

Town of Farmington

1000 County Road 8
Farmington, New York 14425

AGRICULTURE ADVISORY COMMITTEE
Monday, August 14, 2017 • 7:00 p.m.

MINUTES—FILED WITH TOWN CLERK

The following minutes are written as a summary of the main points that were made and the actions taken at the Town of Farmington Agriculture Advisory Committee meeting.

Committee Members Present: Henry Adams, *Chairperson*
Robert Gerlock
Don Jones
Peter Maslyn
Royal Purdy

Committee Members Excused: Denis Lepel
John Marvin
Doug Payne

In Attendance:
Greg Atwood, 5041 Shortsville Road, Shortsville, N.Y. 14548
Nate Bowerman, Town of Farmington Town Board Member
Ronald L. Brand, Town of Farmington Director of Planning and Development
Dr. Michael Casale, Town of Farmington Town Board Member
Meghan Gerlock, Shortsville, N.Y. 14548
Ronald Herendeen, Town of Farmington Town Board Member
Steven Holtz, Town of Farmington Town Board Member
Peter Ingalsbe, Town of Farmington Supervisor
Zachary Odell, Director of Land Protection, Finger Lakes Land Trust
Nancy Purdy, Town of Farmington Zoning Board of Appeals Member
Several residents who did not sign in

1. MEETING OPENING, PUBLIC NOTICE AND NEWS MEDIA NOTIFICATION

Mr. Adams called the meeting to order at 7:00 p.m.

The clerk notified the Canandaigua *Daily Messenger* newspaper of this meeting on July 28, 2017, and on August 9, 2017. Notice of the meeting was posted on the Town website, filed with the Town Clerk, posted on the Town Clerk’s bulletin board at the Town Hall

and communicated via e-mail to committee members, Town staff and interested residents on July 28, 2017, and on August 9, 2017.

2. PRESENTATION ON CONSERVATION EASEMENTS AND THE NEW YORK STATE AGRICULTURE AND FARMLAND PROTECTION PROGRAM

Mr. Adams introduced Zachary Odell, Director of Land Protection of the Finger Lakes Land Trust, who presented a program on “Conservation Easements and the New York State Agricultural and Farmland Protection Program.”

Mr. Adams explained that the Town of Farmington adopted its Farmland Protection Plan in 2016 as an update to the Town’s Comprehensive Plan. He said that research into the State Farmland Protection Program is the next step in the implementation of the Farmland Protection Plan.

The slides which Mr. Odell displayed at the meeting are included as attachments to the minutes.

Mr. Odell discussed the following points during his presentation of the material:

- The Finger Lakes Land Trust was founded in 1989 to protect lands in the Finger Lakes region of New York State. To date, the Land Trust has protected more than 20,000 acres of wetlands, forests, farmland, grassland and gorges.
- The Finger Lakes Land Trust is an Internal Revenue Service 501 (c) (3) non-for-profit organization.
- There are more than 1,200 land trusts in the United States and more than 90 land trusts in New York State.
- The Finger Lakes Land Trust provides technical assistance to landowners and municipalities with preparation of applications for submission to the New York State Department of Agriculture and Markets. The Land Trust also provides educational programs and annual inspection and supervision of the conservation easements which it holds.
- In order to become involved in the State Farmland Protection Program, landowners must be committed to both a strategic vision and to planning for conservation to preserve their lands. It is a lengthy and complex application process. Closing may be from 18 months to 20 months following the approval of an application and the awarding of a contract.
- The process begins with a Municipality’s adoption of a Farmland Protection Plan, endorsement of the application by the Municipality’s governing board, and en-

dorsement by the County. The governmental agencies must indicate to the State that their endorsements are sincere and that they are willing to invest taxpayers' dollars in the application and the preservation of the farmland.

- The Farmland Protection Planning Grants Program (FPPG) assists county governments in developing agricultural and farmland protection plans to maintain the economic viability of the State's agricultural industry and its supporting land base.
- The Farmland Implementation Grants Program (FPIG) assists local governments in implementing their farmland protection plans and has focused on preserving the land base.
- An approved application results in a lifelong partnership between the landowner and the Finger Lakes Land Trust. The Land Trust will inspect the property annually to assure compliance with the conservation easement. The conservation easement is a legal agreement between the Land Trust and the landowner which restricts future activities on the land to protect its conservation values. A conservation easement may be purchased from the landowner or donated by the landowner. It is recorded in land records and is binding on future owners of the property. It provides permanent protection of the land while allowing it to remain in private ownership and on the tax rolls.
- Landowners' rights include the right to construct buildings, subdivide, farm, harvest timber and retain recreational value.
- New York State Conservation Easement Tax Credit: Landowners receive an annual refundable State income tax credit equal to 25 percent of the combined town, county and school taxes paid on the land during the previous tax year, to a maximum of \$5,000 (structures excluded).
- Federal Charitable Tax Deduction: Thirty percent of adjusted gross income for up to six years. Fifty percent of adjusted gross income for qualifying farmers. Or 50 percent of adjusted gross income for up to 16 years. One hundred percent for qualifying farmers.
- Calculation of Conservation Easement Value:

Full Land Value – Value of Land Subject to Restricts = Conservation Easement Value.
- The application process is highly competitive. Only about \$18 million is available statewide for this program in an average application cycle.
- The Town of Canandaigua has had two successful applications in the past several years.

3. DISCUSSION

Among the topics discussed were support for the conservation easement program by the local and county governing boards. Mr. Odell noted that the previous supervisor of the Town of Canandaigua made farmland protection a goal of her administration.

Much of a Town's commitment to the program involves staff time to pre-screen applications. Some towns conduct their own pre-screening while others refer applications to the county level for pre-screening.

The New York State Department of Agriculture and Markets looks for complete applications that include plans to sustain and grow farm operations, customer base, plans for future investments in land or equipment and a succession plan.

Mr. Odell explained that most conservation easement applications are submitted to the State by land trusts. He said that land trusts have the staff and the interest to serve as stewards of the easements, and that municipalities that may not have the staff or budget to conduct inspections and monitor the compliance of the terms of the easements which they hold.

Mr. Odell said that landowners are expected to contribute toward the easement. The amount of their contribution varies. He also noted that the Land Trust on occasion may focus upon an application upon a particular farm or parcel of land that may be threatened by development.

He said that the Town must provide the strategic vision for farmland protection and that the tools to reach this goal may include zoning, the State program and/or the Federal program.

Mr. Odell said that he would request the State representative at the Department of Agriculture and Markets to contact the Ontario County Planning Department to inquire about the status of the revisions to the Ontario County Agricultural Enhancement Plan.

8. NEXT STEPS AND ADJOURNMENT

As a next step, Mr. Odell suggested that the committee invite a landowner who has participated in the program to speak to the group regarding the application process and the materials required for the application.

He also suggested the committee may wish to contact the Town of Canandaigua regarding the process that was used to rate the Canandaigua applications and to contact a representative from Ontario County to begin the establishment of a relationship between the Town and County on this topic.

There were no further comments or questions this evening.

Mr. Adams adjourned the meeting at 8:30 p.m.

Respectfully submitted,

L.S.

John M. Robortella
Clerk of the Agriculture Advisory Committee

Attachment:

“Conservation Easements and the New York State Agricultural and Farmland Protection Program,” presented by Zachary Odell, Director of Land Protection, Finger Lakes Land Trust.

Agriculture Advisory Committee Board Members:

Hal Adams, *Chairperson* (January 1, 2017 to December 31, 2017)
Term expires December 31, 2021

Robert Gerlock
Term expires December 31, 2019

Don Jones
Term expires December 31, 2021

Denis Lepel
Term expires December 31, 2021

Peter Maslyn
Term expires December 31, 2021

John Marvin
Term expires December 31, 2020

Doug Payne
Term expires December 31, 2021

Royal Purdy
Term expires December 31, 2017