

# Housing and Residential Neighborhoods



## **GOALS:**

- A. Balance residential development in the countryside with the protection of farmland, natural resources and rural character.**
- B. Maintain low residential densities in the rural, agricultural areas of the Towns.**
- C. Continue to accommodate a variety of housing in the Town.**
- D. Encourage an appropriate level of maintenance of residential properties.**



### Existing Plans, Programs and Regulations

#### Building Code

Residential development in the Towns of Fayette and Varick are subject to the requirements of the NYS Uniform Fire Prevention and Building Code. The code specifies minimum standards that must be adhered to when new structures are constructed. In both the Towns of Fayette and Varick, the Seneca County Department of Health is responsible for the enforcement of the NYS Uniform Fire Prevention and Building Code.

In 2003, revisions to the NYS Uniform Fire Prevention and Building Code became effective in 2003 incorporated additional property maintenance regulations that address topics such as the height of grass, junk vehicles and appliances, and other maintenance considerations.

#### Local Zoning

In addition to building code requirements, new construction must comply with local zoning regulations. The zoning regulations in both Fayette and Varick permit the construction of single family dwellings in all areas of the two towns.

#### Subdivision Regulations

Subdivision regulations govern the dividing of parcels of land into smaller parcels and are used by municipalities to influence the pattern of new development that occurs in a community. Subdivision regulations typically are used to ensure proposed development is well thought out and planned in order to obviate problems that could arise in the future due to poorly designed development.

## Background and Existing Conditions

As described in the Land Use Overview, housing in the Towns of Fayette and Varick are scattered throughout the towns along roadsides, and concentrated in the three main hamlets and along the lakeshore. Map 12: Residential Parcels depicts the distribution of housing in the two towns.

### Housing in the Town of Fayette

According to the 2000 Census, the Town of Fayette had a total of 1,329 dwelling units. Although the Town of Fayette contains a variety of types of dwellings, single-family dwellings predominated and accounted for 1,151 (87.4%) of the dwellings in the township. Manufactured home which numbered 144 or 10.9% of the dwellings in the Town ranked second. Although most of the manufactured homes are on individual lots, two manufactured home parks exist in the Town of Fayette where concentrations of manufactured homes may be found. One of the manufactured home parks is located at 415 Boodys Hill and the other at 3605 State Route 96. A total of 42 two-family and multiple-family dwellings accounted for less than 2.0% of the housing stock in the Town of Fayette.

Much of the housing in the Town of Fayette is dispersed at low densities throughout the township. Areas with higher-density residential development are generally located along the lakeshores of Seneca and Cayuga Lakes and in the Hamlets of Canoga and Fayette. Many of the residential dwellings along the lakeshores are used as summer homes and occupied only seasonally. However, the trend has been for more and more of the seasonal dwellings to be converted to year round use or to be demolished and replaced with larger, year-round residences.

Some of the housing stock in the Town of Fayette dates back to the mid 18th century when this part of New York State was the western frontier and pioneers began settling the area. A large proportion, (37.7%) of the housing stock in the Town of Fayette was constructed prior to 1940. Housing constructed between 1940 and 1960 accounts for 14.0% of the housing stock in the township, housing constructed between 1960 and 1980 accounts for 22.3%, and between 1980 and 2000 for 26%.

Slightly more than 65% of the dwellings in Fayette were owner occupied and 12.0% renter occupied when the 2000 Census enumeration occurred. More than 22% were vacant or occupied seasonally. Seasonal residences, primarily along the lakeshores, accounted for 18.3% of the housing stock in the township.

Based on 2002 Census data, the majority (59.9%) of the owner-occupied housing in Fayette was valued between \$50,000 and \$100,000. A total of 24.2% was valued between \$100,000 and \$150,000 and 9.8% was valued at more than \$150,000.

### **Housing in the Town of Varick**

The Town of Varick had a total of 843 dwellings at the time of the 2000 Census enumeration. A total of 765 (80.1%) of the residential structures in the Town of Varick were single-family dwellings. Manufactured homes accounted for 133 (15.8%) of the dwellings in the township. Four manufactured home parks exist in the Town of Varick where there are concentrations of manufactured homes. Three of the manufactured parks are located along Route 96, one at 4880 Route 96, another at 5488 Route 96 and another at 5488 Route 96. The fourth one is located at 1456 Route 336. The remainder of the manufactured homes are dispersed throughout the remainder of the township. Two-family and multiple-family residences accounted for slightly more than 4.1% of the housing stock in the township.

Low-density residential development in the Town of Varick also predominates. Concentrations of residential development are confined to the lakeshores of Seneca and Cayuga Lakes and the Hamlets of Fayette and Romulus. Many of the dwellings along the lakeshores are seasonal dwellings and the trend, like in Fayette, is for these dwellings to be converted to year-round residences.

The 2000 Census revealed that 40.9% of the housing stock in the Town of Varick was constructed prior to 1940 and 16.0% was constructed between 1940 and 1960. Between 1960 and 1980 22.7% of the housing stock was built and between 1980 and 2000 another 20.3% was built. As is the case in the Town of Fayette, some of the housing stock in Varick also dates back to the mid 18th century.

Nearly half of the housing stock in the Town of Varick was valued at \$100,000 or more, 24.1% was valued at between \$100,000 and \$150,000 and 20.1% was valued at more than \$150,000. Housing valued between \$50,000 and \$100,000 accounted for 41.9% of the housing stock in Varick.

Tenure and vacancy rates in Varick were very similar to those in the Town of Fayette. Three-quarters (75.0%) of the dwellings were occupied at the time of the 2000 Census enumeration; 63% were owner occupied and 11.3% were renter occupied. One-quarter (25.0%) of the dwellings were vacant or occupied seasonally, not surprising given that 18.2% of the housing stock in Varick is for seasonal use, primarily along the lakeshores.

Tables and charts comparing the housing characteristics of the

## Housing and Residential Neighborhoods

### Number of Dwelling Units in Structure

Units in Structure	Town of Fayette		Town of Varick		Seneca County
	#	%	#	%	%
1, detached	1,133	85.9%	665	78.9%	69.1%
1, attached	18	1.4%	10	1.2%	1.1%
2	17	1.3%	18	2.1%	5.9%
3 or 4	0	0.0%	6	0.7%	3.6%
5 to 9	7	0.5%	6	0.7%	3.4%
10 to 19	0	0.0%	2	0.2%	1.1%
20 or more	0	0.0%	3	0.4%	1.4%
Mobile home	144	10.9%	133	15.8%	14.3%
Boat, RV, van, etc.	0	0.0%	0	0.0%	0.1%
<b>Total:</b>	<b>1,319</b>		<b>843</b>		<b>38,767</b>

SOURCE: 2000 U.S. Census

### Year Dwellings Were Constructed

Year Built	Town of Fayette		Town of Varick		Seneca County
	#	%	#	%	%
1999 to March 2000	15	1.1%	4	0.5%	0.7%
1995 to 1998	30	2.3%	36	4.3%	3.4%
1990 to 1994	55	4.2%	31	3.7%	5.1%
1980 to 1989	243	18.4%	121	14.4%	11.1%
1970 to 1979	204	15.5%	118	14.0%	13.1%
1960 to 1969	90	6.8%	91	10.8%	9.6%
1940 to 1959	185	14.0%	162	19.2%	16.0%
1939 or earlier	497	37.7%	280	33.2%	40.9%
	<b>1,319</b>		<b>843</b>		

SOURCE: 2000 U.S. Census

### Vacancy and Tenure

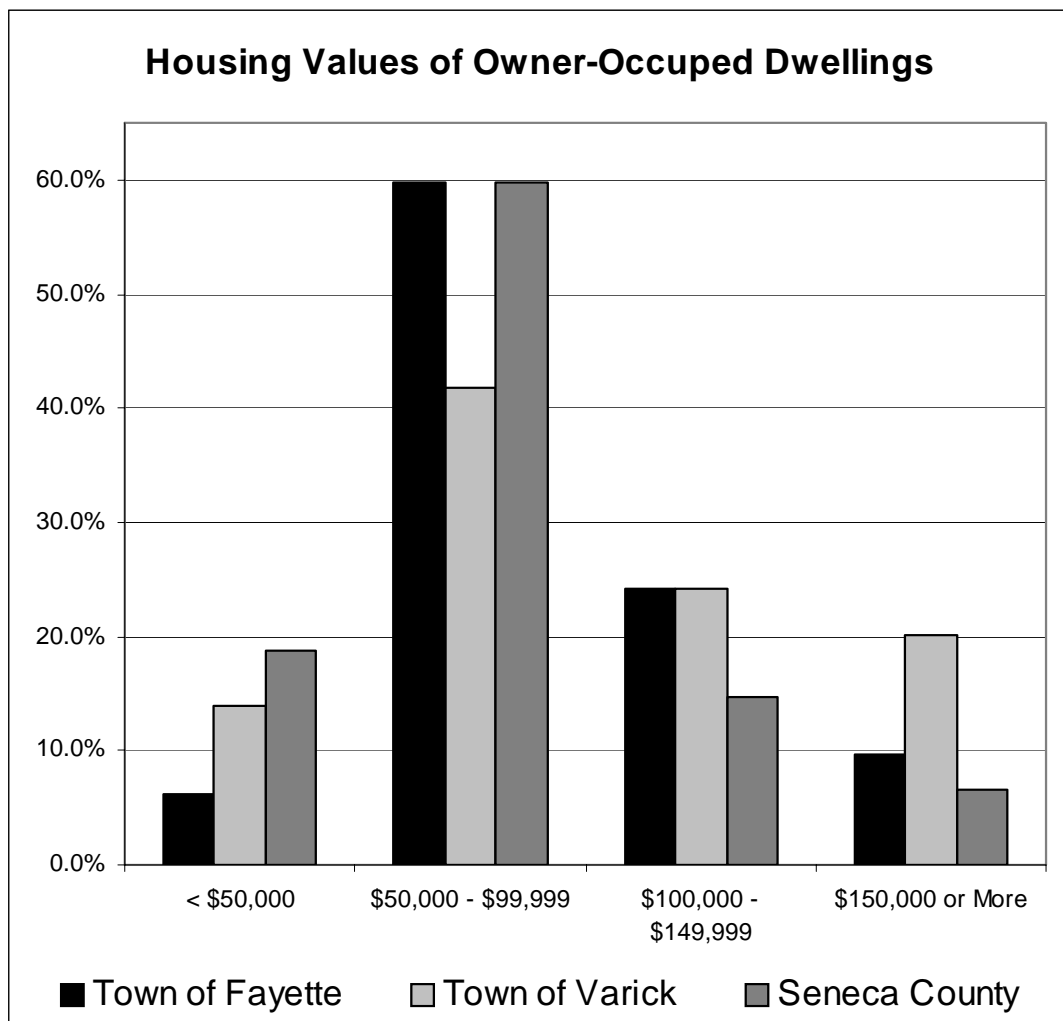
	Town of Fayette		Town of Varick		Seneca County
	#	%	#	%	%
Total Housing Units	1,329		840		
Occupied	1,032	77.7%	630	75.0%	85.4%
Owner occupied	873	65.7%	535	63.7%	63.0%
Renter occupied	159	12.0%	95	11.3%	22.4%
Vacant	297	22.3%	210	25.0%	14.6%
For Seasonal / Occasional Use	243	18.3%	153	18.2%	8.1%

SOURCE: 2000 U.S. Census

Values of Owner-Occupied Homes

	Town of Fayette		Town of Varick		Seneca County
	#	%	#	%	%
Less than \$50,000	35	6.2%	48	14.0%	18.8%
\$50,000 - \$99,999	337	59.9%	144	41.9%	59.8%
\$100,000 - \$149,000	136	24.2%	83	24.1%	14.8%
\$150,000 - \$199,999	23	4.1%	40	11.6%	3.8%
\$200,000 - \$299,999	19	3.4%	27	7.8%	2.2%
\$300,000 - \$499,999	7	1.2%	2	0.6%	0.4%
\$500,000 - \$999,999	6	1.1%	0	0.0%	0.1%
\$1,000,000 or More	0	0.0%	0	0.0%	0.0%
	563		344		6,513
<b>Median Value</b>	<b>\$88,500</b>		<b>\$89,000</b>		<b>\$72,400</b>

SOURCE: 2000 U.S. Census





### Residents Survey Highlights

The survey asked respondents several questions about residential development and property maintenance. The following highlights the responses.

#### **What types of dwellings should be constructed in the Towns?**

- 70.2% of Fayette respondents and 73.9% of Varick respondents indicated they preferred single-family dwellings to be constructed.

#### **What type of residential development is appropriate in the community?**

- 63.8% of Fayette respondents and 63.8% of Varick respondents expressed a preference for dwelling on large lots separated by large open spaces.
- 18.1% of Fayette respondents and 17.8% of Varick respondents expressed a preference for dwellings on smaller lots separated by smaller open spaces.
- Only 8.6% of Fayette respondents and 7.1% of Varick respondents expressed support for dwelling clustered together and surrounded by large open spaces.

#### **The Towns should establish minimum lot sizes for residential development along the lakes.**

- 48.5% of Fayette respondents strongly agreed and 26.1% somewhat agreed
- 60.1% of Varick respondents strongly agreed and 23.3% somewhat agreed

(Continued on page 67)

## Issues and Opportunities

### Soil Conditions and Use of Septic Systems

Residential development in the Towns of Fayette and Varick is a challenge due to soil conditions that are not well suited to the use of private septic systems. In some areas, the soils contain large amounts of clay. In other areas the soils contain shale, often near the surface of the land. Both types of soil conditions are problematic.

Due to the impermeability of clay, the construction of septic subsurface absorption beds in clay soil typically necessitates much larger excavations than are required in soils better suited for the use of septic systems. Larger amounts of sand and gravel are used to back-fill the excavation which increases the septic system construction costs.

The problem with soils containing shale is due to the high permeability of the shale. The high permeability of shale enables sewage leachate to travel through the soils quickly. This increases the potential for the leachate to contaminate the ground water and wells. Leachate can also migrate longer distances in shale soils which creates the potential for the leachate to migrate onto and possibly contaminating adjoining properties. If shale is present in the soils, the Department of Health requires raised mound absorption fields to be constructed with impermeable clay bases.

In all cases, NYS Department of Health standards require a minimum of 100 feet of separation between wells and absorption fields, and sometimes, if soil conditions warrant, 200 feet of separation. The Seneca County Department of Health also requires land to be set aside for the potential future expansion of the septic system absorption fields. The set aside must be sufficiently large to accommodate a 50% expansion of the absorption field, while maintaining the required separation distance from the well.

### Large Residential Lots and Low Residential Density

According to the realtors who participated in the housing and residential focus group meeting, persons who are constructing new homes in the Towns of Fayette and Varick prefer large lots, generally three to four acres in size. Large residential lots, if subdivided from agricultural land, removes larger amounts of land from agricultural production than is necessary for residential development. Appreciable residential development on large lots will remove substantial land from agricultural production and may have the potential to increase conflicts between the residents and the farmers who own the adjoining land. Conflicts arising from the noise, dust, and odors and pesticide and herbicide use inherent in many forms of farming due to the

close proximity of the residences to the farms. Children from adjoining residences are often attracted by the farm and trespass on the agricultural land which can result in the destruction of crops and increases the farmer's liability exposure due to the potential for children to be injured in an accident.

Residential development on large lots also makes it much more difficult to provide the residences with municipal water and sanitary sewer service due principally to the higher cost of constructing the infrastructure. The construction of water distribution systems and sewage collection systems to serve residences that are clustered together much more cost effective.

### Property Maintenance

Some residents are concerned about the appearance of residential properties in the Towns as evidenced by the results of the resident's survey (see sidebar). Much of the concern stems from the accumulation of junk vehicles and farm equipment in the open where it is visible to neighbors and passing motorists. The presence of junked vehicles and farm equipment may present a visually poor image of the Towns and can adversely affect the values of adjoining properties.

It is a common practice in the area for persons of limited means to keep one or two "parts" cars. As these persons cannot afford more reliable, late model vehicles, they often keep one of two parts cars that provide parts for the repair of the vehicle actually used for transportation. Although the junked vehicles provide an inexpensive source of parts older vehicles, they have a blighting affect when visible from the road and adjoining residential properties.

### Existing and Potential Conflicts Between Residential and Agricultural Uses

Conflicts between residential uses and agricultural uses are not uncommon in rural areas. Conflicts may arise from to the noise, dust, and odors originating on the farms, inherent byproducts of farming. The use of pesticides and herbicides on farms can also serve as a source of contention with persons residing in adjoining and nearby residences.

Concentrated animal feeding operations (CAFO) can be especially problematic in or adjacent to residential areas due to the odor produced by the large concentration of livestock. The potential for groundwater and well contamination that could result from the large quantities of manure generated by CAFO's is also often a concern of those residing nearby. The threat stems from the harmful nitrates contained in the manure that may leach into the groundwater. The consumption of nitrates is harmful to human health.

### Residents Survey Highlights

*(Continued from page 66)*

#### **How satisfied are you with the maintenance and appearance of residential properties?**

- 20.8% of Fayette residents were very satisfied, 48.2% somewhat satisfied, 18.1% somewhat dissatisfied and 8.5% very dissatisfied.
- 22.4% of Varick residents were very satisfied, 44.8% somewhat dissatisfied, 23.4% somewhat dissatisfied and 6.6% very dissatisfied
- What contributes most to the poor appearance of properties?
- 37.5% of Fayette respondents and 39.6% of Varick respondents indicated the accumulation of junk
- 28.7% of Fayette respondents and 29.0% of Varick respondents indicated poorly maintained houses
- 24.7% of Fayette respondents and 26.5% of Varick respondents indicated poorly groomed yards

*More than two-thirds of Fayette respondents (68.4%) and Varick respondents (69.2%) thought the Town do more to encourage better property maintenance.*

*Approximately one-half of Fayette respondents (55.0%) and Varick respondents (49.1%) expressed strong support for efforts by the Towns to reduce conflicts between residential and agricultural uses while approximately one-third of Fayette respondents (30.0%) and Varick respondents (34.3%) expressed moderate support.*

*Slightly more than one-half of Fayette respondents (52.9%) and Varick respondents (50.7%) expressed strong support for zoning regulations while approximately one-third of Fayette respondents (33.3%) and Varick respondents (36.2%) expressed moderate support for zoning regulations.*

### **Private Roads Serving Lakefront Residences**

Most of the roads serving the lakefront residences are privately owned and maintained roads. Many are not constructed to sufficient width or lack sufficient base to accommodate fire trucks. Nor are the private roads always well maintained. In addition, snow is not cleared during the winter months from the private roadways if the residences served are used only seasonally. These conditions jeopardize the ability of the Fire Departments to provide fire protection to lakefront residential properties.

### **Lakefront Residential Redevelopment**

The trend is for the owners of seasonal cottages situated on small lots along the lakeshore to demolish the structures and to replace them with much larger year-round residences. This trend can lead to problems such as increased stormwater runoff as larger areas are made impermeable, failure of septic systems that were adequate for seasonal use but inadequate for year-round use, inadequate building setbacks from lot lines and obstruction of the lake views of the neighboring properties. Disputes between neighboring properties are likely to increase as more and more seasonal homes are converted to year-round use. The Towns can help to alleviate or prevent conflicts between neighbors by establishing clear guidelines regarding lot sizes, lot line setbacks requirements, height and bulk restrictions and fences.

High speeds of boats near the lakeshore affects the quality of life of lakeshore residents. The Towns should consider enacting a speed limits for travel near the shore.





### Focus Group Highlights

The Fayette-Varick Comprehensive Plan Committee conducted a focus group meeting and roundtable discussion on housing, residential development and residential neighborhoods on January 18, 2005. The following participated as resource people:

**Realtors:**

- Mel Russo (Senecayuga Properties); Kathy McLaughlin (Malone-Rivers Real Estate / Century 21); Barbara Peck (Malone-Rivers Real Estate / Century 21)

**Homeowners Association:**

- Larry Novy (Highlands Homeowners Association)

**Towns**

- Richard Foxx (Varick Building Inspector)

**Background information shared by the participants**

- Residential real estate values in the area peaked in 1989, and then declined by 45% during the 1990s in response to declining employment in the area. The value of agricultural land remained relatively stable during the same time period.
- Between 2003 and 2004, lakefront properties increased in value by 23%
- Although land values declined during the 1990s the cost of construction increased offsetting the lower land values.
- Most of the homes being purchased in Fayette and Varick are on one of the lakes and many are purchased by baby boomers for use as second (seasonal) homes and by retirees. The demand for lakefront homes exceeds supply.
- The average price for a house sold in Fayette or Varick is \$173,000 and the average price of a house in Seneca Falls is \$68,000.
- People move out of the villages principally for two reasons: to avoid high property taxes and to have more space. Property taxes in the Village of Seneca Falls are approximately \$50 per \$1,000 of assessed value and people are fleeing the Village. Having more space (acreage) is especially attractive to families with young and adolescent children.
- The demand for three- and four-acre residential parcels is much greater than the demand for one-acre residential parcels.
- Residences with larger setbacks are more attractive to homebuyers than homes that set closer to the roads and highways.
- Lakefront residential property owners pay high property taxes, but receive few municipal services.
- NYS Department of Health minimum requirements for separating water supply wells from septic systems has constrained residential development in Fayette and Varick where municipal water and sewer service are generally not available.
- The Seneca County Department of Health has begun to prohibit the drawing of water from the lakes and has begun to require the owners of lakefront properties to drill wells for their water supply.

### **Recommended Actions:**

1. Establish zoning district regulations for Hamlets, as depicted on the Future Land Use Map, that provide for lot sizes and setbacks that are consistent with historic development patterns and that accommodate an appropriate mix of residential uses and small businesses. (See also LU-1)
2. Establish zoning district regulations for lakeshore properties, as depicted on the Future Land Use Map that incorporate setbacks from the high water mark, maximum coverage of lots with impervious surfaces and height of buildings. (See also LU-2)
3. Maintain zoning provisions that accommodate the construction of various types of residential dwellings.
4. Requiring adequate buffering, i.e., separation distance and/or visual screening.
5. Revise zoning regulations to encourage and permit residential developments that preserve open space and natural features.
6. Incorporate standards for property maintenance regulations into the Town's land use (zoning) regulations thereby giving the Towns' Code Enforcement Officers the authority and responsibility for ensuring properties in the Towns are appropriately maintained.
7. Establish a speed limit of 10 mph for boats traveling within 500 feet of the lakeshore.
8. Revise subdivision regulations to require Planning Board review for division of land into two or more lots. (See also LU-5).