



# Village and Town of Bergen Comprehensive Plan

*July 2016*



**ABELLA**



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- B. Relevant Plans, Programs and Regulations
- C. Public Comments: Public Informational Meeting March 19, 2015
- D. Population & Housing Statistics



# INTRODUCTION



House along Lake Avenue, Village of Bergen

## PURPOSE

The purpose of the Bergen Comprehensive Plan Update is to guide Village and Town officials in making decisions that will affect the future of the community. Future Town or Village actions to implement the policies and recommendations in the Plan may include land use local laws and regulations, capital budgeting, and providing services to the community. The Comprehensive Plan Update addresses a range of issues facing the Village and Town of Bergen and balances competing needs and interests in the community. This document replaces the previous Bergen Comprehensive Plan that was completed in 1996.

## LEGAL BASIS

The Comprehensive Plan has been prepared pursuant to NYS Town Law §272-a and NYS Village Law §7-722. These statutes specify that the Village and Town Boards are responsible for preparing and adopting a Comprehensive Plan. As the law also permits the Village and Town Boards to delegate this responsibility to an ad hoc committee established for the express purpose of preparing Comprehensive Plans, the Village and Town Boards appointed the Comprehensive Plan Committee (CPC) to guide the preparation of the Comprehensive Plan. Pursuant to Article 5-G of NYS General Municipal Law, municipalities may carry out jointly any action that could be lawfully engaged in independently.

The Comprehensive Plan is a policy document that does not, in itself, have the force of law. However, the Plan will guide changes in Village and Town laws and regulations, funding decisions and other Village and Town actions during the next 10 to 15 years. In particular, local land use regulations must be consistent with the Comprehensive Plan.

## PROCESS OF PREPARING THE PLAN

The Village and Town appointed a Comprehensive Plan Committee (CPC) to guide the preparation of the Comprehensive Plan. The CPC met regularly during 2015 to coordinate the preparation of the Plan.

Members of the Comprehensive Plan Committee included representatives from the Village and Town Board, Village and Town Planning Boards and the Town Zoning Board of Appeals. The following persons participated in the preparation of the Comprehensive Plan:

Name	Municipality	Board Affiliation
Vickie Almquist (co-chair)	Village	Chair, Village Planning Board
Norm Pawlak (co-chair)	Town	Former Member, Town Planning Board
Anna Marie Barclay	Village	Mayor, Village Board
Kevin Donovan	Village	Trustee, Village Board
Gary Fink	Town	Chair, Town Planning Board
David Henry	Town	Member, Town Zoning Board of Appeals
William Waldruff	Town	Chair, Town Zoning Board of Appeals



Felipe Oltramari, Genesee County Planning Director, participated in CPC meetings and coordinated mapping and technical assistance from Planning Department staff. Tiana Zinter assisted with note-taking and coordination.

In late 2014, the Village and Town retained LaBella Associates, a planning consulting firm based in Rochester, New York, to facilitate the planning process and prepare the plan document. Genesee County Planning Department staff assisted the Committee by preparing maps of land use as well as significant resources in the Village and Town.



**Public Informational Meeting held on March 19, 2015**

The CPC conducted a public survey to determine the community's thoughts concerning various community characteristics, land use and development issues, transportation and circulation issues, recreation and park issues, and residential needs. During the first week of February, surveys were mailed to all landowners in the Town and to all residents in the Village (based on the Bergen Electric customer mailing list). The survey was also available online during the months of February and March. A total of 419 people participated in the survey. Results are summarized in a report in Appendix A.

Public involvement included a public informational meeting held on March 19, 2015 and public forums on the following topics during spring and summer 2015:

- Natural Resources/ Farmland and Agriculture: April 6
- Housing and Residential Neighborhoods/ Parks and Recreation/ Government and Community Services: May 4
- Downtown and Historic Preservation: June 1
- Business and Economic Development/ Transportation and Utilities: July 13

The CPC conducted a public hearing on April 21, 2016 prior to referring the draft Plan to the Village and Town Boards. The Town Board held a public hearing on July 26, 2016 and the Village Board held a public hearing on July 12, 2016 prior to adopting the Comprehensive Plan.

## PLAN ORGANIZATION

Chapter 1: **Land Use Overview** presents an overview of the community, summarizes the issues addressed in each chapter, and shows how the individual topics relate to one another. It also presents an introduction to land use and subdivision regulations, which are the primary tools available to the Village and Town to help achieve the land use goals of the Plan.

The **Future Land Use Maps** present the Village and Town policy regarding land use, and will be used as a guide creating land use management policies and coordinating future development. Recommendations are included for zoning changes in the Village and Town.

The other chapters of the Comprehensive Plan address the major issues identified by the community:

- Chapter 2. Natural Resources
- Chapter 3. Farmland and Agriculture
- Chapter 4. Housing and Residential Neighborhoods
- Chapter 5. Downtown and Economic Development
- Chapter 6. Transportation and Utilities
- Chapter 7. Parks and Recreation
- Chapter 8. Government and Community Services
- Chapter 9. Historic Resources

Each topical chapter of the Plan includes:

- Goals
- Existing Conditions
- Relevant Plans, Programs and Regulations
- Issues and Opportunities (including findings from the community survey)
- Recommended Actions.

Chapter 10: **Implementation Strategy** summarizes the recommended actions by topic, with a proposed time frame, responsible agency, cost estimate, and potential funding sources. A summary of the recommended actions by time frame provides a year-by-year guide to implement the Plan.

## HOW TO USE THIS PLAN

The Bergen Comprehensive Plan Update represents the policy of the Village and Town for decisions relating to land use and zoning, infrastructure investment, housing policy, economic development, parks and recreation, government services, farmland protection and the conservation of natural resources.

This document can be used in several ways, including:

- as a reference document
- to understand the community's priorities
- to guide decisions of Village and Town government officials
- to support grant applications.

### Reference

The Comprehensive Plan includes statistics, maps and general information about the community. The data and maps were current when the Plan was created in 2015-2016 and document the current conditions of the community, based on available data.

### Understand Community Priorities

The results from the Community Survey help to inform the issues and recommendations for each section of the Plan. Graphs depict responses from Village residents, residents of the Town outside the Village, and from business operators and property owners who do not reside in Bergen.

Analysis of the issues and opportunities identified during the planning process form the basis for the recommended actions in the Plan.

### Guide Village and Town Government Decisions

The recommended actions and implementation strategy identify specific steps that Village and Town government officials, and their community partners, can take to implement the policies in the Plan. The Implementation Strategy table identifies the entity responsible for each recommended action, as well as the relative priority or time frame. This table should be used by the Village and Town Boards – as well as other boards, committees or officials assigned the responsibility to guide implementation – at least annually to review which actions have been accomplished, which should be pursued in the next few years, which need to be modified, and which are no longer needed.

### Support Grant Applications

Grantors are more likely to fund projects that are recognized as priorities for the community, identified following an inclusive and deliberative process. As the Comprehensive Plan represents the official, adopted policy of the Village and Town, projects and activities specifically recommended in the Plan have a better chance of being funded than other projects. Some grant programs award more points in the competitive evaluation of applications to projects that are recommended in adopted Comprehensive Plans.

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## MONITORING AND UPDATING THE PLAN

Over time, changes that occur in the community may require updates to the Comprehensive Plan in order to reflect and address these changes. Accordingly, it is essential for the Village and Town Boards to monitor changes in the community and to reevaluate the relevance of the goals set forth in the Plan as well as the actions recommended to achieve the goals. The Plan should then be updated, as necessary, to appropriately revise the goals and recommended actions so that the Plan may continue to serve as a useful and relevant guide for Village and Town officials.

The Village and Town Boards may enlist members of local boards and other community representatives to assist with reviewing and updating the Plan, as they may have information and insight to assist in determining how the Plan should be revised. As with the initial adoption of the Comprehensive Plan, future amendments to the Plan will require both environmental reviews to evaluate potential adverse impacts and public hearings to provide members of the public to comment on the proposed amendments.

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## PLAN IMPLEMENTATION

The Village and Town will continue to collaborate in maintaining, implementing, and making future updates to the Comprehensive Plan. Annually, the Village and Town Boards will review the implementation strategy, document the status and determine:

- those actions that have been accomplished
- those which are no longer required or relevant
- those which should be a priority during the upcoming year.

For each of the priority actions, the Village and Town Boards will assign a person or board to be responsible for timely completion.

To assist in monitoring implementation, the Village and Town Boards will use a Progress Worksheet to periodically track the status of each implementation action.



# CHAPTER 1

## LAND USE OVERVIEW



Aerial view of Village of Bergen from the south

### GOALS

#### General

- ❖ *Manage Bergen's growth and development to ensure an attractive, healthy sustainable community for future generations.*
- ❖ *Balance growth and development with the conservation of natural, agricultural, scenic and historic resources*
- ❖ *Concentrate new development in locations in and near the Village and where appropriate infrastructure is already in place*

#### Town

- ❖ *Maintain the predominantly rural and agricultural character of the Town*
- ❖ *Accommodate new residential, commercial and industrial development in locations consistent with the Future Land Use map.*
- ❖ *Retain the development patterns of historic hamlets.*

#### Village

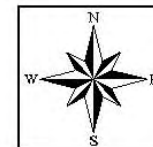
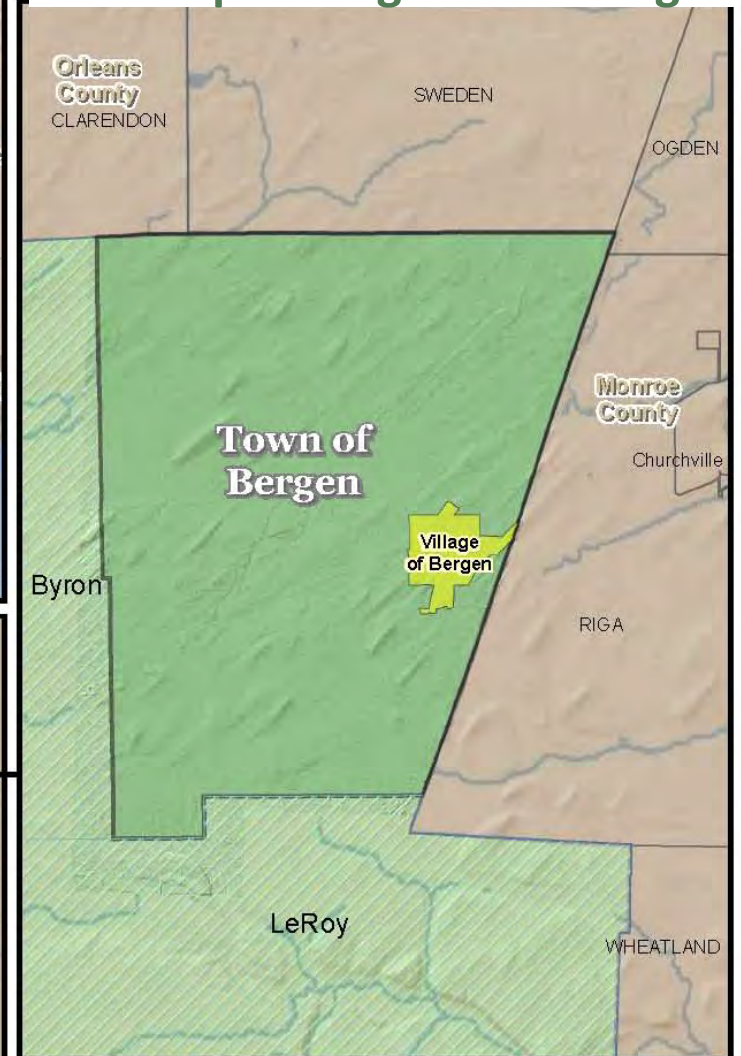
- ❖ *Maintain the current pattern of development, with the downtown business district, residential neighborhoods and business and industrial uses in appropriate locations*
- ❖ *Manage development and redevelopment to retain the Village's historic and small town character*
- ❖ *Accommodate a balance of residential, business, industrial and civic land uses*

### EXISTING CONDITIONS

#### REGIONAL ORIENTATION

The Town of Bergen is located in the northeast portion of Genesee County (see Map 1: Regional Location). With the exception of a small area of the Village which is located adjacent to Monroe County and the Town of Riga, the Town of Bergen surrounds the Village of Bergen. The Town of Bergen is bordered by the Towns of Clarendon, Sweden and Ogden on the north; the Town of Riga on the east; the Town of LeRoy on the south and the Town of Byron on the west. The Town of Bergen encompasses an area of 27.6 square miles (approximately 17,664 acres). Of this total, 0.6 square miles (approximately 384 acres) are in the Village.

## Map 1 - Regional Setting



Prepared by Genesee County  
Planning Department  
February 2016

### EXISTING LAND USE

The predominant pattern of land use in the Town is agricultural with rural (low density) residential development occurring primarily along the highway frontage. The predominant pattern of land use in the Village is single family residential located around the Village businesses on Lake Avenue (State Route 19). Maps 2 and 3: Existing Land Use depicts land uses by parcel in the Village and Town as of the fall of 2014. Table 1 identifies the amount of land in various use categories in the Village and Town of Bergen.

#### Town Land Use Pattern

Most of the land in Bergen outside the Village is rural and agricultural. Other large areas are natural in character and include extensive areas of wetlands and the Black Creek corridor.

Residential land use in the Town consists primarily of rural development at low densities. The exceptions to this pattern include residential neighborhoods located in the hamlets of North Bergen and Stone Church, and the Hidden Meadows Planned Unit Development Site located along the east side of State Route 19 in the southeastern portion of Town.

The Town's principal commercial area is located at the intersections of State Routes 19, 33 and 33A. A small neighborhood commercial area exists in Stone Church which is in the southeastern portion of the Town. The majority of the Town's industrial sites are located south of the Village at or near the intersection of Routes 19, 33 and 33-A, and along Lake Road South (State Route 19).

#### Village Land Use Pattern

The Village downtown business district is located around the intersection of Rochester Street, Buffalo Street and Lake Avenue. Included in this area is the Lake Street Historic District, which is listed on the National Register of Historic Places. (See also Chapter 9: Historic Resources) The Village's downtown business district is the center for governmental services and facilities, including the Village Hall, post office and library.

Residential neighborhoods have developed around the construction of Lake Avenue (State Route 19), the Conrail Railroad and Buffalo Road (State Route 33). These major transportation routes, which brought people and business to or through the community, contain the Village's oldest housing stock. More recent single family dwellings are found in the southwestern portion of the Village where lands were annexed from the Town.

The major industrial use in the community, a vegetable processing facility (currently Bonduelle USA), is located in the northwest portion of the Village (15 Church St, Bergen, NY 14416.) Smaller industrial uses are located along North Main Street, Lake Avenue and Spring Street.

Small clusters of commercial development exist at the intersection of Lake Avenue with Parkview Drive and the Elba-Byron-Bergen Town Line Road, and at the intersection of State Routes 19, 33 and 33-A.



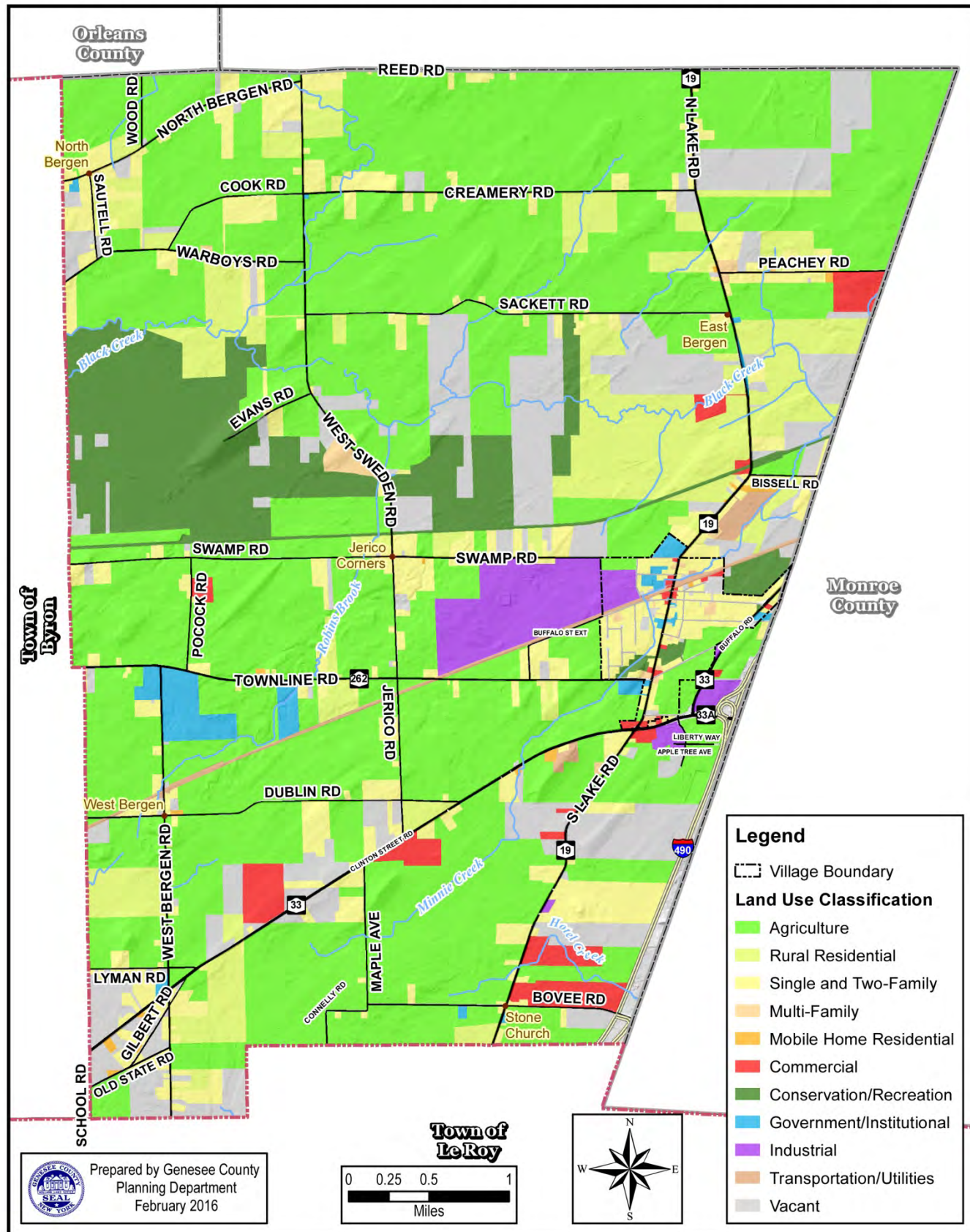
**Table 1: Existing Land Use for the Village and Town of Bergen (Fall 2014)**

	Village of Bergen				Town of Bergen (excluding Village)			
	Parcels		Acres		Parcels		Acres	
	#	%	#	%	#	%	#	%
<b>Agriculture</b>	1	0.2%	19.2	4.6%	122	11.5%	5,829.9	35.0%
<b>Conservation/Recreation</b>	4	0.8%	10.82	2.6%	75	7.1%	1,318.4	7.9%
<b>Single Family Residential</b>	345	71.1%	180.8	43.5%	567	53.6%	6,111.1	36.7%
<b>Multi Family Res. &amp; Apts.</b>	37	7.6%	30.1	7.2%	28	2.6%	73.2	0.4%
<b>Mobile Home Residential</b>	1	0.2%	0.5	0.1%	21	2.0%	152.6	0.9%
<b>Vacant</b>	41	8.5%	78.0	18.7%	194	18.4%	2,493.2	15.0%
<b>Commercial</b>	34	7.0%	15.5	3.7%	16	1.5%	303.6	1.8%
<b>Government/Institutional</b>	12	2.5%	26.0	6.3%	17	1.6%	160.1	1.0%
<b>Industrial*</b>	0	0.0%	0.0	0.0%	8	0.8%	121.6	0.7%
<b>Transportation/Utilities</b>	10	2.1%	55.1	13.2%	9	0.9%	102.86	0.6%
<b>Total</b>	<b>485</b>	<b>100.0%</b>	<b>416.2</b>	<b>100.0%</b>	<b>1,057</b>	<b>100.0%</b>	<b>16,666.4</b>	<b>100.0%</b>

**Note:** 2014 land use based on the Assessor's Property Classification. Land use verified or updated based on analysis of aerial imagery. Source: 2014 tax parcel records obtained from Genesee County, Aerial imagery obtained from Google Maps and Street View

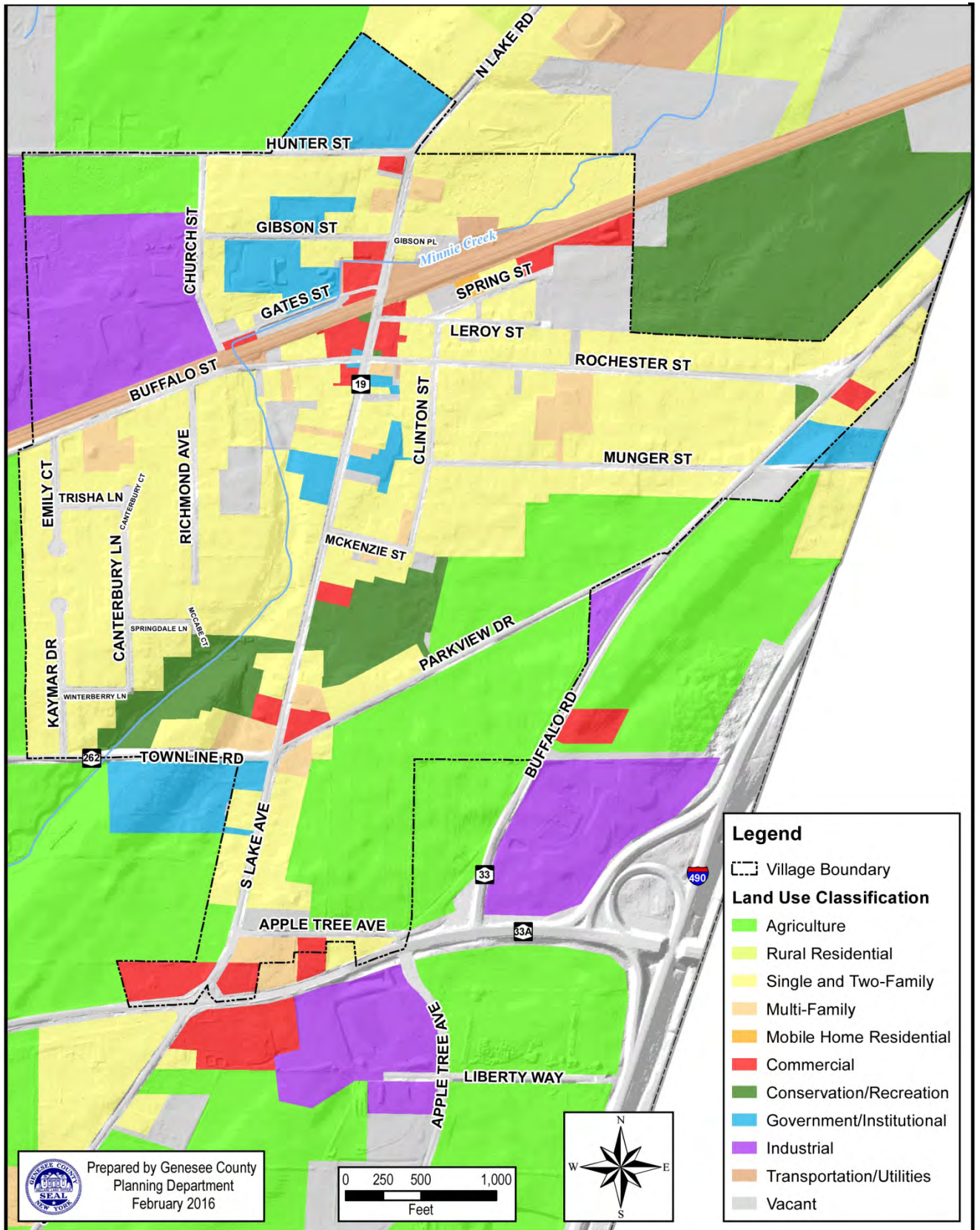
\* NOTE: Some Bonduelle and other industrial land is classified as Transportation/ Utilities by Assessor

## Map 2: Existing Land Use by Parcel - Town of Bergen





## Map 3: Existing Land Use by Parcel - Village of Bergen



### RELEVANT PLANS, PROGRAMS AND REGULATIONS

Several existing plans and programs impact land use development and conservation in Bergen. These include the and current zoning regulations for the Village and Town, the Genesee County Smart Growth Plan and land use plans of neighboring municipalities.

### LAND USE REGULATIONS AND BUILDING CODES

Existing regulations currently used by the Village and Town to manage land use include zoning and subdivision regulations. In addition, the Codes of New York State establish building, fire protection, energy efficiency and property maintenance standards. These codes are enforced by Village and Town staff.

### ZONING REGULATIONS

Local zoning and subdivision laws are among the most effective tools that municipalities have to influence land use in their communities. The Town and the Village both maintain land use regulations that guide development to appropriate areas and manage the development process. Zoning regulations specify the type of uses and/or building types and design permitted in specified zoning districts as well as specifications for lot size, density, setbacks, height of structures and parking, access. Design guidelines and/or standards help to manage the appearance and performance of development and to minimize impacts on transportation, natural and cultural resources and community character. Subdivision regulations guide the basic pattern of development.

Maps 4 and 5: Zoning depicts existing zoning districts in the Village and Town as of the fall of 2014. Tables 2 and 3 identify the amount of land in each zoning district as well as a summary of permitted uses for the Village and Town of Bergen. For specific uses and other zoning regulations, please refer to the actual Town and/or Village Zoning Code.

#### Town Zoning Law

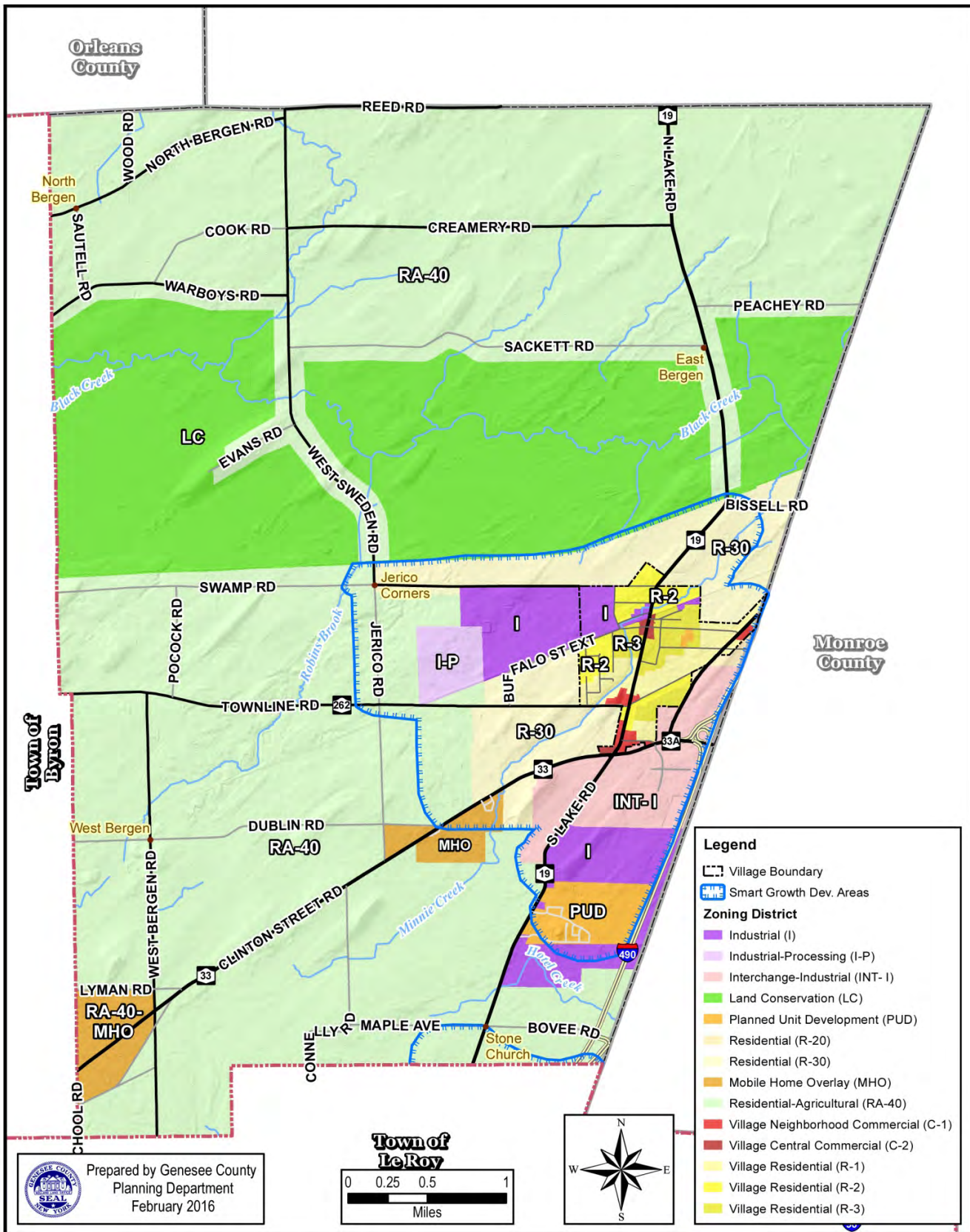
The Town of Bergen has seven conventional zoning districts, one floating zone, and two overlay districts. The majority of the Town (64%) is zoned Residential-Agricultural (RA-40). The other residential zoning districts (R-20 and R-30) are adjacent to the Village. The Interchange (INT-I) zoning district is located near the I-490 interchange and State Routes 33A, 33, and 19. The Industrial (I) zoning district is located along the west side of the Village and along the east side of State Route 19 south of the Village. The Industrial-Processing (I-P) zoning district is located to the west of the northern industrial district. Land within the Land Conservation (LC) zoning district includes the Bergen Swamp and is roughly located between the Linear Trail to the south and Warboys Road/ Sackett Road/ Peachey Road to the north.

The Planned Unit Development (PUD) is referred to as a floating zone. If a development proposal for a particular area of the Town meets the intent of the regulations, the site would then be rezoned to a PUD zone. There is currently one PUD zone in the Town, located on the east side of State Route 19 to accommodate the Hidden Meadows Adult Community Mobile Home Park.



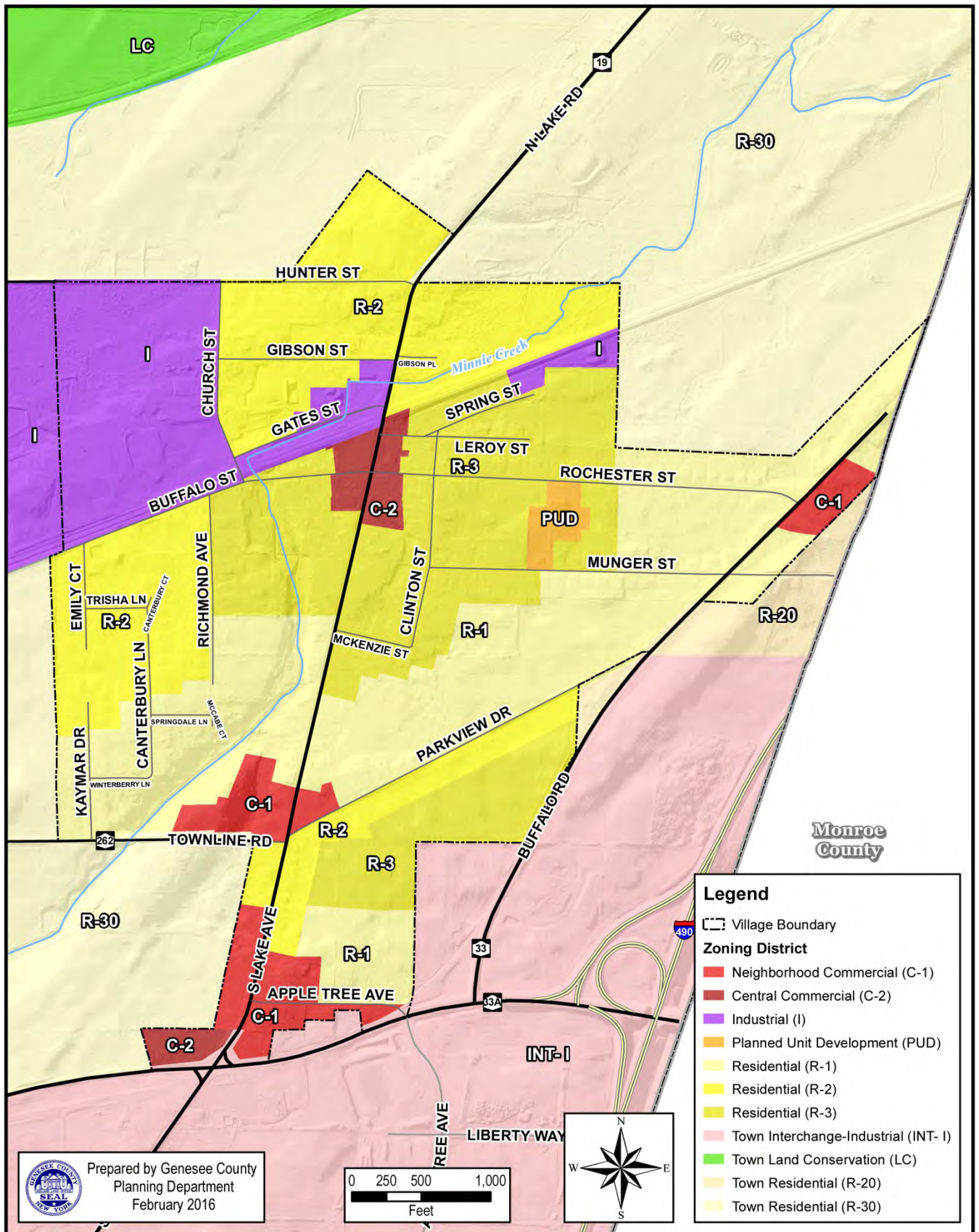
Within the Mobile Home Overlay (MHO) district and the Floodplain Overlay (FPO) districts, properties must follow the rules and regulations for both the underlying zoning district and the overlay district. The purpose of the MHO zone is to provide a defined area for the development of quality mobile home parks and for permanent installation of single mobile homes on individual lots and in mobile home subdivisions. This zone is located in two locations along State Route 33. The FPO zone identifies potential areas of special flood hazard to coordinate review of zoning and flood damage prevention regulations in order to minimize flood damages. This zone is generally found in areas of the LC zoning district with narrow fingers spreading to the north and south along stream corridors.

## Map 4: Zoning - Town of Bergen





## Map 5: Zoning - Village of Bergen



**Table 2. Town of Bergen Zoning Districts and Uses**

District	Acres		Uses
	#	%	
Residential R-20	17.8	0.1%	On lots with a minimum area of 20,000 square feet. <u>Permitted Uses:</u> Agricultural uses, one-family dwelling, school, religious institution, community center, accessory buildings, enclosed accessory uses <u>Special Uses (by Permit):</u> Home occupation, outdoor recreation, public utility, wind generator (production model), two-family dwelling, multi-family dwelling
Residential R-30	997.4	5.8%	On lots with a minimum area of 30,000 square feet. <u>Permitted Uses:</u> Agricultural uses, one-family dwelling, school, religious institution, community center, accessory buildings, enclosed accessory uses <u>Special Uses (by Permit):</u> Home occupation, outdoor recreation, public utility, wind generator (production model), two-family dwelling, multi-family dwelling, adaptive reuse of a nonresidential building fronting on a state highway
Residential-Agricultural RA-40	11,056.9	64.4%	On lots with a minimum area of 40,000 square feet. <u>Permitted Uses:</u> Agricultural uses, stable, one-family dwelling, school, religious institution, community center, accessory buildings, enclosed accessory uses <u>Special Uses:</u> Two-family dwelling, home occupation, quarry, wind generator (production model), public utility, outdoor recreation, airport landing strip, wildlife refuge, club, kennel, farm equipment repair shop, commercial communication tower, reuse of a nonresidential building on a state highway
Interchange INT-I	451.4	2.6%	<u>Permitted Uses:</u> Business and professional offices, convenience retail and office use, destination retail uses, medical clinic, animal hospital, hotel, motel, theater, bowling alley, and other forms of indoor recreation, club, community center, gasoline station (with or without a convenience market), car wash, public garage, motor vehicle, recreation vehicle, mobile home, and farm equipment sales and service, public utility <u>Special Uses:</u> Light manufacturing (enclosed), manufacturing and assembly of pumps, packaging and distribution of food processed elsewhere, truck stop, trucking terminals and distribution centers, transportation equipment, fabricated metal products, furniture and fixtures, lumber and wood products, manufacturing/molding of plastic and foam products, printing and publishing establishments, sign and advertising specialties, electronic components and accessories, surgical and medical instruments, appliances and supplies, analytical instruments, tool and die shops, accessory buildings and uses, commercial communication tower, personal services, chemicals and allied products
Industrial I	549.6	3.2%	<u>Permitted Uses:</u> Enclosed manufacturing industries, enclosed warehouse or wholesale use, public utility, enclosed service and repair, machinery and transportation equipment, sales, service, and repair, enclosed industrial processes and service, freight or trucking terminal, contractor's yard, public garage, accessory buildings and uses <u>Special Uses:</u> Aviation landing field, uses which, without restrictions or safeguards, may be noxious or injurious
Industrial-Processing I-P	113.1	0.7%	<u>Permitted Uses:</u> Agricultural uses, accessory buildings and uses <u>Special Uses:</u> Land application of food processing wastewater

Source: 2014 zoning districts from Genesee County, Zoning code language accessed via ecode360.com

Table 2. Town of Bergen Zoning Districts and Uses continued on the next page

Table 2. Town of Bergen Zoning Districts and Uses continued from previous page

District	Acres		Uses
	#	%	
Land Conservation LC	3,804.4	22.2%	<u>Permitted Uses:</u> Farms and related farming activities (provided that no off-premises manure shall be stored within 100 feet of a property boundary), accessory uses and buildings (with restrictions as outlined in the Zoning Code) <u>Special Uses (by Permit):</u> Recreational uses
Planned Unit Development PUD	167.4	1.0%	This floating zone permits a variety of housing types and a mixture of residential and nonresidential uses while preserving the natural and scenic qualities of the site using creative and imaginative design and innovative land development techniques. Subject to procedures, requirements and design standards.
Mobile Home Overlay (MHO)	295.4	1.7%	This overlay district defines areas for mobile home parks, permanent installation of single mobile homes on individual lots and mobile home subdivisions. <u>Permitted Uses (in addition to those permitted in the base residential zone):</u> Single mobile homes on individual lots (with restrictions outlined in Code) <u>Special Uses:</u> Mobile home park
Floodplain Overlay (FPO)	2,768.8	16.1%	Permitted uses as allowed in the underlying zoning district. This overlay district ensures coordinated review of zoning and flood damage prevention regulations.

### Village Zoning Law

The Village of Bergen has six conventional zoning districts, one floating zone, and one overlay district identified within its zoning law. Most of the Village (79%) is zoned as one of three residential districts (see Map 5: Zoning – Village of Bergen).

The Neighborhood Commercial (C-1) zoning district is located at the intersections of State Route 19 (Lake Avenue) and Appletree Road, State Route 19 and Townline Road / Parkview Drive, and State Route 33 (Buffalo Road) and Rochester Street. The Central Commercial (C-2) zoning district is located in the traditional downtown and northwest of the State Routes 19 / 33 interchange. Lastly, the Industrial (I) zoning district can be found in various locations both north and south of the railroad. The three business/ industrial zoning districts comprise 21% of the Village's land area.

The Planned Unit Development (PUD) district is a “floating zone.” If a development proposal for a particular area meets the intent of the regulations, the Village Board may rezone the site to a PUD zone. The one PUD in the Village is located on the south side of Rochester Street to accommodate the Arlington Manor Apartments.

Within the Floodplain Overlay (FPO) district, properties must follow the rules and regulations for both the underlying zoning district and for the overlay district. The FPO zone identifies potential areas of special flood hazard and coordinates review of zoning and flood damage prevention regulations to minimize the threat of flood damages. This zone is generally found along a tributary to Black Creek (Minnie Creek).

## 1. LAND USE OVERVIEW

**Table 3. Village of Bergen Zoning Districts and Uses**

District	Acres		Uses
	#	%	
Residential R-1	138	30.0%	On lots with a minimum area of 20,000 square feet. <u>Permitted Uses:</u> Single family dwelling, accessory buildings, swimming pool (noncommercial) <u>Special Uses:</u> Home occupation, government uses, volunteer fire department / ambulance service, cemetery, accessory apartment
Residential R-2	114	24.6%	On lots with a minimum area of 16,000 and 20,000 square feet. <u>Permitted Uses:</u> Single family dwelling, two family dwelling, accessory buildings, swimming pool (noncommercial) <u>Special Uses:</u> Multifamily dwelling(s), school, church, governmental use, funeral home, social organization/club, home occupation, day care center, bed and breakfast, community center, professional office, volunteer fire dept. / ambulance service, cemetery, accessory apartment, cluster residential development
Residential R-3	110	23.9%	On lots with a minimum area of 8,000 and 10,000 square feet. <u>Permitted Uses:</u> Single family dwelling, two family dwelling, accessory buildings, swimming pool (noncommercial) <u>Special Uses:</u> Multifamily dwelling(s), school, church, volunteer fire department / ambulance service, funeral home, social organization/club, boarding / rooming house, home occupation, day care center, bed and breakfast, community center, professional office, governmental use, mobile home park, self-service storage facility, accessory apartment, cluster residential development
Neighborhood Commercial C-1	25	5.5%	On lots with a minimum area of 20,000 square feet. <u>Permitted Uses:</u> Retail stores/services, funeral homes, business and professional offices, social organization/club, church, adult uses, accessory buildings <u>Special Uses:</u> Motor vehicle sales and service, residential use, commercial recreation use, restaurant, day care center, bank, social organization/club, medical facility, veterinary facility, arcade, self-service storage facility, commercial communications tower
Central Commercial C-2	11	2.3%	<u>Permitted Uses:</u> Retail stores/services, business and professional offices, restaurant, funeral home, bank, social organization/club, church, medical facility, veterinary facility, adult uses, accessory buildings <u>Special Uses:</u> Drive-in establishments, commercial recreation, motor vehicle sales and service, night club/tavern, residential uses, hotel/motel, gasoline station (with or without market), arcade, warehouse (no hazardous materials), self-service storage facility
Industrial I	59	12.8%	<u>Permitted Uses:</u> Enclosed manufacturing industry, enclosed warehouse or wholesale use, public utility, enclosed service and repair, machinery and transportation equipment, sales, service, and repair, enclosed industrial processes and service, freight or trucking terminal, contractor's yard, public garage, adult uses, accessory building and use <u>Special Uses:</u> Manufacturing use (not enclosed), warehouse or wholesale use (not enclosed), service and repair (not enclosed), day care center, self-service storage facility, commercial communications tower

Source: 2014 zoning districts from Genesee County, Zoning code language accessed via <http://villageofbergen.com/>

(Table 3. Village of Bergen Zoning Districts and Uses continued on the next page)



**Table 3. Village of Bergen Zoning Districts and Uses (continued from previous page)**

District	Acres		Uses
	#	%	
Planned Unit Development PUD	4	0.9%	The purpose of this floating zone is to permit a variety of housing types and a mixture of residential and/or nonresidential uses while preserving the natural and scenic qualities of the site using creative and imaginative design and innovative land development techniques. General requirements, application procedures and, and design standards are outlined in the Zoning Code.
Floodplain Overlay (FPO)	22	4.7%	Permitted uses as allowed in the underlying zoning district. The purpose of this overlay district is to ensure coordinated review of zoning and flood damage prevention regulations. Additional regulations as outlined in Local Law #1 of 1982 (as amended by Local Laws #1 of 1987 and #1 of 1989).

## ADMINISTRATION AND ENFORCEMENT OF NYS CODES

Both the Town and the Village have empowered their Code Enforcement Officers to administer and enforce the NYS building, fire protection, energy conservation and property maintenance codes.

## GENESEE COUNTY SMART GROWTH PLAN

The Genesee County Smart Growth Plan was prepared in order to mitigate potential development impacts that would otherwise result from the extension of water service. The Plan delineates Development Areas within which development and re-development will be encouraged. Outside of the designated Development Areas, access to the County-funded portions of the County's water system<sup>3</sup> is subject to the policies and procedures specified in the Smart Growth Plan.

## LAND USE PLANS OF NEIGHBORING MUNICIPALITIES

Based on a review of existing zoning regulations, future land uses in neighboring towns are not expected to affect the potential for appropriate development and conservation in Bergen. Except for land along the I-490 interchange in LeRoy, land along the borders of the Village and Town of Bergen is designated for continued agricultural or rural residential development.

Land in the Town of Byron that adjoins Bergen to the west is zoned Agricultural-Residential and is predominantly agricultural. Land south of Bergen in the Town of LeRoy is zoned Residential Agricultural. Land immediately north of Bergen in the Town of Sweden is zoned R1-2, which accommodates one-family residences. Zoning in the Towns of Ogden and Clarendon, which adjoin small portions of the Town, are intended to accommodate rural and residential land uses.

Land near the I-490 interchange in the Town of LeRoy to the south is zoned INT Interchange. This district extends along Lake Street (State Route 19) from North Road to approximately 1,000 feet south of the Town boundary. The Genesee County Smart Growth Development Area that includes

<sup>3</sup> The "County-funded portions of the County's water system" include all water lines that are constructed by the County, financially subsidized by the County, or supplied with water from a source built or subsidized by the County. These include only Town of Bergen's Water District #3.

## 1. LAND USE OVERVIEW

this district also includes land in Bergen along South Lake Road (State Route 19) south of Bovee Road. Development of the interchange area in Bergen could impact land use and development potential in the southern portion of Bergen.

## ISSUES AND OPPORTUNITIES

In preparing the Future Land Use Plan, the Committee reviewed existing zoning and development patterns in both the Village and Town and determined whether future land use designations retain or alter the existing zoning. Issues relating to land use in the Town generally involve balancing conservation and development in areas that are at borders of natural/ agricultural and developed areas. In the Village, issues relate to evaluating the potential for new development and minimizing impacts from business development on residential neighborhoods.

### KEY ISSUES

Many of the issues relating to land use are addressed in other chapters.

Town issues include:

- The Bergen Swamp Wildlife Area, owned by the Bergen Swamp Preservation Society, is a regionally significant ecological resource. These lands will continue to remain as preserved open space to protect the environmentally sensitive features and accommodate recreation and education.
- Large areas of NYS regulated wetlands and flood hazard areas will remain undeveloped to support open space and ecological functions. (See also Chapter 2: Natural Resources.)
- Agriculture continues to be a key component of the Town's rural character and contributes to the regional agricultural economy (see also Chapter 3: Farmland & Agriculture.)
- Parks and community services in the Town include Gillam Grant, Byron-Bergen School campus and churches (see also Chapter 6: Government & Community Services.)

Village issues include:

- The Village's downtown business district will continue to be the focus for small businesses and community services. Land around the I-490 interchange and along NYS Routes 33, 19 and 33A will continue to be the focus for business and economic development (see also Chapter 5: Downtown & Economic Development.)
- The Village of Bergen will continue to serve as the center for governmental and community services in the community. (see also Chapter 6: Government & Community Services.)



## ARCHITECTURAL DESIGN STANDARDS

Maintaining the character of the Village's downtown business district and residential neighborhoods may require the application of design standards. Such standards would apply to designated areas and would be implemented by the Planning Board or by an appointed Architectural Design Board. The Board would be authorized to review and approve or deny applications for projects that would alter the appearance of designated historic structures or landscapes.

## COORDINATE INFRASTRUCTURE IMPROVEMENTS WITH LAND USE GOALS

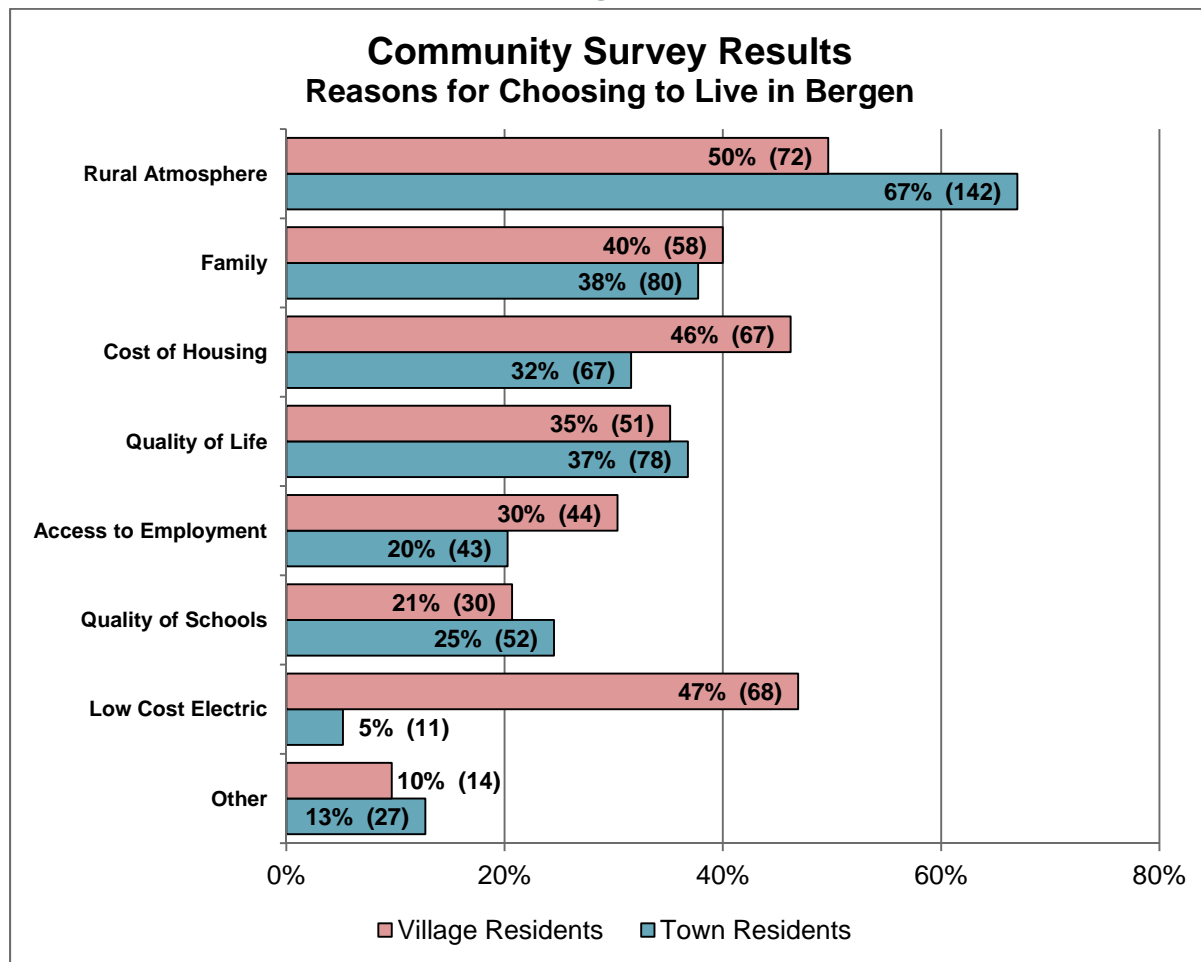
As infrastructure such as water and sewer lines can have a large impact on land use, managing extensions of infrastructure is a strategy available to municipalities to achieve land use goals. Ensuring the land use patterns recommended in the Comprehensive Plan will require coordination of decisions relating to infrastructure investment and management. For example, extensions of sewer lines greatly increase development pressure; land use policies should designate areas proposed for sewer as those most suitable for intensive development. Transportation access and connectivity influences the suitability of land for business development and affects residential quality of life.

## COMMUNITY SURVEY RESULTS

The public survey conducted in February 2015 offers insight into the community's priorities as well as provides guidance regarding specific land use issues in Bergen. Responses are summarized separately for Village residents, Town residents, and non-resident property owners.

*Why people choose to live in Bergen.* The following chart summarizes the reasons Village residents and Town residents choose to live in the Village and Town of Bergen. The survey demonstrates that Bergen residents strongly appreciate the rural atmosphere of the Town. Other reasons include the availability of affordable housing and low cost electricity.

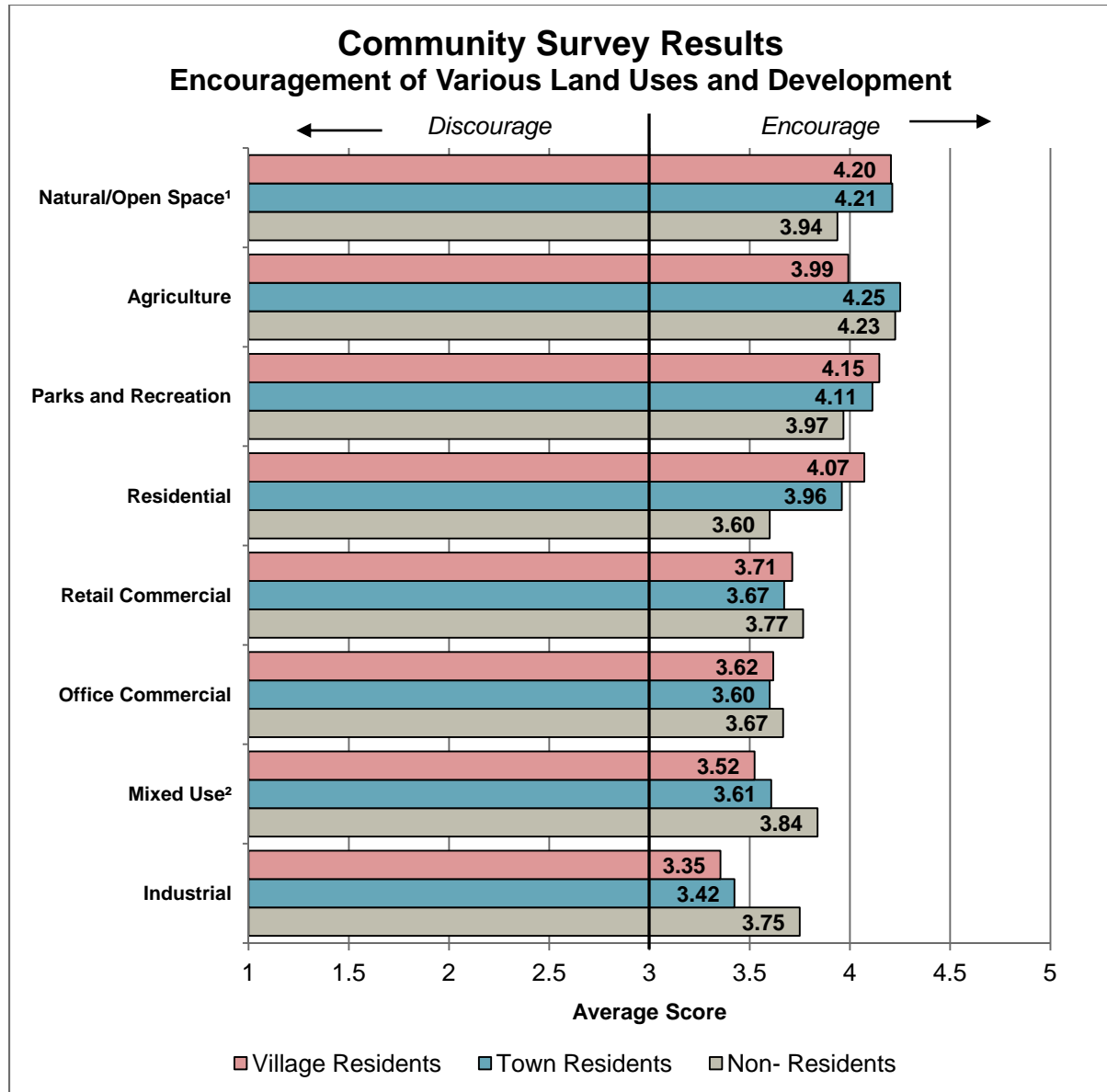
**Chart 1. Reasons Residents Choose to Live in Bergen**



Source: Comprehensive Plan Community Survey

*Encouragement of Land Use and Development.* When asked what types of land uses should be encouraged or discouraged in Bergen, natural/open space and agriculture rated the highest. The chart below shows the average level of support on a scale of 1 (Discourage) to 5 (Encourage). All land uses were somewhat encouraged on average, although the lowest levels of support were for industrial uses.

**Chart 2. “What types of uses should be encouraged or discouraged in Bergen?”**



**Notes:** <sup>1</sup> Natural/Open Space generally refers to woodlands, fields, wetlands, wildlife habitats, etc.

<sup>2</sup> Mixed use development generally refers to buildings or developments with commercial and residential uses.

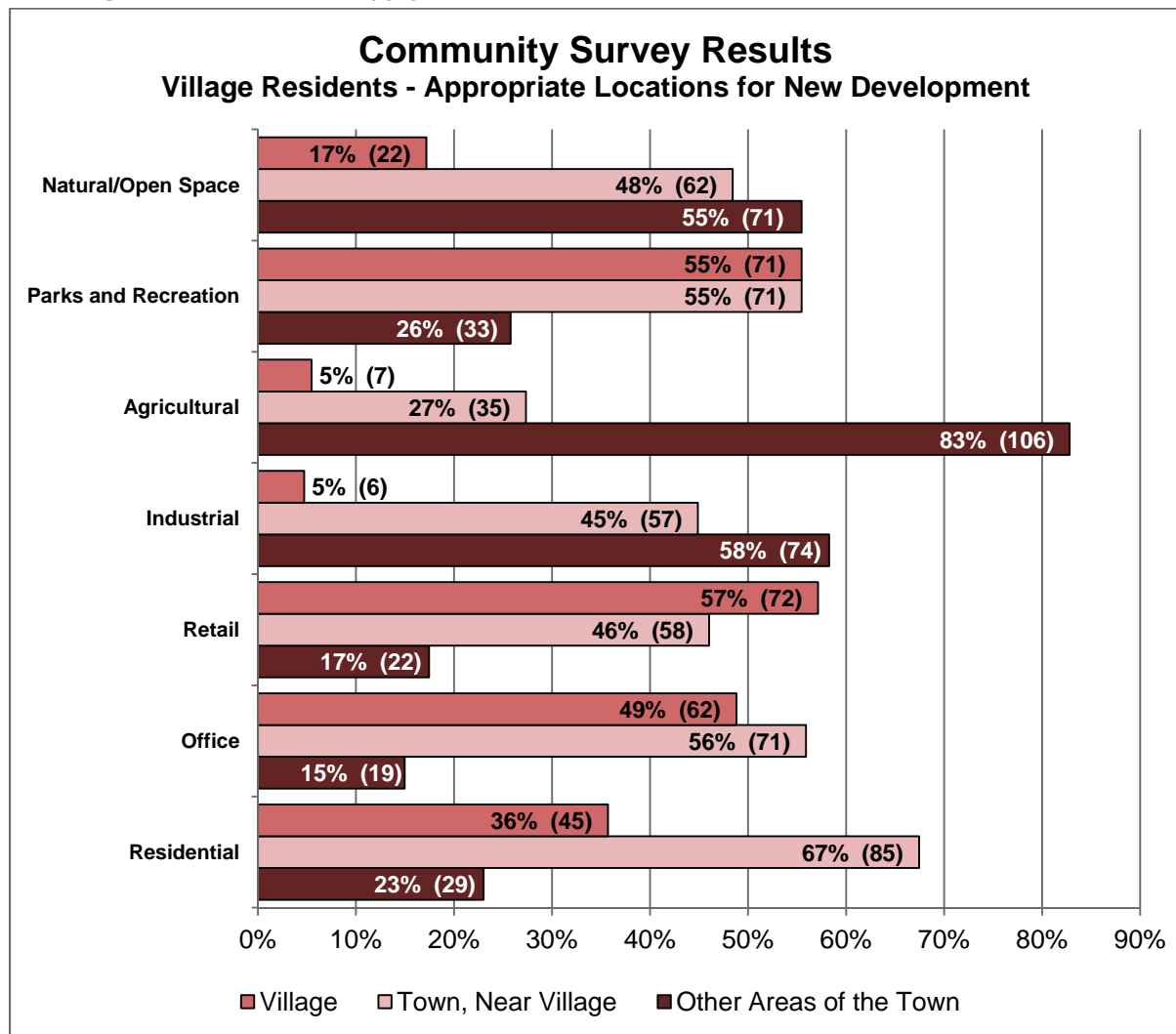
Source: Comprehensive Plan Community Survey

## 1. LAND USE OVERVIEW

*Appropriate Locations for New Development.* The survey asked which location(s) (within the Village, within the Town near the Village, and/or other areas of the Town) were the most appropriate for various types of new development. Respondents were instructed to select all locations that apply.

Among Village residents, most felt the Village was the appropriate location for new retail (57%) and parks and recreational (55%) development, while areas within the Town near the Village were most appropriate for new residential (67%), office (56%), and parks and recreation (55%). Most Village residents felt other areas of the Town were the appropriate locations for new industrial (58%), agricultural (83%), and natural/open space (55%) development.

**Chart 3. Village Residents: “Where is the most appropriate location for new development for the following uses (check all that apply)?”**

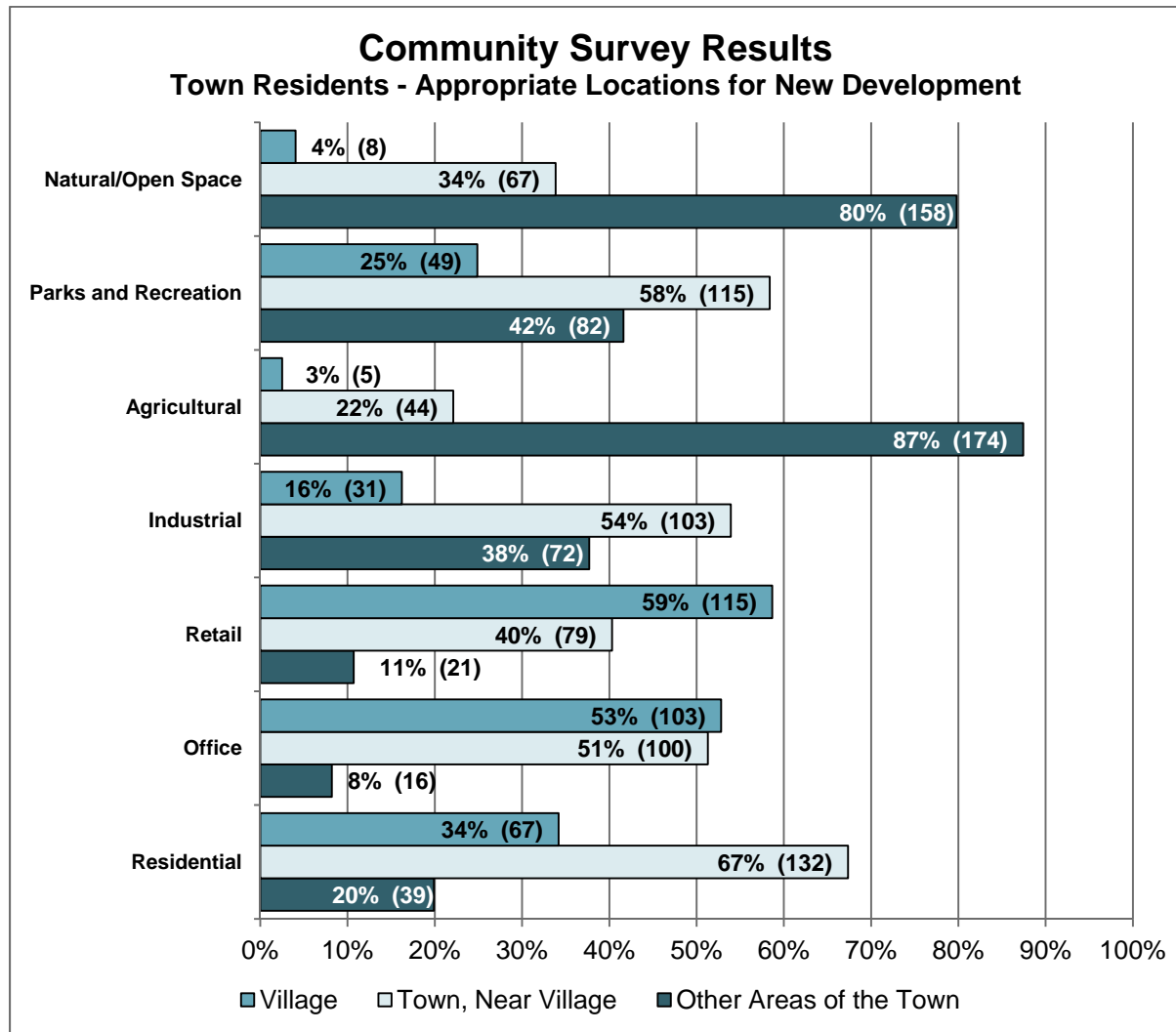


Source: Comprehensive Plan Community Survey

Among Town residents, most felt the Village was the appropriate location for new office (53%) and retail (59%) development, and that areas within the Town near the Village were appropriate for new residential (67%), industrial (54%), and parks and recreation (58%) development. Finally, most Town

respondents felt other areas of the Town were the appropriate locations for agricultural (87%) and natural/open space (80%).

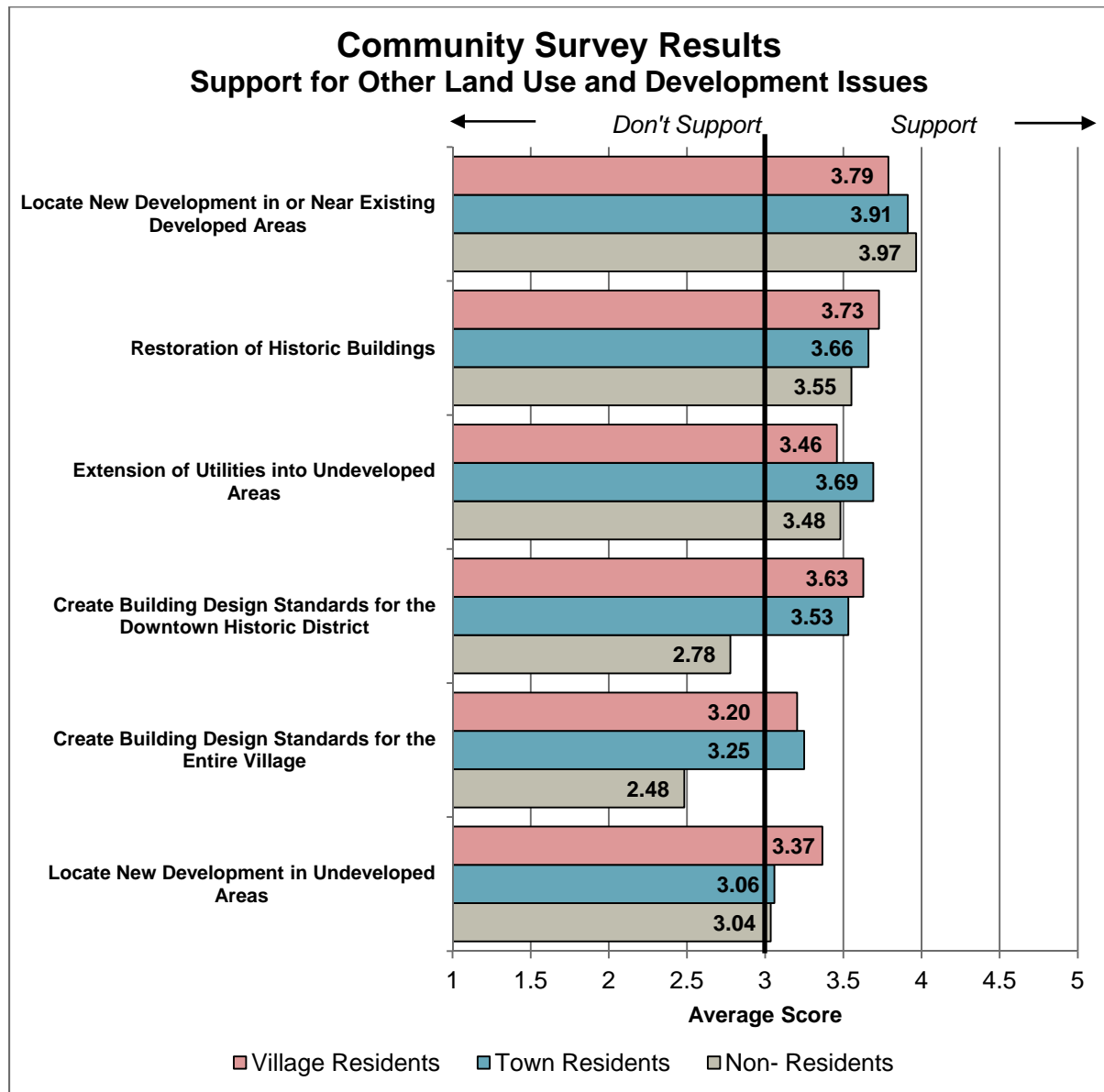
**Chart 4. Town Residents: “Where is the most appropriate location for new development for the following uses (check all that apply)?”**



Source: Comprehensive Plan Community Survey

*Support for Other Land Use and Development Issues.* Respondents were asked to rate the extent of their support for various land use and development approaches. On a scale of 1 (Don't Support) to 5 (Support), all of the suggested approaches rated near the middle of the scale, with moderate levels of support and minor differences among Village and Town residents. Support was highest for locating new development in or near existing developed areas. Lower levels of support were shown for creating building design standards for the entire village (especially among Village residents) and locating new development in undeveloped areas (especially among Town residents.)

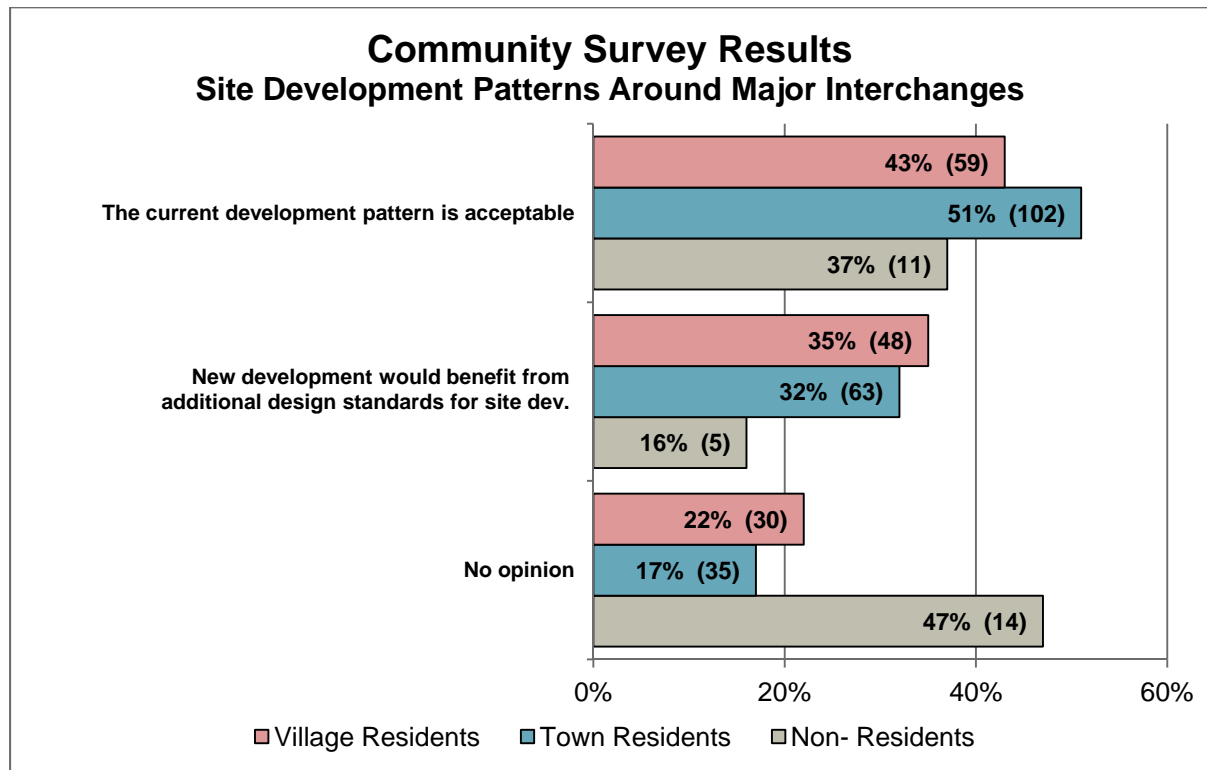
**Chart 5. Support for Other Land Use and Development Issues (“Please tell us your opinion on the following.”)**



Source: Comprehensive Plan Community Survey

*Site Development Patterns around the 490 Interchange and the Route 33/19 Intersection.* When asked about their opinion of site development patterns (buildings, parking, landscaping) around the 490 interchange and the Route 33/19 intersection, nearly half of the respondents felt that the current development patterns are acceptable. Approximately one-third felt that new development would benefit from additional design standards.

**Chart 6. What best describes your opinion of site development patterns (buildings, parking, landscaping) around the 490 interchange and the Route 33/19 intersection?**



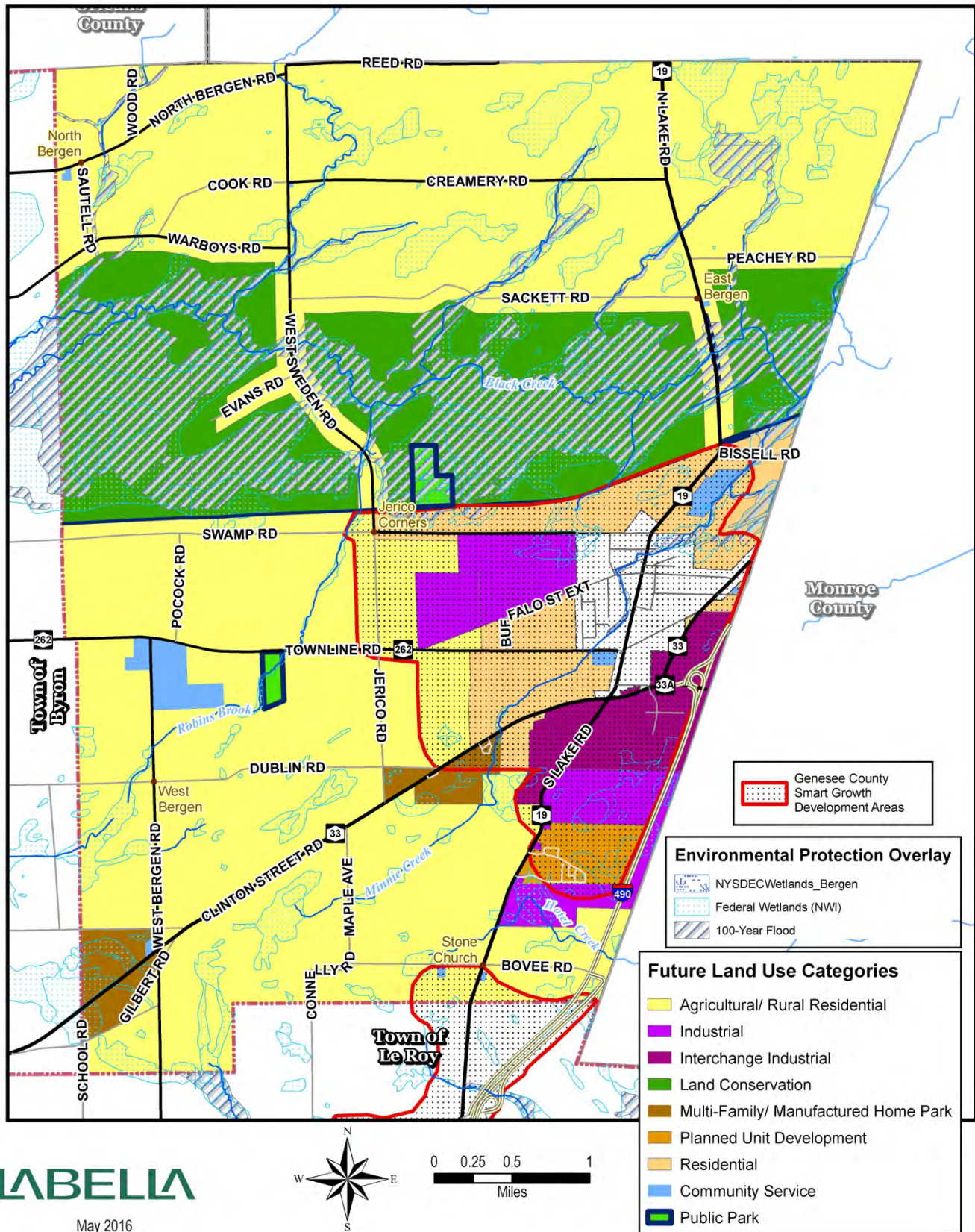
Source: Comprehensive Plan Community Survey

## FUTURE LAND USE PLAN

The Future Land Use Plan specifies the policies of each municipality with regard to land use. Formal amendment of the zoning regulations will be needed to implement the policies. While zoning should be consistent with the Future Land Use Plan, the Land Use Plan can be more general and is intended to be a long-range policy. Zoning changes to implement the Land Use Plan may occur over a period of years, depending on community needs and developer interest. Zoning changes that are consistent with the Land Use Plan will be looked at favorably subject to required public hearings, referrals and environmental reviews.

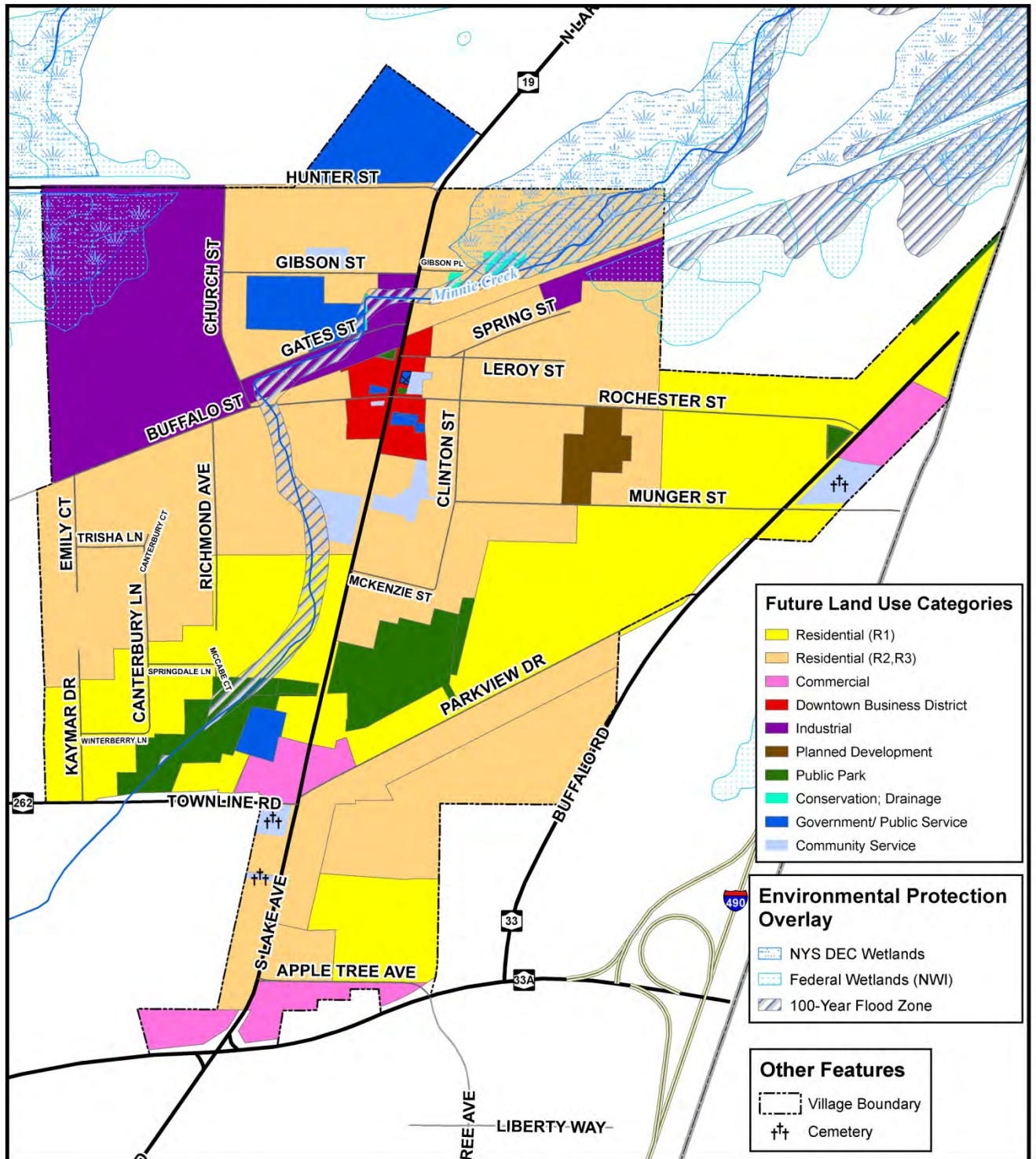


## Map 6: Future Land Use - Town of Bergen





# Map 7: Future Land Use - Village of Bergen



**ABELLA**

May 2016

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### FUTURE LAND USE CATEGORIES – VILLAGE

The Future Land Use Map for the Village (see Map 7: Future Land Use – Village of Bergen) designates areas that are most appropriate for various land uses.

#### Downtown Business District

The downtown business district includes land along Lake Avenue, one block north and one-half block south of the intersection with Buffalo Street and Rochester Street. This area is intended to continue to be a hub for government and community services with a mix of neighborhood businesses, offices and residences. The area's walkability, mixed uses and the historic character of buildings are key to its unique charm.

#### Commercial

Areas outside of downtown that are suitable for business, office and other commercial uses are designated Commercial. These include:

- Land northeast and northwest of the intersection of South Lake Avenue and Townline Road, Parkview Drive. This area includes a craft supplies business, a community arts school, and a used car sales facility. Parcels along Townline Road are currently residential.
- Land east of the intersection of Buffalo Road with Rochester Street. This area includes a restaurant/ party house and bowling/ volleyball facility and two residential parcels.
- Land at the southwest corner of Routes 19 and 33.

#### Industrial

Areas designated for Industrial use include:

- Bonduelle vegetable processing facility in the northwest portion of the Village
- Land west of North Lake Avenue and just north of the railroad tracks. This area includes several businesses and a portion of the Town Highway Garage.
- Land in the northeast corner of the Village, south of and adjoining the railroad. K & W Mfg. Corp./ Davenport Screw Machine Products operates a plant in the western part of this site. The eastern portion is vacant but development potential may be limited due to the presence of Federally regulated wetlands.

#### Residential

Land south of the railroad and east, west and south of the downtown business district is designated for Village Residential. This area coincides with the existing R-3 zoning district and is largely built out with single family residences and a few 2-family and 3-family residences. The Planned Unit Development between Rochester Street and Munger Street includes apartments and a child care facility. Vacant parcels within this area are located along Minnie Creek.

Residential on somewhat larger lots is designated Residential-2. This area coincides with the Village's R-2 Residential Zoning District and is largely built-out with primarily single-family dwellings.

Approximately 63 acres of open land in the southeast part of the Village is currently zoned for residential use and used for farming.

#### Planned Unit Development/ Multi-family

The PUD designation on Rochester Street in the Village encompasses an existing developed area that contains a mixture of commercial and residential uses. The commercial use includes a daycare center. The residential uses include an apartment building.

Future areas of multi-family may be accommodated within existing residential areas where they can be accommodated on the site without negative impacts on the surrounding neighborhood. Special use permit criteria and procedures are in place to manage the design and siting of multi-family dwellings.

#### Government and Community Service

Areas used for government offices and community services such as places of worship and cemeteries are so designated to indicate that these areas are unlikely to be available for private development during the planning horizon. Government facilities include the Village Department of Public Works and the Town Highway Garage, the Town Library, the Fire Hall and Town Hall. Community Service sites include the Masonic Hall, American Legion, cemeteries and churches.

If these areas are not used for government or community uses in the future, uses compatible with neighboring areas would be appropriate.

#### Parks

Areas designated Parks include each of the Village Parks (Hartland, Hickory, Zuber, Carpenter and Ward Parks).

#### Environmental Conservation Overlay

Land along Minnie Creek is within a 100-year flood zone as mapped by the Federal Emergency Management Agency (FEMA). Land in the northeast part of the Village include wetlands regulated by the NYS Department of Environmental Conservation (NYS DEC) as well as lands mapped as part of the National Wetlands Inventory that may be federally regulated wetlands. Natural resource conservation and open land for floodwater storage is the most appropriate use of these areas. (See Chapter 2: Natural Resources)

### FUTURE LAND USE CATEGORIES - TOWN

The Future Land Use Plans for the Village and Town (see Map 6: Future Land Use – Town of Bergen and Map 7: Future Land Use – Village of Bergen) designate areas that are most appropriate for various land uses.

#### Agricultural/Rural Residential

Active agricultural operations and agri-businesses are the predominant land uses in these areas. New development should be sited and designed to retain the highest quality farmland for agricultural production and maintain the Town's rural character. In areas without public sewer and/or water, residential lot sizes should be large enough to accommodate on-site water supply and/or sewage disposal. Non-agricultural hookups to public water will be limited in areas outside designated Genesee County Smart Growth Development Areas.

#### Residential

Located adjoining the Village including established residential neighborhoods, these areas are appropriate for single family detached dwellings on lots of about 40,000 square feet (or smaller where public water and/or sewer are available.) Existing agricultural areas will continue in production. Areas may be served by public water supply facilities and potentially public sewers. Soil conditions in these areas are generally favorable for the use of individual, on-site wastewater management systems.

#### Multifamily/ Manufactured Home Park

These areas are appropriate for townhouses, apartment buildings (of 2 stories) or manufactured dwellings. Locations shown include existing developed areas and adjoining undeveloped land.

#### Planned Unit Development

The PUD designation in the Town involves the Hidden Meadows site which has been developed with manufactured homes. Although the Town approved the use of a portion of this site for commercial purposes, no business development has occurred.

#### Interchange

Located adjacent to the intersection of State Routes 19, 33 and 33A and Exit 2 of I-490, this area includes a mixture of light industrial and commercial/business uses.

#### Industrial

These areas include existing industrial uses and adjacent vacant lands. Appropriate uses include light manufacturing, research and development, food processing and other industrial and storage uses. New uses would be developed in industrial park-like settings.

### Public Park

Linear Park (town-owned abandoned railroad right-of-way) and Robbins Brook Park.

### Government/ Community Service

Includes schools, fire stations, Village and Town offices, libraries, the Gillam-Grant Community Center, Monroe County Water Authority land, Village sewage treatment land and churches. If these areas are not used for government or community uses in the future, uses compatible with neighboring areas would be appropriate.

### Land Conservation/ Environmental Protection

Future uses of land designated for Land Conservation, including much of the Bergen Swamp and designated floodplains along Black Creek, are limited to agricultural and other uses that do not affect natural resources.

Other Federal and State designated Wetlands and flood hazard zones are shown in the Future Land Use map as overlays. Impacts on natural resources should be considered as part of the review of any proposed development in these areas.

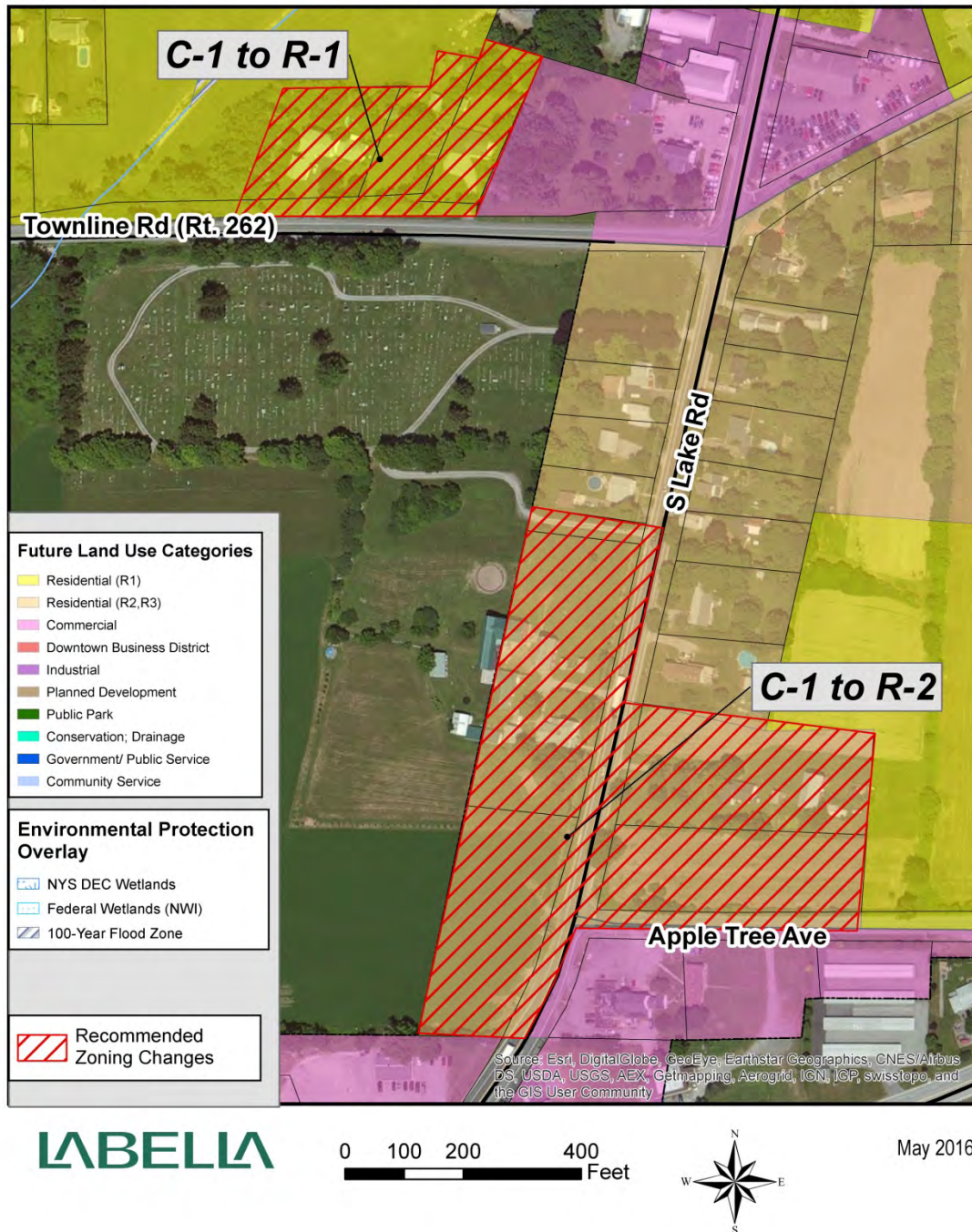
## RECOMMENDED ACTIONS

1. **Modify zoning regulations** to implement the recommendations of the Future Land Use map:
  - a. Rezone land in the Village north of Townline Road (Rt. 262) from C-1 Neighborhood Commercial to R-1 (see map on the following page.)
  - b. Rezone land in the Village west of S. Lake Rd. and northeast of the intersection of S. Lake Road and Apple Tree Ave. from C-1 Neighborhood Commercial to R-2 (see Map on the following page.)
2. Coordinate with utilities and government agencies to **extend utilities** to areas designated for development in the Future Land Use map.
3. **Revise site plan review standards** to minimize impacts of new development on natural resources, agricultural operations, transportation access, historic resources and aesthetics.
4. **Prepare architectural design guidelines** for development and redevelopment within the Village.
5. Review and **revise development standards and construction specifications** to be consistent with the goals of the Comprehensive Plan.



## 1. LAND USE OVERVIEW

### Future Zoning Changes - Village of Bergen



## CHAPTER 2

# NATURAL RESOURCES



Aerial View of wetlands at Swamp Road, Linear Park and Drew's Nature Center

## 2. NATURAL RESOURCES

### GOALS

- ❖ ***Maintain, protect and enhance natural resources such as streams, forest, wetlands and wildlife habitat.***
- ❖ ***Protect ground and surface water quality and the natural environment.***

### EXISTING CONDITIONS

#### TOPOGRAPHY

Generally, the topography of Bergen is level to gently rolling. In most areas of the Village and Town, topography is not a limiting factor to potential development.

#### WOODLANDS

Woodlands are located throughout the Town. Existing wooded areas are located primarily along streams and often coincide with wetland boundaries. Existing stands of trees are a benefit to air quality, shade and the aesthetic quality of the Town of Bergen.

#### WATERCOURSES AND DRAINAGE BASINS

All of the Village and most of the Town are within the Black Creek watershed. Part of the southern portion of the Town is within the Oatka Creek watershed. Both Black Creek and Oatka Creek drain into the Genesee River, which flows into Lake Ontario.

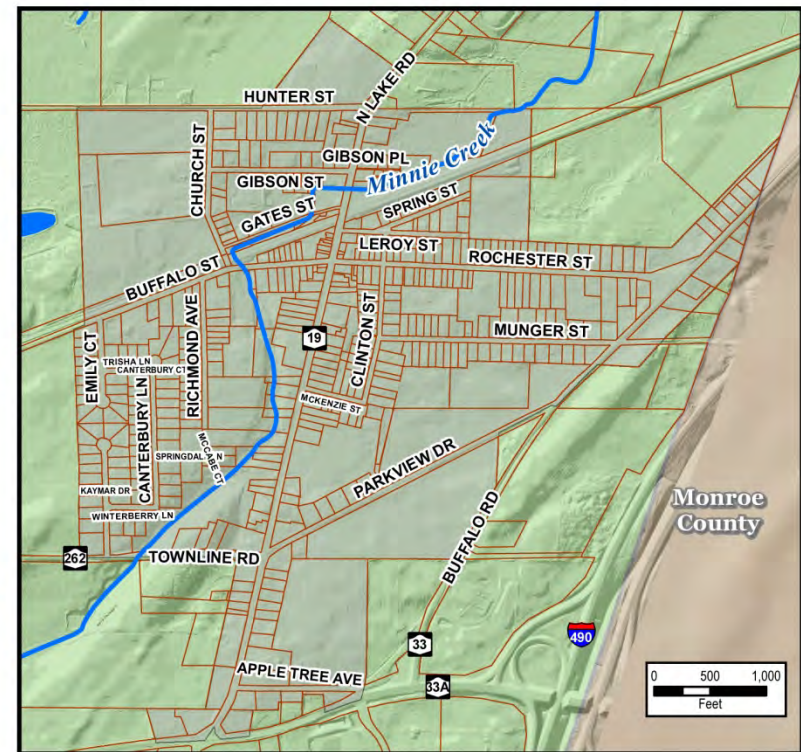
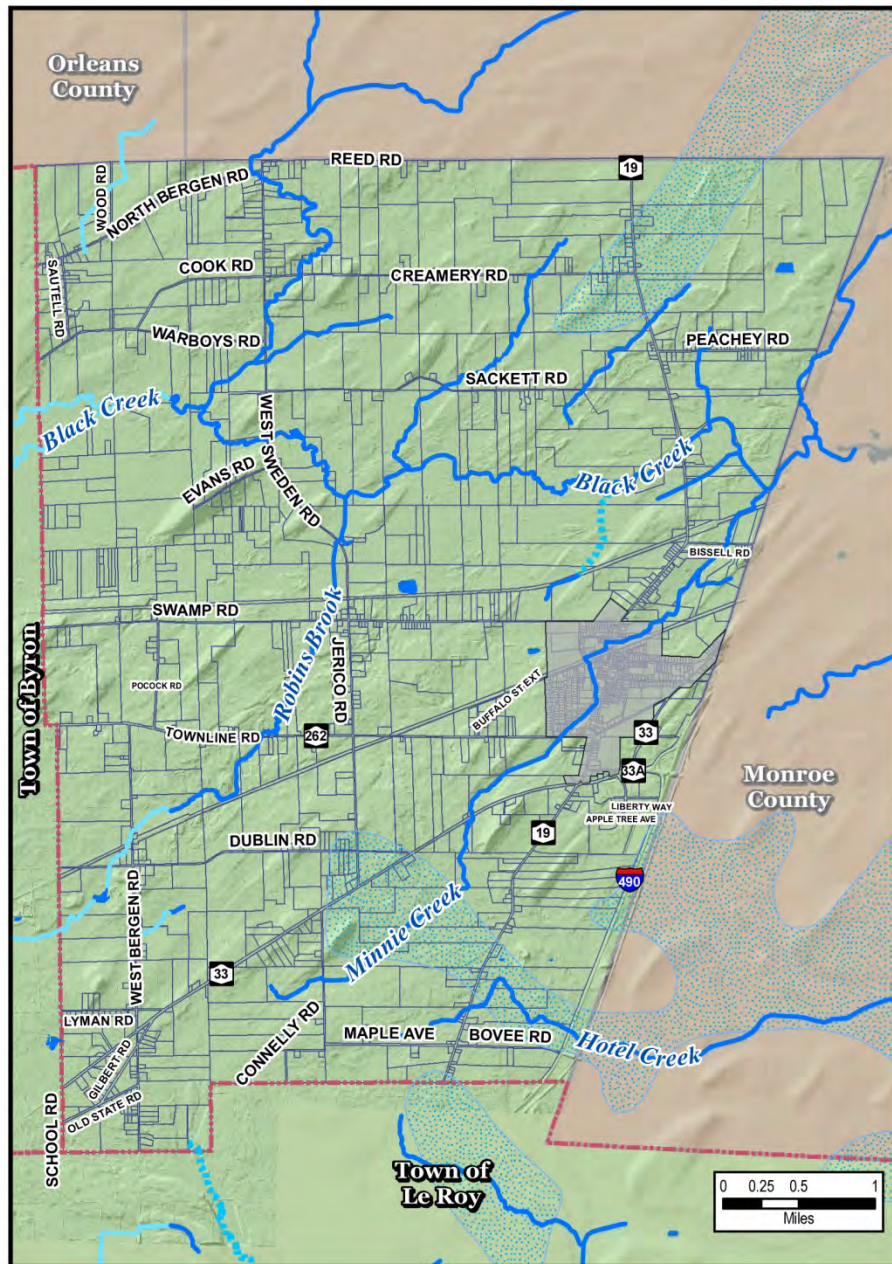
Black Creek flows west to east across the northern part of the Town. Robins Brook, a tributary to Black Creek, flows through the southwestern part of the Town. Minnie Creek, a tributary to Black Creek, flows from the southwest to the northeast through the Village of Bergen. Map 8: Waterways and Aquifers and Map 9: Floodplains and Wetlands identify the major waterways in Bergen.

#### WETLANDS

Wetlands, such as swamps, marshes, or wet meadows where the ground water level is near or above the surface, provide several ecological benefits. They can store, like a sponge, large quantities of stormwater runoff, protect neighboring properties from flooding, recharge (and purify) groundwater and provide unique habitats for a variety of plants and animals. Extensive wetland areas are located in many areas of the Town and in the northeastern and northwestern corners of the Village. (See Map 9: Floodplains and Wetlands.)



## Map 8: Waterways and Aquifers

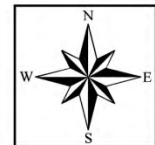


### Water Features

- Major Stream
- Perennial Stream
- ⋯ Intermittent Stream
- Lakes & Ponds
- Aquifer

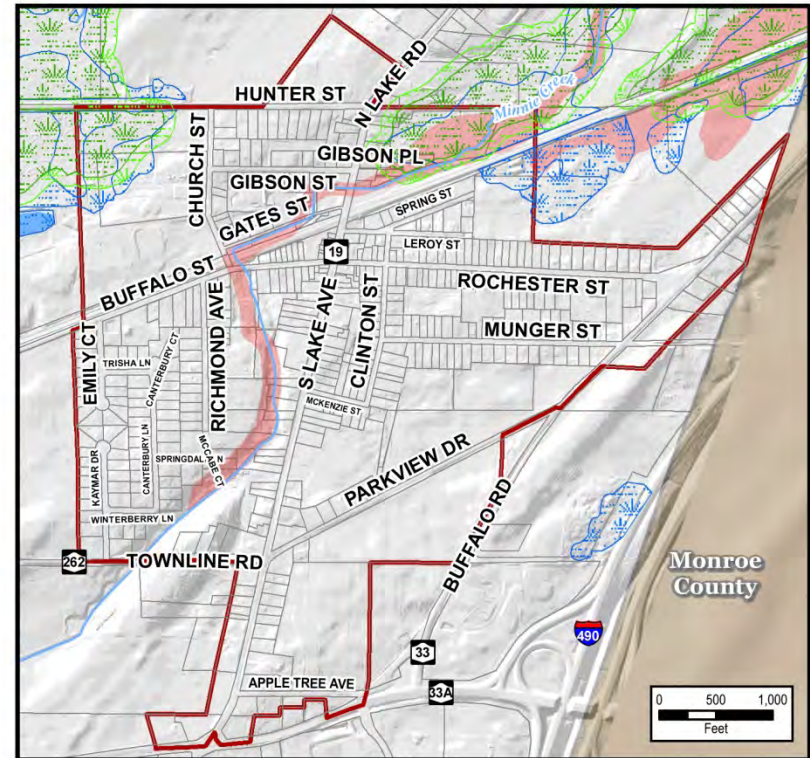
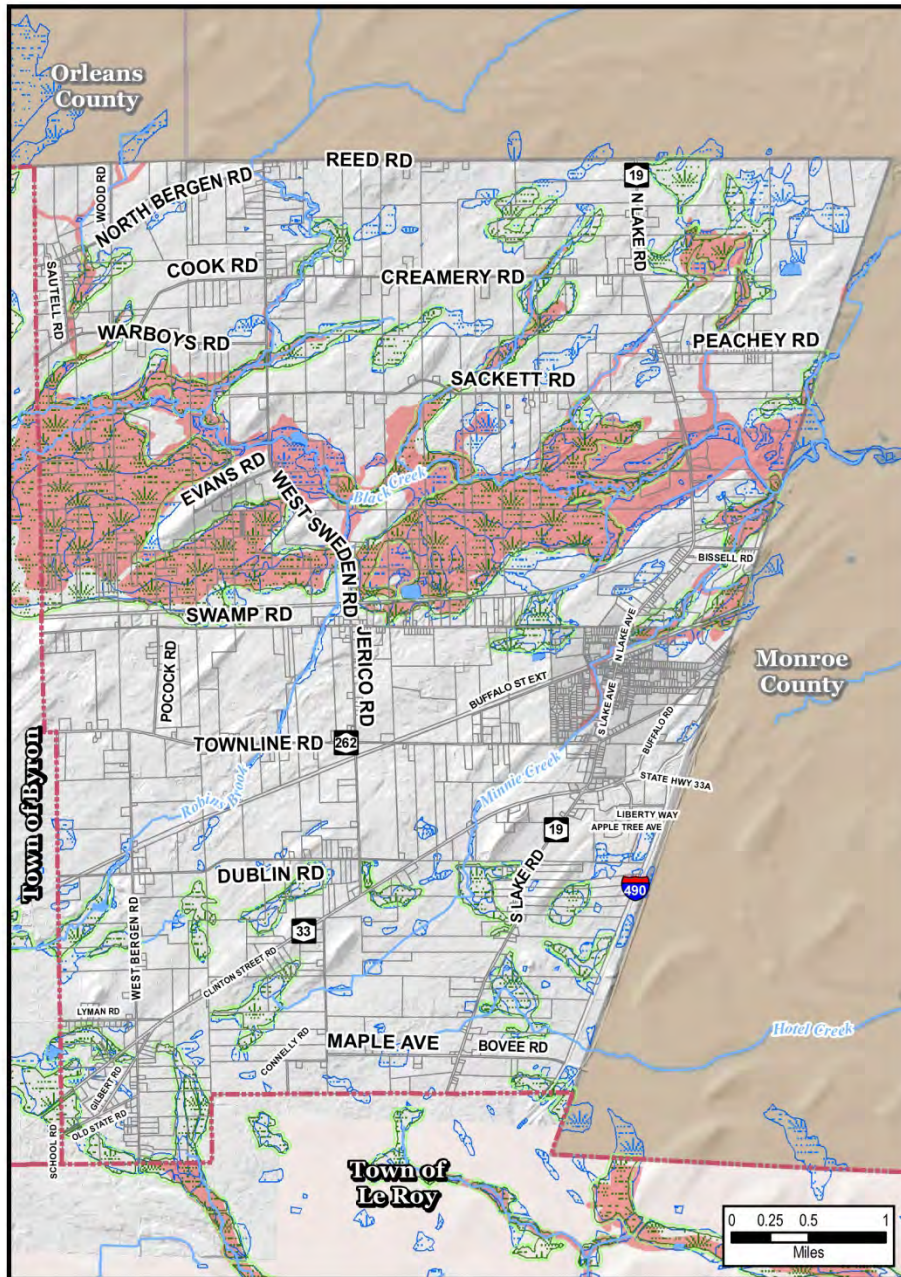


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Planning Department  
February 2016






## Map 9: Floodplains & Wetlands



### Water Features

-  State Wetlands
-  Protected 100 ft Buffer
-  Federal Wetlands

### FEMA Flood Hazard Areas

-  1% Annual Chance



Prepared by Genesee County  
Planning Department  
February 2016



Both State and Federal laws and regulations are in effect to protect and preserve wetlands. New York State's Freshwater Wetlands Act directed the Department of Environmental Conservation (DEC) to map significant wetlands and prepare regulations restricting activities that would destroy or disturb the wetlands. New York State's Freshwater Wetlands Act and regulations protect all delineated wetlands of 12.4 acres or more in size, plus smaller wetlands of unusual importance. State regulations also restrict development within the adjacent one hundred foot buffer area that extends beyond the delineated limits of the State-regulated wetlands.

The U.S. Army Corps of Engineers (Corps) issues permits for activities in those wetlands subject to regulations under Section 404 of the Federal Clean Water Act. These wetlands must be identified based on their hydraulic, soil, and vegetative characteristics. A map prepared by the U.S. Fish and Wildlife Service, for the National Wetlands Inventory, serves as a preliminary identification of federally regulated wetlands.

The locations of wetlands mapped by State and Federal agencies are depicted in Map 9 and are shown as Environmental Protection overlays in the Future Land Use maps. The exact boundaries of regulated wetlands must be verified in the field by a qualified individual.

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### BERGEN SWAMP

Approximately 1,750 acres of land in the Town are part of the Bergen Swamp, which was designated as a Natural Historic Landmark on March 17, 1964 by the U.S. Secretary of the Interior. This designation encourages the preservation and protection of select natural sites irrespective of administration and ownership. The Bergen Swamp Society Inc., of Rochester, New York owns and manages much of this land.

Bergen Swamp Society's holdings include lands with varied ecological patterns. Existing features are the result of evolving conditions and change over long periods of time and of the migration, invasion and competition of plants and animals. Temporary, glacial Lake Tonawanda, left by the melting and receding glaciers in the depression over soft, eroded Silurian shales between the resistant Onondaga and Niagara limestones, has gradually filled in. Present vegetation evolved under the influence of changes in the substratum, climate, drainage and biota. Presently Black Creek drains the Swamp on the north, and cold hard water springs supply water from the south. Recognized vegetation associations within the area include: aquatic plants, *Carex riparia* swamp, alluvial soil plants, open marl bogs, secondary marl bogs, sphagnum bog, arbor-vitae swamp, alder swamp, pine-hemlock forest, and birch-maple-elm forest.

There are more than 2,000 kinds of plants, including northern species, prairies species, lime-loving species, and acid-loving species. According to the State DEC, a number of these species are rare. In addition, there are a number of wild life species found in the Swamp including deer, raccoon, red fox, turkey and chipmunks. The Swamp communities support many birds, several kinds of snakes, turtles, amphibians and many invertebrates, especially insects, arachnids and snails. The three rarest animals are the coal skink, Mulenberg's turtle and the massasauga or swamp rattlesnake.

The Bergen Swamp Society has completed a comprehensive and in-depth planning process for managing its properties. In order to make the areas more accessible to study groups and to the general public, boardwalks and nature trails need to be built so that the sensitive environment is protected. More land will need to be acquired to protect the integrity of existing holdings.



## 2. NATURAL RESOURCES

During the late 1990s, the NYS Department of Environmental Conservation introduced river otters to streams in Genesee County, including Black Creek. From 1995 through 2000, 279 river otter were captured in eastern New York and released at 16 different sites across the western part of the state.<sup>4</sup>

### MINERAL RESOURCES

No active mines are currently located in Bergen.

### AQUIFERS

As shown in Map 8: Waterways and Aquifers, groundwater aquifers underlay land in the northeast and southeast portions of the Town. These areas are likely good sources of groundwater for private wells.

## RELEVANT PLANS, PROGRAMS AND REGULATIONS

### STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

All municipalities must follow the State Environmental Quality Review (SEQR) process before acting on any funding or development approval. The SEQR process provides a framework for governmental agencies to evaluate the potential impacts of their actions on the environment. Nearly all site plan, subdivision, variance, and rezoning applications are subject to review, as well as actions that involve the purchase of property or the change in use of buildings or land. By requiring the developers or municipalities that propose a project to document any potential environmental impacts, the regulations ensure that the potential impacts of an activity are considered before final approvals are granted.

### BLACK CREEK WATERSHED MANAGEMENT PLAN

The Black Creek Watershed Management Plan<sup>5</sup>, prepared by the Black Creek Watershed Coalition, identifies measures to protect the water quality of Black Creek. Members of the coalition include representatives of conservation organizations, municipalities, residents and other stakeholders.

The Watershed Management Plan notes that the water quality in Black Creek is generally good. However, land uses in the watershed have the potential to affect water quality. The following are potential sources of adverse impacts on water quality:

- agriculture, which can contribute nutrients from animal manure and fertilizers that can lead to algal/weed growth, and silt /sediment from eroded soils
- failing on-site septic systems can contribute nutrients
- habitat fragmentation can affect wildlife habitat
- discharges from the Village sewage treatment plant, regulated by NYS DEC to minimize water quality impacts

<sup>4</sup>SOURCE: NYS Department of Environmental Conservation, <http://www.dec.ny.gov/animals/9355.html>

<sup>5</sup> Prepared by the Genesee/ Finger Lakes Regional Planning Council (GFLRPC) in coordination with the Black Creek Watershed Coalition. Contact GFLRPC at 585-454-0190, 50 W. Main Street • Suite 8107 • Rochester, NY 14614 or Genesee County Soil & Water Conservation District at (585) 343-2362, 29 Liberty Street, Suite #3, Batavia, NY 14020  
<http://www.gflrpc.org/uploads/3/1/9/1/31916115/blackcreekmanagementfinal.compressed.pdf>

- nuisance and invasive species
- spills and contamination
- stormwater runoff
- streambank erosion
- flooding.

To guide actions among watershed coalition members and partners to protect water quality in Black Creek, the Coalition prepared a document entitled, “Identification and Description of Management Practices, Approaches and Strategies for Watershed Protection and Restoration & Implementation Strategy and Schedule.” This document identified actions and responsible entities to address the following:

- agricultural runoff
- stormwater management and erosion control
- forestry and silviculture (cultivation of forest trees)
- on-site wastewater management
- wastewater treatment plans
- hazardous waste management, roads and highways
- wetlands, streams and floodplains
- nutrient inputs and contaminants to surface waters
- coordination and planning.

Recommendations for municipal actions are summarized in Appendix A.

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### GREEN GENESEE / SMART GENESEE

Green Genesee / Smart Genesee is a countywide collaborative effort to create a “green infrastructure” plan. The Green Genesee Road Map<sup>6</sup> establishes priorities, goals and strategies to ensure an intact ecological network that can support a vital economy and strong communities. A series of resource maps depict the natural resources in Genesee County, including land cover, waterways and community resources. A rating system revealed the most significant “asset cores,” which, with buffers and connectors, will become the basis for the Green Action Roadmap.

A Natural Resources Inventory prepared for the Green Genesee plan identifies and evaluates key resource areas. Natural areas are ranked based on their size and shape (“geometry”), ecological diversity and hydrologic characteristics of natural areas in the County.

The Green Genesee Action Plan for Genesee County offers a guide to natural assets in Bergen. More detailed investigation would be needed to verify boundaries and fine-tune priorities.

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<sup>6</sup> Contact the Genesee County Planning Department, County Building 2, 3837 West Main Street Road, Batavia, NY 14020, (585) 815-7901 <http://www.co.genesee.ny.us/GreenGeneseeIndex/>

### NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION STREAM CLASSIFICATIONS AND IMPAIRED WATERBODIES LIST

In accordance with the provisions of Article 15 of State Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (NYS DEC) classifies streams based on their water quality and ability to support various natural and ecological uses. The NYS DEC regulates development within certain prescribed distances of streams classified "B"<sup>7</sup> and above. A DEC permit is required for any action that would affect the bed or banks of this stream. As depicted in Map 8: Waterways and Aquifers, the segment of Black Creek that passes through the Village and Town of Bergen ("Middle Black Creek") has a NYS DEC classification of "B."

The NYS DEC maintains a list of waterbodies that documents whether the waterbody's ability to support its uses is "impaired" or "stressed." In Bergen, the water quality of Middle Black Creek is not considered to be impaired. However, aquatic life, recreation and aesthetics in this segment are considered to be "stressed" due to minor impacts from algal/weed growth and nutrients.

Hotel Creek, located in the southeastern part of the Town, is considered "Impaired." However, this classification is due primarily to the Mill Seat landfill that is located downstream just east of the Town boundary.

### WETLANDS REGULATIONS

Both State and Federal laws and regulations are in effect to protect and preserve wetlands. New York State's Freshwater Wetlands Act directed the Department of Environmental Conservation (DEC) to map significant wetlands and prepare regulations restricting activities that would destroy or disturb the wetlands. New York State's Freshwater Wetlands Act and regulations protect all delineated wetlands of 12.4 acres or more in size, plus smaller wetlands of unusual importance. State regulations also restrict development within the adjacent one hundred foot buffer area that extends beyond the delineated limits of the State-regulated wetlands.

The U.S. Army Corps of Engineers (Corps) issues permits for activities in those wetlands subject to regulations under Section 404 of the Federal Clean Water Act. These wetlands must be identified based on their hydraulic, soil, and vegetative characteristics. A map prepared by the U.S. Fish and Wildlife Service, for the National Wetlands Inventory, serves as a preliminary identification of federally regulated wetlands.

The locations of wetlands mapped by State and Federal agencies are depicted in Map 9: Floodplains and Wetlands. To guide development policies, these areas are included as Environmental Protection overlays in the Future Land Use maps. The mapped wetlands are only a guide; the exact boundaries of regulated wetlands must be verified in the field by a qualified individual.

### FLOOD PROTECTION REGULATIONS

<sup>7</sup> Class B is assigned to waters best suited for swimming and other contact recreation, but not for drinking water. They are suitable for fish, shellfish, and wildlife propagation and survival. Suitable uses include primary and secondary contact recreation and fishing

Land areas within the 100-year floodplain have been mapped by the Federal Emergency Management Agency (FEMA) as part of the National Flood Insurance Program (NFIP). The "100 year flood" is defined as a flood with a 1% chance of occurring during any one year. Areas subject to flood hazards encompass floodways as well as other lands that are flooded frequently enough to warrant concern and regulation. Land along Black Creek is within the 100-year floodplain (see Map 9.)

The 100-year flood elevations are used to determine the building elevations that are needed to protect the occupants from flooding. Floodway areas along streams are prone to the most frequent and severe types of flooding and, under some conditions, may carry high velocities of water through the area. Current regulations enacted by the Village and Town allow development to take place within the boundaries of the floodplains but not within the floodway area.

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### TREE CITY USA

The Village of Bergen was first designated Tree City USA Community by the Arbor Day Foundation in 2011. To maintain this recognition, the Village follows the following minimum standards:

1. An appointed Tree Board
2. A tree care local law
3. A community forestry program with an annual budget of at least \$2 per Village resident (approximately \$2,628)
4. An Arbor Day proclamation and observance.

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## ISSUES AND OPPORTUNITIES

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### KEY ISSUES AND FINDINGS

- Bergen's natural resources contribute ecological and scenic value to the community.
- The natural resources within the Village and Town of Bergen provide both opportunities and constraints toward the fulfillment of community goals. While wetlands and flood-prone areas are unsuitable for development, they perform valuable functions as they contribute to the ecological well-being of the area.
- Development can affect environmental quality. The Village and Town have an opportunity to avoid or mitigate adverse effects through environmental reviews of development projects. The SEQR process requires the board with authority to issue approvals or funding to consider potential impacts on the environment and to require mitigation as needed.
- Agriculture can affect environmental quality. SWCD's Agricultural Environmental Management (AEM) and other programs support landowners to reduce water quality impacts from runoff and manure management activities. (See Chapter 3: Agriculture & Farmland)
- Protecting the quality of ground water is necessary to ensure the health and safety of residents who obtain their drinking water from wells.

## 2. NATURAL RESOURCES

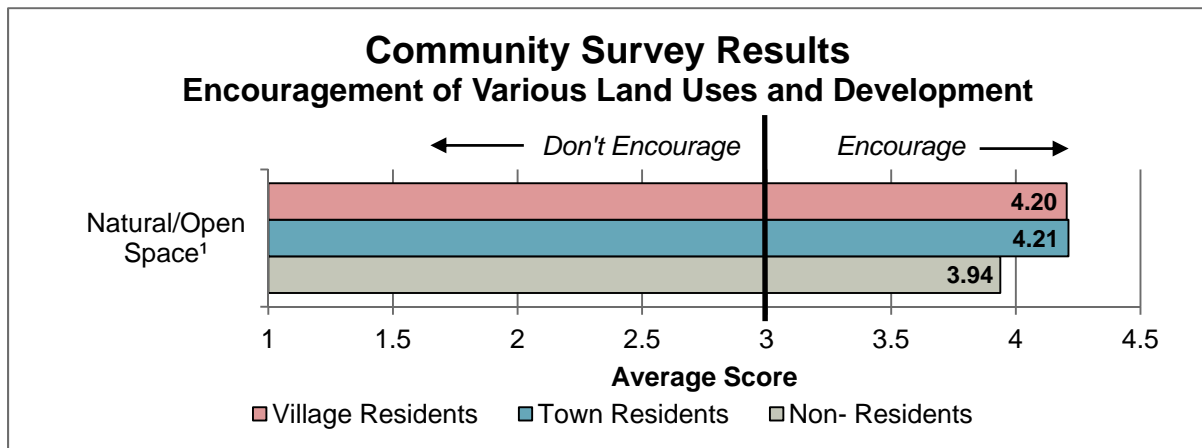
- Poorly functioning private sewage disposal systems have the potential to affect public health, safety and general welfare by introducing pollutants and nutrients into ground water.
- Soil erosion can affect water quality as well as lands and structures. Streambank erosion and impacts from road maintenance and development are sources of sedimentation of streams that can be managed by Village and Town actions.



## COMMUNITY SURVEY RESULTS

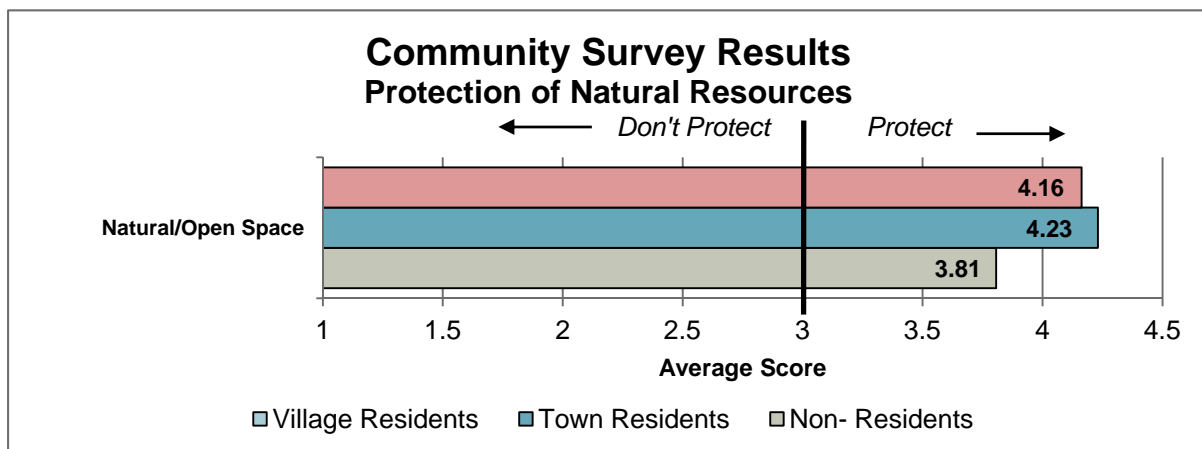
The Community Survey results reveal considerable support among residents for the protection of natural resources. When asked to rate what types of land uses should be encouraged or discouraged in Bergen Natural/Open Space (defined as woodlands, fields, wetlands and wildlife habitats) rated highly with an average of 4.2 out of 5 among both Village and Town residents. When asked what types of resources should be protected results averaged 4.2 out of 5 among both Village and Town residents.

**Chart 7: Encouragement of Various Land Uses and Development: Natural/ Open Space**



Source: Comprehensive Plan Community Survey

**Chart 8: Protection of Natural Resources**



Source: Comprehensive Plan Community Survey

## 2. NATURAL RESOURCES

### RECOMMENDED ACTIONS

- 1- **Collaborate with other organizations** and programs (e.g., Bergen Swamp Society, Soil & Water Conservation District, Black Creek and Oatka Creek Watershed Coalitions, Green Genesee) to protect and enhance natural assets.
- 2- Implement the following recommendations from the **Black Creek Watershed Protection Plan**:
  - a. Create green infrastructure standards and integrate into site plan review criteria
  - b. Adopt stream buffer/ riparian setback regulations
  - c. Review and update the Town of Bergen Stormwater Management & Erosion Control Local Law and enforce performance standards
  - d. Review and revise stormwater management standards in Village laws and development regulations.
3. Consider zoning revisions that **manage development within stream corridors** and that protect and maintain natural assets, consistent with recommendations in the Genesee County Green Genesee Action Plan.
4. Continue to **apply State Environmental Quality Review (SEQR)** procedures and standards to consider potential impacts on the environment and identify mitigation measures prior to approving or funding projects.
5. **Maintain land conservation zoning districts** as delineated in the Future Land Use map.
6. Acquire and **encourage recreational use of natural lands** in a manner that protects their character and function.
7. Continue to **limit and manage development on flood-prone land** in accordance with FEMA guidelines.
8. **Undertake a study of stormwater drainage issues** and **implement effective management approaches**, including low impact design techniques for stormwater management and clean-out schedules, to address drainage issues affecting roadways, existing development and agricultural land.
9. **Refine the Genesee County Green Infrastructure Road Map** to more accurately document the natural assets in Bergen.
10. Continue to **maintain the Tree City USA designation** (Village).

# CHAPTER 3

## FARMLAND AND AGRICULTURE



Farmland near Stone Church and Maple Avenue

### 3. FARMLAND AND AGRICULTURE

#### GOALS

- ❖ *Maintain the predominantly agricultural character of the community*
- ❖ *Protect high quality agricultural soils*
- ❖ *Support agricultural operations and agri-businesses that contribute to the viability of the region's agricultural economy in an environmentally responsible manner*
- ❖ *Manage the extension of water and sewer, highways, power lines and other infrastructure to avoid negative impacts on farmland and agricultural operations.*
- ❖ *Avoid and/or mitigate conflicts between farmers and non-farm neighbors.*
- ❖ *Maintain partnerships with governmental and not-for-profit agricultural support agencies.*
- ❖ *Discourage new subdivisions in areas that are predominantly agricultural*

#### EXISTING CONDITIONS

##### AGRICULTURAL SOILS

One-half of the land in the Town of Bergen outside the Village consists of prime agricultural soils and other soils of statewide importance (see Map 10: Agricultural Soil Suitability). These soils have been identified by the USDA Natural Resources Conservation Service as highly suited for agricultural production. Within the Village, 78% of the land consists of prime agricultural soils. Table 4 below summarizes the proportion of prime, important and other soils in the Village and Town.

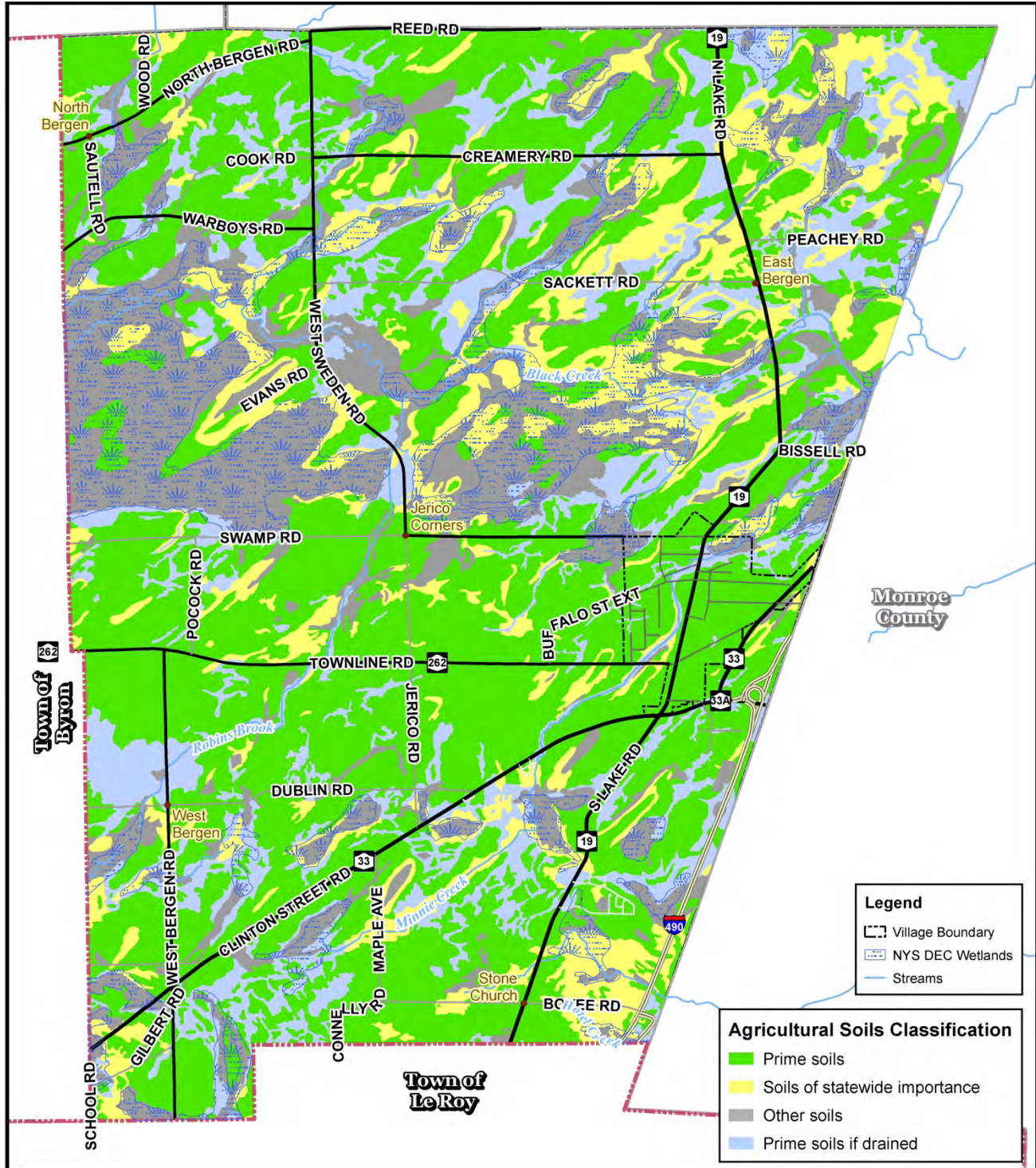
**Table 4. Agricultural Soil Types, Village and Town of Bergen**

	Village of Bergen		Town of Bergen (excluding Village)	
	Acres	Percent of Total	Acres	Percent of Total
Prime agricultural soils	312	78.7%	8,721	50.7%
Agricultural soils of statewide importance	17	4.2%	2,536	14.7%
Prime farmland if drained	44	11.0%	2,675	15.5%
Other soils	24	6.1%	3,276	19.0%
Total	396	100.0%	17,207	100.0%

Source: Soils data provided by the USDA Natural Resources Conservation Service; Acreages calculated from GIS shapefiles



## Map 10: Agricultural Soil Suitability



**LABELLA**

February 2016

**July 2016**

### 3. FARMLAND AND AGRICULTURE

#### ACTIVE FARMLAND

Large areas of the Town outside the Village are in cropland or pasture. Most of the land that is not wetland or developed is used for agriculture.

#### FARM OPERATIONS

Agricultural operations in the Town of Bergen include production of fresh fruits and vegetables, field crops such as grains and hay, pasture lands, specialty animal and dairy operations.

#### ECONOMIC IMPACT

According to the most recent Census of Agriculture for Genesee County (2012), agricultural production Countywide generated more than \$200 million in annual sales. The total value of annual sales of significant products sold by Genesee County farms during 2012 are summarized in the following table.

**Table 5: Sales of Agricultural Products, Genesee County 2012**

Agricultural Product	Annual Sales (\$)
Grains:	41,326,000
Vegetables	35,157,000
Nursery, greenhouse	1,372,000
Other crops and hay:	7,189,000
<b>Total Crops:</b>	<b>\$85,198,000</b>
Milk from cows	121,347,000
Cattle and calves	25,777,000
Poultry and eggs	799,000
Other animals/ animal products	960,000
<b>Total Animal Products:</b>	<b>\$151,763,000</b>

Source: USDA Census of Agriculture, 2012



#### MARKETS FOR FARM PRODUCTS

Farms in the Town of Bergen sell their products to local, regional and national processors, wholesale operations, and directly to consumers. The following narrative describes these markets.

##### Processing

Genesee County is a regional center for dairy products manufacturing. O-At-Ka Milk Products and two dairy product manufacturers in Batavia provide a local market for local and regional dairy farms. Other dairy farmers in the area work with cooperatives such as Dairy Farmers of America (DFA) and Upstate Niagara Farms. Others market directly to processors and distributors.

Bonduelle Group, an international food processor, operates a plant in the Village of Bergen, as well as facilities in Oakfield and Brockport, that process peas, corn, beans and carrots. These plants provide markets for the large-scale vegetable producers in Batavia and surrounding areas. Produce for Bonduelle's facilities comes from about 100 local farmers, all located within 75-miles of the three operations.

Corn and grain are sold to brokers who market the products to processors.

##### Fresh Market

Several retail chains purchase fruits and vegetables directly from farmers in the Town of Bergen and Genesee County. Other farmers sell produce to brokers and wholesalers.

##### Direct Marketing

Northwoods Alpacas on North Lake Road raises alpacas and sells yarn, clothes and gifts made from alpaca wool.

#### RELEVANT PLANS, PROGRAMS AND REGULATIONS

##### AGRICULTURAL DISTRICT PROGRAM

The New York State Agricultural District Program was created by State legislation in 1971. The program encourages owners of productive agricultural land to form districts within the County. Districts should consist of predominantly "viable farmland." The Districts are reviewed, and may be renewed, in 8-year cycles. Inclusion in an Agricultural District denotes a commitment on the part of the County and the landowner to retain the use of such land for agriculture. A total of 9,469 acres in the Town of Bergen are included in a Genesee County Agricultural District.

The Agricultural District Program includes the following provisions to protect farmers:

- Agricultural land exemptions: Farmland owners who meet certain thresholds may apply annually for a property tax exemption. The exemption is available to land both within and outside an Agricultural District. The amount of tax is based on the land's value for agricultural production based on its soil productivity. If land that was receiving the agricultural exemption is sold for non-farm purposes, the landowner must repay the amount of property taxes saved over the life of the District, up to 8 years
- Protection from local regulations that would restrict farm practices
- Protection from public acquisition of farmland through "eminent domain." Before a local or county government may undertake a project that affects land within an Agricultural District, it must submit a "Notice of Intent" to the County Agricultural and Farmland Protection Board and the NYS Department of Agriculture and Markets for consideration of the impacts on agriculture
- Protection from nuisance suits (right-to-farm provisions): A person who buys property within an Agricultural District must be notified about the possible presence of noise or odors associated with farm practices and acknowledge receipt of this notice in writing.

##### GENESEE COUNTY FARMLAND PROTECTION PLAN

Genesee County's current Farmland Protection Plan recommended several actions for local governments that are relevant to the Town's planning process:

Retain, Expand and Recruit Agribusiness. Emphasize Genesee County's comparative advantages in distribution, production, processing and support services. Focus on the County's two most prominent sectors: dairy and vegetables.

Support Improvements to Rural Utilities. This includes efforts to extend high speed internet service and reduce electricity costs.

Integrate County Plans, Policies and Programs. Utilize the County's Smart Growth Plan as an underlying policy document for land use / development decisions.

Direct Consistent and Supportive Land-Use Policies. Improve comprehensive planning and investigate the use of incentive zoning, agricultural production zoning and use of performance criteria in granting special use permits.

Advocate for Appropriate Infrastructure Development. Identify needed transportation and water improvements.

Genesee County intends to update its Agricultural & Farmland Protection Plan during 2016.

## ISSUES AND OPPORTUNITIES

### KEY ISSUES AND FINDINGS

#### High Quality Soils

Productive soils contribute to a strong agricultural industry in Bergen, Genesee County and the region. Development can occur on marginal lands to help retain prime agricultural soils for use in farming.

#### Impacts of Public Water Service

Water service extensions have made many agricultural areas of the Town more attractive for residential development. Residential development in proximity to agricultural operations can make farming more difficult. However, some farms may benefit from public water service. The extension of public water service into agricultural areas of the Town needs to be managed to minimize impacts on agriculture.

#### Design of New Development

New residential development needs to be sited and designed in a “farm-friendly” manner. When farm operations are in close proximity to residences, the potential for neighbor complaints increases. The Town has the ability to manage the design of new residential development so that it minimizes the potential for conflict. New house lots should be sited to ensure that they do not impede efficient farm operations, do not disturb drainage, and maintain buffers between farms and new house lots.

#### Agriculture-Related Businesses

Farms in Bergen benefit from the proximity of food processors as well as agricultural support and supply businesses. Such businesses should be encouraged to locate in the Village and Town. County and State agencies should be encouraged to continue to attract and retain processors and to explore new markets, such as for biofuel.

Sales of farm products directly to the public provide additional income to farm operations. Some farm operations may need financial assistance to support expansion. Grant funds are available to such expansions when they will result in the creation or retention of jobs.

#### Conflicts Between Farmers and Non-farming Landowners

Conflicts can occur between farmers and non-farming neighbors due to slow farm machinery on roads, dust, odors or other perceived nuisances, or trespassing or damage to agricultural fields.. The Town, in partnership with other organizations, has an opportunity to inform residents of the importance of agriculture to the local economy. In reviewing development proposals, Village and

### 3. FARMLAND AND AGRICULTURE

Town Planning Boards can work with developers to design development in a manner that minimizes impacts on neighboring agricultural land and the potential for conflicts.

#### Drainage

Drainage is a concern as poor drainage significantly reduces the productivity of agricultural land. Cooperation among the Town and County Highway Departments is needed to ensure that roadside drainage does not adversely impact agricultural operations.

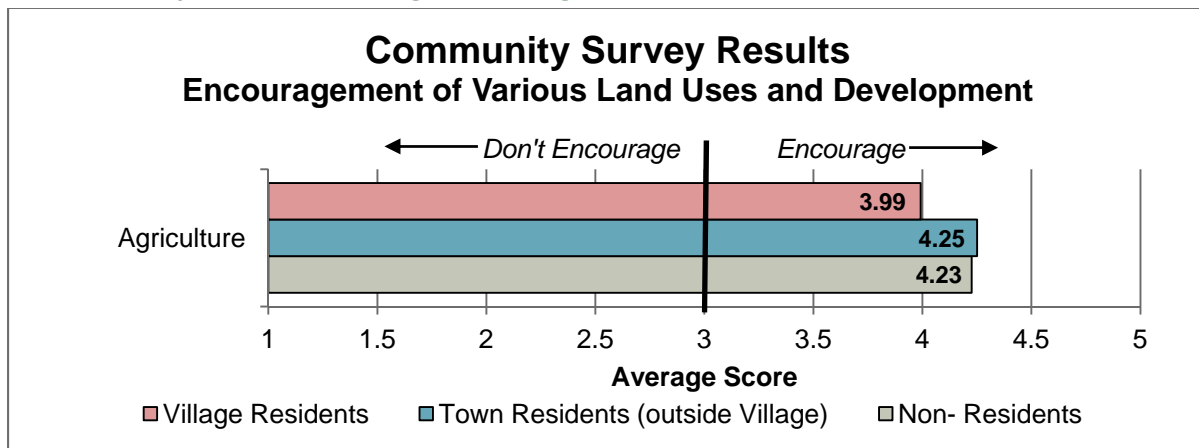
#### Tax Relief Programs

Some landowners may not be aware of all of the tax relief programs that are available to them, such as agricultural use exemptions; capital improvement exemptions, etc. Owners of land that is rented for farming, in particular, may not know that they are eligible for agricultural use assessments if their land is utilized by a qualifying farmer.

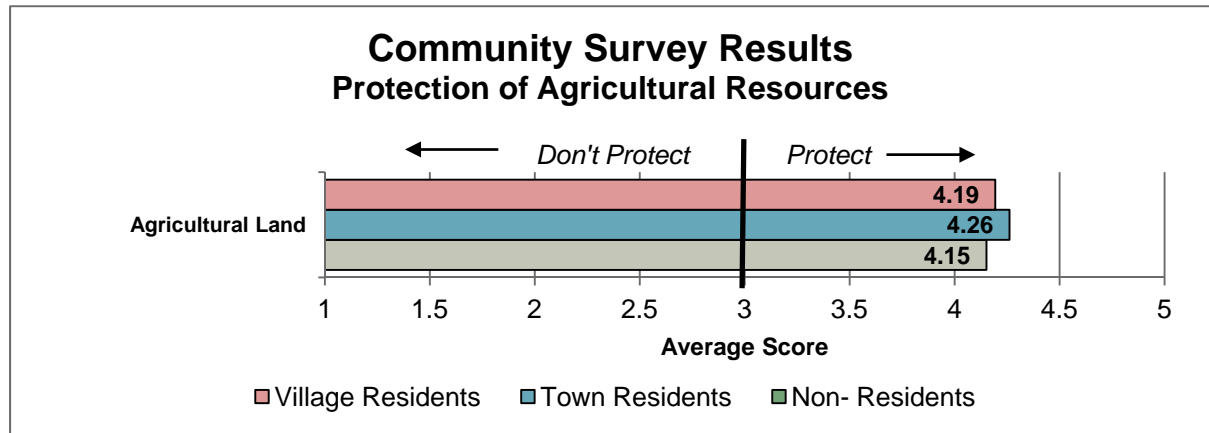
### COMMUNITY SURVEY RESULTS

In the community survey conducted during February and March 2015, As shown in the charts below, respondents to the community survey strongly support agriculture and the protection of agricultural land in Bergen. In addition, a total of 87% of Town residents and 86% of Village residents support agricultural uses in the Town outside the Village (see Chart 4) and 67% of Town residents chose to live in Bergen because of the “rural atmosphere” (see Chart 1).

**Chart 9. Survey Results – Encouragement of Agriculture**



Source: Comprehensive Plan Community Survey

**Chart 10: Survey Results - Agricultural Land Protection**

Source: Comprehensive Plan Community Survey

### Tools and Techniques

This section provides information about the tools and techniques available to local governments to support agricultural operations and encourage the retention of high quality farmland.

## ZONING RESTRICTIONS ON NEW RESIDENTIAL DEVELOPMENT

In order to limit new residential subdivisions in agricultural areas, the Town's zoning would need to be modified to reduce allowable densities. Towns elsewhere in New York have established agricultural zoning districts that strictly limit new residential development.

## SUBDIVISION REGULATIONS

Pursuant to NYS Town Law, the Bergen Town Board has authorized the Town Planning Board to review and approve proposed subdivisions. The subdivision review process can ensure that new development does not compromise existing drainage facilities or farm access lanes and incorporates sufficient buffers between farms and residences.

## LOCAL RIGHT TO FARM LAW

Local "right to farm" laws typically clearly state the town's policy in support of farming, define "generally accepted agricultural practices," and affirm a farmer's right to employ such practices. The laws also include a statement that farm practices may include odors, noise and other activities.

Such a law often establishes a local "grievance" procedure to resolve complaints between farmers and non-farm neighbors. A local committee consisting of local farmers, as well as non-farming residents, may be formed to hear and resolve complaints. A local law would supplement right to farm provisions in the NYS Agricultural Districts Law. Bergen does not currently have a local "right to farm" law.

#### PRIVATE, VOLUNTARY CONSERVATION EASEMENTS

Landowners may place farmland under a permanent conservation easement to be held and monitored either by the Town or by a private land trust or other non-profit organization. The donation of easements may be helpful to some families in estate planning, as the value of the donated easement can be claimed as a tax deduction. Donation of easements provides permanent protection of farmland and open space at no cost to the town. The decision to donate an easement is made voluntarily by a private landowner.

Land trusts are private, non-profit organizations that accept donations of property or development rights and work with individual landowners and community leaders to protect land resources. Representatives of land trusts are usually willing to discuss the possibility of donating conservation easements with interested landowners.

#### PUBLIC PURCHASE OF DEVELOPMENT RIGHTS

Purchase of Development Rights is a public program which purchases the development rights from willing landowners and results in a conservation easement being placed on the land that prohibits future development. The value of development rights is calculated as the difference between the value of the land for agricultural purposes and its value for development. A permanent conservation easement typically restricts future development on the parcel to agricultural buildings only.

Ownership of the parcel does not change. The easement holder, the Town or a private land trust, is responsible for ensuring that the property is not developed. The owner may continue to farm the parcel, and/or sell it.

State funding for PDR has, in the past, provided up to 75% of the cost of purchasing development rights. The remaining 25% may be obtained through a combination of Federal grant funds, private foundation funds, local government funds, or by the landowner. Some landowners agree to sell their development rights for less than the appraised amount (known as a “bargain sale”), thereby donating the difference and often claiming a tax deduction for the amount donated.

#### PRIVATE LAND TRUSTS

Land trusts are private, non-profit organizations that focus on land conservation and stewardship. Land trusts accept donations of property or development rights and work with individual landowners and community leaders to protect land resources. Western NY Land Conservancy and the Genesee Land Trust are two land trusts active in and around Bergen.

#### INFRASTRUCTURE MANAGEMENT

Tools available to municipalities to minimize the impacts of sewer and water line extensions on agricultural land include the “Notice of Intent” process and lateral restrictions. In Genesee County, the Smart Growth Plan is also in place to manage hookups to publicly funded water lines outside of designated Smart Growth Development Areas (see Land Use Overview chapter.)

##### Lateral Restrictions

Often, as an outcome of the Notice of Intent process, a municipality will adopt a resolution that restricts hookups for non-farm structures to new water or sewer line that extends into an Agricultural



District. The restriction on hookups would apply to non-agricultural structures for as long as the property is located within an Agricultural District. Additional detail and a sample resolution are in Appendix B.

## TAX RELIEF PROGRAMS

### Agricultural Use Assessment

New York State allows for a property tax exemption based on soil type and expected yield. Farmland owners must apply each year to their local assessor to be eligible for agricultural use assessment. In general, only land used in farm operations that generate more than \$10,000 per year in sales are eligible. Landowners who rent land are eligible if the farmer who works the land meets the minimum annual sales requirements.

### Tax Credits and Exemptions

Other tax incentives available to farm operations include:

- 10-year exemption for newly constructed farm buildings
- Sales tax exemptions on qualified items

## PUBLIC EDUCATION

Some municipalities work with farmers and County or regional organizations to help raise public awareness of the importance of the agricultural industry to the region's economy and to help residents understand farm practices.

## RECOMMENDED ACTIONS

1. Designate a Town Board member to act as a **liaison to the agricultural community** and support agencies and organizations.
2. **Adopt lateral restrictions**, as required by the NYS Department of Agriculture & Markets when State or Federal funds are involved, to limit residential water hookups within productive agricultural areas.
3. Conduct a planning study to **delineate priority agricultural areas** and recommend specific zoning regulations and other actions to support agriculture and manage development in a way that minimizes impacts on agricultural production.
4. Review and **revise zoning** as needed to **increase support for agricultural operations** and agri-businesses.
5. Encourage the permanent protection of high quality farmland by providing **information to landowners about donating conservation easements** to a land trust.

### 3. FARMLAND AND AGRICULTURE

6. Incorporate guidelines into site plan and subdivision regulations that help the Planning Board and the landowner/ developer to **site new house lots** and other new development in a way that **minimizes the potential conflict with farmland** and agricultural operations.
7. Support efforts by State and County agencies to **assist farms and agribusinesses** that contribute to the regional economy.

For example:

- Work with Cooperative Extension and other agencies to promote farm markets and roadside stands.
  - Work with Genesee County to facilitate grants and loans for expansion of agriculture-related businesses that create jobs.
  - Encourage the development of agricultural-related businesses.
  - Work with County and State agencies to encourage retain and/or attract processors.
8. Encourage the Town Assessor to **inform farmland landowners about available tax incentives**, such as agricultural use exemption and exemptions on new farm buildings, for which they may be eligible.
  9. Encourage farm operators to **install measures that protect water quality** and other programs, through by supporting the Genesee County Soil & Water Conservation District's Agricultural Environmental Management and other programs.
  10. Continue to **assess potential impacts** on agriculture of development approvals or infrastructure extensions and to **prepare Agricultural Data Statements** as required under Section 283-a of Town Law.
  11. **Maintain communications** with the Genesee County Agricultural & Farmland Protection Board, Cornell Cooperative Extension, Farm Bureau, Farm Service Agency, Grange and other organizations about programs to assist and support farmers and farm-related businesses in the Town. Periodically invite representatives of farm-related organizations to address the Town Board on current issues that affect the farm community.

# CHAPTER 4

## HOUSING AND RESIDENTIAL NEIGHBORHOODS



Residences at Swamp and Jerico Roads, Town of Bergen

## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

### GOALS

- ❖ *Promote a variety of high quality dwelling units and neighborhoods to meet the needs of people in all income and age groups.*
- ❖ *Promote residential development that is supported by infrastructure and services, consistent with the character and scale of the surrounding built environment and in harmony with the natural and physical environment.*
- ❖ *Maintain and improve the condition of housing stock and the character and quality of life in residential neighborhoods.*
- ❖ *Encourage the majority of future residential development to occur in or near the Village.*

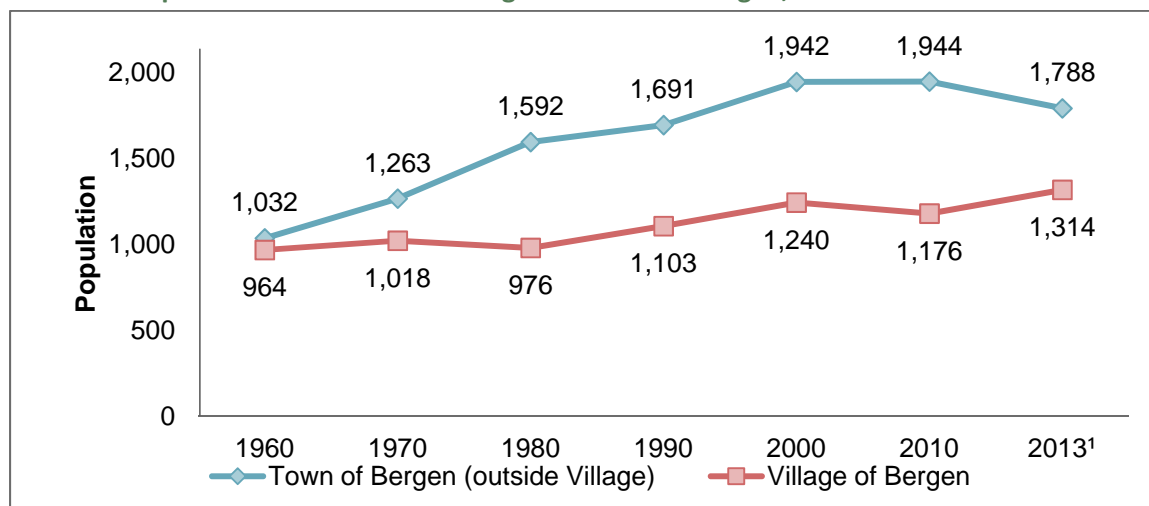
### EXISTING CONDITIONS

This chapter of the Plan examines major characteristics of population and housing in the Village and Town of Bergen and the predominant trends over the last several years.

#### POPULATION, AGE, AND GENDER

In general, the population of the Village and Town of Bergen has been increasing since 1960 (see Chart 7). According to the most recent census data, 1,314 people reside in the Village of Bergen and 1,788 people reside in areas of the Town of Bergen outside of the Village.

**Chart 11. Population Trends for the Village and Town of Bergen, 1960-2013**



**Notes:** <sup>1</sup> Source: 2009-2013 American Community Survey 5-Year Estimates; 1960-2010 Decennial Census; Genesee Finger Lakes Regional Planning Council's Regional Population Forecasts - May 2013

Both the Village and Town of Bergen are experiencing an overall aging of the population. In 2013 there were fewer residents under the age of 18 and more residents 65 years and older as compared

to the year 2000. The Town is composed of a much larger percentage of elderly residents (23%) as compared to the Village (10%).

Gender is not evenly distributed: there are more males than females. The most recent census data reveals 58% of the Village population and 52% of the Town population (excluding the Village) is male.

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### POPULATION DISTRIBUTION BY RACE AND ETHNICITY

Both the Village and Town are primarily composed of non-Hispanic Caucasians. Racial minorities compose less than 5% of the population. The Town has recently experienced an influx of Hispanic/Latino residents: in 2013 over 7% of the Town population (excluding the Village) identified themselves as Hispanic.

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### HOUSEHOLD AND FAMILY TYPE

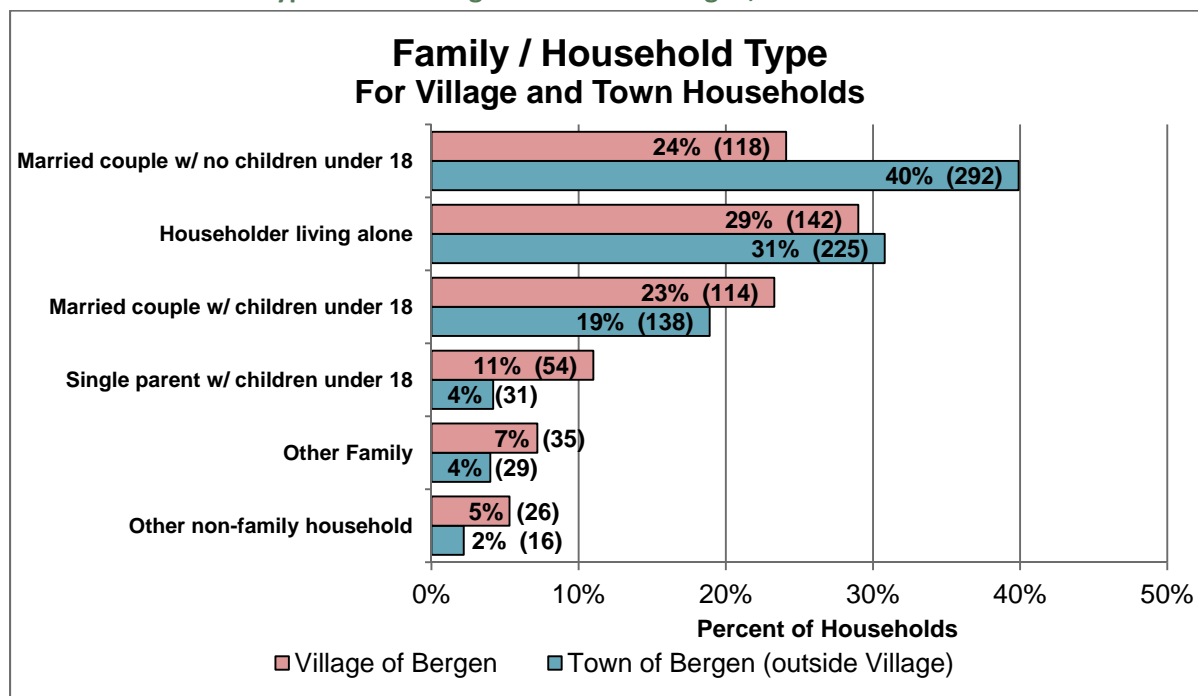
In general, the total number of households within the Village and Town of Bergen has increased over time. According to the most recent census data, the Village had 489 households while the Town (excluding the Village) had 731 households. Furthermore, the average household size in the Village has increased to 2.68 persons per households while the average household size in the Town (excluding the Village) has decreased to 2.45 persons per household.

The percentage of family households has been decreasing over time while the percentage of people living alone has been increasing (see Chart 12 below.) This breakdown of the traditional family unit is evident further when considering the percentage of single parent families. Within the Village, considering only households with children under the age of 18 present, 32% were single parent families – a nearly 75% increase in the raw number of single parent families since 2000.



## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

Chart 12. Household Type for the Village and Town of Bergen, 2013



Source: 2009-2013 American Community Survey 5-Year Estimates

### HOUSING OCCUPANCY AND OWNERSHIP

Between 2000 and 2013, the total number of housing units in the Village of Bergen increased by 44 from 477 to 521 units. Over the same time period, the total number of housing units in the Town (outside the Village) decreased from 763 to 748 units. The vacancy rate in the Village increased from 2.3% to 6.1% and the distribution of owner- and renter-occupied units remained approximately the same, at 73% owner-occupied and 27% renter-occupied. In the Town outside the Village, 88.6% of households own their homes and 11.4% rent.

### AGE OF HOUSING

The Village's housing stock tends to be much older than the remaining Town's. The median year built for housing within the Village is prior to 1939 while the median year built for housing within the Town (excluding the Village) is 1971.

### UNITS PER STRUCTURE

The majority of housing units within the Village (73.1%) are single family dwellings. The Village has experienced a substantial increase in the percentage of multi-family homes (20.3%) and minor decrease in the percentage of two-family homes (6.5%).

In the Town outside the Village, the majority of housing units are single family dwellings (76.7%) followed by manufactured homes (19.0%). The Town has experienced a decrease in two-family (1.9%) and multi-family (2.4%) homes and an increase in manufactured homes.

### VALUE OF OWNER-OCCUPIED HOUSING UNITS AND MONTHLY CONTRACT RENT

According to the American Community Survey, the majority of owner-occupied households in the Village and Town are valued between \$50,000 and \$149,999, 78.9% and 70.4% respectively. Few owner-occupied households are valued at \$200,000 or above – 4.2% within the Village and 7.3% within the Town. Median home values are around \$105,000 for both the Village and Town.

Monthly contract rent (for those paying cash rent) of renter-occupied housing units tends to be higher in the Village as compared to the Town as reported by the American Community Survey. Median contract rent for the Town of Bergen (excluding the Village) was dramatically lower than the Village, \$372 for the Town and \$530 for the Village.

When considering inflation, the median home value and median contract rent have decreased over time for both the Village and Town.

### OWNER AND RENTER HOUSING AFFORDABILITY

In general, within the Village and Town of Bergen, renter-occupied households are more likely to be cost burdened or severely cost burdened when compared to owner-occupied households. Furthermore, in recent years the Village tended to have a larger percentage of cost burdened and severely cost burdened households, regardless of tenure, compared to the Town. A household is considered cost burdened if monthly housing costs/rents including utilities exceed 30% but are less than 50% of the monthly household income. A household is considered severely cost burdened if monthly housing costs/rents including utilities exceed 50% of the monthly household income. Within the Village, 28.3% of owner-occupied households and 52.3% of renter-occupied households are cost burdened or severely cost burdened.

## RELEVANT PLANS, PROGRAMS AND REGULATIONS

### GENESEE COUNTY HOUSING MONITORING REPORT

As part of the 2015 monitoring process for the Genesee County Comprehensive Plan, the Housing Focus Group identified the following countywide housing issues that are relevant to Bergen:

#### Livability

- Lack of housing options:
  - Urban living
  - For elderly / disabled which require assisted living, universal design and affordability
- Aging Population - projected increase in adults age 60 and over
  - 29% from 2010 to 2020
  - 53% from 2010 to 2030
- Age 85+
  - 6% from 2010 to 2020
  - 31% from 2010 to 2030

## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

- According to a 2012 housing survey conducted by OFA / NY Connects found that:
  - 63% of respondents stated accessibility to public transportation, everyday services and sidewalks were important in choosing senior housing
- New housing development needs to be targeted to areas with sidewalks and public transportation options. Continuing to build on outskirts is unsustainable

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### Affordability

- Continuous need for homebuyer education and budget counseling

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### Rehabilitation

- Large / aging housing stock in need of rehabilitation within existing population centers
- Many older mobile homes no longer meet building codes

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### Supply

- Lack of housing options for mid-upper range professionals and executives
- Need for transitional housing
- According to a 2012 housing survey by OFA / NY Connects, only 5.5% of senior housing units are 2 bedroom, the size 68% of respondents stated would meet their needs
- Need for market rate senior housing for middle income residents
- Several subsidized (non-assisted living) facilities have vacancy issues

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## HOUSING REHABILITATION ASSISTANCE PROGRAMS

Numerous funding programs and not-for-profit organizations have resources that can help the Village and Town of Bergen and/or its residents to address some of the housing issues, especially those relating to affordability and housing condition. The following descriptions provide basic information about services and programs currently available. More detailed information can be found by visiting the referenced website.

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### NYS Office for Community Renewal CDBG Housing Rehabilitation Grants

Municipalities may apply for grants of approximately \$400,000 that can be used to rehabilitate low/moderate-income, substandard homes to a safe, standard living condition.

*Website:* <http://www.nyshcr.org/programs/nys-cdbg/>

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### USDA Rural Development Housing Repair Loans and Grants

This is a housing repair program that provides loans and grants to very low-income homeowners to repair, improve, or modernize their dwellings or to remove health and safety hazards. Loans of up to \$20,000 and grants of up to \$7,500 are available. Eligible households must have annual family

incomes below 50% of the area median. Individuals may apply directly to the regional Rural Development in Canandaigua.

*Contact:* 585-394-0525, ext. 4

*Website:* <http://www.rd.usda.gov/programs-services/single-family-housing-repair-loans-grants/ny>

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### Tax Incentives for Mixed Use Buildings

The Village and Town of Bergen have adopted tax exemptions for capital improvements to buildings used for both commercial and residential uses to encourage renovation and rehabilitation, as authorized by Section 485-a (Conversion From Non-Residential to Mixed Use). This provides for exemptions to property taxes for the increased property value resulting from capital improvements. The property owner must apply for this exemption each year by submitting a completed form to the Assessor.

*Website:* <http://orpts.tax.ny.gov/MuniPro/>

[https://www.tax.ny.gov/research/property/assess/manuals/vol4/pt2/sec4\\_06/sec485\\_a.htm](https://www.tax.ny.gov/research/property/assess/manuals/vol4/pt2/sec4_06/sec485_a.htm)

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### Revolving Loan Fund

PathStone, Inc. administers a Revolving Loan Fund which provides low interest loans to eligible homeowners to improve housing conditions and energy efficiency. Borrowers must have incomes no greater than the median for the Rochester area. The minimum loan amount is \$1,000 and the maximum is \$15,000. A lien is recorded on loans over \$3,000. Funds can be used for repairs, energy conservation improvements and environmental modifications and/or access for disabled. Funds cannot be used for cosmetic repairs.

*Contact:* 585-442-2030 extension 202

*Website:* [http://www.pathstone.org/services/housing-rehabilitation-and-energy-services/#Revolving Loan Fund](http://www.pathstone.org/services/housing-rehabilitation-and-energy-services/#RevolvingLoanFund)

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### Home Rehabilitation, Repair and Accessibility Improvements

The Genesee Valley Rural Preservation Council administers the GENESEE HOME REHABILITATION PROGRAM V, which provides grants (60% up to \$25,000 or 100% up to \$33,000) to income-eligible owners of single family homes throughout Genesee County to pay for necessary repairs to the home. Eligible homeowners must have household incomes below specified limits, based on household size. At the completion of construction, the homes must meet minimum housing quality standards for health, safety and basic structural integrity.

*Contact:* Program and Development Information – (585) 658-4860

*Website:* <http://www.gvrpc.com/G%20Rehab%20IV.html>

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### Home Accessibility

The Genesee Valley Rural Preservation Council administers the GENESEE HOME ACCESS II, which provides grants (maximum grant for households under 70% of median income is \$25,000) to income-

## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

eligible physically disabled and/or elderly homeowners throughout Genesee County to pay for needed accessibility adaptations in order to remain in, or return to their homes. Eligible homeowners must have household incomes below specified limits, based on household size.

*Contact:* Program and Development Information – 585-658-4860 TDD Only: 800-662-1220

*Website:* <http://www.gvrpc.com/Access.html>

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### Handyman/Mini-repair Program

PathStone, Inc. administers a handyman/mini-repair program, which provides no/low cost, high quality, and timely home repairs to senior citizens in Genesee County in order to provide safe and sanitary housing, assist in maintaining the client in their own home, and assist with maintaining the marketability of the home. Senior citizens of any income are eligible for this program.

*Contact:* 585-343-2188

*Website:* [http://www.pathstone.org/services/housing-rehabilitation-and-energy-services/#Handyman/Mini-repair Program](http://www.pathstone.org/services/housing-rehabilitation-and-energy-services/#Handyman/Mini-repair%20Program)

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### Emergency Home Repair Program

The Genesee Valley Rural Preservation Council administers the Residential Emergency Services to Offer (Home) Repairs to the Elderly, also known as the GENESEE RESTORE II program, which provides grants (maximum grant for households under 50% of HUD's Median Income is \$75,000) to income-eligible owners of single family households throughout Genesee County. RESTORE funds may be used to pay for the cost of emergency repairs to eliminate hazardous conditions in homes owned by the elderly (60+ years old) when the homeowners cannot afford to make the repairs in a timely fashion.

*Contact:* Program and Development Information – 585-658-4860 TDD Only: 800-662-1220

*Website:* <http://www.gvrpc.com/Genesee%20Restore%20II.html>

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### Weatherization and Energy Efficiency

Community Action of Orleans & Genesee (CAOG) administers a Weatherization Assistance Program for income-eligible homeowners and renters. Owners of rental property that qualify for assistance are required to invest a minimum of 25% of the project cost. The program includes a free energy audit, air sealing, weather-strip kits, door sweeps, carbon monoxide alarms and smoke alarms. Insulation in the attic and sidewalls of the home is a high priority of the program.

*Contact:* CAOG at 585-343-7798

*Website:* <http://www.caoginc.org/programs/weatherization/>

The Village of Bergen administers the Bergen Energy Efficiency Program (BEEP) to assist residents and businesses located in the Village of Bergen in managing energy efficient upgrades that reduce energy consumption, save money, and benefit the environment. Rebates of various amounts can be obtained by Village residents/businesses for various appliances, windows, doors, insulation, commercial lighting, and LED light bulbs.



Contact: 585-494-1513

Website: <http://villageofbergen.com/services/beep-2.html>

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### OTHER HOUSING ASSISTANCE PROGRAMS

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#### Housing for Homeless Families

PathStone, Inc. provides case management and assistance with locating and retention of safe, affordable housing for homeless families who are eligible for Temporary Assistance for Needy Families (TANF). Families must be homeless, eligible for TANF, have dependent children, and have income below 200% of the federal poverty level.

Contact: 585-343-3861

Website: <http://www.pathstone.org/services/emergency-and-supportive-services/#Housing for Homeless Families>

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#### Manufactured Home Cooperative Project

PathStone, Inc. administers a manufactured home cooperative project, which helps owners of manufactured homes in mobile home parks to purchase the land beneath their homes (in instances where the homeowner rents the property on which their home is located). The program educates residents about the steps necessary to form a cooperative, researches the feasibility of converting the community to a co-op, assists with creating a homeowners association, assists in negotiating the purchase agreement with the landowner, assists with securing affordable financing for residents to purchase their community, and provides on-going training and technical assistance to co-op members.

Contact: 800-888-6770, ext. 360

Website: <http://www.pathstone.org/services/manufactured-home-cooperative-project/>

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#### Housing Choice Voucher Program (Section 8)

PathStone, Inc. administers the Section 8 Housing Choice Voucher Program which provides income-eligible households with rental subsidies to cover rental costs in excess of 30 percent of household income. The program provides rental subsidies, annual Housing Quality Standards inspections, and case management services. Please note there is an extensive wait list and waiting times can be years.

Contact: 585-343-3861

Website: [http://www.pathstone.org/services/housing-choice-services/#Housing Choice Voucher Program \(Section 8\)](http://www.pathstone.org/services/housing-choice-services/#Housing Choice Voucher Program (Section 8))

PathStone, Inc. provides a Family Self-Sufficiency Program to assist Section 8 Housing Choice Voucher recipients and their families in becoming independent of financial subsidies. The program provides case management, life skills development, referrals, and advocacy for families receiving Section 8 Housing Choice Voucher rent subsidies.

Contact: 585-343-3861

## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

Website: <http://www.pathstone.org/services/housing-choice-services/#Family Self-Sufficiency Program>

### Homeownership Education and Counseling Services

PathStone, Inc. provides individuals and families in Genesee County with education and counseling regarding various aspects of buying and owning a home. Services include financial education, foreclosure intervention counseling, and education about the home buying process, wealth and asset building.

For more information about foreclosure intervention counseling contact 585-546-3700. For more information about all other homeownership education and counseling services contact 585-343-2188.

Website: <http://www.pathstone.org/services/home-ownership-services/>

## ISSUES AND OPPORTUNITIES

### VARIETY OF HOUSING

A variety of housing types suitable for a range of household types are available in the Village and Town of Bergen. However, U.S. Census data suggest that there is a lack of affordable housing, especially for renters.

According to property class code data obtained from the County's Real Property Services, the Town is mainly composed of single family rural homes (92% of all residential properties) which are spread out across the Town and seldom clustered. Two-family homes (3%), three-family homes (1%), manufactured homes on single lots (3%) and apartments (1%) are scattered throughout. There are three manufactured home parks located within the Town; Maple Dale Estates and Barbary Coast Mobile Home Parks are located on Clinton Street Road and Hidden Meadows Adult Community Mobile Home Park is located on South Lake Road. Owner-occupied independent living senior housing is available at Hidden Meadows.

The Village is mainly composed of single family home neighborhoods (90% of all residential properties and 73% of housing units) with two-family homes (6% of parcels and 10% of units), three-family homes and apartments (4% of parcels and 22% of units) scattered throughout. Both rental and owner-occupied housing is available.

### CONDITION OF HOUSING STOCK

The overall condition of housing in Bergen is generally good, although houses in need of rehabilitation may be found throughout the community. Challenges include the age of housing, particularly in the Village.

Most of the houses in the Village are more than 75 years old and require ongoing maintenance. Some residents do not have the financial means to make necessary repairs and some houses have

deteriorated. In order to encourage property owners to maintain and improve their houses, Village staff regularly makes referrals to housing agencies in the County that provide assistance for housing rehabilitation activities, including Genesee Valley Rural Preservation Council, PathStone, Inc., Community Action of Orleans/Genesee Counties, NYSOCR, and Rural Development. However, the number of homeowners who may be assisted through these agencies each year is limited. In addition, the recent recession and overall tightening of lending standards have made it more difficult for property owners, particularly low and moderate income homeowners, to finance essential home improvements.

### COMMUNITY SURVEY RESULTS

The results of the public survey conducted during February and March 2015 offers insight into residents' priorities regarding housing and residential development.

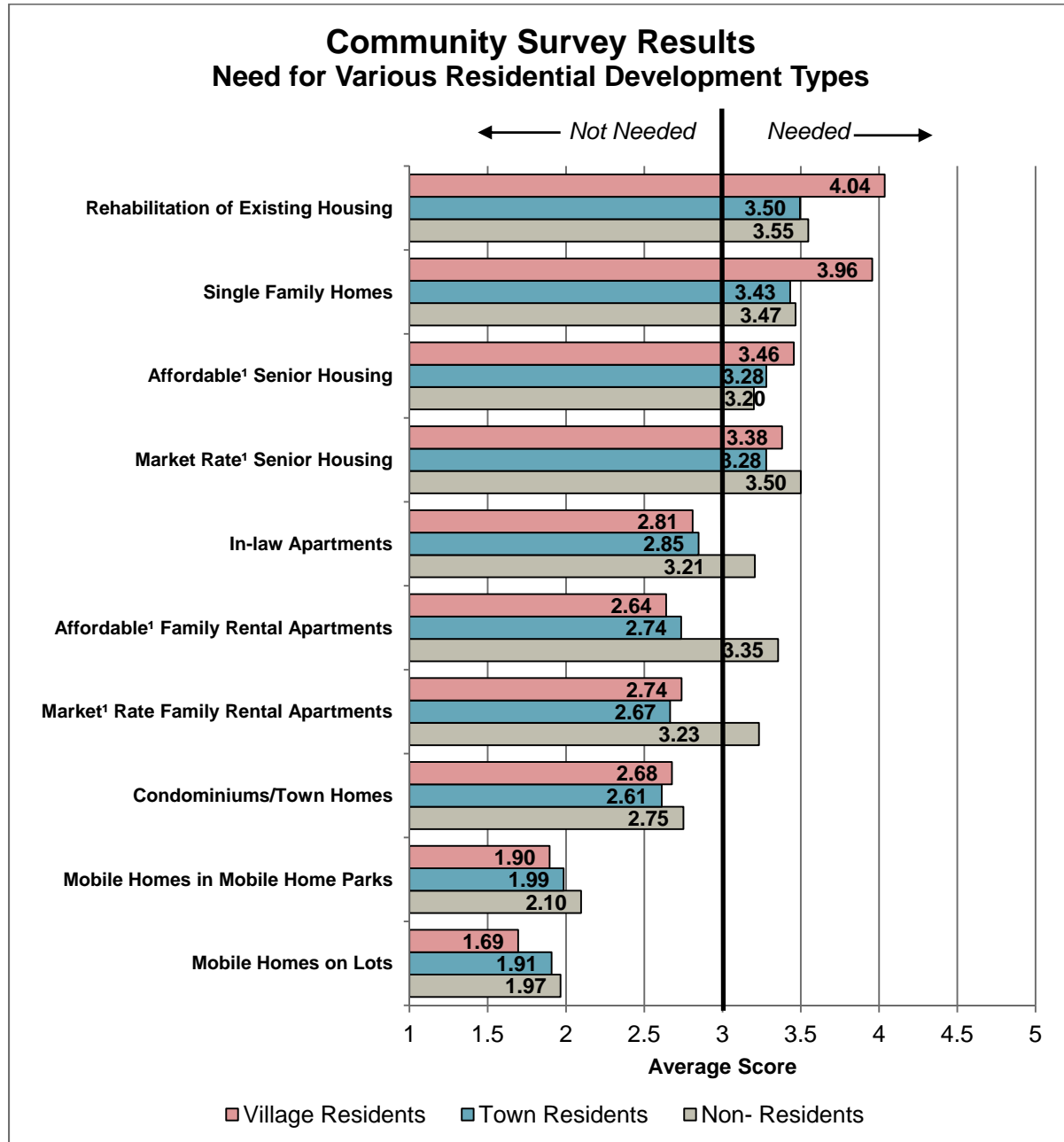
#### HOUSING TYPES

Public survey respondents were asked to rate the need for various types of residential development on a scale of 1 (Not Needed) to 5 (Needed). The diagram below shows the average scores for each of the various types of residential development: the higher the score, the more respondents felt that particular type of residential development is needed.

Rehabilitation of existing housing (i.e., no new housing stock) was rated as the most needed type of residential development while mobile homes on single lots were rated as the least needed. In general, community members feel rehabilitation of existing housing, single family homes, and market rate and affordable rate senior housing is needed while market rate and affordable family rental apartments, condominiums/town homes, mobile homes (on single lots or in mobile home parks), and in-law apartments are not needed.

## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

**Chart 13. Need for Various Residential Development Types**



Source: Comprehensive Plan Community Survey

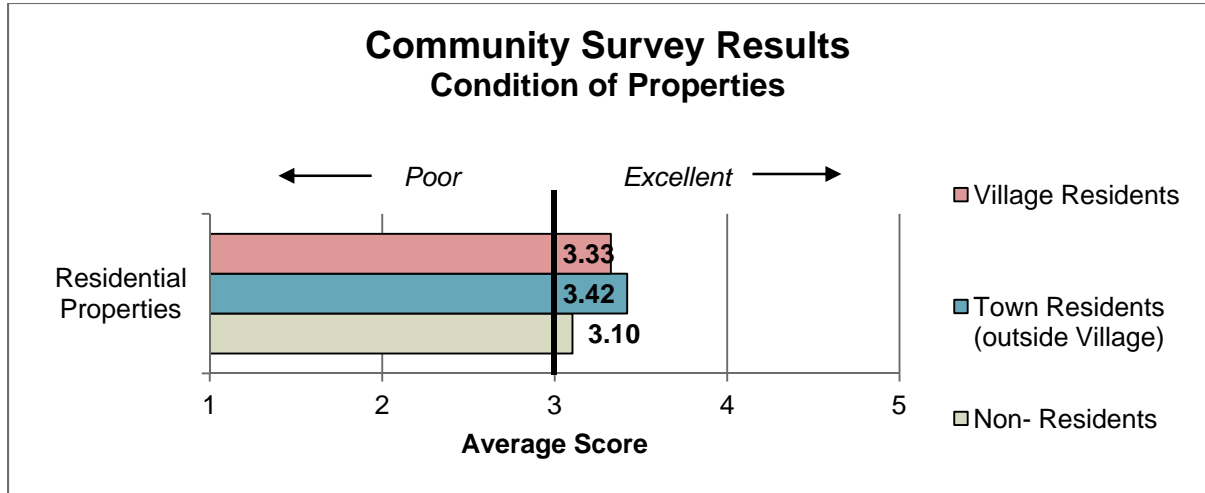
**Note:** <sup>1</sup> Market rate refers to projects that do not require public subsidies or grants; affordable refers to projects that may require subsidies and grants and/or are restricted by income level.

Source: Comprehensive Plan Survey

## HOUSING CONDITION

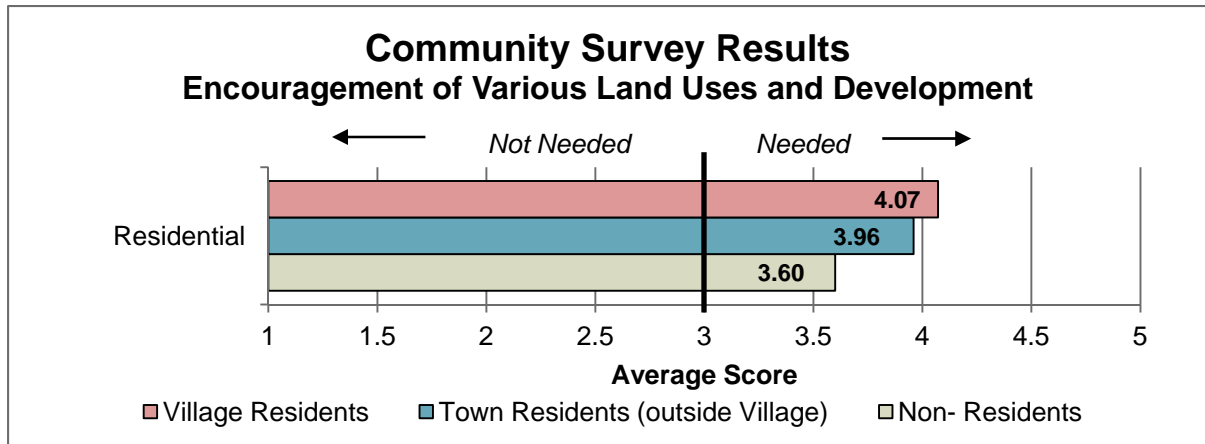
The condition of the housing stock was identified as an issue among respondents to the community survey. On average, respondents rated the condition of residential properties were rated as only slightly above neutral, ahead of only commercial properties but not as highly as industrial properties.

**Chart 14: Survey Results - Condition of Residential Properties**



Source: Comprehensive Plan Community Survey

**Chart 15: Survey Results - Encouragement of Residential Uses**



Source: Comprehensive Plan Community Survey



## 4. HOUSING & RESIDENTIAL NEIGHBORHOODS

### RURAL CHARACTER

The following survey findings confirm that it is very important to Village and Town residents that the community maintain its rural character.

- 50% of Village resident respondents and 67% of Town residents respondents identified “rural atmosphere” as one reason they choose to live in Bergen. The rural atmosphere was the most chosen answer, especially for Town residents.
- Encouraging residential development was less important than encouraging natural/open space, parks and recreation, and agricultural development.
- Only one-fifth of respondents felt that areas within the Town that are not near the Village were appropriate locations for new residential development. Among residents of the Village and the Town outside the Village, one-third of respondents selected the Village and two-thirds selected the Town just outside of the Village as appropriate locations for new residential development.

### RECOMMENDED ACTIONS

1. Revise zoning and manage infrastructure to **encourage/ facilitate high quality design** of new housing and future development in areas designated for these uses in the Future Land Use Map.
2. **Prepare architectural and design guidelines** for residential development within the Village.
3. **Coordinate and collaborate** with county agencies, other governments and private organizations to **expand the supply of affordable housing and housing for senior citizens**.
4. **Obtain grant funding** to assist owners of housing to remedy code violations, make necessary repairs and improve energy efficiency. Work with Genesee County, Pathstone, Genesee Community Action and other entities to provide information to residents about existing financial assistance programs for **homeownership and housing rehabilitation**.
5. Continue to **provide information** to residents about ways to **increase energy efficiency** and how to access financial incentives.
6. Continue to maintain and **enforce existing zoning and property maintenance regulations**.
7. Encourage residents to **participate in civic and neighborhood improvement activities**.
8. Manage the siting and design of new residential development and redevelopment to **avoid or minimize conflicts with agriculture, natural resources or historic preservation**.

# CHAPTER 5

## DOWNTOWN AND ECONOMIC DEVELOPMENT



Pavilion Gift Company

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

### GOALS

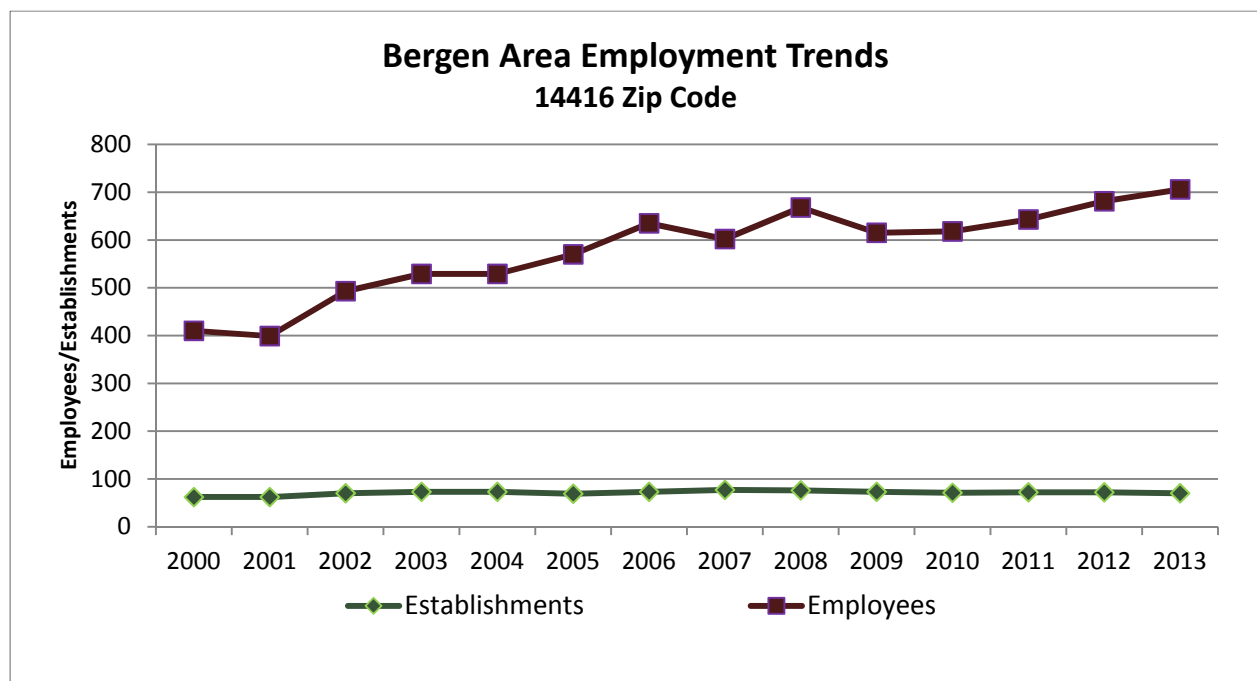
- ❖ *Redevelop Downtown Bergen through building renovations, streetscape improvements, regulatory modifications and infrastructure improvements.*
- ❖ *Attract and retain niche retail, restaurants, offices and other small businesses in the downtown area.*
- ❖ *Attract and retain light manufacturing and large office developments in Town Areas adjacent to the Village.*
- ❖ *Support the Genesee County Economic Development Center (GCEDC) in efforts to attract more business to Apple Tree Business Park and other areas in the Village and Town through infrastructure improvements and development incentives.*

### EXISTING CONDITIONS

#### EMPLOYMENT TRENDS

According to data collected by the U.S. Census Bureau, in 2013 the Bergen area (14416 zip code) had 70 private establishments which employed 706 employees with an annual payroll of \$27.061 million.

**Chart 16. Bergen Area Employment Trends**



Source: U.S. Census Bureau, County Business Patterns

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

The largest private employer in Bergen is Liberty Pumps, a manufacturer of sump, sewage and wastewater pumps. A major expansion of its facility in the Apple Tree Acres business park added 81,600 sq. ft. of manufacturing area, 14,200 sq. ft. lab expansion and a 23,000 sq. ft. sales/ marketing wing and product training center to the existing 120,000 sq. ft. facility. The project received sales and property tax abatements in exchange for an investment of \$3.7 million and retaining 124 existing jobs and adding 27 new full-time employees.

Bonduelle North America, a vegetable processing company, maintains a manufacturing facility in the Village of Bergen that employs approximately 33 people year-round and 105 seasonally. Bonduelle purchased the facility in 2012 and invested \$1.7 million during its first year. The plant supports local agriculture as it purchases most of its vegetables from farms within 30 miles of its plants in Bergen, Oakfield and Brockport.

A majority of the businesses in the Village and Town of Bergen are small, with fewer than five employees. Several businesses are located in downtown Bergen and others are located along South Lake Avenue, NYS Routes 33 and 33A, and other locations (see Maps 2 and 3: Existing Land Use ).

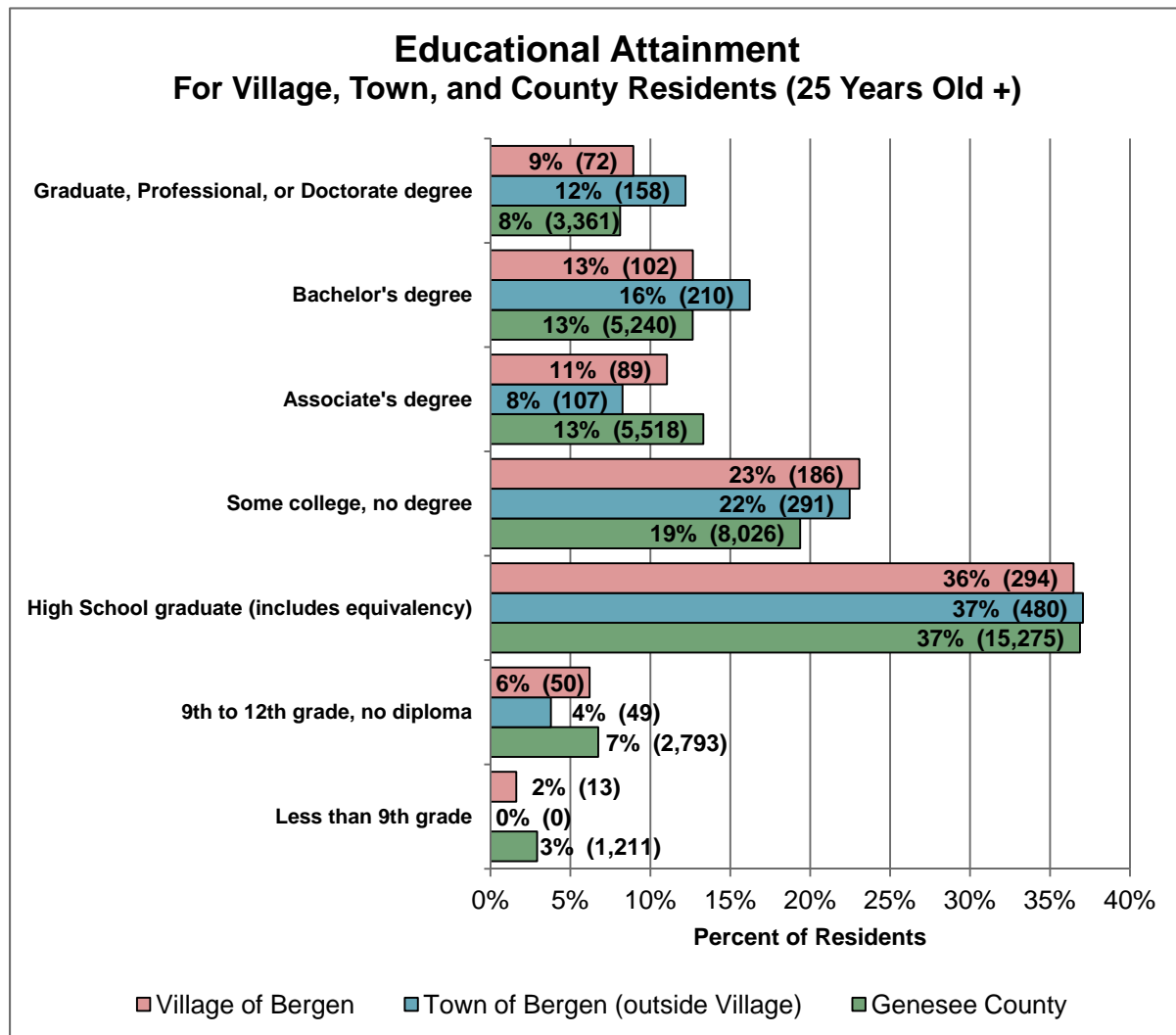


**Bergen Family Restaurant / Farm Market**

### EDUCATIONAL ATTAINMENT

Among residents of the Town outside the Village, more than 96% have at least a high school diploma (compared to 90% countywide and 93% of Village residents) and 12% have advanced degrees (compared to 8% countywide and 9% among Village residents) (see Chart 17). The educational attainment of Village of Bergen residents is similar to that of Genesee County as a whole, with slightly higher percentages with education beyond high school.

**Chart 17. Educational Attainment, 2013**



Source: U.S. Census Bureau, American Community Survey 2009-2013

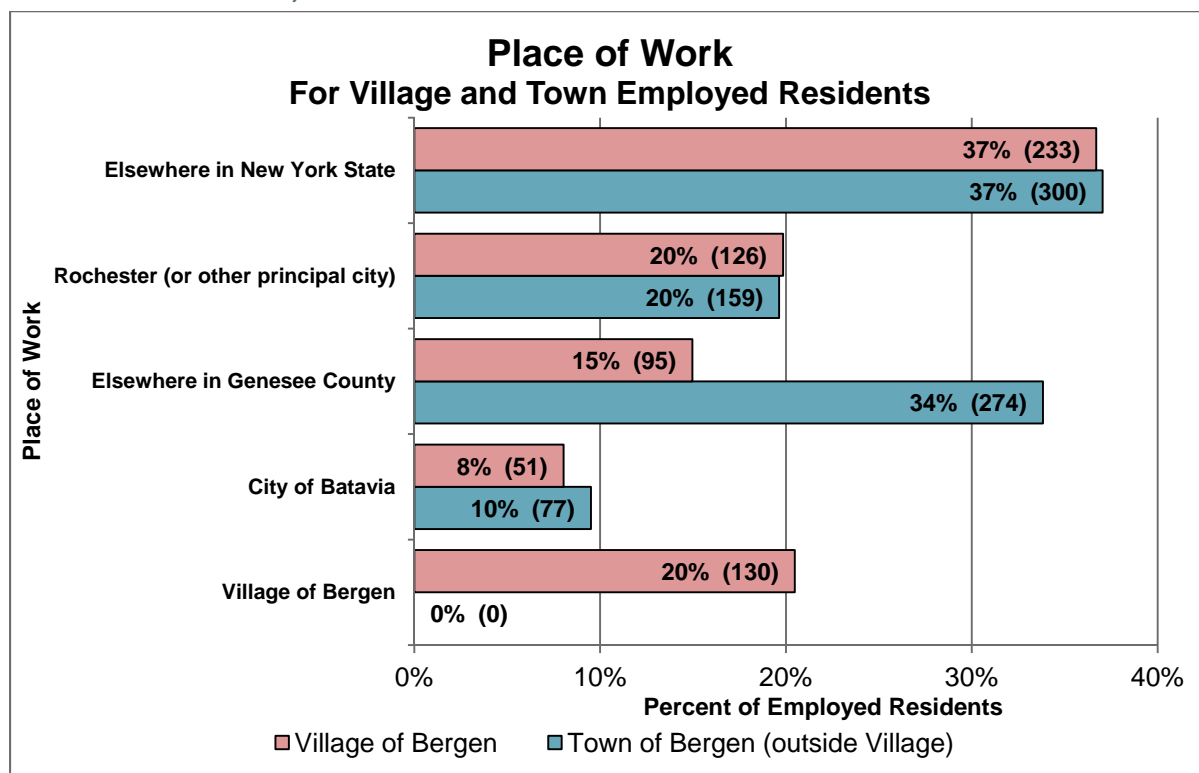


## PLACE OF WORK

Most Bergen residents commute outside of Genesee County for work. Of the 810 employed residents of the Town outside the Village, none work in the Village of Bergen, 77 (10%) work in the City of Batavia, 274 (34%) work elsewhere in Genesee County, 159 (20%) work in Rochester (or Buffalo or another principal city) and 300 (37%) work elsewhere in New York State.

Of the 635 employed residents of the Village of Bergen, 130 (20%) work in the Village, 51 (8%) work in the City of Batavia, 95 (15%) work elsewhere in Genesee County, 126 (20%) work in Rochester (or Buffalo or another principal city) and 233 (37%) work elsewhere in New York State.<sup>8</sup>

**Chart 18. Place of Work, 2013**



Source: U.S. Bureau of the Census, American Community Survey 2009-2013 (based on a sample)

<sup>8</sup> NOTE: As these data are based on a sample of the population, the margin of error can be significant. For example, the 2009-2013 American Community Survey 5-Year Estimates indicate that 130 of the 635 workers who reside in the Village also work in the Village. However, the margin of error is +/- 53. (For comparison, the 2010-2014 estimates report that 102 of the 612 workers who reside in the Village also work in the Village, with a margin of error of +/- 47.)

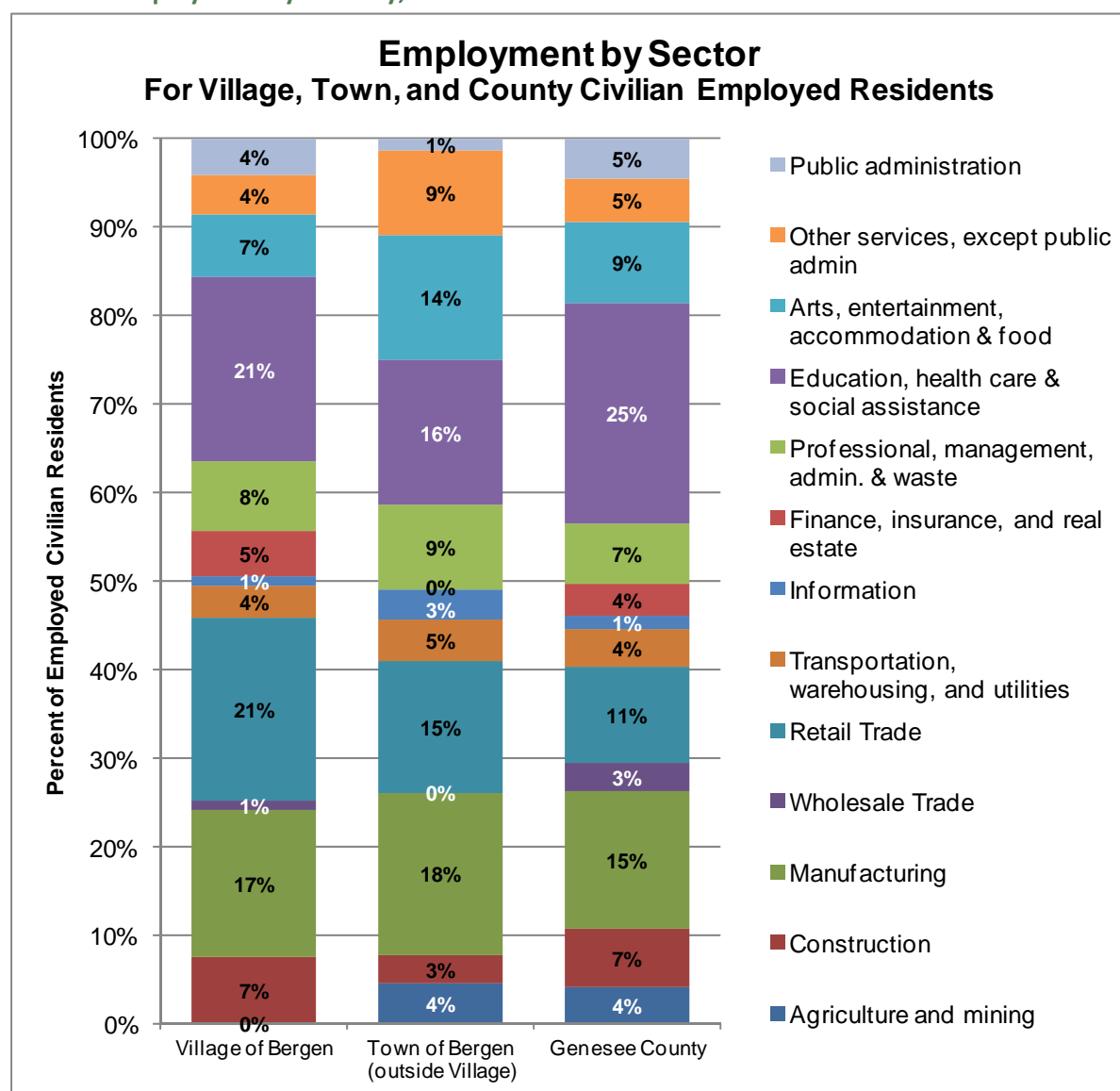
## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

### EMPLOYMENT BY SECTOR

The following chart depicts employment of Town, Village and County residents by sector: Among employed Village and Town residents aged 16 and older:

- Manufacturing businesses employ 18% of Town and 17% of Village workers
- Retail businesses employ 15% of Town and 21% of Village workers
- Education, health care and social assistance entities employ 16% of Town workers and 21% of Village workers
- Arts, entertainment and food service entities employ 14% of Town and 7% of Village workers.

**Chart 19. Employment by Industry, 2013**



Source: U.S. Bureau of the Census, American Community Survey 2009-2013

### RELEVANT PLANS, PROGRAMS AND REGULATIONS

#### GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER

The Genesee County Economic Development Center (GCEDC) was formed in 1970 under Section 18-A of NYS General Municipal Law to promote economic development and growth in Genesee County. Its Board of Directors are appointed by the Genesee County Legislature.

GCEDC programs and activities include:

- Developing and managing shovel-ready development sites (such as Apple Tree Acres)
- Facilitating funding for business development. The primary tool is through a Payment in Lieu of Taxes (PILOT) arrangement. This arrangement typically results in lower payments for a period of years; after expiration of the PILOT, the business pays taxes to the jurisdiction.
- Promoting workforce education through partnerships and grants.

The GCEDC owns and manages Apple Tree Acres in the Town of Bergen and markets this and other shovel-ready sites to business and industries.

In 2013, \$3,100 was paid to the Village and Town in PILOT payments. Tax Payments from expired PILOTs totaled \$14,600. In 2014, there were eight active PILOT projects in Bergen out of 92 total projects throughout the County. These projects created more than 140 jobs in 2014 and generated more than 20 construction jobs. Over \$4,400 was paid to the Village and Town in PILOT payments in 2014.

Table 6 exhibits the level of activity and assistance GCEDC has had in the Bergen area, GCEDC projects added more than 250,000 sq. ft. of productive industrial and business space within Bergen since 2004.

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

**Table 6. GCEDC Projects in Bergen**

Project Name	Project Purpose	Project Type	Closing Date- Date IDA took title	Existing Square Footage	Project Square Footage
<b>Evergreen Partners, LLC Project (Leonard Bus Sales, Inc.)</b>	1. Services	Straight Lease	7/1/2004	0	20,000
<b>AdTech-Graph Inc. / AdTech Graphic Service / J.V. Marinan</b>	4. Wholesale Trade	Straight Lease	7/1/2006	0	21,600
<b>Danzig, Inc. (Pavilion Gift)</b>	4. Wholesale Trade	Straight Lease	12/1/2006	4,1640	34,885
<b>Rochester Gas &amp; Electric Corp. (RG&amp;E) - Byron Bergen Gas Main - Project School Fuel</b>	7. Trans., Comm., Elec., Gas, Sanitation	Straight Lease	2/1/2011	0	2,600
<b>Imagination Industries, LLC</b>	8. Other	Tax Incentive / Lease	7/19/2013	0	7,015
<b>R.J. Properties, LLC (Liberty Pumps)</b>	9. Manufacturing	Bonds/Notes Issuance	8/1/2008	60,000	64,000
<b>RJ Properties, LLC (Liberty Pumps)</b>	9. Manufacturing	Tax Incentive / Lease	8/1/2014	124,000	120,000
<b>Former Lynx Machine &amp; Tool Corp.</b>	9. Manufacturing	Straight Lease	6/1/2007	4,500	0
<b>Insurance Auto Auctions</b>	4. Wholesale Trade	Land Sale	5/1/2015	NA	10,000
<b>Total</b>					<b>260,100</b>

Source: Genesee County Economic Development Center

PILOT Increment Financing (PIF) is an innovative financing tool that allows all or some PILOT payments to be diverted to fund investments for the common good, such as infrastructure improvements. A PIF requires approval of all taxing jurisdictions and can only divert “new” PILOT funds, not existing tax revenue. This tool has been used successfully in Genesee County three times since 2007, including for improvements to Bergen’s wastewater treatment plant and Bergen Electric’s new power line installation.

In 2007 the Village of Bergen contemplated upgrading and expanding their WWTP- 200,000 GPD treatment capacity. The County and the Town of Bergen approved resolutions to re-direct PILOT payments from AdTech Graphics and Pavilion Gift/Danzig (commencing in 2010) through the GCEDC to the Village of Bergen. These specified PILOT payments from these projects are sent to the Village

of Bergen to partially fund the debt on the Village WWTP that services Apple Tree Acres Corporate Park. As of February 2015 \$47,682 has been paid to the Village of Bergen for the WWTP.

In 2014 the Town of Bergen, Genesee County, and Byron-Bergen Central School District approved resolutions to re-direct 50% of their respective PILOT payments through the GCEDC from Liberty Pumps newest expansion project (2014). The PILOT payments from Liberty Pumps will be used to reimburse the Bergen Municipal Electric Company for the cost of the new power line installation. This will keep the electric loop “closed” for the electric system supporting Apple Tree Acres. Once the Village of Bergen is repaid for the cost of the electrical work, any remaining designated PIF funds will be remitted to the Town to create an infrastructure fund. The infrastructure fund will fund infrastructure improvements at the park based on joint approval of the Town and the GCEDC.

GCEDC is also working with Bergen Electric to resolve issues with the allocation of low-cost hydropower electricity. Currently, Bergen Electric is allotted approximately 2.4MW of low-cost hydro power from the New York Power Authority (NYPA). However the Village peaks at approximately 9 MW of power usage during the summer due to seasonal manufacturing demand. Total demand has been lowered from 10MW due to improved efficiency of manufacturing equipment. This drives price increases for all users to nearly market rates. GCEDC is working with Bergen Electric, the Village of Bergen, Municipal Electric Utilities Association) MEUA and New York Power Authority (NYPA) to resolve this issue.



### APPLE TREE ACRES

Apple Tree Acres in Bergen, owned and managed by the Genesee County Economic Development Center (EDC), is a 185 acre park that is fully shovel-ready with gas, electric, water and sewer infrastructure. Businesses include Liberty Pumps, Leonard Bus Company and Ad Tech. Its location directly on Route 33, Route 490 and near the I-90 interchange is attractive to retailers, light manufactures and distribution centers. The Village of Bergen's municipal electric utility provides service to occupants at low rates (about \$.045/kwh). The Village's wastewater treatment plan process wastewater from the site and Monroe County Water Authority (MCWA) provides public water service and maintains the water infrastructure. In 2014, Insurance Auto Auctions purchased 36.2 acres and invested \$4 million to relocate its operations from the City of Rochester.

In 2013, Apple Tree Acres was designated as a Foreign Trade Zone by the U.S. Department of Commerce. The designation can benefit companies through reduced tariffs on imported materials and parts for manufacturing. Liberty Pumps pursued this designation in cooperation with the Genesee Economic Development Center to help expand its business internationally.



Apple Tree Acres in Bergen is a GCEDC Business Park

### GENESEE COMPREHENSIVE PLAN ECONOMIC DEVELOPMENT FOCUS GROUP

The 2015 Economic Development Monitoring Report for the Genesee County Comprehensive Plan identified the following overarching economic development issues:

- New York State is a high cost state for business
  - Construction costs
  - Highly regulated business environment
  - Disconnect between agencies (local and regional levels too)
  - Taxes (state and local)
  - Duplication of government services-consolidation of government agencies
  - Uncertainty with State incentive programs causes private sector hesitation; program advocacy required
- Funding sources for planning, site development to attract business investment and/or upgrade vacant facilities to make market ready
- Aging infrastructure (roads, bridges, utilities)
- Existing and new businesses need reliable and dependable infrastructure
- Where will the funding come from?
- Collaboration Summit-Genesee 2025

### COMMUNITY REVITALIZATION PLAN FOR LEROY & BERGEN

The Community Revitalization Plan for Le Roy & Bergen, prepared as part of the America's Best Community (ABC) competition, includes documentation of the economic base of Bergen and LeRoy and describes economic development opportunities in the food processing and manufacturing industries. Additional information is available on the Village's website:

<https://bergenny.org/wp-content/uploads/2015/11/Leroy-Bergen-Community-Revitalization-Plan.pdf>

### FINANCIAL INCENTIVES FOR ECONOMIC DEVELOPMENT

Financial incentives for economic development include real property tax exemptions and grants. This section summarizes the main programs available to the Village and Town.

#### Real Property Tax Incentives

Municipalities may provide property tax exemptions as incentives to encourage business development. Section 485-b of the NYS Real Property Tax Law provides municipalities with the authority to provide such an incentive. Business construction, expansion or renovations that equal or exceed \$10,000 are eligible for the exemption. Fifty percent of the increased assessed value of the property resulting from the construction or improvement is exempted during the first year following the project's completion. The exemption is phased out during the following nine years by 5% each year. The exemption applies to village, town, county and school district property taxes. In addition,

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

the 485-a program provides a 12 year tax exemptions (100% for the first eight years) on increases in tax assessments attributable to conversion of non-residential properties to mixed use properties.

### Sale/Leaseback Tax Benefits

This is a Genesee County Economic Development Center (GCEDC) program through which a manufacturing company conveys title to its property to the GCEDC which rents the property back to the manufacturing company through a lease. As GCEDC is a tax-exempt, public-benefit corporation, the savings that results from sales tax, mortgage tax and local property tax exemptions are passed through to the manufacturing firm. Payment in lieu of Taxes (PILOT) agreements are usually negotiated so companies benefiting from the tax abatements make some financial contributions to local taxing authorities.

### New York Main Street Funding

The New York Main Street grant program assists downtown property owners with interior and exterior building improvements. The Village, Town, or non-profit corporation can apply for up to \$500,000 under the program for a target area revitalization program for multiple buildings or anchor grants for individual buildings. Technical Assistance up to \$20,000 is also available for communities like Bergen who are just starting out with their redevelopment journey (the Village was awarded a NY Main Street Technical Assistance grant in 2015) to engage an architect or other design professional.

### Empire State Development Grant Funding

The Empire State Development Corporation (ESDC) provides economic development funding for capital projects including acquisition, construction, site development, equipment and other capital improvements that lead to significant job creation or retention. Generally, ESDC provides no more than 20 percent of project costs but often the funds are used with other funding, including GCEDC funding. No limits to the funding are specified under program regulations.

## ISSUES AND OPPORTUNITIES

### KEY DOWNTOWN REDEVELOPMENT ISSUES

The Comprehensive Plan Committee held a public workshop on June 1, 2015 that included a walking tour of the downtown area to assess specific issues and opportunities. The issues and opportunities identified at the workshop include:

- **Building condition and appearance:** Most buildings are in good condition. The Tully Building, which houses the Village Hall, was recently renovated. Recent building renovations (including Village Hall) have retained historic features. Some storefronts are vacant. False siding and some signage detract from building appearances. Soft brick of historic downtown buildings is more costly to preserve.
- **Public parking lot:** Appearances of rear of buildings (parking lot entrances) have improved recently. Businesses should consider improving access from rear parking lot to supplement street access. Dumpsters detract from appearance.

- **Streetscape / Walkability:** Some wide driveways increase potential vehicle/ pedestrian conflicts. The recent walkability audit recommended “bump outs” at intersections and other improvements to support pedestrian safety. Street trees damaged by misuse/ vandalism were not replaced. Street lights are positive feature, though some consider them too bright / white and insufficiently directed downward.
- **Street width:** In the downtown area, each travel lane is approximately 25 feet wide and the crosswalk length (sidewalk to sidewalk) is 50 feet. Narrower lane widths would force vehicles to move more slowly to stay in their lanes and prepare for potential conflicts. Lane widths as narrow as 10-11 feet have been successful in other small villages.
- **Traffic safety / parking:** Formerly angled parking was removed when the NYS DOT improved the roadway. Drivers cannot see past parked cars when turning onto Lake Street. Also poor visibility for drivers turning onto Buffalo Street.
- **Mix of businesses/ land uses:** The Library and post office attract people downtown. Consider outdoor restaurant seating. Existing auto-oriented uses have been downtown for many years and are viable businesses. Carpenter Park includes a sitting area that is heavily used; train watching is a popular activity with adults and children. Consider adding a gazebo to Carpenter Park



Downtown Bergen

### KEY ECONOMIC DEVELOPMENT ISSUES

The Comprehensive Plan Committee facilitated an Economic Development Workshop on July 13, 2015 to get input from stakeholder and residents regarding economic development issues in the Village and Town. The primary focus of the discussion revolved around the need to maintain and improve infrastructure to Apple Tree Acres business park.

The most significant infrastructure issue involves the supply and cost of electric for the Village. Currently, the Village has its own municipal electric supply and is allocated 2.4 MW of power. However, in the summer the demand for power peaks at approximately 9 MW and village customers must pay the market rate for the additional power which is significantly higher than the municipal rate. This is especially detrimental to existing manufacturing businesses and the attraction of future manufacturing businesses. Currently the Village and GCEDC are working with the State and the New York Power Authority (NYPA) to develop a solution to the problem.

### GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER PRIORITIES

In a presentation to the Village and Town Boards in May 2015, the Genesee County Economic Development Center (GCEDC) encouraged the Village and Town of Bergen to consider the following actions to support economic growth in their communities:

#### Land Use

- Consider “time to market” needs of companies
- Permitting speed
- Comprehensive planning to support predictability

#### Infrastructure

- Invest (sewer, electric, low cost power capacity)

#### Marketing Connectivity

- Continue to support GCEDC’s strategy
- Continue to support companies/ corporate engagement
- Use website to advertise Apple Tree Acres
- Business/ networking forums
- List vacant downtown properties with the GCEDC



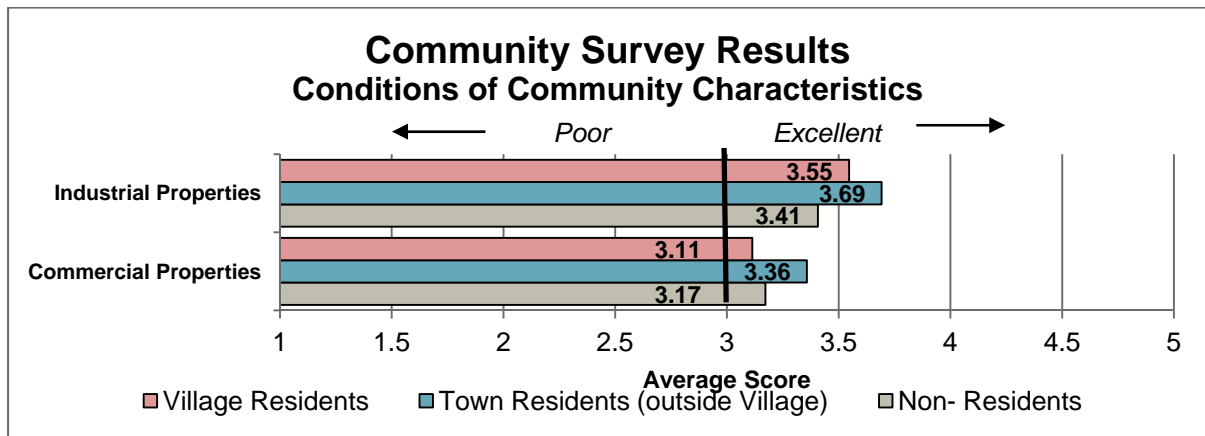
## COMMUNITY SURVEY RESULTS

The Village and Town of Bergen prepared and administered a survey of area residents in the winter of 2015. The following summarizes survey results relating to business and economic development.

30% of Village respondents and 20% of respondents from the Town outside the Village choose to live in Bergen because of access to employment.

Respondents consider the condition of commercial properties to somewhat on the “good” side of the scale. (See Chart below.)

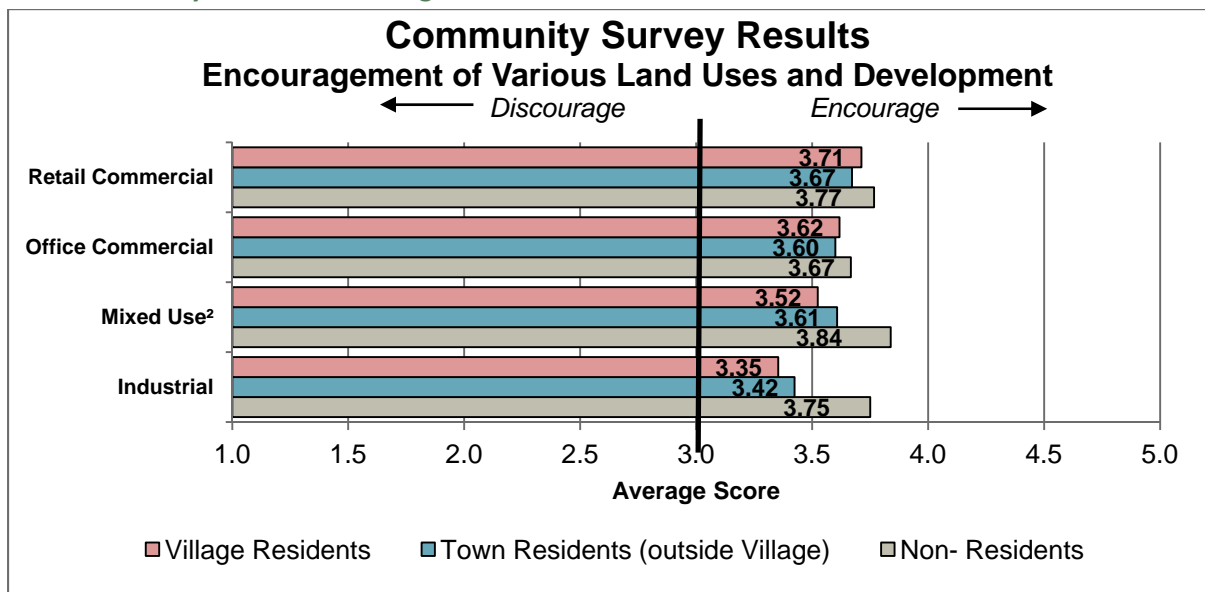
**Chart 20: Survey Results - Condition of Industrial and Commercial Properties**



Source: Comprehensive Plan Community Survey

Respondents from both the Village and the Town outside the Village somewhat encourage development of retail commercial, office commercial and industrial. (See Chart below.) However, industrial development rated lower than all other types of land uses. (Agriculture and natural/ open space rated highest with an average of 4.2.)

**Chart 21: Survey Results - Encouragement of Commercial and Industrial Uses**



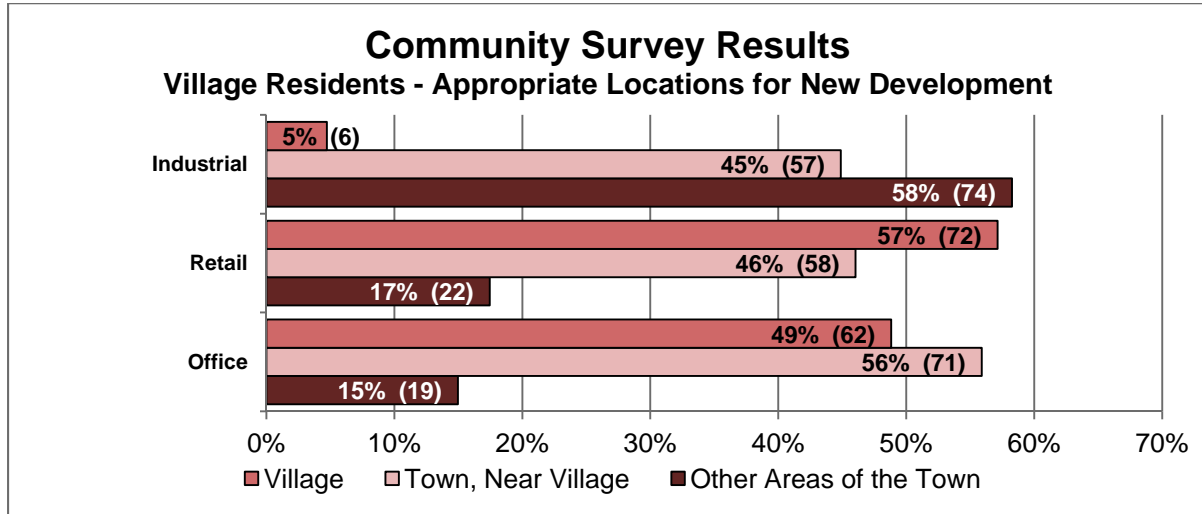


## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

Source: Comprehensive Plan Community Survey

Among Village residents, 57% prefer retail development within the Village, 56% consider areas within the Town near the Village appropriate for new office development, and 58% felt other areas of the Town were the appropriate locations for new industrial development. ) See Chart below.)

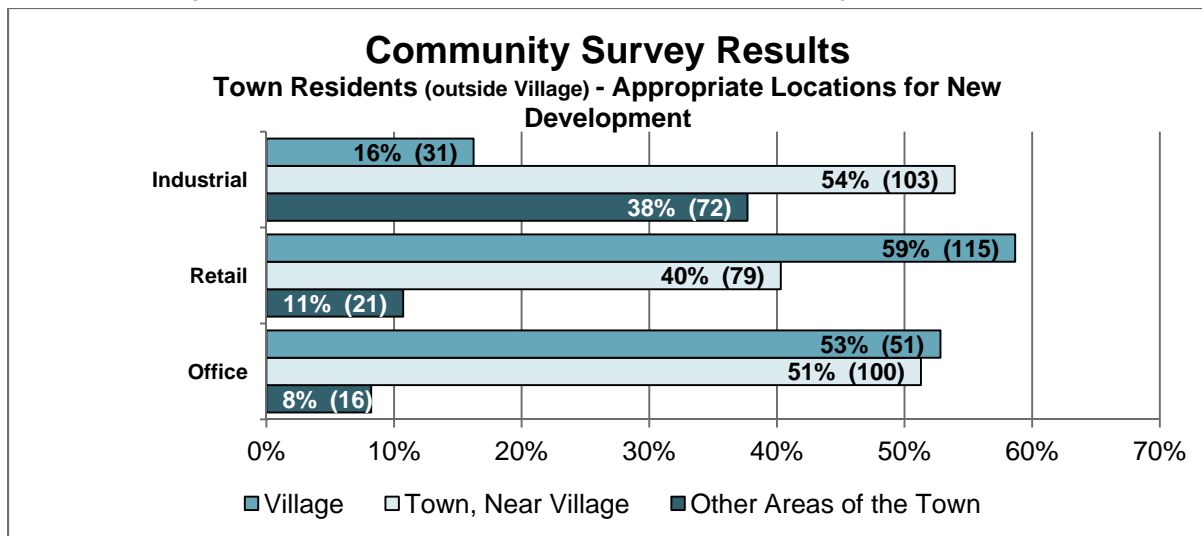
**Chart 22: Survey Results - Village Residents, Locations for New Development**



Source: Comprehensive Plan Community Survey

Among respondents who reside in the Town outside the Village, most felt the Village locations are appropriate for new office (53%) and retail (59%) development. Most (54%) respondents consider areas within the Town near the Village to be appropriate locations for new industrial development.

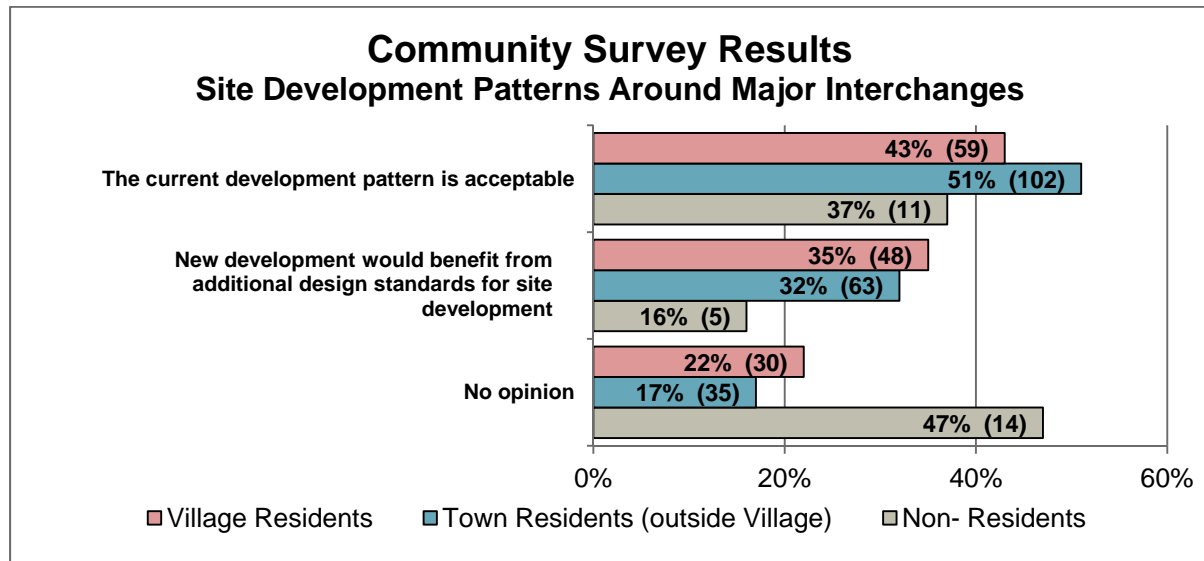
**Chart 23: Survey Results - Town Residents, Locations for New Development**



Source: Comprehensive Plan Community Survey

43% of Village respondents and 51% of respondents from the Town outside the Village consider site development patterns around the 490 interchange and the Routes 33/19 intersection to be acceptable; 35% of Village residents and 32% of Town residents stated that new development would benefit from additional design standards for site development.

**Chart 24: Survey Results –Site Development Patterns Around Major Intersections**



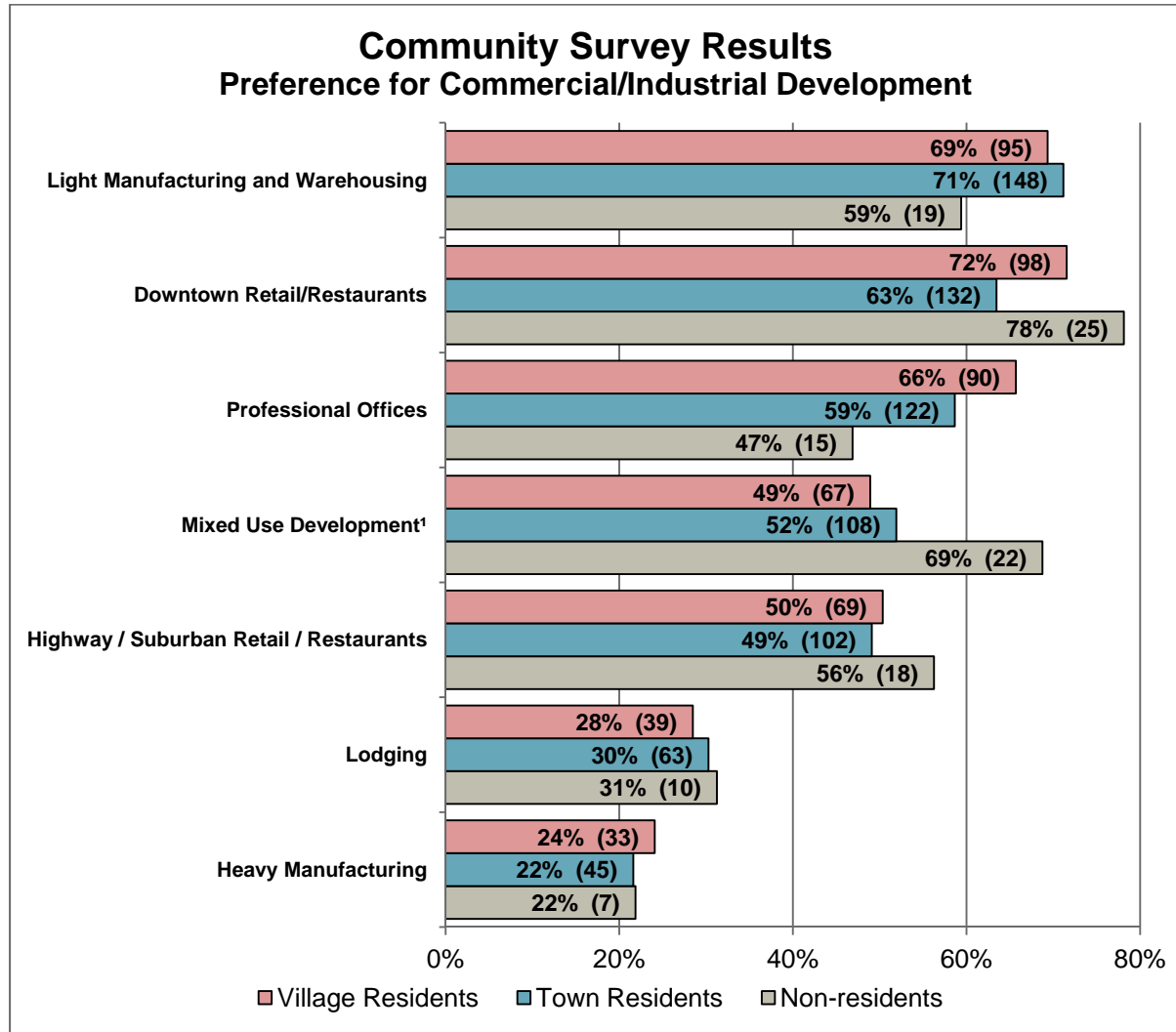
Source: Comprehensive Plan Community Survey

Most respondents (70%) support financial incentives for manufacturing or office projects that create/retain jobs and/or generate investment in the community.

When asked what type of commercial or industrial development should be encouraged in Bergen, more than 60% of respondents encourage light manufacturing/ warehousing and downtown retail/ restaurant while less than one-third encourage heavy manufacturing and lodging. (See Chart below.) In addition, survey comments specified support for a grocery store, mall, carwash, Laundromat, another restaurant downtown and fast food near I-490.

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

Chart 25. Community Preference for Commercial/Industrial Development



Source: Comprehensive Plan Community Survey

### DOWNTOWN COMMUNITY PREFERENCE SURVEY

As part of a Community Workshop, residents and business persons in attendance were asked to rate twenty images of commercial development on a scale of 1 (highly unacceptable) to 10 (highly acceptable). The purpose of the exercise is to identify the community's design and use preferences for certain types of development.

#### Highest Rated Images Bergen Community Preference Survey



+8.83



+8.65



+8.61

## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

### Lowest Rated Images Bergen Community Preference Survey



+2.09



+2.27



+2.61

The community's preferences for future downtown revitalization are clear. Participants liked well maintained, historic mixed use buildings up to the sidewalk (not set back); simple/proportioned signs; and quality streetscapes including landscaping and cafes. Participants did not like images with lots of pavement and parking up to the street; streetscapes that are not maintained; and buildings with no transparency. All this supports and suggests the need for building and streetscape/site design guidelines.

## RECOMMENDED ACTIONS

## DOWNTOWN REVITALIZATION

1. **Obtain funds for building renovation** through the New York Main Street grant program and other sources. Focus renovation efforts on buildings that meet the following criteria:
  - Historic Properties
  - Properties with Code or Safety issues
  - Projects that generate jobs and/or significant investment
  - Projects that have a positive visual impact
  - Residential units on upper stories of commercial buildings
2. Implement relevant recommendations from the Walkability Audit to **make the existing streetscape more pedestrian friendly and safe:**
  - Install Traffic Calming in the downtown area including additional corner bump outs
  - Install bike racks to encourage biking downtown
  - Install bike lanes on Lake Avenue
  - Install “parklets”
3. **Perform a Code Audit** to amend sections of the Village of Bergen Zoning Code to support appropriate downtown development:
  - Signs
  - Awnings
  - Bulk requirements (e.g., building height and setbacks)
  - Building Design and Placement (for existing and potential infill buildings)
4. **Maintain and improve the Village parking lot.**
  - Encourage businesses to screen dumpsters
  - Encourage owners to renovate rear facades
  - Provide directional signage on Lake Avenue to parking lots which will also improve awareness of the parking for out of town visitors
5. **Improve downtown gateways:**
  - Downtown welcome signs
  - Install or maintain landscaping at gateways
6. Review and revise zoning to accommodate and **encourage niche retail, restaurants, offices** and other small businesses downtown



## 5. DOWNTOWN AND ECONOMIC DEVELOPMENT

7. **Connect downtown to Town residential areas** via sidewalks, trails and bike routes.
8. **Encourage downtown businesses to collaborate** with one another and to work with Village officials to improve infrastructure, signage and landscaping. **Support the formation of a formal group**, such as a business association for property owners and business operators, to coordinate marketing and promotions as well as beautification and physical improvements.
9. **Increase the enforcement of traffic laws downtown.**
10. **Develop a streetscape plan** for downtown to address street lights, curbing, signage, and landscaping. Coordinate implementation with the NYS Department of Transportation.

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### ECONOMIC DEVELOPMENT

11. **Retain and attract light industrial and office buildings** in the Town of Bergen adjacent to the Village
12. **Support efforts of the GCEDC to retain and attract business and industrial development** in the Village and Town:
  - Support efforts to manage electricity demand and/or negotiate wholesale electricity prices in order to reduce Bergen Electric rates
  - Utilize incentives, including Pilot Increment Financing, to attract new businesses and grow existing businesses.
13. **Continue attraction and expansion projects at Apple Tree Acres:**
  - Attract businesses to remaining available parcels
  - Support additional infrastructure upgrades
14. **Coordinate economic development with the Genesee County Economic Development Center** by communicating regularly regarding priority economic development and capital improvement projects and space available. Hold periodic scheduled meetings to maintain communication.
15. **Retain zoning and support incentives for small businesses** in the Village and Town.

# CHAPTER 6

## TRANSPORTATION AND UTILITIES



Historical Society Buggy in Park Day Parade

## 6. TRANSPORTATION AND UTILITIES

### GOALS

- ❖ *Maintain existing Village and Town infrastructure in a cost effective manner*
- ❖ *Continue inter-municipal cooperation and sharing of equipment with other jurisdictions*
- ❖ *Improve transportation connections that accommodate all modes of transport*
- ❖ *Extend public services for utilities (water, sewer and electric) to promote future development which is consistent with the Future Land Use map.*

### EXISTING CONDITIONS

#### HIGHWAYS, ROADWAYS AND STREETS

The main highways that serve Bergen are NYS Routes 19, 33, and 33A and Route 262 (Townline Road). A portion of I-490 and its interchange is located in the Town.

Maps 11 and 12: Roads and Bridges identify the various highways located in the Village and Town. The following is a listing of the various highway miles maintained in the community under State, County, Village and Town jurisdiction:

**Table 7. Highway Miles by Jurisdiction**

Source: LaBella Associates from GIS shapefiles provided by Genesee County Planning Department

Jurisdiction	Total Length (miles)
State Highways	10.78
County Highways	17.57
Town Highways	20.42
Village Highways	5.37
<b>Total</b>	<b>54.14</b>

#### SIDEWALKS

Sidewalks adjoin many, but not all of the streets within the Village. Map 13: Sidewalks and Walkways depicts the locations of sidewalks in the Village.

None of the roads in the Town outside the Village have sidewalks.

#### BICYCLE ROUTES

Bicyclists utilize shoulders of existing roadways in the Village and Town. The Linear Trail is also open to use by bicycles. NYS Route 19 is a State-designated bicycle route.



**Town of Bergen Highway Department (Photo credit: Town website)**

## PUBLIC TRANSIT

RTS (formerly Batavia Bus Service) operates dial-a-ride public bus service from Bergen on the first and third Mondays of each month. Service is available to destinations in Batavia, Bergen, Byron, Elba and north of Route 5 east of Batavia. The service costs \$3.00 for a one-way trip, \$1.50 for senior citizens.

Several not-for-profit agencies offer transportation services to seniors, persons with disabilities and others, including rides to medical appointments. The Genesee County Office for the Aging maintains information about available transportation services on its website:

[http://www.co.genesee.ny.us/departments/office\\_for\\_the\\_aging/transportation.html](http://www.co.genesee.ny.us/departments/office_for_the_aging/transportation.html)

## RAIL TRANSPORTATION

CSX Transportation operates railroad tracks that pass through the Village and Town of Bergen. CSX is a Class 1 railroad that operates most of what was once the New York Central Railroad's route between New York City and Chicago. The section that passes through Bergen is known as the Rochester Subdivision. This railroad is a significant part of the country's freight rail network.

The nearest railway passenger station is the Amtrak station located in the City of Rochester. Amtrak service runs east to Albany, New York City, Boston and other points east and west to Buffalo, Niagara Falls, Chicago and other points west).

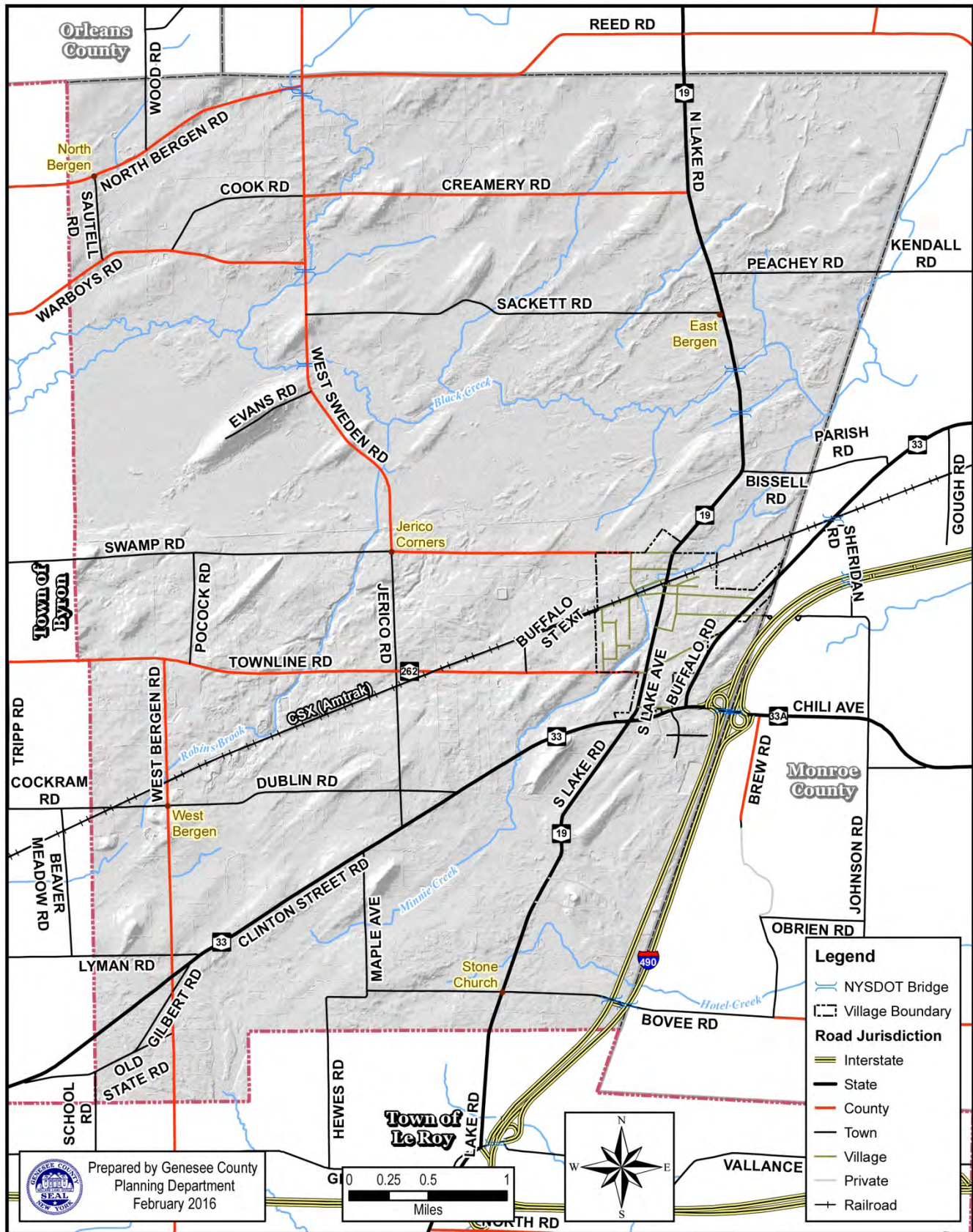
## AIRPORTS AND AIR TRANSPORTATION

The two closest primary commercial airports are the Buffalo-Niagara International Airport and the Greater Rochester International Airport. Both airports are civil aviation airports where scheduled air transport service is provided for passenger and freight. The Greater Rochester International Airport is located approximately 17 miles (20 minutes travel time) from the Village of Bergen, while the Buffalo-Niagara International Airport is located approximately 47 miles (50 minutes travel time) from Bergen.

Batavia Airport is a general aviation facility located in the Town of Batavia.

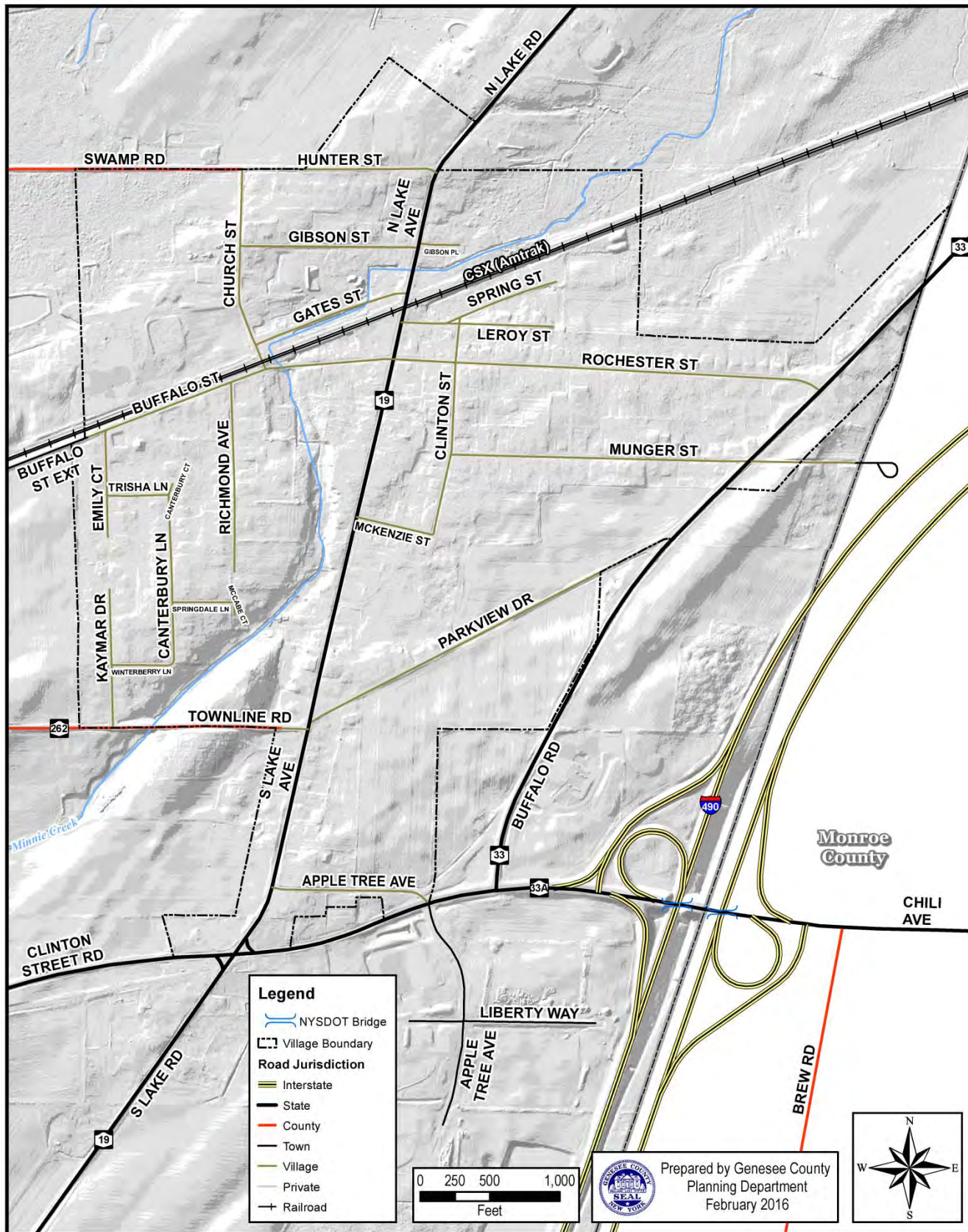


# Map 11: Roads and Bridges - Town of Bergen



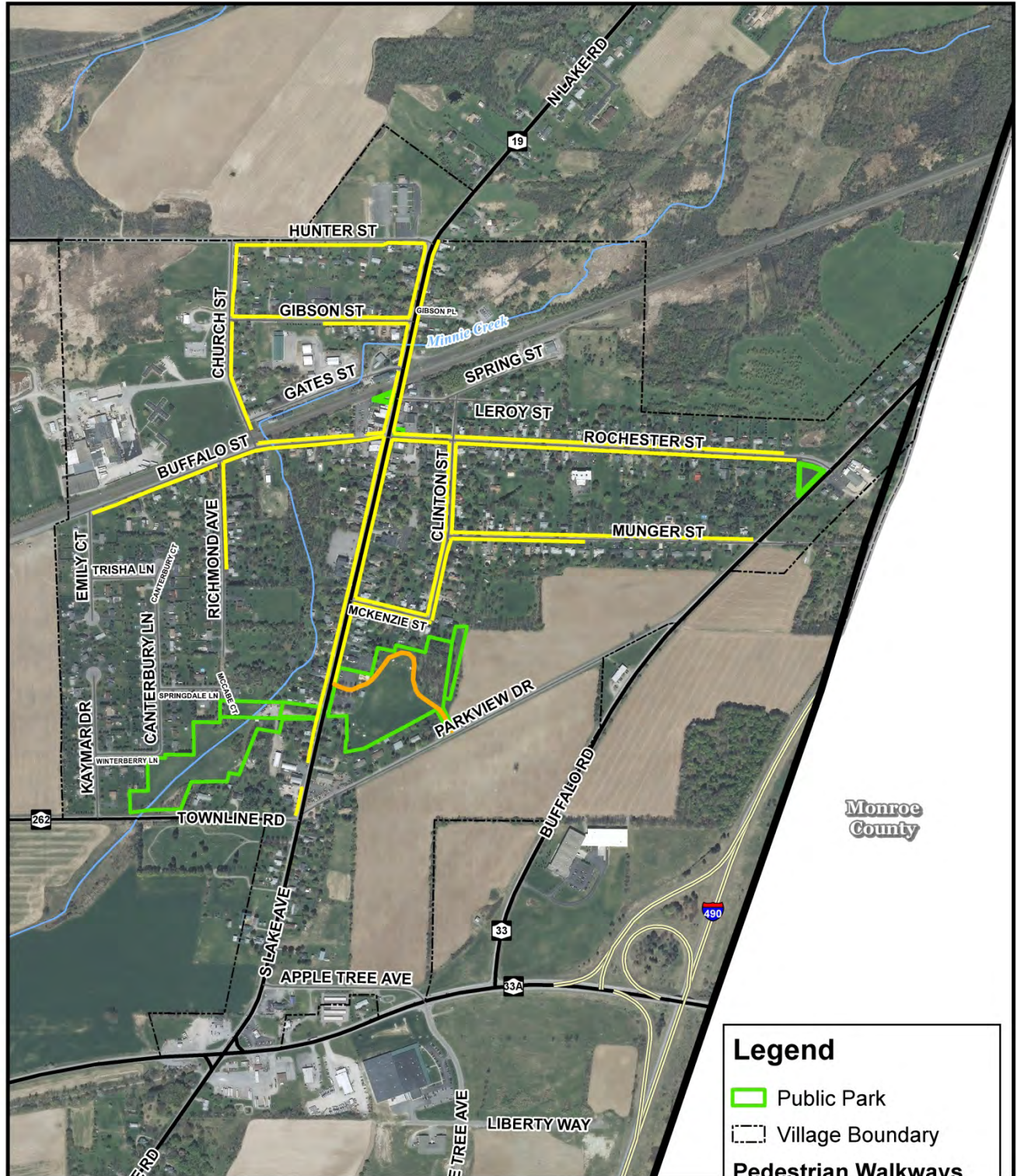


## Map 12: Roads and Bridges - Village of Bergen





## Map 13: Sidewalks & Walkways - Village of Bergen



**ABELLA**

February 2016

0 250 500 1,000  
Feet



### Legend

Public Park

Village Boundary

### Pedestrian Walkways

Sidewalks

Hickory Park Walkway

## STORMWATER SEWERS AND DRAINAGE

### Village

Presently, there are very few formal storm water drainage systems within the Village. Storm drainage is accomplished by sheet flow (drainage across the surface of the land), swales, and roadside culverts. The Village DPW monitors stormwater runoff and makes needed repairs or improvements as the need arises (i.e. cleaning culverts of debris).

A recent study funded by NY Clean Water State Revolving Fund (CWSRF) investigated sources of stormwater infiltration. Reducing infiltration into the sanitary sewer system will reduce the cost of wastewater treatment and preserve the capacity of the treatment plant.

Although there is not much undeveloped land within the Village, it may be appropriate for the Village to consider how best to manage stormwater runoff relating to:

- remaining undeveloped land;
- changes to existing developed land;
- storm sewer systems that are modified or repaired by Village forces.

### Town

The storm water conveyance system along Town roads is similar to that of the Village. Storm water flows over land to existing creeks and swales. The piping system is generally comprised of roadside culverts which are maintained by the Town Highway Department. In 1992, the Town adopted a storm water management ordinance in accord with guidelines established by the New York State Department of Environmental Conservation.

The Genesee County Highway Department and the New York State DOT are responsible for storm water drainage along their respective highways. County and State highway officials periodically coordinate these efforts with drainage activities undertaken by the Village and Town. Public Water Supply and Distribution

The Village of Bergen and portions of the Town are presently supplied with domestic water from the Monroe County Water Authority. This arrangement is a result of a "Host Community Agreement" between Monroe County and the Village and Town of Bergen relative to the Mill Seat Landfill. Presently the entire Village and Town are within the Monroe County Water Authority's service area.

In the fall of 1992 the Monroe County Water Authority leased the Village and Town water distribution systems for 40 years. As part of this agreement, MCWA installed :

- a 12 inch main from the Riga/Bergen Town line to Route 19;
- a 16 inch main from the 12 inch main to the new water storage tank on Route 33; and
- an 8 inch main from Apple Tree Avenue South under Route 33 for 1/4 of a mile south on the east side and a 12 inch line to Stone Church.

## 6. TRANSPORTATION AND UTILITIES

Outside of the Village, water distribution lines convey water to properties:

- in the Apple Tree Acres Business Park and along NYS 33 and 33A;
- along Town Line Road, South Lake Road and Bovee Road; and
- along portions of North Lake Road, Clinton Street Road, Swamp Road, Jerico Road, West Bergen Road and Peachey Road.

Since taking over the distribution system, the Water Authority prepared plat maps of the existing system, replaced valves and hydrants that did not function properly, and repaired minor leaks.

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### SANITARY SEWERS AND WASTEWATER TREATMENT

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#### Village

The Village of Bergen maintains the sanitary and storm sewer system throughout the Village. The Village of Bergen's sanitary system is a "gray water" system that collects effluent from individual septic tanks maintained at each residence or commercial building in the Village. Approximately every three years, the tanks are cleaned of all the remaining solids.

The liquid from the tank is piped to the sewer treatment plant via gravity, assisted by several pump stations placed throughout the Village. Treatment utilizes a membrane filter system and bacteria. Treated effluent is discharged into Black Creek. The discharge from the treatment plant is monitored daily with monthly reports submitted to the NYSDEC. As the Bonduelle food processing plant operates its own wastewater treatment plant, it does not utilize the Village sewer system for processing waste water.

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#### Town

Three sewer service areas are located in the Town of Bergen outside the Village. Sewer District No. 1, located north of the Village of Bergen, was formed around the sewer trunk line that connects the Village to its wastewater treatment facility. Sewer District No. 2 is located at the intersection of NYS Routes 19 and 33. Sewer Improvement District No. 1 was created to serve the I-490 interchange area, which includes the Apple Tree Acres Corporate Park. A sewer line was recently extended along Route 262 (Townline Road) to the Byron-Bergen School campus. (See Map 14: Utilities – Town of Bergen)

The collection system in the Town of Bergen is operated and maintained by the Village of Bergen in accordance with an intermunicipal agreement. Similar to the Village of Bergen, individual properties maintain septic tanks that settle out any solids and discharge only gray water.

Outside of the sewer service districts, residences and businesses in the Town outside the Village, maintain their own individual leach field system that consists of subsurface disposal of sanitary effluent. These systems generally consist of a septic tank which collects the sewage from the structure and isolates the solids for aerobic digestion. The effluent or grey water is then spread to the "leach field" for dissipation into the soil. This leach field can consist of perforated pipes laid in the existing ground if the soil is pervious (sands and loams). If the soil is impervious (silts and clays), a raised sand bed is placed on the ground and the perforated pipe is placed within the sand. This type of system relies heavily on evaporation and transpiration rather than infiltration into the soil.



Although the soils in the Town are generally the Ontario-Hilton Association, which are a deep, moderately to well drained soil, there are areas with a tight silty-clay mixture which is not conducive to subsurface disposal. Route 33, west of Route 19, and North Bergen are two areas which have impervious soils.

Of the new systems that are installed within the Town, approximately 30 to 50 percent are raised fills due to the types of soils or the area allocated for sewage disposal. These raised sand bed systems are installed at a price of \$20,000 - \$25,000 versus a standard system of \$3,500 to \$5,000. If a lot requires a raised sand bed system, the bed cannot be located closer than 100 feet to any property line.

The Genesee County Health Department is responsible for regulating system approvals. Although the Department indicates that there is not a high rate of failures in the Town, isolated areas do experience problems. The problems are most prevalent in those areas characterized by small lots and more dense development.

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### ELECTRICITY AND NATURAL GAS

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#### Electric Service and Facilities in the Village

Bergen Electric operates and maintains a Municipal Electric Department which provides electric service to over 600 customers in the Village of Bergen. The electric substation, which is located off of Gibson Place, is provided electric service from National Grid and the New York Municipal Power Authority (NYMPA). The Village of Bergen is one of only 43 municipalities in the state that has a Municipal Electric Department and a contract that allows them to purchase hydro power, which is the cheapest power available. The Village is limited in the amount of hydro power that they are allowed to purchase. Any electric purchased over the limit is supplemented by power purchased from NYMPA and is much more expensive.

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#### Electric Service and Facilities in the Town

National Grid provides electric service to the remainder of the Town of Bergen. National Grid is a public utility regulated by the NYS Public Service Commission (PSC).

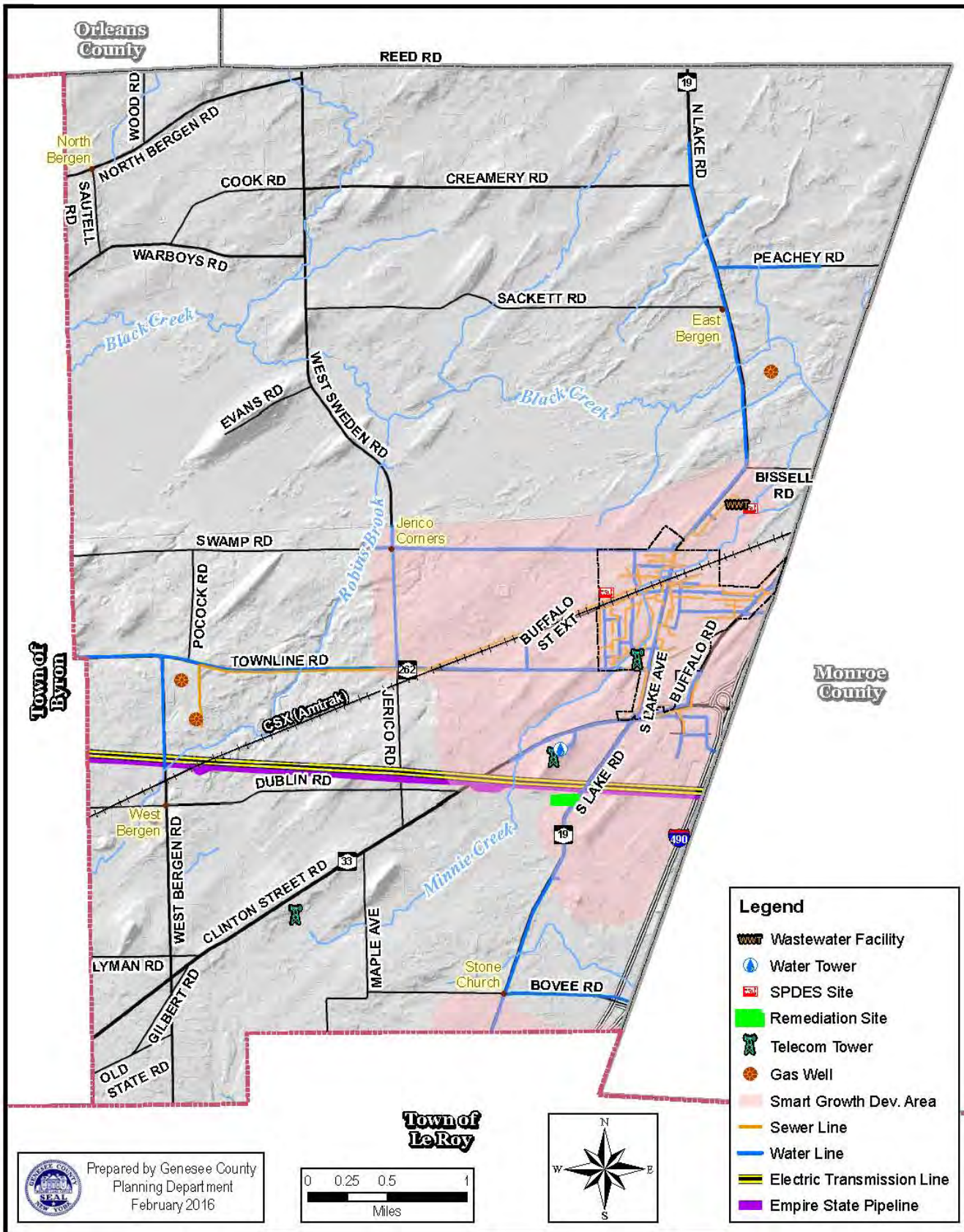
The New York State Power Authority's Electric Transmission Lines bisect the southern portion of the Town of Bergen. These high voltage transmission lines remain open and are not considered suitable for residential development within certain prescribed distances because of their electromagnetic fields.

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#### Natural Gas

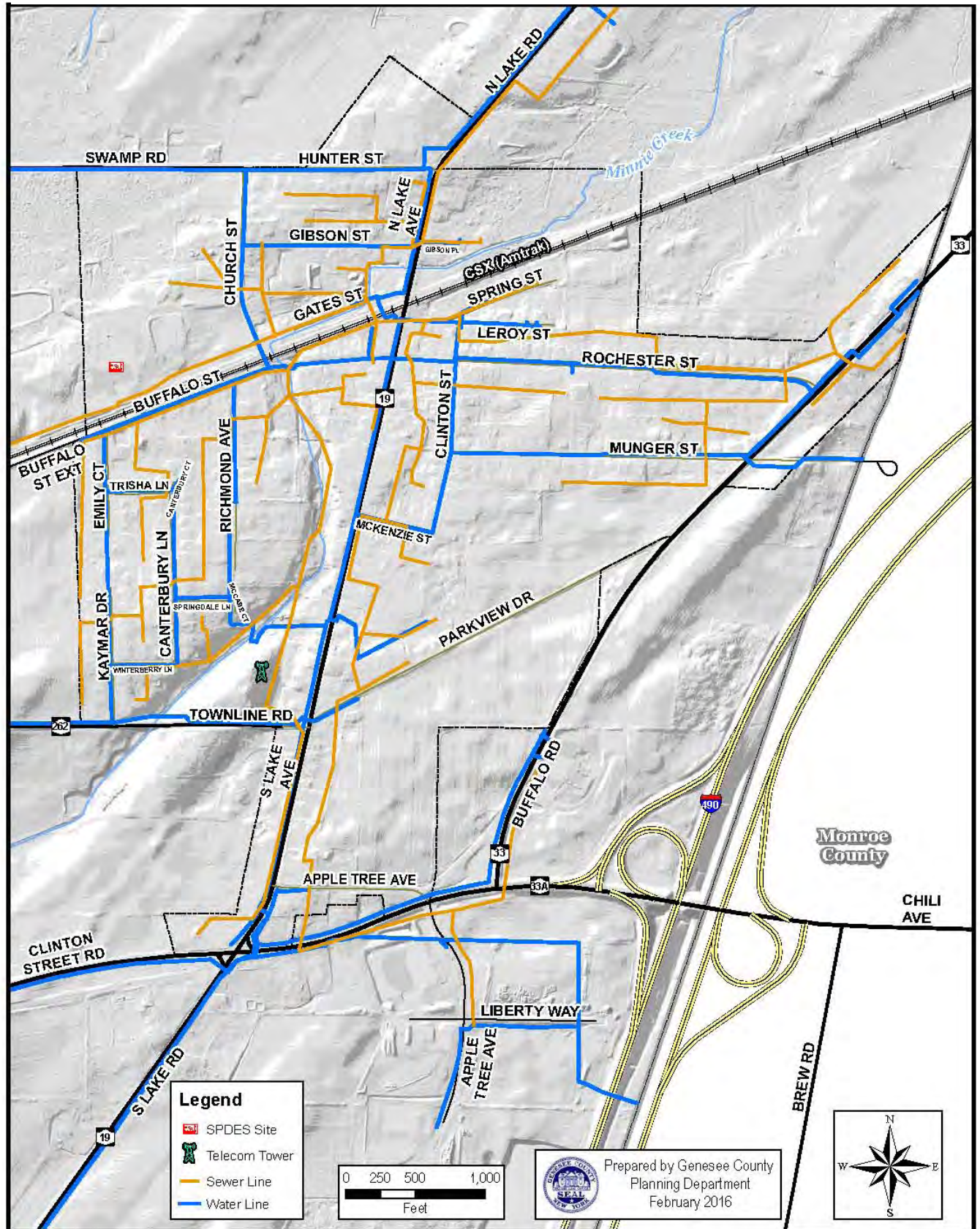
Natural gas service in the Village and Town of Bergen is exclusively provided by Rochester Gas & Electric (RG&E), a public utility regulated by the NYS Public Service Commission (PSC). Only a few areas in the Town outside the Village have access to natural gas service.

## Map 14: Utilities - Town of Bergen





## Map 15: Utilities - Village of Bergen



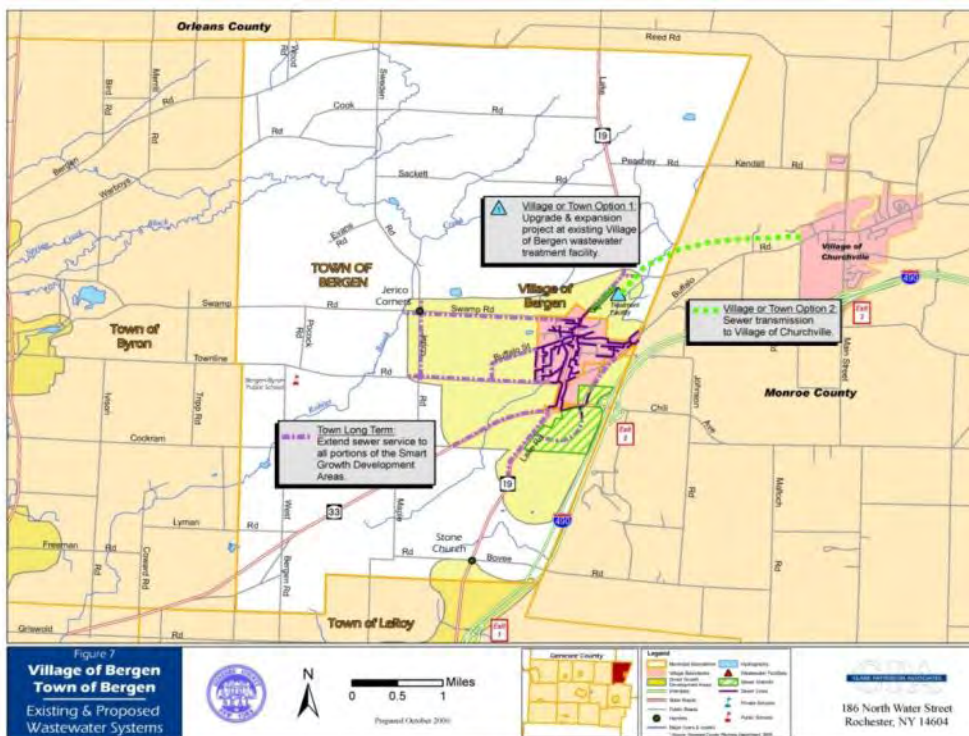
## 6. TRANSPORTATION AND UTILITIES

### RELEVANT PLANS, PROGRAMS AND REGULATIONS

#### GENESEE COUNTY TARGETED WASTEWATER STUDY

The Genesee County Targeted Wastewater Study, Summary Report, completed in March 2007, evaluated existing wastewater treatment facilities and examined whether capacity is sufficient to serve land development within Genesee County's designated Smart Growth Development Areas.

The study found that poor soil conditions in much of the Town limit their ability to accommodate on-site wastewater disposal systems. Accommodating development within the Town's Smart Growth Development Areas would require the extension of public sewers. As a result of this study, the Village upgraded and expanded its water treatment plant.



Excerpt from 2007 Genesee County Targeted Wastewater Study: Existing and Proposed Wastewater Systems

**GENESEE COUNTY COMPREHENSIVE PLAN, 2015 MONITORING REPORT**

As part of the Genesee County Comprehensive Plan Update, the Transportation & Utilities Focus Group identified the following issues and priorities in its 2015 Monitoring Report relating to utilities (see Table 8).

In addition, the Government Monitoring Focus Group noted, in its 2015 Monitoring Report, that the County / City/ Monroe County Water Authority's City Water Plan Agreement, which assigns financial responsibilities for water infrastructure and allocates sales tax revenue, will expire in 2018. This issue affects future water plans countywide. The decision regarding the future of the City of Batavia's Water Plant will impact the future of the entire water project.



## 6. TRANSPORTATION AND UTILITIES

**Table 8. Utilities Focus Group - Relevant Issues and Priorities from 2015 Monitoring Report**

Issues	Priorities
<b>Water</b>	
<ul style="list-style-type: none"> <li>Potential well issues exist throughout the county (contaminated wells, hard water, dry wells, etc.). Problem is expected to exist until public water is rolled out throughout all regions of the county</li> <li>No quality of water restrictions exist for current private wells. Currently there are constructions regulations for new wells but existing wells are not tested unless owners self report problems</li> </ul>	<ul style="list-style-type: none"> <li>The Water Resource Agency continues to plan for future water projects in order to meet the needs of the community, both in terms of infrastructure as well as economics</li> <li>Quality reporting needs to be conducted for all wells. Currently, the only restrictions deal with well construction and new wells only</li> </ul>
<b>Sewer and Stormwater Drainage</b>	
<ul style="list-style-type: none"> <li>Countywide wastewater plan needs to be reviewed/updated to make sure it meets current needs</li> <li>Anaerobic bacteria at Bergen's Sewage Treatment plant was recently impacted leading to release of untreated sewage into the water</li> <li>All municipalities should address storm water issues other than limited maintenance</li> <li>FEMA Floodplain maps are outdated</li> <li>DEC requiring untreated sewage outflow to be reported</li> </ul>	<ul style="list-style-type: none"> <li>Need to Examine / revise Countywide wastewater plan</li> <li>Collaboration between highway superintendents needed in order to deal with drainage concerns and issues</li> <li>Need to support work relating to protecting the counties watersheds</li> </ul>
<b>Solid Waste</b>	
<ul style="list-style-type: none"> <li>Providing low cost disposal/recycling options to residents and businesses is an ever present issue</li> <li>The current trend with many items is for laws that mandate producer responsibility. This removes the financial burden of disposal off of the government and residents and shifts it to the manufacturers</li> <li>Disposal of medical supplies and pharmaceuticals is an issue throughout the county. Currently it is illegal for pharmacy's to collect unused controlled substances</li> <li>Plan to deal with Large/Bulk waste needs to be created</li> <li>Scavenging of large waste (i.e. furniture) can lead to diseases and bed bugs being spread</li> </ul>	<ul style="list-style-type: none"> <li>Continue to increase the recycling rate throughout the county</li> <li>Continue to educate citizens regarding household hazardous waste and recycling at health fairs, public events, schools, and on the internet</li> <li>Need to improve recollection/ Reuse rate of textiles and clothing throughout Genesee County</li> <li>Need to promote recycling programs, as well as various other county programs, using social media</li> </ul>
<b>Electric, Gas and Utility Systems Planning</b>	
<ul style="list-style-type: none"> <li>Outdated zoning making efforts for renewable energy difficult. Process to update zoning is ongoing</li> <li>Additional renewable energy resources are needed</li> </ul>	<ul style="list-style-type: none"> <li>Genesee County needs to become aware of NY PSC REV renewable energy process. Plan calls for implementation by 2022</li> <li>The development of additional renewable energy resources is a long-standing energy policy objective of the State (2002 State Energy Plan)</li> <li>Obtain funding to extend utilities to areas appropriate for intensive commercial and industrial development as part of economic development program</li> <li>Municipalities need to address utility plans within their comprehensive plans and zoning</li> </ul>

Source: Genesee County Comprehensive Plan Update – Focus Group 2015 Monitoring Report

## POTENTIAL FUNDING OPPORTUNITIES

### Community Development Block Grant (CDBG) Program

This is a competitive program with an annual application cycle administered by New York State through the Consolidated Funding Application process. Grants up to \$600,000 are available for public water and sewer infrastructure projects and grants up to \$400,000 are available for other types of infrastructure projects, such as streets or storm drainage. Municipalities must document that the population that will benefit from the improvements has low or moderate incomes to be eligible.

### State Revolving Fund Programs

The NYS Environmental Facilities Corporation administers two revolving fund programs. The Drinking Water State Revolving Fund (DWSRF) offers grant and/or loan funding and the Clean Water State Revolving Fund (CWSRF) offers loan funds only. Both programs are competitive based on rating criteria established by the NYSEFC and the US Environmental Protection Agency (EPA). The funding cycle is annual and requires a two-step application process. Applicants must first file an application to have the project scored and placed on the agency's Intended Use Plan which is updated annually. If funding is available, a complete application is submitted.

### Rural Utility Services (RUS) Program

This program is administered by the USDA Rural Development agency. The program operates primarily on a first-come, first served basis. Loan and/or grant and loan packages for making water and sanitary sewer improvements are available to eligible municipalities with populations under 10,000. Loan and or grant and loan funding packages are determined based on the Median Household Income of residents and the financial impact on households that would be served by the water or sewer system.

### Bond Act Grant Program

The NYS Bond Act Grant Program provides grants of up to 75 percent of the cost of sanitary sewer and wastewater treatment plants. The program has no established application cycle. Projects that will reduce or eliminate causes of pollution to high-quality water ways and bodies of water are more competitive and more likely to be funded under this program.

### Safe Routes to Schools

This Federal grant program is administered by NYS Department of Transportation. The program is designed to make student travel to and from school safer and will fund infrastructure projects such as the construction of sidewalks as well as educational and enforcement efforts. As no specific funding schedule has been established for the program, funding rounds occur intermittently. In past rounds, the maximum grant for infrastructure projects was \$400,000 and the maximum grant for non-infrastructure program projects was \$150,000.



## 6. TRANSPORTATION AND UTILITIES

### WATER/SEWER DISTRICT FORMATION PROCESS

Article 12A of NYS Town Law details the two methods of forming a water or sewer district. Either the Town Board could initiate the process or a petition could be started by residents and property owners. The process includes the following steps:

- Town Board has a Map/Plan/Report completed to study the feasibility, associated costs, and cost to the potential users.
- A public hearing is held so that the public and potential beneficiaries have the opportunity to speak their mind on district formation.
- Following a public hearing, the Town Board can resolve to form the water or sewer district subject to a permissive referendum.

## ISSUES AND OPPORTUNITIES

### TRANSPORTATION ISSUES

#### Bicycle and Pedestrian Facilities

Additional walking and bicycle paths are needed to improve connectivity, especially between residential areas and public facilities such as the Byron-Bergen school campus and parks.

#### Bridge Conditions

According to ratings published by the NYS Department of Transportation (see Table 9), two bridges in the Town of Bergen are rated “Structurally Deficient” and two are rated “Functionally Obsolete.” NYSDOT defines a deficient bridge as one with a State Condition Rating less than 5.0. A deficient condition rating indicates deterioration at a level that requires corrective maintenance or rehabilitation to restore the bridge to its fully functional, non-deficient condition. It does not mean that the bridge is unsafe.

**Table 9. New York State Highway Bridge Data – January 31, 2015, Village and Town of Bergen**

Location	Feature Carried	Feature Crossed	Owner	Year Built or Replaced	Date of Last Inspection	SD/FO Status (1)	NYS Condition Rating (2)
<b>2.2 miles north of Jct. Rtes 19 &amp; 33</b>	NYS route 19	Black Creek Overflow	NYS DOT	1927	07/14/2014	SD	4.25
<b>Jct. Rte 19 &amp; Black Creek</b>	NYS Rte. 19	Black Creek	NYS DOT	1984	04/24/2014	SD	6.00
<b>Jct. Rte. 33A &amp; I-490</b>	NYS Rte. 33A	I-490	NYS DOT	1966	05/15/2014	FO	5.10
<b>2 miles south of Jct I-490 &amp; 33A</b>	Bovee Road	I-490	NYS DOT	1963	06/10/2015	FO	4.45
<b>4.1 miles NW of Village</b>	North Bergen Road	Tributary of Black Creek	CR 30	1947	05/16/2013	N	5.37
<b>3.1 miles NW of Village</b>	West Sweden Road	Black Creek	CR 30	1947	05/11/2015	N	6.89
<b>3.7 miles NW of Village</b>	West Sweden Road	Black Creek	CR 30	2008	07/07/2015	N	4.90
<b>3.9 miles NW of Village</b>	West Sweden Road	Tributary of Black Creek	CR 30	1952	06/25/2015	N	6.28

**Notes:** see explanation in narrative text below.

Source: <https://www.dot.ny.gov/main/bridgedata/repository/GeneseeBridgeData.pdf>

(1) The “SD/FO Status” column indicates if a bridge is considered structurally deficient (SD), functionally obsolete (FO), or neither (N) based upon federal rating criteria submitted to the Federal Highway Administration annually. Bridges are considered “structurally deficient,” according to the FHWA, if significant load carrying elements are found to be in poor or worse condition due to deterioration and/or damage, the bridge has inadequate load capacity, or repeated bridge flooding causes traffic delays. The fact that a bridge is “structurally deficient” does not imply that it is unsafe or likely to collapse. A “structurally deficient” bridge, when left open to traffic, typically requires significant maintenance and repair to remain in service and eventual rehabilitation or replacement to address deficiencies. In order to remain in service, structurally deficient bridges are often posted with weight limits.

“Functionally obsolete” refers to a bridge’s inability to meet current standards for managing the volume of traffic it carries, not its structural integrity. For example, a bridge may be functionally obsolete if it has narrow lanes, no shoulders, or low clearances

(2) The “NYS Condition Rating” column contains the overall condition rating for each bridge based upon NYSDOT condition ratings. The rating is based on an assessment of all of a bridge’s individual parts. Bridge inspectors evaluate, assign a condition score, and document the condition of up to 47 structural elements of each span, in addition to general components common to all bridges. The overall condition rating combines the ratings of individual components using a weighted average formula.

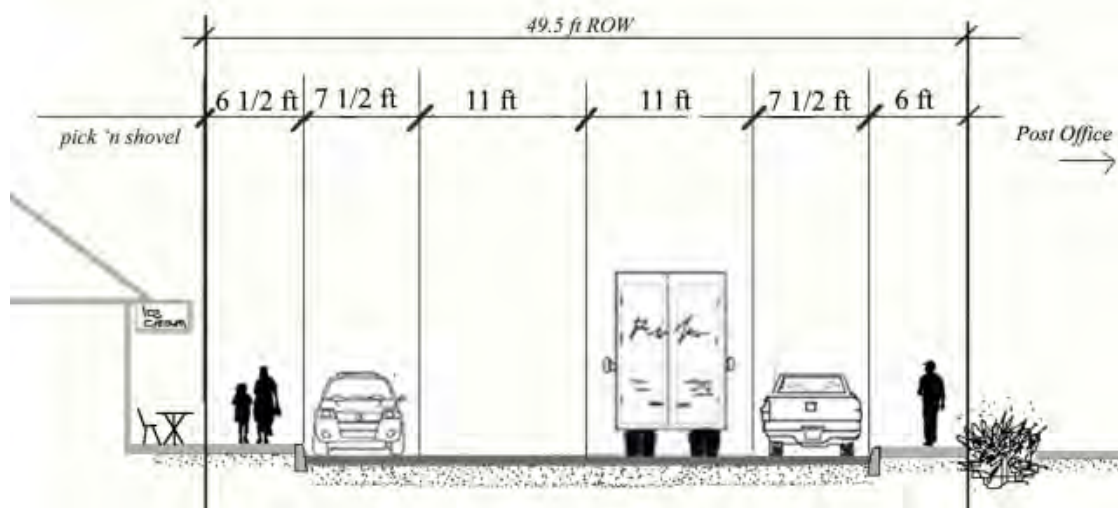
### Complete Streets

A Complete Street is a roadway planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities. This includes pedestrians, bicyclists, public transportation riders, and motorists; it includes children, the elderly, and persons with disabilities.

New York State law requires all State-funded road improvements to incorporate “Complete Streets” design. Complete Street roadway design features include sidewalks, lane striping, bicycle lanes, paved shoulders suitable for use by bicyclists, signage, crosswalks, pedestrian control signals, bus pull-outs, curb cuts, raised crosswalks, ramps and traffic calming measures.

The law applies to projects that are undertaken by NYSDOT, or to local projects that receive both federal and state funding and are subject to NYSDOT oversight. Projects that are 100% locally funded are not subject to the law, but local agencies can choose to adopt Complete Streets practices.

SOURCE: <https://www.dot.ny.gov/programs/completestreets>



Sample street with parking on both sides and pedestrian accommodations

### WATER, SEWER & DRAINAGE ISSUES

#### Water Distribution System

The Village's water distribution system, which is primarily made up of 4-, 6-, and 8-inch mains, may have trouble supplying fire flows in the event of an emergency. Although the new water storage tank can supply the required volumes and pressures for fire protection, the small distribution mains may not be able to convey the needed volumes and pressures for fire protection. Hydrant flow tests would determine if this is a serious concern.

Some areas of the Town outside the Village do not have public water service. Private wells in some of these areas do not provide sufficient quantities of water.

#### Wastewater Collection System and Treatment

The Village of Bergen's wastewater collection system is affected by infiltration and inflow, which reduces the capacity and efficiency of the treatment plant. Sources of infiltration and inflow are likely to include deteriorated piping as well as illegal connections from downspouts or sump pumps. More detailed study is underway to identify specific sources. Once these are identified, funding will be needed to take action to eliminate them.

In general, the system is working satisfactorily and is in good condition. There is a continuing need to educate residents about the type of system the Village utilizes so that only acceptable waste is introduced (i.e. no grease or oil) and to avoid connecting stormwater drainage to the sanitary system

#### Stormwater Drainage

Drainage issues continue to be a concern for the Town Highway Department. Increased use of "green infrastructure" (see call-out box) could help to reduce impacts and avoid the need for expensive capital improvements.

### Green Infrastructure

In developed areas, land that is covered by buildings, pavement, and other impermeable surfaces prevent rain and snowmelt from soaking into the ground. Instead, this water runs off, often flowing directly to streams, rivers, and other water bodies. It can carry pollutants such as oil, chemicals, and lawn fertilizers. In addition, the quantity and speed of flow can cause erosion, flooding, and damage to aquatic habitat, property, and infrastructure.

“Green infrastructure” refers to a range of approaches for managing stormwater near where it falls. Most green infrastructure uses the natural processes of soils and vegetation to capture, slow down, and filter runoff, often allowing it to recharge ground water, but some practices collect and store rain water for future use. Some techniques, including using permeable pavements, bioswales, rain gardens, vegetated or “green” roofs, rain barrels, and cisterns, work at the site scale and can fit into individual development, redevelopment, or retrofit projects. Larger-scale strategies, including preserving or restoring flood plains, open space, wetlands, and forests, can work at the watershed level.

Historically, stormwater in urban areas has been managed by expansive and capital-intensive underground storm sewer systems. This “gray infrastructure” has the single purpose to collect and carry runoff from city streets, parking lots, and other impervious surfaces as quickly as possible. Many communities are now looking to combine gray and green infrastructure approaches to manage stormwater to achieve multiple community goals. The most appropriate techniques in a given location will depend on goals, budget, and other context-specific factors, but green infrastructure can be designed to work in nearly all areas.

SOURCE: Enhancing Sustainable Communities with Green Infrastructure, p. 2-3.

<http://www.epa.gov/smartgrowth/pdf/gi-guidebook/gi-guidebook.pdf>

*For information about specific green infrastructure practices, including downspout disconnection, rainwater harvesting, rain gardens, planter boxes, bioswales, permeable pavement, green streets, green parking and green roofs, see: [http://water.epa.gov/infrastructure/greeninfrastructure/qi\\_what.cfm](http://water.epa.gov/infrastructure/greeninfrastructure/qi_what.cfm)*



### Example of a Bioretention Facility Along Roadway

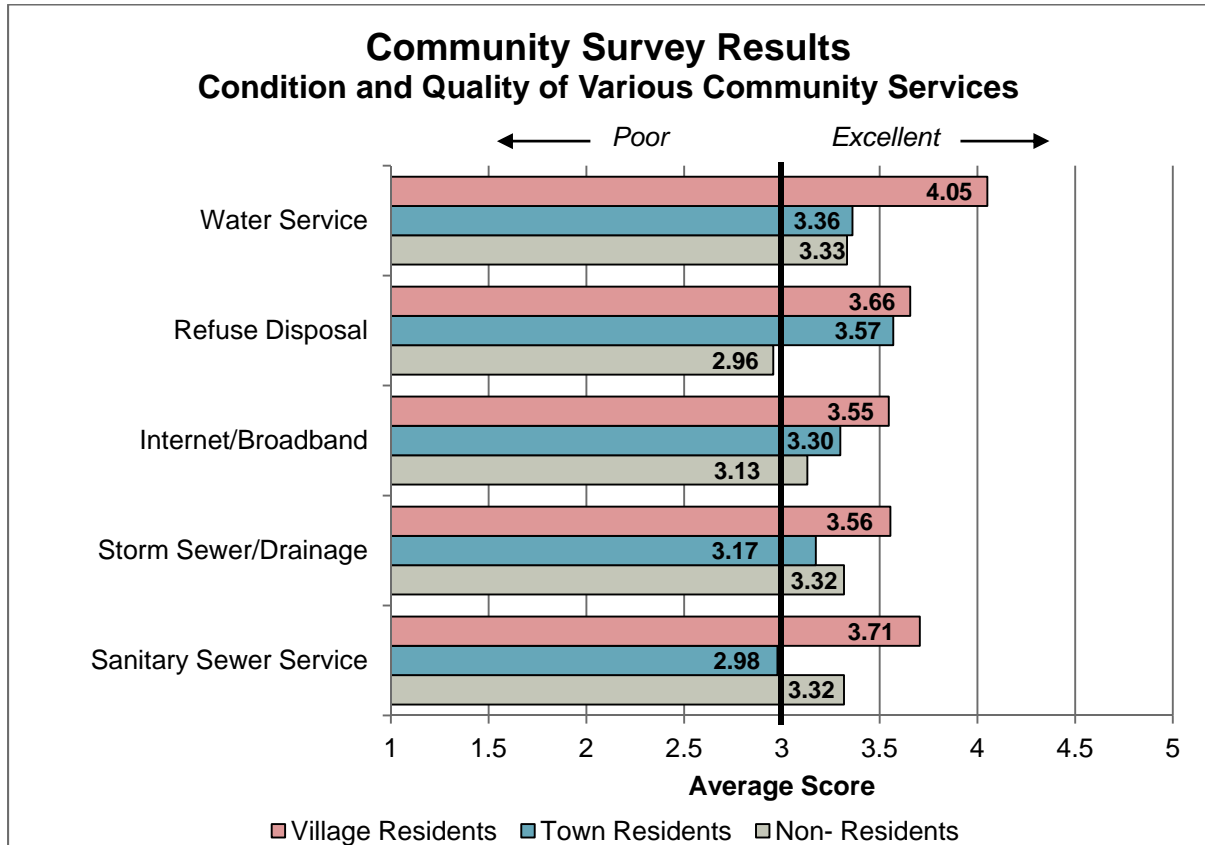
SOURCE: Better Site Design, NYS Department of Environmental Conservation, April 2008



## COMMUNITY SURVEY RESULTS

Public survey respondents were asked to rate the condition and quality of various community services on a scale of 1 (Poor) to 5 (Excellent). The diagram below shows the average scores for each: the higher the score, the better the condition and quality.

**Chart 26. Survey Results - Quality of Community Services**



Source: Comprehensive Plan Community Survey

## 6. TRANSPORTATION AND UTILITIES

### RECOMMENDED ACTIONS

#### TRANSPORTATION

1. **Adopt “Complete Streets” policies** that require all streets to be designed and maintained to accommodate all forms of transportation (motor vehicles, bicycle, and pedestrian)
2. **Construct bicycle lanes and walking paths** that connect residential, recreational, civic and business areas, including a path to connect Byron-Bergen school campus to Robins Brook Park
3. **Maintain a network of sidewalks** in the Village. **Fill gaps** in the sidewalk network and **improve connections** to key recreational and civic sites. **Install signage** oriented to pedestrians with directions to Village parks, businesses and services

#### SEWER, WASTEWATER AND STORMWATER DRAINAGE

4. **Investigate the sources of infiltration and inflow** into the Village’s wastewater collection system and **obtain funding** to eliminate them.
5. Secure funding to **improve and expand the Bergen wastewater treatment plan** as needed to accommodate existing facilities and future development.
6. Continue to work with the Monroe County Water Authority and Genesee County to **provide public water** to the Village of Bergen and water districts in the Town.
7. **Extend public water** to areas in the Town that have poor quality or insufficient quantities of water.
8. **Install green infrastructure** or other suitable measures to improve management of stormwater along Town roads and Village streets.

#### ELECTRICITY AND OTHER UTILITIES

9. Work with the New York Power Authority, Bergen Electric, Bonduelle and other entities to **reduce the cost of electricity** purchased from NYMPA.
10. Continue to **maintain the Bergen Electric facilities** in good repair.
11. Revise zoning and streamline permitting process to better **accommodate and support renewable energy** such as solar, wind and geo-thermal.
12. **Install energy efficiency measures and renewable energy** in municipal facilities when it is cost-effective to do so.

# CHAPTER 7

## PARKS & RECREATION



Planting Flowers on Community Action Day

## 7. PARKS AND RECREATION

### GOALS

- ❖ *Provide and maintain sufficient parks and recreational facilities that meet the needs of all age groups for active and passive recreation.*
- ❖ *Design recreational sites that promote the health and fitness of all residents*
- ❖ *Provide for a system of interconnected parks, bikeways and trails*

### EXISTING CONDITIONS

#### PARKS AND RECREATIONAL FACILITIES

Parks and recreational facilities in Bergen include parkland owned and managed by the Village and Town as well as private recreational facilities such as the Gillam-Grant Center. In addition, the Byron-Bergen Central School Campus provides facilities to help meet the community's recreational needs, including the indoor Gillam-Grant Swimming Pool.

##### Village Parkland

The Village of Bergen maintains a total of approximately (18) acres of parkland at five sites located in the Village. A community survey completed in 2012 informed a Five Year Parks Master Plan which is guiding park improvements and programs.

**Hickory Park** is located off South Lake Avenue and Park View Drive on the south side of the Town and is 10 acres. There are two open picnic pavilions, a children's playground, bathroom building, two ball fields, and a basketball court. The pavilions are used in warm weather and are available for the public to rent. Hickory Park hosts carnivals, picnics, celebrations, ball games, and the annual Bergen Park Day. Other facilities include fitness equipment for seniors and people with disabilities, a one-third mile walking/ running track.

New walkways connect the park to the Village's sidewalk system.

**Carpenter Park** is located on the north side of the Village on the west side of North Lake Avenue adjacent to the CSX Railroad tracks and is 0.10 acres in size. The park was recently renovated to include an antique fountain reminiscent of the early 1900's fountain of a little boy holding an umbrella which originally stood in the park. Originally named Burrows Park, it was enlarged and renamed Carpenter Park in 1910 with the donation of land from the Carpenter family. The park is the location of memorial benches, a commemorative brick walkway, and flagpole.



Hickory Park



Carpenter Park

**Ward Park** is located on the southeast corner of Rochester Street and Route 33, and is 0.6 acres. This, the newest Village park, was dedicated June 21, 2011. The park is named in honor of the Ward family, influential in the development of Bergen, once called Wardville, and elsewhere in the Rochester area. Improvements include a paved walkway, trees and benches. A large evergreen tree is the setting for the annual Tree Lighting. Concerts are held in Ward Park.



Christmas tree lighting in Ward Park

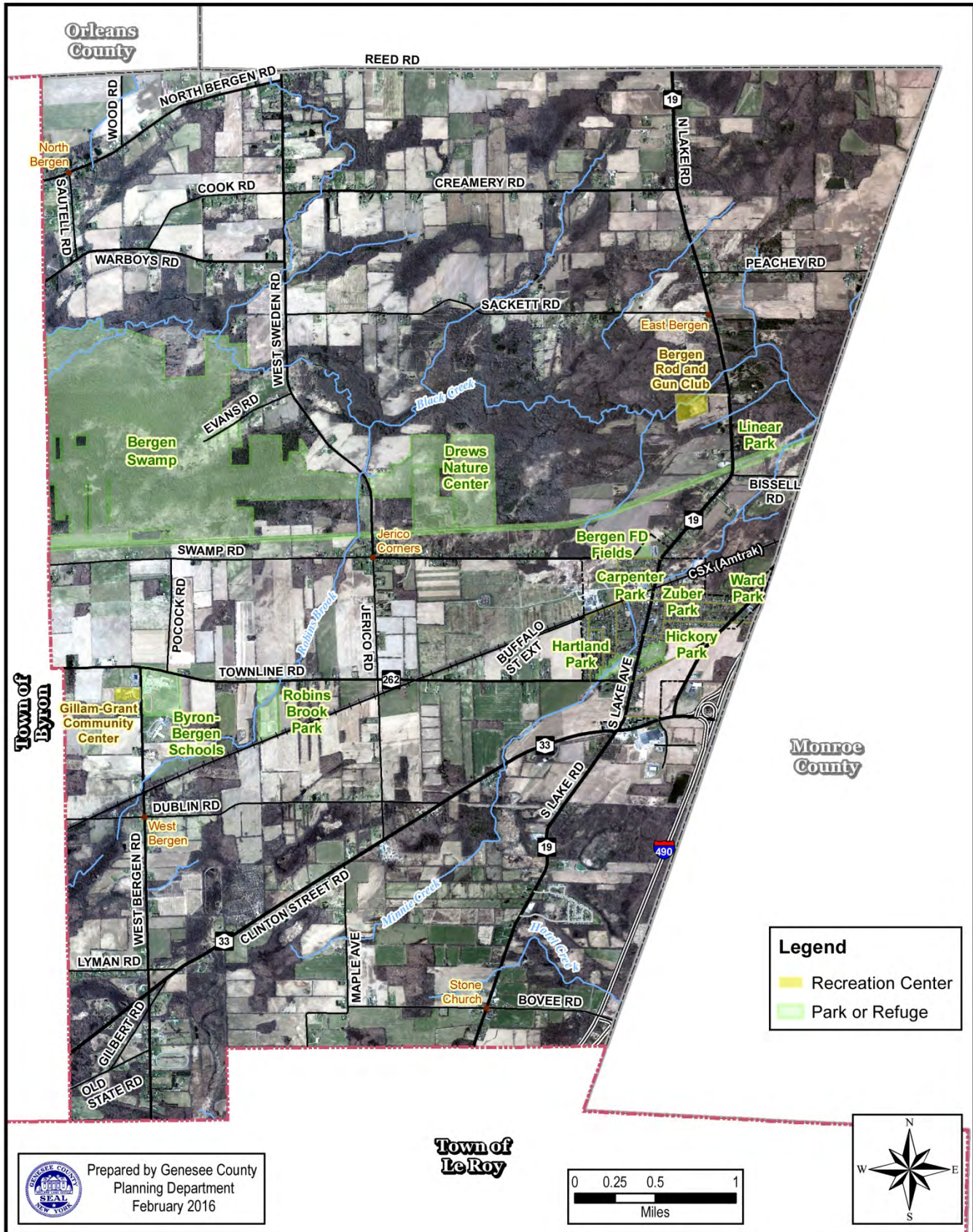
**Zuber Park** is located at the corner of Rochester Street and North Lake Avenue. Zuber Park is a pocket park (0.15 acres) that honors the memory of Benjamin Zuber, Village trustee from 1971 – 1976, and mayor from 1976 – 1987. Zuber Park has benches for relaxing.



Zuber Park

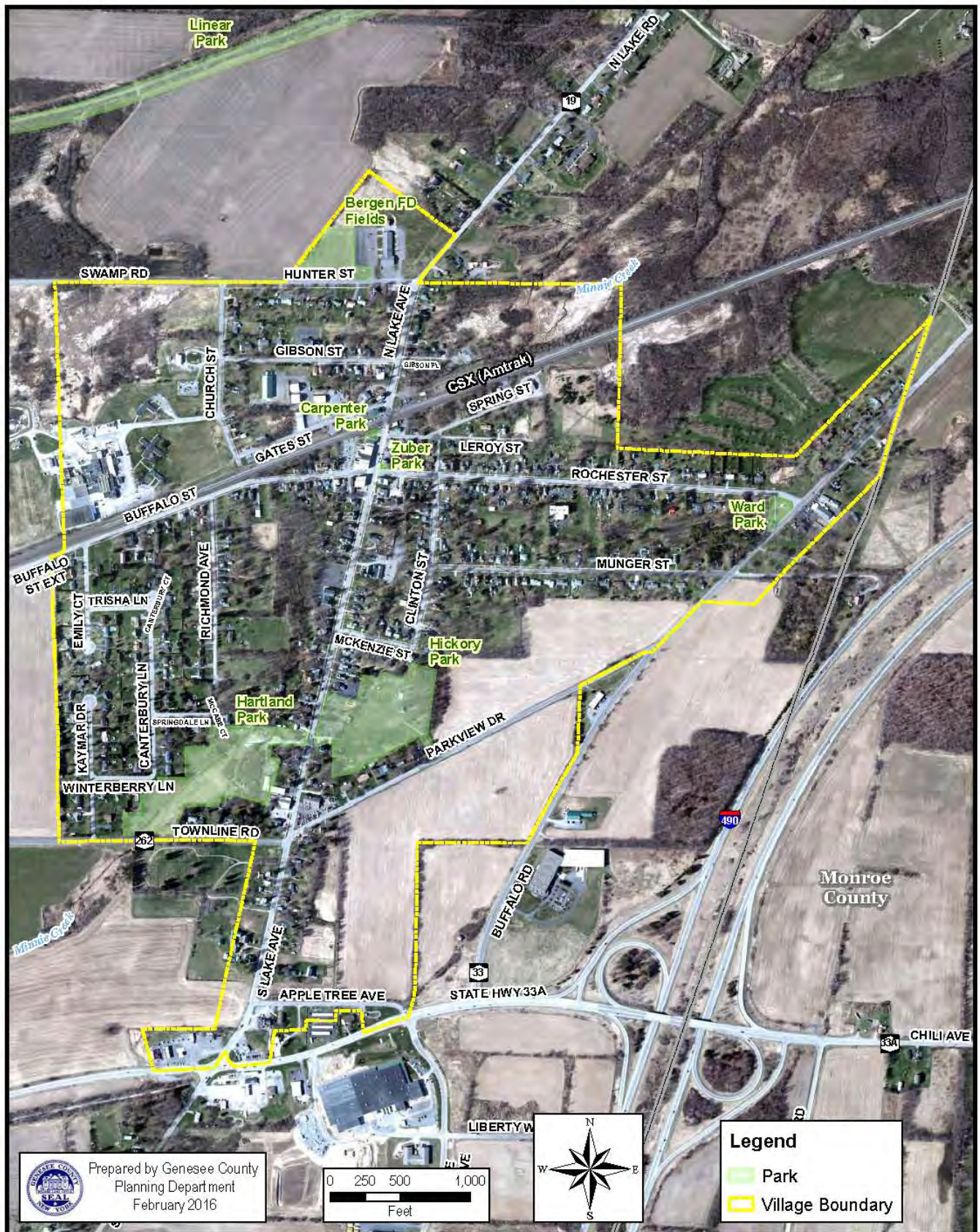


## Map 16: Parks & Recreation - Town of Bergen





## Map 17: Parks & Recreation - Village of Bergen





## 7. PARKS AND RECREATION

**Hartland Park** is located between the DPW buildings and the Hartland housing development and is comprised of 7.0 acres of land. This park is used for walking/hiking and sledding in the winter months. In 2015, the Village installed a 9-hole disc golf course which is administered by Greater Rochester Disc Golf Club (See <http://grdgc.org/>)



**Hartland Park**

### Town Parkland

The Town of Bergen owns three areas of land, containing a total of 141.6 acres that have been acquired for park and recreational purposes.

The **Linear Park** is located along the former Penn Central Railroad right-of-way and contains a total of 64.1 acres of land extending from the Byron Townline to the Riga Townline. This facility is used for hiking, jogging and snowmobiling. The Sleds of Stafford Snowmobile Club provides maintenance for winter snowmobile uses. Connecting trails extend to NYS Route 36 in the Village of Churchville to the east and the Byron cemetery to the west.

**Drews Nature Center** is a 50 acre site located on the north side of Swamp Road, east of West Sweden Road and along the Linear Trail. This site is used for passive recreation, including walking and nature trails and fishing access.

**Robins Brook Park** is a 27.5 acre site located on the south side of Townline Road about halfway between West Bergen Road and Jericho Road. This site includes baseball, softball, and soccer fields.

### Private Recreational Facilities

**The Gillam-Grant Community Center** was constructed in 1974 on an 8.8 acre site located at the intersection of West Bergen Road and the Elba-Byron-Bergen Townline Road (Rte. 262). The Center is funded by the foundation created by Grant Gillam, a philanthropist born and raised in Byron, and by membership and program fees.

The Gillam-Grant Community Center addresses and supports our rural population's ever changing needs by providing both traditional and unique services, education, and recreation to sustain and enhance quality of life. They offer access to a large variety of programming, each with their own unique purpose. The programs can vary from adult education to senior meals to toddler time and children's day camps.



The **Bergen Rod and Gun Club** supports efforts to conserve, restore and manage game, fish and other wildlife. Its mission includes:

- to promote better hunting and fishing for sportsmen
- to promote and maintain good relationships between landowners and sportsmen
- to promote proper observance of fish and game laws, and
- to spread knowledge of wildlife conservation among the residents of Bergen.

It sponsors events such as a trap shooting league. Website: <http://bergengunclub.com/> Address: 6410 North Lake Road, Bergen NY. Phone: (585) 494-1439



Bergen Rod & Gun Club (from website)

## 7. PARKS AND RECREATION

### RELEVANT PLANS, PROGRAMS AND REGULATIONS

#### VILLAGE AND TOWN PARKS COMMITTEE

The Village Parks Committee meets monthly to plan and guide maintenance, improvements and activities in Village Parks.

##### Village of Bergen Master Parks Plan

The Parks Master Plan completed by the Village of Bergen in 2013 identifies needs and resources as well as specific problems and needs relating to programs and facilities. The plan specifies goals and objectives relating to organizational structures, staffing, and meeting the needs of all segments of the population, including youth, adults and persons with disabilities. The Plan also recommends specific improvements for each Park

#### TOWN PARKS COMMITTEE

The Town Park Committee meets periodically to advise Town officials and assist with planning, improvements and activities at Town parks.

#### WEST SHORE TRAIL FEASIBILITY STUDY

The West Shore Trail Feasibility Study was completed 2008 with funding from the Genesee Transportation Council. The study recommended a 10-foot wide stone dust trail. The first phase would connect the Village of Churchville to either NYS Route 19 in Bergen or Parish Road in Riga. Subsequent phases would extend the trail through Bergen and Byron. The study recommended the installation of trailhead and parking facilities at West Sweden Road and at NYS Route 19 (temporary to allow phased development).

#### GENESEE COUNTY COMPREHENSIVE PLAN – 2015 MONITORING

As part of the Genesee County Comprehensive Plan Update, two Focus Groups - Parks, Recreation and Culture, Government Administration & Monitoring -- addressed issues relating to parks, recreation and community services. Issues and priorities identified by these groups are summarized in Table 10.

#### NYS COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP)

The Statewide Comprehensive Outdoor Recreation Plan (SCORP) is prepared every five years by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) to provide statewide policy direction. 2014-2019 SCORP for New York, titled, New York State Outdoors: Healthy Living through Nature, assesses the need for various types of recreational facilities in regions throughout the State and recommends actions to improve New York's outdoor recreation system. Consistency with SCORP is often one of the criteria for evaluating NYS grant applications for park and recreation projects. For more information, see:

<http://parks.ny.gov/inside-our-agency/documents/201419StatewideComprehensiveOutdoorRecreationPlan.pdf>



**Table 10. Parks, Recreation and Culture Focus Group - Relevant Issues and Priorities from 2015 Monitoring Report**

Issues	Priorities
<b>Marketing/ Promotion</b>	
<ul style="list-style-type: none"> <li>Libraries generally unable to spend tax dollars marketing, advertising, or promoting their wealth of resources; become "hidden treasures" or "best kept secrets" in community</li> <li>Programming funding at both the County and municipal levels continues to be a challenge due to diminished State funding</li> <li>Libraries under pressure to provide access to digital and streaming content, training on consumer electronics and workplace technologies, while maintaining traditional collections and services, with no steady source of funding</li> <li>Library programs relevant to working adults (singles and families) difficult to develop and promote</li> <li>Low public support for public amenities such as multiuse trails</li> <li>Unprotected/underutilized unique natural features and historic places of interest</li> </ul>	<ul style="list-style-type: none"> <li>The Genesee County Chamber of Commerce, the tourism promotion agency, has strong, collaborative programming in place to market Genesee County's tourism assets</li> <li>Continue to grow tourism industry in Genesee County with new attractions and continued investment to enhance existing properties</li> <li>Need to Integrate interactive technology and web services by Parks, Recreation &amp; Culture agencies</li> </ul>
<b>Livability</b>	
<ul style="list-style-type: none"> <li>Increased collaboration and communication between public and private organizations is needed</li> <li>Low public support for public amenities such as multiuse trails</li> </ul>	<ul style="list-style-type: none"> <li>Implement Genesee County Cultural Plan</li> <li>Promote Green Genesee – Smart Genesee Sustainable Use Planning Initiatives being developed.</li> <li>Carrying library traditions of excellence and relevance into the 21st century</li> </ul>
<b>Programming</b>	
<ul style="list-style-type: none"> <li>Transportation to programming needed</li> <li>Programming funding at both the County and municipal levels continues to be a challenge due to diminished State funding. The current trend with many items is for laws that mandate producer responsibility. This removes the financial burden of disposal off of the government and residents and shifts it to the manufacturers</li> <li>Library programs relevant to working adults (singles and families) difficult to develop and promote.</li> </ul>	
<b>Infrastructure</b>	
<ul style="list-style-type: none"> <li>Unprotected/underutilized unique natural features and historic places of interest</li> <li>Libraries under pressure to provide access to digital and streaming content, training on consumer electronics and workplace technologies, while maintaining traditional collections and services, with no steady source of funding</li> </ul>	<ul style="list-style-type: none"> <li>Secure source of funding needed to sustain traditional library services while responding to new needs. Require Intuitive, navigable library websites to support traditional services and increased access to licensed digital content. Social media presence to instruct Millennial users of the breadth of library services</li> </ul>

Source: Genesee County Comprehensive Plan Update – Focus Group 2015 Monitoring Report

### NYS OPEN SPACE PLAN (2014 DRAFT)

The NYS Open Space Plan identifies Priority Open Space Conservation Projects that are eligible for funding from the state's Environmental Protection Fund and other state, federal and local funding sources. The Plan notes that a combination of state and local acquisition, land use regulation, smart development decisions, land owner incentives and other conservation tools, used in various combinations, will be needed to succeed in conserving these open space resources for the long term. In addition, large projects will require a balance between conservation and compatible, natural resource-sensitive economic development.

The Black Creek corridor and watershed is included as part of the larger Genesee River Corridor Conservation Project. This project will protect the variety of habitats and landscapes, providing links to existing public lands, enhancing public access points, protecting migratory and resident bird habitats supporting farmland protection, and advancing environmental justice projects.

### GRANT PROGRAMS

The New York State Office of Parks, Recreation, and Historic Preservation offer a competitive grant program for municipalities to create parks and recreational opportunities as well as historic preservation activities. Grant applications are usually due in the spring or summer each year.

Not-for-profit foundations and corporate giving programs are potential sources of funding for park improvements.

## ISSUES AND OPPORTUNITIES

### PARK MAINTENANCE

The existing parks are in need of consistent, qualified preventive maintenance and upkeep. The Department of Public Works is in charge of park maintenance. Tasks include general maintenance of buildings, upkeep of grounds, trash pickup, preparation of the athletic fields, and minor repair of park and playground equipment. Play apparatus at all of the parks is checked on a regular basis to ensure it is in proper working order. The standard of care depends on their schedules and diligence. Funding is limited for a preventative maintenance program within the general budget. Vandalism costs are an added expense. Security cameras have been installed to oversee the park areas, locks secure the buildings, and the Genesee County Sheriff's Department patrols the parks as needed.

### SPECIFIC PARK NEEDS

In **Hickory Park**, park usage has been limited to the playground, baseball and basketball. Recent improvements include a one-third mile walking trail and a flagpole. Bathrooms were upgraded but require additional accessibility improvements. Additional amenities such as upgraded fields, picnic areas and tables would further compliment this area and give more families reason to visit the park. The addition of a senior activity area, safety lighting, and an enclosed all-season pavilion would encourage all age groups to visit and use the facilities year-round.

**Carpenter Park** is accessible to wheel chairs, strollers, and bicycles from the Village sidewalk. A new entrance was recently added at the northeast corner. This park provides for train watching and a place to sit and have lunch during warm weather. It would be a perfect location for a raised community flower garden. The garden could be planted and maintained by interested residents. The garden would be an attractive draw for the senior population. Additional trees would also provide shade and encourage people to utilize the park on hot summer days.

At **Ward Park**, a paved walkway allows safe access from Rochester Street to the Munger Street entrance without walking on the highway. Incorporating additional space for parking would benefit park patrons.

Because **Zuber Park** is so central to the Village, the landscaping needs to be upgraded to keep up with the aesthetic updates the Village implements in the business district.

At present, **Hartland Park** provides walking areas and sledding hills, as well as the disc golf course installed in 2015. Much of the area has not been developed because of those activities and because it is difficult for vehicles to access from the street. Incorporating space for parking would benefit park patrons and increase usage.

A feasibility study completed in 2008 recommended improvements to **Linear Park** for use as a multi-purpose trail. However, the Town of Bergen has not resolved whether future trail users will include motorized vehicles (other than snowmobiles.) The Western New York Trail Riders ATV Club has expressed interest in working with the Town to allow ATV use of the trail. However, if the trail is open to ATVs, Federal Highway grant funds cannot be used to fund trail improvements. In 2008, the Town of Bergen did not support a trail terminus at NYS Route 19. An informal parking area on the east side

## 7. PARKS AND RECREATION

of NYS Route 19 is used by tractor trailers to park or turn around, by snowmobilers and ATV riders to access the trail, and by the Town of Bergen to store asphalt millings and gravel.

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### RESIDENTS' PUBLIC MEETING RESULTS

At the public informational meeting held on March 19, 2015, participants identified the following priorities, concerns, projects, and strategies relating to parks and community services:

- Improve accessibility / add water and restrooms to Robins Brook Park
- Improve maintenance at Village parks. Consider using volunteers
- Create a Bergen Village Artwalk to put Bergen on the map as a unique destination

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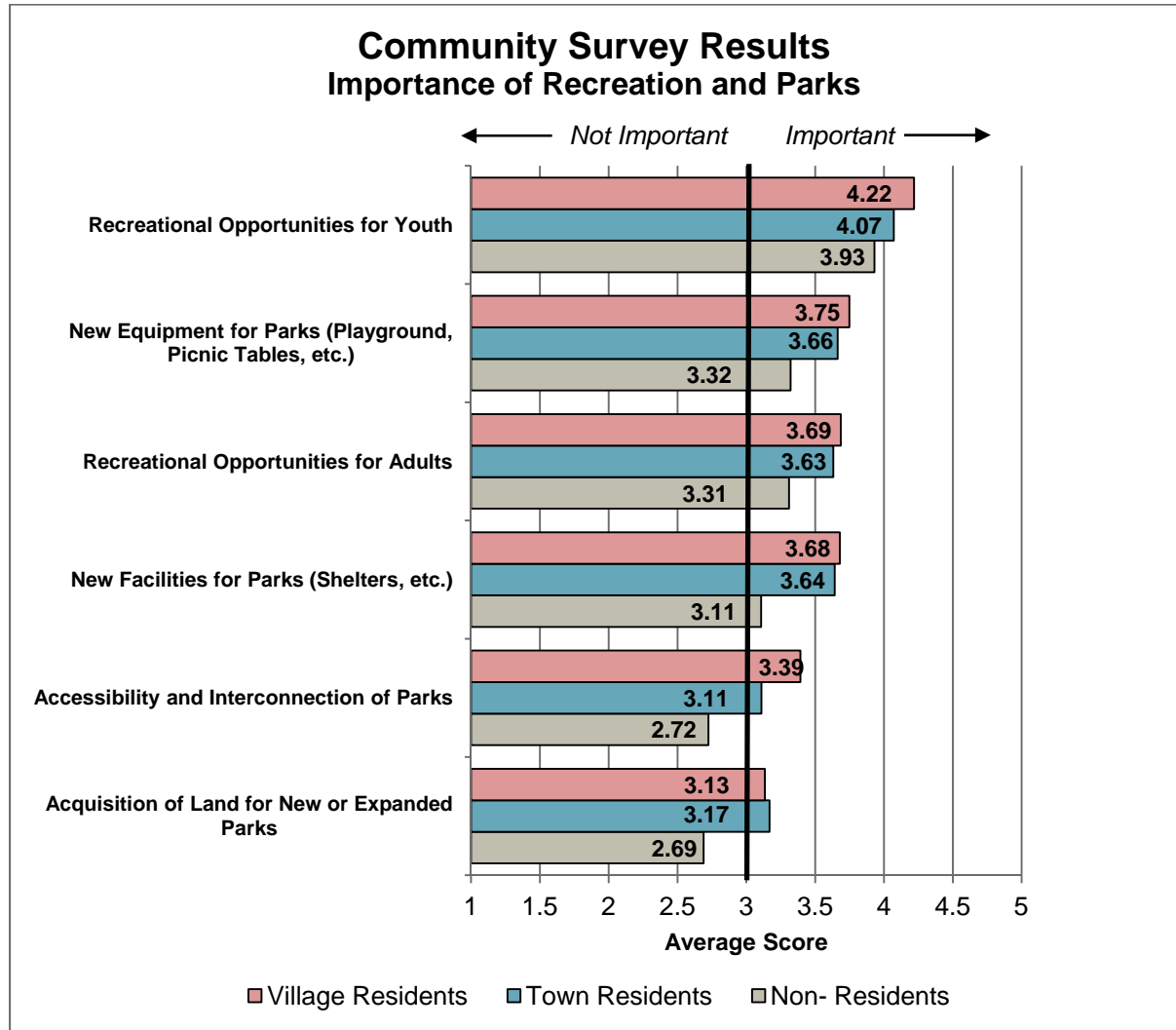
### COMMUNITY SURVEY RESULTS

The community survey confirmed that parks and recreational services are a very important asset to community members. Respondents rated area parks as being in very good condition (especially by Village residents) and as a type of use that should be encouraged.

The public survey revealed that residents want park and recreational development near their homes. When asked which locations were appropriate for new park and recreational development, 55% of Village residents responded within the Village, 55% felt areas within the Town just outside of the Village, and 26% felt other areas of the Town. Among Town residents, 25% felt the Village, 58% felt areas within the Town just outside of the Village, and 42% felt other areas of the Town were appropriate locations for new park and recreational development.

Respondents were asked to rate the importance of various recreation and park issues on a scale of 1 (Not Important) to 5 (Important). With an average score of 4.22 among Village residents and 4.07 among Town residents, recreational opportunities for youth were rated as the most important recreation and park issue. The acquisition of land for new or expanded parks and accessibility and interconnection of parks were less strongly supported.

Chart 27. Importance of Recreation and Parks



Source: Comprehensive Plan Survey

## RECOMMENDED ACTIONS

1. **Implement the actions identified in the Village of Bergen Parks Master Plan** for programming and facilities, including physical improvements, programming, staffing and organization. Recommended improvements for specific parks include:
  - a) ALL PARKS
    - Establish Bergen Village Parks Trail (active/marked walking trail to connect all parks)



## 7. PARKS AND RECREATION

- b) HICKORY PARK
    - Picnic areas and pavilions
    - Accessibility improvements
    - Trees and landscaping
    - Parking
    - Playgrounds and other recreational facilities
    - Lighting
  - c) CARPENTER PARK
    - Plantings and tree maintenance
    - Fountain
  - d) ZUBER PARK :
    - Landscaping
  - e) WARD PARK
    - Construct a gazebo
    - Trees and landscaping
2. Continue to **maintain and improve existing parks** in the Village and Town of Bergen.
  3. **Collaborate** with Byron-Bergen School District, Gillam Grant, Bergen Swamp Society, Genesee County and other community organizations to maintain and improve parks and recreational facilities and to **improve quality and/or reduce cost of services** to Bergen residents.
  4. **Develop walkways, sidewalks, trails, and bicycle paths** that connect parks with residential areas and other community facilities
  5. Continue to encourage snowmobile trails clubs to **maintain Linear Park for recreational snowmobile use**.
  6. In collaboration with trail users, neighboring landowners, Society for the Preservation of Bergen Swamp, Genesee County and other organizations, **identify the most appropriate uses of Linear Park** (former West Shore railroad) and obtain funding to **construct a multi-use trail** with suitable trailhead access.
  7. **Acquire additional land for recreational use**. Target parcels for acquisition that adjoin existing conservation and/or recreational lands.
  8. Continue to **require parkland and/or funds** for park development as a condition of approval for major subdivisions.

# CHAPTER 8

## GOVERNMENT AND COMMUNITY SERVICES



Bergen Public Library and Town Building

## 8. GOVERNMENT AND COMMUNITY SERVICES

### GOALS

- ❖ ***Maintain a high level of service for community residents and businesses.***
- ❖ ***Coordinate and collaborate with other governments and with community service organizations to increase efficiency and cost effectiveness while maintaining a high quality of service.***
- ❖ ***Promote responsible waste management and recycling.***
- ❖ ***Involve school administrators in the evaluation of the impacts of new residential developments on school capacity.***
- ❖ ***Continue to work with the Bergen Fire Department and the Town of Bergen Fire Protection District to maintain the Town's Fire Insurance Classification rating and to continue to seek solutions for improving the Insurance Services Office (ISO) townwide classification.***
- ❖ ***Support educational and cultural facilities and services to Bergen residents.***

### EXISTING CONDITIONS

#### VILLAGE GOVERNMENTAL FACILITIES AND SERVICES

The Village Hall and Village offices are located at 11 North Lake Avenue in the historic Tulley Building (originally built in 1886) in the Village's downtown business district. The Village Hall houses the village board meeting room, village services, Bergen Electric offices, and records retention facility. Parking for this building is available in the municipal parking lot located behind the building.

In 2006, the Village purchased and renovated the building to use as the Village Hall. The Tulley Building is the anchor building of the Village's National Registered Lake Street Historic District and at the heart of the Village's business district. Renovations included structural restoration and construction of the village offices and meeting rooms, renovations of apartments (on the second floor), a new roof, and a records retention area in the basement.

#### Village Public Works

The Village Department of Public Works maintenance garage is located on South Lake Avenue, adjacent to Hartland Park. This area also provides for salt storage. The electric department is located on Church Street next to the electric substation.

#### Refuse Disposal

The Village of Bergen contracts with a private hauler (currently Boon & Sons, Inc.) to collect garbage and recyclables from properties within the Village. Currently, bulk item pickup is offered one Saturday a year. Residents may also put out one bulk item per week for collection and disposal.

## TOWN GOVERNMENTAL FACILITIES AND SERVICES

The Town of Bergen maintains the Town Hall at 10 Hunter Street at the northern boundary of the Village in a space leased (until December 2028) from the Bergen Fire Department in the Fire Department building. This space houses the Town Court, Town Hall, and Town Clerk. The town owned building at 13 South Lake Avenue in the village houses the Bergen Public Library, Assessor, CEO/ZEO, and bookkeeper. The former Chapell-Drews house at 15 South Lake Avenue, now owned by the town, provides for document storage and town historian office.

The Town of Bergen provides several basic municipal services to and for residents of both the Town and Village. These services include: issuing various licenses such as marriage licenses, dog, hunting and fishing license, issuing death certificates, assessing real property for taxing purposes.

### Refuse Disposal

The Town of Bergen operates a transfer station located on Townline Road where residents may bring household trash, recyclables and/or construction and demolition debris. Fees are charged for household trash and other items as specified in the Fee Schedule, which is posted on the Town website: *Website:* <http://bergenny.org/transfer-station/>

## EMERGENCY SERVICES

Emergency services available to Bergen residents include fire protection, emergency medical. The 9-1-1- Dispatch Center, a specialized section of the Sheriff's Office, provides centralized communications to participating police, fire and emergency medical services in the County.

### Fire Protection

Fire protection service within the Village and Town is provided by the Bergen Volunteer Fire Department. The Fire Department is a Village Department and serves the corporate limits of the Village. The Department serves the Town of Bergen Fire Protection District under a contract with the Town. The Bergen Volunteer Fire Department is located in new facilities on a 12 acre site at 10 Hunter Street, in the Village of Bergen.

**Table 11. Fire Department Call Statistics**

Source: [Bergen Fire Department website \(2015\)](#)

Year	Total Calls	Fire	EMS
2008	394	183	211
2009	298	143	155
2010	324	150	174
2011	305	142	163
2012	274	136	138
2013	336	144	192

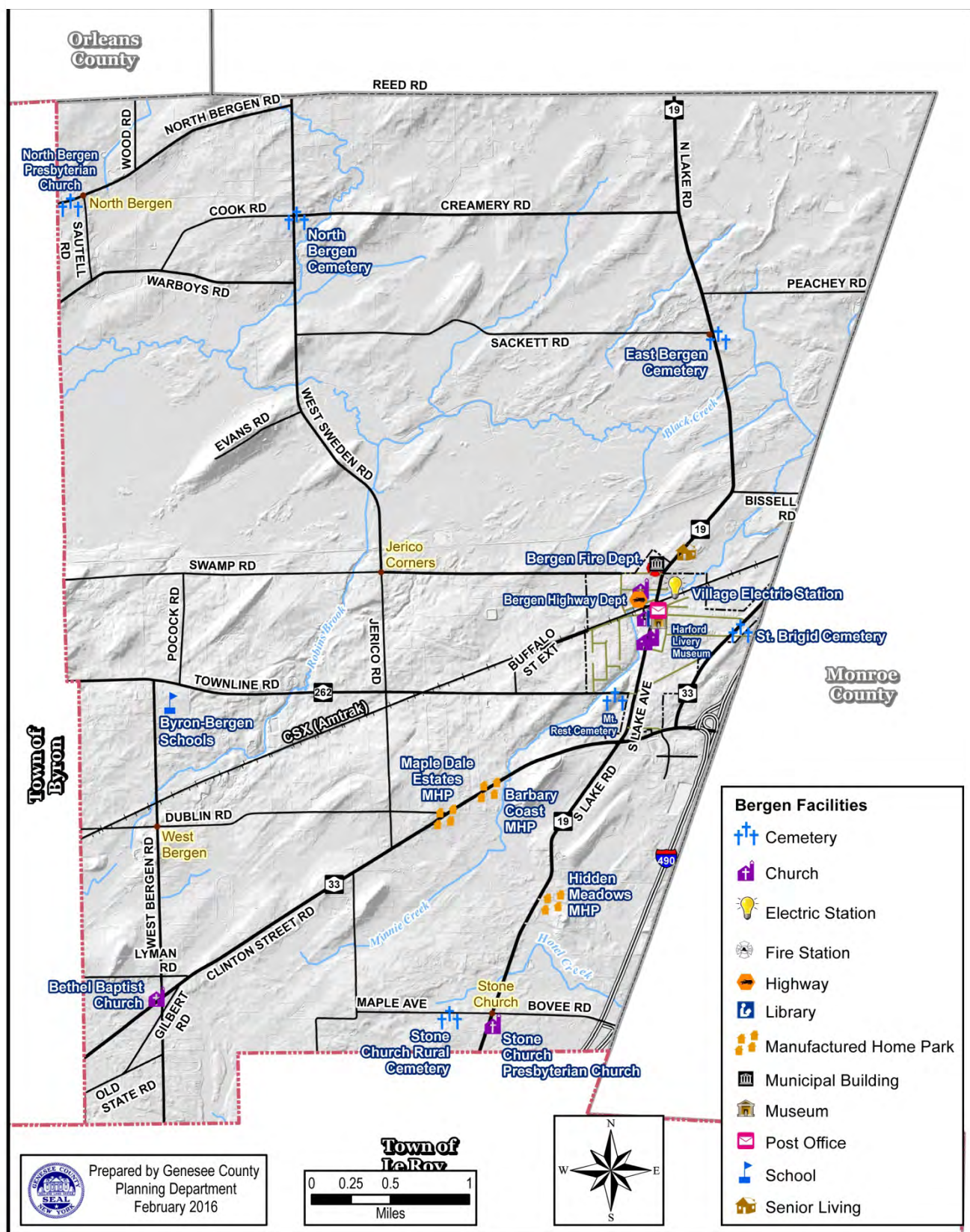


**Bergen Fire Department**

**Photo credit: Village of Bergen website**

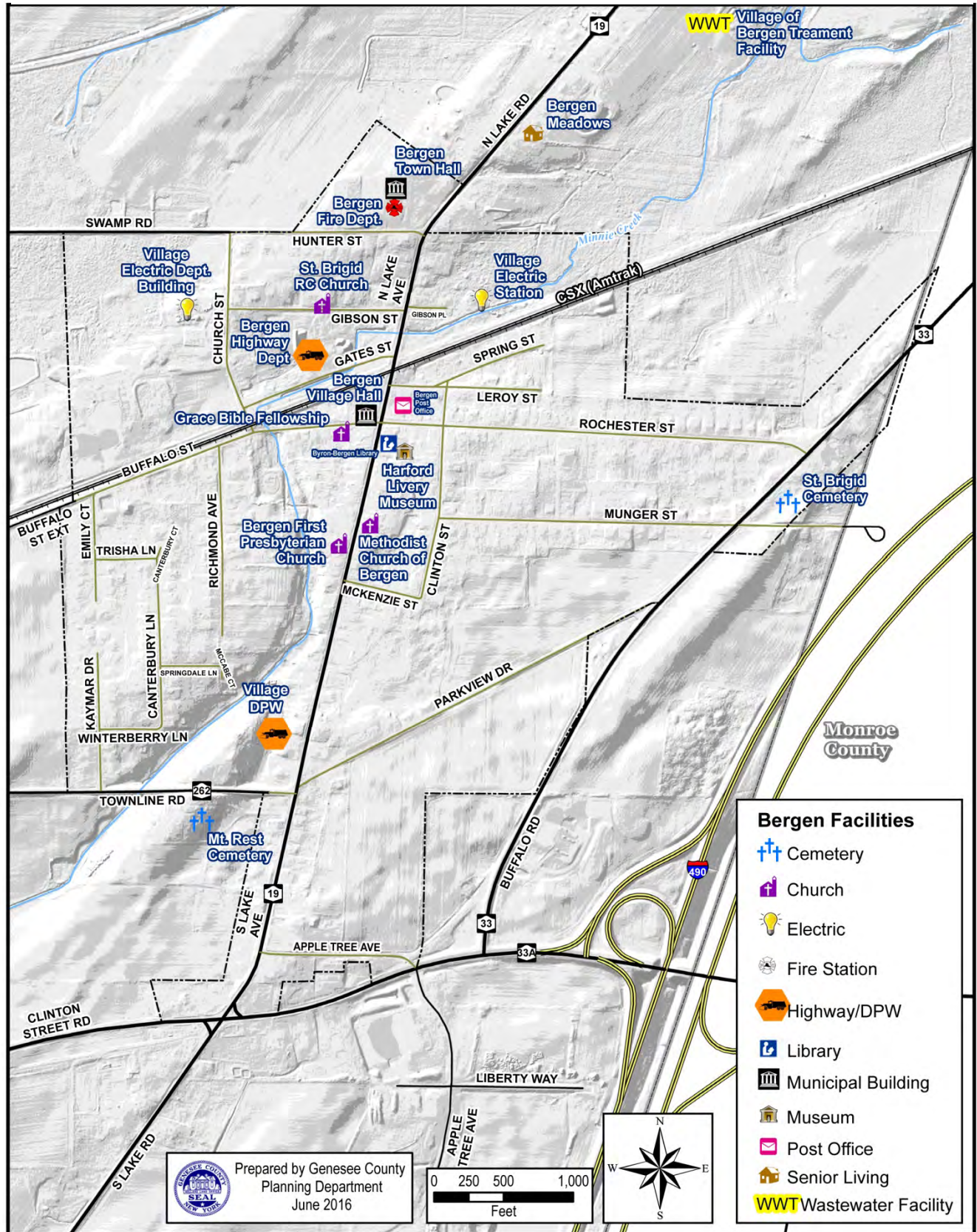


## Map 18: Government & Community Facilities - Town





## Map 19: Community Facilities - Village of Bergen



## 8. GOVERNMENT AND COMMUNITY SERVICES

The Fire Department has a total of 65 members and 12 Women's Auxiliary members. Of this total volunteer complement, 15 members are certified Basic Emergency Medical Technicians (EMTs) and two are certified EMT A's (an advanced level of EMT).

The Fire Protection Classification Rating, assigned by the State Insurance Services Office (ISO), affects residents' insurance rates. Fire Departments can improve its Public Protection Classification by making improvements to its fire department equipment, watersupply or emergency communications system.

In addition to contractual fire protection services with the Village and Town, the Fire Department provides first response contract services to a portion of the Riga Fire Protection District located in the Town of Riga, Monroe County. The LeRoy Fire Department and the LeRoy Volunteer Ambulance cover the area of the New York State Thruway near Exit 47.

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### Emergency Medical Service

The Bergen Volunteer Fire Department provides emergency medical services. MercyEMS also provides ambulance services to the residents of Genesee County.



**Bergen Fire Department Ambulance**

SOURCE: Bergen Fire Department Facebook page, February 2016



## CULTURAL AND CIVIC FACILITIES

### Public Library

Residents of the community are provided chartered library services with the Byron-Bergen Public Library, located in the Bergen Town building on 13 Lake Avenue South (Route 19) in the Village of Bergen. The Byron-Bergen Public Library is a member of the Niagara-Orleans-Genesee (NIOGA) Regional Library System, a 22 member library system.

The Byron-Bergen Public Library reported a circulation of approximately 37,960 pieces during 2012. The Library provides books, videos/DVDs, music CD's, audio book CD's, large print collection, reference materials, audio playaways as well as digital platforms that offers downloadable audio books, music, e-books, movies, comic e-books and digital magazines.

The Byron-Bergen Public Library has identified space needs to alleviate crowded conditions and to provide space for additional services that have been requested. The Library Board of Trustees is researching ways to expand and improve Library facilities and services.



**Byron-Bergen Public Library**  
Photo credit: Village of Bergen

The library building needs improvements to accessibility for persons with disabilities as well as energy efficiency improvements.

### Harford Livery Museum

The Harford Livery Museum consists of two buildings located behind the Town owned buildings at 13 and 15 South Lake Avenue that were originally the livery for the Harford House. This local facility is managed by the Town Historian and is open by appointment.

### Town and Village Historians

The Village Historian's office is in the Village Building at 11 North Lake Avenue. The Town Historian's office is in the Town Building at 15 South Lake Avenue.

## EDUCATIONAL FACILITIES AND SERVICES

### Public Schools

Most residents of the Village and Town of Bergen are served by the Byron-Bergen Central School District, from its campus located in the western portion of the Town at the intersection of West Bergen Road and the Elba-Byron-Bergen Town Line Road (Route 262). A small area in the northeast portion of the Town is within the Brockport Central School District.

The Byron-Bergen Central School District campus is situated on approximately 100 acres of land. The campus contains the Byron-Bergen Elementary School (grades Pre-kindergarten through 6th grade) and the Jr.-Sr. High School (grades 7 through 12). In addition, located on (and maintained by) the Byron-Bergen Central School Campus is the Gillam-Grant Memorial Pool facilities, which are open to the public.

## 8. GOVERNMENT AND COMMUNITY SERVICES

The school district grew in enrollment from the early 1970's to an all time high of 1,800 students in the early 1980's. During the 1980's, school enrollments declined to approximately 1,250 students then grew again, partially the result of the school providing programs for the Genesee County Board of Cooperative Educational Services (BOCES). In 1989, 6 classrooms were added to the high school and the Middle School was constructed. Since that construction, the total school enrollments declined to 1,311 students in 1993 and to 1,020 students in 2014. In 2013 the district reorganized, eliminating the middle school in favor of a junior-senior high school. The classrooms formerly utilized by the middle school are now the home of the Western New York Tech Academy, a 6 year grant-funded school whose students graduate with a Regents Diploma and an Applied Associates from Genesee Community College.

The School District constructed a Transportation Facility in 2001. The facility provides a fenced in area for all of the bus fleet and offices for the Transportation Director and Buildings and Grounds Department.

The major needs identified by School Officials include keeping up with computer technologies, more help for remedial education, renovations to the Elementary School and Soccer Stadium, additional energy improvements, and more course offerings.

The Byron-Bergen School Central District provides all students with a rigorous, well rounded educational experience. Empowered by the community, parents, students, faculty, and staff, its commitment is to foster ethical standards and strong character in graduates ready to take on the challenges of an ever changing world. The student population of 1,020 has an average class size of 20 with a graduation rate of 90%. Business First ranks Byron-Bergen the #1 elementary school in Genesee County for the last three years, #1 out of 22 districts for administrative efficiency, and #4 out of 22 districts for most cost effective per pupil expenditure.

The campus water supply is from the Monroe County Water Authority system. Sewage disposal is tied into the village sewage treatment plant. The facility is heated by natural gas from RG & E.

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### Private Schools

St. Joseph School in Batavia is a private Catholic school which offers an academically rigorous pre-k through eighth grade education. Notre Dame, also in Batavia, is a private Catholic high school (grades 9-12). Cornerstone Christian Academy in Brockport is a private Christian school for pre-k through twelfth grade. St Paul Lutheran School in Batavia provides a pre-K through fifth grade program. At present all four of these schools receive bussing from the Byron-Bergen Central School District.

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### Gillam Grant

The Gillam Grant Community Center, a not-for-profit facility that opened in 1973 to serve the needs of the community, offers several educational, recreational and social programs for adults, seniors and youth. The center is located at 6966 West Bergen Road.

Phone: 585-494-1621, Website: [www.gillamgrant.org](http://www.gillamgrant.org).

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## OTHER GOVERNMENT FACILITIES AND SERVICES

This section describes government located in Bergen as well as Genesee County services available to Bergen residents.

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### Postal Service

The Village and Town of Bergen are served by one post office (Zip Code 14416) which is located on Rochester Street in the Village of Bergen.

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### Senior Services

The Genesee County Office for the Aging administers programs that benefit county residents who are age 60 or older. These include:

- Nutrition program, including congregate meals (in Batavia, Bethany, Corfu and Basom) and home delivered meals (Meals on Wheels) to residents who are incapacitated, unable to prepare their own meals and lack support of any family, friends or neighbors
- Senior recreation program at the Batavia Senior Center
- Caregiver support, including referrals and support groups
- Expanded in-home services, including case management and non-medical care
- Employment services such as workforce training and subsidized employment
- Financial assistance with home heating costs, telephone bill assistance, benefits check up and food
- Health care assistance with Medicare, Medicaid and prescription drugs insurance, medical equipment and counseling and long-term care insurance
- Legal assistance, including consultations with an advisor on issues such as Medicaid eligibility, living wills and health care proxies, landlord/tenant disputes and consumer problems
- Free income tax preparation for seniors and people with low incomes, in cooperation with the American Association of Retired Persons (AARP)

Senior groups or clubs in the community include a group that meets monthly at Bergen Meadows and the Bergen Recycled Teens, which offers programs and entertainment at St. Brigid's Church.



## 8. GOVERNMENT AND COMMUNITY SERVICES

### Other Community Organizations

Other community organizations active in Bergen include:

Organization	Contact Information
<b>Boy Scouts:</b>	Tel: 520-5394
<b>Girl Scouts</b>	Tel: 494-2563
<b>Hesperus Masonic Lodge</b>	12 S Lake Ave PO Box 101, Tel: 494-1044, <a href="http://www.hesperuslodge.com">http://www.hesperuslodge.com</a>
<b>American Legion</b>	#575 21 N Lake Ave Bergen, Tel: 494-2232
<b>Triangle Club</b>	Tel: 293-1670
<b>Bergen Business and Civic Association</b>	PO Box 24, Tel: 494-2468

### Genesee County Youth Bureau

The Genesee County Youth Bureau is a County agency that provides youth programming funded in part by the NYS Office of Children and Family Services. Its purpose is to encourage positive youth development and to create and administer programs that motivate young people to develop a sense of responsibility and make a positive contribution to their communities.

The Genesee County Legislature appointed representatives of youth, municipal and human services to the Youth Board, an advisory body. They are tasked to set goals, establish priorities, recommend funding allocations and to monitor and evaluate the Youth Bureau's programs.

Website: <http://www.co.genesee.ny.us/departments/youthbureau/aboutus.html>

### RELIGIOUS ORGANIZATIONS AND FACILITIES

Community facilities located in Bergen include several churches and cemeteries.

#### Places of Worship

The following churches are located in the Village of Bergen:



**Bergen United Methodist Church**

**27 S Lake Avenue**

Photo: Village of Bergen website



**First Presbyterian Church of Bergen**

**38 S Lake Avenue**

Photo: Village of Bergen website



**Grace Bible Fellowship**

**11 South Lake Avenue**

Photo: Village of Bergen website



**Saint Brigid Roman Catholic Church**

**18 Gibson Street**

Photo: Village of Bergen website

## 8. GOVERNMENT AND COMMUNITY SERVICES

The following churches are located in the Town of Bergen outside the Village:



**North Bergen Presbyterian Church**

**7068 N Bergen Rd**

Photo: Bill Waldruff



**Stone Church Presbyterian Church**

**7549 S Lake Rd, Bergen, NY**

Photo: Bill Waldruff



**Bethel Baptist Church**

**7484 W Bergen Rd**

Photo: Bill Waldruff

### CEMETERIES

The following cemeteries are located in the Village of Bergen:

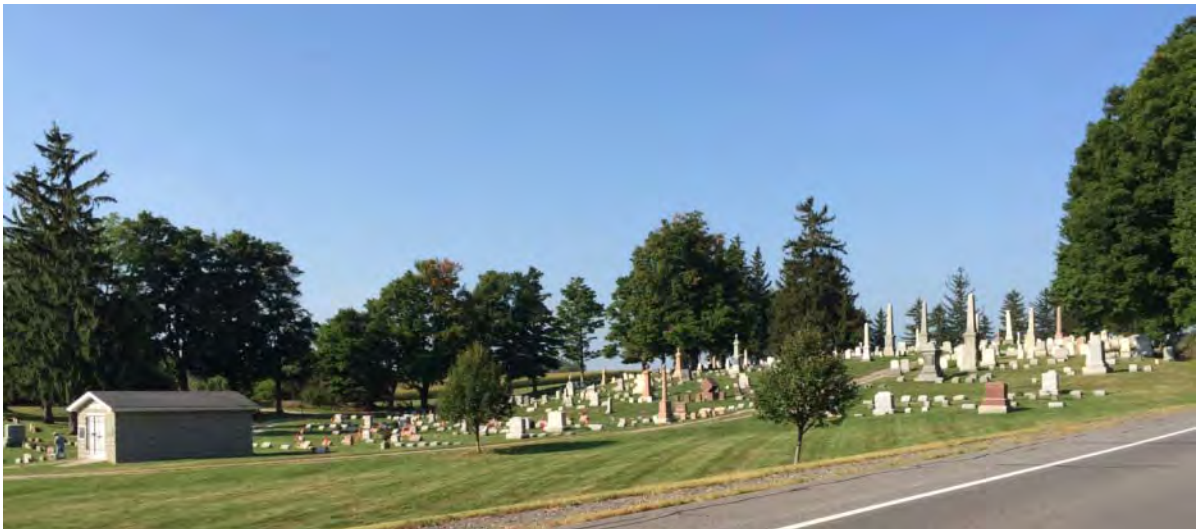
- St. Brigid's Cemetery along the west side of Buffalo Road, north of Munger Street, and
- a portion of the Mt. Rest Cemetery on Townline Road.

Both facilities are privately owned and operated.

The following cemeteries are located in the Town outside the Village:

- Mt. Rest Cemetery
- North Bergen located southwest of the intersection of West Sweden and Creamery Roads
- East Bergen, located on the east side of North Lake Road, just south of the intersection with Sacket Road
- Stone Church Cemetery, located on the south side of Maple Avenue, west of South Lake Road.

Each of these cemeteries is managed by a not-for-profit association.



**Mt. Rest Cemetery, Townline Road**

Photo: LaBella Associates

### HEALTH CARE

Privately operated medical facilities in Bergen are located in the downtown business district and at Gillam Grant Community Center. The nearest hospitals are located in the City of Batavia (United Memorial Medical Center) and in Rochester (Unity Hospital on Long Pond Road, Strong Memorial Hospital, and Rochester General Hospital).

### RELEVANT PLANS, PROGRAMS AND REGULATIONS

#### INTERMUNICIPAL COOPERATION

New York State law enables municipal governments to work together through inter-municipal agreements to take advantage of economies of scale, to reduce or eliminate duplication and to utilize surplus facilities. There are two forms of inter-municipal agreements, i.e. a service agreement and a joint agreement. Under a service agreement, one municipality agrees to provide services to another municipality. Under a joint agreement the municipalities share the responsibility for providing a particular service or for constructing and operating a facility. Inter-municipal agreements enable municipalities to more efficiently provide services or operate facilities without an actual consolidation of the two municipalities.

Currently, the Town and Village do not have formal inter-municipal agreements. However, informal arrangements are in effect to improve the efficiency and cost-effectiveness of street maintenance, recreation and other services. In addition, fire and emergency response services benefit from mutual aid agreements.

#### EMERGENCY PLAN

Bergen's Emergency Plan establishes a chain of command and communications protocol for use in an emergency. The Village of Bergen created the Plan in cooperation with the Town of Bergen, Genesee County Emergency Management Agency and the Bergen Fire Department. Copies are located in every Village building and vehicle.

#### GENESEE COUNTY COMPREHENSIVE PLAN – 2015 MONITORING

As part of the Genesee County Comprehensive Plan Update, the Government Administration & Monitoring Focus Group identified the following issues and priorities in its 2015 Monitoring Report:

##### Issues

- Mandate relief for local governments needs to be increased
- Expect grant/funding to help in recruitment and retention of volunteer firefighters/EMS
- Continue efforts of recruitment and retention of volunteer firefighters/EMS (expand advertising campaign), and conduct supplemental training for greater retention (i.e. leadership training)

##### Priorities

- Continue to monitor implications of NYS Property Tax Cap/ Freeze
- Examine Shared Service Plan. Determine whether to file individually or as a group
- Share in sales tax split between County and municipalities may shift



## ISSUES AND OPPORTUNITIES

## KEY ISSUES

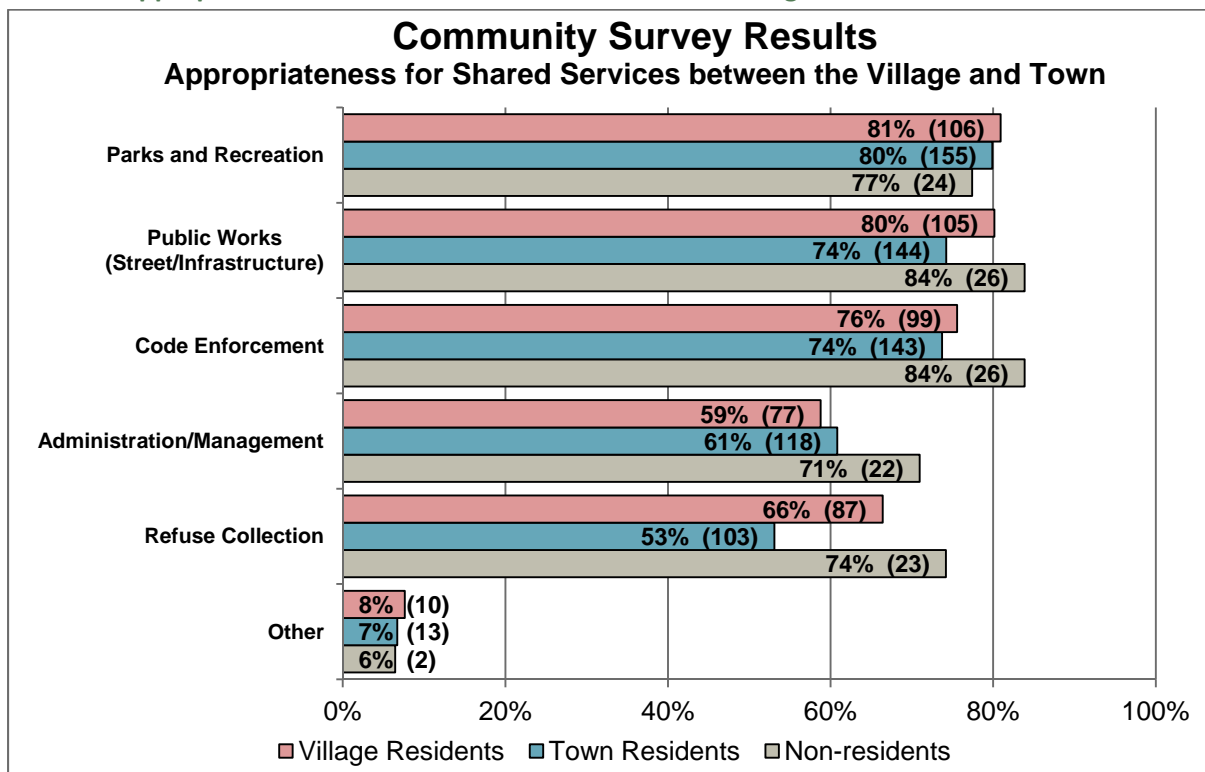
The following issues were identified at public workshops and by the CPC:

- The Bergen Library, schools and churches are important community assets
- Locating civic facilities in the downtown business district supports the vitality of the community.
- The Town refuse station offers a valuable service to residents
- Efficient and high quality services are important to residents' quality of life. Continued efforts to coordinate and share services are encouraged.

## COMMUNITY SURVEY RESULTS

Public survey respondents were asked what types of services would be appropriate to share between the Village and Town. Respondents were instructed to select all services that apply. The largest proportion of respondents (80%) support sharing park and recreation services and the smallest proportion (though still a majority) support sharing code enforcement and public works services.

**Chart 28. Appropriateness for Shared Services between the Village and Town**



Source: Comprehensive Plan Community Survey

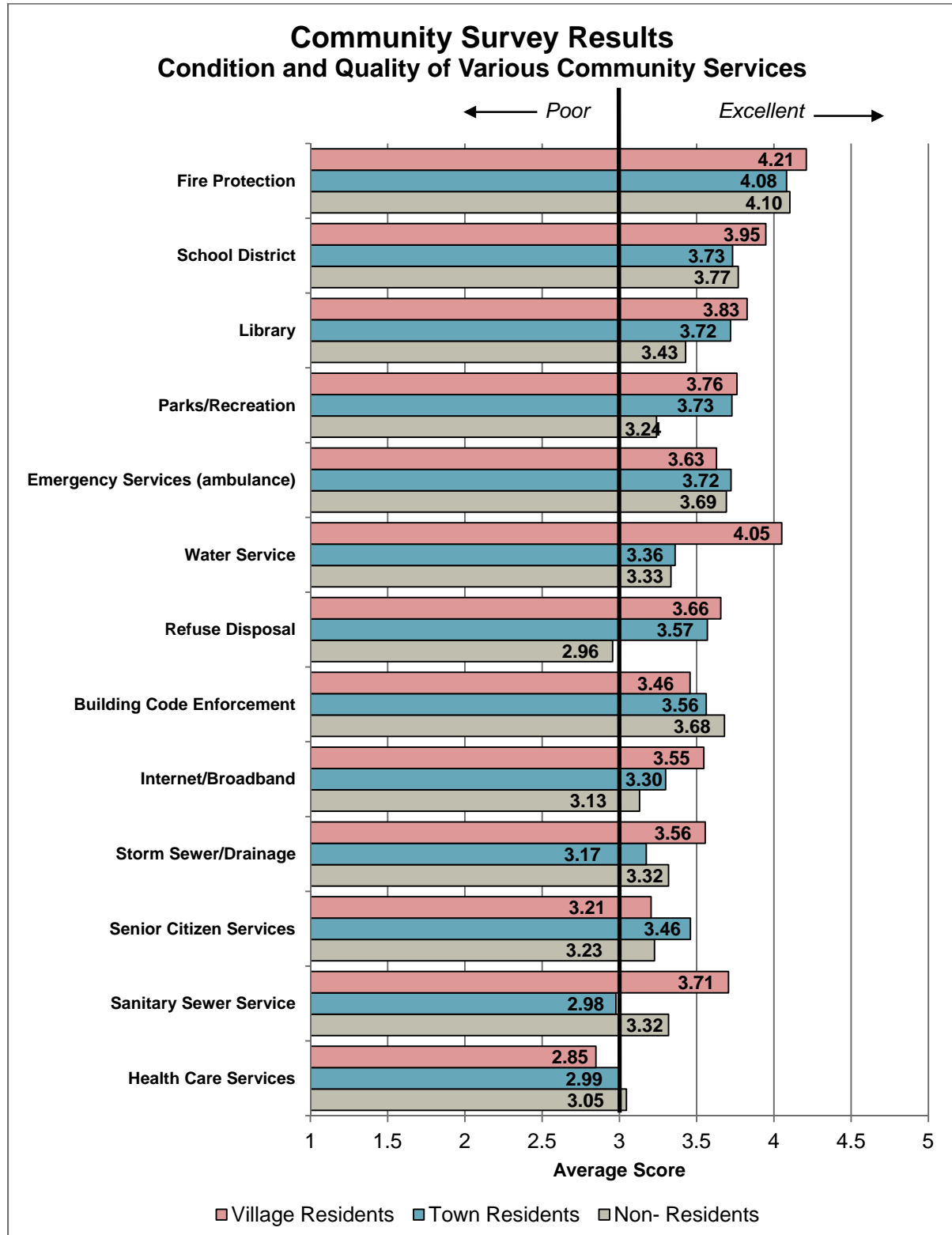
## 8. GOVERNMENT AND COMMUNITY SERVICES

Public survey respondents were asked to rate various community characteristics on a scale of 1 (Poor) to 5 (Excellent). The diagram below shows the average scores for each of the various community characteristics: the higher the score, the better the condition.

Fire protection was rated as being the best community characteristic by Village residents, Town residents, and non-residents alike. Village residents rated health care services, Town residents rated the sanitary sewer service, and non-residents rated the refuse disposal as being the worst community characteristics. In fact, health care services (Village and Town), sanitary sewer service (Town) and refuse disposal (non-resident) were the only community characteristics with an average score on the “poor” side of the scale.

The low rating for health care is likely due to Bergen residents’ need to travel to Rochester or Batavia for specialized medical care. The low rating among non-resident property or business owners may be due to the need to contract with private waste haulers.

Chart 29. Condition and Quality of Various Community Services



Source: Comprehensive Plan Community Survey

## 8. GOVERNMENT AND COMMUNITY SERVICES

### RECOMMENDED ACTIONS

1. **Monitor the Comprehensive Plan annually**, using a worksheet to track progress of each recommended action. **Update and adopt amendments** every five years.
2. Continue to **share equipment and facilities and coordinate services** between and among Town, Village and County departments whenever it is cost effective and efficient to do so. Evaluate the feasibility of consolidating or sharing additional community services, facilities and equipment.
3. Continue to support collaborations with Byron Bergen School District and Gillam Grant to **maintain and improve services for youth and adults** in the community.
4. Continue to **support the Bergen Volunteer Fire Department**
5. Continue to work with the Bergen Fire Department and the Town of Bergen Fire Protection District to **maintain the Town's Fire Insurance Classification** rating and to continue to seek solutions for improving the Insurance Services Office (ISO) townwide classification.
6. **Maintain the Village and Town Emergency Plan** in collaboration with the Byron-Bergen School District, Genesee County and other entities.
7. Continue to **utilize the Genesee County Sheriff to devote officers to patrol the Village** for a specified number of hours each week, in addition to standard patrols by the County Sheriff and NYS Police.
8. Continue to **negotiate with private waste haulers** to provide refuse disposal and recyclable pickup services to Village residents. Continue to maintain the Town transfer station or provide alternative service to Town residents.
9. **Maintain communications** with County and regional planning agencies, Byron-Bergen School District and other community organizations.
10. Continue to **keep the public informed**, through newsletters, website and other means, of issues of public interest and government decisions.
11. Collaborate with Gillam Grant and health care providers to **encourage medical care facilities** in the Town and/or Village.
12. Continue to **support the Byron-Bergen Public Library**.

## CHAPTER 9

# HISTORIC RESOURCES



Lake Avenue looking south near intersection of Lake, Rochester and Buffalo Streets, c. 1900



Lake Avenue looking north, c. 1908



## 9. HISTORIC RESOURCES

### GOALS

- ❖ ***Retain the historic character of the downtown business district***
- ❖ ***Promote tourism and economic development that utilizes historic resources***

### BERGEN HISTORY

The Bergen area was opened up in 1801 with a road through the thick "Northwoods" between LeRoy and Lake Ontario. A colony of 60 families from Connecticut settled the area between 1805 and 1810.

The first store was located on the east side of NYS Route 19 about a mile south of NYS Route 33. The first group of stores was located along Lake Road (NYS Route 19) between Townline Road (NYS Route 262) and the former Scottsville Road (now NYS Route 33A). This area was called Buell's Corner, later Bergen Corners or High Bergen.

Bergen began growing as a small hamlet that served the farms around it. After the Buffalo and Rochester Railroad was built just north of the hamlet in 1836, members of the Levi Ward family planned the layout of lots for businesses and houses around the intersection of what is now South Lake Avenue (NYS Route 19) and the railroad. This area was called Wardville. The two areas were soon connected by residences and churches and became part of the Village of Bergen as incorporated in 1877.

Fire destroyed the business area around the railroad tracks in 1866 and again in 1880. Within two years of the 1866 fire, the buildings at 13 through 27 North Lake were built, with cast iron storefronts and Romanesque Revival detailing representing the trends of the time. Following the 1880 fire, the Village Board passed an ordinance requiring that all structures in this area be built of brick or stone or wrought iron. A fire in 1906 destroyed the older frame buildings on the west side of the block, which were replaced over a period of several years. A fire in 1932 leveled some of the buildings on the east side of the street. Since then fires in individual buildings have caused some alteration of the facade of the buildings.



West Side Businesses, Lake Avenue c. 1920s

Bergen was at its most prosperous during the late 1800s and early 1900s. Area businesses included a cigar factory, creamery and gas and coal works. During the Great Depression, Bergen and its industries went into decline. Later, railroad freight business was displaced by trucking fueled by the construction of interstates such as the nearby Interstate 490 and New York State Thruway. In an attempt under urban renewal in the late 1960s and early 1970s to revive Bergen's downtown, the east side of Lake Street was largely demolished in favor of newer buildings.

The Village has subsequently recovered somewhat as a bedroom community midway between the larger communities of Rochester and Batavia. The Village has made Tulley Block its offices, and most of the storefronts are home to businesses again. A few have been altered, but the district retains its historical appearance.



**The Lake Street Historic District was added to the National Register of Historic Places in 1985.**

Photo credit: Town of Bergen website

#### **Sources for Narrative:**

Village of Bergen: <http://villageofbergen.com/about/history.html>

Wikipedia: [https://en.wikipedia.org/wiki/Lake\\_Street\\_Historic\\_District\\_%28Bergen,\\_New\\_York%29](https://en.wikipedia.org/wiki/Lake_Street_Historic_District_%28Bergen,_New_York%29)

Reference: Claire L. Ross (April 1985). "National Register of Historic Places Registration: Lake Street Historic District". New York State Office of Parks, Recreation and Historic Preservation. Retrieved 2009-06-14.

### RELEVANT PLANS, PROGRAMS AND REGULATIONS

#### NATIONAL REGISTER OF HISTORIC PLACES

The National Register of Historic Places is a voluntary program that recognizes buildings, sites or districts for their historic significance. Owners of buildings listed in the National Register are eligible for tax credits that offer incentives for rehabilitation. Governments must consider the potential impact on historic resources as part of the State Environmental Quality Review (SEQR) process. Properties in Bergen that are listed in the National Register include the Village business district and the Gifford-Walker Farm in North Bergen.

##### Lake Street Historic District

The west side of Lake Avenue south of the railroad is on the National Register of Historic Places as the "Lake Street Historic District." The district consists of 11 buildings along the west side of the street, bounded by the railroad tracks on the north. Two, 10 and 12 South Lake Avenue, are south of Buffalo Street and the remainder, 11–27 North Lake Avenue, are to the north.



**Lake Street Historic District, view toward the west**

All but one, 23 North Lake Street, are two-story structures with flat roofs. Many have decorative details and cast iron storefronts, most of which remain intact from their original construction. The upper stories are used for offices and residences. The 11 buildings include:

- **10 South Lake Avenue**, a two-story brick Romanesque Revival structure with a cast iron storefront, was built in 1888, with the original cast-iron cornice replaced in 1930.
- **Masonic Temple**, 12 South Lake Avenue, was built to replace the Masons' original building, destroyed in the 1906 fire.
- **Tulley Block**, 11 North Lake Avenue, currently the Village Hall, has "1886" the year of its construction on the front façade and "Tulley Block" on the south side along with a mural of scenes from local history.

- **13 North Lake Avenue**, one of the first new buildings erected after the 1880 fire, its cast iron storefront retains its original decorative details.
- **15 North Lake Avenue**, the cornice was altered in 1906 and a brick veneer was added around 1950.
- **17 North Lake Avenue**, built in 1880, features decorative stone lintels.
- **19 North Lake Avenue**, built in 1880 and currently Ralph & Rosies, features elaborate cast iron window heads and corbelled cornices.
- **Sackett-Merrill-White American Legion Home**, 21 North Lake Avenue, built in 1881, has distinctive windows and other features.
- **23 North Lake Avenue**, this small grocery store was built in 1921, features decorative brickwork and the original cast iron storefront.
- **25 North Lake Avenue**, built in 1913, it retains its original decorative brickwork and cornice. The second story bay window was resided in shingle in 1971 and the storefront has been altered.
- **Housel Bank**, 27 North Lake Avenue dates to 1906. It retains some features and arched windows but its storefront was altered in 1971.

Listing in the National Register of Historic Places does not prohibit owners from modifying or even demolishing the buildings. Public agencies, however, must consider the impacts on historic resources when they expend public funds or issue decisions.

Benefits of listing include:

- improved recognition of the area as a unique historic resource, contributing to tourism;
- improved eligibility for grants; and
- tax credits for individual property owners to support building renovations.

#### Gifford-Walker Farm

The Gifford Walker Farm, located at 7083 North Bergen Road in the hamlet of North Bergen, was constructed around 1870 in the Carpenter Gothic style. Along with an accompanying barn and shed, it was listed in the National Register of Historic Places in 1980. It has remained largely intact since it was constructed, and has only been owned by three families.



Gifford-Walker Farm, south elevation and east profile, 2010

Photo credit: [https://en.wikipedia.org/wiki/Gifford%E2%80%93Walker\\_Farm](https://en.wikipedia.org/wiki/Gifford%E2%80%93Walker_Farm)

### TAX CREDITS AND EXEMPTIONS

The following programs are available to municipalities to support historic preservation.

- Real property tax exemption for increased assessment from improvement to historic properties (NYS RPL Sec. 444-a) – This provides incentives for property owners to improve buildings.
- Certified Local Government (CLG) – Local historic district designation and creation of a historic preservation review commission authorized to review and approve modifications to historic buildings within the district. CLG municipalities are eligible for grant funding for studies and other activities.
- Federal Investment Tax Credit Program for Income Producing Properties – Owners of income producing real properties listed on the National Register of Historic Places may be eligible for a federal income tax credit of up to 20% of the cost of substantial rehabilitation of historic properties. The work performed (both interior and exterior) must meet the Secretary of the Interior's Standards for Rehabilitation and be approved by the National Park Service.  
*Website:* <http://nysparks.com/shpo/tax-credit-programs/#sthash.PpiwXdwh.dpuf>
- New York State offers additional tax credits for projects located within federally qualified Census Tracts. Census Tract 9501, which includes the Village of Bergen, is a qualified Census Tract that is eligible for NYS Tax Credits.



## ISSUES AND OPPORTUNITIES

## KEY ISSUES

The downtown historic district represents a significant cultural resource in the community. Revitalization efforts that focus on the historic character of the downtown are critical to ensuring that downtown retains its unique identity.

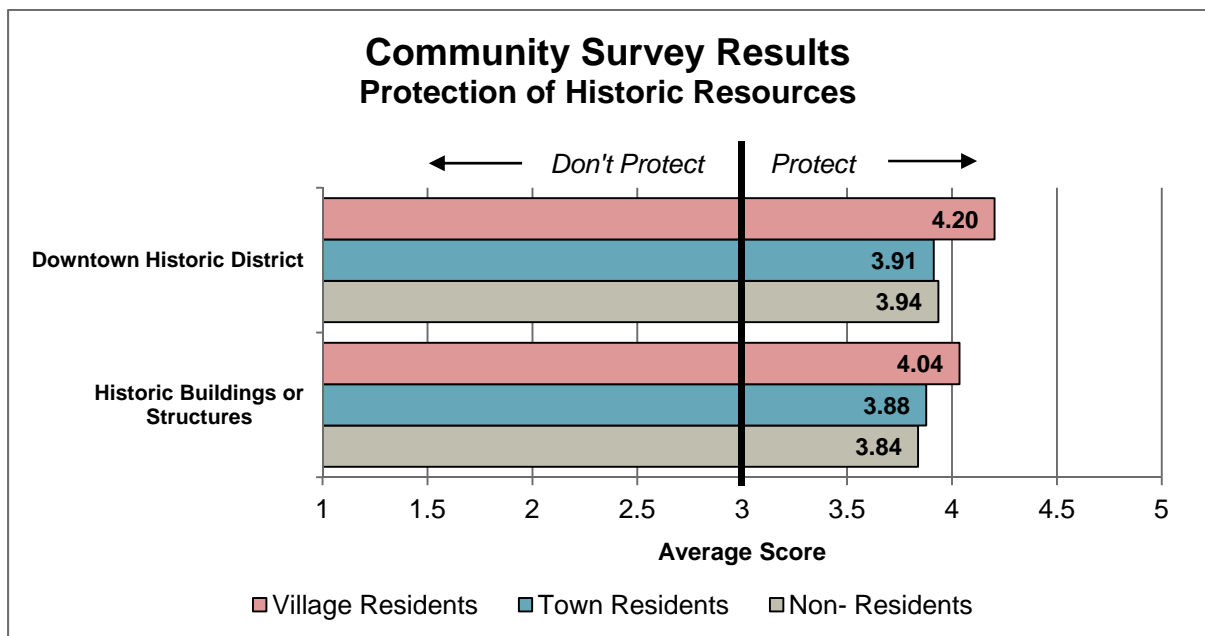
Bergen Swamp is not only significant for its diverse ecosystem, as described in the Natural Resources chapter, but for its history as the first Natural Landmark in the country.

The Genesee County Government Administration Focus Group, in its 2015 Monitoring Report, noted the need for continued education regarding available Historic Tax Credit / Grant opportunities to encourage rehabilitation and re-investment in properties.

## COMMUNITY SURVEY RESULTS

The Community Survey results demonstrate that residents support historic preservation activities. When asked to rate what types of historic resources should be protected or not protected in Bergen on a scale of 1 (Don't Protect) to 5 (Protect), the average scores were above 3 which place them on the "protect" side of the scale. The diagram below shows the average scores for protection of historic resources: the higher the score, the more strongly respondents support protection. Village residents in particular support the protection of the Downtown Historic District.

**Chart 30. Protection of Historic Resources**



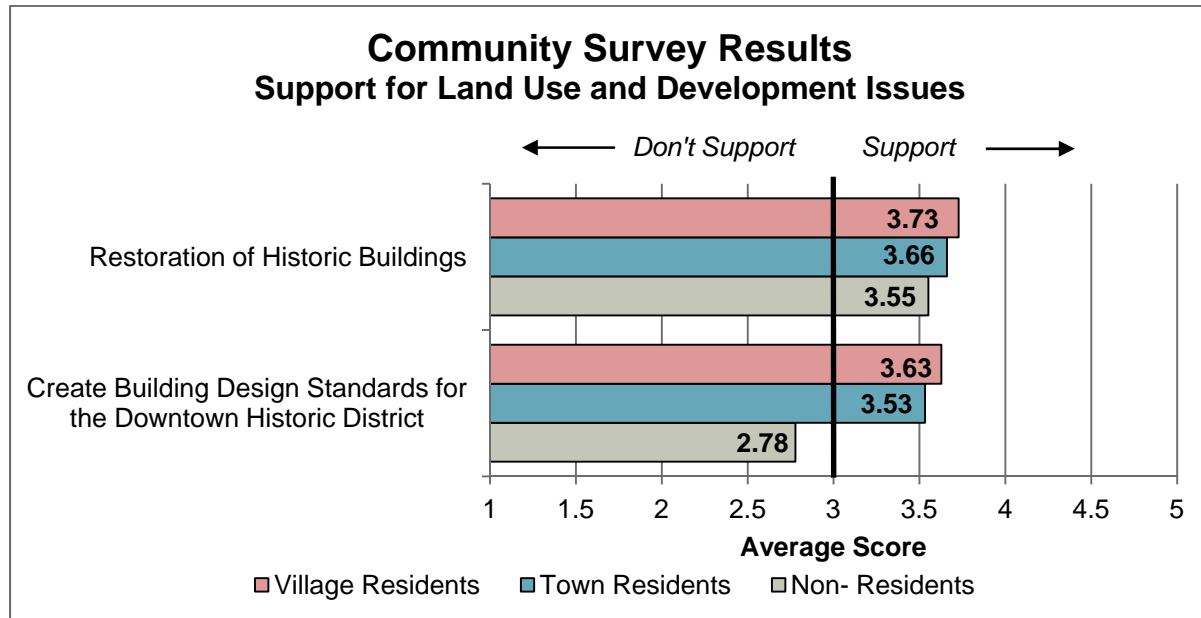
Source: Comprehensive Plan Community Survey

Respondents were asked to rate their opinion of land use and development issues in Bergen on a scale of 1 (Don't Support) to 5 (Support). The average score for "Create building design standards for

## 9. HISTORIC RESOURCES

the downtown historic district” was 3.63 among Village residents and 3.53 among Town residents, which is on the “support” side of the scale but does not represent strong support. The survey revealed stronger support for the restoration of historic buildings, with average scores of 3.73 among Village residents and 3.66 among Town residents (see Chart 31).

**Chart 31: Support for Land Use and Development Issues (“Please tell us your opinion on the following.”)**



Source: Comprehensive Plan Community Survey

## RECOMMENDED ACTIONS

1. Continue to **support the Village and Town Historians and the Historical Society** in their efforts to document, preserve, restore and celebrate the heritage and historic resources of the Village and Town
2. Work with the Landmark Society of Western New York and other organizations to **distribute information to owners of historic buildings** regarding maintenance techniques that preserve historic features
3. Continue to **publicize the historic character** in promoting downtown economic development
4. **Prepare guidelines for building renovations that protect the historic character** of the district. **Apply these standards** during site plan review and prevent alterations that would damage or remove historic features of buildings within the National Register Historic District.

# CHAPTER 10

## IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>LAND USE</b>					
1. <b>Modify zoning regulations</b> to implement the recommendations of the Future Land Use Plan.	X			Village Board; Town Board	Village and Town Planning Boards, Zoning Boards of Appeal
2. Coordinate with utilities and government agencies to <b>extend utilities</b> to areas designated for development in the Future Land Use map.			X	Village Board; Town Board	Monroe County Water Authority, Bergen Electric, National Grid, Genesee County, NYS DOT
3. <b>Revise site plan review standards</b> to minimize impacts of new development on natural resources, agricultural operations, transportation access, historic resources and aesthetics.	X			Village Board; Town Board	Village and Town Planning Boards
4. <b>Prepare architectural design guidelines</b> for development and redevelopment within the Village.	X			Village Board	Village Planning Board
5. Review and <b>revise development standards and construction specifications</b> to be consistent with the goals of the Comprehensive Plan.	X			Village Board; Town Board	Village and Town Planning Boards; engineering consultant
<b>NATURAL RESOURCES</b>					
1. <b>Collaborate with other organizations</b> and programs (e.g., Bergen Swamp Society, Soil & Water Conservation District, Black Creek and Oatka Creek Watershed Coalitions, Green Genesee) to protect and enhance natural assets.			X	Village Board; Town Board	Village and Town Planning Boards; not-for-profit organizations and coalitions

## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
2. Implement the following recommendations from the <b>Black Creek Watershed Protection Plan</b> : a. Create green infrastructure standards and integrate into site plan review criteria b. Adopt stream buffer/ riparian setback regulations c. Review and update the Town of Bergen Stormwater Management & Erosion Control Local Law and enforce performance standards d. Review and revise stormwater management standards in Village laws and development regulations	X			Village Board; Town Board	Village and Town Planning Boards;
3. Consider zoning revisions that <b>manage development within stream corridors</b> and that protect and maintain natural assets, consistent with recommendations in the Genesee County Green Genesee Action Plan.	X			Village Board; Town Board	Village and Town Planning Boards;
4. Continue to <b>apply State Environmental Quality Review (SEQR)</b> procedures and standards to consider potential impacts on the environment and identify mitigation measures prior to approving or funding projects.			X	Village Board; Town Board	Village and Town Planning Board; Village and Town Zoning Boards of Appeals
5. <b>Maintain land conservation zoning districts</b> as delineated in the Future Land Use map.			X	Village Board; Town Board	Village and Town Planning Boards
6. Acquire and <b>encourage recreational use of natural lands</b> in a manner that protects their character and function.		X	X	Town Board	Town Planning Boards
7. Continue to <b>limit and manage development on flood-prone land</b> in accordance with FEMA guidelines.			X	Village Board; Town Board	Village and Town Planning Boards
8. <b>Undertake a study of stormwater drainage issues and implement effective management approaches</b> , including low impact design techniques for stormwater management and clean-out schedules, to address drainage issues affecting roadways, existing development and agricultural land.		X	X	Village Board; Town Board	Town Highway Superintendent; Village Department of Public Works
9. <b>Refine the Genesee County Green Infrastructure Road Map</b> to more accurately document the natural assets in Bergen.		X	X	Village Board; Town Board	Genesee County
10. Continue to <b>maintain the Tree City USA designation</b> (Village).			X	Village Board;	Arbor Day Foundation

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>AGRICULTURE &amp; FARMLAND</b>					
1. Designate a Town Board member to act as a <b>liaison to the agricultural community</b> and support agencies and organizations.	X		X	Town Board	Genesee County Soil & Water Conservation District; Cornell Cooperative Extension: Farm Bureau; other agricultural organizations
2. <b>Adopt lateral restrictions</b> and comply with Genesee County Smart Growth policies to limit residential water hookups within productive agricultural areas.			X	Town Board	Genesee County Planning Department
3. Conduct a planning study to <b>delineate priority agricultural areas</b> and recommend specific zoning regulations and other actions to support agriculture and manage development in a way that minimizes impacts on agricultural production.	X			Town Board	Town Planning Board
4. Review and <b>revise zoning</b> as needed to <b>increase support for agricultural operations</b> and agri-businesses.		X		Town Board	Town Planning Board
5. Encourage the permanent protection of high quality farmland by providing <b>information to landowners about donating conservation easements</b> to a land trust.			X	Town Board	Town Planning Board
6. Incorporate guidelines into site plan and subdivision regulations that help the Planning Board and the landowner/developer to <b>site new house lots</b> and other new development in a way that <b>minimizes the potential conflict with farmland</b> and agricultural operations.		X		Town Board liaison	Town Planning Board



## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<p>7. Support efforts by State and County agencies to <b>assist farms and agribusinesses</b> that contribute to the regional economy. For example:</p> <ul style="list-style-type: none"> <li>• Work with Cooperative Extension and other agencies to promote farm markets and roadside stands.</li> <li>• Work with Genesee County to facilitate grants and loans for expansion of agriculture-related businesses that create jobs.</li> <li>• Encourage the development of agricultural-related businesses.</li> <li>• Work with County and State agencies to encourage retain and/or attract processors.</li> </ul>			X	Town Board liaison	Genesee County Agricultural & Farmland Protection Board; NYS Department of Agriculture & Markets
<p>8. Encourage the Town Assessor to <b>inform farmland landowners about available tax incentives</b>, such as agricultural use exemption and exemptions on new farm buildings for which they may be eligible.</p>			X	Town Board liaison	Town Assessor
<p>9. Encourage farm operators to <b>install measures that protect water quality</b> by supporting the Genesee County Soil &amp; Water Conservation District's Agricultural Environmental Management and other programs.</p>			X	Town Board liaison	Genesee County Soil & Water Conservation District
<p>10. Continue to <b>assess potential impacts</b> on agriculture of development approvals or infrastructure extensions and to <b>prepare Agricultural Data Statements</b> as required under Section 283-a of Town Law.</p>			X	Town Board	Town Planning Board
<p>11. <b>Maintain communications</b> with the Genesee County Agricultural &amp; Farmland Protection Board, Cornell Cooperative Extension, Farm Bureau, Farm Service Agency, Grange and other organizations about programs to assist and support farmers and farm-related businesses in the Town. Periodically invite representatives of farm-related organizations to address the Town Board on current issues that affect the farm community.</p>			X	Town Board liaison	Genesee County Agricultural & Farmland Protection Board; other agencies and organizations

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>HOUSING &amp; RESIDENTIAL NEIGHBORHOODS</b>					
1. Revise zoning and manage infrastructure to <b>encourage / facilitate high quality design</b> of new housing and future development in areas designated for these uses in the Future Land Use Map.	X		X	Village and Town Boards	Village and Town Planning Boards; Bergen Electric; Genesee County Economic Development Center; Monroe County Water Authority
2. <b>Prepare architectural and design guidelines</b> for residential development within the Village.	X			Village Board	Village Planning Board
3. <b>Coordinate and collaborate</b> with county agencies, other governments and private organizations to <b>expand the supply of affordable housing and housing for senior citizens.</b>			X	Village and Town Boards	Not-for-profit agencies; developers
4. <b>Obtain grant funding</b> to assist owners of housing to remedy code violations, make necessary repairs and improve energy efficiency. Work with Genesee County, Pathstone, Genesee Community Action and other entities to provide information to residents about existing financial assistance programs for <b>homeownership and housing rehabilitation.</b>	X		X	Town Board; Village Board	Genesee County; not-for-profit agencies
5. Continue to provide information to residents about ways to <b>increase energy efficiency</b> and how to access financial incentives.	X		X	Town Clerk; Village Administrator	Bergen Electric; National Grid; Pathstone
6. Continue to <b>maintain and enforce existing zoning and property maintenance regulations.</b>	X		X	Village and Town Boards	Village and Town Code Enforcement Officers
7. Encourage residents to <b>participate in civic and neighborhood improvement activities.</b>	X		X	Village and Town Boards	Appointed committees; Neighborhood organizations

## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
8. Manage the siting and design of new residential development and redevelopment to <b>avoid or minimize conflicts with agriculture, natural resources or historic preservation.</b>			X	Village and Town Planning Boards	Town Board
<b>DOWNTOWN &amp; ECONOMIC DEVELOPMENT</b>					
<b>Downtown Revitalization</b>					
1. <b>Obtain funds for building renovation</b> through the New York Main Street grant program and other sources. Focus renovation efforts on buildings that meet the following criteria: <ul style="list-style-type: none"> <li>• Historic Properties</li> <li>• Properties with Code or Safety issues</li> <li>• Projects that generate jobs and/or significant investment</li> <li>• Projects that have a positive visual impact</li> <li>• Residential units on upper stories of commercial buildings</li> </ul>	X			Village Board	
2. Implement relevant recommendations from the Walkability Audit to <b>make the existing streetscape more pedestrian friendly and safe:</b> <ul style="list-style-type: none"> <li>a. Install Traffic Calming in the downtown area including additional corner bump outs</li> <li>b. Install bike racks to encourage biking downtown</li> <li>c. Install bike lanes on Lake Avenue</li> <li>d. Install “parklets”</li> </ul>	X	X		Village Board	Department of Public Works; NYS Department of Transportation
3. <b>Perform a Code Audit</b> to amend sections of the Village of Bergen Zoning Code to support appropriate downtown development: <ul style="list-style-type: none"> <li>• Signs</li> <li>• Awnings</li> <li>• Bulk requirements (e.g., building height and setbacks)</li> <li>• Building Design and Placement (for existing and potential infill buildings)</li> </ul>	X		X	Village Board	Village Planning Board

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>4. Maintain and improve the Village parking lot.</b> <ul style="list-style-type: none"> <li>a. Encourage businesses to screen dumpsters</li> <li>b. Encourage owners to renovate rear facades</li> <li>c. Provide directional signage on Lake Avenue to parking lots which will also promote awareness of the parking for out of town visitors</li> </ul>	X		X	Village Board	Department of Public Works
<b>5. Improve downtown gateways:</b> <ul style="list-style-type: none"> <li>a. Downtown welcome signs</li> <li>b. Install or maintain landscaping at gateways</li> </ul>	X			Village Board	Department of Public Works
<b>6. Review and revise zoning</b> to accommodate and <b>encourage niche retail, restaurants, offices and other small businesses</b> downtown.	X			Village Board	Village Planning Board
<b>7. Connect downtown to Town residential areas</b> via sidewalks, trails and bike routes	X			Village Board	Department of Public Works; Town Board; Town Highway Superintendent
<b>8. Encourage downtown businesses to collaborate</b> with one another and to work with Village officials to improve infrastructure, signage and landscaping. <b>Support the formation of a formal group</b> , such as a business association for property owners and business operators, to coordinate marketing and promotions as well as beautification and physical improvements.	X			Village Board	Landowners and Business Operators
<b>9. Increase the enforcement of traffic laws downtown.</b>	X		X	Village Board	Genesee County Sheriff
<b>10. Develop a streetscape plan</b> for downtown to address street lights, curbing, signage, and landscaping. Coordinate implementation with the NYS Department of Transportation		X		Village Board	NYS Department of Transportation; Genesee Transportation Council (funding)

## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>Economic Development</b>					
11. <b>Retain and attract light industrial and office buildings</b> in the Town of Bergen adjacent to the Village			X	Town Board	Genesee County Economic Development Center
12. <b>Support efforts of the GCEDC to retain and attract business and industrial development</b> in the Village and Town: <ul style="list-style-type: none"> <li>a. Support efforts to manage electricity demand and/or negotiate wholesale electricity prices in order to reduce Bergen Electric rates</li> <li>b. Utilize incentives, including Pilot Increment Financing, to attract new businesses and grow existing businesses.</li> </ul>			X	Town Board	Bergen Electric; Genesee County Economic Development Center
13. <b>Continue attraction and expansion projects at Apple Tree Acres:</b> <ul style="list-style-type: none"> <li>a. Attract businesses to remaining available parcels</li> <li>b. Support additional infrastructure upgrades</li> </ul>			X	Town Board	Genesee County Economic Development Center
14. <b>Coordinate economic development with the Genesee County Economic Development Center</b> by communicating regularly regarding priority economic development and capital improvement projects and space available. Hold periodic scheduled meetings to maintain communication.			X	Town Board	Genesee County Economic Development Center
15. <b>Retain zoning and support incentives for small businesses</b> in the Village and Town.	X		X	Village Board; Town Board	Genesee County Economic Development Center



Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>TRANSPORTATION &amp; UTILITIES</b>					
<b>Transportation</b>					
1. <b>Adopt “Complete Streets” policies</b> that require all streets to be designed and maintained to accommodate all forms of transportation (motor vehicles, bicycle, and pedestrian).	X			Village Board; Town Board	NYS Department of Transportation; Genesee Transportation Council (funding)
2. <b>Construct bicycle lanes and walking paths</b> that connect residential, recreational, civic and business areas, including a path to connect Byron-Bergen school campus to Robins Brook Park.	X		X	Village Board; Town Board	NYS Department of Transportation; Genesee Transportation Council (funding)
3. <b>Maintain a network of sidewalks</b> in the Village. a. <b>Fill gaps</b> in the sidewalk network and <b>improve connections</b> to key recreational and civic sites. b. <b>Install signage</b> oriented to pedestrians with directions to Village parks, businesses and services.			X	Village Board	NYS Department of Transportation; Genesee Transportation Council (funding)
<b>Sewer, Water &amp; Drainage</b>					
4. <b>Investigate the sources of infiltration and inflow</b> into the Village’s wastewater collection system and <b>obtain funding</b> to eliminate them.	X		X	Village Board	Department of Public Works
5. Secure funding to <b>improve and expand the Bergen wastewater treatment plan</b> as needed to accommodate existing facilities and future development.		X		Village Board	Department of Public Works; Genesee County Economic Development Council

## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
6. Continue to work with the Monroe County Water Authority and Genesee County to <b>provide public water</b> to the Village of Bergen and water districts in the Town.			X	Village Board; Town Board	Department of Public Works; Town Highway Superintendent
7. <b>Extend public water</b> to areas in the Town that have poor quality or insufficient quantities of water.		X		Town Board	Monroe County Water Authority; Town Highway Superintendent
8. <b>Install green infrastructure</b> or other suitable measures to improve management of stormwater along Town roads and Village streets.		X		Village Board; Town Board	Village Public Works Supervisor; Town Highway Superintendent
<b>Electricity and Other Utilities</b>					
9. Work with the New York Power Authority, Bergen Electric, Bonduelle and other entities to <b>reduce the cost of electricity</b> purchased from NYMPA.	X			Village Board	Bergen Electric; Genesee County Economic Development Center; NYMPA
10. Continue to <b>maintain the Bergen Electric facilities</b> in good repair.			X	Village Board	Bergen Electric; Genesee County Economic Development Center
11. Revise zoning and streamline permitting process to better <b>accommodate and support renewable energy</b> such as solar, wind and geo-thermal.	X			Town Board; Village Board	Village and Town Planning Boards
12. <b>Install energy efficiency measures and renewable energy</b> in municipal facilities when it is cost-effective to do so.	X			Town Board; Village Board	Bergen Electric;;RG&E; NYSERDA (technical assistance, financial incentives)

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
<b>PARKS, RECREATION &amp; CULTURE</b>					
1. <b>Implement the recommendations in the Village of Bergen Parks Master Plan</b> and the Town of Bergen Parks Master Plan. <ul style="list-style-type: none"> <li>a. ALL PARKS               <ul style="list-style-type: none"> <li>• Establish Bergen Village Parks Trail (active/marked walking trail to connect all parks)</li> </ul> </li> <li>b. HICKORY PARK               <ul style="list-style-type: none"> <li>i. Picnic areas and pavilions</li> <li>ii. Accessibility improvements</li> <li>iii. Trees and landscaping</li> <li>iv. Parking</li> <li>v. Playgrounds and other recreational facilities</li> <li>vi. Lighting</li> </ul> </li> <li>c. CARPENTER PARK               <ul style="list-style-type: none"> <li>i. Plantings and tree maintenance</li> <li>ii. Fountain</li> </ul> </li> <li>d. ZUBER PARK :               <ul style="list-style-type: none"> <li>• Landscaping</li> </ul> </li> <li>e. WARD PARK               <ul style="list-style-type: none"> <li>i. Construct a gazebo</li> <li>ii. Trees and landscaping</li> </ul> </li> </ul>	X		X	Town Board; Village Board	Parks Committee; Village Department of Public Works; Town Highway Superintendent
2. Continue to <b>maintain and improve existing parks</b> in the Village and Town of Bergen.			X	Town Board; Village Board	Parks Committee; Village Department of Public Works; Town Highway Superintendent
3. <b>Collaborate</b> with Byron-Bergen School District, Gillam Grant, Bergen Swamp Society, Genesee County, neighboring municipalities and other community organizations to maintain and improve parks and recreational facilities and to <b>improve quality and/or reduce cost of services</b> .			X	Town Board; Village Board	School; community organizations

## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
4. <b>Develop walkways, sidewalks, trails, and bicycle paths that connect parks with</b> residential areas and other community facilities.	X			Town Board; Village Board	Parks Committee; Village Department of Public Works; Town Highway Superintendent
5. Continue to encourage snowmobile trails clubs to <b>maintain Linear Park for recreational use.</b>			X	Town Board	Snowmobile clubs
6. In collaboration with trail users, neighboring landowners, Society for the Preservation of Bergen Swamp, Genesee County and other organizations, <b>identify the most appropriate uses of Linear Park</b> (former West Shore railroad) and obtain funding to <b>construct a multi-use trail</b> with suitable trailhead access		X		Town Board	Trail users; landowners; Genesee County; Bergen Swamp Society
7. <b>Acquire additional land for recreational use.</b> Target parcels for acquisition that adjoin existing conservation and/or recreational lands		X		Town Board; Village Board	Planning Boards
8. Continue to <b>require parkland and/or funds</b> for park development as a condition of approval for major subdivisions.			X	Town Board; Village Board	Planning Boards
<b>GOVERNMENT &amp; COMMUNITY SERVICES</b>					
1. <b>Monitor the Comprehensive Plan annually</b> , using a worksheet to track progress of each recommended action. <b>Update and adopt amendments</b> every five years.	X	X		Village Board; Town Board	Other municipal board and staff
2. <b>Continue to share equipment and facilities and coordinate services</b> between and among Town, Village and County departments whenever it is cost effective and efficient to do so. Evaluate the feasibility of consolidating or sharing additional community services, facilities and equipment.			X	Village Board; Town Board	Municipalities; Genesee County
3. Continue to collaborate with Byron Bergen School District and Gillam Grant to <b>maintain and improve services for youth and adults</b> in the community.			X	Village Board; Town Board	Community organizations

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
4. Continue to <b>support the Bergen Volunteer Fire Department.</b>			X	Town Board; Village Board	Bergen Fire Department
5. Continue to work with the Bergen Fire Department and the Town of Bergen Fire Protection District to <b>maintain the Town's Fire Insurance Classification</b> rating and to continue to seek solutions for improving the Insurance Services Office (ISO) townwide classification.			X	Town Board; Village Board	Bergen Fire Department
6. <b>Maintain the Village and Town Emergency Plan</b> in collaboration with the Byron-Bergen School District, Genesee County and other entities.			X	Town Board; Village Board	Bergen Fire Department; Genesee County Sheriff; Emergency Management Offices
7. Continue to <b>utilize the Genesee County Sheriff to devote officers to patrol the Village</b> for a specified number of hours each week, in addition to standard patrols by the County Sheriff and NYS Police.			X	Village Board	Genesee County Sheriff
8. Continue to <b>negotiate with private waste haulers</b> to provide refuse disposal and recyclable pickup services to Village residents. Continue to maintain the Town transfer station or provide alternative service to Town residents.			X	Village Board; Town Board	
9. <b>Maintain communications</b> with County and regional planning agencies, Byron-Bergen School District and other community organizations.			X	Village Board; Town Board	Community organizations
10. Continue to <b>keep the public informed</b> , through newsletters, website and other means, of issues of public interest and government decisions.			X	Village Board; Town Board	
11. Collaborate with Gillam Grant and health care providers to <b>encourage medical care facilities</b> in the Town and/or Village.			X	Village Board; Town Board	Community organizations
12. Continue to <b>support the Byron-Bergen Public Library</b>			X	Village Board; Town Board	Bergen Library



## 10. IMPLEMENTATION STRATEGY

Recommended Actions	Short Term Action 0-2 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
HISTORIC RESOURCES					
1. Continue to <b>support the Village and Town Historians and the Historical Society</b> in their efforts to document, preserve, restore and celebrate the heritage and historic resources of the Village and Town.			X	Village Board; Town Board	Town Historian; Village Historian
2. Work with the Landmark Society of Western New York and other organizations to <b>distribute information to owners of historic buildings</b> regarding maintenance techniques that preserve historic features.			X	Village Board; Town Board	Advocacy organizations; Landowners
3. Continue to <b>publicize the historic character</b> in promoting downtown economic development.			X	Village Board	Village Historian; Town Historian; Advocacy organizations
4. <b>Prepare guidelines for building renovations that protect the historic character</b> of the district. <b>Apply these standards</b> during site plan review and prevent alterations that would damage or remove historic features of buildings within the National Register Historic District.	X			Village Board	Village Historian; Town Historian; Advocacy organizations