

**WAYNE COUNTY  
AGRICULTURAL AND FARMLAND PROTECTION PLAN**

**Prepared by:  
Wayne County Agricultural Development Board**

**This Plan was compiled following a  
Agricultural Development Board Public Hearing on  
January 12, 2010 1:15 PM Cornell Cooperative Extension**

**This Draft was reviewed at the  
Agricultural Development Board Public Hearing on  
April 25, 2011 7:15 PM Cornell Cooperative Extension  
and**

**Public Hearing by:  
Wayne County Board of Supervisors  
June 21, 2011 7:17 PM Wayne County Courthouse**

**Approved June 21, 2011 Resolution 407-11**

**Original Plan developed by: NUTTER Associates  
With Trowbridge & Wolf; Dehm Associates; Jay Kerig**

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

## Table of Contents

A. BACKGROUND .....	5
B. VISION AND GOALS .....	14
C. OPPORTUNITIES AND CONSTRAINTS .....	15
D. IMPLEMENTATION PLAN .....	19
I. TECHNICAL ASSISTANCE .....	20
A. Goals- .....	20
1) Support environmentally sustainable farm management practices.....	20
2) Support business plan development and implementation.....	20
3) Support for alternative energy projects .....	20
4) Education and outreach on new production techniques .....	20
5) Improve Drainage infrastructure .....	20
6) Support for agricultural projects that help improve water quality.....	20
II. FINANCIAL ASSISTANCE .....	23
A. Goals- .....	23
1) Continue strong Ag Microenterprise Program .....	23
2) Support efforts to access State and Federal grant programs.....	23
1) Continue strong Ag Microenterprise Program .....	23
2) Support efforts to access State and Federal grant programs.....	23
III. LAND USE PLANNING .....	24
A. Goals- .....	24
1) Support the use of Purchase of Development Rights by Towns .....	24
2) Support town efforts to develop a TDR program.....	24
3) Support town efforts to develop Incentive Zoning.....	24
4) Assist town efforts to adopt farm-friendly model zoning law .....	24
5) Ag Development Board should review local laws .....	24
6) Ag Development Board provides comment on Notices of Intent.....	24
7) Support local Ag and farmland protection plans and right-to-farm laws .....	24
8) Identifying land for protection.....	24
IV. MARKETING .....	27
A. Goals- .....	27
1) Support farm business efforts to improve marketing methods .....	27
2) Promote the establishment of farmers' markets throughout Wayne County.....	27
3) Increase the amount of local farm products consumed within the county, region and State.....	27
4) Increase percentage of locally-grown product purchased by County institutions .....	27
5) Helping to build a Buy Fresh/Buy Local campaign; .....	27
V. INCREASE AVAILABILITY OF AG-SUPPORT BUSINESSES .....	29
A. Goals- .....	29
1) Expand or maintain food processing industry .....	29
2) Increase Ag support businesses .....	29
VI. POLICY .....	30
A. Goals- .....	30
1) Continue strong support for Ag Districts. ....	30
2) Support for decreasing governmental regulations and tax burden .....	30
3) Ensure Adequate Labor supply .....	30
4) Increase the amount of local farm products consumed within the county.....	30
5) Support efforts to increase congressional support for USDA NRCS/FSA.....	30
6) Support efforts to increase congressional support for NYS DAM.....	30
7) Encourage local, State and Federal funding of programs at CCE and Geneva Experiment Station	30
VII. EDUCATION AND OUTREACH .....	32
A. Goals- .....	32
1) Review proposed laws & fees for impact on farms; make recommendation to Towns and Villages	32
2) Improve outreach for existing programs .....	32
3) Develop Ag Resource information .....	32
4) Develop programmatic support for Amish and Mennonite communities .....	32
5) Provide policy makers with information regarding significance of agriculture .....	32
APPENDIX .....	33

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

ATTACHMENT 1 January 2010 Public Hearing worksheet.....	33
ATTACHMENT 2- Farmer survey summary .....	35
ATTACHMENT 3a Resolution to update Ag & Farm Plan .....	36
ATTACHMENT 3b Resolution of Negative Declaration for to updated Ag & Farm Plan .....	37
ATTACHMENT 3c Resolution to Approve updated Ag & Farm Plan .....	38
ATTACHMENT 4 Resolution to accept 1997 Ag & Farm Plan.....	39
ATTACHMENT 5 NOI Policy .....	40
Right-to-farm Law .....	42
Draft Farmland Protection Project review template .....	43
Map 1- General Soils.....	47
Map 2-Prime and Unique Soils .....	48
Map 3- Generalized Zoning.....	49
Map 4 - Agricultural District No. 1 .....	50
Map 4a Official Agricultural District No. 1 .....	51
Map 5 Municipal Water coverage .....	52
Map 6- Development Infrastructure .....	53
Map 7 Non-farm Residential and Built-up areas .....	54
Map 8 Active Farmland.....	55
Map 9 State & Federal Lands + Protected Farms.....	56
Map 10- Development Pressure Trends .....	57
Map 11- Development Pressure Trends .....	58
Farm business and farmland owner survey .....	59
Farm business and farmland owner survey results .....	65
Advertisement Wayne County Board of Supervisors.....	78
Advertisement Wayne County Board of Supervisors.....	79

## Wayne County Agricultural Development Board 2011

Elizabeth Henderson, Chairperson, vegetable farmer, Arcadia  
Art Crandon, Secretary, dairy farmer, Lyons  
Larry Arliss, beef and crop farmer, Galen  
Shirley Bement, Director of Real Property Tax Service, Arcadia  
Elizabeth Claypoole, Executive Director Cornell Cooperative Extension, Palmyra  
John Crane, Farm Bureau, fruit, beef, crop farmer, Huron  
Brian Manktelow, Town Supervisor, crop farmer, Lyons  
Doug Mason, vegetable farmer, Williamson  
Colleen Roof, Land Trust member, Arcadia  
Ora Rothfuss III, Ag Development Specialist, Planning, Rose  
Ron Thorn, Soil & Water District, Galen

Other members who worked on the Plan update-  
Nelson Cleaysen, Real Property Tax Service, farmland owner, Palmyra  
Bill Hammond, Town Supervisor, crop farmer, Macedon  
Perry Howland, member Land Trust, farmland owner, Williamson

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

## *Executive Summary*

The Wayne County Board of Supervisors adopted the original Agricultural and Farmland Plan in 1997 and authorized an update in 2008, having accomplished at least seventeen of the objectives identified in the original version. This Plan is considered to be a statement of the status of agriculture while providing recommendations for the preservation of both the business of farming and farmland in the county.

Agriculture is a significant industry in Wayne County, with gross-farm income of \$168 million on 938 farms covering 168,000 acres, or 45 percent of the county's land area. The natural resources, agricultural infrastructure and proximity to markets support farm production levels that place Wayne County as the **fifth-ranked agricultural county** in New York State. The farm economy is one of the most diverse in the State and while New York is a "dairy state," Wayne County is led by apple farms. The approximately 140 apple farms grow enough apples on 17,800 acres to consistently place in the top-three apple producing counties in the nation. National and global trends affect all farms, and there is concern in the Northeast that declining numbers of food processing plants and farm-support businesses could contribute to fewer farms. However, the 2007 Census of Agriculture indicates that the Wayne County farm economy fared well in comparison to other U.S. counties. In the Northeast U.S. 68% of the counties lost farms while in New York, Wayne and Cayuga were the only members of the of the "top-five" NY farm counties to increase farm numbers from 2002 to 2007.

While the problems of agriculture and farmland protection do not lend themselves to simple solutions, there are many courses of action which can help farmers stay in business and preserve land for agricultural use. By working together, county agencies like the Soil and Water Conservation District, Cornell Cooperative Extension, Wayne Industrial Development Agency, Tourism and Planning have contributed to improving the overall climate for farming in the County. As a result, several of the top priority projects in the 1997 plan were accomplished including a county right-to-farm law, the hiring of a full-time agricultural development specialist who performed many of the tasks that made it possible to establish conservation easements on over 4,800 acres of farmland, an ag-microenterprise loan program and others.

## *Agricultural and Farmland Protection*

Wayne County defines farmland protection as "Municipal laws, programs and policies which foster the growth of agricultural and ag-related businesses. Examples include but are not limited to agricultural districts, agricultural value assessment, right-to-farm laws, economic development, infrastructure support and land use planning." Wayne County criteria for agricultural projects and policies include the quality and quantity of soil resources, the size and/or viability of the farming operation, the amount of local (town or farm) support, development pressure and the relative cost of the project. This plan identifies ways in which these municipal efforts can continue to support farms, agricultural service businesses and active farmland.

Wayne County is proud of its agricultural heritage and appreciative of the economic, cultural and visual impact that farms and farm families create in our communities. Farmers by nature are hardworking, optimistic and practical and it is with these traits in mind that Wayne County establishes this Agricultural and Farmland Protection Plan in support of them.

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

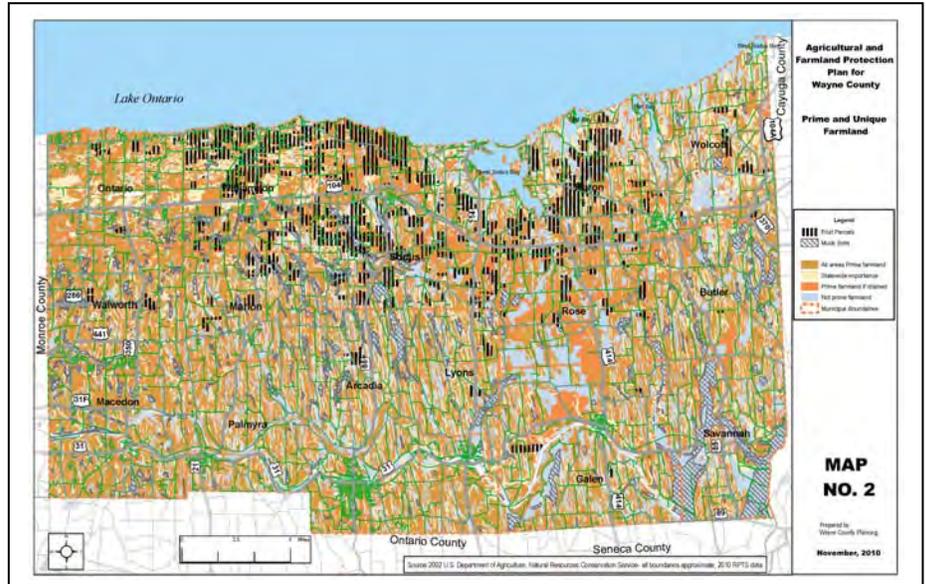
## A. BACKGROUND

The Wayne County Board of Supervisors adopted the original Agricultural and Farmland Plan in 1997 and authorized its update in 2008. The Wayne County Agricultural Development Board prepared this updated Plan to document the status of agriculture and farmland in Wayne County and to provide recommendations for the preservation of both farming and farmland in the county.

Wayne County has a long history of successful agriculture and over 70% of all land in the county is classified as either “prime” or of “statewide importance” by USDA (Map 2).

Wayne County’s location on the south shore of Lake Ontario creates a very favorable climate for the production of fruit. The County is the largest apple-producing county in the State with forty percent of the state’s total apple production and acreage, and in the top three counties in the nation with both fresh market and processed apples produced here. Based on the 2007 Census of Agriculture, there are 253 farm operations in the County that are orchard crop operations that encompass approximately 23,160 acres of land, an acreage increase of 2.6% from the 2002 survey.

Other important products include cherries and other tree fruit, onions and potatoes produced on the county’s highly productive muck lands, dairy products, grain and vegetables. There are sixty dairy farm enterprises in the County, with some expansion and intergenerational transfer occurring. Dairy farms market milk in the Western New York (state) and Northeast (federal) milk marketing orders. Milk produced in this area has been sold to plants in Rochester, Batavia, Syracuse, Cohocton, Oneida, and Campbell. There are also marketing outlets for grains, dry beans, soybeans and corn in a similar area. Sheppard Farms is a major grain handling facility in the area and is only four miles from Lyons. The recently opened ethanol plant located in Orleans County has provided a significant outlet for Wayne County corn. Dry bean processing plants are located in Geneva, Leroy, Churchville, and Seneca Falls. There are approximately 708 Wayne County farm operations that harvested crops in 2007 from 103,564 acres.



**Table 2.**

Commodity	Farms 2007	Acres 2007	Farms 2002	Acres 2002
Orchard	253	23,160	238	22,570
Dairy	60		68	
Beef	102		100	
Potato	45	2,925	43	1,846
Soybeans	107	19,778	100	14,434
Corn	155	26,743	181	24,092
Wheat	54	3,807	84	5,090

Source: 2002&2007 Census of Agriculture

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

While the number of farms in New York State as a whole has continued to decline during the recent decade, Wayne County farm numbers have held steady and even increased slightly. In 2002, Wayne County had 919 farms on 174,000 acres. In 2007 Wayne County had 938 farms on 168,000 acres, or 45 percent of the county’s land area. Reflecting trends all over the US, the

Size of Farm (by acres)	2007 (farms/ acres)	2002 (farms/ acres)	Change in Farm Num. / acres	
1 to 9 acres	(51/264)	(55/241)	(4)	23
10 to 49	(319/8,902)	(287/7,631)	32	1,271
50 to 69	(83/4,885)	(91/5,238)	(8)	(353)
70 to 99	(117/9,664)	(90/7,463)	27	2,201
100 to 139	(84/9,789)	(86/9,968)	(2)	(179)
140 to 179	(61/9,477)	(51/7,997)	10	1,480
180 to 219	(44/8,709)	(60/11,788)	(16)	(3,079)
220 to 259	(28/6,655)	(36/8,517)	(8)	(1,862)
260 to 499	(80/27,542)	(72/25,759)	8	1,783
500 to 999	(40/26,970)	(49/33,096)	(9)	(6,126)
1,000to1,999	(23/30,632)	(20/28,797)	3	1,835
> 2,000acres	(8/24,982)	(7/18,718)	1	6,264
<b>SUM TOTAL</b>	<b>(938/168,471)</b>	<b>(904/165,213)</b>	<b>34</b>	<b>3,258</b>

Table 3

farms “in the middle” are either getting bigger or going out of business. Family-scale farms that support a single family are under increasing stress for two reasons: today’s economic conditions favor larger more specialized farms, and the county has become increasingly popular as a residential suburb for metropolitan Rochester. The increase in farm numbers is largely due to small farms. These often part-time operations have been responding to the recent enthusiasm for buying locally grown farm products directly from the producer.

Agricultural specialization is a global phenomenon which is putting the small family farm under increasing economic pressure. According to the Census of Agriculture, between 1982 and 1992, the County lost twenty-five percent of its farms (314) and 17 percent of its farmland (17,500 acres). More recently, in the years 2002 to 2007 Wayne County lost 3 percent of its farmland (6,000 acres) while the number of farms in the County grew by about 3 percent. Though there have been a number of consolidations, Wayne County farms are still relatively small, averaging 180 acres in 2007, a decrease of about 3-acres per farm from 2002. Larger farms are relatively difficult to create in the County due to high land prices, existing development patterns, and numerous drumlins which make large tillable parcels difficult to assemble.

Farms in Wayne County are still primarily family owned (87 percent in 2007). According to a 1994 WCAFPB survey, a majority of farmers indicated that the next generation of their family will

probably not be farming (62 percent) and drew the conclusion that “ If these intentions hold, in 20 years or less the County will have fewer than 400 farms and an estimated 100,000 acres of farmland, a loss of almost half the acreage and more than half the farms now in production.” Fortunately, this prediction turned out to be excessively pessimistic. Clearly the relatively moderate levels of development pressure, the ability to encourage another generation of farmers as well as the agricultural economic development programs and municipal planning documents have helped to stem the tide for now.

Table 1.

Farm Cash Receipts - (in thousands)			
	2007	2002	1997
Number of Farms	938	904	1,013
Farm Income	\$168,963	\$103,856	\$114,519

Source: 2002&2007 Census of Agriculture

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

## Important Business Cluster

The county's rich agricultural production has brought many food processors and wholesalers to Wayne County. Processors, farmers and their marketing organizations sell fresh and processed product throughout the United States and internationally. Agriculture and its related industries are identified in the Wayne County Economic Development Strategic Plan as being one of the top four targeted "industry clusters" in which to promote growth. The Mott's processing facility in Williamson is one of the largest and most modern processing facilities in the nation. There is one large apple packing facility located in Sodus and two in the town of Huron, as is the Cahoon Farms processing facility. Additionally, there are eighteen cold storage facilities in the County (Table 4), based on RPTS classification, allowing farmers to provide a year-round supply of fruit and vegetables. Employment in these facilities has seen a modest decline over time. The WCIDA records indicate there were approximately 967 food manufacturing employees in 1995. According to the Census Bureau there were approximately 955 food manufacturing jobs (NAISC 311) in 2007. While some processors have closed processing facilities, others have expanded over this time period.

**Table 4.**

Number of Ag Support Businesses Based on RPTS Code	Type of Business
10	Grain-Wholesale
18	Cold Storage
2	Trucking

Source: U.S. Census Bureau 2002

The eighteen cold storage venues within the county service the fruit and vegetable industries. There are numerous trucking firms, storage and packing facilities serving the area. There are commercial farm chemical sales applicators located in Wayne and adjacent counties. The significant agricultural infrastructure is beneficial to any farm enterprise in the County.

## Population Change

Population change in the County has not been significant and in fact, is slightly negative. Much of the Arcadia population loss is due to the closing of the NY State Newark Development Center residential facility for the handicapped. During the three-year period of 2006-2008, most of the residential development occurred in the western half of the County (the Towns of Macedon, Marion, Ontario, Palmyra,

**Table 5.** Population Change

Town	US Census Population					Change from 2000 to 2010	
	1970	1980	1990	2000	2010		
County Totals	79,404	84,581	89,123	93,765	<b>91,291</b>	<b>-2.6%</b>	<b>(2,474)</b>
Arcadia	15,245	14,697	14,855	14,889	13,915	<b>-6.5%</b>	<b>(974)</b>
Butler	1,593	1,720	2,152	2,277	1,936	<b>-15.0%</b>	<b>(341)</b>
Galen	4,619	4,480	4,413	4,439	4,181	<b>-5.8%</b>	<b>(258)</b>
Huron	1,739	1,820	2,025	2,117	2,035	<b>-3.9%</b>	<b>(82)</b>
Lyons	6,015	6,073	6,315	5,831	5,431	<b>-6.9%</b>	<b>(400)</b>
Macedon	5,488	6,508	7,375	8,688	8,855	1.9%	167
Marion	3,784	4,456	4,901	4,974	4,741	<b>-4.7%</b>	<b>(233)</b>
Ontario	6,014	7,480	8,560	9,778	10,189	4.2%	411
Palmyra	7,417	7,652	7,690	7,672	7,714	0.5%	42
Rose	2,356	2,684	2,424	2,442	2,320	<b>-5.0%</b>	<b>(122)</b>
Savannah	1,676	1,905	1,768	1,838	1,769	<b>-3.8%</b>	<b>(69)</b>
Sodus	8,754	9,485	8,877	8,949	8,527	<b>-4.7%</b>	<b>(422)</b>
Walworth	4,584	5,281	6,945	8,402	8,769	4.4%	367
Williamson	6,356	6,319	6,540	6,777	6,501	<b>-4.1%</b>	<b>(276)</b>
Wolcott	3,764	4,021	4,283	4,692	4,408	<b>-6.1%</b>	<b>(284)</b>

Source: U.S. Census Bureau

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

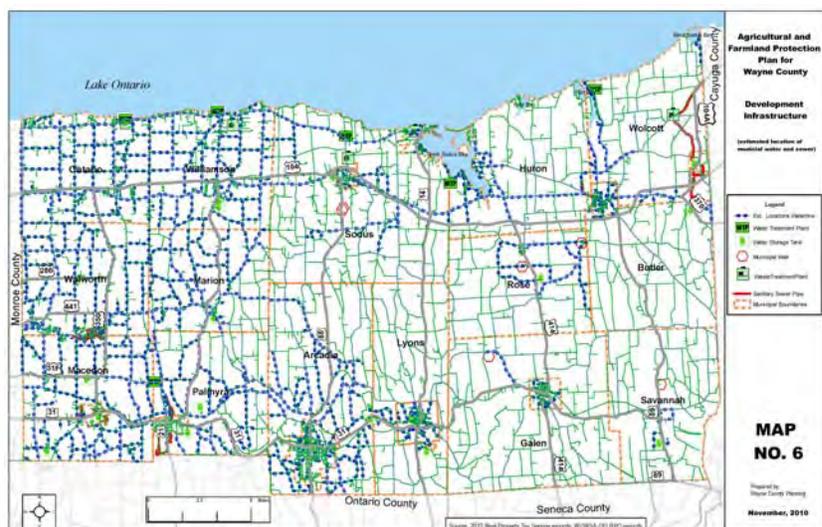
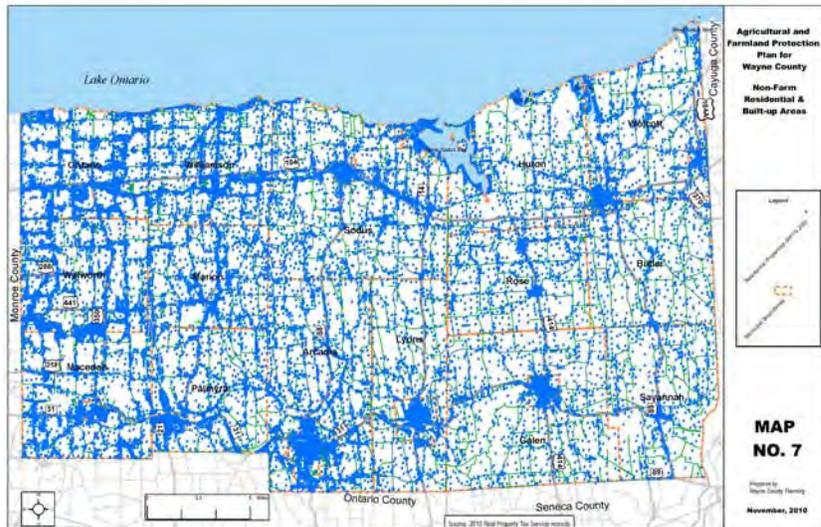
Walworth and Williamson (and the Villages of Macedon and Palmyra): 348 of the 526 permitted units (66%) were located here. (Genesee-Finger Lakes Regional Planning Study, March 2009). Much of the development has occurred as single-family residential, with few large subdivisions in that time frame.

## *Coordination of Land Use Planning*

At the same time that farms are going out of business, there is increasing pressure for suburbanization in Wayne County, especially in the western towns closest to Monroe County. There are a few relatively large subdivisions under development in the County, but the predominant style of residential development in Wayne County is linear, consisting of half to two-acre lots fronting on established roadways. The county's road network forms a grid of large blocks, one to four miles square. Map 7 demonstrates the intensity of town wide development in the western part of the county and the general concentration in the villages or waterfront in the east. In the western parts of the county where water lines are in place, these roads are typically lined with residential development. The interior of the blocks remain in active farmland, but the close juxtaposition of farms and suburban houses causes lifestyle conflicts and constricts the contiguous land available for agriculture. It is also an inefficient use of infrastructure, since creation of new land for development requires waterline extension along yet another roadway.

Availability of water (and sewer) infrastructure creates a market for residential development and raises land values. In those areas of eastern Wayne County without municipal piped water supply, land sold for \$4,000 - \$7,000 per acre in 2008. In the western parts of the county, where municipal water is generally available, land was selling for four times that, or \$15,000 - \$25,000 per acre. High land values are an advantage for those farmers who wish to sell their land, but make it difficult to effectively preserve agriculture in the area.

Map 7 also identifies that scattered roadside development is the predominant form of development in most towns, making it difficult to identify a clear threat to the rural character of



# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

the County. Most Towns have demonstrated their understanding of the importance of planning and have had zoning and land use laws in place since the 1970's. The individual County Towns understand that agriculture is an important part of the fabric of the rural character.

The Brookings Institute Center on Urban and Metropolitan Policy report titled “**Sprawl Without Growth: The Upstate Paradox**” states “The total amount of urbanized land in Upstate grew by 30 percent between 1982 and 1997, while its population grew by only 2.6 percent, reducing the density of the built environment by 21 percent. Map 11 seems to confirm this trend in Wayne County by demonstrating that at least 10 percent of the building stock in all towns was built in the last thirty years, regardless of population change. Two of the towns- Rose and Savannah lost population while greater than twenty percent of the housing stock was built in that time frame.

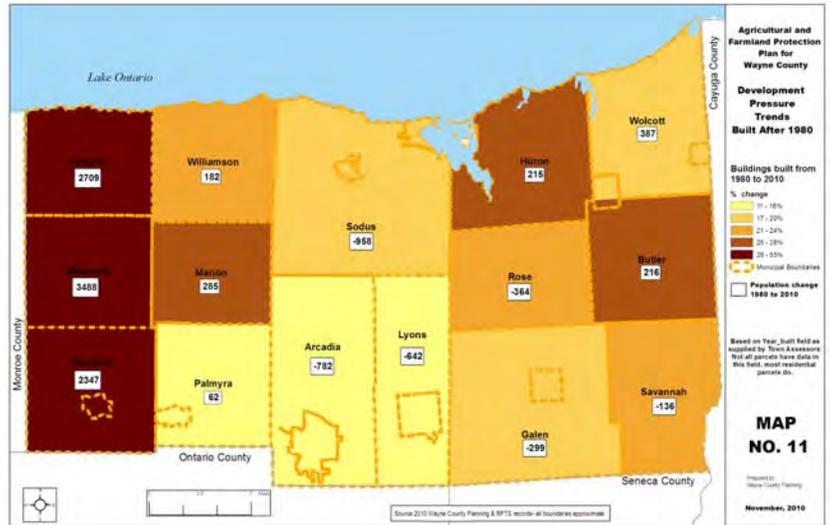
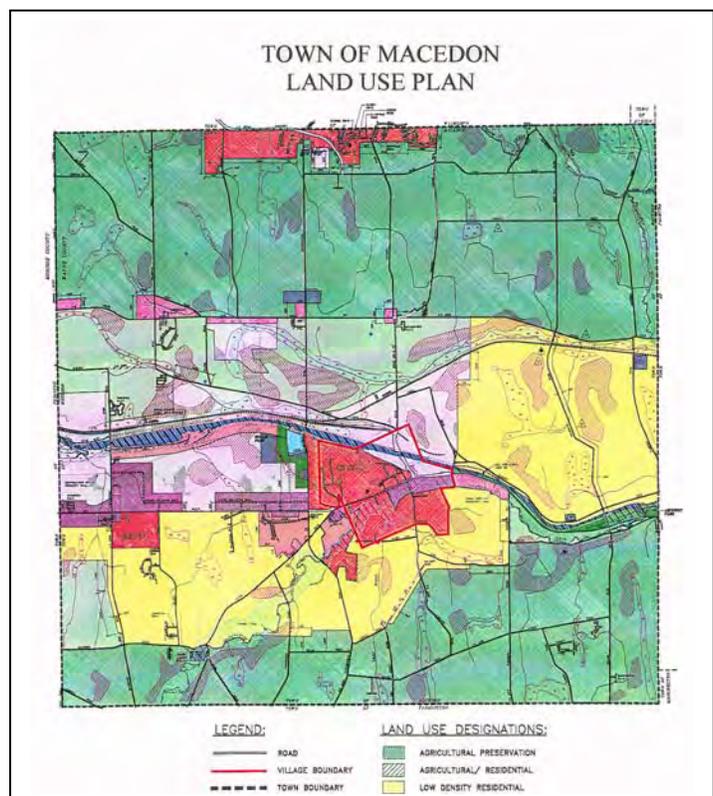


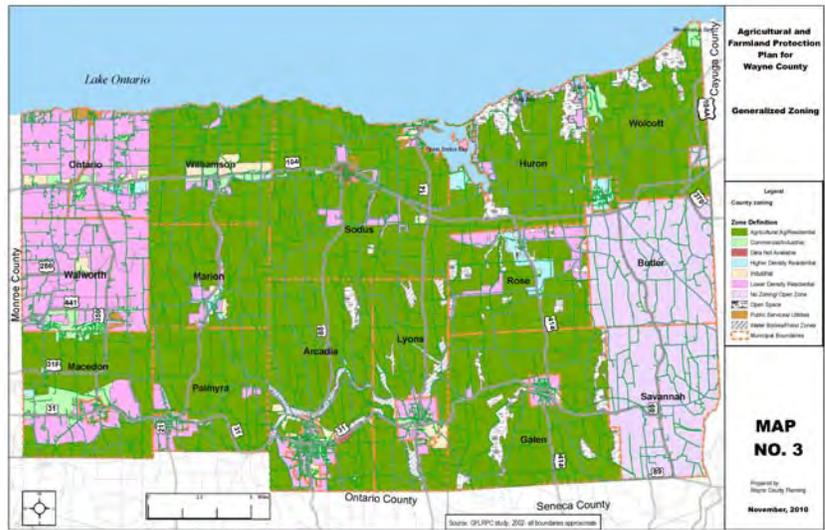
Table 6 summarizes a Genesee / Finger Lakes Planning Council study of municipal zoning. The study analyzed local zoning codes relative to how they were described in the zoning code as an indicator of how the towns were predicting their future development. Table 6 indicates there are approximately 239,000 acres of zoning with classification of “Agricultural” or “Residential-Agricultural.” This constitutes approximately 64% of the land area in the County. While this is not truly “agricultural zoning” or zoning that encourages farm businesses, it does demonstrate a municipal awareness of the rural nature and agricultural land uses. Table 6 also demonstrates that the towns in Wayne County understand the need for planning their future, with all towns having adopted comprehensive plans and having adopted either zoning or land use codes. Several town zoning codes allow the use of “Cluster Zoning” which is an identified method for acquiring agricultural easements in New York State.

Towns in the western part of the county- Macedon, Walworth, Ontario and Williamson have active farmland protection programs with over 3,400 acres



# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

of farmland preserved with an agricultural easement. While the remainders of the Towns in the County do not have the same amount of development pressure as those in the west, Arcadia submitted a farmland protection grant in 2001 for 700 acres of farmland and Lyons strongly considered a grant application for three farms and 1,100 acres of farmland. In the Town of Arcadia, the Genesee Land Trust owns approximately 109 acres of farmland that is leased to Peacework Organic farm and holds an easement on adjacent preserved property which were conserved with private donations. Macedon's Comprehensive plan, the map is in the box below; set a goal of saving 6200 acres of farmland.



The Palmyra Comprehensive Plan, adopted in December 2004, seeks “to encourage the retention of high quality agricultural land for farm uses;” and to “promote the continued viability of agriculture.” The Town of Williamson Comprehensive Plan states “the ideal use for much of Williamson is the continuation and encouragement of active agricultural activities.”

Arcadia is in the process of updating its Comprehensive Plan. The Town of Sodus based their Plan on a resident survey in which 72% of respondents agreed with the statement: "The Town should preserve and protect farms and farmland from development." Two of the goals of the Sodus plan (adopted 2006) were to: A) Promote the continued economic viability of agriculture and B) Ensure that large, contiguous areas of high quality farmland remain available for agricultural production.

In 2003 and 2004, the Town and Village of Lyons worked together on a Comprehensive planning effort. Most of the municipalities in the County have water in the Villages or hamlet areas. There has been significant work done in the last few years with the extension of waterlines in the rural areas of Arcadia, Palmyra, Marion, Sodus, Huron, Rose and Butler. All towns have tried to balance the need to provide potable water to constituents while protecting viable agricultural land from the development pressure that often accompanies infrastructure improvements.

The Town of Rose updated its zoning code in 2006. The Town of Wolcott is in the process of developing a Comprehensive Plan. Galen and Savannah have worked on both comprehensive plans and zoning laws in the last five years. In 2009, Butler completed a Comprehensive and Town- Agriculture and Farmland Protection Planning effort funded in part by NYSDAM. The Agriculture and Farmland Protection plan is an integral part of the Town Agricultural and Comprehensive Plan that the Town adopted in October, 2009. The NYSDAM municipal planning grant program allowed the Town to hire an experienced planning consultant who

helped reach out to all segments of the population while developing a plan that clearly identifies how critical agriculture is to the future of Butler.

## ***Smart Growth Principles***

Smart growth is a land use development term that describes intent to preserve open space and farmland by focusing development nearer to population centers, traffic corridors and existing infrastructure. The basic premise is to encourage new development in areas where waterlines, highways or other services do not have to be extended outward. Another way to consider in-fill development is from a financial viewpoint- the municipalities are maximizing development or use of existing investments, thereby lowering the per unit cost of the overhead or infrastructure and hopefully translating into a lower tax burden.

Smart Growth concepts can have a beneficial impact on farm businesses by lowering conversion pressure. As developers utilize land closer to population centers, the land that is further out (farmland) has less “development pressure,” which should translate into a lower conversion rate for farmland. From a broader viewpoint, benefits of this lower rate include fewer small-lot roadside developments, fewer incursions of residential lots into farm fields, which should result in fewer neighbor complaints. Other less obvious benefits include lower traffic volumes around farms, fewer trespassing problems, lower tax burden from running new infrastructure past non-developed parcels and servicing with emergency personnel should be more cost effective.

The 2009 New York State Open Space Conservation Plan has listed several key points for municipalities to use in their land use planning efforts. Each of the smart growth concepts identified in the NYS plan have been used by some or all Wayne County departments and municipalities without specifically citing them as smart growth principles. The most obvious concepts of Smart Growth utilized in Wayne County are farmland protection and the Main Street program. The WCIDA has supported the food processing industry for decades due to the heavy presence in the County. Following smart growth principles, the WCIDA encourages location in, or proximate to the existing food processing facilities. Other policies that encourage in-fill development include: Mixed land use zoning, green building and energy-sharing projects and collaborative community planning processes. The Existing Conditions report identifies in more detail, ways in which Smart Growth principles are already being implemented.



<http://smartgrowthny.org>

## ***Consequences of the Loss of Farmland***

Potentially negative outcomes from the long-term effects of the loss of farmland can be seen in Wayne County. The number of food processing plants has decreased dramatically in the last fifteen years due to global market conditions. This fact highlights potential impacts if either the supply or marketing channels are not competitive. Additionally, the 2009 farm survey identified several farm-support businesses that are needed within the County. As the number and density of farms decrease, so too will the number and density of the secondary agricultural

businesses. This could contribute to acceleration in the decline of farm numbers. Roadside development can be seen throughout the County, as can the subsequent impact on adjacent farm fields.

### *Agricultural and Farmland Protection*

Often the term farmland protection becomes synonymous with purchase of development rights. It is the goal of this County to utilize a broader definition of farmland protection to be **“Municipal laws, programs and policies which foster the growth of agricultural and ag-related businesses.”** Examples include but are not limited to agricultural districts, agricultural value assessment, right-to-farm laws, economic development, infrastructure support and land use planning.” Each of these tools is beneficial in a relatively narrow way, yet together they can form a strong network of support for farm and agricultural-service businesses.

### *Priority Areas*

This Plan is an integrated and holistic approach in an attempt to prioritize action items at the county level to enhance what is already occurring within the vibrant agricultural industry. The plan includes work that the County can do through the Ag Development Board and several departments, cooperating agencies and individual farm businesses. As stated in the local right to farm law, (the Board of Supervisors) “declares and determines that farming is important to Wayne County.” Through this plan Wayne County declares that active farmland within the County should be protected utilizing some if not all of these Ag & farmland protection tools. When considering Agricultural and Farmland Protection projects, criteria should include the quality and quantity of soil resources, the size and/or viability of the farming operation, the amount of local (town or farm) support, development pressure and relative cost of the project. Attachments 6 & 7 contain simple prioritization methods for Towns or agencies interested in prioritizing areas, projects or farms for protection.

### *Conclusion*

While the problems of agriculture and farmland protection do not lend themselves to simple solutions, there are many courses of action which can help farmers to stay in business and to preserve land for agricultural use. In developing the original version of this plan, over 50 projects were investigated for possible implementation in Wayne County, including both projects to advance agricultural economics and projects to protect farmland. Agricultural economic projects in the 1997 Plan included marketing, farm labor issues, farm finance, promoting new and expanded agricultural businesses, agritourism and agricultural education, new farmer support, land use regulation and purchasing easements. In revising the plan, the Agricultural Development Board considered many new ideas and sought input through a farm-owner survey and at a public hearing on January 12, 2010 (see Attachments 1& 2, page 25).

It would be an exaggeration to claim that the 1997 Wayne County Plan is solely responsible for arresting the decline in farm numbers; however the 1990’s planning process did result in improved coordination among county agencies like the Soil and Water Conservation District (SWCD), Cornell Cooperative Extension (CCE), Wayne County Industrial Development Agency (WCIDA), Tourism and Planning (WCPlan). This contributed to improving the overall climate for farming in the County which resulted in significant progress with several of the top priority projects in the plan:

## WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

1. The Ag Development Board, Cooperative Extension and Farm Bureau have hosted annual Farm tours for policy makers. (1997 Goal 2)
2. The County passed a right-to-farm law in 1997 and modified it in 2008 to require a notice of disclosure to be part of any residential property transaction. (page 36) (1997 Goal 2)
3. Purchase of Development Rights easements have preserved 3,400 acres utilizing State and Federal grants totaling \$6,606,000. In 2010 there are additional projects in five towns to protect 1,397 acres that were awarded approximately \$3,500,000 or 100% of the necessary funding, including \$300,000 of private funding committed by Genesee Land Trust for the Alasa Farms project in Sodus. (1997 Goal A-1)
4. SCORE- Rochester Chapter established an office in Wayne County, with ag businesses as a supported industry segment. (1997Goal A-4)
5. Held training sessions for Town Boards and Planning Boards regarding impact of Town laws on farm businesses. (1997Goal A-5)
6. Training and support for town planning and zoning boards with emphasis on planning for agriculture. (1997 Goal A-5)
7. A video on farming in Wayne County was produced. (1997 Goal A-6)
8. Coordination of agri-tourism among farms and with the County Tourism has increased cooperation among farm markets and has helped the markets reach out to a broader constituency. (1997 Goal A-9)
9. Offered support to Finger Lakes Culinary Bounty, Our Lakes Make it Local, Lake Ontario Wine Trail, Wayne County Apple Tasting Tour FLCB (1997Goal A-8; A-9)
10. Wayne Count Board of Supervisors and Farm Bureau have strongly supported federal legislation to change laws affecting farm labor (1997 Goal A-10; B-6)
11. The Cornell Cooperative Extension created Spanish language resources available to farmers and farm workers and offers Spanish language training. (1997 Goal A-10)
12. The county hired a full-time agricultural development specialist. (1997 Goal B-1)
13. Work with NY FarmNet and NY FarmLink to help local beginning farms.(1997Goal B-2)
14. New farmer program – Exploring the Small Farm Dream; advanced business plan courses(1997 Goal B-2)
15. WCIDA Ag Micro-loan program for county farm businesses – has provided loans and technical training to farm managers and for farm business startup.(1997 Goal B-2)
16. Almost universally, as local Comprehensive plans are updated, the Towns identify agriculture and farming as being an important sector. The comprehensive plans are the basis for any changes in town zoning ordinances. (1997 Goal B-3)
17. Agriculture is an identified Key Industry Cluster in the WCIDA Strategic Plan (1997 Goal B-4)

## ***B. VISION AND GOALS***

The vision and goals of the Wayne County Agricultural and Farmland Protection Plan have provided a strong framework for the implementation of this plan. The Ag Development Board's vision is:

***To promote a strong, economically viable and environmentally sound agriculture in Wayne County and preserve it for future generations.***

The vision is further defined through a series of goals. Goals for the Agricultural and Farmland Protection Plan are:

1. The preservation of farms and farmland in Wayne County.
2. An increase in the support for agriculture and the understanding of the needs and realities of farming among the people of the county.
3. An increase in Wayne County farm produce consumed in the upstate region of New York and in the northeast as a whole, through the purchase of Wayne County produce by local stores and institutions, and more value-added processing and other enterprises based on county agriculture.
4. The establishment of a new system of local taxation which encourages agriculture.
5. To encourage the development of an adequate supply of skilled labor for farms.
6. Farm prices that cover the full costs of production including sufficient wages and benefits for farmer business owners and their employees to position farming and farm work as an attractive career choice.

***C. OPPORTUNITIES AND CONSTRAINTS***

The following updated table of opportunities and constraints of agricultural and farmland protection originated in the 1997 Plan and highlights those issues which either encourage or detract from the county's ability to fully protect and preserve its agriculture and farmland.

<u>ISSUE AREA</u>	<u>OPPORTUNITIES</u>	<u>CONSTRAINTS</u>
Metropolitan Location	Significant metropolitan market opportunities for agricultural products.	Pressures for suburban development
Geography	Unique fruit-growing conditions along Lake Ontario; prime agricultural soils in much of the county; significant acreage of highly productive muckland	
Agricultural History	Long county tradition of successful agriculture, including production, processing, and marketing, and social organization	
Soils and Quality of Farmland	County farmland is of exceptional quality, including extensive areas of unique farmland along Lake Ontario suited to fruit orchard production; significant acreage of valuable mucklands used for	Western towns, location of the highest concentration of prime farmlands, under significant suburban development pressure. Unique orchard land along Lake under rapidly growing pressure for residential

## WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

ISSUE AREA	OPPORTUNITIES	CONSTRAINTS
Processing	A traditionally significant presence in county has dramatically decreased, however the WCIDA has long had a good working relationship with processors. The remaining processors provide local market for county fruit. Potential for additional producer cooperatives can increase farmer profitability.	Decreasing prices paid by processors for agricultural products. Processing industry in general losing market share and experiencing increasing competition. Significantly fewer processing facilities in the County than 15 years ago.
Marketing	Processors continue to require large volumes of fruit; county farmers are increasing participation in Syracuse and Rochester Public Markets; major local supermarket chains are increasing demand for local produce; farmstands and farmers markets, CSA, freezer beef trade, each enjoy wide community support. Increased interest in “locally grown” foods.	Prices set by processors are half of fresh market prices; high volume terminal markets are a considerable distance from the county; supermarket selling logistics, including direct delivery, price and liability, are problematic; small volume sales to restaurants and farmers markets have similar concerns.
Specialization Trends in Agriculture	Finding marketing niches and getting closer to the consumer.	Economic pressure caused by increasing cost of expenses and fluctuating product prices for income
Agritourism	Extraordinary beauty of local rural scenery. Many small local farm markets, u-pick operations, organic farms, festivals, farm tours, B&B’s, etc. Growing number of (five) wineries, Lake Ontario Wine trail in the County.	Some coordination and common marketing among county agritourism attractions Wayne County Tourism works with larger farm markets, Christmas tree growers and wineries.
Food Pantries/ Institutions	FoodLink in Rochester attracts significant donations and coordinates delivery throughout the region including Wayne County	Many food pantries have limited ability to store or stabilize produce. Institutions deal primarily with large suppliers. Increasing tendency for institutions to require ready-to-eat or heat and serve products.

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

---

<u>ISSUE AREA</u>	<u>OPPORTUNITIES</u>	<u>CONSTRAINTS</u>
Development Pattern: Active Farmland vs. Residential Use	Much of the county' s unique and prime farmland is actively farmed. Very little development pressure in central or eastern towns (except in lakefront areas).	In the three westernmost towns, most established roads (1-4 mi. grid) lined with residential lots, altering the rural character of the landscape and creating conflicts with farm use. Lakefront orchard land under pressure for residential conversion. Farmland in the southeast being taken out of production for private hunting grounds or off the tax rolls for inclusion in wildlife refuge.
Land Values	Rising land values in suburbanizing western areas of the county and along the lakefront increase personal net worth of farmer landowners.	Increasing land prices in suburban and lake front areas tend to put land out of agricultural production. Loss of unique fruit-growing and other prime agricultural land is particularly serious.
Agricultural Districts	Almost all county farmland is in Ag Districts, thus enjoying some protections and water/sewer tax benefits.  There are 291,714 acres in Ag District #1.	Ag District controls/benefits not sufficient to prevent substantial conversion of farmland to suburban use.

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

---

<u>ISSUE AREA</u>	<u>OPPORTUNITIES</u>	<u>CONSTRAINTS</u>
<p align="center">Land Use Planning and Zoning</p>	<p>All 15 towns and 8 of the 9 villages have a written comprehensive plan; All towns and villages have zoning or a land use law in place. Cluster or planned unit development provisions, which can help to protect farmland by creating larger contiguous open space, in place in six towns.</p>	<p>The County Comprehensive Plan and many municipal plans and zoning ordinances are over 20 years old and outdated; only the Village of Lyons has no Comp plan but they do have a zoning ordinance. Current zoning ordinances discourage compatible economic uses on farms; ordinances typically permit single family lots in all agricultural districts and thus offer little protection for farmland</p>
<p align="center">Water &amp; Sewer Service</p>	<p>Water service provided in 75-100% land in towns of Ontario, Walworth, Macedon, Marion, Palmyra and Williamson; 25-74% land in mid-county towns of Arcadia, Sodus, Huron, Rose and Wolcott. Sewer service typically provided in or close to villages.</p>	<p>Availability of water and sewer raises the value of land for suburban use. No overall county plan exists to determine extent of future water or sewer service.</p>
<p align="center">Farmland Protection- Purchase of Development rights (PDR)</p>	<p>Six towns have active farmland protection projects- Arcadia Macedon Ontario</p>	<p>PDR is expensive. State and federal grants have helped the towns begin these programs but</p>

***D. IMPLEMENTATION PLAN***

The vision and goals of the plan are wide ranging and it is recognized that realizing them will require myriad actions on the part of many people and groups. The strategy of this plan will be to implement a number of projects, both large and small, which can continue to improve the economic life of farmers and preserve farmland in the county.

From the 2009 grower survey, the Agricultural Development Board developed a list for review and comment at a Public Hearing. Following the public hearing, the Board collected and tabulated the input to develop the following list of priorities for implementation under the updated plan.

Top strategic initiatives for the next ten years-

- I. TECHNICAL ASSISTANCE**
- II. FINANCIAL ASSISTANCE**
- III. LAND USE PLANNING**
- IV. MARKETING**
- V. INCREASE AVAILABILITY OF AG-SUPPORT BUSINESSES**
- VI. POLICY**
- VII. EDUCATION AND OUTREACH**

I. **TECHNICAL ASSISTANCE**

**A. Goals-**

- 1) Support environmentally sustainable farm management practices**
- 2) Support business plan development and implementation**
- 3) Support for alternative energy projects**
- 4) Education and outreach on new production techniques**
- 5) Improve Drainage infrastructure**
- 6) Support for agricultural projects that help improve water quality**

**Recommended Actions-**

**1) *Support environmentally sustainable farm management practices.***

Wayne Co. SWCD assists farms with Agriculture Environmental Management (AEM) planning and can help identify potential implementation grant programs through NYSDAM and NRCS. Examples of sustainable practices are: nutrient planning, composting, manure storage, conservation tillage, methane digestion and leachate management, laneway and intensive pasture management in part with rotational grazing, waterway, erosion, and sediment control and/or other technology and management practices like IPM or transitioning to reduced chemically based herbicides/pesticides production. USDA NRCS programs can help farmers in the process of transitioning to organic.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, CCE, SWCD, WCIDA**

**2) *Support business plan development, implementation and low-cost loans for farm businesses including agritourism, new and beginning farmers.***  
***(See also WCIDA Strategic Plan 2.A)***

In 2001, Wayne Co. received a \$600,000 grant from the Governor's Office for Small Cities to establish an Agricultural Microenterprise Loan program. Partners in the project included Planning, WCIDA, CCE, FarmNet and Farm Credit. (See Section II Financial Assistance.A(1) on page 23 for more information.) Since 1985, Wayne County has had representation on the NYFarmNet Board of Directors. The NYFarmNet has helped Wayne farmers transition their businesses either with new enterprises, improved efficiency, to a new generation or to another occupation.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, CCE, WCIDA**

**3) *Support for alternative energy projects-***

As energy costs escalate and begin impacting the ability of Wayne County farms to be competitive nationally and internationally, the county should support programs that will enable the local farms to better manage their energy costs. Programs could include

- **technical assistance,**
- **loans,**
- **Grants.**

Examples of technical assistance- 1) create a program to offer **energy planning and audits for farmers modeled after the Agricultural Environmental Management program (AEM)** to help farmers create an energy plan and to identify different options for controlling their energy costs. 2) Cayuga County SWCD was instrumental in developing a regional methane digester where manure from several farms and other organics will be brought and used to produce renewable energy. The energy to be produced is planned to supply the Natural Resources Center

## WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

(housing 2-County and 3-Federal Agencies), the Cayuga County Public Safety Building and the Cayuga County Nursing Home.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, CCE, WCIDA**

#### 4) ***Production and management education***

Education and outreach concerning advancing production techniques is a critical part of farm business management support. CCE should continue to offer pest management training and certification programs including pesticide applicator training. The Lake Ontario Fruit Team covers all tree and berry crops, The Cornell Vegetable Team covers all types of vegetables which include vine crops like melons, and The NWNY Dairy, Livestock and Field Crops Team covers just about everything else! These teams offer monthly newsletters year round and special weekly newsletters during the growing season to help farmers in pest treatment management recommendations and control. During the winter months many workshops and conferences take place on every topic from new varieties, pest management, land protection, labor regulations, quality control, and animal nutrition. During the spring, farm tours and on farm demonstrations are held, with individual farms able to participate in on farm research trials in which the teams collaborate with Cornell faculty. (From the 2010 CCE Annual Report)

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: CCE**

#### 5) ***Improve Drainage infrastructure-***

Water resources and erosion/sediment control impact all roadways, and municipalities. It is critical to support methods that will ensure the existing drainage system is maintained in a manner that will allow excess water to flow away from crops and sensitive areas for storm water management for continued crop production. This could include cost-share programs for drainage tile, ditch maintenance and drainage easement acquisition programs. Wayne County SWCD submitted a proposal to USDA in 2010 to develop a watershed management plan for the Salmon Creek Watershed. The intent of this multi-farm effort was to create a plan to improve surface water quality and reduce flooding.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: SWCD, Planning**

#### 6) ***Support for agricultural projects that help improve soil health and water quality***

As new technologies and techniques evolve, there may be opportunities for environmental improvement projects that could improve soil health and water quality. Conservation agricultural planning encompassing soil health management and water quality monitoring to help to preserve and maintain the many watersheds that include so many of our streams and bays. This could include cost-share or grant application programs to support infrastructure as part of nutrient management implementation, continued farmer education with alternative resources, management planning for sustainable production and water quality monitoring due to runoff to reduce pollution.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: SWCD, Planning, WCIDA**

7) ***Support for cooperative ventures***

Formation of cooperatives is one way in which farmers can increase their share of the food dollar. (See also WCIDA Strategic Plan 2.F) In 2010, WCIDA assisted two groups of farm businesses one cooperative, one LLC, with building and equipping new apple packing lines. Assistance included tax incentives, workforce training and assistance with potential grant applications. The Planning Department has also helped during the initial phases of organization of the Finger Lakes Culinary Bounty, the Lake Ontario Wine Trail and the Apple Tasting tour.

(a) **Time Frame: Ongoing**

(b) **Responsible Agency: CCE, Planning, WCIDA**

8) ***Other initiatives that could benefit Wayne County farmers, but are not high priority needs at this time include-***

CCE, Planning and WCIDA have supported Exploring the Small Farm Dream course which helps people with some pre-business plan research. The CCE Master Gardener Program has been developing the Master Forest Owner Program in Wayne County and providing training for potential volunteers and information on woodlot management to land owners. In 2010, over 20 Wayne County Woodlot owners attended the first workshop ever offered in Wayne County.

Cornell Cooperative Extension and the Cornell Small Farms Program run the NY Beginning Farmer Project to address increasing interest in farm start-ups. [www.nybeginningfarmers.org](http://www.nybeginningfarmers.org)

- **Beginning farmer initiative**
- **Support for value-added enterprises like farmers markets and produce auctions**
- **Support for removal of abandoned orchards to reduce disease threat**
- **Support for tree replacement programs in under-achieving orchards**
- **Woodlot management programs**
- **Support initiatives to improve Landowner relations through information and programming**

The Rochester chapter of SCORE has identified agricultural businesses as being a sector that they would like to support. There is an office in Macedon that is staffed on a part-time basis.

- **Work with the local SCORE office to support Wayne County farms**

(a) **Time Frame: Ongoing**

(b) **Responsible Agency: Planning, CCE, SWCD, WCIDA, Farm Bureau, SCORE**

## II. FINANCIAL ASSISTANCE

### A. Goals-

- 1) **Continue strong Ag Microenterprise Program**
- 2) **Support efforts to access State and Federal grant programs**

### **Recommended Actions-**

#### **1) Continue strong Ag Microenterprise Program**

Wayne County Industrial Development Agency has a successful Ag Microenterprise revolving loan program which provides business planning technical assistance and a below-market loan program. The county should consider applying for more revolving loan funding as needed. New ventures have benefited from this program. (See also WCIDA Strategic Plan 2.D) To date, the Agricultural Microenterprise program has made loans totaling \$516,390 to: (4) Crop farms; (2) Dairy farms; (5) Fruit; and (1) Farm Market. Loan funds have been used to implement a portion of the business plan, most often for equipment purchase. New and beginning farmers can also utilize the technical assistance or loan portion of this program.

- (a) **Time Frame: Ongoing**
- (b) **Responsible Agency: WCIDA, Planning**

#### **2) Support efforts to access State and Federal grant programs**

Many times new ventures are relatively risky with high startup costs and unknown returns. As State or Federal **Grant programs become available to assist new ventures**, the County should support municipal and farmer efforts to tap these programs. Support could include- Grant writing, grant administration, and establishment of a long-term grant funded program. New York used to have a Beginning Farmer Loan program to help new farmers acquire agricultural land through New York State Environmental Facilities Corporation. USDA Farm Service Agency also has beginning farmer loan programs.

- (a) **Time Frame: Ongoing**
- (b) **Responsible Agency: Board of Supervisors, Planning, CCE, SWCD, WCIDA**

### III. LAND USE PLANNING

#### A. Goals-

- 1) Support the use of Purchase of Development Rights by Towns
- 2) Support town efforts to develop a TDR program
- 3) Support town efforts to develop Incentive Zoning
- 4) Assist town efforts to adopt farm-friendly model zoning law
- 5) Ag Development Board should review local laws
- 6) Ag Development Board provides comment on Notices of Intent
- 7) Support local Ag and farmland protection plans and right-to-farm laws
- 8) Identifying land for protection

#### **Recommended Actions-**

New York State is a home-rule state which means that land use decisions are made at the Town and Village level. The County should **support land use planning efforts that are beneficial to farm businesses** by lowering farmland conversion rate and reducing farmland fragmentation. This could include-

#### 1) ***Support Purchase of Development Rights (PDR)***

Purchase of Development Rights has been utilized by several Towns in Wayne County and is seen as a viable business planning and municipal planning tool. (See also WCIDA Strategic Plan 2.B) The County Planning Department has provided insight and education for Town Boards and farmland owners regarding farmland protection grant programs. To date, five towns in the County have successfully applied for over \$10 million of state and federal funds to protect 4800 acres of farmland on 19 farms.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, Towns**

#### 2) ***Support town efforts to develop a TDR program***

A Transfer of Development Rights program would allow for preservation of viable farmland by sending (sending district) the development rights of the designated farmland to another area. The area receiving (receiving district) the development rights may then be permitted to utilize increased building densities. The Town of Lysander, Onondaga County, has established a TDR program with financial support from NYSDAM.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, Towns**

#### 3) ***Support town efforts to develop Incentive Zoning***

Incentive Zoning allows for adjustments to the permissible population density, area, height, open space, use, or other provisions of a zoning ordinance or local law for a specific purpose authorized by the town board. The Village of Macedon passed an incentive zoning law in 2009 and in 2011 is considering the acquisition of land through the use of it. The Town of Pittsford utilized incentive zoning as part of their award winning Green Print program. The Towns of Macedon, Ontario, Walworth and Wayne County Planning participated in a Unified Plan of Work Program with the Genesee Transportation Council to examine the feasibility of establishing a cluster development incentive program.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Planning, Towns**

## 4) *Farm-friendly model zoning*

Assist town efforts to adopt and implement proposed model zoning provisions which permit farmers to have secondary businesses on farms and provide regulation for agricultural support businesses (see also WCIDA Strategic Plan 2.E)

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Towns, Planning, CCE, WCIDA**

## 5) *Ag Development Board review of proposed laws*

Ag Development Board should review and make a recommendation on proposed zoning, local laws, regulations or fees.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Ag Development Board, Planning, Board of Supervisors, Towns**

## 6) *Notice of Intent recommendations*

Ag Development Board should continue to make recommendations to the Commissioner of Agriculture and Markets concerning Notices of Intent. The Agricultural Development Board adopted the current policy (see Attachment 5) regarding standard notices for times when a Notice of Intent is received by the County more than 30-days prior to the next regularly scheduled ADB meeting.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: ADB; Planning**

## 7) *Support local Ag and farmland protection plans and right-to-farm laws*

Both Town and County right-to-farm laws are important policy statements by the municipalities. The County supports the development of town agriculture and farmland protection plans and right to farm laws, leading the way by adopting a local right-to-farm law in 1997 and updated it in 2008. The law requires a disclosure notice for any residential property sold within the County (Pg 36). The County Planning Department assisted the Town of Butler with a NYSDAM planning grant application and implementation to develop a Town Agriculture and Farmland Protection Plan, a Comprehensive Plan and land use laws. The Butler planning process included meetings with farm owners, county departments- WCIDA, Planning, SWCD and two public informational meetings. The Genesee Land Trust and Wayne County Planning presented information regarding business and municipal impacts of developing a purchase of agricultural conservation easement program. Through this process, Butler was able to more clearly define and plan for the continued importance of agriculture in the Town's future.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Ag Development Board, Board of Supervisors, Farm Bureau, Farmers, Planning, Towns**

## 8) *Identifying land for protection*

This County defines farmland protection as "Municipal laws, programs and policies which foster the growth of agricultural and related businesses." For County projects, identifying the areas to prioritize for protection will vary based on location, industry segment, farm business owner and town interest. Land use decisions are made at the town or village level. County support for local government includes education, advice, grant-writing support and evaluation materials. The Town of Macedon set a Comprehensive Plan goal of preserving 6,200 acres of land for protection. With NYSDAM funding, Macedon has procured 3,400 acres of farmland easements. A simple prioritization table is attached (see page 37) The Town of Butler Ag Protection Plan states the "Comprehensive Plan identifies those areas in the Town that are most suited for commercial, residential and mixed use development. The remainder of the Town is intended for primarily agricultural use. While residential development may be accommodated on individual lots, such development should be sited and designed in such a way that potential

## WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

conflicts with agriculture are minimized. As most of the Town consists of high quality agricultural soils that are part of productive farm operations, targeting certain parcels or areas is difficult. The priority lands are those that are currently farmed and consist of prime or important agricultural soils.” For Towns interested in a conservation easement program an example pre-application (pp 38-40) outlines one way to prioritize areas or farms for protection.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Farmers, Towns, Planning, CCE, WCIDA, SWCD**

#### IV. MARKETING

##### A. Goals-

- 1) **Support farm business efforts to improve marketing methods**
- 2) **Promote the establishment of farmers' markets throughout Wayne County.**
- 3) **Increase the amount of local farm products consumed within the county, region and State**
- 4) **Increase percentage of locally-grown product purchased by County institutions**
- 5) **Helping to build a Buy Fresh/Buy Local campaign;**

##### **Recommended Actions-**

###### 1) ***Support new marketing efforts- including value-added enterprises***

As new or existing farmers decide to break out of the commodity-based business model they will need to develop alternative methods for managing their businesses. Support can include technical assistance, loans and grants for increasing marketing opportunities and abilities of farmers. In a relatively rural county, with commodity-sized production, Wayne County farmers have a long history of adapting to changing market forces. Further developing markets within New York State will benefit both consumers and farmers.

(a) **Time Frame: Ongoing**

(b) **Responsible Agency: Planning, CCE, WCIDA**

###### 2) ***Promote the establishment of farmers' markets throughout Wayne County. (See WCIDA Strategic Plan 2.H)***

The Newark Farmers Market was located at CCE for many years before moving to their current site at the Firemen's Field. The Ag-Micro loan program is a potential source of funds for farmers markets. Organizational support during the formative years of new farmers markets is available from Planning, CCE and WCIDA. Additionally, Macedon, Palmyra and Sodus have begun Farmer's Markets within the last five years.

(a) **Time Frame: Ongoing**

(b) **Responsible Agency: CCE, Planning, WCIDA**

###### 3) ***Increase the amount of local farm products consumed within the county, region and State***

New marketing methods can include Community Supported Agriculture or CSA's. This form of marketing allows farmers and consumers to interact more readily and can help bring fresh-local food to lower income neighborhoods. Peacework Farm's Genesee Valley Organic CSA project is the oldest in western NY, with 2011 being the 23<sup>rd</sup> year of production. The Ag-Micro program would be a source of funding for qualified businesses. Since 1998, Wayne County Tourism has coordinated an annual Apple Tasting tour to draw people from the Syracuse and Rochester region. In 2010, there were fourteen participating businesses, over 700 downloads of the brochure and map and over 200 entries in the door prize drawing for this event. More recently, New York State has begun to emphasize the importance of agriculture as a potential catalyst in the restoration of the upstate economy. The appropriate partners should participate in regional or statewide economic development efforts that increase consumption of Wayne County-grown products.

(a) **Time Frame: Immediate, Ongoing**

(b) **Responsible Agency: Farm owners, School Districts, CCE, Planning; WCIDA; Board of Supervisors, Farm Bureau,**

4) ***Increase percentage of locally-grown product purchased by County institutions from local farmers (when it is possible to obtain the same quality product for a comparable price)***

(a) **Time Frame: Immediate, Ongoing**

(b) **Responsible Agency: Farm owners, School Districts, CCE, Planning, Board of Supervisors**

5) ***Helping to build a Buy Fresh/Buy Local campaign;***

Hudson Valley Fresh; Finger Lakes Culinary Bounty are two examples of buy-local campaigns that help to facilitate the purchase of local farm products. Cornell Cooperative Extension of Wayne County has helped several school districts to serve foods from local farms for one week each school year for the last two years. Aggregation of supplies in reasonable quantities outside the normal supply chain seems to be the limiting factor.

(a) **Time Frame: Immediate, Ongoing**

(b) **Responsible Agency: Farm owners, School Districts, CCE, Planning**

**Examples of previously supported marketing projects**

- Apple tasting tour
- Lake Ontario Wine Trail
- Finger Lakes Culinary Bounty
- Our Lakes make it Local
- Wayne Count Farm Markets group
- Pomona and Empire Fruit Growers added new apple packing lines with assistance from WCIDA.

**Examples of potential new marketing projects-**

- Upstate train to New York City- A regional multi-modal project that could help to facilitate movement of upstate farm products to NYC.
- Value-added incubator facility similar to Genesee County Ag Park
- New labeling system- like IPM or Organic or pasture-raised meat or Domestic Fair Trade
- In Buffalo, the Massachusetts Avenue Project (MAP) [www.mass-ave.org](http://www.mass-ave.org), has recently expanded a tilapia/ organic vegetable greenhouse enterprise that markets locally grown fish and vegetables to local restaurants.

## V. INCREASE AVAILABILITY OF AG-SUPPORT BUSINESSES

No business is an island unto itself for long. One of the critically important aspects of operating a farm business in Wayne County is the availability of secondary support businesses. Unfortunately, there is an increasing shortage of some of these businesses.

### A. Goals-

- 1) **Expand or maintain food processing industry**
- 2) **Increase Ag support businesses**

### **Recommended Actions-**

The Wayne County IDA has traditionally had a close working relationship with the major food processors within the County. The County supported Marshall Farm's inclusion in the Empire Zone program and assisted in a waterline project that brought a much needed water service the farm. The County will continue these relationships and will also continue to support new food processing ventures. Within the last 3 years, the IDA has assisted firms including: a fresh-cut vegetable firm and apple packing businesses. The tools utilized include: (6) Payment-in-lieu-of-taxes (PILOT) for \$20.5 million; the Wayne Industrial Sustainability Park (WISP), with acreage for development, financial assistance and work with anaerobic digesters, solar, wind, geo-thermal companies. The IDA has also worked with Kreher's Egg, Merrell Farms and others to determine whether there are economic development tools that would assist in business expansion. The County encourages location of any new facilities to be in or near to the existing food processing plants.

- 1) ***The County should continue to support initiatives to increase the availability and capacity of food processing plants in the County.***
  - (a) **Time Frame: Ongoing**
  - (b) **Responsible Agency: WCIDA; Planning**
  
- 2) ***Additionally, the farm business survey identified the following businesses have been identified as being needed and farmers would benefit from a higher level of availability:***
  - **Fertilizer and spray services**
  - **Supply of farm labor housing**
  - **Supply of tire dealers and crop consultants**
  - **Veterinarian services**
  - **Equipment sales and repair services**
  - **Value-added enterprises for meat- slaughterhouse**
  - (a) **Time Frame: Ongoing**
  - (b) **Responsible Agency: WCIDA; Planning, CCE**

### **Examples of previously assisted support-businesses**

- Apple tasting tour
- Lake Ontario Wine Trail
- Finger Lakes Culinary Bounty
- Our Lakes make it Local
- Wayne Count Farm Markets group
- Pomona and Empire Fruit Growers added new apple packing lines with assistance from WCIDA.

### **Examples of potential new support-businesses-**

- Upstate train to the Point- Hunts Point
- Value-added incubator facility similar to Genesee County Ag Park
- New labeling system- like IPM, Organic, pasture-raised meat or Domestic Fair Trade

## VI. POLICY

### A. Goals-

- 1) **Continue strong support for Ag Districts.**
- 2) **Support for decreasing governmental regulations and tax burden**
- 3) **Ensure Adequate Labor supply**
- 4) **Increase the amount of local farm products consumed within the county**
- 5) **Support efforts to increase congressional support for USDA NRCS/FSA**
- 6) **Support efforts to increase congressional support for NYS DAM**
- 7) **Encourage local, State and Federal funding of programs at CCE and Geneva Experiment Station**

### **Recommended Actions-**

#### 1) ***Continue strong support for Ag Districts.***

New York State Certified Agricultural Districts provide farmers with certain protections for their farm operations. It is critical that the County support and maintain the review and modification, as well as the annual open enrollment process. In 2008, Wayne County consolidated its ten certified Agricultural Districts into the Wayne Number 1. During this process, landowners of parcels with less than five acres of land were notified that they would be removed from the District unless they submitted a form asking to remain in. During the 2009 Annual Open Enrollment, landowners with land receiving an Agricultural Exemption, whose property was not in the District, were notified of the opportunity to enroll and approximately 45 of 94 parcels with 1,720 acres were enrolled in the District at that time.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Board of Supervisors, Planning, CCE**

#### 2) ***Support for decreasing governmental regulations and tax burden***

Many government regulations are duplicative and/or onerous. While many of the rules that affect this policy area are at State or Federal levels, the County supports State and Federal legislative initiatives to reduce areas of over-regulation. At the local level, the County support could include lobbying for policy changes that result in lowering the personal or corporate income and property tax burdens. The County supports improving coordination between State and Federal regulatory agencies.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Farm owners, Farm Bureau,**

#### 3) ***Adequate Labor supply***

Much of the farm labor supply comes from outside the United States. The County should support efforts to ensure that there is an adequate supply of people who are willing to work on farms. While many of the rules that affect this policy area are at State or Federal levels, the County supports State and Federal legislative initiatives to ensure an adequate labor supply for farm businesses. At the local level, the County support could include assisting in efforts to increase diversity of job types so that harvest laborers can find year round employment. The Board of Supervisors has supported immigration reform by resolution. (Example Resolution 305-07).

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Farm owners, Farm Bureau,**

## 4) ***Increase the amount of local farm products consumed within the county***

In recent years, consumers are more sensitive and seem to be seeking “Locally Grown” products for their consumption. Marketing directly to the consumer is one way in which farmers can tap into this consumer trend. The business dynamics and focus of a direct-market firm are different than the traditional commodity farm. The County should support farmers who are changing their business model to include selling to local consumers. One way in which the County could increase local consumption would be to **adopt a policy that encourages County institutions to buy from local farmers** when it is possible to obtain the same quality product for the same price. Other options for supporting this goal are: Helping to build a Buy Fresh/Buy Local campaign; supporting the Farm to School network by helping to solve the transportation dilemma, support for farmers markets, developing a produce auction, farm tours, educational and loan support for developing new value-added enterprises.

**(a) Time Frame: Immediate, Ongoing**

**(b) Responsible Agency: Farm owners, School Districts, Board of Supervisors, CCE, Planning**

## 5) ***Support efforts to increase congressional support for USDA NRCS/FSA***

The Federal farm programs are an important part of the agricultural industry. The County has a long history of supporting legislative efforts that have an impact on local farm businesses.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Board of Supervisors**

## 6) ***Support efforts to increase State support for NYSDAM***

The State Department of Agriculture and Markets is a key player in the agricultural industry of New York. When it is appropriate, the County should support Departmental or Legislative efforts that have an impact on local farm businesses.

**(a) Time Frame: Ongoing**

**(b) Responsible Agency: Board of Supervisors**

## 7) ***Encourage local, State and Federal funding of programs at CCE and Geneva Experiment Station/Food Venture Center (from WCIDA Strategic Plan 2.C)***

Encourage local, State and Federal funding of programs at Cornell Cooperative Extension and the Geneva Experiment Station that provide technical assistance to farmers and perform research into new varieties of agricultural products.

**(a) Time Frame: Immediate (within one year); ongoing**

**(b) Responsible Agency: Wayne Economic Development/ IDA; Cornell Wayne County Economic Development Strategic Plan 8 Promote Growth in Existing Regional “Clusters” – Tourism Cooperative Extension of Wayne County; Board of Supervisors**

## VII. EDUCATION AND OUTREACH

### A. Goals-

- 1) Review proposed laws & fees for impact on farms; make recommendation to Towns and Villages
- 2) Improve outreach for existing programs
- 3) Develop Ag Resource information
- 4) Develop programmatic support for Amish and Mennonite communities
- 5) Provide policy makers with information regarding significance of agriculture

### Recommended Actions-

#### 1) *Review proposed laws and fees*

As Towns and Villages modify and update zoning laws and fee structures, it is critical to educate the policy-making Boards about the potential impact that proposed fees and local laws have on farm businesses. The Town of Penfield exempts farmland from fire and ambulance district taxes.

(a) Time Frame: Ongoing

(b) Responsible Agency: Board of Supervisors, Planning, ADB, CCE, Towns, Villages

#### 2) *Grant resource web page*

Make available information about program opportunities and deadlines in a timely manner. Utilize technology to spread information.

(a) Time Frame: Ongoing

(b) Responsible Agency: Planning, CCE, SWCD, WCIDA

#### 3) *Resource Booklet-*

Sponsor the preparation of an easily accessible resource that identifies the agricultural support businesses and organizations that serve Wayne County farmers.

(a) Time Frame: Short term (1-2 years); Ongoing

(b) Responsible Agency: Planning, ADB, WCIDA

#### 4) *Programmatic support for the growing Amish and Mennonite communities*

Develop programmatic support for Amish and Mennonite communities as the needs arise. Programs could include signage, school boards, and cultural exchanges.

(a) Time Frame: Long term (3-5 years); Ongoing

(b) Responsible Agency: Planning, CCE, SWCD, WCIDA

#### 5) *Policy-maker education*

The Wayne County Farm Bureau, Cornell Cooperative Extension and Ag Development Boards have offered a meal and bus tour of local farms for most of the previous ten years. Speakers have included NYS Commissioners of Agriculture, Cornell Professors and others with statewide responsibilities. Attendance by 8 to 10 Town Supervisors, state and federal legislative representatives or their aides, is normal. Provide information to the general public and to the Wayne County Board of Supervisors regarding the significance of agriculture to the Wayne County economy. (See WCIDA Strategic Plan 2.G)

(a) Time Frame: Ongoing

(b) Responsible Agency: ADB, Planning, CCE, Farm Bureau, SWCD, WCIDA

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

## APPENDIX

### ATTACHMENT 1 January 2010 Public Hearing worksheet

The following tables were used at the public hearing with Column A representing the public input.

Please mark Column A for each item- (1) top priority; (2) secondary or long term goal; (3) not at this time

Column A	Column B
<b>Technical Assistance</b>	
	Assist in development and implementation of nutrient management plans
	Support a Beginning farmer initiative and offer technical assistance and financial support
	Support initiatives to improve Landowner relations through information and programming
1	Continue offering Pest management training and certification programs including pesticide training.
	Support for cooperative ventures
	Support business plan development and implementation for agritourism
	Support initiatives to increase the availability and capacity of alternative energy facilities in the County
2	Support initiatives that will help farm business owners control or reduce operating expenses or increase profit margins.
	Woodlot management programs
	Support environmentally sound projects like nutrient planning, composting, manure storage, minimum tillage, methane digesters or other technology
	Use of retired experts and volunteers
	Work with the local SCORE office to support Wayne County farms
	Support for Nutrient management planning and implementation
	Continue CCE production education and outreach
	SWCD drainage programs
	Support efforts to increase congressional support for USDA NRCS/FSA
<b>Financial Assistance</b>	
1	Grant programs to assist new ventures.
2	Improve Drainage infrastructure- cost share of drainage tile and programs to ensure an adequate level of drainage ditch maintenance.
	Program to assist with removal of trees from abandoned orchards and to assist in tree replacement in underperforming orchards
	Support for Agritourism ventures through programming, loans and grants
	Support for alternative energy projects- technical assistance, loans, grants
3	Energy planning and audits for farmers modeled after the Agricultural Environmental Management program (AEM)
4	Support for below-market rate loan program by Industrial Development Agency, including applying for more money as needed.
<b>Marketing</b>	
1	Buy Fresh/Buy Local – increased campaign
	Support for development of an agritourism organization.
	Support efforts to develop an Agricultural museum
2	Technical assistance, loans and grants for increasing marketing opportunities and abilities of farmers.
	Support for value-added enterprises including farmers markets and produce auction
3	Farm to School – improve the transportation network
<b>Increase availability of ag-support businesses</b>	

## WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

	Support initiatives to increase the availability and capacity of food processing plants in the County
	fertilizer and spray services
	supply of farm labor housing
	supply of tire dealers and crop consultants
	veterinarian services
	Value-added enterprises for meat- slaughterhouse
<b>Support land use planning that is beneficial to farm business</b>	
	Support the use of Purchase of Development Rights as a business planning and municipal planning tool.
	Support town efforts to develop a TDR program which would allow for preservation of viable farmland by sending (sending district) the development rights of the designated farmland to another area. The area receiving (receiving district) the development rights may then be permitted to utilize increased building densities.
	Support town efforts to develop Incentive Zoning, which allows for adjustments to the permissible population density, area, height, open space, use, or other provisions of a zoning ordinance or local law for a specific purpose authorized by the town board.
	Assist town efforts to adopt and implement proposed model zoning provisions which permit farmers to have secondary businesses on farms and provide regulation for agricultural support businesses
<b>Policy</b>	
	Continue strong support for Ag Districts.
	Increase the amount of local farm products consumed within the county
1	Mandate that local institutions buy from local farmers
	Support for lowering governmental regulations.
	Support for lowering real property tax burden
	Support State and Federal legislative initiatives to ensure an adequate labor supply for farm businesses.
	Support initiatives to stabilize and improve the farm infrastructure
	Support for County and Town right to farm laws and local ag and farmland protection plans as well as including agriculture in county and local planning documents. Identify the best land to protect in any farmland protection project.
	Support projects that will improve water quality for bodies of water located in the region.
	Support efforts to increase diversity of job types so that harvest laborers can find year round employment
<b>Education and Outreach</b>	
2	Provide timely information about program opportunities and deadlines
	Support and encourage farmers to be involved in local government and community organizations.
1	Work with towns to ensure that fees and local laws are reasonable for farm businesses.
	Support for the Amish communities
	Produce a series of articles, TV and radio interviews, talks for county organizations such as church groups, Rotary, Lyons, etc. on Farmer-neighbor relations.
3	Resource Booklet-Sponsor the preparation of a booklet of information on resources available to Wayne County farmers.
	Handout for Realtors on farmer-neighbor relations
4	Support for Amish and Mennonite communities- signage, school boards, cultural exchanges.

**ATTACHMENT 2- Farmer survey summary**

**Education and Outreach**

- △ Provide timely information about program opportunities and deadlines
- △ Support and encourage farmers to be involved in local government and community organizations.
- △ Work with towns to ensure that fees and local laws are reasonable for farm businesses.
- △ Support for the Amish communities

**Financial Assistance**

- △ Grant programs to assist new ventures.
- △ Improve Drainage infrastructure- cost share of drainage tile and programs to ensure an adequate level of drainage ditch maintenance.
- △ Program to assist with removal of trees from abandoned orchards and to assist in tree replacement in underperforming orchards
- △ Support for Agritourism ventures through programming, loans and grants
- △ Support for alternative energy projects- technical assistance, loans, grants
- △ Support for below-market rate loan program by IDA, including applying for more money as needed.

**Policy**

- △ Continue strong support for Ag Districts.
- △ Increase the amount of local farm products consumed within the county
- △ Support the use of Purchase of Development Rights as a business planning and municipal planning tool.
- △ Support for lowering governmental regulations.
- △ Support for lowering real property tax burden
- △ Support State and Federal legislative initiatives to ensure an adequate labor supply for farm businesses.
- △ Support initiatives to stabilize and improve the farm infrastructure
- △ Support for County and Town right to farm laws and local ag and farmland protection plans as well as including agriculture in county and local planning documents. Identify the best land to protect in any farmland protection project.
- △ Support projects that will improve water quality for bodies of water located in the region.

**Technical Assistance**

- △ Assist in development and implementation of nutrient management plans
- △ Support a Beginning farmer initiative and offer technical assistance and financial support
- △ Support initiatives to improve Landowner relations through information and programming
- △ Continue offering Pest management training and certification programs including pesticide training.
- △ Support for cooperative ventures
- △ Support for development of an agritourism organization. Support business plan development and implementation for agritourism
- △ Support for value-added enterprises including farmers markets and produce auction
- △ Support initiatives to increase the availability and capacity of alternative energy facilities in the County
- △ Support initiatives to increase the availability and capacity of food processing plants in the County
- △ Technical assistance, loans and grants for increasing marketing opportunities and abilities of farmers.
- △ Support initiatives to increase the ability of on-farm managers
- △ Support for marketing initiatives or education
- △ Continued support for production management and improvement
- △ Support initiatives that will help farm business owners control or reduce operating expenses or increase profit margins.
- △ Woodlot management programs
- △ Support environmentally sound projects like nutrient planning, composting, manure storage, minimum tillage, methane digesters or other technology

**Increase availability of ag-support businesses**

- △ Fertilizer and spray services
- △ Supply of farm labor housing
- △ Supply of tire dealers and crop consultants
- △ Veterinarian services
- △ Value-added enterprises for meat- slaughterhouse
- △ Supply of seasonal labor
- △ Supply of year-round labor
- △ Equipment sales and repair

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

---

**ATTACHMENT 3a Resolution to update Ag & Farm Plan**

**WAYNE COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 49-07: AUTHORIZE UPDATE TO AGRICULTURE AND  
FARMLAND PROTECTION PLAN**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Agricultural and Farmland Protection Plan was prepared to document the status of agriculture and farmland in Wayne County and to provide recommendations for the preservation of both farming and farmland in the county and was adopted on June 17, 1997 following extensive volunteer effort and public input; and

WHEREAS, the Wayne County Agriculture Development Board recommends updating the "Plan" and is willing to do prepare the update; now, therefore be it RESOLVED, that the Wayne County Agriculture Development Board is authorized to review and recommend modifications to the Wayne County Agricultural and Farmland Protection Plan for consideration by the Wayne County Board of Supervisors; and be it further

RESOLVED, that the preparation of the update to the Agricultural and Farmland Protection Plan shall be completed at no cost to the County.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

ATTACHMENT 3b Resolution of Negative Declaration for to updated  
Ag & Farm Plan

**RESOLUTION NO. 406-11: MAKING A DETERMINATION UNDER THE STATE  
ENVIRONMENTAL  
QUALITY REVIEW ACT**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"),

the Wayne County Board of Supervisors (the "Board"), as lead agency, desires to determine whether the following

action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the

Regulations) and therefore require the preparation of an environmental impact statement: An action to approve the

update of the Wayne County Agricultural and Farmland Protection Plan (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Planning Director has caused to be prepared a Full Environmental Assessment Form (the "

FEAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the FEAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby declare itself lead agency for the purposes of conducting the environmental review of the Project; and be it further

RESOLVED, as follows:

1. Based upon examination of the FEAF, and based further upon the Board's knowledge of the area encompassing the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:

(a) the Project consists of the component described in the first "Whereas" clause of this resolution; and

(b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the FEAF.

2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:

(a) The Project constitutes an Unlisted Action (as defined in the Regulations); and

3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and

4. This determination constitutes a negative declaration for the purposes of the SEQRA Act.

Mr. Groat moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

**ATTACHMENT 3c Resolution to Approve updated Ag & Farm Plan**

**RESOLUTION NO. 407-11: APPROVE MODIFICATION OF AGRICULTURE AND FARMLAND PROTECTION PLAN**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Agricultural and Farmland Protection Plan (the “Plan”) was prepared to document the status of agriculture and farmland in Wayne County and to provide recommendations for the preservation of both farming and farmland in the County and was adopted following extensive volunteer effort and public input by Resolution 302-97 on June 17,1997; and

WHEREAS, Resolution 47-09 authorized the Wayne County Agriculture Development Board to update the Plan; and

WHEREAS, the Plan update process included distributing a direct mail survey and making available an online survey to farm owners along with conducting two public informational meetings; and

WHEREAS, the Wayne County Agriculture Development Board has reviewed and modified the Plan in accordance with information obtained from the survey and the public meetings; and

WHEREAS, the Board of Supervisors has conducted a public hearing to obtain input for the Plan; and

WHEREAS, the Ag Development Board recommends that the Wayne County Board of Supervisors approve the updated plan; now, therefore, be it

RESOLVED, that in accordance with Article 25AAA, Section 324 (2), the Board of Supervisors approves the modification of the Wayne County Agriculture and Farmland Protection Plan, and be it further

RESOLVED, that in accordance with Article 25AAA, Section 324 (3) the approved plan shall be submitted to the NYS Commissioner of Agriculture and Markets for approval.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

**ATTACHMENT 4 Resolution to accept 1997 Ag & Farm Plan**

**WAYNE COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 302-97: ACCEPT AGRICULTURAL AND FARMLAND  
PROTECTION PLAN**

Mr. Herrmann presented the following :

WHEREAS, the Wayne County Agricultural and Farmland Protection Board has prepared a Wayne County Agricultural and Farmland Protection Plan ( " the Plan") for the preservation of farmland and the enhancement of the agricultural industry in Wayne County; and

WHEREAS, the Plan contains guidelines, recommendations and suggestions for Wayne County and its local governmental agencies and the farming community as a whole to utilize in developing their own resources for the preservation of sensitive agricultural land and industries; and

WHEREAS, the Plan also includes a strong economic development component "designed to offer actual opportunities for the preservation and enhancement of the agricultural industry; and

WHEREAS, the Plan was developed with funding from both Wayne County and the New York State Department of Agriculture and Markets and approval of the plan by Wayne County paves the way to the application for additional funding from the New York State Department of Agriculture and Markets for implementation activities; and

WHEREAS, the Plan was developed with the support of the Wayne County farming community and the Wayne County Farm Bureau; now, therefore, be it

RESOLVED, that the Wayne county Board of Supervisors hereby endorses, approves and accepts the Wayne County Agricultural and Farmland Protection Plan.

Mr. Pascarella moved the adoption of the resolution.

Seconded by Mr. Guerin.

Upon roll call, all supervisors voted Aye. The Chairman declared the resolution adopted.

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**  
Ag & Farmland Protection Survey Summary

---

**ATTACHMENT 5 NOI Policy**

Wayne County Agriculture Development Board Policy regarding Final Notice of Intent when unable to review a proposal within a thirty day timeframe-

WHEREAS, NYS Agriculture and Markets Law Article 25AA Section 305, 4 (e) states “the county agricultural and farmland protection board may, within thirty days, review the proposed action and its effects on farm operations and agricultural resources within the district, and report its findings and recommendations to the commissioner...”; and

WHEREAS, the Wayne County Agriculture Development Board only meets five times per year and often is unable to review a proposed action within the thirty day timeframe stipulated in the law; and

WHEREAS, the Board after review of the Wayne County Agriculture and Farmland Protection Plan (the Plan), feels that approval of most water and sewerline projects in the County would be consistent with the Plan with some stipulations; now therefore, be it

RESOLVED, upon notice from the Commissioner of Agriculture of acceptance of a completed Final Notice of Intent more than thirty days prior to the next regularly scheduled Board meeting, that a letter be sent to the Commissioner recommending project approval with the following stipulations-

1. The Town limit connections to existing non-farm uses and to farm related uses within that portion of the proposed water district which is also within an Agricultural District.
2. As outlined in the NYS Department of Agriculture and Markets “Pipeline right-of-way Construction Projects” standards, the Town provide an Agricultural and Soil Conservation Specialist/Inspector who will “maintain regular contact with the affected farmers and County Soil and Water Conservation Districts concerning farm resources and management matters pertinent to the agricultural operations and the site-specific implementation of the Environmental Management and Construction Plan;” and the Town shall notify owners of all properties receiving an agricultural exemption in the project area of these construction standards.
3. the Town will responsible to send a letter and/or communicate to the landowner/user what exactly is planned for that property

Motion- Larry Arliss                      Second- Perry Howland  
All in favor, motion passed.

Approved June 21, 2005

**WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**  
Ag & Farmland Protection Survey Summary

---

DATE

Robert Somers, Chief  
Agricultural Districts Program  
New York State Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235

RE: FINAL NOTICE OF INTENT TO UNDERTAKE AN ACTION WITHIN AN AGRICULTURAL DISTRICT  
Wayne County Agricultural Districts No. 01  
**Town of XXXX Water District No. XX**

Dear Bob:

The Wayne County Agriculture Development Board is not scheduled to meet for more than thirty days and will be unable to review the above referenced Final Notice of Intent in a manner consistent with Agriculture and Markets Law 25AA 305(4)e. Our Board feels that if it is unable to review a project within the thirty day timeframe, a recommendation of project approval is consistent with the Agriculture and Farmland Protection plan- **with the following stipulations-**

1. The Town limit connections to existing non-farm uses and to farm related uses within that portion of the proposed water district which is also within an Agricultural District.
2. As outlined in the NYS Department of Agriculture and Markets "Pipeline right-of-way Construction Projects" standards, the Town provide an Agricultural and Soil Conservation Specialist/Inspector who will "maintain regular contact with the affected farmers and County Soil and Water Conservation Districts concerning farm resources and management matters pertinent to the agricultural operations and the site-specific implementation of the Environmental Management and Construction Plan."
3. The Town shall notify all agricultural exemption recipients in the project area of any restrictions placed on the project by the Commissioner.

Should you have any questions regarding this proposal please feel free to contact me.

Sincerely,

Re-confirmed 9-29-2009

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

---

## **Right-to-farm Law**

**ADOPTING LOCAL LAW ESTABLISHING RIGHT-TO-FARM LEGISLATION** (RES. NO. 392-97) (Amended RES. NO. 368-08) (Local Law No. 5-1997 & Intro No.4/Local Law No.3-2008)

### **SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

The Wayne County Board of Supervisors finds, declares, and determines that farming is important to Wayne County because it provides employment for agri-services, provides locally produced fresh commodities, promotes economic stability, maintains open space, promotes environmental quality, and does not increase the demand for services provided by local governments. In order to maintain a viable farming economy in Wayne County, farmers must be afforded protection allowing them the right to farm. When non-agricultural land uses extend into agricultural areas, agricultural operations may become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease operations or are discouraged from making investments in farm improvements. Chapter 797 of the Laws of 1992 of the State of New York provides an important foundation for achieving the right to farm protection sought by the Wayne County Board of Supervisors.

In order to address the unique circumstances facing agriculture in Wayne County, it is necessary to provide for more comprehensive local right to farm protection as provided in this Local Law.

### **SECTION 2. RIGHT TO FARM.**

On any land which may be lawfully used for agricultural purposes in the County of Wayne, whether or not it is located in an agricultural district, an agricultural practice shall not constitute a public or private nuisance, provided such agricultural practice constitutes a sound agricultural practice pursuant to an opinion issued upon request by the New York State Commissioner of Agriculture and Markets under Section 308 of the New York State Agriculture and Markets Law. Nothing in this Local Law shall be construed to prohibit an aggrieved party from recovering damages for bodily injury or wrongful death.

### **SECTION 3. DISCLOSURE NOTICE**

When any purchase and sale contract is presented for the sale, purchase, or exchange of residential real property located within the County of Wayne, the prospective grantor shall deliver to the prospective grantee a notice which states the following: "It is the policy of this state and Wayne County to conserve, protect and encourage the development and improvement of agricultural land

for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within Wayne County. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors, smoke, insects, operation of machinery during any hour of the day or evening, storage and disposal of plant and animal waste products, and the application of fertilizers, soil amendments, and pesticides by ground or aerial spraying or other method. Property owners and residents of Wayne County should be aware that farmers have the right to undertake generally accepted practices and one should expect such conditions as a normal and necessary aspect of living in an agricultural area."

The failure to include such disclosure notice shall not affect the validity of such purchase and sale contract."

**SECTION 4. SEVERABILITY.** If any provision of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such adjudication shall not effect, impare or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 5. EFFECTIVE DATE.** This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

# WAYNE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

## Draft Farmland Protection Review Template

Many agencies struggle with the issue of trying to choose the best farming areas for protection. This worksheet is a starting point for those interested in developing a framework for prioritizing farms. Farmland Protection is a land use planning tool, therefore any criteria should reflect the intent of the municipal Planning documents. For example- If the intent is to emphasize preserving farms owned by full-time farmers, the number of points for that criteria would have more points. The numbers in the draft template are just placeholders, each agency is expected to modified them to reflect local concerns.

In order to more accurately reflect the policies of the individual municipality, additional criteria can be added to Column A and the ranges in Columns B & C can be adjusted.

A.		B.	C.	D.
FARM NAME			Possible Points	This Farm's Points
I.	Land is not farmed		2.5	
	Owner is not full-time farmer		5	
	Owner is full-time Farmer		10	
II.	Size of Farm	Acres		
		20-50	2.5	
		50-100	5	
		100-150	7.5	
		150+	10	
III.	Soil % of total farm soil types that are in the NYSDAM soil series 1,2,3,4,5	<65 %	2	
		65-85%	5	
		>85%	10	
IV.	% of the total farm that is tillable	<55 %	2	
		55-80%	5	
		>80%	10	
V.	Proximity to other protected farms	4 miles	2	
		1-3.9 miles	5	
		<1 mile	10	
VI.	Matching Funds offered	<10,000	2	
		\$10,000-50,000	5	
		>\$50,000	10	
VII.	Owner has other land protected by a conservation easement		10	
		>1 mile away	2	
VIII.	Sewer Availability	1/4 to 1 mile	5	
		< 1/4 mile away	10	
IX.	Other??	???	10	
		Total Points	90	
I.	Some say that an active farm is less at risk than a vacant one. Some say that the intent is to save farms and should benefit active farmers.			
II.	Bigger may be better, what are the rating criteria for your municipality?			
III.	NYSDAM rates soils from 1-10 with the 1-5 being the better farm soils.			
IV.	How much of the land is currently being farmed?			
V.	How close is this farm to making a large block of farmland? Closer is better.			
VI.	Is this important for the municipality?			
VII.	This may enhance the farm operation by having more land permanently available.			
VIII.	An indicator of development pressure or risk to farm.			
XI.	A municipal criteria			

Town of \_\_\_\_\_  
**FARMLAND PROTECTION PROGRAM  
PRE-APPLICATION**

**PURPOSE**

In response to growing interest in the State and Federal Farmland Protection Grant Programs by among our farmland owners, the TOWN OF \_\_\_\_\_ has adopted a pre-application process to review and select farmland protection projects to compete for State and/or Federal grant funds.

**PROCESS**

The TOWN BOARD will review and rank pre-applications, and will select those proposals that may advance to the next stage. The top two farms chosen by the TOWN will be submitted to the State Farmland Protection Implementation Grant program during the next funding round of the current TOWN year (ending December 31).

**PRE-APPLICATION DEADLINE** Pre-applications **must be received** by the TOWN on or before **February 28** of each year. Mail or hand-deliver (1) original to:

TOWN Supervisor  
TOWN HALL  
TOWN HALL Road  
TOWN, NY zip code

**REVIEW & SELECTION**

The Town, with assistance from County Planning staff, will undergo a preliminary review and ranking of FPIG applications based on established criteria. The top ranking applications will be presented to the TOWN for final review and selection. A meeting date has not yet been established, but applicants will notified of the time and date. The Board will select proposals to advance to the next stage at this meeting. **The TOWN will utilize the number of acres on the farm, % tillable acres and % Prime soils as the main criteria for ranking farms. (Other criteria could include: farmland being added to existing easement; proximity to other protected land; whether the landowner is a farmer.)**

**GRANT DEADLINE**

There is no guarantee that state or federal funding will be made available this year. The TOWN is initiating the pre-application process now so that approved applicants may have maximum amount of time to prepare full proposals once the State grant application is issued.

**APPLICATION PREPARATION FEE**

There is no pre-application fee for this step, however the TOWN utilizes the Wayne County Planning Department to prepare the final grant applications. The TOWN will (not) pay the \$1500 fee for preparing final grant applications,( therefore the participating landowners will be expected to pay this fee.)

**MORE INFORMATION**

*Please contact Ora Rothfuss, Ag Development, Wayne County Planning Department, (315-946-5919) with any questions or concerns about the Pre-Application or about the State or Federal Farmland Protection Program.*

Town of \_\_\_\_\_  
**FARMLAND PROTECTION PROGRAM**  
**PRE-APPLICATION**

**Primary Contact for the Farm Operation**

Name: \_\_\_\_\_  
 Farm Name: \_\_\_\_\_  
 Address (of business center of farm operation): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**Landowner(s)** [Please identify all landowners involved in the project.]

Name: \_\_\_\_\_

Name: \_\_\_\_\_

**Tax Parcel Identification**

List below all of the tax parcel numbers (and the acreage associated with each parcel as designated on the official County tax maps) proposed to be included under this easement:

Tax Parcel Number	Total Acreage of Tax Parcel	Acreage of Tax Parcel Proposed for Conservation Easement

**Soils and Landscape Information**

Please provide the following information for the proposed farm: (*NOTE- County Planning can assist with some of these estimates.)	Acres
Acres to be protected	
number of tillable protected acres	
number of protected acres in woodlands and wetlands	
number of protected acres in USDA Prime Soils	
number of protected acres in Soils of Statewide Significance	

Town of \_\_\_\_\_  
**FARMLAND PROTECTION PROGRAM  
PRE-APPLICATION**

**Nature of Current Farm Enterprise** Describe the current farm enterprise:

---

---

---

**Long Term Viability of Property**

Describe the factors and/or attributes of the farm that suggest it will likely continue to be a farm in the future.

- Does the farm have a succession plan?

---

---

**Landowner Commitment**

Please briefly describe your interest for participating in the program:

---

---

**Tax Parcel Map**

Provide a tax parcel map showing the boundaries of:

- (a) the proposed conservation easement area; and
- (b) any other nearby tax parcel(s) owned by the landowner but not included in this conservation easement – each such parcel must be labeled as an “excluded lot”; and
- (c) any proposed exclusions on existing parcels (future building lots not covered by the easement.)

**Landowner(s) Commitment to Bargain Sale**

The NYS Farmland Protection Program will only fund a maximum of 75% of the value of development rights on farmland. Farmers may commit to a “bargain sale” of their development rights, meaning that they will accept 75% of the value for the easement, and assume the remaining 25% as an in-kind contribution. This can significantly reduce the amount of time needed to complete the program. Please indicate your willingness to assume 25% of the value of development rights on your farm.

*I will provide the required 25% local match through bargain sale of my development rights \_\_\_\_\_.*

*I will not provide the required 25% local match through bargain sale of my development rights \_\_\_\_.*

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_