

# Town of Royalton Comprehensive Plan

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*Note: This is a draft of the Introduction and Existing Conditions sections of the 2023 Town of Royalton Comprehensive Plan.*

## INTRODUCTION

### **The Comprehensive Plan**

In New York State, towns and villages are given the power of zoning with one requirement: that zoning must be in accordance with a Comprehensive Plan (New York State Town Law §263). As zoning and land use issues have changed and become increasingly complex in the 21<sup>st</sup> century, it has become extremely important to have a modern, up-to-date Comprehensive Plan.

Comprehensive Plans must address not only the zoning issues of the community but many of the other factors that could affect the day-to-day life of residents and the community's vision for the future.

The Town of Royalton developed a Comprehensive Plan in the 1970s; however, it was never officially adopted. Thus, the Town's first Comprehensive Plan was adopted in 2009 after a four-year planning process. This document, the "Town of Royalton Comprehensive Plan" (the Plan), builds on the 2009 plan and represents the official Town of Royalton Comprehensive Plan in accordance with New York State Town Law §272-a. It includes a background of how the Plan was created, an inventory of existing conditions, goals and objectives to guide future growth of the Town while preserving its rural character, and recommendations and implementation strategies to achieve those goals.

Besides providing a rational basis for decisions regarding zoning and other land use regulations, the Comprehensive Plan helps guide local officials, who can look to the stated vision for the community for assistance in making decisions in a manner that is consistent with that vision. It also has an influence on other levels of government. All plans for capital projects of any state or federal governmental agency on land included in the Comprehensive Plan must take the Plan into consideration in their decision-making. The Comprehensive Plan, developed with the support and input of both local officials and the general public, acts as a standard for ensuring the Town's land use regulations are built on a solid foundation and represent a consensus of the community, which can aid in seeking governmental grants as well.

### **Planning Process**

The process of developing this Plan was guided by the Town's Comprehensive Plan Committee, which was comprised of representatives from the Town Board, Planning Board, Zoning Board of Appeals, business community, and farming community. The Comprehensive Plan Committee met several times during 2023 to provide direction to the Town's consultant, Wendel, who drafted this Plan.

## **Town of Royalton Comprehensive Plan**

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In addition, a public information meeting was held in Summer 2023 to gain input from the community regarding the key issues facing the Town. Another public meeting was held in Fall 2023 to vet the draft Plan. Once the draft was completed, official public hearings were conducted, and the Town completed the required adoption process in early 2024.

### **The Town of Royalton**

The Town of Royalton is located in the southeastern corner of Niagara County, New York and is just over 70 square miles in size (See Map 1: Regional Setting). The Town is bordered by the Town of Hartland to the north and by the Town of Lockport to the west. The southern boundary of the Town is Tonawanda Creek, which is also the southern boundary of Niagara County. The Towns of Clarence and Newstead in Erie County border the Town to the south. The Town of Shelby in Orleans County and the Town of Alabama in Genesee County border the Town to the east.

The Town of Royalton was first settled in 1800, and was incorporated as a Town in 1817 when it separated from the Town of Hartland. A small portion of the Town was transferred to the Town of Lockport in 1824. The first settlement was in Royalton Center, and included a tavern, post office, and several other businesses, including a “large frame hotel.”

From its early days, agriculture was the foundation of the Town, supplemented by trade along the Erie Canal, which was completed in 1825. The Town’s location on the canal, the railroad, and what was known as the “Niagara Road” led it to be one of Niagara County’s most populous communities in the 19<sup>th</sup> century. In fact, it was the third largest town after Niagara and Lockport. Other traditional centers in the Town besides Royalton Center include the hamlets of Gasport and Wolcottsville, in addition to the Village of Middleport, which was incorporated in 1858. In 1875, Wolcottsville was home to seven hotels, five stores, five wagon and blacksmith shops, a saw mill, a cigar factory, two churches, and 1,000 residents.

By 1900, approximately 4,800 people lived in the Town. The Town continued to grow steadily throughout the 20<sup>th</sup> century, and by 2000, the population had grown to 7,710. Since then, the Town has lost about 200 people, in line with the countywide trend of population loss.

# Town of Royalton Comprehensive Plan

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## INVENTORY OF EXISTING CONDITIONS

### LAND USE & ZONING

#### ***Existing Land Uses***

The Town of Royalton is dominated by agricultural and rural land uses. These uses include agricultural lands, forested areas, fallow fields, vacant land and large rural residential lots. Most of the Town is in an agricultural district. In contrast to the rural uses characterizing most of the Town, there are several areas which are more densely developed with a traditional mix of residential, commercial, industrial and community uses. These include the Village of Middleport and the areas in the Town immediately adjacent to the Village, and the hamlets of Gasport and Wolcottsville. In addition, there are other, smaller hamlet areas in the Town. These include McNalls, Royalton Center and Terrys Corners, and the area along Route 31 west of Gasport near the intersection of Canal Road. These traditional rural centers represent the original settlements in the Town. The Tonawanda State Wildlife Refuge area is located in the southeast portion of the Town, and the Tonawanda Indian Reservation is located in the extreme southeast portion of the Town (see Map 2: Land Use).

***Agricultural Lands:*** According to state assessment data, the Town has over 300 parcels categorized as agricultural lands. The most common agricultural uses are field crops and fallow lands (productive vacant agricultural lands). Other agricultural operations in the Town include dairy farms, horse farms, cattle/hog farms, and orchards. A total of 44 percent of the Town's land area is in agricultural use, according to assessment data, which represents a 9 percent decrease since 2009.



## Town of Royalton Comprehensive Plan

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### *Residential Uses:*

Most residential development in Royalton is rural in nature, with homes located along Town roadways on large lots. As noted above, there are some hamlet areas and lands near the Village where homes are closer together. The majority of homes in the Town are single-family units, although there are some two- and three-family homes.



## Town of Royalton Comprehensive Plan

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### *Commercial and Industrial Uses:*

Most commercial lands in the Town of Royalton are clustered either near the Village of Middleport or in the hamlet of Gasport. There are also commercial uses along Route 31 (Rochester Road). Most commercial uses are small businesses, located on small parcels. Industrial uses are located in and around the Village of Middleport, including the FMC facility and the former mining operation located on Route 31.

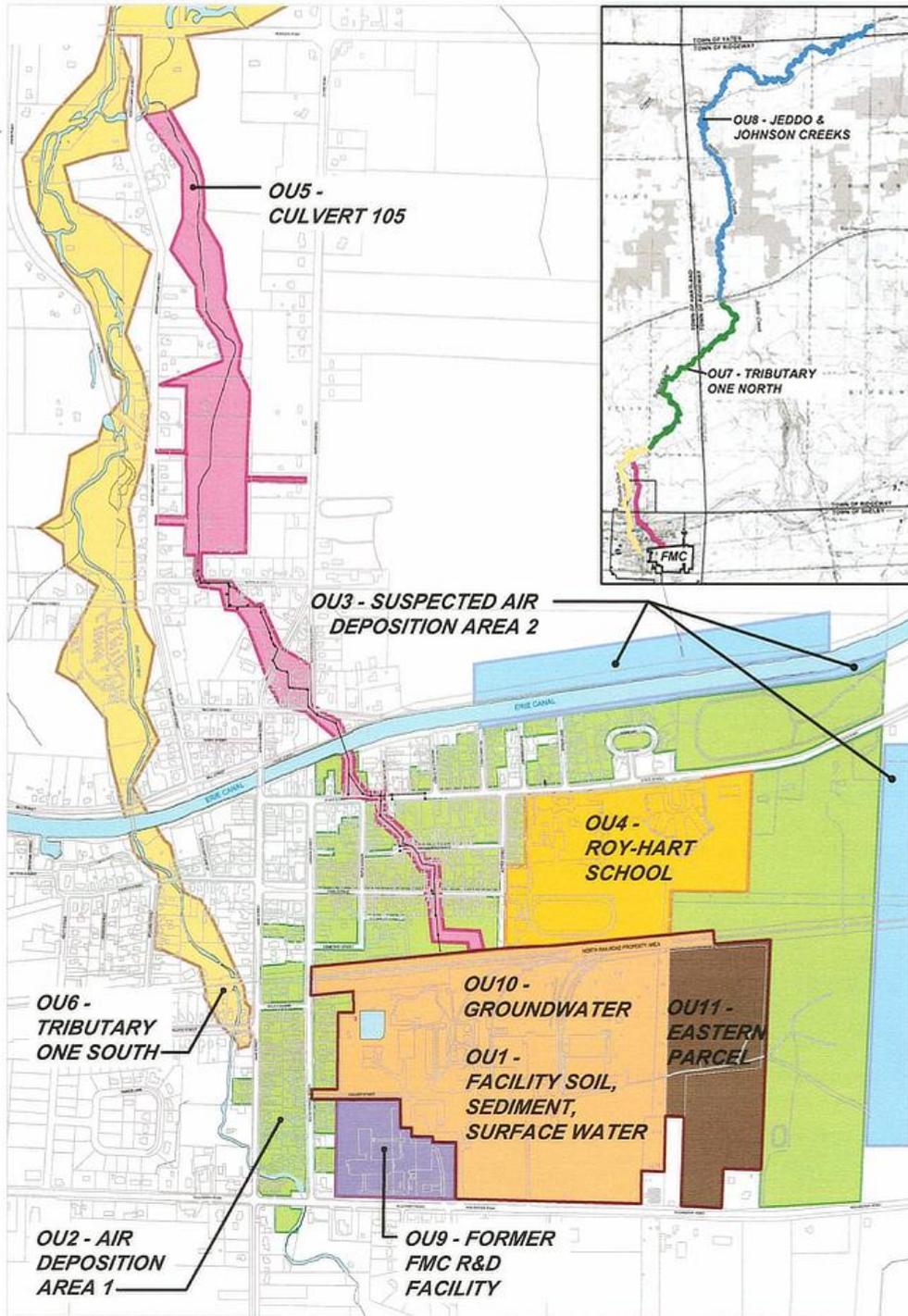


Between the late 1920s and 1974, the FMC facility handled and produced pesticides containing arsenic. During this time, arsenic may have been deposited in some areas downwind, as well as released to surface water through stormwater runoff or discharge of wastewater. In 2015, the NYS Department of Environmental Conservation (NYSDEC) began remediation of “Air Deposition Area 1” (shown in green on the map on the next page), which includes the Royalton-Hartland school property, and of “Culvert 105” (shown in pink). The remediation work on the Royalton-Hartland school property is complete, but the remediation of the rest of “Air Deposition Area 1” and “Culvert 105” is ongoing. FMC took over the remediation effort in 2021, and in 2022, expanded remediation work to a portion of “Air Deposition Area 2” (shown in blue).

Other potential brownfields include:

- Former municipal landfill at 4240 Griswold Road: The landfill closed in 1979, but has been the site of illegal dumping. No hazardous waste was disposed of at the landfill, but soil samples collected in the 1980s showed elevated levels of iron and zinc in the soil that may be leaching into a nearby drainage ditch which is channeled into Jeddo Creek. Phase I and Phase II investigations were completed in 1986 and 1991, respectively. Neither documented any threats to human health, but the Phase II investigation recommended fencing off the site to deter illegal dumping and upgrading the cover material on the site to prevent leaching.
- Gasport Cold Storage: The cold storage building burned down in 1967. A Phase I environmental audit was completed for this site, and further investigation is planned.

# Town of Royalton Comprehensive Plan



## Town of Royalton Comprehensive Plan

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**Public Uses:** Public uses are primarily located near the Village or the hamlets. Public uses in the Town of Royalton include the library, the school, Town facilities and several fire stations. There are also several cemeteries and churches in the Town. Further discussion of public uses is included in the section on community facilities.



The total breakdown of uses by percentage of land in the Town is as follows:

Land Use	Acres	Percent
Agricultural	19,086.9	43.7%
Residential	12,744.7	29.2%
Commercial	566	1.3%
Industrial	694.1	1.6%
Public Services	1,194.9	2.7%
Community Services	729.1	1.7%
Parks/Forested Land	3,374.3	7.7%
Vacant Land	5,120.3	11.7%
Total	43,655	100.0%

*Note: figures based on Town assessment records and exclude acreage in Town dedicated to rights-of-way, surface water and other lands not included in property valuation system.*

# **Town of Royalton Comprehensive Plan**

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## **Zoning**

The Town of Royalton adopted its current Zoning Code in 1999 and has been amended several times since. The code establishes the following six zoning districts (see Map 3: Existing Zoning):

- Agricultural District (A)
- One and Two Family Residential District (R)
- Multiple Family Residential District (MR)
- Business District (B)
- Light Industrial District (LI)
- General Industrial District (GI)

Furthermore, an Escarpment Overlay District was proposed by the Planning Board, but has not yet been adopted by the Town Board.

The vast majority of the Town is zoned Agricultural (A), which is intended primarily for agricultural and rural residential uses. The Agricultural zoning district essentially includes all lands starting at a distance 300 feet back from the street right-of-way, unless the parcel is zoned Multiple Family Residential, Business, Light Industrial or General Industrial. Lands in the first 300 feet from the right-of-way are zoned One and Two Family Residential. Given typical parcel depths in the Town, most parcels have dual zoning (One and Two Family Residential for the frontage and Agricultural for the remainder of the parcel).

The Agricultural zoning district establishes a 45,000 square foot minimum lot size with a minimum 150 foot of frontage required for all uses. The code also specifies required front, rear and side yard setbacks, depth and height requirements. Maximum lot coverage for dwellings and accessory structures is 35 percent of the total lot area. Only one dwelling is allowed on a lot.

Uses permitted by right in the Agricultural District are one and two family dwellings, accessory apartments and agricultural operations and uses. Certain setback requirements are specified for agricultural uses. The code specifies uses which are allowed only with Special Use Permits. This list includes certain agricultural uses, such as pig farms and industrialized poultry farms, in addition to a range of other types of uses.

The One and Two Family Residential District (R) is intended “to provide a stable environment for one and two family residential developments free from incompatible uses.” Although the code states that the district is intended for areas that are serviced by public water or where densities are high enough to support public water in the future, in practice most frontage lands in the Town are zoned as the One and Two Family Residential District. Allowed uses by right are one and two family dwellings, accessory apartments, family day care homes (day care for no more than six children provided in a family home), gardening and certain agricultural uses, and home occupations.

## **Town of Royalton Comprehensive Plan**

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The minimum lot size in the R district is 45,000 square foot with a minimum 150 feet of frontage for all uses. For lots with public water and sewer service, the minimum lot size is 15,000 square feet with a minimum 100 feet of frontage. The code specifies required setbacks and maximum lot coverage, which are the same as in the Agricultural District.

The Multiple Family Residential District (MR) allows denser development, including multiple family dwellings (apartments). The district is intended for areas with public water and sewer, or where densities are high enough to support such facilities. Allowed uses are the same or similar to the R District, except that accessory apartments are not allowed, and rooming houses are allowed. However, there are currently no parcels zoned MR.

Minimum lot size in the MR District is 45,000 square feet, unless there is a lot is connected to public water and sewer, in which case the minimum lot size is 15,000 square feet. Minimum frontage is 150 feet on lots without public water and sewer, and 100 feet for lots with public services. The code establishes required front, side and back setbacks and maximum lot coverage. In addition, there are additional standards for multiple dwellings. These include maximum gross density (8 units per acre); minimum gross floor area requirements (by unit type); road access and parking requirements; and different standards for setbacks and aggregate lot coverage. Plans submitted for site plan approval for apartments must indicate provisions for sewage disposal, water supply, storm drainage, parking, garbage disposal and landscaping and lighting.

The Business District (B) is intended to provide business establishments servicing the needs of area residents and visitors, especially in the nature of retail and service businesses. Permitted uses represent a range of general business, services, retail, warehousing and commercial uses. Uses requiring special use permit are specified. There is a 45,000 square foot minimum lot size with a minimum 150 feet of frontage required for all uses, except when public water and sewer service is available, in which case the minimum lot size is 15,000 square feet with a minimum 100 feet of frontage required. Setbacks and maximum lot coverage are also specified, with expanded setbacks for business uses or structures if the lot line abuts a residential district. All business uses are subject to site plan review prior to obtaining a building permit or making any change of use of the premises.

The Light Industrial District (LI) is intended to provide for light manufacturing, assembly, and storage facilities as well as research and development activities and office uses. Permitted uses include all uses permitted as of right in the Business district, subject to the same regulations in the B district; and a variety of light manufacturing uses. Additional uses are allowed with a special use permit, with restrictions to avoid negative impacts on adjoining uses (setbacks, buffers, restrictions on noise, etc.) Site plan approval is required. The minimum lot size is one acre, with a minimum 150 feet of frontage required for all uses. The code establishes minimum side, front, and rear yard setbacks, and maximum height restrictions.

## Town of Royalton Comprehensive Plan

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The General Industrial District (GI) provides for industrial activity in the Town “helpful in the development of a balanced economy.” Permitted uses include industrial or agri-industrial businesses, as long as they are “not detrimental to the environment, not inherently unsanitary, not a menace to the public health, not a nuisance in law or in fact and . . . not noxious or offensive by reasons on the emission of odor, dust, smoke, gas, fumes or unusual, continuous or vexatious noise.” Signs, storage and off-street parking are allowed as accessory uses. Certain uses, such as junk yards, animal sales lots and bulk storage of certain products are allowed with a special use permit. Residential uses are explicitly prohibited. The code includes certain standards to control impacts, such as the requirement that all industrial processes occur within an enclosed building, and industrial structures must be a minimum of 100 feet from any non-industrial district. Site plan approval is required. There is a 3-acre minimum lot size required for all uses.

The following table summarizes required bulk standards, including setbacks for front, side and back yards, minimum lot frontages and depths, height regulations and minimum lot size. For the Multiple Residential and Business Districts, the bulk regulations vary, depending on whether there is public water and sewer available to the lot. Lots in areas with public services can be built at a higher density.

**Bulk Standards by Zoning District**

	A	R*	MR*	B*	LI	GI
Front Setback	50'	50'/30'	50'/30'	50'	50'	70'
Side Setback	10'	10'/5-10'	10'/5-10'	15'	50'	50'
Rear Setback	35'	35'/25'	40'/25'	20'	50'	50'
Min. Frontage	150'	150'/100'	150'/100'	150/100'	150'	--
Min. Depth	300'	300'	--	300'	--	--
Max. Height**	35'	35'	35'	35'	35'	25'
Min. Lot Size (sf)	45,000	45,000/15,000	45,000/15,000	45000/15000	1 acre	3 acres
Max. Lot Cover	35%	35%	35%	35%	--	--

\* without public water & sewer/with public water and sewer

\*\* certain structures are exempt from height restrictions (silos, personal wind towers, etc.)

Article III of the Town of Royalton Zoning Code provides for the application of the regulations, including greater detail about dimensional and use regulations; minimum dwelling size; signs; temporary uses; parking; off-street loading; fences; ponds; camping trailers and recreational vehicles; slopes of yards; solar energy systems; wind energy systems; telecommunications towers; personal wireless telecommunications service facilities; home occupations; satellite parabolic antennae; and seasonal roadside stands. It also specifies regulations for non-conforming uses, lots and structures.

## **Town of Royalton Comprehensive Plan**

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The Zoning Code establishes procedures for special use permits and site plan review. Article VII of the Zoning Code (“Special Conditions and Safeguards for Certain Special Uses”) provides supplemental regulations for a number of uses including:

- Airports and landing strips;
- Animal husbandry;
- Automobile laundry;
- Bed and breakfast establishment;
- Clubs, lodges, fraternal organizations;
- Day care centers;
- Excavation and mining;
- Farm labor camps;
- Fur farms;
- Home businesses;
- Hotels and motels;
- Industrialized poultry farms;
- Kennels and animal hospitals;
- Livery and commercial stables;
- Mobile home parks;
- Motor vehicle/heavy equipment repair shops;
- Motor vehicle sales;
- Multiple-family dwellings;
- Permanent roadside stands;
- Pig farms;
- Planned commercial industrial parks;
- Planned residential developments;
- Public and semi-public buildings and grounds;
- Public utility substations;
- Retail gasoline outlets/service stations;
- And seasonal tents, trailers, or recreational vehicle camps.

These additional regulations are intended to avoid conflicts between land uses. They include provisions for greater setbacks, requirements for landscaping or screening, regulations specific to a particular use and similar provisions. Excavation and mining for any and all materials, including clay, is explicitly prohibited in all zoning districts, except for soil excavating as part of the Town ditching program.

The Zoning Code also describes the required processes for obtaining permits, and for the Zoning Board of Appeals, and establishes the process for amending the code.

### ***Solar and Wind Energy System Regulations***

In 2017, the Zoning Code was amended to add regulations for solar and wind energy systems. After a moratorium on solar energy projects in 2020 and 2021, the Town adopted a new solar law in 2022 that replaced the 2017 regulations.

The solar law divides solar projects into four tiers: Tier I (small-scale), Tier II (large-scale), Tier III (utility-scale), and Tier IV (industrial-scale).

Tier I projects are defined as rooftop, building-mounted, and building-integrated solar systems, and are allowed in all zoning districts with the issuance of a building permit.

## **Town of Royalton Comprehensive Plan**

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Tier II projects are accessory, ground-mounted systems, limited to a footprint of 5,000 square feet or less and 110% of the electricity consumed on the site over the previous 12 months. These “large-scale” projects are allowed in all zoning districts except the One and Two Family Residential (R) and Multiple Family Residential (MR) districts, and require site plan review by the Planning Board in addition to a building permit. Tier II systems can only be installed in the side or rear yards and must be set back a minimum of 50 feet from any side or rear property line, and 75 feet from any dwelling on an adjoining, non-participating property. The law also sets forth height restrictions and screening and visibility requirements.

Tier III projects are ground-mounted principal uses and supply energy into the grid; these projects are limited to a footprint of 20 acres or less. These “utility-scale” projects are only allowed in the Business (B), Light Industrial (LI), and General Industrial (GI) districts and require a special use permit in addition to site plan review by the Planning Board and a building permit. They are also restricted from any area within the Escarpment Overlay district and cannot be located within one mile of another Tier III or Tier IV system. Tier III systems must be set back 100 feet from the road right-of-way and any side or rear property line; 300 feet from a non-participating property zoned Business (B), Light Industrial (LI), or General Industrial (GI); and 450 feet from a non-participating property zoned Agricultural (A), One and Two Family Residential (R), Multiple Family Residential (MR), or Escarpment Overlay, and from a public road or park. The law also sets forth height restrictions, screening and visibility requirements, and provisions to protect agricultural resources.

Tier IV projects are also ground-mounted principal uses and supply energy into the grid, but have footprints larger than 20 acres. These “industrial-scale” projects are only allowed in the Light Industrial (LI) and General Industrial (GI) districts and require a special use permit in addition to site plan review by the Planning Board and a building permit. They are also restricted from any area within the Escarpment Overlay district. Tier IV systems must be set back 100 feet from the road right-of-way and any side or rear property line; 300 feet from a non-participating property zoned Business (B), Light Industrial (LI), or General Industrial (GI); and 450 feet from a non-participating property zoned Agricultural (A), One and Two Family Residential (R), Multiple Family Residential (MR), or Escarpment Overlay, and from a public road or park. The law also sets forth height restrictions, screening and visibility requirements, and provisions to protect agricultural resources, including limitations on systems on prime farmland soils.

The regulations for wind energy systems divide these systems into two categories: commercial/industrial and noncommercial.

Noncommercial systems are defined as having a rated capacity of 250 kilowatts or less and a total height of 100 feet or less, and are intended primarily for use of electricity on site. Noncommercial systems are allowed in all zoning districts but require a special use permit and site plan review by the Planning Board. These systems must be set back a minimum of 1.5 times their total height from any property line, public roads and highways, railroads, and aboveground transmission lines. They are also only allowed in the rear yard and only one such system is

## **Town of Royalton Comprehensive Plan**

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allowed per lot. There are restrictions on lighting, noise, signage, and electromagnetic interference and interference with aviation navigational systems.

Commercial/industrial systems are defined as having a rated capacity greater than 250 kilowatts and a total height greater than 100 feet, and are intended to supply electricity into the grid. Commercial/industrial systems are also allowed in all zoning districts but require a special use permit and site plan review by the Planning Board. These systems must be set back a minimum of 1.5 times their total height from any property line (excluding lot lines of project participants), public roads and highways, railroads, and aboveground transmission lines greater than 12 volts. They must also be set back a minimum of 1,500 feet from any dwelling or approved subdivision lot on an approved plat intended to house a dwelling. They are also limited to 450 feet in height. Similar to noncommercial systems, there are restrictions on lighting, noise, signage, and electromagnetic interference and interference with aviation navigational systems. However, there are greater burdens of proof that applicants must provide; for example, applicants must submit a lighting plan, a noise study, and a fire protection and emergency response plan, as well as information indicating that the project will not cause interference.

### **Land Subdivision Regulations**

The subdivision regulations for the Town of Royalton were adopted in 1975. The subdivision regulations control the division of land into smaller lots, blocks, sites or parcels. The intent of these regulations is to ensure for the “orderly, efficient and economical development of the Town.” The subdivision regulations ensure that when new parcels are created, their layout takes into consideration issues of needed improvements (water, wastewater), traffic, safety, grading, and other physical features, while taking into consideration ‘harmony with the development pattern of the neighboring properties.’”

Subdivision is defined by the Royalton regulations as “the divisions of any parcel of land into two or more lots, blocks, or sites, with or without streets or highways and includes re-subdivision.” Subdivisions can be categorized as “major” or “minor”. Major subdivisions consist of 10 or more lots, or any subdivision that requires a new street or the extension of any municipal facilities, such as water lines. Minor subdivisions are any subdivisions that have not been categorized as major. They generally consist of more than four lots but not more than ten lots, all of which front on an existing road. Any division of land that creates less than four lots is not categorized as a subdivision, as long as the action does not require a new street, “easement for purpose” or the extension of municipal facilities. Subdivision of any land into parcels for agricultural purposes is also not subject to subdivision regulations, as long as the parcels are larger than five acres and no new streets, easements or extensions of municipal facilities are involved.

The regulations provide for the required procedures for filing subdivision applications. The owner first submits a sketch plan for Planning Board review. The Planning Board classifies the action as a Minor or Major subdivision. The Planning Board also has the authority to make recommendations regarding the layout of the proposed subdivision to the applicant.

## Town of Royalton Comprehensive Plan

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For subdivisions classified as minor at the sketch plan stage, the applicant may directly submit a plat for approval. For major subdivisions, the applicant must follow a two-step process after the sketch plan, first submitting a preliminary plat for Planning Board review and approval, and then submitting the final plat for approval.

The regulations specify specific submittal requirements for each stage of the process (information to be included on the sketch plan, the preliminary plat and the final plat). They also outline time frames for the approval process. For any subdivision (minor or major), the applicant must attend a Planning Board meeting to discuss the plat and a public hearing is required. The Planning Board has the option of approving, approving with modifications or disapproving the Subdivision Plat.

The subdivision regulations outline the requirements for general requirements and design standards for improvements. The design standards provide the applicant with guidance regarding street layout, block size, street design (widths, required improvements, grades, curve radii, etc.), and street names. They provide standards for the configuration of lots and set forth required drainage improvements. Applicants are required to provide at least three acres of recreation space per 100 dwelling units, up to 10 percent of the total area, although the Board may accept a recreational fee for each lot in lieu of land. The regulations promote the preservation of natural features “wherever possible.” Planning Board approval is required prior to the removal of any mature trees (8 inches in diameter or more). The regulations also provide minimum standards for required improvements, such as streets, sewer lines and water lines.

### **Agricultural Protection**

The vast majority of the Town of Royalton falls within a designated Agricultural District, subject to the regulations set forth in Article 25-AA of the New York State Agriculture and Markets Law (See Map 4: Agricultural Overview). Portions of two separate Agricultural Districts fall within the Town of Royalton: Agricultural District No. 2 and Agricultural District No. 4.

Lands within Agricultural Districts have additional protections and incentives to encourage continued agricultural use of these lands. These include favorable tax assessments, protection against unreasonable laws and other provisions. To qualify to be included within an Agricultural District, the lands must meet certain criteria, and each Agricultural District must go through periodic recertification.



There are a number of benefits for agricultural landowners located within an Agricultural District. Agricultural land is assessed on its value as farmland, not on its potential development value, which reduces the tax burden on agricultural lands, especially in areas that are experiencing

## Town of Royalton Comprehensive Plan

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growth. Local laws may not unreasonably restrict farm operations within an Agricultural District and existing and proposed laws are subject to review by the State Department of Agriculture and Markets to ensure that they comply with the law and are not overly restrictive. Real estate agents are required to disclose to potential buyers that the property they are about to acquire is located in an Agricultural District or within 500 feet of any farm operation and/or farmland. In addition, any application for special use permit, site plan approval, use variance, or subdivision on lands within an Agricultural District or within 500 feet of any farm operation and/or farmland must submit an agricultural data statement to the reviewing authority.

The Agricultural Districts Law mandates that governmental agencies must avoid or minimize potential adverse impacts to farming operations when undertaking, acting upon or advancing funds for projects within an Agricultural District that involve the acquisition of land or the use of public funds for construction purposes. Such projects must be reviewed by the staff of the State Department of Agricultural and Markets to assess its impacts on farmland. They may recommend actions designed to minimize negative impacts.



The State has also established a Right-to-Farm Law. The State Right-to-Farm Law provides that agricultural practices conducted on farmland shall not be found to be a nuisance if these agricultural practices are reasonably and necessary to the particular farm operation, conducted in a manner that is not negligent or reckless and consistent with accepted and sound agricultural practices. Agricultural practices, to be protected, also must not violate any local, state, and federal laws or constitute a threat to public health, safety, or welfare, or unreasonably obstruct the use of navigable waters or public

roadways. Any disputes of farm nuisances are resolved by the Agricultural and Farmland Protection Board.

The Town of Royalton adopted a Right-to-Farm law in 1993 and Niagara County adopted a Right-to-Farm Law in 2007. These laws provide additional support to the protection and encouragement of agricultural interests within the Town of Royalton. Niagara County also adopted a new Agricultural and Farmland Protection Plan in 2018 to replace the original 1999 plan, which includes several strategies to promote and protect agriculture in the County.

# Town of Royalton Comprehensive Plan

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## DEMOGRAPHICS

This section provides a demographic overview of the Town of Royalton, including population, housing, income, and economic data.<sup>1</sup> For the purposes of developing the comprehensive plan, the analysis includes the Village of Middleport, unless otherwise noted.

### Population

The most current available population count for the Town of Royalton, which is the 2017-2021 American Community Survey, indicates that the Town has a total of 7,527 residents. Of those residents, 1,824 live in the Village of Middleport, while the remainder live in the Town outside the Village. The hamlet of Gasport, while it has no legal status as a municipality, is categorized by the Census as a ‘place.’ In 2000, there were 1,248 residents of Royalton who lived in Gasport, which increased to an estimated 1,396 in 2021. Together, population in Middleport and Gasport represents 35 percent of all Town residents.

While there has been some fluctuation, the Town’s population has been declining slightly since 2000. Overall, the Town’s population decreased approximately 2.4 percent between 2000 and 2021. Over the same time frame, Niagara County decreased by 3.7 percent. The Village has also been losing population since 2000.

#### Population Trends

	2000	2010	2021	2000-2021
Total Town	7,710	7,599	7,527	-183 (-2.4%)
Town Outside Village	5,793	5,783	5,703	-90 (-1.5%)
Village of Middleport	1,917	1,816	1,824	-93 (-4.9%)
Niagara County	219,846	216,130	211,653	-8,193 (-3.7%)

*Source: 2000 and 2010 Census, 2017-2021 American Community Survey*

### Age Composition

The Town’s population has been aging. The share of citizens aged 65 and over increased from 13 percent of the population to 16.5 percent between 2000 and 2021, while the proportion of minors decreased from 27 percent to 22 percent. Despite this trend, Royalton remains younger than the County overall, where over 20 percent of the population in 2021 was aged 65 or older. Median age for the Town was 41.4 years in 2021, an increase from 37.4 years in 2000. In Niagara County, median age is now 43.1 years.

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<sup>1</sup> Current figures are from the 2021 American Community Survey 5-Year Estimates (U.S. Census Bureau) which are estimates with varying margins of error. Figures for 2000, 2010, and 2020 data are from the Decennial Census.

## Town of Royalton Comprehensive Plan

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### Age Distribution, Royalton, NY

	2000	2010	2021
Under Age 18	26.5%	23.3%	22.1%
Age 18 to 64	60.4%	62.2%	61.5%
Age 65 and older	13.1%	14.4%	16.5%

*Source: 2017-2021 American Community Survey*

### Household Trends

Corresponding with a decrease in population, the number of households in the Town of Royalton decreased between 2010 and 2021. There were 2,955 households in 2010 and 2,898 in 2020, which represents a decrease of 57 households (1.9 percent). The size of households in Royalton has also been decreasing. In 2010, the average household size in the Town was 2.7. In 2021, the figure had decreased to 2.6. This figure is significantly higher than the County, where the average household size was 2.4 in 2010 and 2.3 in 2021.

The majority of households in Royalton are categorized as families (68 percent). About 29 percent of households are single-person households.<sup>2</sup> The remaining three percent of households are unrelated persons living in the same home (roommates, unmarried couples, etc.) In Niagara County, only 63 percent of households are families, while 31 percent are single-person households.

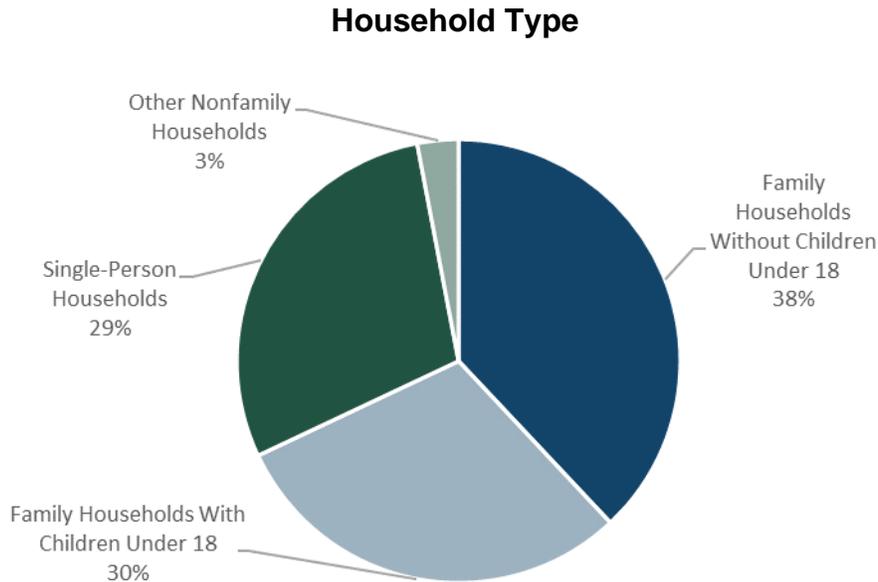
Three out of ten (30 percent) households in Royalton include children under the age of 18. At the other end of the spectrum, about the same amount (29 percent) include persons aged 65 years or older.

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<sup>2</sup> Under Census definitions, a person living alone is not categorized as a family household.

# Town of Royalton Comprehensive Plan

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*Source: 2017-2021 American Community Survey*

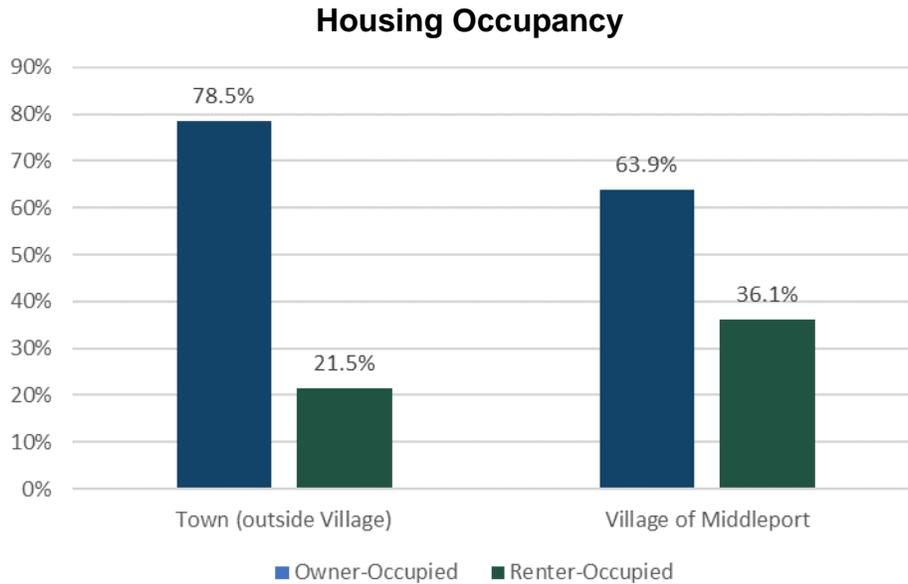
## **Housing**

The number of housing units in the Town of Royalton has been relatively stable over time. According to census estimates, in 2021, there were 3,197 housing units in the Town, which represents a net increase of 9 units, or 0.3 percent since 2010. However, building permit data shows that 112 new single-family homes were built between 2010 and 2021 (see Building Permit Trends). Building permit data also shows 25 demolitions during that same timeframe, which would indicate a net increase of 87 units.

Because the number of households has been decreasing while the number of housing units has been increasing, housing vacancy rates have increased in Royalton. In 2010, vacancy represented 7.3 percent of all housing units in the Town. In 2021, 9.4 percent of housing units were vacant, which is very similar to the vacancy rate in Niagara County overall (9.3 percent). Homeowner vacancy in Royalton is particularly low, at only 0.8 percent. Rental vacancy rates in the Town are much higher, at 7.7 percent.

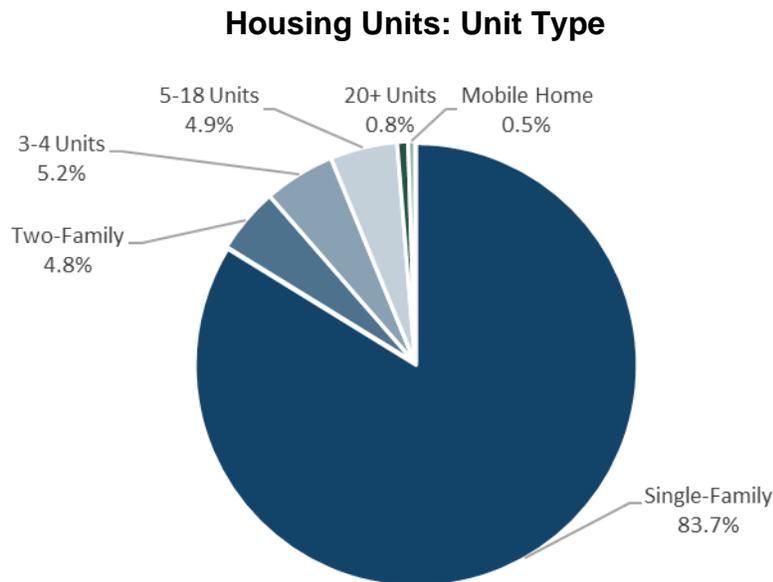
The majority of housing in the Town of Royalton is owner-occupied. 78.5 percent of the Town's housing units are owner occupied, and only 21.5 percent are rental units. In comparison, approximately 71.5 percent of the County's housing stock is owner-occupied. Rental housing in the Town of Royalton tends to be concentrated within the Village. Of the 622 rental units in the Town, nearly half (271 units) were located within the Village of Middleport.

# Town of Royalton Comprehensive Plan



Source: 2017-2021 American Community Survey

The majority of housing units in the Town (84 percent) are single-family homes. Mobile homes account for 15 housing units (0.5 percent), all of which are outside the Village. 4.8 percent of the housing stock consists of doubles and 11.4 percent of the housing stock is in buildings with 3 or more units per structure).



Source: 2017-2021 American Community Survey

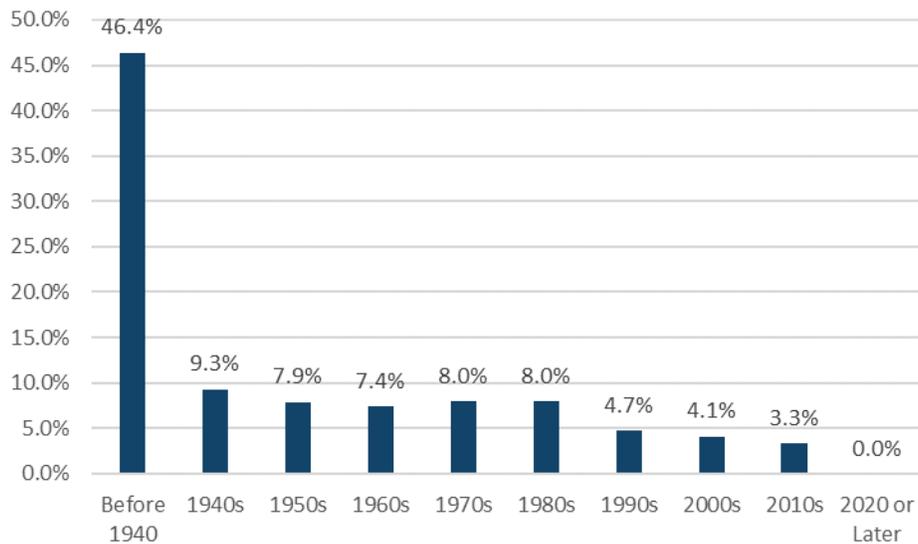
## Town of Royalton Comprehensive Plan

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Slightly more than 45 percent of the housing units in the Town were constructed prior to 1939, with another 25 percent constructed between 1940 and 1969. Housing construction peaked in the 1980s and 1990s, with 8 percent and 9 percent of units built in those decades, respectively. After 1990, housing construction dropped considerably. 4.7 percent of housing units were built in the 1990s and 4.1 percent were built in the 2000s. 3.3 percent of housing units have been built since 2010.

### Housing Units: Year Built

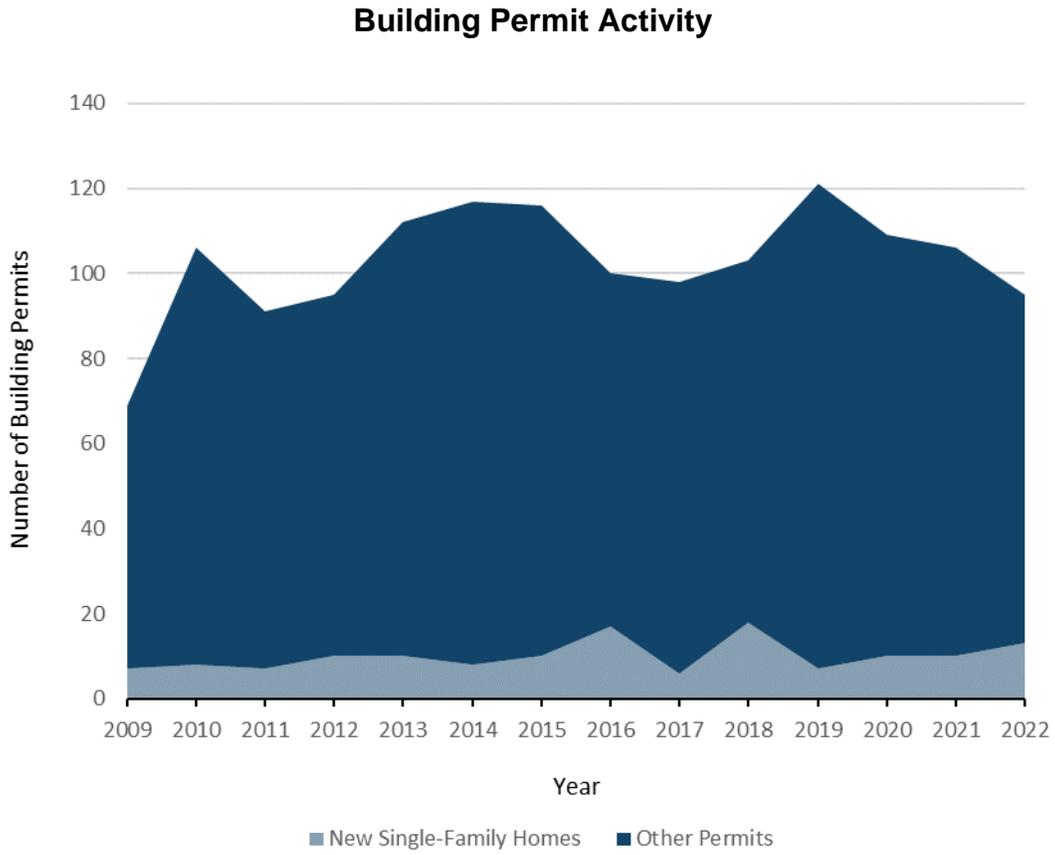


*Source: 2017-2021 American Community Survey*

### Building Permit Trends

There has been continued growth in housing development in the Town. There were a total of 1,438 building permits issued in the Town between January 1, 2009 and December 31, 2022. Most of these permits were for repairs or modifications to existing buildings, but 140 of the permits issued were for new residential construction, representing an average of 10 new homes per year. While 11 of these homes are due to the Deer View subdivision, the other new homes are distributed rather evenly across the Town (See Map 5: New Homes Built 2009-2022). The year 2019 saw the highest total number of building permits issued (121). The following chart shows the building permit activity in the Town between 2009 and 2022.

# Town of Royalton Comprehensive Plan



Source: Town of Royalton Building Department

## Town of Royalton Comprehensive Plan

### **Economic Profile**

In 2021, 64 percent of the Town’s population over the age of 16 was employed, with the unemployment rate hovering around 5 percent. This rate is slightly higher than the County as a whole, which had an unemployment rate of 3.5 percent in 2021. This elevated unemployment rate is likely due to the effects of the pandemic and should return to normal over time.

The manufacturing industry has continued to leave its mark on the Town of Royalton as nearly 20 percent of the Town’s workforce is employed in that sector. FMC is one of the largest manufacturing employers, with over 200 employees alone. Other strong employment sectors include retail, health care and social assistance, and professional services, with each employing greater than 10 percent of the labor force. Less than 1 percent of the Town’s workforce makes their living from agriculture. The following table is a breakdown of employment in the Town.

Occupation:	Employed in 2021	% Employed in 2021
Agriculture, Forestry, Fishing & Hunting	27	0.8%
Mining, Quarrying & Oil & Gas Extraction	25	0.7%
Construction	273	7.5%
Manufacturing	714	19.7%
Wholesale Trade	29	0.8%
Retail Trade	595	16.5%
Transportation, Warehousing & Utilities	63	1.7%
Information	22	0.6%
Finance, Insurance & Real Estate	151	4.2%
Professional, Management & Administrative	448	12.4%
Educational Services	313	8.7%
Health Care & Social Assistance	511	14.1%
Arts, Entertainment & Recreation	95	2.6%
Accommodation & Food Services	167	4.6%
Public Administration	77	2.1%
Other Services	107	3.0%

*Source: 2017-2021 American Community Survey*

## Town of Royalton Comprehensive Plan

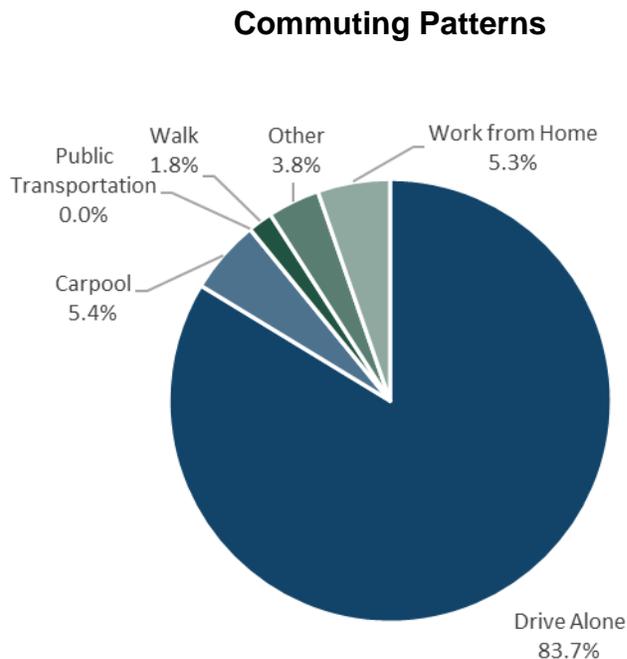
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### Commuting Patterns

Consistent with trends across the region, in 2020, 84 percent of Royalton workers drove alone to work, with 5 percent carpooling. Only 2 percent walked, and 6 percent worked from home.

26 percent of Royalton workers who do not work from home have a commute that is less than 15 minutes to work. Another 26 percent of workers have a 15- to 30-minute commute, about 22 percent commute 30 to 45 minutes, about 19 percent commute 45 to 60 minutes, and slightly more than 7 percent have a commute that is more than an hour each way.



*Source: 2017-2021 American Community Survey*

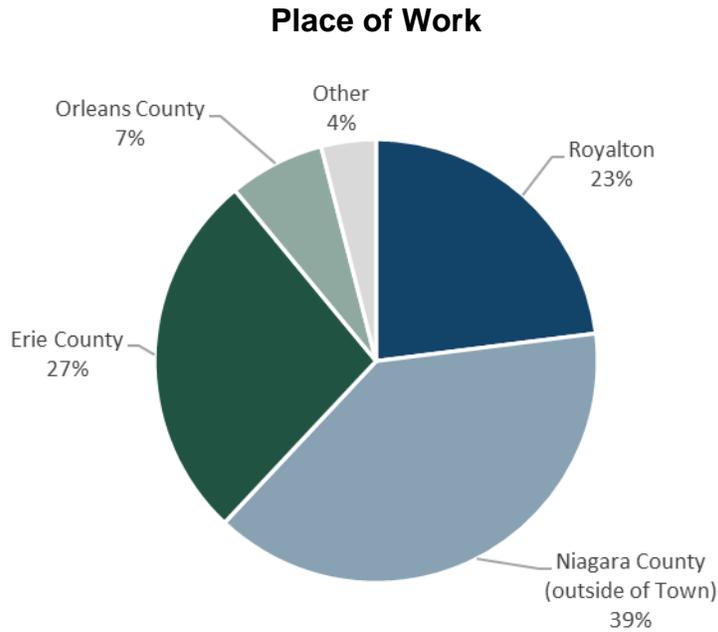
According to census data from 2012-2016, approximately 23 percent of employed workers aged 16 or older in the Town of Royalton work in the Town. Another 39 percent worked at businesses elsewhere in Niagara County, primarily in nearby towns such as Lockport, Wheatfield, Pendleton, Newfane, and Hartland. 27 percent work in Erie County, primarily in northern towns such as Amherst, Clarence, and Akron. 7 percent work in Orleans County, primarily in the Village of Medina. Some workers work further afield, in Brockport and in Attica.

See Map 6: Resident Commute.

## Town of Royalton Comprehensive Plan

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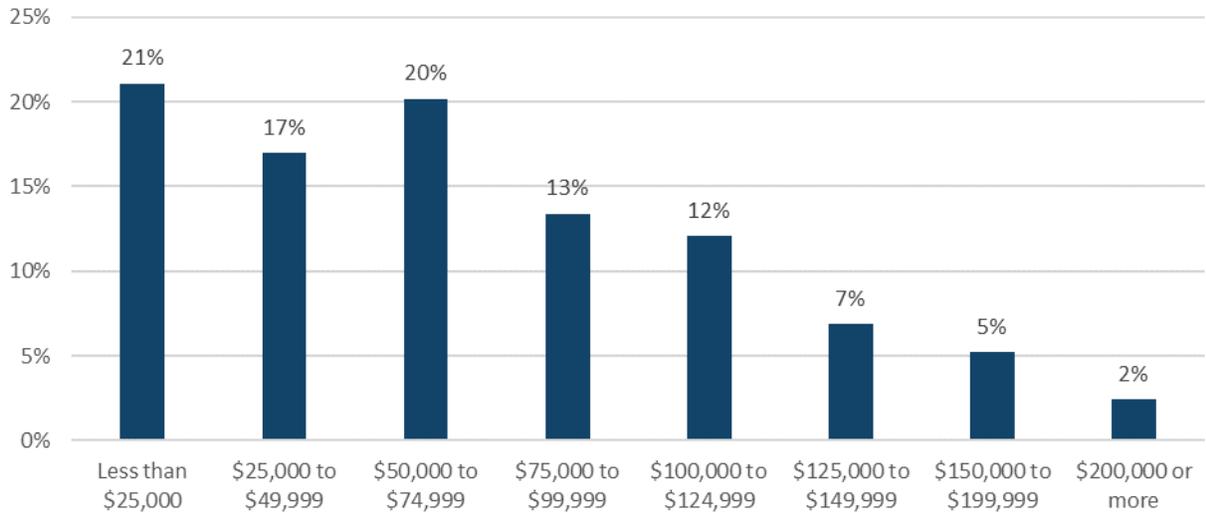
*Source: 2017-2021 American Community Survey*

### **Income**

In 2021, 18 percent of households in the Town of Royalton earned an income less than \$25,000, 17 percent earned between \$25,000 and \$50,000, and 15 percent earned between \$50,000 and \$75,000. The median household income in 2021 was \$65,378, up from \$51,820 in 2010 (dollars adjusted for inflation). In comparison, the 2021 median household income for the Village of Middleport was \$52,717 and for Niagara County was \$61,340. The following chart shows the breakdown of household income for the entire Town (including Village) in 2021.

## Town of Royalton Comprehensive Plan

### Household Income Distribution



*Source: 2017-2021 American Community Survey*

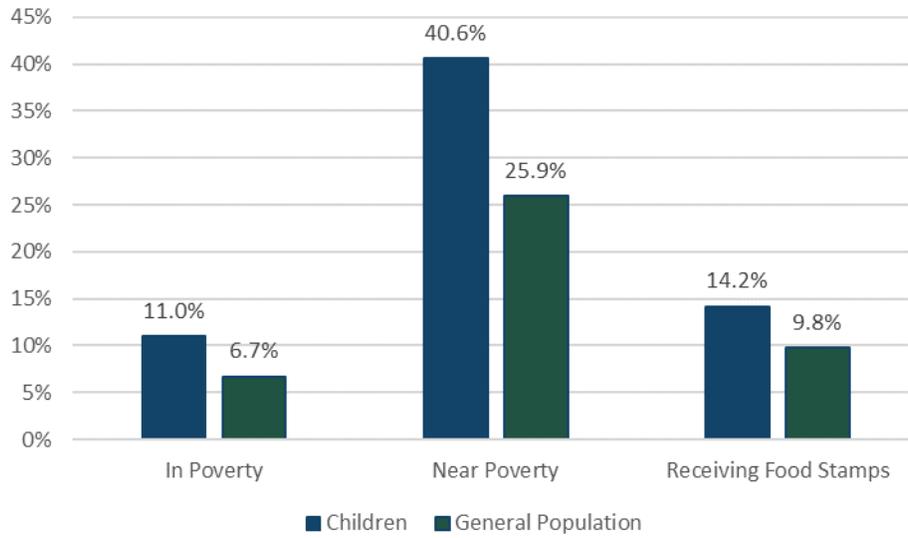
While poverty is overall relatively low in the Town (7 percent compared to 13 percent for Niagara County), poverty is concentrated in the Village, where one out of four children lives in poverty. Town-wide, 11 percent of children under the age of 18 live in poverty. Furthermore, 26 percent of the population lives near the poverty line (on incomes of between 100 percent and 200 percent of the poverty line), compared to 41 percent of children under the age of 18. In addition, 14 percent of households with children under the age of 18 receive food stamps, compared to 10 percent of households overall.

# Town of Royalton Comprehensive Plan

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## Poverty Status and Receipt of Food Stamps



*Source: 2017-2021 American Community Survey*

# Town of Royalton Comprehensive Plan

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## ENVIRONMENTAL RESOURCES

### **Topography**

The topography of most of the Town of Royalton ranges from relatively flat to gently rolling. The most prominent topographical feature in the Town is the Niagara Escarpment, a geological ridge that runs from west to east across the northern part of the Town, paralleling the Erie Canal and Route 31. The Escarpment's drop off is much less steep through Royalton than is seen in places west, but the drop is still between 100 and 150 feet. At 667 feet, the highest point in Niagara County is located in the Town of Royalton, just north of Bunker Hill Road.

The Escarpment is shown on Map 7: Environmental Conditions.

### **Soils**

The primary generalized soil units in the Town of Royalton include the following (noted in order of their location in the Town from north to south):

1. Niagara-Canandaigua-Collamer – These soils are deep, somewhat poorly drained to poorly drained, medium textured soils. These soil can be found north of the Escarpment and in the southern portion of the Town along Tonawanda Creek.
2. Darien-Cazenovia-Nunda – These soils are well drained to moderately drained, medium textured soils. These soils can be found throughout the northern and central portions of the Town.
3. Hudson-Rhinebeck-Collamer – These soils are deep, moderately drained to well drained, medium textured to moderately fine textured soils. These soils can be found in the northern part of the Town near the Escarpment and in the southern part of the Town.
4. Honeoye-Ontario-Lima – These soils are deep, well drained, medium textured soils. These soils can be found along the eastern portions of the Town.
5. Wassaic-Farmington-Lairdsville – These soils are shallow to moderately deep, well drained to moderately well drained, medium textured soils. These soils can be found in the northern portion of the Town south of the Escarpment.
6. Teel-Wayland-Hamlin – These soils are deep, poorly drained to very poorly drained, medium textured soils.
7. Madalin-Rhinebeck-Canadice – These soils are deep, somewhat poorly drained, poorly drained, or very poorly drained, medium textured soils. These soils can be found in the extreme southeastern portion of the Town.
8. Minoa-Arkport-Lamson – These soils are deep, somewhat poorly drained, poorly drained, and very poorly drained, medium textured to moderately coarse soils. These soils can be found along portions of Tonawanda Creek.

Most of the soils in Town are categorized as prime agricultural soils, including many areas where the soils are farmland of statewide importance. The areas of prime agricultural soils are depicted on Map 4.

## Town of Royalton Comprehensive Plan

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### **Drainage/Water Features**

The water features in the Town of Royalton account for approximately 1.7 percent of the total surface area in the Town. Water features include a number of creeks and lakes and the Erie Canal.

Water in the Town is conveyed to two distinct drainage systems. The northern portion of the Town drains northerly, down the Escarpment, eventually emptying into Lake Ontario. The southern portion of the Town drains southerly to Tonawanda Creek, which empties into the Niagara River, upstream from Niagara Falls.

Tonawanda Creek generally forms the southern border of the Town. Mud Creek originates in the eastern portion of the Town and is the major tributary that conveys drainage from the southern portion of the Town to Tonawanda Creek. Mud Creek empties into Tonawanda Creek in the Town of Pendleton. The northern portion of the Town drains northerly to the East Branch of Eighteen Mile Creek, Johnson Creek, or to Jeddo Creek, all of which originate in the Town and eventually convey water to Lake Ontario. Various other tributaries and intermittent streams throughout the Town convey water to one of these major creeks.

There are a limited number of lakes or ponds in the Town. Mirror Lake is located along East Branch of Eighteen Mile Creek in Gasport and the Middleport Reservoir is located along Jeddo Creek, south of the Village of Middleport. The Reservoir used to supply water for the Village of Middleport's water system, but is no longer used for that purpose.

The Erie Canal runs east-west through the northern portion of the Town. The Canal acts as a recreational and shipping channel and not as a drainage system. Many creeks are grade separated from the Canal.

### **Wetlands**

A substantial portion of the southeast portion of the Town is inundated with state and federal wetlands, known collectively as the Tonawanda State Wildlife Management Area. There are also numerous state and federal wetlands scattered throughout the Town, especially along many of the creeks and tributaries (See Map 7: Environmental Conditions). In total, state and federal wetlands account for approximately 25.8 percent of the total surface in the Town.



## Town of Royalton Comprehensive Plan

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State wetlands are those under jurisdiction of the New York State Department of Environmental Conservation (NYSDEC) and are identified by the existence of certain species of vegetation that grow well in wet soils. The Freshwater Wetlands Act protects all wetlands of 12.4 acres (5 hectares) or larger. The State also regulates the land area within 100 feet of protected wetlands. Wetlands smaller than this size may be protected if they are considered to be of local importance. State wetlands are ranked in four classes ranging from Class I, which is a wetland of greatest importance and contains the highest restriction, to Class IV. Regardless of the wetland class, a permit is required to conduct any regulated activity within a wetland area or the 100 foot buffer that surrounds a wetland.

Federal wetlands are regulated under the jurisdiction of the U.S. Army Corps of Engineers through Section 404 of the Clean Water Act, irrespective of their size, and Section 10 of the Rivers and Harbors Act of 1899. Many wetlands that are state wetlands are also federal wetlands; however, many smaller wetlands that do not meet the state's minimum size requirement are only under federal jurisdiction. Under the law, a permit is required for any structure or work that takes place in, under, or over a navigable waterway or wetlands adjacent to navigable waters (such as dock construction, dredging, and shoreline protection). In addition, any activity that involves a discharge of dredged material or fill material into navigable waters or associated wetlands requires a permit, as well as activities that would drain or flood wetlands or significantly disturb the soil, such as land clearing, ditching, stream channelization, and excavating.

Wetlands are shown on Map 7: Environmental Conditions.

### **Floodplains**

A flood is defined as "a general and temporary condition during which the surface of normally dry land is partially or completely inundated"<sup>3</sup>. Flooding can be caused by heavy rains, melting snow, inadequate drainage systems and other sources, and is projected to become both more frequent and more severe due to climate change. Floodplains are areas situated adjacent to rivers and streams that are likely to experience recurring floods. Floodplains are therefore "flood-prone" and are hazardous to development activities and to agricultural production. The Niagara County Hazard Mitigation Plan (2022) found that flooding caused an annual average loss of \$147,000 to property owners in Royalton between 1996 and 2017.

In Royalton, there are two types of floodplains that exist within the Town: 100-year floodplains and 500-year floodplains. The 100-year floodplain is the area surrounding a water feature that is inundated with water during a 100-year flood event, or a flood that has a 1 percent chance of occurring in any given year. The 100-year flood is more technically referred to as the 1 percent annual chance flood. The 500-year floodplain is the area surrounding a water course that is inundated with water during a 500-year flood event, or the 0.2 percent annual flood. The 100-year floodplain is divided into the floodway and the floodway fringe. The floodway is the portion of the floodplain which includes the stream's channel and any adjacent areas that must be kept

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<sup>3</sup> Source: US Legal, Inc.

## **Town of Royalton Comprehensive Plan**

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free of encroachments that might block flood flows or restrict storage of flood waters. The flood fringe is the area covered by flood waters but that does not carry strong currents of flood waters.

The extent of 100-year floodplains throughout the Town is confined to the areas along Tonawanda Creek, Mud Creek, East Branch of Eighteen Mile Creek, and Jeddo Creek, and to areas within the Tonawanda State Wildlife Management Area. The extent of the 500-year floodplains in the Town is confined to an area in the southwestern portion of the Town, near Tonawanda Creek.

Floodplains are shown on Map 7: Environmental Conditions.

### ***Habitats***

The Tonawanda State Wildlife Management Area, located in the southeastern portion of the Town, is a 5,600-acre designated habitat for waterfowl that straddles the Niagara-Orleans-Genesee County lines. The area acts as a large resting ground for migrating birds and as a nesting area for resident birds.

Eighteen Mile Creek and Johnson Creek are both designated as Significant Coastal Fish and Wildlife Habitats upstream near Lake Ontario, although none of the designations reach into the Town of Royalton.

### ***Aquifers***

There are two aquifers located within the Town of Royalton. One is in the northwest portion of Town and extends westward into the Town of Lockport. The other is in the south-central portion of Town, and extends southward into the Town of Newstead.

# Town of Royalton Comprehensive Plan

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## TRANSPORTATION

### *Highway Network*

The transportation system in the Town of Royalton consists of a series of north-south and east-west roads that transect the Town. The majority of roads within the Town are hard surfaced.

The following major state and county roads are located in the Town of Royalton:

- State Route 31 runs between Lockport and Medina, passing through Gasport and Middleport, and paralleling the Erie Canal in the northern portion of the Town. The route is functionally classified as a Principal Arterial and handles 6,400-7,500 vehicles per day.
- State Route 31E branches off SR 31 and runs through Downtown Middleport and extends east to Medina. This corridor is classified as a Major Collector that handles about 1,200 vehicles per day.
- State Route 77 runs through the center of the Town, extending from Lockport southeast to Corfu and Java Center. This roadway is classified as a Major Collector and handles about 1,700-2,000 vehicles per day. South of the Town of Royalton, Route 77 contains an interchange with the New York State Thruway in the Town of Pembroke.
- State Route 93 runs through the southern portion of the Town, running from Youngstown and Lockport to Akron. The road is classified as a Major Collector and handles about 2,000 vehicles per day, except for the portion west of Akron Road, which is classified as a Minor Arterial and handles about 7,000 vehicles per day.
- State Route 271 begins in Middleport and runs north to State Route 104 in the Town of Hartland. This road is classified as a Major Collector and handles about 1,100 vehicles per day.
- Akron Road, northwest of SR 93, is classified as a Major Collector and handles about 1,200 vehicles per day.
- Gasport Road (County Route 10) is classified as a Major Collector that handles 2,700-4,300 vehicles per day.
- Griswold Road (County Route 905) is classified as a Major Collector between SR 77 and SR 31 that handles 1,500 vehicles per day.
- Hartland Road (County Route 108) is classified as a Major Collector that handles close to 2,800 vehicles per day between Gasport and the Hartland Town Line.

The remainder of the road system in the Town consists of minor collectors and local roads that handle less than 1,000 vehicles per day.

According to the Moving Forward 2050 Long-Range Transportation Plan, most of the county and state routes were in “good” or “fair” condition as of 2016 and major repaving is not currently planned. However, the 2023-2027 Transportation Improvement Program (TIP) includes several bridge replacement/rehabilitation projects in the Town, including the bridge on Riddle Road over Twelve Mile Creek, the bridge on Gasport Road over Eighteen Mile Creek, and the bridge on State Route 93 over Tonawanda Creek. The total estimated cost for these projects is \$7.6 million.

# **Town of Royalton Comprehensive Plan**

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## **Railroad**

There is one railroad line that runs through the Town, parallel to the Erie Canal. The line is operated by the Falls Road Railroad, a Class III Short Line that provides access between the CSX railroad line in Lockport and Brockport. The railroad line is used primarily for shipments to and from the ethanol plant in Medina.

## **Public Transportation**

The Niagara County's Rural Niagara Transportation operates a fixed route between Middleport and Lockport with buses servicing the route twice a day. The closest NFTA Metro Bus stop is in Lockport.

## **Airport**

The Royalton Airport, located on Mackey Road, is a small general aviation airport owned by Tanger-Aire, Inc. that is primarily used for private single engine aircraft. The airport averages 117 operations per week.

## **Water**

The Erie Canal runs east-west through the northern portion of the Town, and is part of the New York State Canal System that is under authority of the New York State Thruway Authority. The Canal consists of a varying width of about 120 feet and a draft depth of approximately 12 feet. Although once used as an important shipping channel, the Canal is primarily used today for recreational boating. There is one lock along the Canal located just east of the hamlet of Gasport in the Town.

## **Bicycle and Pedestrian Facilities**

Sidewalks and other pedestrian facilities in the Town are limited mainly to the Village of Middleport and hamlet of Gasport. The Erie County Heritage Trail along the north side of the Erie Canal offers walking, hiking, bicycling, and cross-country skiing opportunities. Royalton also has a State-designated on-road bicycle route: State Bicycle Route 5 is located along Route 31 through the Town. It continues west to Niagara Falls and east to the New York-Massachusetts border. The Bike Buffalo Niagara Regional Bicycle Master Plan (2020) recommends on-road bicycle routes (standard shoulder) on Gasport, Chestnut Ridge, Royalton Center, and Wolcottsville roads.

## **Trails**

Erie Canal is designated as the Erie Canalway National Heritage Corridor and is paralleled by the Erie Canalway Trail, which is now part of the Empire Trail which connects Buffalo to Albany and New York City. The trail consists of portions that contain a dirt surface, a gravel surface, and a paved surface.

# Town of Royalton Comprehensive Plan

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## UTILITIES

### **Public Water**

Public water in the Town of Royalton is provided by the Royalton Townwide Water District. The source of District water is purchased surface water, which it buys from the Niagara County Water District. A major Niagara County Water District line runs along Route 31. According to the Town's annual water quality statement, the Town's water meets all state and federal drinking water health standards. The Town's water system serves approximately 7,600 people through over 2,300 service connections and delivered over 159 million gallons of water to its customers in 2022.

The Town sponsored a study to investigate improvements to the district and extend water lines to additional parts of the Town. Due to funding limitations, additional extension of the water lines is not planned at this time.

### **Public Sewer**

The Town of Royalton does have public sewers available in portions of the Town. Sewers are available in and around the Village of Middleport and in the vicinity of the hamlet of Gasport. The Town's sewerage lines are older, and there are significant problems with inflow and infiltration (I/I) in the pipes, which the Sewer Department has been systematically addressing. The lines are a combined system, with sanitary and storm flow all using the same pipes.

The Town's wastewater treatment plant is located at 4244 Bolton Road in Gasport. Since 2009, the drying beds have been replaced and a new holding building has been built. There are also currently plans to install ultraviolet (UV) disinfection, which will improve water quality.

### **Other Utilities**

There are other utility mainline easements through the Town. Major gas and electric utility distribution lines cross the town of Royalton. There are also inactive utility rights-of-way. Natural gas lines are available to many homeowners, with approximately 40 percent of households using natural gas as the primary means to heat their homes.

According to state data, 97.5% of residents have access to broadband, or "high-speed," internet.

Several utility-scale/industrial-scale solar projects have been proposed in the Town, but none are currently in development.

# Town of Royalton Comprehensive Plan

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## COMMUNITY FACILITIES & SERVICES

### ***Municipal Buildings***

The Royalton Town Hall and highway garage are located at 5316 Royalton Center Road. The wastewater treatment plant is located at 4244 Bolton Road in Gasport.

### ***Schools***

The majority of students in the Town of Royalton attend the Royalton-Hartland Central School District. This school district covers most of the Towns of Royalton and Hartland, and also extends into areas of the Town of Lockport and Orleans and Genesee Counties. Royalton-Hartland Middle School and High School are located in the Village of Middleport, while Royalton-Hartland Elementary School is located in Gasport. The southern portion of the Town is served by the Akron Central School District.

### ***Fire, Police & Emergency Services***

The Town of Royalton is serviced by five fire departments: Gasport Fire Company, Terrys Corners Fire Company, Middleport Fire Company, Wolcottsville Fire Company and Rapids Fire Company.

The Niagara County Sheriff provides police coverage for the Town and the Sheriff's Marine Division patrols the waters of the Erie Barge Canal. The New York State Police can assist the Sheriff Department on calls within the Town. The Town also contracts with the Village of Middleport police department for police coverage. The County operates an E911 system that dispatches emergency personnel.

### ***Garbage Pickup/ Recycling***

Garbage pickup and recycling in the Town is done by contracted waste management services through Modern Disposal. Large garbage items and recycling can also be taken to the Niagara County Landfill & Recycling Center in Lockport.

### ***Parks & Recreation***

The Niagara County Parks & Recreation Department operates the 146-acre Royalton Ravine Park on Gasport Road just south of Gasport. The Park offers picnic shelters, a baseball field, a fishing pond, nature trails, waterfalls, and restroom facilities. Veterans Park, located in Gasport, offers softball, picnic, and restroom facilities. There is a small park, sometimes known as "Flame Park," on the canal in Gasport, and a public boat launch located along the Erie Canal east of Middleport along Route 31E.

The Tonawanda State Wildlife Management Area, located in the southeastern portion of the Town, is a 5,600-acre designated habitat for waterfowl that straddles the Niagara, Orleans, and Genesee County lines. The area acts as a large resting ground for migrating birds and as a nesting area for resident birds and also offers recreational opportunities such as canoeing and kayaking, camping, cross-country skiing, snowshoeing, picnicking, hiking and nature trails, hunting, fishing, and bird watching.

# Town of Royalton Comprehensive Plan

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## Historic and Cultural Sites<sup>4</sup>

Royalton has a number of sites that are locally significant, including historic houses and cemeteries. The following list summarizes these sites:

- **Orangeport Christian Cemetery:** the oldest cemetery in Royalton, it has been in use since 1804. The cemetery is located on Orangeport Road, north of the canal.
- **Orangeport Union Cemetery:** established in 1885, it was the site of the first public house of worship on the Holland Land purchase between the Genesee River and the Niagara River. This cemetery is also located on Orangeport Road, north of the canal.
- **Bugbee Brick House:** built around 1818 at 7928 Slayton Settlement Road. This home competes with the McNall house (Lewiston Road) as the oldest brick house in Royalton.
- **Mabee Mill (ruins):** although exact dates are uncertain, the Mabee Mill was probably built prior to 1852. A fire on February 20, 1880 destroyed the mill but the massive stone walls still stand to this day. The ruins are located on Quaker Road near the intersection with Slayton Settlement Road.
- **Lewiston and Chestnut Ridge Road:** the old Lewiston Trail/ Niagara Road was the first and most historic trail/ road in Niagara County. The road ran from Batavia in Genesee County, all the way to Lewiston, New York. Used by the French missionary priests until 1759, the road was later used by the English. In 1775, the entire Mohawk Indian Nation traveled to Lewiston on the trail. Mohawk Chief Joseph Brant and his warriors, along with Butler's Rangers, attacked American settlements on the western end of the trail. During the Revolutionary War, thousands of captives and bushels of scalps were brought to Fort Niagara along this route. On December 19, 1813, American refugees fled eastward along the trail to Batavia and beyond to escape the English-Indian raids. This left most of Niagara County completely depopulated. The route has served as a stagecoach and wagon train route, and was used as early as 1787 for cattle drives from New Jersey to Fort Niagara.
- **Terry Homestead:** built in 1835. Located at 7735 Chestnut Ridge Road, this home is rumored to have been a stop along the Underground Railroad. The abolitionist Frederick Douglass stayed at the house for a while when he was in the area giving speeches. Mr. Terry wintered his bees in the attic.



**Bugbee Brick House**

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<sup>4</sup> Information provided by Town of Royalton Historian, Jesse Bieber

## Town of Royalton Comprehensive Plan

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- McNalls Tavern: built around 1818 at 7971 Chestnut Ridge Road. This part brick and part cobblestone building was a tavern on the old stagecoach route. It was also the site of the post office at McNalls. It competes with the Bugbee House on Slayton Settlement Road as the oldest brick house in Town. Belva Lockwood also lived here with her first husband Uriah McNall and his family.
- Brick home, 8401 Chestnut Ridge Road: Built in 1831, this home was the probable site of early meetings for the Masons after the Morgan affair.
- First Universalist Church: cobblestone building built in 1841. Due to declining membership, the church closed in 2015 and the building was sold to be renovated into a Christian theater and community center. Many artifacts from the church were donated to the office of the Village Historian.
- Cobblestone Houses:
  - 4585 Griswold Street (gingerbread trim)
  - 4545 Freeman Road
  - 9065 Chestnut Ridge Road (formerly known as Colonial Ridge Stables)
  - 8642 Dewhirst Road
  - 8239 Bunker Hill Road (Dysinger homestead). This home was also the site of the Dysinger Post Office and tavern.



**Cobblestone: Chestnut Ridge Road**



**Cobblestone: Freeman Road**

- Belva Bennet McNall Lockwood birthplace: Griswold Street. Belva Lockwood was probably the most famous person from the Town of Royalton. She was the first woman permitted to practice law before the Supreme Court (1879). She was also the first woman to run for President of the United States to receive officially recognized votes (1884).
- 4434 Main Street, Gasport: oldest frame house in Gasport. Built around 1824, the building was formerly used as a telephone company office.

## Town of Royalton Comprehensive Plan

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- 97 South Main Street, Middleport: William Taylor Home. This Greek Revival home was built in 1830 with leftover stone quarried for the canal. William Taylor was one of the four men who owned the lands that later became the Village of Middleport.
- Gas well: the Town's park at the intersection of main Street and State Street is located on the site of the first gas well in Gasport (circa 1880s).
- Sunset Drive-In, 120 Telegraph Road, Middleport: built in 1950, the Sunset Drive-In remains in operation.



**Sunset Drive-In**

### ***Other Community Facilities***

The Middleport Free Library in Middleport is available for use by Town residents. The Library contains a collection of 17,000 volumes along with other media.

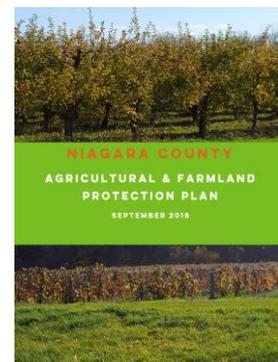
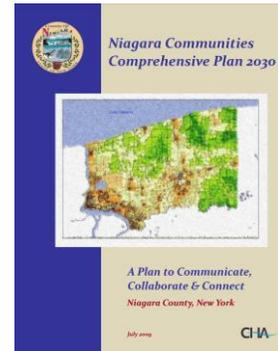
# Town of Royalton Comprehensive Plan

## REGIONAL PLANS & DEVELOPMENT TRENDS

### County Plans

There are several recent Niagara County planning efforts which are relevant to the Town:

- **Niagara Communities Comprehensive Plan 2030 (2009):** This plan provides a “snapshot” of existing conditions and trends in Niagara County and each of its 20 communities, identifies issues and opportunities, and makes recommendations relating to land use, transportation, and environmental resources; economic development; county service, facilities, and infrastructure; education; and public health and safety.
- **Niagara County Agricultural and Farmland Protection Plan (2018):** This plan is an update of the County’s first Agriculture and Farmland Protection Plan from 1999. This updated plan provides information on existing agricultural farming conditions in the County and includes recommendations on how to protect, grow, and diversify the County’s agricultural business community.
- **Niagara County Comprehensive Economic Development Strategy (2015, updated in 2020):** This plan addresses the recovery and resilience of the economy following the COVID-19 pandemic. It includes an analysis of the strengths, weaknesses, opportunities and threats of and to the economy (SWOT analysis) and provides recommendations to promote economic growth in the County.
- **Niagara County Hazard Mitigation Plan (2022):** This plan identifies the hazards that communities in Niagara County are most vulnerable to, based on historic trends. 2019, the last year data was collected for, had the most hazard events (45 total). High wind events were the most common, but flooding was the hazard that caused the highest annual financial loss. Other hazards include tornados, hail storms, snow storms, ice storms, extreme cold, lightning, and coastal hazards. The plan proposes actions to mitigate the risk to these hazards.

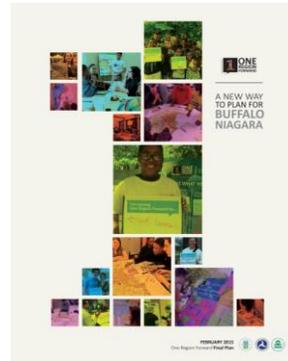


# Town of Royalton Comprehensive Plan

## Regional Plans

Since the last comprehensive plan, there have also been several new regional planning initiatives:

- Western New York Economic Development Strategic Plan: A Strategy for Prosperity (2011): Updated annually by the Western New York Regional Economic Development Council, this plan aims to create a more dynamic and sustainable economy for the region. The Strategy for Prosperity focuses on job readiness, smart growth, and entrepreneurship.
- Western New York Regional Sustainability Plan (2013): This plan inventoried greenhouse gas emissions for the five-county region (Erie, Niagara, Chautauqua, Allegany, and Cattaraugus counties) and identified strategies to reduce emissions, improve energy efficiency, and deploy renewables.
- One Region Forward (2015): This plan provides a framework for sustainable development in the Buffalo Niagara region, centered around five “Big Ideas:” efficient land use, diverse transportation options, quality housing, strong food systems, and preparation for the impacts of climate change.
- Moving Forward 2050 (2018): The Greater Buffalo Niagara Regional Transportation Council (GBNRTC) developed this plan to create a more efficient, greener, smarter, and sustainable transportation system in the Buffalo Niagara region for future generations. This plan includes a goal for upgrading rural roadways, bridges, and culverts to improve safety and reduce maintenance and deterioration of infrastructure.
- Bike Buffalo Niagara Regional Bicycle Master Plan (2020): Also developed by GBNRTC, this plan guides the development of a comprehensive network of on-street and off-street bicycle facilities in the Buffalo Niagara region, including several in Royalton (see Bicycle and Pedestrian Facilities on page 29).



## Other Plans

- Erie Canalway Preservation and Management Plan (2006): This plan outlines strategies for several goals related to the national heritage area: preserving the historic and distinctive sense of place, conserving natural resources, promoting recreational opportunities, improving communication and awareness, and encouraging tourism and economic development.

## **Town of Royalton Comprehensive Plan**

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- Niagara Escarpment Legacy Project (2014): Prepared for the Western New York Land Conservancy, this plan inventories the ecology, geology, and land use along the Escarpment and identifies strategies to conserve the Escarpment.

### **WNY STAMP**

The development of the Western New York Science & Technology Advanced Manufacturing Park (STAMP) in the Town of Alabama represents a significant economic opportunity for the Town, as at full build-out, the park is estimated to create over 9,000 new high salary manufacturing jobs that will be easily accessible to Royalton residents. There may also be indirect economic benefits for Royalton businesses. However, given the Town of Alabama's comprehensive plan, which limits residential growth in the Town, the STAMP project may increase development pressure in the Town of Royalton.

### **Renewable Energy Development**

Industrial-scale solar projects that are larger than 25 megawatts are permitted by the New York State Office of Renewable Energy Siting (ORES), and are able to request waivers from local regulations, including the Town's solar law that was adopted in 2022. Projects between 20 and 25 megawatts can opt to be permitted through the State's process rather than by the Town.

While industrial-scale solar projects have been proposed in Royalton in the past, none are currently in development. However, this does not preclude the future development of utility-scale solar projects in the Town, especially given the recent \$180 million upgrade to the Empire State Line, which runs from Royalton through the Towns of Alden, Newstead, Lancaster, and Elma in Erie County.

There have been industrial-scale solar projects proposed in nearby Towns. A 350-megawatt, 2,000-acre solar project is proposed in the Town of Hartland, including on lands on Hartland Road and Quaker Road that border Royalton. This project, called Ridge View Solar, has not yet applied to the New York State Office of Renewable Energy Siting (ORES), but is expected to do so in 2024.

Other industrial-scale solar projects proposed in the region include:

- Bear Ridge Solar in the Towns of Pendleton and Cambria: 100 megawatts and 900 acres. This project received a draft permit from ORES in October 2022, but a final permit is on hold due to pending litigation.
- Hemlock Ridge Solar in the Towns of Shelby and Barre: 200 megawatts and 2,000 acres. This project has received a final permit from ORES in September 2022.
- Alabama Solar Park in the Town of Alabama: 133 megawatts and 940 acres. This project has not yet applied to ORES.

While these projects are important for achieving the State's renewable energy goals, they can conflict with the Town's goals of agricultural protection and preserving community character.