

# Farmington Farmland Protection Plan



**Town of Farmington • Ontario County, New York • Adopted August 23, 2016**

# Farmington Farmland Protection Plan



TOWN OF  
**FARMINGTON**



Town of Farmington • 1000 County Road 8 • Farmington, New York 14425

Adopted by the Farmington Town Board • August 23, 2016

Farmington Farmland Protection Plan  
By  
Town of Farmington

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Submitted in fulfillment of the requirements for the  
New York State Department of Agriculture and Markets State Assistance Contract #T800792

First Edition  
February 2016

Adopted by the Farmington Town Board  
August 23, 2016

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#### **Cover photos:**

##### *Middle:*

Margaret V. Miller and her brother are pictured *circa* 1900 standing among the celery crop of Mr. Verstraete, a Farmington grower.

##### *Bottom:*

A modern-day view of Bowe Farms from Hook Road in the Farmington hamlet of Pumpkin Hook.

—The Farmington historical photographs in this Plan are courtesy of Reginald W. Neale from his book *Farmington* (© 2011 Reginald W. Neale, Arcadia Publishing, Charleston, S.C.) Other photos are by Ronald Brand and John Robortella.

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## *Acknowledgements*

Funding for this Plan document was made possible through state assistance funds from the New York State Department of Agriculture and Markets. The document includes public input and participation including the Farmington Agriculture Advisory Committee and the Farmland Protection Plan Advisory Committee.

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A special thanks to the farmers and those landowners renting to farmers who took the time to participate in the two surveys conducted as part of this Plan process. Your knowledge and insights are greatly appreciated.

# Chapter 1

## Statement of Purpose, Vision and Objectives



*This sketch of the home of Farmington pioneer Daniel Arnold, located on Collett Road, is taken from an 1876 Ontario County atlas. Mr. Arnold was born in Farmington in 1800 and served terms as Town supervisor, commissioner of schools and county superintendent of the poor.*

### Introduction

**A**gricultural lands are irreplaceable. To maintain the economic viability, and environmental and landscape preservation values associated with agriculture, municipalities must explore ways to sustain our valuable farm economy and agricultural land base. External pressures on farm viability such as population growth outside planned areas and the extension of public infrastructure pose a significant threat and are the pressures over which farmers have the least control.

This Farmland Protection Plan (the Plan) provides a course of action to mitigate threats to productive agriculture soils and to promote viable farming operations within the Town.

### Vision Statement

The Town of Farmington values agriculture as an integral part of the local economy and environment, as a provider of locally grown food and essential agricultural products and as enhancing the quality of life for Town residents. The Town promotes a diversity of farm types, seeks the long-term preservation of farmland resources, supports the economic viability of the farming community and the profitability of each farm, and encourages the community to understand and support local agriculture. The Town seeks to proactively support agriculture by working to retain valuable farmland and resources that are essential to provide opportunities for agricultural businesses to be viable.

The Town intends to continue a predominantly agricultural and open rural character of the identified Strategic Farmland Protection Area (*see* Map No. 8 in Appendices); to minimize land uses that are incompatible with farming operations within this area; and to protect the more productive agricultural lands resources. Persons and entities not engaged in agricultural pursuits will be aware of the value of farming policy and practices.

Extensive areas of farmland possessing highly productive agricultural soils exist within the eastern portions of the Town (lands generally east of County Road 8). Given existing policy and zoning regulations, the area is characterized as favoring development and farmland fragmentation. To address these concerns, the Plan identifies and suggests farmland protection strategies as well as expanding the membership of and role of the Town's Agricultural Advisory Committee (the Committee). The expanded role of the Committee would include involvement in research, documentation and training in the areas of Purchase of Development Rights, Agricultural Conservation Easements, Transfer of Development Rights, Agricultural Zoning, Incentive Zoning, Sliding Scale Zoning, Conservation Density Subdivisions, Community Preservation Funds and Overlay Protection Zoning. By gaining expertise and experience, the Committee would then possess the expertise and diversity for making informed decision(s) for implementing farmland protection policy and participating in Comprehensive Plan updates.

The Plan also suggests to explore and establish a location within the southwest portion of the Town for a community farmers' market and to capitalize upon the regional setting and theme as "The Gateway to the Finger Lakes." By working with the Ontario County Agricultural Enhancement Board, an opportunity exists for other farm operations in the County to market their goods along the heavily traveled Route 332 Corridor. Finally, the Plan suggests the adoption of a formal outreach program that would target residents and nonresidents about agricultural issues and opportunities.

## Purpose

The purpose of this Plan is "to protect agricultural soils and promote viable farming operations in the Town of Farmington."

As part of the Town's ongoing planning program, the Town has updated its *Comprehensive Plan* on three occasions (1990, 2003 and 2011). The 2011 edition of the *Comprehensive Plan* contains a number of High Priority Actions for implementation during 2011–2015. Among them is the preparation and adoption of the Plan. The *Comprehensive Plan* is due for a scheduled update commencing in 2016. The Plan is intended to be an amendment to the 2011 Edition of the *Comprehensive Plan*. As such, when the *Comprehensive Plan* is updated later in 2016, the Plan will also be updated.

It is important to note that within the adopted *Comprehensive Plan*, the Town has already established four objectives (listed below) and action items (*see* Chapter 9) in regards to agricultural land use.

The *Comprehensive Plan* objectives include:

1. Land use and development regulations which address the special needs of farmers, including provisions which stipulate that farming activities take precedence over other uses in areas zoned for agriculture.
2. Productive agricultural lands remain in agriculture.
3. Agriculture environmental management practices that minimize contamination of the environment, erosion and surface water runoff.
4. A renewed diversified agricultural sector.

When adopted, the Farmland Protection Plan will effectively replace the Comprehensive Plan's objectives and action items regarding agricultural land use. Consequently, the new objectives and action items will become evidence of the Town's intent to effect specific change in programs, policies and land use regulations pertaining to agriculture.

## Discussion

The Plan recognizes that a critical mass of farmland resources and viable farming operations are influenced by economic and social factors that are outside the control of Town or County governments.

The intent of the Plan documents and creates a benchmark for the following:

- Natural farmland resource base;
- Various types of farming operations;
- More highly classified soils to sustain agricultural operations;
- Lands that are being actively farmed and owned by farmers;
- Lands that are being actively farmed, but rented or leased for farming purposes;
- Strengths, weaknesses, opportunities and threats to sustaining agricultural operations within the Town;
- Conversions of once active and productive farmland to non-agricultural use;
- Existing land use regulations affecting agricultural operations;
- Build-out analysis for the community;
- Analysis of land use controls (i.e., planning and zoning regulations) deemed necessary to protect our natural resources; and
- An action plan for development rights.

## Chapter 2 Executive Summary



The Town of Farmington is located in the northwest portion of Ontario County and has a population of 12,500 persons, which is an increase of 5.7 percent compared to the 2010 Census (11,825) (*source*: U.S. Census Bureau). The town has a land mass of 39.45 square miles (25,248 acres, of which a total of 11,606 acres of land is being actively farmed (46 percent) (*source*: Town of Farmington Assessor's Files). Over the last 20 years, there has been a 20.4 percent increase in residential growth, with the majority occurring within the southwest portion of the Town. Significant commercial and industrial growth occurs within this area and in close proximity to the New York State Thruway and State Route 332. Since 2004, active farm acreage within the town has declined by 13.1 percent (1,775 acres). Significant increases in development pressure threaten both the availability of farmland and farm viability within the entire Town.

### VISION

#### The Plan's Vision

The Town of Farmington values farming as an integral part of the local economy and recognizes the need to protect the more productive agricultural soils as an essential element of the environment, as a provider of locally grown food and essential agricultural products and as enhancing the quality of life for Town residents. The Town promotes a diversity of farm types, seeks the long-term preservation of the more productive farmland resources, supports the economic viability of the farming community and the profitability of each farm, and encourages the community to understand and support local agriculture. The Town seeks to proactively support agriculture by working to retain valuable farmland and resources that are essential for agricultural businesses to be viable.

The Plan identifies numerous farmland protection programs to be evaluated by the Town Agricultural Advisory Committee (TAAC) including Purchase of Development Rights (PDR), Transfer of Development Rights (TDR), Agricultural Zoning, Incentive Zoning, Sliding Scale Zoning and Community Preservation Funds. The Plan further recognizes that the Town desires to have a working knowledge of these programs as learning objectives and document the findings and applicability of these farmland protection strategies and tactics.

The Plan proposes opportunities for promoting agriculture as an industry (e.g., farm equipment dealerships; seed, grain, hay, straw and fertilizer sales; repair services; building, excavating and other contracting services; and trucking services) and recommends the promotion of Agricultural Tourism and a community farmers' market.

## Strategic Agricultural Lands Protection Areas

Map No. 8, in the Appendices to this Plan, is entitled “Farmland Protection Areas Map.” This map identifies the areas of the community wherein: there is a majority of productive agricultural land resources; there are viable farming operations deemed important to protect in order to sustain this sector of the economy; and there currently are no pressures for non-farm development. In order to protect these agricultural land resources and the viable farming operations the Town has committed to preparing this Plan to identify the Town’s purpose, objectives and implementation actions deemed necessary.

### Purpose

The purpose of this Plan is “to protect agricultural soils and promote viable farming operations in the Town of Farmington.”

In recognition of the importance of local agriculture, the Town of Farmington applied for and received state assistance funds to prepare a farmland protection plan (hereinafter referred to as the Plan). To the purpose of this Plan, an inventory was completed of local agricultural planning efforts, trends and characteristics of the Town based agricultural industry, Town code related to agricultural use, and trends in development. A Strengths, Weaknesses Opportunities and Threats (SWOT) focus group and a survey of both farm operators and farmland owners were conducted to describe perceptions and attitudes regarding farmland protection policy within the Town.

The Plan documents the perceptions and attitudes among farmers and farmland owners (Appendices I and II). Results suggest that a majority of respondents concur that the Town has productive soils, viable marketing opportunities, an abundant water supply and a strong agricultural heritage. However, respondents indicate concern regarding future farm viability in terms of regulation, succession planning, taxes, sufficient land base and drainage.

The Plan provides analysis of the inventory of farmland; farmland conversions by year (2004–2015); known interest to convert farmland; prime, significant and irreplaceable soils; and farm operations. Also documented are areas associated with drainage and surface waters adversely impacting farmland in the Strategic Agricultural Protection Area of the Town—the area east of County Road 8.

### Objectives

The following objectives are established for the Plan:

- Identify and recommend amendments to the Town Code to reduce unreasonable restrictions on agricultural lands and farm operations. Suggestions include more compatible definitions with the definitions found in Section 301, of Article 25 AA, of the New York State Agriculture and Markets Law; permitting value-added processing and allowing agricultural support businesses on farm parcels.
- Suggest farmland protection plan strategies and tactics identified above herein within the first five years for updating the FPP in 2021 and the ongoing updates to the Town *Comprehensive Plan*.
- Create and document information to implement a local guidance document to be used by the Town Board and Town Planning Board to help landowners, developers and the community better understand the importance of protecting viable agricultural soils and to minimize the impacts of non-farm development upon farming activities.
- Create and document information to protect agricultural land resources and promote farm viability.
- Adopt the Plan’s purpose, objectives and implementation actions as part of the *Comprehensive Plan* for the Town.

## Build-out Summary

Using a build-out analysis approach, additional factors associated with farm productivity, development pressure and retention of land in agriculture were described and analyzed. Data was provided by the Ontario County Department of Planning and Development and Real Property Services. Agricultural lands within the southwest corner of the town are the most likely to be developed within the next 10 years, when compared to other areas of the town. Within the next 50 years, full build-out will not occur in those areas where there exists the majority of prime and unique farmland soils if the 40,000-square-foot minimum lot size zoning requirement stays intact. However, if the predominant pattern of selling off large parcels of land is permitted—ranging in size of five to 20 acres—a full build-out is expected within the next 25 years given the current rate of farmland conversions.

An analysis of Town code suggests the need for numerous amendments and changes to outdated definitions, more clear and concise language regarding agricultural use, consideration of overlay protection techniques and more consistent language in regard to New York State Agriculture and Markets Law Article 25AA.

Upon completion of the preceding tasks, conclusions and implications were developed (Chapters 3 to 9) and form the basis for recommendations (Chapter 10) provided below. Achieving the plan's purpose of farmland preservation and farm viability will require implementation of the recommendations along with commitment of the town government and members of the community.

## Plan Implementation Actions Summary

1. **Approve the Plan**—an existing document is critical to create and guide an on-going program, that will protect farmlands and promote agriculture.
2. **Amend the *Comprehensive Plan***—link the town's ongoing comprehensive planning program with the Plan's official policy statements and implementation actions.
3. **Focus preservation and promotion efforts on lands in an agricultural district**—Seventy (70) percent of the Town's farmland has an agricultural district designation (Agricultural District #1). It is within this district that the majority of Prime and Unique Farmland Soils exist and where the majority of active farming operations continues.
4. **Farmland preservation and protection**—ongoing evaluation of alternative land use regulations and tax incentives are important to promote long-term solutions.
5. **Farm viability**—creating a program to protect viable agricultural soils is a priority and building a trust among farmers, landowners and government is a key for enhancing the viability of agriculture in the community.
6. **Amend Town Code**—change and update zoning code as highlighted in this Plan and begin a process so that future amendments reflect an awareness of the community's desire to promote and protect farmlands and farm operations.
7. **Education**—continue to encourage broad-based representation on the Town's Agricultural Advisory Committee and strengthen connections with all Town departments, boards and committees. Create a page and link on the Town's website for promoting agricultural products, farm stand locations, a farmers' market and activities such as "Fun on the Farm Days." Maintain and make available records of the Agricultural Advisory Committee and pending actions involving agricultural use.

- 8. Database maintenance and development**—on an annual basis, request the Agricultural Advisory Committee to review maps and information contained in this Plan for accuracy and relevance. When appropriate to do so, the committee will provide suggestions for changes and modifications in the form of a letter to the Town Board. By becoming more actively involved with pending development applications, the Agricultural Advisory Committee can provide additional insight to the Town Board and Planning Board on decisions impacting farmlands.

To accomplish the recommendations identified above herein, the following public participation actions, responsibilities and implementation dates leading to the adoption of the Plan are hereby established:

**Town of Farmington Farmland Protection Plan  
Public Participation Adoption Matrix**

<b>Action</b>	<b>Responsibility</b>	<b>Implementation</b>
Review of Preliminary Draft Plan	Agriculture and Farmland Advisory Committee (AFAC)	February/March 2016
Review of Preliminary Draft Plan	Ontario County Agriculture Enhancement Board and New York State Department of Agriculture and Markets	March/April 2016
Public Information Meeting	AFAC and Town Staff	April 2016
Final Editing of Draft Plan	AFAC and Town Staff	June 2016
Presentation to Town Board	AFAC, Town Staff, Town Board	July 2016
Plan Adoption	Town Board	August 2016

**Town of Farmington Farmland Protection Plan  
Action Matrix**

<b>Action</b>	<b>Responsibility</b>	<b>Implementation</b>
Comprehensive Plan Amended	Town Board, Ontario County Planning Board	August 2016
Application to NYSDAM for Town Code Amendments	Town Board/NYSDAM	September 2016
Chapter 117 Town Code Amendments	AAC, Town Staff, Town Board	September 2016
Town Agricultural Advisory Committee (AAC) Membership Change	AAC, Town Staff, Town Board	September 2016
Soils Protection Limitations	AAC, Town Staff, Town Conservation Board, Town Board	September/October 2016
Agricultural Infrastructure Mapping	AAC, Town Staff, Town Conservation Planning Board, Town Board	September/October 2016
Drafting Town Code Revisions	AAC/Town Board	September 2016– March 2017
Community Awareness, Signage and Notices	AAC, Town Highway Superintendent, Town Board	October/November 2016
Annual Report on Agriculture and Farmland Changes	AAC/Town Board	December 2016 and annually thereafter
Agricultural Economic Development (PDR, TDR, ACE, Report)	AAC, Town Staff, Town Recreation Department	January/April 2017
Intermunicipal Drainage Project	Town Board/County Planning	August 2016/August 2017
Adoption of Town Code Amendments	Town Board/County Planning	April 2017

## Chapter 3

### Farmland Protection Planning



*Lindley Gardner and his horse-drawn wagon are pictured at an abundant potato harvest in the early 1900s. Several crates of potatoes are already on the wagon. Prior to the development of modern equipment, the harvesting of potatoes and other ground crops was backbreaking manual labor. The Gardner home at 238 Hook Road is visible in the background.*

#### Introduction

Planning to protect farmland involves commitments from the farmer, the landowner and the municipality to cooperate in creating and implementing a program that: (a) identifies and provides criteria for protecting an agricultural land base; (b) identifies the diversity in the types of and location of agricultural operations within the community; (c) documents the varying degrees of soil productivity and establishes a rationale for protecting the more productive soils; (d) identifies the strengths, weaknesses, opportunities and threats in the municipality that affect the agricultural sector of the community; (e) evaluates the constraints to stimulating this important sector of the community; (f) creates a series of specific implementation actions that are prioritized; and (g) documents the roles and responsibilities for those that are deemed to be appropriate.

#### Protecting the Agricultural Land Base

Agriculture is dependent upon the availability of viable productive soils; otherwise the ability of farming to be viable is difficult.

New York State municipalities have long had the authority to regulate land use, the density of development and to adopt local laws for protecting the health, safety and welfare of the community. Municipalities have also been provided the authority to “protect their environment” by enacting environmental protection overlay district (EPOD) regulations that require additional levels of evaluation and mitigation measures before permitting development. Traditionally, EPODs include mapped areas of special flood hazard and fresh water wetlands, defined areas of steep slopes, established areas of mature forests, and scenic vistas.

Yet, with all this delegated authority from the state to local municipalities to regulate the development of land, the vast majority of municipalities continue to lack farmland protection plans. A principal reason for this observation may be due to a lack of understanding about the role local government in protecting the community's natural soils resource base and promoting farm viability. There has long been misunderstanding about the good intentions of local governments to protect viable soils resource base for farming (source).

According to the American Farmland Trust (2010), governmental policy can often reflect an imbalance of farmland generating and providing more net tax revenue than other types of land use. For example, farmland, forest and open lands cost local government services approximately 29 cents for every dollar of taxes required to provide public services to the different land uses. Only commercial land uses have a lower cost for local governmental services—26 cents for every dollar of taxes collected. However, residential land uses receive approximately \$1.27 in public services for each tax dollar that is collected. A number of cost of municipal service studies suggest the inequity in the cost for governmental services often contributes to misunderstandings about the need for local farmland protection policy and planning.

A variety of federal and state taxation programs have been established for the purposes of tax reduction on farmlands or forestland, on farm buildings, sales taxes and farm building restorations. All of these tax reduction programs, however, are generally dependent upon the size and productivity of the agricultural land base and farm viability.

### **Diversity in Agricultural Operations**

A factor in a farmland protection plan is the type and size of agricultural operations and locations within a municipality. At times, the land (soil type) required for field crop operations maybe different from land needed for maintaining hay fields or pasture lands. Land acceptable for dairy farming operations can be different from land necessary to grow fresh fruits and vegetable

Agricultural operations involve differing degrees of farming activities and intensity that may cause conflicts with other land uses, such as a single-family residential development fronting along agricultural land areas of the municipality.

Demand and supply for an agricultural product can be heavily influenced by market conditions and factors such as weather, climate and technology. Over time changes to farm operations and management practices can be expected and agricultural commodities will be characterized as having narrow profit margins and varying degrees of production risk.

### **Awareness of Soils Productivity**

The U.S. Department of Agriculture (USDA) identifies “prime farmland” as having soils with the best combination of physical and chemical factors to produce food and fiber. In Farmington, 47.3 percent of the different farmland type soils (11,963.5 acres) of a total of 25,246.6 acres of farmland soils is considered prime farmland. Map #2 on pages 81–84 identifies the locations of these farmland soils resources.

Prime farmland map units indicate that soil properties are only one of several criteria. Other considerations include: 1) *Land Use*—prime farmland is designated independently of current land use, but it cannot be areas of water or urban or built-up land. Map units that are complexes or associations containing components of urban land or miscellaneous areas as part of the map unit name cannot be designated as prime farmland; 2) *Frequency of Flooding*—some map units may include both prime farmland and land not prime farmland because of variations in flooding frequency; and 3) *Water Table*—some map units include both drained and undrained areas. Only the drained areas meet the prime farmland criteria.

Knowing the soil classifications by name and where they are located in the town may not be as critical as the specific attributes of a soil and its importance. Knowing the location of prime agricultural soils can be critical in the town's efforts to protect farmland from conversion to other non-agricultural uses.

Another important farmland soils classification is farmland of statewide importance. Though not as productive as prime farmland, if managed properly in accordance with “sound agricultural practices,” these soils are capable of producing fair to good yields. Approximately 12.9 percent of the farmland soils in the Town of Farmington are classified as farmland of statewide importance.

Whenever non-farm development of prime farmland occurs, the ability for that soil to produce food and fiber is lost forever. Understanding the location and role of prime farmland soils in the Town of Farmington will allow the land use decision makers to steer development away from this valuable and “non-renewable” natural resource.

### **Stimulating the Agricultural Sector**

Local governments are restricted in offering financial incentives (i.e., tax incentives or abatements). However, municipalities can influence fee and permit schedules to encourage agricultural land use and farm viability.

### **Constraints to the Agricultural Sector**

There are a number of identified constraints impacting farm viability. The following are not listed in any order of magnitude or priority:

- Town Code regulations that are outdated and not reflective of the needs for sustaining farming operations or protecting soil resources;
- Lack of drainage improvements to be implemented that are based upon a larger area than individual properties;
- Heightened awareness of the diversity and needs of agricultural operations;
- Federal and state labor policies and programs;
- Food Modernization Act;
- Lack of farm representation on local boards;
- Environmental Protection Agency regulations changes;
- State labor rules changes that have been made over time;
- Federal immigration policies affecting farm labor;
- Volatile energy costs (e.g., diesel and gasoline fuel, etc.);
- Volatile commodity prices;
- Animal Welfare Act;
- Lack of cost sharing;
- OSHA regulations;
- Traffic routes changing from state highways to local roads (concern with equipment movement and sufficient access);
- Nuisance suits (e.g., manure odors, manure in the road, etc.); and
- Lack of field access onto public highways (e.g., stone aprons).

### **Roles and Responsibilities**

As part of an ongoing comprehensive planning program, the roles and responsibilities for implementing the recommendations of the Plan will likely change as existing programs are modified or replaced. Therefore, the Plan should be viewed as being dynamic and not static.

## Chapter 4 Public Participation



*Black Brook Farm on Kyte Road in Farmington was the host location for the 2015 “Fun on the Farm” event sponsored by the Ontario County Farm Bureau with support from Wayne County, the Cornell Cooperative Extension, dozens of business and agricultural organizations, and hundreds of volunteers of all ages, pictured here. Several thousand visitors attended the event on September 26, 2015.*

The Farmington Town Board established a Farmland Protection Advisory Committee and staffed by the Town’s Director of Planning and Development and tasked with drafting the Plan. Membership included representatives of the Town Agriculture Advisory Committee (AAC), the Town Board, the Town Planning Board, the Town Conservation Board and a representative of Cornell Cooperative Extension. The Committee conducted a number of public meetings (workshops) open to the public which were posted in official Town publications. Minutes of these meetings were posted upon the Town’s website and filed with the Town Clerk. The AAC also reviewed and commented on a preliminary draft of the Plan and conducted a public information meeting prior to recommending a final draft. The final draft was submitted to the Town Board, to the Ontario County Agriculture Enhancement Board and to the County Planning Board for their review and comment prior to the Town Board conducting a public hearing and adopting the Plan.

### **Farmer/Landowner Meetings and Public Notifications**

Public notices of all workshops and the two surveys were provided to the Canandaigua (N.Y.) *Daily Messenger*, the Town’s official newspaper, posted upon the Town’s website ([www.townoffarmingtonny.com](http://www.townoffarmingtonny.com)) and posted upon the bulletin board at the Town Hall. Minutes of these public meetings continue to be posted upon the Town’s website. At each workshop meeting, public comments were solicited and entered into the record.

### **Farm Operators/Landowners Surveys**

During the summer and fall of 2014, a survey of both farmers and farm landowners was conducted to better understand the needs and circumstances of the agricultural community (farmers and landowners). These two surveys appear as Appendices I and II. Table 1 provides an overview of the common variables that were created from these two surveys.

**Table 1**  
**Survey Responses—Common Variables**

<b>Topic</b>	<b>Farm Operator Survey</b>	<b>Landowner Survey</b>
Number of respondents	25	64
Male	Not asked on this survey	46
Female	Not asked on this survey	19
Primary operator age: 29 or less	8%	0
Primary operator age: 30–39	0	3%
Primary operator age: 40–49	17%	14%
Primary operator age: 50–59	25%	21%
Primary operator age: 60+	50%	62%
Secondary operator age: 30–49	46%	—
Secondary operator age: 50+	54%	—
Average years of farming	42.5 years	—
Operations to remain same size	62%	—
Operations to increase in size	29%	—
Operations to reduce in size	8%	—
No changes made in five years	71%	—
Changes made in five years	29%	—
Rely on off-farm income	62.5%	—
Do not rely on on off-farm income	37.5%	—
Gross farm income more than \$1,000	37.5%	—
Gross farm income less than \$20,000	29.5%	—
Gross farm income \$25,000 to \$100,000	33%	—
Expenses \$100,000 or more	40%	—
Expenses \$25,000 to \$100,000	30%	—
Expenses \$1,000 to \$20,000	30%	—
Own 500 acres or less	86%	—
Own more than 500 acres	14%	—
Expect to farm 10 years or less	72%	—
Expect to farm 10 years or more	28%	—
Expect to transfer to family member	79%	—
Expect to transfer to new farmer/non-family	21%	—
Loss of Farmington farmland a problem	68%	83%
Loss of Farmington farmland not a problem	32%	14%
Ownership: Family or sentimental reasons	—	55%
Ownership: Current income or investment	—	23%
Ownership: Hunting, privacy, tax purposes	—	22%
Ag use: Land in use in the last five years	—	98.5%
Ag use: Land not in use in the last five years	—	1.5%
Lease agreement: Written	—	60%
Lease agreement: Verbal	—	31%
Lease agreement: Type unknown	—	9%

**Table 1, Continued**  
**Survey Responses—Common Variables**

Topic	Farm Operator Survey	Landowner Survey
Tenant: Importance as a family member	— —	79%
Tenant: Unimportant as a family member	— —	21%
Future: Agricultural use highly important	— —	61%
Future: Agricultural use semi important	— —	25%
Future: Other comments	— —	14%

**Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis**

**Introduction**

On October 30, 2013, a focus group was convened which was comprised of voluntary participants from the Farmland Protection Plan Advisory Committee and two town residents (farmers). Committee members serve on a voluntary basis and have experience and/or interest in agriculture. At least four committee members have a farming background; one member had extensive experience on environmental issues, two others members have experience as agricultural service providers.

**Research Questions**

Five questions were established to encourage the Committee’s SWOT Analysis discussion:

1. What things are you happy or satisfied with that are going on within the agricultural industry based in Farmington?
2. What are the problems, needs, and challenges that you see facing owners and operators of agricultural lands in Farmington?
3. What policies, zoning and building codes, regulations, laws, ordinances, and practices do you think should be changed, added or removed to encourage agriculture as a land use in Farmington?
4. Where do you get information from what’s going on with agriculture and farmland?
5. Where do you see the opportunities, stress and challenges the agricultural industry faces?

The following results are based on participants’ statements which were documented in the form of bullet statements on easel pad paper, meeting minutes provided by the clerk and an audio recording of the meeting provided by the clerk. Bullet statements and meeting minutes were documented and organized in the form of strengths and weaknesses (those factors considered to be controllable internally within the agriculture industry based in Farmington) and opportunities and threats (those factors considered to be external to the agriculture industry based in Farmington). Statements interpreted in more than one SWOT category are viewed as pivotal ideas or ideas that can be leveraged by the Farmington Farmland Protection Plan.

**Strengths** are positive tangible or intangible attributes that are interpreted to be within or in control of the industry. These attributes include: productive soils, agricultural heritage, younger generation ownership, estate planning, close proximity and easy access to urban markets, rail service availability, good transportation network, strong community support, active agricultural advisory committee, stable and strong agricultural base, increased agricultural productivity, new producers, stable municipal property tax, abundant quantity and quality of water, access to a strong agribusiness and regional network, energy conservation programs, confined development area within the Town and new markets being created due to development.

**Weaknesses** are factors within an industry's control that could interfere with it attaining its goal. Weaknesses included: school taxes involving multiple taxing jurisdictions, increased land values impacting farmland assessments, rising prices of agricultural land, drainage, lack of inter-municipal cooperation on drainage and development, lack of incentives for alternative energy, increasing traffic in developed areas, future availability of land (leased versus owned), succession planning, next generation becoming more distant from agriculture, community neglect and knowledge of agriculture, need to improve field access to minimize road debris, and placement of guardrails and signs on local roads.

**Opportunities** are those prospects external to the agricultural industry that may benefit the industry. One of those areas is based on closeness to markets and increased consumer interests in local foods, organic products and experiencing agriculture for entertainment purposes. Consumers have become more aware of the quality of the food they are eating, how food is produced, and the source of production. Other opportunities include building a relationship with Finger Lakes Community College, increases in commodity exports, abundant fertile soils, longevity of the Great Lakes Kraut operation, niche farming, agri-tourism and "buy local" programs.

**Threats** are factors outside the control of the industry which could place the goals of the industry at risk. One such threat is public perception of agriculture regarding animal welfare, labor policy, environmental policy and agricultural practices. Regulations at the Federal and State level involving labor, animal welfare, OSHA, Food Modernization Act, and compliance with environmental policy were all viewed as a threat to the viability of the agricultural community. Volatile energy costs and commodity prices were also viewed as potential threats to viability and long-term goals. Other threats included reductions in cost share funding by USDA and NYSDAM for compliance to environmental regulations, potential nuisance suits involving noise, dust and odors, truck traffic shifting to local roads, lack of farm representation on local boards, and lack of improved field access onto roads.

## Discussion

Strengths (internal) and opportunities (external)—when coupled together—are often considered as pivot or leverage ideas. Finding a synergy within the statements allow for action to advance the agricultural community. The SWOT Analysis comments, contained in Table 2 on the next page, can be condensed into several themes:

1. Supply and demand factors favor expansion of diverse and niche products and services;
2. Natural resource base (soil and water);
3. Agricultural heritage and viable business models;
4. A strong infrastructure enabling quick response and easy access to local and distant markets; and
5. Public interest in local food and agriculture

When combining factors involving weakness (internal) and threats (external) several themes emerge:

1. Public perception influences government programs and private purchasing agreements which lead to changes in production practices and marketing. Flexibility is required.
2. As landownership demographics change and/or land values increase, there is likely to be more reliance on leased lands resulting in an increase in uncertainty about future farmland availability.
3. Increased development pressure creates more pressure and utilization on community services and roads resulting in increased municipal costs and increased property taxes and fees for landowners.
4. Accounting for costs and risks associated with energy, production, regulations, land, water and infrastructure will require risk management strategies by farm operators and flexible public policy by the Town.

**Table 2  
SWOT Summary**

<p><b>Strengths (Internal)</b></p> <ul style="list-style-type: none"> <li>Productive soils</li> <li>Agricultural heriage, 3 to 8 generations</li> <li>Increase in younger generation ownership</li> <li>Increase in estate planning by families</li> <li>Close proximity to urban markets (Rochester, Syracuse, Buffalo)</li> <li>Rail service availability</li> <li>Good transportation network and roads</li> <li>Strong community support of agriculture</li> <li>Stable and strong agricultural base</li> <li>Increased agricultural productivity and profitability</li> <li>New markets for farm products</li> <li>Stable municipal property tax</li> <li>Diversity of agricultural operations</li> <li>Abundant quantity and quality of water</li> <li>Strong agribusiness and supplier network</li> <li>Energy conservation programs and rebates</li> <li>Confined development within the Town</li> <li>Development provides marketing opportunities</li> </ul>	<p><b>Weaknesses (Internal)</b></p> <ul style="list-style-type: none"> <li>Diversity in public school taxing jurisdictions</li> <li>School property taxes</li> <li>Increased land values impacting farmland assessments</li> <li>Rising prices of agricultural land</li> <li>Drainage in some areas</li> <li>Lack of inter-municipal cooperation on drainage and land use</li> <li>No incentive for sale of alternative energy</li> <li>Increasing traffic from new development</li> <li>Leased land vs. owned; unsure about future land availability</li> <li>Succession planning; families include to sell rather than transfer</li> <li>Shrinking generations of farmers</li> <li>Next generation more distant from agriculture</li> <li>Genetic drift potential; buffer plots required</li> <li>Community neglect and lack of knowledge of agriculture</li> <li>Improve field access to minimize road debris</li> <li>Guard rail placement and setbacks on local roads</li> </ul>
<p><b>Opportunities (External)</b></p> <ul style="list-style-type: none"> <li>Relationship with Finger Lakes Community College</li> <li>Great Lakes Kraut operations longevity</li> <li>Increase in commodity exports</li> <li>Abundant fertile soils within the Town</li> <li>Fresh water supply</li> <li>Public awareness of local food production</li> <li>Local food movement</li> <li>Growth in organic operations</li> <li>Setting and proximity to population centers</li> <li>Niche farming/agri-tourism/“buy local”</li> </ul>	<p><b>Threats (External)</b></p> <ul style="list-style-type: none"> <li>Federal and State labor policy and programs</li> <li>Federal immigration policies impacting labor</li> <li>State labor laws regarding overtime</li> <li>Food Modernization Act</li> <li>Lack of farm representation on local government</li> <li>Environmental regulations (EPA, DEC)</li> <li>Volatile energy and commodity prices</li> <li>Public perception of animal welfare</li> <li>Lack of cost sharing by government to meet environmental regulations</li> <li>OSHA regulations</li> <li>Increase in traffic and trucks on local roads</li> <li>Nuisance suits involving noise, dust and odors</li> <li>Public concern over agricultural practices and expansion plans</li> <li>Lack of improved field access onto roads</li> </ul>

## Chapter 5 Farmland Protection Plans and Policy



*Black Brook Farm, Kyte Road, Town of Farmington*

### Introduction

Besides a policy document that guides decisions at the municipal level, New York State Department of Agriculture and Markets also recommends that a farmland protection plan be adopted as an amendment to a Town’s adopted comprehensive plan. Thus a plan, when adopted as an amendment, becomes part of the municipality’s officially adopted document providing policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of a municipality. An important part of Section 272-a of New York Town Law requires periodic maintenance of adopted plans. Another important part of this section of Town Law is the significance of such adoption which includes:

1. All town land use regulations must be in accordance with an officially adopted comprehensive plan; and
2. All plans for capital projects of another governmental agency on land included in a local comprehensive plan shall take such plan into consideration.

### Ontario County Agricultural Enhancement Plan

The Ontario County Agricultural Enhancement Plan (AEP) was adopted by the Ontario County Agricultural Enhancement Board in September 2000. The AEP provides a multi-faceted, community-wide approach for creating a strategy for protecting agriculture and farmland in Ontario County and acknowledges that no single activity will provide the answer. An update to the AEP began in 2015 and continues into 2016.

The purpose of the AEP is to:

1. Create general awareness for the community leaders and the general public about the significance, challenges, and economic potential of agriculture in Ontario County;
2. Identify agricultural resources in need of protection and present appropriate farmland protection techniques; and
3. Present options to strengthen the economic vitality of agriculture and retain productive farmland.

The AEP notes that, “Many factors influence development and land use patterns in Ontario County. Among them are the physical characteristics of the environment, proximity to regional resources and markets, the economy and employment opportunities, transportation and other infrastructure systems, government regulations and community attitudes.”

The AEP also notes that for the Town of Farmington . . . “The transportation infrastructure of the

town and its proximity to Victor have made it the object of significant residential and commercial development, particularly in the southwest quadrant. The Route 332 corridor expansion links Canandaigua, the Thruway and Route 96 with Victor. The areas north of the Thruway are in close proximity to Perinton in Monroe County and Macedon in Wayne County, which are experiencing development pressure from the Rochester region. Farmers face the challenges of maintaining an agricultural land base, potential conflicts with neighbors and increasing land values.”

The AEP is an inventory of the diverse agricultural sector within the county and contains a number of policy statements, but no specific implementation actions. The AEP intent appears to create a heightened awareness about agriculture and a more defined role for the Agricultural Enhancement Board to serve as a resource and facilitator to local governments for providing direction and facilitating an overall collaborative strategy. However, since its adoption, there appears to be little effort in this regard. The need for an updated plan appears, in part, to identify priority lands within the county for farmland protection and thus to enhance their rankings in competition in the State’s Purchase of Development Rights Program. An additional important role for the AEP would be to create uniform land use regulations that could be adapted by local municipalities to meet their specific needs. Finally, another important role would be to stimulate the agri-tourism industry thereby stimulating local economic development programs.

Since the 2000 Agricultural Enhancement Plan, the Agricultural Enhancement Board has promoted through education outreach programs, an approach to subdivision regulations and zoning in priority agricultural area of a locality that separates the density calculation from lot size, facilitates proper location of residences on agricultural parcels, and protects agricultural infrastructure.

Technical assistance and educational outreach provided by the Agricultural Enhancement Board to local governments over the past 16 years regarding local land use planning and farmland protection. This has been provided by the Ontario County Agricultural Enhancement Board members, Planning Department and Cornell Cooperative Extension staff on a regular basis. Presentations and mapping and data have been provided to the Farmington Agricultural Advisory Committee on the topic numerous times over the years.

### **New York State Agriculture and Farmland Protection Programs**

Established in 1971, the State’s Agricultural Districts Program created agricultural districts based on a proposal from interested landowners (who collectively own at least 500 acres of land or 10 percent of the land proposed for a district) to their county (either Board of Supervisors or Legislature) to create a district. Local governments do not have a large role to play in the creation or renewal of these districts. A significant aspect of this program is the language and enabling legislation provided to reduce local taxes on farmlands from their “fair market values” to their “agricultural use value.” The program permits a landowner to receive an agricultural value assessment without the land being in an agricultural district. In addition, other key elements of this program are “right-to-farm” protections, taxation restrictions being imposed upon lands located within an established district for certain municipal improvements (i.e., sewer, water, lighting, non-farm drainage, solid waste disposal and other landfill operations), help to local farmers in zoning disputes or private nuisance lawsuits, and additional disclosure notices for new developments and public projects in agricultural districts.

New York’s Farmland Protection Program, established in 1996, provides state assistance payments to protect land for agriculture in counties and towns with farmland protection plans that have been approved by the New York State Department of Agriculture and Markets (NYSDAM) and adopted by local legislative bodies. Typically, the ranking of applications is done on a statewide basis with priorities given to projects that preserve viable agricultural land in areas facing development or conversion pressures. In addition, conservation easement projects are evaluated by:

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

### **Public Policy Infrastructure Act**

Perhaps the least understood and more recently enacted legislation at the state level for protecting farmlands is the New York State Public Infrastructure Policy Act, adopted by the State Legislature in September 2010. This legislation, in essence, restricts state agencies from approving, financing, or undertaking a project that occurs outside of the community's center of planned growth and development. The act specifies that state agencies (excluding NYSDAM) are mandated to advance projects that "... (4) protect, preserve and enhance the State's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas and significant historic and archeological resources." It is not clear why NYSDAM would be excluded from this requirement, especially when there could be a purchase of development rights application located within a defined growth area within a county or municipality.

### **Agricultural Infrastructure**

Development can adversely impact an agricultural infrastructure and farm viability. A way to account and mitigate adverse impact is to establish a formal process to consider abutting and adjacent farmlands during the site plan or subdivision review process. Although an agricultural data statement (305-a of the New York State Agriculture and Markets Law) is required for any application for a special use permit, site plan approval, use variance or subdivision requiring municipal review and approval on property within a New York State Certified Agricultural District containing a farm operation or property within 500 feet of a farm operation located in a developed use within 500 feet of an agricultural district, the following are suggestions to further strengthen the intent of this legislation at the local level.

- Site plan/subdivision review requirements should include mapping of agricultural surface and subsurface drainage systems, equipment access points, lane ways, etc., for the subject parcel and the adjoining parcels. Disruption of a farm title during construction of a single family home can ruin the drainage system of hundreds of acres of farmland.
- Requiring cross access easements for farm equipment to move between fields if compromised by a subdivision helps maintain viability and reduces the number of times farmers have to move equipment on public roads which is a known safety hazard.

### **Regional Economic Development Councils**

New York State has created a number of Regional Economic Development Councils across the state to identify priority regional economic development projects to be funded through the Consolidated Funding Application (CFA) process. The Finger Lakes Regional Economic Development Council's Strategic Plan identifies agriculture and food processing as a key sector in the regional economy. Therefore, it would seem logical that an important component for stimulating this "key sector" would be the creation of a regional farmland protection plan that would include, among other elements, identification of priority farmlands for purchase of development rights programs.

## **Federal Agriculture and Farmland Protection Programs**

There are a number of federal programs to help farmers and other farmland owners navigate a wide array of public programs available to reduce taxes as well as steward and protect their lands. Sources of information include but are not limited to the American Farmland Trust, the USDA Natural Resource Conservation Service, the New York State Department of Agriculture and Markets, the New York State Department of Environmental Conservation, County Soil and Water Conservation District Offices, Cornell Cooperative Extension Agencies and a number of land trusts.

## **Comprehensive Plans and Farmland Protection in Adjacent Municipalities**

Four municipalities adjacent to the Town of Farmington include the towns of Canandaigua, Macedon, Perinton and Victor. Three of these adjacent towns have updated their comprehensive plans within the last five years. Of these municipalities, the towns of Perinton and Victor have also adopted farmland protection plans within the last five years. The Town of Canandaigua is just beginning the creation of a farmland protection plan.

The towns of Perinton and Victor Farmland Protection Plans were prepared during the past five years by the same consultant and contain similar strategies for protecting agricultural soils and promoting viable farming operations. The strategies for these farmland protection plans include: enact policies for the purchase of development rights (PDR) on a priority basis; enhance planning board reviews of the impacts of non-farm development on farming operations; amend zoning and subdivision regulations to provide additional support to farming operations; promote agri-tourism, eco-tourism and niche farming; manage drainage to prevent ponding upon agricultural lands; and provide information to farmers and landowners regarding existing tax relief programs and private techniques to keep land in farming. The Town of Perinton has acquired the development rights to one farm located in the southeast portion of town. The Town of Victor has yet to acquire any development rights.

The Town of Macedon, in Wayne County, does not have an adopted farmland protection plan. Currently, during 2015, they are working to update to their comprehensive plan. The update to the comprehensive plan identifies areas where the Town would like to have conservation easements. The Town's goal is about 6,200 acres which is much less than the designated agricultural preservation areas identified on their "Draft Land Use Plan" map. In 2008, the Town, had acquired development rights on 11 farms, totaling 2,600 acres. These lands are clustered around the northern and eastern portions of the Village of Macedon.

The Town of Manchester has indicated a goal to enhance agricultural viability and protect the Town and the Village's agricultural land resources. Objectives include developing land use and development regulations to address the special needs of farming, reduction of major development in areas zoned for agricultural uses, productive lands to remain in agriculture, and encourage sound agricultural practices and appropriately scaled agricultural operations and activities.

The Town of Canandaigua, in Ontario County, in 2011 adopted the most recent update to their comprehensive plan. That plan contains a long list of recommended actions for establishing regulatory and economic framework programs that support the protection and continued development of agriculture. In their comprehensive plan a specific action step calls for continuing to assist local farmers through the purchase of development rights offered by the New York State Department of Agriculture and Markets. The Town, in 2016 is expected to commence another update to the comprehensive plan. To date within the town, there have been a total of three PDRs of farmlands totaling approximately 800 acres. Two of these PDRs have been completed and one is in the process. These PDRs are dispersed in various portions of the Town.

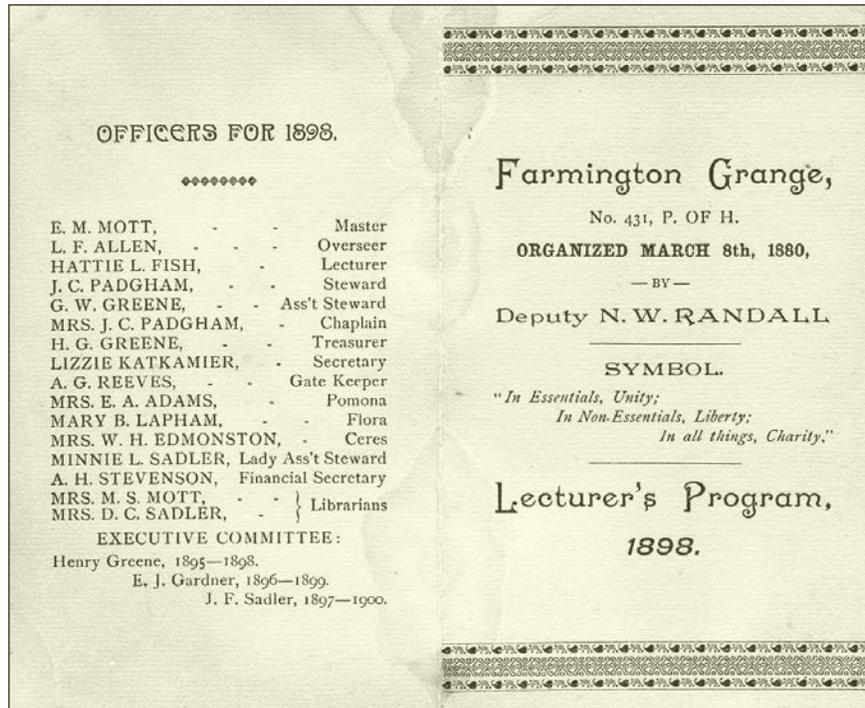
Similarity exists among all of the action statements contained in the planning documents for these towns. Therefore, creating an inter-municipal project to create model criteria and regulations for amend-

ing the municipal codes to protect agricultural soils and to promote viable farming operations would seem to be a logical next step. The Town of Farmington is committed to participating in such a coordinated effort and will support such a project.

### **Discussion**

Limited funding opportunities tend to restrict the abilities of local governments to effectively implement recommended actions such as code revisions. Nevertheless, this plan establishes a foundation upon which to build a model document with specific implementation actions. By identifying and understanding the purpose and objectives of farmland protection planning and policy of the neighboring towns of Victor, Perinton, Canandaigua and Macedon and Manchester, the Town of Farmington is enabled with the capacity to lead and participate in local and regional agricultural economic development efforts and program offerings.

## Chapter 6 Agricultural Lands, Operations and Infrastructure



The national and local Grange chapters were major social forces for agriculture. The Farmington Grange No. 431 Lecturer's Program for 1898 is pictured above with some well-known names.

### Status of Agricultural Lands\*

The Town of Farmington contains 39.45 square miles (or 25,248 acres) of land, making it the sixth largest municipality (in total land area) in Ontario County. During 2004, active farming operations existed on 53 percent of the Town's total land area, for a total of 13,381 acres. Since 2004, active farm acreage within the town has declined by 13.1 percent, or 1,775 acres, leaving a total of 11,606 acres being actively farmed (Farmington Town Assessor and Town Development Office data).

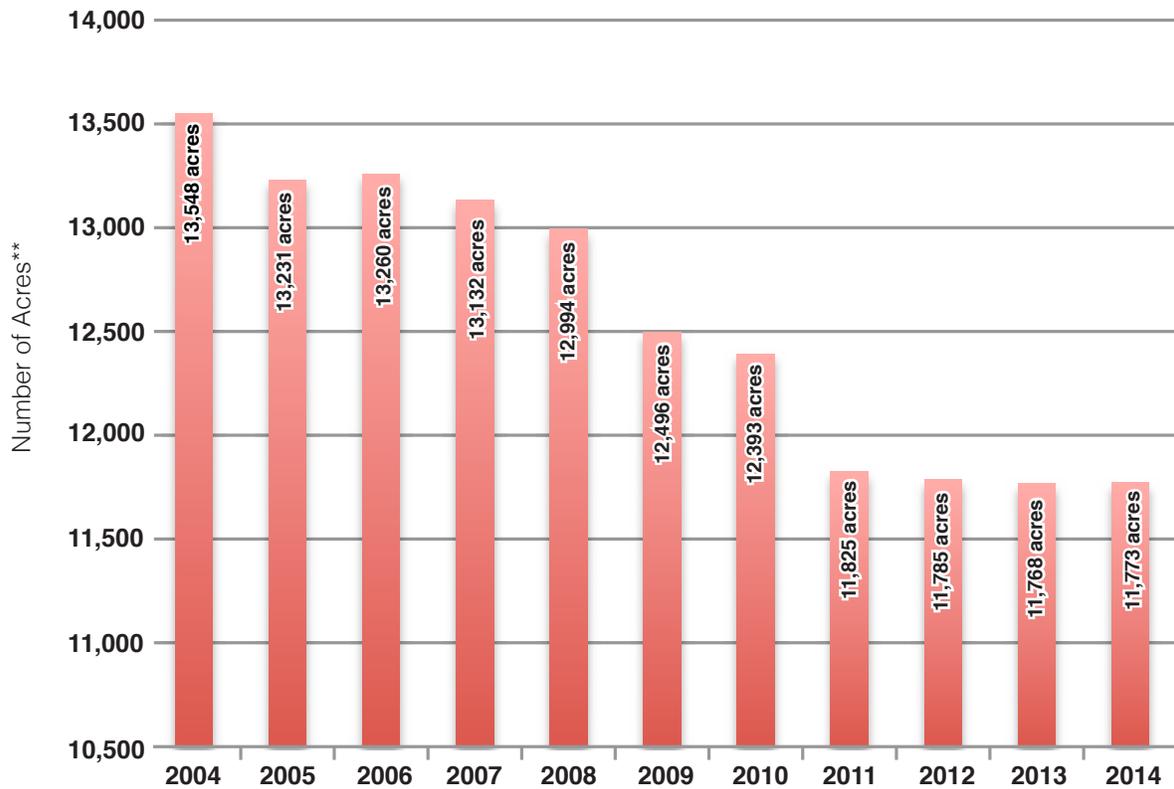
Table 1 on the next page highlights the conversion of active farmland acreage over an 11-year period (2004–2014). The two-year period 2004–2005 saw a decrease of 317 acres of farmland\*\*, while in 2006 there was an increase of 29 acres.

From 2007 through 2013 there was significant decline of 1,364 acres of active farmland from 13,132 acres to 11,768 acres. One of the major contributors to the decline of active farmland involved the sale of a total of 176 acres of land—the former Popenhusen Farmland—located along Sheldon Road and the north side of Fox Road (see Map No. 7 for location). In addition, the development of Auburn Meadows, The Estates at Beaver Creek and the Monarch Manor subdivision tracts, located in the southwest portion of the Town (see Map No. 7 for location), involved the loss of a total of 409.8 acres of what recently were active farmland.

\*1) Agricultural lands include lands characterized as currently or having been involved in an agricultural use and class coded as agricultural by the Town assessor. Agricultural lands may include field roads, buffers, woods, forestry programs, recreational uses and lands that are vacant. Agricultural lands may or may not be engaged in a commercial use.

\*\*2) Farmland generally refers to agricultural lands that are engaged in active farming (commercial use). Farmland is characterized as cultivation of crops, hay, pasture, outbuildings, greenhouses, etc., for the purposes of commercial commerce.

**Table 1  
Town of Farmington  
Acreage in Active Farm Operations  
2004–2014\***



\*Source: Assessor, Town of Farmington, October 2014

\*\*Number of acres rounded to the nearest acre

During 2014, there was a five-acre increase in farmland for a total of 11,773 acres. Farmland now accounts for 46.6 percent of the total land acreage in the Town (Farmington Town Assessor and Town Development Office data).

### Farmland Conversions by Year 2004–2015

Since 2004, a total of 1,775 acres of farmland has been converted to an industrial, commercial or residential use. A large majority (85 percent) of these conversions has been to a residential use occurring within the southwest portion of the Town. This residential area is west of State Route 332, south of the New York State Thruway (I-90) and extends to the Canandaigua and Victor town lines. This area contains public water, sewer and highways with enough remaining land base to meet the Town’s development needs for the next 30 years (*Town of Farmington Comprehensive Plan—2011 edition*).

Other farmland conversions have occurred within Agricultural District #1. For the most part, this farmland conversion acreage involves lands located along Green Road, Bowerman Road, Hook Road and Collett Road. Again, these lands are located within the Town’s existing drainage district (that area west of County Road 8) and along existing public water lines. The following list highlights most of the farmland conversions on a year-by-year basis (Farmington Town Assessor and Town Development Office data):

- 2007**—One hundred twenty-eight acres were converted which became the first two sections of the Auburn Meadows Subdivision Tract located along both sides of New Michigan Road, just south of County Road 41.
- 2008**—One hundred thirty-eight acres were converted to lots located in Section 3 of the Auburn Meadows Subdivision Tract, on the north side of the Canandaigua/Farmington Town Line Road and the Stonewood Subdivision Tract on the north side of Green Road.
- 2009**—Four hundred ninety-eight acres were converted to Section 4 of the Auburn Meadows Subdivision Tract, Phillips Landing Subdivision Tract (corner of County Road 8 and County Road 41) and the Whitetail Subdivision Tract (Sheldon Road).
- 2010**—One hundred-three acres fronting along Gateway Drive, south of the New York State Thruway, were converted to support the Saratoga Crossings Townhouse Project on Plastermill Road.
- 2011**—Five hundred sixty-eight acres were converted to Section 5 of the Auburn Meadows Subdivision Tract, the Estates at Beaver Creek Subdivision Tract (Canandaigua–Farmington Town Line Road), Mercier Incentive Zoning Tract (both sides of State Route 332, south of State Route 96), Bowerman Road Subdivision Tract and the Herendeen Estate on Hook Road.
- 2012**—Forty acres were converted to subdivision tracts at the corner of County Road 8 and Martz Road, the corners of State Route 96 and Payne Road and frontage lots along County Road 28.
- 2013**—Seventeen acres were converted along County Road 41 to the Service Steel Warehouse Project and land transfer to an adjacent residential site.
- 2014**—Five acres increase in active farmland at the southwest corner of State Route 332 and Collett Road.
- 2015**—Forty-nine acres of farmland, located on the east side of Hook Road and south of Collett Road, proposed to be converted to the Hickory Rise Subdivision Tract.

### **Intent to Convert Farmland**

There continues to be conversion pressure on farmland. Both a landowner and a developer propose the conversion of a large parcel of farmland (approximately 135 acres) located along the south side of Brownsville Road, east of Crowley Road and along both sides of a portion of Weigert Road. The proposed project could yield a maximum total of 145 single-family lots given existing zoning. The proposal requires connection to the sanitary sewer force main located within the highway rights-of-way along Bowerman Road and Weigert Road. This sewer force main was installed by a private developer of the Stonewood Subdivision Tract located along the north side of Green Road and did not involve any public funds. A restriction was established by the Town Board, based upon a condition of approval from the New York State Department of Agriculture and Markets, that there would not be any lateral tie-ins to the force main while lands remained within an established County Agricultural District.

The Town has a further restriction which prohibits extension of public sewer service along this area and other areas adjacent to the existing sanitary sewer district (Stonewood Sewer District). The restriction prohibits tie-in to the sanitary sewer line in this area as long as there continues to be land remaining in the county's Agricultural District. Also, the Town's adopted *Comprehensive Plan* (2011 edition) prohibits any further sanitary sewer service extension in this area until a detailed analysis has been provided of existing development needs in the various subdivision tracts located in the northwest portion of the Town. The policy prioritizes the subdivision tracts known as Briarwood, Sweet Brier, Green Brier, Briar Patch, Regency Park, Old Mill Estates, Sunset and Galvin Court to tie into existing sewer service provided by the Stonewood Sewer District. However, it allows for a detailed engineering report to be prepared by anyone

desiring to extend sanitary sewer service. Such a report requires proof that there is additional capacity in the existing sewer line to accommodate one or more sites outside the above listed neighborhoods.

### **Prime Farmland\* and Soils of Statewide Importance**

Map No. 2, located in the Appendices to this report, consists of four different drawings. For planning purposes, the Town is divided into four quadrants. In addition to the delineated soils classifications (U.S. Department of Agriculture Soils Mapping Classifications), the drawings identify the types of farming operations as of 2014.

The Town contains a total of 11,963.5 acres of classified “Prime Farmland” (or 47.47 percent of the total land area). The drawings indicate that approximately 25 percent of this land (or approximately 2,990 acres) has been developed for residential tracts, commercial and industrial sites and for the construction of the New York State Thruway, the Lehigh Valley Railroad line and the New York Central Railroad line.

Based on the drawings, a total of 3,267.4 acres of classified lands of “Statewide Importance” (or 12.9 percent of the total land area). Unlike the conversion of “Prime Farmland” the “Soils of Statewide Importance” have seen a loss of approximately five percent in total land area to non-farmland use.

Category 3 is “Not Prime Farmland” and contains a total of 5,580.3 acres of land (or 22.1 percent of the total land area). Like the conversion rate of “Soils of Statewide Importance,” the “Not Prime Farmland” rate of conversion has been approximately five percent in total land area to non-farmland use (*see* Map No. 2, Appendices to this plan).

The fourth category identifies a total of 4,435.4 acres of land (or 17.56 percent of the total land area) as being potentially classified as “Prime Farmland” if drained.

### **Conclusion and Implication**

The combined total of existing “Prime Farmland” soils and this category of soils which if drained would be classified as “Prime Farmland” soils is 16,398.9 acres of farmland (or 65 percent of the total land area). The majority of these soils are located in the southwest and southeast portions of the Town. Approximately 15 percent of these classified soils involve land subdivision tracts including Farmbrook, Auburn Meadows, Beaver Creek Estates and Monarch Manor subdivision tracts. Reducing the total acreage for this soils category by 15 percent leaves approximately 3,770 acres of land that would still be eligible to benefit from drainage improvements.

The Town has one drainage district located west of County Road 8 and it has been in existence for over 30 years. Efforts to extend this district have met with strong opposition from farmland owners. As part of this farmland protection planning project, the Advisory Committee again discussed the idea but never reached consensus on how best to approach this long standing issue until November 2015 when the update to the Ontario County All Hazards Mitigation Plan (a Federal Emergency Management Agency-funded [FEMA] project administered by Ontario County Planning Department) identified a priority action item calling for an inter-municipal drainage study to be conducted within the towns of Canandaigua, East Bloomfield, Farmington, Manchester and Victor. Such an inter-municipal drainage study would be funded by FEMA and administered by the county. Participation would involve representation from the five municipalities (Ontario County All Hazards Mitigation Plan Update—2015). The benefits of addressing drainage issues and problems on a larger drainage divide area would include identifying constriction to moving flood waters, as well as opportunities for identifying drainage structure improvements and an additional 3,370 acres of land being reclaimed as Prime Farmland Soils.

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\*Prime Farmland may or may not be engaged in a commercial use.

## **Agricultural Areas with Minimal Non-Agricultural Development**

Map Number 7, located in the Appendices to this Plan, entitled Farmland Conversion Map, May 2015 identifies parcels converted to non-agricultural use. Of the four quadrants of the Town, the northeast and southeast portions are areas where there has been, and where it is likely to be, minimal non-agricultural development. This conclusion is based upon a number of factors affecting further non-farm development that include the high percentage of large tax map accounts within these two quadrants, the lack of quality of the soils to accommodate on-site waste water treatment systems, the lack of public water and sewer service, the distances from commercial centers and the land ownership patterns (primarily owner operated farmlands). In addition to these factors, the majority of these two quadrants are served by the Palmyra-Macedon Central School District and the Red Jacket Central School Districts, in which school taxes have historically been higher than in the other two central school districts located in the western portions of Town.

## **Inventory of Agricultural Operations**

The following is a summary based on the survey of farmers and farmland owners conducted during 2014 and 2015:

**Tenure:** At least half of the farm operators have been farming for more than 47 years and engaged in conventional agriculture including field crops, hay and animal enterprises. Almost one-third of these operators intend to farm for the next 10 years or less. A majority did not have knowledge about how long their family would be farming in the future, but had expectations of transferring the farm operations to a family member. Approximately one-third of farm operators rely on off-farm income and have gross farm incomes of significantly less than \$100,000.00.

**Economics:** A majority of farm operators indicate little or no change to their operations in the past five years or significant changes within the next 10 years. Most farm operations rely on agri-businesses located within 50 miles of their farm. Significant expenses identified include feed costs, taxes, repairs, energy and fertilizer.

Drainage has an adverse impact on a majority of farm operators and farmland owners limiting the productivity of the land. Other economic issues include lack of labor, equipment, agricultural-related support and non-farm neighbors. Both surveys indicated three factors to promote the viability of farming within Ontario County:

1. Low pressure from development;
2. Long-term conservation of land; and
3. Proximity to agricultural services

**Leased Lands:** Overwhelmingly (97 percent) of the landowners surveyed have been leasing farmland for over 40 years and half are over the age of 60. Land ownership is predominantly in the form of sole ownership or joint tenancy. Thirty-five percent do not anticipate leasing their land beyond the year 2024. The majority of the land being leased is considered tillable, while only a slight majority of landowners have a written agreement with their tenant.

## **Drainage and Surface Water Issues**

Map Number 8 in the Appendices to the Plan, entitled Drainage Districts and New York State Department of Environmental Conservation [NYSDEC] Wetlands, delineates a total of six major drainage areas.

They include the southwest corner of the Town in which is located the Mud Creek and Beaver Creek drainage divides, the northwest corner of the Town in which is located the Ganargua Creek and Trap

Creek drainage divides, and the large area of the Town east of County Road 8—an area affecting approximately two-thirds of the total Town land area—in which are located two major drainage divides—the Padelford Creek and Black Brook divides. This eastern portion of the Town lies outside of any established drainage district. It is within this area that all drainage improvements remain the responsibility of the individual property owners.

An important benefit of a drainage district is the ability to levy taxes to pay for the maintenance of the moving waters through the drainage area. However, the cost for providing these drainage improvements, and then the ongoing maintenance of the drainage channels within the district, are major constraints.

The soils analysis conducted as part of this Plan suggests that over 3,000 acres of land located within the Town could benefit from being included within a drainage district. The benefit would be the reclassification of the soils to “Prime Farmland\*” soils. The majority of those affected farmlands are located in the southeast quadrant of the Town.

During 2015, Ontario County completed an update to its All Hazards Mitigation Plan which identified a priority action item that would benefit the farm landowners, especially those located within the southeast quadrant of the Town. That action item recommends that a federally funded inter-municipal drainage study be conducted, administered by the County, and involving the towns of Canandaigua, East Bloomfield, Farmington, Manchester and Victor. Such an inter-municipal- drainage effort would identify the measures to be undertaken to remove constrictions to the flows of waters through these municipalities, including the six major drainage divides located within the Town of Farmington.

By identifying both the constraints to water flows and the funding opportunities to mitigate these flooding hazards, there would be an opportunity to explore possible expansion and/or establishment of additional drainage district areas, including any such areas within the Town. Such an inter-municipal study would be helpful in determining if it makes economic sense to make drainage improvements which, in turn, would improve the quality of the soils for agricultural production.

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\*“Prime farmland,” as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland or other land, but it is not urban or built-up land or water areas. The soil quality, growing season and moisture supply are those needed for the soil to economically produce sustained high yields of crops with proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

“Unique farmland” is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be “farmland of statewide importance” for the production of food, feed, fiber, forage and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate state agencies. Generally, this land includes soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by state law.

## Chapter 7

### Critical Issues Impacting Farm Viability



*Charles H. Gardner (waving to the photographer) and his wife Clara are pictured in this 1910 photograph with their apple-drying house in the background. Before commercial refrigeration was widely available, forced hot-air drying was used as an alternative to preserve fruit. Other individuals who have been identified in the photo are Ernest Crocker, Adelia Powers and Ann Elizabeth Markham.*

#### **Farm Viability**

**V**iability, according to the *Merriam-Webster Dictionary*, is “the ability of a business, product or service to compete effectively and to make a profit.”

Farming is a business that is continually challenged to remain viable in today’s economic climate and is often dependent upon a number of factors all of which, however, are based on having a sufficient availability of productive agricultural soils.

Most of the factors affecting farm viability are beyond the control of town government such as climate, market conditions, energy costs, feed costs, repairs and maintenance costs, transition plans, school taxes, etc. However, there are factors affecting farm viability that the town can have either a direct and indirect role in playing. These factors include: zoning and land use regulations that protect and promote agricultural operations; right to farm legislation intended to minimize nuisance issues with non-farm land owners; reasoned elaborations of the impacts of proposed actions under the State Environmental Quality Review (SEQR) regulations, upon established agricultural lands; support for county agricultural districting programs; maintaining town highways for use by farm equipment; and compliance with the provisions in the State Agriculture and Markets laws.

#### ***Farm Viability According to Farmers:***

The following sections of this chapter includes information on farm viability in Farmington that was obtained from farmers and landowners renting to farmers who participated in the survey that was conducted as part of this Plan effort, in 2014.

***Methods of Farm Operations:***

The survey of farm operators, a part of this Plan exercise, found that over 98 percent of the farm operations were engaged in conventional methods including field crops, hay and animal enterprises (e.g., dairy, beef, horses, etc.). The remaining 2 percent were identified as niche enterprises that included organic (but not certified) vegetables, poultry, maple products, hops, Christmas trees and greenhouse operations.

***Summary of Farm Operations:***

The survey indicated that 62 percent of the farmers expect their farm operations to remain the same size for the next 20 years, while another 29 percent indicated an increase in size through diversification, new customers, adding land and increasing animal numbers. The remaining 9 percent expect to reduce their farm size by selling or renting their farmland to others.

***Changes in Farm Operations and Incomes:***

A majority of the farmers surveyed (71 percent) indicated they had not made any changes to their operations over the past five years to become more competitive. The remaining 29 percent indicated they had made changes to their operations by increasing their herd size, purchasing new and updated equipment and machinery, use of no-till, and other infrastructure improvements in their business.

Based upon income, a majority (62.5 percent) of the responding farmers relied upon off-farm income, while the remainder (37.5 percent) did not. Gross incomes for one-third (33 percent) of the farmers surveyed ranged from \$100,000 to over \$500,000. Slightly more than one-third (37.5 percent) of the responding farmers reported gross incomes of more than \$20,000 and less than \$100,000. The remaining 29.5 percent of the farmers surveyed indicated making less than \$20,000 in gross income.

***Farm Operator Expenses:***

Forty percent of the farmers responding reported yearly expenses of \$100,000 or more. Approximately one-third (33 percent) reported expenses ranging from \$25,000 to less than \$100,000. The remaining twenty-seven percent (27 percent) reported expenses ranging from \$1,000 to less than \$25,000. A majority of the respondents identified feed costs, taxes, repairs and maintenance, energy (fuel), seeds and plant nutrients as major costs associated with farming operations.

***Land Ownership:***

Eighty-six percent (86 percent) of the farmers responded stating they owned less than 500 acres, while three-quarters (75 percent) of the farmers stated they rent up to an additional 500 acres of land that they own. The majority of farmers (approximately 60 percent) indicated that their farmland could be described as tillable, followed by approximately thirty percent (30 percent) who indicated the balance of their lands were woodland. Of those renting farmland, over 90 percent of the respondents indicated that the land they rent was mostly tillable. Finally, only two of the farmers responding to the survey stated that they had sold land for non-farm development purposes.

***Future Plans to Continue Farming:***

Seventy-two percent of farmers replying to the survey expect to farm for only 10 more years, or less. When comparing this to the 50 percent of the farmers who replied stating that they had been farming for at least 47 years or more it becomes more apparent why there is such a high percentage of those indicating that ten more years would be their limit for continuing to farm.

***Description of Rented Land:***

Many of the farmers in town, as well as farmers from adjacent municipalities, rely on rented land to support their operations. Issues identified in the survey relating to rented land that there is increasing competition from farmers and local agribusinesses for the available land; and the vulnerability of the available rented land to conversion.

Farmers who lease land prefer to make arrangements for land nearby their own, however, there are some farmers who travel distances depending upon the quality of the land, the annual land rental, or the configuration of the parcel. Some farmers are able to negotiate a long-term lease on rental, while others are required to renew their agreements annually. Appendix I of this Plan identifies the Leased Farmland Survey Analysis. This appendix finds that only 60 percent of the respondents have a formal written agreement to lease land for farming purposes.

***Characteristics and Future of Leased Farmland:***

A majority of the landowners (55 percent) own farmland for either family or sentimental reasons while 23 percent own farmland as a personal investment. The remaining 22 percent own the land they are renting primarily for the purpose of hunting, tax benefits, open space and other personal use.

A total of 98 percent of those renting land indicated the land was in an agricultural use during the past five years. A total of 3,622.37 acres of land being rented were being used for farming during this period. Sixty percent of the respondents indicated having a written lease agreement, while 31 percent only had a verbal agreement. The remaining 9 percent did not know whether there was any formal agreement or not. Only one landowner reported placing property restrictions upon their land in the form of a conservation easement program.

A total of 86 percent of the respondents indicated an interest to continue leasing lands to farmers. However, only 35 percent indicated they were only expecting to do so for the next 10 years.

A total of six landowners (9 percent) indicated that they had sold land within the last 10 years. Two of the six had sold land to another farmer. The remainder had sold land to others for non-farm use. A total of 61 percent of the respondents indicated that it was highly important to keep their land in an agricultural use, while another 25 percent indicated that it was semi-important to keep their land in agricultural use

The survey asked for multiple responses for suggestions to strengthening farming:

- 98 percent identified the need to further reduce property taxes;
- 66 percent want a more defined advocate to be established on behalf of farmers;
- 58 percent want the town to develop stronger land use policy protection measures for agricultural lands and operations;
- 52 percent stressed the need for programs for young and beginning farmers;
- 52 percent stressed the need for further changes to farmland assessment practices;
- 44 percent identified a need to further promote sustainable and locally grown agricultural products; and
- 42 percent identified a need to promote agricultural economic development.

***Loss of Farmland:***

A total of 83 percent of the landowners surveyed reported that the loss of farmland is a problem for the Town of Farmington. Another 14 percent reported that the loss of farmland is not a problem for the Town of Farmington. The remaining 3 percent did not respond to this question.

### ***Continued Farming:***

The survey asked for multiple responses for suggestions to be implemented that would promote continued farming in the town:

- 94 percent identified the need to lower the pressure for non-farm development of lands being rented;
- 83 percent want long term conservation of agricultural lands;
- 83 percent want stronger soil and water conservation programs to protect farmlands;
- 37 percent want there to be closer proximity to markets;
- 29 percent want closer proximity to agricultural services;
- 26 percent want improved public infrastructure (e.g., public water); and
- 23 percent want more public funding of programs to maintain farming operations.

### ***Changes Identified in Farming:***

The respondents identified the need for changes to be made in the production of more organic crops. Also identified was the threat of continued development pressures on farmlands that would result in fewer but larger farm operations and the threat of spiraling property taxes (primarily school taxes). Finally, there will be an increased reliance upon improved technology to sustain farming in our community.

### ***Encourage Farming:***

The landowners surveyed identified several themes about what actions town government could take to ensure their land would continue as part of a working farm. These themes included: promoting agriculture and local farmers, limiting the sprawl of development into established agricultural lands, supporting local food movement, lowering of property taxes, strengthening of relationships between landowners and farmers and implementation of a purchase of development rights program.

## **Conclusions**

A majority of those landowners replying (61 percent) identified that it was highly important to them to keep their land in an agricultural use, citing that their tenants were considered to be good stewards of the land. Sixty-five percent of the current landowners anticipate leasing their land beyond the year 2024 while 35 percent do not anticipate leasing their lands beyond 2024.

Contributing to their belief that keeping their land in an agricultural use beyond the year 2024 was a majority identifying a good personal relationship with their tenants. Most of the land being leased (86 percent) is considered tillable. It was reported that only a slight majority of the landowners (52 percent) have a written agreement with their tenant.

For the future, most landowners indicated that maintaining low property taxes, lowering the development pressure for converting farmland to non-farm use, creating favorable agricultural policies and creating a local advocacy group for farmland protection measures are important. Implementing long term conservation measures for the protection of farm operations and farmlands were the most important action the town could create which would, in turn, encourage continued agricultural land use.

The landowners did not indicate that agricultural economic development opportunities are important issues for the Town.

## Implication

Over the past 10 years, there has been a reduction in the number of dairy farming operations within the town. Some of the former dairy farmers have converted to growing field crops, vegetables and grain. Another former dairy farmer has converted to beef cattle. However, there is one dairy farmer who continues to increase the size of his dairy operations. As with any business operation, careful planning and strategic investments can have positive economic returns that demonstrate there is viability of farming within the town. Other changes in agricultural operations within the past 10 years have been an increase in the number of horse farms and stables, with over 50 such operations now in existence. Some of the horse farms are used for stables for thoroughbred horses awaiting the availability of racing stalls on the grounds at the Finger Lakes Racing and Gaming facility. This recent increase in horse farms is due in part to the success of the gaming operations at the Finger Lakes Gaming and Racing site, which is owned by Delaware North. Over two million people visit the facility annually, which in turn has enabled the owner to provide large purses for the horse-racing season. Hopefully, the recent decision made by the State Gambling Commission to license a new gaming casino in nearby Seneca County will not have a negative impact upon the established Finger Lakes Racing and Gaming Facility. If this identified issue becomes reality, the secondary impacts upon local farming operations would be potentially significant and adverse to both Delaware North and to the local farming community.

Another factor impacting agricultural operations and activities within the Town has been the significant decline in kraut cabbage production. Much of the acreage originally contracted by Great Lakes has been leased to two non-resident farmers for growing grain (corn, soybean, wheat) crops.

Other agricultural operation changes occurring within the town include the start-up of small organic vegetable farms, direct marketing of organic produce to farm markets within the region, an increase in the number of local farm stand operations and the introduction of the growing of hops for local breweries. Interestingly, the increase in the Town's population as the result of planned developments, occurring primarily within the southwest portion of the town, has generated a significant increase demand for locally grown "fresh" food products such as vegetables, fruits and animal products, and for a growing niche in products such as pasture raised meat and organic products.

## Chapter 8 Build-out Analysis



*A. B. Katkamier is the gentleman supervising the picking of string beans circa the early 1900s in this Farmington field. Back then, a hat, collar and tie—even when working in the field—was customary attire. Harvesting was a family effort: men, women and children all pitched in.*

### **Basis for Projecting Development Areas**

Projecting development within the Town has been accomplished as part of the 2011 Edition of the adopted *Town of Farmington Comprehensive Plan* (Figure 10, “The Future Land Use Plan Map”) and is posted on the Town’s website ([www.townoffarmingtonny.com](http://www.townoffarmingtonny.com)). Depicting land use patterns and the Town’s vision for future land use needs (next 20 years), the map is based upon criteria identified in New York State Town Law, Section 272-a and reflects extensive public participation.

The map identifies the two key components for the planning: natural resources (e.g., active farmlands, wetlands, floodplains, drumlins, forests, etc.) and man-made improvements (i.e., roads, water lines, sewer lines, parkland, residential neighborhoods, commercial and industrial locations, etc.). These components were then evaluated based upon the population projections for the community for the planning period.

This work documents the community center as being an area south and west of the intersection of State Routes 96 and 332. It also identifies the southwest quadrant of the community, generally the areas south of the Thruway and west of County Road 8, where the Town’s established long-term commitment to development is identified. The remainder of the Town is identified for promoting economic growth and protection of established active farmland operations and productive soils used in support of these operations. The vast areas of rural residential development and active farmlands occupy approximately eighty percent (80%) of the total land area and are documented in the Plan.

### **Foundation of Past Development Decisions**

The Town’s development pattern is heavily influenced by the public investments and decisions that have been made by federal, state, county and Town governments through grant funding programs; and as the result of legislation affecting land use both past and current. Decisions have set the development pattern. A few of the key determinants include Exit 44 of the New York State Thruway, the Finger Lakes Racing and Gaming facility, the Farmbrook Planned Subdivision Tract, the Fairdale Glen Planned Subdivision Tract, the New York State Police Troop E Headquarters, the Town’s Sewage Treatment Plant, the Doe Haven Subdivision Tract, Calm Lake Planned Development Tract, the Auburn Meadows Subdivision

Tract, the State Route 332 Highway Project, and numerous others. Other key determinants include: 1) the placement of public water service; 2) the route chosen from Canandaigua Lake to the developing areas of the Town; and 3) the construction of the sewer treatment plant located in the town of Victor, adjacent to a body of water. All of these projects (with the exception of the sewage treatment plant) and infrastructure are located within the southwest quadrant of the Town.

### **Understanding of Current Development Trends**

The Town Code Enforcement Officer provides annual reports to both the Town Board and the New York State Department of State. These reports indicate the Town is the fastest growing residential community within the eight county regional area known as the Genesee/Finger Lakes Region of New York State. For the past five years, over 100 building permits have been issued for new single-family dwelling units per year. Currently, the Town has an inventory of slightly over 700 approved residential building lots, with the majority of those lots located within the area north of the Town Line Road and east of New Michigan Road. Contributing to this trend are the major highways bisecting the Town (e.g., Interstate 90 (Thruway) and State Routes 96 and 332). The location of these heavily traveled inter-state and regional highway facilities provides the Town high accessibility and visibility to thousands of travelers daily. The latest traffic counts from the New York State Department of Transportation find over 26,000 daily (Monday–Friday) use State Route 332 and over 14,000 vehicles use State Route 96. During 2011, more than 1.7 million persons visited the Finger Lakes Racing and Gaming Facility.

### **Coping with Growth**

To cope with growth, the Town in 2011 adopted an update to the 2003 Edition of the *Comprehensive Plan* which recommended funding for a farmland protection plan to become part of the adopted Plan. While the extent of growth occurring is alarming to some, the Town has continued to restrict such development to the southwest portion of the community. The Plan identifies additional lands for development within this portion of the community that is felt can accommodate the continued rate of growth for the next 20 years. Thus, the impact of this continued growth upon the community's land based agricultural sector will need to be monitored during this period to sustain and protect the established agricultural and rural residential areas.

New York State Town Laws require land use regulations and programs to be consistent with a Town's officially adopted comprehensive plan. A farmland protection plan is expected to be made part of the adopted *Comprehensive Plan* and maintained as part of all subsequent updates to the *Comprehensive Plan*. Therefore, specific goals and objectives focus upon stimulating the Town's land based agricultural resources with programs and regulations that are necessary to promote the Town's social and economic qualities.

Since 1980, the Town has zoned over three-fourths of the Town's land area as either Agricultural or Rural Residential zoning districts (A-80 and RR-80). The distinction between these two zoning districts is whether public water service is available and whether proposed lots could exist on conventional septic systems (on-site waste water treatment systems). In both instances, the minimum lot sizes range from 40,000 square feet to 80,000 square feet. As part of the latest update to the Town Comprehensive Plan in 2011, the Town Agriculture Advisory Committee was asked to identify a desired lot size. Their response was to support the 40,000 square foot minimum lot size for the A-80 Agricultural District and the RR-80 Rural Residential Districts. While approximately 75% of the total land area in the Town is zoned either A-80 or RR-80, the total estimated acreage of these two zoning districts is 18,936 acres of land. This vast area of land is partially served by public water, but with one exception (the northern portion of town along Bowerman and Weigert Roads) there is no public sewer service.

## Build-out Projection of Agricultural Lands

A parcel of land that is zoned for residential purposes indicates an area for future development. This build-out analysis assumes that properties zoned A-80 Agricultural and RR-80 Rural Residential, which have not been subdivided or platted, will be developed in the future. The chart on p. 42 identifies the spatial selection, Spatial Join, Erase, and Merge tools for calculating housing units within the A-80 Agricultural and RR-80 Rural Residential zoning districts. The 40,000 square foot lot size, the desired lot size by the Town's Agricultural Advisory Committee, is a minimum lot size for residential development in the large A-80 and RR-80 zoning districts.

## Build-out Analysis

This analysis focuses on the holding capacity of the Town, given the remaining land acreage in farming (*see* Map No. 1—Owned Versus Rented Active Farmland, in the Appendices of this Plan), and the density restrictions imposed by existing zoning districts located within the actively farmed areas (*see* Map No. 5—Existing Zoning, in the Appendices of this Plan).

Currently, there are a total of 11,606 acres of active farmlands remaining in the Town. There are also four mapped zoning districts affecting these active farmlands. They include the A-80 Agricultural District, the RR-80 Rural Residential District, the RS-25 Residential-Suburban District and the NB Neighborhood District.

The **A-80 Agricultural District** delineation covers approximately 85 percent of the land area of the active farmlands, or a total of 9,865 acres of land. The current zoning density for land development within the A-80 District is one single-family dwelling unit for every 80,000 square feet, unless the site contains soils having good percolation rates acceptable to the New York State Health Department. In those situations with good soil percolation rates, the density is lowered to one dwelling unit for every 40,000 square feet. In order to provide some level of the concept associated with a build-out under the A-80 zoning district, it is assumed that 60 percent of the acreage would be eligible for development at a density of one dwelling unit per 40,000-square-foot lot. Therefore, a total of 5,919 acres of land would be developed for single-family dwellings. Using the density requirement of one unit per 40,000 square foot base would result in a maximum total of 6,446 single-family dwelling lots.

The balance of the land located within the A-80 District (3,946 acres) would be developed at the density requirement of one unit per 80,000 square feet (or 1.8 acres per dwelling unit) and result in a maximum total of 2,192 single-family dwelling lots. Under this scenario, the total build-out of single-family dwellings within the A-80 zoned lands would be 8,638 lots.

The **RR-80 Rural Residential District** delineation covers approximately 10 percent of the active farmlands, or a total of 1,160 acres of land. The current zoning density for land development within the RR-80 delineated area is the same as for the A-80 Agricultural District and is based upon the ability of the soils to accommodate on-site waste water treatment systems. Assuming the same percentages of sites would have good percolation rates, then at the 40,000-square-foot minimum lot size, there could be a total of 696 acres of land that would result in a maximum build-out total of 758 single-family dwelling lots. The balance of the land located within the RR-80 District (464 acres) would be developed at the density requirement of one unit per 80,000 square feet (1.8 acres per dwelling unit) and would result in a maximum of 257 additional single-family dwelling lots. The total build-out of RR-80 zoned lands would be 1,015 single-family lots.

The third zoning district is the ***RS-25 Residential-Suburban District***. Within this district there are zoned lands that contain a total of 348 acres of active farmland, or three percent of the active remaining farmlands. The current zoning density for single-family dwellings to be located within the RS-25 zoning district is one dwelling per 25,000 square feet (or .57 acre per dwelling unit). At this density, there could be a total of 607 additional single-family lots developed within the mapped RS-25 District.

The fourth and final zoning district is the ***NB Neighborhood Business District***. Within this portion of the remaining active farmland area there are a total of 232 acres of active farmland, or two percent of the active farmlands remaining. The current zoning density for residential development within the NB District would be one unit per 20,000 square feet in land area. Residential units are specially permitted in the NB District; however, they must first be located within a structure having other permitted uses. Therefore, it is highly unlikely that there would be a potentially large number of dwelling units that would be built within the NB District portion of this area.

In summary, the total number of additional single-family dwelling units that could be developed upon the remaining active farmlands located within the town would be 10,260. Using the latest census figure of 2.8 persons per household, the calculated increase in population would be slightly over 28,728 persons just within this area of the town. It is calculated that such build-out would take over 40 years to realize

## **Discussion**

Federal and state regulations are expected to further restrict and limit the full build-out of available farmlands for conversion. Federal and state restrictions include federal mapped areas of special flood hazard, federal freshwater wetlands, state freshwater wetlands and the constraints for extending utilities to sites located within state-certified county agricultural districts.

Limitations imposed by federal and state programs can be found at the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, the U.S. Department of Agriculture, the New York State Department of Environmental Conservation and the New York State Department of Agriculture websites.

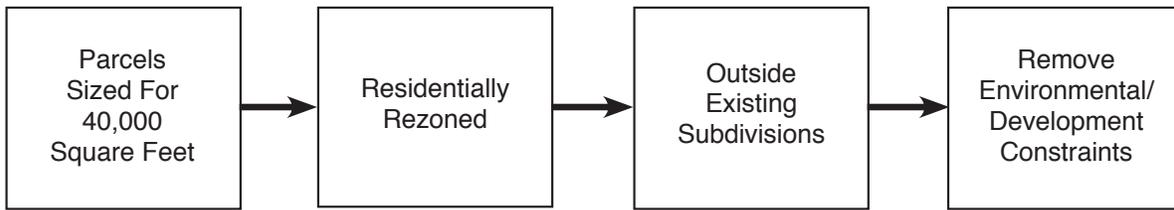
In addition to the restrictions associated with all state programs, there is the New York State Public Policy Infrastructure Act of 2009 which contains rules and regulations for the advancement of public funds by state agencies. It basically prohibits the use of public (state or local) funding of projects that are not located within areas officially defined as the development area of the community.

At the Town level, restrictions and limitations on land use and development are found within the 2011 edition of the adopted *Town of Farmington Comprehensive Plan*, the emphasis of which is to concentrate development within the southwest portion of the Town—an area already served by public sewers, water and major highways, including state, county and Town facilities. It is within this area of the town—the planned development area—that there is anticipated to be the greatest concentration of development over the next 30-year planning period.

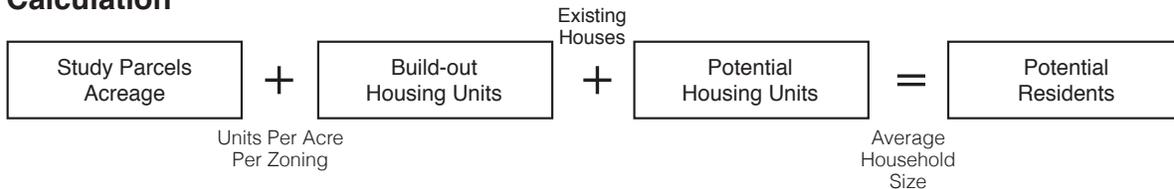
This area of the town is bordered by the town lines on the west and south, and County Road 8 on the east, extending north to the New York State Thruway. The potential holding capacity for lands located within this planned development area would result in quadrupling of the town's current 12,000-plus population, bringing the total population within this area to 48,000 people.

Add to this population figure estimate another 28,728 persons that could be located upon the remaining active farmland acreages and the potential population at full build-out to the town would be slightly over 76,728 persons. The reality of this occurring within the next 40-year period is believed to be highly remote.

### Conceptual Residential Build-out Analysis Based on Zoning



### Calculation



An exception to the build-out calculation of active farmland within the RR-80 zone occurs within the southwest portion of the Town, the area west of New Michigan Road and the Victor Town Line and north of the Town of Canandaigua. This area has a total of 310 acres of classified farmlands, of which 57 acres is devoted to the Bluemont Stables Horse Academy. This area also has access to both public water service and sanitary sewer service. New Michigan Road serves as a major collector highway for daily commuters between municipalities to the south and the Rochester/Monroe County area. In this area, there has been one subdivision of land in the past 10 years which resulted in a 9.8-acre parcel of farmland being divided for a single-family dwelling. It is within this area of the Town where there continues to be pressures for the conversion of farmland for residential purposes

Another area of the A-80 zoned lands that has experienced, within the last 10 years, conversion of a large tract of farmland (175 acres) is the property fronting along Sheldon Road and Fox Road. This farmland, part of an estate, was carved into 15 large rural residential lots, ranging in size from 4.1 acres to 22.0 acres. Having homes located upon large tracts of land results in removing these tracts from agricultural uses. In this instance, the land has public water service but no public sewer service.

Finally, there is another portion of the A-80 and RR-80 zoning districts that have public sewer service and could potentially have a significant adverse impact on farmland. This area is located along Green, Bowerman and Weigert Roads in the northwest portion of Town. The public sewer was installed to correct a health problem that had occurred as the result of residential development in a subdivision tract located north of Green Road. Public sewers were installed by the developer, with restrictions to tie-in to the force main. The Town Board, in response to the potential for conversion of the farmlands has enacted a policy that no new tie-in will be permitted until a detailed engineering study has been prepared, review by the Town and a determination made that all of the existing residential neighborhoods in the northwest portion of the Town can be served by and from the existing pump station and force main.

### Fragmentation of Farmland—Low Density Residential Development

Full build-out is dependent on the availability of public sewer and water throughout the entire Town. Although possible, full build-out is highly unlikely within the next 100 years, especially given historical trends in parcel conversions. However, a less viable but adverse impact on viable agricultural lands may be from small “cuts” or fragmentation. This has already been evidenced by developed road frontage parcels that either do not abut or adjoin each other within or among a subdivision.

A parcel’s location is usually dictated by formulaic lot size, dimensional requirements and setbacks that usually lack consideration and mitigation of any impact on an abutting or adjacent farmland parcel.

As a result, the agricultural viability of the land and operator can be adversely impacted along with the degrading of the agricultural infrastructure such as surface and subsurface drainage.

Fragmentation often increases machinery and labor costs due to additional work associated with the placement of houses, lot lines, structures, mailboxes, etc. Several anecdotal studies suggest that increased costs associated with fragmentation may actually encourage farmland to go vacant for extended periods of time leading to the premature conversion of the land into a developed use.

Besides having an adverse economic impact on an individual parcel and a farm operator, a cumulative effect of all fragmented parcels may result in an overall reduction of the economic viability of the agricultural land base.

### **Conclusion and Implication**

The full build-out of the farmland remaining within the A-80 and RR-80 zoning districts will not be realized during the next 40 years given the continuation of the recent pattern of residential growth on lots having a 40,000-square-foot minimum lot size. However, should there be continued selling off of large parcels of active farmland for large residential lots, ranging in size from 5 acres to 20 acres, then the length of time for full build-out will be reduced to the next 25 years.

The Plan recognizes there are many unknown factors that exist which would affect the rate of full build-out. The Plan also recognizes that there are changes that need to be made within the Town Code to identify and protect the more productive agricultural soils from pre-mature non-farm development. The Plan further recognizes that these changes need to be combined with economic incentives to promote farm viability. The Plan recognizes that these changes are needed to reduce the recent trends of selling-off large tracts of farmland for non-farm development at higher values per acre than what the agricultural values for the land are. Otherwise the resultant pattern of sprawl will continue the greater loss of farmland and the higher costs of taxes to maintain levels the levels of services for non-farm development. There is less cost to the Town to service farmland than there is to service developed land.

## Chapter 9

### Town Code—Chapter Analysis and Town Comprehensive Plan Official Policy Statements



*Bowe Farms is pictured in the Hamlet of Pumpkin Hook near the intersection of County Road 8 and Allen Padgham Road in Farmington.*

#### Introduction

A significant actor influencing agricultural land use and farm viability includes the Town Code, especially sections that pertain to agriculture. The following review provides suggestions for changes when appropriate to do so.

**Chapter 49: Animals**—dog control and dog licensing. Working dogs on lands meeting the definition of a farm and within an agricultural district are exempt from the requirements of this chapter. A new *Section 49-4. A. Exemption* is proposed which defines an exemption for working dogs.

**Chapter 65: Unsafe Buildings**—buildings that are determined by the Town Code Enforcement Officer to be unsafe and posing a threat to life and property. The term “Vacant Buildings” is not defined and vague regarding farm structures on lands meeting the definition of a farm and within an agricultural district.

**Chapter 74: Construction Codes Uniform**—identifies the duties of the Town Code Enforcement Officer.

§74-2. *B. Exemptions.* Amend this section to specify lands meeting the definition of a farm structure within an agricultural district as being exempt. If the intent of the structure is for an agricultural use and not human occupancy, then no Building Permit shall be required. Currently, approval for these types of structures is being handled as an Agricultural Permit without a definition of the term and without a specific form.

**Chapter 87: Flood Damage Prevention**—addresses the Town’s obligations to administer and enforce the requirements of the National Flood Insurance Program within the municipality.

The term “Development” as used in this chapter refers to any man-made change to improved or unimproved real estate including structures located within the mapped areas of special flood hazard. Whenever “Development” is proposed within a mapped area of special flood hazard, a Development

Permit is required to be issued by the Town Code Enforcement Officer prior to the start of construction or site alteration. Consideration for amending this definition would include additional terms such as fences, unoccupied buildings (i.e., farm buildings/structures, etc.) and site clearing.

*§87-11. Establishment of development permit.* Amend this section to specify if the farm structure is located within an area of special flood hazard, as defined in Chapter 87 of the Town Code. Then such structure shall require a Development Permit from the Town Code Enforcement Officer.

**Chapter 112: Brush, Grass and Weeds**—controls the spread of weeds to surrounding lots and spread of allergy-irritating pollen to adjoining lots. Lands meeting the definition of a farm and located within an agricultural district are exempt, except for the provisions contained in the New York State Fire Prevention Code around farm structures. A note to this effect should be considered for *§112-2. Maintenance*.

**Chapter 117: Right to Farm Life Local Law**—provides regulations to promote agricultural practices on land within the Town as are reasonably necessary to carry on agricultural farm operations or agricultural practices.

*§117-3. B. (1)* limits the sale at the owner's farm stand of agricultural products so long as at least 75 percent of the gross sales of the farm stand have been grown on said farm. An amendment regarding the percentage of gross sales should be explored. In addition, the term "farm stand" may need to be defined in this chapter.

*§117-5. Nuisance Prohibited.* This section may require an amendment regarding management practices. As currently written, this reference can be interpreted that if a practice or appurtenance is conducted or maintained in a manner consistent with management practices, then it shall be, or become, either a public or private nuisance.

**Chapter 135: Solid Waste**—provides regulations to promote the health, safety and general welfare of the Town by controlling and regulating the transportation and disposal of refuse within the Town. The following recommended amendments include adopting burning guidelines prepared by R. N. King for use by the Town Code Enforcement Officer relating to agricultural operations:

[http://www.monroecc.edu/depts/agriculture/documents/agricultural\\_burning\\_mc.pdf](http://www.monroecc.edu/depts/agriculture/documents/agricultural_burning_mc.pdf)

*§135-9. Certain Matter Prohibited.* The exemption for farms may need to be clarified as to whether or not there is an exemption from dead animals, parts thereof, offal or animal wastes.

## **Chapter 144: Land Subdivision Regulations:**

*§144-17. Preservation of Natural Features.* This section's emphasis is to preserve natural features and the existing vegetation to the fullest extent possible, but does not include productive agricultural soils. Emphasis of this section is mainly upon trees and surface water, historic landmarks, rock outcroppings, hilltop lookouts and desirable natural contours. Only within Section D of this chapter is there reference to the subdivision design encouraging agricultural practices. Consider addressing the impact upon agricultural practices continuing on the balance of the site and/or surrounding parcels and how the design shall minimize impedance on such practices. An amendment should be considered once the Town has completed amending the provisions for farmland protection in Chapter 165 of the Town Code.

*§144-29. N. Reservation of Open Space Lands.* Subsection (1) provides for a perpetual conservation restriction and/or other rights to property approved under the clustering provisions of Town Law, Section 278, to restrict development permanently and allow use of such open land only for a number of uses including agriculture. An amendment should be considered once the Town has completed amending the provisions for farmland protection in Chapter 165 of the Town Code.

**Chapter 155: Vehicles**—regulates motor-driven recreational vehicles on private property or municipal property. An amendment is proposed to exempt all-terrain vehicles (ATVs) used principally for agricultural use.

### **Chapter 165: Zoning:**

*§165-10. Definitions.* The definition of “Agricultural Activity” notes the definition of “Agricultural Practices” as contained in §117-3 of the Town Code. “Agriculture” is defined in this chapter of the Town Code as “the use of a parcel of land for gain in the raising and production of crops, livestock, poultry, dairy products, nursery products or horticultural plants.” The term “Farm” is defined as “any parcel of land which is used primarily for agricultural or farming activities.” It includes necessary farm structures and the storage of equipment used. It is a parcel of land where “Agricultural Practices” (as defined in Chapter 117) are conducted. It is recommended that the Town amend the various chapters of the Town Code, including Chapter 165, to address any confusion or uncertainty associated with terms relating to “Agricultural Activity” and “Agricultural Practices.”

*§165-18. A-80 Agriculture District* (80,000-square-foot lot size). An intent of this district is to protect predominantly agricultural areas from development, encourage the continuation of agriculture, reduce land use conflicts and preserve open space and natural resources. (Note: The term “predominantly agricultural areas” is not well defined.) Although general or specialized farming is identified as a permitted principal use, customary farm buildings are listed as accessory uses. Therefore, only those parcels of land having one of the permitted principal uses may have customary farm buildings. An amendment is suggested to allow customary farm buildings as a permitted use.

On land devoted to the housing or breeding of horses, cattle, swine, poultry, sheep or goats, shelters for such animals shall not be placed closer than 150 feet to any lot line. This restriction may not be reasonable given that shelters for animals may be part of an agricultural operation.

Roadside stands in the A-80 Agricultural District for the sale of seasonal agricultural products are temporary and must be removed from the highway right-of-way along with all commercial speech signs at the close of the growing season. An amendment to this section is suggested.

Suggest a minimum (or maximum) lot size (acreage) requirement for agricultural operations may be unreasonable. There is a minimum lot size of 80,000 square feet for single-family dwellings which is further clarified depending whether or not the lot has soils to accommodate a conventional on-site waste water treatment system.

*§165-19. RR-80 Rural/Residential District.* This district maintains such areas in a rural state by protecting them from premature urban development, to encourage the continuation of agriculture, reduce land use conflicts and preserve open space and natural resources.

As with the A-80 District, general or specialized farming is identified as a permitted principal use; customary farm buildings are listed as accessory uses. Therefore, only those parcels of land having one of the permitted principal uses may have customary farm buildings. This provision may need to be amended as part of any amendments to Chapter 165 of the Town Code.

On land devoted to the housing or breeding of horses, cattle, swine, poultry, sheep or goats, the shelters for such animals shall not be closer than 200 feet to any lot line. This restriction may be unreasonable on farms located within an agricultural district.

These two zoning districts (A-80 and RR-80) do not reference actively farmed lands, whether rented or not, nor do they give preference to agricultural operations within predominantly agricultural areas. Although these two districts encourage the continuation of agriculture, there is nothing about preserving the natural resources (soils) for continued agricultural use. The list of permitted principal uses in both the A-80 and RR-80 Districts may need to include the term “Agricultural Practices” contained in Chapter 117 of the Town Code.

Within both the A-80 and RR-80 Districts, there is no mention of “Agricultural Businesses” being a permitted land use.

§165-36. *Preservation of Natural Features.* This section promotes the retention of natural features such as trees, brooks, drainage channels and scenic vistas. However, there is no reference here to prime or unique soils used for active agricultural operations.

### **Summary of Chapter 165:**

- Land devoted to the housing or breeding for the purposes of horse racing, dogs and cats are not considered an agricultural use;
- Housing and production of exotic and game birds may not be considered an agricultural use;
- An exemption for off-street parking for roadside stands should be explored.
- *Fencing:* Exemptions for agricultural fencing should be considered regarding height and architectural review.
- *Definitions:* should be consistent with the New York State Agriculture and Markets Law—Article 25AA definitions.
- Whether or not a limitation on the size and/or number of signs for a roadside stand is reasonable depends upon the location and the type of produce sold. Therefore, the sign regulations for farm stands should be explored.
- Commodities produced “on-farm” include any products that may have been produced by a farmer on their “farm operation,” which could include a number of parcels owned or leased by that farmer throughout a town, county, or the state. This phenomenon, known as “Unity of Use,” is used in justifying income for determining eligibility for agricultural value exemptions under the Agriculture and Markets Program.
- The definition of “farm operation” in *AML §301 (11)* does not include an acreage threshold. Therefore, establishing a minimum lot size, especially within an agricultural district might be unreasonably restrictive.
- Farm operations and accessory structures are not subject to minimum or maximum size, however, minimum setback requirements have not been viewed as unreasonable restricts unless unusually long.
- Unlicensed vehicles, and vehicles unable to be legally operated on a highway, may be essential to the conduct of a farm operation. Old vehicles and farm equipment may be kept and used for spare parts to repair functional farm trucks and equipment.
- In prior reviews, the Department of Agriculture and Markets has determined that municipal regulation of “junk”—certain pieces of heavy equipment, buses, campers, cars, farm equipment, trailers, dilapidated buildings and other items that do not have a use in the production function of the farm—are not subject to *AML §305-a* restrictions.

## **New York State Town Law, Chapter 272-a—Comprehensive Plan**

The foundation for all local planning efforts lies within the framework of an adopted comprehensive plan that represents the municipality’s vision for the future and contains implementation actions.

Section 272-a of New York State Town Law identifies the effect of adoption of the town comprehensive plan. The stated effect of these provisions include:

1. All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section; and
2. All plans for capital projects of another governmental agency on land included in the town *Comprehensive Plan*, adopted pursuant to this section, shall take such plan into consideration.

The following are the goals, objectives and policy statements found in the adopted *Town of Farmington Comprehensive Plan* (2011 Edition) as they relate to agricultural use. For each of these statements, there is a suggested action for the Town Board’s consideration.

### **■ MANAGING THE BUILT ENVIRONMENT**

***GOAL: To shape and improve the quality of the Built Environment by focusing growth so as to provide for the needs of townspeople, maintain the character of the Town, and ensure a healthy environment for future generations.***

Amend to include protection of the Town’s natural resource base for promoting continued agricultural use.

***OBJECTIVES: Land use, development, and environmental regulations that are in accordance with the Comprehensive Plan***

Amend the Zoning Code and other land use and development regulations.

Amend this objective statement to include protection of the Town’s natural resource base as presented in the adopted Town of Farmington Farmland Protection Plan.

The comprehensive plan also promotes an evaluation of other incentive programs, such as Conservation Easements and Transfer or Purchase of Development Rights, and provides policy tax incentives to discourage farmland from being converted to non-agricultural use.

Amend this objective statement to include protection of the town’s natural resource base as presented in the *Town of Farmington Farmland Protection Plan*.

***GOAL: Focus development to avoid sprawl***

Amend to include reference to focusing development within the southwest quadrant of the municipality thereby avoiding the need to extend public infrastructure improvements into established agricultural areas as shown on the latest “Active Farmlands Map—Rented and Owned Farmlands,” referenced below herein.

***OBJECTIVES: Update and maintain on a regular basis the anticipated land use Plan map and narrative.***

Amend to include annual maintenance of a new map to be entitled “Active Farmland Map—Rented and Owned Farmland,” by the Town’s Agricultural Advisory Committee. This map may also be part of the amendment to the next update to the Town’s Comprehensive Plan and also referenced in Chapter 117 of the Town Code as being areas protected from nuisances.

***Evaluate the establishment of innovative land use programs such as Conservation Easements, Transfer of Development Rights (TDR) or Purchase of Development Rights (PDR).***

Amend for the enactment of an Agricultural Conservation Easement Program.

***Continue to focus its infrastructure investments (i.e., roads, water and sewer) within the developing southwest portion of the Town.***

Amend to include reference to the New York State Public Infrastructure Policy Act and its restrictions upon prohibiting advancing federal and state funding for capital projects that are located outside the community's defined center.

## ■ CONSERVATION, OPEN SPACE AND ENVIRONMENTAL PROTECTION

***GOAL: To preserve the natural environment and protect it from degradation.***

Amend to include prime and unique agricultural soils as a natural resource.

***OBJECTIVES: Protection of natural resources, selected open space, environmentally sensitive areas, and unique natural areas (i.e., drumlins).***

Amend to identify farmland soils (prime and unique classifications) as being natural resources to be protected, as well as environmentally sensitive areas.

***Protection of water resources to keep impacts from erosion, sedimentation, and drainage to a minimum.***

Amend to support opportunities for drainage improvements to farmlands that would enable the approximately 3,000-plus acres of marginal farm soils to be property drained, thereby improving the classification of these soils to Prime Farmland Soils.

***Clear and maintain the main channel of Black Brook to prevent flooding of valuable farmland and provide the basis for creating a town-wide drainage district.***

Amend to identify the proposed inter-municipal drainage study recommendation contained in the 2015 Update to the Ontario County All Hazards Mitigation Plan. This statement may need to be further clarified to remain open to options for creating a district to enable drainage improvements to be made. For example, it may be that two drainage districts might be more appropriate, or that an inter-municipal drainage district might be the better solution.

## ■ AGRICULTURE

***GOAL: To enhance agricultural viability and preserve agricultural land resources.***

Amend . . . “To enhance agricultural viability in the town by implementing land use techniques designed to identify and protect, to the greatest extent practical, the more productive agricultural soils such as the prime and unique soil classifications.”

***OBJECTIVES: Land use and development regulations which address the special needs of farmers, including provisions which stipulate that farming activities take precedence over other uses in areas zoned for agriculture.***

The Plan suggests amendments to this Objective Statement to include:

1. Farming activities take precedence over other land uses within areas zoned for agriculture (i.e., A-80 and RR-80 Districts) as per our “right to farm” law. (Individuals would continue to have the right to build homes within these areas zoned for agriculture, but would have to acknowledge that farming is the primary activity within portions of these zones having prime and unique soil classifications; and that living within the area(s), they may have to cope with noise early in the morning operations, odors from the smell of recently spread manure, etc.)
2. Non-farm development of soils classified as prime and/or unique are to be avoided- to the fullest extent practical through implementation of an overlay zoning classification and site plan approval process.
3. Promote farm stands and create policy regarding signage for these operations.
4. Support programs implemented by the Ontario County Agricultural Enhancement Board.
5. Continue to participate in Ontario County’s Agricultural Districting Program.

***Productive agricultural lands remain in agriculture.***

Amend . . . “Identify and protect viable agricultural lands from being converted to non-farm development.” The Plan further recommends that the Town Agricultural Advisory Committee be actively involved with ongoing programs by scheduling meetings on a monthly basis with the Town Director of Planning and Development, to discuss topics that include land use programs to protect agricultural lands identified in this document. The Plan also suggests that the County Agricultural Enhancement Board be consulted for programs that could be considered to protect the more viable agricultural soils.

***Agricultural environmental management practices that minimize contamination of the environment, soil erosion, and surface water runoff.***

Identify practices that should be implemented in either land use regulations, or amendments to the Town *Comprehensive Plan* and Town Code.

***A renewed and diversified agricultural sector.***

Extend Town Agricultural Advisory Committee membership to new farm operations within the municipality, to farmland owners that have been identified in this document and to residents of the community who may have an expressed desire to participate in ongoing programs for farmland protection and promotion.

***To accomplish the preceding objectives, the Plan recommends:***

1. Participate in the Agricultural Districts Program.
2. Establish a conservation easement program, sliding scale zoning, voluntary tax abatement programs\*, or other innovative measures for protecting agricultural soils for farmers and landowners.
3. Limit sewer lines into or through areas zoned for agriculture (i.e. A80 and RR80 Districts) except when required for public health and safety, and further, limit the placement of other infrastructure, such as highway improvements, which would encourage growth and development in areas designated for agricultural use.
4. Design and land use regulations for agricultural areas that ensure the continued viability of agriculture while allowing appropriate levels of development.
5. Encourage agribusiness to be located within agricultural zones (e.g., feed and seed dealer, farm implement dealer, farm equipment repair and refurbishing operations) with appropriate limitations so as to avoid negative impacts likely to result from such land uses upon traffic, farming, soils, and rural housing.
6. Promote the local production and sale of food and agricultural products.
7. Develop a site within the community for weekly farm market operation during the growing season.

***Focus Development***

Amend on an annual basis the anticipated Future Land Use Plan map (Map 10, *Comprehensive Plan*). Maintain the Active Farmlands Map (Map 17, *Comprehensive Plan*).

Agricultural Advisory Committee prepares an annual report to the Town Board on the changes occurring within actively farmed areas

**Farmland Protection Plan’s Premise**

The success of this Plan is based on the support from the local farming community and Town implementing the actions contained herein. Incorporating the actions contained herein into the ongoing Town of Farmington Comprehensive Planning Program will enable implementation of long-term solutions for the viability of agriculture, an essential component of maintaining the quality of life in the Town of Farmington.

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\*A voluntary tax abatement program, such as the Town of Perinton’s Conservation Easement Law, would be subject to state legislature action authorizing exemptions upon real property.

## Chapter 10 Plan Implementation Actions



*One of the men in this photo is James Neary. The wagon between the two pieces of the threshing outfit probably carried the tools and spare parts along with water for the steam engine. Some farmers couldn't afford their own threshing machine so they relied on equipment like this which moved from field to field through the town. Often, each farmer's family would feed the crew. Unlike other rigs, this one had a built-in elevator.*

The following is the Plan Action Matrix and recommendations for implementing the Plan:

### **Town of Farmington Farmland Protection Plan Action Matrix**

Town Board Adoption of Plan	AFAC, Town Staff, Town Board	August 2016
Comprehensive Plan Amended	Town Board, Ontario County Planning Board	August 2016
Town Agricultural Advisory Committee (AAC) Membership Change	AAC, Town Staff, Town Board	September 2016
Chapter 117 Town Code Amendments	AAC, Town Staff, Town Board	September 2016
Soils Protection Limitations	AAC, Town Staff, Town Conservation Board, Town Board	September 2016
Agricultural Infrastructure Mapping	AAC, Town Staff, Town Conservation Planning Board, Town Board	September 2016
Community Awareness, Signage and Notices	AAC, Town Highway Superintendent, Town Board	September 2016
Town Code Amendments	AAC, Town Staff, Town Board, Ontario County Planning Board	October 2016
Agricultural Economic Development	AAC, Town Staff, Town Recreation Department	October 2016
Annual Report on Agriculture and Farming	AAC, Town Staff, Town Board	December 2016
Report on PDR, TDR and ACE	AAC, Town Staff, Town Board	January 2017

Subdivision/Site Plan Reviews	AAC, Town Staff, Town Planning Board	Ongoing Action
Agricultural Districts	AAC, Town Staff, Town Board	Ongoing Action
Agricultural Value Assessments	AAC, Town Board, Town Assessor	Ongoing Action

Note: For established target dates, please refer to the following narrative, Steps 1 through 6.

Besides the implementation actions listed above, there are ongoing implementation actions identified in this chapter involving the Town Agriculture Advisory Committee, Town Staff and Town Board.

### Introduction

The Plan’s recommendations and suggestions primarily focus on: 1) active agricultural lands, 2) farmer owned and leased lands, 3) Prime Farmland, and Soils of Statewide Importance, and 4) farm type. Suggestions include: 1) increase agricultural awareness within the community, 2) promote farm viability, 3) describe and account for trends in development pressure, and 4) create a benchmark analysis for amending the Town Code and official policy statements.

To be posted on the Town’s website, the implementation matrix above will also be proposed to be an amendment to the ongoing Comprehensive Plan, thereby establishing accountability and highlighting the role of the Town’s Agricultural Advisory Committee (AAC). The AAC’s role is also proposed to have expanded duties and responsibilities to reflect participation in implementation actions documented by AAC meeting minutes and an annual report to the Town Board. Increased diversity within the AAC membership is suggested to reflect and encourage the community in regards to leased lands and residents living within close proximity of agricultural operations.

### Plan Implementation Matrix Narrative (Steps, Responsibilities and Target Dates)

**Step 1**—Public review and editing of the preliminary draft of the Plan document. The Town of Farmington Agriculture and Farmland Advisory Committee (AFAC) receives the draft document in February and conducts a 60-day review. The AFAC meets at the beginning of April with editing comments. These changes are discussed with the Committee and a public review period begins on April 11, 2016, and continues through May 11, 2016. The preliminary draft document is also sent to the Ontario County Agriculture Enhancement Board and to the New York State Department of Agriculture and Markets for their review and comment.

**Step 2**—The AFAC conducts a public information meeting in April (April 28, 2016) receives input and directs any amendments to the Plan document. Changes are made and the AFAC meets to take action to recommend the Plan to the Town Board. The Town Board receives the Plan on Tuesday, July 12, 2016, and begins its review of the document. The Town Board, at its meeting on July 12, 2016, schedules a public hearing for Tuesday, July 26, 2016. The environmental record is prepared upon the Plan and the Plan is posted upon the town’s website. The Town Board, at its meeting on August 23, 2016, adopts the Plan, as may be amended, and directs Town Staff to prepare documentation to amend the 2011 edition of the *Town of Farmington Comprehensive Plan*. The Town Board schedules a public hearing for August 23, 2016, for the amendment to the *Comprehensive Plan*.

**Step 3**—The Town Board submits the proposed amendment to the Ontario County Planning Board (OCPB) for its review under the provisions of the New York State General Municipal Law. The OCPB meets on Wednesday, August 10, 2016, to review the referral and make recommendation on the Plan

amendment. The Town Board, at its meeting on August 23, 2016, takes action to formally amend the *Comprehensive Plan* by including the Plan as part of the *Comprehensive Plan* document.

**Step 4**—The Town Board, at its September 27, 2016, Town Board Meeting, takes action to amend Chapter 117, Right to Farm, of the Town Code, directing the membership of the AAC be increased as noted in this Plan. The additional membership may include leased landowners, residents living within close proximity of an agricultural operation, a member of the Town Conservation Board and a member of the Town Planning Board. The Town Board receives the amended Code at its September 13, 2016, meeting, schedules a public hearing upon the proposed amendment for September 27, 2016, at which action may be taken on the proposed amendments to this Chapter. At the September 27, 2016, meeting, the Town Board may then appoint the new members of the AAC and directs Town Staff to begin work with the AAC upon other amendments to the Town Code contained within this Plan (*see* Chapter 9 for list). The Town Board directs said amendments be presented to the Town Board for its review and consideration at its September 27, 2016, meeting. At this meeting, the Town Board may schedule a public hearing be held upon said amendments for the October 25, 2016, Town Board Meeting. Also, at this meeting, the Town Board directs the preparation of the environmental record upon said amendments and refers the amendments to the OCPB for their October 12, 2016, meeting. Following the public hearing on October 25, 2016, the Town Board formally adopts the proposed Code amendments.

**Step 5**—The Town Board, at its September 27, 2016, meeting, directs Town Staff to begin work with the AAC to prepare a report for identifying priorities for ranking farmland to be considered for either a Purchase of Development Rights (PDR) or Transfer of Development Rights (TDR) farmland protection program.

The TDR program is different from a Purchase of Development Rights (PDR) program in that it does not use public funds. Instead, the private development sector pays for land conservation. The TDR program distinguishes where development can occur and where it cannot. The two distinctive areas are known as sending and receiving areas. The sending area is the conservation area (such as large, contiguous areas of farmland) and the receiving area is where growth and development is concentrated. The development rights from the sending area are transferred to the receiving area. To assist in defining the transfer of density, parameters are established by the municipality.

A conceptual TDR program in the Town of Farmington could include the Strategic Farmland Protection Area as being a sending area. Under such a TDR program, this area would send development rights to land located within the receiving area. The receiving area could be located within the southwest corner of Town. Using the Build-out Analysis in the Plan, there would be density parameters established by the Town. Developers would purchase these densities from the landowners located within the sending area and apply them to projects located within the receiving area. Any effort to more clearly define the sending and receiving areas in the Town should begin with a detailed effort to more clearly define the sending area, the receiving area and the density parameters as envisioned to occur in Step 5.

**Step 6**—The Town Board, at its September 27, 2017, meeting directs Town Staff to work with the AAC to prepare the first annual report, to the Town Board, on the changes to farming and farmland operations occurring within the Town during 2016. Said report is due to the Town Board for their meeting on Tuesday, December 13, 2017.

## Ongoing Implementation Actions

### Agricultural Districts

Continue to encourage owners of farmlands to add lands to the agricultural district on a yearly basis. The Town Board will coordinate with Ontario County each year, during the 30-day annual enrollment period, for landowners desiring to have their lands added to the district and during the eighth-year review process and renewal of an agricultural district. The Town Board will request a written review and recommendation from the AAC upon any known proposed additions or deletions of land from the agricultural district within the Town. The Town Board, in turn, will then post the AAC's recommendation(s) on the Town's website for awareness and discussion purposes at Town Board meetings. The AAC will be encouraged to contact landowners renting their farmland to determine interest in participation in the districting program.

### Agricultural Value Assessments

Many landowners renting to farmers within the Town may not be aware of the State's Agricultural Exemption- Program. The Town Board will encourage awareness and education about the Agricultural Exemption- Program. Posting a notice or link upon the Town's website about the agricultural exemption program may help expand an agricultural landowner's awareness and knowledge. The Town Assessor will also be encouraged to provide information to existing and would be applicants.

### Soils Protection

There appears to be a lack of land use regulation to protect viable agricultural soils (natural resources) to the fullest extent practicable without infringing upon landowners' rights. These limitations can be documented by the ACC, commencing in September 2016, and submitted to the Town Board for action. This action is identified in Step 5 of the Implementation Matrix described above.

### Agricultural Infrastructure

Additional detailed mapping of "Prime Farmland and Soils of Statewide Importance" on a parcel base and on a town-wide scale is recommended for decision making purposes by the AAC, Conservation Board and the Planning Board. This action calls for Town Planning Staff to work with the AAC in developing additional mapping data (September 2016). Improved and additional mapping promises to benefit land use decisions involving future applications for non-farm development within the lands targeted for protection (*see* map in Appendices, Figure 8). Also there appears to be a need to amend the Town Code, in October 2016 to clarify that farm related structures are to be defined as principal structures when located upon lands that are being actively farmed.

### Agricultural Economic Development

A community-based farm market may encourage both awareness and economic development within the Town. The AAC, Town Staff and Town Recreation Department appear to be the best suited to explore this opportunity (October 2016). Change mission and goal of "Farmland Protection Plan Committee" that is on the Town's website to "Farm Produce and Issues" (Town Supervisor, Town Board, Town Staff, AAC, September 2016). This change will include AAC meeting minutes, a calendar of seasonal produce, the locations of farm stand operations and other farmland promotional events such as "Fun on the Farm Days."

### **Community Awareness, Signage and Notices**

Signage along public highways identifying the Town's agricultural areas appears to be nonexistent or requires improvement. The Town Board, Town Highway Superintendent and AAC will explore, review and recommend appropriate signage (July 2016). Besides an agricultural data statement, a notice is recommended to be included on all subdivision plat maps occurring within an agricultural district or on land within 500 feet of an agricultural parcel or use. The Town Planning Board, Town Staff and AAC will create a model template to be added to each subdivision plat map (September 2016).

### **Purchase of Development Rights (PDRs), Transfer of Development Rights (TDRs), Agricultural Conservation Easements (ACEs)**

Additional exploration and research regarding the benefit of establishing a PDR, TDR and/or ACE Program is encouraged by the AAC, Town Staff, Town Board and the public. Ideally, the AAC can submit a request in the form of a letter to the Town Board, indicating the need and additional assistance in exploring and potentially adopting a PDR, TDR, and/or ACE Program (January 10, 2017).

### **Incentive Zoning**

The Town Board should be requested to consider amending Chapter 165, Section 34.1, IZ Incentive Zoning District regulations by adding the A-80 Agricultural District to the mapped zoning districts designated as eligible for zoning incentives. In addition, the Plan calls for Section 34.1.C. Authority to be further amended to identify Prime and Unique farmland soils as highly valued ecological resources in the community as a basis for using these provisions.

### **Subdivision/Site Plan Reviews**

The primary and secondary impacts of non-farm development on agricultural lands may adversely impact the availability of agricultural lands and farm viability. Consequently, an amendment to Chapter 144, Land Subdivision Regulations, of the Town Code is recommended. The AAC, working with Town Staff, can establish criteria and standards for Planning Board evaluations for considerations by the Town Board (January 2017).

# Farmington Farmland Protection Plan

## Appendices

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TOWN OF  
**FARMINGTON**



Farmland Protection Plan  
**Farm Operator Survey Analysis**



**Town of Farmington Office of Planning and Development**

1000 County Road 8  
Farmington, New York 14425

December 2014

## Farm Operator Questionnaire Results

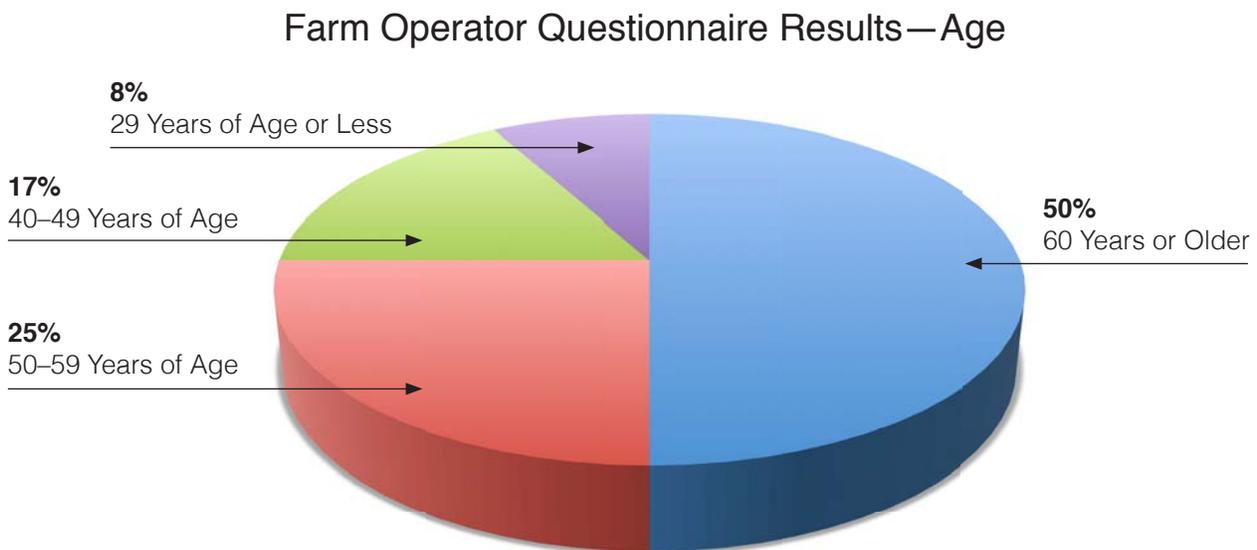
A questionnaire was sent to forty-six (46) farmland owner/operators that owned farmland and operate a farm in the Town of Farmington. The questionnaire included a cover letter, printed questionnaire, and a return envelope (postage paid) and was sent to the farm operator’s mailing address.

This census of farm operators was created using tax records of landowners receiving an agricultural value exemption, lands that were class coded as agricultural in the RPS file, and lands and operators identified by farmers and municipal officials familiar as owning and operating a farm.

The frame for the census was finalized by town officials, and vetted by members of the Town’s agriculture advisory committee and town planner. The frame included the landowner’s name, tax account number, mailing and parcel address and a tracking number (follow-up for nonresponse). Fifty-two percent (52%, n = 24) of farm operators responded to the voluntary questionnaire by mail over a six-week period. One survey was returned, with the respondent indicating they were not in farm operations. The questionnaire was sent out at the beginning of August 2014 and ended September 19, 2014. Sixteen (16) questionnaires were received during the first four weeks. A reminder was sent at the end of four weeks which accounted for an additional eight (8) late respondents (n = 24). Late respondents were compared to respondents based on age, gender, land tenure and acreage. Results suggested very little difference in demographics between the two groups. A total of twenty-four (24) useable responses were identified for this analysis.

### Presentation of Findings

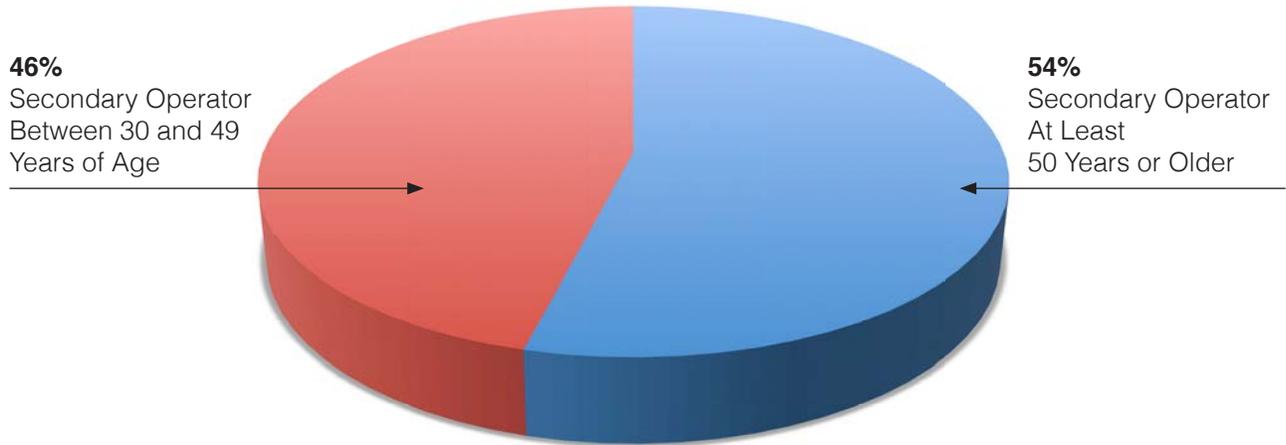
**Age:** The majority (50%) of respondents were 60 years or older; twenty-five (25%) percent were aged 50 to 59 years; seventeen (17%) percent were aged 40 to 49 years while eight (8%) percent were 29 years or less.



**Age of Secondary Farm Operator:** Based on nineteen (19) responses, just over half (54%) of farm operations had a secondary farm operator at least 50 years or older, with the remaining (46%) aged between thirty (30) and forty-nine (49) years.

**Other Primary/Secondary Operators:** Based on eleven (11) responses, full- and part-time employees including sons and partners was thirty-five (35), with a range of one (1) to ten (10).

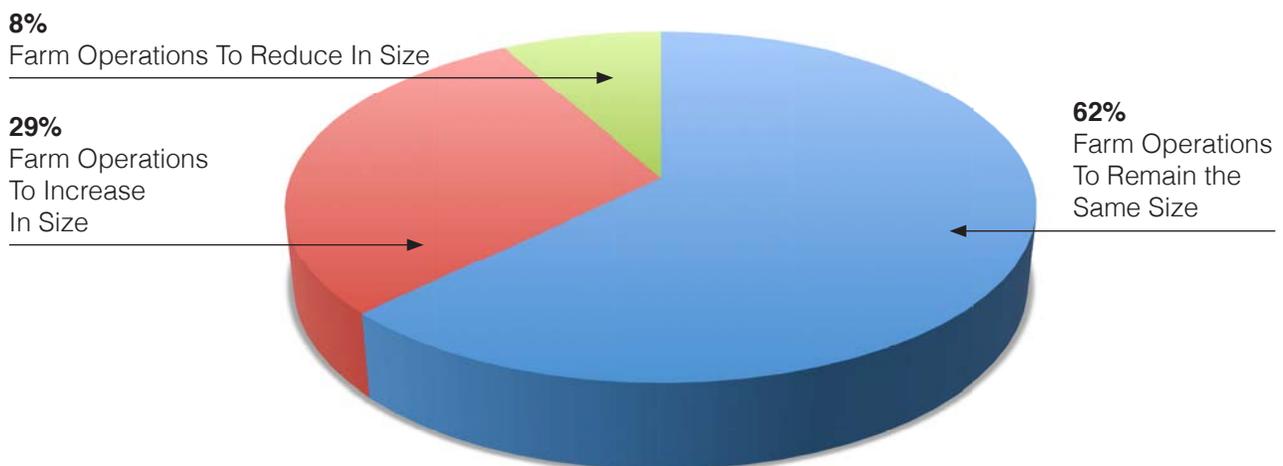
### Farm Operator Questionnaire Results—Age of Secondary Farm Operator



**Years Farming:** Twenty-three (23) respondents indicated that they had been farming from three (3) years to one hundred (100) years. The average years of farming was 42.5 years, while at least 50 percent of respondents farmed for at least forty-seven (47) years or more.

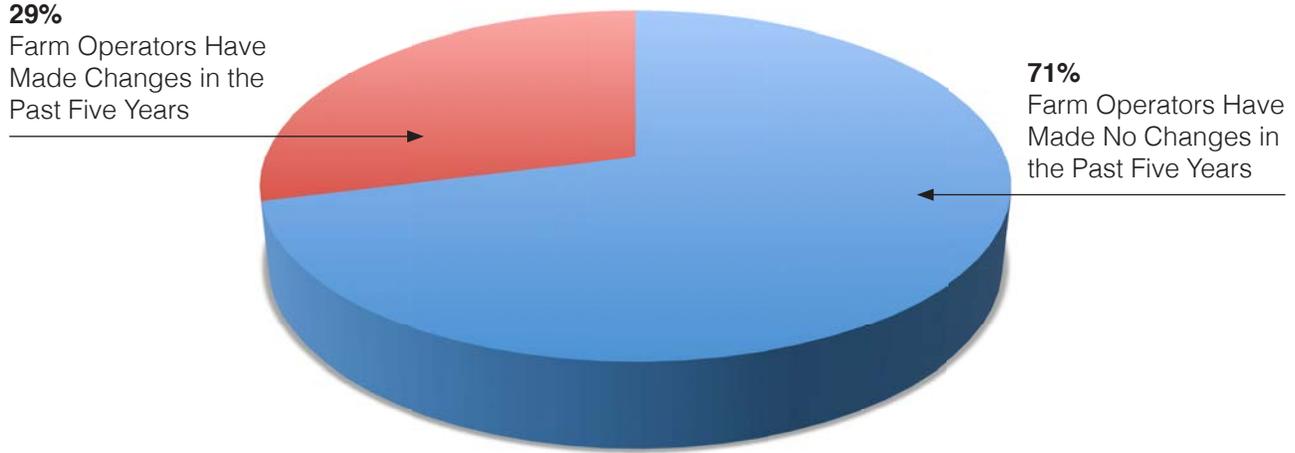
**Characteristics of Farming Operation:** Based on a multiple response question, over 98 percent of farm operations were engaged in conventional methods including field crop, hay and animal enterprises. Niche enterprises included organic but not certified, vegetables, poultry and maple and greenhouse. Sixty-two (62%) percent of farmers indicated they expect their farm operations to remain the same size. At least twenty-nine (29%) percent expected to increase in size through diversification, new customers, adding land and increasing animal numbers, while approximately eight (8%) percent of respondents expected to reduce farm size by selling or renting farmland.

### Farm Operator Questionnaire Results—Characteristics of Farming Operation



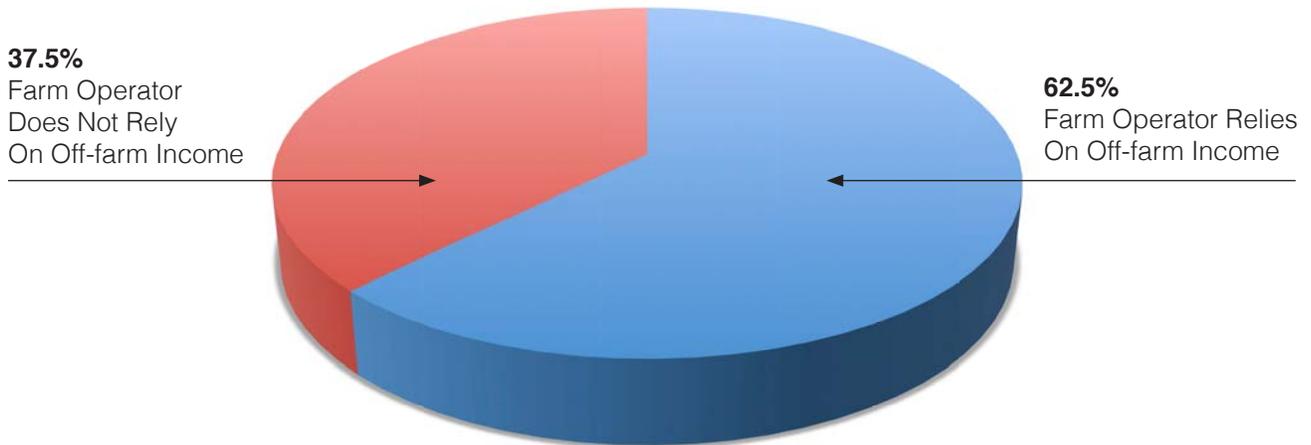
**Changes In the Past Five Years:** Based on twenty-three (23) responses, the majority (71%) of farm operators have not made any changes in the past five years to become more competitive. Twenty-nine (29%) percent indicated increasing herd size, new and updated equipment and machinery, no-till, and infrastructure improvement,

### Farm Operator Questionnaire Results—Changes in the Past Five Years

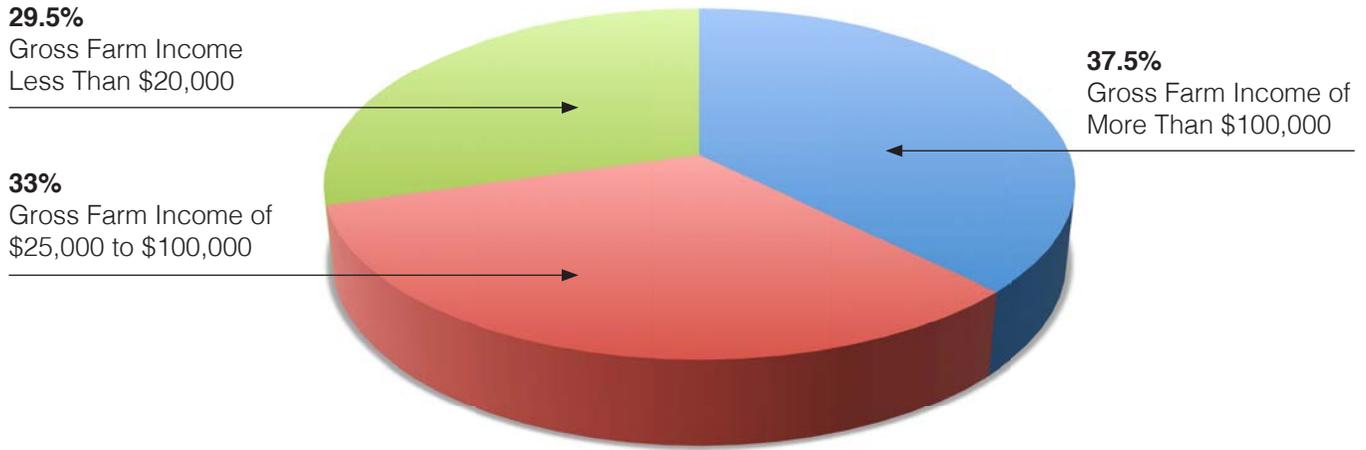


**Income:** Based on twenty-three (23) responses, a majority (62.5%) of respondents relied on off-farm income, while the remainder (37.5%) did not. Gross income ranged from less than \$1,000 to over \$500,000 or more. Just over one-third (37.5%) of respondents had gross incomes of more than \$1,000 or more; one-third (33%) of respondents ranged from \$25,000 to less than \$100,000; while the remainder indicated making less than \$20,000.

### Farm Operator Questionnaire Results—On- and Off-farm Income



### Farm Operator Questionnaire Results—Income

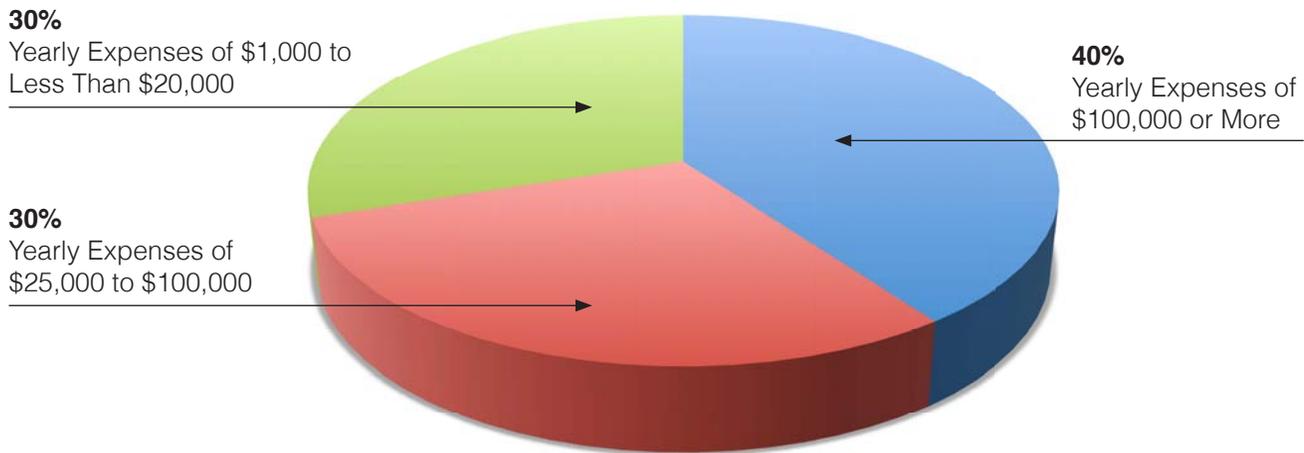


**Expenses:** Based on twenty (20) responses, yearly expenses ranged from less than \$1,000 to \$500,000 or more. Forty percent (40%) of respondents had yearly expenses of \$100,000 or more; approximately one-third (30%) ranged from \$25,000 to less than \$100,000, while the remainder had expenses of \$1,000 to just less than \$20,000.

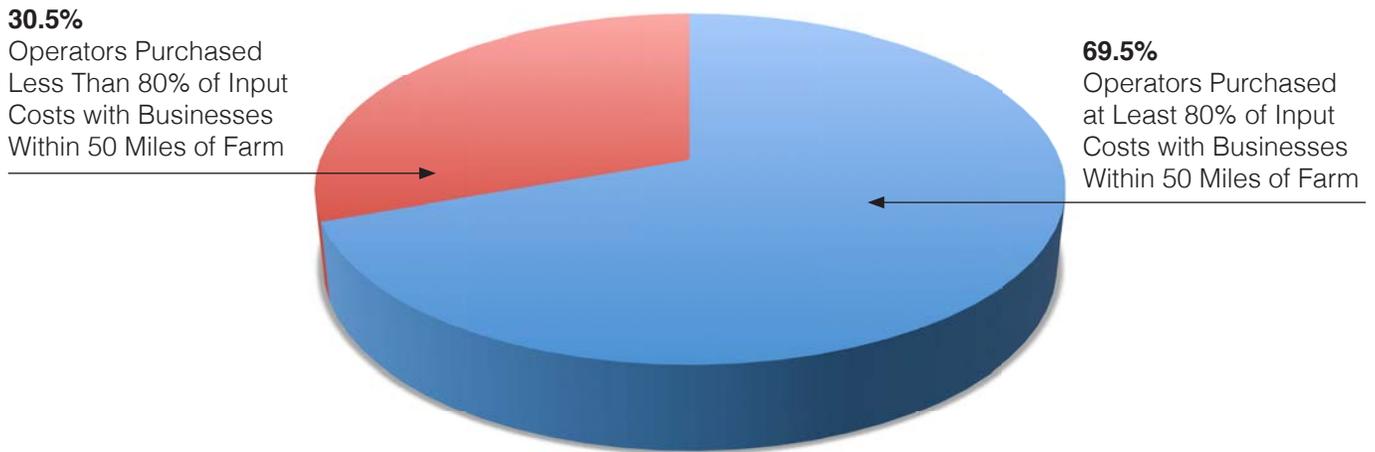
A majority of respondents indicated that feed costs, taxes, repairs and maintenance, energy (fuel), seeds and plant nutrients as most frequent in terms of most cost.

Based on 23 respondents, an overwhelming majority (69.5%) did at least eighty (80%) percent of their input costs with businesses located within fifty (50) miles of their farm operation.

### Farm Operator Questionnaire Results—Expenses



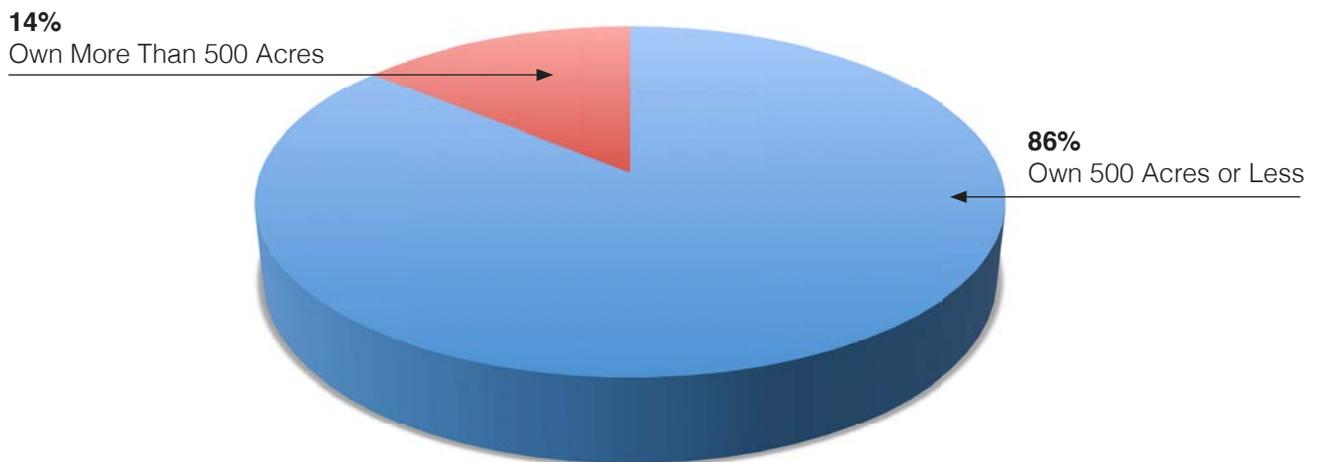
## Farm Operator Questionnaire Results—Expenses with Local Businesses



**Land Ownership:** Ownership by respondent ranged from less than 50 acres to 800 acres or more. Based on 22 responses, at least eighty-six (86%) percent of respondents indicated they owned parcels of 500 acres or less, whereas all (n = 17) respondents indicated they rented up to 500 acres.

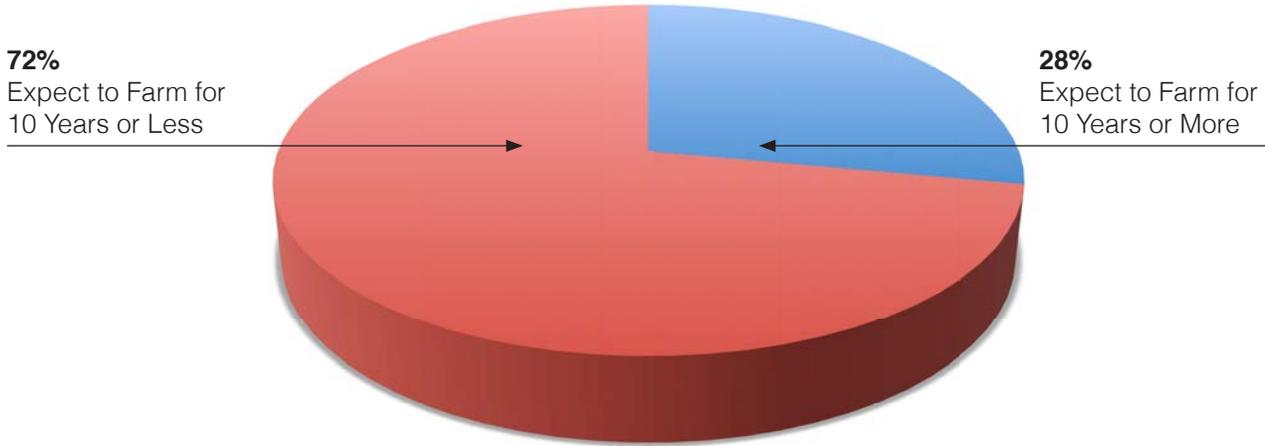
At least six (6) respondents out of twenty four (24) rented out from 17 to 250 acres to another farmer, while the remainder did not. Most respondents indicated that their land could be described as tillable (40% to 85%), followed by woodland from four (4%) to thirty (30%) percent. Several operations characterized their land as pasture (1.5% to 100%). Well over ninety percent (90%) of respondents, indicated that the land they rented was mostly tillable (40% to 100%). At least two respondents indicated that they had sold land for development purposes.

## Farm Operator Questionnaire Results—Land Ownership



**Continue to Farm:** Eighteen (18) respondents indicated an interest to continue farming, but only twenty-eight (28%) percent of respondents were only expecting to do so for the next 10 years or less.

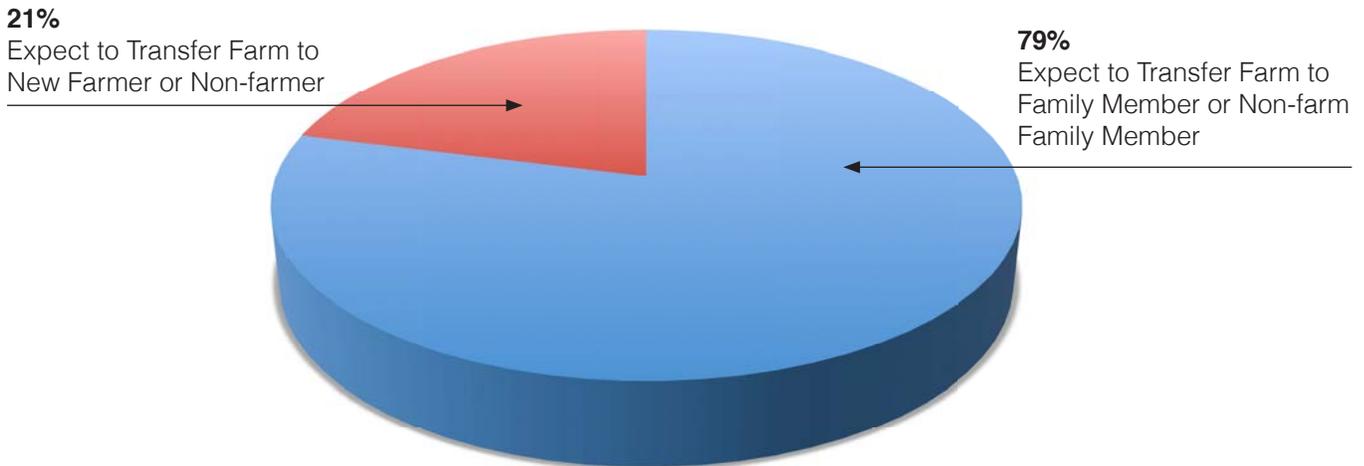
### Farm Operator Questionnaire Results—Continue to Farm



**Future of Ownership:** Thirteen (13) respondents indicated they did not know how long they expected their family to be farming in the future. Two (2) respondents indicated five years or less, while eight (8) indicated sixteen years or more. At least seventy-nine (79%) percent of respondents expect to transfer their farm to another family member or non-farm family member; while the rest of respondents would sell to a new farmer or non-farmer. A large majority (87.5%) indicated it was highly or semi important that their lands remain in an agricultural use upon retirement.

Regarding agricultural easements (n = 23), one respondent had an easement, while twenty-five (25%) percent had considered an agricultural easement; the remainder of respondents had not considered an agricultural easement or needed more information.

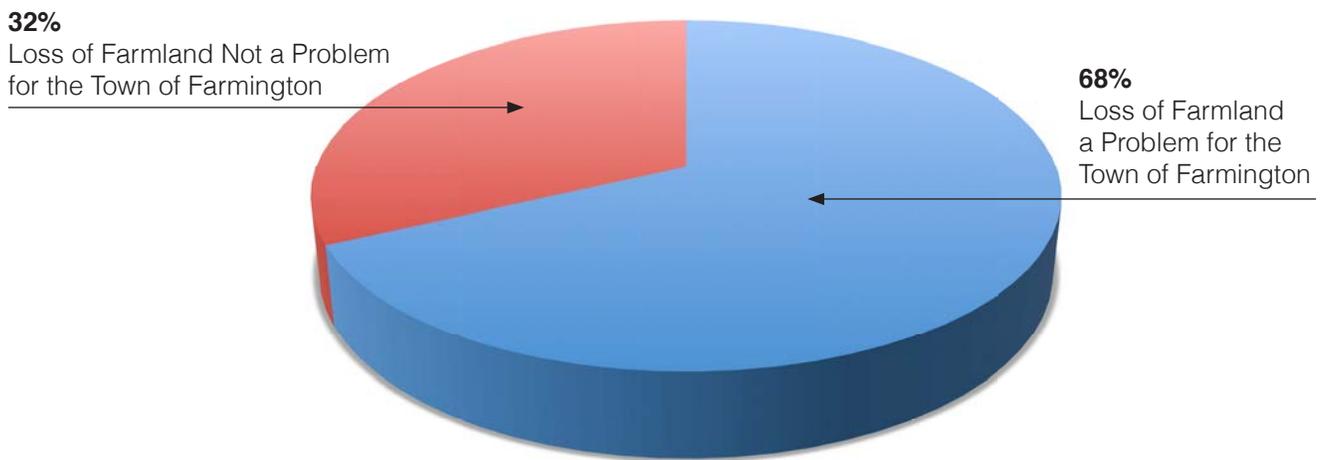
### Farm Operator Questionnaire Results—Future of Ownership



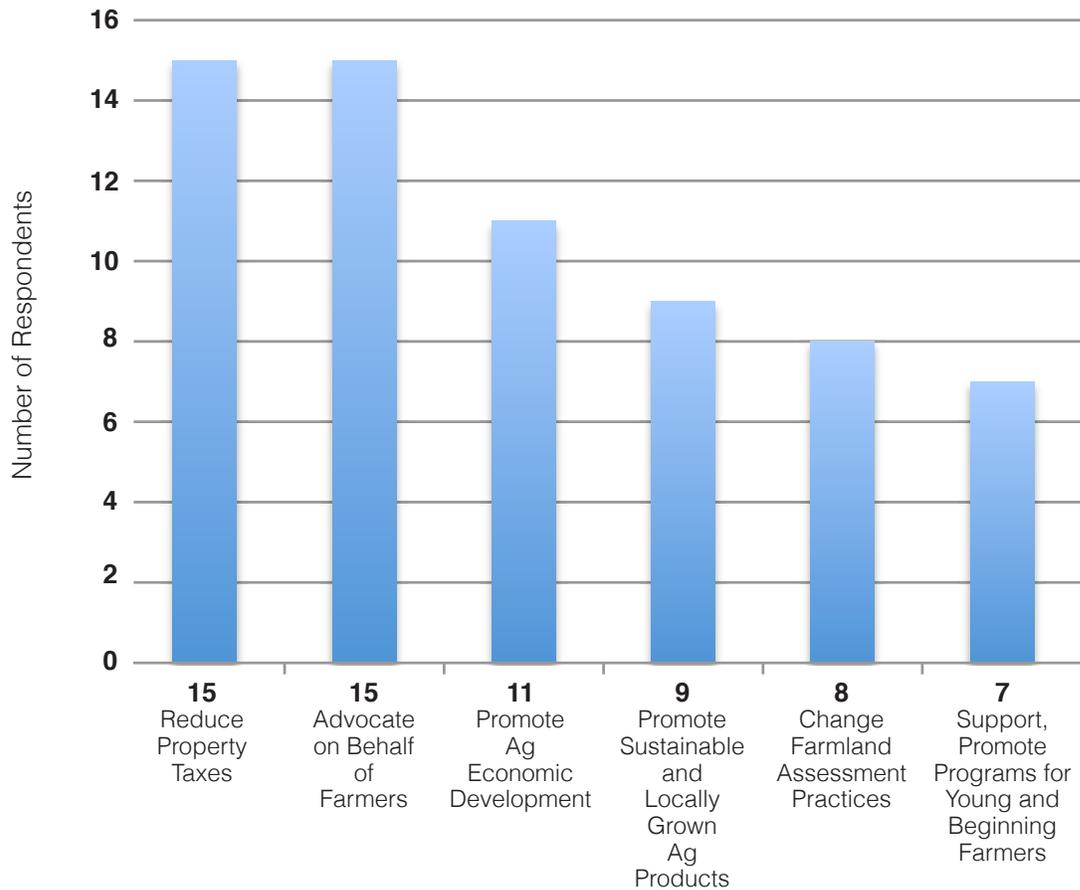
**Drainage:** Based on twenty-one responses, fifty-seven (57%) percent had drainage issues that limited the productivity of the land they operate.

**Future of Farming in the Town of Farmington:** Sixty-eight (68%) percent of respondents (n = 22) thought that the loss of farmland was a problem for the Town of Farmington. Based on a multiple response question, respondents indicated in the following order suggestions to strengthen farming: reduce property taxes (15), advocate on behalf of farmers (15), promote agricultural economic development (11), promote sustainable and locally grown agricultural products (9), changing farmland assessment practices (8), and supporting and promoting programs for young and beginning farmers (7).

### Farm Operator Questionnaire Results—Future of Farming in Farmington, N.Y.



## Farm Operator Questionnaire Results—Suggestions to Strengthen Farming



**Common Issues:** Based on a multiple response question and frequency of response, respondents indicated in the following order what they believed were major, minor and no issues that farmers face in the town.

Major issues included: state and federal regulations, land and property taxes, high cost of inputs, local land use decisions, adequate income, pressure from development, and availability of labor.

Minor issues included: low market prices, need for new equipment, need for new facilities and infrastructure, non-farm neighbors, access to agriculturally related support and the ability to expand and diversify.

Non-issues included: access to markets, access to agriculturally related support and availability or turnover of labor.

Interestingly, labor was viewed as both a major and non-issue. This apparent contradiction is most likely explained by the nature of the farm operation in terms of size, scope, and labor-intensive types of enterprises (i.e., dairy and vegetables versus hay and equine).

**Future of Farming in Ontario County:** At least sixty-five (65%) percent of respondents (n = 23) had knowledge of at least one or more farms gone out of business with the past five (5) years. Specific reasons that contributed to New York State farms going out of business included: aging operators, high cost of operations, poor cost/profit margins, high taxes, lack of young people to take over the farm, and market prices.

Less than the half (45%, n = 22) of respondents had knowledge of at least one or more farms going into business with the past five (5) years.

**Factors That Might Encourage Land for Farming in Ontario County:** Based on a multiple response question, respondents indicated the top three factors to encourage continued farming in Ontario County. Based on frequency, the top three were: low pressure from development, long-term conservation of land, and proximity to agricultural services.

**Individual Actions to Ensure Operation's Existence:** Based on an open-ended question, respondents were asked to indicate how they could ensure profitability of their own operation. Based on frequency of responses, several themes emerged, including: maintain and/or strengthen current production practices and animal numbers, diversify the operation, limit costs, find younger help and a next-generation partner, custom hiring, and compliance with environmental recommendations and regulations.

## Conclusions

Based on this census, an overwhelming majority (92%) of farm operators are forty (40) years old or older with at least half over the age of sixty (60).

At least half of farm operators have been farming for more than 47 years and engaged in conventional agriculture including field crops, hay and animal enterprises. Almost one third of these respondents indicated that they would only be farming for the next 10 years or less. A majority of farm operators did not have knowledge about how long their family would be farming in the future, but had expectations of transferring the farm to a family member. About a third of farm operators rely on the farm for primary income and reported incomes of \$100,000 or more. An overwhelming majority of farm operators rely on off-farm income and have gross farm incomes of significantly less than \$100,000.

A majority of farm operators indicated little or no change to their operations in the past five years or expected any significant changes within the near future. Most operations rely on businesses located within fifty miles of their farm operation. Significant expenses include, feed costs, taxes, repairs, energy, and fertilizer.

Drainage issues impact at least a majority of farm operators that limits productivity of the land they operate. Most farm operations experience significant issues, including: regulations, taxes, high cost of inputs, local land use decisions, adequate income, development pressure, lack of labor, equipment, agriculturally related support, and non-farm neighbors.

A majority of farm operators indicated that top three factors to encourage farming within Ontario County are: low pressure from development, long-term conservation of land and proximity to agricultural services.

Most farm operators have identified taxes, development pressure and conservation easements as factors impacting the retention of lands for an agricultural use. Most farm operators have a desire to continue to keep their land in farming a large majority but appear to lack formal succession and/or continuity plans. At least one third of farm operators indicated they expect to stop farming within 10 years.

## Implications

Town policy and planning may want to encourage succession planning and conservation easements in order to promote farming and land in an agricultural use over the long run. Also Town policy may want to encourage more favorable economic and zoning policy to maintain existing operations while encouraging new young farmers and startup farm operations. Having such a policy will likely be critical to address farmer operators that will either go out of business or retire within the next ten years. The Town may also want to consider improving drainage in agricultural areas thereby improving productivity of land and promoting profitability of a large majority of farm operations over the long run.

# TOWN OF FARMINGTON



**1000 County Road 8, Farmington, New York 14425-9565**

“The Gateway to Ontario County” (Exit 44 NYS Thruway)

The Town of Farmington is an equal opportunity provider

TDD 1-800-662-1220

www.townoffarmingtonny.com

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Theodore M. Fafinski

**Deputy Supervisor**  
Michael Casale

**Town Clerk &  
Receiver of Taxes**  
Michelle A. Finley

**Town Board**  
Peter Ingalsbe  
Michael Casale  
Timothy P. Mickelsen  
Steven Holtz

**Justices**  
John E. Gligora  
Morris Lew

**Highway/Parks  
Superintendent**  
Ed McLaughlin

**CONTACT US:**

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Donna J. LaPlant  
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**Building &  
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**Development Dept.**  
(315) 986-8189

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Fax: (315) 986-9268

**Town Hall**  
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Fax: (315) 986-4377

**Town Court**  
(315) 986-8195  
(315) 986-3113

**Water & Sewer**  
(585) 924-3158  
Fax: (585) 924-5146

August 18, 2014

**Re: Farm Operator Survey**

Dear Farm Operator:

The Town of Farmington is developing an Agricultural and Farmland Protection Plan funded by a grant from the New York State Department of Agriculture and Markets. The purpose of the Plan is to promote and protect farming and agricultural uses. It is very important for us to have your input into this effort to enable us to respond to your needs and concerns at the town level.

You have been selected for this survey because town records indicate that you operate a farm in Farmington.

Your participation is voluntary and all information will be kept confidential. You will not be individually identified with any of your responses. To avoid us having to follow up to non-respondents, please fill out the survey as soon as possible. The questionnaire should only take about 20 minutes to complete.

To ensure ample opportunity for local input, a series of public meetings will be held related to this Plan. At these meetings, residents will be able to learn the results of the survey, and hear and participate in the discussion. Please watch for public announcements on the town’s website for dates, times and locations.

If you have questions about the survey or would like more information about the Agricultural and Farmland Protection Plan project, contact Ronald L. Brand at (315) 986-8189.

*Please return the survey in the enclosed postage-paid envelope by **September 1, 2014.***  
*Thank you for your participation.*

Yours truly,

\_\_\_\_\_  
Peter Maslyn  
*Chairperson, Farmington Agricultural Advisory Committee*

TOWN OF  
**FARMINGTON**



Farmland Protection Plan  
**Leased Farmland Survey Analysis**



**Town of Farmington Office of Planning and Development**

1000 County Road 8  
Farmington, New York 14425

December 2014

## Leased Farmland Questionnaire Results

A questionnaire was sent to ninety-four (94) farmland owners that lease land to a farmer. This was conducted using a cover letter, printed questionnaire and a return envelope (postage paid) which were sent to a farmland owner’s mailing addresses.

This census of leased farmland owners was created using tax records of landowners receiving an agricultural value exemption, lands that were class coded as agricultural in the RPS file, and lands identified by farmers and municipal officials familiar with leased agricultural lands.

The frame for the census was finalized by town officials, and vetted by members of the Town’s ag advisory committee and town planner. The frame included the landowner’s name, tax account number, mailing and parcel address and a tracking number (follow-up for nonresponse). Sixty-four (68%) landowners responded to the voluntary questionnaire by mail over a six-week period. The questionnaire was sent out at the beginning of August 2014 and ended September 19, 2014. Forty-seven (47) questionnaires were received during the first four weeks. A reminder was sent at the end of four weeks which accounted for an additional seventeen (17) late respondents (n = 64). Late respondents were compared to respondents based on age, gender, land tenure and acreage. Results suggested very little difference in demographics between the two groups.

A total of 63 useable responses were identified for this analysis.

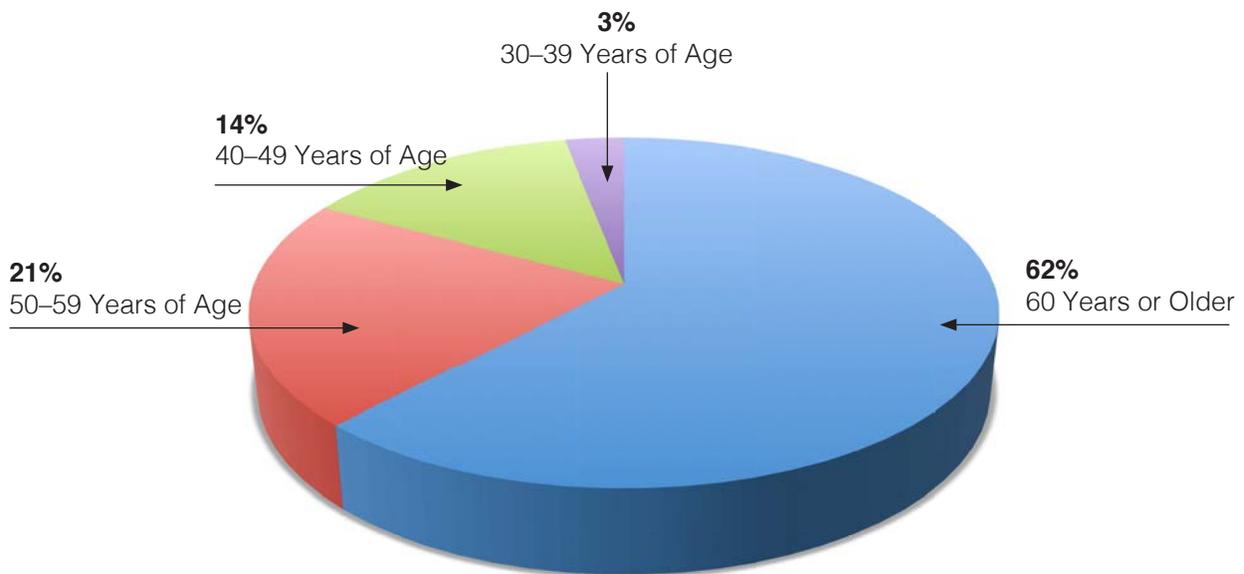
### Presentation of Findings

**Land Status:** All (n = 64) but one respondent owned and rented farmland to a farmer

**Gender:** Based on 61 responses, 44 were male and 17 were female.

**Age:** The majority (62%) of respondents were 60 years or older; twenty-one (21%) percent were aged 50 to 59 years; fourteen (14%) percent were aged 40 to 49 years; while three (3%) percent were between 30–39 years.

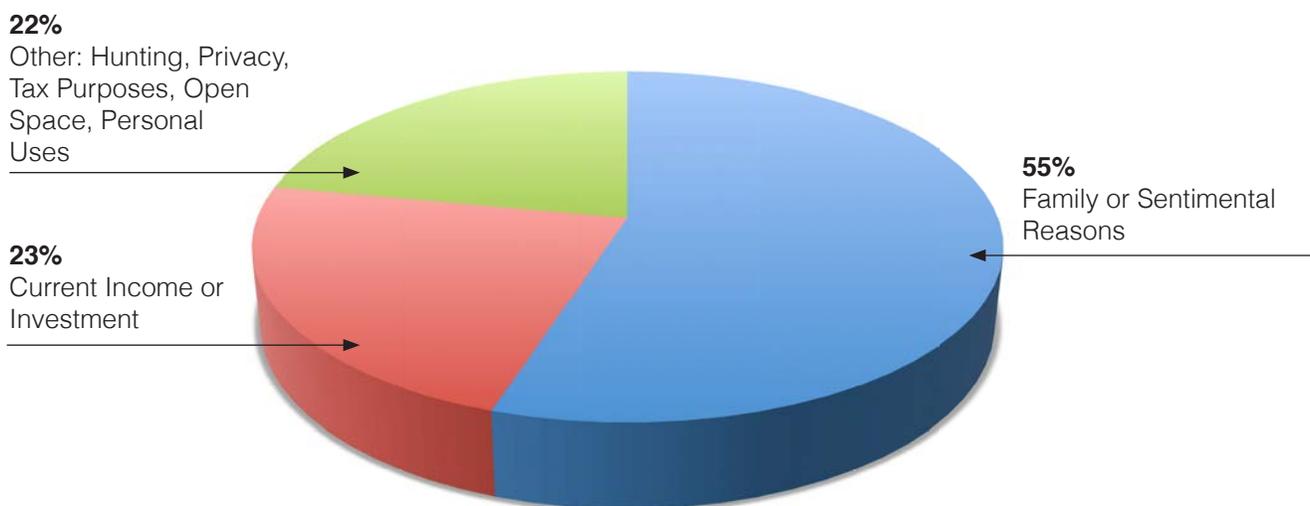
Leased Farmland Questionnaire Results—Age



**Years of Ownership:** Fifty-nine (59) respondents indicated that they owned farmland from one (1) year to seventy (70 years). The average years of ownership was 22.45 years, while at least 50 percent of respondents owned farmland for at least 20 years or more.

**Characteristics of Ownership:** Over 90 percent of farmland was either owned in joint tenancy (husband/wife) or as a sole owner. A very small minority of respondents indicated ownership by life estate, trust, corporation, LLC or life use. Based on 63 responses, a large majority (55%) of respondents indicated owning farmland for either family or sentimental reasons while twenty-three (23%) percent indicated owning land for either current income or as an investment. Other reasons included but were not limited to hunting, privacy, tax purposes, open space and personal use.

### Leased Farmland Questionnaire Results—Characteristics of Ownership

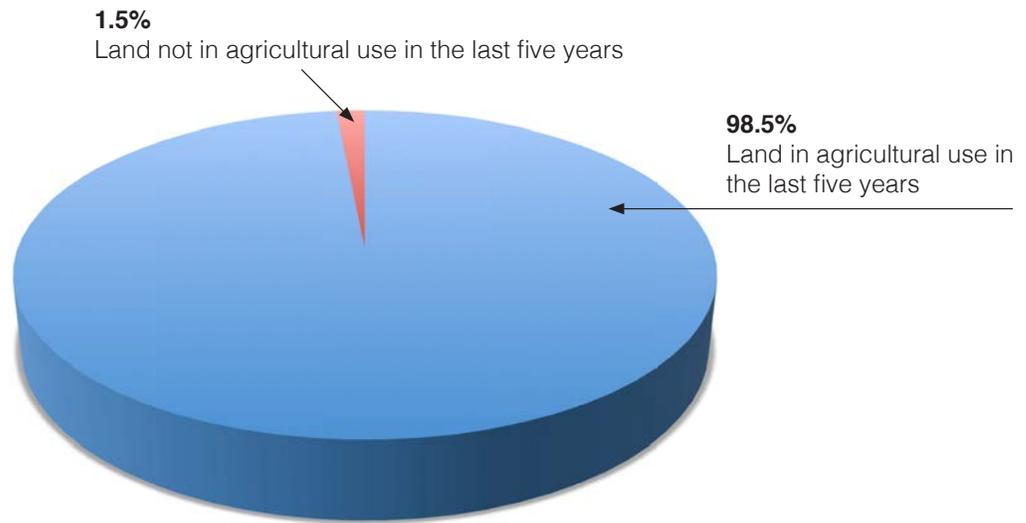


**Agricultural Use:** All but one respondent (98.5%) indicated their land was in an agricultural use in the last five years. Sixty-one (61) respondents reported owning 3,622.37 acres of farmland. Almost this same amount of land was characterized as tillable ranging from seventeen (17%) to one hundred (100%) percent with the average parcel size of sixty-seven (67%) percent tillable. Almost all of this tillable land was indicated as being leased.

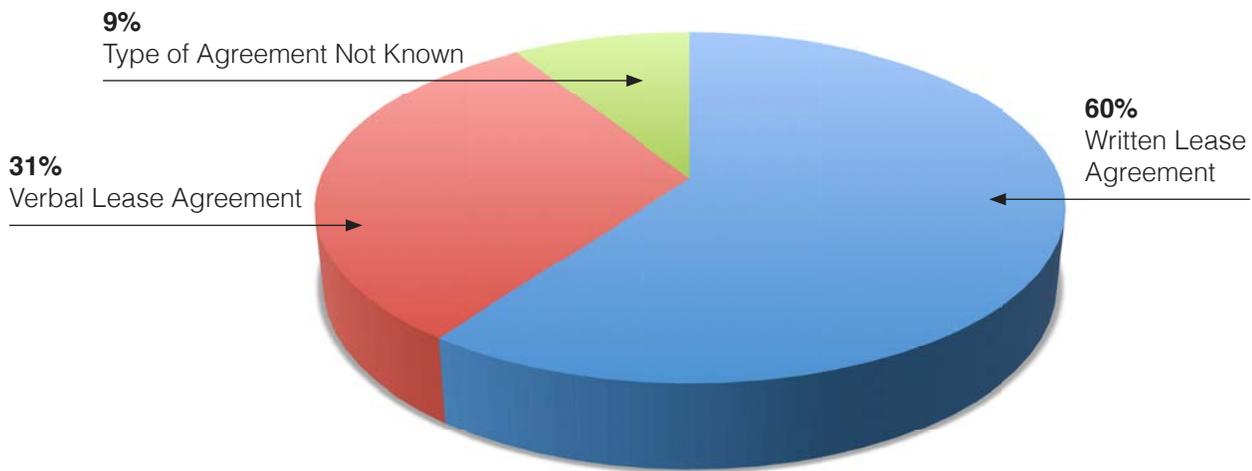
Only sixty (60%) percent of these respondents indicated having a written lease agreement, thirty-one (31%) percent only had a verbal agreement while nine (9%) percent did not know. Based on 36 respondents, 1,555 acres of owned land was leased to a farmer. Rented parcel size ranged from 2 to 225 acres. At least half of leased parcels were of 28.6 acres or less.

Only two respondents had farmland in a government conservation program (48.6 acres). One (1) respondent had placed property rights of their land in a conservation easement program. Four (4) respondents had transferred certain rights associated with their land.

### Leased Farmland Questionnaire Results—Agricultural Use



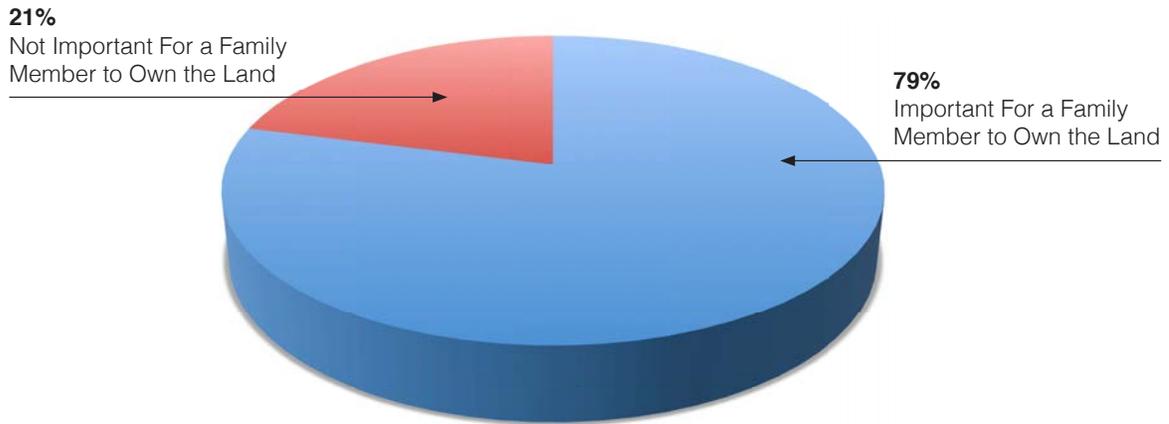
### Leased Farmland Questionnaire Results—Written or Verbal Lease Agreement



**Continue to Rent:** Fifty-five (55) respondents indicated an interest to continue leasing lands, but 35 percent of respondents were only expecting to do so for the next 10 years or less.

**Expectations of Tenants:** Respondents (52) were asked as to how important it was for a tenant to be a family member, known personally, and a good steward of the land. A majority (79%) of landowners indicated it was not important for a family member to own the land (79%), but wanted to personally know the tenant (70%). All respondents (100%) indicated important or very important that a tenant be a good steward of the land.

### Leased Farmland Questionnaire Results—Importance of Tenant as a Family Member

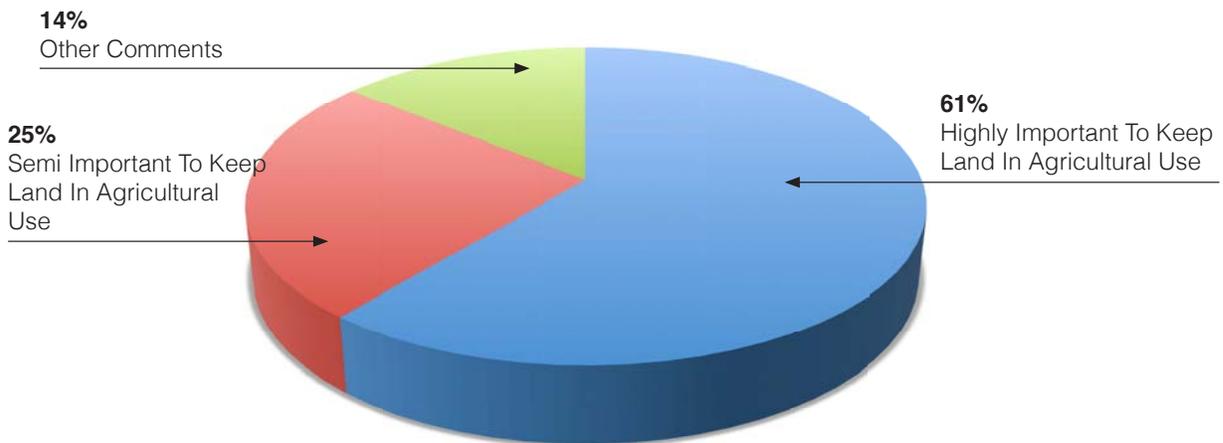


**Future of Ownership:** Six (6) respondents indicated they had sold land within the last ten years. Two (2) respondents had sold to another farmer. A large majority (61%) indicated it was highly important to keep their land in an agricultural use and twenty-five (25%) percent indicating it was semi-important. Over 93 percent of respondents (n = 62) either have not considered or needed more information regarding an agricultural conservation easement.

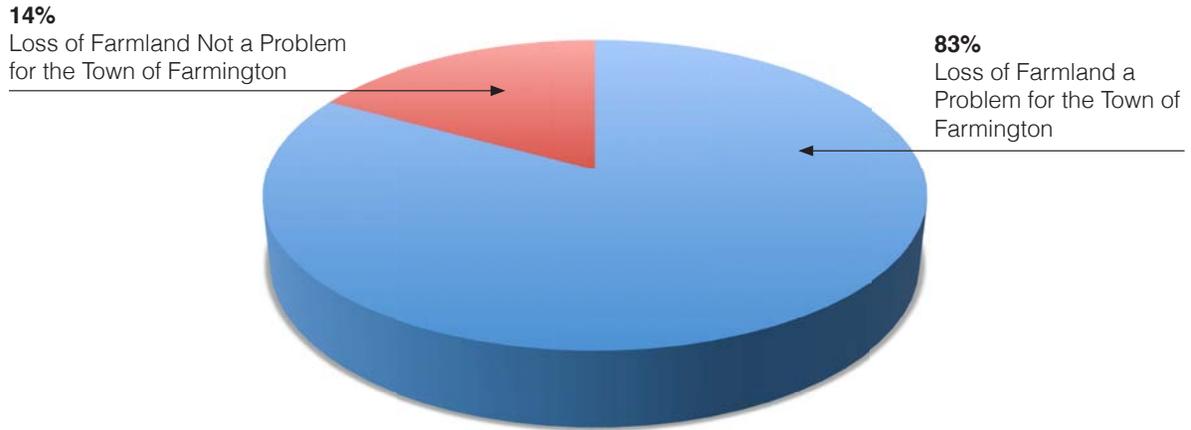
Almost 83 percent of respondents (n = 60) thought that the loss of farmland was a problem for the Town of Farmington.

Based on a multiple response question, respondents indicated in the following order suggestions to strengthen farming: reduce property taxes (49), advocate on behalf of farmers (33), develop stronger land use policy protection agriculture (29), supporting and promoting programs for young and beginning farmers (29), changing farmland assessment practices (26), promote sustainable and locally grown agricultural products (22) and promote agricultural economic development (21).

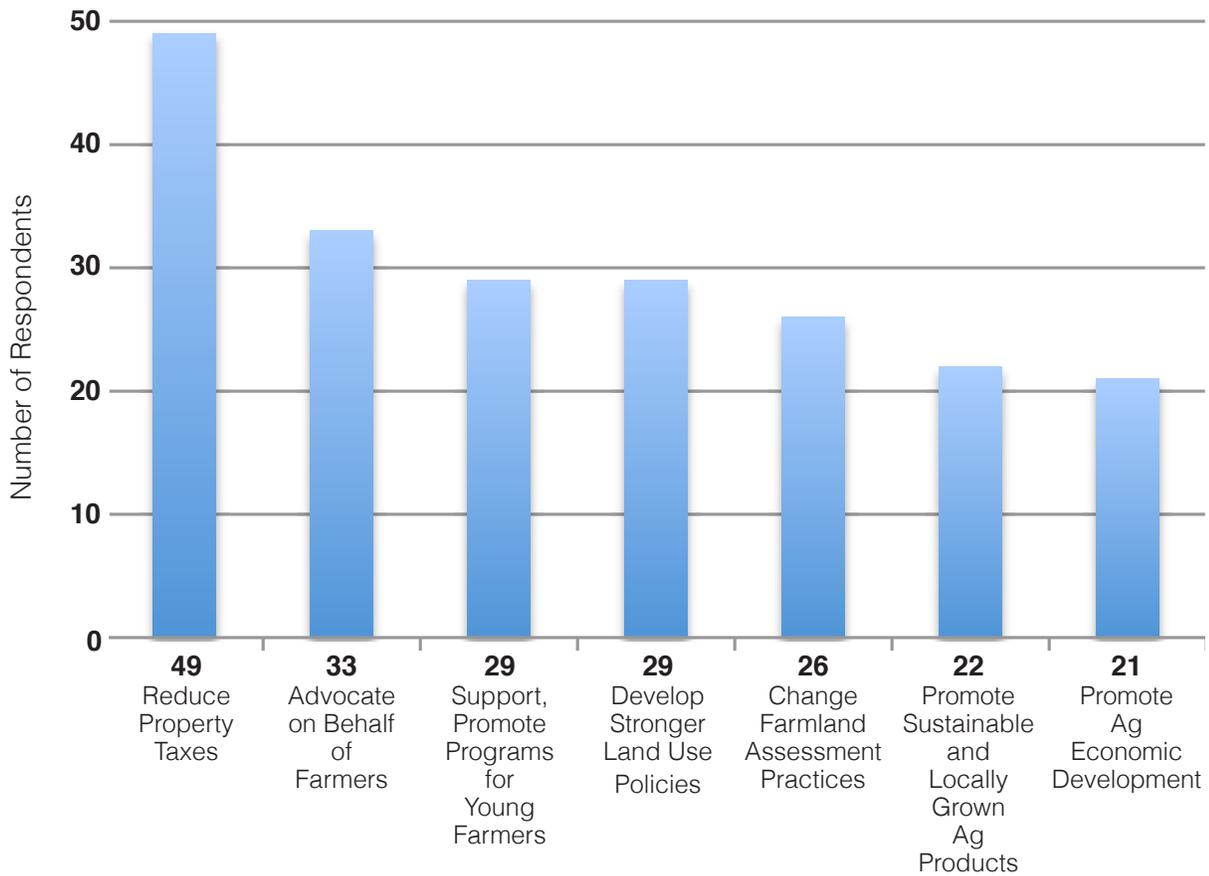
### Leased Farmland Questionnaire Results—Future of Ownership



### Leased Farmland Questionnaire Results—Loss of Farmland

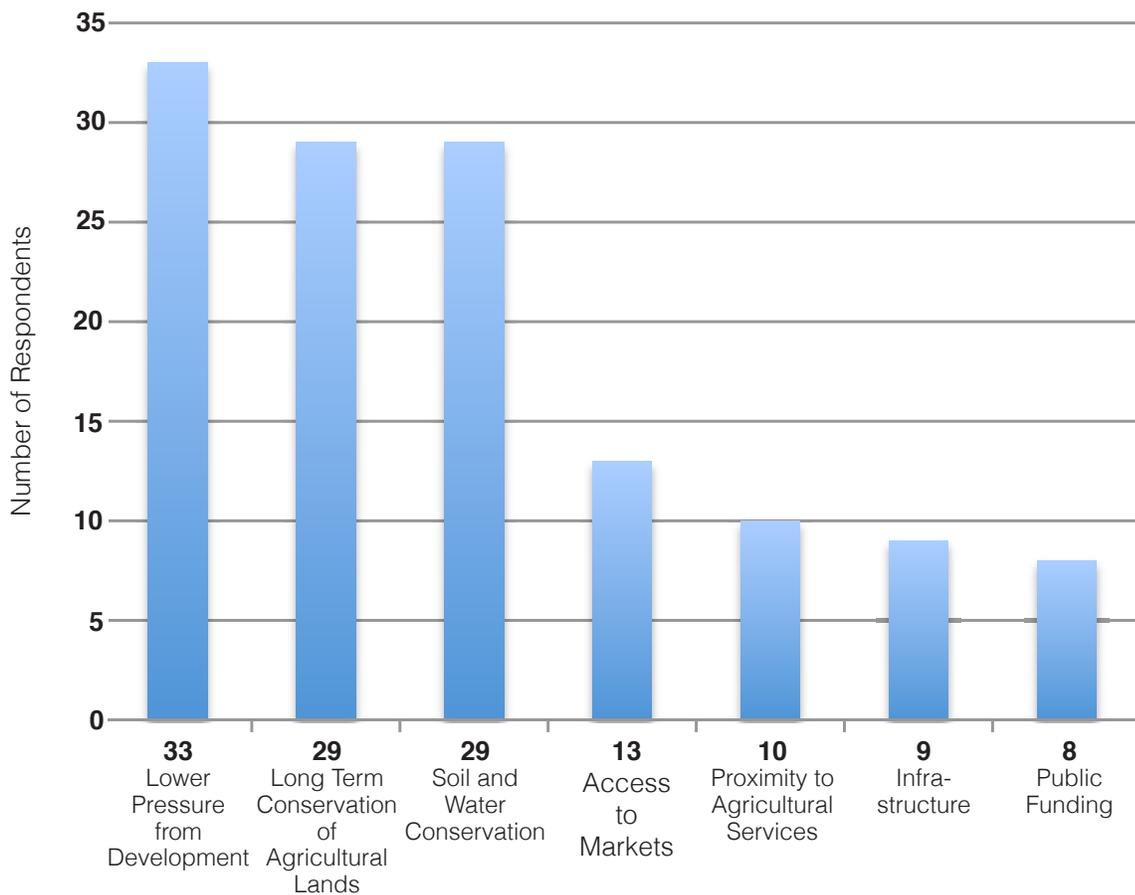


### Leased Farmland Questionnaire Results—Suggestions to Strengthen Farming



**Future of Farming in the Town of Farmington:** Based on a multiple response question, respondents indicated in the following order what they believed what would continue to make farming possible in the town: Lower pressure from development (33), long term conservation of agricultural lands (29), soil and water conservation (29), access to markets (13), proximity to agricultural services (10), infrastructure (9), and public funding (8). Other comments included purchase of development rights, cut out all new housing developments, and school tax concerns.

### Leased Farmland Questionnaire Results—Future of Farming in Farmington, N.Y.



**Changes Over the Next Five Years to Agriculture:** Based on an open-ended response question, respondents anticipated changes to agriculture over the next five years. Their responses reflected current themes and forecasts in agriculture including: changes in production in organic and conventional methods, increased development pressure, more farmland being sold for development, fewer and larger farms, higher taxes, and more impacts and reliance from technology.

**Factors That Might Encourage Land for Farming in the Town of Farmington:** Based on an open-ended response question, asking respondents about what actions Town government could take to ensure their land would be continued as a working farm, several themes emerged, including: promoting agriculture and local farmers, limiting development, supporting local food movement, lowering taxes, strengthen relationships between landowners and farmers, and purchase of development rights.

### **Conclusions:**

Based on this census, an overwhelming majority (97%) of landowners leasing farmland are forty (40) years old or older. At least half are over the age of sixty (60). Ownership is predominantly in the form of sole ownership or joint tenancy. At least one third (35%) of owners do not anticipate leasing their land beyond the year 2024.

A majority of respondents (61%) indicated it was highly important to keep their land in an agricultural use due to family and or sentimental reasons. However, having a family member working the land was far less important than having a tenant that was considered a good steward and having a personal relationship with the landowner. Most land that was being leased is considered as tillable. Only, a slight majority of landowners have a written agreement with their tenant.

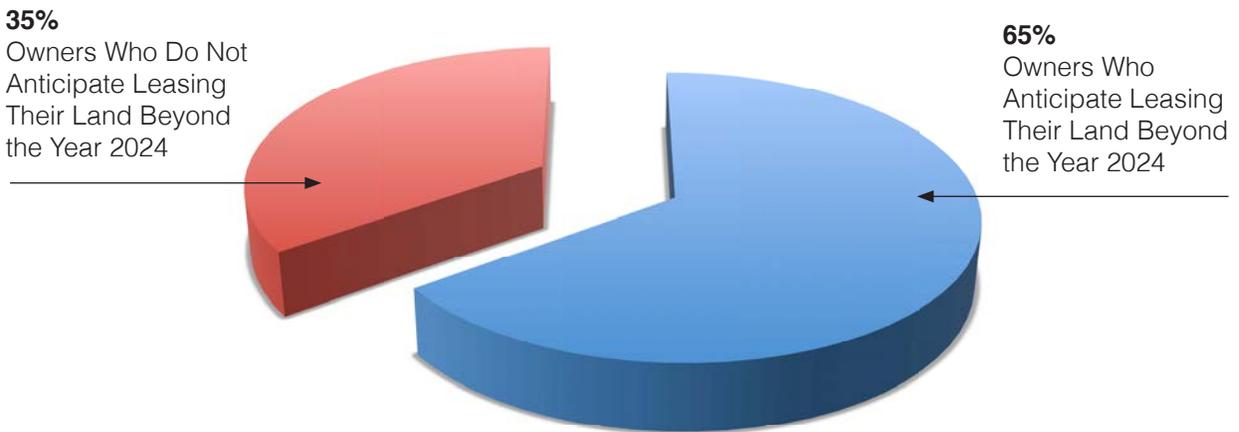
For the long term, most landowners indicated that lower taxes, lower development pressure, favorable agricultural policy and advocacy, and long term conservation of agricultural lands were the most important to encourage future agricultural land use in the town. Agricultural economic development opportunities were not indicated as highly.

### Implications:

A significant portion of agricultural landowners do not expect to be leasing land beyond 2024. To encourage ownership and leasing of agricultural lands, Town policy and planning will require targeting an aging population of agricultural landowners with interests in property taxes, town agricultural policy, agricultural conservation easements (PDR) and opportunities for renting to farmers deemed to be good stewards.

To a much less extent, do these types of landowners have an interest in agricultural economic development opportunities or view such opportunities as encouraging ownership over the long run?

### Leased Farmland Questionnaire Results—Plans to Lease Farmland Beyond 2024



**TOWN OF  
FARMINGTON**



**1000 County Road 8, Farmington, New York 14425-9565**

“The Gateway to Ontario County” (Exit 44 NYS Thruway)

The Town of Farmington is an equal opportunity provider

TDD 1-800-662-1220

www.townoffarmingtonny.com

**Town Supervisor**  
Theodore M. Fafinski

**Deputy Supervisor**  
Michael Casale

**Town Clerk &  
Receiver of Taxes**  
Michelle A. Finley

**Town Board**  
Peter Ingalsbe  
Michael Casale  
Timothy P. Mickelsen  
Steven Holtz

**Justices**  
John E. Gligora  
Morris Lew

**Highway/Parks  
Superintendent**  
Ed McLaughlin

**CONTACT US:**

**Assessor**  
Donna J. LaPlant  
(315) 986-8194

**Building &  
Code Enforcement**  
Floyd Kofahl  
(315) 986-8197

**Development Dept.**  
(315) 986-8189

**Highway/Parks Dept.**  
(315) 986-5540  
Fax: (315) 986-9268

**Town Hall**  
(315) 986-8100  
Fax: (315) 986-4377

**Town Court**  
(315) 986-8195  
(315) 986-3113

**Water & Sewer**  
(585) 924-3158  
Fax: (585) 924-5146

August 18, 2014

**Re: Leased Farmland Survey**

Dear Landowner:

The Town of Farmington is developing an Agricultural and Farmland Protection Plan funded by a grant from the New York State Department of Agriculture and Markets. The purpose of the Plan is to promote and protect farming and agricultural uses. It is very important for us to have your input into this effort to enable us to respond to your needs and concerns at the town level.

You have been selected for this survey because property tax records indicate that you own farmland and lease this land to a farmer. *This survey focuses only on owners of farmland who are leasing their land to a farmer.* Leased farmland accounts for at least 50 percent of all lands in an agricultural use within Farmington. That's why it is important for you, as a landowner, to participate in this study.

Your participation is voluntary and all information will be kept confidential. You will not be individually identified with any of your responses. To avoid us having to follow up to non-respondents, please fill out the survey as soon as possible. The questionnaire should only take about 20 minutes to complete.

To ensure ample opportunity for local input, a series of public meetings will be held related to this Plan. At these meetings, residents will be able to learn the results of the survey, and hear and participate in the discussion. Please watch for public announcements on the town's website for dates, times and locations.

If you have questions about the survey or would like more information about the Agricultural and Farmland Protection Plan project, contact Ronald L. Brand at (315) 986-8189.

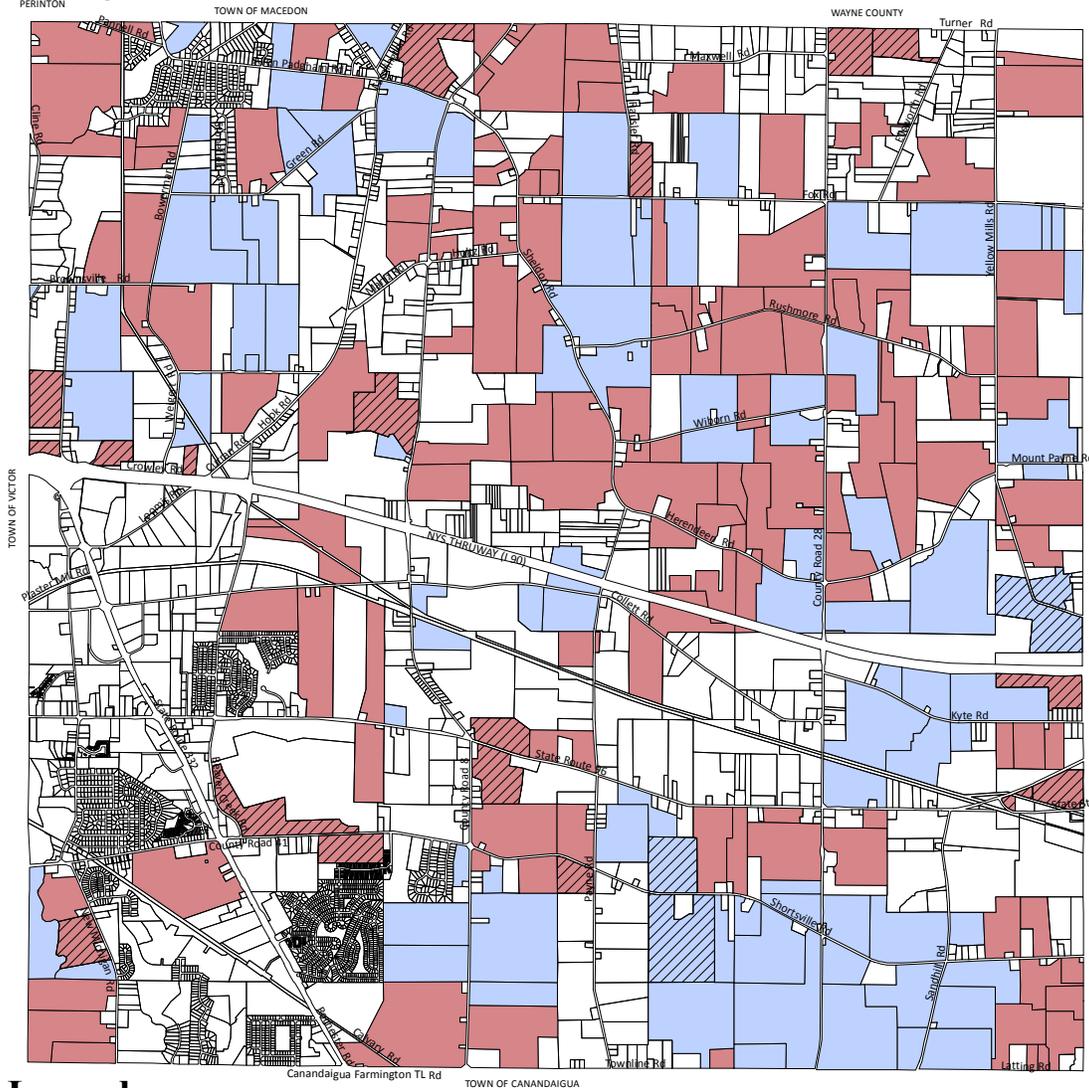
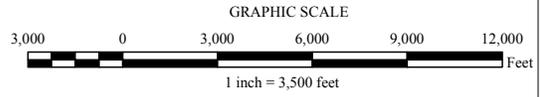
*Please return the survey in the enclosed postage-paid envelope by **September 1, 2014.***  
*Thank you for your participation.*

Yours truly,

---

Peter Maslyn  
*Chairperson, Farmington Agricultural Advisory Committee*

# FARMLAND PROTECTION PLAN



## Legend

-  Parcel Not Receiving Ag Exemption as of 10/2013
-  Farmington Tax Parcel
-  Owned Active Farmland
-  Rented Active Farmland

SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

<u>Farmland</u>	<u>Percent</u>	<u>Acres</u>
Owned	20.30%	5127.54
Rented	24.95%	6302.1
No Ag Exemption	3.94%	997.54

## MAP NO. 1

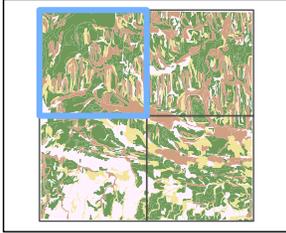
OWNED VERSUS RENTED ACTIVE FARMLAND

MAY 2014

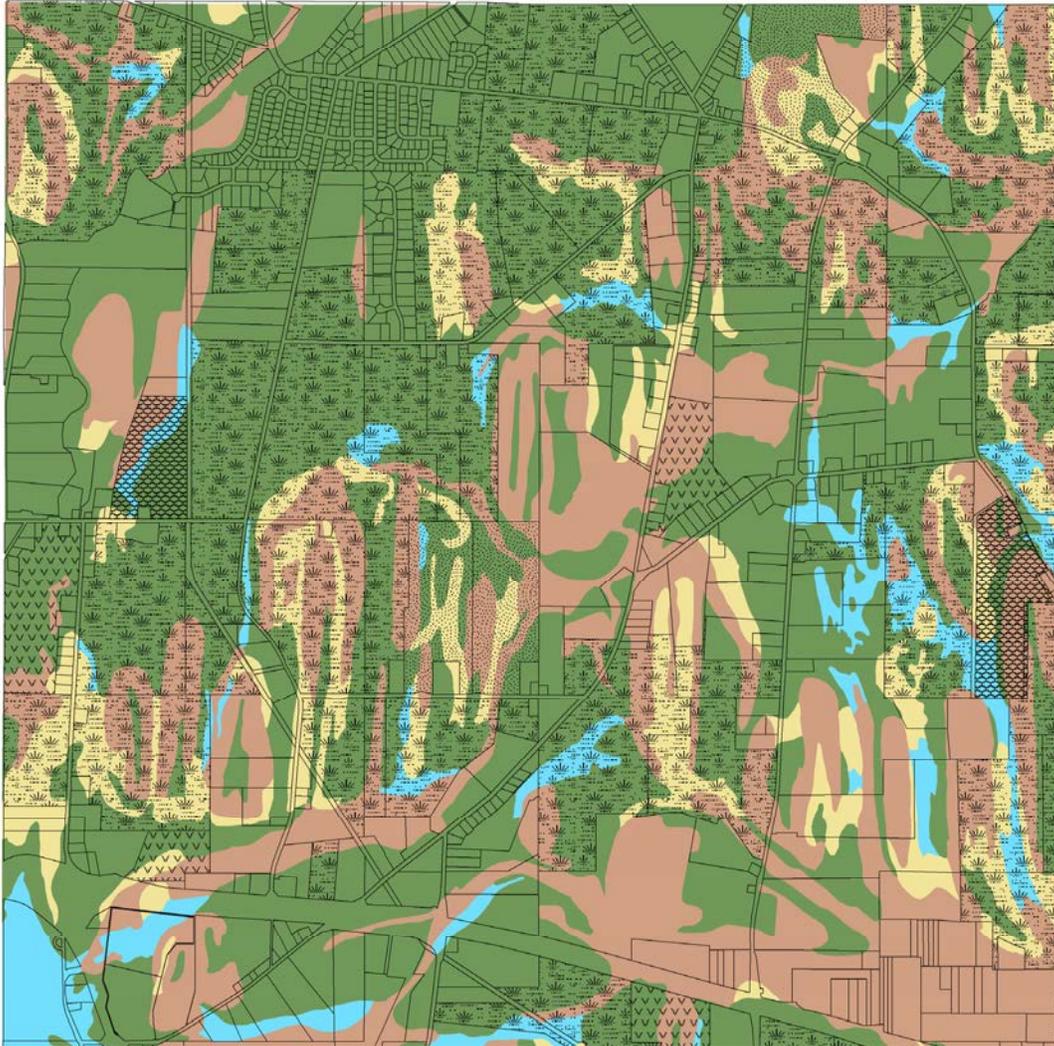
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Pittsford, NY 14534  
Ph: 585.385.7417  
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PLANNING GROUP

# FARMLAND PROTECTION PLAN



Farmland Type	Percent of town	Acres
Prime Farmland	47.37%	11,963.50
Statewide Importance	12.90%	3,267.40
Not Prime Farmland	22.10%	5,580.30
Prime Farmland if Drained	17.56%	4,435.40



SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

**Legend**

- Not Farmland
- Dairy/Livestock
- Dairy/Livestock + Field Crops
- Field Crops
- Field Crops + Fruit
- Field Crops + Horses
- Field Crops + Horses
- Field Crops + Woods
- Horses
- Other
- All areas are prime farmland
- Farmland of statewide importance
- Prime farmland if drained
- Not prime farmland

## MAP NO. 2

Page 1 of 4

### SOIL TYPE MAP

MAY 2014

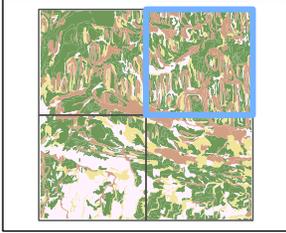
GRAPHIC SCALE



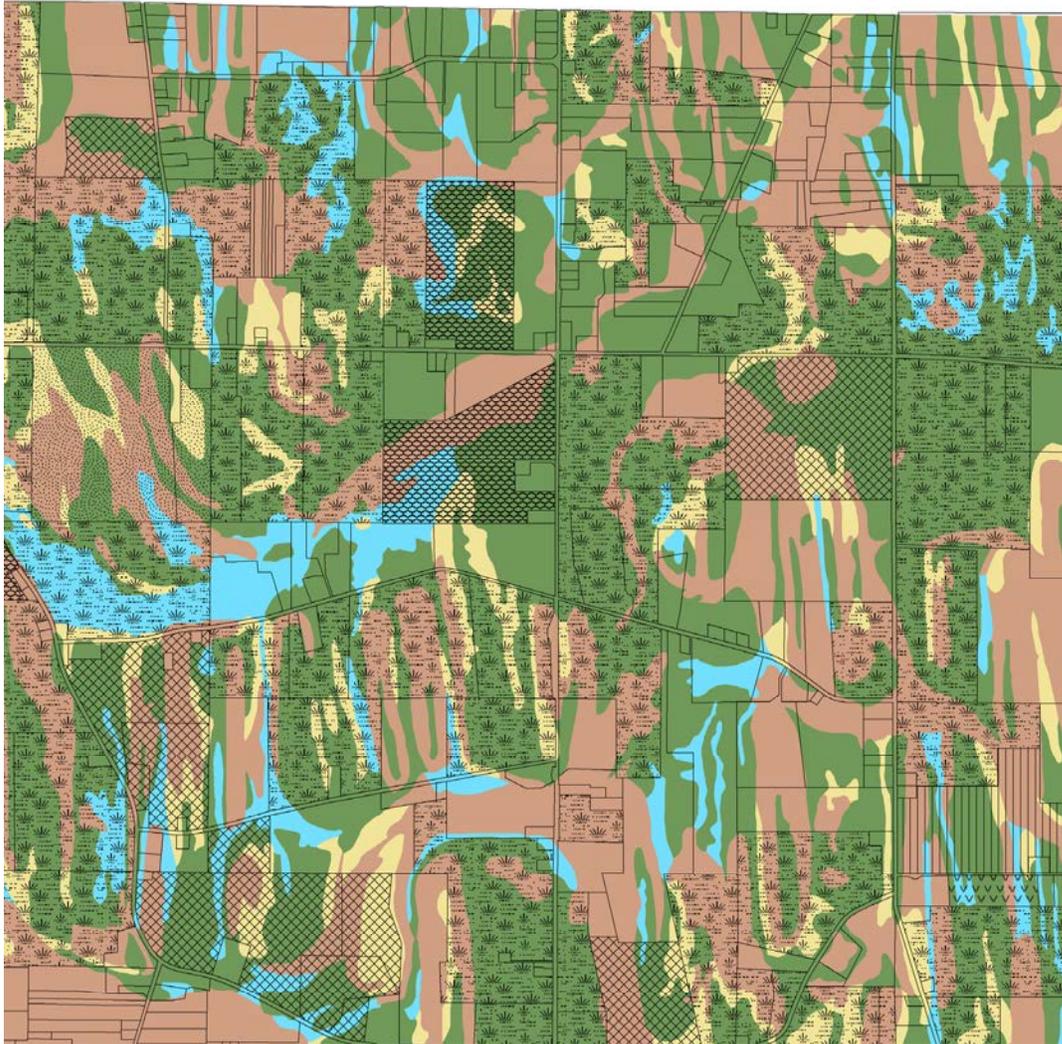
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20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

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## MAP NO. 2

Page 2 of 4

SOIL TYPE MAP

MAY 2014

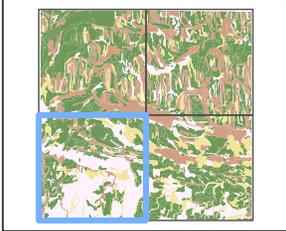
GRAPHIC SCALE



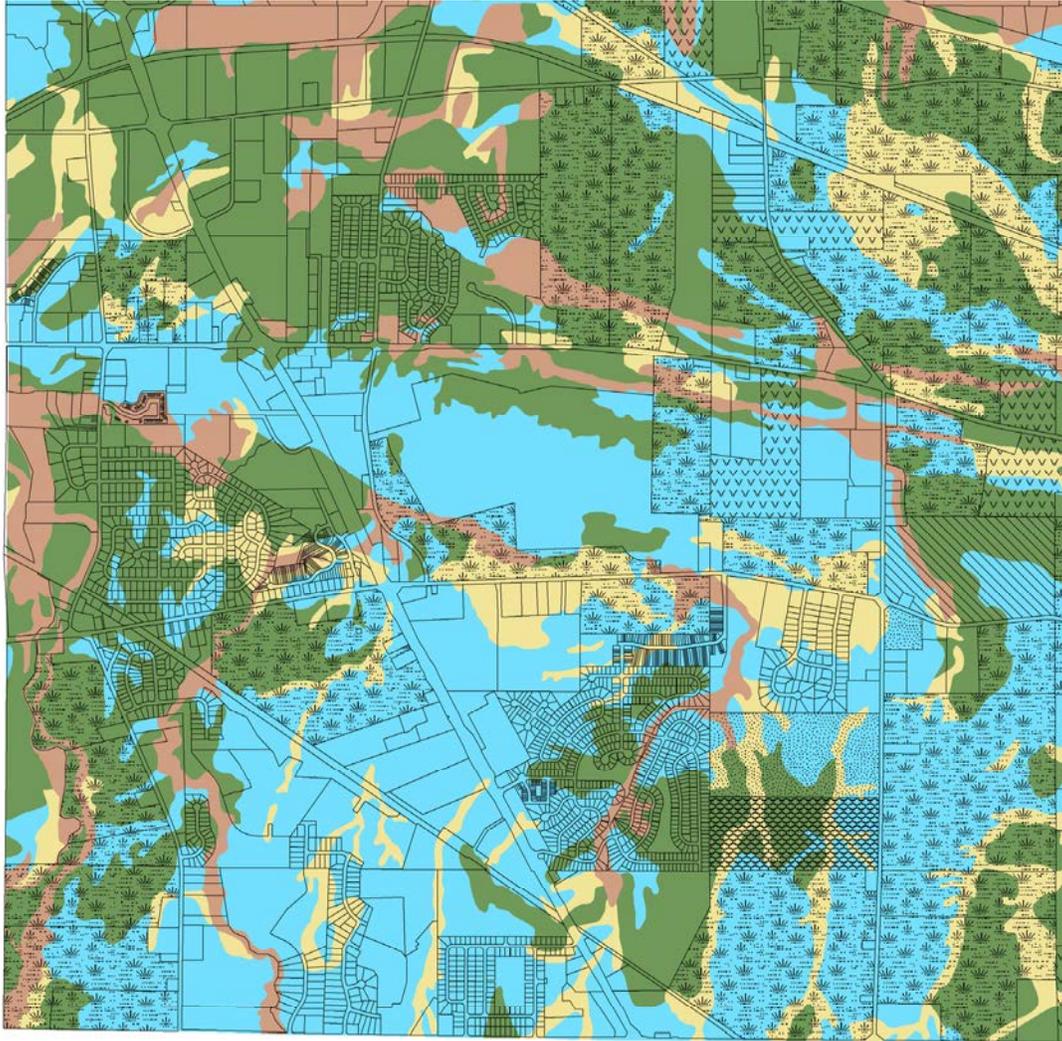
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- Other
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- Prime farmland if drained
- Not prime farmland

SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

## MAP NO. 2

Page 3 of 4

SOIL TYPE MAP

MAY 2014

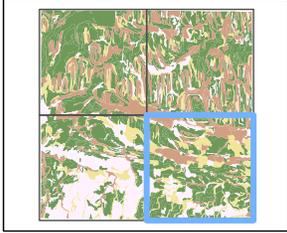
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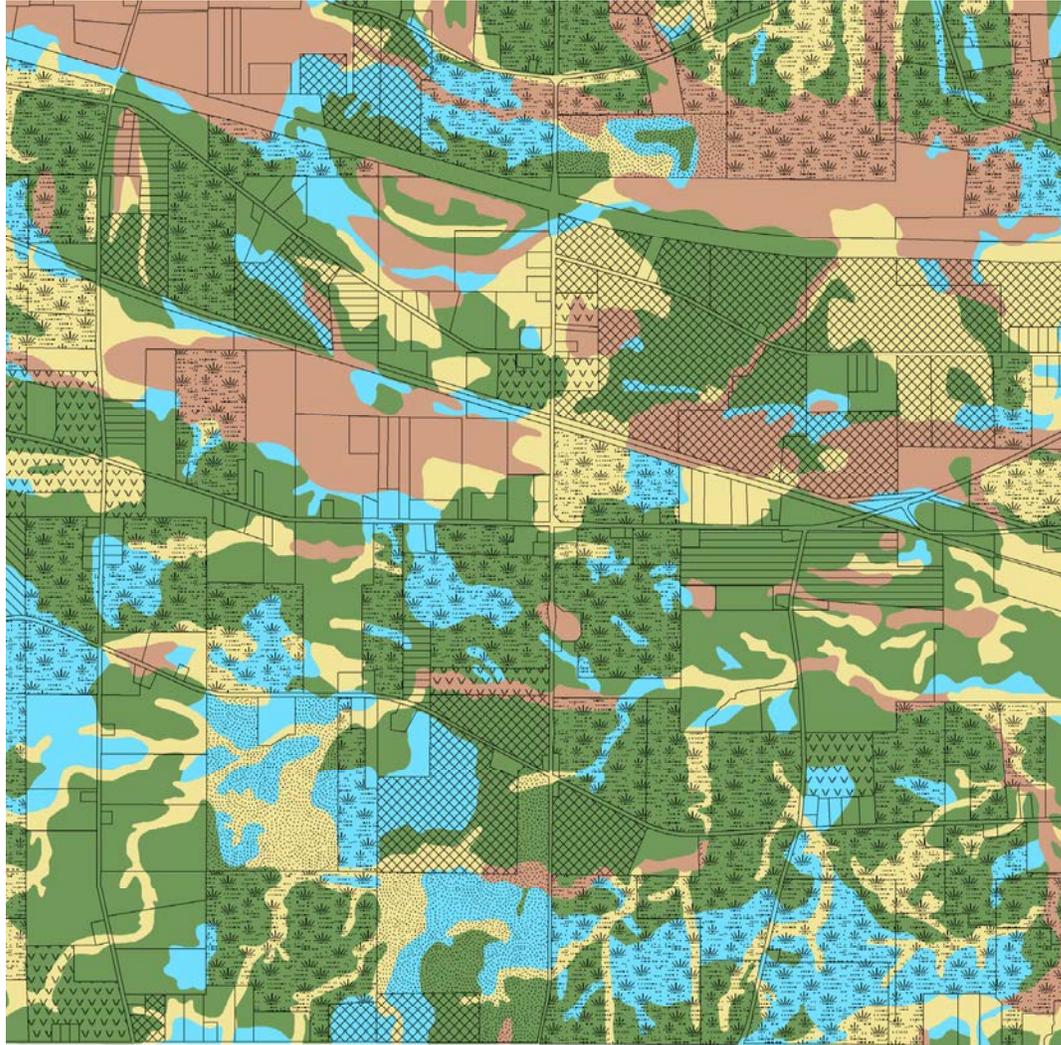
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- Field Crops + Horses
- Field Crops + Woods
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- Prime farmland if drained
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SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

## MAP NO. 2

Page 4 of 4

SOIL TYPE MAP

MAY 2014

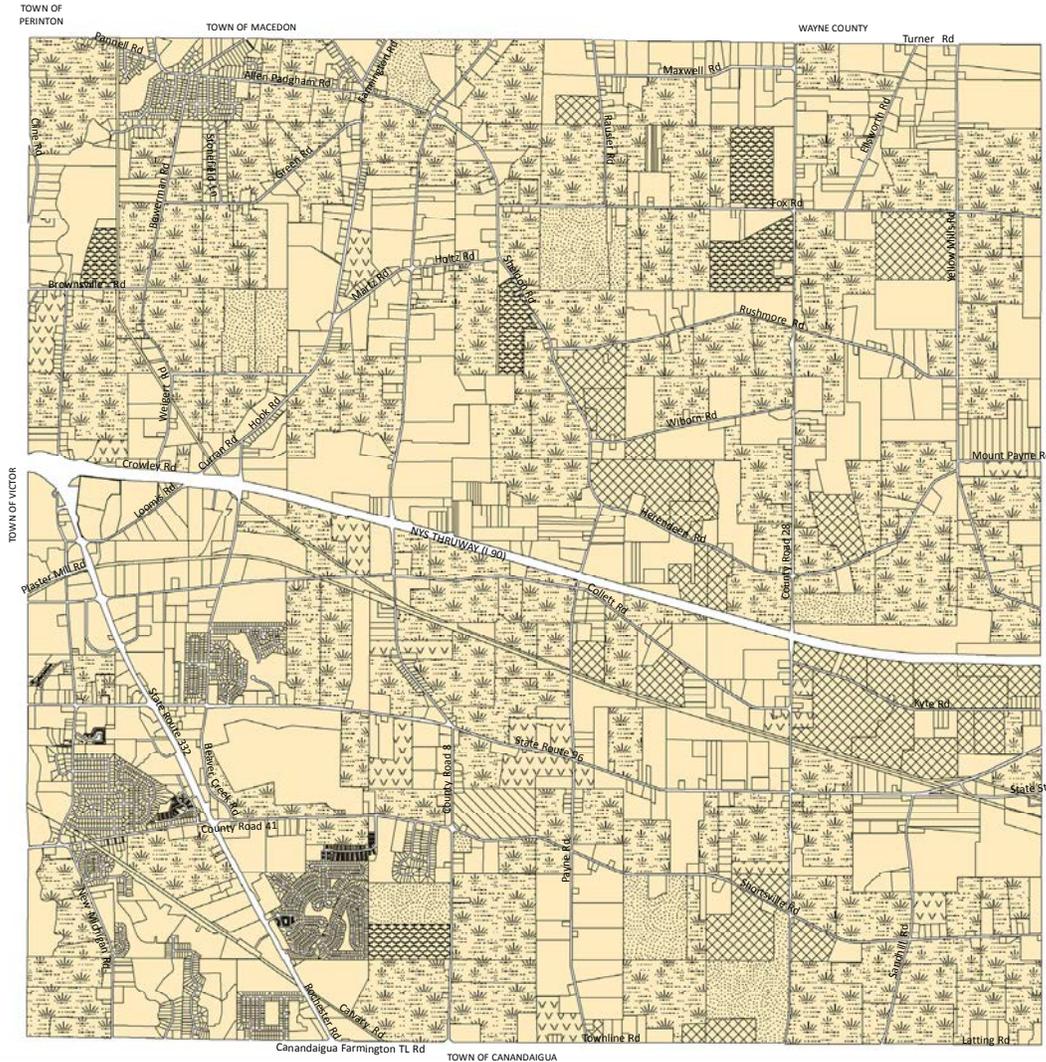
GRAPHIC SCALE



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# FARMLAND PROTECTION PLAN



**Legend**

- |                               |                      |                     |
|-------------------------------|----------------------|---------------------|
| Not Farmland                  | Field Crops          | Field Crops + Woods |
| Dairy/Livestock               | Field Crops + Fruit  | Horses              |
| Dairy/Livestock + Field Crops | Field Crops + Horses | Other               |

SOURCE OF DIGITAL DATA:  
 YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
 20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

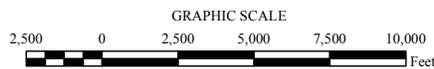
## MAP NO. 3

FARMLAND PRODUCTION MAP

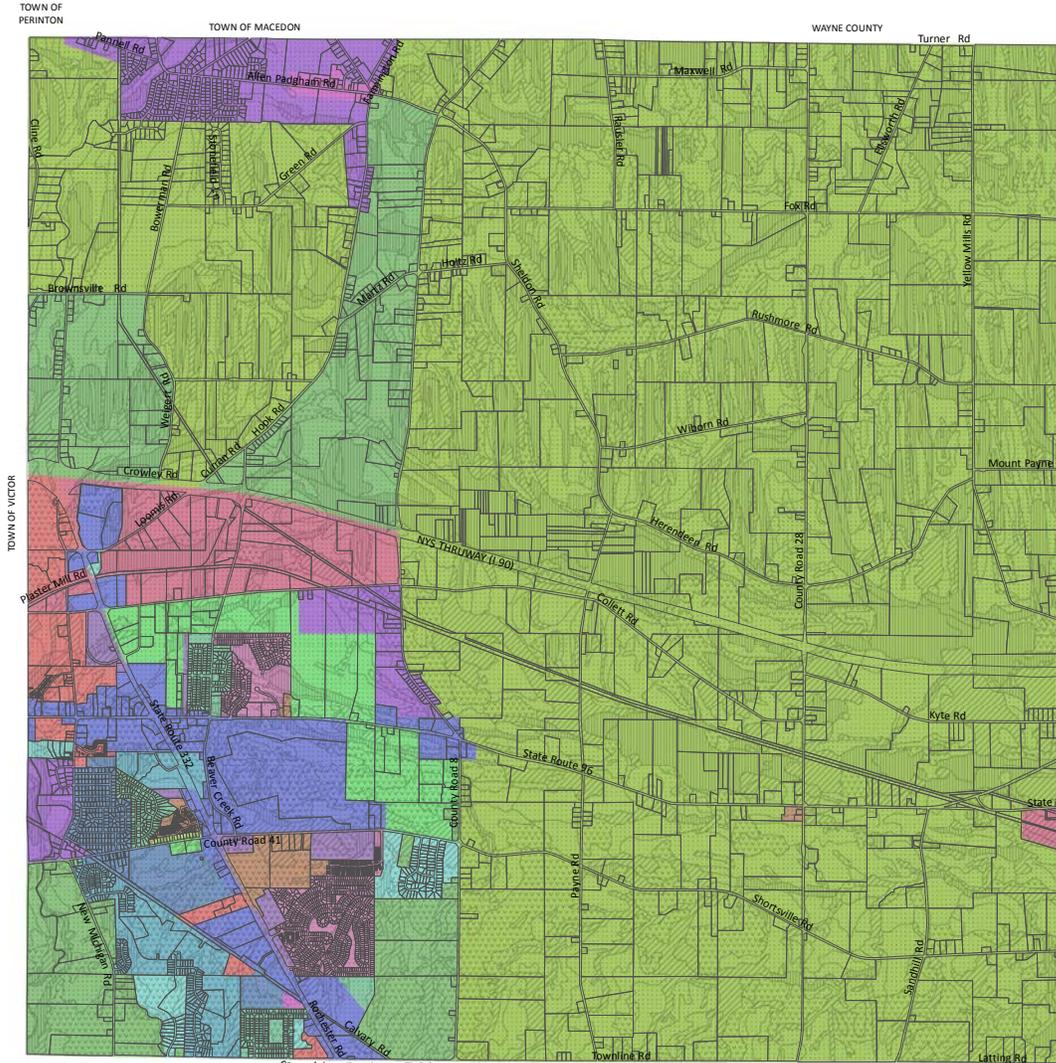
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# FARMLAND PROTECTION PLAN



SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14844

**Legend**

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

**Zoning**

- |                         |                                    |                                      |
|-------------------------|------------------------------------|--------------------------------------|
| A-80 - Agricultural     | NB - Neighborhood Business         | RB - Restricted Business             |
| GB - General Business   | PD - Planned Development           | RMF - Residential Multiple-Family    |
| GI - General Industrial | R-1-10 - Residential Single Family | RR-80 - Rural Residential            |
| IZ - Incentive Zoning   | R-1-15 - Residential Single Family | RS-25 - Residential-Suburban         |
| LI - Limited Industrial | R-2 - Residential Two-Family       | T.L. Sect. 278 - Cluster Development |
|                         | R-7.2 - Planned Subdivision        |                                      |

## MAP NO. 4

SOILS CLASSIFICATIONS VS. ZONING CLASSES

MAY 2014

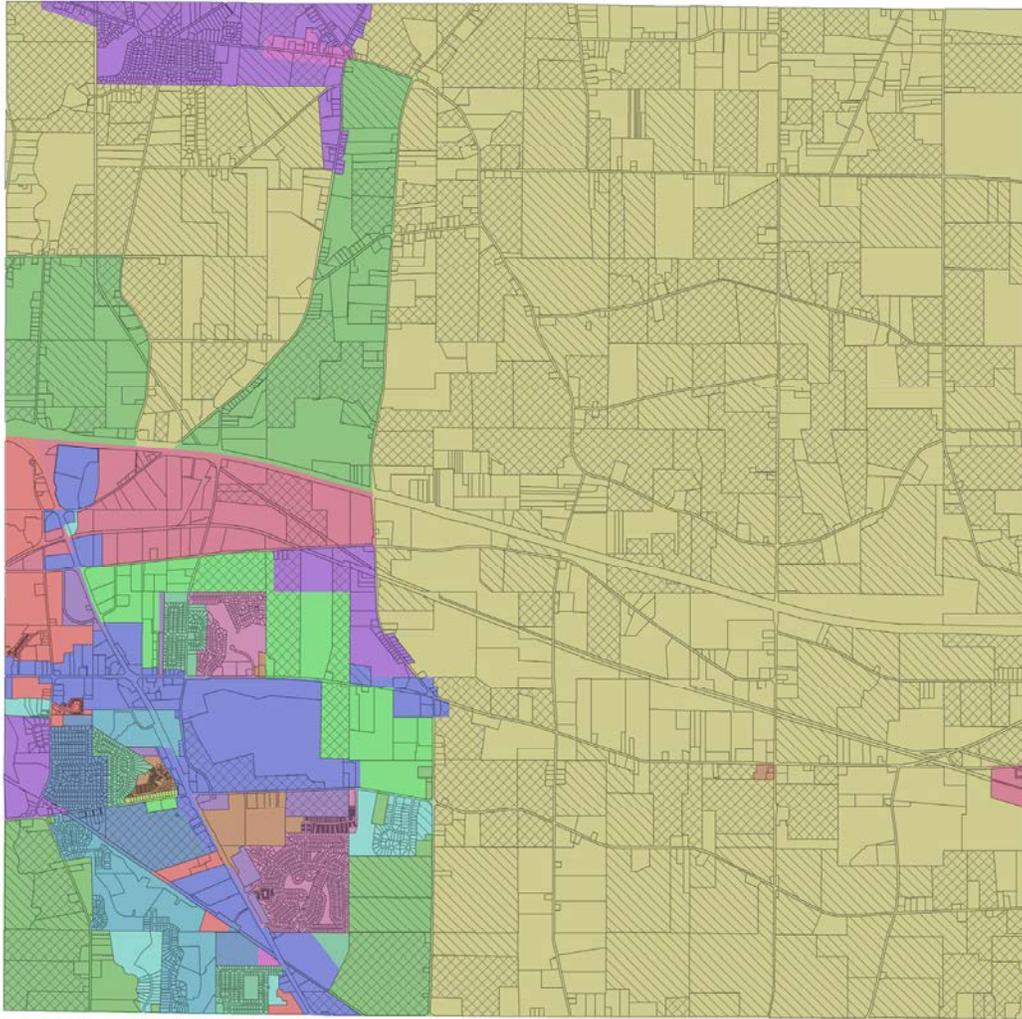
GRAPHIC SCALE



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# FARMLAND PROTECTION PLAN



SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

Zoning	Owned Farmland		Rented Farmland	
	%	Acres	%	Acres
A-80	18.88	4767.89	21.90	5531.15
GB	0.04	10	1.49	375.82
GI	0	0	0.36	91.42
LI	0	0	1.57	397.49
NB	0.19	47.38	0.25	63.66
PD	0	0	0.41	102.72
R-1-10	0	0	0.68	170.86
R-1-15	0	0	0.50	125.44
R-7.2	0.61	155.02	1.11	281.49
RB	0	0	0.17	42.73
RR-80	2.13	537.67	3.05	769.56
RS-25	0.47	117.83	1.61	407.11
T.L. 278	0.05	13.42	0	0

### Legend

	Farmington Tax Parcel		A-80 - Agricultural		R-1-15 - Residential Single Family
	Owened Active Farmland		GB - General Business		R-2 - Residential Two-Family
	Rented Active Farmland		GI - General Industrial		R-7.2 - Planned Subdivision
			IZ - Incentive Zoning		RB - Restricted Business
			LI - Limited Industrial		RMF - Residential Multiple-Family
			NB - Neighborhood Business		RR-80 - Rural Residential
			PD - Planned Development		RS-25 - Residential-Suburban
			R-1-10 - Residential Single Family		T.L. Sect. 278 - Cluster Development

## MAP NO. 5 EXISTING ZONING

GRAPHIC SCALE



1 inch = 3,500 feet

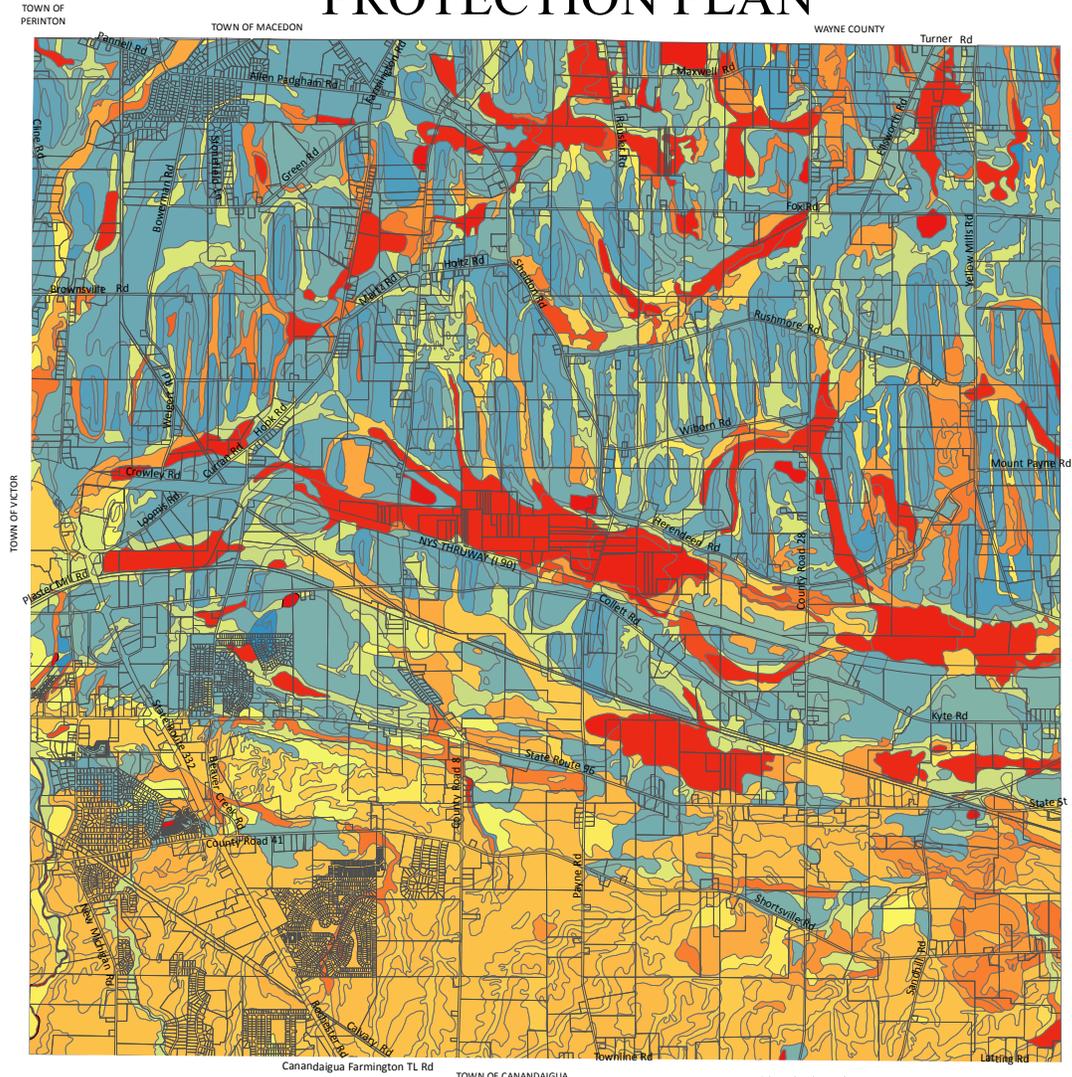
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# FARMLAND PROTECTION PLAN

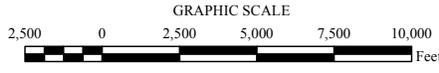


SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

**Legend**

101A	112C	124B	134B	162B	177A	204A	24C	27B	33E	37A	48A	56A	68B	76B
101B	112D	126A	13F	162C	177B	204B	24D	2A	342A	37B	48B	58B	68C	76C
101C	112E	126B	14D	162D	181B	20A	255B	304A	34A	38A	48C	58C	68D	76D
101D	114B	126C	151C	168A	181C	210A	255C	304B	356A	38B	48D	5A	69A	77A
101E	114C	126D	152B	168B	181D	210B	255D	31A	356B	39A	49B	62B	69B	77B
104A	114D	128A	152C	168C	181E	212A	25A	31B	357B	3A	49D	62C	69C	82B
104B	116B	128B	152D	168D	182B	240B	25B	31C	357C	400A	49E	62D	71A	82C
104C	116C	128C	152E	16A	182C	240C	25C	31D	35A	401D	49F	62E	71B	82D
106B	116D	12D	153B	16B	18A	240D	25D	32A	35B	41A	4A	63B	71C	91A
107B	118F	130A	153C	16C	19A	241B	25E	32B	36A	43A	50B	63C	72A	92A
108C	120E	130B	153D	171C	1A	241C	260B	33A	36B	44A	50C	63D	72B	93A
108D	122A	132A	153E	171D	201A	241D	260C	33B	36C	45A	50D	64B	73B	94A
108E	122B	132B	15A	171E	201B	24A	260D	33C	36D	46A	53A	66A	73C	95A
112B	124A	134A	15B	171F	201C	24B	26B	33D	36E	46B	54A	68A	73D	PG
														PQ
														W

**MAP NO. 6**  
**MULTIPLE SOIL TYPES MAP**  
**MAY 2014**



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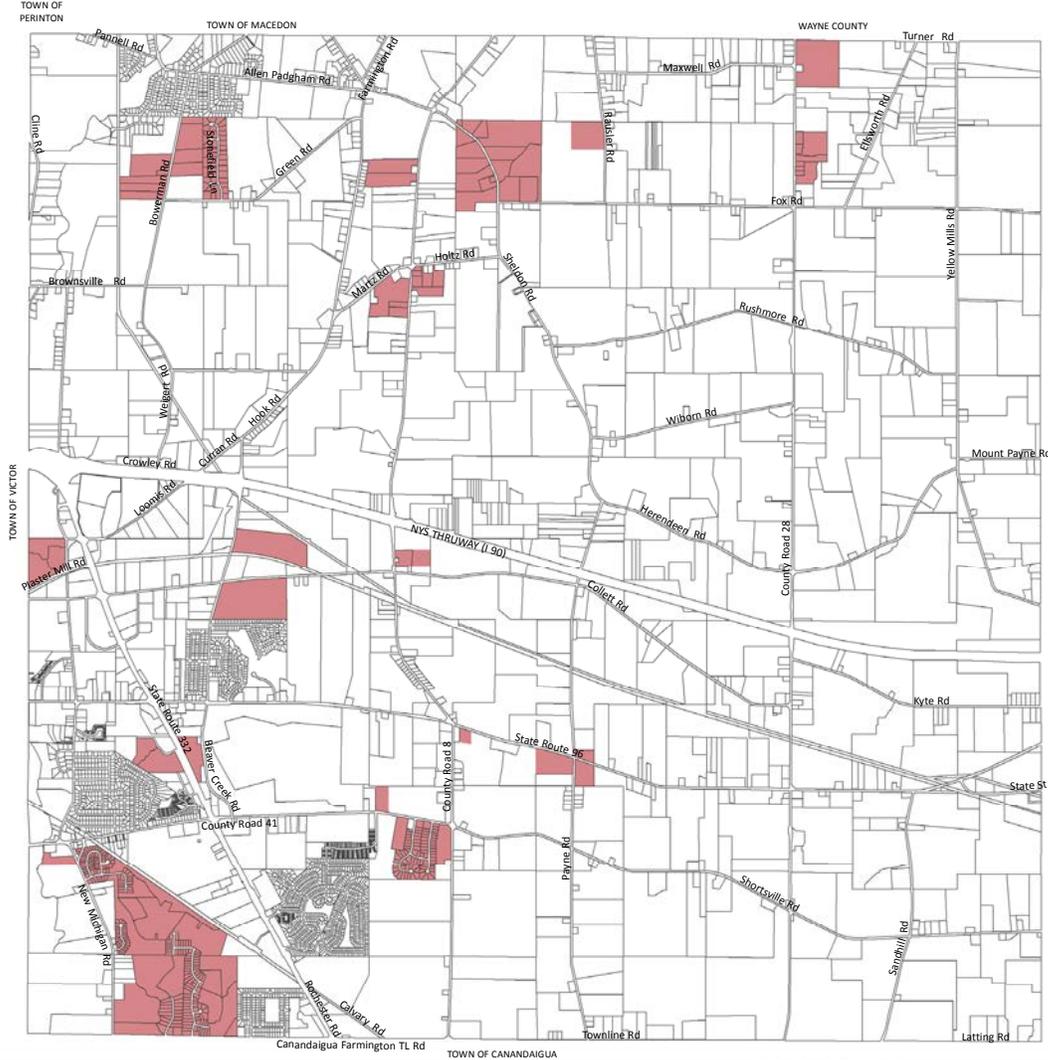
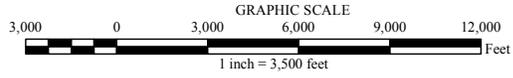
## Soil Classifications

Class	Soil Description
101A	Honeoye loam, 0 to 3 percent slopes
101B	Honeoye loam, 3 to 8 percent slopes
101C	Honeoye loam, 8 to 15 percent slopes
101D	Honeoye loam, 15 to 25 percent slopes
104B	Honeoye loam, 3 to 8 percent slopes, lower clay surface
112B	Ontario fine sandy loam, 3 to 8 percent slopes
112C	Ontario fine sandy loam, 8 to 15 percent slopes
112D	Ontario fine sandy loam, 15 to 25 percent slopes
112E	Ontario fine sandy loam, 25 to 35 percent slopes
114B	Ontario gravelly loam, 3 to 8 percent slopes
114C	Ontario gravelly loam, 8 to 15 percent slopes
116B	Ontario loam, 3 to 8 percent slopes
116C	Ontario loam, 8 to 15 percent slopes
116D	Ontario loam, 15 to 25 percent slopes
118F	Ontario, Honeoye and Lansing soils, 35 to 55 percent slopes
120E	Palmyra and Howard soils, 25 to 45 percent slopes
122A	Palmyra cobbly loam, 0 to 3 percent slopes
122B	Palmyra cobbly loam, 3 to 8 percent slopes
124A	Palmyra fine sandy loam, 0 to 3 percent slopes
124B	Palmyra fine sandy loam, 3 to 8 percent slopes
126A	Palmyra gravelly loam, 0 to 3 percent slopes
126B	Palmyra gravelly loam, 3 to 8 percent slopes
126C	Palmyra gravelly loam, 8 to 15 percent slopes
126D	Palmyra gravelly loam, 15 to 25 percent slopes
128A	Palmyra gravelly sandy loam, 0 to 3 percent slopes
128B	Palmyra gravelly sandy loam, 3 to 8 percent slopes
128C	Palmyra gravelly sandy loam, 8 to 15 percent slopes
130A	Farmington loam, 0 to 3 percent slopes
130B	Farmington loam, 3 to 8 percent slopes
132A	Galoo loam, 0 to 3 percent slopes, rocky
132B	Galoo loam, 3 to 8 percent slopes, rocky
134A	Camillus silt loam, 0 to 3 percent slopes
134B	Camillus silt loam, 3 to 8 percent slopes
18A	Homer fine sandy loam, 0 to 3 percent slopes
19A	Fine-loamy, mixed, active, mesic, Typic Argiaquolls, 0 to 3 percent slopes
1A	Fluvaquents-Udifluvents complex, 0 to 3 percent slopes, frequently flooded
201A	Lima loam, 0 to 3 percent slopes
Class	Soil Description
201B	Lima loam, 3 to 8 percent slopes

201C	Lima loam, 8 to 15 percent slopes
204B	Lima loam, 3 to 8 percent slopes, lower clay surface
210A	Phelps gravelly silt loam, 0 to 3 percent slopes
210B	Phelps gravelly silt loam, 3 to 8 percent slopes
212A	Nuhi silt loam, 0 to 3 percent slopes
255B	Cazenovia silt loam, 3 to 8 percent slopes
255C	Cazenovia silt loam, 8 to 15 percent slopes
255D	Cazenovia silt loam, 15 to 25 percent slopes
260B	Cayuga silt loam, 3 to 8 percent slopes
260C	Cayuga silt loam, 8 to 15 percent slopes
260D	Cayuga silt loam, 15 to 25 percent slopes
2A	Geneseo silty clay loam, 0 to 3 percent slopes
304A	Kendaia loam, 0 to 3 percent slopes
304B	Kendaia loam, 3 to 8 percent slopes
31A	Collamer silt loam, 0 to 3 percent slopes
31B	Collamer silt loam, 3 to 8 percent slopes
32B	Dunkirk fine sandy loam, 3 to 8 percent slopes
33A	Dunkirk silt loam, 0 to 3 percent slopes
33B	Dunkirk silt loam, 3 to 8 percent slopes
342A	Angola silt loam, 0 to 3 percent slopes
34A	Lakemont silty clay loam, 0 to 3 percent slopes
356A	Ovid silt loam, 0 to 3 percent slopes
356B	Ovid silt loam, 3 to 8 percent slopes
357B	Ovid silty clay loam, 3 to 8 percent slopes
35A	Odessa silt loam, 0 to 3 percent slopes
35B	Odessa silty clay loam, 3 to 8 percent slopes
36A	Schoharie silty clay loam, 0 to 3 percent slopes
36B	Schoharie silty clay loam, 3 to 8 percent slopes
36C	Schoharie silty clay loam, 8 to 15 percent slopes
36D	Schoharie silty clay loam, 15 to 25 percent slopes
36E	Schoharie silty clay loam, 25 to 45 percent slopes
37A	Schoharie silt loam, 0 to 3 percent slopes
37B	Schoharie silt loam, 3 to 8 percent slopes
39A	Rhinebeck silty clay loam, 0 to 3 percent slopes
3A	Hemlock silty clay loam, 0 to 3 percent slopes
400A	Udorthents, loamy, 0 to 3 percent slopes

Class	Soil Description
41A	Aeric Epiaquepts, 0 to 3 percent slopes
43A	Canandaigua silt loam, 0 to 3 percent slopes
44A	Canandaigua mucky silt loam, 0 to 3 percent slopes
45A	Fonda mucky silt loam, 0 to 3 percent slopes
46A	Galen fine sandy loam, 0 to 3 percent slopes
46B	Galen fine sandy loam, 3 to 8 percent slopes
48A	Arkport fine sandy loam, 0 to 3 percent slopes
48B	Arkport fine sandy loam, 3 to 8 percent slopes
48C	Arkport fine sandy loam, 8 to 15 percent slopes
48D	Arkport fine sandy loam, 15 to 25 percent slopes
49B	Arkport loamy fine sand, 3 to 8 percent slopes
49D	Arkport loamy fine sand, 15 to 25 percent slopes
53A	Lamson fine sandy loam, 0 to 3 percent slopes
54A	Lamson mucky fine sandy loam, 0 to 3 percent slopes
56A	Elnora loamy fine sand, 0 to 3 percent slopes
58B	Colonie loamy fine sand, 3 to 8 percent slopes
58C	Colonie loamy fine sand, 8 to 15 percent slopes
5A	Wayland soils complex, 0 to 3 percent slopes, frequently flooded
66A	Lyons silt loam, 0 to 3 percent slopes
72A	Darien-Ilion silt loams, 0 to 3 percent slopes
91A	Palms muck, 0 to 3 percent slopes
92A	Carlisle muck, 0 to 3 percent slopes
93A	Edwards muck, 0 to 3 percent slopes
94A	Martisco muck, 0 to 3 percent slopes
PG	Pits, gravel and sand
PQ	Pits, quarry
W	Water

# FARMLAND CONVERSION MAP



SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STERET, CANANDAIGUA, NEW YORK 14424

 Farmland Conversion 2004-2015

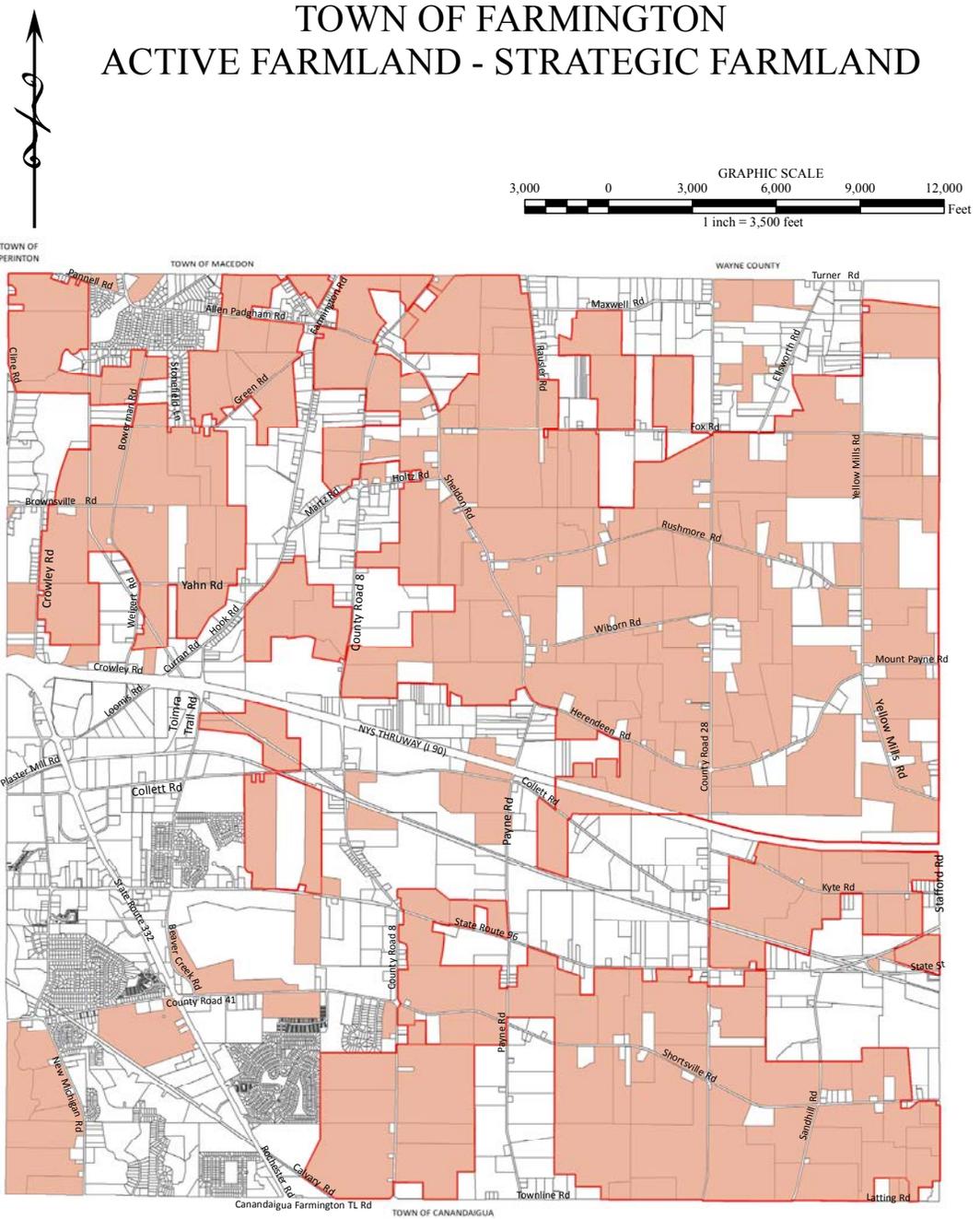


175 Sullys Trail, Suite 202  
Pittsford, NY 14534  
Ph: 585.385.7417  
luengineers.com

MAP NO. 7  
FARMLAND CONVERSION MAP  
MAY 2015



# TOWN OF FARMINGTON ACTIVE FARMLAND - STRATEGIC FARMLAND



SOURCE OF DIGITAL DATA:  
YEAR 2012, ONTARIO COUNTY PLANNING DEPARTMENT  
20 ONTARIO STREET, CANANDAIGUA, NEW YORK 14424

- Strategic Farmland Protection Area
- Active Farmland Parcels

**Lu Engineers**  
ENVIRONMENTAL • TRANSPORTATION • CIVIL  
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Pittsford, NY 14534  
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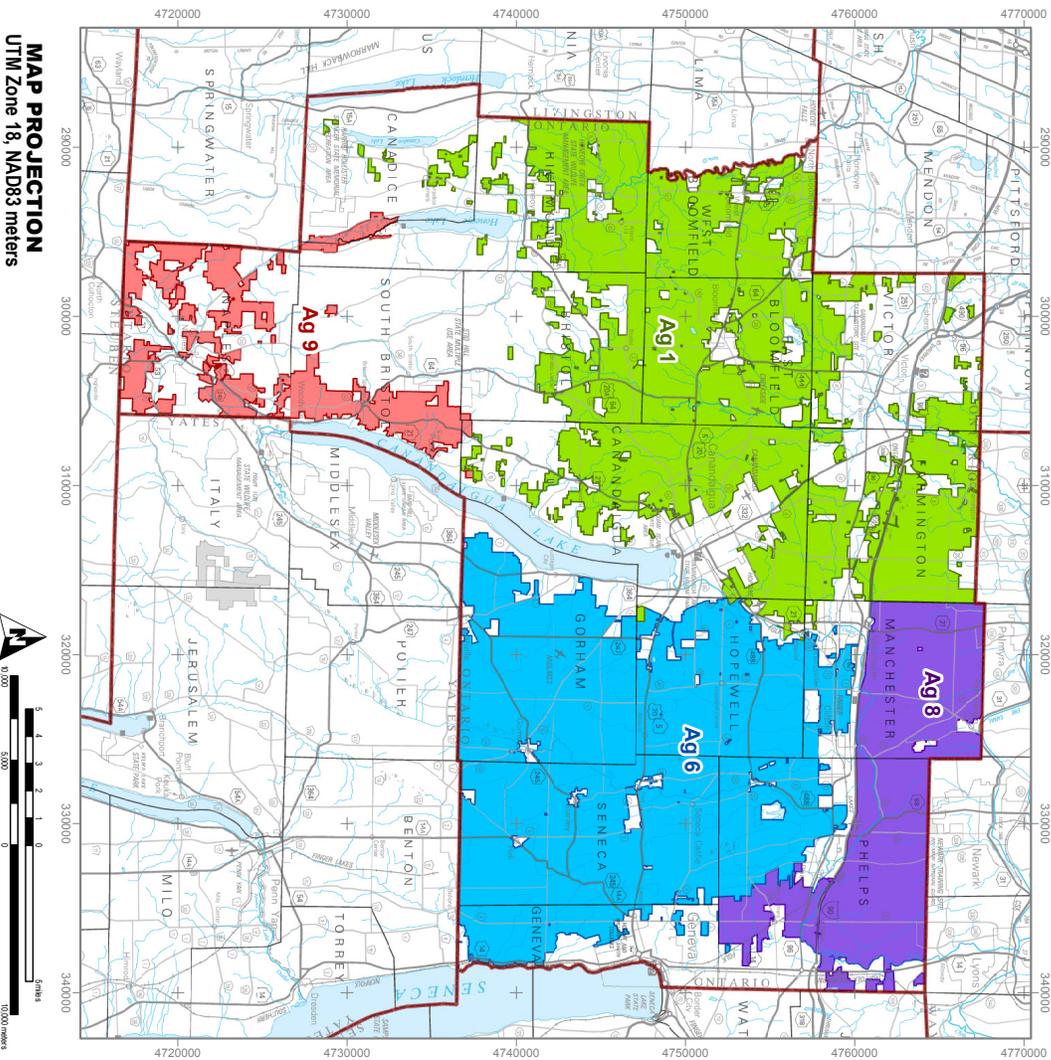
MAP NO. 8  
DECEMBER 2015

**RLB**  
PLANNING GROUP

New York State Dept of  
Agriculture and Markets

# ONTARIO COUNTY

Agricultural Districts  
2015



KEY	
	Ag. District 1
	Ag. District 6
	Ag. District 8
	Ag. District 9

DISTRICT CERTIFICATIONS and TOWNS	
<b>DISTRICT 1</b> CERTIFIED 2/27/2014	Manchester Bristol Canandaigua Richmond Victor
<b>DISTRICT 6</b> CERTIFIED 12/11/2009	West Bloomfield Farmington Hopewell
<b>DISTRICT 8</b> CERTIFIED 11/21/2006	Manchester Phelps Seneca
<b>DISTRICT 9</b> CERTIFIED 2/12/2010	South Britton Middlesex

**MAP SOURCE INFORMATION**

Map created at Cornell IRIS (Institute for Resource Information Sciences)  
<<http://iris.css.cornell.edu>> for the NYS Department of Agriculture and Markets

Agricultural Districts boundary data is available at CUGIR (Cornell University Geospatial Information Repository) website:  
<<http://cugir.mannlib.cornell.edu>>

Base Map: state250\_dw.tif 1998  
Scale: 1:250,000, County boundaries imported from the file nysshore.e00 from the NYSGIS Clearinghouse website:  
<<http://gis.ny.gov>>

**Base map contains data copyrighted by the NYS ITS GIS Program.**

**DISCLAIMER**

This is a general reference to Agricultural District boundaries; not a legal substitute for actual tax parcel information.

Boundaries as certified prior to January 2015

Open Enrollment Annual Additions are not included in this data. Check with county agencies to confirm the status of individual parcels.

## **Glossary of Terms**

### **AAC (Agricultural Advisory Committee)**

The Agricultural Advisory Committee (AAC) is appointed by the Town Board and charged with the responsibilities and duties set forth in the Town Code Chapter 117, Section 9, Right to Farm Regulations.

### **AFAC (Agricultural and Farmland Advisory Committee)**

The Agricultural and Farmland Advisory Committee is appointed by the Town Board and charged with the responsibility of preparing a draft document to be entitled *Town of Farmington Agricultural and Farmland Protection Plan* for public review and submission to the Farmington Town Board for consideration in accordance with the New York State Department of Agriculture and Markets Contract Agreement of 2013.

### **Ad Valorem Limitations**

These are local limitations to ad valorem taxes—taxes which are paid based on the value of real estate or personal property at both the time of a transaction (purchase or inheritance) or on an annual basis.

### **Agricultural and Farmland Protection Program**

Under New York State Agricultural and Markets Law, 25-AAA, the Commissioner of Agriculture has allocated state assistance funds to assist municipalities in developing and implementing farmland protection programs.

### **Agricultural Assessment**

An assessment of land value based on its soil type and production capabilities. Landowners must file Form RP-305, Agricultural Assessment Application or Form RP-305-r, Agricultural Assessment Application Renewal with the assessor to receive an agricultural assessment for their parcels. Landowners must apply for an agricultural assessment, and the farmland must satisfy certain gross sales and acreage eligibility requirements.

### **Agricultural Conservation Easement**

A voluntary agreement between a private landowner and a land trust and/or government entity that acts as the recipient of the easement and is responsible for the maintenance and enforcement of the easement. The land may still be transferred and sold depending on the terms and conditions of the easement.

### **Agricultural Districts**

Geographic areas designated as Agricultural Districts pursuant of New York State Article 25-AA Agriculture and Markets Law. When used in farmland protection planning, Agricultural Districts indicate that farming is the preferred economic activity and reflects a voluntary program in which landowners received benefits to encourage the future conservation and use of agricultural lands.

### **Comprehensive Planning**

A process to describe and identify community goals and aspirations in terms of community development. The outcome of comprehensive planning is usually a Comprehensive Plan which outlines public policy in terms of transportation, utilities, land use, recreation, and housing.

### **Farm Building Exemption**

New barns and farm buildings may be exempt from real property tax for the first 10 years after construction when engaged in a commercial use.

**Farm Viability**

A viable farm household will generate enough net returns to cover family living expenses and over the long run, meet its debt payments and replace equipment. A viable farm household will both survive and enhance net worth.

**Farmland Protection Plan**

A planning document for long-term farmland preservation and for the economic development of agriculture. The document identifies and promotes sufficient land and infrastructure required to support agriculture.

**Farmland of Statewide Importance**

Do not meet the criteria for prime farmland or prime farmland if drained, but have a land capability classification of 1 through 3 or 4w.

**Lease of Development Rights (LDR)**

A Lease of Development Rights (LDR) is similar to a Purchase of Development Rights and Conservation Easement except that it is temporary (10 to 25 years).

**Local Tax Abatement**

Often, local official will provide incentives to start, grow, or simply continue farm operations and improvements through the use of tax abatements. Tax abatements provide temporary relief from paying taxes on the property.

**Prime Farmland**

Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses.

**Purchase of Development Rights (PDR)**

Purchase of Development Rights (PDR) is an incentive based, voluntary program with the intent of permanently protecting productive, sensitive, or aesthetic landscapes, yet retaining private ownership and management. In this program, a landowner sells the development rights of a parcel of land to a public agency, land trust or unit of government. A conservation easement is recorded on the title of the property that limits development permanently.

**Right To Farm**

New York State Code Section 308 protects a farmer’s “right to farm” from nuisance suits and over-restrictive local legislation in regards to noise, dust, odor and water quality.

**Sales Tax Relief for Farm Suppliers**

Farm suppliers such as feed, fertilizer, seeds and more are available to farmers on a tax exempt basis.

**Town (Municipal) Code**

A comprehensive document of a town’s local laws and ordinances. A codification must be formally adopted in order to establish it as a permanent and practical system of municipal law.

**Transfer of Development Rights (TDR)**

Transfer of Development Rights (TDR) is a voluntary program and zoning technique used to permanently protect farmland and other natural and cultural resources by redirecting development that would otherwise occur on these resource lands to areas planned to accommodate growth and development.



*The Brook Lawn Stock Farm was owned by the Stearman family and was located east of the intersection of Shortsville Road and County Road 8 in Farmington.*

TOWN OF  
**FARMINGTON**



Town of Farmington • 1000 County Road 8 • Farmington, New York 14425