

CHAPTER 2: KEUKA LAKE WATERSHED PROFILE

Chapter 2 of this report – *Keuka Lake Watershed Profile* – provides useful background information on the Keuka Lake Watershed and its environs. Basic information pertaining to the Watershed’s cultural and natural history, climate, economy, demography and governance have been included. Information included here has been gathered from existing reports and other similar documents. This chapter is intended to provide the reader with a general overview of the subjects; readers should refer to the referenced resources in order to gain greater insight pertaining to the subject area.

2.1: Municipalities and Land Area

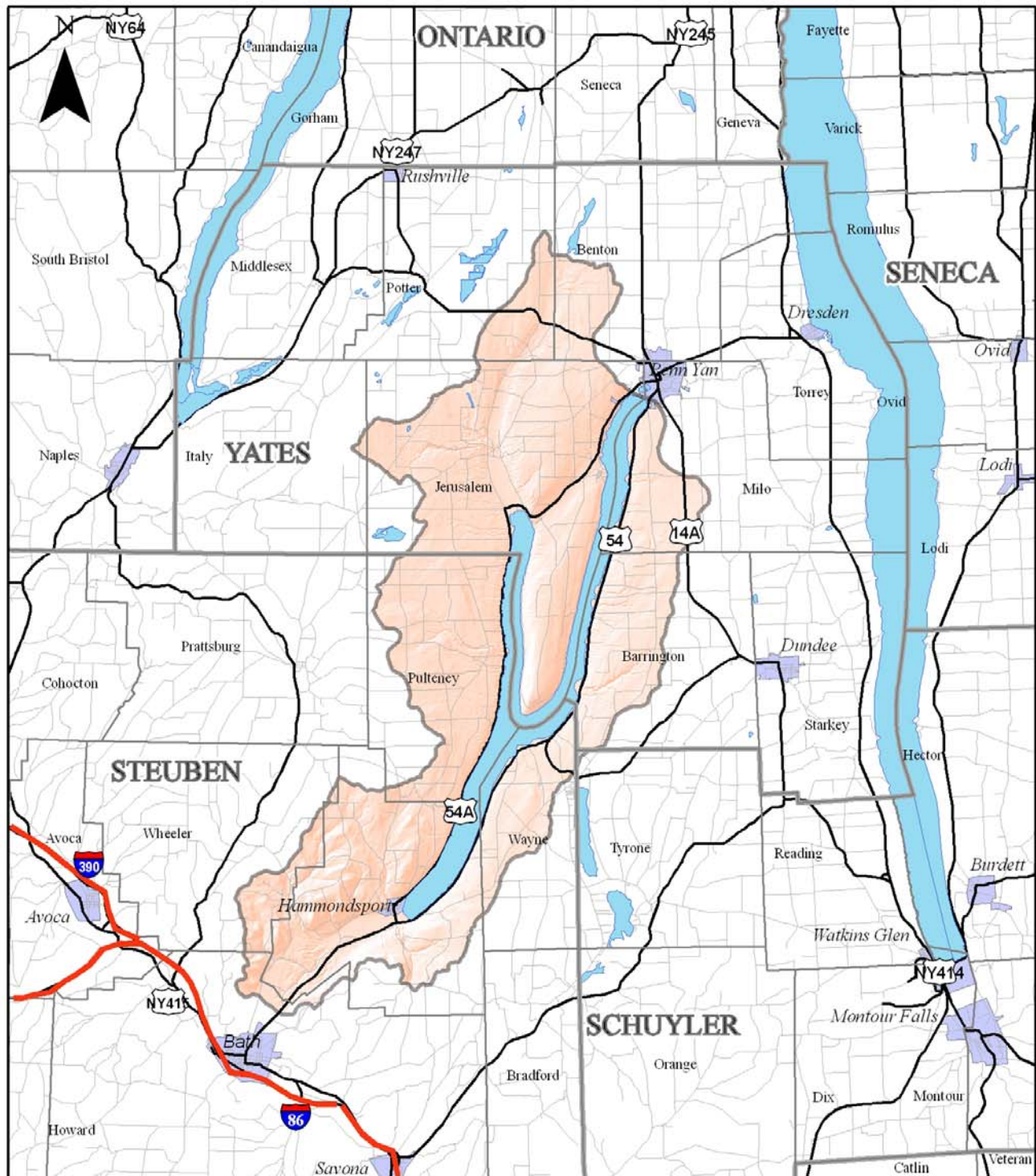
The Keuka Lake Watershed spans thirteen municipalities. The watershed is also split between two counties, Yates and Steuben. Eight municipalities – two villages and six towns – have frontage on the lake.

Table 2-1: Land Area within the Watershed by Municipality⁵

	Square Miles	Acres	% of Watershed
<i>Yates County</i>	93.77	60,008	53.2
Barrington	15.97	10,220	9.06
Benton	5.67	3,630	3.22
Italy	.23	150	0.13
Jerusalem	54.52	34,890	30.94
Milo	11.02	7,050	6.25
Potter	6.28	4,020	3.57
Penn Yan (Vil.)	.08	48	0.04
<i>Steuben County</i>	82.41	52,747	46.8
Bath	2.34	1,503	1.33
Pulteney	28.20	18,050	16.01
Urbana	34.97	22,380	19.85
Wayne	11.55	7,390	6.55
Wheeler	4.98	3,190	2.83
Hammondsport (Vil.)	0.37	234	0.21

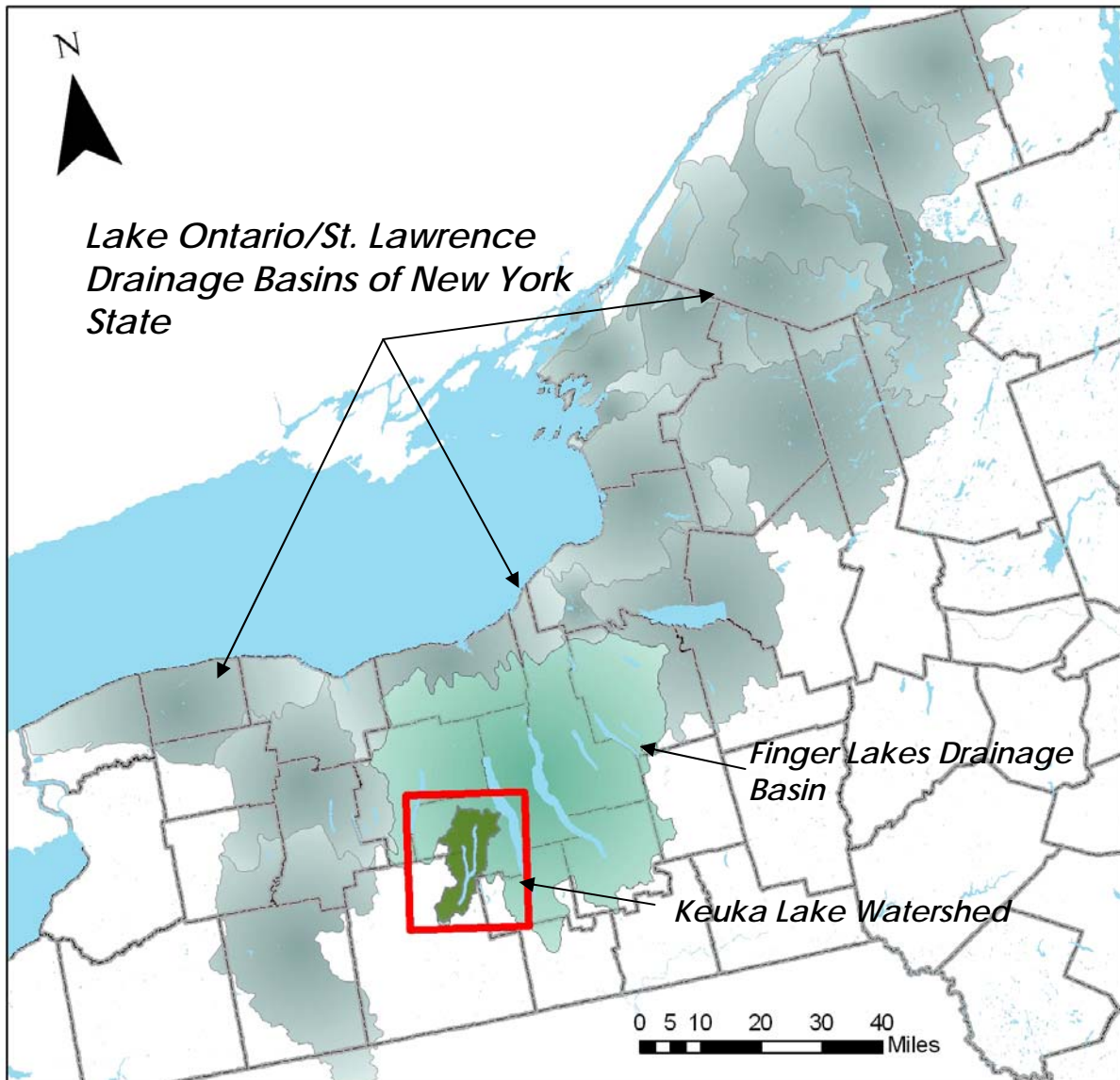
⁵ Data taken from Table 5-1 the *Keuka Lake Looking Ahead – A Community Listens to the Lake* report. Page 5-18.

Map 2-1: General Overview of the Keuka Lake Watershed



- City Town
- County
- Keuka Lake Watershed
- Village
- Interstate
- Lakes
- NYS Routes
- Roads

Map 2-2: Lake Ontario, Finger Lakes and Keuka Lake Watersheds in Perspective



2.2: Cultural and Natural History

Adapted from Chapter 5 of *Keuka Lake Looking Ahead – A Community Listens to the Lake*.

The Keuka Lake watershed was settled by people almost as soon as the Ice Age ended, some 9,000 years ago. These first people supported themselves by hunting, fishing and gathering wild food. Archaeological remains from the vicinity of Lamoka Lake reveal their diet consisted of deer, turkey, passenger pigeon, bear, turtle, bullhead and the acorns from White oak trees.

Agriculture first appeared in the area nine hundred years ago with the Owasco people who brought the "Three Sisters" agriculture of interplanted corn, beans and squash. Early European explorers of the

Keuka Lake Watershed Land Use Planning Guide

An Intermunicipal Action Strategy

Keuka Lake watershed encountered the Iroquois, a group who are thought to have arrived five hundred years ago. The Seneca tribe of Iroquois remained in the area until they were driven out by colonists following the Revolutionary War. The Seneca called the area "O-go-ya-ga", which translated as "the promontory" and probably referred to Bluff Point. Other sources claim that "Keuka" can be interpreted as "bent elbow".

In 1770, the area was almost completely covered with forest. The original forests were mainly sugar maple, beech, hickory, red and white oaks, tulip poplar and black walnut. On the higher hills and ridges, white pine was common. Chestnut, white ash, butternut and basswood grew on the drier sites. In the valleys, elm, black ash, willow, poplar, and soft maple were common. Hemlock and gray birch grew in more shaded areas such as gullies.

In 1787, a committee from Rhode Island representing Jemima Wilkinson, the "Public Universal Friend", visited the area between Seneca and Keuka Lakes looking for land for their sect's new home. They found several colonists the Senecas had permitted to reside in the area. The committee was pleased by what they saw, and within two years moved more than sixty families of Wilkinson's followers into the area. They purchased deeds to their land from Charles Williamson, the land company agent located in Bath who had great influence over the whole area. Williamson contributed the name "Esperanza" to Bluff Point. Wilkinson's followers began by erecting dams and mills on the Outlet and a second colony led by the Potter family built on Sugar Creek, north of the present site of Branchport.

In the early nineteenth century, there was strong competition for most favorable locations for production and trade. "Summersite", an alternative to early Penn Yan, grew up to the south of the Outlet along the lakeshore. In 1809, the first published reference to "Pen Yang" appeared in local papers. The name aptly represents the meeting of influences from Penn's colony to the south and from the Yankees moving in from the east.

The 1830s were important years for Penn Yan and the lake. Penn Yan incorporated as a village in 1833, and in the same year the Crooked Lake Canal, which paralleled the Outlet, opened. Agricultural produce of the area could be floated through the 28 locks of the canal to reach Seneca Lake and the Erie Canal system. In 1836, the first vineyards in the Keuka Lake watershed were planted by J. W. Prentiss of the Town of Pulteney. In 1837, the Keuka, the first steamboat, began hauling passengers and produce on Keuka Lake. Traffic on Keuka Lake moved both north and south. Produce destined for Penn Yan could be transferred to barges on the Crooked Lake Canal or to cars on the Fallbrook Railroad, which connected with the New York Central system.

Produce carried to Hammondsport would be hauled by teams through Pleasant Valley to Bath where it would be floated down the Cohocton River on rafts or, later, loaded onto the Lehigh Valley Railroad. The steamboats were crucial for moving agricultural produce to market, and after the Keuka, a series of steamships followed including: Steuben, George R. Young, Keuka, Yates, Lulu, Urbana, Farley Holmes, William L. Halsey, West Branch, Mary Bell, and the Cricket. Docks and piers were built in Penn Yan, Branchport and Hammondsport to move the produce from lake to land transport. Large icehouses at the ports stored ice cut from the lake used to cool shipments to distant markets. Several steamboats ran into the 1920s for tours and excursions, but automobiles and good roads replaced them for other purposes.

Keuka Lake Watershed Land Use Planning Guide

An Intermunicipal Action Strategy

From 1840 until the turn of the century, the production of grapes, first for fresh eating and later for wineries, boomed. By 1900, more than 10,000 acres of vineyards producing 15,000 tons of grapes each year ringed Keuka Lake in a band a half a mile wide and 50 miles long. In 1861, Charles D. Champlin established the first winery of the area, the Pleasant Valley Wine Company. Others such as Taylor (1880) and Empire (1896) followed.

The height of agricultural production occurred before the turn-of-the-century. There has been a gradual decline in agriculture since then, with only about half as much land worked now (approximately 31,000 acres). Obviously the vineyards and wineries were severely hurt by Prohibition and the Depression.

At the same time that agriculture was declining, tourism and recreational uses of the lake were increasing. In the 1850s, the old Keuka steamboat grounded south of Penn Yan and was converted into The Ark, the first resort on the lake. In the 1870s, the first summer cottages were built on the lakeshore – some were accessible only by steamboat, others could be reached by roads or by the electric trolley running between Penn Yan and Branchport. The 1880s saw the growth of retirement homes on the lakeshore as well as the establishment of Keuka College, the Keuka Lake Sanitarium, and other spas. In 1885, electric power generated by the Outlet began lighting the Village of Penn Yan, and common usage had changed the name of the lake from "Crooked" to "Keuka".

In the 1890s, competing steamboat companies carried more sightseeing passengers and less freight, numerous nature-study camps were established, and Electric Park, an amusement park on the Bluff, began operation.

After the turn-of-the-century, several industries sprang up in the Keuka Lake Watershed: Curtiss Aircraft in Hammondsport (1910) and Penn Yan Boat (1921). Glenn Curtiss' 1908 flights in Red Wing and the June Bug were made from the ice of Keuka Lake. The success of automobiles and the growth of a modern road system changed the way Keuka's shore was developed. In 1938, NYS Route 54 was moved away from the eastern shore of the east branch to provide more room at the shoreline for residential development. Summer homes were constructed on the west sides of both northern branches, and several large tracts such as The Pines were subdivided.

Since the 1920s, much of the shoreline of the lake has been developed for cottages and second homes. Recent trends include development of steep or wet sites, conversion of summer homes to year-round use, demolition and rebuilding of structures, and development of woodland and lake-view parcels. The density of development and the existing utilities and services around the perimeter of the lake have resulted in an "urban corridor" surrounding the lake. The rate of development has been increased by the lake's proximity to urban centers and the availability of good highways. Development pressure on the land currently used for agriculture has increased. Fifty-four percent of the watershed land is covered with shrubs, early successional trees, and/or mature forests. Thirty-one percent of the watershed land is used for agriculture. Ten to fifteen percent of watershed land is between agricultural use and residential use, sold by farmers to developers who are waiting for market changes. Three to five percent of watershed and is used for residential, commercial and industrial purposes.

2.3: Climate

Adapted from Chapter 5 of Keuka Lake Looking Ahead – A Community Listens to the Lake.

The climate of the Keuka Lake watershed is classified as humid continental with cool summers. The region is marked by a highly variable climate, with the possibility of rapid, frequent and extreme weather changes. The geographic location of the region contributes significantly to the unusual weather patterns affecting it. The center of the lake lies at 42 degrees, 39 minutes latitude and 77 degrees, 03 minutes longitude.

Mean annual temperature is 45.9 degrees F., ranging from 21.1 degrees F. for the month of February to 69.7 degrees F. for July. Average annual precipitation is 32 inches, with about 2/3 as rain and 1/3 as snow. There is a strong minimum of precipitation at mid-winter and a secondary minimum at mid-summer.

Air masses, having entered North America from the Pacific, travel eastward and are modified while crossing the western mountains, the Gulf of Mexico, the Atlantic Gulf Stream, Lake Erie and Lake Ontario. Any one of these sources of rain water can completely dominate a weather pattern at one time or another. The Finger Lakes do not influence weather patterns over the eastern United States but do affect the southern portions of this region.

Cool dry air usually arrives from the northwest, but occasionally it retrogrades from the northeast. Warmer and more humid air enters from the Gulf of Mexico, steered by the Sub-Tropical Jet. The Sub-Tropical Jet may rejuvenate remnant Pacific lows into powerful rain or snow and wind-makers, even tornadoes.

Mixing of cold polar air with warm tropical air develops a strong Polar Jet that reinforces the Sub-Tropical Jet. Together they aspirate new waves on the frontal surface. Stormtrack frontal cyclones, juvenile, mature and senescent, pass through at an average rate of two or three per week, more frequently in winter than in summer (Mooney, 1987).

2.4: Population, Economy and Governance

2.4.i: Population

The chart on the following page illustrates population change between 1980 and 2000. It is important to note that the figures represent total populations of municipalities that lie within the Keuka Lake Watershed (not the population of individuals residing within the watershed). Information was obtained from the US Census Bureau for respective years.

Table 2-2: Population Change, 1980 – 2000

	Total Population			Change (1980 – 2000)	
	1980	1990	2000	Number	%
Yates County	21,459	22,810	24,621	3,162	14.74
Barrington	1,091	1,195	1,396	305	27.96
Benton	1,981	2,380	2,640	659	33.27
Italy	953	1,120	1,087	134	14.06
Jerusalem	3,908	3,784	4,525	617	15.79
Milo	6,732	7,023	7,026	294	4.37
Potter	1,436	1,617	1,830	394	27.44
Penn Yan (Vil.)	5,242	5,248	5,219	-23	-0.44
Steuben County	99,217	99,088	98,726	-491	-0.50%
Bath	12,268	12,724	12,097	-171	-1.41%
Pulteney	1,274	1,417	1,405	131	9.32%
Urbana	2,982	2,807	2,546	-436	17.12%
Wayne	1,066	1,029	1,165	99	8.50%
Wheeler	1,014	1,084	1,263	249	19.71%
Hammondsport (Vil.)	1,065	929	731	334	-45.69%

2.4.ii: Economy⁶

Yates County has developed a diverse economic base, with no single dominant sector. High-tech and the traditional local businesses continue to grow and expand, as does the tourism industry and agriculture. Employment opportunities in the public sector, such as education and local government also continue to be an important component of the local economy. Yates County is in the heart of the Finger Lakes and offers many natural amenities creating a high quality of life attraction.

Other amenities important for economic development are also present, such as significantly below market electric rates from the municipal utility in Penn Yan, an expanding general aviation airport, extensions of water and sewer infrastructure to new areas of the county, an abundance of fresh water,

⁶ Information in Section 2.4.ii on Yates County economic conditions was adapted from Section 5.11 of the *2007 – 2008 Comprehensive Economic Development Strategy*, a routine publication of G/FLRPC. Online at <http://gflrpc.org/ProgramAreas/EconomicDevelopment/CEDS.htm>. Information on Steuben County economic conditions was adapted from the *Regional Comprehensive Economic Development Strategy (2008 update)*, a publication of Southern Tier Central Regional Planning and Development Board. Online at <http://www.stcplanning.org/usr/2008CEDS.pdf>.

Keuka Lake Watershed Land Use Planning Guide

An Intermunicipal Action Strategy

and the availability of a high speed fiber optic network through Time Warner Communications. Recent and planned improvements at the Yates County Airport, just south of Penn Yan, will create a more viable transportation alternative for the shipment of goods and will increase the airport's attractiveness for long-distance corporate travel.

The past several years have seen the continued development of a variety of retail, tourism and other commercial projects within Yates County. Many of these projects represent visible improvements in the gateways to Penn Yan and expanding investment in the area.

The appeal of the Finger Lakes region continues to drive tourism growth in Yates County. Tourism has developed as the leading economic engine for the county, bringing visitors and spending to the area. The 2005 opening of the Best Western Vineyard Inn & Suites in downtown Penn Yan has added much needed lodging and has already obtained occupancy rates well above predicted levels.

The upsurge in tourism activity in Yates County can be attributed in large part to the vitality and expansion of wineries along Keuka and Seneca Lakes. The tourism and hospitality industries are now considered the largest employment sector in Yates County, according to the New York State Department of Labor and account for an economic impact of \$27 million annually. The growth in tourism activity can also be attributed to the county's continued desirability as a destination for vacationers with second homes or cottages along all three of the Finger Lakes with shoreline in Yates County.

Recent development has witnessed over \$30 million of capital improvements in the winery industry, including new tasting rooms for Fulkerson Winery, Keuka Springs Winery and Rooster Hill Winery. With the addition of the Best Western Vineyard Inn, the Inn at Glenora and Esperanza Mansion, there are now 142 new hotel rooms in Yates County for overnight accommodations.

The county remains the second largest producer of grapes in New York State and has seen resurgence in other areas of agriculture as well. Yates County is the only county in New York which has had an increase in the overall number of farms in recent years. The dairy industry has been reinvigorated, and value-added agricultural products, as well as crops for the organic market, have seen rapid growth in the county. In addition, many visitors are attracted to the crafts and agricultural goods produced in the county, especially by the growing Mennonite population.

The availability of water and sewer service has been a limiting factor in Yates County for many years, until recently. In prior years, these public services were limited to village centers and nearby areas. This situation is changing and may provide significant opportunities for development in other areas of the county. In addition to many infrastructure expansions in recent years, a feasibility study has recently been completed to provide water along the Route 14 Corridor, adjacent to Seneca Lake. This area is a key component to the growing tourism industry, with many wineries, lodging and other commercial businesses.

All of these infrastructure projects will provide needed services to existing residents, businesses and others, as well as provide for future development. They also play an important role in the protection of the Keuka and Seneca Lake watershed areas from pressures created by increased development.

Keuka Lake Watershed Land Use Planning Guide

An Intermunicipal Action Strategy

The county's economic development strategy will be to promote and assist in the review of municipal plans and development policies in order to foster future development and protect the quality of life of the area.

The development of the Penn Yan waterfront area will be a major public/private initiative for the community in the future. The creation of a suitable development plan is a primary objective of an inter-municipal task force created in 2006. This Waterfront Revitalization Committee has completed an RFP process and selected a consultant to lead the effort.

The Yates County Industrial Development Agency, in cooperation with several local municipalities and the Economic Development Administration, has recently completed the development of an 85-acre industrial park in Penn Yan. Horizon Business Park is the county's third business park and was necessitated by the lack of available industrial space in the county. The Park is zoned "Planned Business", and with its frontage along Route 14A, will allow commercial development at the entrance to the park in addition to a mixture of manufacturing and business service uses inside the park's campus.

Currently, there are approximately twenty-five acres remaining for development in Horizon Business Park. In late 2006, CASP, LLC, a specialty food packaging firm, announced a major expansion project to their existing facility. Additional assistance may soon be required to improve access to the Park with the addition of turning lanes and a traffic control device. The county is working with the Industrial Access Phase II program to improve access to the business park.

Yates County IDA has also assisted in a \$42 million pollution control upgrade project at AES Greenidge, a coal burning electrical generation facility located in the Village of Dresden. Several other projects begun in 2006 are scheduled for completion during 2007, including a project in conjunction with Keuka College and NYSERDA and capital improvements to the Keuka Business Park, in an effort to attract additional tenants to help offset the loss of one of the park's main tenants. Additionally, all available lots at the Penn Yan Industrial Park have been sold.

Economic conditions among the Keuka Lake Watershed municipalities in Steuben County are very similar to those found in Yates County. The Southern Tier Central Region is located at the southerly end of New York State's Finger Lakes Region, an area that has long enjoyed a reputation as a major tourist destination. The uniqueness of this area largely stems from its natural resources and its spectacular waters resources. Watkins Glen, Montour Falls, and Hammondsport are three areas utilizing natural waters for the benefit of residents, businesses, and tourists. As a result, the tourism industry has become, over the past 20 years, an increasingly important economic factor in the region for both job creation and generation of taxable sales.

Although much of the population of this portion of the Keuka Lake Watershed is located within the villages, many of the area's residents prefer a rural setting. The area has benefited from Mercury Aircraft's purchase of the former Taylor Wine site. Mercury Aircraft has relocated portions of its operations to this site in Hammondsport and the company has more than 400 manufacturing employees. In addition, Pleasant Valley Wine has initiated operations at the site and has reopened the former Taylor Wine Visitors Center, which is an asset to the region's tourism industry.

Keuka Lake Watershed Land Use Planning Guide

An Intermunicipal Action Strategy

Table 2-3: Yates County Economic Development Priorities

Identified in the 2007 – 2008 Comprehensive Economic Development Strategy

Proposed Project	Lead Agency on project	Total Funding and Sources
Waterfront Redevelopment of Former Penn Yan Marine Facility	Yates County IDA	\$20,000,000 EPA, DEC, County
Upgrade Himrod Water District & Ext. #1, Milo	Yates County IDA	\$2,850,000 NYS EFC DWSRF, Local
Dundee Waste Water Treatment Plant Upgrades	Yates County IDA	\$2,000,000 NYS EFC CWSRF, NYS Small Cities, EDA
Yates County Airport Taxiway and Runway Expansion	Yates County IDA	\$4,000,000 FAA, NYS, County
Branchport/West Bluff Drive Sewer District , Jerusalem	Yates County IDA	\$7,175,000 NYS EFC CWSRF
Torrey Water District #1 , Torrey	Yates County IDA	\$4,000,000 NYS EFC DWSRF, USDA, EDA, Local
Route 14 Eastern Corridor Water District	Yates County IDA	\$15,700,000 EDA, USDA, EFC, NYS Small Cities

As in Yates County, agriculture and tourism comprise significant shares of the local economy in Steuben County. While the actual number of farm operations decreased slightly between 1997 and 2002, land in farms and the average size of farms both increased during this same time period. *Market value of production* increased 3 % from \$82,380,000 in 1997 to 84,804,000 in 2002 while *market value of production average per farm* increased 14% from \$54,233 in 1997 to \$56,498 in 2002.

While the harvesting of forest products and manufacture of wood products represents an important segment of the local rural economy, the region's forest resources contribute to the overall economy as well, and in significant terms. They provide much of the ambience which supports the tourism industry; control soil-moisture relationships essential for agriculture and watershed protection; and provide recreational opportunities for residents and visitors alike.

Table 2-4: Selected Steuben County Economic Development Priorities

Identified in the Regional Comprehensive Economic Development Strategy (2008 update)

Municipality	Identified Priorities
Village of Hammondspport	Extension of water to the Bully Hill and Heron Hill wineries
Town of Pulteney	Water infrastructure project
Town of Wayne	Water and/or sewer

2.4.iii: Governance⁷

The first State Constitution, which became effective in 1777, recognized counties, towns and cities as the only units of local government. The village emerged as a fourth unit of local government in the 1790s through a series of legislative enactments granting recognition and powers to certain hamlets (p 2).

The functions of local governments reflect not only the history and beliefs of the people, but also their interests, how they go about the business of conducting their lives and the characteristics of their physical environment (p 3).

Local government in New York State comprises counties, cities, towns and villages, which are corporate entities known as municipal corporations. These units of local government provide most local governmental services... New York has many local governmental entities that possess the power to perform services in designated geographical areas. While all of these entities fall within the broad definition of “public corporation,” only a very small percentage of them are “general purpose” local governments – counties, cities, towns and villages – which have broad legislative powers as well as the power to tax and incur debt.

While New York has long had counties, towns, villages and cities, their powers have increased greatly in the last century. Originally, each individual local government was created by a special act of the State Legislature. Each act created the corporate entity, identified the geographical area that would be served by the entity and granted powers and duties. Over time, the State Legislature adopted general laws to govern the nature and extent of local governments’ powers: the Town Law, Village Law, General City Law and the County Law. These general laws still apply, and now are augmented by the overriding constitutional guarantee of “home rule.”

A local government’s power is primarily exercised by its legislative body. The general composition of legislative bodies for counties, cities, towns and villages is discussed in the individual chapters addressing each particular form of government. The New York State Constitution, however, guarantees and requires that each county, city, town and village have a legislative body elected by the people of the respective governments. Local legislative bodies are granted broad powers to adopt local laws in order to carry out their governmental responsibilities (p 29).

Local Laws and Ordinances

Local legislative enactments must be considered in order to fully define the power and authority of a local government. City and county charters originally were adopted by a special act of the State Legislature when a city or county was created. These charters created the municipal corporation and, importantly, directed its organization, and responsibilities, and accorded its powers. The Municipal Home Rule Law, pursuant to constitutional direction, authorizes cities to amend their charters and counties to adopt or amend charters by charter local law. Charters of charter local governments must be consulted in order to ascertain the nature and extent of any power held by that government.

⁷ This section has been adapted in its entirety from the *New York State Local Government Handbook*, a publication of the New York State Department of State. Page numbers of excerpts have been referenced parenthetically at the end of each section. Available online at <http://www.dos.state.ny.us/lgss/pdfs/Handbook.pdf>.

Once a local government adopts an ordinance or local law, the government is bound by such legislative enactment until it is amended or repealed. Since local laws may direct that a local government's power be exercised in a certain manner, and, in some instances, may supersede state law...the local government's local laws and ordinances must be consulted in order to fully define its powers.

Administrative Rulings and Regulations

Local government powers also may be expanded, restricted or qualified by the rules and regulations of state agencies. These rules and regulations are usually adopted as part of the implementation of a state program having local impact or application. Thus, it is advisable to review state regulations on a particular subject in order to ascertain the extent of local authorization in undertaking a particular activity or program.

An example is the promulgation of a local sanitary or health code. While a local government may promulgate such a code, it must first ascertain what areas of regulation have been covered by the State Sanitary Code. The State Sanitary Code and other rules and regulations appear in the Official Compilation of Codes, Rules and Regulations of the State of New York, which is published and continually updated at the direction of the Secretary of State.

Home Rule and Its Limitations

What "home rule" means depends upon the context in which it is used. Home rule in a broad sense describes those governmental functions and activities traditionally reserved to or performed by local governments without undue infringement by the state. In its more technical sense, home rule refers to the constitutional and statutory powers given local governments to enact local legislation in order to carry out and discharge their duties and responsibilities. This affirmative grant of power is accompanied by a restriction upon the authority of the State Legislature to enact special laws affecting a local government's property, affairs or government (p 34).

Forms of Local Legislation

Local legislation may take the form of local laws, ordinances and resolutions. A local law is the highest form of local legislation, since the power to enact a local law is granted to local governments by the State Constitution. In this respect, a local law has the same quality as an act of the State Legislature, since they both are exercises of legislative power accorded representative bodies elected by the people. Indicative of this is the fact that acts of the State Legislature and local laws are both filed with the Secretary of State, the traditional record keeper for State government.

An ordinance is an act of local legislation on a subject specifically delegated to local governments by the State Legislature. Counties do not ordinarily possess ordinance powers and the power of villages to adopt ordinances was eliminated in 1974. A resolution is a means by which a governing body or other board expresses itself or takes a particular action. Unlike local laws and ordinances, which can be used to adopt regulatory measures, resolutions generally cannot be used to adopt regulatory measures. Exceptions exist to this rule, however, as authorized by the State Legislature. For example, section 153 of the County Law provides that a power vested in a county may be exercised by local law or resolution (p 35).

Towns and Villages

Towns and cities encompass all the lands within the state, except Indian reservations, which enjoy special legal status. Courts have determined that towns are true municipal corporations. The flight of city dwellers to the suburbs, which began as early as the second decade of the twentieth century, resulted in a continuous, almost geometric growth in town population. From 1950 to 1990, the population living in towns in New York State increased by 110 percent, while the population of cities decreased by 20 percent (excluding New York City). While the past two decades have seen a significant slowdown in this shift, an increasing proportion of the total outward migration during this time period has settled in more rural (as opposed to suburban) towns. New town-dwellers, whether suburban or rural, have demanded many of the services they had been accustomed to in the cities – water, sewage disposal, refuse collection, street lighting, recreational facilities and many more. Since suburban development in many cases was formless and without identifiable business centers, village incorporation often proved problematic. The suburban challenge has fallen upon town government, a challenge to develop services where needed without losing the traditional role as the most local of local governments (p 60).

A village is often referred to as “incorporated.” Legally cities, towns, villages and counties are all “incorporated.” Hence, there are no “unincorporated villages” in New York State. The vernacular “incorporated village” likely came to be used because villages are areas within towns for which an additional municipal corporation has been formed (p 67). In the first 40 years of the twentieth century, as people moved from cities into the suburbs, more than 160 villages were incorporated under the Village Law. The rapid growth of towns in suburban areas in the late 1930’s and following World War II emphasized the need for alternatives to villages. To provide services, suburban areas made increasing use of the town special district. This had a profound effect on the growth of villages. Although more than 160 villages were formed from 1900 to 1940, only 31 new villages have appeared over the succeeding 66 years, and 24 have dissolved during that period (p 68).

