

# Is Your Town Planning a Future for Agriculture?

## A Checklist for Supporting Agriculture at the Town Level in New York

### Understanding Agriculture in Your Town:

*Does Your Town...*

Yes  No

**...have a detailed section on agriculture in the town's comprehensive plan?** The comprehensive or master plan is the big picture view for the future of the town. Does your town's comprehensive plan refer to "maintaining rural character," but overlooks agriculture as the primary component? Consider having a town-appointed committee profile local farms to demonstrate the economic, cultural and environmental benefits of agriculture. Agriculture shouldn't be an afterthought!

Yes  No

**...have a consistent approach for local procedures that deal with agriculture?** Town boards, planning boards and zoning boards have different responsibilities, but a common regulatory outlook is possible. Update your comprehensive plan to reflect the value that agriculture contributes to your town's quality of life through open space, wildlife habitation, watershed purification and natural resource preservation. Establish, as a policy, that agriculture is beneficial to your town and fairness will follow.

Yes  No

**...have any visible demonstration of the value of local farms?** Does your town support a fair, an apple festival or other farm events? When agriculture is visible to the public, residents will better understand the benefit of having farms in town.

Yes  No

**...have farmers serving on local planning boards, zoning boards or local economic development committees?** Having farmers serve on town committees is one of the most effective ways for towns to incorporate agricultural concerns into local land use or economic development plans. Town Law Sect. 271(11) permits towns with state agricultural districts to allocate planning board seats to farmers. Agricultural advisory committees can also be established to provide guidance to a town.

Yes  No

**...publicize where to go to get advice and assistance on farm questions?** Towns should help make the connection between farmers and local, state and federal agricultural and conservation organizations that can serve as resources.

### Creating a Supportive Business Environment for Farming:

*Does Your Town...*

Yes  No

**...allow agricultural uses in more than one zoning district?** Agricultural businesses are not the same as other commercial development. Some towns confine agricultural businesses to the commercial zone only, while other towns prohibit such uses in the commercial zone. Farm enterprises often are hybrids of several different uses. Ordinances and regulations should allow farm business flexibility.

Yes  No

**...allow flexibility in regulations to accommodate the unusual needs of agricultural businesses?** Does your town have appropri-

ate regulations for farm retailers such as expanded hours of business, temporary and off-site signs, parking near pick-your-own fields, or on street parking? The land use impact and off-site impact of a seasonal farm business can be much less than that of a full-time retail business. Pick-your-own operations or Christmas tree farms may have a hard time staying viable in a town that treats farms like all other retailers.

Yes  No

**...allow farm stands to sell produce purchased elsewhere?** Many towns have rules that require a certain percentage of farm stand produce to be grown on the farm. The basis for allowing a farm stand shouldn't be how much is grown on the farm, but what benefit the farm provides to the town in terms of open space, wildlife habitation, watershed purification and natural resource protection.

Yes  No

**...allow rural businesses compatible with agriculture in farming areas?** Home-based occupations such as farm machinery repair shops, sawmills and other rural businesses can help farm families make ends meet. They can also provide an economically viable alternative to selling farmland for development.

Yes  No

**...work to pro-actively address trespassing on farmland?** When people trespass on farmland, crops, fields and infrastructure can be damaged. Communities can help protect public safety and prevent needless farm losses by pro-actively addressing trespassing problems.

Yes  No

**...have business infrastructure that supports modern farms?** Modern farming operations require services, as do other businesses. To support farm businesses, towns should ensure that telephone, electric and other wires are high enough to prevent accidents with farm equipment. They also should make snowplowing on roads leading to dairy farms a priority so that milk trucks can collect milk easily, and should maintain good culverts and drainage systems to help move water away from farm fields. Towns should also check their roads and bridges to determine whether they can handle tractor-trailers, which are commonly used to provide goods and services to farms.

### Supporting Appropriate Tax Policies for Farmland and Buildings

*Does Your Town...*

Yes  No

**...properly assess specialized agricultural structures?** Has your town assessor received training on assessing farmland and farm buildings? Specialized structures such as silos, milking parlors and permanent greenhouses depreciate in value over time. If your town frequently overvalues agricultural structures, this can have a chilling effect on all types of farm investment.

Yes  No

**...recognize the property tax benefits of farmland and support tax policies that are fair to farmland owners?** While farmland may provide less tax revenue per acre than other land uses, it also requires significantly less in local services. "Cost of Community Services" studies in over 15 New York towns have demonstrated that farmland generally pays more in taxes than it receives in local services. By comparison, residences generally require more in local services than they

pay in taxes. Has your town considered adopting agricultural assessment values for fire, library or other service districts as a means of demonstrating that farmland requires fewer public services?

Yes  No

**...act as a resource for information about property tax reduction programs aimed at farmers and other farmland owners?** Local governments and New York state have developed a number of programs aimed at reducing property taxes for farmers and other owners of farmland. Does your town encourage the use of New York's Agricultural Assessment and Farm Building Exemption programs and the Farmers' School Tax Credit?

## Developing Strategies to Protect Your Town's Best Farmland

*Does Your Town...*

Yes  No

**...identify areas where it wants to support agriculture over the long-term?** Do you know where the best agricultural soils are located in your town? The USDA Natural Resources Conservation Service (NRCS) and Soil and Water Conservation Districts can be important partners in identifying productive agricultural soils. This soil data combined with other information can help towns identify priority farming areas where they want to support agriculture over the long-term.

Yes  No

**...have policies aimed at retaining large blocks of farmland that are able to support a variety of farm businesses?** Farmers don't want to be an "island in a sea of development." Has your town developed policies to keep large blocks of land in agricultural use over the long-term? Larger areas of farmland provide greater opportunities for farms to adapt to changing market conditions. Retaining such blocks helps to ensure a future for farming.

Yes  No

**...limit expansion of infrastructure in areas where it wants to support agriculture over the long-term?** Extending water and sewer lines through farmland should be done with caution. Providing these services without accompanying planning measures can accelerate the loss of farmland. Focusing water, sewer and other services in already developed areas can help limit the development of a town's best farmland.

Yes  No

**...have a strategy for protecting its best farmland?** Once your town identifies its priority farming areas, complementary land use policies should be developed to encourage the retention of that land in continued agricultural use. Flowery language about agriculture in a comprehensive plan isn't good enough. Work with farmers to turn the ideas expressed in your comprehensive plan into specific policies to retain your town's best farmland.

Yes  No

**...encourage the use of conservation easements on farmland?** Does your town support applications to the state or federal government to purchase agricultural conservation easements on local farms? Have you considered providing funding for acquiring conservation easements on farmland? Agricultural conservation easements can be used to protect the natural resource base for agriculture. Once a conservation easement is recorded on farmland, the land will permanently be kept available as a resource for future generations of farmers.

## Limiting the Impacts of New Development on Agriculture

*Does Your Town...*

Yes  No

**...have policies aimed at limiting the impact of new development on productive farmland?** Does your town have strategies for limiting the footprint of new development? New development can take place in many ways. Creative site planning can accommodate new development while limiting the loss of your town's best farmland.

Yes  No

**...require buffer zones between farmland and residential uses?** The old saying "good fences make good neighbors" has a modern corollary that says, "good buffer zones make new neighbors into good neighbors." New development should not place the burden on existing farms to give up boundary land as a buffer zone between agricultural and residential areas. New residential development should provide for its own buffer zone and/or landscape plantings for screening when necessary.

Yes  No

**...have an "agricultural zone" that limits the impacts of new developments on farms?** Does your town have a strategy for managing new development in agricultural zones in a way that supports agriculture over the long-term? Many towns in New York have zoning ordinances with "agricultural zones" that permit scattered development next to farms—a recipe for future conflict.

Yes  No

**...have planning tools that are supportive of New York State Agricultural Districts?** The Agricultural Districts Law, which was enacted in 1971, is one of New York's oldest farmland protection tools. Agricultural districts provide important "right-to-farm" protections to farmers. Does your town incorporate the boundaries of agricultural districts into your zoning maps and other local land use policies?

Yes  No

**...have policies to mitigate conflicts between farmers and non-farm neighbors?** A local Right-to-Farm Law expresses a community's support for agriculture. It can also prevent unnecessary lawsuits between farmers and non-farm neighbors by referring conflicts to mediation before the courts are involved. Cornell Cooperative Extension, Soil and Water Conservation Districts, the New York State Agricultural Mediation Program and other groups can serve as partners in addressing conflicts before they grow into painful disputes or expensive lawsuits.



Northeast Office  
6 Franklin Square, Suite E  
Saratoga Springs, NY 12866  
(518) 581-0078  
[www.farmland.org](http://www.farmland.org)