

**Dryden Agriculture Advisory Committee  
January 10, 2018**

**Members Present:** Evan Carpenter (Chair), Kim LaMotte, Steve Foote, and Brian Magee (came in at 7:55 p.m.)

**Liaisons:** Craig Schutt, Jeremy Sherman (came in at 7:55 p.m.)

**Guests:** Tyler Beck, Kelly Ritter, Marie McRae, and Monika Roth (Cooperative Extension)

The meeting was called to order at 7:35 PM.

The committee reviewed David Weinstein's comments on the Agriculture & Farmland Protection Plan (document attached). The following was discussed:

ITEM

- #1 Should not prohibit owners from selling prime agricultural land
- If a non-agricultural activity is started up, the owner would be responsible for paying back the amount that was from the Ag assessment savings
  - Data needs to be accumulated to see if it is an issue

ITEM

- #2 Non-issue due to the fact that most of the plan requirements are required by Ag & Markets
- Dryden Zoning needs to be brought up-to-date
    - M. Roth stated that was the opinion of George Frantz, a consultant that was hired to look into this and that this should be stated
    - It was stated that this Plan is only a suggestion for the Town, not a law
    - This Plan was put together to keep in concert with the State Agricultural guidelines

ITEM

- #3 M. Roth said that information on PDR's was derived from actual surveys. The Town of Ithaca has done funding for this and she'll find out more about this. More discussion is needed on this subject

ITEM

#4

**Issues to be addressed:**

- Zoning recommendations
- Funding (need clarification)
- Maps
  - Maps need to be more farm specific
  - Need to remove the forested land and the developed land and look at land that has state-wide significance that is still actively farmed
  - There would be some cost involved with updating the maps

- Overlay map, showing active farms
- Identify class 1 and class 2 soils

ITEM

#5 Housing

- Pg 32-45 of the document submitted by the consultant addresses this issue
- Needs to be reviewed line by line

The committee also reviewed Jim Skaley's comments on the proposed Agricultural and Farmland Protection Plan. The document is attached.

M. Roth stated that she has a group of Law students wanting projects that they could do research on to help communities with. Perhaps she could have them do some research on TDR's so that we'd have a more complete overview of the system. They could investigate where it is being done and how well it is functioning. She said the only place she's ever heard of it being used is in Maryland. In theory it sounds like a good idea, but it seems very cumbersome and costly. She feels that it's not an effective mechanism for farmland protection.

Currently the proposed Agriculture and Farmland Protection Plan is supposed to be discussed at the Town Board meeting on January 18<sup>th</sup>. The public hearing on this issue was left open. The Ag and Farmland Board has endorsed the plan.

K. LaMotte asked for an update on the Ag District Training that was going to be scheduled. M. Roth said they don't have an actual date, but will probably be in March. The training will be for credit, if anyone needs it.

It was brought up that perhaps the Town Board should be asked to identify what they don't like about the proposed Agriculture and Farmland Protection Plan.

The topic of elevating the Agriculture Committee to an actual Board was discussed at the last Town Board meeting, but it wasn't approved. M. Roth said she would gather some information on what procedures need to be in place to proceed.

C. Schutt said he's been a liaison for this committee from the Conservation Board, but if they'd prefer to have a new one, that's fine. He said he's not looking to leave but thought he'd put the option out there.

A motion was made stating that Craig Schutt remain as liaison.

K. LaMotte seconded the motion and the motion passed unanimously.

It was brought up that maybe someone from this committee should be a liaison to the Planning Board.

For the next meeting perhaps should review the zoning issue  
It was brought up about the importance of signage. It should be everywhere.

At the next meeting maybe could review the zoning and make comments and choose a couple of other items to work on.

M. Roth said "Open Farm Days" will be held again this summer (in August). Anyone who wants to have their farm open is eligible. It would be nice to feature a few Dryden farms.

M. Roth said that the "Winter Crop Meeting" will be held on January 24<sup>th</sup> from 10:15 am - 3:30 pm at the Ramada.

Need to somehow get the Ag District information out to the general public. There is a brochure the State has; the brochure could be put in town offices. In prior years info was sent out to everyone in an Ag district, but that no longer is done.

K. Ritter reported that the Farmer's Market at Agway this past year had several new vendors (ran through the end of September).

There being no further business, the meeting was adjourned at 8:55PM.

Respectfully submitted,

Diane Michaud  
Deputy Town Clerk

From: David Weinstein

Re: Comments on the proposed **Agriculture and Farmland Protection Plan** To: Dryden Town Board and Planning Board  
Dec. 19, 2017

Dear board members,

I have reviewed the Agriculture and Farmland Protection Plan. My comments are included in three documents:

- General and most important comments included below
- Attached comments in the margin on the draft plan itself, including grammatical and spelling corrections; and
- Attached comments on each suggestion made for zoning changes in the section “Zoning Law Analysis and Recommendations, pages 32 to 41.

General comments:

This document is an excellent contribution, rich in data, analysis, and ideas. The overall idea that we should ensure that a wealth of mechanisms exist to help farmers stay in business and their land stay in crop productivity should remain a guiding concept for Dryden. However, before it is added as an official town planning document, several statements and recommendations should be modified to remove confusion and conflicts with other planning documents of the town.

1. Many of the recommendations are geared toward allowing farmers to engage in practices, including the selling of farmland, that could help them stay financially viable. However, it doesn't seem to make sense that there is no prohibition about farmers selling prime agricultural land when a large number of other

zoning changes are suggested to prohibit uses that might shift agricultural land out of production into other uses. Any proposed use that takes significant amounts of agricultural land out of production should be discouraged, whether it is initiated by a farmer or a developer.

In addition, no mention is made that selling farmland could conflict with other farmers ability to efficiently utilize land. In addition, the selling of farmland for residential development could directly conflict with the Dryden comprehensive plan's vision for where growth should be directed within the town.

2. This plan advocates eliminating the requirements that farmers seek town approval for many new land uses that might loosely be called agriculture-related so that they do not have to do the paperwork to justify how such an activity would have only positive impacts on the surrounding community. However, it is not unreasonable for the town to have some ability to review proposed agriculture-related activities through the SUP process to judge whether they might have major detrimental effects on the surrounding community. Most ag-related enterprises would have no trouble easily getting this permit. There is a large difference between site plan approval and special use permit approval.

3. The conclusion that few farmers are likely to seek PDRs needs to be supported. As the price of farmland increases, so has the value of land for development. The Finger Lakes Land Trust reports that there are an increasing number of farms that are trying to get into the State PDR program. Is it just their perception that the sale of development rights is not worth it, or is it well-founded?

4. I am all in favor of the town's advisory boards developing a map of possible non-agricultural solar installation sites, but this map must go beyond a simple identification of where large parcels of non-agricultural land exist to incorporating an assessment of where opportunities exist to hook into electric lines and substations with available capacity at a cost that would not be prohibitive to the solar farm applicant.

5. The town should be very careful in allowing farm-worker housing in many areas that are not on or adjacent to the farms themselves. I understand the substantial need for housing for farmworkers, but once this housing is not located on or adjacent to the farm, giving it a blanket permit in all areas of the town runs the risk of allowing all manner of housing without much review all over the place. Such dense land uses might serve the farms, but might not fit in well with the community character in many of the areas of our town. We have to avoid forgetting about all the other variables we consider in appropriate planning in a rush to make sure we help the farmers.

6. There is an expressed fear that senior care facilities could be built all over and take farm land out of production. While I agree that these would best be sited in denser areas, the growing need for these facilities in the future would argue against excluding any areas. In the course of town review, concerns for productive farmland conversion could be used as a major reason for declining an application. Since these facilities might be large and therefore could compete with farms for land, it might be appropriate to exclude them from RA.

Skaley Comments on Ag Report:

I concur with the comments by David Weinstein as well as the various edits by both David and Moseley.

My most significant comment would be regarding a revision of the RA zone. If the purpose of this Ag report is to promote the protection and viability of farmlands than it is important to consider the soils that the most productive farms rely on. As lots are sold off for non-farm uses from farm land where Class 1, Class 2 soils predominate, these soils are thereby lost to agriculture. The Assessment Department in assessing taxes on Ag lands does so based on soil productivity making those lands more valuable than is the case in less productive areas (see attachment). Therefore, it would benefit farms if lands with these soil types were rezoned into a RAp zone indicating prime soils and then limiting the kinds of uses other than farming with some exceptions as allowed by SUP. The mapped soils on p. 55 suggests most of the Town has soils of statewide significance. I would suggest that it be redrawn to delimitate Class 1 and Class 2 soil types for purposes of rezoning these lands. Other soil types and farm lands maybe suitable for livestock etc. should remain in the broader RA zone.

In addition, the Town should consider being receiver and the holder of Ag conservation easements wherein development rights could be sold to developers based on a Transfer of Development Rights (TDR) concept thereby directing future development to designated receiver zones such as primary nodes. This may require inter-municipal agreements with other municipalities to develop receiver zones and other Towns such as Lansing and Groton who have significant farmlands. Both rezoning of prime soil farmlands and AG conservation easement should limit pressure on these areas and also limit tax assessments given the limited number of uses.

RR zones should be evaluated to determine if they are promoting/contributing to rural strip development and possibly impacting adjacent agricultural lands. To the extent that RR zones promote rural sprawl, it may be desirable to restrict zone boundaries especially where there are water/sewer restrictions due to topography and/or soil conditions.

Regarding leasing of farmlands for solar farms, I do concur that it is important that NYSEG provide the data to show where potential solar hook ups for large arrays is possible. With the changing demographics in the farm community leasing lands for solar provides additional income to farmers who otherwise may choose to sell lands. Long-term leases may provide a more stable environment that would ensure these lands would remain viable for future farming activity. Therein, I would suggest that solar farms be allowed in RA with SUP.