Town of Wright Agricultural and Farmland Protection Plan

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Acronyms

AFT .....American Farmland Trust
CCE .....Cornell Cooperative Extension
COCS .....Cost of Community Services Study
CSA .....Community Supported Agriculture
4H .....Four Hands
NRCS .....Natural Resources Conservation Service
NSSH .....National Soil Survey Handbook
NYS .....New York State
NYSDAM .....New York State Department of Agriculture & Markets
NYDEC .....New York Department of Environmental Conservation
NYSERDA .....New York State Energy Research & Development Authority
SCPDA .....Schoharie County Planning & Development Agency
SCAFPB .....Schoharie County Agriculture & Farmland Protection Board
SWOT .....Strengths, Weaknesses, Opportunities & Threats
SUNY .....State University of New York
USDA .....United States Department of Agriculture

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Photographs: Laura Ten Eyck

EXECUTIVE SUMMARY

Wright is an attractive rural community located in Schoharie County between the Helderberg Mountain and the Schoharie Valley. Farming and the scenic open space agricultural land provides are what residents value most about their community. Although the Town has experienced scattered residential development over the last 20 years the majority of its farms remain intact and productive. In order to accommodate future development while ensuring that farming continues to be a viable enterprise, the Town has developed an agriculture and farmland protection plan. The goals of the plan are to:

Encourage the Town's Existing Farmers
Attract New Farmers and Cultivate the Next Generation of Farmers
Educate the Public about Agriculture
Retain a Critical Mass of Agricultural Land
Support the Development of New Economic Opportunities for Farmers

In order to achieve these goals the plan makes the following recommendations:

Goal I: Encourage the Town's Existing Farmers

1. Establish an agriculture committee.
2. Facilitate tax abatement.
3. Take full advantage of agricultural districts.
4. Strengthen the Town's right to farm law.

Goal II: Attract New Farmers and Cultivate the Next Generation of Farmers

II a

1. Direct farmers in transition to resources that will help keep land in agriculture.
2. Promote the Town as a good place to farm.
3. Form a farmers' cooperative.

II b

1. Support local agricultural youth groups.
2. Work with local schools to teach students about the importance of agriculture in the community.
3. Create an agricultural scholarship.

Goal III: Educate the Public About Agriculture

1. Develop a brochure for new residents about living in an agricultural community.
2. Hold a community "Farm Day Festival."
3. Establish an "Agricultural Awareness Week."
4. Conduct a local cost of community services study.

Goal IV: Retain a Critical Mass of Agricultural Land

1. Strongly encourage Town officials to receive training regarding land use planning and how it relates to agriculture.
2. Update Town land use regulations.

3. Review agriculture and farmland protection plan every five years and update as needed.
4. Educate buyers and sellers of property on how to minimize loss of farmland.
5. Cultivate farmer participation in local government.
6. Foster cooperation between the Town and not-for-profit land conservation organizations and state and county farmland protection initiatives.
7. Promote hamlet revitalization.
8. Study the viability of a term easement/lease of development rights program.
9. Obtain map of existing gas pipelines.

Goal V: Support the Development of New Economic Opportunities for Farmers

1. Encourage the operation of non-farm businesses based on working farms.
2. Foster the development of agricultural infrastructure and support the location of agriculture-related businesses in Town.
3. Promote agritourism and direct marketing.
4. Support on-farm development of renewable energy technology.
5. Provide information to farmers interested in exploring the option of hunting leases as an opportunity to increase farm income.

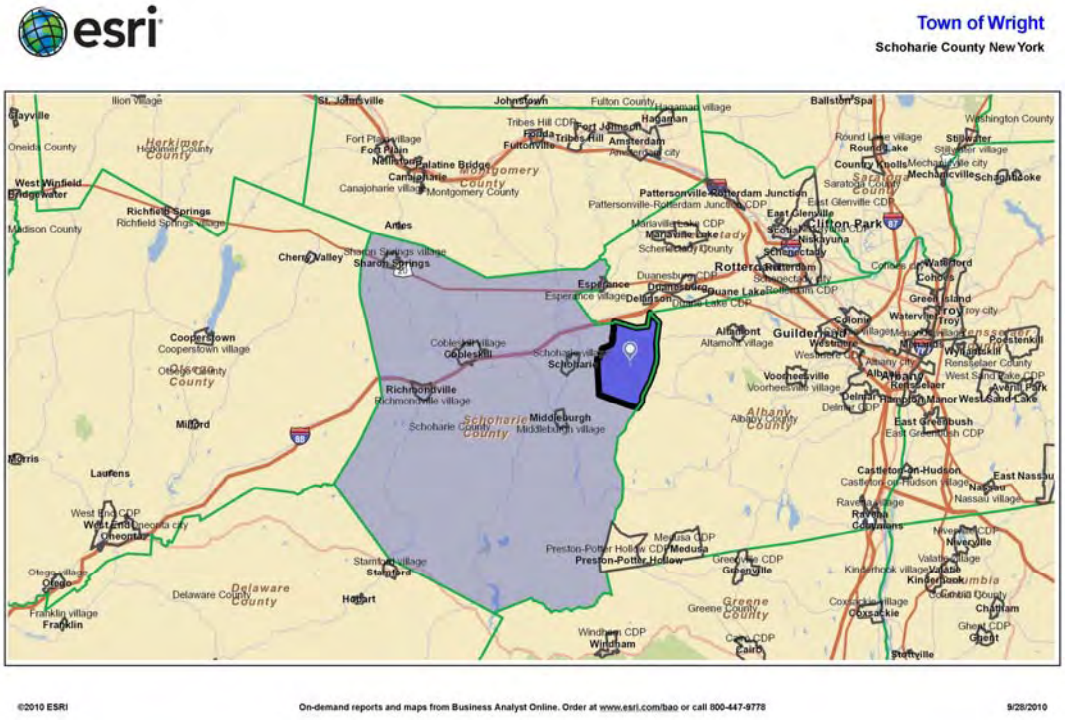
The implementation of this plan should take place over a five-year period. Suggested means of implementation are provided with each recommendation. A matrix prioritizing the recommendations and identifying parties responsible for implementation appears at the end of the plan. One of the first recommendations the town board needs to implement is the formation of an agricultural committee that will encourage and coordinate the achievement of the plan's goals. The Town can then begin to address recommendations the plan suggests be taken up in the first year, such as taking full advantage of the state agricultural district program, cultivating farmer participation in Town government and promoting and encouraging agritourism and direct marketing of farm products.

With the development and implementation of this agriculture and farmland protection plan the Town of Wright will be able to guide future development while supporting the business of agriculture and the continuing productive use of agricultural land.



INTRODUCTION

The Town of Wright abuts the western border of Albany County, a half hour drive from the City of Albany, the state's capitol. Tucked into the rolling hills where the Helderberg Mountain gives way to the fertile Schoharie Valley, the Town functions as an attractive gateway to Schoharie County. The Schoharie Valley is rich in farming tradition and Revolutionary War history and is a significant tourist draw. The Schoharie Valley Corridor was named as a regional priority conservation project in New York State's 2009 Open Space Plan for the Capital Region (Appendix A).



Map 1: Map of Town of Wright, Capital Region and Schoharie Valley

Its productive farms, hilltop vistas, creeks and ponds combine to make Wright an attractive place to live. The Town is small with extremely limited commercial development. Wright had a population of 1,547 at the time of the 2000 census. Agriculture is the foundation of the Town's economy--producing food, employing people and paying taxes. Wright's farms provide open space, buffer natural resources and protect water quality. Schoharie County's Agricultural and Farmland Protection Plan names the Town of Wright as one of the County's significant agricultural areas.

The purpose of a town agriculture and farmland protection plan is to provide information about the history and current status of agriculture in a town and plan for farming's future as the town grows. The intention of this plan is to balance a steady increase in residential development and the rights of individual property owners with the community's collective desire to remain a farming town. This plan establishes goals for sustaining agriculture and makes recommendations on how to achieve these goals. The

recommendations are offered as a guideline for town planning and the Town Board must approve any actions recommended by this plan before they can be undertaken.

By developing an agricultural and farmland protection plan the Town of Wright has positioned itself to remain a viable farming community as it grows in the future. Through strategies such as educating new residents about agricultural practices, supporting farmers with farm friendly land use policies, encouraging new agricultural opportunities, and guiding development away from working agricultural land, Wright intends to accommodate growth while continuing its agricultural tradition.



PLANNING PROCESS

In 2007 Wright applied for a grant from the New York State Department of Agriculture and Markets (NYSDAM) of $25,000 to assist in the development of a municipal agricultural and farmland protection plan. This funding is made available through NYSDAM's Agricultural and Farmland Protection Program which supports local efforts to protect agricultural land and ensure the economic viability of the agricultural industry.

Farming is vital to the health of New York State's economy, environment and communities. The importance of farmland is reflected in the New York State Constitution:

> *"the policy of this state shall be to conserve and protect its natural resources and scenic beauty and encourage the development and improvement of its agricultural lands for the production of food and other agricultural products…"*

In 1992 the Agricultural Protection Act was passed creating the Agricultural and Farmland Protection Program to support local efforts to protect agricultural land and ensure the continued economic viability of the state's agricultural industry. Local governments play an important role in protecting farmland through land use regulation, ordinances, and other initiatives.

Agriculture and farmland protection plans are developed at both the town and the county level. The majority of the counties in the state with farmland, including Schoharie County, already have agriculture and farmland protection plans in place. The state is now making grant funding available to counties to update their plans. Schoharie County is eligible to apply for renewal in 2010 and plans to put in an application. In addition, towns are being awarded funding to aid in the development of their own agriculture and farmland protection plans. This is important because town governments make most land use decisions in New York State.



In January 2008, the state awarded Wright a grant to develop a municipal agricultural and farmland protection plan. The Town then appointed a committee made up of farmers and other residents to oversee the development of Wright's plan. The committee hired American Farmland Trust (AFT) as a consultant to help in the development of the plan. AFT is a national nonprofit organization that works to protect the nation's best farmland and improve the economic viability of agriculture. AFT's New York State office is headquartered in Saratoga Springs. In addition the Town received assistance from the Schoharie County Planning and Development Agency (SCPDA), the Schoharie County Cooperative Extension (SCCCE) as well as the county's Soil and Water Conservation District and Real Property Tax Service Agency.

While developing the plan the committee:

- inventoried the various types of agriculture in Wright and conducted a windshield survey of farms in the Town
- created a map of the Town's current active agricultural land by working with aerial photographs and maps
- conducted extensive community outreach
- analyzed the economic impact of agriculture on Wright
- reviewed all of the Town's land use regulations and offered suggestions on how they could be revised to be more farm friendly
- formulated goals it wanted to accomplish with the plan
- drafted recommendations for how those goals could be achieved, along with suggestions on how to implement the recommendations



COMMUNITY OUTREACH

Extensive community outreach was conducted during the development of the plan. The committee worked with AFT to conduct in-depth, personal interviews with 10 farmers and owners of agricultural land in the Town in order to understand their perspectives, learn about the challenges they face, and gain their input for the plan.

The individuals interviewed represented dairy, beef, sheep and crop farmers as well as rural landowners. Topics of discussion included:

- The Business of Farming
- Residential Development
- Concerns Regarding Property Taxes
- Farmer/Neighbor Conflicts
- Land Use Policies
- Farmland Protection

The committee, with assistance from AFT and representatives of SCPDA, also held two public meetings during which Town residents, including non-farmers and farmers, exchanged thoughts and ideas about how to sustain agriculture in the Town. In addition, AFT analyzed the results of a 2008 survey of Town residents conducted during the development of the Town's comprehensive plan (See Appendix B & C).

This public dialogue revealed that the vast majority of the townspeople are extremely supportive of agriculture and want to see the Town retain its rural character. Residents are concerned about farmland in the Town being used for residential development by commuters. Most agree that the best way to preserve farmland is to keep farms in business.

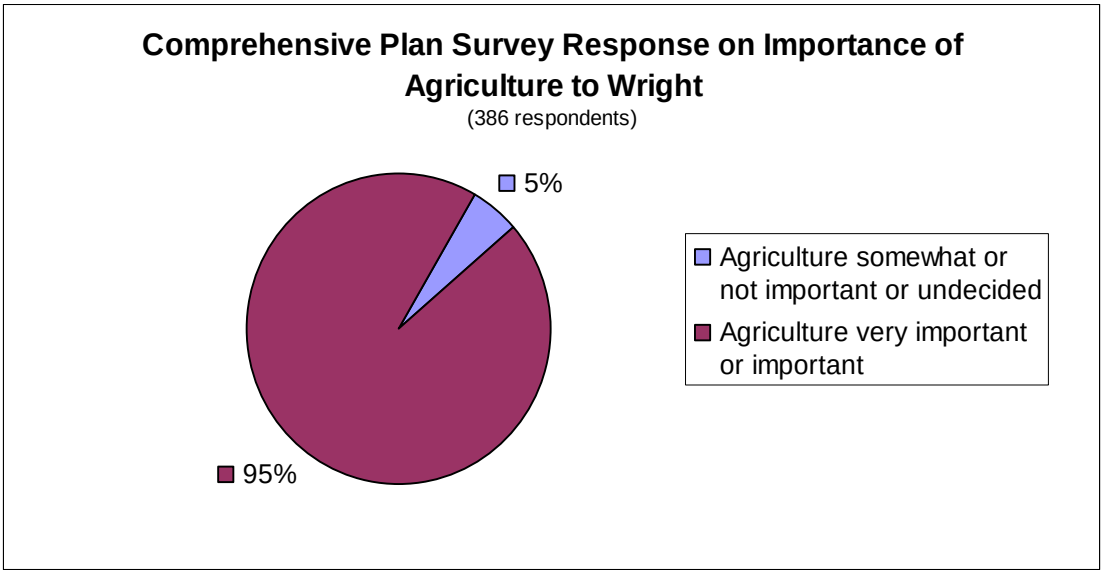


Figure 1: Survey Respondents' Support for Agriculture

Reports detailing the findings of the community outreach conducted by the committee appear in the Appendix D.

FARMING IN WRIGHT

Palatine Germans who settled in Schoharie in the early 18th century established farms that were so successful, the Schoharie Valley became known as the "breadbasket of the American Revolution." An 1885 census in the Town of Wright identified 242 heads of families, all of who listed their primary occupation as "farmer." A variety of crops were grown for subsistence and trade including winter and spring wheat, rye, oats, corn buckwheat, barley and hops. Farmers used oxen and horses to work the land and raised sheep, swine and dairy cattle.

Today Wright is home to a diverse group of farms. Dairy farms have traditionally been and continue to be the foundation of agriculture in the Town of Wright and Schoharie County. In 2007 dairy revenues for the county totaled over $21 million, more than half of the agricultural sales countywide for that year. The dairy industry keeps the majority of the agricultural land base in the county in active use. Recently low milk prices have threatened the financial viability of dairy farms.



In addition to the dairy farms several medium-sized farms produce other commodities such as beef, corn, hay and other field crops. Smaller farms market their products to the public through Community Supported Agriculture (CSA), retail stores, direct sales off the farm and wholesale. An informal inventory conducted by the committee found the following agricultural animals and activities existing in the Town: dairy cows; beef cattle; sheep; horses; meat goats; dairy goats; llamas; chickens; rabbits; turkeys; donkeys; pigs; vegetable and plant production; and maple processing.

In their study of the Town's agriculture, the committee recognized that large commercial farms are an integral part of the Town's economy. The committee also included start-up operations, niche agriculture and those that produce food to feed their families.

Definition of Agriculture from Wright's Comprehensive Plan (adopted 2008)

> For purpose of this plan, the word agriculture shall be defined as follows: "Agriculture or Agricultural use means the employment of land for raising, harvesting and selling crops (including timber), or feeding (including but not limited to), grazing, breeding, managing selling or producing livestock, poultry, fur-bearing animals or honeybees, or by dairying and the sale of dairy products, or by any other horticultural or viticulture use, aquaculture, hydroponics, silva culture, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the purpose of stabling or training equines, including, but not limited to providing riding lessons, training clinics and schooling shows, and other on-farm niche marketing promotions.

This language is based on the definition used by the NYSDAM but does not include any restrictions in terms of levels of revenue or acreage. The official state definition of agriculture is in Appendix E.

Out of a total of 18,347 acres of land within the Town of Wright, the committee has identified 15,654 acres of agricultural land. Parcels of land only partially composed of farmland were included as agricultural land in their entirety. The committee identified 11,512 acres in active farming. Actively worked farmland makes up 63 percent of the Town's total acreage.

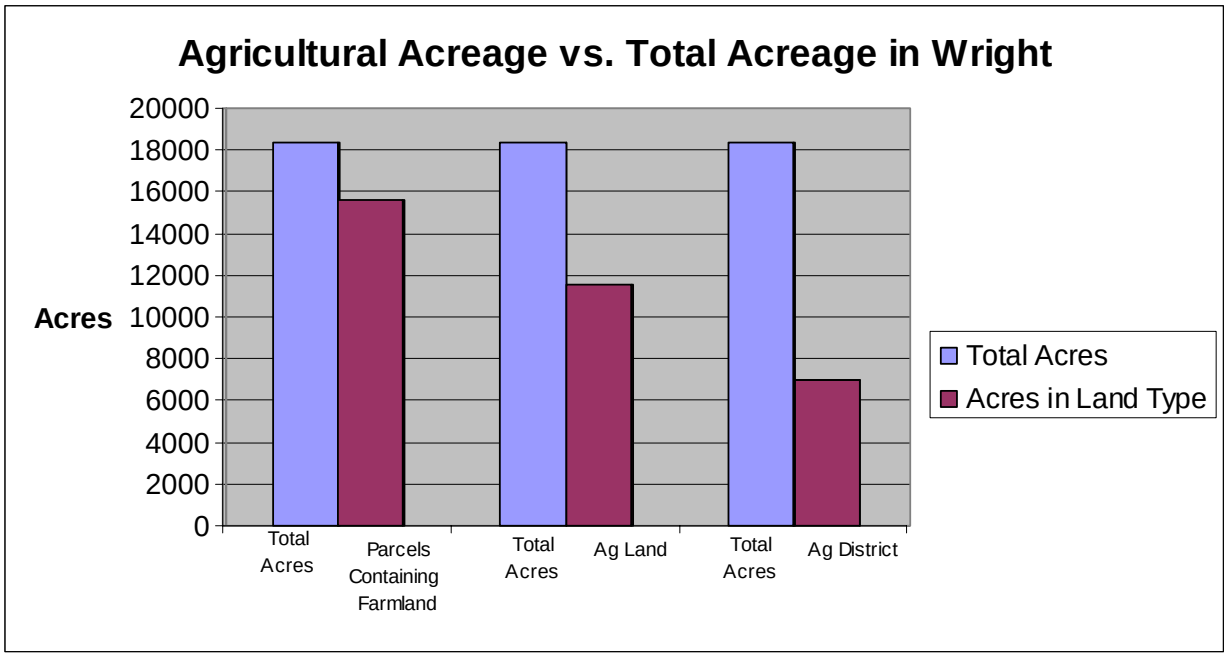


Figure 2: Breakdown of Acreage by Category

The Town is home to agricultural district #2, which includes 6,949 acres of land. According to agricultural district records, 247 properties, or 26 percent of the 941 properties, are involved in some form of agriculture.

According to the county agriculture and farmland protection plan, in 1994, 43 parcels of land in Wright received agricultural assessment at a total assessed value of $830,017. In 2009, according to the county's Real Property Tax Services Agency, 112 properties, a total of 7,379 acres, received agricultural assessment. The total assessed value of this land was $11,142,940.

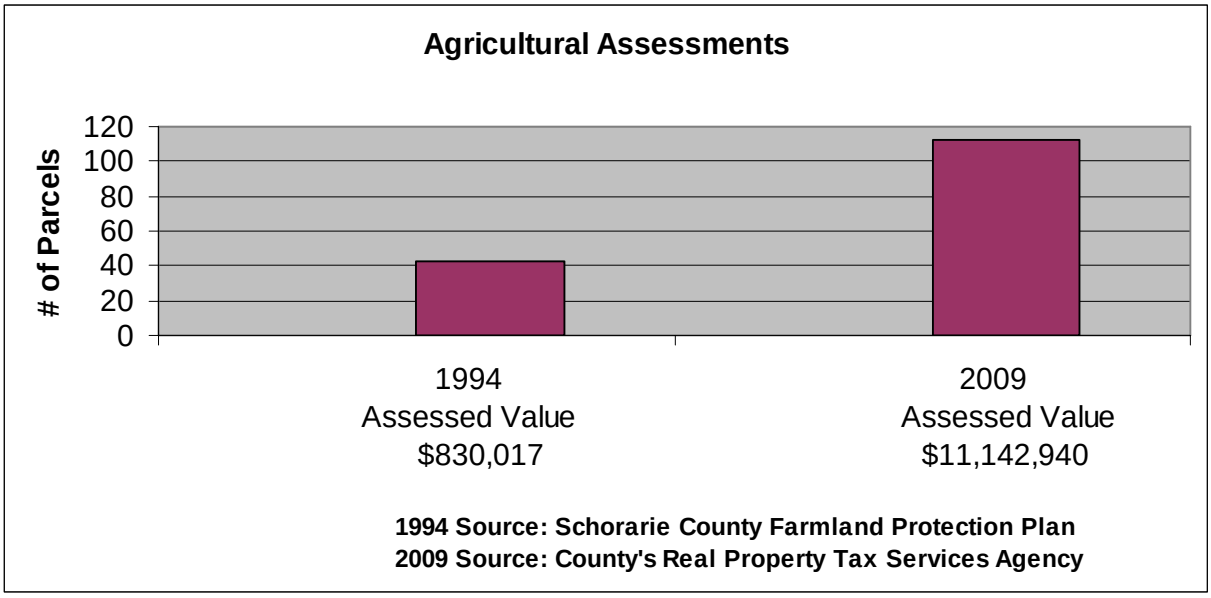


Figure 3: Agricultural Assessments

In addition to working land they own, farmers rely to a large extent on rented land. Non-farming residents who own agricultural land may lease it to a farmer to obtain benefits. The benefits include maintenance of the land as well as becoming eligible for property tax reductions through agricultural assessment. Despite the tax reduction they receive, farmers worry that the owners of the land they rent will be forced to sell their land for development because they cannot afford to pay taxes on it. The loss of rental land would have a significant negative impact on the Town's farmers

SOILS

The Town of Wright contains a variety of soil types, many of which are particularly well suited for farming. Lansing Channery Silt loam of 2 to 10 percent slope is one of the most frequently occurring soil types within the Town. Soils located in Wright that have been designated prime soils for farming are the Honeoye-Farmington Complex, 2 to 10 percent slopes, Lansing Channery Silt Loam, 2 to 10 percent slopes, Conesus Channery Silt Loam 2 to 10 percent slope, and Schoharie and Hudson Silt Loams, 2 to 6 percent slope. The Honeoye-Farmington Complex covers approximately 7 percent of the Town's area, the Lansing soil approximately 15.5 percent, the Conesus soil 0.9 percent, and the Schoharie and Hudson soil covers 1.0 percent. The Town of Wright also contains several types of soil that have been labeled soils of statewide importance. These include the Darien Channery Silt Loam, with 8 to 15 percent slope, which covers approximately 1.7 percent of the Town and Nunda Channery Silt Loam, 3 to 10 percent slope, covering approximately 1.6 percent of the land.

Soil maps indicate that there are 380 acres of prime farmland* in the town with 285 of these acres in agriculture. There are 260 acres of soils of statewide importance**, with 150 of these acres being farmed. Although the remaining acreage may not feature soils that are of prime or statewide importance, the land is critical to the local farms as cropland, hayfields and pasture.

*Prime farmland soils have been identified by the USDA Natural Resource Conservation Service (NRCS). Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forestland, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields when managed according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands flood rarely if at all and are not subject to excessive erosion or saturated with water for a long period of time.

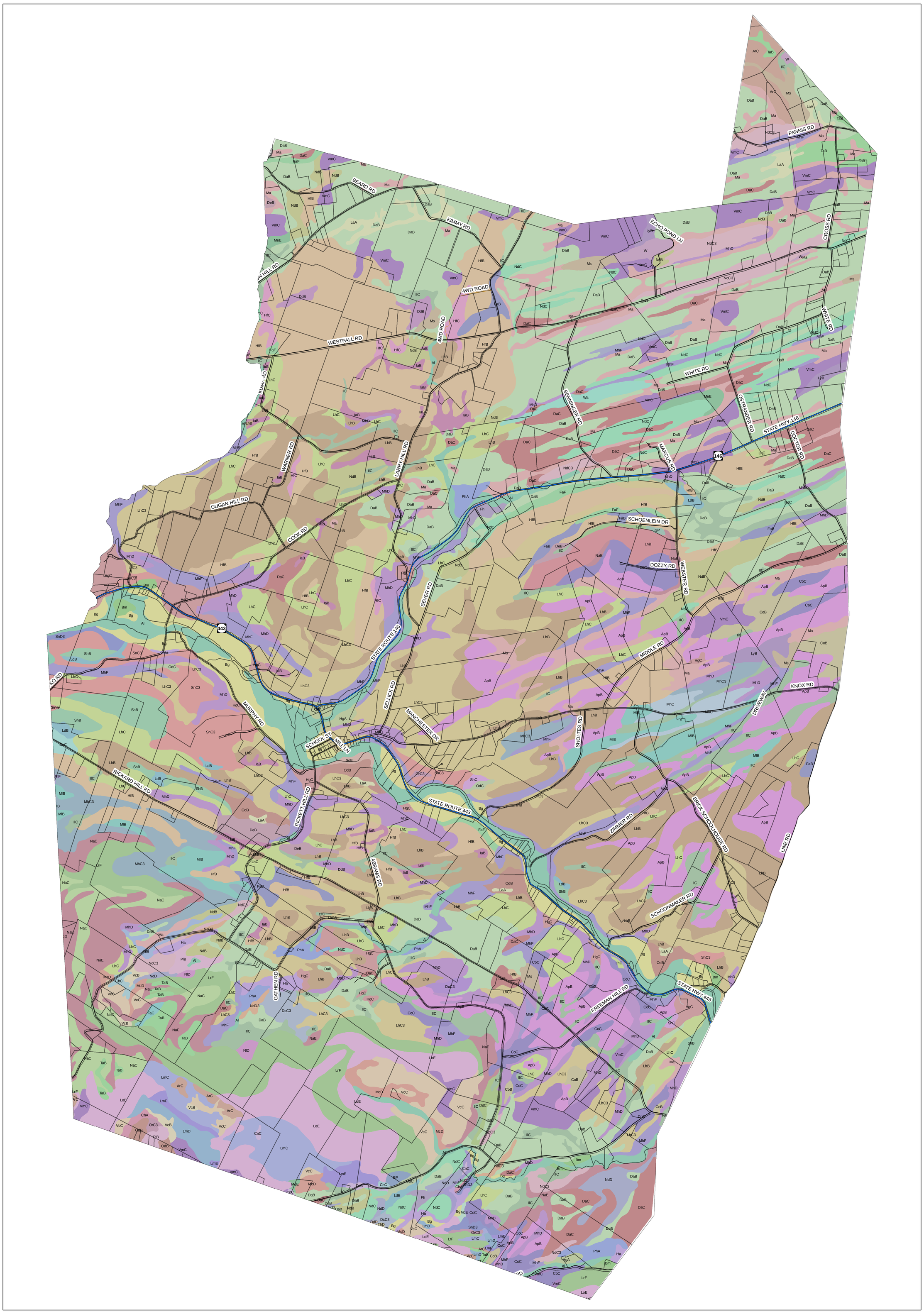
**Soils of statewide importance for the production of food, feed, fiber, forage, and oil seed crops are nearly prime farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable.



(See Appendix F for complete soil definitions from the NRCS ***National Soil Survey Handbook***)

Town of Wright

Map 2
All Soil Types



N
W E
S

Feet
0 2,500 5,000
0 1
Miles

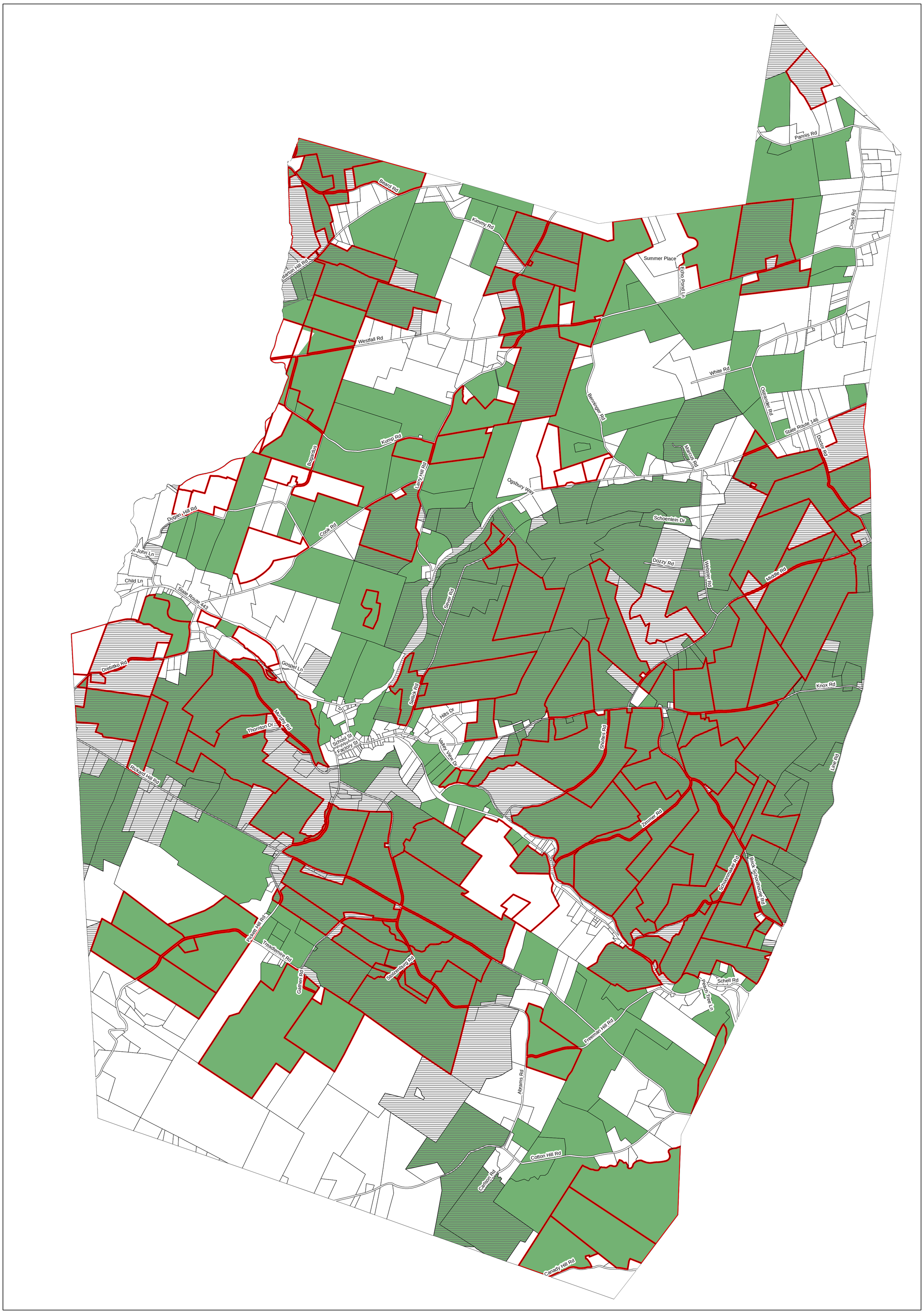
ACTIVE AGRICULTURAL LANDS

The committee has mapped areas of the Town in active agriculture. To create this map they studied a number of different existing maps and aerial photographs of the Town, consulted with farmers and landowners and relied on personal observation. All areas in active agriculture are shown on the map in green. Areas of active agricultural land that receive agricultural assessment are outlined in red and lands in agricultural districts are crosshatched. Out of a total of 18,347 acres of land within the Town of Wright, the committee identified 15,654 as agricultural with 11,512 in active farming. Parcels of land only partially composed of farmland were included as agricultural land in their entirety. Actively worked farmland makes up 63 percent of the Town's total acreage.



Town of Wright

Map 3
Agricultural Uses



Legend

- Parcel
- Parcels Receiving Agricultural Exemptions
- Agricultural District 2009
- Land in Agriculture

N
W E
S

Feet
0 2,500 5,000
0 1
Miles

ENVIRONMENTAL AND RECREATIONAL BENEFITS OF FARMLAND

Farms create open space that a vast majority of town residents have identified as critical to their quality of life. Ninety-five percent of the individuals surveyed during the development of the Town's comprehensive plan in 2008 believed agriculture was important to the town and highly valued the open space that it provided.

Farms also act as filters for water run off, protecting water quality, buffering waterways and mitigating flooding. Active farmland in the northwestern quadrant of the town lies within the Barton Hill watershed, which is the principal source of drinking water for the Village of Schoharie. Water comes from several springs in the watershed, but water from the Fox Creek is used in times of drought. Much actively farmed land also lies within a karst zone that was designated a critical environmental area by the Town in 1997. Karst is a porous limestone featuring crevices and sinkholes that provide a direct conduit to the aquifer. The shallow depth of the bedrock in karst areas makes such regions unsuitable for development. Development also poses a significant risk of sewage polluting the aquifer. The critical environmental area requires a State Environmental Quality Review (SEQR) to be conducted when development is proposed.

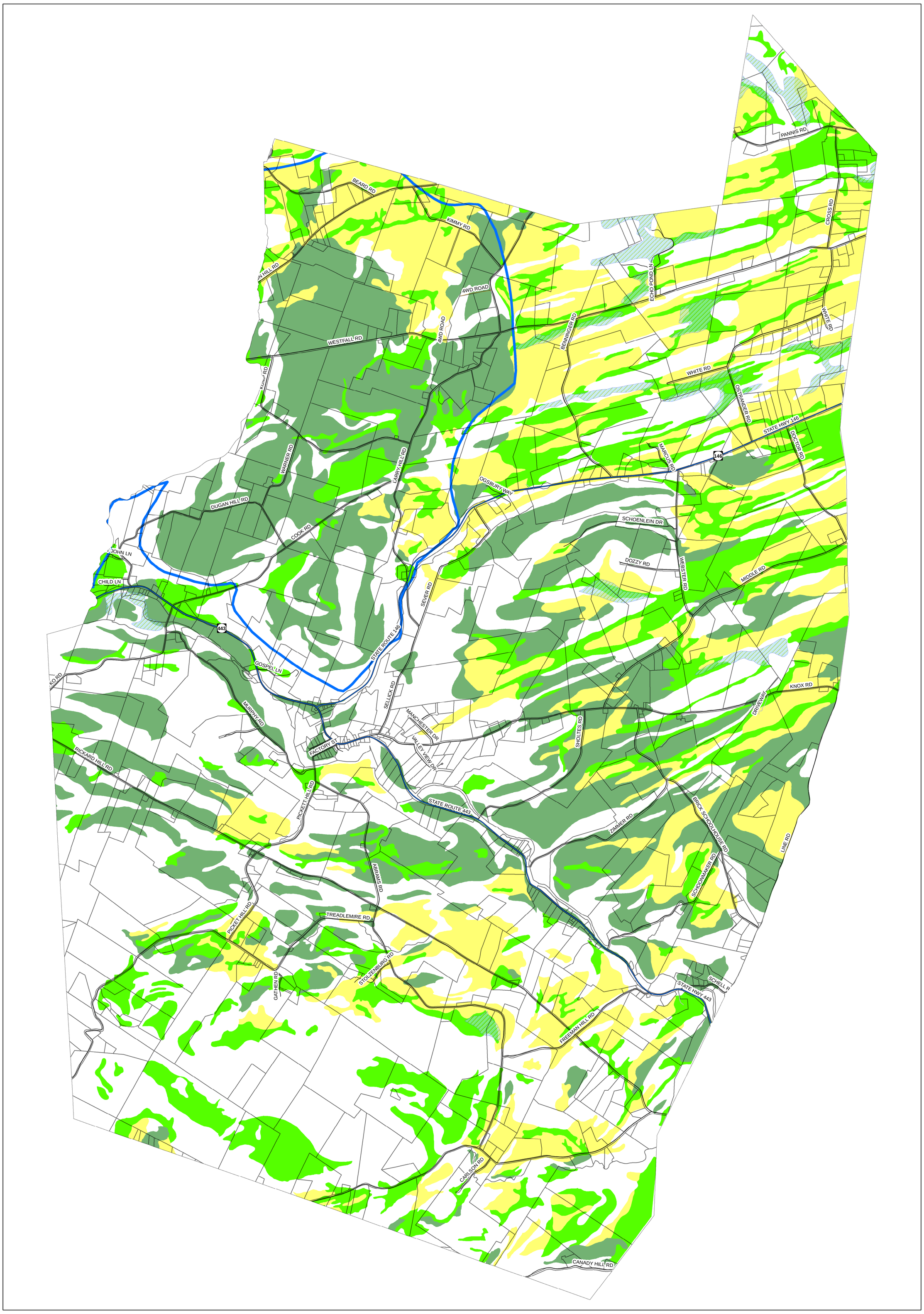
In addition to protecting water quality, farms provide wildlife habitat and recreational opportunities. The Town's farms are an excellent setting for hunting, snowmobiling, walking, running, bicycling and cross-country skiing. Farmland is private property however farmers often choose to grant permission to access their land for recreational purposes.



Town of Wright

Map 4

Prime Soils / State Designated Wetlands / Barton Hill Watershed



Parcel

Barton Hill Watershed

State Designated Wetlands

Soil

All areas are prime farmland

Farmland of statewide importance

Not prime farmland

Prime farmland if drained

N

W E

S

Feet

0 2,500 5,000

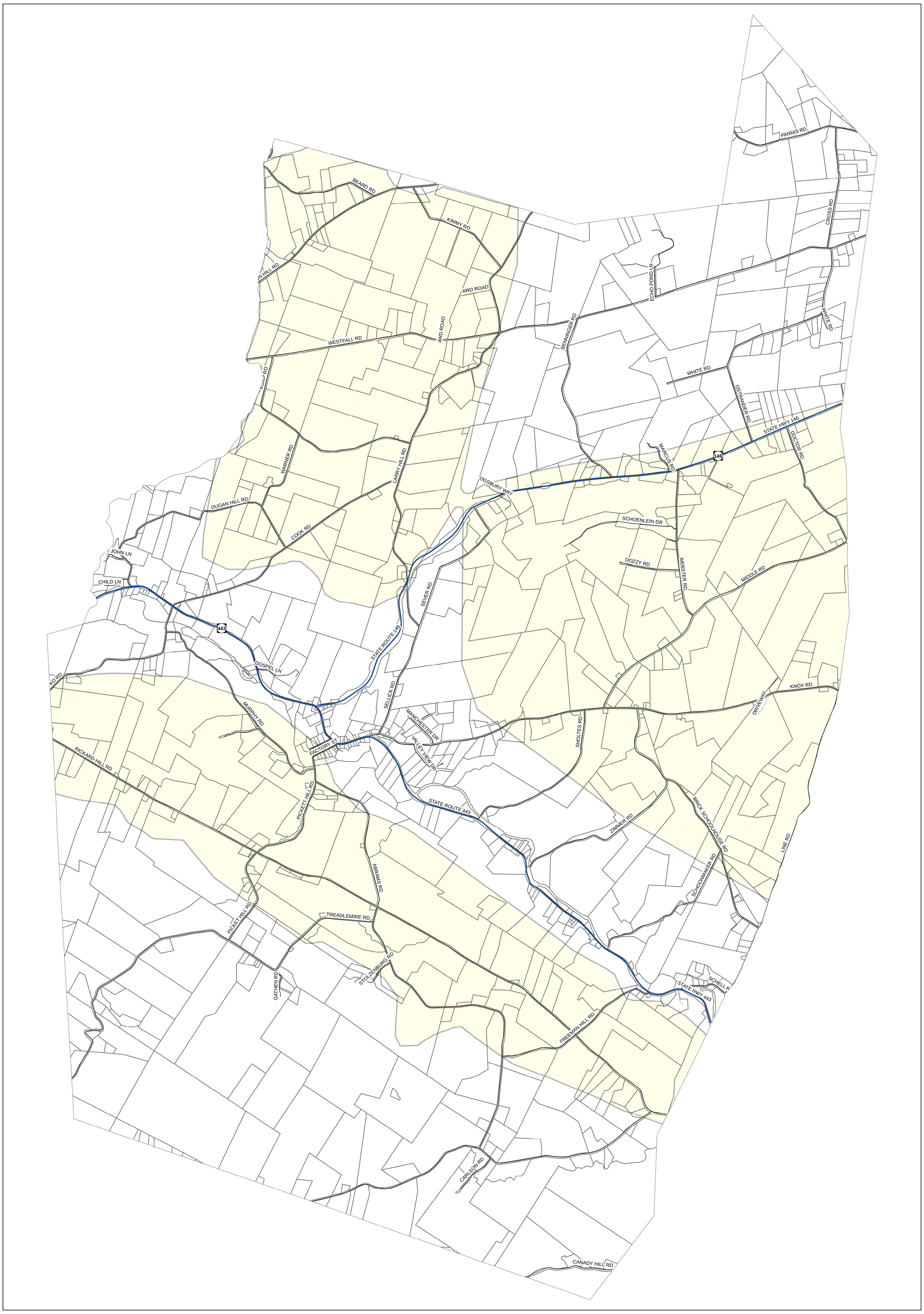
0 1

Miles

Town of Wright

Map 5

Wright Karst Area Critical Environmental Area



Legend

- Parcel
- Wright Karst Area (CEA)

N

W E

S

Feet

0 2,500 5,000

0 1

Miles

The area depicted on this map as the Wright Karst Area (CEA) was created from the Map Entitled "Wright Karst Area Critical Environmental Area (CEA)" published by New York State Department of Environmental Conservation.

PRIORITIZING AGRICULTURAL LAND

State agricultural and market law provides for the development of municipal agriculture and farmland protection plans. According to the language of the law plans shall include the "location of any land or areas proposed to be protected." As part of developing Wright's plan, the committee inventoried active agricultural land in the Town creating the Active Agricultural Lands map and set a goal of retaining all of its existing farms.



The mapping process enabled the committee to identify areas of farmland within the Town in need of special consideration. For example the significant amount of working farmland with prime soil that is not included in the agricultural district are of particular concern. This is especially the case in the northwestern quadrant of the town.

One of the recommendations of this plan is that the owners of farmland not in an agricultural district be consulted about whether or not they would like to have their land in the district so that the land can receive additional protections under New York State Agricultural District Law. If the landowners would like to join the agricultural district, town representatives and county officials will work with the landowners to accomplish this.

The mapping process also revealed that portions of the active farmland featuring prime soils in the Town's northwest quadrant are located in the Barton Hill watershed and the Town's designated karst critical environmental area. Limits on development already in place to protect these environmentally sensitive areas could also protect farmland. In addition it is important, provided the landowners are willing, that this land receive the additional protections that come with being in an agricultural district.

Critical Mass of Farmland

During interviews farmers expressed concern about fragmentation of farmland caused by residential development. They worry that without large, contiguous tracts of farmland, agriculture will no longer be a viable industry in the Town and have expressed interest in protecting a critical mass of farmland. The question of exactly what constitutes a "critical mass" of farmland is complex.

The Schoharie County agricultural and farmland protection plan's third stated goal is to "preserve a critical mass of both farmers and agribusiness to support competition and provide a foundation for a sound agricultural economy, maintaining a base of 100,000 acres of Schoharie County land in farming (including 50,000 acres in cultivation)."

Scenic Hudson, a significant Hudson Valley land trust has taken what they call a "critical mass" approach to protecting farmland by working with farmers to purchase agricultural

easements from farms in Hudson Valley towns such as Red Hook. They assert that preserving a core or critical mass of farmland in a region assures a setting favorable for farming. Scenic Hudson states that there is no universal definition of a critical mass of farmland but instead it is a locally determined margin of viability. Acreage protected through agricultural easements in the Town of Red Hook has exceeded the original goal of 1,000 acres.

In 2002 American Farmland Trust conducted a study entitled “Is There a Critical Mass of Agricultural Land Needed to Sustain an Agricultural Economy? Evidence from Six Mid-Atlantic States.” According to this study the critical mass concept is based on the idea that a certain amount of agricultural activity must be sustained in order for the agricultural economy in an area to remain viable. As production levels decline below a given threshold, costs will rise. A decline in agricultural profits and thus a higher relative return for conversion to other uses such as residential housing may increase the rate of loss of farmland in the area.



ECONOMIC IMPACTS OF AGRICULTURE IN THE TOWN OF WRIGHT AND SCHOHARIE COUNTY

Historically, agriculture has dominated the economic base of the Town of Wright, having sustained an environment where agriculture continues to be of the utmost importance to the region. Wright is located in Schoharie County and contributes to the County's agricultural economy.

In the year 2000, when the Schoharie County agriculture and farmland protection plan was written, Schoharie County farmers owned, maintained or replaced 755 trucks 1,395 tractors, and numerous other pieces of farm equipment and machinery. They also purchased over $992,000 of petroleum products, $4,734,000 of feed, $1,716,000 of farm labor and approximately $12,008,000 of other products and services from Schoharie County and other nearby enterprises.

A critical mass of farmers must be in operation in order for these businesses supporting agriculture to survive. The county agriculture and farmland protection plan also states that farming in Schoharie County involved 518 business locations generating sales of $26,000,000. The average value of land, buildings, and equipment used for these businesses was $271,375, for total investment in the Schoharie County economy of approximately $140,415,000, the equivalent of several manufacturing facilities. Again, the Town of Wright is responsible for a portion of those dollars reinvested and/or re-circulated in Schoharie County.



Agricultural activity in the Town of Wright somewhat mirrors the agricultural activity within the county and state. According to 2007 Census of Agriculture, the number of farms in Schoharie County from 2002 to 2007 declined 9 percent from 579 to 525, and the amount of farm acreage declined 15 percent from 112,735 to 95,490 acres (See Appendix G). And yet the overall market value of production increased from $26,900,000 in 2002 to $35,200,000 in 2007, an increase of 30 percent. Likewise in New York State from 2002 to 2007, the number of farms declined by 2 percent and farm acreage declined by 6 percent, but the market value of production increased over 42 percent from 3.1 billion dollars to 4.4 billion dollars.

It is reasonable to assume that through 2007 the Town of Wright also experienced similar patterns in declining agricultural acreage and an increase in the market value of production. In 2009, however, the dairy crisis, economic recession, market forces, and adverse growing conditions severely compromised many market gains. In 2007, for example, dairy farm revenue in Schoharie County was over $21 million. For 2009 dairy farm revenue is projected to be 50 percent of 2007, affecting family farms, jobs on-farm,

farm acreage in production, county and local revenues, and so much more. Farms in the Town of Wright inevitably are experiencing similar conditions.

At the municipal level Cost of Community Services Studies (COCS) were first conducted by American Farmland Trust in the 1980's and 1990's to examine what type of land uses "pay for themselves." These studies determined that the cost to provide public services to residential acreage was consistently higher than agricultural acreage based on revenues generated by respective property taxes.

Agricultural acreage typically produced $1.00 in tax revenue for every 29 cents of town and school expenditures. However, residential acreage costs roughly $1.27 for every $1.00 of taxes collected. Commercial acreage costs 26 cents for every $1.00 generated. An undeveloped, 100-acre pasture may seem like an opportunity to expand a town's tax base, but in fact it demands significantly less tax dollars as a pasture than the twenty new 5-acre homesteads with potentially 40 school-aged children.

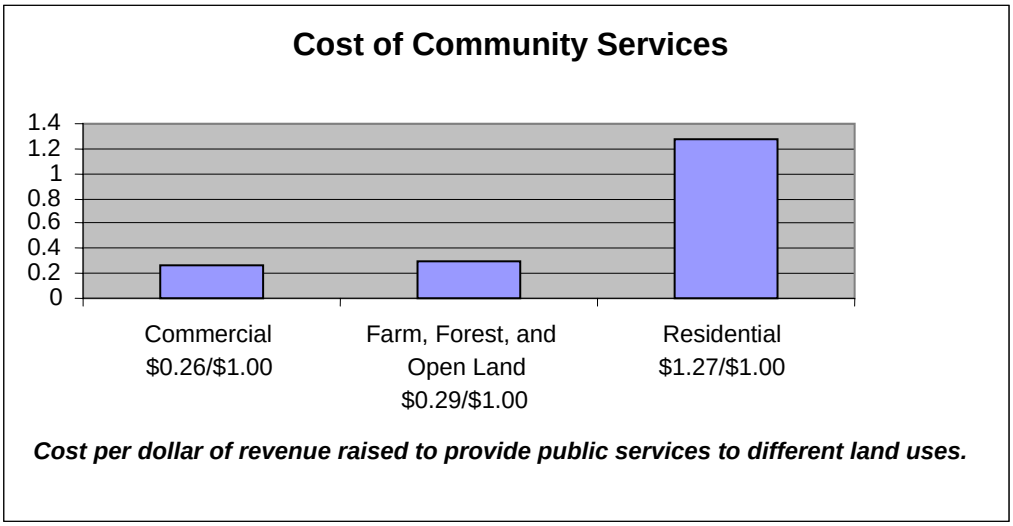


Figure 4: Cost of Community Services
Information from Haight et al. "New York Agriculture Landowner Guide". Saratoga Springs: American Farmland Trust, 2009.

The 2008 Town of Wright comprehensive plan survey indicated that the primary reason residents enjoy living in this area is their appreciation of its many natural resources, open space, and scenic qualities. Many of these local characteristics are sustained by working agricultural landscapes and have direct impact on attracting both tourists and new residents to the area.

CONVERSION PRESSURE

The Capital District, only a half-hour drive from Wright, is exerting a degree of development pressure on the Town. Over the past 20 years farming activities have declined significantly and scattered residential development has occurred. According to the county's agriculture and farmland protection plan, between 1989 and 1993, 8 building permits were issued for single-family homes in Wright. The 2000 census reported 666 housing units in Wright. The median home value in the year 2000 was $91,200. In 2007 the Town issued 12 building permits for new construction. In 2008, six were issued. In 2009, five building permits for new construction were issued.

Because of slim profit margins traditionally associated with agriculture many farmers are unable to save money for retirement and instead must rely on the equity in their land. In addition, non-farmers who own agricultural land in the Town may choose to develop their land. As the Town's population grows it is likely that some farmland will be developed. This plan provides recommendations for ways in which Town residents can work together to minimize any negative impacts potential development may have on working farms and ensure the strongest future possible for active farming in the Town.



LAND USE REGULATIONS & LAND USE PLANS

Land use in the Town of Wright is governed through the Town's site plan review law and subdivision regulations. A number of local ordinances regulate minimum lot size and activities such as dumping and dog control. The Town has a right to farm law and also has a recently adopted comprehensive plan that is very supportive of agriculture. Agriculture in the Town is reinforced by the Schoharie County agriculture and farmland protection plan and also receives protection under New York State agriculture districts law.

AFT conducted an extensive review of the Town's regulations creating the "Review of Town of Wright's Land Use Regulations" document found in the appendix (Appendix H). The review found the Town's site plan review law and subdivision regulations to be outdated. In general the regulations make no reference to the Town's emphasis on agriculture. Definitions of terminology pertaining to agriculture, which are necessary for clarity when enforcing regulations, are either absent or vague. Examples of suggestions for revision offered in the review include requiring that agricultural lands be indicated on sketch plans during the site plan review process and that soil maps be consulted during pre-application conferences for subdivision proposals as part of an effort to avoid construction on high quality agricultural land.



THE FUTURE OF FARMING

The Town's scenic location and close proximity to the Capital District make it an ideal location for direct marketing and agritourism and there is great potential for growth in this area. The remaining contiguous tracts of agricultural land enable commodity farmers to produce their crops without significantly impacting residential areas. However, scattered residential development is beginning to fragment agricultural lands, making it more difficult for farmers to work the land. An increase in traffic has also made it difficult for farmers to move agricultural equipment along the roads.

Several of the Town's farms have young families who may be interested in continuing to farm in the future. The Town of Wright needs to find ways to sustain its established farms and at the same time, promote alternative and value-added agricultural enterprises.

The community is extremely supportive of farming and most believe that the best way to protect farmland is to keep farms profitable, however this is extremely challenging under current economic conditions. While this plan was being developed a sharp spike in the costs of fuel, fertilizer and other farm expenses was followed by a severe economic downturn. Dairy farmers have been particularly impacted as the milk price dropped to well below the cost of production in 2009.

There is no doubt that serious challenges lie ahead for farmers in the Town of Wright. Such challenges, which are documented in the interview summary found in the appendix of this plan (Appendix I), include: lack of a support infrastructure and farm labor force; difficulty moving farm equipment on roads; narrow profit margins; high input costs; depressed milk prices; property taxes; and farmer/neighbor conflicts such as ATV trespassing and complaints about manure odor.



Fortunately, by coming together to plan for the future of agriculture in the Town, the community has accomplished several important things. The process of developing an agricultural and farmland protection plan has helped the community locate its best farmland and understand the scope of agricultural activity occurring in the Town. In addition, the community has identified the problems it faces in retaining its farm businesses and agricultural land. Lastly, through developing this plan, Wright has created strategies for thoughtful land use planning that will minimize development's impact on agriculture. The Town has also devised ways of supporting existing agricultural businesses at the Town level while working towards creating new economic opportunities for farmers.

GOALS & RECOMMENDATIONS

The Town of Wright has long been a farming community and the residents value the open space maintained by the Town's farms. Preserving their rural way of life into the future is a major priority for people in Wright. The community is planning ahead to develop strategies for accommodating slow and steady growth while remaining a Town based in agriculture. To achieve this vision the committee has developed the following goals:

- Encourage Town's Existing Farmers
- Attract New Farmers and Cultivate Next Generation of Farmers
- Educate the Public About Agriculture
- Retain a Critical Mass of Agricultural Land
- Support the Development of New Economic Opportunities for Farmers

Goal I

1. Encourage Town's Existing Farmers

a. **Recommendation: Establish Agriculture Committee**

The Town should adopt the proposal made in its comprehensive plan that it form an agricultural advisory committee. This committee, made up of farmers and owners of agricultural land, will be tasked with leading implementation of the Town's agricultural and farmland protection plan and will be responsible for ensuring that the state agricultural district law and the Town's right to farm law are being adhered to. The committee should be responsible for drafting a vision statement for agriculture in the Town. The committee will also organize efforts to educate farmers about issues such as tax abatement. The committee will coordinate community support for new and existing farmers in Town as well as host a series of educational seminars for farmers. The committee will also take the lead in educating the public, including landowners and new residents, about agriculture.

Implementation Responsibility: Town Board
Time Frame: first year

2. Recommendation: Facilitate Tax Abatement

a. **Take Full Advantage of Existing Programs:** Help farmers and rural landowners participate in all the tax abatement they are eligible for under state law such as agricultural assessment, farmer's school tax credit and farm building exemptions. Hold educational meetings, distribute informational handouts from Town Hall, put information on the Town's web site and include information in Town newsletters. The New York Agricultural Landowner Guide (Appendix J), published by American Farmland Trust which summarizes available programs, should be made available to landowners at Town Hall.

Implementation Responsibility: Agriculture Committee, Cornell Cooperative Extension (CCE), Assessor, Assessor's Committee, Schoharie County Planning and Development Agency (SCPDA)
Time Frame: first year

b. **Ensure Benefits of Agricultural Assessment:** Cooperate with the assessor to educate farmers and owners of farmland about how to apply for and receive agriculture assessment on land they farm or rent to a farmer. Make sure they understand what kinds of records they have to keep, such as receipt of income and leases

Implementation Responsibility: Town Board, Assessor, Assessor's Committee, CCE
Time Frame: first year

c. **Assessor Training:** Encourage Schoharie County to coordinate with the state Office of Real Property Services and NYSDAM for training programs for assessors on how to assess agricultural land and buildings. Make sure agricultural buildings in the town are assessed at their proper value and that agricultural land receives the appropriate property class code. Make assessor aware of town support for non-farm businesses based on working farms. See appendix (Appendix K) for property type classification codes.

Implementation Responsibility: SCPDA, Assessor, Assessor's Committee, Town Board
Time Frame: first year



d. **Ensure Parcels Receive Correct Property Type Classification Codes**: Property type classification codes, developed by the NYS Office of Real Property Services, form a uniform property type classification system for use by municipalities in assessment administration. During the review of agricultural parcels in the Town it became apparent that a large number of parcels of agricultural land are coded with an incorrect property type classification code. Post a tax map at Town Hall and let landowners review how their land is coded. Have landowners and the assessor work together to make sure all properties are coded correctly. If this is done the coding system will be more useful when assessing the types of land uses existing in the Town. See appendix (Appendix K) for the general property type classification codes as well as codes specifically for agricultural use. For a complete list of property type classification codes to the property classification code page of the NYS Office of Real Property Services website: http://www.orps.state.ny.us/assessor/manuals/vol6/ref/prclas.htm

   Implementation Responsibility: Town Board, Assessor, Assessor's Committee
   Time Frame: first year

e. **Study Feasibility of Adopting Agricultural Assessment Values for Service Districts:** Review potential impact of basing taxes paid by farms to the fire service district on the land's agricultural assessment value.

   Implementation Responsibility: Town Board, Gallupville Fire District, Scho-Wright Ambulance District
   Time frame: first three years

3. Recommendation: Take Full Advantage of Agricultural Districts

a. **Encourage Inclusion of Farmland in Agricultural Districts:** Approach farmland owners not currently in the agricultural district about becoming part of agricultural district. Educate them about the benefits of and requirements for becoming part of the district. Make sure that areas featuring prime agricultural soils are included within an agricultural district whenever possible. Have agricultural district application forms available at Town Hall. Agricultural districts are reviewed every 8 years.

   Since 2007 the Schoharie County Agriculture and Farmland Protection Board has offered an annual open enrollment period for the county's four agricultural districts. Applications for land to be considered for inclusion to a county agricultural district are accepted from January 30 to February 28 annually.

   Schoharie County landowners interested in enrolling land into an agricultural district during the open enrollment period may request an application from the

Schoharie County Planning and Development Agency at 349 Mineral Springs Rd, Cobleskill, NY 12043 or by calling 518-234-3751.

Implementation Responsibility: Agriculture Committee, Schoharie County Agriculture and Farmland Protection Board (SCAFPB)
Time Frame: first year initiative, then ongoing

b. **Utilize Agricultural District Law to Protect Farms:** Ensure that all of the provisions of the state's agricultural district law are being adhered to within the town. For example, the local ordinance provision prevents local governments from enacting laws that unreasonably regulate farm operations in agricultural districts unless public safety is threatened. The law also requires agricultural data statements to be made when land use determinations affect property within 500 feet of a farm property in an agricultural district. The agricultural data statement evaluates the proposal's possible impact on agriculture and must be taken into account during review of the project.

Implementation Responsibility: Town Board, Planning Board, Agriculture Committee, SCAFPB
Time Frame: ongoing

4. Recommendation: Strengthen Town Right to Farm Law

a. **Require Real Estate Disclosure Notices**: Require all purchasers of property within the Town of Wright to receive a notification that they are purchasing land in a town that places a priority on agriculture and has a local right to farm law in place. Require real estate disclosure notices to be provided at the time an offer is made as opposed to at the time of closing. Require real estate disclosure notices be included with building permits and plats of subdivisions submitted for approval.

Implementation Responsibility: Town Board, Planning Board, Agriculture Committee
Time Frame: first three years

b. **Consideration of Town Right to Farm Law:** Require intent and purpose of right to farm law to be taken into consideration by town when processing applications for subdivisions, site plan approval and special use permits.

Implementation Responsibility: Planning Board, Agriculture Committee
Time Frame: ongoing

c. **Make Roads Safe for Farmers Operating Agricultural Equipment**
Work with the county and the state to make sure that appropriate speed limits are established and enforced on routes frequently traveled by farm vehicles. Make sure the appropriate signage appears in areas where there is limited visibility or other risks involving farm traffic. Rural roads should be suitable

for rural traffic and farm equipment. When roads are overbuilt, the speed of traffic increases. In addition bridges need to be wide enough and strong enough to accommodate farm equipment. Offer training to farmers on how to safely navigate farm equipment along town roads. Educate town residents on sharing the road with farm equipment. Distribute brochures and other safety information regarding slow moving vehicles provided by SafeNY, a state traffic safety program. Contact information is provided in the Resource section of this plan. *(see Appendix L for sample SafeNY brochure)*

Implementation Responsibility: Town Board, Agriculture Committee, Highway Superintendent, Schoharie County Sheriff Services, NYS police
Time Frame: first three years

5. Comprehensive Plan with Agriculture and Farmland Protection Plan

The Town of Wright has a comprehensive plan that is strongly supportive of agriculture. A comprehensive plan represents a community's vision for the future and a road map of how to get there. Comprehensive plans serve as the foundation of town planning and zoning efforts and form the basis of a local land use strategy. The third goal of the Town's comprehensive plan is to "preserve the essentially agriculture character of the town and working farms in the community." Stated objectives are to:

- Maintain valuable agricultural land by encouraging its conservation and continued agricultural use.
- Improve the economic base of the Town by promoting agricultural and related activities.
- Support efforts to provide locally grown and raised food.

The agricultural and farmland protection plan includes many of the comprehensive plan's recommendations to achieve the above objectives and expand on them, bringing further goals and recommendations for retaining farmland and supporting the business of agriculture to the planning table



Goal II - Attract New Farmers & Cultivate Next Generation of Farmers

II a. ***Attract New Farmers***

1. Recommendation: Direct Farmers in Transition to Resources to Help Keep Land in Agriculture.

The agriculture committee can work with support groups such as New York FarmLink/FarmNet (www.nyfarmlink.org) to connect people looking for farms to purchase, with farmers in town who are ready to sell. FarmLink also offers support for farmers seeking business partners as well as to farm families developing retirement plans and transferring ownership from one generation to the next.

Implementation Responsibility: Agriculture Committee, New York FarmLink/FarmNet
Time Frame: first three years

2. Recommendation: Promote the Town of Wright Online as a Good Place to Farm.

This web page would list the benefits of farming in Wright, the right to farm law, the agriculture and farmland protection plan and other relevant Town documents, as well as supply contact information for those interested in learning more. The website could also feature a photo gallery of farms in the town. Link the website to other relevant web sites to attract hits.

Implementation Responsibility: Agriculture Committee, SCPDA, Schoharie County Agriculture Marketing Specialist
Time Frame: first five years

3. Recommendation: Form a Farmers' Cooperative.

The agriculture committee could organize farmers in Wright and neighboring communities to form a cooperative that would enable them to make purchases as a group, ensuring lower prices on goods as well as services including insurance. The cooperative could also devise a plan to share workers.

Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist
Time Frame: first five years

II b. ***Cultivate the Next Generation of Farmers***

1. Recommendation: Support Local Agricultural Youth Groups.

Provide information about local 4 H and FFA groups and how to join for town residents with children at Town Hall, in the Gallupville House, in the town newsletter and on the town website. Offer help to these groups in terms of publicizing their events and providing meeting space when possible.

Implementation Responsibility: Town Board, Agriculture Committee, Schoharie Central School District, CCE, 4H, FFA volunteers from the community
Time Frame: first three years

2. Recommendation: Work With Local Schools to Teach Students About the Importance of Agriculture in Their Community.

Support agricultural education programs in the local school districts as well as school lunch programs that serve locally grown food. Farmers in town could offer to host field trips for students. Assist in the development of work/study internship programs for high school students. Arrange for interested students to work on several different farms in the course of a season, helping the farmers and receiving an education in how different types of farms operate.

Implementation Responsibility: Agriculture Committee, Schoharie Central School District, community volunteers, CCE
Time Frame: first five years

3. Recommendation: Create an Agricultural Scholarship

Create and fund an agricultural scholarship that could be awarded by the Town to a student wishing to pursue an education in agriculture.

Implementation Responsibility: Agriculture Committee, Schoharie Central School District, SUNY Cobleskill
Time Frame: first five years



Goal III
Educate Public About Agriculture

1. **Recommendation**: **Develop a Brochure for New Residents About Living in an Agricultural Community.**

Develop a brochure that welcomes new residents to the town, outlines the type of farming in the town and emphasizes how important farmland is to maintaining the rural character of the town. Describe the types of agricultural activities, such as tractors on the road, or the spreading of manure that a new resident is likely to encounter. Explain the right to farm law and best management practices.

Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist, consultant
Time Frame: first year

2. **Recommendation: Hold Community Farm Day Festival.**

Although this event could be open to the public, the primary purpose would be to bring the community together to celebrate agriculture. Farms can open their gates on this day and welcome visitors who could travel from farm to farm using a map created for the festival. In the hamlet of Gallupville a farmers market and local crafts fair could be held along with a farm animal petting zoo. The community could come together for a picnic dinner or barbecue made entirely from locally grown food.

Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist, Wright Historical Society, church groups, 4H, FFA, community volunteers
Time Frame: first three years, then annually

3. **Recommendation: Establish an annual Agriculture Awareness Week.**

This week could be held in the summer and feature a vacation program for town children during which they receive education about the role of agriculture in their community. The evenings could feature family events such as local foods picnics, farm visits, talks and activities

Implementation Responsibility: Town Board, Agriculture Committee, community volunteers, 4H, FFA
Time Frame: first five years, then annually

4. **Recommendation: Conduct a Local Cost of Community Services Study.**

Work with Schoharie County to calculate the property taxes paid by farms in relationship to the services used by farms and compare this with the property taxes paid by non

farming residential development and services used. This information could be used to educate the public about the importance of agriculture to the local economy.

Implementation Responsibility: Town Board, SCPDA, CCE
Time Frame: first three years

Goal IV
Retain Critical Mass of Agricultural Land

1. **Recommendation: Strongly encourage Town officials to receive training regarding land use planning and agriculture.**

Town officials, employees and assessors should receive training and education about land use planning as it pertains to agriculture. Training is available from organizations such as the New York Planning Federation, American Farmland Trust, New York State Department of State, Capital District Regional Planning Commission, New York State Office of Real Property Services and the New York State Department of Agriculture and Markets.

Implementation Responsibility: Town Board, SCPDA, Agriculture Committee
Time Frame: first three years

2. **Recommendation: Review Agricultural and Farmland Protection Plan Every Five Years and Update as Needed**

3. **Recommendation: Establish Review Schedule for Comprehensive Plan**

Currently the comprehensive plan language adopted in 2008, advises that "Periodic review and revisions of the town of Wright Comprehensive Plan should be undertaken as the community changes, new information becomes available, and/or newer planning methods are developed." Review of the comprehensive plan should take place on a regularly scheduled basis, for example, every five years. Updates to the plan can be made at the time of the review if the town board decides it is necessary.

4. **Recommendation: Update Town Land Use Regulations**
    a. **Definitions Relating to Agriculture:** Update Town's general definition of agriculture to be inclusive of farms of all types and sizes. Customize definition to appear in local regulation to suit intent and purpose of the law.

    Include definitions of terminology relating to agriculture in Town regulations where appropriate. Some examples of terminology in need of definition include:

    Agriculture
    Agricultural data statements

Agricultural district
Conservation easement
Conservation subdivision
Farm
Farm Building
Farm practice
Farm product
Real estate disclosure notice



Implementation Responsibility: Town Board, Planning Board
Time Frame: first three years

b. **Provide Purpose Statement of Town's Support of Agriculture in Regulations:** Each of the Town's regulation documents should contain a purpose statement regarding the priority the Town places on agriculture. Wherever "preservation of natural features/resources" is referred to farmland should be specifically referenced as well.

Implementation Responsibility: Town Board, Planning Board, Agriculture Committee
Time Frame: first year

5. Recommendation: Update Town's Subdivision Regulations

a. **Have Subdivision Regulations Require a Pre-Application Conference Prior to Subdivision Proposals:** Before a proposal for a subdivision can be submitted the town should require the developer to attend a pre-application conference to review compatibility of a subdivision concept with the town's comprehensive plan and the Town's right to farm law and state agricultural district law. Make sure applicants are aware of all required procedures.

Implementation Responsibility: Town Board, Planning Board
Time Frame: first year

b. **Require Subdivision Sketch Plans to Indicate Farmland:** Sketch plans should show the proposed subdivision's proximity to agricultural land and be accompanied by agriculture data statements when required.

Implementation Responsibility: Town Board, Planning Board
Time Frame: first year

c. **Consider Phased Subdivision:** Review option of requiring major subdivisions to be done in phases to allow the town to avoid the potential negative impact of development on water resources.

Implementation Responsibility: Town Board, Planning Board
Time Frame: first three years

d. **Create Subdivision Review Checklist:** Establish a checklist of all steps required prior to subdivision approval that can aid both applicants and the Town officials reviewing proposals. Provide this checklist at the pre-application conference.

Implementation Responsibility: Town Board, Planning Board
Time Frame: first year

e. **Consider Conservation Subdivisions**
Review the concept of conservation subdivision and how it differs from cluster development. Cluster development is currently part of Seward's land use regulations. Residential cluster development groups houses on a portion of the available land while reserving a significant amount of the land as protected open space. A higher density allowance often acts as an incentive for the developer to opt for cluster design. In cluster design generally the housing sites are designated first and the open space tends to be the land unsuitable for development that is left over.

Conservation subdivision takes the cluster design concept one step further requiring the land to be set aside for conservation to be designated first. The houses are then located in a way that allows the housing sites to take the most advantage of their proximity to the open space. . This undeveloped land is not an afterthought or what is "leftover" but instead the organizing principal of the development. This is not a new concept but instead is an old tradition with its roots in agriculture where houses in a community were grouped near what were considered "common lands" for the growing of crops and pasturing of livestock

Town officials need to be educated about conservation subdivisions. Town regulations should be updated to encourage conservation subdivisions as a means to protecting high quality agricultural land and specify that land set aside as part of a subdivision should not just be considered as open space but be available for agriculture. See Appendix M for a *Rural Design Workbook* chapter on Conservation Subdivision Design.

Implementation Responsibility: Town Board, Planning Board, Schoharie Land Trust

Time Frame: first three years

6. Recommendation: Educate Buyers and Sellers of Property on How to Minimize Loss of Farmland

Collaborate with SCPDA and the CCE to create an educational brochure for those who want to subdivide and develop property, offering guidelines on how to minimize negative impacts on agriculture. Samples of such brochures from other communities are in the appendix (Appendix N).

Implementation Responsibility: Town Board, Planning Board, Ag Committee SCPDA, CCE
Time Frame: first three years

7. Recommendation: Cultivate Farmer Participation in Local Government

Strive to include farmers on all town boards and committees so that the farmer's perspective is brought to the table throughout the discussion and decision making process.

Implementation Responsibility: Town Board, Agriculture Committee
Time Frame: first year

8. Recommendation: Foster Cooperation Between the Town and Not-For-Profit Land Conservation Organizations and State and County Farmland Protection Initiatives

Encourage communication and collaboration between the town and local land conservation groups such as the Schoharie Land Trust. Maintain support of and involvement with the state's farmland protection program. Encourage the voluntary use of conservation easements to protect farmland.

a. **Educate Landowners About Conservation Easements:** Hold educational sessions for landowners in the town where they can learn what a conservation easement is, how it works, and the potential tax benefits.

   Implementation Responsibility: Town Board, Schoharie Land Trust, SCPDA, New York State Department of Agriculture and Markets (NYSDAM)
   Time Frame: first year

9. Recommendation: Promote Hamlet Revitalization.

Making the hamlet more active and attractive will encourage people to want to live near or in "town" and steer development away from farmland. Water and sewer lines do not currently exist in the Town. If water or sewer lines are installed at some point in the future they should not extend into agricultural lands but instead be confined to the hamlet

area. Participate in regional initiatives such as the Hilltown revitalization effort happening in Albany County.

Implementation Responsibility: Town Board, Planning Board, SCPDA
Time Frame: first three years

10. Recommendation: Study the Viability of a Term Easement/Lease of Development Rights Program

Term easements are when a landowner makes a commitment not to develop his or her farmland for a specified number of years in exchange for a property tax reduction during that time period. Research how term easements work and what other communities using term easements have experienced. Consider this as a possible means of reducing property taxes on farmland in order to keep the land in agriculture.

Implementation Responsibility: Town Board, SCPDA, CCE
Time Frame: first five years

11. Recommendation: Obtain Map of Existing Gas Pipelines

During the study of maps it was discovered that the Town does not have a map that indicates the location of the gas pipelines that run through it. If such a map exists the Town needs to obtain it to aid in planning development. If such a map does not exist it needs to be created and provided to the County and the Town.

Implementation Responsibility: Town Board, Planning Board, SCPDA, Pioneer Gas Pipeline and Tennessee Gas Pipeline
Time Frame: first year

Goal V
Support the Development of New Economic Opportunities for Farmers

1. Recommendation: Encourage the operation of non-farm businesses based on working farms

Have town regulations and assessment procedures allow for the operation of non-farm businesses compatible with agriculture to be conducted on working farms. Examples of such businesses include: car and equipment repair; farm equipment dealerships; seed, grain, hay and fertilizer sales; building; excavating; construction; welding; sawmills; and trucking as well as bed and breakfasts, antique shops, furniture making, etc. One approach some towns have used is to create a class of commercial business called “agricultural enterprise” that distinguishes a business designed to support an active farm operation from an independent, stand-alone business that is not related to agriculture.

Implementation Responsibility: Town Board, Planning Board, Assessor
Time Frame: first year

2. Recommendation: Foster the Development of Agriculture Infrastructure and Support the Location of Agriculture-related Businesses in Town

Encourage the development of agriculture-support business in town such as processing and storage facilities, grain mills, farm equipment dealers, farm supply stores. Support the regional development of a local dairy processing plant, local milk cooperative, local USDA inspected slaughterhouse.

Implementation Responsibility: Town Board, SCPDA, Ag Marketing Specialist, Agriculture Committee
Timeframe: first three years

3. Recommendation: Promote Agritourism & Direct Marketing

a. **Encourage Direct Marking of Farm Products:** Encourage the development and promotion of direct marketing enterprises. Support farmers who want to or already are direct marketing. When a farmer sells directly to the consumer the farmer has a higher profit margin. This helps farmers stay in business and keeps land in agriculture. Make sure regulations and Town policies do not unreasonably restrict farmers' efforts to sell their products directly to the public.

   Implementation Responsibility: Town Board, Planning Board, Agriculture Committee, Ag Marketing Specialist, CCE
   Time Frame: first year

b. **Support Direct Marketing of Locally Raised Pastured and/or Grass Fed Meats and Eggs:** Encourage farmers to take advantage of the growing market for locally raised and grass-fed and pastured meats. Work with the SCPDA, CCE and SUNY/Cobleskill to develop support networks and programs for farmers who are starting up or transitioning into this type of agriculture.

   Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist CCE, SUNY Cobleskill
   Time Frame: first three years

c. **Support Farm Tours:** Have farmers collaborate to open their farms to the public on certain days and offer tours of their farms. Develop a promotional flyer with a map to distribute to the public through various venues in Schoharie County and the Capital District. Have the tour days listed in local calendars of events and on web sites. These tours will promote agritourism and direct marketing as well as educate the public about farming

   Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist, Schoharie County Chamber of Commerce, farmers
   Time Frame: first five years

d. **Hold Annual Farm Festival:** To promote the presence of agriculture in the town, involve farmers in the community, attract tourists and educate town residents, hold an annual farm festival featuring local foods, farm tours, a petting zoo, etc. Consider possibility of holding a festival on a different farm each year.

   Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist, Schoharie County Chamber of Commerce, 4H, FFA, community groups and volunteers
   Time Frame: first five years

e. **Collaborate with County to Provide Assistance for Farmers Who Want to Direct Market their Products:** Encourage collaboration at the state, county and town level to design and fund a program that would offer financial and technical assistance to commodity farmers, such as dairy farmers, who want to convert all or part of their business to direct market their products.

   Implementation Responsibility: Agriculture Committee, SCPDA, Ag Marketing Specialist
   Time Frame: first three years

4. Recommendation: Support On-Farm Development of Small-Scale Renewable Energy Technology

Encourage farmers to produce renewable energy for on-farm use in accordance with Town regulations. Farms are currently producing renewable energy for on and off farm consumption in the form of wind, solar, hydropower and bio-fuels. The production of renewable energy is a major economic opportunity for farmers that will help them keep their land in agriculture. The town needs to keep this in mind when crafting regulations regarding renewable energy. Educate farmers about alternative-energy programs for farms offered by groups like New York State Energy Research and Development Authority (NYSERDA) and encourage their participation.

Implementation Responsibility: Agriculture Committee, SCPDA, CCE, NYSERDA, NYSDAM
Time Frame: first three years

5. Recommendation: Research Hunting Leases

Provide information to farmers interested in exploring the option of hunting leases as an opportunity to increase their farm income.

Because of its proximity to the Capital District as well as New York City the Town of Wright is an attractive destination for hunters. Farmers can lease the right to hunt to hunters. This option should be researched and the information provided to farmers.

Implementation Responsibility: Agriculture Committee, Ag Marketing Specialist, NYS Department of Environmental Conservation (NYDEC), local hunting clubs

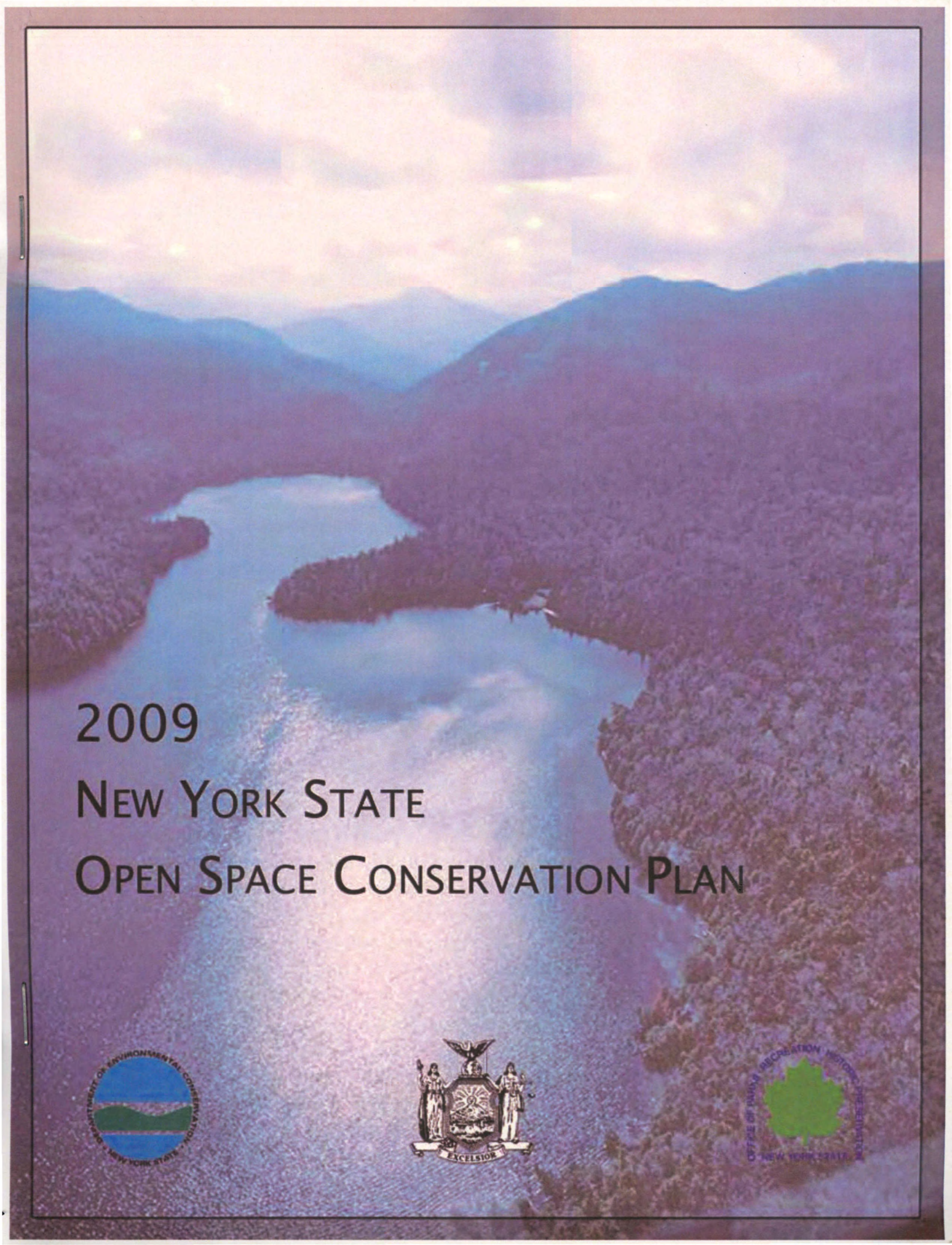
Timeline: first three years



APPENDIX

Appendices

A. NYS Open Space Conservation Plan, pg 88
B. Input from Public Meetings
C. SWOT Analysis
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E. NYSDAM Definition of Agriculture
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2009
New York State
Open Space Conservation Plan

Schenectady County. Finally, it is also important to protect linkage parcels that contribute to the continuity of a statewide Canalway Trail system.

OOMSDALE FARM & SURROUNDING LANDSCAPE {50} ❖ – The focal point of this project area is Oomsdale Farm, which occupies approximately 350 acres in Chatham, Columbia County, and includes high quality farmland, significant habitat for grassland nesting birds, and spectacular scenic vistas from the high open fields. Also included in this landscape complex are the Kinderhook Creek corridor and associated floodplains, forestland, and open grassland fields. This area represents an outstanding opportunity to preserve a productive working landscape while protecting a sizeable expanse of nesting habitat for increasingly uncommon grassland birds, as well as the significant contributing features of the surrounding landscape.

RENSSELAER PLATEAU {51} ❖ – This area of Rensselaer County includes the fifth largest unfragmented forest in New York State and a portion of the Tomhannock Reservoir Watershed, which provides water to over 100,000 County residents. In addition to the expansive forest, the Plateau supports several unique wetland communities (including sedge meadow, dwarf shrub bog, spruce-fir swamp, and kettle hole bog), an impressive mammal diversity not typical of the greater Capital District (including black bear, fisher, otter, bobcat, and moose), and is included on National Audubon Society's list of Important Bird Areas in New York, which specifically mentions a high diversity and abundance of forest breeders, including many State listed species. Protection activities in this area would not only serve to secure these significant features, but would also contribute to a long-term vision shared by a number of organizations to establish an open space corridor and trail system across the Plateau; connecting Dyken Pond Center to Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, Dickinson Hill Fire Tower, and other recreation and environmental education facilities.

SCHOHARIE VALLEY CORRIDOR {52} ❖ – The Schoharie Valley Corridor is one of the oldest settled landscapes in the State and a setting of dramatic scenery and significant agricultural production. While the highest priority areas for protection are located from the Town of Esperance south to Gilboa, provision of public access and protection of Schoharie Creek and its tributaries are important throughout Montgomery and Schoharie counties. Of particular concern is conserving farmland throughout the Valley; protecting unique karst formations and associated aquifers; preserving Native American archaeological sites and the remains of pre-Revolutionary War forts; and securing bald eagle nesting habitat south of Middleburgh.

SUSQUEHANNA RIVER VALLEY CORRIDOR {53} ❖ – This major river valley corridor, which encompasses portions of Otsego and western Delaware counties, is an important component of the federal priority Chesapeake Bay drainage basin. Continued open space protection within this area contributes to maintaining high water quality and secures a significant warm water fishery and public recreational area. Protection of **parcels along the Susquehanna corridor** would also provide needed public access to the river and its tributaries thereby enhancing recreational opportunities, while providing economic benefits to the local communities. Also within this area is **Franklin Mountain**, which encompasses a ridgeline separating the Susquehanna and Delaware River watersheds in northern Delaware County. Franklin Mountain provides outstanding opportunities for viewing seasonal raptor migrations, as evidenced by the area's inclusion in National Audubon's list of Important Bird Areas in New York State. Publicly-owned parcels at critical overlook sites could provide secure access with relatively small acreage acquisitions. Finally, the 1,200-acre **Meridale Farms** project area, which presents a unique opportunity to integrate agriculture with conservation of grassland habitat, scenic vistas, and water resources, is recommended for protection within this corridor.

Appendix B

Input from Public Meetings

Summary Public Meeting, February 12, 2009
Development of Agriculture and Farmland Protection Plan
Town of Wright

Definition of Agriculture

One individual expressed concern that the definition not be restrictive in terms of size and amount of revenue because he was just starting up and hadn't reached that scale yet but was striving to.

Concern expressed that restrictions discourage start up operations

One larger-scale farmer said we need to have certain standards "if you have a couple of chickens are you involved in agriculture as opposed to a full-time farmer."

One individual made the point that "the media has focused on emerging agriculture and niche farmers and sometimes the dairy farmer is not understood…there is a vast difference between being a weekend warrior vs. a full-time dairy farmer…"

"There needs to be a sensitivity to the need for distinction…needs to be room for distinction between something that involves someone's livelihood and the challenges involved…but we don't want to discourage the niche folks..."

Committee Input:

A farm needs to be more than just a big garden.

In the survey people said they wanted agriculture in town and that it should be broadly defined.

People with a dozen chickens buy feed from the farmer. It all supports each other.

What if someone was crazy enough to try to start a dairy with ten cows? Wouldn't they need help the most?

Everyone supports everyone else.

Educating the Public about Agriculture

“When it comes to educating the public we are so far removed from the farm,” observed one large dairy farmer.

Suggestion for having a tour of farms in town for the people in the town

Suggestion for town-wide agriculture awareness day or week

Encourage Existing Farmers

People have to understand what farmers do and why.

Need speed limit on Knox/Gallupville Rd, currently speed limit stops where farms start…why?

Encourage police to patrol for speeding.

If animals get out it used to be the neighbors would help you get the animals back in…now they call the police.

America used to be a great country because people grew up on farms.

We need to tell people that farming is a beautiful life. Most farmers complain 7 days a week and discourage other people from farming.

Buying local is the best way to encourage farmers.

Discussion of concept of dairy processing plant

Discussion of a farmers market, pros and cons

Discussion of need for federally inspected slaughter facilities

People believe there is a real opportunity for farms selling local beef that is grass fed and hormone free…selling meat to neighbors…it will be the salvation of cattle industry in the Northeast.

Attracting new farmers to town and cultivating the next generation of farmers

A new farmer to area talked about trouble he has finding workers.

Discussion of concept of developing a list of workers, networking, sharing workers

Discussion of concept of having students interested in agriculture work on 4 or 5 different farms during one summer this would help farmers with labor and be educational for the worker/student. On-farm internships were discussed as well as the possibility of establishing a relationship with SUNY Cobleskill.

One individual questioned whether or not there was enough land to accommodate new farmers.

Discussion of the community marketing itself to farmers with website, publications, active marketing program “Come Farm with Us”

Others mentioned the possibility of reaching out to Amish farmers.

Committee Input:

Don’t think you can’t change things. If you get enough people together you can.

Mentoring can be assigned or unofficial.

Encourage kids to get involved in farming, stay on the farm and stay in the community.

Offer farm tours.

Agritourism

A good viable community will attract new farmers.

Retaining Critical Mass of Farmland

Mention of the Schoharie Land Trust involved in buying land and taking donations of conservation easements—voluntary

Issue of land values being high since town is close to capital district

“The only way we can retire as farmers is to sell our land.”

One individual points out that land sold for development increases taxes because of the increased need for services.

There used to be a number of feed stores, equipment stores, milking equipment dealers that are now gone.

Critical mass of agriculture has gone by the wayside

“When farmers quit, a developer offers them a lot of money for 150 acres, farming you can barely survive.”

“To someone who works at a job, their house and 3 acres is 95 percent of their equity, for the farmer it is that 150 acres.”

“We need to bridge this disconnect.”

“The whole community needs to resolve this issue.” *(In reference to the issue of tax dollars vs. services for farm acreage and residential development)*

Tax bills are a huge drain on farm income.

“The farmer is carrying non-farming neighbors, there is a lot of talk about farm subsidy but nobody talks about this--until this is solved by the community we are going to lose farms.”

“We can’t expect people to die for their farms.”

“Agriculture needs to be valuable enough to compete with other land uses.”

Committee Input:

This plan is focused more on education than regulation.

Encourage new economic opportunities

Try to find market for older traditional crops (hops) microbreweries, question of virus in soil

Tours-open farm, have people come out to see farms (trick in avoiding them wanting to build here)

Public perception of the treatment of livestock

Connect with small farm operation –Cornell, direct marketing

Host seminar

Tours to other operations

Located close to good markets

More discussion of pros and cons of farmers market

Lack of feasibility for farmers market

Hunting leases

Appendix C

Strengths, Weaknesses, Opportunities, Threats (SWOT) Analysis
Town of Wright
Public Meeting
9/24/08
Agriculture and Farmland Protection Plan

Strengths
Soil quality
People help each other
People are farming
Location--proximity to urban areas and customers
Many types of agriculture
Affordable land
Cooperation between farmers
New, small farms (designer, niche)
County is pro farming
Town is of historical importance (Schoharie County, breadbasket of the revolution)
Existence of large chunks of farmland—not cut up
Dedicated farmers here for the long-term
Beauty of town due to farms
Comprehensive Plan supportive of agriculture
Town has a local right to farm law

Weaknesses
Town is attractive to people from the city who want to live here
Low cost of land another reason to move here
New residents unfamiliar with agriculture cause problems
Many bigger farms rely on rental land that could be sold and become unavailable for agriculture
Town has no population hub to serve as market for agricultural products
Difficulty of finding labor
Taxes
Fuel costs
Misconceptions on the part of the general public regarding agriculture
Lack of many youths interested in farming

Opportunities
Tourism
Restaurants, schools and grocery stores want to purchase local produce
Shift to organic and grass-fed
Change in market for livestock—more sheep and goats
People want to reduce shipping costs

Local store is interested in selling local produce
Rise of popularity of and awareness of CSAs**.**
More opportunity for farms to cooperate and gain efficiency
Opportunity for local milk cooperative
Lots of water—opportunity for aquaculture
Opportunity for wind power

Threats
Development (people)
Negative impacts on water quality
Increased taxes
Increased traffic
Road conditions
Maintaining enough agriculture to keep local agriculture suppliers in business
Public perception (animal rights)
Locally grown food vendors are small, independent, and vulnerable.
Insurance costs
Lack of processing facilities (USDA inspected) ability to do small quantities

What is Most Important for an Agriculture Plan?
Address Taxes
Rights and protection of farmer and farm
Keep farming viable so farmers can keep farming—keep farming profitable
Long term cooperative for insurance
Define what farming is
Vision of what everyone in town wants for the town's agriculture—something everyone can agree on even if they differ on how to do it
Public education—tours, open houses
School program
Agriculture scholarship

Appendix D

Comprehensive Land Use Plan Survey Analysis

The Survey
A survey of residents in the Town of Wright was conducted in 2007 as part of the background research for the development of the Town's Comprehensive Plan, which was adopted in 2008. The survey was conducted by the Town of Wright in cooperation with the Schoharie County Planning and Development Agency and was responded to by 386 residents.

Town Residents
Nearly 100 percent of those surveyed are permanent residents of the Town of Wright and have been living in the Town for at least 25 years. They live on more than three acres in single-family homes, which they own. Many of these homes are older, with about a third of the homes being over 100 years old.

Farmland and Open Space

Open space and scenic views are highly valued by the Town residents. Ninety percent of the residents surveyed viewed farmland as being of importance to the Town and the survey results showed a high level of concern regarding the loss of open space, scenic landscapes and farmland to development. Ninety-four percent of those surveyed believed that the business of agriculture should be encouraged in the Town.

Land Use
Seventy five percent of residents surveyed believe that property owners should be able to use their property as they like as long as it doesn't threaten the welfare, health and safety of the community. However the same percentage also believed there is a need to maintain undeveloped land in the Town.

Property Tax
Although residents surveyed were evenly split on whether or not they would pay higher taxes to preserve the Town's rural character, 67 percent believed the Town should offer farmers and owners of farmland reductions in local taxes in exchange for their commitment to continue farming.

Farming
Eighty-three percent of residents surveyed who own farmland earned less than 25 percent of their income from agriculture with only 8 individuals earning 75 to 100 percent of their income farming. The majority of those surveyed felt that local farms were being negatively impacted by a loss of farmland in the Town, high land prices, high taxes, high production costs and low profitability. The overwhelming majority of those surveyed believed the Town Board and the Planning Board need more information on protecting farmland in order to make effective land use decisions. Over half of the total respondents were unfamiliar with land preservation planning tools such as conservation easements and the sale or transfer of development rights.

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Appendix E

New York State Legal Definitions Relating to Agriculture

§ 301. Definitions. When used in this article:

1. "Agricultural assessment value" means the value per acre assigned to land for assessment purposes determined pursuant to the capitalized value of production procedure prescribed by section three hundred four-a of this article.

2. "Crops, livestock and livestock products" shall include but not be limited to the following:

a. Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.

b. Fruits, including apples, peaches, grapes, cherries and berries.

c. Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.

d. Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.

e. Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, ratites, such as ostriches, emus, rheas and kiwis, farmed deer, farmed buffalo, fur bearing animals, wool bearing animals, such as alpacas and llamas, milk, eggs and furs.

f. Maple sap.

g. Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump.

h. Aquaculture products, including fish, fish products, water plants and shellfish.

i. Woody biomass, which means short rotation woody crops raised for bioenergy, and shall not include farm woodland.

j. Apiary products, including honey, beeswax, royal jelly, bee pollen, propolis, package bees, nucs and queens. For the purposes of this paragraph, "nucs" shall mean small honey bee colonies created from larger colonies including the nuc box, which is a smaller version of a beehive, designed to hold up to five frames from an existing colony.

3. "Farm woodland" means land used for the production for sale of woodland products, including but not limited to logs, lumber, posts and firewood. Farm woodland shall not include land used to produce Christmas trees or land used for the processing or retail merchandising of woodland products.

4. "Land used in agricultural production" means not less than seven acres of land used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more; or, not less than seven acres of land used in the preceding two years to support a commercial horse boarding operation with annual gross receipts of ten thousand dollars or more. Land used in agricultural production shall not include land or portions thereof used for processing or retail merchandising of such crops, livestock or livestock products. Land used in agricultural production shall also include:

a. Rented land which otherwise satisfies the requirements for eligibility for an agricultural assessment.

a-1. Land used by a not-for-profit institution for the purposes of agricultural research that is intended to improve the quality or quantity of crops, livestock or livestock products. Such land shall qualify for an agricultural assessment upon application made pursuant to paragraph (a) of subdivision one of section three hundred five of this article, except that no minimum gross sales value shall be required.

b. Land of not less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products, exclusive of woodland products, which does not independently satisfy the gross sales value requirement, where such land was used in such production for the preceding two years and currently is being so used under a written rental

arrangement of five or more years in conjunction with land which is eligible for an agricultural assessment.

c. Land used in support of a farm operation or land used in agricultural production, constituting a portion of a parcel, as identified on the assessment roll, which also contains land qualified or an agricultural assessment.

d. Farm woodland which is part of land which is qualified for an agricultural assessment, provided, however, that such farm woodland attributable to any separately described and assessed parcel shall not exceed fifty acres.

e. Land set aside through participation in a federal conservation program pursuant to title one of the federal food security act of nineteen hundred eighty-five or any subsequent federal programs established for the purposes of replenishing highly erodible land which has been depleted by continuous tilling or reducing national surpluses of agricultural commodities and such land shall qualify for agricultural assessment upon application made pursuant to paragraph a of subdivision one of section three hundred five of this article, except that no minimum gross sales value shall be required.

f. Land of not less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more, or land of less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more.

g. Land under a structure within which crops, livestock or livestock products are produced, provided that the sales of such crops, livestock or livestock products meet the gross sales requirements of paragraph f of this subdivision.

h. Land that is owned or rented by a farm operation in its first or second year of agricultural production, or, in the case of a commercial horse boarding operation in its first or second year of operation, that consists of (1) not less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more; or (2) less than seven acres used as a single operation for the production for sale of crops, livestock or livestock products of an annual gross sales value of fifty thousand dollars or more; or (3) land situated under a structure within which crops, livestock or livestock products are produced, provided that such crops, livestock or livestock products have an annual gross sales value of (i) ten thousand dollars or more, if the farm operation uses seven or more acres in agricultural production, or (ii) fifty thousand dollars or more, if the farm operation uses less than seven acres in agricultural production; or (4) not less than seven acres used as a single operation to support a commercial horse boarding operation with annual gross receipts of ten thousand dollars or more.

i. Land of not less than seven acres used as a single operation for the production for sale of orchard or vineyard crops when such and is used solely for the purpose of planting a new orchard or vineyard and when such land is also owned or rented by a newly established farm operation in its first, second, third or fourth year of agricultural production.

j. Land of not less than seven acres used as a single operation for the production and sale of Christmas trees when such land is used solely for the purpose of planting Christmas trees that will be made available for sale, whether dug for transplanting or cut from the stump and when such land is owned or rented by a newly established farm operation in its first, second, third, fourth or fifth year of agricultural production.

k. Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

5. "Oil, gas or wind exploration, development or extraction activities" means the installation and use of fixtures and equipment which are necessary for the exploration, development or extraction of oil, natural gas or wind energy, including access roads, drilling apparatus, pumping facilities, pipelines, and wind turbines.

6. "Unique and irreplaceable agricultural land" means land which is uniquely suited for the production of high value crops, including, but not limited to fruits, vegetables and horticultural specialties.

7. "Viable agricultural land" means land highly suitable for agricultural production and which will continue to be economically feasible for such use if real property taxes, farm use restrictions, and speculative activities are limited to levels approximating those in commercial agricultural areas not influenced by the proximity of non-agricultural development.

8. "Conversion" means an outward or affirmative act changing the use of agricultural land and shall not mean the nonuse or idling of such land.

9. "Gross sales value" means the proceeds from the sale of:

a. Crops, livestock and livestock products produced on land used in agricultural production provided, however, that whenever a crop is processed before sale, the proceeds shall be based upon the market value of such crop in its unprocessed state;

b. Woodland products from farm woodland eligible to receive an agricultural assessment, not to exceed two thousand dollars annually;

c. Honey and beeswax produced by bees in hives located on an otherwise qualified farm operation but which does not independently satisfy the gross sales requirement;

d. Maple syrup processed from maple sap produced on land used in agricultural production in conjunction with the same or an otherwise qualified farm operation;

e. Or payments received by reason of land set aside pursuant to paragraph of subdivision four of this section;

f. Or payments received by thoroughbred breeders pursuant to section two hundred fifty-four of the racing, pari-mutuel wagering and breeding law; and

g. Compost, mulch or other organic biomass crops as defined in subdivision sixteen of this section produced on land used in agricultural production, not to exceed five thousand dollars annually.

11. "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, "timber processing" as defined in subdivision fourteen of this section and "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section. For purposes of this section, such farm operation shall also include the production, management and harvesting of "farm woodland", as defined in subdivision three of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

12. "Agricultural data statement" means an identification of farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law is proposed, as provided in section three hundred five-a of this article.

13. "Commercial horse boarding operation" means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, a commercial horse boarding operation that is proposed or in its first or second year of operation may qualify as a farm operation if it is an agricultural enterprise, consisting of at least seven acres, and boarding at least ten horses, regardless of ownership, by the end of the first year of operation.

14. "Timber processing" means the on-farm processing of timber grown on a farm operation into woodland products, including but not limited to logs, lumber, posts and firewood, through the use of a readily moveable, nonpermanent saw mill, provided that such farm operation consists of at least seven acres and produces for sale crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more and that the annual gross sales value of such processed woodland products does not exceed the annual gross sales value of such crops, livestock or livestock products.

15. "Agricultural tourism" means activities conducted by a farmer on-farm for the enjoyment or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life.

* 16. "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

* NB There are 2 sb 16's

* 16. "Compost, mulch or other organic biomass crops" means the on-farm processing, mixing, handling or marketing of organic matter that is grown or produced by such farm operation to rid such farm operation of its excess agricultural waste; and the on-farm processing, mixing or handling of off-farm generated organic matter that is transported to such farm operation and is necessary to facilitate the composting of such farm operation's agricultural waste. This shall also include the on-farm processing, mixing or handling of off-farm generated organic matter for use only on that farm operation. Such organic matter shall include, but not be limited to, manure, hay, leaves, yard waste, silage, organic farm waste, vegetation, wood biomass or by-products of agricultural products that have been processed on such farm operation. The resulting products shall be converted into compost, mulch or other organic biomass crops that can be used as fertilizers, soil enhancers or supplements, or bedding materials. For purposes of this section, "compost" shall be processed by the aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

* NB There are 2 sb 16's

Appendix F

Soil Definitions

Source: National Resource Conservation Service – National Soil Survey Handbook (NRCS-NSSH; Part 622 / NRCS Soils; Part 657.5 Identification of Important Farmlands)

(1) Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding. Examples of soils that qualify as prime farmland are Palouse silt loam, 0 to 7 percent slopes; Brookston silty clay loam, drained; and Tama silty clay loam, 0 to 5 percent slopes. (Unique farmland is land other than prime farmland that is used for the production of specific high value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality and/or high yields of a specific crop when treated and managed according to acceptable farming methods. Examples of such crops are citrus, tree nuts, olives, cranberries, fruit, and vegetables.)

(2) (Additional) Farmland of Statewide Importance is land, in addition to prime and unique farmland that is of statewide importance for the production of food, feed, fiber, forage, and oil seed crops. Criteria for defining and delineating this land are to be determined by the appropriate state agency or agencies. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable. In some states, additional farmlands of statewide importance may include tracts of land that have been designated for agriculture by state law.

(3) (Additional) Farmland of Local Importance. In some local areas, there is concern for certain additional farmlands for the production of food, feed, fiber, forage, and oilseed crops, even though these lands are not identified as having national or statewide importance. Where appropriate, these lands are to be identified by the local agency or agencies concerned. In places, additional farmlands of local importance may include tracts of land that have been designated for agriculture by local ordinance.

Description of Soils in Town of Wright

Top Five: Listed in order of most abundant to least

Appleton channery silt loam-2 to 8 percent slopes.

- dark colored, poorly drained, medium texture
- formed in glacial till, high in lime
- calcareous substrate
- best suited for cultivated crops, pasture, and trees
- high risk for erosion if used intensively
- high moisture content makes it difficult to use for purposes other than farming
- as a result of high moisture, in dry summers, crops in these soils still perform well
- acidity ranges from medium acid to neutral
- high nitrogen, phosphorus is moderate

Lansing channery silt loams, 10 to 20, eroded

- Lansing soil is deep, well-drained, medium-lime, formed in calcareous glacial till. Water does not accumulate in the areas. Soil can be strong to medium acidic in surface layer. Nitrogen is moderately high. Lansing is among the better soil in the upland county for crops
- much of the original surface layer has been lost
- less acidic than similar soils that have not been eroded
- contains less organic matter and available nitrogen
- depth to clay subsoil materials 12-15 inches
- use of this area for crops or any non farm purposes should be limited due to high erosion hazard

Lansing channery silt loams, 2 to 10

- suited for cultivated crops, pastures, and trees
- soil receives little run-off from adjacent soils
- corn, small grains, and deep rooted legumes grow best here
- run off is medium
- hazard of erosion is moderate
- soil is suitable for housing and other development, although special attention must be paid to drainage system

Madalin silt loam over till

Madalin- deep, high lime soils that are poorly to very poorly drained. Surface layer is generally silty clay loam. Content of organic matter is high in surface layer. Nitrogen is not readily available for plants.

- 24 to 40 inches over glacial till
- usually idle, wooded, or unimproved pasture
- undrained areas best suited for pasture, woodland, wildlife areas, but not crops
- if drained, some crops can be grown
- soil is too wet for non-farm developments

Honeoye-Farmington complex-2 to 10 percent

- Honeoye soils are deep, well-drained, medium textured soils, which are gently sloping to steep. High in lime. Soils are moderately well-drained. Dry enough for farm machinery. In some areas, may contain gravel or rock fragments that interfere with tilling. Among the better soils for farming in Schoharie county. Phosphorus and nitrogen supply is moderate.
- surface layer is silty loam
- limestone bedrock is 40 inches below surface
- suited for pasture, trees, and cultivated crops
- hazard for erosion is moderate in sloping areas
- depth of soil makes it unsuitable for non-farming purposes.

Appendix G

Town of Wright

Agricultural Statistics Worksheet

Prepared by Schoharie County CCE and SCPDA

Number of Properties in Town	941
Number of Acres in Town	18,347 (28.6 square miles)

Number of Agricultural Properties	247 (26 percent of total properties in Town)
Acreage of Agricultural Properties	15,634 (85 percent of total acreage in Town)
Active Acres of Agricultural Properties	11,512 (74 percent of agricultural properties)

Number of Agricultural Properties in Agricultural District	133 (54 percent of agricultural properties in Town)
Acres in Agricultural District	6,949 (38 percent of acres in Town)

Acres of Prime Farmland	381 (2 percent of acres in Town)
Acres of Prime Farmland on Agricultural Properties	285 (75 percent of prime farmland in Town)

Acres of Soils of Statewide Importance	261 (1 percent of acres in Town)
Acres of Soils of Statewide Importance On agricultural properties	150 (less than 1 percent of acres in Town)

Appendix H



Review of Town of Wright Land Use Regulations

Recommendation 1: Update the Town of Wright's comprehensive plan to reinforce the importance of agriculture to the community and incorporate concepts from the agriculture and farmland protection plan.

Action 1: Reinforce the importance of agriculture to the Town of Wright and encourage compatible development in hamlets as a means of encouraging further growth in the community but limiting its impact on agriculture.

Development: Objectives stated in the comprehensive plan such as "to preserve and enhance small town rural character" should be elaborated on and clarified. The size and type of development the town is interested in hosting should be clarified in the comprehensive plan and these statements must then be adopted into town policies. If this does not happen the town will have limited ability to prevent poorly planned development from taking place.

Water and Sewage Lines: The comprehensive plan should recommend that any future water and sewage infrastructure be focused around the hamlet of Gallupville. Extensions of water lines outside of hamlets should be limited. If water lines do extend outside of hamlets lateral restrictions should be required. Agriculture District Law recommendations for extension of water lines into agricultural areas need to be adhered to.

Regulations on Keeping of Animals in Hamlet: The comprehensive plan currently reads "Develop appropriate space requirements and facilities for the keeping of large and small animals within the hamlet. Additionally, the lawful removal and disposal of animal waste should be addressed. These regulations should be consistent and coordinated with county regulations." The town needs to make sure that such regulations will not unreasonably hinder operation of existing and future agricultural businesses in hamlets.

Storing Trash: Regulations on "storing of trash" in hamlet areas should not interfere with need of farm operations located in hamlets to store machinery, equipment, farm vehicles and supplies.

Recommendation 2: Update the Town of Wright's right to farm law to further reinforce farmers' right to utilize sound agricultural practices and provide an on-going voice for farmers in town decision-making.

Action 1: Encourage a consistent approach to agricultural issues within the Town of Wright and provide farmers with a vehicle to advise the town about agricultural priorities and interests and the potential impacts of town policies, development proposals or other activities on local farms.

Establish Agriculture Committee: The town should adopt the proposal made in its comprehensive plan that it forms an agricultural advisory committee. This committee could be responsible for ensuring that the state agricultural district law and the town right to farm law are being adhered to. The committee could also organize efforts to educate farmers about issues such as tax abatement, coordinate community support for new and existing farmers in town and take the lead in educating the public about agriculture.

Definition of Agriculture: Consider using same definition in agriculture and farmland protection plan as the town's official definition of agriculture. This definition mirrors the New York State Department of Agriculture and Markets definition without restrictions on acreage and revenue.

Real Estate Disclosure Notices: Require all purchasers of property within the Town of Wright, regardless of location, to receive a notification that they are purchasing land in a town that places a priority on agriculture and has a local right to farm law in place. Require real estate disclosure notices to be attached to purchase and sale contract at time of offer as well as at the time of closing. The town could consider requiring real estate disclosure notices to also be included with building permits and plats of subdivisions submitted for approval.

Regulations: Require intent and purpose of right to farm law to be taken into consideration by town when processing applications for subdivisions, site plan approval and special use permits.

Recommendation 3: Update the Town of Wright's subdivision law to steer non-farm development away from high quality farmland and help mitigate potential conflicts between farmers and new non-farm neighbors.

Action 1: Include definitions of the following key terms in the subdivision law.

Agriculture
Agriculture data statements
Agriculture district
Agricultural lands
Agritourism
Buffers
Conservation easement
Conservation subdivision
Environmental assessment form
Environmental impact statement
Farm
Farmland
Farm equipment
Real estate disclosure notice
Renewable energy
State environmental quality review

Action 2: Clarify elements of Wright's subdivision law to avoid confusion among landowners and town boards.

Remove references to zoning: **The Town of Wright does not have zoning regulations or a zoning board yet there are several recommendations to zoning in the subdivision regulations. These references should be removed to avoid confusion.**

Change references to Master Plan: **The subdivision regulations frequently refer to the towns "master plan" and "land use plan." The plan in place in Wright is called a "comprehensive plan." The subdivision law should refer to the plan by the correct title.**

Official Map: **The subdivision regulations often refer to the use of the town's "official map." It is not clear if an "official map" actually exists and if it does if it is current. This issue needs to be resolved.**

Action 3: Demonstrate the Town of Wright's commitment to agriculture and the continued viability of farming in the community.

Provide Strong Statement of Town's Support of Agriculture in Regulations: The subdivision regulations should contain a strong statement regarding the priority the Town places on agriculture. This statement should explain that all subdivision proposals would be examined for potential negative impacts on agriculture in the town. The regulations should reference the agriculture and farmland protection plan, the comprehensive plan, the Town's right to farm law, and state agricultural district law. The subdivision regulations should advise developers to make every attempt to minimize the loss of farmland in their proposed locations of buildings and driveways. Wherever "preservation of natural features/resources" is referred to farmland should be specifically referenced as well.

Create Checklist for Those Proposing Projects in the Town: At the initial proposal for a development project provide a checklist of all the considerations to be made and steps to be taken to meet the Town's requirements regarding agricultural lands a developer must undertake. This checklist will be helpful throughout the process to both developers and the Town officials.

Town Support for Agricultural Conservation Easements: **The Town's subdivision regulations should express the Town's support of landowners interested in voluntarily selling or donating the development rights to their land through the state farmland protection program or working with not-for-profit land conservancy.**

Consider Phased Subdivision: Review option of requiring major subdivisions to be done in phases to allow the Town to avoid the potential negative impact of development on water resources and agriculture.

Action 4: Ensure that the required subdivision process provides adequate information about the potential impacts of new subdivisions on productive farmland and nearby farm operations.

Hold Pre-Application Conference Prior to Subdivision Proposals: Before a proposal for a subdivision can be submitted the Town should require the developer to attend a pre-application conference with Town officials to discuss the compatibility of a subdivision concept with the Town's comprehensive plan, agriculture and farmland protection plan, right to farm law and state agricultural district law. Soil maps should be consulted in an effort to protect high quality agricultural land. Make sure applicants are aware of all required procedures pertaining to farmland.

Require Subdivision Sketch Plans to Indicate Farmland: Sketch plans should show the proposed subdivision's proximity to active agricultural land and be accompanied by agriculture data statements when required by state agricultural districts law.

Real Estate Disclosure Notices: Include a statement in the subdivision law that points out that, under state agricultural district law, buyers of land in an agricultural district must receive a real estate disclosure notice notifying them of agriculture use in area before closing on property. A requirement that real estate disclosure notices be issued for any property sold in the town could be required by the town right to farm law.

Action 5: Encourage the design of new subdivisions in a way that minimizes the impact of new houses on farmland and nearby farming operations.

Roads: Subdivisions should allow farmers access to fields that may be cut off from the road by development. Streets created by subdivisions should allow safe passage for farm vehicles. This requirement should be referenced in the sections of the regulations that deal with roads.

Utilities: The regulations should state that utility laterals associated with subdivisions should be buried whenever possible and not interfere with agricultural activity in area.

Drainage: Drainage from developed land must be managed so that it does not flood farm fields. Watercourses must not be diverted from developed land in a way that will result in the flooding of farmland. This should be stated wherever references to drainage are made within the regulations.

Buffers: The subdivision regulations should require sufficient buffers between developed land and land in agricultural use that will shield houses from farm activities. The creation of these buffers should be the responsibility of the developer of the subdivision not the owner of the adjacent agricultural land.

Recommendation 5: Update the Town of Wright's Site Plan Review Law to demonstrate strong support for local farms and create a farm-friendly business environment.

Action 1: Update the definitions in the site plan review law.

Exemption for Agriculture: The site plan review law exempts "agricultural land use" however it is unclear exactly what that means. The town must clarify to what extent if any the site plan review law pertains to farm operations in terms of layout of buildings, lighting, solid waste removal, etc.

Definitions: Definitions for the terms listed below should be provided in the site plan review law as well as for any other terms relating to agriculture that might become included in the law during future revisions.

Agriculture
Agriculture Districts
Agricultural lands
Agricultural product*
Agricultural product processing*
Buffers
Farm
Farmland
Home occupation
Seasonal use
State environmental quality review

*Agricultural Product Processing: particularly on-farm processing, should be defined as agriculture and be considered separate and different from "industrial use"

Action 2: Demonstrate the importance of agriculture to the Town of Wright and ensure that regulations are appropriately tailored for farms and related businesses.

Provide Strong Statement of Town's Support of Agriculture in Regulations: The site plan review law should contain a strong statement regarding the priority the Town places on agriculture. This statement should explain that all site plan applications would be examined for potential negative impacts on agriculture in the Town. The regulations should reference the agriculture and farmland protection plan, the comprehensive plan, the Town's right to farm law, and state agricultural district law. The site plan review regulations should advise people to make every attempt to minimize the loss of farmland in their proposed locations of buildings and driveways. Wherever "preservation of natural features/resources" is referred to farmland should be specifically referenced as well.

Sketch Plan Conference: At this conference Town representatives should determine if the proposal is in conformity with the Town's comprehensive plan, agriculture and farmland protection plan, state agriculture district law, and the Town right to farm law. Soil maps should be consulted in an effort to protect high quality agricultural land. Site plans submitted for approval should include location of adjacent agricultural operations

on the site map. Agriculture data statements should be submitted with site plan approval applications when required by state agricultural district law.

Buffers: The general objectives of the site plan review law's design standards should require adequate buffers between the proposed site and any adjacent agricultural land. Also, the section of the law dealing with screening/buffering should specifically address the need to buffer non-agricultural development from farms. In some cases, the currently required 10 foot wide buffer may be insufficient. Whenever buffers are mentioned in the law the need for adequate buffers between farms and non-farms needs to me specified.

Private Road Standards: Make sure farm roads are exempt from the site plan review law's private road standards.

Drainage: The site plan review law states that storm water run off should be "directed away from impervious surfaces and toward absorbent ground area." The law should state that developed land may not direct run off onto agricultural land.

Permit the operation of non-farm businesses based on working farms. Town regulations should allow for the operation of non-farm businesses compatible with agriculture to be conducted on working farms such as car and equipment repair, construction, sawmills, welding, trucking, bed and breakfasts, antique shops, furniture making, etc. Such businesses often support the farm business, which keeps the land in agriculture.

Junkyards: **The committee should consider recommending that regulations regarding junkyards specifically exclude agriculture since many farms must keep various equipment and vehicles on hand to supply parts.**

Mobile Homes: **The Town regulations regarding mobile homes and mobile home parks should exclude farm labor housing. For example current regulations require a mobile home to be sited on a 3-acre lot, which is impractical for farm labor housing.**

Lighting: **The site plan review law has fairly strict regulations regarding lighting. The Town may want to exempt agricultural buildings from these regulations. Currently the exemption refers only to "agricultural land uses."**

Solid Waste Disposal: **Though the site plan review law exempts "agricultural land uses" the town may want to consider specifically exempting farm operations from solid waste regulations, relying instead on regulation at the state level.**

Fire Protection: **The site plan review law requires the applicant to have available: "…adequate provision for fire fighting. The applicant shall provide water storage facilities (either water storage tanks or surface ponds) to assure the required water quantity will be readily available, and that such water will be provided at pressures required for fire purposes." The Town needs to clarify whether or not this law**

applies to agricultural operations and other farm buildings including housing on farms.

Direct Marketing of Farm Products
Because of Wright's proximity to the Capital District, retailing of farm products directly to the consumer is a real economic opportunity that needs to be nurtured. However there are several ways in which the site plan review law restricts direct marketing, perhaps unnecessarily.

Exemption: Although "agricultural land uses" are currently exempt from the site plan review law roadside stands are not. The town should re-consider this requirement as many roadside stands are very simple seasonal structures and this standard may inhibit farmers from developing roadside markets.

Signs: The site plan review law contains extensive regulations regarding signage. Any regulations pertaining to signage should exclude or be relaxed for agriculture and agritourism. Currently the regulations state that only farm produce signs not exceeding 6 square feet in size are exempt. The definition of a "farm produce sign" needs to be clarified and the size restriction needs to be reviewed.

Parking and Loading: The Town needs to consider how the site plan review law's minimum requirements for off-street parking spaces pertain to farm stands both permanent and seasonal. The Town should also exempt road side stands from the prohibition of storage of vehicles in off street parking areas, since the space may be needed on occasion for farm equipment and farm vehicles. Also roadside stands may not need the same regulations for parking area surfaces and the location of parking area stated by the law. The impact of the law's off-street loading requirements on farm stands also needs to be considered.

Non-Highway Commercial: These standards are fairly restrictive and the Town may want to exempt farm retail operations or else customize regulations for such businesses providing more flexible regulations for signage, hours of operation, parking lot covering, noise, dust etc.

Highway Commercial: These regulations appear to be designed for fairly large-scale businesses. The Town should consider exempting agricultural retail from these regulations for farm stores that may exist on highways. The Town should also insert language to prevent these regulations from being applied to agricultural operations.

Renewable Energy: **Farms are already producing renewable energy for on and off farm consumption in the form of wind, solar and bio-fuels. The production of renewable energy is a major economic opportunity for farmers and the Town needs to keep this in mind when crafting regulations regarding renewable energy.**

Recommendation 6: Review other local ordinances to ensure they provide adequate flexibility to farmers and related businesses.

Action 1: Review regulations of buildings, structures and mobile homes

Minimum Lot Size: Currently the town has three-acre minimum lot size in place. In some cases this requirement may contribute unnecessarily to the loss of farmland. Consider allowing smaller lots in some cases, such as a conservation subdivision to preserve agricultural land. In addition, mobile homes must be also be sited on three-acre lots. This is impractical for farm labor housing. Farm labor housing located on farms should be exempt from this regulation.

Agricultural Buildings: This law currently reads "The term 'agricultural building or structure' as used herein is defined as any building or structure used or intended to be used for the production or storage of crops or the quartering of livestock." The Town needs to be sure that this definition includes the full scope of agricultural uses that could occur. This law states that agricultural buildings and structures do not need building permits. It is unclear whether or not this exemption also applies to farm stores either permanent or seasonal.

Local Law Providing for the Administration and Enforcement of the New York State Fire Prevention and Building Code

This regulation states that non-residential farm buildings are exempt from building permit requirements but do have to comply with building code. However the building code states that agricultural structures are exempt from building permit requirement and does not say anything about expected compliance with building code. This language needs to be clarified.

This regulation also states that building permit applications must be accompanied by plans but that this requirement "may be waived by code enforcement officer for the following reasons," one of which is farm buildings. The concern here is the use of the word "may." It implies that the code enforcement officer could conceivably require plans for farm buildings to be submitted, even though the rest of this code, as well as the building code, states that farm buildings are exempt from having to apply for the building permit. This also needs to be clarified. In addition the law needs to be specific about regulations and/or exemptions for farm stores, both permanent and seasonal.

Action 2: Review miscellaneous local ordinances for compatibility with agriculture.

Local Law Prohibiting the Operation of Dumps
This law should clearly state that it is not intended to restrict on-farm dumping of farm waste and/or storage. As it is currently written the law is confusing as it prohibits operating a dump with the apparent exception of disposing waste on property where it is produced. It is unclear what type of waste is being referred to.

Local Law in Relation to the Classification of Low Volume Town Roads and Establishment of Maintenance and Rehabilitation Guidelines

Before a road is designated a minimum maintenance road, it should be reviewed by the agriculture committee, in addition to the already stated planning board and school board. The agriculture committee should make sure the change in the status of the road would not have a negative impact on agriculture. The town needs to be sure that changes in road status do not impact the farm's ability to be accessed adequately by trucks under various weather conditions. Dairy farms in particular must be accessed on a daily basis by milk trucks. The town must also be sure that road status changes do not affect traffic access to agritourism destinations.

Road width requirements for agriculture need to be sufficient and adhered to. Also, the drop off from road to field should not be allowed to be so steep as to cause a problem for farm equipment entering and exiting a field from the road.

Flood Damage Prevention
Review local ordinance for any inconsistencies with state flood plain law. The town ordinance must not be more restrictive than the state.

Appendix I



Interview Summary/Town of Wright

During the summer and fall of 2008, Laura Ten Eyck, a field consultant with American Farmland Trust (AFT), conducted 10 interviews with farmers and individuals who own farmland in the Town of Wright. AFT was hired by the Town's Agriculture and Farmland Plan Committee to assist in the development of an Agriculture and Farmland Protection Plan for the Town with funding from New York State Department of Agriculture and Markets Farmland Protection Program. Interviewees represented the following areas: Non-farming owners of agricultural land-2; beef farmers full-time-1; beef farmers part-time-2; dairy farmers-2; crop farmer-1; agritourism business-1; sheep farmer-1.

Farmers in the Town felt bolstered by the ongoing national and local consumer trend toward buying locally grown food and believed the Town of Wright to be a community supportive of agriculture. The time period during which the interviews were conducted was a challenging one for farmers in the Town. Exceedingly wet weather during the summer caused significant crop damage and made haying difficult. The season ended with an October snowstorm as the grand finale. Even more challenging than the weather was the dramatic spike in fuel prices which made the operation of farm machinery extremely costly and also contributed to an unprecedented rise in the cost of other farm inputs ranging from feed to fertilizer. Autumn saw a massive collapse of the American economy that eventually reached global proportions leaving the United States in a recession. Some farmers and landowners watched investments that they had set aside to fund their retirement freefall, leaving them with little to fall back on other than the value of their land.

The Business of Farming

Farmers in the Town are challenged by a lack of support infrastructure such as veterinary services and equipment dealers. "We've got to travel further and further to get what we need," explained a dairy farmer. In addition it is a struggle to find sufficient qualified and dependable labor. "It's harder and harder to find people willing to get dirty at work," said a dairy farmer. "People whose hands, at the end of the day, will look like mine do." Farmers who must take farm equipment on roads to reach their fields, complain that the roads and bridges in the Town are not able to accommodate modern farm machinery. "It used to be that there were 12 foot heads on combines. Now the smallest head you can find is 15 feet. Just try to get up and down these roads with one. It's hard," noted a beef farmer.

The consensus among those interviewed was that the best way to protect farmland is to keep farms in business. “To preserve farmland as farmland it has got to make some money for someone,” said one farmer. “It’s got to generate a profit so someone can say ‘This is worth doing.’” Unfortunately, farms, which have historically operated on narrow profit margins, are facing increasingly serious challenges. Input costs have risen dramatically over the last year, primarily due to the price of fuel, which spiked to record heights during the growing and harvesting season. “All our problems are directly fuel related,” observes a farmer. “Normally costs go up 10 to 15 percent a year. We complain but we go on. Now things are going up 300 percent.” Commodity farmers are struggling. “The biggest challenge is to balance income and expenses,” said a dairy farmer. “The milk price is so volatile it is hard to budget.”

Farmers take heart from consumers’ newfound interest in locally produced foods. “I think 9/11 was a hell of a wake-up call,” said a dairy farmer. “We were heading out of the country in terms of our food supply. After 9/11 people suddenly wanted to know where their food comes from. This has spurred the growth of farms both large and small. Hopefully this will save American agriculture. We got hit in the gas tank and felt it. If we get hit in the stomach we will really know it.” Some farmers hope that the country’s renewed support of farmers will have a global impact. “Our fake monetary system has hit bottom,” said a crop farmer. “Stocks—there’s nothing there. Farming is a viable industry. Agriculture produces something. Instead of feeding other countries bullets feed them food. The U.S. has the ability to produce a gigantic amount of food.”

Residential Development

In recent years the Town has seen a certain degree of residential development however it remains extremely rural in nature. Some do not view the current level of residential development as a threat. “I don’t think farmland is being lost in the town,” said one landowner. “I don’t agree with the people who think we will be smothered in development.” However the majority of farmers and landowners who rent farmland interviewed expressed concern about the loss of farmland to residential development in the Town of Wright. “Realtors have sucked up an awful lot of ground,” noted one farmer. These farmers believe that residential development is breaking up farmable acreage. They worry that without large, contiguous tracts of farmland, agriculture will no longer be a viable industry in the Town. Because the Town is only a forty-minute drive from the City of Albany there is a degree of development pressure from commuters. “I fear for the area simply because of its proximity to the Capital District,” said another farmer. “Tech workers are getting big paychecks. They like to work down in the city and live up here. If this area becomes a bedroom community I don’t see how there can be much productive agriculture going on out here.”

Concerns Regarding Taxes

Farmers and landowners believe that such residents, new to country life, expect suburban-style services that will drive up taxes in the Town. “We are getting more money in taxes from new homes but they want more,” observed a farmer. “Our taxes keep creeping up.” Higher taxes present a major problem for farmers who are operating on a slim profit margin. “My bottom line equals income over feed costs,” explained another farmer. “What it costs to produce the feed is what it costs to produce the milk check. The

milk check is my paycheck. But the milk market is volatile. That's always been the nature of the business." Recently a monthly milk check was significantly less than expected and this farmer had to sell livestock in order to pay his school taxes.

Because of the large number of acres needed for agricultural production farmers carry a disproportionate share of the tax burden compared to the services farms consume? "I pay taxes. And what do I get in return?" asks a farmer. "A hand reaching out for more tax money. I feel cheated in a way."

Although farmers in the Town own a considerable amount of their own acreage, most also depend heavily on the cultivation of rented land to produce food for their livestock. Farmers fear that the owners of the land they rent will be forced to sell their land for development because they cannot pay the taxes on it. "If a landowner can't afford to pay taxes they will have to reduce the burden by selling off pockets of land," said one farmer. "If pieces of the land I rent start breaking off I'm pretty much cooked. I can't afford to buy in feed."

Farmer/Neighbor Conflicts

With new residents come new issues for agriculture. The non-agricultural communities, particularly those in a hurry, become frustrated when sharing the roads with slow moving farm vehicles. Trespassing by people on ATVs and snowmobiles is also a problem for farmers. In addition non-farmers sometimes object to the practice of spreading manure on the fields. "I'm concerned when people complain about manure," said one landowner who rents his land to farmers. "You can't expect city living in a farming area. They come here and expect it to change." Others believe that newcomers should be welcomed. "These people didn't come out of a box. They bring unique talents and skills that we need to take advantage of," said one farmer. "Instead of hostility we need to put out a welcome mat for them. As it is there's a great divide. This undercurrent will have a lot to do with how this place develops."

Land Use Policies

Farmers are frustrated when they see houses going up on land with high quality agricultural soils and would rather see development directed towards less productive land within the Town. Farmers also wish that residential development could be consolidated in order to minimize the loss of farmland. "Three-acre lots are the demise of any kind of agriculture," said one farmer. On the other hand one landowner felt large lot size requirements that controlled development. "The three-acre lot size is controversial," he observed. "It has also been a good thing. What if someone wanted to put in 1,000 houses? He'd have to buy several thousand acres."

Farmers would prefer to see houses on smaller lots located closer together. "People in America are so used to sprawl," observed a farmer. "In Europe 50 people can live off the land that one person in this country mows for a yard. They would use every square inch of that land to grow something to eat." However there is some concern about houses too close together competing over water resources. "People like to talk about cluster housing," said a landowner. "But we have a water problem in the town. Cluster housing is only valid in these conditions if you are sure you can have, water, sewer and drainage."

When a home is located on a large parcel of land farmers believe it would be beneficial to design the layout of the lot in a way that maximized the remaining land's potential for agriculture. "Twenty years ago it would never occur to people to put in a diagonal driveway across a good field. It's wasteful. It's pure, downright wasteful."

Farmland Protection

All of the farmers and owners of farmland interviewed expressed a strong desire to see the Town retain its rural character. "I want to see this town stay absolutely rural based," said a dairy farmer. It is the business of farming that plays the biggest role in keeping the Town rural. However, as farmers approach retirement in this difficult economy the future of their farmland is uncertain. "In the stock market my investments took a beating. Hopefully they will come back but I don't know," said one farmer. "I planned to rely on that money to retire but when the economy goes down what do you have to live on? Most farmers have to sell land to retire."

Some of those interviewed were committed to keeping their land in agriculture. "I want to see my land used for farming in the future," said one individual who farms himself as well as rents out his land to another farmer. "The land is so good I'd hate to see it in anything other than farming." Some farmers believe the permanent protection of farmland would be worthwhile if it encompassed enough land. "If other people were to do it and we could create a big block of land, big enough to be of some value, I would consider preserving it," said one farmer. Others feared that any move toward protecting farmland permanently would threaten their rights as landowners. "If I were to sell today I would sell to the highest bidder," said another farmer. "Land will eventually go to its highest and best use. That's why you don't see chicken houses on Madison Avenue."







New York Agricultural Landowner Guide

A Guide to Public Farmland Conservation Programs

Tax Reduction
Farmland Protection
Environmental Management
Natural Resources Conservation
Farm Viability
Environmental Markets and Energy

By David Haight, Diane Held
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What we do

Founded in 1980 by a group of farmers and conservationists concerned about the rapid loss of farmland to development, American Farmland Trust (AFT) is a nonprofit membership organization dedicated to protecting our nation's strategic agricultural resources.

Working with farmers and ranchers, political leaders and community activists, AFT has helped to permanently protect more than two million acres of America's best farm and ranch land.

AFT's New York office is located in Saratoga Springs with additional staff and consultants working in central and western New York. Since 1990, AFT has been a leader on farmland protection issues in the state by developing effective public education programs and advancing agriculture and land conservation policies at all levels of government.

Our work in New York focuses on three areas:

- Protecting farmland from poorly planned development,
- Promoting environmental stewardship on farms, and
- Strengthening the economic viability of agriculture.

Through our research, educational programs and advocacy, AFT helps farmers, public officials and the public strengthen the future for farming in New York.

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Introduction

Farmers have helped shape the landscape of New York. They have cleared the countryside, plowed fields and maintained woodlands for centuries. Even today, more than seven million acres in New York are used for farming. Nationwide, New York farmers are leading producers of more than 20 fruits, vegetables and dairy products—from apples and sweet corn to maple syrup and milk.

Agriculture is increasingly recognized as a critical element of the state's economy as well as a key producer of fresh, healthy foods and renewable energy. Well-managed farms can act as natural filters to protect water quality, while also providing wildlife habitat and sequestering greenhouse gases.

Despite the importance of our farms, their future is threatened. Economic factors have made it difficult for many New York farms to remain viable. Disastrous weather events have destroyed entire seasons of crops. And poorly planned development has sprawled out from urban areas into the countryside, permanently destroying some of the state's most productive farmland.

Like the first version of the *New York Agricultural Landowner Guide*, this edition aims to help farmers and other farmland owners navigate the sometimes-confusing array of public programs available to reduce taxes as well as steward and protect their land. This updated version also identifies energy and environmental opportunities in a "green economy" and programs focused on enhancing farm viability. Throughout the guide, program titles are followed by the names of agencies/organizations that farmers should contact to learn more about a program. The guide consists of the following sections:

- **Tax Reduction and Exemption:** Strategies for reducing the tax burden on agricultural landowners (P. 2)
- **Farmland Protection:** Techniques for keeping land in farming (P. 5)
- **Environmental Management:** Programs to help farmers protect soil and water resources (P. 9)
- **Natural Resource Conservation:** Options for conserving wetlands, wildlife habitat and other natural resources (P. 12)
- **Farm Viability:** Programs helping to build long-term farm profitability (P. 14)
- **Environmental Markets and Energy:** Opportunities to enhance farms and the environment (P. 17)
- **Resources:** Contact information for agencies and organizations to help landowners achieve their agricultural and conservation goals (P. 20)

Tax Reduction and Exemption

Tax relief is an important issue for farmers. Farms need land to operate, and property taxes on farmland often are a considerable expense. Not only do property taxes add significantly to business costs for farmers, farms tend to pay more in property taxes than they require in public services. As farmers often say, "Cows don't go to school and corn doesn't dial 911." Increasingly, state and local governments are recognizing that keeping farmland in production may help control the cost of providing expensive community services.

The programs listed below offer property and sales tax relief for New York's farmers. Other tax incentives can be found in the Farmland Protection and the Environmental Markets and Energy sections of the *Guide*.



Tax Reduction and Exemption Programs

Program Purposes	Agricultural Assessment	Farm Building Exemptions	Farmers' School Tax Credit	Forestland Exemption	Historic Barns Rehabilitation Tax Credit	Orchard and Vineyards Exemption	Sales Tax Exemptions	NYS Conservation Easement Tax Credit*
Reduces taxes on farm or forestland	✓		✓	✓		✓		✓
Reduces taxes on farm buildings		✓						
Reduces sales tax							✓	
Reduces costs of farm building restoration					✓			

*See Farmland Protection Section, page 7

Agricultural Assessment

Contact: Town tax assessor, Soil and Water Conservation District or NYS Office of Real Property Services – Agricultural Unit

Agricultural assessment provides "use value" assessment for eligible farmland. This allows farmland to be assessed based on its agricultural value, rather than its full market (i.e., non-farm development) value. This agricultural assessment is automatically applied to county, town, city, village or school district taxes but must be adopted locally by special taxing jurisdictions such as fire or ambulance districts.

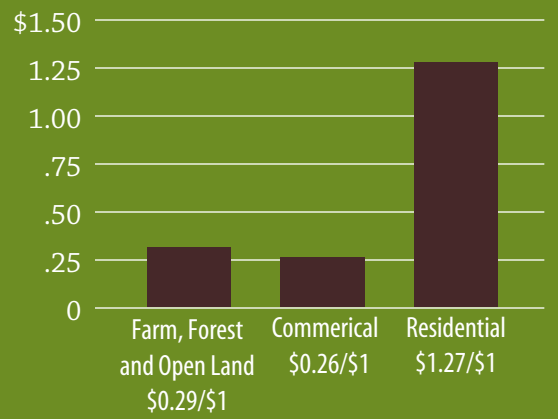
To qualify for agricultural assessment:

- Land generally must be a minimum of 7 acres and farmed by a single operation.
- Land must be used for crop production, commercial boarding of horses or livestock production.
- Farm operation must gross an average of $10,000 or more in sales per year.
- Parcels with fewer than 7 acres may qualify if the operation has an average gross sales value of $50,000 or more per year.

Support land, land set aside in federal conservation programs or farm woodland (up to 50 acres per eligible tax parcel) may qualify. Landowners who rent land to farmers are eligible to receive agricultural assessment if the property satisfies acreage requirements, the farmer renting the land meets the gross sales requirement and there is a written lease between the farmer and landowner of at least five years.

Cost of Community Services Studies

Cost of Community Services (COCS) studies conducted by AFT and others around the country have analyzed local revenues and expenditures by land use to determine the impacts of residential, commercial, and farm, forest and open land on local budgets. More than 15 COCS studies have been completed in New York and have consistently shown that farm, forest and open land generate more tax revenues than they receive in public services, compared with residences that typically require more in public services than they pay in taxes.



Cost per dollar of revenue raised to provide public services to different land uses.

Farm Building Exemptions

Contact: Local tax assessor or NYS Office of Real Property Services – Agricultural Unit

Several provisions in New York's Real Property Tax Law provide exemptions for farm buildings from property taxes.

Section 483 exempts new or reconstructed agricultural buildings, such as barns or farm worker housing, from any increase in assessed value that results from the improvement. Application to the local assessor must be made within a year following the completion of construction work. The exemption continues automatically for 10 years, as long as the building continues to be used for farming.

Sections 483-a, 483-c, and 483-d permanently exempt from taxation certain agricultural structures, such as silos, grain storage facilities, bulk tanks, manure facilities, temporary greenhouses, and farm worker housing or commissaries/food preparation facilities. Structures must be located on parcels of at least 5 acres used for profitable agricultural production. Structures used for processing, retail merchandising, personal use or residences of applicants and their immediate families do not qualify for the exemption. The owner of the structure must file with the local assessor exemption application *Form RP-483*.

Section 485-b provides a 10-year exemption for farm processing and marketing buildings.

Farmers' School Tax Credit

Contact: Tax preparer or NYS Department of Taxation and Finance

Qualified farmers may obtain a state income tax credit for school taxes through the Farmers' School Tax Credit. The credit is not a real property tax exemption and does not diminish local school district revenue.

To be eligible, farmers (either individual or corporate) must receive at least two-thirds of their federal adjusted gross income from farming for the tax year or for the average of the tax year and the two consecutive years preceding the tax year. Rented land does not qualify.

The credit equals the amount of school taxes paid on the first 350 acres of qualified agricultural property. On any additional acreage, the credit equals 50 percent of school taxes paid on that land. If a farmer's New York adjusted gross income exceeds $200,000, the credit becomes limited and phases out completely at $300,000. Use tax *Form IT-217-I* (for individuals, estates and trusts) or *Form CT-47* (for corporations).



Forestland Exemption

Contact: NYS Department of Environmental Conservation

To encourage the long-term ownership of woodlands, *Section 480-a* of the Real Property Tax Law allows eligible owners of forestland to receive reductions in their tax assessment. Landowners must own a minimum of 50 acres of contiguous forestland and be willing to commit the land to forest crop production. Landowners must follow forest management plans prepared by qualified foresters and approved by the NYS Department of Environmental Conservation (DEC). Owners of tracts certified by the DEC must apply annually to their local assessors for the exemption. Landowners must comply with the program for a 10-year period after obtaining each annual exemption. Penalties may be imposed if a landowner fails to follow the approved management program or converts the land to a use that prevents continued forest crop production.

Historic Barns Rehabilitation Tax Credit

Contact: Tax preparer or NYS Department of Taxation and Finance

The Historic Barns Rehabilitation Tax Credit is available to individuals and corporations who have restored a barn built before 1936. The income tax credit may equal up to 25 percent of the cost of rehabilitating the barn. To be eligible, the barn must be built to house farm equipment, livestock or agricultural products (buildings built for or converted to residential use are not eligible). In addition, the barn must meet the tax definition of income producing (farming, rental, office, commercial). Use tax *Form IT-212-ATT*.

Replanted or Expanded Orchards and Vineyards Exemption

Contact: Tax assessor or NYS Office of Real Property Services – Agricultural Unit

For owners of orchards or vineyards, a partial tax exemption exists that applies to newly replanted or expanded orchard and vineyard land. Land eligible for agricultural assessment and used solely for the replanting or expansion of an orchard or vineyard is exempt from taxation for up to six successive years. Land eligible for the exemption cannot exceed 20 percent of the orchard's or vineyard's total acreage (unless the land is located in a disaster emergency area). To receive the exemption, the landowner must apply for agricultural assessment and attach *Form RP-305-e* to that application.

Sales Tax Exemptions

Contact: NYS Department of Taxation and Finance

New York tax law exempts certain items used in farm production from state and local sales and use taxes. Items must be used "predominantly" (more than 50 percent) for farm production in order to qualify. Exempt items include personal property used for production/operation; building materials used for farm buildings or structures; services to install, maintain or repair farm buildings or structures; motor vehicles used predominantly for production/operation; and fuel, gas, electricity, refrigeration or steam used for production/operation. *Form ST-125* must be presented to the vendor within 90 days of purchase. The form can be used for a single purchase or for any purchase from the same vendor any time thereafter.





Farmland Protection

Competition for land is a challenge for many New York farmers. As farmland is sought after for new housing and other development, land values price farmers out of the market. In addition, poorly planned development brings new neighbors who are often unfamiliar with the sights, sounds and smells of nearby modern farms. Such situations can result in expensive conflicts that may hurt the future of farming in a community. The following programs have been established to help New York farmers and agricultural landowners protect their farm operation and productive farmland.

	Farmland Protection Programs					
Program Purposes	Agricultural Districts	NYS Farmland Protection Program	USDA FRPP	NYS Conservation Easement Tax Credit	Federal Conservation Easement Tax Incentive	New York FarmLink FarmNet
Right to farm protections	✓					
Fund purchase of development rights projects		✓	✓			
Tax incentives for conservation easements				✓	✓	
Farm transfers & estate planning						✓

Agricultural Districts

Contact: NYS Department of Agriculture and Markets, county planning department or county Cooperative Extension office

New York's Agricultural Districts Law was enacted in 1971 to help keep farmland in agricultural production. Interested landowners (who collectively own at least 500 acres or 10 percent of the land proposed for a district) submit a proposal to their county to create a district. A county legislative body must approve and forward the petition to the Commissioner of Agriculture for formal review and designation. As of December 2008, the state had 251 agricultural districts that represent about 8.5 million acres of land.

Farms in agricultural districts receive important "right-to-farm" protections, such as protection from nuisance lawsuits. For farmers, enrolling land in an agricultural district—and keeping the land enrolled when the district comes up for review—provides several other benefits:

- The taxation of farmland within agricultural districts for certain municipal improvements (sewer, water, lighting, non-farm drainage, solid waste disposal and other landfill operations) is limited.
- When requested, the NYS Department of Agriculture and Markets can decide whether land uses are agricultural or if farm practices are "sound agricultural practices." Such determinations can help defend farmers in zoning disputes or private nuisance lawsuits.
- The NYS Department of Agriculture and Markets has the authority to intervene when local governments enact laws that unreasonably regulate farm operations in agricultural districts.
- Additional measures—such as agricultural impact statements, notice of intent filings and real estate disclosure notices—are required for new developments and public projects in agricultural districts.

New York State Farmland Protection Program

Contact: NYS Department of Agriculture and Markets or American Farmland Trust – New York office

Established in 1996, New York's Farmland Protection Program provides grants to permanently protect land for agriculture in counties and towns with approved farmland protection plans. The grants are used to purchase the development rights on farmland.

The purchase of the development rights of a piece of farmland places a deed restriction, known as a conservation easement, on the property. Conservation easements are voluntary legal agreements that restrict the development and subdivision of land. When farmland owners sell or donate their development rights, they retain all other rights of ownership and continue to farm the land. The land stays private, and landowners are not required to allow public access. Protected land can be passed on to other family members or sold, but future landowners are required to follow the terms of the agreement.

Typically, the value of a conservation easement equals the property's fair market value minus its restricted value (the value once it can no longer be developed). New York's Farmland Protection Program pays a farmer up to 75 percent of the cost to complete the purchase of development rights transaction. The remaining 25 percent must come from a private source (such as a land trust), local government, federal agency or from a donation by the landowner (who may use the donation value as a tax deduction).

Each year, the NYS Department of Agriculture and Markets issues a request for proposals. Farms that submit applications are ranked and scored. Since its inception, the program has been very competitive. Priority is given to projects that preserve viable agricultural land in areas facing high development or conversion pressure. Priority also is given to land that buffers a significant public natural resource.

In addition, projects are evaluated by:

- Number of acres preserved
- Soil quality
- Percentage of total farm acreage available for agricultural production
- Proximity to other conserved farms
- Level of farm management demonstrated by current landowner
- Likelihood of the property's continuation as a farm if ownership changes

Case Study: Greg's U-Pick Farm

In October 2008, more than 40 people joined Greg and Sandy Spoth and their family to celebrate the protection of Greg's U-Pick Farm. The most recent of seven properties to be protected as part of the Clarence Greenprint program, Greg's U-Pick Farm is part of 456 acres of preserved farmland and natural lands in the town of Clarence, Erie County. For Greg and Sandy Spoth, permanently protecting their 102-acre farm means that their children, and their children's children, will have the opportunity to continue growing and selling blueberries, strawberries, pumpkins and corn on the farm that they have worked for over 20 years. The farm was protected with help from the New York State Farmland Protection Program, United States Department of Agriculture, Town of Clarence and Western New York Land Conservancy.





USDA Farm and Ranch Lands Protection Program (FRPP)

Contact: USDA Natural Resources Conservation Service or American Farmland Trust – New York office

The Farm and Ranch Lands Protection Program (FRPP) was created by the 1996 Farm Bill and offers matching funds to eligible entities of up to 50 percent of the funds needed to purchase development rights on farms. Matching funds have been secured from state, local or private sources to protect working farms across New York. The 2008 Farm Bill authorized greatly increased FRPP funding with an average of $150 million each year up to $200 million by 2012.

NYS Conservation Easement Tax Credit

Contact: NYS Department of Taxation and Finance, NYS Department of Environmental Conservation or Land Trust Alliance – Northeast office

The NYS Conservation Easement Tax Credit is available to taxpayers who own land protected by a permanent conservation easement. This refundable tax credit is for 25 percent of property taxes (school district, county, and town) paid on the conserved land, up to an annual maximum of $5,000. Both individual and corporate landowners are eligible to apply.

The conservation easement must comply with Article 49 of New York's Environmental Conservation Law and the provisions of Internal Revenue Code (IRC) section 170(h).

To apply, individual landowners, estates and trusts, and partnerships file *Form IT-242* with their income tax returns. Corporations file *Form CT-242*.

Federal Conservation Easement Tax Incentive

Contact: Tax Preparer, Internal Revenue Service or Land Trust Alliance – Northeast office

The 2008 Farm Bill expanded federal income tax deductions for donations or partial donations of conservation easements *(Form IRS 8283)*. These enhanced deductions were originally authorized by Congress in the Pension Protection Act of 2006 and were extended through the end of 2009. Efforts are underway to extend these incentives beyond 2009:

- All easement donors may deduct the appraised value of a conservation easement up to 50 percent of their AGI.
- Qualified farmers (individuals or corporations who earn more than 50 percent of their gross income from the business of farming in the taxable year in which the donation is made) can deduct the value of the easement donation up to 100 percent of their AGI.
- Easement donors can continue to carry over unused portions of deductions for as long as 15 years.



Partners in Farmland Conservation

Land Trust Alliance, Northeast office, or American Farmland Trust, New York office

Many municipalities and landowners have partnered with nonprofit land trusts to successfully protect farmland throughout New York. Land trusts help ensure that agricultural conservation easements—the legal deed restrictions that limit future development—are followed in perpetuity. In addition to holding and monitoring easements, land trusts often play key roles in initiating farmland protection projects and writing applications to the state and federal farmland protection programs.



New York FarmLink
New York FarmNet

Contact: New York FarmLink or New York FarmNet

NY FarmNet and Cornell University administer the NY FarmLink program, a farm transition network that connects farmers who are nearing retirement or planning to leave farming with new farmers who want their own businesses. The program also develops transition plans that allow retiring farmers and entering farmers to work together for a period of time before the actual farm transfer. In addition, NY FarmNet has consultants available, free of charge, to assist farmers with business planning and financial management. NY FarmLink maintains its database of new and retiring farmers at www.nyfarmlink.org.

The Challenge of Estate and Transition Planning

For many farm families, passing the farm on to the next generation can be a major challenge. Transferring a farm involves more than just passing on the land. A will is an important part of an estate plan, but a will alone cannot guarantee a secure future for a farm family's land and business. Estate planning is needed to address inheritance tax and settlement issues that may arise because land is not a liquid asset.

Estate planning can accommodate the needs of all family members, even those who leave the farm operation. A good estate plan will accomplish at least four goals:

- Transfer ownership and management of the agricultural operation, land and other assets,
- Avoid unnecessary income, gift and estate taxes,
- Ensure financial security and peace of mind for all generations, and
- Develop the next generation's management capacity.

Frequent changes in the tax laws highlight the need for sound estate planning that is tailored to individual circumstances and addresses the uncertainty about future tax legislation. There are many sources of information about estate and transition planning, including attorneys, accountants and other financial advisors. NY FarmNet is a commonly used resource. American Farmland Trust has published *Your Land is Your Legacy: A Guide to Planning for the Future of Your Farm*; order by calling (800) 370-4879.

Environmental Management

Farmers have played an important role in the stewardship of New York's natural resources for generations. The following voluntary programs offer assistance to farmers in keeping land in active agricultural or forestry production while protecting water, soil and air quality, and achieving other natural resource goals on farm and forest lands.



Agricultural Environmental Management (AEM) Agricultural Nonpoint Source Abatement and Control Program (ANSACP)

Contact: Soil and Water Conservation District office

New York's Agricultural Environmental Management (AEM) program is an incentive-based program that helps farmers make common-sense, cost-effective and science-based decisions to achieve business objectives while protecting and conserving the state's natural resources. Farmers work with local AEM resource professionals to develop comprehensive farm plans using a tiered process.

Environmental Management Programs

Program Purposes	AEM & ANSACP	AMA	CLLG	CStP	ECP	EFARM	EQIP	CPGL	GLCI
Conservation planning	✓			✓		✓	✓	✓	✓
Water quality & nutrient management	✓	✓	✓	✓	✓	✓	✓		
Irrigation	✓	✓	✓	✓	✓		✓		
Soil management & erosion control	✓	✓	✓	✓	✓		✓		
Integrated pest & pesticide management	✓	✓	✓	✓			✓		
Pasture management	✓	✓	✓	✓	✓		✓	✓	✓
Air quality management	✓		✓				✓		
Transition to organic farming		✓	✓				✓		

Tier 1 – Inventory current activities, future plans and potential environmental concerns

Tier 2 – Document current land stewardship; assess and prioritize areas of concern

Tier 3 – Develop conservation plans addressing concerns and opportunities tailored to farm goals

Tier 4 – Implement plans utilizing available financial, educational and technical assistance

Tier 5 – Evaluate to ensure the protection of the environment and farm viability

The AEM program is implemented through the cooperation of several agencies, including Cornell Cooperative Extension, Soil and Water Conservation Districts and the USDA Natural Resources Conservation Service. The AEM process is often facilitated with funding from New York's Agricultural Nonpoint Source Abatement and Control Program (ANSACP) and the federal Environmental Quality Incentive Program (EQIP). The ANSACP may provide up to 87.5 percent of the funding needed for farmers to plan and implement best management practices.



Agricultural Management Assistance (AMA)

Contact: USDA Natural Resources Conservation Service

The Agricultural Management Assistance (AMA) program provides funding to 16 states (including New York) where participation in the Federal Crop Insurance Program typically has been low. The AMA program offers cost-share assistance to agricultural producers to address issues such as water management, water quality and erosion control, and to mitigate risk through diversification or transition to organic farming. Priorities may vary from year to year. In 2009, AMA in New York will be used to support irrigation water conservation projects, mainly trickle irrigation. The AMA program funds up to 75 percent of the cost for producers to install and maintain eligible conservation practices.

Conservation Loan and Loan Guarantee Program

Contact: USDA Farm Service Agency

The 2008 Farm Bill reauthorized the Conservation Loan and Loan Guarantee Program, which provides loans or loan guarantees to producers unable to obtain credit elsewhere to finance conservation projects that are part of a USDA-approved conservation plan. Priority is given to qualified beginning farmers, socially disadvantaged farm owners or tenants, and those converting to sustainable and organic farming.

Conservation Stewardship Program (CStP)

Contact: USDA Natural Resources Conservation Service

This program rewards farmers for maintaining and adopting conservation practices. A wide range of natural resource concerns may be addressed, although the Conservation Stewardship Program (CStP) focuses specifically on land-based practices. Applications are ranked on present and proposed conservation activities and likelihood of program success. CStP contracts are five years in length and may be renewed once. Eligible land must meet stewardship threshold requirements identified by the USDA and the state by the end of the contract period. Land under Conservation Reserve Program, Grasslands Reserve Program or Wetlands Reserve Program contracts or having animal waste storage or treatment facilities is ineligible.

Emergency Conservation Program (ECP)

Contact: USDA Farm Service Agency

The Emergency Conservation Program (ECP) is a federal program that provides funding and technical assistance to farmers to rehabilitate farmland damaged by a natural disaster. Assistance helps carry out water conservation measures in periods of severe drought. Eligibility is based on on-site inspection to determine new conservation problems and extent of the damage caused by the disaster. Participants can receive up to 75 percent of the costs to repair damages, such as removing debris, restoring fences and conservation structures, and to provide water for livestock in drought situations.

Environmental Farm Assistance & Resource Management Program (EFARM)

Contact: NYS Environmental Facilities Corporation

EFARM provides financial assistance to farmers whose businesses are permitted by the NYS Department of Environmental Conservation (DEC) and designated as Concentrated Animal Feeding Operations (CAFOs). The program helps CAFOs pay for the development and annual update of Comprehensive Nutrient Management Plans (CNMP). Farms can obtain up to 90 percent of development expenses, not exceeding $8,000, for an approved CNMP and up to $2,000 for annual CNMP recertification.



Environmental Quality Incentive Program (EQIP)

Contact: USDA Natural Resources Conservation Service

The federal Environmental Quality Incentive Program (EQIP) provides technical assistance, cost-share payments and incentive payments to assist with environmental and conservation improvements on land used for agricultural production. The EQIP pays up to 75 percent of the cost to implement structural and management practices on eligible agricultural land. Up to 90 percent cost-share assistance is available to limited resource, socially disadvantaged or beginning farmers and ranchers. Cost-share payments may be made to help farmers install erosion control measures, agricultural waste management facilities, or renewable energy resources. EQIP funding may also establish conservation practices such as nutrient management, forest management, integrated pest management, manure management and wildlife habitat management. The 2008 Farm Bill increased the funding available for EQIP cost-share and incentive payments and extended eligibility to conservation practices directly related to organic production and transition.



Grazing

Contact: USDA Natural Resources Conservation Service or Soil and Water Conservation District

The federal **Conservation of Private Grazing Land (CPGL)** program provides technical and educational assistance for conservation and enhancement of private grazing lands, including sustainable grazing practices such as rotational grazing.

The **Grazing Lands Conservation Initiative (GLCI)**, a nationwide collaboration, provides technical assistance to owners and managers of private grazing land to enhance its long-term productivity and ecological health. The USDA Natural Resources Conservation Service (NRCS) funds technical assistance and assists with public awareness activities about the benefits of private grazing land.

Organic Farming

Contact: USDA Natural Resources Conservation Service or NYS Department of Agriculture and Markets

The 2008 Farm Bill establishes new opportunities for organic agricultural operations. The **EQIP Organic Initiative** allows eligible producers to apply for $20,000 annually, up to $80,000 over a maximum of six years. Certified organic producers or those transitioning to organic production must carry out conservation practices consistent with an Organic System Plan.

The Agricultural Management Assistance Program (AMA) allocates funds for cost-share assistance to producers, handlers and processors who are applying for **National Organic Certification** for eligible agricultural products. Producers may be reimbursed for up to 75 percent of their organic certification costs, not to exceed $750.



Natural Resource Conservation

Agricultural landowners play an important role in the stewardship of New York's natural resources. The following voluntary programs compensate farmers for reducing or eliminating farm practices on portions of their property, with the aim of establishing riparian buffers or protecting wetlands and other natural settings.

	Natural Resource Conservation Programs						
Program Purposes	CRP and FWP	CREP	DFN	GRP	LIP	WRP and WREP	WHIP
Stream corridor management & protection	✓	✓	✓				
Pasture management & protection				✓			
Wildlife habitat management & protection	✓		✓		✓	✓	✓
Wetland creation, management & protection	✓					✓	

Conservation Reserve Program (CRP) Farmable Wetlands Program (FWP)

Contact: USDA Farm Service Agency

The Conservation Reserve Program (CRP) encourages farmers to convert highly erodible cropland and other environmentally sensitive land to vegetative cover, such as tame or native grasses, wildlife plantings, trees, filter strips or riparian buffers. Participating farmers receive annual rental payments for the term of their multi-year contracts (between 10 to 15 years). Cost-share funding of up to 50 percent is provided for the establishment of vegetative cover practices. Landowners also may receive funding to fence streams that exclude livestock, build grass waterways or develop shallow water areas for livestock.

Administered through the CRP, the Farmable Wetlands Program (FWP) seeks to improve the hydrology and vegetation on farmable wetlands. FWP contracts are from 10 to 15 years long. Participating producers receive incentive payments, annual rental payments and cost-share assistance for implementing necessary conservation practices.

Conservation Reserve Enhancement Program (CREP)

Contact: USDA Farm Service Agency or Soil and Water Conservation District office

The NYS Conservation Reserve Enhancement Program (NYS CREP) aims to protect water quality in streams by helping agricultural landowners to trap sediment, pesticides and fertilizers in runoff by planting trees, shrubs, and grasses on stream banks. Contracts require a 10- to 15-year commitment, during which the vegetative buffers must be maintained by the contracted individual. Landowners are compensated through annual rental payments. Cost-share funding up to 50 percent with an additional 40 percent in incentive payments is available for planting materials, fencing, watering facilities and stream crossings. Enrollment is limited to specific geographic areas and practices.

Debt for Nature (DFN)

Contact: USDA Farm Service Agency

The Debt for Nature (DFN) Program is available to landowners with USDA Farm Service Agency loans that were secured by real estate. The program reduces a borrower's debt in exchange for a conservation contract with a term of 10, 30 or 50 years. The conservation contract is a voluntary legal agreement that restricts development on marginal cropland or other environmentally sensitive land for conservation, recreation or wildlife purposes.

Grassland Reserve Program (GRP)

Contact: USDA Farm Service Agency or USDA Natural Resources Conservation Service

The Grassland Reserve Program (GRP) helps landowners restore and protect grassland, including pastureland, while maintaining the areas as grazing lands. Participants limit future development and cropping uses of the land through either a term contract or permanent conservation easement while retaining the right to conduct common grazing practices, produce hay, mow or harvest for seed production. Cost-share assistance for up to 50 percent of approved restoration practices may also be available. GRP contracts and easements prohibit the production of crops (other than hay), fruit trees, and vineyards that require breaking the soil surface and any other activity that would permanently disturb the surface of the land, except for appropriate land management activities included in a grassland conservation plan.

Landowner Incentive Program (LIP)

Contact: NYS Department of Environmental Conservation

The Landowner Incentive Program (LIP) is a federal program that provides grants to state agencies to work with private landowners on conservation and habitat protection projects. To be eligible, state fish and wildlife agencies, landowners or non-profit groups must contribute at least 25 percent of the cost of projects, which are designed to protect endangered species and other at-risk plants and animals.



The NYS Department of Environmental Conservation (DEC) has prioritized two areas of concentration for the LIP in New York: the conservation and management of grasslands to protect endangered bird species that nest in open grassland habitats and the protection of at-risk bat species.

Wetlands Reserve Program (WRP)
Wetlands Reserve Enhancement Program (WREP)

Contact: USDA Natural Resources Conservation Service

The federal **Wetlands Reserve Program (WRP)** restores and protects wetlands on private property. Participating landowners are paid for permanent or temporary conservation easements that establish wetland protection and restoration as the primary land use for the duration of the agreement. For land to be eligible for the WRP it must have remained under the same ownership during the preceding seven years. Landowners can receive as much as 100 percent of the appraised agricultural market value of the property for permanent conservation easements or 75 percent for 30-year easements. A third option, 10-year restoration agreements, provides 75 percent of the restoration costs without the requirement of a conservation easement. In all program options, landowners continue to control access to their land.

The 2008 Farm Bill authorized the **Wetlands Reserve Enhancement Program (WREP)** allowing landowners to reserve grazing rights within a warranty easement deed where compatible and consistent with a conservation plan and program purpose.

Wildlife Habitat Incentives Program (WHIP)

Contact: USDA Natural Resources Conservation Service

The Wildlife Habitat Incentives Program (WHIP) offers financial incentives to agricultural landowners who maintain habitat for fish and wildlife. Participating landowners work with the USDA Natural Resources Conservation Service (NRCS) to create wildlife habitat development plans that list the goals and practices needed to improve wildlife habitat. The NRCS provides up to 75 percent in cost-share assistance to implement the plans and limits payments to $50,000 a year. WHIP agreements generally last from five to 10 years. In New York, the priority of the WHIP primarily has been habitat for grassland birds.



Farm Viability

Farms need to be economically viable to sustain families and communities over the long term. There are a growing number of programs to assist farmers in adding value to agricultural products, diversifying income streams, developing new farm products, marketing products to local consumers and researching alternative production strategies. Farm viability programs available to farmers or people that would like to begin farming include:

Beginning Farmers and Ranchers

Contact: USDA Farm Service Agency

The USDA Farm Service Agency (FSA) provides direct and guaranteed loans to beginning farmers and ranchers who are unable to obtain financing from commercial credit sources. The FSA administers two programs aimed at helping foster new farming opportunities.

	Program Purposes						
Farm Viability Programs	Beginning Farmers	Farmland, buildings and equipment loans	Farm operating loans	Accessing new markets	Marketing and promotion	Research and development	Value-added products
BFRIDA	✓	✓					
DFOWL	✓	✓					
BFLP	✓	✓					
Emergency Farm Loans		✓	✓				
Farm Operating Loans			✓				
Farm Ownership Loans		✓					
Farm to School				✓			
GAP & GHP				✓			
ARDG				✓		✓	
Farmland Viability Grants				✓	✓	✓	✓
PONY					✓		
NYFVI				✓	✓	✓	✓
FLHLG		✓					
VAPG							✓
Small Business Micro Loans		✓		✓	✓		✓
Northeast SARE				✓	✓	✓	✓

- *The Beginning Farmer and Rancher Individual Development Account Pilot Program* (BFRIDA) provides business and financial education and matched savings accounts that can be used as part of a downpayment on farmland or to purchase breeding stock, farm equipment or other productive farm assets.

- *The Downpayment Farm Ownership Loan Program* (DFOWL) provides a means for retiring farmers to transfer their land to beginning farmers and assists beginning farmers with downpayments for purchasing farmland.

New York Beginning Farmer Loan Program (BFLP)

Contact: NYS Environmental Facilities Corporation

The New York Beginning Farmer Loan Program (BFLP) provides low-cost financial assistance to beginning farmers in New York for the purchase of agricultural property and equipment to help start a farming business or to facilitate inter-generational transfer of a farm business. To participate, a beginning farmer works with a lender to arrange the terms of a loan. The BFLP does not directly provide funds to finance the loan but instead acts as a conduit by issuing and selling a tax-exempt bond ("aggie bond") to the lender. The tax-exempt status enables the lender to give a better interest rate to the borrower, usually around one to two percentage points less than the usual taxable interest loan.

Emergency Farm Loans

Contact: USDA Farm Service Agency

The Farm Service Agency (FSA) provides Emergency Farm Loans to help producers recover from production and other farm operation losses due to drought, flooding, other natural disasters, or quarantine. Farm operations must be located in a county declared as a disaster or quarantine area. Producers can borrow up to 100 percent of actual production or physical losses, to a maximum of $500,000.

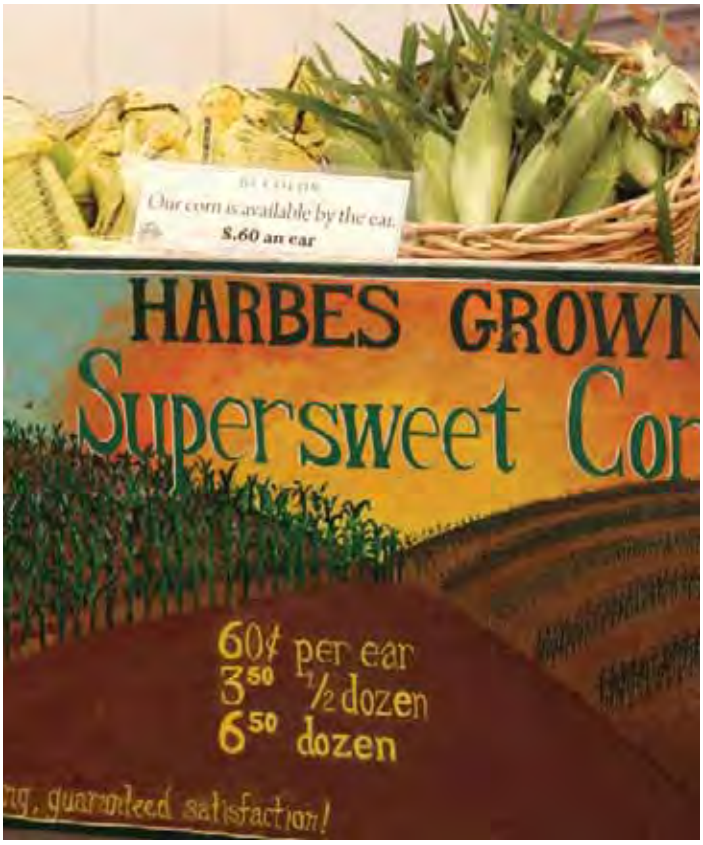
Farm Enterprise Loans and Credit

Contact: USDA Farm Service Agency

The Farm Service Agency (FSA) offers two types of loans to family farmers and ranchers who cannot obtain commercial credit:

- *Direct/Guaranteed Farm Operating Loans* enable purchase, operation and finance options for existing farms.

- *Direct/Guaranteed Farm Ownership Loans* assist eligible small-farm operators to purchase farmland, construct or repair buildings, and promote soil and water conservation.



Farm to School

Contact: http://farmtoschool.cce.cornell.edu/

The Cornell Farm to School Program was established in 2002 with funding from the USDA Initiative for Future Agriculture and Food Systems. The program, supported by Cornell Cooperative Extension, facilitates connections between New York farms and food service managers in educational facilities across the state.

Good Agricultural Practices (GAP) and Good Handling Practices (GHP) Certification Program

Contact: NYS Department of Agriculture and Markets – Division of Food Safety and Inspection

Many retailers, wholesale buyers, restaurants and schools now require produce suppliers to provide third-party certification of adherence to Good Agricultural Practices (GAP) and Good Handling Practices (GHP). To assist farmers in certifying that their operations meet the voluntary GAP and GHP standards, the NYS Department of Agriculture and Markets will reimburse growers and handlers the cost, up to $750, of required audits and water testing. Funding is on a first-come, first-served basis and is provided by the USDA Specialty Crop Block Grant Program.



GROW New York

Contact: NYS Department of Agriculture and Markets

GROW New York programs seek to promote agricultural development, expand employment and generate increased economic activity across the state. Opportunities specifically for agricultural producers include:

Agricultural Research and Development Grants (ARDG)

Administered by the NYS Department of Agriculture and Markets, these grants fund projects involving new product development, alternative production, processing, distribution and marketing technologies; the introduction of new technologies; and organizational approaches to further develop New York's agricultural industry.

Farmland Viability Grants

Designed to help maintain farmland as a working landscape, this program funds the development of farm viability plans and the implementation of projects that contribute to farm profitability. Grant funds may be used by an individual farm to develop or implement a business management plan.

Pride of New York (PONY)

This promotional program assists producers by building awareness, preference and sales for Pride of New York (PONY) products. The program provides assistance through marketing materials and cooperative funding for television and radio advertising as well as print, point of purchase and promotional items.

New York Farm Viability Institute Grants (NYFVI)

Contact: New York Farm Viability Institute

A farmer-led nonprofit organization, the New York Farm Viability Institute (NYFVI) provides grant funding for applied research and education projects that help farms increase profits and provide models for other farms. The Institute offers several grant programs with opportunities for farm-based projects.

Rural Development Grants and Loans

Contact: USDA Rural Development

The USDA also administers grants and loans through the Rural Development agency. The Rural Housing Service, Multi-Family Housing Processing Division, offers **Farm Labor Housing Loans and Grants (FLHLG)** to finance construction, repair or purchase of housing and related facilities for domestic farm laborers. **Value-Added Producer Grants (VAPG)** provide matching funds to agricultural producers for marketing value-added products and for farm-based renewable energy. Grants may be used for planning activities ($100,000 maximum) or for working capital expenses (maximum $300,000), but not both.

Small Business MicroLoans

Contact: Small Business Administration

The Small Business Administration (SBA) provides a number of financial assistance programs for small businesses. While the SBA does not make direct loans, it works with thousands of lenders and other intermediaries to facilitate the loan process. SBA's MicroLoan Program provides short-term loans up to $25,000 for small-scale agricultural operations and other small businesses.

Northeast Sustainable Agriculture Research and Education (SARE)

Contact: USDA Northeast SARE

The USDA Northeast Region Sustainable Agriculture Research and Education (SARE) program offers grants to eligible farmers, researchers, educators and others who are working on innovative approaches to sustainable agriculture. Proposed projects should advance good stewardship, improve farm profitability and strengthen rural communities.

Farmer Grants encourage commercial producers to conduct and manage farm-based demonstration projects related to production or marketing techniques. A technical advisor, often an extension agent, crop consultant or other service professional, is required as a project consultant.

Partnership Grants provide the opportunity for farmers to participate in on-farm demonstrations, research, marketing and other projects that NE SARE has funded as partners of agricultural service providers who have designed projects.



Environmental Markets and Energy

An increasing number of farmers and agricultural landowners are interested in opportunities to generate renewable energy as a means of reducing business costs, diversifying their income sources and enhancing the environmental sustainability of their businesses. Other farmers are interested in reducing energy consumption or participating in emerging environmental markets, such as carbon trading. The following section describes financial incentives and programs available to help farmers tap into new environmental market and energy opportunities.

	Program Purposes				
Environmental Markets and Energy Programs	Bioenergy crop production	Income for providing environmental benefits	Renewable energy facility development	Income for renewable energy generation	Energy efficiency improvements
BCAP	✓			✓	
Environmental Services Markets		✓			
REAP			✓		
Anaerobic Digester Program			✓		
Energy Smart Loan Fund			✓		✓
Existing Facilities Program					✓
New Construction Program					✓
On-site Wind System Incentive Program			✓		
Solar-Electric System Incentive Program			✓		
REPI				✓	
Solar, Wind and Farm Waste Facility Tax Exemptions			✓		
Federal Energy & Energy Efficiency Incentives			✓		✓
VAPG*			✓		

*See Farm Viability Section, page 16

Biomass Crop Assistance Program (BCAP)

Contact: USDA Farm Service Agency

The 2008 Farm Bill authorized this new program to promote the cultivation of bioenergy crops in specified project areas. One farmer or a group of farmers may propose a Biomass Crop Assistance Program (BCAP) project area by providing evidence of eligible land, crops and a commitment from a biomass conversion facility. There is no minimum acreage requirement. Landowners enter into five-year contracts for annual and perennial crops, and 15-year contracts for woody biomass. Participating agricultural and forest landowners receive cost-share payments of up to 75 percent to establish an eligible crop, annual payments to support production, and funding to assist with the collection, harvest, storage and transportation of materials for use in a biomass conversion facility.

Environmental Services Markets

Contact: Chicago Climate Exchange or NYS Department of Environmental Conservation

Environmental services markets place an economic value on environmental benefits such as clean water, sequestering carbon to control climate change and protecting biodiversity. Through these markets, landowners can sell "credits" accumulated by adopting practices or technologies that generate desired environmental outcomes, such as no-till farming, more efficient use of nitrogen fertilizer and anaerobic digesters to offset greenhouse gas emissions.

Farms producing credits are known as "offset providers." "Offset aggregators" buy credits from offset providers to sell to an environmental services market, such as the **Chicago Climate Exchange (CCX)**. Certain aggregators will combine credits from a number of small farms to trade on the energy market. A list of approved aggregators who sell to the CCX can be found on its Web site.

New York is one of 10 states implementing the **Regional Greenhouse Gas Initiative (RGGI)**, the first mandatory cap and trade program in the United States to reduce greenhouse gas emissions. The CO2 Budget Trading Program may provide opportunities for New York farmers to sell carbon credits to the New York Climate Exchange (NYCX) and the Northeast Climate Exchange (NECX).

Case Study: Patterson Dairy Farm, Auburn, N.Y.

A Carbon Trading Success Story

In 2005, farm owner Connie Patterson began using an anaerobic digester to convert dairy manure and food waste to electricity. The digester also provides an important environmental service by capturing methane, a contributor to global warming. Patterson works with the Environmental Credit Corporation to sell credits for this captured methane on the Chicago Climate Exchange. Patterson received $1.2 million in grants from the NYS Energy Research and Development Authority, USDA Rural Development and the Agriculture Environmental Management program to install the $1.5 million digester.

The electricity generated by the methane digester enabled Patterson to save $80,000 in 2008 alone. Patterson Farms also noticed significantly less odor from manure storage and displacement of bedding costs by using digested manure solids.

Source: Curt Gooch, Scott Inglis, Jennifer Pronto, "Anaerobic Digestion at Patterson Farms, Inc.: Case Study," Cornell University, Manure Management Program (www.manuremanagement.cornell.edu)

Financial Incentives for Energy

Contact: USDA Rural Development or NYS Energy Research and Development Authority

Grants, loans and rebates from a variety of sources and local, state and federal tax incentives are available for on-farm renewable energy production. Landowners are encouraged to apply for federal and state incentives to provide additional funding for the design, purchase and installation of energy efficient and renewable energy systems.

Rural Energy for America Program (REAP)

Formerly known as the USDA's Renewable Energy and Energy Efficiency Program, the Rural Energy for America Program (REAP) provides grants of up to 25 percent of the cost of renewable energy systems and energy efficiency improvements for agricultural producers. The REAP also authorizes guarantees for loans as large as $25 million.

New York State Energy Research and Development Authority (NYSERDA) Programs

The NYS Energy Research and Development Authority (NYSERDA) offers financial and technical assistance to businesses, industries, municipalities and residents

who pay the New York System Benefits Charge (SBC). Energy audits that identify cost-effective energy efficiency improvements to lower energy bills, increase productivity and reduce environmental impacts are provided at little or no cost to the farmer. Cost-share energy feasibility studies provide a detailed analysis to determine potential energy reductions and improved efficiencies on more complex systems. Incentives and loan rate reductions are available for eligible energy-efficient equipment and renewable energy projects.

Additional incentive programs available through NYSERDA to agricultural landowners include:

- *Anaerobic Digester Gas-to-Electricity Program:* Financial incentives support the purchase, installation and operation of anaerobic digester gas-to-electricity systems.
- *Energy $mart Loan℠ Fund Program:* NYSERDA will buy down the interest rate of a loan for eligible energy-efficiency improvements or renewable technologies. The reduced interest rate is available for up to 10 years.
- *Existing Facilities Program:* Cost-share incentives are available for eligible energy efficient improvements to farm operations.
- *New Construction Program (NCP):* Technical assistance and financial incentives based on improved building energy efficiency are provided to design teams and building owners.
- *On-site (Small) Wind System Incentive Program:* Cash incentives are available for the installation of new wind generation systems by eligible installers.
- *Solar-Electric (PV) System Incentive Program*: Cash incentives are available for the installation of new solar electric or photovoltaic (PV) systems by eligible installers.

Renewable Energy Production Incentives

Contact: NYS Energy Research and Development Authority

Agricultural landowners can receive financial incentives—in the form of a tax credit or deduction or a direct cash payment—for renewable energy generation on their property. Production incentives are based on the amount of electricity produced ($/kWh generated) or, for renewable fuels, on the number of gallons produced ($/gallon).

Tax Incentives for Energy

Contact: NYS Office of Real Property Service, NYS Department of Taxation and Finance or Internal Revenue Service

New York offers personal and corporate tax incentives to encourage the investment in energy efficient products and renewable energy. Section 487 of Real Property Tax Law provides a 15-year real property tax exemption for solar, wind and farm-waste energy systems. This is a *local option* exemption, meaning that local governments are permitted to decide whether or not to allow it. The exemption applies only to general municipal and school district taxes; it cannot be applied to special assessments or special ad valorem levies.

The retail sale and installation of residential solar energy equipment are exempt from the state sales and use tax. The state law also permits local governments to grant an exemption from local sales tax. Publication 718-S of the NYS Department of Taxation and Finance is available online and details local solar sales tax rates and exemptions.

The federal Energy Policy Act of 2005 established a wide variety of tax credits for businesses and homeowners who buy fuel-efficient vehicles, install energy-efficient appliances and products, produce their own biodiesel or ethanol, or install renewable energy systems. The American Recovery and Reinvestment Act of 2009 extended many of these tax incentives.

Web Resources

Federal, state and nonprofit Web sites that offer additional information about environmental markets and energy include:

U.S. Department of Energy – www.eere.energy.gov

NYSERDA's Power Naturally – www.powernaturally.org

Database of State Incentives for Renewable Energy (DSIRE) – www.dsireusa.org

Tax Incentives Assistance Project (TIAP) – www.energytaxincentives.org

Resources

American Farmland Trust
www.farmland.org/newyork

New York State Office
(518) 581-0078

Western New York Office
(716) 652-0100

Farmland Information Center
(800) 370-4879
www.farmlandinfo.org

Chicago Climate Exchange
(312) 554-3350
chicagoclimatex.com

Cornell Cooperative Extension
(607) 255-2237
www.cce.cornell.edu
A directory of local offices is available online; local offices are also listed in the phone book under "[County name] County Cooperative Extension."

Farm to School
(607) 255-2730
http://farmtoschool.cce.cornell.edu/

Grazing Lands Conservation Initiative
(607) 334-4632, ext. 116 *(NY coordinator)*
www.glci.org

Internal Revenue Service
(800) 829-4933
www.irs.gov

Land Trust Alliance, Northeast Office
(518) 587-0774
www.lta.org

New York Farm Bureau
(518) 436-8495
www.nyfb.org

NY FarmLink
NY FarmNet
(800) 547-FARM
www.nyfarmlink.org
www.nyfarmnet.org

New York Farm Viability Institute
(315) 453-3823
www.farmviability.org

NYS Department of Agriculture and Markets
(518) 457-3880
(800) 554-4501
www.agmkt.state.ny.us

NYS Department of Environmental Conservation
Division of Lands and Forests
Bureau of Private Land Services
(518) 402-9425
www.dec.state.ny.us
A directory of regional offices is available online; regional offices are listed in the phone book under "New York State Environmental Conservation."

Regional Greenhouse Gas Initiative
(518) 402-8448

NYS Department of Taxation and Finance
Taxpayer Assistance Bureau
(800) 225-5829
www.tax.state.ny.us

NYS Energy Research and Development Authority
(866) NYSERDA
(518) 862-1090
www.nyserda.org

NYS Environmental Facilities Corporation
(800) 200-2200
www.nysefc.org

NYS Office of Real Property Services, Agricultural Unit
(518) 486-5446/(518) 474-2982
www.orps.state.ny.us

NYS Soil and Water Conservation Committee
NYS Soil and Water Conservation Districts
(518) 457-3738
www.nys-soilandwater.org
A directory of county offices is available online; County offices are also listed in the phone book under "[County name] Soil and Water Conservation District."

Northeast Sustainable Agriculture Research and Education Program (SARE)
www.nesare.org
(802) 656-0471

Small Business Administration
(800) 827-5722
www.sba.gov
A directory of NY district offices is available online.

NYS Farm Service Agency
New York State Farm Service Agency
(315) 477-6300
www.fsa.usda.gov/ny
A directory of USDA Service Centers is available online; local offices are listed in the phone book under "United States Agriculture Department Farm Service Agency."

USDA Natural Resources Conservation Service
(315) 477-6504
www.ny.nrcs.usda.gov (New York NRCS)
A directory of USDA Service Centers is available online; local offices are listed in the phone book under "United States Agriculture Department Natural Resources Conservation Service."

USDA Rural Development
USDA Rural Business Cooperative Service
(315) 477-6400
www.rurdev.usda.gov/ny



American Farmland Trust

All of the options listed in this guide are valuable tools to help landowners protect their land. But these options exist within the context of federal, state and local policies. If landowners feel those policies need improvement, they can have a voice in those changes.

What you can do

- Take the next step — learn more about the opportunities described in this landowner guide. Contact American Farmland Trust and other resources that can help you and your community protect farmland and strengthen the future for agriculture.
- Help your community take control of its future — talk to your elected leaders about the benefits working lands provide.
- Speak up in support of public programs and incentives that keep farmland in production, promote environmental stewardship and strengthen farm viability.
- Be a steward of the land; encourage sustainable management practices that keep the land healthy.
- Prepare now for the future of your land, your business and your family. Consult with your legal, financial and tax advisors to develop your estate plan.

No Farms
No Food
No…

77% of America's fruits, vegetables and dairy products are grown near metro regions, on farmland that is in the path of development.

In New York, a farm is lost to development every three days.

Losing this land threatens our ability to grow local food, protect our drinking water and keep local economies strong.

America's farms produce so much more than food.



Join American Farmland Trust in supporting New York's farms.

Visit www.farmland.org/newyork or contact (518) 581-0078; newyork@farmland.org



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American Farmland Trust
Saving the Land that Sustains Us

Appendix K

Source: NYS Office of Real Property Tax Services – Assessor's Manual

HOW TO LOCATE THE PROPER PROPERTY TYPE CLASSIFICATION CODE

The New York State Office of Real Property Services has developed a simple and uniform classification system to be used in assessment administration in New York State.

The system of classification consists of numeric codes in nine categories. Each category is composed of divisions, indicated by the second digit, and subdivisions (where required), indicated by a third digit. The nine categories are:

- **100 - Agricultural - Property used for the production of crops or livestock.**
- **200 - Residential - Property used for human habitation. Living accommodations such as hotels, motels, and apartments are in the Commercial category - 400.**
- **300 - Vacant Land - Property that is not in use, is in temporary use, or lacks permanent improvement.**
- **400 - Commercial - Property used for the sale of goods and/or services.**
- **500 - Recreation & Entertainment - Property used by groups for recreation, amusement, or entertainment.**
- **600 - Community Services - Property used for the well being of the community.**
- **700 - Industrial - Property used for the production and fabrication of durable and nondurable man-made goods.**
- **800 - Public Services - Property used to provide services to the general public.**
- **900 - Wild, Forested, Conservation Lands & Public Parks - Reforested lands, preserves, and private hunting and fishing clubs**

Below is part of the coding structure in the Recreation and Entertainment Category. It demonstrates how to decide what code to use when a property is either clearly described or inadequately described.

- **500 - Recreation and Entertainment (Category)**
- **530 - Amusement Facilities (Division)**
- **531 - Fairgrounds**
- **532 - Amusement Parks (Subdivision)**
- **533 - Game Farms**
- **534 - Social Organizations**

The number "0" has been reserved to fill in the coding structure where description of a property is inadequate to assign a code at the division level, subdivision level or where it was not necessary to establish a subdivision level.

A Recreation and Entertainment facility that cannot be classified at a division level, should be coded "500" (category).

An amusement facility that is not a fairground, amusement park, game farm, or a social organization should be coded "530" (division).

A fairground should be coded "531" (subdivision).

100 - AGRICULTURAL

105 - Agricultural Vacant Land (Productive)
Land used as part of an operating farm. It does not have living accommodations and cannot be specifically related to any of the other divisions in the agricultural category. Usually found when an operating farm is made up of a number of contiguous parcels.

110 - Livestock and Products

111 - Poultry and Poultry Products: eggs, chickens, turkeys, ducks and geese

112 - Dairy Products: milk, butter and cheese

113 - Cattle, Calves, Hogs

114 - Sheep and Wool

115 - Honey and Beeswax

116 - Other Livestock: donkeys, goats

117 - Horse Farms

120 - Field Crops
Potatoes, wheat, hay, dry beans, corn, oats, and other field crops.

129 - Acquired Development Rights
Land for which development rights have been acquired by a governmental agency (e.g., certain agricultural lands in Suffolk County).

130 - Truck Crops - Mucklands
Muckland used to grow potatoes, sugar beets, onions, snap beans, tomatoes, cabbage, lettuce, cauliflower, sweet corn, celery, etc.

140 - Truck Crops - Not Mucklands
Nonmuckland used to grow onions, snap beans, tomatoes, cabbage, lettuce, cauliflower, sweet corn, celery, carrots, beets, peas, etc.

150 - Orchard Crops

151 - Apples, Pears, Peaches, Cherries, etc.

152 - Vineyards

160 - Other Fruits
Strawberries, raspberries, dewberries, currants, etc.

170 - Nursery and Greenhouse
Buildings, greenhouses and land used for growing nursery stock, trees, flowers, hothouse plants, mushrooms, etc.

180 - Specialty Farms

181 - Fur Products: mink, chinchilla, etc.

182 - Pheasant, etc.

183 - Aquatic: oysterlands, fish and aquatic plants

184 - Livestock: deer, moose, llamas, buffalo, etc.

190 - Fish, Game and Wildlife Preserves

200 - RESIDENTIAL

210 - One Family Year-Round Residence
A one family dwelling constructed for year-round occupancy (adequate insulation, heating, etc.).

NOTE: If not constructed for year-round occupancy, see code 260.

This following property classification code changes will be established beginning with the 2007 assessment roll. Please make the necessary changes now, as you update your assessment roll.

215 - One Family Year-Round Residence with Accessory Apartment
A one family, year round residence with a secondary self contained dwelling unit. Accessory apartments are usually contained within or added to the principle residence and are often occupied by immediate family members.

220 - Two Family Year-Round Residence
A two family dwelling constructed for year-round occupancy.

230 - Three Family Year-Round Residence
A three family dwelling constructed for year-round occupancy.

240 - Rural Residence with Acreage
A year-round residence with 10 or more acres of land; it may have up to three year-round dwelling units.

241 - Primary residential, also used in agricultural production

242 - Recreational use

250 - Estate
A residential property of not less than 5 acres with a luxurious residence and auxiliary buildings.

260 - Seasonal Residences
Dwelling units generally used for seasonal occupancy; not constructed for year-round occupancy (inadequate insulation, heating, etc.). If the value of the land and timber exceeds the value of the seasonal dwelling, the property should be listed as forest land (see category 900).

Slow-Moving Vehicle Restrictions

Under New York State law, self-propelled agricultural equipment can be operated on public roadways after dark and when visibility is reduced to less than 1,000 feet, regardless of time of day, only if:

- The vehicle is equipped with the following devices in good working condition and visible from the front and rear:
  - Signaling devices properly mounted
  - Two red reflectors mounted at the same height on the rear as far apart as possible

- The vehicle is equipped with lamps that are lighted:
  - Two white colored head lights on the front
  - One red tail lamp on the rear as far left as possible
  - Two amber lamps at least 42 inches high visible from the front and rear



NYS Governor's Traffic Safety Committee

NYS Department of Motor Vehicles

NYS Department of Agriculture and Markets

NYS Department of Transportation

New York State Police

New York Center for
Agricultural Medicine and Health



For more information about slow-moving vehicles and the slow-moving vehicle emblem please visit the Governor's Traffic Safety Committee web site at: SafeNY.com or nysdmv.com.

SHARING the ROAD with SLOW-MOVING VEHICLES



SafeNY.com

Slow-Moving Vehicles

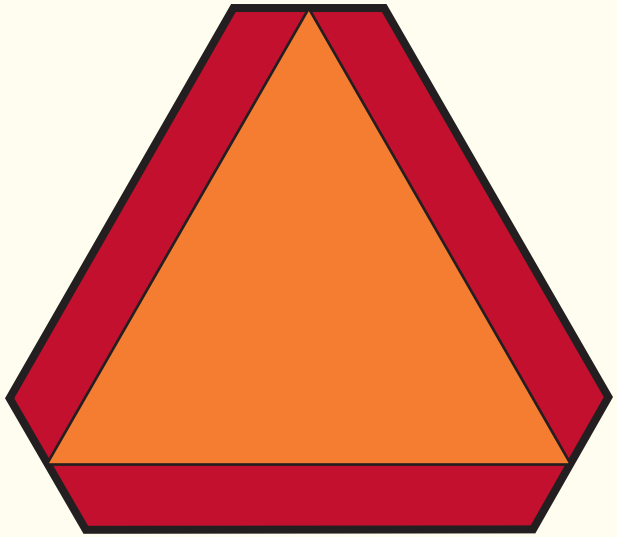
Slow-Moving Vehicles (SMVs) are all vehicles that operate at 25 mph or less, including:

- Tractors
- Self-propelled farm equipment
- Road construction and maintenance machinery
- Animal-powered vehicles



Slow-Moving Vehicle Season

Motorists will encounter more agricultural slow-moving vehicles from late April through mid-October, when farmers are more apt to be planting and harvesting crops. Please be aware of these vehicles and use caution when sharing the road with them.



Slow-Moving Vehicle Emblem

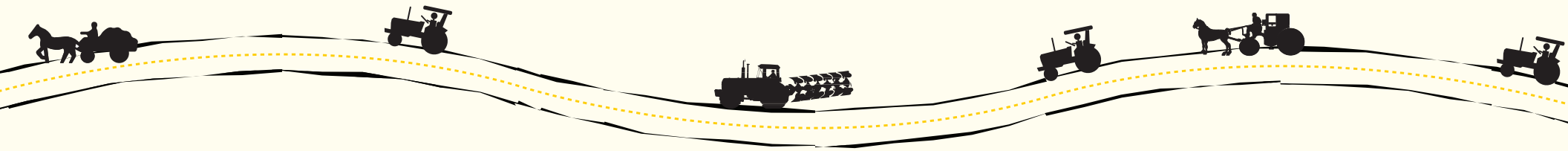
- NYS law requires vehicles that travel 25 mph or less to have a Slow-Moving Vehicle Emblem:
  - Placed in the middle of the back end
  - Located two to six feet above the road
  - Kept clean and replace when faded
- Each piece of agricultural equipment, whether self-propelled or used in combination, shall separately display a slow-moving vehicle emblem
- It is illegal to put SMV emblems on stationary objects – such as mailboxes or driveway posts

Sharing the Road with Slow-Moving Vehicles

When motorists encounter a slow-moving vehicle on the roadway they should:

- Slow down immediately when you see a vehicle or equipment with a SMV emblem in the road
- Increase following distance to create a safety cushion
- Be alert and watch for turns into fields
- Drive courteously
- Pass with care only when it is safe and legal to do so
- Be aware that animal-powered vehicles may make unanticipiated movements
- Remember SMV operators may have poor visibility due to loads and equipment in tow
- Be aware that equipment in tow may sway on the road





2: Conservation Design Method

Promoting Good Design:

As mentioned in the last chapter, the traditional method for subdivision design is typically to commission or otherwise obtain a survey of the property boundaries of the site, divide the land into evenly-sized lots, plunk in a few roads to access those lots if needed, and then attempt to site homes on them as best as possible. Sometimes one lot has several terrific options for home sites while the lots around it are forced to settle for the best of a set of poor options. This often results in drainage issues, unsuitable house sites, removal of forests, hedgerows, and other unique features, or overwhelmingly uninspiring, cookie-cutter, lifeless developments. The reason for this is that **the traditional approach has its priorities wrong**, and does the step which should be first - setting aside land and picking house sites - last, and the step which should be last - laying out lots - the traditional method does first.

Do It Backward - Randall Arendt's Approach:

Randall Arendt is a planner, site designer, writer, speaker, and advocate for conservation-minded planning. His methods have been developed over the years, and he has become known for his clear writing, practical approach, and accessible diagrams and drawings which illustrate his points. In his *Growing Greener Workbook* and other works (see Appendix B), Arendt lays out a process which approaches design the other way around, which he refers to as "**Conservation Subdivision Design**."

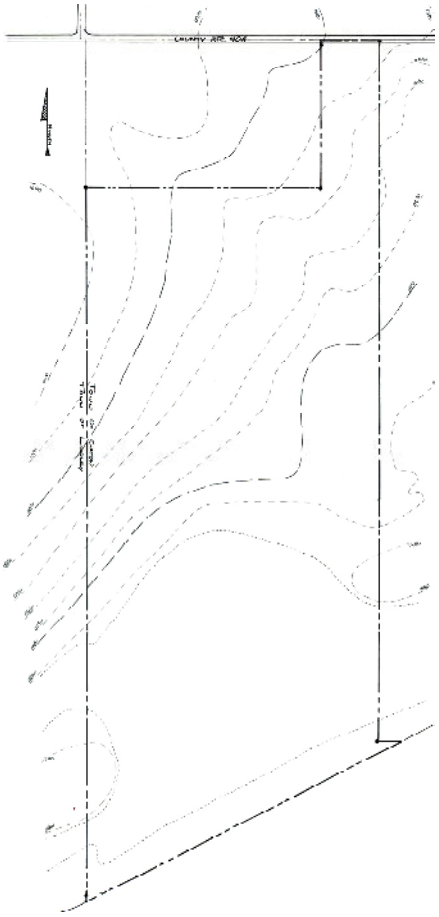
This process begins with **an extensive analysis and mapping of the site** - done in a straightforward manner with easily accessible tools and resources. A good design begins with a solid understanding of the site. From there, the four-step process is the reverse of the traditional development model. Instead of the last step, **the first step is to set aside land for conservation** and protection. This, then, is not the "leftovers", but the land that most deeply influences the character of the site and gives it its character. **Once that has been determined, houses are sited** - not merely in the best choice possible within a constrained lot which has already been laid out, but on the best locations over the whole of the site. Only after there are homes to access are roads drawn in, cutting down on unnecessary road length and allowing the subdivision to be **designed as a neighborhood** rather than a group of homes. Finally, instead of the first step as it often is in a traditional development, **the last step is to divide the land into parcels**, in a way that makes sense with the rest of development and conserves land.

This approach provides an exemplary model for a better design process in a simple, easy to remember form: when it comes to design, take the traditional method and "Do It Backwards." In the following pages, we'll **demonstrate that process** with an individual site: the Lonny DeWalt property.

The DeWalt Property - A Case Study:

Lonny DeWalt's property of about 60 acres is an interesting site and a terrific opportunity to demonstrate Conservation Subdivision Design. The site, in the town of Caton at the Lindley border, contains a large portion of the roughly 25-acre Spencer-Martin Wetland, a prime wildlife habitat located at the headwaters of several watersheds.

The wetlands has been incorporated into the New York State Open Space Plan for protection, and a local group had expressed an interest in purchasing the whole property if available. Knowing that they may not be able to raise the money to afford the entire parcel, we wanted to work out a plan which allowed some homes onto the site in order to make some money for DeWalt while still allowing public access to the wetland and preserving a large enough upland buffer to protect the area. In addition, DeWalt is a minister, and expressed a desire to set aside a parcel of the land for a church retreat, in a secluded lot near the wetland but also separated somewhat from the proposed homes.



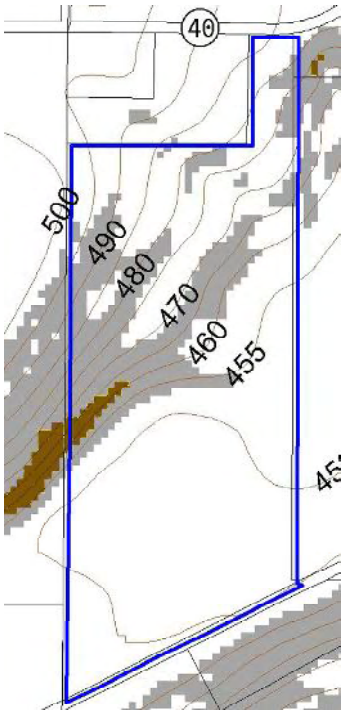
Preparation: Site Analysis

Overview:

A good design needs to come from a solid foundation, and that foundation is **a knowledge of the site**. After all, you can't know where the best sites for placing the houses are if you don't know what makes them good or bad. There's a lot more that should go into this step than simply the site survey typically required under current zoning; you'll want to look at slopes, at aerial photographs, at soil characteristics, and at the unique qualities of the site itself. Before that sounds too daunting, however, rest assured - it doesn't cost an arm and a leg. **In fact, it likely won't cost a dime!**

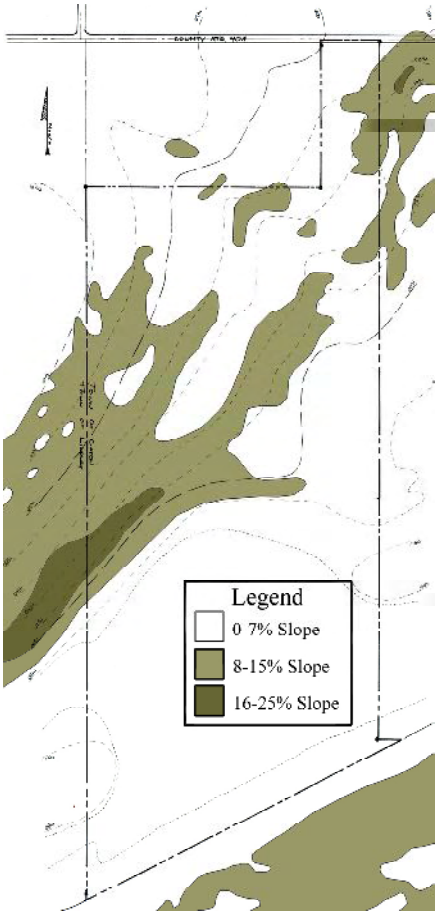
All of the resources we're about to use in this example are **free or affordable and available to the public**. Contact the STCRPDB if you need help accessing them. The easiest way to handle these maps is to simply copy them onto tracing paper; this makes them easy to overlay, compare, and interpret.

Slopes:



On its own, a contour map can be difficult to read if you're not used to it. In addition, what's most important isn't how high the land is (well, except where floodplain issues are a concern), but **how steeply it's sloping**. Steeper slopes are more prone to be unstable when disturbed by development, create drainage and grading issues when siting homes, and are more expensive to build on. Thus, an important step in site analysis is to map the slopes.

A **GIS (Geographic Information System)** program provides a useful tool for this, and a printout such as the example shown (right) makes a good starting point for a slope map, but you can also create one yourself by **measuring distances between contours**. Generally, a slope up to 7 feet vertically in 100 feet horizontally (or 7%) is considered well-suited for development. Slopes from 8% to 15% are less optimal but developable if needed (for comparison, a typical handicapped-access ramp in a building is just over 8%). Areas from 16% to 25% are marginal at best and should be avoided if at all possible, especially when they are currently wooded - the potential for erosion is too great. And lastly, slopes over 25% (1 foot vertically per 4 feet horizontally) **should be avoided under any circumstances**. These divisions are the ones used in the mapping in this book.



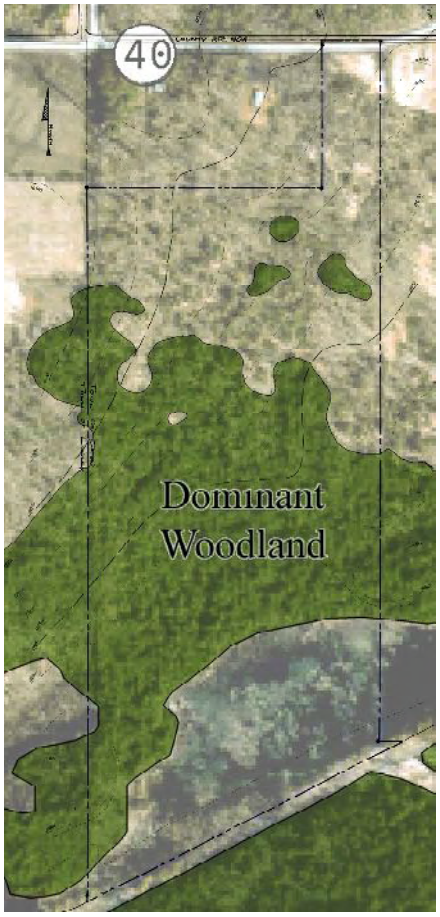
The GIS map is a good starting point, but its contours are in metric units (at least, in this case) and the slopes are rather blocky. Fortunately, since slopes are merely a proportion (of rise to run), the metric units don't change the slope. What we need to do, then, is (as shown, left) trace the blocks and smooth them out. And there you have it - a map of the sloped areas.

Soils:

It's generally a good idea to obtain a soils map as well, and copy it onto a tracing-paper overlay. What's primarily important here isn't the names of the soil groups (though those might be worth recording), but the information in the index of soil types regarding **what type of development and use (agricultural, drainage, stability, etc) the soil is suited to**.

In the case of the DeWalt site, no particular constraints to development were found except the extensive wetland, and erodibility issues in the steeper area in the woodland (already reflected in the slope map). Since no agricultural use is intended for the site post-development (the limited former farmland is the part slated for use), an extensive analysis of soil qualities for agriculture wasn't merited.

Aerial Photography:



GIS is able to combine an aerial photograph (which are available through public databases) with a site boundary, as demonstrated at right. **Aerial photographs are done to a particular scale** and can be measured and drawn upon just like a map, so if GIS isn't an option, you can also perform this step yourself by measuring from identifiable landmarks.

You can use an aerial photograph to help **denote particular features which might not show up on a survey otherwise** - the precise locations of hedgerows, the edges of woodland, the layout of farmed fields, the course of a stream, an existing but unsurveyed farm road which could be improved, and more. These should also be **supplemented by notes and observations from walking the site itself**, noting things that may not be apparent from the air. Trace any of these features which are important to the site onto your overlays - you'll want to know how they relate to other features.

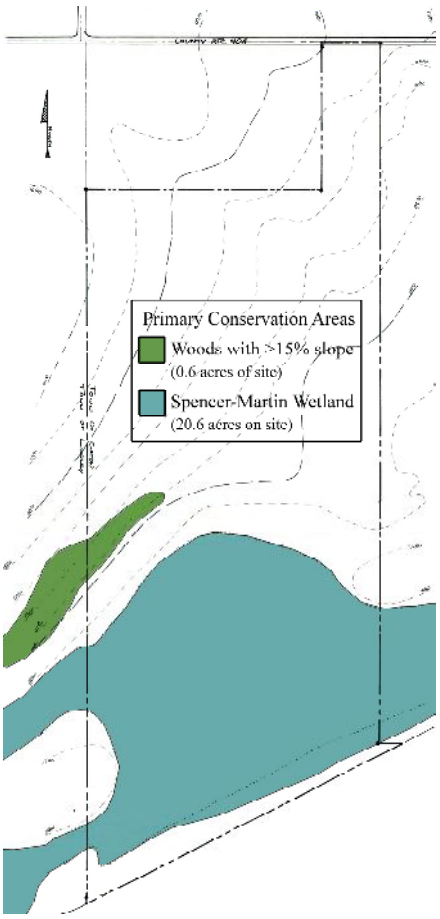
In the case of the DeWalt site, as shown here, the primary feature of note is the **current extent of the wooded areas** (shaded over the photo, right). There are no intact hedgerows remaining, nor are there any apparent stream corridors or other noteworthy features.

Other Issues:

Be sure to **note anything else of particular importance** to the site's development on some or all of your overlays, as well - you'll want to know any particular peculiarities of drainage, etc, as well as the character of surrounding areas. Perhaps views are of particular importance to the site's character, or wind direction and solar orientation may be critical factors in your design. **Whatever it is, make note of it** somewhere in your mapping.

In the case of the DeWalt site, the major factor is the Spencer-Martin Wetland. It is about 25 acres, the majority of it on-site, and is listed by NYSDEC as a Class II wetland. It was listed in the NYS Open Space Plan 2001. The wetland is located in the headwaters of several watersheds: the northern portion drains into Barnard Creek and the southern end drains into Ryers Creek. Ecologically, the wetland includes open water, emergent vegetation surrounded by a former pasture, and northern hardwood forest. Ducks, geese, herons and beaver make the wetland their home. Both the wetland itself, and a buffer area around it, are critical factors in any design for the site.

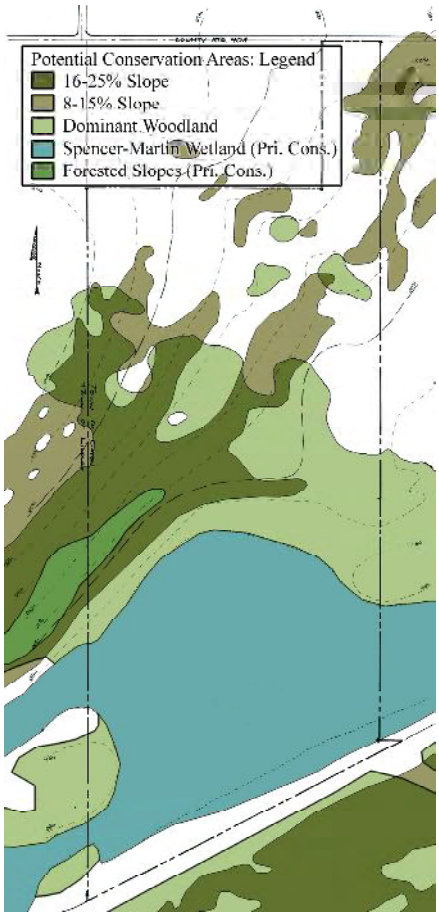
Step One: Define Conservation Areas



Once these maps have been completed, the next step is to use them to **identify primary and secondary conservation lands**. This is done, typically, by overlaying the maps created earlier and "drawing up" the important features of them to provide a map which combines all the aspects.

Primary conservation lands are those which are ecologically or otherwise sensitive, and cannot or should not be built upon - wetlands, land that is part of a waterbody, land within the 100-year floodplain, extreme slopes, soils prone to slumping, and wooded sloped areas prone to erosion when developed. These areas, in Arendt's process, are **removed from consideration** when discussing the buildable acreage of the site.

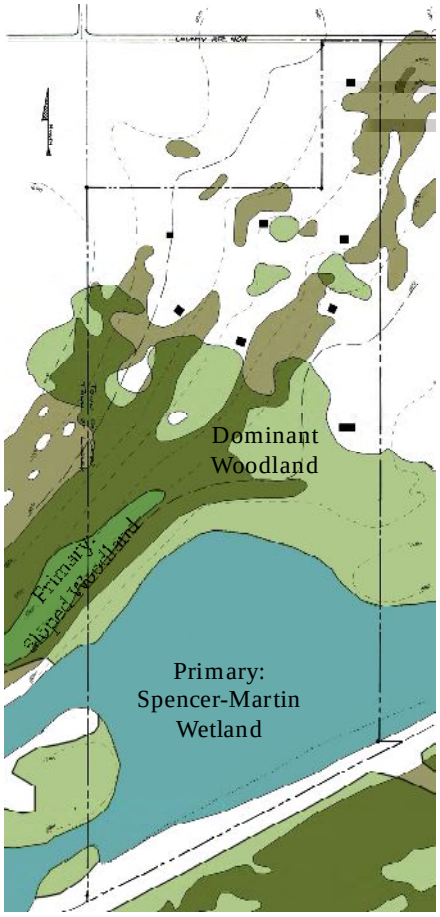
In the case of the DeWalt site, as shown (right), the Spencer-Martin Wetland and the area of steeply-sloped, wooded terrain have been set aside as Primary Conservation areas. These two areas total about 21.2 acres on site, and bring the buildable acreage of the site down to about 37.5 acres.



Secondary Conservation areas are those which are intentionally set aside to be preserved. Under a Conservation Subdivision plan such as Arendt proposes, **at least half of the buildable acreage is to be set aside for conservation**, and the full density of that area is eligible to be transferred to the remaining land so that **the potential for development is not reduced**. These areas should, if possible, form a continuous whole which, ideally, ties together with similar areas on surrounding sites, creating the potential for a **network of green space** extending through the community. Generally, these areas are those marked above in one of the maps are good candidates to become part of the Secondary Conservation portion of the site.

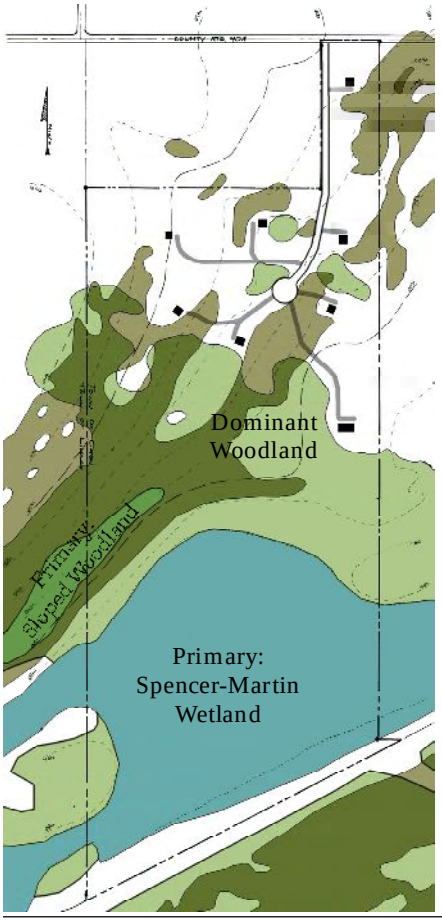
The DeWalt site's major feature which could otherwise be developed is the mature woodland. Thus, the goal is to preserve that woodland wherever possible and to create a trail system giving access both to the forest and to the wetland at the bottom of the hill.

Step Two: Locate Building Sites



Arendt's next step is to **locate the most suitable house sites within the remaining space**. With an eye to locating these houses suitably in relation to one another and on the best possible sites on the remaining, non-conserved land, and keeping in mind the target density and appropriate spacing of homes, the best areas to place homes frequently seem to jump off the page at you when you're looking down at the overlay of maps.

Here, with just over 18 acres as our goal for the maximum developed land, and looking to keep a low-density feeling in the subdivision to maintain the rural character, we have chosen to site 8 potential homes on the northern portion of the site. Tucked back into the woods in the southeast corner of the development, one of the sites is particularly appropriate for the church retreat that Mr. DeWalt expressed an interest in creating.

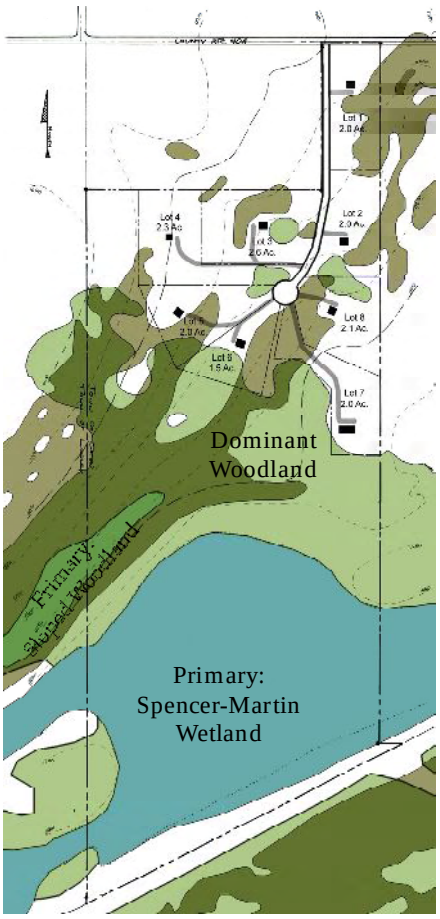


Step Three: Lay Out Roads, Trails, and Access

From here, the next step is simple; devising **the most appropriate and economic way to gain access to those sites**, and exploring the access from those sites to the conserved land, whether it be via easments through private lands or through mutually-held trails.

In this case, a relatively short road off of County Rte. 40A terminates in a cul-de-sac broad enough to allow emergency vehicle turnaround, avoiding both steeper slopes and woodland as it curves in to a central spot in the site.

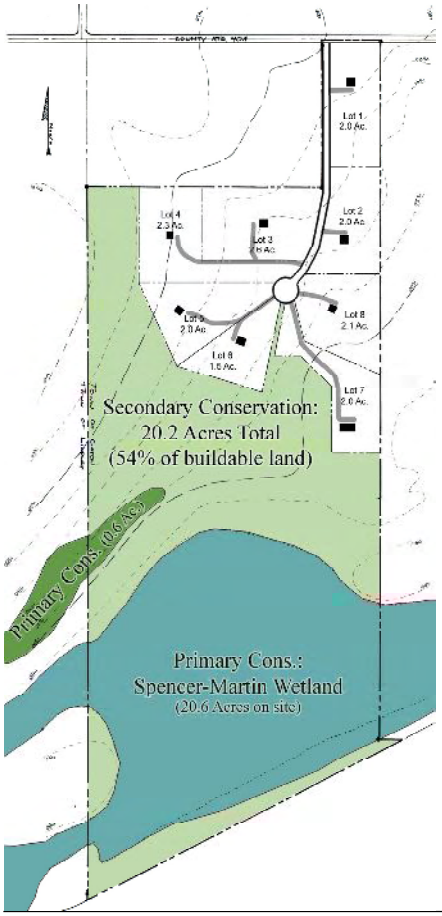
Step Four: Draw in Lot Lines



The last step in Arendt's process is **the division of the land into individual parcels**. With proposed conservaion areas in mind, and keeping access for each house clear, it's simple to draw in lot lines and divide the area into parcels.

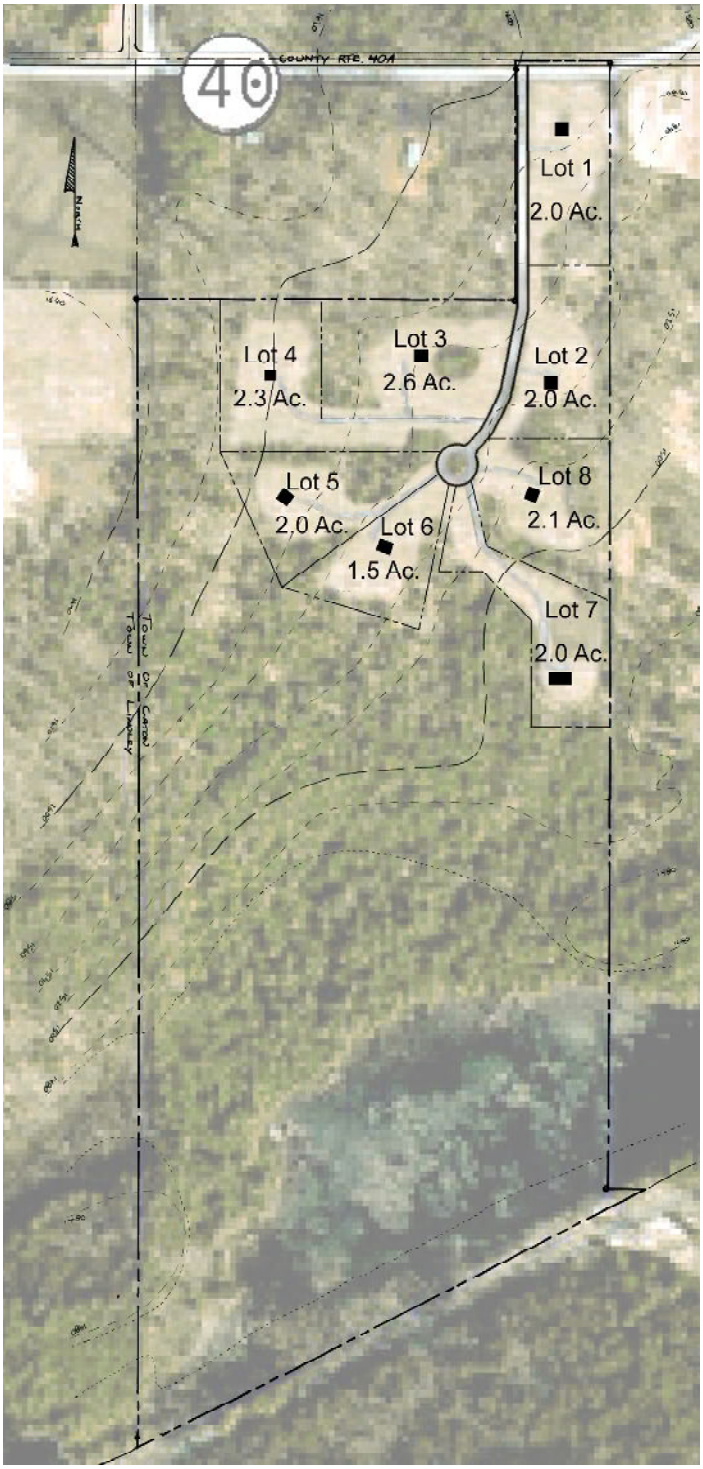
Keep in mind local zoning codes while you're working on this step. Most towns have minimum lot sizes, setbacks, and lot widths; **sometimes, there are exceptions made in cases of "cluster housing"** where a percentage of the land is kept as open space. In this case, the Town of Caton allows lots down to half of the standard 2-acre minimum, provided that at least half of the developable land is kept as open space. We haven't needed to go that low; the only lot under 2 acres in the scheme measures 1.5 acres.

Also pay attention to opportunities for special or unusual lots; lot 7, as mentioned before, which tucks back away from the others and nestles into the edge of the woods, is well suited to fill Mr. DeWalt's desire for a church retreat.



Final Layout Analysis:

In the end, for the DeWalt site, Arendt's process has resulted in **just over 50% of the buildable land held in conservation, all in one continuous chunk** which connects with open space to both sides and provides a substantial buffer for the ecologically sensitive wetland area. The 8 lots average out at just over 2 acres each, and only about 950 feet of new road is required. Well over 300 feet of guaranteed buffer exists between the wetland and the closest corner of potential development, and the closest planned building is significantly further.



Proposed development reflected in digitally-modified aerial photo

Adapting Arendt's Methods:

Arendt's method for Conservation Subdivision Design is **only one potential option for good design**; sometimes, the resulting density is not desired, or other factors serve to limit the potential for a Conservation Subdivision as outlined above.

The most likely obstacle or complication arises when 50% of the buildable acreage is not a suitable figure for conservation, whether for economic reasons or otherwise. In addition, the process only addresses residential subdivisions, and is not completely transferrable to mixed-use or commercial ventures without soem rethinking.

The process, however, is a fundamentally sound approach, and is **far preferable to the traditional one**. These steps, whether taken directly as Arendt proposes them or as a model and a goal, are the basis of sound, good design, as you'll see in the chapters to come.

For an example of how this process can be codified into zoning law, be sure to explore STC's website for the Village of Painted Post's Subdivision Law referenced in Appendix D.

For more information on Conservation Subdivision Design and Open Space Planning, take a look at Appendix C; the bibliography also lists several ofArendt's other books.

Why Keep Saratoga County Farming?

Farms help sustain the county's rural economy. Saratoga County farms generate more than $30 million a year in sales, producing a variety of agricultural goods. They spend $29 million a year on goods and services, much of which goes to support local businesses.

Farms support tourism. Saratoga County's scenic farm landscapes help attract people to this area, contributing to Saratoga Springs' reputation as the "City in the country."

Farms maintain the character of our communities. Most Saratoga County farms are concentrated in the eastern and western outskirts of the county in towns like Northumberland and Charlton. Some farms, however, are scattered in more urbanized areas like Clifton Park, Malta, and Halfmoon. Farms create a sense of place, connect us to our rural heritage and help balance sprawl.

Farms keep property taxes lower. Taxes paid on farmland exceed the cost of providing services. Farmland contributes $3 to $4 in taxes for every dollar's worth of services it uses. Residences typically use $1.25 in services for each tax dollar they pay[1].

Our farms are at risk. Saratoga County is the second fastest growing county in the state. As areas in southern Saratoga County reach full-buildout, we will see our remaining farmland subjected to far greater development pressure on a scale that will threaten the very viability of farming.

We can keep Saratoga County Farming!
If our rural, suburban and urban communities work together, we can save our most important farmland—keeping farming viable here in Saratoga County.

[1] Based on numerous Cost of Community Services Studies conducted by American Farmland Trust that look at the cost of providing community services like roads, sewers, and schools; comparing it to the services used, and taxes paid by different land use.

Saratoga County farmers welcome you and your family to the country. Together we can grow and prosper in our communities.

For more information about agriculture in Saratoga County contact:

Cornell Cooperative Extension
of Saratoga County
50 West High Street
Ballston Spa, NY 12020
518-885-8995
www.ccesaratoga.org

Visit:

www.saratogafarms.com

This brochure was produced by the:

Saratoga County Agricultural Promotion Committee.

Farm photos by Jim Newton

ARE YOU THINKING ABOUT MOVING TO THE COUNTRY?



PLEASE CONSIDER THIS...

Have the noise, traffic, and hassles of your neighborhood led you to consider moving to the country?



Does the thought of clean fresh air and country solitude and peacefulness make you want to build a new home?

Do you dream about moving to the country so your property will be surrounded by natural scenery and panoramic views?





If you answered, "Yes"
to any of these questions, you may want to reflect on what it means to live in the country.

Since the early days of our nation, farmers have produced the food, fiber, and nursery products needed to make the country grow and flourish. In fact, their productivity has allowed our nation to become the "breadbasket" of the world.

New York Is An Agricultural State

Agricultural production returned over $3 billion to the state's farm economy in 2002. About 25 percent of the state's land area, or 7.6 million acres are used by 37,000 farms to produce a very diverse array of food products.

New York ranks high nationally:

Dairy Products – 3rd
Apples - 2nd
Grapes – 3rd
Tart Cherries – 4th
Pears – 4th
Strawberries – 7th
Sweet Corn - 4th
Cabbage - 2nd
Maple Syrup - 2nd
Snap Beans - 2nd
Onions – 6th
Corn Silage – 3rd
Floriculture – 5th

NY farmers accomplished this by:

- practicing important soil and nutrient management;
- conserving natural resources; and
- working long hours in all types of weather.

Farm practices, such as late hours, manure application, and crop management give us the breadbasket designation and are essential to farming. New homeowners living in the country must take them into account.

What Are Agricultural Districts?

Agricultural districts encourage the continued use of farmland for agricultural production by:

- providing a farmer with certain protections to continue agricultural practices.

- allowing the farmland owner to receive agricultural assessment for their lands instead of having real property assessments based on higher market value.

- protecting farmers from local laws that unreasonably restrict farming operations located in an agricultural district.

Saratoga County has two consolidated agricultural districts that encompass 111,130 acres of the county's 540,423 acres of land or 21% of the county's total acreage.

What Is a Right to Farm Law?

The general purpose and intent of the law is to:

- maintain and preserve the rural traditions and character of the county.
- permit the continuation of agricultural practices.
- protect the existence and operation of farms.
- encourage the initiation and expansion of farms and agribusinesses.
- promote new ways to resolve disputes concerning agricultural practices and farm operations.

The Right to Farm Law exists in many Saratoga County towns.

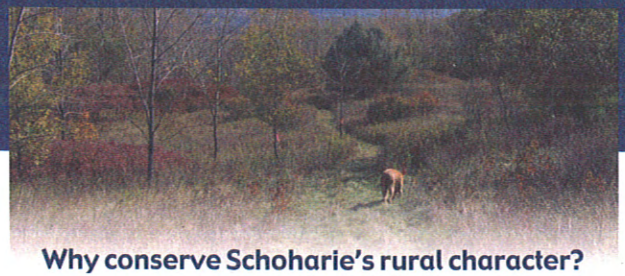
How Can You Help?

Support farmers by shopping at local Farmers' Markets, at farm stands, or directly from farmers.

Learn about agriculture by attending events such as the Sundae on the Farm Tour held in June and Saratoga County Fair held in July.

Always seek permission from farmers before entering their property for any purpose to avoid damaging crops and/or disrupting farming operations.

Befriend your farm neighbors. Talk with them about your concerns. Refrain from unwarranted complaints about generally accepted farm management practices.



Why conserve Schoharie's rural character?

The natural beauty we value and enjoy today is under increasing pressure from over-development and sprawl which could permanently change the rustic landscape.

Farmland provides the open space and scenic beauty of our region. It is the basis of our agricultural economy, supporting local businesses and services. Returning to local and regional food systems is an effective way to ensure safe, nourishing food, and to decrease fossil fuel use and greenhouse gas emissions.

Tourism is also a viable industry in our region replete with both historic sites and scenic attractions. The latter include our fertile farms and fields, woods and wetlands, hills and caves, wildlife habitat and streams, especially the Schoharie Creek flowing north through the valley.

All of these assets are worth safeguarding. Schoharie Land Trust is part of a growing movement engaged in this essential conservation.

Membership—at all levels—helps realize Schoharie Land Trust's mission

Currently the Land Trust protects 1,795 acres through conservation easements on 13 parcels of land, including 5 agricultural easements. The organization also owns 2 parcels totaling an additional 357 acres.

Consider adding your lands to this growing acreage total, and ensure it will reflect your vision for the future. Enjoy hiking the trails of the 342-acre Paulson Preserve in Summit.







Mission

It is the mission of the Schoharie Land Trust to protect the beauty, land, heritage and rural character of Schoharie County and adjacent areas by acquiring real property, holding conservation easements, and providing technical assistance and planning information to landowners, public agencies, and others interested in safeguarding our natural assets.

Schoharie Land Trust Inc

PO Box 482 • Cobleskill, NY 12043-0482

(607) 652-2162

www.schoharielandtrust.org

Cover photographs ©Joy Spurr • Graphic design: Janet Marie Yeates • Printed on Rolland Enviro100 (100% recycled, PCF, Process chlorine free, FSC certified paper) with soy-based ink.

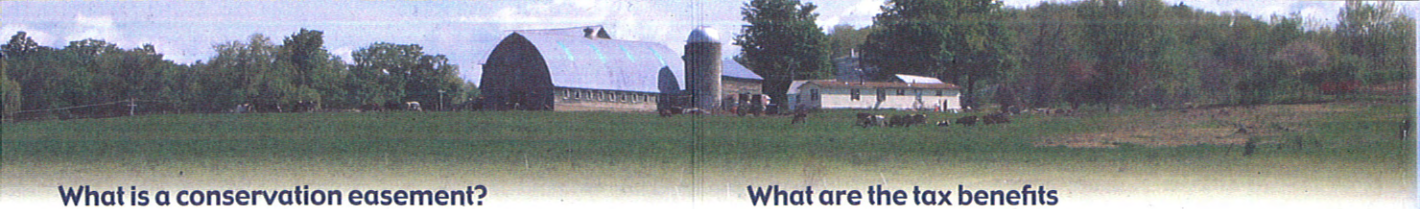
Schoharie Land Trust

Working to conserve Schoharie County's rural character and natural resources

Welcoming New Members

Maintaining preserves for public education and recreation

Planning for the future



What is a conservation easement?

A conservation easement is a legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values. You can continue to own and use your land and to sell it or pass it on to heirs.

When you donate a conservation easement to a land trust, you give up some of the rights associated with the land. For example, you might give up the right to build additional structures, while retaining the right to grow crops. Future owners will also be bound by the easement's terms. The land trust is responsible for making sure the easement's terms are followed.



Conservation easements offer great flexibility. An easement on property containing rare wildlife habitat might prohibit any development, for example, while one on a farm might allow continued farming and the building of additional agricultural structures. An easement may apply to just a portion of the property, and need not require public access.

A landowner sometimes sells a conservation easement, but usually easements are donated. If the donation benefits the public by permanently protecting important conservation resources and meets other federal tax code requirements it can qualify as a tax-deductible charitable donation. In New York State, there are also property tax reduction incentives for easements. *See next column.*

Perhaps most important, a conservation easement can be essential for passing land on to the next generation. By removing the land's development potential, the easement lowers its market value, which in turn lowers estate tax. Whether the easement is donated during life or by will, it can make a critical difference in the heirs' ability to keep the land intact.

—Courtesy of the Land Trust Alliance

What are the tax benefits of a conservation easement?

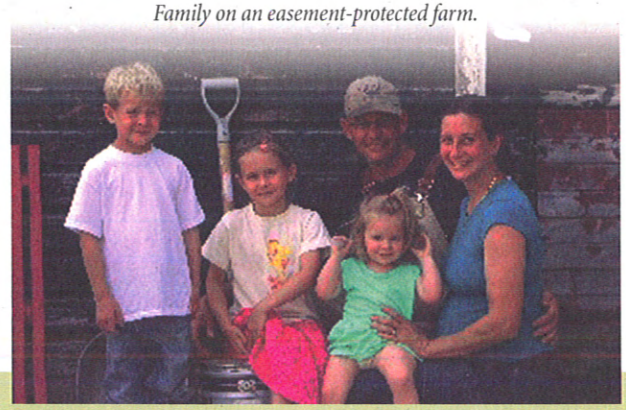
In 2006, the Conservation Easement Tax Credit officially became part of the New York State tax code. This innovative credit will give New York landowners whose land is restricted by a conservation easement an annual refund of 25% of the property taxes paid on that land, up to $5,000 per year. It is available to all owners of easement-restricted land, regardless of when the easement was created, provided that the easement was wholly or partially donated to a land trust or a governmental agency.

Landowners who donate a conservation easement can deduct the value of the easement from their income for federal and state income tax purposes. Also in 2006, Congress approved a large expansion of the federal tax incentive for conservation easement donations. This law:

- Allows the donor of a conservation easement to deduct the value of the easement up to 50% of their adjusted gross income in any one year;
- Allows qualifying farmers and ranchers to deduct up to 100% of their income;
- Extends the carry-forward period for a donor to take tax deductions for voluntary conservation agreements from 5 to 15 years.

In addition, land protected by a conservation easement may qualify for a reduced assessment for real property tax purposes. However, this determination is made by local assessors.

Family on an easement-protected farm.



Membership and other contributions help Schoharie Land Trust preserve rural Schoharie County

Membership Invitation

Name(s) _____

Mailing Address _____

_____

Telephone ( ) _____

E-mail _____

❑ Please contact me(us) about opportunities for volunteer work

❑ Please contact me(us) regarding possibilities for the property I(we) own

Annual Dues/Contributions

Member $35

Friend $50

Contributor $100

Patron $500

Benefactor $1000

Student, Senior, other . $ _____

Dues and contributions are fully tax-deductible
Schoharie Land Trust is a not-for-profit 501(c)(3) organization

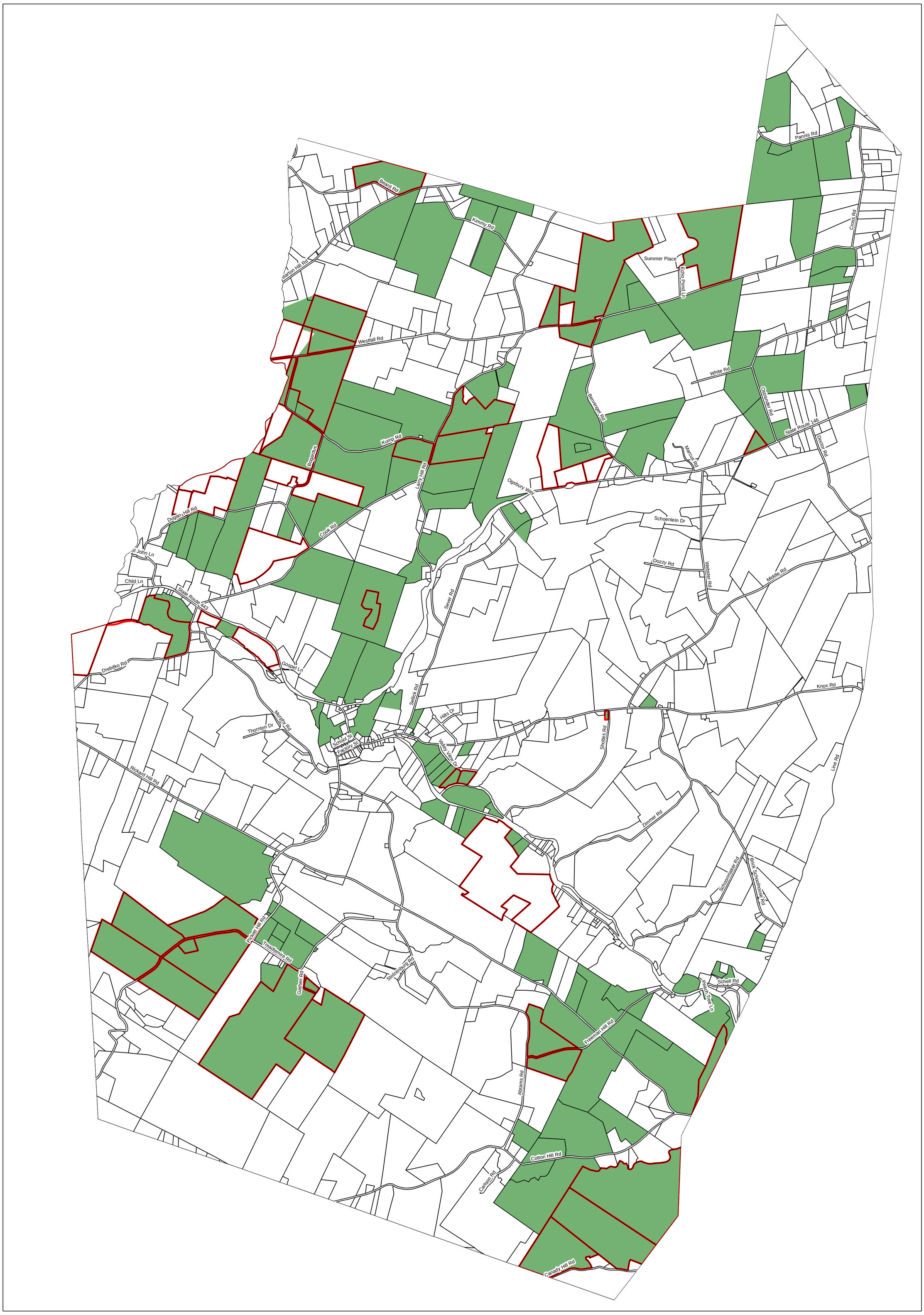
Thank you for mailing this form with your check to:

Schoharie Land Trust Inc
PO Box 482 • Cobleskill, NY 12043-0482
(607) 652-2162

www.schoharielandtrust.org

Town of Wright

Appendix P
Land In Agriculture Outside Agricultural District



Legend

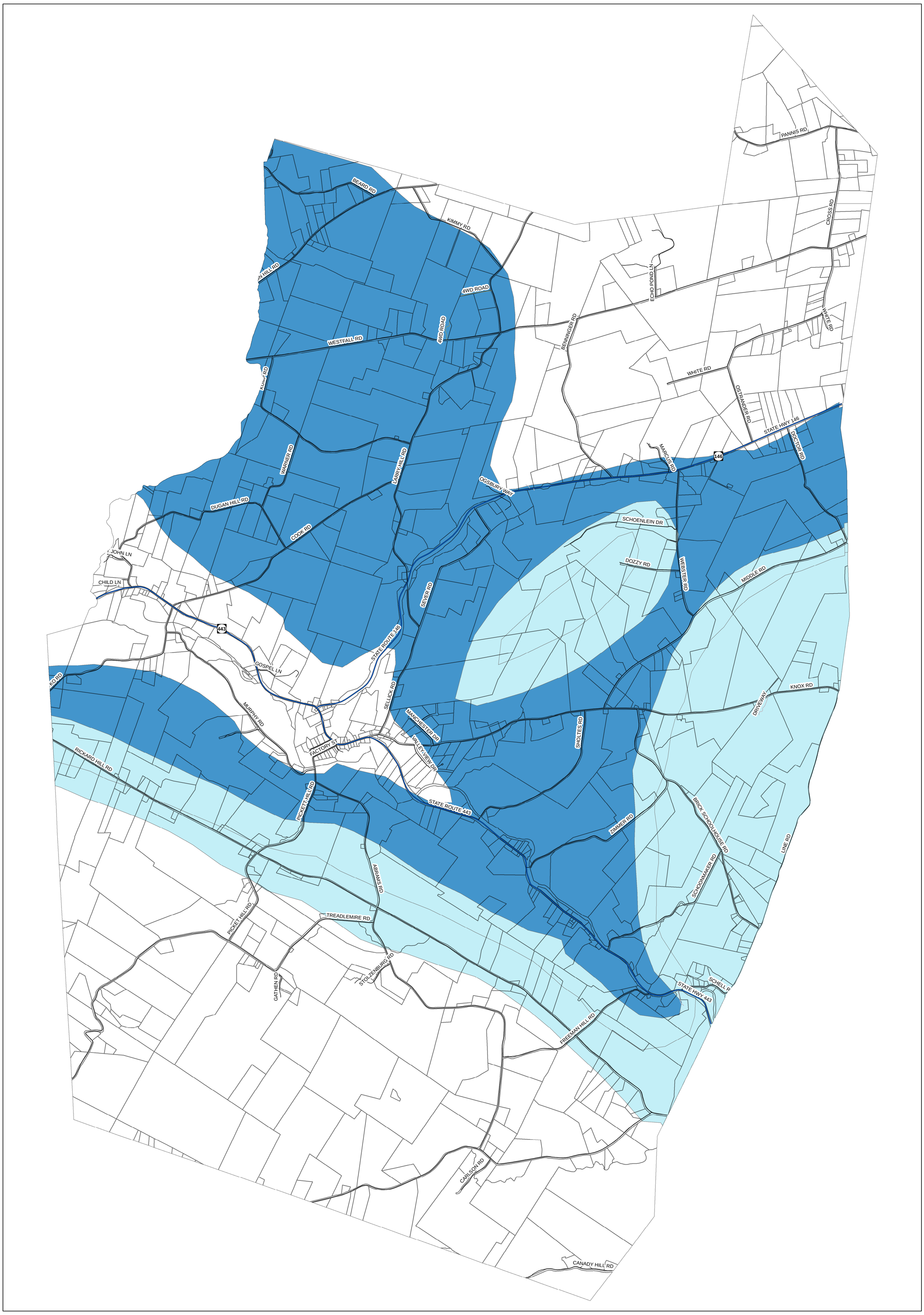
- Parcel
- AgExemptions Outside Ag District
- Land in Agriculture Outside Ag Distirct

N
W E
S

Feet
0 2,500 5,000
0 1
Miles

Town of Wright

Appendix Q
Potential Karst Topography



Legend

Parcel **NYS Bedrock Geology**

HELDERBERG GROUP

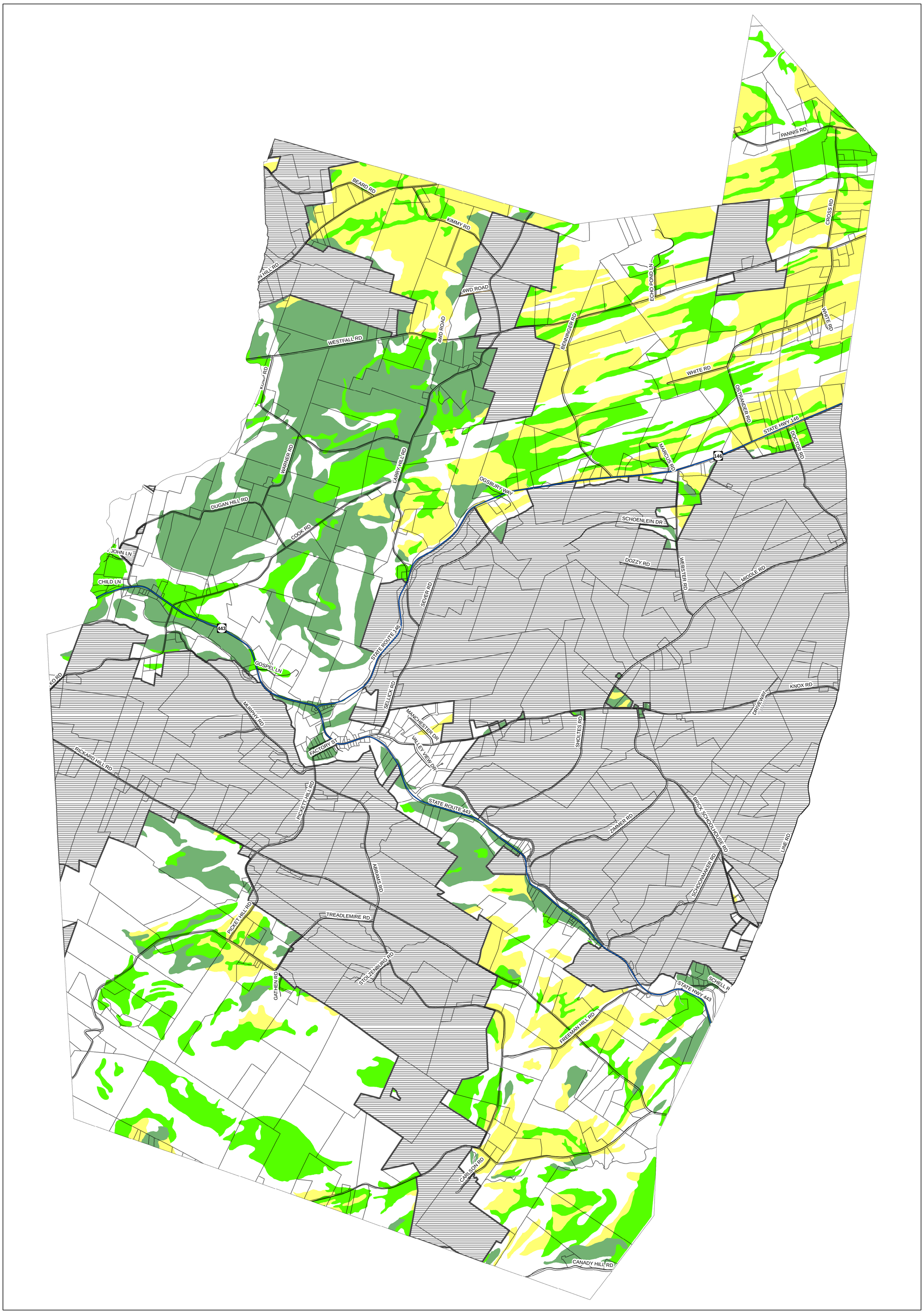
ONONDAGA LIMESTONE AND TRISTATES GROUP

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0 1
Miles

Town of Wright

Appendix R
Prime Soils Outside of Agricultural District



Parcel
Agricultural District

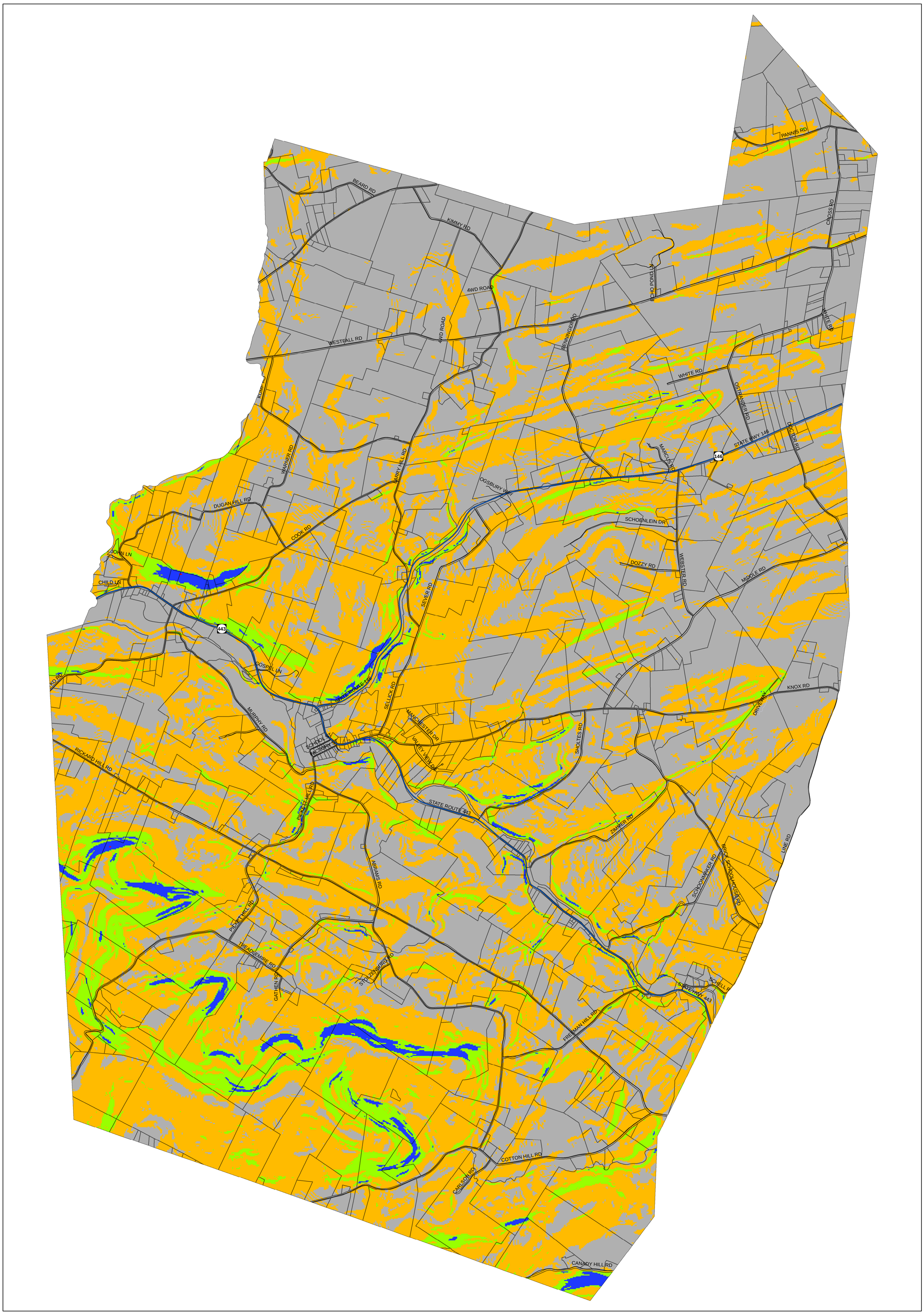
Soil
All areas are prime farmland
Farmland of statewide importance
Not prime farmland
Prime farmland if drained

N
W E
S

Feet
0 2,500 5,000
0 1
Miles

Town of Wright

Appendix S
Slope



Legend

Parcel

Slope in Degrees

0 - 5
5.1 - 15
15.1 - 25
25.1 - 50
50.1 - 90

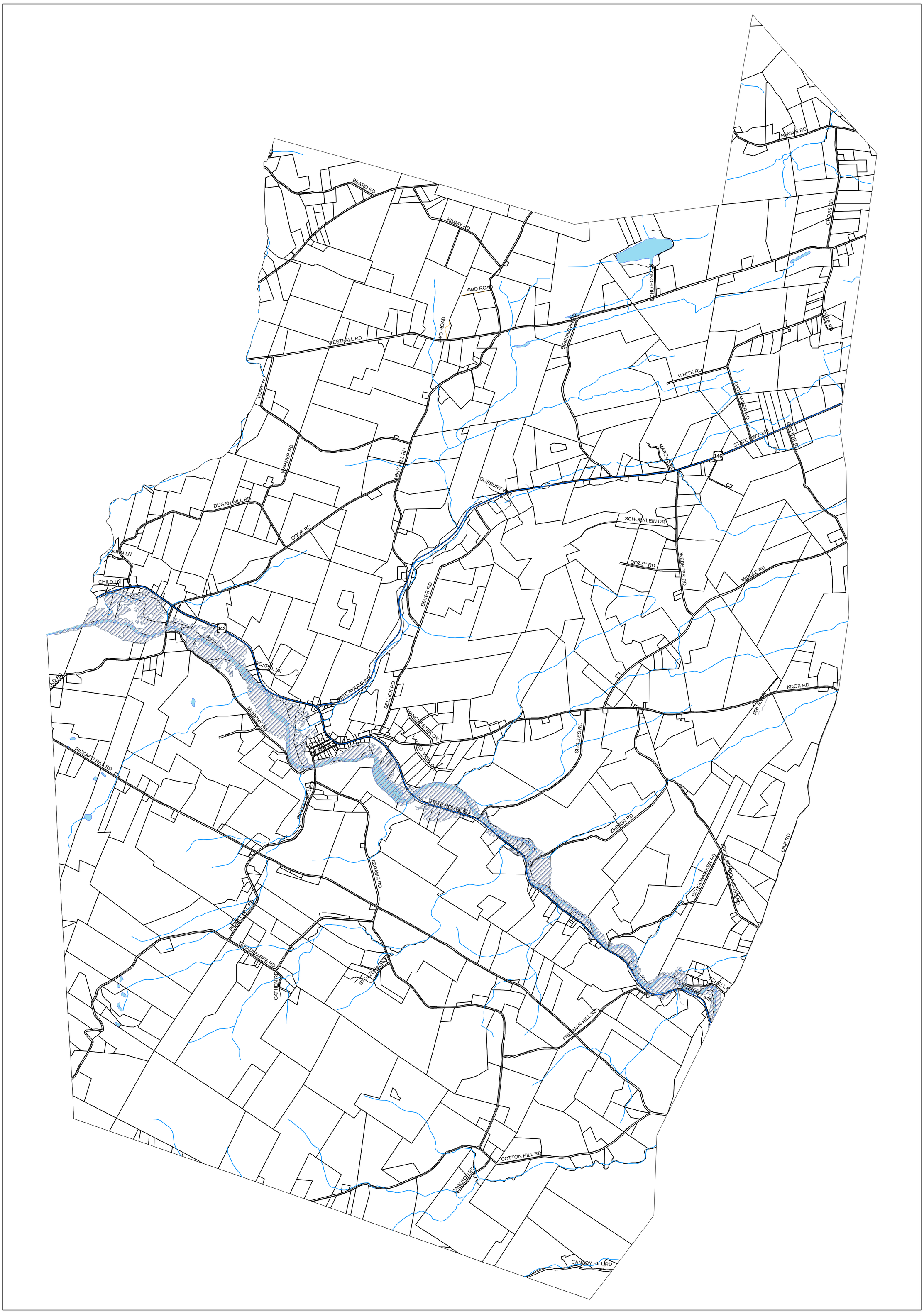
N
W E
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Feet
0 2,500 5,000

0 1
Miles

Town of Wright

Appendix T
Floodplain



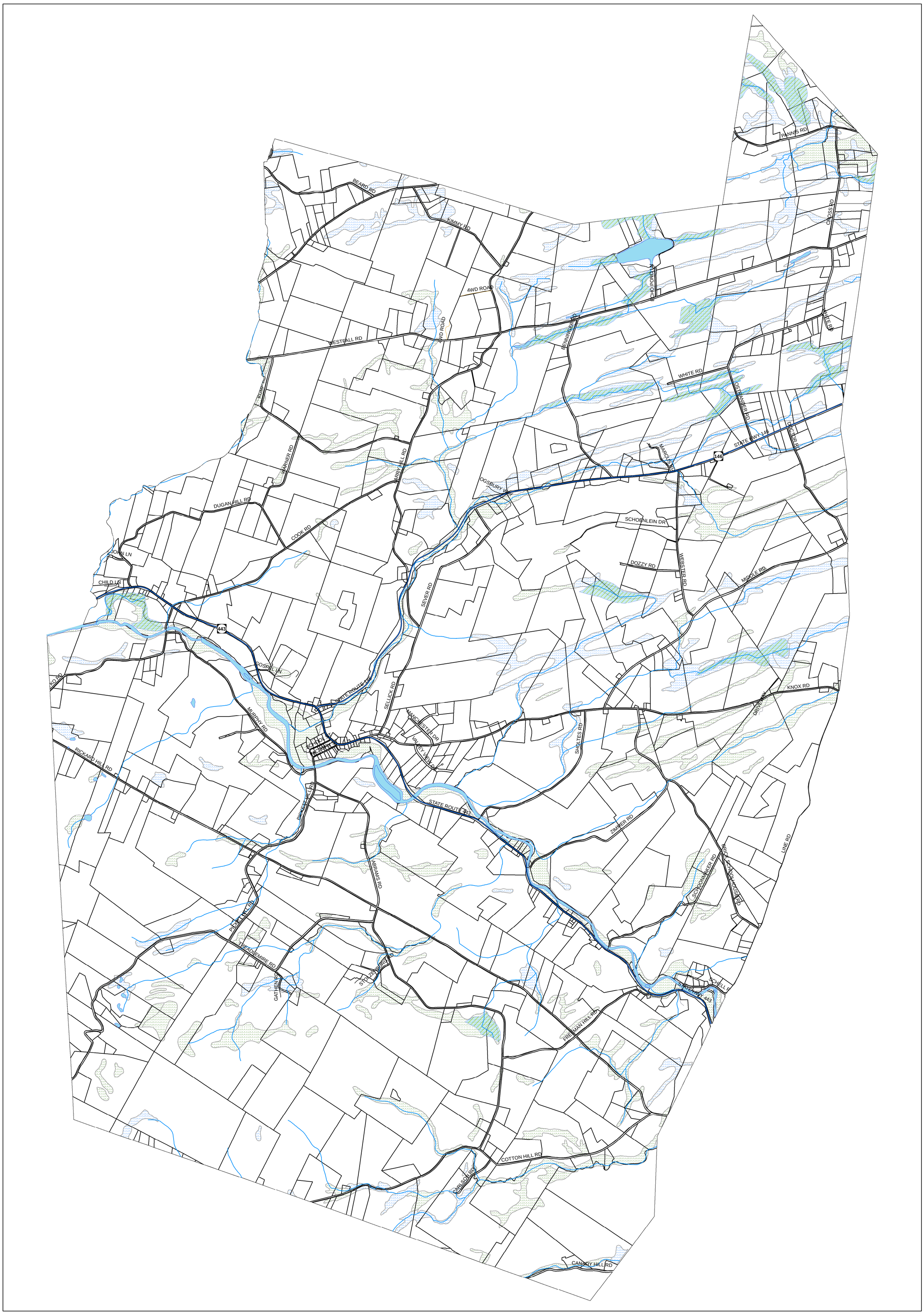
Legend
- Floodplain
- Waterbodies
- Streams
- Parcel

N
W E
S

Feet
0 2,500 5,000
0 1
Miles

Town of Wright

Appendix U
Hydric Soils / Wetlands



Legend

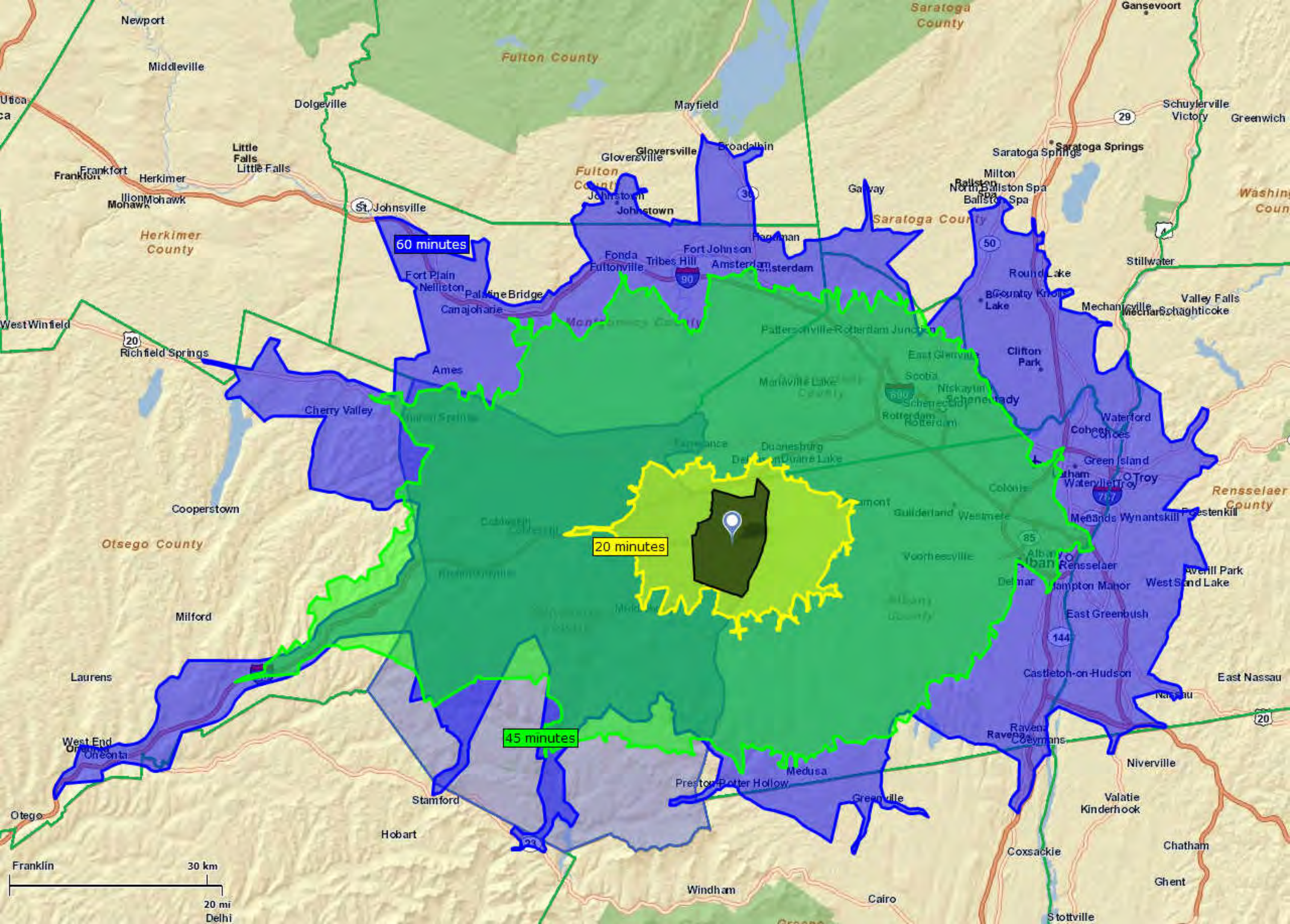
Waterbodies
Streams
Wetlands
Parcel

Soils

All hydric
Partially hydric

N
W E
S

Feet
0 2,500 5,000
0 1
Miles


60 minutes
45 minutes
20 minutes
Newport
Middleville
Utica
Dolgeville
Fulton County
Mayfield
Saratoga County
Gansevoort
Schuylerville
Victory
Greenwich
Saratoga Springs
Gloversville
Broadalbin
Johnstown
Milton
Ballston Spa
Galway
Little Falls
Frankfort
Herkimer
Mohawk
St. Johnsville
Herkimer County
Fort Johnson
Amsterdam
Fonda
Fultonville
Tribes Hill
Fort Plain
Nelliston
Palatine Bridge
Canajoharie
Round Lake
Stillwater
Mechanicville
Schaghticoke
Valley Falls
West Winfield
Richfield Springs
Ames
Cherry Valley
Clifton Park
Waterford
Cohoes
Green Island
Troy
Rensselaer
Wynantskill
Rensselaer County
Cooperstown
Otsego County
Milford
Laurens
Castleton-on-Hudson
East Nassau
West End
Oneonta
Otego
Stamford
Hobart
Medusa
Preston-Potter Hollow
Greenville
Niverville
Valatie
Kinderhook
Coxsackie
Chatham
Ghent
Windham
Cairo
Stottville
Delhi
Franklin
30 km
20 mi

Resources for Additional Information and Technical Support

American Farmland Trust
(518) 581-0078
www.farmland.org/newyork

Association of Towns of the State of New York
(518) 465-7933
www.nytowns.org

Cornell Cooperative Extension of Schoharie County
(518) 234-4303
http://cceschoharie.org/

Land Trust Alliance
(518) 587-0774
http://www.landtrustalliance.org/community/northeast

NYS Department of Agriculture and Markets
Agriculture Protection Unit (518) 457-2713
Agricultural Districts Law: www.agmkt.state.ny.us/AP/agservices/agdistricts.html
Agricultural and Farmland Protection Program: www.agmkt.state.ny.us/AP/agservices/farmprotect.html

NYS Energy Research and Development Authority
(518) 862-1090
www.nyserda.org

NYS Department of State
(518) 474-4752
www.dos.state.ny.us

New York Farm Bureau
(518) 436-8495
www.nyfb.org

New York FarmNet/FarmLink
(800) 547-3276
www.nyfarmnet.org

New York Planning Federation
(518) 270-9855
www.nypf.org

Schoharie County Planning and Development Agency
(518) 234-3751
http://www.schohariecounty-ny.gov/CountyWebSite/Planning/planninghome.jsp

Schoharie Land Trust
(607) 652-2162
www.schoharielandtrust.org

SUNY Cobleskill
(518) 255-5700
www.cobleskill.edu

Recommended Timeline to Implement the Plan's Goals and Recommendations
Recommended Timeline to Implement the Plan's Goals and Recommendations

Matrix Key:	Overarching Goals	Implement within 1 year	Implement within 3 years	Implement within 5 years

Goal/Recommendation	Local	County	State/Federal	Time Frame
Goal I Encourage Town's Existing Farmers				
1. Establish Agriculture Committee	X			Year One
2. Facilitate Tax Abatement	X	X	X	Year One
3.Take Full Advantage of Agricultural Districts	X	X		Year One - Then ongoing
4. Strengthen Town Right to Farm Law	X	X	X	Within Three Years
Goal IIa - Attract New Farmers				
1. Direct Farmers in Transition to Resources to Help Keep Land in Agriculture	X			Within Three Years
2. Promote the Town of Wright as a Good Place to Farm	X	X		Within Five Years
3. Form a Farmers' Cooperative	X	X		Within Five Years
Goal IIb - Cultivate the Next Generation of Farmers				
1. Support Local Agricultural Youth Groups	X	X		Within Three Years
2. Work with Local Schools to Teach Students About the Importance of Agriculture in their Community	X			Within Five Years
3. Create an Agricultural Scholarship	X			Within Five Years
Goal III - Educate Public About Agriculture				
1. Develop a Brochure for New Residents About Living in an Agricultural Community	X	X		Within Three Years
2. Hold Community Farm Day Festival	X	X		Within Five Years
3. Establish an Annual Agriculture Awareness Week	X			Within Five Years
4. Conduct a Local Cost of Community Services Study	X	X		Within Three Years

Goal/Recommendation	Local	County	State/Federal	Time Frame
Goal IV - Retain Critical Mass of Agricultural Land				
1. Strongly encourage Town officials to receive training regarding land use planning and agriculture	X	X		Within Three Years
2. Review Agricultural and Farmland Protection Plan every 5 years and update as needed	X	X		Year Five (2015)
3. Update Town Land Use Regulations	X			Year One to Three
4. Update Town's Subdivision Regulations	X			Year One
5. Educate Buyers and Sellers of Property on How to Minimize Loss of Farmland	X	X		Within Three Years
6. Cultivate Farmer Participation in Local Government	X			Year One
7. Foster Cooperation Between the Town and Not-For-Profit Land Conservation Organizations and State and County Farmland Protection Initiatives	X	X	X	Year One
8. Promote Hamlet Revitalization	X	X		Within Three Years
9. Study the Viability of Term Easement/Lease of Development Rights Program	X	X		Within Five Years
10. Obtain Map of Existing Gas Pipelines	X	X		Year One
Goal V - Support the Development of New Economic Opportunities for Farmers				
1. Encourage the Operation of non-farm business based on working farms	X			Year One
2. Foster the Development of Agriculture Infrastructure and Support the Location of Agriculture-related Business in Town	X	X		Within Three Years
3. Promote Agritourism and Direct Marketing	X	X		Year One to Year Five
4. Support on-farm development of renewable energy technology	X	X	X	Within Three Years
5. Research Hunting Leases	X	X	X	Within Three Years