

OUTLOOK

An Overview of Planning Issues in Herkimer and Oneida Counties

Spring ♦ 1999

Volume 18, Number 2

Regional Changes in Population and the Census 2000

For the last nine years agencies around the region have called the Census Data Affiliate portion of the Herkimer-Oneida Counties Comprehensive Planning Program seeking information about any number of factoids on the region's changing populations. Unfortunately, the most reliable information that was collected as part of the 1990 census enumeration grows older by the minute and at some point, depending on your perspective, loses some of its luster as a planning tool.

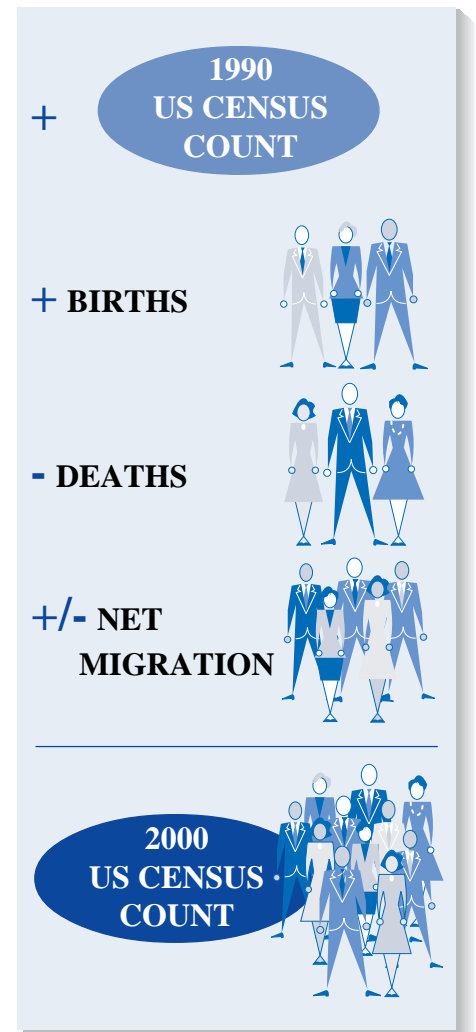
To meet the demand for newer and more up-to-date information, the Census Bureau annually provides "estimates" of various data components, trying to statistically account for changes a region may be undergoing. While these estimates are statistically the best available, in reality they are less than ideal in that they are only estimates and not actual figures. They are NOT actual counts or the result of a true census, but rather, represent the best numbers available from the Census Bureau until the next decennial census is conducted in April of 2000. These estimates are assembled as a result of a methodology which measures the "components of change" of a region - namely the number of births, deaths and the net migration. Births and deaths are tracked through state and national regis-

tries, which generally are accepted as fairly accurate and reliable resources. The third component, net migration, is more tenuous in that it is based on changes in tax return information, reflecting changes of address for individuals into, as well as out of, an area. These numbers are obviously more difficult to assess in terms of accuracy and tend to experience a certain amount of lag time, often being two to three years old.

This effort at establishing an "estimate" of a region's population, then, is considerably different than the actual enumeration which will be conducted during the Census 2000. These figures, which shall arise from the efforts of enumerators across America, will be an actual reflection of the changes which have shaped our country over the past decade and ultimately will let us know how accurate the estimates of the components of change have been.

When these three components are taken together they, in essence, account for how we go from the counts found in the 1990 Census to those we'll find in the Census 2000. Of course, no one will know what has actually happened to the Utica-Rome metropolitan statistical area until the census is conducted next year, but the Census Bureau has provided the public with its best "guesses" in the way of its regional population estimates.

Herkimer and Oneida Counties appear, over the last decade, to have experienced somewhat similar patterns in regard to their respective populations. As seen in Chart 2, Oneida County has experienced a considerable decline in its population, dropping from more than 250,000 in 1990, to an estimated 230,000 in 1998. The majority of this decline is assumed to be the result of an out migration pattern that for the most part is due to the closing of Griffiss AFB in the early part of this decade. Herkimer County,



in comparison, while remaining relatively stable during the first half of the decade, is seen as experiencing a decline in the last several years, going from approximately 65,800 people in 1990 to slightly more than 64,000 in 1998.

These changes are, of course, a reflection of the three basic components of change: births, deaths, and net migration. And, as has already been suggested, births rates and

"Census" continued on page 2

in this issue

- ♦ *Regional Changes in Population and the Census 2000* 1
- ♦ *Two County Roads Score High Marks* 3
- ♦ *Funds Flowing to Study Area Flooding* 3
- ♦ *Zoning and Subdivision Referral Summary for 1997 & 1998* 4
- ♦ *ZBA Video Tape Available* 5
- ♦ *Long Range Transportation Plan to be Updated* 3

deaths rates tend to remain relatively stable for the most part. The component that typically has the most telling impact on a region is its net migration patterns.

Net migration patterns are the result of a plethora of variables. Things such as job availability, cost of living, quality of life, cultural diversity, etc., all are factors that influence the attractiveness of an area to prospective populations, as well as established ones. While getting a handle on the migration patterns of a region are difficult, some of the populations move through rather specialized gateways that make them a little easier to identify. One such gateway in our region is the Mohawk Valley Center for Refugees located in Utica.

The Refugee Center is a non-profit agency dedicated to helping those who have been granted refugee status to relocate to Oneida, Herkimer, and Madison Counties. In operation for more than 20 years, it has introduced individuals and families from a large number of countries to our area. During the 1990s, the Refugee Center has seen a considerable increase in the number of cases it has handled.

During the early part of this decade (1990 through 1994), the Refugee Center averaged about 400 clients each year. In the last four years (1995 to 1998) this average client number has jumped to nearly 1,000 cases per year. More than half of the refugees coming to our region during the 1990s arrived during the past three years. According to the Refugee Center, this pattern (approximately 1,000 clients per year) is anticipated to continue over the next three years as well.

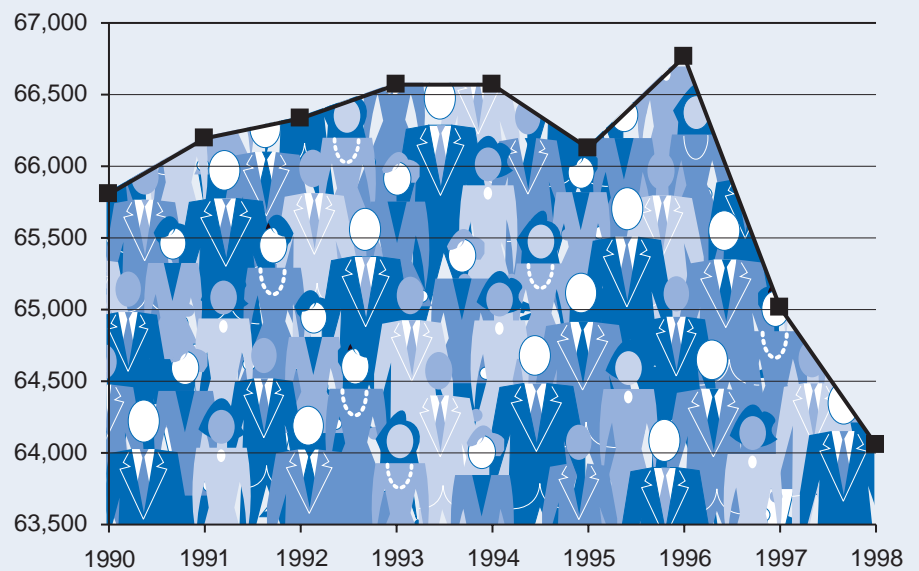
Refugees entering the area for the most part appear to remain here. While no specific time reference is provided, it is estimated that upwards of 85% to 90% remain in the region, choosing to settle here and become integrated into the local social, economic, and cultural community. While the major contributor of refugees to the center were Southeast Asian countries during the 1980s, the largest contributors in the past several years have been refugees from the former USSR and from Bosnia. Nine out of every ten refugees entering the area through the Refugee Center in the past three years have come from these regions.

The Refugee Center is but a single point

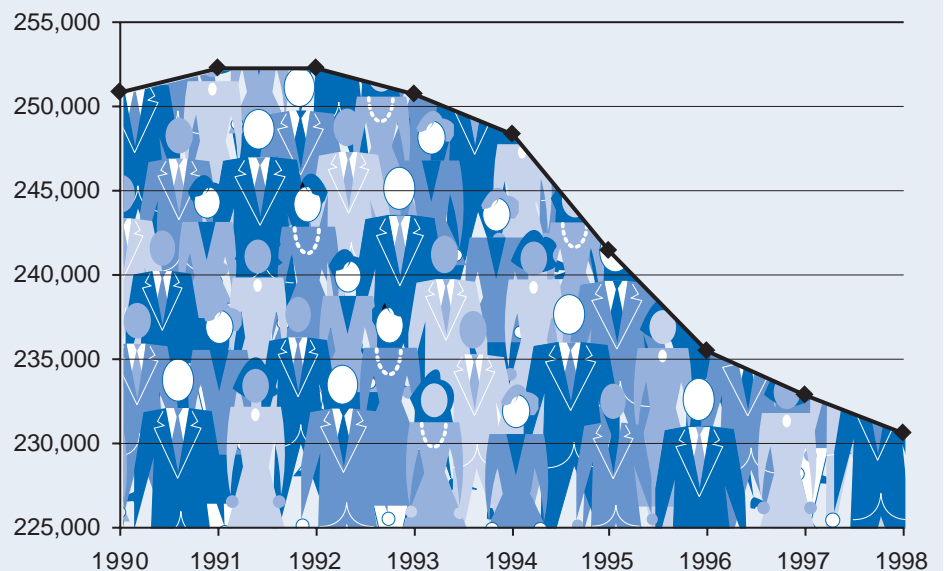
of entry to our region for immigration. Many people, of course, immigrate to this country and our region without refugee status and, consequently, are not readily counted as adding to our population. In addition, people from other states and even within New York may have moved here over the past several years due to any number of reasons. This increase, of course, is balanced against any outflow of people from the area (be it for

economic or other reasons) to give us our net migration. It is this number, basically added to the number of births minus the number of deaths in our area, that will ultimately be measured when the Census 2000 takes place. So when the next census is held in April of 2000, it is more than simply a count of who is here; it is an indication of who has left us, who has joined us, and how our population's make-up is changing. ♦

Herkimer County Population Estimates: 1990-1998



Oneida County Population Estimates: 1990-1998



Source: US Census HOCPP 1999

Two County Roads Score High Marks

In 1998, the Herkimer-Oneida Counties Transportation Study (HOCTS) completed the fifteenth year of pavement condition rating for that portion of the Federal Aid Highway System not on the State Touring System. Building on 1997 data, the Local Highway Inventory (LHI) was again used as the base data file for road segment scoring. The LHI, updated annually by the New York State Department of Transportation (NYSDOT), provides an inventory of data on locally owned roads.

This was the first year that the road scoring process was computer automated. Digital road map files were displayed on a laptop computer that was used to identify the location and record surface conditions with distress features. Pop-up menu routines were used to simplify data entry to a series of mouse clicks that greatly improved the efficiency and speed of the scoring process.

The pavement condition was determined by the scorer and incorporated directly into the digital maps displayed on the laptop. This enabled the real time mapping of scored roads; eliminating the need for data entry and mapping after the fieldwork had been completed.

The procedure used to rate the roads is documented in the Pavement Condition Rating Manual developed by the NYSDOT.

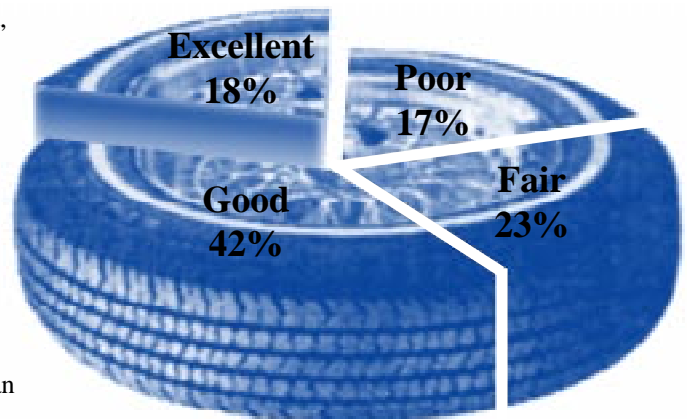
The Pavement Condition Rating Manual uses two rating scales, which together can be used to classify highway sections into five general treatment categories ranging from “do nothing” to “major rehabilitation.” A segment of pavement is rated from 1 (very poor with severe distress features) to 10 (excellent). The actual score is determined by matching the observed condition of a pavement segment with photographs in the manual until the approximate condition level of the pavement is found.

There were 311.13 miles of Non-State Federal Aid roads scored in Herkimer and Oneida Counties for 1998. Better than half (60%) of the non-state system for 1998 were in good to excellent condition. The 1998 surface conditions of roads in Herkimer County were as follows: 29% excellent, 38% good, 16% fair, and 17% poor. The general trend was from good to excellent condition, with an 18% increase in excellent roads, a 14% decrease in good roads, and a 10% decrease in fair roads from 1997 values. Roads in poor condition showed an 8% increase.

The 1998 surface conditions of roads in Oneida County were as follows: 15% excellent, 44% good, 24% fair and 17% poor. The percentage of poor roads increased by 2%, fair roads decreased by 3%, good roads decreased by 2%, and roads in excellent condition increased by 3% over 1997 values.

The information contained within the pavement report compliments data collected by NYSDOT for the State Touring System. Together they comprise a complete report of the condition of the Federal Aid Highway System in Herkimer and Oneida Counties. For more information contact HOCTS at (315)798-5710. ♦

1998 Pavement Conditions



Funds Flowing to Study Area Flooding

The Herkimer-Oneida Counties Comprehensive Planning Program (HOCCPP) has applied for a \$114,000 grant from New York State to assist in the study of both structural and non-structural flood mitigation alternatives for Fulmer Creek, Moyer Creek, and Steele Creek in Herkimer County. These streams have been the focus of great concern for Herkimer County due to the historic and recent flood damage to area residences and highways.

As part of this grant, HOCCPP staff will assist the NYS Department of Environmental Conservation in studying the non-structural flood control alternatives which are part of the State's share required for the flood control feasibility studies being undertaken in cooperation with the US Army Corps of Engineers.

Both New York State and the Army Corps of Engineers are each contributing shares of approximately \$900,000 to study the feasibility of various flood control methods. Additionally, both the state and federal governments are stressing the need for a high level of local involvement during the development and, ultimately, the implementation of selected alternatives. The HOCCPP staff will focus on the public participation components - acting as a liaison between the local governments and the DEC and Army Corps of Engineers.

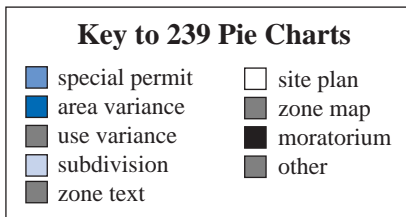
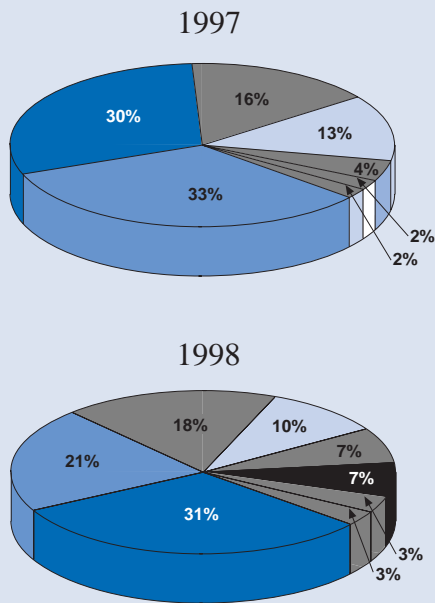
This cooperative arrangement is being piloted in the Herkimer-Oneida Counties region in an effort to ensure respective local governments have input into the feasibility process and are kept abreast of current de-

velopments throughout the flood mitigation planning process.

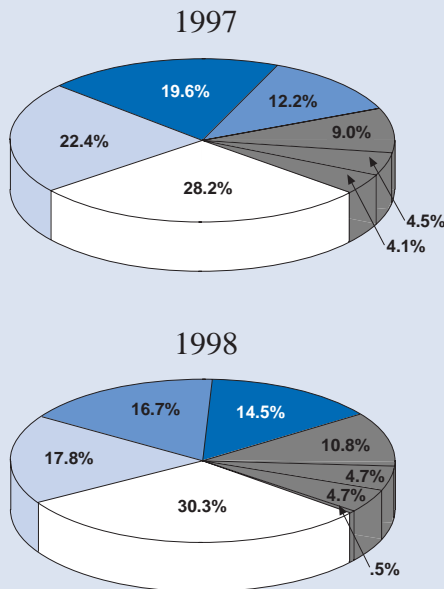
Reconnaissance level information has been previously collected by the Army Corps of Engineers. The feasibility phase of the study, which includes the emphasis on the public participation process, will begin during the Spring of 1999 and is anticipated to conclude within a two-year timeframe. Products of the feasibility phase will include Flood Hazard Mitigation Plans for each community and an evaluation of potential flood control alternatives. The feasibility process may also lead to future planning and design phases which would address potential structural controls. ♦

Zoning & Subdivision Referral Summary for 1997 & 1998

Type of Referrals in Herkimer County



Type of Referrals in Oneida County



Certain zoning and planning actions must be referred to the Oneida County Department of Planning (Oneida County) or the Herkimer County Planning Board (Herkimer County), as required by Sections 239-1, 239-m, and 239-n of New York State General Municipal Law (GML). Area and use variances, special use permits, site plan reviews, subdivisions, zone map amendments, and zone text amendments are among the actions subject to review. Moratoriums and adoption of comprehensive plans are actions that are also subject to review. However, the determining factors on whether or not these actions must be referred to the county are whether the actions affect real property lying within 500 feet of: a municipal boundary; the right-of-way of a county or state highway; the boundary of any county or state owned property on which a public building or institution is located; or the boundary of a farm operation located within an Agricultural District, as defined by Article 25-AA of the Agricultural and Markets Law (excluding area variances). If any of these actions do not meet one or more of the criteria, then they would not be referred to the county for review.

Municipalities should keep this information in mind when applications for development projects are submitted to the local board for review. Failure to comply with Sections 239-1, -m, and -n of GML would constitute a procedural flaw and could invalidate a local board's decision.

Breakdown by Type of Referral

The chart on page 5 provides the total number of referrals received in 1997 and 1998 as compared to the total number received each year since 1990. As the chart indicates, there has been a steady decrease since 1990, with 1998 representing the largest decrease in both Herkimer and Oneida Counties; a 28% decrease for Herkimer County and 12% for Oneida County.

The pie charts on this page provide a comparison of the various types of referrals for each county based on 1997 and 1998 data. Site plan reviews and subdivisions constituted the largest percentage of reviews in Oneida County. The large percentage of site plan reviews is directly related to

the land use regulations in effect within the various municipalities. For instance, both the Town of Kirkland and the Town of Marcy require site plan review for the majority of non-residential development. The City of Rome requires site plan review to changes in existing buildings within their historic district. These three communities constituted the majority of referrals in both 1997 and 1998. Although a large percentage of the reviews in Oneida County in both 1997 and 1998 were subdivision reviews, the majority of the subdivisions (over 85%) consisted of only two lots, the splitting off of a smaller parcel from a larger parent parcel. Therefore, there were not a significant number of building lots created, especially when preliminary and final reviews of the same subdivision are considered.

Area variances represent the largest percentage of the total number of reviews received in Herkimer County. However, special permits/conditional use permits were a large percentage of the reviews for both 1997 and 1998.

It should be noted that three moratoriums on different issues were received from Herkimer County municipalities in 1998. One related to adult entertainment in the Town of Frankfort, another related to telecommunications facilities in the Town of Frankfort, and the third related to development in the Village of Ilion as part of the Canal Corridor Initiative. The Town of Danube also adopted a local law regulating telecommunications facilities in 1998.

Distribution of 239 Activity

The distribution of referrals received from each municipality is also of interest. Within Oneida County, in 1997, the majority of referrals (72.3%) were received from the following six municipalities: the City of Rome (46 referrals), the Town of Kirkland (39 referrals), the Town of Marcy (30 referrals), the Town of New Hartford (25 referrals), the Town of Verona (21 referrals), and the Town of Lee (16 referrals). In 1998, the majority of referrals (68.2%) were received from the following six municipalities: the City of Rome (33 referrals), the Town of Kirkland (32 referrals), the Town of Marcy 20 (referrals), the Town of Lee (13 refer-

als), the Town of Vienna (13 referrals), and the Town of Westmoreland (13 referrals). Only 11 referrals from the Town of New Hartford and 9 from the Town of Verona were received in 1998; less than half the number received in 1997. NYS Routes 5 and 12B in the towns of Kirkland and New Hartford; NYS Route 49 in the towns of Marcy and Vienna; and NYS Routes 26 and 69 in the Town of Lee and the City of Rome, were the areas which saw the most referral activity over the past two years. Other areas that saw a significant level of activity were NYS Route 13 in the Town of Camden, and NYS Route 233 in the Town of Westmoreland.

Within Herkimer County, for 1997, the Town of Webb (30 referrals), the Town of Newport (5 referrals), and the Town of Schuyler (5 referrals) accounted for 74% of all the referrals, with the Town of Webb representing 55.6% alone. In 1998, the Town of Webb (10 referrals), the Town of Schuyler (6 referrals), the Town of Frankfort (5 referrals), and the Town of Newport (4 referrals) accounted for 64% of the referrals. The increase in the number of referrals from the Town of Frankfort can be attributed to the fact that the town developed several separate amendments to their zoning regulations and they proposed moratoriums on adult entertainment uses and telecommunications facilities. NYS Routes 5 and 28 saw the greatest concentration of referral activity over the last two years.

County Recommendations

There are four types of recommendations for 239 referrals that are be issued by the Herkimer County Planning Board or the Oneida County Planning Department: Approval, Disapproval, Recommended Modifications, or No Recommendation As To Final Action. "Recommended Modifications" means the county recommends changes to the proposal before it would be accepted. A "No Recommendation" means that the county did not identify any significant county-wide or intermunicipal impacts with the proposal and the decision whether to approve the proposal is up to the board that referred it to the county. In Herkimer County in 1997, 96% of the recommendations issued by the Herkimer County Planning Board were "No Recommendations"; only 1 "Disapproval" and 1 "Recommended Modifications" were issued in 1997. In

1998, the percentage of "No Recommendations" was 72%. Of the remaining 28%, 15% were "Approvals," 10% were "Disapprovals," and 3% were "Recommended Modifications." It is important to note that although the vast majority of recommendations in both counties are "No Recommendations," both the Herkimer County Planning Board and the Oneida County Department of Planning, in over 50% of these responses, provided suggestions in the form of comments to the municipal board submitting the referral. Generally, the comments are items that the board might want to consider requiring before taking action on the proposal. For example, with used car sales the comments might suggest that the local board consider limiting the number of vehicles for sale at any one time, prohibiting banners, flags, pennants, and similar devices, and specifying where the vehicles can be located on the site.

Notification of Municipal Final Action

It is important to note that after the municipality takes final action on a proposal that is subject to review by the Herkimer County Planning Board or the Oneida County Department of Planning, they are required to inform the county of their decision within 30 days of the decision date. A review of the 1997 and 1998 239 logs showed that for 17% of the referrals received in 1997 there was no notice of final action filed with the Herkimer County Planning Board. The percentage alarmingly jumped to 49% in 1998. In Oneida County in 1997, 44.3% percent of the actions reviewed by the county did not receive a notice of final action. The percentage decreased to 37.3% in 1998. It should be noted that in some instances the municipality may not have yet taken final action on the 1998 proposals. Municipalities should be aware that failure to notify the county of the final action is a procedural flaw that could invalidate the municipality's decision.

Frequently, the county planning office receives questions regarding the zoning classification of properties or how a municipality regulates certain uses. The county also regularly receives specific

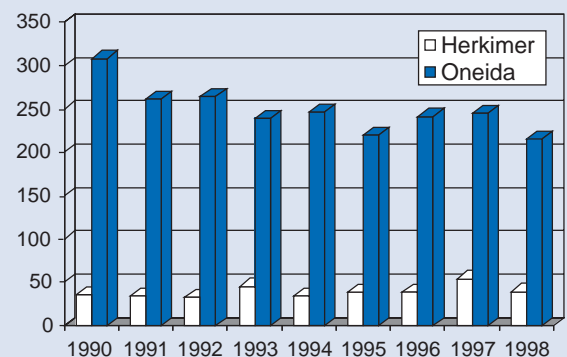
ZBA Video Tape Available

Recently, Kevin Crawford, Counsel, New York State Association of Towns, made a presentation to representatives of Herkimer County Zoning Boards of Appeals and various other local officials. The presentation covered the roles of the Zoning Board of Appeals, proper procedures for hearings and minutes, criteria for area and use variances, and several other issues pertinent to ZBAs. Through the cooperation of the Herkimer County Community College, the presentation was videotaped. Currently, the office has one copy that is available for any ZBAs that would be interested in viewing the tape. It is anticipated that a second copy will be available at a later date. Please contact this office if you are interested in borrowing the tape. ♦

questions from municipalities about how to resolve land use related issues. In these and other instances we must refer to municipal regulations. Therefore, it is extremely important that municipalities notify the county of final actions involving zone text and zone map amendments; and initial adoption of zoning or other land use regulations so that the county can answer these types of questions and others accurately.

Questions regarding the 239 review process should be directed to the Oneida County Department of Planning (315) 798-5710, which also serves as staff to the Herkimer County Planning Board. ♦

**Herkimer and Oneida Counties
Total Reviews Received in 1990-1998**



Long Range Transportation Plan to be Updated

In November of 1994, the Governmental Policy and Liaison Committee (GP&L) approved a new Herkimer-Oneida Counties 20 year Long Range Transportation Plan (LRTP) for the region. The LRTP addresses various modes of transportation including: aviation, bicycle and pedestrian, canal, highway, rail, and transit. The plan was designed to be flexible in guiding transportation investment and the staging of projects in the Transportation Improvement Program.

The Herkimer-Oneida Counties Transportation Study (HOCTS) is required under federal legislation to update the LRTP by December 1999. HOCTS staff is preparing the update to reflect the status of previously proposed projects, changes in demographics, new transportation needs, regional economic conditions, land use patterns, and requirements of the new TEA-21 legislation.

Since the LRTP was approved in 1994, a number of the major highway projects on the plan have progressed including: the Judd

Road Extension and the Utica-Rome Expressway. Also, an important transit coordination and consolidation study has been underway by a consultant, improvements have been made to Union Station and the Adirondack Rail Road, the canal trail is being defined, and efforts are underway to study how to best utilize the Oneida County Airport and the former Griffiss Air Force Base runway.

A call letter was sent to municipalities in Herkimer and Oneida Counties requesting any new transportation projects to be considered for the Long Range Plan update.

The HOCTS staff, working with the Transportation Planning Committee and GP&L will review the Long Range Transportation Plan, and make appropriate adjustments due to any changing conditions or assumptions. The updated plan will be presented to the public for review and comment in late Summer of 1999 and to the GP&L Committee in the fall. ♦

SCHEDULE

February

Project Call Letter

February - July

Prepare Draft Report

March

Review/Prioritize Projects

August

Present Draft Report to TPC

September

Public Meetings on Preliminary Draft
Prepare Final Draft

October

Request for TPC Approval

November


Request for GP&L Approval

December

Submit Adopted Report

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