

## **SECTION II**

### **INVENTORY AND ANALYSIS**

## **SECTION II Inventory And Analysis**

### **A. Regional Setting and Community Characteristics**

The Village of Middleport is located in the eastern central portion of Niagara County (Map 2), and is situated within both between the Towns of Hartland and Royalton. This municipality was incorporated in 1859 and encompasses 0.87 square miles in land area. The Village is developed with a mix of residential, commercial, industrial, agricultural and open space land uses, and is bisected by the Erie Canal. The character of the area is essentially rural. The population of the Village is relatively stable and the majority of Village residents' commute to areas outside the Village for employment.

The Village was developed in conjunction with the construction of the Erie Barge Canal, which was completed in 1825, and was a major center for trade and commerce in the late 1800's. The first settlement in the area was established in 1806, about one mile away from the present day business district. With the construction of the canal, activity moved to the waterfront to benefit from the opportunities for waterborne transport of locally produced products and commerce. Folklore has it that the name Middleport was derived from the fact that the Village was midway between Lockport and Newport (now known as Albion) on the canal.

As one of the original canal communities, Middleport grew to become completely self-sufficient. In 1825, the Middleport branch of the U.S. Post Office was built. Continuous growth enabled the Village to incorporate. At one time up to sixteen industries flourished along Jeddo Creek (formerly known as Wildcat Creek). Many of these factories used the creek water in their manufacturing process and for power. The Erie Canal, along with the New York Central Railroad (which constructed a rail line through the Village), played an important part in Middleport becoming a major trade center by the late 1800's.

Over the years, due to the growth of the railroad industry and construction of overland vehicular transportation corridors, use of the canal has shifted, with transport and commerce giving way to increasing recreational use. Today the quaint Village of Middleport houses about 2,000 residents and is a popular tourist destination along the Erie Canal. The canal waterfront and Jeddo Creek are no longer used for industrial and manufacturing purposes. The canal is now bordered by private residences, farmland, and a right-of-way area that is used for public recreation. Commercial businesses have centralized along Main Street and State Street, adjacent to the canal. The only business that remained on the canal shoreline was the Basket Factory, which operated as a restaurant and marina (this facility closed down in 2000). In line with the shift in the use of the canal from transportation oriented activities to recreational use, one of the Village's long range goals is to further promote tourism in the area through the provision of improved services and recreational opportunities along the waterfront. Another goal is the revitalization of the central business district.

### **B. Upland Uses**

#### **1. Existing Land Use**

Land uses in the Village of Middleport include residential, commercial and industrial development, with some minor agricultural activity. The Village has a central business district (CBD), which is situated along Main Street and State Street, south of the canal, with residential development distributed around the Village center. Industrial uses, and additional commercial uses, are located in the southern half of the Village (see Map 3).

Single-family residential is the predominant land use in the Village of Middleport. There are 557 single-family homes and more than 200 multi-family housing units in the area. Most of the housing stock is in good condition even though over half of the homes (58.7 percent) were built before 1939. Very few new homes have been constructed in the Village during the last ten years. With the exception of the canal right-of-way, the majority of the waterfront along the Erie Canal is developed with private residences. Although allowed by zoning, there are no overnight accommodations or bed and breakfast establishments in the Village. The closest bed and breakfast use is located west of the Village on Peet Street, in the Town of Royalton. The lack of such facilities restricts tourism opportunities in the area for boaters and other

visitors. A more structured plan for tourism and economic development will help to promote these types of uses.

The CBD loosely encompasses the area between the southern shoreline of the canal, Vernon Street, Park Avenue and South Hartland Street (see Map 5). This area contains a number of institutional buildings, such as the Village Hall, police station, fire department, post office, and two churches, as well as a variety of commercial businesses. The CBD is connected to the northern portion of the Village by a lift bridge that crosses the Erie Canal. Commercial businesses in the district include two banks, three restaurants, professional offices, a beauty salon and a bait and tackle shop. There are a total of 20 private storefronts in this area. Other institutional uses in the Village lie outside the CBD, including the public utility substations, churches, and the Royalton-Hartland Central School District property.

Most of the buildings in the CBD are two-story mixed-use structures with apartments on the upper levels, above the commercial storefronts. The buildings and facades are generally in fair to good condition, although a cluster of buildings on the eastern side of Main Street, at the corner of State Street, is in poor condition. Two of these buildings have fire damage on the second and third floors. The facades of these buildings are in need of restoration, including new paint and windows. In all, five of the 14 storefronts on the eastside of Main Street are vacant. A local grassroots organization is actively working to help improve commercial activity in the CBD, with a major focus on the restoration of the fire-damaged structures.

The real estate market in Middleport is stable and land and commercial space are relatively inexpensive. The CBD, however, has a high commercial vacancy rate. In an effort to boost tourism in the Village and benefit from the close proximity of the canal, measures must be taken to improve the reuse and redevelopment of the underutilized properties in this area.

The streetscape in the CBD was renovated in recent years as part of a road reconstruction project sponsored by the New York State Department of Transportation. The sidewalks were replaced and ornamental red brick pavers and new aesthetic light fixtures were installed. These improvements have aided in enhancing the physical quality of the CBD for tourists and local residents alike.

A second commercial area in the Village is located along Telegraph Road (State Route 31), west of Main Street. This area contains several types of neighborhood and business retail uses that have developed in a strip pattern. The commercial businesses situated along this corridor (to the east and west of Main Street) include an auto supply store, a gas station, a motor repair shop, a farm equipment retailer, restaurants, a convenience store, and other consumer services.

As shown on Map 3, large areas of open space exist in the Village, primarily north of the canal. The land area south of the canal is built out and very little open area exists here, aside from some limited areas of public parkland. With the exception of the narrow right-of-way corridors situated immediately along the shoreline, the only significant parcels of open space located along the canal include Margaret Droman Park, which is owned by the State, and two large privately owned parcels situated on the west side of South Hartland Street.

Industrial land use is predominant along the railroad corridor that runs parallel to and one-half mile south of the canal. Businesses in this area include metal machining and fabricating companies, fruit processing, building fabrication, and agricultural warehousing and farm supply companies. The three largest industrial operations in the Village are FMC Agricultural Products Group, which manufactures pesticides and herbicides, Niagara Foods, and Barden Homes. Several smaller industrial uses are located in the vicinity of Kelly Avenue and the railroad line and on Telegraph Road. The Avery Hall Corporation, which is located at the corner of State Street and Vernon Street, and Sigma Motors, which is located directly north of the Main Street lift bridge, are the only industrial land uses situated in close proximity to the canal. Both of these businesses conduct light industrial activities. Neither of these businesses nor any of the other industrial uses in the Village utilize the canal for commerce. The railroad line, which links the Village with the cities of Buffalo and Rochester, is actively used by local industries for transport.

There is no transitional boundary between the industrial and residential uses in the Village. Open storage garages and bays abut residential properties in several instances. Certain industrial uses are located adjacent to Jeddo Creek, in areas that are essentially residential or commercial in nature.

There are three parcels located in the northern portion of the Village that are used for growing crops. These parcels total 34 acres in area; the largest of the three is situated immediately north of the canal. These parcels contain Hilton soils, which are designated Class 2 and considered valuable for crop production. Although agriculture is a dominant use in the outlying area and region, there are no other farmlands within the Village limits and agriculture is not a prominent use in the Village.

There are certain sites in the Village that are considered underutilized, deteriorated or abandoned. They consist mostly of current and former industrial properties that are located along the north side of the railroad tracks, both east and west of Main Street. They include: the area in the lumberyard, located between Main Street and Orchard Street, which is presently utilized for storage and warehousing; an abandoned industrial area situated south of Park Avenue, just west of the school district property (between Maple Street and Alfred Street); the CMSB Magnetics property on Telegraph Road, which is not utilized to its full potential; and the Haas property, which is situated south of the FMC facility, on Telegraph Road. These sites have the potential for redevelopment and reuse. The Village anticipates that these areas will be revitalized and maintained for industrial use.

Another important site that requires revitalization is the former Basket Factory restaurant and marina. This facility, which closed in early 2000, has a longstanding history in the Village and was a thriving commercial business that attracted visitors to the area. It is important to the economy of the Village and the tourist industry for this site to be reopened.

## 2. Zoning and Other Land Use Regulations

The Village of Middleport regulates land use through their Zoning Ordinance and Official Zoning Map and through their Site Plan Review Regulations. The Village has no subdivision regulations. The Zoning Ordinance classifies three use districts: Residence, Business, and Industrial. The Residence classification has two subcategories to regulate development density, R-1 and R-2 (see Map 10). R-1 districts are the most restrictive in the Village, allowing only one and two-family dwellings, churches, parks, schools and traditional home occupations.

Buildings in R-1 districts may not exceed 35 feet in height nor cover more than 30 percent of the total lot area. The minimum required lot width is 75 feet and minimum lot area is 7,500 square feet. Off-street parking is required, but the ordinance does not specify the number of spaces required per dwelling unit. The Ordinance also establishes setback requirements for yards.

The R-2 classification allows multiple-family dwellings in addition to the uses permitted in an R-1 district. Buildings in an R-2 District may not exceed 40 feet in height nor cover more than 40 percent of a total lot area. The minimum lot dimensions in an R-2 district are the same as in an R-1 District.

The Business classification (B-1) allows residential uses, as well as retail and wholesale shops, restaurants, hotels, theaters, commercial recreation centers, motor vehicle sales and service, and other non-nuisance types of activities. Buildings in a Business District may not exceed 35 feet in height nor cover more than 40 percent of the total lot area. The dimensional requirements for lots are the same as the residential districts, but the yard setback requirements are less restrictive. There are no parking requirements for B-1 district uses, contained in the Zoning Ordinance.

The Industrial classification has two subcategories: F-1(Industrial) and L-1(Light Industrial). The F-1 zone permits a range of uses, including nuisance industries. There are no restrictions on building height, but yard setback restrictions are established for parcels zoned F-1 that border residential lots. There are no parking requirements for F-1 district uses.

To alleviate potential nuisance conditions and allow for more transitional uses, the I-1 classification allows for less intrusive manufacturing uses. This classification permits light manufacturing, warehousing, office and other such uses, that are more compatible with residential uses.

The Village's Site Plan Review Regulations require applicants to submit site plans for review of projects over a certain size to allow for the review of stormwater management systems, flood damage and erosion control (where required), and to control site and roadway access and design, landscaping and the overall use of the site.

An available tool for future land use planning is the adoption of a waterfront recreation zoning district or an overlay district to plan and manage land use activity along the waterfront, better control aesthetics in the CBD, and to improve public access to the waterfront. This district could be designed to restrict certain types of uses, promote and enhance opportunities for water-related recreational uses, and protect existing uses. Standards could also be established to regulate development and redevelopment activities through the specification of criteria for approving projects along the canal (or within the district). In considering such zoning, and the extent thereof, the Village Board must weigh the restrictions involved against any potential negative impacts or limitations on the future use of existing properties in the area.

### 3. Land Ownership Patterns

Much of the land in the Village of Middleport is held in private ownership. With the exception of the shoreline right-of-way corridors situated along both sides of the Erie Canal (which measure approximately 8,450 linear feet in total length and vary between 25 and 125 feet wide), the waterfront area along the canal is fully developed and held in private ownership. This public right-of-way is owned and maintained by the New York State Thruway and Canal Corporation (see Map 4). The Canal Corporation also owns two parcels that are contiguous to the north shore right-of-way, just east of the lift bridge, one of which is used as parkland; the other is vacant land.

The Village of Middleport owns a number of properties in and around the CBD. These include:

- A 35,000 square-foot parcel located at the foot of South Hartland Street, along the canal, which is developed with a parking lot containing the Village Department of Public Works garage (the Village leases an adjacent section of the right-of-way from the State Canal Corporation that is used as public park area);
- A 3,900 square-foot parcel located on the west side of the terminus of South Hartland Street, which is used for public park and access purposes;
- the Village Hall, the Village Fire Department, the Village Library and an additional public parking lot, all situated in the CBD;
- the area north and south of Park Avenue, which is utilized as a public commons area;
- a 1.2-acre undeveloped property situated on the west side of North Hartland Street; and
- a 4.5-acre parcel of undeveloped land located between Mechanic Street, North Main Street and North Hartland Street.

The New York State Department of Transportation owns a 5,835 square-foot lot, situated approximately 50 feet west of Jeddo Creek. The lot is used to provide maintenance access to the canal spillway and sluiceway. New York State Electric and Gas also owns a 1,800 square-foot parcel that is situated between the two parcels that are owned by the State Canal Corporation, on the north side of the canal. This is the site of an operating substation. Niagara Mohawk Power Corporation also owns two parcels in the vicinity of South Main Street and South Street. The larger of the two contains a power sub-station. In addition, the Royalton-Hartland Central School District owns the large property located in the eastern portion of the Village, north of the railroad tracks.

#### 4. Water-Dependent and Water-Enhanced Uses

The marina at the former Basket Factory restaurant is the only water-dependent use on the canal in the Village of Middleport. All of the developed uses that abut the shoreline of the canal are water-enhanced, as they derive added value from their waterside location. These water-enhanced uses primarily include residential dwellings and public parkland.

Looking to the future, the northeastern shoreline of the canal is an area that is sited for the expansion of water dependent uses. The Village would like to see this area utilized for water-related recreational use and other such uses that would promote tourism and the improved use of the canalside facilities.

#### 5. Tourism

With the rise in the use of the Erie Canal for recreational boating, fishing and tourism, the Village of Middleport has become more popular as a tourist destination. This is a trend that the Village would like to build upon. At present, visitors to the Village enjoy the ambiance of the central business district and the shoreline amenities (as described in greater detail in Section D). Through advertisements in tourism literature produced by the Niagara County Department of Planning, Development and Tourism, among other things, tourism interest in the area is increasing. By implementing a number of improvements in the waterfront area, the Village hopes to capture an even greater number of visitors in years to come.

The shoreline of the canal is developed with uses that are enhanced by their waterside location. The State right-of-way along the banks of the canal contains a former towpath for barges and vessels, which has been revitalized by the State as the Canalway Trail. Local organizations have improved portions of the shoreline right-of-way on the canal with picnic tables, community bulletin boards, and landscaping (which they maintain).

Tourism along the canal is seasonal, with boating occurring from early May to late October. The Village would like to enhance opportunities for tourism along the shoreline and in the CBD during this active season through the provision of additional amenities, such as bicycle rentals, canoe rentals, play equipment for children, more picnic tables and benches, and additional public restrooms and improved shower facilities. These ideas are tied with the Village's desire to improve certain properties for public use along Front Street on the north shore of the canal, just east of the lift bridge. This area includes Margaret Droman Park, which is a part of the State right-of-way; a privately owned undeveloped parcel, which could be acquired for parkland purposes by the Village; the adjoining area of vacant land that is owned by the State Canal Corporation; and the former Lone Star hotel property, which the Village would also like to acquire for reuse as a public facility, possibly a comfort station, canal tourism center or related commercial use. This area possesses the greatest potential for shorefront revitalization in the Village and could be redeveloped as a contiguous public recreation area. In addition, the area where the Village's Department of Public Works garage is located, adjacent to the canal, could be more effectively utilized for public recreation if this garage were relocated in the future to another site in the Village.

The New York State Canal Recreationway Commission prepared a plan for the canal in 1995. This Plan identified service ports along the canal and offered a number of recommendations for these ports. With respect to the Village of Middleport, which was identified as Service Port #4, the Plan proposes certain Canalway Trail support facilities to include telephone service, trash drops and informational signage, as well as boat fenders and tie ups. The Plan further recommends a canal service package of planning improvements for the area that include upgrading and expanding existing electric and water service, providing restrooms and shower facilities, improving lighting and informational signage, improving the rear facades of buildings that face the canal, and orienting commercial activities toward the canal. The Village is considering and supports many of these improvements as a means of improving the canal environment for local use and tourism.

In July of 1999, legislation was signed to establish the Western Erie Canal Heritage Corridor, which includes the canal area that extends from Wayne County to Erie County. This legislation requires that a planning commission be formed to guide the preparation of a plan for implementing and managing the Heritage

Corridor, and the resources contained therein, in an effort to increase economic development and heritage tourism.

### **C. Surface Waters and Surface Water Uses**

Surface waters in the Village of Middleport include Jeddo Creek and the Erie Canal. Jeddo Creek is a small creek that flows in a northerly direction through the Village. The headwaters for this creek are located approximately 4.5 miles south of the Village limits, in the Town of Royalton. Jeddo Creek continues north, beyond the Village, converging with Johnson Creek and ultimately discharging to Lake Ontario. Within the Village, this creek is a small channel with intermittent flow, and provides very limited opportunities for fishing and passive recreation. Outside the Village, the Creek is utilized for farmland irrigation. In the early part of the last century, a dam and reservoir were constructed on Jeddo Creek, approximately one mile south of the Village, to provide public water supply, but this water source is no longer utilized. This reservoir has restricted the volume of water that flows through the Village, south of the canal. Canal water that is diverted through the spillway enhances the creek flow to the north of the canal (the spillway is discussed in greater detail in subsection 2, below).

The Erie Canal extends through the Village of Middleport for an approximate distance of 1.25 miles. This portion of the canal is a man-made channel that has an average width of 100 feet and a depth of 12 feet. The banks of the canal are armored to guard against shoreline erosion. The New York State Canal Corporation owns 8,448 linear feet of shoreline, which spans both sides of the canal. This area is maintained as a right-of-way area that ranges from 25 to 125 feet in width.

The canal was constructed in 1825 to provide a means of waterborne commerce across the State. Today, the canal supports a growing tourist and recreational boating industry and is the only navigable waterway in the Village.

#### **1. Marinas, Docks and Bulkheads**

As previously noted, there is one marina located along the canal, west of the lift bridge. This marina was operated by the Basket Factory restaurant and can accommodate eight boats measuring up to 40 feet in length. It is primarily utilized by recreational boaters. Vessels can tie up to a series of wooden docks that are connected to the shoreline by planking that encircles three of the four sides of the facility. The shoreline of this marina is not protected with bulkheading. There are also three wooden docks located on the southern shoreline of the canal, east of the lift bridge. These docks are owned and maintained by adjacent landowners and extend a maximum of 10 feet into the canal from the shoreline.

A concrete seawall exists to the east and west of Main Street on both sides of the canal to protect against bank erosion. This seawall extends approximately 500 feet in each direction. In certain locations near the lift bridge this wall is showing signs of deterioration that present potential public hazards. The State Canal Corporation should survey the seawalls to the west of the lift bridge and make repairs, where required, to remedy existing public safety hazards and improve the area for vessel docking. Any seawall repairs that fall within the right-of-way area for the lift bridge would be the responsibility of the New York State Department of Transportation. Maintenance on the lift bridge was last performed in 1996.

In the vicinity of the lift bridge, metal cleats have been installed by the State at 50-foot intervals along the wall for public use. The most popular area for vessel docking is along the southern side of the canal, west of the lift bridge. This area includes a 30-foot wide right-of-way area that is developed with lawn and picnic tables. Transient boaters frequent this location, docking for up to weeks at a time. Boat docking also occurs along the north shore of the canal, west of the lift bridge, and along both shorelines to the east of the bridge.

The lift bridge operator in the Village keeps records of the number of vessels that dock in the Village. During the 1999 season, 1111 vessels were recorded. This is an increase over the previous three years, with 1,036 reported in 1998, 776 vessels in 1997, and 999 vessels in 1996. Based on these data, it appears that vessel activity in the Village during the summer season is increasing.

As previously noted, the Village leases a portion of the canal right-of-way, on the south shore to the west of the lift bridge. Here are provided eight electrical hook-ups, a water connection, and picnic tables for public use. Small showers and restrooms are also provided for the public in the nearby Village Department of Public Works garage. In addition, a community bulletin board is maintained on both sides of the canal and local organizations have installed additional picnic tables for public use.

Improved docking facilities on both sides of the canal, as well as improved public amenities (such as public restrooms and showers) are needed to boost tourism and public use of the waterfront, and to better accommodate the increasing number of vessels that frequent the Village. Potential locations need to be identified and examined to determine what is most feasible. A long range goal would be to acquire a large parcel of waterfront property for the construction of a public marina. The most feasible site for such a project is the 20-plus acre property located on the northeastern shoreline, which is presently actively farmed.

## 2. Vessel Use, Navigation, and Canal Maintenance

The Erie Canal is open from early May to mid November. The lift bridge operates daily from 7:30 AM to 10:30 PM. These hours of operation are more restrictive from mid October to November. The lift bridge operator rotates between the bridges at the Village of Middleport and the Village of Gasport. When not at the Middleport bridge, the operator can be hailed by radio or telephone. This lack of presence at the Middleport bridge affects use of the canal, and better coverage should be considered by the State Canal Corporation. There are no navigation charts available for the canal section near Middleport, although the State Canal Corporation does publish a series of maps that identify the location of lift bridges, locks and fueling stops.

A spillway is utilized to control the water level in the canal, which is located on the southern shoreline at Jeddo Creek, west of the Main Street lift bridge. This spillway device consists of an approximate 30-foot wide opening in the canal wall that conveys water to Jeddo Creek to reduce the potential for flooding. Water flows over this spillway and down an approximate 40-foot sluiceway, reaching the creek just south of the mouth of the stone culvert that carries creek waters beneath the canal. There is also a 6-foot by 3-foot sluice gate that can be utilized under extreme conditions to discharge a greater volume of water to Jeddo Creek. The spillway and sluice gate are maintained by the State Canal Corporation.

The State Canal Corporation conducts annual surveys of the canal corridor to determine places where silt has accumulated and where shoreline erosion is occurring. Silt and sediment are carried into the canal from Tonawanda Creek. The shoreline of this creek is unprotected and sediments from bank erosion are carried in suspension by high velocity flows. In areas of the canal where the gradient is more stable and flows subside, the sediments settle out and deposit on the canal bottom. The only location that has required dredging in the Village of Middleport has been near the entrance to the Basket Factory marina, on the southern side of the canal, west of the lift bridge. Here the sediment accumulations along the canal bottom are disturbed by the wakes of passing boats and redeposited at the entrance to the marina. Signage has been installed to direct boaters to control their speeds in this area in an effort to control this problem. The area was last dredged in 1987 and no current problems have been reported. Dredge spoil is disposed of at an upland disposal site located approximately two miles east of the Main Street lift bridge, in the Town of Bridgeway, in Orleans County.

Certain Statewide boating regulations are in force along the Erie Canal, including speed limitations, requirements for the use of personal flotation devices and vessel waste treatment and disposal restrictions. The vessel speed limit in the canal is 10 miles per hour. The New York State Police Troop A and the Niagara County Sheriff's Department are the agencies responsible for enforcing these regulations. In the event of a violation, canal personnel will contact either of these agencies which can launch a patrol boat in response to the call. There are no police boats temporarily or permanently docked in the canal. Although the County Sheriff's Department does not usually patrol the canal, the towpath (Canalway Trail) is used by law enforcement vehicles to monitor vessel speeds.

There is a vessel waste pump out station on the northern canal shoreline, immediately west of the Main Street lift bridge. This pump is hand operated and is actively utilized. The discharge of vessel waste is only



permitted from vessels equipped with a US Coast Guard certified Type 1 marine sanitary device. However, these devices are illegal in vessels that exceed 65 feet in length. Several types of deodorizers to treat this sewage are illegal as well.

#### **D. Public Access and Recreation**

Public parkland in the Village of Middleport includes Rotary Park, the Erie Canalway Trail and the canal right-of-way corridors, a small Village Commons, and Margaret Droman Park. There is also a small parcel that is used for picnicking along the southern canal right-of-way, which is leased by the Village (see Map 4).

The Village Commons is essentially a wide public commons area that extended along both sides of Park Street, between Main Street and South Vernon. It contains some monuments at the west end and lawn and trees along its length (Map 4). The Village Tourism and Beautification Committee has placed benches along this area for public use. The Village Commons is also the site of Art Festival ceremonies, and is quite unique and picturesque.

The Middleport Rotary Park, which is located south of Telegraph Road in the southeastern corner of the Village, is a community park owned and maintained by the Village of Middleport. This park is approximately 5 acres in size and is actively utilized by the Middleport Boy Scouts. This park has a sheltered picnic area, playground, and an outdoor skating rink. This park also contains undisturbed woodlands and open space and is known for its wildlife viewing opportunities. A Village-owned public recreational building, known as the "Scout House," is maintained at this site and is used by senior citizens, boy scouts and other local groups, as well as other public gatherings. At present, the Village has no plans for additional improvements at this site.

A towpath on the north side of the canal is a designated portion of the Erie Canalway Trail. This trail system comprises a network of 220 miles of existing multi-use, recreational trails that stretch across New York State. The segment that extends through the Village is part of the 70-mile long Erie Canal Heritage Trail, which runs from Lockport to Fairport. The Canalway trail in Middleport is unpaved, approximately 10 feet wide, and runs along the north side of the canal right-of-way. It is utilized for hiking, bicycling, cross-country skiing, and horseback riding. This trail is closed to motorized vehicles. There are several metal cleats for docking boats and electrical hookups on the canal seawall along the trail for public use. The trail is also marked with signage that details the historic significance of the Canal and public information panels, which are maintained by the Middleport Tourism and Beautification Committee. It should be noted that use of the Canalway Trail is interrupted at the lift bridge, where users must exit the path to cross Main Street. As a safeguard, the crosswalk in this area should be stripped with paint and signage should be affixed to the bridge to alert motorists to the location of the walk and potential movement of pedestrians and bicyclists. Furthermore, the lift bridge is constructed at a higher grade than the path, which impedes handicapped accessibility.

There is a small park situated on the northern side of the canal, east of the lift bridge, which is a part of the State right-of-way for the canal. This park, known as Margaret Droman Park, provides pedestrian and bicycle access to the Canalway Trail. It contains a large area of open lawn with no other amenities. This property has the potential for improvements to boost its public use and enjoyment. Future improvements at this site should be tied to other proposed improvements for this area of the shoreline, as discussed in Section B.5.

The entire shoreline of the Erie Canal is unobstructed by fencing and easily accessible. Several well-used formal and informal points of public access exist along the canal (Map 5), which allow entrance to the Canalway Trail and/or provide opportunities for fishing. There are no playgrounds, sun shelters or benches along either side of the canal shoreline to benefit users, although a few picnic tables are located in certain areas along both sides.

The Canalway Trail, Margaret Droman Park, and other frequently used shoreline areas should be further improved with such amenities. The area immediately north of the Village parking lot, on the west side of Main Street, has a picnic area. A shower and restroom, for use by transient boaters, is also provided in the nearby Department of Public Works garage. It is the Village's desire to provide an improved public restroom and shower facilities at this location in the future, and possibly additional amenities of this type on the north side of the canal.

The Canalway Trail is a favorite spot for viewing boats, bike riding, walking and running. Bicycling is disrupted briefly when crossing Main Street where no curb ramps exist. For safety reasons this is acceptable, though, because it discourages crossing the road at high speeds. State Street and the southern portion of Main Street, from Telegraph Road to the canal, are shared roadways for bicycle use. As indicated in the New York State Canal Recreationway Plan, these sections of NYS Route 31 have been officially designated as route segments of the Canal Scenic Byway (known as NYS Bike Route #5). Bicyclists utilizing this bike route can gain access to the Canalway Trail in Middleport.

The marina at the Basket Factory restaurant provides opportunities for recreational fishing and scenic viewing. The marina is easily accessible from a parking area that is principally utilized by restaurant patrons. This facility is also accessible to pedestrians and bicyclists as well. The marina does not have a boat launch ramp; the closest boat launch to the Village is located two miles to the east, on State Route 31E (there is also a boat launch ramp in the Village of Gasport). A boat launch ramp in the Village would help to improve opportunities for tourism and increased recreation. The Basket Factory property, the terminus of Centennial Street, and Margaret Droman Park are three potential sites for such a facility. However, sufficient parking is an important consideration. Thus, the feasibility of providing a boat ramp in the Village and, ultimately, an appropriate location must be determined. In the future, should the Village acquire any large parcels of waterfront property, as discussed in Section C.1, a boat launch ramp could be included as a part of the site development plans.

As previously noted, the Erie Canal is actively utilized during the spring, summer and fall for recreational boating and fishing. Fishing occurs from in-water vessels and from numerous points along the shoreline. Essentially, a fishing line can be dropped from just about any location. During the winter the canal is drained when floodgates located off Fiegel Road in the Town of Pendleton are closed. The minimal amount of water in the canal basin allows its use for winter recreation, although there is no easy means of access to the canal basin, and there are currently no plans by the Village to provide access or promote such use. Ice-skating, ice hockey, hiking and snow mobiling are activities that occur regularly within or along the canal. An annual 5-K foot race is also sponsored along the Canalway Trail. In addition, the canal is utilized for the disposal of excess snow generated from plowing activities in the CBD.

In general, there is a need for additional public parkland and passive recreational opportunities in the Village. There is also a need to improve publicly owned waterfront lands to enhance their use by the public. The Village needs to examine whether and how certain public lands can be better utilized for passive and active recreation, including the 1.2-acre site on the east side of North Hartland Street and the 4.5-acre area of undeveloped open space located between Mechanic Street, North Main Street and North Hartland Street (see Map 4). There are also certain private lands located in close proximity to the canal that could either be acquired by the Village or privately improved to increase recreational opportunities and boost tourism. In addition, the Village needs to improve opportunities for tourism during the active season along the canal. Canoeing and rowing should be promoted. Canoe rentals, as well as bicycle rentals, could be offered to enhance opportunities for this activity. The school district and local clubs should also be encouraged to utilize the canal for rowing activities.

## **E. Historic and Cultural Resources**

The first settlers in the Middleport area arrived in 1806 and lived one-mile southwest of the current village limits. The first store in the Village, which still stands, was established in 1822, three years before the completion of the Erie Canal, at a location where Main Street crosses the canal. Between 1830 and 1840 a tannery, a blacksmith shop, a tailor and the first blast furnace in the Village also established business along the canal. The Village was officially incorporated in 1859. The Main Street lift bridge was constructed in 1912, replacing the Vernon Street Bridge as the primary crossing (the old bridge was removed in 1994). There are a number of buildings and sites of local and national significance in the Village of Middleport, including one that is listed on the National Register of Historic Places and two that are listed on the State Register. Although only three have made the National or State registers, many others are locally significant and worthy of recognition (see Map 6).

James Northam established the first store in the Village (c. 1822), at 5 Front Street on the north shore of the canal, just east of the lift bridge (which is the site of the former Lone Star hotel). At present the property has no local or state historic designation, but is the oldest structure in the Village and is a significant local landmark and

canal heritage resource. The structure is 708 square feet, and is privately owned. It is a deteriorated state and in need of renovation to preserve the existing structure. As discussed in Section B.5, this is the site that the Village would like to acquire for renovation as a public facility.

The Universalist Church (circa 1841), at 46 Main Street, was constructed using an early pioneer technique of three-inch rock and mortar gathered from Lake Ontario. This site is listed on the State Register of Historic Places. Another stone and mortar building of significance (circa 1859) was constructed at 5 Vernon Street. The home of Philip Freeman (circa 1820), which is located at 106 Telegraph Road, is also listed on the State Register of Historic Places. This structure is not only the oldest in the Village, but it is rumored that at one time it was a stop along the Underground Railroad. The Village Post Office, which is located on Main Street, at the corner of Church Street, was constructed as a part of the New Deal's Works Progress Administration in 1940. This structure is the only building in the Village that is listed on the National Register of Historic Places. The 12 buildings on the eastern side of Main Street were built in 1880 after the original structures were destroyed by fire. The Fireman's Building across Main Street was constructed soon after, in 1891.

There are certain other buildings of local historic significance in the Village. These include the Basket Factory restaurant building (circa 1893) and marina, which is located further west of Main Street on Watson Avenue, and was once used to manufacture baskets. The marina was originally a holding pond for logs that were used in the manufacturing process, and were floated (transported) on the Erie Canal. Next to the Basket Factory restaurant is a power substation that was constructed in 1908 to help operate a trolley between Rochester, Lockport and Buffalo. Other buildings worth mention include St. Stephen's Church on Vernon Street, the United Methodist Church on the corner of Vernon Street and Park Avenue, and the Town and Country Inn (formerly the American Hotel) on Vernon street.

The majority of the oldest existing buildings of historic significance in the Village are located in the CBD, in close proximity to the canal. With such a high number of historically significant structures clustered in one area, it is recommended that this area of the Village be considered for designation as an historic district. This would afford these structures more prominence and protection with regard to reuse and redevelopment. There are currently no standards or restrictions in place to protect the historic significance of these structures.

The Village of Middleport is also characterized by numerous archaeological resources. In this regard, the New York State Office of Parks, Recreation and Historic Preservation has identified the entire area as a zone of archaeological sensitivity.

## **F. Scenic Resources**

The scenic resources in the Village of Middleport consist of man-made structures in the CBD, tree-lined streets, quaint residential neighborhoods, and scenic views from the shoreline of the canal. The historic business district is the most significant piece of heritage in the Village. The combination of the attached two-story structures and the streetscape design is an important scenic feature in the Village. The storefronts in the CBD were constructed in the late 1800's and several of the homes along Main Street are original structures, built in the early to late 1800's. These homes have seen very little exterior alteration since their construction. A Village Commons area is located along Park Avenue, which contains several veterans and civil service monuments, adding additional aesthetic value to the Village center. There are also numerous points along the shoreline that have impressive, unobstructed views of the canal. There are no locations along the canal that offer degraded views.

## **G. Public Infrastructure**

### **1. Water Supply**

The Village of Middleport obtains 40 percent of the potable water supply, or an estimated 0.10 million gallons per day (MGD), from the Niagara County Water District (NCWD). The NCWD draws water from the west branch of the Niagara River, which is filtered and treated with a combination of chlorine and a

corrosion inhibitor at the District's water treatment plant in the Town of Wheatfield. The Village obtains the remaining 60 percent of the potable water supply, which is estimated at 0.15 MGD, from a public supply well located southwest of the Village. Water from the Village's well is treated with chlorine prior to distribution. Between the Village's well and Niagara County Water District's supply, there is adequate capacity to service the Village with a daily average day flow of 0.25 MGD.

A Wellhead Protection Plan was prepared and adopted by the Village of Middleport in 1996 to preserve and protect the quality of the Village's groundwater. This plan identifies potential sources of contamination and establishes steps to preserve and protect groundwater resources. In addition, this plan requests that neighboring governments and agencies of the county and state consider Middleport's wellhead protection area when making decisions (Village of Middleport Groundwater Protection Committee, 1996).

The Village of Middleport water distribution system was originally constructed in 1911. This system utilizes a series of water mains that measure between three inches and ten inches in diameter. Storage within the distribution system is managed by a 70,000-gallon standpipe that is located just outside the Village, on Griswold Street. A major upgrade to this system was completed in 1991, when approximately one-third of the Village waterlines were replaced. The remainder of the system is adequate to accommodate present water service needs, although additional upgrades may be required in the future. At present, no new upgrades are proposed.

The water distribution system supplies water to all residents and businesses in the Village, as well as four homes in the Town of Hartland, three homes in the Town of Royalton, and a number of industries. These industries include Niagara Foods, FMC, NORCO, Avery Hall, E & M Machinery, Barden Homes, and Sigma Motors.

## 2. Wastewater Disposal and Stormwater Drainage

The Village of Middleport is serviced by separate sanitary and stormwater sewer systems. The Village Wastewater Treatment Plant, which is located just north of the Village in the Town of Hartland, services the entire Village of Middleport, as well as eight homes in the Town of Hartland, two homes in the Town of Royalton, and several industries (as noted above). According to the Federal Pre-treatment Program, Niagara Foods and FMC are significant Industrial Users.

The majority of the Village sanitary sewer system was built between 1920 and the 1960's. This system carries sanitary sewerage to the Village wastewater treatment plant, which has an average flow at this facility is 0.4 MGD, with a permitted design capacity for 0.7 MGD pursuant to the State Pollution Discharge Elimination Permit (SPDES). All treated effluent from this plant is discharged through an outfall into Jeddo Creek. Although the plant has had no problems in meeting the actual flow rates or effluent constituent requirements set by the SPDES permit, approximately eight times a year, during heavy rainfall events, the plant flows exceed the 0.7 MGD volume threshold due to infiltration and inflow problems throughout the Village. At times, this results in the discharge of contaminated wastewater into Jeddo Creek. This problem was identified and studied approximately 20 years ago. The results of this study indicated that the sewer lines throughout the Village would need rehabilitation or replacement to address the problem. Due to the extensive costs associated with such an undertaking, this problem has not been rectified. An up to date study needs to be conducted to determine the extent and intensity of the infiltration and inflow problems, the impacts to Jeddo Creek and appropriate means of mitigation. In addition, suitable avenues for financial assistance must be identified to help the Village adequately address this situation.

Stormwater runoff in the Village is managed through a stormwater drainage system. Stormwater is collected along certain roadways in the Village by curb inlets and manholes, and carried through culvert piping to outfalls along Jeddo Creek and the Erie Canal. Stormwater also reaches the creek and canal through overland sheet flow. In other areas of the Village stormwater is conveyed through drainage piping to drainage swales and ditches that discharge to outlying areas. As indicated in Section K. below, there are certain locations where storm drainage problems occur, however, the existing system is adequate to address the Village's overall stormwater disposal needs.

### 3. Solid Waste Disposal

The Village of Middleport has a contract with Modern Disposal to collect all recyclables and municipal solid waste (MSW) within the Village limits. In accordance with this contract, each household is allowed to dispose of one large bulk item, six bags of MSW and recyclables every week. All refuse is disposed of at the Modern Disposal Landfill in Model City, in the Town of Lewiston, New York. Modern Recycling handles all recyclable items. The Village of Middleport also recycles yard waste under their contract.

### 4. Transportation Systems

Main Street (State Route 31E and 271), State Street (the continuation of State Route 31E) and Telegraph Road are the principal roadways that service the Village of Middleport. These streets fall under the jurisdiction of the New York State Department of Transportation and serve as trucking routes. Telegraph Road falls under the jurisdiction of the NYSDOT to the west of Main Street and that of Niagara County to the east. Since 1994, segments of each of these roads have been either resurfaced or replaced. A large stretch of Telegraph Road was recently upgraded and resurfaced. The Main Street lift bridge is the only means of egress over the Erie Canal in the Village.

Public transportation in the Village of Middleport is provided by Rural Niagara Public Transportation service under their Rides Unlimited program. They provide bus service, via designated Route 2A, between Middleport and Lockport. This bus line makes a number of stops between these two destinations providing access to the Middleport Senior Citizens facility, Lockport Memorial Hospital, the Social Services office and the Metro Bus transfer point in Lockport. An extension of the Route 2 line continues through Lockport, terminating at Niagara County Community College. This system provides public access, through ride transfer and additional service lines, to the Cities of Buffalo and Niagara Falls, and other destinations in Niagara County.

The rail line that bisects the Village is operated by CSX for the commercial transport of freight. This line is active and provides a connection between the City of Rochester and the City of Buffalo. The rail line that runs through Middleport is also utilized by a private operation that runs a tourist train between Medina and Lockport at various times throughout the year. Although this train does not currently stop in Middleport, a depot for passenger services may be a potential consideration in the future.

## H. **Water Quality**

Jeddo Creek and the Erie Canal are classified by the New York State Department of Environmental Conservation (NYSDEC) as Class C surface water bodies. The best usage for Class C surface waters is fishing. These waters are suitable for primary and secondary contact recreation as well, although certain factors may limit its use for these purposes. In addition, the Erie Canal is classified as a protected stream and, therefore, NYSDEC regulates stream crossing and stormwater discharges into the canal. Jeddo Creek is classified as an unprotected stream and, therefore, NYSDEC does not regulate stream crossings or stormwater discharges into the creek. Jeddo Creek and the canal are the discharge points for stormwater drainage, which is conveyed to these waterbodies through outfall pipes. Outfalls are typically considered point source locations for the introduction of pollutants carried in stormwater. Depending on the type of development present, stormwater runoff can be a source of metals, organic compounds, nutrients or other contaminants, in addition to pathogens. Measures can be implemented to reduce contaminant loadings in the effluent. This approach typically involves expensive structural devices that address a relatively small portion of the entire contributing watershed area, but can be effective for localized water quality problems. At present, there is no indication that the quality of the stormwater effluent delivered to Jeddo Creek and the Erie Canal is degraded to the extent that it would require this type of mitigation. A more feasible means of improving the quality of stormwater flows in the Village would be to institute a best management approach, as discussed below.

The primary impact to water quality in the Village is non-point source pollution. Non-point source pollution is pollution that reaches a surface water body through unconfined or indiscrete means. Examples include

stormwater sheet or overland flow (i.e. -- unchanneled flow from paved surfaces, buildings and construction sites) which carries animal wastes, road oil and other automotive by-products, pesticides and fertilizer; and groundwater infiltration that can carry contaminants from faulty cesspools or septic tanks or toxins from other sources of pollution. The best way to control the rate of non-point contaminant generation and transport in upland areas is through the use of "best management practices" such as public education initiatives (reducing fertilizer and pesticide applications, proper disposal of pet wastes, automobile waste oils, etc.) and other non-structural means. This approach is relatively inexpensive as compared to the costs of employing structural measures to mitigate point source pollution.

Vessel waste discharges are another potential source of water pollution, particularly in areas where vessels are docked in higher concentrations. Vessel waste discharges can adversely impact water quality, fish and wildlife habitats, and human health. The discharge of vessel waste is only permitted from vessels equipped with a US Coast Guard certified Type 1 marine sanitary device. However, these devices are illegal in vessels that exceed 65 feet in length. As indicated in Section C.2, there is a vessel waste pump out station on the northern canal shoreline, immediately west of the Main Street lift bridge. This pump is hand operated and is actively utilized by local and transient boaters in the area.

## **I. Topography, Geology and Soils**

The Village of Middleport is located in the Ontario Plains, just north of the Niagara escarpment and south of Lake Ontario. According to the Niagara County Soil Survey (USDA Soil Conservation Service, 1972), the Village is primarily comprised of glacial till with sandstone and limestone fragments deposited shortly after the ice age. The majority of the soil in the region is comprised of Hilton silt loam, which is usually found parallel to the Niagara escarpment. These soils are considered valuable for raising crops. The current elevation of this area ranges from approximately 460 feet above mean sea level in the northern portions of the Village to 540 feet above mean sea level to the south.

The topography in the Village of Middleport is essentially level, with minimal gradient. There are no areas with steep slopes or slopes that would warrant development concerns. The only area that exhibits any topography is along the canal, where the side slopes have been built up in some areas.

## **J. Natural Resources**

### **1. Wetlands and Habitats**

Significant natural resources in the Village of Middleport include Jeddo Creek and the Erie Canal. The US Fish and Wildlife Service National Wetland Inventory classifies the Erie Canal and one area of Sherman Street near Jeddo Creek, just west of North Hartland Street, as potential wetland habitats (Map 7). The Army Corps of Engineers regulates all activities that occur or are proposed within or near a potential wetland area. The Sherman Street area wetland is an extension of a larger area of wetlands situated outside the Village, in the Town of Hartland. These wetlands are a remnant of the former Mill Pond that once existed in this area. The current land use in the vicinity of these wetlands is residential and open space. There are no State-designated wetlands within the Village limits. There are also no State-designated Significant Coastal Fish and Wildlife Habitats identified within the Village boundaries. In addition, no aquifers underlie the area.

The headwaters of Jeddo Creek are located within the Town of Royalton, south of the Middleport Reservoir. As it passes on its course north through the southeastern portion of the Village, the creek is channeled through a large culvert under the railroad tracks located north of Francis Street. The Creek resurfaces on the north side of the tracks and continues north to Church Street where it is again diverted through a culvert under this roadway. At the Erie Canal, Jeddo Creek is directed approximately 50 to 60 feet under the canal through a 6-foot by 12-foot stone culvert. Jeddo Creek then flows north to Sherman Street and exits the Village through an area that is designated as a Federally protected wetland

(as noted above). As Jeddo Creek flows north on its route to Lake Ontario, it is utilized for irrigation by local farmers in the area.

A small tributary stream flows from the southwest into the Village and converges with Jeddo Creek. This stream has been channeled through a 30-inch drainage culvert along the full length of Francis Street into the creek. As indicated in Section K, below, this has resulted in stormwater drainage problems in this area.

## 2. Fish and Wildlife

According to NYSDEC records, no threatened, endangered or species of special concern have been identified within the Village. The United States Fish and Wildlife Service also indicated that no endangered or threatened species were found in the Erie Canal or Jeddo Creek (Chris Lowe, USFWS, 10/13/99). From November 1998 to May 1999 the Fish and Wildlife Service identified several types of fish near the Village of Gasport. Due to Middleport's proximity to Gasport, it can be assumed that these species are common in the Middleport area as well. They include: Large and Small Mouth Bass, Suckers, Black Crappy, Johnny Darter, Blue Gill, Northern Pike, Pumpkin Seed (Sunfish), Gizzard Shad and Carp.

In 1996, a study was initiated to restore Atlantic salmon to the Johnson/Jeddo Creek system. One thousand eight hundred tagged pre-smolt Atlantic Salmon (approximately 6.4 inches) were stocked in the West Jeddo Creek area at Mill Road, in the Village of Middleport. In addition, Atlantic salmon fry (approximately 30 mm to 1.2 inches) and Atlantic salmon pre-smolt were stocked throughout the Johnson/Jeddo Creek system (US Fish and Wildlife Service, 1996). Currently, the U.S. Fish and Wildlife Service is working with other governmental agencies to determine if these Atlantic salmon will survive.

Due to the large quantity of mayflies found along the bottom of the Erie Canal, it was determined by the USFWS that the Erie Canal has good water and soil quality. In addition to the above information, Mr. Lowe stated that the following species were identified within Jeddo Creek: Green Side Darter, Fan tailed Darter, Sucker, Rock Bass, Blue Gill, Minnows Creek, Chubs, and Daces.

## K. Flooding and Erosion

The Village of Middleport contains flood zones that have been designated by the Federal Emergency Management Agency (FEMA) as areas subject to flood hazards. These areas or flood zones are depicted on the FEMA Flood Insurance Rate Maps developed for the Village. The flood zones are established based upon the degree to which an area is susceptible to flood damage. The three general flood zones that exist within the Village include:

- "A" Zone – (also called the area of special flood hazard) is that area of land that would primarily experience still water flooding, without significant wave activity, during the 100-year storm;
- "B" Zone – those areas that fall between the limits of the 100-year flood and the 500-year flood, or certain areas that are subject to 100-year flooding with average water depths of less than one foot or where the contributing drainage area is less than one square mile (B Zones also include areas protected by levees from the base flood);
- "C" Zone – areas of minimal flooding.

These natural flood zones or plains are flat areas that surround streams and are periodically inundated with water due to overbank flow. As shown on Map 7, Jeddo Creek and the tributary to Jeddo Creek are surrounded by 100-year floodplains. These floodplains are relatively wide and extend out a few hundred feet in certain areas. There are minimal areas of B Zone in the Village, which fringe the A Zone areas that are located south of the railroad tracks. Most of the land area in the Village is designated as C Zone.



The most extensive areas of floodplain in the Village are situated in the vicinity of Francis Street and south of Telegraph Road. The drainage culverts that have been installed along Francis Street and Kelly Avenue are undersized and cannot accommodate stormwater runoff from heavy rainfall events. As a result, localized flooding occurs along Francis Street. The drainage lines in this area must be upgraded to eliminate this flooding problem. The Village is currently exploring potential sources of funding assistance to mitigate this problem. Although the 100-year floodplain borders Jeddo Creek and its tributary stream, no other known flooding conditions exist within the Village.

Development in the floodplain in the Village of Middleport is regulated under Chapter 102 of the Village Code -- Flood Damage Prevention. Chapter 102 was adopted in response to revisions to the National Flood Insurance Program (effective October 1, 1986) to establish and maintain eligibility for flood insurance coverage for Village residents. This law is designed to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas, as designated on the Flood Insurance Rate Maps. Pursuant to Chapter 102, any development action that is proposed within the regulated flood zones requires a permit from the Zoning Enforcement Officer in the Village and must be in compliance with the standards outlined under the law.

As discussed in Section C.2, a spillway has been constructed along the south wall of the Erie Canal, west of the lift bridge. This spillway conveys water from the canal to Jeddo Creek to control the water level in the canal and reduce the potential for flooding in the immediate vicinity. In the event of extreme flood conditions, a sluice gate has also been installed to allow for the discharge of increased volumes of water to Jeddo Creek.

There are no known erosion problems in the Village. The banks of the Erie Canal are fortified with a seawall and stone revetments so erosion along this facility is not a problem. Although the overall integrity of this wall is intact, there are locations where spalling and weathering are occurring. This has resulted in large cracks and gaps in the wall that currently present a public safety hazard and could lead to more extensive deterioration and structural problems in the future if weathering continues without repair.

Erosion is not a significant problem along Jeddo Creek. The banks of this creek are fairly well intact, and no problem areas have been identified in the Village. The Basket Factory marina has no erosion protection. The shoreline of this area is heavily vegetated and it does not appear to be experiencing erosion problems.

## **L. Environmental Hazards and Constraints**

In response to a Freedom of Information Act request, NYSDEC searched the Region's Solid Waste, Environmental Remediation, Spills Management and Solid and Hazardous Program files to identify spill sites in the Village of Middleport. Thirty-five spill sites were identified within the Village. Thirty-one of these sites are in compliance with New York remediation requirements and the remaining sites are small and minor in nature (e.g., small gasoline spills or tank leaks). Extensive records were found for the FMC Corporation.

The FMC Corporation, which is currently a formulation and packaging facility, is located on 91 acres in the southeastern portion of Middleport. This facility manufactured lime, arsenic and lead based pesticides, sulfur dust, dinitrocresol, dithiocarbamate pesticides, M-4 thickener, carbofuran, and karbutilate (CRA, 1999). During the course of operations, constituents of arsenic, lead and other chemical compounds were released, via air and water transmissions, into the surrounding environment. Since 1985, no pesticides are manufactured at this location.

A draft FMC RCRA Facilities Investigation (RFI) was prepared for the FMC Corporation site to determine the nature and extent of releases of hazardous waste or hazardous constituents from all sources at the facility (Conestoga-Rovers & Associates - CRA, 1999). As detailed in the RFI report, numerous soil and water samples were taken throughout the Village of Middleport to determine the full extent of contamination. As shown in Table 1, many of the properties surrounding the FMC Corporation facility were found to be contaminated. In addition, contaminants were discharged to Jeddo Creek through a drainage culvert. Table 1 indicates areas where contaminants were identified at levels that exceeded the screening criteria. Please note that this table does not



represent all samples taken from the areas with contamination, but only those that had contaminant levels above the soil, sediment, groundwater and surface water screening criteria.

According to NYSDEC, higher contaminant concentrations have been identified in a few sections of Tributary No. 1 to Jeddo Creek (also known as Jeddo Creek) (M. Hinton, NYSDEC, October 7, 1999). These concentrations are due to a decrease in velocity, which has allowed settling to occur. According to the CRA report, over the past 30 plus years, FMC has implemented a variety of operational, interim and final corrective measures to mitigate environmental concerns identified during a number of investigations dating back to 1973. These remedial activities have had some positive impacts on the environment. Many of these activities have limited the potential for human exposure to site-related chemicals in soils on and off the site, sediments in Jeddo Creek, surface waters, and groundwater. The Village has been dealing with the problems at the FMC site for many years now and is fully aware of the extent of these problems. They support the actions of the NYSDEC in mitigating the environmental hazards and do not consider the continued use and operation of the FMC site a threat to public health or safety.

**TABLE I**

Areas Sampled	Primary Contaminates Found Above Soil Screening / Sediment Screening Criteria	Primary Contaminates Found Above Surface Water Screening Criteria	Primary Contaminates Found Above Groundwater Screening Criteria
<b>OFF-SITE</b>			
Northwest Conrail Property	Arsenic and chlorinated pesticides		
FMC Surrounding Properties	Arsenic and lead		
Culvert 105	Arsenic and chlorinated pesticides		
Jeddo Creek (also know as Tributary No. 1 to Jeddo Creek )	Arsenic and chlorinated pesticides		
Jeddo Creek (in Orleans County)	Arsenic		
<b>FMC CORPORATION (ON -SITE)</b>			
FMC Corporation	Ethylene thiourea (ETU), chlorinated pesticides, arsenic and lead	Arsenic	Ethylene thiourea (ETU), total ammonia, methylene chloride and arsenic

## **M. Summary of Issues and Opportunities**

### **1. Issues**

- There is a need to better promote tourism in the Village through the implementation of shoreline improvements and the provision of additional public amenities. The lack of sufficient public restrooms and other such amenities is prohibitive to tourism.
- Tourism improvements should focus on the "active" canal season, when bicycle and canoe rentals and other shoreline improvements will benefit the public most.
- There is a need for additional public parkland and passive recreational opportunities in the Village. There is also a need to improve certain publicly owned lands to enhance existing recreational opportunities. The Village needs to examine how certain public lands can be better utilized, and how some privately owned lands in close proximity to the canal could be acquired to improve recreational opportunities and public access.
- There are no bed and breakfast establishments in the CBD or in close proximity to the canal. Bed and breakfast establishments and other such places of lodging for boaters and upland visitors alike are beneficial for boosting tourism.
- The Zoning Ordinance and site plan review regulations are the primary means of land use control in the Village; there are no adopted subdivision regulations. To properly guide the development of the large areas of open space in the northern section of the Village or other redevelopment actions in the area, the Village will use its site plan review regulations. Subdivision activity in those areas will also be regulated by the Planning Board in accordance with Village Law 7-728 for Subdivision Review, Approval of Plan and Development of Plat Fields.
- The Canalway Trail and the adjoining pocket park areas, as well as the greenspace corridor along the south side of the canal, lack adequate amenities such as play equipment for children, protective shelters for inclement weather, benches and other such useful items. These types of improvements are necessary to enhance public use of these areas.
- The Canalway Trail is interrupted at the lift bridge, where users must exit the path to cross Main Street. The crosswalk in this area should be striped with paint and signage should be affixed to the bridge to alert motorists on Main Street of the location of the crosswalk and the potential movement of pedestrians and bicyclists.
- The real estate market in Middleport is stable and land and commercial space are inexpensive. However, the CBD has a high commercial vacancy rate. Provisions must be made for the reuse and/or redevelopment of underutilized properties in the business district.
- With such a high number of historically significant structures clustered in close proximity to one another in the CBD, it is recommended that this area of the Village be designated as an historic district. This

would afford these structures more prominence and protection with regard to reuse and redevelopment. There are currently no standards or restrictions in place to protect the historic significance of these structures.

- There is a need to address the inflow and infiltration problem that impacts the wastewater treatment plant in order to improve water quality in Jeddo Creek.
- The drainage culverts along Francis Street and Kelly Avenue are improperly sized, resulting in flooding during heavy rainfall events. This infrastructure must be upgraded to eliminate localized flooding.
- Jeddo Creek and the Erie Canal are classified by NYSDEC as Class C waters. The best usage for Class C surface waters is fishing. Although these waters are suitable for primary and secondary contact recreation, their use is limited for these purposes.
- The lift bridge operator rotates between the bridges at the Village of Middleport and the Village of Gasport. This lack of presence at the Middleport bridge affects the use of the canal, and better coverage is required. The State Canal Corporation should address this issue.
- Portions of the scawall along the canal, particularly in the vicinity of the lift bridge, are deteriorating and in need of repair. There are locations where spalling and weathering have occurred resulting in large cracks and gaps in the surface area. This presents a public hazard and should be addressed by the State Canal Corporation, who is responsible for canal maintenance.
- Improvements should be made to accommodate rowing activities along the canal. This would benefit the high school as well as local rowing clubs and enthusiasts. Rowing is a sport that is increasing on the canal and Middleport should be involved in improving opportunities for this activity.
- To improve pedestrian activity in the Village sidewalks should be installed in the vicinity of the CBD, where they currently do not exist. Sidewalk improvements should also be undertaken, where required, to improve public safety.

## 2. Opportunities

- Local roadways in the Village carry minimal volumes of traffic. This condition allows ample opportunities for bicycling and walking. Route 31 is a designated bikeway that provides access to the Canalway Trail. These opportunities should be better promoted.
- The CBD offers an adequate amount of parking, including both curbside and off street lots. The streetscape is also designed at a pedestrian scale that induces sidewalk commerce. The future addition of benches in this area will improve these opportunities.
- There are currently a number of open space areas along the canal to serve visiting boaters. Many of these areas are within walking distance of the CBD.

- The Village DPW garage is currently located in close proximity to the canal, in an area that provides public open space. The Village will investigate feasible options for the long-term relocation of this facility to enable this area to be more effectively utilized for waterfront recreation.
- The Village of Middleport should collaborate with the State Canal Corporation on waterfront improvement projects along the right-of-way area in an effort to secure grant funding for project implementation.

# REGIONAL SETTING

## MIDDLEPORT, NEW YORK

MAP 2



L A K E O N T A R I O

VILLAGE OF  
MIDDLEPORT

NIAGARA COUNTY

ORLEANS COUNTY

ORLEANS COUNTY

GENESEE COUNTY

NIAGARA COUNTY

ERIE COUNTY

ERIE COUNTY

ERIE COUNTY

NIAGARA RIVER

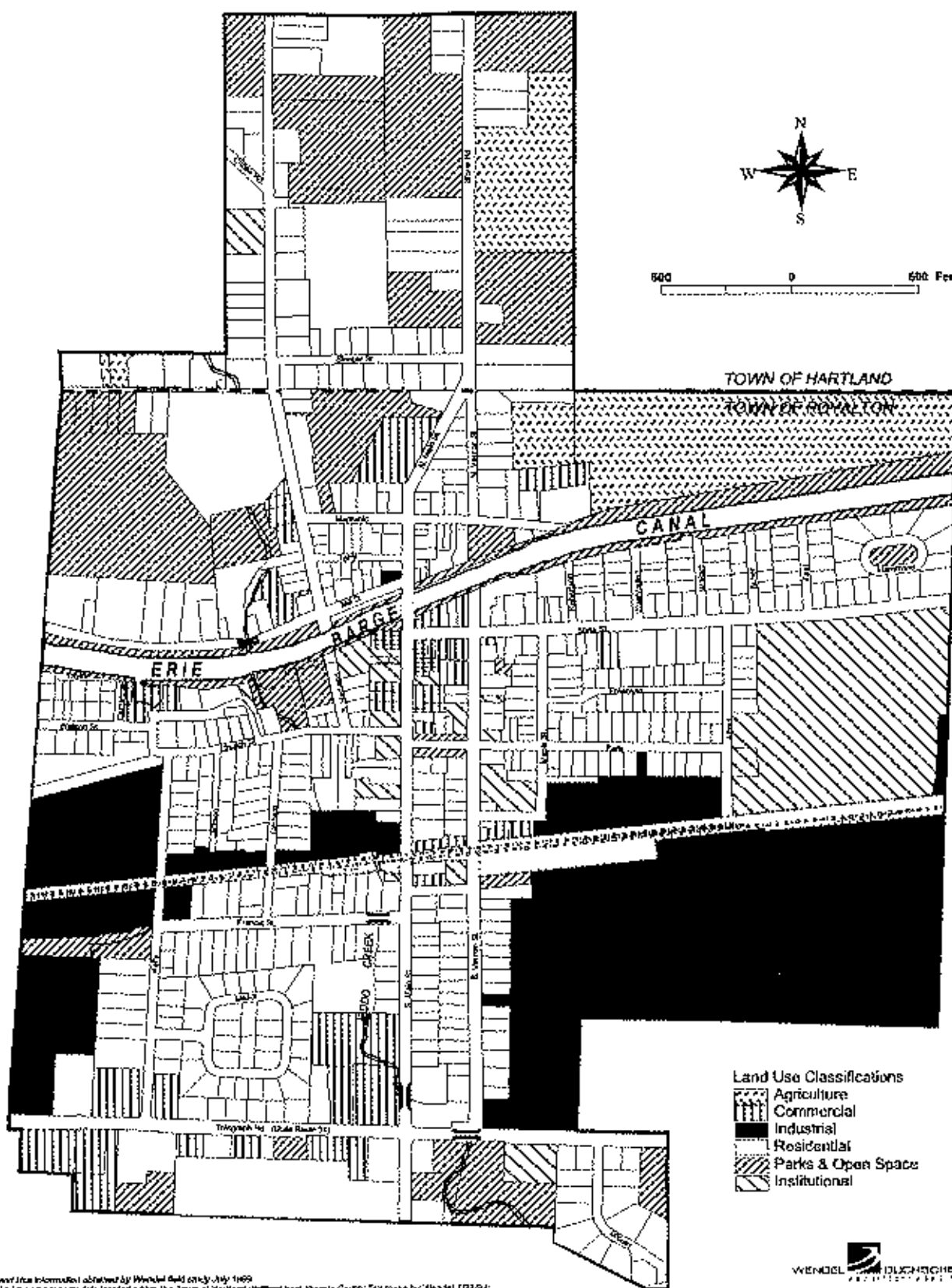
WENDEL DUCHESNEAU

January 2000

5 0 5 Miles

# VILLAGE OF MIDDLEPORT EXISTING LAND AND WATER USES

MAP 3



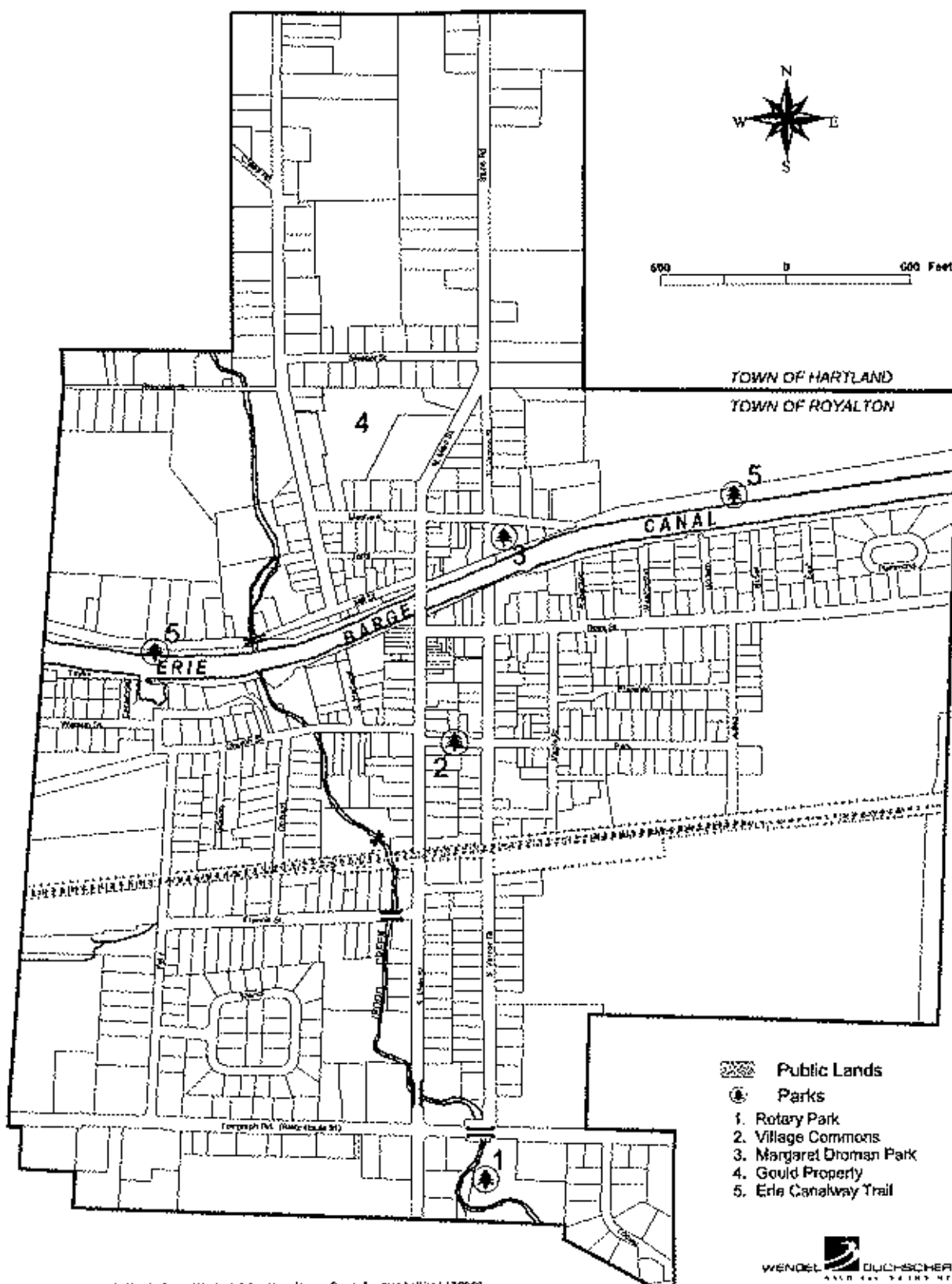
Source:  
Aerial photography information obtained by Wendel Field study July 1999.  
Village of Middleport property data located within the Town of Hartland obtained from Niagara County Tax maps by Wendel 1999/04.  
Village of Middleport property data located within the Town of Royalton obtained from Niagara County Tax maps by Wendel 1999/04.  
Village of Middleport property data located within the Town of Royalton obtained from Niagara County Tax maps by Wendel 1999/04.

**WENDEL** **DUNN**  
ARCHITECTS  
January 2000

Map 3 - Existing Land and Water Uses

# VILLAGE OF MIDDLEPORT PUBLIC LANDS

MAP 4



Courtesy:  
Village of Middleport property used located within the Town of Maryland digitized from Niagara County Tax maps by Wendel 7/22/99.  
Village of Middleport property used located within the Town of Royalton obtained from digital tax parcel data 7/22/99 provided by Niagara County Real Property Services.

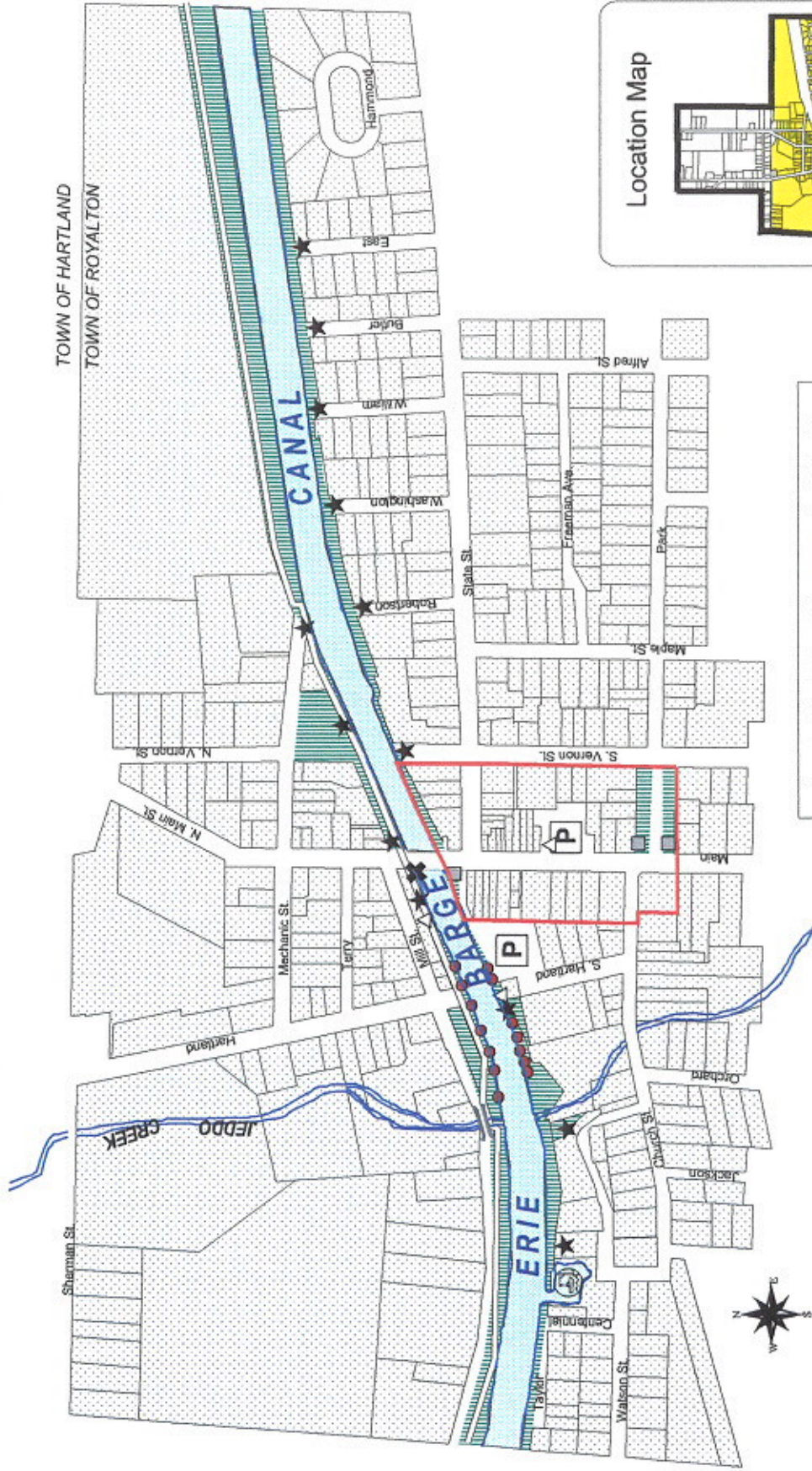
**WENDEL DUCHSCHERER**  
LAND AND WATER DESIGN

January 2000

Map 4 - Public Lands



# VILLAGE OF MIDDLEPORT WATERFRONT AMENITIES AND RESOURCES



Location Map



Local Information & Events Panels	Central Business District
120 and 220 AC Electric Hookups	Becker Factory Marine
Off-Street Parking	Vessel Waste Pump Out
Erie Caniney Trail	Known Points of Access
Building Piers	Local Monuments

500 0 500 Feet



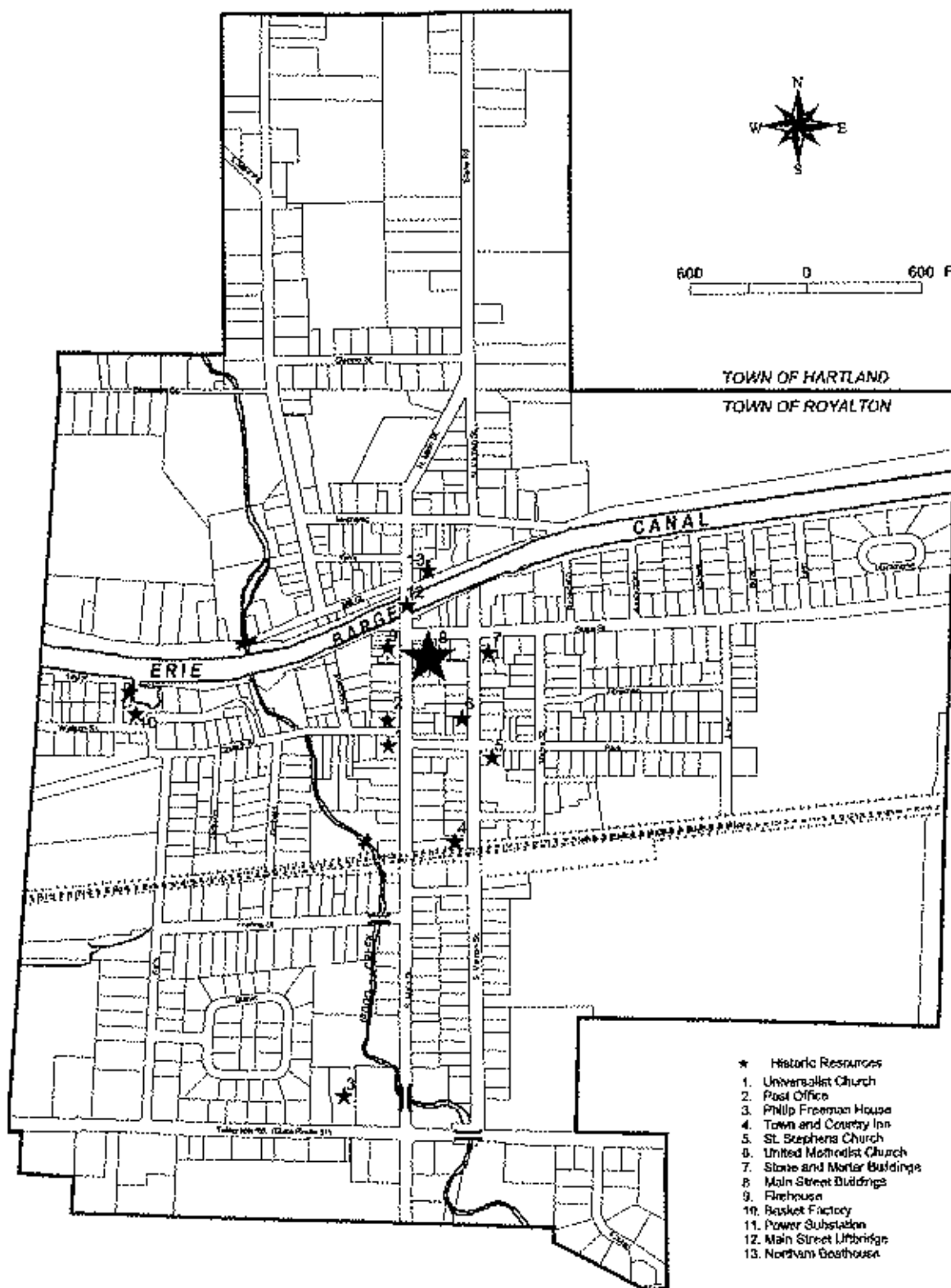
**WENDEL**  
ARCHITECTS + PLANNERS  
DUCHECHER  
ARCHITECTS + PLANNERS

Source:  
Local information obtained through Wendel's field study July - August 1999.  
Village of Middleport property data located within the Town of Royalton obtained from digital files current to 1/25/99 provided by Niagara County Real Property Services  
January 2000



# VILLAGE OF MIDDLEPORT HISTORIC RESOURCES

MAP 6



Source:  
Village of Middleport property data located within the Town of Hartland obtained from Niagara County Tax maps by Wendel 7/22/99.  
Village of Middleport property data located within the Town of Royalton obtained from digital data dated to 7/22/99 provided by Niagara County Real Property Services.

WENDEL  CHAMBERLAIN  
LAND USE CONSULTANTS

January 2004

## MAP 7



WENDEL DUCHSCHERER  
ARCHITECTS INC.  
January 2000

*Map 7 - Development Constraints*