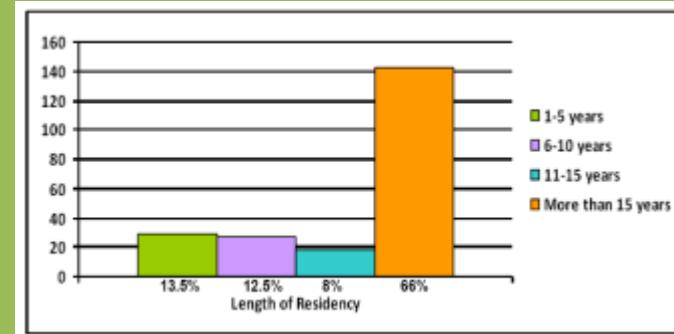
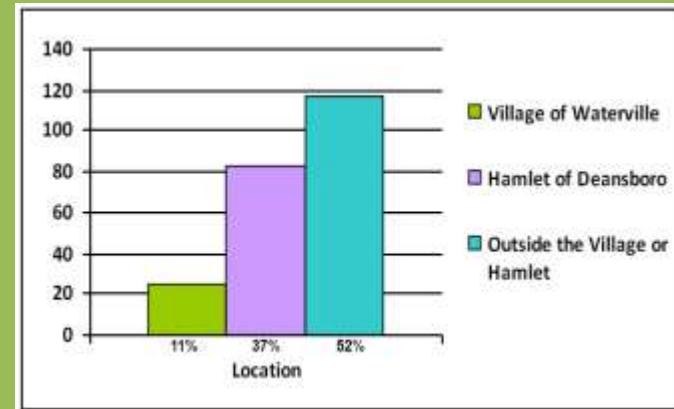
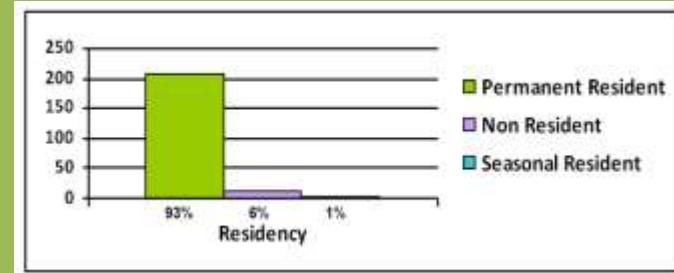
Bordering Marshall is Madison County in the southwest, the Oneida County townships of Paris to the east, Bridgewater and Sangerfield to the south, Augusta to the west, and Kirkland to the north. The town contains the Hamlet of Deansboro. A small section of houses in eastern portion of the Village of Waterville lie within Marshall, as well as a few in the Village of Oriskany Falls to the southwest. Neighborhoods whose names resonate from the settlements of the 18th and 19th centuries include Daytonville, Forge Hollow, Hanover and Hanover Green, Hubbard Corners, Lewis Corners, McConnell Corners, Peck Corners and Small Corners.

### Population

As is the case for much of rural New York, Marshall's population is older than the national average; its median age 41.5 years. As of the 2010 census, Marshall is home for 2,131 people in some 830 households. Just over three-fourths (75%) are couples, and of these, four in ten have children under the age of 18 living at home. Single-parent households make up 7% of Marshall's households, and another 15% are single-individual households, more than half of whom are singeltons over the age of 65.

Education for Marshall's children through the local public school draws children from several surrounding towns for its student body. When the central district was formed, local children gradually left Marshall to be bussed to one of the three locations in nearby Waterville: an elementary school, a middle school and a high school. Per the 2010 census, preschool, nursery school and a kindergarten facility attract 70 Marshall youngsters, and just under a total of 400 students from Marshall are attending

## SURVEY RESULTS



grades K through 12. Other students are either home-schooled or attend non-public schools. Two- and four-year colleges and a full university education are available in the region. For more detail, see the section "Education."

Over 45% of Marshall's adults (over 25 years of age) hold a degree at the associate's level or above while less than 10% not having completed high.

Most (98%) are native-born Americans, over 90% having been born in New York State. Of those, over 99% are of European ancestry: English (18%), French and French Canadian (11%), German (21%) and Irish (26%). Italian, Welsh, Scots, Swiss and Poles make up the balance. Indigenous, Blacks and Asians constitute the remaining 2%.

Of Marshall's adults: over 65% are married, and fewer than 10% are divorced or separated from a spouse.

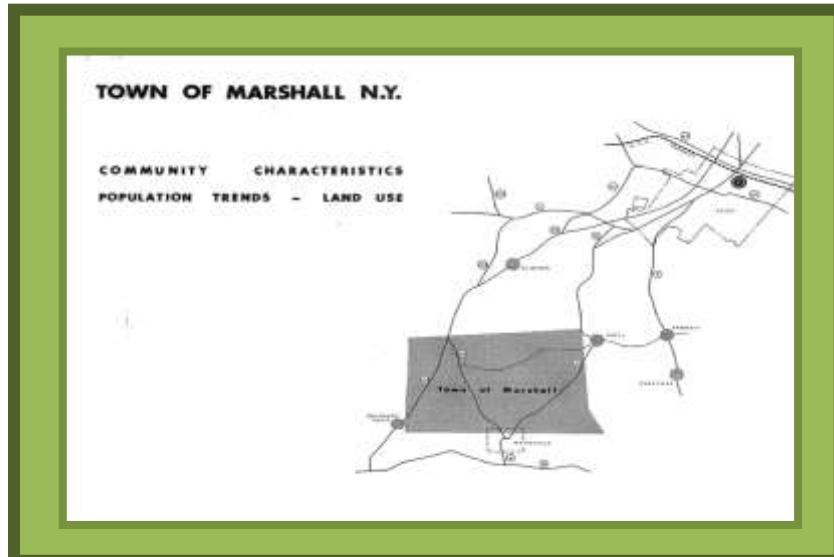
Census data indicate that about seven in ten residents of working age (over 16 years) are employed, many in agriculture or related fields (15%). Education, business, management and related "white collar" clerical jobs provide work for another 55%, and health-care and government services, 10%. The recent major economic down-turn directly impacted the construction and manufacturing sectors in the region, both of which are now slowly recovering. Entrepreneurial (family and sole-proprietor) business, artisans, and the professions are represented.

Census figures show a per capita income of \$27,720 annually. Eighty percent (80%) of all households have incomes in the range of \$25,000 to \$150,000. Earnings from employment (a mean of \$75,750), Social Security, Supplemental Security, retirement pensions, public assistance and food stamps all contribute to the support of Marshall's residents.

## Why this Plan Now

Marshall's first and only Master Plan was adopted in 1965 following several years' study and discussion. It was developed under the guidance of Russell D. Bailey and Associates, and was published in seven sections:

- I. Community Characteristics,  
Population Trends  
and Land Use
- II. Major Traffic Ways Plan
- III. Community Facilities  
and Public Utilities
- IV. Quality Housing, Town  
Development, Capital  
Improvement Plan  
and Business District
- V. Subdivision Regulations
- VI. Zoning Ordinance
- VII. Summary Master Plan



At that time, planners and residents envisioned Marshall as evolving into a residential bedroom community and a small-commerce suburb to the then still-growing cities of Utica and Rome, and also the large and still growing Griffiss Air Force Base. At that time, there were plans for a major state highway that would have extended to the city of Binghamton and was to run through Deansboro, generally along the path of the old railroad line, canal and towpath.

That Master Plan never fully came to fruition. Now, almost fifty years later, a new vision is taking shape as a result of changing life patterns in the 21st Century. In 2009 the Town Board tasked the Planning Board to begin the process of creating a new Plan based on community needs and residents' wishes for their town. The Planning board appointed a steering committee chaired by two residents and manned by a member of the Town's Zoning Board of Appeals and two members of the Planning Board. Cornell's Rural Development Office made available the services of a specialist familiar with Oneida County's unique texture and history as well as an experienced stenographer.

The Marshall Community wants to preserve its rural character, honor its historic past and preserve the positive influences of that history, protect the scenic corridors and natural environment, safeguard our abundant clean water while encouraging compatible growth and suitable economic development. Many residents, farmers and small business people alike, see our natural environment as essential to expanding tourist and recreational opportunities, both for ourselves and for visitors. To reach these goals we plan for our tomorrows.



This new Comprehensive Plan will be useful for the Town's governing Board as they decide how best to utilize community resources, both financial and otherwise. Both the Zoning Board of Appeals and the Planning Board will look to this new Plan for direction as they consider proposed new development. The Codes Enforcement Officer will look to the Plan for guidance as he enforces Marshall's local laws. Marshall's residents will know what direction Marshall is expecting to take, and make their wishes known as the re-thinking process continues.

As we draw a road map for Marshall for the next five-to-ten years, we do so knowing that change and unanticipated pressures will require yearly review of this Comprehensive Plan.

# *The Planning Process*

## **The Planning Process: How the plan was developed**

The Planning Board was authorized to create a special committee to be made up of volunteer community members. The committee's tasks would include gathering data, opinion and general information from the town's citizens, and drafting a document for the people of the Town of Marshall to consider. The plan's draft would then be presented to the public for commentary and suggestions and possible changes. After incorporating these considerations, the committee would finally ready the Plan for public hearing and adoption. At each step of the way, the Steering Committee's focus was and continues to be: what do residents want for the Town?

### **Comprehensive Plan Steering Committee**

The Planning Board put out a call to people with committed ties to the Town, and interviewed interested residents to choose chairs for the committee. The chief job of the individuals chosen to serve as co-Chairs has been to keep the process on track, and to explore ways to engage residents in order to elicit their views. The committee's purpose was to find out what residents wanted to preserve, to change and to enhance for Marshall's future. The committee also sought to challenge them to think about what goals the Town should consider in order to best serve the residents within the scope of its resources.

During monthly meetings and a variety of events, all of which were advertised and open to the public, the Steering Committee sought out contacts, conducted interviews, hosted community tours and public participation sessions, learned to identify issues from planning experts in training workshops they attended, and reviewed county, state and federal data and maps documenting the unique elements in Marshall and the region.

### **Community Survey**

As its first foray in the process, the Committee mailed out a four-page survey to the 1,130 people identified as property owners using the tax rolls and as voters whose names appear on the voting rolls. To reach residents whose names weren't available through these media, ads were placed in the local news weekly (Waterville Times) and blank surveys made available through the local libraries, at the checkout counters in local retail outlets and diners, in the Town Hall. Several articles appeared in the Waterville times explaining the value of each person's opinion and the need for a broad range of responses to get an accurate understanding of what Marshall's residents think about the Town and its governance.

At the annual Waterville "Cruisin' In" festival and also at the annual Marshall Day event, the Steering Committee manned an informational "booth" to answer questions and to solicit Marshall residents who had not yet completed the survey to pick one up and complete as a "family project."

The survey sought residents' views about existing conditions and issues in the town, and anything else the respondent thought the committee should consider. In order to encourage frank and honest

responses to survey questions, anonymity was promised. Cornell's rural development specialists and staff compiled the responses.

## Community Tours

While awaiting the survey results, the Steering Committee hosted two Saturday public tour and discussion sessions. Participation was open to all Marshall Residents. Beginning with an informal gathering, participants heard an explanation of the planning process and the tour's purposed goal: to spur thought and discussion about Marshall's strengths, weaknesses and needs, and to focus observation of what directions the Town is taking today, what conditions should be encouraged, reviewed, or corrected; and to spark conversation among participants on the tour to guide the Committee as it proceeded. The participation of the Town historian, who provided commentary about historic sites along the way added richness to the exercise.



Following the initial briefing, participants boarded local district school buses to visit a number of sites that the Committee had identified as exemplifying developing trends in the township. At each site, tour riders left the buses to observe, engage in brief discussion, and to take notes about what they saw. At each stop and in-between stops that participants found significant, they were asked to consider what factors or dynamics might be producing what they saw – the good or the not-so-good, as they as individual residents perceived them.

Upon return from the tour, participants had time to share their observations and general impressions of the township as a whole – and to identify specific elements and areas of concern.

## Community Survey Results

When the survey responses had been reviewed and the data compiled, Marshall's residents were invited to a free buffet luncheon at Marshall's popular local diner to hear the results and to discuss them. Survey results sheets were provided and the rural development specialist shared her analysis. As the stimulating comments, questions and conversation were made, the survey results got fleshed out in greater detail and nuance.

Attendees were invited to volunteer to be interviewed individually, encouraged to continue the conversation by participating in focus group discussions being scheduled to ask residents to hone in on specific areas of community life that need to be addressed, and to come to Steering Committee monthly meetings/working sessions to give their comments and views.

## Individual Interviews

Over a period of two years, in 2010 and 2011, Steering Committee members made appointment interviews with residents willing to sit down with a member to share in depth their observations and views, and their vision and hopes for Marshall in the years to come. Also interviewed, by reason of their posts in local government, are the current local officials and board members, as well as several who had served in prior years.

The interviews probed for areas of individual concern as well as what the individual sees as "promise" for Marshall's future, seeking what the interviewees thought should be addressed in the final Plan. Interviewers sought opinions and observations in depth, suggestions for action, and proposals as to where Marshall should be going now and in the years to come. During the course of interviewing, members uncovered areas of concerns and discovered topics that should be addressed which had not yet been considered. These interviews brought to light important elements and issues facing Marshall which were not touched on through the survey.

## Focus Groups

Complementing and supplementing the individual interviews, a series of four sessions in the spring of 2010, addressed specific areas in the community:

- Emergency services, law enforcement, infrastructure (roads, utilities, water and transportation)
- Arts and culture, historical preservation, tourism, business, employment and local jobs and jobs markets
- Farming, general land use and regulation, environment, parks, recreation
- Life in Marshall: seniors and youth, housing, education, civic organizations

**TOWN OF MARSHALL COMPREHENSIVE PLAN**

**COMMUNITY TOUR & WORKSHOP**

**Do you have a vision of what the Town of Marshall could be like in the future? Let us know**

**Community Tour & Workshop**  
**FREE & open to all residents**

**Marshall Town Hall / Library**  
**SATURDAY, October 17, 2009**  
**9am-Noon Morning Session**  
**1pm-4pm Afternoon Session**

• Please wear comfortable shoes & dress for the weather.  
• There will be a photo portion; we have a limited number of digital cameras so you are welcome to bring your own.  
• Self Guided Tour will be available at Marshall Town Hall / Waterville Library after October 18<sup>th</sup>.

**INTERESTED IN PARTICIPATING • REGISTER FOR THIS FREE WORKSHOP!**

Sign up by contact one of the following:  
Town of Marshall at 843-4463 / email [marshall.cpc@comcast.net](mailto:marshall.cpc@comcast.net) - 4B  
Caroline Williams at Cooperative Extension 756-3394 x133 / email [jew20@cornell.edu](mailto:jew20@cornell.edu)  
by October 14, 2009 - remember to include the session, number attending & contact information

Community Tour:  
Comprehensive Plan Steering Committee members and local residents will go to various locations on a bus tour of the town. At each location: participants will be asked to write down their first impressions (both positive and negative) which will be followed by a brief discussion period at each stop.

The tour will provide an opportunity for members of the community to experience the connections between different areas of the town and to discuss issues that could affect the Town of Marshall in the future.

To suggest a location please submit it by mail, email or phone using the contact information in the orange box below by October 14, 2009

Town of Marshall  
Comprehensive Plan Committee  
PO Box 233, Downsville, NY 13326

In each session participants brought their individual and unique views and concerns on the specific topic to the table for shared discussion and lively exchange. Perspectives presented gave greater dimension to each topic and enlarged the scope for analysis to develop proposals for action.

## **Mini-Survey**

The Marshall Day and invitational Marshall Run/Walk events were revived in the summer of 2010, willing volunteers having come forward to shoulder the planning. During these events, the Steering Committee manned a “booth”, asking Marshall Residents to give their views on the issues that were emerging as core to the community’s future direction and expectations: farmland and agricultural preservation, land use development and residential/subdivision construction. Although the format was simple check-the-box, several respondents gave more elaborate and detailed comments, even pointing out specific examples to be considered.

## **Data Collection and Analysis**

An extensive data collection process was completed for the Comprehensive Plan. With the aid of local officials, county staff and Cornell’s rural development team, data relevant to the Town of Marshall was gleaned regarding population, housing community services, local land uses, environmental considerations, local laws and ordinances, economic development, regional employment and municipal services.

## **Prioritization Exercise**

As the first draft of the Plan was being prepared, members of the several Boards within the Town and local elected officials were mailed a spreadsheet listing elements drawn from these several activities. These sheets asked them, individually, to prioritize community needs and projects, and invited additional and further comment. While the “prioritization” was of limited value, the supplemental commentary has proven valuable.

## **A Blueprint for Today and Tomorrow**

This Comprehensive Plan presents policy and legislative recommendations for consideration by the Town, its residents as well as its officials. As finalized, it will serve as a guide to where Marshall should develop, and how it should reach its goals. The recommendations here are as envisioned in the second decade of the 21st Century. As time marches on, developments in the community and in the region will suggest changes in the Plan to meet new challenges and new needs. The Steering Committee urges the Town to maintain its freshness and usefulness, and to provide for a total review no later than ten years from now, in 2023.



# *Community Vision in Marshall*

## **The Community's Vision: Where Does Marshall Go from Here?**

Residents' participation and contributions to the development of this Comprehensive Plan was a two-year conversation. That conversation should continue as we move into the next decade and should be revised as new challenges and unanticipated circumstances arise.



While the Plan is intended and expected to act as a guide for town officials, the community as a whole needs to stay engaged as decisions affecting the Town are being considered and made. In large part, this demands that town officials keep residents informed of what is being considered, what issues are facing the Town, and what actions are being proposed.

This two-year conversation with Marshall Residents has suggested to the Steering Committee that the goals and aims that they want to pursue can be distilled as:

- Maintaining Marshall's rural character
- Encouraging small family farms and home businesses
- Protecting its unique natural environment
- Preserving its historic heritage.

# *History of the Town of Marshall*

## **History of the Town of Marshall**

Thanks to our Town Historian and an active Historical Society, Marshall's past has been documented in detail in a number of invaluable publications which have provided much of the information for the summary presented below and are listed in the attached bibliography.

### **Introduction**

The Town of Marshall was formed from a section of the Town of Kirkland on February 21, 1829 and was named for Chief Justice John Marshall who sat on the U.S. Supreme Court from 1801-1834. Prior to becoming a town, the area we now know as Marshall was comprised of a group of small settlements: Deansboro, Dicksville, Forge Hollow, and Hanover.

Of the small communities mentioned above, only Deansboro remains a full and active hamlet. Dicksville, Forge Hollow and Hanover are residential and agricultural areas whose former boundaries are now recognizable only by local landmarks and natural features.

Marshall's rich and important history dates from the late 18<sup>th</sup> century when it became the site of a great social experiment, the Brothertown Indians, a tribe that was formed from the last surviving members of a number of New England Native American tribes. Marshall was also home to a section of the Chenango Canal. Built in 1836, the Chenango Canal was an architectural feat and an important project which allowed for the transport of materials and goods through much of New York State. The canal functioned until 1875, when its usefulness was supplanted by the O&W Railroad. While the town was agricultural from the start, it hit its stride with a thriving hops industry in the 19<sup>th</sup> and early 20<sup>th</sup> centuries until the 1927 mildew blight put an end to productive hop growing.

Throughout the 20<sup>th</sup> century, Marshall continued to grow and prosper as an agricultural community.

### **The Brothertown Indians:**

The first settlers in Deansboro and its surrounding areas were the Brothertown Indians. The Brothertowns were a new tribe comprised from members of the *Christian Indians of New England*: which included the Pequot, Tunxis, Mohegan, Montauk, Narragansett and Niantic. These tribes, having lost most of their land to European settlers in New England, were impoverished and struggling for survival.

The group was organized and led to the area that is now the Town of Marshall by Samson Occum (also spelled Occom) (1723-1792), an important historic figure who played a central role in the earliest history of Deansboro and other areas of Marshall.

His remains are buried on a farm on Bogusville Hill Road in the part of Deansboro that is in the Town of Kirkland. There is an historical marker about Samson Occum on that road and another on State Route 315 in Marshall on the site of one of the Brothertown Indians early churches (which later became a district school).



A member of the Mohegan tribe and born into poverty in Lebanon Connecticut, Samson Occum was one of few 18<sup>th</sup> century Native Americans to obtain a European and Christian education. Having learned Latin, Greek and Hebrew, he became an ordained Presbyterian Minister by the age of twenty and preached among the struggling Indian tribes of New England and Long Island, NY.

In 1765 Occum's teacher and mentor, Eleazar Wheelock, sent him to England to raise money for a school to educate Native Americans. Occum spent four years in England, where, warmly received, he preached before King George III, and was befriended by Lord Dartmouth, both of whom contributed money to the project. When Occum returned to America, however, Wheelock reneged on his promise to form an Indian school and used the money to fund a Christian College, which later became Dartmouth College in Hanover, New Hampshire.

Because Occum raised the monies that funded the beginnings of Dartmouth College, there are several locations and building sites, on its campus, as well as a scholarship fund which bear his name. During World War II, a liberty ship was also named the SS. Samson Occum. Occum published several books including *A Short Narrative of My Life*, *Sermon at the Execution of Moses Paul* and *A Choice Collection of Hymns and Spiritual Songs*.

Wheelock's betrayal was one of many disillusioning events which led Samson Occum to envision a homeland for Indians away from the white settlers whom he had reason to distrust. Once again reduced to near poverty, he embarked on the project of creating the Brothertown Indians and set about moving them to a place that they could call their own.

On November 7, 1774, thanks to Occum's efforts and negotiations, the Brothertown Indians were granted a tract by the Oneida Indians in what is now the Town of Marshall. The deal was made under the aegis of Sir William Johnson, the King's Indian agent and was signed at Johnson hall in Herkimer, New York. Joseph Johnson, David Fowler and Elijah Wampy were some of their leaders, and earliest settlers of Deansboro and surrounding areas in Marshall.

Sadly, The Brothertowns' early attempts at establishing their new settlement was interrupted by the Revolutionary War, during which many of the newly united group left to take refuge among the Stockbridge Indians in Massachusetts.

After the war, the Brothertowns re-settled, establishing productive farms. However in 1785, the Oneidas claimed that the Brothertowns had not fulfilled the terms of the treaty and thus had no right to the land. In 1786, a council was held and the Oneidas made several offers of smaller portions of land to the Brothertowns if they would give up their claim. The Brothertowns, under Occum's leadership held out and won their right to the land claim in 1788. However, the land issue created factions among the Brothertown over a number of subjects including concerns about maintaining ethnic purity.

In 1791, Samson Occum petitioned the New York Assembly, which passed an "Act for the Relief of the Indians residing at Brothertown and Stockbridge." Establishing Brothertown as an official Town with a clerk and trustees.

Occum moved to nearby New Stockbridge, NY in 1791 where he died. At the time of his death, Brothertown was under pressure of a new wave of Indian and white immigrants. There was disagreement among the Brothertown as to how much land to lease to white settlers. In March 1795, the governor appointed peacemakers or selectmen to settle the white and Indian claims. The Indian tract was reduced to 149 lots on the Western side of the tract now included in Marshall and Kirkland Townships.

In 1795, A Quaker society in Newburgh, in Orange County, New York appointed John Dean as a missionary to the Brothertowns. He lived and taught amongst the Indians for two years, after which, having completed his mission, he returned to his home. The Brothertowns, however, who were fond of Dean and appreciated his work, sent a delegation asking him to return to their midst. He did so and brought along his family, which included his nineteen-year-old son, Thomas.



In 1813, after the death of his father, Thomas Dean assumed his father's work with the Brothertowns and named the region upon which they were settled "Deansville." Thomas Dean became a lawyer and a diligent advocate for the Brothertowns, making frequent trips to Albany and Washington DC on their behalf.

By 1817, with much of their lands being surrounded and encroached upon by increasing numbers of white settlers, the Brothertowns decided to move west. Thomas Dean, their agent and attorney, set off on a remarkable and harrowing journey to find a settlement for them in Indiana. He failed at this but the Brothertowns later secured land at Winnebago Lake, near Green Bay which is still called Brothertown. In 1831 the first convoy of Brothertown Indians left the areas that is now Marshall for their new home in Wisconsin. Others followed over a 20 year period. By 1849 a total of 400 Brothertowners had made the trip.

#### **White Settlers in Marshall:**



The first white settler in the town of Marshall was David Barton. He lived for years on West Hill Road until he learned that he was on the Brothertown Tract and had to move. The state gave him 600 acres in the Forge Hollow area.

Other family names which are prominent in early records are: Whitney, Moore, Page, Cowing, Peck, Barker, Tooley, McConnell, Gallup, Young, Hitchcock, Lyman, Phinney, Buckingham, Miller, Terry, Munger, Lumbard, Titus, Randall, Eastman, Simmons, Davis, Butt, Sabin, Ely, Goodson and Grant.

#### **Deansboro, Forge Hollow, Dicksville and Hanover:**

Deansville's name was changed to Deansboro by the United States Post Office in 1894. The Post Office complained that mail the name Deansville was too often confused with "Dansville."

The hamlet saw much productivity and increasing self-sufficiency throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries owing to its thriving agriculture and its having been the location of the Chenango Canal and later the O&W Railroad.

Deansboro became, and remains to this day a full-scale hamlet. Over the years, it has been home to two hotels, two churches, a condensed milk factory, a cheese factory, a thriving hops industry, a small museum (opened to the public in 1948 and closed in 1998) which housed a world class private collection of musical instruments; several schools including those which taught children of white settlers and Brothertown Indian children side-by-side; barbershops; a food and dry-goods store (now the Deansboro Superette); a full purpose diner (currently Joan's Country Café) a variety of automobile garages. It also had a Knights of the Maccabees lodge as well as several social clubs, and a newspaper

entitled the Deansboro Holler and the Oriskany Valley Gazette that was privately published by Richard and Daniels for a small building that stood in the lot adjacent to the Ye Olde Antiques. Copies of the Gazette as well as other like publications are maintained in the collection of materials held by the Marshall Historical Society. In 1938, Deansboro became home to a C.C.C. (Civilian Conservation Corps) Camp, the facilities of which were later used as a migrant worker camp. It continues to have an antiques shop and a bookshop which have been active for many decades.

Though officially considered a Hamlet, Deansboro to this day, with its local churches, stores and services retains the characteristics of a “small town” or village.

#### **Hanover Green:**

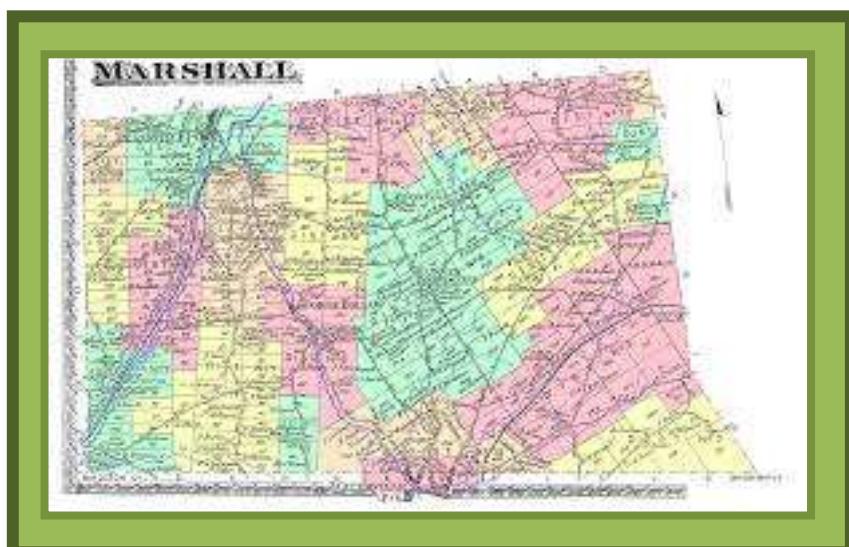
At the intersection of Peck Road and Hanover Road, was once the active Hamlet of Hanover. Other than several very old houses, nearly all traces of an organized settlement have long ago disappeared.

Hanover marks its beginnings from the forming of the Hanover Society, a congregational church, in 1797. The local settlers were of Puritan background and named the society for their place of origin in Holland. The first meeting about the proposed church was held in Finney’s tavern in Hanover in 1804. The hamlet of Hanover grew to have a post office, several churches and a tavern. Through the 19<sup>th</sup> century, the residents of Hanover established a small self-sufficient community which produced several notable citizens including Ashael Grant who became a missionary to Persia.

#### **Forge Hollow and Dicksville:**

Located along what is now State Rt. 315 between Deansboro and Waterville, Forge Hollow and Dicksville were small thriving villages in the 19<sup>th</sup> century.

In the 1870s Forge Hollow had a Universalist Church, a hotel, a store, a sawmill, a gristmill, a furniture shop, a common school, a forge, a blacksmith shop, a triphammer shop and tannery. It is notable to this day for its “pock-marked” caves, its stone schoolhouse off Bogan Road and State Route 315 and the Gridley Mansion, home of Judge Philo Gridley, who presided over a famous 19<sup>th</sup> century murder trial.



Dicksville, the area between Deansboro and Forge Hollow, was settled by Brothertown Indian, Asa Dick, a successful and prosperous business man who advanced from overseeing a gristmill in 1798 to owning two sawmills, a gristmill and a store. Dicksville was later inhabited by a number of families who settled there throughout the 19<sup>th</sup> century.

# *Background and Discussion*

## **TOWN GOVERNANCE**

### **Better Communication between Town Government and Residents**

A key insight gleaned by the comprehensive plan committee over two years of talking with Marshall's residents, and also from the Town's recent experience, is that residents are not being well informed, and in a timely manner, about issues facing the town and decisions being made that affect their daily lives.

Effective communication in the conduct of the Town's business needs significant improvement. Correcting that lack and providing for a flow of information between the Town's officials and residents can begin to be accomplished by making full use of the Town's website on the "digital towpath," and keeping entries timely and up-to-date. The website needs a companion newsletter that is mailed to residents and taxpayers (preferably each month) to ensure that the community has a reasonable chance to keep abreast of matters facing the Town.



The public high school that serves Marshall's residents requires that students participate in some form of community service as a condition of graduation. Students skilled with data entry could be offered an opportunity to fulfill this graduation requirement by up-dating and maintaining the Town's website with supervision.

The need for a town newsletter to reach all of Marshall's residents and taxpayers can't be over-emphasized. Neighboring townships and villages provide a regular mailing to residents and taxpayers, the costs of which are paid through advertising by local businesses. Samples are included in the Appendix.

### **Recognize changing issues and needs**

Recognizing the need for continuing review of this Comprehensive Plan and of Local Laws, the town should establish an advisory group to be familiar with the plan, to keep it current and relevant, to monitor town's ongoing needs, and to focus on new issues as they arise and as they have implications for needed changes to the town laws.

This advisory group should be made up of volunteers and representatives who may be drawn from the several appointed boards to stay alert to new issues as they present themselves in the months and years ahead.

## AGRICULTURE

Thanks to Marshall's exceptional soils, its abundant water resources and its rolling hills, agriculture has long been the core element of this town's history, its rural character, its economy, and its tax base. According to the most recently available statistics from the Farm Service Agency of the US Department of Agriculture, in 2010, Marshall had 1512 farmed tracts of land which encompassed slightly over 9,000 acres within the Town. The Oneida County Planning Department reports that in 2012, Marshall had 12,466.5 acres of land out of the total township within New York State Agricultural Districts, the highest acreage of any town in Oneida County.

The Town of Marshall is unique in Oneida County for its highly productive farmland soils (these are described in detail in the appendix). Of the approximately twenty-three soil series found in the Town of Marshall (there are over four hundred soil series found in New York State), thirteen of these are considered prime farmland soils. According to the Oneida County Soil Survey, these include the typical profiles of Amenia, Arkport, Nellis and Pittsfield soils.

Dairy farming predominates in Marshall, though its farms also grow a variety of crops including corn, string beans, soybeans and silage.

The public participation process made it clear that the Town's residents believe it is vital to preserve small family farming and farmland in Marshall.

### Agricultural Findings from Survey Results:

In the survey conducted among Marshall Residents in 2009-2010, the following results were noted:

- 66% of survey respondents indicate that they live in Marshall because of the rural setting.
- Over 90% of respondents indicate that they are either satisfied or very satisfied with the quality of life in Marshall.
- Nearly 75% of survey respondents indicated that aesthetics of the town are either very important or important to them.
- When given a list of items to protect in the Town of Marshall, over 70% of respondents chose streams and farmland.
- The most prevalent type of development favored by survey respondents was small family farms.

## SURVEY FINDINGS

**Town of Marshall Comprehensive Plan 2010**

|                         |   |
|-------------------------|---|
| • Agriculture           | • Housing   |
| • Beautification        | • Infrastructure: utilities, roadways, bridges... |
| • Business              | • Land Use  |
| • Civic Organization    | • Natural Resource                                |
| • Community Facilities  | • Public Services                                 |
| • Economic Development  | • Recreation                                      |
| • Programs              | • Seniors   |
| • Emergency Services    | • Transportation                                  |
| • The Environment       | • Youth   |
| • Historic Preservation | • Water Quality                                   |
| • Internet              |   |

The Steering Committee learned, through educational training sessions they attended, that keeping land in agricultural production is one of the best ways to preserve open space and keep taxes low.

According to the American Farmland Trust, maintaining active agricultural lands and open spaces is more beneficial for maintaining low tax levels and municipal budgets than increasing residential development. Studies have shown that residential development costs a municipality more than a dollar for every dollar it takes in from real property taxes. Yet, for every dollar a farm generates in taxes, it costs a town less than a dollar to provide services.

The socio-economic vitality of agriculture in this state is essential to its economic stability and growth of many local communities and the state as a whole. It is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is also the declared policy of the state to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air sheds, as well as for aesthetic purposes.

Preserving Marshall's agriculture and farmland can also go hand in hand with local economic development. In numerous interviews and group discussions, residents voiced a desire to see the development and sale of local food and farm products, and to make increased use of agri-tourism to build and strengthen the local economy and tax base. The interest in local foods production has, in fact, been quietly taking root in Marshall for several years. A number of farms have experimented with selling locally raised grass fed beef and eggs, and one dairy farm is now making and distributing its own cheese. Significantly, a new and highly successful yogurt production plant in nearby Chenango County has recently created a local market for Marshall's milk.

### **Keep Existing Farmlands in Production**

There are, however, some very real threats to the survival of Marshall's agriculture and small family farms. In recent years, the vicissitudes of the national dairy market and low milk prices have presented serious economic challenges to family farmers. In addition, many farm children have chosen not to pursue farming. When farmers retire, there is often no one to take over the family farm, increasing the likelihood that the farm will be converted to some other use.



Concentrated Animal Feeding Operations (CAFOs) (See Appendix) should be managed in accordance with the recommendations of a certified planner.

The New York State Farm Link Program and the Oneida County Come Farm with Us project were developed to help match farmers who are selling their properties with persons who are seeking to purchase a farm. Local farmers and real estate agents should be made aware of these programs. Very recently, there has been a migration to Marshall and surrounding towns by farmer using more traditional means of production. They have been purchasing farms and keeping them in family farming.

There are also a number of tools available to assist farmers in the Town of Marshall to commit their land to farming, including sale or transfer of development rights, right to farm laws, enrolling the land in recognized NYS agricultural districts, claiming an agricultural assessment (which eases the tax burden, and encourages the land to continue to be farmed), barn exemptions, and a possible local tax incentives for improvements to the farming operation.

When farmers do feel compelled to sell some portion of their land, clustered subdivisions, ratio zoning, and other land-use tools can minimize the amount of farmland that would be lost (when the same number of houses are built on smaller lots, the subdivision will keep aside and dedicate land to open space-- see land use section for specific subdivision information).

The Town of Marshall should work with local and state agencies such as Oneida County's Economic Development Agency (MVEDGE) and Cornell Cooperative Extension to support existing farming operations, including the provision of technical resources and low interest loans from the USDA and Farm Services Agency (FSA) to support agricultural business, and a revolving fund that could be used to by agri-businesses and farmers in the community. Funding is available as loans are repaid. Regional revolving loans are also available from The Mohawk Valley Rehabilitation Corporation (MORECO) revolving loan fund created through the efforts of the Mohawk Valley Economic Development District, Inc. (MVEDD).

**The town should also:**

Encourage our local farmers to consider the sale or transfer of development rights to New York State, if funds become available.

Explore opportunities to promote agri-tourism and to create new small-scale agri-business which will serve the local community, including a local food co-op and new local products: Examples might include, but are not limited to local cheese products, maple products, bee-keeping and honey, organic foods, grass fed and free range meat and eggs, produce and crafted wood and artisan products.

Encourage diversification and supplemental farm-based activities as long as they maintain rural atmosphere and don't impinge on neighbors.

Preserve historic Barns by encouraging property owners to seek funding through the NY State Historic Preservation Office's Barn Restoration Fund and other resources as they become available.

Implement the Real Property Tax incentives for agriculture through the Agricultural assessment to which farmers and landowners are currently entitled.

As the Town of Marshall continues to develop its land use policies, it should keep firmly in mind the goal of protecting and preserving agricultural land for agricultural purposes.

There are 3 dairy farms in the Town of Marshall currently regulated under the New York's Concentrated Animal Feeding Operation, (CAFO) Permit. In general, a farm that is a CAFO is required to have a Comprehensive Nutrient Management Plan prepared by a Certified Planner.

CAFO farms are defined by NYS as a point source for pollution. The Town of Marshall should work with Oneida County Soil & Water Conservation District (OCSWCD) to consider to what degree the expansion of this type of activity should be managed, in the light of neighboring residential areas in Marshall.

For further information about the CAFO permit requirements, contact NYS DEC or the Oneida County Soil and Water Conservation District (OCSWCD).

## LAND USE

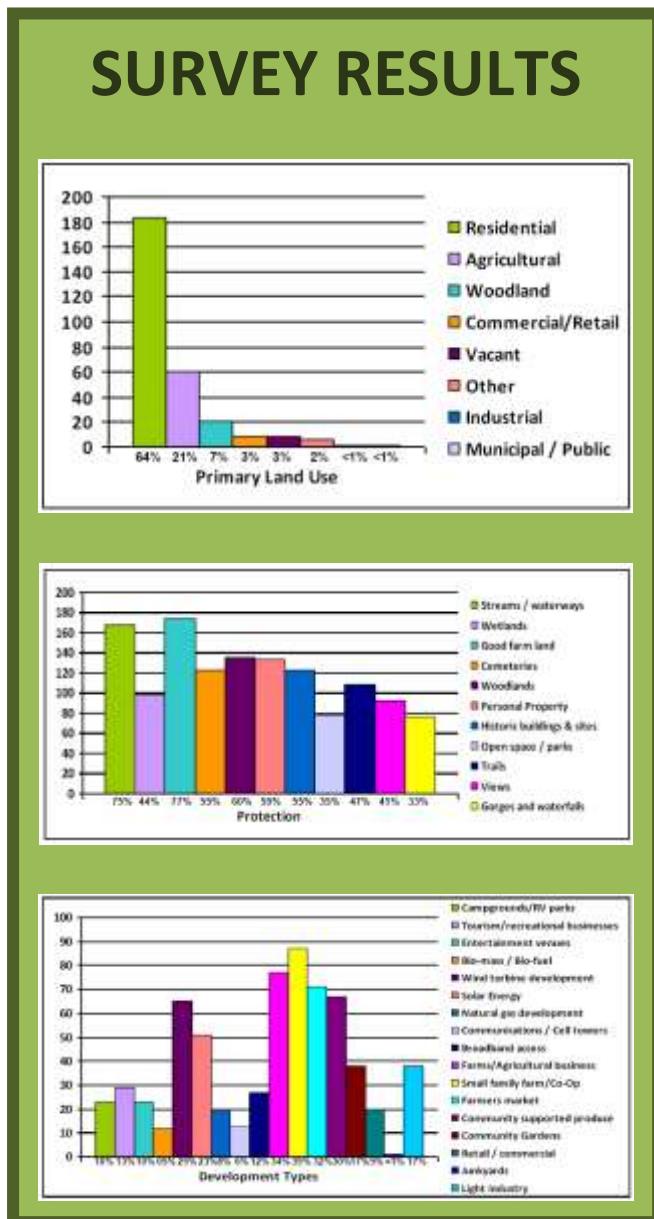
Farms and housing are the two chief land uses in Marshall, and have been so historically. Today, there is also some light non-farm commercial land use. Those businesses tend to be limited in scale and scope, often operating out of the proprietor's home as a "home occupation".

Marshall's residents who participated in the survey, focus groups and individual interviews said that they want to preserve the "quiet rural character" of the Town as it now is. Yet, they recognize that development keeping pace with the times is both necessary and desirable. Appropriate development will help maintain and improve the quality of life of those who now live in Marshall, as well as for those who will live here in the future.

Residents said that what is unique in the Town's natural and cultural environment is worth protecting. Guiding development to be compatible with Marshall's historical and cultural heritage and its rich natural resources is identified as a key goal for the Town, going forward into the 21<sup>st</sup> century.

Also clearly stated Marshall's residents do not want to see large commercial ("big box" stores, warehouses) or heavy industrial uses come to town. The hope is that Marshall will continue to draw agriculture-related and "home occupations" and neighborhood operations like food establishments, hospitalities, repair shops, and grocers.

A commonly held but erroneous belief is that all development will result in a net increase in revenues generated, and is good for the community. However, recent studies show that farmland preservation provides substantial economic benefit because farms and open space contribute much more in tax revenues than they receive in the public services local taxes pay for – schools, fire and police protection, roads maintenance and



construction, and general infrastructure construction and repair. The American Farmland Trust found that for every \$10 in tax revenue received from farms and undeveloped land, necessary services cost the community \$2.70. But, for every \$10 in tax revenue from developed land areas, especially residential development, the costs for those basic services is \$14.70.

Farming and residential development compete for the same space. For the builder, farmland is an ideal location for subdivision into development lots: it is generally well drained, the soils have adequate bearing capacity and the terrain is usually rolling, with the vistas and natural features that homeowners want – views, streams, woodlands, open space. Homeowners see active farms and farmland's open space as characteristic of "quiet rural living." Nearby farming represents stability, heritage, individual freedom, and a sense of community, neighborliness, and historical continuity to the homeowner.



By definition farming uses a lot of land, intensively. Adequate acreage is fundamental to a profitable operation, and the soils and the same topography that makes the land desirable to a developer are vital to the farmer. Level and gently rolling lands tend to have deeper and more productive soils. As slopes increase, plowing becomes more difficult and productive soils more shallow. Contour plowing, so essential to erosion control, is less efficient.

The Town should recognize that new residential development in proximity to farming activity could increase complaints about noise and dust from operations, odors that come with livestock operations and inconvenience with sharing the public roads make for unhappy neighbors, despite New York's "right to farm" laws.

Development to come may bring with it an unwanted impact on viable farmland: not only from the obvious and immediate arrival of new activity in the vicinity but by presenting to adjacent farmland owners with offers to buy their properties at a price too attractive to refuse.

In planning for future land use, the Town needs to consider these pressures, where they are occurring and what prerequisites should be met before proposed development actually is granted a permit to proceed. The Town needs to anticipate infrastructure demands by such development, and insure that the costs of making the improvements to meet those demands are borne by the builders and not the new residents or the taxpayers.

As tillable acres and farmland soils are converted to development, as single parcels are cut from fields, as fragmentation breaks them up, and as the infrastructure to support new development and more intense use is built, farmers' access to their fields gets disrupted and operations lose efficiency. The "competition" between farm and development for viable land areas is especially hard on small farms, particularly where fields are not on adjacent parcels.

This point of view is reflected in the many comments that support zoning that would protect farms. Development that isn't directly in support of on-going agricultural activities should be limited to areas of the town where it won't infringe upon active farming and viable farmland. Particularly is this the case for prime farmlands that are not being actively farmed at the moment.

Even though "zoning" is generally perceived as an interference with private property rights, the community supports reducing pressure to convert farmland to other uses. Zoning regulations should discourage fragmenting Marshall's viable farmland through any kind of incompatible development. Respondents generally believe that converting prime farmland to non-agricultural uses -- whether residential or commercial -- makes farming the remaining parcels and neighboring land more difficult (will the new neighbors not be inclined to tolerate typical farming activities that generate noise, dust, smell typical of farm operations)?

Converting farmland to residential or commercial uses is also seen as compromising the open space and rural character of the Town that Marshall's' residents value.



Viscerally recognizing these dynamics, Marshall's residents view continued construction of single-family houses on agricultural land as perhaps one of the Town's central concerns as this Plan is being developed and adopted. Pressure for suburban development, if not channeled into appropriate areas may well mean a loss of viable farms: as more land useful for farming is subdivided for residential development, the new uses act to erode the viability of remaining farmland and farms and check their operations.

The northern parts of Marshall have seen sales of individual lots as well as whole tracts of farmland that are now lying marginally or wholly unproductive. The Town should plan now for what it should require of the developer, what limitations (if any) on design and construction are appropriate, and what overall Town housing needs should be met as areas are considered for residential development. In planning for housing and other development in the years to come, it may serve the community well to consider and contrast the two subdivisions within Marshall:



The Earl Manor subdivision was set in the Hamlet of Deansboro, nestled and well integrated into an already long-established housing area. The infrastructure of contemporary suburban living was immediately available and within easy extension by the sub-divider-builder: energy (electricity), phone, power, municipal water was all introduced to the homes from the immediately surrounding and developed housing area.

The Tassel Hill subdivision is located on a seasonal and unpaved road. The dozen lots in that

subdivision are a significant distance away from the paved roads and utilities infrastructure (water, power, phone) that 21<sup>st</sup> century housing anticipates. Several of the parcels are now developed with housing, even though no infrastructure improvements were made.

For lack of local control, the sub-divider for Tassel Hill provided nothing of infrastructure "basics". The potential need for costly new infrastructure investment to serve the Tassel Hill families will fall on the families, and potentially the Town and all its taxpayers for decades to come. Yet new residents are welcomed and needed.

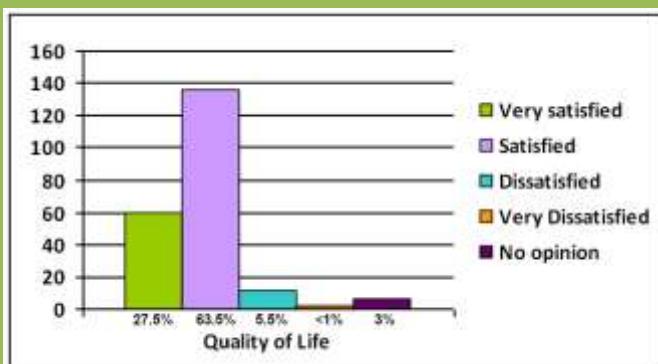
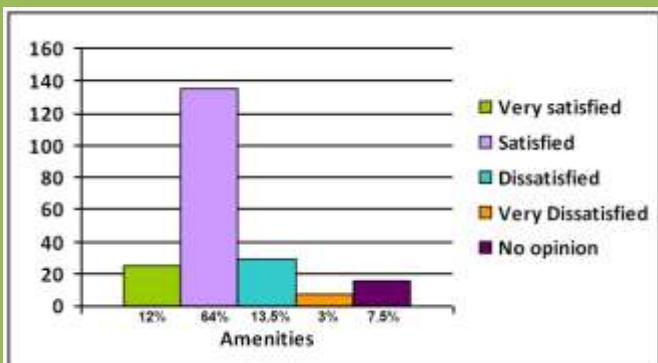
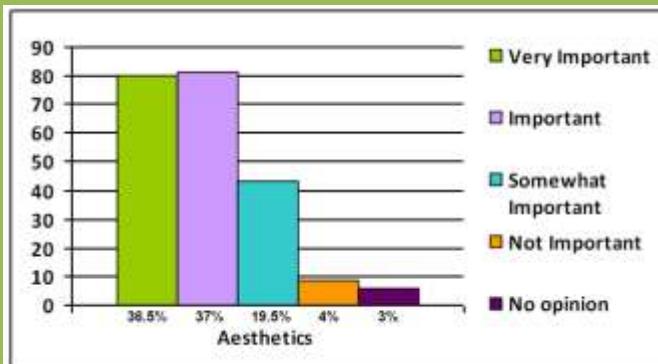
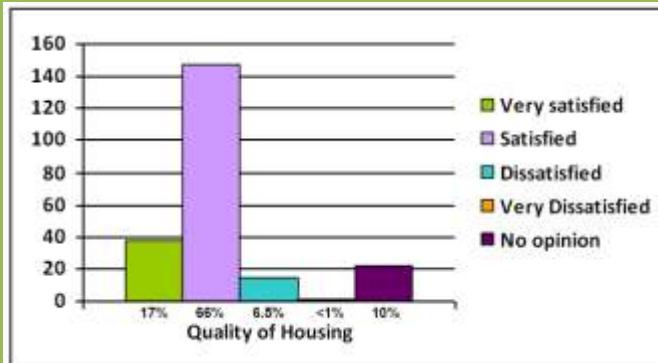
The Planning Board should explore ways in which the dedication of recreation land, public sites and open spaces could be also be required through subdivision regulations.

A developer could be required to set aside a percentage of land for specific purposes or put a set amount of money into a fund for land acquisition. The planning board could determine the percentage of land dedication or the fee. The Planning Board could also determine if there is no suitable land for recreational purposes on site, and the developer could have the option of reserving land in another part of the Town to meet the needs in the community for recreation or open space.

## HOUSING

Most of Marshall's housing is located along the principal corridors, State Routes 315 and 12B and the intersection of two county roads descending into 12B. Concentrated in the areas within the Village of Waterville and the Hamlet of Deansboro the housing patterns reflect Marshall's history: over half are older homes dating from the early 19th century, the "boom" era of hops, dairy agriculture, and busy canal and later, rail

## SURVEY RESULTS





commerce. For the most part these homes are single-family residences that are well (or reasonably well) maintained, and turn of the century homes have been upgraded through the decades with modern electrical, plumbing and heating systems. Most benefit from being “heritage” homes – in the same family for a generation or longer – and show a “pride of ownership” in their care and maintenance. While some suffer from lack of recent paint and property maintenance eliciting comments in the community survey and interviews efforts should support community beautification.

Census statistics for 2010 show there is now a total of 831 housing units in Marshall, over 80% of which are single-family residences. A trailer park adds additional single-family housing units to push the number to over 90%. The remaining housing is duplex housing (8.5%) and small-apartment multi-family units, including a former hotel that is now housing a popular tavern as well as long-term permanent residents.

While most residential properties are owner-occupied (just over 85%), rental housing is available, though limited; the vacancy rate is under 2%. The statistics confirm what the community survey, focus groups and several individual interviews said: there is a significant and growing need for multi-family housing in Marshall, particularly for singles or married couples without children and for seniors ready to scale-down their living. Within the last few years, several life-long older residents who wanted to stay in Marshall, the place they had raised their families, had to relocate to other communities because no appropriate housing was available.

Census data (See Appendix) indicates that about two-thirds of Marshall’s housing stock is subject to a mortgage. That fully a third is not, reinforces the observation that the

housing sector is stable, and that the tenure of ownership is generally long-term. Housing costs are modest for the region; utilities, taxes, maintenance and insurance expenses show a median of \$500 monthly.

What rental housing is available (about 10% of the total housing stock, including rooms and apartments as well as single-family residences) ranges from \$375 to \$1,000 monthly, generally not including utilities. Indications are that most rental contracts are 30-day month-to-month agreements. Marshall's housing stock is modestly valued, both as measured by sales price and by assessment. Prices are stable. There has not been a re-valuation since 1992, and one is needed, even though sales and new construction are limited from year to year. Turnover is at a rate of less than 30 residential parcels each year since 2000 and averaged less than 15 a year in prior decades.

Census figures indicate that 20% of the housing units are adopting some form of "renewable" energy to power and heat their homes. "Green" construction that includes geo-thermal installations, small-scale wind, solar power and interior wood stoves are showing up in the Town, and interviews and focus groups made clear that some residents are looking ahead to the day when a far larger part of our energy may need to be generated and consumed locally. The initial costs of installation and conversion remain daunting, but technological improvements and financially encouraging grants and subsidies may see early expansion of these options in Marshall, particularly as the price of coal, oil, LNG and related energy-producing fuels are predicted to rise.

Newer house construction (since the end of WW II) is scattered throughout the Township, and has tended to be built by individual families buying a parcel cut out of agricultural lands which were retired from farming. Subdivision development, until now, has not been a phenomenon in Marshall with the exception of "Earl Manor" in the Hamlet. The recent sale and subsequent subdivision of such non-productive agricultural lands in the Tassel Hill area gave a "wake up" call to the Town of the need for a more coordinated approach to development, land use and permitting. If anticipated growth is without a plan, the goal of protecting and preserving the rural character of Marshall and its small family farms may not be met. (See Appendix – Subdivision Section 7)

| <b>Table 2.</b><br><b>Village of Waterville Housing Conditions</b> |               |                |
|--|---------------|----------------|
| <b>Housing Condition Rating</b>                                    | <b>Number</b> | <b>Percent</b> |
| Substandard  | 182           | 44             |
| Moderately Substandard   | (100)         | (24)           |
| Severely Substandard   | (79)          | (19)           |
| Dilapidated  | (3)           | (1)            |
| Standard   | 232           | 56             |
| Total  | 414           | 100            |

The windshield survey conducted as part the Village of Waterville Strategic plan indicated the "overall housing conditions in the Village of Waterville are generally very good. A majority of the houses are well maintained and contribute in a positive way the Village's quality of life"

## HISTORIC PRESERVATION

Marshall's rich history derives from its agricultural heritage, its location on the historic Chenango Canal and its being the original home of the Brothertown Indians, a unique social experiment in the history of Native Americans.

The town of Marshall's rural small town character, its quaintness, and its attractiveness to visitors owes itself not only to its lush farmland and farms but also to its 19<sup>th</sup> century houses and buildings, many of which were built by the town's earliest settlers.

Preserving Marshall's old buildings is key to fulfilling the community's vision for its future: maintaining rural character, improving and enhancing the town's aesthetic qualities, attracting tourism and encouraging local products and small business.

Through some luck, and owing to the substantial materials and methods used in 19<sup>th</sup> century architecture, Marshall retains many of its original 19<sup>th</sup> century buildings. It became clear to committee members that these old structures and sites are not only important links to the past, but they are literally assets to the town.

Marshall's history is of interest to many town residents. The Town of Marshall has an active Historical Society and Town Historian who have produced an extensive written history of the town and maintains a large collection of photographs and artifacts. They are ready to help with all questions about the town's history, sites and buildings. The Comprehensive Plan Steering Committee received many comments affirming the importance of preserving Marshall's history and its historic structures and sites.

### **Historic Sites and Structures in Marshall**



In addition to houses, there are a number of other historic structures and sites which residents believe should be preserved. These include Brothertown Indian burial grounds, the old O & W Railroad Depot and the "towpath," which is actually the old train track bed and canal towpath. Intact sections of the original Chenango Canal locks and walls still stand near Van Hyning or Rt. 315, as do barns, mills, and early factory sites that document Marshall's economy and growth as a productive agricultural community through the 19<sup>th</sup> and 20<sup>th</sup> centuries. In addition, Marshall has several local cemeteries in which early settlers are buried. The Marshall Historical Society and Parks & Recreation Committee have been active in preserving these cemeteries and straightening head stones. (See end of chapter for a full list of historic sites and buildings).

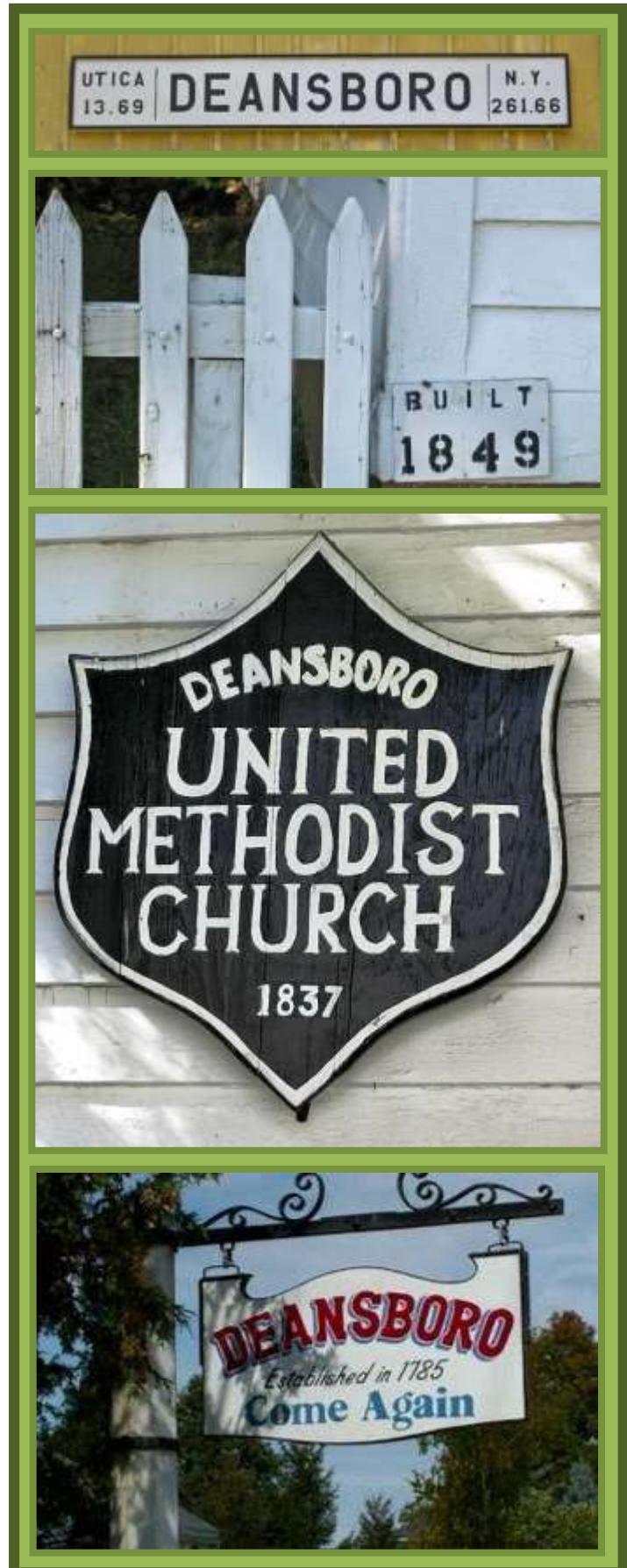
### **Balancing Preservation with Flexibility and Freedom of Choice**

Marshall's buildings truly are the visible historical record of the town. Residents specifically noted that they appreciate the small-scale small farm town character and appearance of these structures, but are concerned that many are in disrepair or in need of at least a sprucing up, especially when it comes to the houses and businesses in the Hamlet of Deansboro.

The challenge in maintaining our local vision of small town rural life is to allow for flexibility in building new structures and in the repair and renovation of those that are old, while making sure that new or renovated architecture does not look sharply out of place. The similar size, style and scale of our architecture all effect the visual unity and attractiveness of the town. Thus, in fulfilling the community's desire to improve and beautify Marshall and to preserve its history, it is important that, when possible, old buildings not be destroyed and that renovations not obliterate all signs of a building's age-based style and character. However, residents indicated do not want burdensome restrictions placed on building styles, colors or materials.

A successful example of preservation in Marshall (still in progress) is the O & W Railroad Depot, a site that has been valued for a possible town center and hub for social activity or a railroad museum, or both. The depot has undergone some initial preservation efforts thanks to a group of local volunteers, the Brothertown Association, which owns the building. Through their efforts, the Depot has been placed on the National Historic Register.

In surveys and interviews, respondents expressed concern that in the past the opportunity to buy important local buildings when they came up for sale were not taken. In the future, actions to preserve historic buildings should be a higher priority. They felt that these buildings might have become centers of local activity and pride had they could have a public use. Residents want to see historic local buildings preserved and used as a focal point for the community. Respondents particularly cited the Dean Homestead, which might serve as a museum or a center of local history. Some suggestions included a year-round farmer's market for locally produced food products and goods, a community center, an historical museum as positive uses for such buildings.



The fact that residents desire to preserve the town's historic character, while at the same time not wishing to have too many guidelines imposed upon them, in terms of building styles, materials and site usage, presents a dilemma to the town. However, there are a number of creative solutions that can be implemented to accomplish preservation without imposing undue burdens upon home and business owners. The planning board should actively consider the solutions described below.

- 1) The Town should recognize the importance of preserving its historic buildings and that preservation is foundational to maintaining rural character, providing more activities for youth, emphasizing local products and crafts, and increasing tourism. All of these goals intertwine and could be realized, at least, in great part, by restoring and using one or another historic buildings as a center for Marshall's history, a place for youth activity and a community hub for the Hamlet of Deansboro: the Depot for example, or the Dean House would be appropriate buildings which could serve these combined purposes.
- 2) In accordance with community desires to preserve historic and rural character in Marshall, (as also discussed in the Parks and Recreation section) the town should consider implementing a Historic Overlay District in the Hamlet of Deansboro, and adopting, through its own local laws, a system of style guidelines for new and existing structures and signage. A set of design guidelines for the Town of Dryden also provides a useful model (see appendix). The advantage of this approach is that the town can create its own design guidelines which can reflect the community's wishes to be flexible when it comes to building styles, materials, and colors. The National Main Street Center can provide support and guidance for creating local documentation. The New York Main Street Program can be used to help implement recommendation of design guidelines and has been used successfully locally in the Villages of Barneveld and Boonville.
- 3) The Town should also research and give consideration to the New York State Certified Local Government (CLG) program, administered by the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP), also known as the State Historic Preservation Office (SHPO). The program's primary goal is to encourage municipalities to develop and maintain community preservation efforts in coordination with local land use planning and improvement activities. Participation in the CLG program allows municipalities to partner with the state and federal governments throughout the processes of identifying and evaluating community resources and protecting historic properties. The benefits of the program include access to SHPO staff for technical assistance and training, participation in an online network with other CLG communities, a quarterly newsletter on topics critical to local preservation and the opportunity to apply for small grants to support local preservation and educational activities. CLG funding has enabled communities to conduct historic resource surveys, produce publications, undertake planning studies, and present training programs.
- 4) The lack of available funds to purchase historic buildings and sites when they become available is a significant challenge. Acquiring delinquent property before it goes up for tax sale by the Oneida county office of real property may provide an opportunity for preservation. Properties acquired could be transferred to local non-profit or LDC to maintain and for public use. The Town should encourage the forming of a Community Development Corporation to raise funds for the purchase and maintenance of important buildings and sites when they become available for sale.

The following is a list of buildings that have particular historical significance in the town of Marshall and which merit attention and preservation:

- The Dean Homestead and the Dean Cabin: First section built in 1799. Home of John Dean, Teacher to the Brothertown Indians and Thomas Dean Agent and Attorney to the Brothertown Indians (corner of Rt. 12B and West Hill Road)
- The Chenango Canal
- The O & W Railroad Depot
- The Peck Homestead on Rt. 12B
- Deansboro Methodist Church & Clock
- School House on Rt. 315 and Bogan Rd.
- The Kate Loftus Welch House on Rt. 315  
(Home of a local published Poet and teacher who immortalized "Big Creek" in a poem in which she named it "Willona Creek.")
- Hinman Feed Mill on Rt. 315
- The Hinman Condensed Milk Plant on Rt. 315
- The Deansboro Hotel (originally the Hamilton House)
- The Deansboro Congregational UCC Church (Rt. 12B)
- The Old Post Office- Barton Hose Company building (Rt. 12B)
- The Ye Old Antique Shoppe Building (a former hotel) (Rt. 12B)
- Brothertown Indians Burial Ground on Brothertown Road
- Louis J. Gale & Sons Feed Mill on Canning Factory Road
- Ruins of Milk Station on Summit Road in Waterville
- Hubbard Farm corner of Summit Road and Rt. 12
- Victorian Mansion on Hanover Road near Bacon Street
- The Indian School (Became A.R. Skerrit-Williams Blacksmith) on Rt. 12B)
- The Anvil of Forge Hollow on Rt. 315 and Gridley-Paige Road: Erected to commemorate "the first forge erected here in 1801 to manufacture iron from ore..."
- The Gridley Homestead on Gridley-Paige Road
- 18<sup>th</sup> Century McConnell Homestead at 2816 Post Street
- House on Rt. 315 and Brothertown road which has Samson Occum Historical Marker:  
This was an early Brothertown Indian Church and later a District School House.



## PUBLIC WORKS AND ROADS

In conjunction with the development of this Comprehensive Plan the Town undertook a “Road Survey” that included a traffic count as well as a pavement surface rating of the Town’s inventoried roads. The County’s Department of Transportation provided the equipment and the expertise to evaluate traffic and travel conditions in the town in the fall of 2011, providing some: “surprises,” particularly with respect to travel patterns and traffic densities. This data will allow the decision makers to put focus where it’s needed:” where road infrastructure needs priority and what roads are meeting demands without requiring immediate attention.

The condition report included in the Appendix shows that, while Marshall’s roads are functional, there are areas that require repair. Due to increased budget constraints and appropriation of taxable revenues the town doesn’t have the funds to bring all of its roads to a higher standard, is a hurdle that has been encountered almost continuously over the years.

Marshall’s roads have earned ratings between “10” (in good condition, their pavement showing “no distress”) to “4” (beyond repair; a complete reconstruction and re-surfacing is required.) A final category of Marshall’s roads is rated “20;” these are unpaved and classified as “seasonal” or “limited service.” The recommendations of the County’s road engineers and planners for best use of available road dollars are to spend “maintenance” dollars only on roads rating “7” through “10” and not to spend those maintenance dollars on low-rated roads at “5” or “4.” For roads rated a “6” the recommendation is they be “coaxed along” (stone and oil or crack seal) with the aim of keeping them from falling into the “5” or “4” rating before they can be more fully repaired. Roads rated a “5” or “4” are so badly deteriorated that they need to be scheduled for reconstruction. Until recently reconstruction was “black top” now “mill and fill”/“cold pave” or even a total reconstruction beginning with a new base would be considered as funding is available.

With respect to Marshall’s roads, some roads show severe breakdown – shoulders so broken down that their usable pavement narrows, in some stretches, to a single lane. These include parts of Ford Road, Tassel Hill and Hardscrabble Roads (deemed “seasonal”), Brouillette and Hughes Roads. These roads will require extensive repairs when funds become available.

Besides the general benefit of good roads to travel, appropriate and timely maintenance gives the added benefit of checking continued breakdown: when maintenance is deferred, deterioration accelerates and the net result is far greater expense.

Roads deteriorate from heavy trucks, over-sized vehicles, traffic volume, driving practices (jack-rabbitting, speeding and skidding braking), from weather extremes (high summer heat/winter frost and cold), and always, from water, especially snow and ice and the undermining of the increasingly common flooding from Marshall’s creeks and slopes run-off. Climate experts remind us that global climate warming is producing catastrophic storms. In the short period during which this Plan has been in



development, there have been several significant weather events that the State of New York has experienced. Fortunately, Marshall has been spared the catastrophic losses and the freedom to travel other communities have experienced, but storms have substantially damaged certain roads in Marshall with severity that they qualified for FEMA (Federal Emergency Management Agency) funds.

Marshall will need to anticipate and budget for “extreme weather events” take the necessary steps to sustain the community when severe weather events come this way. Bringing Marshall’s roads to a higher level of maintenance, repair, and providing generously for maintaining drainage ditches and swales to control run-off, and installing adequate culverts to direct and channel water out of harm’s way, have been shown in other jurisdictions to prevent pavement failures.

Storm run-off and drainage are particularly troublesome in several venues, including Canning Factory Road, Tassel Hill/Hardscrabble Roads, whole stretches of California Road, Sally Road at its intersection with N Y State Route 315. Flooding is also a significant problem on State Route 12B at its intersections with West Hill Road (a county road) and State Route 315. The problems at these county and state roads are left largely unattended, or are attended to by local property owners who themselves clear the blockages that prevent proper drainage. Such is also the case at several creeks that get burdened with debris and trash (paper, plastic, cans, etc.) as well as with downed natural materials (trees, brush, rocks) and flood across roads’ rights-of-way.

Some of the Town’s culverts have been in place for decades, and many are in a state of serious deterioration. The Town has been replacing them as the roads they service are repaired and re-surfaced. Many of the records relating to the Town’s culverts were lost in the Town Barn fire in January 2011, and the loss of those data has had to be worked around. Additionally, as roads are serviced, the culverts are now being re-sized and replaced to accommodate current and anticipated demands due to changing land uses that generate new run-off patterns and drainage issues.

In future, building permits that affect land use need to be issued only after full review of the proposal which considers the likely effects of water run-off from adjoining existing lands uses and anticipated “weather events.” . County and federal soil and water offices are a source of expertise not available at the town level.



Heavy uses by oversized, larger and heavier trucks and farm equipment all put continuing demands on the highway department’s budget. Again, reasonable, even creative solutions are needed to meet continuing and growing challenges within budget realities. An example of such innovation arises out of a recent development in local farming practices that is having a positive impact on Marshall’s roads: the use of surface-laid portable pipelines that carry manure slurry from barn-site pits to fields where

the product is used as fertilizing material. The Town is accommodating farmers who are using pipeline transport by installing under-the-road culverts where needed, saving significant wear-and-tear on the

roads by eliminating the need for transport by tractor and hitched manure spreader which eliminates manure spillage on the roads. Wherever a local farmer may wish to do likewise, the Town Board should work with the farmer to facilitate the practice.

In budgeting and planning for and scheduling Public Works expenditures – road work as well as equipment, and labor– it is recommended that the Town Board continuously review the range of emerging options: shared services among townships (which worked so well during the year following the fire and before equipment was replaced) and contracted scheduled equipment replacement through local and regional suppliers. It is noteworthy that State agencies have (figuratively) paved the way for townships and counties in negotiating discounts for some commonly used highway equipment. See the Appendix for an analysis of the experience and projections of costs of neighboring townships respecting equipment up-grades and maintenance options.

## **TRANSPORTATION, INFRASTRUCTURE, AND UTILITY SERVICES**

Ready access to good transportation is essential to supporting the local economy as well as maintaining access for the residents to shopping, employment and continuing education. Marshall's farmers depend on easy access to markets for their goods, and Marshall's location with ready access to major transportation modalities and routes, facilitates shipping products to market.

Rail runs through Marshall at its eastern boundary, and is used exclusively by shippers for commerce and moving goods to local feed mills and lumberyards, both in Marshall and in neighboring towns.

Passenger rail is available in the nearby Cities of Utica and Rome, and gives access to passenger train travel throughout the state on a schedule of up to eight trains daily. Daily Amtrak trains stopping in Utica and Rome carry passengers throughout the northeast, across the nation and into Canada.

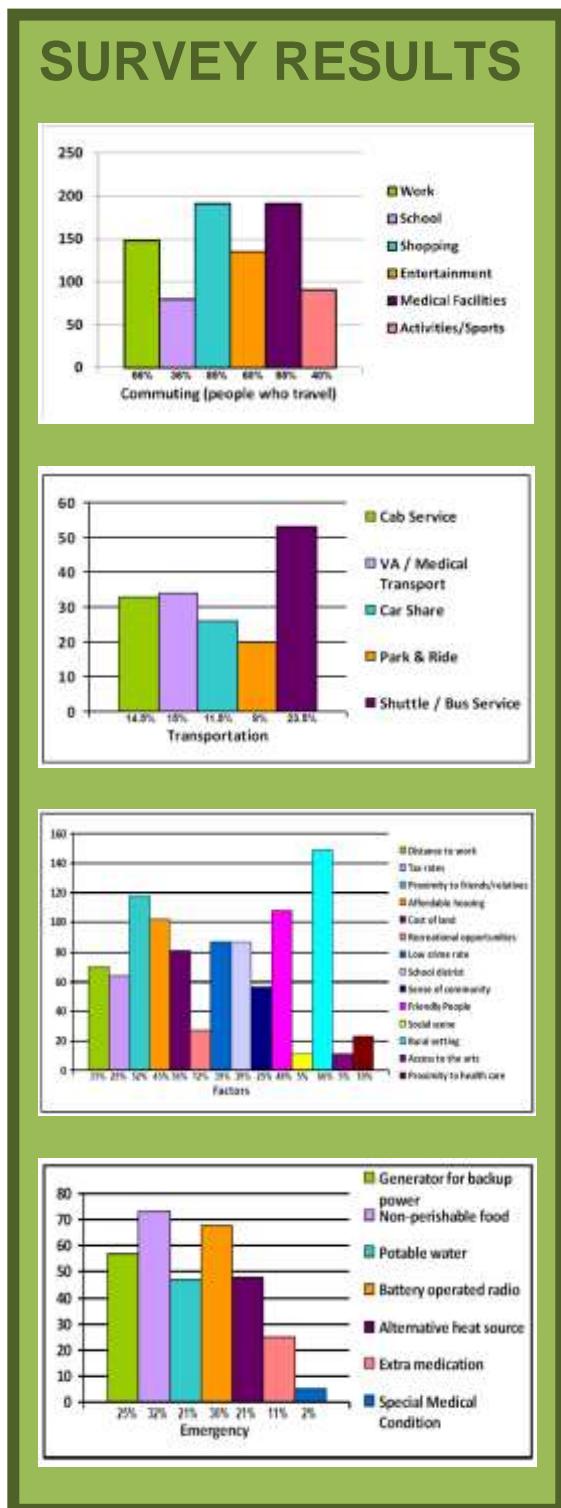
Long-distance bus passenger service providing regional and national bus connections is available in Utica through Adirondack Trailways, with frequent daily scheduling through the day and night.

Routing through Marshall is a once-a-day service between Utica and Binghamton. The bus runs at early morning and late night only. The nearest Centro bus service into Utica and the major shopping areas along the route into Utica is available in Clinton, about five miles north of the Marshall Town Line. Birnie Bus Service provides transportation for O.C.R.T.Utica (Oneida County Rural Transit System) which has stops in Waterville and Paris daily.

Public transportation is limited for Marshall's residents, commercial, commuter and shopper travel beyond Marshall's borders is almost exclusively by private vehicle. Three state highways (Route 12, Route 12B and Route 315) and several county roads run through Marshall. Lying to the south of the township is federal highway, US Route 20, and to the north of Marshall, the NYS Thruway I-90, a part of the nation-wide Interstate Highway System. Both are east-west corridors, connecting with corridors that run north-south, all connecting throughout the northeast, across the nation and into Canada.

In Marshall there are approximately 42 miles of Town roadways, and their maintenance, including storm damage management and snow removal, is by far the largest element in the Town's budget. Within the last several months, the Town authorized a road study of the current condition of

Marshall's town roads, as well as a traffic count that ran for two weeks, showing road usage. The report and integrated maps are found in the Appendix/Public Works and Roads.



Traffic flow is not a major concern of residents, per survey and interviews. However, congestion and sight-lines are of major concern at the intersections State Route 315 and West Hill Road with State Route 12B. STOP signs regulate the flow of traffic from West Hill Road and Route 315 onto Route 12B, but unprotected and unregulated pedestrian traffic (only one crosswalk at any place within the Hamlet of Deansboro) and the parked vehicles of visitors to the commercial establishments along the street at the “four corners” intersections make negotiating those roads problematic for all users, particularly during commuter hours in the mornings and afternoons. The other area of heavy pedestrian traffic is at the corner of Rt. 12 and Bacon Street, this road crossing is regulated by crossing guard during commuting hours on school days.

Heavy trucks hauling gravel and a variety of goods and thru-traffic pass along Route 12B. North and south of the “four corners” intersection, because of the concentration of commerce and residences, is increasingly a concern. Addressing parking or using traffic controls (such as a caution light) in this area could help to alleviate future issues. Only recently the double yellow center line has been extended by NYS DOT north from the “four corners” through the residential area to the Deansboro cemetery, and has proven a help in reducing the speeding. Now that passing is not legal in that area, the “invitation” to through traffic to accelerate past vehicles observing the posted speed is withdrawn.

As residential development evolves in the Town, the increased volume of commuter traffic, together with school bus requirements, suggest that subdivision permits and building plans need to address access to the existing collector road for the new developments. A review is needed for subdivision roads design (see “Roads”), provision for sidewalks and adequate parking, and layout of lots to assure the efficient and safe integration of new traffic onto existing roads.

Similarly, the issuing of building permits for commercial development will need to consider traffic flow from new construction onto existing roads, as well as requiring the repair of existing sidewalks or installation of new sidewalks for safe access by the public.

Mobility is an issue for Marshall's youth too young to be licensed to drive, and for seniors and others who elect for any number of reasons not to drive their own vehicles. Family assistance and shared rides largely meet these individuals' needs, and limited taxi service is available from the neighboring townships. Resident survey and interviews recognize the need for transportation alternatives for these people in particular. There is a perceived need for some form of (scheduled) public transportation in the reasonably foreseeable future as Marshall's population continues to age.

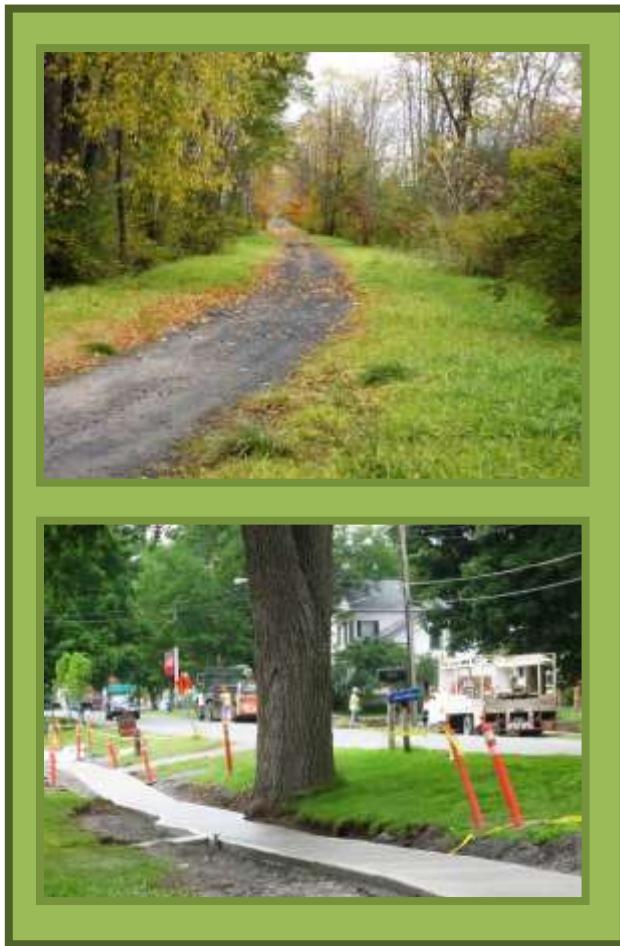
Bicycle and snowmobile transportation, though now largely for sport and recreation, are modes used by some residents. The survey and many of the interviews showed significant support for developing safe bicycle routes for transportation purposes throughout the town, and also biking trails for recreation.

Sidewalks improvements within the Town are often mentioned as an on-going charge. Within the last two years, sidewalks for pedestrian use have been laid along both sides of State Route 12B. The Towns of Marshall and Kirkland may consider working with NYS DOT to investigate extending as far as the Deansboro Cemetery to accommodate Marshall Residents.

Dedicating defined bicycle lanes along Route 12B should be reviewed with NYS DOT to be marked. With the exception of winters of heavy snow, recreational cyclists from Utica, New Hartford and Clinton regularly ride along State Route 12B, frequently in groups of 20 and more, a favorite route, south into Hamilton in the neighboring county, because of its scenic vistas.

The rail bed of the former O&W Railway and the Towpath of the former Chenango Canal run along the Oriskany Creek, parallel to State Route 12B from the north to the south town lines; to the north it stretches into the Town of Kirkland, giving easy passage to just south of the Village of Clinton. It serves as a corridor for pedestrians throughout the year and for snowmobiles in the winter. Mountain bikes can negotiate its terrain and surface of stone dust. Its preservation, with more routine brushing and grading, is a high priority to the community. A frequent complaint is what is viewed as abuse by off-road vehicles that ruts the corridor, bothers or displaces wildlife and generates noise that disturbs residents living along the towpath rail bed.

There are several user groups for the trails in the Town and there should be an open dialog with the Town officials about the dedicated uses for the trail system that accommodates pedestrians, horseback riding and motorized uses. Setting aside areas for ATV (off road motorized vehicles) may relieve the conflicting pedestrian uses on the Towpath/Rail bed. The Tug Hill area accommodates ATVs and could provide examples of some possible solutions



## Potable Water



Addressed elsewhere (Natural Resources), Marshall is richly endowed with a clean and reasonably dependable surface and subsurface water supply. (See Appendix/Natural Resources for a detailed description of the area-wide geology and water resource, and also for detail of the Deansboro Water District service areas.)

Most Hamlet development is adequately served by the Deansboro Water District. However, the volume produced under current conditions does not permit of expansion, and best estimates are that the District's present water supply can be expected to meet the needs of no more than seven additional users -- dwelling houses or businesses -- and then, no activity which would require a large volume of water in connection with its business operations. A large commercial or private user could well require more water than can now be provided through the District.

Beyond the Water District's service area, both residential and commercial development depends upon private wells. Waste disposal is by private septic installations and no reports of contamination, whether from surface or subsurface conditions or sources, are known.

Residential Development outside the Hamlet is well away from the area served by the existing Water District, so they would not be placing demands on the District. Accordingly, additional independent water districts may need to be considered wherever development of several neighboring lots, or where a planned unit development or cluster housing are being considered.

Infrastructure development in agricultural areas is a concern raised in one interview. Any extensive development and new infrastructure in areas now being actively farmed (water, septic, gas lines, sidewalks, street lights) will compete with farming and should be discouraged as compromising Marshall's rural character, destroying good farmland and open space in these areas, and inviting sprawl.

## **Waste Water Discharge**

Except for the properties located within the Village of Waterville, all residential and commercial waste water is discharged into individual private septic systems, privately maintained. Local regulation is limited to installation, whether as new or as replacement units. Note: though the Waterville Wastewater Treatment Plant is located in Marshall on Rt. 315, it serves Waterville residents only, including those Marshall residents who are located in Waterville.

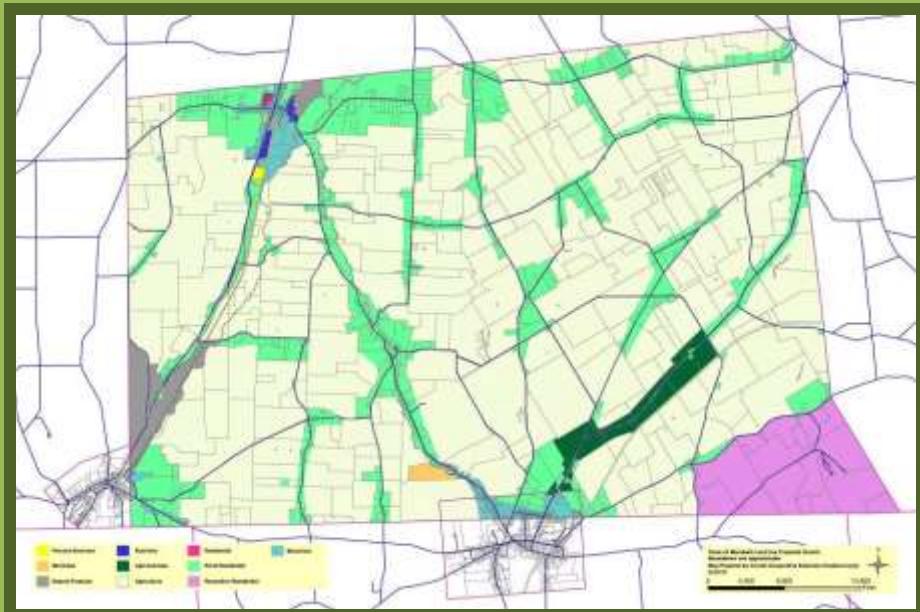
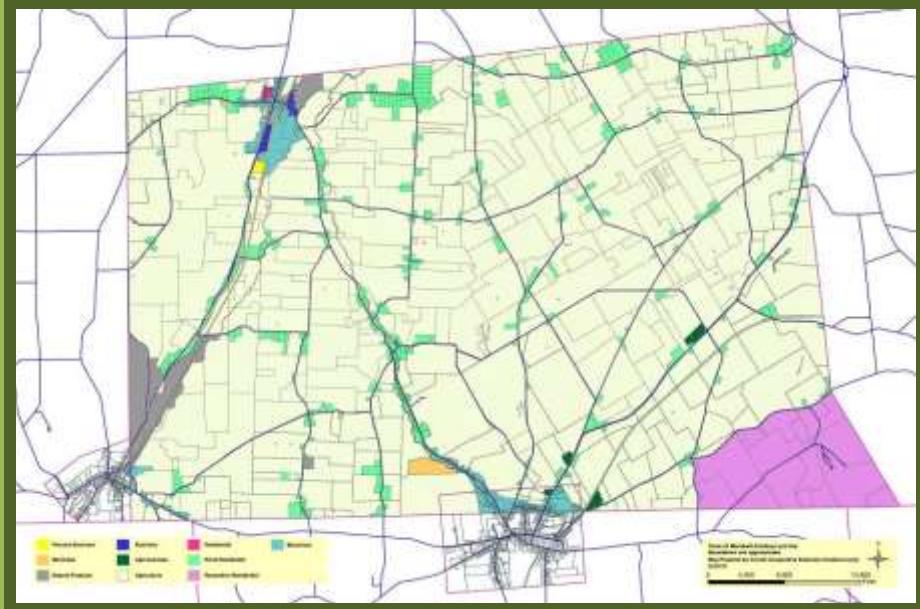
Existing development within the Hamlet, both commercial and residential, is on lots as small as 50 x 100, though there are a few acre-sized lots. All are serviced by private septic systems, privately maintained. To the extent any of the remaining parcels in the Hamlet are developed as "in-fill," an engineered system is required for the building permits to be issued.

Provision for a public sewer system servicing the Hamlet has been under discussion in recent years, and tentative locations have been identified along NYS Route 315 at "low points" that would permit a gravity-flow design. As development in other areas of the Town is planned and becomes sufficiently dense, collective/communal waste water treatment and disposal may soon be needed for those areas, and their costs justified in light of the need to preserve water quality.



Agricultural wastes and run-off, generally, have not been identified as a problem. The resident survey and interviews have pointed to the heavy odors that semi-annual emptying of manure slurry systems send into low-lying areas of the town for two or three days at a time. Contamination of the water supplies of near-by residents is a concern, though at present not known to have occurred yet.

Slopes and clay soils, and other conditions may make percolation of waste water and run-off a concern. In those areas, the Town might want to consider "trading off" with developers, permitting plans that cluster development, allowing development on smaller lots that share dedicated water and waste water control treatment methods. Contamination of water supplies becomes an issue with development, and in the long run, community solutions may also be financially advantageous when both the initial costs and continuing operational concerns of large-lot development requiring individual raised-bed water control solutions are weighed with the impact of large-lot development on open spaces.



Land Use & "Build Out" Projection Map - See Appendix

### Surface Water Run-off; Flooding

The years in which the Plan is being written (2012/13) the Town experienced a significantly high volume of surface water run off resulting in flooding of creeks, overwhelmed and washed-out drain lines and road culverts and scouring that compromised bridge integrity. Flooding in more densely developed residential areas (Earl Manor; Waterville Village) has been a significant problem in recent years. Much of the costs to repair and restore these areas have been borne in part by the County, the State and FEMA, but the Town bears its own a share of the financial burden. It is likely that need for control of surface water may become an increasing concern for the Town if the predicted changes in our local climate continue.

Marshall's topography, including a combination of steep slopes, flood plains and wetlands, limits where development can continue. See map (slopes) in the Appendix. Particularly is this the case where soils in areas of potential sizable subdivision build-out have limited percolation capacity, and suggests a coordinated communal solution to meet requirements for both maintaining potable water supply and for managing septic and waste water, and run-off.

## Energy

Private industry provides natural gas and electricity to development within the town, including National Grid (which bought out Niagara Mohawk), Oneida-Madison Co-op and New York State Electric and Gas (NYSEG). Small local businesses sell and deliver heating oil and propane gas to individual residences and commercial operations.

Running through Marshall in easements under private lands are phone and natural gas lines. Tennessee Valley Gas runs its transmission line, at the approximate geographic east-west center of the township, Dominion has two natural gas transmission lines that extend through Marshall into Town of Paris to the plant facility on Higby Road, and New York Telephone's lines, also running north-south, are located at the westerly ridge line.



Outdoor wood burning boiler with in-ground lines are now operating within the township to meet heating needs, and many residents rely on wood-burning, coal or wood pellet stoves to some degree to supplement the more conventional local cold-weather heating options of gas and oil.

In recent years, private landowners have begun to explore alternative "clean" energy sources for their individual needs; several single-user windmill installations are now operating to harvest the energy from wind, and the harvest of solar energy is proving feasible even in our frequently cloudy region. Those installations are showing that solar is capable of dependably meeting energy needs "off the grid." Locally, geothermal installations in new construction are being employed, markedly reducing to the building operations the costs of heating and cooling, in season.

"Sustainable New York" under Governor Cuomo's 2012-13 directions is exploring "new" options for energy to residents and businesses. One "innovative" source under review is on-site generation of bio-gas for use in the home or smaller businesses.

Nearby Morrisville Agriculture and Technical College's agriculture department has built a model manure digester. The system's scale is so large, having a capacity sufficient to supply a small community with needed energy, it has discouraged until now individual local farmers from considering biogas generation on their own operations.

However, modern digesters/collectors are now manufactured for relatively small applications and are presently in use on family farms throughout Germany and central Europe to meet energy needs on those farms. In China, home-scale sized systems are in use in rural areas. See Appendix (Alternative Energies)

The resident survey as well as individual interviews evidenced resident support for the Town's moving aggressively to explore bringing alternative "clean" energy options and uses into the community. Inviting new technologies to come to Marshall, the Town has adopted local laws relating to windmills, as to both individual landowners and commercial wind farms. Keeping aware of and in tune with development in these several "alternative energy" on-site solutions may become a necessity in coming years, both for individuals and small businesses.

### **Communications**

Traditional phone services are provided by the small independent Frontier Telecommunications. Telephone services are increasingly being provided by cable and cell/mobile phone which have become cost competitive with the "hard wired" telephone service. Several mobile service providers cover Marshall. Their local towers are located in neighboring townships, and as of this date, none are located (or anticipated) within Marshall. The resident survey indicated that cell towers were not desired in the town, but public utilities including cell tower placement is regulated through the NYS Public Services Commission.

Internet access is available through private industry: phone dial-up, cable and dish services. Rural Areas of New York State have limited service with regard to ease, speed and cost of web access and Marshall is no exception. A significant area developed with residences, and some home businesses, are served only by dial-up. Households of limited means generally are priced out of access to the Web. Several comments were made in citizen survey and interviews proposing extending broadband/wireless technology. Expanding technology has that additional benefit of supporting economic development.

Free public access is available (via hi-speed cable) in the two public libraries serving the Town of Marshall, in Deansboro and in Waterville. The Deansboro library operates as an independent Library & reading center with limited hours. Increasing library hours and access to Mid York Library services should be encouraged and addressed to the local libraries governing body.

## **ECONOMY: Budget, Business and Economic Development**

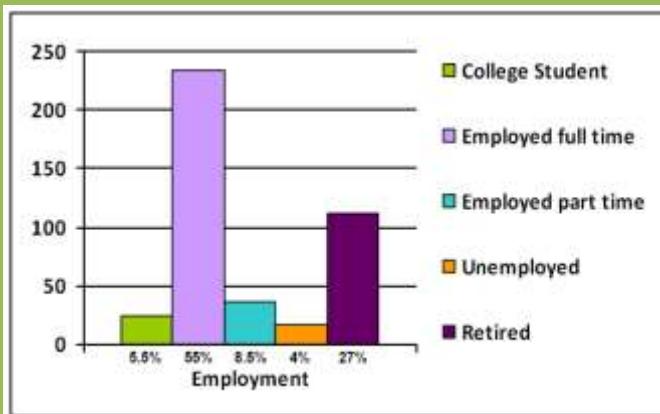
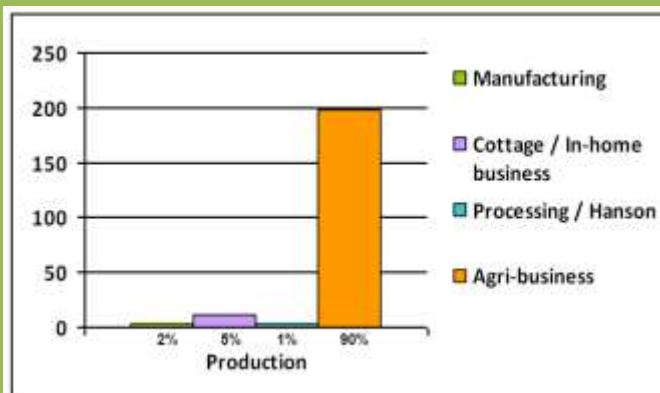
With a total annual budget of just over \$1.5 million, Marshall has one of the smallest budgets in the region. Its property taxes are among the lowest in the area. Of the total budget, local real property taxes represent just over 470,000, the rest of the town's revenues come from other sources. While keeping taxes low is a desire expressed by Marshall's residents, having a small and limited budget means there aren't significant community funds available for community projects. For that reason, most community services and community-supported events depend on volunteers and private organizations.

With limited exceptions, the businesses located in Marshall are family-owned, "small scale" operations, with less than 20 employees. Most are home businesses that operate out of or in connection with the owner's residence

The most significant business activity in Marshall is farming: largely dairy, but also beef production, field crops, and road-side farm stands. Historically an agricultural community, Marshall has remained attractive to farming because of its good soils, abundant water, its "farm-friendly" community and its access to markets via close-by major transportation corridors.

The principal farming activity is milk production, and the herds in Marshall are chiefly Holstein, though Brown Swiss, Jersey and Devon are also found among them. Shippers pick up milk at least every other day, and the remarkable success of a yogurt factory in a neighboring county has given many of Marshall's dairymen a reliable local market for their milk.

## SURVEY RESULTS



In recent years the federal farm bills have not always supported the family farming operations in Marshall. New York's "right to farm" laws, however, and the tone and substance of the resident survey and interviews have confirmed the commitment of Marshall's residents to support agriculture as continuing as the primary economic activity in Marshall. Agriculture is seen and understood to be essential to preserving the local economy and providing municipal cost savings for the residents in Marshall, factors that the residents appreciate about the community.

At the present time active commercial mining (Hanson Quarry) contributes to the local economy in Marshall operating under State permits. The Town also maintains its own active sand pit. Formerly, there were several smaller gravel pits; none have been commercially active for decades.

There is a wide range of non-agricultural businesses located in Marshall, selling goods and providing services, many being home occupations. Small retail operations (deli and groceries, antiques sales, art and rare book shop, website development and servicing, photography), used car sales, automotive repairs construction, paving and excavation services, firewood sales, dairy and value added agricultural products sales and delivery, heating sales and supplies, realty sales, accounting and legal services, etc.

Many local businesses include sawmills, welding gas sales and service, firewood sales, artists workshops, a busy farm market, fencing manufacture and sales/installation.



Marshall is also host to several entertainment businesses: a café-diner, a bar, a hotel with bar and restaurant, and bed-and-breakfast accommodations. A former dairy farm has been converted to a venue for private parties and weddings, and also for mass gathering and social events, including concerts, novel sporting events, and in the past, moto-cross have shown that Marshall's location on three state highways provide access for people and their dollars to come to Marshall.

Long-maintained traditions such as the revived Marshall Day and Allen Run-Walk events in Marshall bring families and visitors from surrounding counties to Marshall year after year. The suppers put on by the two local churches and the annual fish fry/chicken Bar-B-Qs of Marshall's volunteer fire department draw out-of-towners to Marshall and at the same time give Marshall's residents a popular chance to come together socially, over a meal. Local event also provide and economic benefit to organizations within the community

### **Business in the future**

Residents overwhelmingly want to preserve the quiet peaceful rural atmosphere of their community. However, many also express a wish for a vibrant business district in the hamlet, Village of Waterville, and for local home businesses which provide services and offer local foods and products to its own residents as well as to tourists. Acknowledging that there is limited physical space for business expansion in the hamlet of Deansboro, Marshall should actively seek to encourage home business throughout the town where zoning is appropriate. The zoning ordinance should be reviewed and revised, where necessary regarding business and commercial districts while preserving the quiet rural character of the community.

In an area rich in open space, there will be projects and businesses proposed that are not agricultural but make unconventional use of farmland. Where the activities involved are not strictly agricultural, according to the definitions put forth by Ag and Markets, they may require permits. Residents expressed enthusiasm for new and creative ways of bringing such business to Marshall, but also had concerns that such ideas must preserve the quiet rural character of the community, be aesthetically pleasing, and be respectful of the quiet enjoyment, health and safety of the community as a whole, and of the neighbors in particular.

Such creative new uses for land may well involve both short and long-term projects and businesses. Many towns successfully make use of "event permits" to ensure that necessary services are provided for time-limited events. These permits establish a fair, regular and even-handed procedure for events that involve changes in the usual routines of the town.



In considering what kinds of businesses residents would like to attract to the town, both survey and interviews show a strong preference for operations of relatively small scale and employing local workers, similar to "what is already here."

### **What kind of new business do Marshall's residents want to see in Marshall?**

Responses to the survey and in interviews show the Town's commitment to preserving Marshall's agricultural economic base. Near-unanimously, the answer was nothing that would bring any heavy industry of any sort, or "big box" stores or warehouses, dense commercial development such as strip malls, or an office or industrial parks.

This sentiment in the interviews was soundly reconfirmed when a move to bring "hydrofracking" (exploration and extraction of shale gas) into the region stirred up public meetings and brought in educational forums to give residents a chance to learn about that new industrial process, it's "pros" as well as its "cons." After more than a year of discussion, the Town enacted, first a moratorium and then a new local law banning that kind of heavy industry mining for gas and oil, as well as any associated or ancillary activities as wholly incompatible with the Town wants for itself.

There is no legal definition of heavy industrial land use, but respondents of the survey indicated that they wanted to protect air and water quality and do not industry that have significant impact on the environment.

Specific suggestions that came from the resident survey and interviews include such businesses as a pre-school and child care, a beautician's services, a bakery featuring daily fresh-baked goods, a farmer's market that could include locally-grown meats and eggs, a local history museum or artists' studio spaces including retail sales in conjunction with locally created arts and crafts.



Tourism, agri-tourism and recreation are the kind of businesses that residents say they'd like to see "more of" in Marshall. Marshall's rural character, its hilltop views, fishing streams, hiking trails and natural features make it a desirable place for people to visit and to stay. Several bed and breakfast businesses in the area have recently taken advantage of Marshall's scenic beauty to attract tourists.

These enterprises now operating and thriving in Marshall and in the immediate vicinity can provide local overnight accommodations. Thanks to activities at nearby Hamilton College and Colgate University, and the annual Madison-Bouckville Antiques show, hospitality businesses are an excellent fit for the Town of Marshall.

Preservation of the Chenango Canal and the Towpath, among Marshall's many natural and historic features will be critical for Tourism as a potential contributor to the local economy. Attracting travelers and residents from surrounding communities to stop and visit the local and regional attractions is the kind of limited impact that has the additional benefit of providing some employment for local residents.

Similarly, hiking, biking, skiing, snowmobiling and recreation development, were cited by several respondents in survey and interviews as the kinds of businesses that the town has the natural resources to support. The Town should actively encourage and attract those kinds of business through appropriate land use policy. Businesses that are involved in these activities will be able to coordinate with, take advantage of, and be supported by, the on-going statewide tourism promotion out of Albany, drawing visitors and tourists -- as well as benefiting residents who enjoy these activities by making them locally available

There are a number of properties that have potential to house small businesses and/or become tourism destinations. Local non-profit group of residents can work together to preserve and restore these buildings. The Depot was repeatedly cited by residents as one of Marshall's "treasures," and a potential focal point for recreational visitors, walkers and cyclists, and snowmobile clubs in season. Several suggested that the Town should work to help with organizing restoration activities, and also see historic properties as good "hubs" for developing the immediate area as a visitors' attraction, and for park development.

The town should consider development that ties recreation, historic preservation and economic development to create a place that would encourage local dining a variety of recreational opportunities, picnic areas, walking and riding trails and other amenities on adjoining lands as the Parks and Recreation Committee of the Town might propose to develop. The town recently purchased property between the walking trail and highway department for future recreation development.

Also in the immediate vicinity are several locks from the former Chenango Canal in a reasonable state of preservation that could be considered for their potential inclusion as a historically identified or focused venue.

Beautification and revitalization of the Hamlet and other areas of the town will require the involvement and cooperation of residents. Community enhancements that maintain Marshall's rural sense of community and at the same time to present Marshall as a place inviting new business, a place that people want to come to visit or where they may even chose to live.



In response to the question "*where should new business locate*", most envision **small-scale commercial** development "in filling" on parcels that front on the state roads or on feeder roads. Those locations give easy access to the existing commercial development on the principal transportation arteries of Routes 12, 12B and 315 where commercial development has already occurred.

These state roads now have clusters of residential development, and it is suggested that commercial activity in those areas immediate to housing should be limited to home businesses. New business should be directed, through zoning, to develop as "in fill" on open or underused parcels in proximity to existing commercial and business activities, both to preserve open space and scenic vistas from the patchwork of sprawl development and also to ensure that businesses are readily accessible in all seasons, making patronizing local businesses convenient.

Residents are concerned about unsightly derelict vehicles, or more than a single vehicle being worked on in yards visible from the street, and even vehicles parked in front yards. Though not “junk yards,” these conditions have brought complaints, however current zoning addresses this issue.

Signage is an important feature of doing business. It is thus a necessary consideration that signage be of a size and design that enables it to be effective as well as consistent with the rural character that Marshall’s residents wish to preserve. The town should review its signage laws to consider reasonable style and size guidelines for signage, possibly making distinctions between signs in the Hamlet of Deansboro (Marshall’s “Main street”), as you enter the villages of Oriskany Falls and Waterville and signs on town roads. It is recommended that the town should act to prohibit billboards, , lit signs, and electronic monitors all of which would have the negative effect on the peace and rural character of the town as well as on efforts at agri-tourism.

## **PARKS AND RECREATION**

Marshall’s parks, recreational spaces and activities contribute significantly to its sense of community. Well-kept and attractive park areas and trails, holiday and seasonal decorations, town events, recreational activities for families, and programs for youth and adults, opportunities to pursue outdoor sports, hunting, fishing, walking, biking and other leisure activities all add to the quality of life of Marshall’s residents.



In interviews and surveys, residents often mentioned the community celebrations, events and holiday parades on Rt. 12B, Marshall Day and the annual Walk and Run, the town’s summer and winter youth programs, events at the Deansboro Library and Reading Center, meetings of the Marshall Historical Society, church dinners and socials, and fire department dinners and fundraising events, as key to their sense of community pride.

Residents made it clear to the comprehensive plan committee that they believe it is important to enhance Marshall’s public spaces, parks and recreation facilities and expand opportunities for community gatherings and events. Such improvements can have the added benefit of raising property values, by making the area a more visibly appealing and desirable place to live.

### **Town Owned Recreation Facilities**

Town of Marshall residents have access to recreational facilities that are owned by the Town and in neighboring municipalities. The following is an inventory of parks and recreation facilities in the Town of Marshall:

- **Marshall Town Park** is the major community park in the Town of Marshall, this park provides a green setting for sports, general recreation and picnicking, as well as for community events and programs including the Summer Youth Program and Marshall Day.

The Marshall Town Park has an open rolling lawn, a playground, a baseball/softball field, basketball hoop, picnic tables, grills, bathrooms, and a pavilion with kitchen facilities. Ample parking and handicapped accessible restrooms are available in the Town Hall. The park is open daily from dawn to dusk.

- **The Town Hall**, in addition to its use for town government and offices, provides space for the Town of Marshall Historical Society, the Deansboro Library and Reading Center and Summer/ winter youth program. Its bathroom facilities are open during community activities.
- **Veterans Memorial Park** is a memorial to Marshall's military veterans, this small park located on Route 315 adjacent to the Oriskany Creek, is a convenient walk to the Towpath. With adequate parking, it features an open rolling lawn, a picnic area and a waterfront handicap dock for fishing.

#### Non Town-Owned Recreational Facilities

- **Fire Department**, the Barton Hose Company has a working kitchen and hosts an annual and broadly popular February weekly fish-fry and a yearly community auction. The Barton Hose Company also participates in a variety of annual parades, a ham dinner and the chicken barbecue at the Marshall Days festivities



- **Railroad Depot** is owned by, The Brothertown Association, a local non-profit, The O&W Railroad Depot on Rt. 315 is both an important historical structure and a possible venue for future recreational activity. Its restoration is the ongoing project of the Brothertown Association.
- **The Towpath** is a recreation trail along the Chenango canal and the railroad bed of the former O & W Railway. It extends through a natural woodland and marshland setting, providing a shaded trail for walking, hiking, mountain biking and horseback riding in the summer, and for skiing, snowshoeing, and snowmobiling in the winter. Currently, the entry points are on Route 315, behind the fire hall, and at Burnham Rd. and Van Hyning Rd. A partnership between New York State and snowmobile clubs provides for maintenance of the trail and sets standards of conduct for snowmobilers. Use by other motor vehicles is prohibited.
- **Churches** in Marshall, in addition to their regular services, the two churches in the town, the UCC church and the Methodist church, host well-attended community dinners, rummage sales and out-of-doors socials throughout the year. The UCC church also has an auditorium with a stage, which in former years, was the site of theatrical performances.
- **Waterville School District** facilities are available to the public. They are available during non-school hours by various arrangements, whether use of the gym or other aspects of the buildings. The fitness center, which is available to the public by joining for a moderate fee, is open during specified non-school hours. Voting for school board also takes place at the school, though all other voting has been moved to Deansboro.
- **Recreational Facilities in Adjacent Towns** are available within a short drive from the Town of Marshall. These include a skate park, golf courses, bowling alleys, Indoor ice arenas, movie theaters, sports fields and facilities, gardens, and wooded trails.
- **State Owned Land** and New York State forest lands in nearby towns offer trails for hiking, cross country skiing, horseback riding, mountain biking and snowmobiling.
- **Future Recreational Sites**, the town of Marshall owns some undeveloped parcels behind the Highway garage area that could be developed as parks and/or recreational facilities in the future.

## **Current Recreation Programming**

Recreational programs available to Town residents include a summer and winter program for youth, a summer reading program, library activities, Marshall Day, the Senior groups, Brownie and Cub Scout troops, 4-H activities, and annual Running event.

## **The Community's Vision for Parks and Recreation**

Residents want a more cohesive and spirited sense of community in the town, to expand recreational programs and organized activities, especially for youth and for seniors; to support winter activities, to expand and promote the use of the trails within the town. Many would like to have more community events and envision a central meeting area (such as a centralized park with a gazebo) and a sign that announces community news and events.

There was also significant opinion that linked with the above goals, Main Street development and beautification in village areas and the Hamlet of Deansboro was of great importance. Some envisioned a lighting district featuring old-fashioned lamp posts at the Deansboro four corners and extending North and South on Rt. 12B similar to the Village of Waterville. Sidewalks and hardscape treatments, pots of flowers in spring and summer could be placed at key spots in the hamlet.

The Marshall Town Park was also viewed as a significant asset that was in need of some refurbishing of the bathrooms and expansion of the kitchen. Additional recommendations include repairing the ball fields, and considering facilities for additional sports, such as sand volleyball courts.

Some residents expressed interest in developing a town park area on the Town land behind the highway garage (now leased to farmers for planting). They would create a linked series of trails, which would include this park, the adjacent towpath, and the old Railroad depot area.

Develop a tranquil hike-bike path that would link the towpath to existing and future parks and provide open space amenities (benches, picnic tables, ball fields (see map in appendix).

A previous recommendation was made to link trails, parks and historic sites. (See map in appendix).



Vibrant parks and recreational facilities and programs, community events, holiday decorations and seasonal flower plantings all help to enhance community satisfaction and cohesion. They also make the town more attractive to prospective new residents and new businesses.

The Parks and Recreation committee should make use of the town website to promote its activities and contributions and announce upcoming events.

Funding may also be available through grants for recreation projects from the private utility companies such as the Tennessee Gas Company whose pipeline runs through Marshall.

## NATURAL RESOURCES AND THE ENVIRONMENT

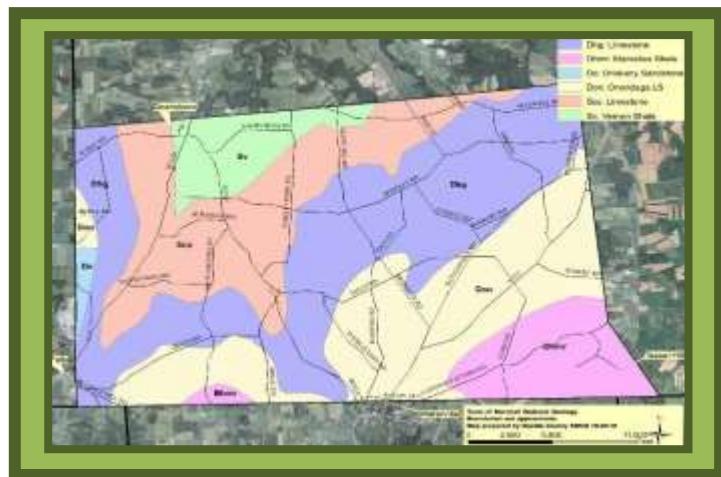
### Natural History

Natural Features in the Town of Marshall play an integral role in the land uses that we see in town today. From lush farmland to limestone quarrying to dense forests to high quality water resources, nature's long record has undoubtedly and uniquely shaped our town. Of course, Marshall didn't always look the way it does now. Millions of years ago, Marshall was under the ocean as calcium carbonate particles settled in quiet water to create the massive limestone deposits in town. Fast forward to the era when periods of mountain building created the storied Appalachian Chain along what is now the eastern United States. During that time, tectonic plates shifted and created the Appalachian Uplands province where Marshall is now situated.

The next major chapter in geologic activity involves the glaciers, mile thick sheets of ice that blanketed much of the northeastern United States. A very large lake comprised of glacial meltwater, called Lake Iroquois, later shrunk to the current Oneida Lake. The slow progression of glacial ice was powerful enough to carve massive valleys, like the Mohawk River Valley. Like snow banks in late winter, the glacial ice eventually melted and the debris transported in the ice was dropped. These deposits are known as glacial till and many of our productive farmland soils are derived from glacial till. Glacial meltwater was another source of deposits called outwash. Water flowing at the base of the glacier or around the side of the feature behaved like a stream and deposited well sorted materials. Outwash deposits are also responsible for some of the soil types found in the Town of Marshall.

### Physical Geography and Soils

**Topography** in the Town of Marshall holds the unique distinction of hosting the highest point in Oneida County: Tassel Hill at 1940 feet. Located in the southeastern most corner of the town, Tassel Hill marks the drainage divide between the Oriskany watershed and the Upper Unadilla River. The lowest topographic point in town may be at the northern end of NY 12B just south of the Kirkland town line.



Many portions of the town contain steep slopes as clearly seen on a USGS topographic maps, the Oriskany Falls sheet and the Cassville Sheet. Steep slopes on topographic maps are marked by contour lines that are very close together. Several areas with steep slopes can be identified throughout the town.

**Steep Slope Development** presents a number of challenges. Unstable soils, high rates of erosion and the potential for increased stormwater runoff are all factors to consider when developing property located on steep slopes. (NYS Department of Environmental Conservation has chosen in its construction activities permit to define a steep slope as 25% or greater. For example, a slope that rises 30 feet in a distance of 100 feet is a 30% slope and is therefore, considered steep by DEC's definition).

**Soils** in the Town of Marshall are highly productive and therefore, well suited to agricultural use. The

United States Department of Agriculture's Natural Resources Conservation Service defines **soil** as follows: "The unconsolidated mineral or organic material on the immediate surface of the Earth that serves as a natural medium for the growth of land plants". Soil has specific formation factors including time, parent material and climate among others.

In the Town of Marshall, parent material is typically limestone bedrock and glacial deposits. These factors influence the lime content of the soil as well as the texture. High lime content is typically associated with high productivity while soil texture influences drainage. Soil Classifications in the Town of Marhsall are 20% Nellis, 15% Pittsfield, 12% Lansing, 10% Amenia, 9% Honeoye. The remaining 33% of the land is covered by 34 other soil series. The major Soil Series present in the Town of Marshall are listed (See Appendix)

**Forested land** in the Town of Marshall is interspersed with the rolling hills of farmed and fallow pasture land. Forested areas which are a necessary and vital part of the area's ecosystem, provide shelter for birds and wildlife, enhance the area's air quality, and create opportunities for local recreation.

There are 476 acres of land in Marshall classified as "Wild, Forested, Conservation land and public park land".

Forested land in the town is either privately owned or state owned. While any state owned forest land has active forest management plans in place, landowners are encouraged to develop forest management plans for their properties.

**Water** is a powerful force of nature and essential to life. In the Town of Marshall, our water resources are so abundant that the concept of water shortages faced elsewhere is nearly inconceivable. The Town of Marshall is largely defined by the path of the Oriskany and its many tributaries. The Oriskany Creek begins in Madison County and flows north/northeast toward the Village of Oriskany in the Town



of Whitestown where it meets the mighty Mohawk River. The Oriskany Creek Valley is largely parallel to NYS Route 12B. It is considered by the NYSDEC to be a prime trout stream earning the Classification of B(T). DEC's stream classification is based on the highest best use of a waterbody. Class A streams tend to feed drinking water supplies, class B streams are well suited to swimming and fishing and Class C streams support fish habitat and propagation. The (T) in the designation refers to the presence of trout in the water. The Oriskany wasn't always so pristine. Raw sewage

and industrial waste contaminated its flows. Today, it's not unusual to see kayakers, swimmers and anglers enjoying this high quality resource. The Oriskany is not without its troubles though. Nonpoint sources of pollution such as sediment from agricultural land and construction sites can foul the water and smother aquatic habitat. Farmers often avail themselves of Federal and State programs that are

available to prevent erosion from their cropland. Construction site operators are required by State and Federal Laws to control erosion and sediment laden runoff from leaving their sites. These programs and regulations help to protect the quality of the streams and preserve them for the enjoyment of all.

The Oriskany Creek is fed by a vast network of tributary streams in the Town of Marshall. The largest of these is Big Creek, a meandering stream that begins east of Waterville. Several tributaries feed Big Creek including Edwards Brook, Burchard Brook and McAdam Brook as well as several un-named streams. Big Creek drains much of the town's land east of the Oriskany and south of Turkey Creek. Streambank erosion on the eastern bank of Big Creek just north of the Village line is a persistent problem. In addition, the streambank erosion along Big Creek affects the Wastewater Treatment Plant and NYS Route 315. At the intersection of NY 315 and California Road, the stream has been known to diverge from its main channel and carve a path through the cropland at the corner. Other tributaries to the Oriskany include Lindsley Brook which originates near the intersection of Sanger Hill Road and Brothertown Road and enters the Oriskany near the Village of Oriskany Falls. Turkey Creek is a large tributary to the Oriskany and originates in the Town of Marshall. Turkey Creek drains much of the northeastern portion of the town.

The Town of Marshall also includes a small portion (approximately 300 acres) of the Sauquoit Creek Watershed. The Sauquoit Valley is largely the area along NY 8 in the Town of Paris where it then flows north through New Hartford to meet the Mohawk River. While the main channel of the Sauquoit is not located within our borders, the upper portion of the watershed is located in the eastern portion of the Town of Marshall.

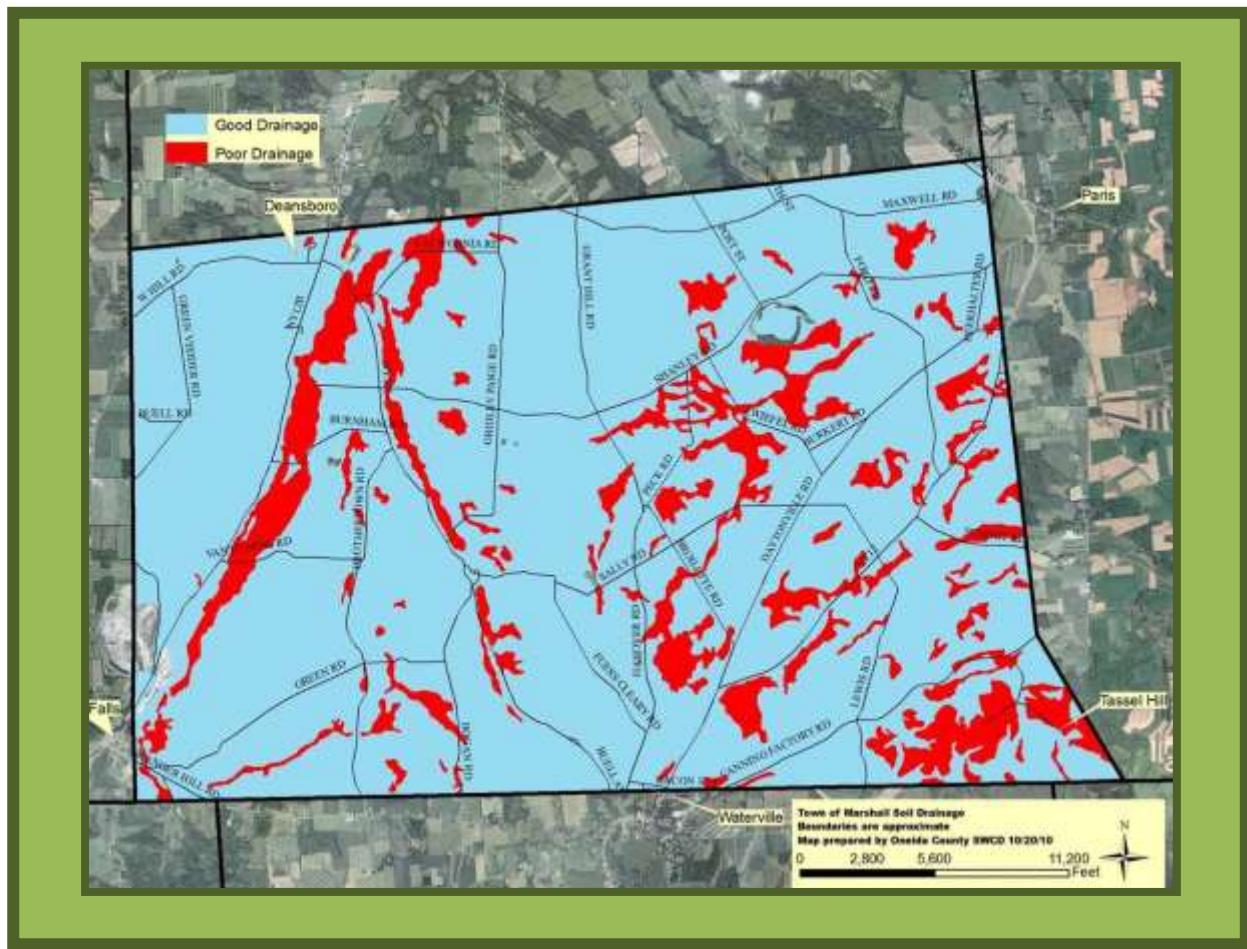
The southeastern most corner of the Town of Marshall drains toward the Susquehanna River Basin via the Upper Unadilla River. Ultimately this flow outlets to the Chesapeake Bay. Only approximately 100 acres of the Town flow into the Upper Unadilla River Watershed.

Although considered by some to be an old-fashioned term, erosion is very much a part of our modern lives and an important factor in Marshall's appearance. Erosion is the transport of soil by agents like wind, water, ice or gravity. Without erosion the area would not have the dramatic hills and valleys that make the Town of Marshall so picturesque. However, erosion of topsoil from farmland or streambank erosion can threaten our properties and is generally something that should be controlled.

Flooding is described by FEMA as follows: "Flooding is the nation's most common natural disaster. Flooding can happen in every U.S. state and territory. However, all floods are not alike. Some can develop slowly during an extended period of rain, or in a warming trend following a heavy snow. Others, such as flash floods, can occur quickly, even without any visible signs of rain. It's important to be prepared for flooding no matter where you live, but particularly if you are in a low-lying area, near water or downstream from a dam. Even a very small stream or dry creek bed can overflow and create flooding". In the Town of Marshall, the Oriskany Creek and Big Creek are the two major areas where FEMA designated Flood Zones can be found. There are approximately 500 acres in the Town that are highly likely to be flooded on an annual basis. It is important to define the term "100 year flood". This is not the flood that can occur once every 100 years. Rather, it is the flood that has a one percent likelihood of occurring on an annual basis. Therefore, in any given year, there can be several "100 year floods". The same is true for the 100 year storm: it is the 1% annual chance of a storm that generates 5.4 inches of rainfall in a 24 hour period. We may experience multiple "100 year storm" events in any given year. Regulations controlling development in the floodzone exist in every community that is part

of the National Flood Insurance Program throughout the United States. In order for residents to qualify for reduced rates on flood insurance that is guaranteed by the federal government, their community has to be in good standing with the NFIP program. This program is administered locally by the Codes Enforcement/Zoning Enforcement Officer in most communities. That individual is responsible for reviewing any plans that are proposed for construction in the floodzone. Development in the floodzone is generally not acceptable given the threat to the occupants of the structure as well as the potential impact on those living downstream. Regulations are in place to preserve the flood zone.

While largely a natural event, human activities can increase the likelihood of flooding. When natural ground is developed and converted to impervious surfaces such as pavement or roof tops, an increase in stormwater runoff often results in flooding. Flooding attributed to stormwater runoff can damage infrastructure and personal property.



**Water Supplies in the Town of Marshall:** The availability of potable drinking water in ample supply is often cited as the basis for settlement and development in a particular area. High quality drinking water is a resource that is regularly taken for granted by those of us fortunate enough to have access to it. However, potential contamination from neighboring land use or quantity interruptions caused by prolonged dry spells are prevalent issues of concern for any drinking water supply. Within the Town of Marshall, residents are either served by public sources (Deansboro Water District and Village of Waterville) or private sources (privately owned wells and/or springs outside of the Hamlet and the Village). The purpose of this section of the Comprehensive Plan is to describe the drinking water supplies available to residents in the Town of Marshall.

**Drinking Water Sources:** Drinking water supplies, whether public or privately owned, are derived from two sources of water: surface water and underground. Surface water sources include lakes, rivers, and reservoirs created by man-made dams. Underground water sources, collectively called groundwater, include aquifers and springs. Most people in the Town of Marshall, including those served by the Waterville Water District, derive their drinking water from groundwater. However, users of the Deansboro Water District are served by a source that is partially derived from surface water. The following section seeks to explain the qualities of each type of water supply as well as outline potential issues of concern.

**Water Quality:** Water supply contamination is often associated with neighboring (or contributing area) land uses. Sources of pollution are generally described as either point sources or nonpoint sources. There are also a variety of pollutants that can foul a water supply including naturally occurring materials such as iron, sodium, and sulfur. Point sources are discharges of contaminated water that can be readily identified from a specific point. These include industrial and commercial land uses. For example, a floor drain that daylights to a stream from a facility that maintains vehicles is a point source of pollution. Floor drains readily (and illegally) convey toxic fluids to streams and wetlands. Likewise, concerns are growing in the community for the potential for point sources to develop from natural gas wellheads during the hydrofracking process.

Meanwhile, nonpoint sources of pollution are derived from stormwater runoff whereby rain water flows over the surface of the land and collects various materials in the flow path. Land uses associated with nonpoint sources of pollution include agricultural, construction sites, logging sites, and urbanized (developed) areas.

**Agriculture:** Runoff from agricultural land can include animal waste, pesticides, herbicides, fertilizers and sediment. In addition, silage leachate and milkhouse waste are common agricultural pollutants. Agricultural runoff near a surface water source can result in elevated nitrates, fecal coliforms and other health threats. Farmers throughout New York State are encouraged to participate in the Agricultural Environmental Management Program (AEM) to identify and eliminate potential and existing pollution issues of concern on their farms. Certain farmers are required to keep a current Comprehensive Nutrient Management Plan (CNMP) in order to maintain a large herd. These farms are referred to as Concentrated Animal Feeding Operations or CAFOs. CAFO farms are regulated by the New York State DEC.

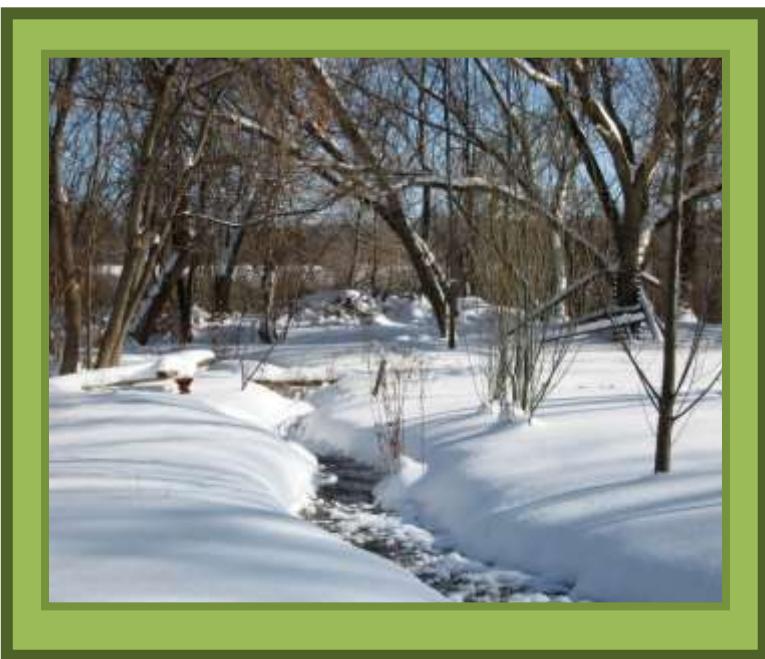


**Developed areas:** Runoff from urbanized areas (i.e., paved surfaces) can include a variety of contaminants. Basically, any material that finds its way to pavement can be collected by rainwater and carried into the nearest waterbody or tributary (i.e., road ditch). Therefore, stormwater runoff in

developed areas can include sediment from roadways or construction sites, heavy metals from materials that have leaked from vehicles, pet waste, salt from deicing practices and litter. While the Town of Marshall can hardly be considered urbanized, future plans for development must include consideration of the impact of stormwater runoff on water supplies both public and private.

**Construction sites:** Runoff from uncontrolled construction sites can result in excessive erosion and subsequent sedimentation in a water supply. In addition, spills from re-fueling operations and concrete truck washout are issues of concern on construction sites. Construction sites where at least one acre of soil will be disturbed are required to develop a Stormwater Pollution Prevention Plan or SWPPP. The SWPPP for the site is required to contain provisions for erosion and sediment control during construction as well as long term stormwater management from the site. While there are few active construction sites in the Town of Marshall as of this writing, the potential exists for more activity and the long term impact needs to be addressed.

**Logging sites:** Runoff from improperly stabilized logging sites, specifically those sites that lack a forest management plan, are susceptible to erosion and sedimentation. Logging sites are not nearly as regulated as other activities. However, loggers who cross streams or wetlands are required to obtain permits from the DEC. Logging in the contributing areas of water supplies can result in excessive sedimentation of the source.



**Surface Water Sources:** Surface water sources are valued for their plentiful supplies of water but filtration of dangerous contaminants can be both difficult and expensive to accomplish. Public surface water sources are closely monitored and regulated by the Oneida County Department of Health and the NYS DEC. In addition to the structural integrity of dams, there is a lengthy list of potential contaminants for surface water sources. Therefore, operators of public supplies that use surface water sources are required to develop a plan to identify potential pollution sources and implement practices to protect the drinking water source from contamination.

**Groundwater:** Aquifers in Upstate New York fall into two basic groups: Bedrock or sand and gravel. Aquifers that are found in sand and gravel are frequently associated with an overlying river/stream valley. For example, in the Town of Marshall, the Oriskany Creek is underlain by an aquifer of this type. The United States Geological Survey has created large scale maps of the unconsolidated aquifers of New York State. From this map (SEE ATTACHED) the aquifer underlying the Oriskany Creek is "unconfined with a capacity of more than 100 gallons per minute. It is comprised of sand and gravel with high transmissivity and with saturated thickness greater than 10 feet. Many such areas are associated with surface water sources that can provide additional water pumping induced recharge." The map also shows various lacustrine and glacial deposits surrounding the aquifer. The lacustrine

deposits are derived from former lake sediment and have generally low potential yields. The glacial deposits consist of sand and gravel deposits of varying thickness and unknown saturation. There is also an aquifer mapped in the eastern portion of the town that is an unconfined aquifer but yields typically fall within the 10 to 100 gallon per minute range. This aquifer is comprised of sand and gravel that is generally less than 10 feet thick. In some cases, the deposit is thicker than 10 feet but contains less permeable silty sand and gravel. The aquifers described above are considered to be principal aquifers by the NYS Department of Environmental Conservation (DEC). The DEC defines principal aquifers as "aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time".

It is an important distinction that there are no sole source aquifers in Oneida County. There are also no primary aquifers designated by the DEC in Oneida County.

**Deansboro Water System:** (Information derived from Continental Placer Reports, Hamilton College Research Paper, New York Rural Water report and the County Department of Health):

The Deansboro Water District currently utilizes a set of springs and diversion water from a stream located on the valley sides of the Oriskany Creek Valley. This combined water supply source was inadequate in quantity during the drought period that extended into 1999. The water district undertook efforts to develop a backup public water supply source capable of meeting average daily demands, approximately 50 gallons per minute (gpm), would meet that demand.

The system serves approximately 150 services. Concerns about water quality and land use practices combined with prolonged dry periods led the water district to investigate supplemental sources. This effort failed to find a usable back-up water supply source, leaving the Hamlet with a sole source water supply that is in need of ongoing protection.

For a detailed description of a Hamilton College report and the Continental Placer study attempting to identify a second viable potable water supply, (see appendix).



**Village of Waterville:** This water system serves 688 service connections (homes and businesses) providing water to approximately 1741 residents. The water source is from two, drilled groundwater wells located in the Village. The water is treated with liquid chlorine prior to entering the distribution system. (From Village's website of SWAP report). In the past, the Waterville supply was derived from reservoirs but these have not been online for several years. There have been issues that have arisen regarding the stability of the dams.

**Private Water Supplies:** Possessing a groundwater supply is not a guarantee that contaminants will not affect the well/spring. Shallow groundwater sources and springs can harbor drinking water contaminants associated with health risks. While residents are often pleased with the taste and

volume of water derived from springs on their property, they should be cautious that the water they love may contain invisible health risks. Often, when a groundwater source is contaminated, it is due to the influence of surface water on the well. Surface water doesn't have to be a named stream or a large lake. Stormwater runoff can be a surface water influence on a shallow groundwater supply. Surface water influence on groundwater sources is so prevalent that the Department of Health and the Environmental Protection Agency (EPA) regularly seek to identify and eliminate public groundwater supplies that are "under the influence of surface water" (GWUDI), due to the high probability of contamination. Insects, macro-organisms (frogs, snakes), Giardia, Cryptosporidium and algae are all signs that a groundwater supply is directly influenced by a surface water source. More specifically, GWUDI supplies are defined by the EPA as any water beneath the surface of the ground with significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH that closely correlates to climatological or surface water conditions. [40 CFR 141.2]. In order to combat groundwater contaminants that are affiliated with surface water, the Department of Health recommends the following:

- Consider drilling a well: Deeper wells are less susceptible to surface water contamination because harmful contaminants have been filtered from the water as it percolates through the soil and subsoil.
- Treat the water with a reliable and well maintained system. This is the more cost effective means of dealing with a contaminated well. Drilling a new well can cost thousands of dollars but effective treatment can be much more economical.
- Ensure that the well is not located within an area of high risk land uses. For example, manure should not be spread within 100 feet of a well. Nor should a septic system be any closer than 100 feet from the wellhead.
- Ensure that the well is properly cased and capped. Even small cracks can allow insects and other organisms to enter the well and cause contamination.

## Wetlands



The NYSDEC describes wetlands as follows: Freshwater wetlands are lands and submerged lands, commonly called marshes, swamps, sloughs, bogs, and flats, supporting aquatic or semi-aquatic vegetation. These ecological areas are valuable resources, necessary for flood control, surface and ground water protection, wildlife habitat, open space, and water resources. Freshwater wetlands also provide opportunities for recreation, education and research, and aesthetic appreciation. Adjacent areas may share some of these values and in addition, provide a valuable buffer for the wetlands.

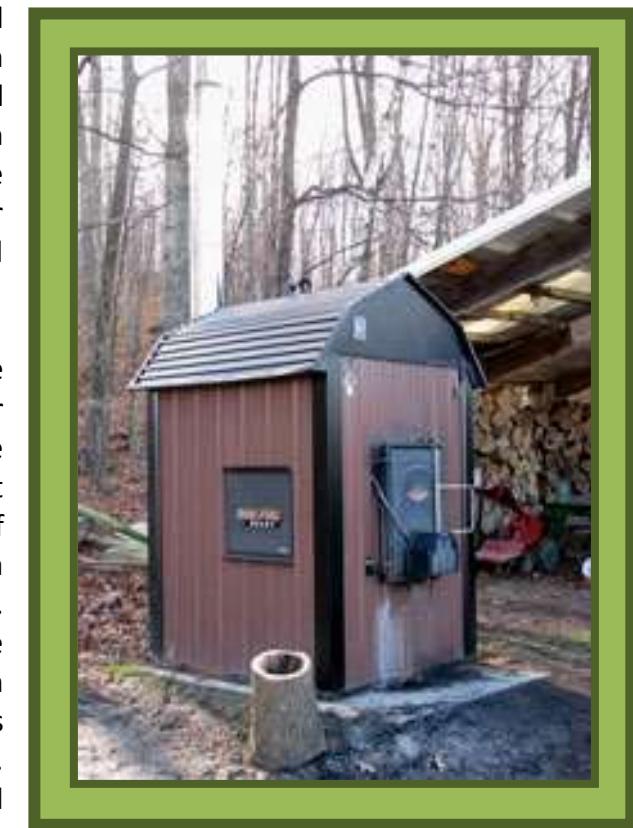
Certain human activities can adversely affect, even destroy the delicate ecological balance in these important areas. The policy of New York State; set forth in the Freshwater Wetlands Act, is to preserve and protect the benefits that wetlands provide.

In the Town of Marshall, there are approximately 1200 acres of NYS regulated wetlands shown on DEC mapping. This does not include the roughly 100 foot buffer area that surrounds most wetlands and is also subject to DEC regulations. The NYSDEC regulates wetlands that are at least 12.4 acres in size. The US Army Corps of Engineers also regulates wetlands for the federal government. Army Corps wetlands do not have a minimum size, nor do they have to be entirely natural – man made ponds can be considered Army Corps Wetlands. Army Corps wetlands are identified based on field conditions, specifically the presence of hydrophytic (water loving) vegetation. Therefore, there is no upper limit on the size of a federally regulated wetland. When State wetlands and Army Corps wetlands coincide, a joint permit for work in the wetland can be obtained by the landowner. The US ACE will accept the DEC's delineation of the wetland. If the wetland is only an Army Corps wetland, the owner must hire a wetland delineation specialist and the mapped delineation must be forwarded to the Army Corps office for review. Development within wetlands is not encouraged for both natural and practical reasons. From the perspective of the naturalist, wetlands offer unique areas for wildlife habitat. From a practical standpoint, building one's home in saturated soils leads to a host of problems: septic system failure, basement flooding, mold and difficulties maintaining the property.

## Air Quality

The air we breathe is an easily dismissed natural resource but one of vital importance. Many human activities can foul this resource from industrial emissions, manure storage and spreading, and open burning operations. In the Town of Marshall, the (federal, state and local) regulations that affect air quality are CAFO regulation and a Wood Boiler local law.

The Hamlet Deansboro exists along a major state highway, Route 12B. Its houses are built close together and on small lots. In addition being subjected to the regular emissions of car and truck exhaust, the recent popularity of indoor woodstoves for heat and of outdoor fire pits for entertainment has also become a serious air quality issue for Hamlet residents. Residents have complained of thick wood smoke engulfing yards and entering homes from fire pits in spring and summer, where garbage is sometimes burned, and from indoor woodstoves in the winter. Both circumstances create a significant health hazard from carbon, particulates and toxic gases. Problems with Air Quality have been mentioned by residents of the Hamlet of Deansboro.



## **Hazardous Materials**

The NYSDEC is called to protect New York State's environment and the health of its citizens through innovative, rational, and reasonable management of solid and hazardous materials. Per the DEC's website, DEC regulates and monitors solid and hazardous waste facilities and generators of hazardous waste; control disposal of radioactive materials and use of pesticides; and promote sound management of wastes by communities, businesses and industries.

The Town of Marshall has passed laws banning all activities associated with Shale Gas Extraction. However, at present, state and county laws are unclear as to the use of road salt made from dehydrated fracking flowback fluid (comprised of brine, highly toxic hydrofracking chemicals and naturally occurring radioactive materials including radium 226). States that practice Shale Gas Extraction through hydrofracking are currently selling dehydrated fracking flowback in the form of road salt at a reduced price to towns, counties and states. This is their method of disposing of toxic radioactive waste. Though the Town of Marshall does not currently use dehydrated flowback for its road de-icing, The Town should explicitly ban the use of this substance as a road de-icer. At the time of this writing, Oneida County is considering such a ban.

Fuel oil distributors are required by law to follow procedures for fuel containment and recycling of petroleum products. NYSDEC has an oil spill and contamination reporting protocol that apply in the Town of Marshall,

## **COMMUNITY SERVICES, FACILITIES AND RESOURCES**

### **Community Facilities and Services**



The availability of public facilities, cultural amenities and local services help to shape a community and make it a desirable place to live. This section addresses the services that available to the Town of Marshall.

#### **Emergency Resources (Police, Fire, and Ambulance)**

Volunteer services ensure that residents in the Town are adequately protected during emergencies.

The New Hartford Central Dispatch Center answers all 911 calls placed in Mohawk Valley Region and directs them to

the Waterville Substation for the NYS State Police and the Oneida County Sheriff Department; Fire Departments in Waterville and Deansboro and the Marshall Highway Department. Through the use of Computer Aided Dispatch (CAD) the dispatcher is able to locate an address to the closest two intersections. Central Dispatch is staffed full time 24 hours a day.

The Oneida County Sheriff and the NYS Police provide police services to the Town.

Animal control is provided by an appointed Animal Control Officer.

Fire Protection is provided through fire contracts by three Volunteer Fire Departments, operating under a mutual aid system:

- Deansboro Fire District (Barton Hose Company)– protects the northern, western, eastern and central sections of the Town
- Waterville Fire Department –protects the southern section of the Town
- Oriskany Fire Department –protects the western section of the Town
- Town of Paris Fire Department–protects the eastern section of the Town

The Fire Departments provides both fire protection and basic emergency medical services in the Town.

The Volunteer Ambulance Corps in the Village of Oriskany Falls and Waterville, serves a broad area of the Towns of Marshall and Augusta with its equipment and personnel.

Develop a plan to provide temporary shelter to residents in the event of a disaster. This may include obtaining generators for facilities and ensuring that the facility is equipped to accommodate a generator.

### **Health Care Services**

The residents of Marshall have access to an integrated healthcare system which includes medical and dental practitioners with offices in the community, hospitals, long-term care facilities, skilled nursing, inpatient and community based rehabilitation centers, cancer centers, addiction recovery services, imaging centers, a regional clinical laboratory, and a network of primary care centers and home care providers.

Health care facilities within neighboring communities are St. Elizabeth's Medical Center, Faxton-St. Luke's Healthcare, part of the Mohawk Valley Network (MVN), Slocum-Dickson Medical Group and Community Memorial Hospital in Hamilton NY.

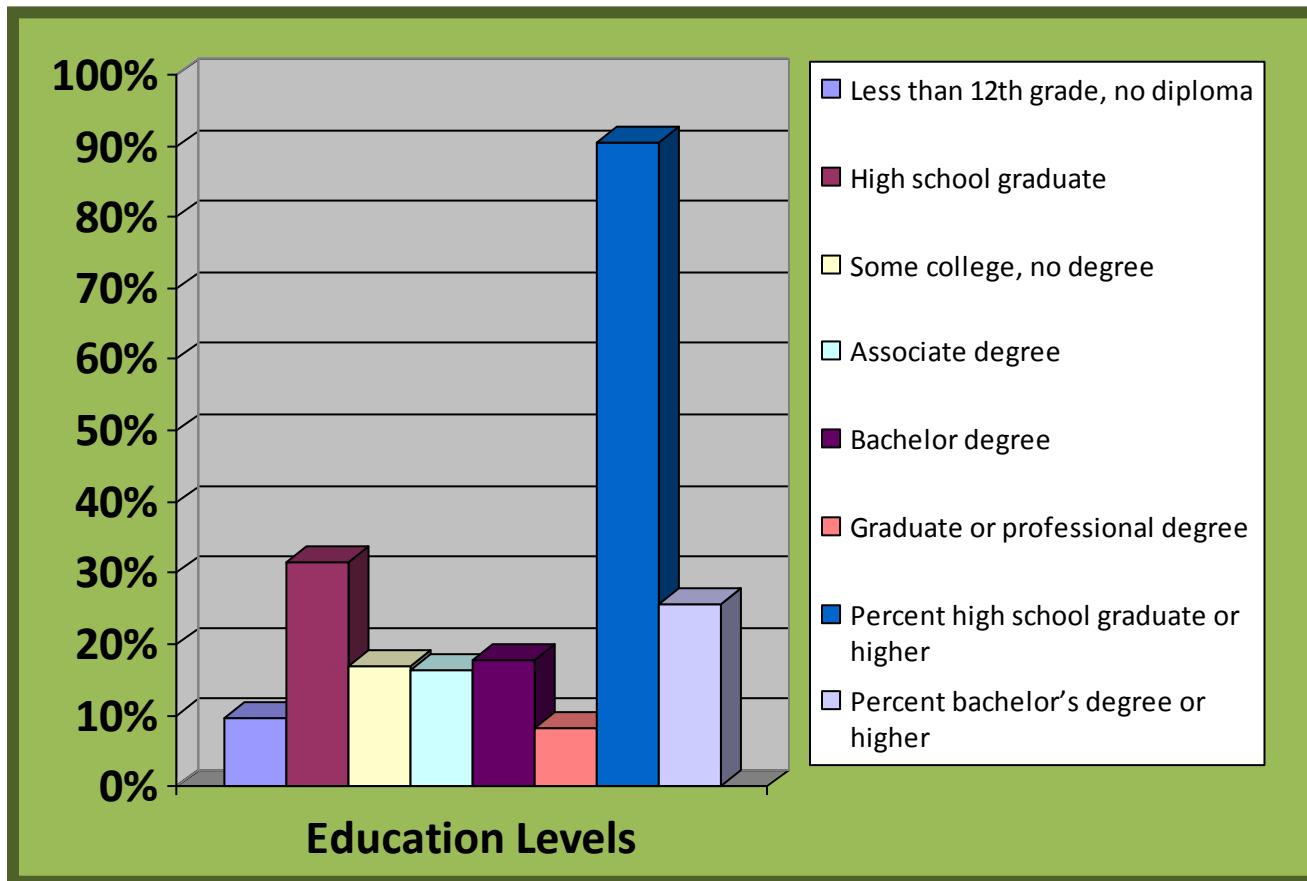
Veterinary Services are widely available.

### **Educational Resources**

Most of Marshall's children attend school in the Waterville school district with a few children attending the Clinton Central School and Madison Central School. There are also private schools in the greater Utica area, and some children are home-schooled.

The Waterville Schools provide a social hub for Marshall's families through its various sports activities and facilities, its prize-winning marching band, and through musical and theatrical performances.

Area residents are mindful of the school's budget and its effect on yearly school taxes.



Each of the **three** school districts that serve the students of the Town is supported by independent budgets

- Total budget of the Waterville School district : \$ 15,663,287
- Total state aid received per district: \$ 10,317,429
- Approximately amount expended per student \$ 6,932

#### **Student graduation rates and performance are as follows:**

75.3% of high school graduates earned a regents diploma according to the 2006 Cohort  
 Drop-Out Rates for the 2007 cohort is: 83 % graduated and 17% dropped out

#### **Students who went on to Colleges for each school and/or district**

| Post High School Activity for | 2011 | 2010 | 2009 | 2008 | 2007 | 2006 |
|-------------------------------|------|------|------|------|------|------|
| Number of Graduates           | 85%  | 81%  | 79%  | 79%  | 87%  | 77%  |
| 2 year colleges               | 47%  | 35%  | 48%  | 48%  | 34%  | 43%  |
| 1 yr & other colleges         | 1%   | 4%   | 1%   | 3%   | 0%   | 1%   |
| Employment                    | 9%   | 10%  | 11%  | 9%   | 14%  | 5%   |
| Military Service              | 1%   | 5%   | 1%   | 4%   | 0%   | 0%   |
| Undecided                     | 11%  | 8%   | 4%   | 6%   | 8%   | 9%   |

31% of graduates who went on to a 4-year college

## **Colleges**

Several highly respected colleges and universities are within a 90-mile radius of the Town of Marshall.

The town of Marshall is within close proximity to Hamilton College in Clinton and Colgate University in Hamilton, NY, SUNY State College at Morrisville . As well as Utica College, Pratt Scholl of Art at Munson Williams Proctor Institute, Mohawk Valley Community College and SUNY Institute of Technology, in Utica, NY.

There are many opportunities for vocational training as well including BOCES Vocational Training and Special Needs Classes at the New Hartford and Vernon-Verona campuses which are technical centers with a main office and classrooms, a childcare and early childhood education center, and an alternative high school. Services provided on these campuses include G.E.D (General Education Diploma) preparation, adult technical/career education, alternative education course work and adult support.

FFA continues in high schools, but is a need for stronger school program to support agricultural careers and STEM curriculum.

## **Libraries**

Residents of Marshall have access to two local libraries: The Deansboro Library and Reading Center, which lends books and other materials, has programs and events, including a story hour for children and families, access to the internet, and also houses an extensive section of local history. It provides an accessible local library for Deansboro and enhances the sense of community and small town atmosphere in the Hamlet.



The Waterville Public Library is a member of the Mid-York Library System. The Waterville Library hosts movies and other cultural events for children and families and provides access to the Mid-York electronic catalog, the Internet, and a variety of computer programs, and an observatory for library users.

In addition to books, both libraries provide on-loan materials including: CD's, records, magazines,

books on cassette and videotapes. Current magazines and newspapers are available for review in both libraries. The Town of Marshall sits within a short drive of seven colleges, all of which have world-class libraries that, under a variety of arrangements, are available for public use. These include:

- Colgate University in Hamilton
- SUNY at Morrisville
- Hamilton College in Clinton
- Mohawk Valley Community College
- Utica College in Utica
- Utica School of Commerce
- SUNY Institute of Technology in Marcy
- Pratt Institute at Munson-Williams-Proctor School of Art in Utica
- Empire State College
- Cornell University Extension



### **Local History Resources**

The Town of Marshall Historical Society, along with its town historian, have built and maintained a collection of literature and artifacts from Marshall's history, and have documented that history in an extensive number of publications.

Other local history resources include in nearly every town and the Oneida Community Mansion House in Sherrill (20 miles west), the site of an historically significant nineteenth century Utopian Community. The Mansion House provides tours and cultural programs.

### **Cultural Resources**

The Town of Marshall is well situated for access to many cultural resources which contribute to the richness and quality of life of its residents.

### **Community and Civic Organizations**

Several community and civic organizations address the social needs of Town residents including the following:

- American Legion
- Lions Club
- Rotary
- Masons
- Optimists
- Boy Scouts
- Cub Scouts
- Girl Scouts 4-H
- Senior Group (Oriska Seniors) / Adult Center
- Visual and Performing Arts, Lectures, Film

The City of Utica has a world-class art museum: Munson-Williams-Proctor Institute. Also in Utica are The Children's Museum of History, Natural History, Science & Technology, Sculpture Space, an internationally-known granting institution for sculptors-in-residence, The Oneida County Historical Society Museum, The Utica Symphony Orchestra, the Stanley Performing Arts Center, and the Earlville Opera House which presents both nationally renowned and locally-based performances in music, theater and dance.

Colgate University, Hamilton College, SUNYIT, Utica College and Mohawk Valley Community College also regularly provide the public with a variety of cultural events including art exhibitions, lectures, films, and live musical and theatrical performances.

Other cultural institutions within easy access of Marshall include: The Kirkland Art Center in Clinton, which offers classes in arts and crafts, art exhibitions, and a variety of other programs. The art center also has a long-running coffeehouse that hosts nationally recognized blue-grass and folk musicians; the Rome Community and Art Center in Rome, which has classes, art exhibitions and various cultural programs; the Earlville Opera House in Earlville, which features nationally-known musical performers, and two active local theater companies: The Rome Community Theater (Rome) and The Players of Utica (Utica).

**Other local arts and entertainment events** in close proximity to the Town of Marshall include the Annual Clinton Arts and Music Festival and the Annual Madison-Bouckville Antiques Show in Bouckville which brings thousands of people to the area each summer.



*The Plan*  
*Recommendations*

# *Recommendations*

We strongly urge town officials and residents read the more extensive discussions in the previous section of the plan, in addition to these summarized recommendations. This section provides a summary of recommendations for the Town of Marshall that has been made throughout the plan in a variety of distinct areas of interest and concern and the rationale for the recommendations.. Corresponding data, maps, and collected information can be found in the appendix

## **Community Vision Summarized:**

Marshall's residents expressed their vision for the Town as a clear desire to protect, preserve and enhance Marshall's friendly small-town rural character and historic heritage; it's viable and vibrant agriculture, its healthy and clean natural environment and its beautiful rolling hills and dramatic view sheds. Residents additionally want to create a more attractive and cohesive small town atmosphere. All residents expressed their desire to bring new small business to Marshall, expand its tourist appeal, and to be able to buy locally produced goods and food products in the town. Residents also clearly stated that the town's low taxes were important to their decision to live here. In no uncertain terms, Marshall's residents do not want any heavy industry or heavy industrial development of any kind to come to the town.

## **TOWN GOVERNANCE**

- **Establish a schedule to monitor the comprehensive plan, to the appropriate board in order to address the ongoing needs and focus on new issues as they arise, recognizing the need of continuing review of local laws.**
- **Develop a town newsletter and maintain an up-to-date website reporting on official and unofficial activities in the town.**

The town government needs to keep residents informed of what's going on in their town; what issues are facing the town; what is being considered, and what actions are being proposed. The town website needs to carry the upcoming agendas and complete minutes of all its boards as well as reports of committees and departments; complete and current laws, applications for required permits and official town forms.

Town websites are also becoming increasingly important for prospective residents, businesses and tourists to learn them about the town's activities.

Designate a webmaster to maintain and update the website

- **Provide for revaluation at regular intervals of property taxes by an outside firm, to assure current and equitable levels of taxation.**

State policy is to bring all assessments to one hundred percent fair market value.

Raising assessments does not necessarily mean raising taxes, but assessments are made equitable.

- **Keep property taxes affordable by seeking alternate means of funding Town projects.**
- **The Town should seek out a person familiar with grant seeking and writing, whose purpose is to look for and help implement grants and funding from state, federal and private initiatives and programs.**

This will help to meet community needs without having to levy or increase taxes. The compensation for some grants is a percentage of the grants received.

The town board should also take advantage of local opportunities such as training in professional grant writing offered Colgate University and local week long training sessions offered by the Grantsmanship Center.

- **Establish a Community or Local Development Corporation (LDC) as mechanism for nurturing local culture and community projects and for raising funds for important community projects and enhancements.**

LDCs often partner with the town to access funding opportunities that the town is not eligible to apply for directly. Kick starter and other online fundraising. An existing 501 c3 can fill this role by being designated as an LDC if they have a similar mission.

## AGRICULTURE

The most prevalent type of development favored by survey respondents was agriculture. The town should act to maintain productive small family farms and farmland, recognizing the unique role that agriculture plays in protecting Marshall's rural character, economy and "view sheds".

- **Encourage and support the preservation of productive farmlands though land use regulations, town policies, and local ordinances that discourage development that would turn productive farmlands to other uses, or that would tend to make continued agriculture more difficult. (See Appendix Town of Marshall Right to Farm Law #1 of 1997)**
- **Support family farms through the town's tax policy, identifying and implementing incentives locally and from county, state and federal programs.**
- **The town should help identify farms that could be eligible for an agricultural assessment assist with implementing the program for those that qualify.**
- **The Town should encourage and support the NYS Agricultural Districts Program, i.e. making landowners aware of the program and encouraging properties to be added to the appropriate district.**
- **Encourage diversification and supplemental farming activities as long as they maintain rural atmosphere and don't impinge on neighbors**

- Explore opportunities to promote agri-tourism and to create new small-scale agri-business which will serve the local community, including a local food co-op, u-pick operations and new local products: Examples might include local cheese products, maple products, honey, organic foods, grass fed and free range meat and eggs, produce and crafted wood and artisan products.
- Encourage proper management of concentrated animal feeding operations (CAFOs).
- Preserve historic Barns by encouraging property owners to seek funding through the NY State Historic Preservation Offices Barn Restoration Fund and other resources as they become available.

## NATURAL RESOURCES AND THE ENVIRONMENT

In addition to protecting the health and safety of Marshall's residents through safeguarding its air and water, the town should recognize the vital role that Marshall's natural environment and view sheds plays in its unique rural character, its recreation, its attractiveness to visitors, new businesses and prospective residents, and to the quality of its residential life. The town should take every opportunity to protect its air, water, soils and wildlife from pollution and degradation.

- Ensure that potable public and private water continues to be available.
- Recognize that the Hamlet of Deansboro's water supply is limited in capacity and that a back-up supply of potable water has not been found.

The Town's public and private potable water supplies depend on two distinct aquifers, both of which supply neighboring townships as well as Marshall. The public supply, which serves Deansboro, has been determined through an extensive hydrology study (see appendix) to be the sole available water source for the Hamlet. Two threats should be particularly monitored: changing climate bringing unreliable weather patterns to our area, and the advent of natural gas exploitation in neighboring townships that could place a heavy draw on water supplies and, could contaminate the aquifers.

- Provide a plan to provide temporary shelter to residents in the event of a disaster. This may include obtaining and accommodating generators for facilities and ensuring that the facility is equipped to house people for an extended period of time.
- Work with the County and State in order to improve storm drainage in town.
- Appropriate regulations to protect ground water and water quality should be adopted and enforced
- New development projects should be encouraged to incorporate energy conservation and alternative energy systems and building systems that minimize energy consumption
- The Town's important soils and significant agricultural lands should be protected

- More vigilance to ensure compliance with, and enforcement of open burning laws to ensure clean air
- Require inspections for indoor woodstoves in houses in close proximity to neighbors.
- Enact management of steep slopes to protect soils from erosion and degradation due to poor drainage
- Steep slopes, wetlands and other sensitive areas should not be developed
- Enact better management of storm water runoff and flooding in several areas of the town (see chapter on natural resources for more information).
- Prohibit the use of dehydrated fracking flowback fluid as de-icer for Marshall's roads.

## COMMUNITY SERVICES, FACILITIES AND RESOURCES

- The town website should regularly identify town facilities, services and resources available to its residents with regular updates.

## LAND USE AND HOUSING

Recent events and continuing developments make it clear that subdivision rules need to be updated as Marshall responds to new demands. Zoning regulations and associated maps need revision to reflect the community as it has become, and guide continuing and future development to reflect the community's vision, and the desires of residents.

- Review and revise zoning and land use regulations to reflect actual current uses and to direct future development in order to realize the community's vision for Marshall (See build-out map in appendix)
- Protect active farmland: discourage development in areas of prime farmland
- Encourage a variety of residential options including Planned Unit Development (PUDs) and mixed uses in appropriate areas. Link residential areas with each other and community-use spaces
- Establish parking space guidelines for home business and commercial areas.
- Encourage new construction compatible with existing development as to quality, style and character within Hamlet and Village areas.
- Require surveys of property during transactions as verification for subdivision, construction, transfers, etc.

- **Encourage in-fill building on property that has had previous development**
- **Encourage use of “green” and innovative building techniques**
- **Support preservation of historic structures and encourage architecture compatible with its immediate neighborhood by developing local style guidelines for new construction, to prevent loss of historic and rural character.**
- **Enforce parking regulations in the current town zoning ordinance**
- **Marshall needs a greater range of housing options**

There is a significant and unmet need for moderately priced multi-family rental housing. Unmarried individuals, couples with young children, and seniors need moderately priced safe housing. Particularly as to young families and the senior populations that are "down-sizing" such housing should be serviced by sidewalks and located reasonably near churches, convenience stores, post office, library, parks and entertainment venues.

## **TRANSPORTATION, INFRASTRUCTURE AND UTILITIES**

- **Consider the transportation needs of an aging population and the fact that commercial, commuter, travel is almost exclusively by private vehicle.**

As the median age of the population in the region increases, access to reliable transportation over good roads will be increasing critical to residents' health and well-being.

- **Pedestrians and bicycle traffic need to be accommodated and provided for throughout the Town.**

Americans of all ages are being urged to exercise to combat our severely increasing lack of physical fitness. Walking and biking are two low-cost activities that are recommended for all ages.

There is only one pedestrian crossing in the Town of Marshall, whether on State, County or Town roads. At a minimum, crosswalks providing for protected pedestrian travel should be installed at the “four corners” and also at such other locations (such as the churches) where pedestrian traffic needs them. Request that NYS DOT to conduct a study of the four corner to see if there should be better indicators such as a crosswalk or caution light for safety.

Sidewalks exist in very few parts of the Town, and only in areas of particularly dense residential development. West Hill Road has sidewalks on only one side of the street, but they should be installed on both sides of the Road at least as far west as the areas already developed with residences.

Bicycle traffic, particularly that of recreational riders on the roads during spring, summer and fall weekends should be accommodated with dedicated bike lanes, particularly to the north and south of the “four corners” intersections with West Hill Road and State Route 315 where sight lines and commercial and residential activity is significant, not just for the cyclists but also for the vehicular traffic.

The generous drainage ditches along the state Routes can be converted in select areas to subsurface culverts and paved for the purpose of accommodating cyclists and pedestrians.

- **Public parking, particularly in commercially active areas of the Town, needs to be provided or expanded.**

To some extent, businesses can be asked to provide adequate customer parking as new commercial development or building permits are issued. The Town should take the lead in pursuing solutions, particularly in the “four corners” area.

NYS DOT can be engaged to help develop an appropriate circulation plan that will support businesses

- **Safe off-road pull over or waiting areas for school buses should be integrated into any planned unit developments.**

Safety of children as well as reducing traffic delays can be reasonably incorporated into planning to minimize cost or inconvenience to developers and new residents.

- **Some form of public transportation or organized shared transport should be explored and encouraged, particularly to support the aging population.**
- **Community groups, parks, “volunteers” may assume clean-up and maintenance chores of the Towpath (former rail bed).**

Continue to participate in the Keep Mohawk Valley Beautiful Program; specifically the Community Clean-up Day in April, and adopt-a-spot/adopt-a-highway

- **A sewer district should be formed in the Hamlet area in anticipation of the coming need for a public sewer system that can serve both the Hamlet and adjacent residential and commercial properties**

Although not immediately needed, a district structure should be created to plan for and fund through levy upon all district-area properties (and apply for such grants as may be available) for the construction and maintenance of a waste water disposal system sized to accommodate anticipated growth in the included areas.

The boundaries the initial sewer district should be defined by engineering or feasibility studies.

While the State's "right-to-farm" laws and underlying philosophy are whole-heartedly endorsed by Marshall Residents. The Town should encourage farms producing significant volumes of manure to use more "neighbor-friendly" means of fertilizing fields and disposing of animal wastes, including tax incentives as may be appropriate.

- **Planning for subdivision and cluster developments, particularly in areas where drainage or water supplies or both are limited, should consider requiring additional water and sewer districts to cover the cost of system upgrades and not burden the current district users.**

Taking every reasonable step to preserve and manage water supplies is anticipated to be essential in the not-distant future, even in water-rich areas such as Marshall.

- **Municipal boards and officers when making zoning modifications and creating building permit requirements need to consider carefully the effects of severe weather patterns and potential flooding and heavy run-off in "100-year" storms that now frequent the region.**
- **Prohibition of any development, or any further development, should be considered for those land areas that are identified as likely endangered from run-off adjacent or endangering nearby properties already developed.**
- **A concerted effort should be made to explore the optimal services for the Deansboro Library to meet community needs including Mid-York Library services, technology, and community programming, to be available to Marshall Residents within a reasonable distance of their homes and businesses for adequate hours throughout the year.**
- **Encourage residential and municipal use of developing sustainable technologies such as wind, solar and geothermal sources.**
- **Coordinate local projects with New York State's Cleaner Greener Sustainability Plan for the Mohawk Valley Region which will provide financial benefits to the residents as local resources are efficiently.**
- **Improve and enhance the appearance of the town, and particularly the Hamlet of Deansboro installing a more attractive and functional lighting district, and increasing efforts at beautification with flowers, holiday decorations, etc.**

## **PUBLIC WORKS AND ROADS**

The Highway Department represents the largest single part of the Town's budget, and is most visible in maintaining the more than 42 miles of town roads. It is also tasked with servicing town properties (the Town Hall, the parks and fishing pier), both their landscaping and general light maintenance. The Town assists with the maintenance of the O&W Rail bed, and is responsible for lawn care for several private cemeteries that have been turned over to the Town. The Highway Department also provides "green waste" disposal to residents.

- **Implement planning and budgeting for road maintenance) including recommendations in the Oneida County Hazard Mitigation Plan to address “extreme weather events”.**

The best defense for roads against adverse weather and extreme temperatures (ever greater heat in summer, sub-zero temperatures in winter) is maintenance that preserves pavements. The Town should continue to support alternatives to heavy road uses, policing, and practices. The Town should continue to coordinate maintenance and repair with neighboring jurisdictions, sharing services and equipment.

The Town should also be exploring the range of scheduled equipment replacement options (including leasing) to maximize capital expenditure opportunities over the long view, starting as it now is with a Town Barn full of newly replaced equipment.

- **Use technology to track public works in accordance to assure efficient completion.**

Work crews, assigned to specific “public work” maintenance tasks will be made more efficient in the use of man-power and equipment with the introduction of GPS/AVLS tracking in the Town’s equipment. It can be expected that the more efficient use of man-power assets will result in the completion of assignments within the workday.

- **Consider the demarcation of town roads with reflective materials**

Town roads needs, at a minimum, an indication of the roadway location for the safety of all road users, particularly in the reduced visibility conditions of fog, driving rain, blowing snow, and at night, where there is no road lighting.

The elective nature of the office is generally agreed to be appropriate.

- **Where building or use permits are issued for subdivisions roads widths of not less than 24 feet should be required in both residential and commercial projects to be installed by developer. If sidewalk exist adjacent to the subdivision the installation of sidewalks by the developer should be required.**

Where road widths are sufficiently generous, adequate maneuvering room for Town servicing plows and trucks is less hazardous to personnel and less likely to be destructive to pavements and equipment. Sidewalks are becoming an expected part of the transportation network in the Town, and are least costly to install during construction.

- **Pursue reclassification of roads to “seasonal”, “limited service” and “Qualified abandoned”**

Town maintenance obligations for little-used roads that cannot be abandoned should be minimized until general funding is available to pave and maintain them.

- **Protect the Town as new development occurs on “seasonal” or “limited service” roads by adopting a road standard.**

Alternatively, if development is to be permitted in areas served by seasonal or limited service roads, the sub-divider or builder should be required to install roads and sidewalks with such supporting infrastructure and drainage that they meet minimum standards, and can be maintained without undue stress on equipment.

- **Use smart growth principles for infrastructure expansion**

Keep infrastructure expansions within an area with the density and population to financially support it.

- **The Superintendent's elected position should be for a four-year term, in coordination with the terms of other elected officials**

Given the nature of the office, including responsibilities of planning and execution of large scale projects, the need for continuity in working with a full-time staff of personnel, and coordinating with other board members there is a valid justification for going to a four year term.

## COMMUNICATION AND TECHNOLOGY

Quality and reliability in communication makes possible and supports home business and small business, and allows economic development in Marshall's rural setting.

- **Provide opportunities for the development and upgrades to the most current communication and internet technology.**
- **As mentioned in the Town governance section, residents should have access to ongoing town business, news and events through a more detailed and actively maintained town website, and or a monthly newsletter, available to residents.**
- **The Town Board should explore grant opportunities to provide wireless/high-speed internet access available to all residents and businesses throughout the Town.**

## ECONOMIC DEVELOPMENT AND BUSINESS

Many survey respondents expressed a desire for a vibrant business district in the Hamlet of Deansboro which offers local foods, products and services to Marshall's own residents as well as the region.

- **The town should support new and innovative business ventures with attention to proper permitting.**

Residents expressed enthusiasm for new and creative ways of bringing business to Marshall, but also had many concerns that such ideas must be aesthetically pleasing, compatible with the quiet rural nature of the town and be respectful of the health and safety of the community as a whole, and of the neighbors in particular.

- **The Town should seek to maximize usable space, and minimize waste of space in the business district in Hamlet of Deansboro**

The Deansboro four corners business district area has generous commercially zoned space. However, at present, much of its prime commercial real estate is not being used efficiently. For example, the very large commercial building the corner of Routes 12B and 315, the US Post Office and corner lot all occupy a prime commercial location. . Future development could provide opportunity for either retail use, parking for local shoppers or for recreation.

Explore options to make parking available to businesses, particularly in areas where several commercial activities are engaged

- **The Town should consider incentivizing the owners of such underused commercial sites to rebuild for better commercial use.**

Give incentives to encourage owners to demolish and rebuild according to the town's determination as to the kind of structure that would create a dynamic location to meet identifiable commercial needs.

Town should investigate opportunities for Brownfield mitigation to reduce environmental, aesthetic impacts and provide infill opportunities

- **Smaller retail establishments serving local needs should be encouraged and sustained.**

Recognize that citizens expressed a desire for small local businesses that would serve the community with unique specialty shops that would draw customers from the greater region. (Examples might include: a bakery, bed & breakfasts, a farmers market, a local meats market, restaurants, professional offices, etc).

- **Support home businesses (any business activities operated and maintained by the resident landowners whether within the dwelling house or in another structure on the premises or both) so long as the activities are harmonious and do not impinge on the quality of life in the immediate neighborhood.**
- **Town should reconsider the limitation currently applied to home occupation of only one business per dwelling, as noted on page 12 of the Town Ordinance.**
- **Promote local business through community profiles in local newspapers and newsletters.**
- **Use the town website as a public relations tool which highlights local activities, history, and events as well as a place to keep residents informed about local board meetings and government.**

The Town, through its zoning laws and its land use practices, has the key to protecting Marshall's quiet rural atmosphere while at the same time, encouraging such business and economic development that can enhance the quality of life in the Township.

- **Encourage small-scale agriculturally-related services and businesses**
- **Encourage establishment of a local foods and local products co-op**
- **Encourage hospitality industries such as restaurants, shops, and bed & breakfast establishments.**
- **Encourage Home business**
- **Economic development planning should focus on opportunities unique to and appropriate for this region**
- **Encourage the kinds of commercial development that fits with and preserves Marshall's rural character**
  - Development of a Community Joint Board to coordinate community development projects
  - **The Town should support recreational facilities and opportunities as part of a strategy to attract and retain residents, businesses, and consumers**
  - **The Town should make the necessary investments to enhance the quality of life and the rural charm in the community that attracts businesses and tourists**
  - **As pressures for development are expected to increase in areas of the Town that are still open and undeveloped, and on land committed to farming, the Town should enact zoning regulations that**
    - Discourage the conversion of farmland by ensuring that agriculture is the predominant use in agricultural zone.
    - Explore alternative residential development such as cluster and/or ratio zoning.

The Town should support private efforts to maintain, enhance and beautify the Township and by recognizing volunteers and groups for their efforts.

- **Encourage agriculturally-related services and businesses throughout the town and particularly along route 12 near the Paris border. (See build out map for proposed area)**
- **Recognize that residents have resoundingly indicated that they do not want to see the kind of "economic development" that would bring "big box" stores (or warehouses, strip malls, industrial parks)**
- **Zoning and land use regulations, as they are being reviewed and re-written need to be mindful of the community's sentiments in determining what and how to encourage in terms of economic development.**

## PARKS AND RECREATION

- **Improve community pride and cohesion by creating a visible centralized gathering space in the Hamlet of Deansboro**

The Parks and Recreation Committee should work to identify and develop a centralized “green” space in the Hamlet of Deansboro (in addition to the park behind the Town Hall) for gathering and celebrations. Such attractive amenities as a gazebo should be considered to create visual unity, enhance rural and historic character, attract tourists, improve community pride and improve the quality of life for residents.

- **Establish a centralized community sign announcing upcoming events**

A community sign with updated community events would also add to a sense of community cohesion.

- **The Parks and Recreation committee should make active use of the town website to promote its activities and announce upcoming events.**
- **Residents who live in the Hamlet of Deansboro additionally want to create a more attractive and cohesive small town atmosphere through beautification.**
  - Increased efforts at beautification should be pursued including flower plantings during the late spring and summer. The Parks and Recreation committee should encourage a garden club.
  - **Coordinate with Historic Preservation activities in consideration of an historic district in the Hamlet.**
  - **Connect trails and establish new open parklands** See appendix for maps suggesting a parks and trails system.

Develop a safe hike/bike path that would link the towpath to existing and future parks and provide open space amenities (benches, picnic tables, ball fields etc.)

Some residents expressed interest in developing a town park area on the Town land behind the highway garage (now leased to farmers for planting). They would create a linked series of trails, which would include this park, the adjacent towpath, and the old Railroad depot area. There were also suggestions that the town work with neighboring towns, villages and groups to link the towpath to existing trails in the towns of Kirkland and Augusta, and with the Bouckville Canal Trails.

A previous town board considered gas light district for the Hamlet of Deansboro. A map illustrating a possible system of parks, recreational activities and historic sites can be found in appendix.

- **Expand Year round opportunities for recreation**

The Parks and Recreation Committee should take an increasingly pro-active role in determining and nurturing new and creative ideas for recreational and leisure activities that could work well in Marshall. Some suggestions from the Parks and Recreation Committee included a

- A Town Clean Up day
- A Fitness program at Town Hall
- Dances / grange type activities
- Increased supervised youth recreation programming
- Development of recreation programs for senior citizens
- Increased year-round recreation activities
- Establishment of a Community Development Corporation to fund specific projects
- **Continue efforts to refurbish and expand the Marshall Town Park, including expanding the kitchen, refurbishing the bathrooms and ball fields, adding areas for new sports.**
- **Consider ways parks and preserved historic sites can be linked to attract tourism to Marshall.**
- **The Planning Board should explore ways in which the dedication of recreation land, public sites and open spaces could be also be required through subdivision regulations.**

A developer could be required to set aside a percentage of land for specific purposes or put a set amount of money into a fund for land acquisition. The planning board could determine the percentage of land dedication or the fee. The Planning Board could also determine if there is no suitable land for recreational purposes on site, and the developer could have the option of reserving land in another part of the Town to meet the needs in the community for recreation or open space.

- **Funding should be pursued through grants from the private utility companies such as the Tennessee Gas Company whose pipeline runs through Marshall.**

## **HISTORIC PRESERVATION**

- **Preserve historic character and historic buildings and sites.**

Prevent loss of town's historic character by preventing loss, decay and extreme alteration of its historic buildings while at the same time not creating undue financial burdens and limitations on home and business owners.

- **The town should recognize that preservation of Marshall's old and historic buildings and sites is a vital link to several strong desires expressed by the Marshall community: maintaining rural character, providing more activities for youth, emphasizing local products and crafts, and increasing tourism.**

All of these goals intertwine and could be realized, at least, in great part, by restoring and using one or another historic buildings as a center for Marshall's history, a place for youth activity and a

community hub for the Hamlet of Deansboro: the Depot for example, or the Dean House would be appropriate buildings which could serve these combined purposes.

- **The Town should find ways to celebrate Marshall's important history and historic heritage.**
- **Support a more adequate permanent home for the Town of Marshall Historical Society where artifacts, documents and historic items can be archived, viewed and preserved.**
- **The Town should encourage the forming of a Community / Local Development Corporation to include in its mission the preservation of historic structures and apply for grants to accomplish that mission.**
- **The Town should consider a Historic preservation program in the Town of Marshall, through its own local laws, a system of style guidelines for new and existing structures and signage.**

The Town should also research and give consideration to the New York State Certified Local Government (CLG) program, administered by the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP), also known as the State Historic Preservation Office (SHPO)

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# *Appendix*