

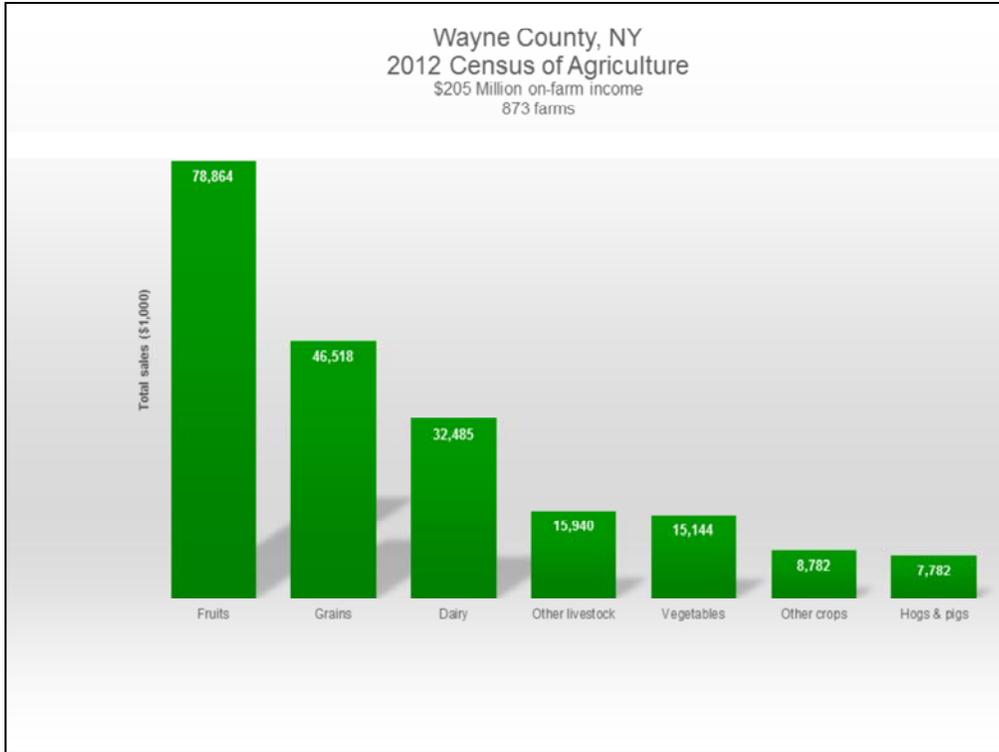
Agricultural District Review

Agricultural District #1
Wayne County
Economic Development & Planning
Ora Rothfuss, Ag Development Specialist

7:00 PM December 01, 2015
Cornell Cooperative Extension



Good evening, I am Ora Rothfuss, Ag Development Specialist for the County. I would like to welcome you all to the Informational Hearing for the modification and renewal of the Wayne County Agricultural District.



Wayne County has a strong agricultural industry base with \$205 million of on-farm income on 873 farms for 2012. This chart give a good sense of the size and diversity of the agricultural in the County. Wayne is the fifth largest agricultural county in New York and has the most diverse ag economy.

What is an Ag District?

Voluntary program, owner driven

- * For Farms
- * Created by act of Board of Supervisors at the request of landowners
- * Eight- year review

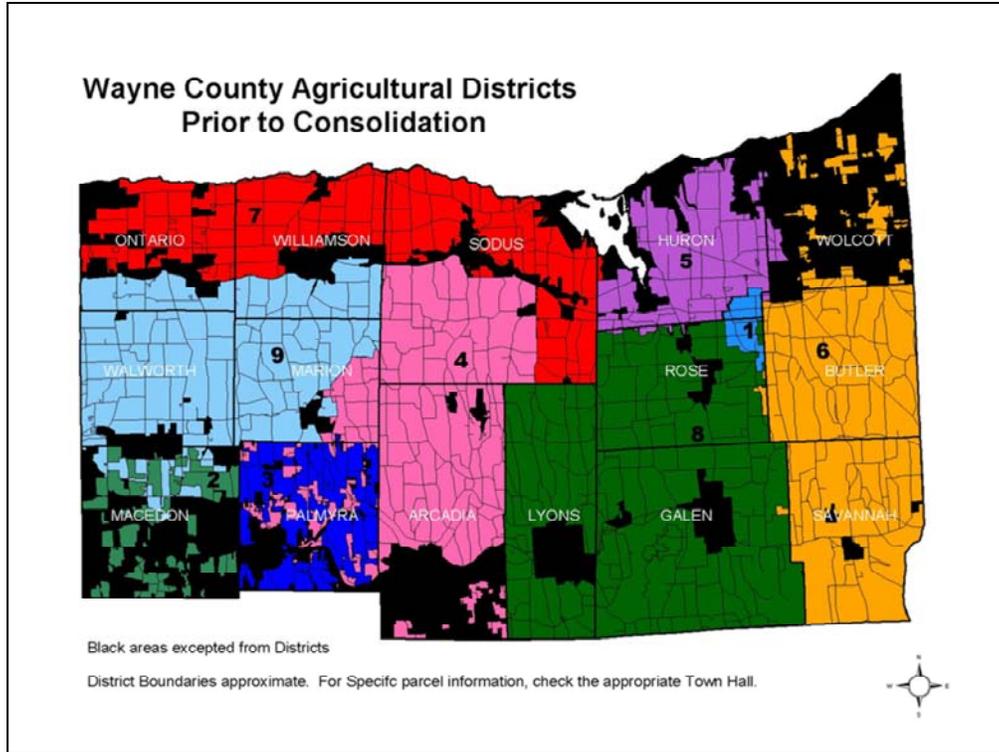


Begun 40 years ago or so

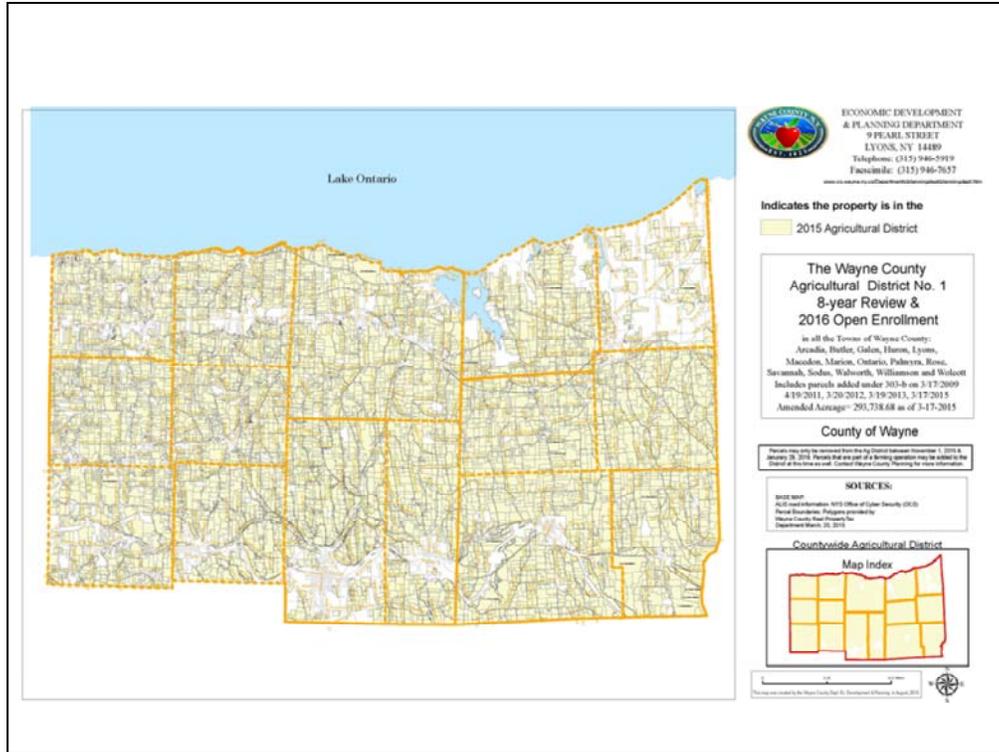
This is a voluntary program that began with a request of landowners to start the Districts. The first District was established in 1973 in the Towns of Rose and Huron.

Eventually there were 9 districts in the County.

- Reviewed every eight years



With the significantly improved computer programs and equipment, it has become possible to provide individual landowner notifications, track responses and map a countywide district. Therefore, on May 20, 2008 the County Board of Supervisors voted by resolution number 365-08 to modify Agricultural District #7 and to consolidate all existing Agricultural Districts (1 thru 9 and CAD1) into one district- to be known as Wayne County Agricultural District Number 1 which retains the creation date of the original Ag District #7.



Some of the benefits for being in an Agricultural District include:

Agricultural Assessment

The agricultural assessment program allows eligible farmland located both within and outside agricultural districts to be taxed at its agricultural assessment, rather than at its fair market value.

Limitation on Local Regulation

ADL305-a Prohibits the enactment and administration of comprehensive plans, laws, ordinances, rules or regulations by local governments which would unreasonably restrict or regulate farm operations within an agricultural district, unless it can be shown that the public health or safety is threatened.

Sound Agricultural Practices

A sound agricultural practice (SAP) refers to the practices necessary for the on-farm production, preparation, and marketing of agricultural commodities. An agricultural practice conducted in an agricultural district or on land receiving an agricultural assessment shall not constitute a private nuisance provided that the practice is determined to be an SAP pursuant to an opinion of the Commissioner.

Agricultural District #1 **in** **ALL Towns of Wayne County**

- * ~374,103 acres (43,454 parcels) in the 15-towns
- * ~294,534 acres (10,613 parcels) in current ag district



Approximately one quarter of all of the tax parcels in the County are in the Ag District, but about 2/3 of the acreage. Which makes sense because generally farms contain larger pieces of land. NYS Agriculture and Markets has many guidance documents on their website that offer insight to how the Ag District Law relates to various farming practices and zoning regulations. The link to <http://www.agriculture.ny.gov/AP/agservices/agdistricts.html>

Below is a list of guidance documents that are available-

- 1. Application to Request a Review Pursuant to Section 305-a of the AML
- 2. Start-up Farm Operations Must Also Complete and Submit this Questionnaire
- 3. Brochure: Local Laws and Agricultural Districts: How Do They Relate
- 4. Guideline for Definition of Farm Operation
- 5. Guideline for Start Up Farm Operations
- 6. Guideline for Review of Local Laws Affecting Farm Worker Housing
- 7. Guideline for Review of Local Laws Affecting Nutrient Management Practices (i.e. Land Application of Animal Waste, Recognizable and Non-recognizable Food Waste, Sewage Sludge and Septage, Animal Waste Storage/Management)
- 8. Guideline for Review of Local Laws Affecting the Control of Farm Animals

Why Ag Districts?

For farm operations in an Ag District

- * Ag Assessment
- * Limit on local laws
- * Sound Ag Practices
- * Limit on local benefit assessments



Continued list of guidance documents

Guidelines for Review of Local Laws Affecting :

- 9. Farm Operations' Use of Wetlands
- 10. Direct Farm Marketing Activities
- 11. On-Farm Composting Facilities
- 12. Temporary Greenhouses
- 13. Local Zoning and Planning Laws
- 14. Local Laws Affecting Commercial Horse Boarding & Equine Operations
- 15. Junk and Junkyards
- 16. Small Wind Energy Production Facilities and Solar Devices
- 17. Nursery Operation
- 18. On-Farm Open Burning
- 19. Farm Distilleries, Breweries and Wineries

Agricultural District Review Goals

- * Demonstrate viability of agriculture industry
- * Continue Ag Districts in Wayne County
- * Keep viable farmland in the districts



The County by statute, needs to review the District every eight years to determine that the farms will benefit from continuing it and the District has accomplished its goal of maintaining farm viability.

Wayne County, with a recommendation from NYS Agriculture and Markets, did not remove any property from the Agricultural District without a written request from the landowner. This criteria was discussed with the Wayne County Agriculture and Farmland Protection Board, New York State Department of Agriculture and Markets (NYSDAM) and approved by the Wayne County Board of Supervisors prior to beginning the landowner notification process.

Ag District Review

(Process)

- * All District landowners notified in writing worksheet & Notice of Public Hearing
- * Action taken (generally)
 - All parcels to remain in the district
 - If landowner wants to change- submit form in writing.



In mid-November letters were sent to the landowners stating that the parcels are in the agricultural district, that there is an opportunity to remove the land from the District with written response before January 31.

Also included were a short description of the reasons for remaining in an Ag District, and that there is an opportunity to add other parcels.

Ag District Review

(Process)

- * All responses must be returned by January 31, 2016
- * Staff will Make changes as per landowner request
- * Develop the Review report for the County Ag Development Board and make a recommendation to the Board of Supervisors



The County Agriculture and Farmland Protection Board- known in Wayne County as the Agriculture Development Board, will make a recommendation in February to the Board of Supervisors after reviewing the final District report with respect to:

- (1) The nature and status of farming and farm resources within the District, including the total number of acres of land and the total number of acres of land in farm operations in the district;
- (2) The extent to which the District has achieved its original objectives;
- (3) The extent to which county and local comprehensive plans, policies and objectives are consistent with and support the district;
- (4) The degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district and their influence on farming.

Ag District Review

(Process)

- * Public Hearing- March 08, 2016
- * Final changes based on landowner requests on that date
- * Complete report to Board of Supervisors
- * SEQRA determination
- * Recommendation to Commissioner of Ag& Markets



The Board of Supervisors has scheduled a public hearing for March 8, 2016 to take input on the proposed District modification and whether the District should be continued. The hearing will be conducted by Economic Development & Planning staff.

The Board will then consider the final actions at the April Board meeting.

How to read this report-

Municipality	Tax ID number	Property Owner	Parcel address or location	Parcel size in acres	Property Class
Savannah	6112-00-285934	2567 Taylor Rd Land Trust	2567 Taylor Rd	5.10	210
Williamson	64117-00-306633	2791 Ridge Rd, LLC	2791 Ridge Rd	60.65	120
Williamson	64117-00-639427	3078 Ridge Rd, LLC	3078 Ridge Rd	26.19	151
Williamson	64117-00-738472	3128 Ridge Rd, LLC	3128 Ridge Rd	0.94	220
Williamson	64117-00-767650	3135 Ridge Rd Property, LLC	3135 Ridge Rd	109.64	120
Williamson	64117-00-744400	3152 Ridge Road, LLC	3152 Ridge Rd	37.06	120
Williamson	64117-00-950428	3300 Ridge Rd, LLC	3300 Ridge Rd	5.07	120
Macedon	62111-00-020586	48 Acres, LLC	934 Route 31	48.46	220
Williamson	64117-00-808285	6045 Ridge Chapel Rd, LLC	6045 Ridge Chapel Rd	19.00	120
Williamson	65117-00-139274	6045 Ridge Chapel Road, LLC	Ridge Chapel Rd		
Ontario	61117-11-617619	634 Route 104 Associates LLC	634 Route 104		
Walworth	61114-00-849285	856 Rt 441 LLC	856 Route 441		
Walworth	61114-00-886393	856 Rt 441 LLC	VL Route 441		
Rose	75114-00-341208	A & L Properties Group LLC	Shepard Rd		

ALL PROPERTIES LISTED WERE ARE CONSIDERED TO BE IN THE AGRICULTURAL DISTRICT #1

Parcel Property tax code-(per Assessor)
 Ag= 100+
 Residence=200+
 Vacant=300+
 Commercial= 400+
 Recreation=500+
 Community =600+
 Industrial= 700+
 Public Service= 800+
 Wild Forest= 900+

A full list of parcels is listed on the web page. A parcel that is not listed is not considered to be in the District. Parcels that have been split or merged after March 31, 2015 are likely not listed here. Please call Ora Rothfuss at 315-946-5919 to check the property status. To ensure a parcel is either in or out of the District, please submit a worksheet that has been signed by the property owner.

**WAYNE COUNTY AGRICULTURAL DISTRICT
ANNUAL ENROLLMENT FORM
January 1 to January 31**

Application to be completed by landowners who wish to include a parcel(s) of predominantly viable agricultural land in a certified New York State Agricultural District.

INSTRUCTIONS (TO BE COMPLETED BY LANDOWNER)					
1. Complete and sign application.					
2. Return to the Wayne County Planning Department (address: below) before 5:00 P.M. January 31.					
PART I LANDOWNER CONTACT INFORMATION					
Name _____					
Daytime Telephone (____) _____		Fax (____) _____			
Mailing Address _____		City/Town/Village _____		State _____ Zip _____	
Email Address _____					
PART II PROPERTY DESCRIPTION					
Please describe the property proposed to be added to the Agricultural District and list the tax map parcel numbers for all parcels that you wish to be included in the Agricultural District Program. Also indicate the town in which they located. If you are unsure of your tax map parcel numbers please check with your local assessor. (Attach extra sheets if necessary):					
Describe Current Land Use and/or Agricultural Activity/Crop _____					
(Example: 09116-00-123456 29.6 A Galen)					
Tax Map Parcel #	Acres	Town	Tax Map Parcel #	Acres	Town
1 _____			4 _____		
2 _____			5 _____		
3 _____			6 _____		
PART III SIGNATURE					
I attest that the above information is correct to the best of my knowledge and hereby officially request that my property, which is predominantly viable agricultural land , be included in the Wayne County Agricultural District. I recognize that such land, once officially included in the Agricultural District, may not be removed from this program until the eight-year review period for the Agricultural District (2016). I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing, action by the Wayne County Board of Supervisors and certification by the NYS Department of Agriculture and Markets.					
Signature _____		Date _____			
Printed Name _____					



This is an example of the form that should be submitted to enroll new properties in the Agricultural District.

Forms are available online.

Next Steps

- * Map & Parcel list available for review
- * Worksheets available for changes
- * Prepare final approvals and reports
- * Public Hearing on March 8, 2016 at the old Wayne County Courthouse



The parcel list will be available at the Informational hearing as well as online.
Maps of the District are available online at the ag district website.

Next Steps

- * Wayne County Board of Supervisors action at April meeting (tentative)
- * Send to Albany for approval by Commissioner of Agriculture



It is expected that the Board will receive a recommendation from the Ag Development Board to continue the Agricultural District #1 with modifications, pending modifications and responses at the public hearing.

Thank You.

FOR MORE INFO..

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If you have questions, please feel free to email or call.
Thank you.