

Dryden Agriculture Advisory Committee
March 14, 2018

Members Present: Evan Carpenter (Chair), Kim LaMotte, Brian Magee, Steve Foote, and Jeremy Sherman

Liaisons: Craig Schutt

Guests: Bryan Magee and Paul Lowry, both Cornell Law Students

E. Carpenter called the meeting to order at 7:40 PM.

E. Carpenter asked the two guests if they'd gone over the zoning laws and other information in the Ag document. Bryan Magee said that they had, and he explained that as part of a class they're taking (Law & Policy of Food Systems); they've been assigned to partner with a community to do a project. Basically, they're looking over the zoning plan, making general comments on it regarding anything they see that might be changed, any potential effects down the road that these changes might have. He said they met with Ray Burger earlier to get an overview on some of the issues. They also met with George Franz at Cornell on Monday. They are still in the early stages; they've been familiarizing themselves with the plan and the basic changes that will take place. They're focusing in on a few issues:

- Zoning changes (that take out permitted uses in the agricultural zoned land)
- Definitional issues

They want to know anything the Committee would like to have looked at in particular

K. LaMotte asked if they'd compared the Agricultural & Farmland Protection Plan with Ag & Markets as to how they define things. Some zoning issues, from an Ag perspective are different than general town or municipalities definitions. Also, when a special use permit is required and not required. Bryan Magee said it's something they've been acclimating themselves to, but a comparison between the two hasn't yet been done. As we go along and think about definitions, in particular, he thinks that would be a great starting point.

E. Carpenter said they, the Committee, were in contact with Ag & Markets, specifically regarding some zoning laws that they felt we, the Town of Dryden, were not in compliance with. They submitted our zoning laws to Ag & Markets; they reviewed them and sent back recommendations on where zoning should be adjusted to comply with Ag & Markets. K. LaMotte said that the comments from Ag & Markets, the Town Planner at that time didn't agree with and decided to leave things as they were, and when an issue was brought up by a citizen, it'd be addressed at that time, as opposed to making it compliant to begin with. Fortunately, we've moved on from there. Bryan Magee asked how much of that has been implemented into the plan. E. Carpenter said nothing has really changed as far as the zoning laws. The recommendations are in the document as an appendix. C. Schutt said there is some info in the plan regarding definitions, one of which is farm worker housing that needs to be in there. Bryan Magee said that was something George Frantz had mentioned. E. Carpenter said that he believes the way the zoning is currently, you are not allowed to build a duplex in a rural

agricultural zone. You can convert an old farmhouse, but not build a multiunit dwelling. C. Schutt said the problem about not having farm worker housing designed, according to our zoning you can't have more than three people that aren't related in the same house. On larger farms, there could very easily be more than that and if someone complained, the Town would have to take some kind of action. This needs to be straightened out so that it's a permitted use and defined as to how it's permitted. Bryan Magee said they'd definitely look into that. Lot size was another issue that was brought up.

Bryan Magee asked the committee what the short term goal is to keep the good land in farming. By taking some permitted uses out of the RA zoned land, what is your perception as to how that affects property values on farms? Do you think that is a detriment to using the farm land perhaps as leverage for taking loans; building equity in the property. Are there other long term effects, specifically the property values that you think would be derived from taking these permitted uses off? E. Carpenter said with the purchase of development rights where it was happening in other areas around the country, down state and in Pennsylvania, and some here, he looked at what happened in the New York City area watershed, Delaware County and such. They were selling development rights in that area to try to keep the land rural as opposed to housing developments because housing tend to put more pollution into the ground water and surface water which is where everyone down in the city is getting their drinking water. The New York City Water Authority was buying up the development rights on several parcels. National Bank and Trust Company of Norwich, that does a lot of Ag mortgages in the areas, found that Ag values of their portfolios actually went up. This was because others were coming in knowing they could purchase a parcel of land knowing that the area next to them would remain as farmland so they wouldn't be feeling the urban pressure, suburban pressure, or whatever next door to them. There is a State program that deals with this. C. Schutt said that one thing that's happened here is the larger farms have expanded and grown, so there's been competition for the good Ag land which has driven the price of the Ag land up, too. It was also mentioned that when realtors sell land in Ag areas, usually they aren't up front with the buyers as to what rights the farm has to farm 24 hours a day. Dryden is a right-to-farm township and there are laws to that effect. At the closing of your property, you sign yes, that you acknowledge the surrounding farm rights and some buyers have no idea as to what they're signing.

K. LaMotte asked the Cornell Law students if when they looked over the plan, if they thought the Committee was trying to take permitted uses out of Ag areas. Bryan Magee said that was his impression. K. LaMotte said their goal was to protect Ag but not to wipe out other stuff. S. Foote spoke about the five acre lots minimum imposed by the Town, and it would be nice to bring that down as much as possible. Bryan Magee mentioned the sections where he got the impression that they were trying to restrict permitted uses. K. LaMotte asked if that was the section G. Frantz did, because the committee never went through that section thoroughly and didn't discuss any of those. They didn't get into the zoning much at all. Once the Town agrees that this is the blueprint, we as a committee, will deal with the zoning issues next. Paul Lowry spoke about item #10 on page 34 regarding dwellings. A discussion ensued about different types of housing, farm housing and boarding houses, and how they really aren't the same thing. Bryan Magee asked if the committee felt G. Frantz's comments/suggestions were too

broad; that's the perception he's getting. K. LaMotte said that several of the items, they don't want to get involved with. They just want to be able to operate freely within Ag & Markets guidelines. E. Carpenter said as a committee, they do not want to be restricting property owner's rights.

B. Magee asked if they were going to talk about tomorrow evenings meeting with the Town Board. E. Carpenter said we don't have any information to look over, so it's difficult to have any discussion. K. LaMotte asked if they are going to pass the Plan as is, or have they made changes.

K. LaMotte made a motion to pass the following resolution:

RESOLUTION #1 FOR 2018 from the Dryden Agriculture Advisory Committee to the Town Board regarding the Agriculture and Farmland Protection Plan Document.

Whereas the Committee previously presented the Town Board with a copy of the Plan as revised and dated on February 14, 2018,

And Whereas the Committee has received no feedback regarding said document

Therefore, the Dryden Agriculture Advisory Committee recommends that the Dryden Town Board adopt the Agriculture and Farmland Protection Plan as revised February 14, 2018,

However, if changes are made the Dryden Agriculture Advisory Committee would like to go over any and all changes made to said document prior to its adoption.

Motion was seconded by J. Sherman

Unanimously passed

S. Foote said getting this process has been an up-hill battle all of the way; it seemed like they'd take three steps forward and four back. K. LaMotte stated that when an actual document was presented, it had been a fight to get items in the document agreed upon. The Committee received very little feedback, it was just torn apart. E. Carpenter said he thinks at the first meeting they had after becoming an official sanctioned committee they submitted a resolution asking the Town to apply for a State Ag Markets grant so they could do this, and they were shocked that our committee hit the ground running that fast. S. Foote said that they wanted to overlay the NYS Ag Laws. C. Schutt said that at last weeks' agenda meeting it was brought up about making this a Board again. E. Carpenter said that there's a misconception regarding the Committee as anti-solar; the Committee doesn't want to restrict anything. K. LaMotte said that they'd recommended some things be directed away from Ag land; not forbidden or prohibited. Bryan Magee said that he's glad to be here to hear this discussion; it's provided him with a different perspective. He said he thinks they can talk about how the zoning can be tweaked in Dryden such that we're not restricting things out of the RA zone land, but giving you the option

(bargaining position) to do with your land what you want to. K. LaMotte said that's the goal; never tried to tell anyone what they had to do or couldn't do. J. Sherman said that Ag & Markets law says we can, but Dryden doesn't recognize the Ag & Markets law. E. Carpenter said that someone on the Board asked what they were going to do to punish anyone that's not adhering to our wishes and he'd replied "We're not going to punish anybody". Tax breaks were discussed. S. Foote said it would be interesting to know the number of bigger businesses that come into townships that are given the 10 year tax break and are gone when the 10 year tax break is up. A farm, you plant it there and it's there forever.

There being no further business to discuss the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Diane Michaud
Deputy Town Clerk