

Chapter 2.7 Agriculture

2.7.1 INTRODUCTION

Agriculture plays an important role in the Town of Urbana's economy and in shaping the Town's character. Farmland is a virtually unreplaceable natural resource and agriculture is a major industry in Steuben County, supporting some 1,295 businesses and generating direct sales of \$79 million in 1997. Based on the results of the community survey described in Chapter 3, "Goals and Objectives," agricultural preservation is very important to residents. Fully 83 percent of respondents in the Town and Village combined believe that agricultural lands in Urbana should be better protected.

2.7.2 AGRICULTURAL POLICY

NEW YORK STATE

New York State has enacted strong legislation in the last three decades to protect agriculture, the State's single-largest industry. The 1971 Agricultural Districts Law, discussed above, provides the basis for the State's agricultural and farmland protection efforts by creating agricultural districts and associated protections and benefits. The 1992 Agricultural Protection Act strengthened farmers' right to farm, required increased scrutiny of the impacts of public projects on agriculture, and provided the framework for the development of county agricultural and farmland protection strategies. In 1994, New York State started to provide funding for counties to develop agricultural and farmland protection plans. Approval of such plans enables counties and municipalities to apply for federal and State funding of farmland development rights in the form of easements. The 1996 Farm Preservation Act created a refundable income tax credit for school taxes paid by farmers. Also in 1996, the State established a matching grants program for farmland protection implementation projects.

Location in an Agricultural District provides farmers with the protection of New York State's right-to-farm legislation. The legislation is designed to protect the farmers, farm activity, and agricultural land against encroachment by residential development. The legislation recognizes the economic and sociological value of agriculture to local communities. It stipulates that farmers have the right to engage in generally accepted agricultural practices and requires all purchase and sales contracts for residential properties in Agricultural Districts to include a disclosure notice. The notice serves to advise potential home buyers of what to expect from normal farm activities such as the operation of machinery, application of pesticides and fertilizers, and to limit conflicts between agricultural and residential uses, and to reduce the number and effects of nuisance lawsuits brought by non-agricultural neighbors against farm operations.

Under the 1971 New York State Agricultural Districts Law, agricultural districts provide certain benefits and protections to farming uses. The law allows for an agricultural exemption for active agricultural operations. In addition, public utility taxes are based only on the ½-acre of the farm which is devoted to housing. Also, municipalities may not pass laws which have the effect of inhibiting farming practices and public agencies must notify the Department of Agriculture and Markets before they proceed with condemnation proceedings to purchase agricultural lands.

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In addition, if public dollars are to be spent for utilities, housing, and commercial and industrial facilities within an agricultural district, a Notice of Intent must be filed with the New York State Department of Agriculture and Markets and the Steuben County Agricultural and Farmland Protection Board. The report must show how any potential loss or effects on farmland will be mitigated. The Steuben County Agricultural and Farmland Protection Board, comprised of 11 members, plays an important role in reviewing and recommending the agricultural districts for re-certification, comments on Notices of Intent, and deals with a multitude of agricultural issues that need resolving. Agricultural Districts are required to be re-certified by Steuben County and the New York State Department of Agriculture and Markets every eight years.

STEBEN COUNTY

In 2001, the Steuben County Agricultural and Farmland Protection Board, in cooperation with the Steuben County Planning Department, Shepstone Management Company, and the Cornell Cooperative Extension Service of Steuben County, prepared *Steuben County's Agricultural Expansion and Development Plan*.

The Steuben County agricultural development and farmland preservation program is based on a set of critical goals, summarized below:

- ✎ Promote Steuben County for agricultural development to increase the value of agricultural sales in the County, using tourism promotion to attract new farmers.
- ✎ Develop more strategic alliances among farming interests.
- ✎ Protect and promote the ability of farmers to engage in sound agricultural management practices.
- ✎ Improve management of farm woodlands as secondary crops.
- ✎ Promote new specialty crop development and establishment of niche markets.
- ✎ Develop a regional farm products distribution center.
- ✎ Develop agriculture as a valued career.
- ✎ Create new economic incentives for agricultural enterprises.
- ✎ Maintain Agricultural Districts throughout prime farming areas.
- ✎ Ensure quality products and encourage participation in State and industry quality assurance programs.
- ✎ Help farmers to comply with Concentrated Animal Feeding Operation (CAFO) regulations and other environmental regulations.
- ✎ Facilitate inter-generational farm transfers.
- ✎ Increase profitability and stability of farming cash flow.

The *Agricultural Expansion and Development Plan* found about 350,000 acres of land in the County is farmed, about 39 percent of its total area. About 30 percent of this total farmed land, or some 274,300 acres, is located in agricultural districts. The County has a total of 23 Agricultural Districts. In addition, the report documents the significant loss of farmland in Steuben County in recent years, for example, between 1992 and 1997 about 8 acres of farmland was lost per day. This is particularly true in the northern part of the County closest to Rochester and in areas close to Keuka Lake. Some of the loss of farmland is the result of residential and commercial development.

The Plan also stressed that farming is of “extraordinary importance to Steuben County” for the following reasons:


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- ✎ Farming is big business in the County, accounting for 1,295 businesses and direct sales of \$79 million in 1997.
- ✎ Farming, as a primary extractive industry which fuels local support services, has a multiplier effect which generates a much higher impact to the local economy than any other sector in the County.
- ✎ Farms pay more in taxes than they cost the community in services provided.
- ✎ Farming helps to control urban sprawl and the public costs associated with sprawl development patterns.
- ✎ Farming, particularly vineyards, are an essential component for the County's tourism industry. Farms also support tourism related to hunting.
- ✎ Farms create and preserve rural character and open space.
- ✎ Farms help to preserve natural resources and natural processes such as stream corridors, wetlands, and wildlife habitats.
- ✎ Farms can co-exist and flourish with development.
- ✎ Farmland is an invaluable economic resource for future generations.
- ✎ Farming provides a year-round business base for a wide range of related and support enterprises.

The Plan's strategy for agricultural growth and farmland protections includes 12 major initiatives. The Steuben County Legislature is also currently considering adopting a "Steuben County Right to Farm Law." The Plan includes detailed recommendations for each initiative. The initiatives and their key components are highlighted below:

- ✎ Market Development. Development of new markets, farmer training, marketing and promotion.
- ✎ Risk Management. Purchasing cooperatives, crop insurance, futures trading and forward pricing.
- ✎ Agri-business Expansion. Use of economic development agency programs.
- ✎ Next Generation. Re-farm idle farmland, vocational training, financial planning assistance.
- ✎ Agricultural Tourism. Link farm tourism to Corning Glass and Keuka Lake Wine Trail, family tourism, bus tours, packaging, advertising.
- ✎ Good Neighbor. Education, map and brochure, adoption of Right-to-Farm laws by Towns.
- ✎ Farmland Management. Conservation easements, Conservation Reserve Program, Wetlands Reserve Program, financial incentives to reuse idle farmland, proper use of agricultural assessment program.
- ✎ Smart Growth. Zoning to concentrate growth and preserve open lands, match agricultural zoning districts with New York State (NYS) Agricultural Districts, training for local officials, farming community involvement in local government.
- ✎ Freedom to Farm. Streamline complex rules and provide relief from regulations.
- ✎ Forest Management. Financial incentives, wood lot management training, markets for forest products.
- ✎ Professional Farm Management. Professional training.
- ✎ Diversification/Specialization. On-farm processing, organic products, agricultural tourism, diversify products. Niche markets, alliances, and joint ventures.

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 **Quality Assurance.** Local recognition for quality producers, links to State and regional quality assurance programs, training.

2.7.3 AGRICULTURAL INVENTORY

AGRICULTURAL DISTRICTS

STEUBEN COUNTY

Steuben County has 23 agriculture districts approved by the Steuben County Legislature which encompass some 274,304 acres of land*, or 30 percent of the County's land area. This includes active farmland, other viable agricultural lands, and buffer areas. The Plan also documented a gain of more than 3,000 acres of Agricultural District lands and a loss of 73 farms in the County between 1992 and 2000, reflecting the nationwide trend of farm consolidation. According to 1997 statistics from the U.S. Census of Agriculture, there are an estimated 1,295 farms in the County. The agricultural, winery, and dairy processing industries employed a combined total of about 6,100 workers.

Town of Urbana

As shown in Figure 2.6-1 in Chapter 2.6, the southwestern quadrant of the Town of Urbana contains a large portion of Steuben County Agricultural District #4, which extends further south and west into the Town of Bath. The Urbana portion of the NYS Agricultural Districts #4 and #19 totals about 3,215 acres, or approximately 11.4 percent of the Town of Urbana's total land area. According to 1999 data collected by the County, District #4 contained 19 farms and 5,108 enrolled acres, with an average farm size of approximately 269 acres. A very small portion of Agricultural District #19, some five parcels totaling 181 acres, is located north of Bean Station Road at the northernmost point of the Town of Urbana. District #19 is a 11,384-acre area which extends north into the Town of Prattsburgh and contains 38 farms with an average size of 300 acres each.

SOIL CHARACTERISTICS

According to the 1978 *Soil Survey of Steuben County, New York*, the County's soils are generally rated as moderate to good as to their suitability for growing crops. About 60 percent of the County's soils are described as good to excellent for agricultural production. Prime farmland is the land that has the best combination of physical and chemical characteristics, growing seasons, and moisture supply needed to produce sustained high yields with proper management. Prime farmland tends to be flat and well-drained, both characteristics that also make it particularly desirable for development.

*Based on reports on Agricultural Districts prepared by the Steuben County Planning and Community Development Office. Data is from varying dates, due to staggered schedule for reviewing the districts, and ranges from 1995 to 2001.

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In the Town of Urbana, as in many portions of the County, some soils are best suited for pasture land, forestry, or permanent sod because of drainage, stoniness, or slop limitations. Certain soils are suitable for different classes of crops or other agricultural uses (e.g., pastureland, trees). Soils present in the Town of Urbana that are well suited for grape production include Ovid Silt Loam (2-6 %), Mardin-Ovid complex, (3-15 %), and Mardin Channery Silt Loam (8-25%), and Ovid silt loam (6-12 %).

ACTIVE AGRICULTURAL USES

As shown in Figure 2.7-1, active agricultural uses are located throughout the Town, with some concentrations in the north central and southwestern areas. As discussed above in Chapter 2.1, “Land Use and Public Policy,” Geographic Information Systems (GIS) data for 2001 provided by the County indicates that a total of 3,750 acres of land in the Town of Urbana is currently in agricultural use. Thus, active farming uses represent about 14 percent of the total land area in Urbana. Much, but not all of this land is located in one of the Agricultural Districts. While 3,750 acres of the Town are in farming use, only 3,215 of these acres are located in an Agricultural District. Major areas of agricultural-related land uses that are not protected by Agricultural District designation are the vineyards on both sides of County Route 76; major tracts along Two Rod and Van Ness Roads; and scattered parcels on Boot Jack, Chrisler, and Van Amburg Roads. A total of 535 acres of active farming uses in the Town lie outside the State/County agricultural districts.

Principal agricultural enterprises in Urbana are diverse and include vineyards, livestock, cash crop, and dairy operations. A windshield survey of agricultural uses in the Town of Urbana was conducted by Allee King Rosen & Fleming, Inc. in the fall of 2001.

Agricultural and related uses in the Town include the Bully Hill, Pleasant Valley, Heron Hill, and Renaissance wineries. There is also farmed land between Fish Hatchery Road and County Road 13; and along County Road 113, Two Rod Road, Van Ness Road, and in other locations scattered throughout the Town. Consistent with county trends, agricultural land use has declined in the Town of Urbana in recent decades, with some farmland becoming idle and other farmland being developed into residential and commercial uses.

The Town’s zoning districts are shown in Figure 2.1-3 and discussed in Chapter 2.1, “Land Use and Public Policy.” Like most of the Town, the New York State Agricultural Districts and the active farming uses in the Town are covered by the Town’s Agriculture (A) zoning district. The Town’s existing Agriculture district does not favor farming uses or discourage residential development. Principal permitted (“as-of-right”) uses in the A district include agriculture, agricultural farm stands, places of worship, schools, and golf courses as well as one-family dwellings and mobile homes.

In addition, a very wide range of uses are allowed by special permit. It should be noted that special permit uses are uses that are expressly permitted by the zoning law, subject to the proposal meeting the applicable special permit criteria. Special permit uses allowed in the A district range from institutional and commercial to industrial uses. Examples of special permit uses in the district include nursing homes and hospitals; vacation resorts, hotels, retail businesses, and gas stations; and research laboratories, manufacturers, and mining operations. There are limited supplementary regulations for gas stations, cemeteries, and mobile homes. Otherwise, the special permit criteria which apply to uses in the A district are general and are not tailored to the potential impacts of particular special permit uses on agriculture and other resources. The minimum lot area for all use groups is two acres, with a maximum lot coverage by buildings or structures of 20 percent.

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As described above, the Town of Urbana has no specific zoning, land use regulations, or other legislation designed to preserve agriculture and agricultural lands. Land values in the Town's agricultural district are generally based on the residential land value derived from the zoning instead of the agricultural land value. This policy can lead to higher land costs which can limit the ability of farmers from purchasing additional land necessary for their operations.

FARMING AND PUBLIC INFRASTRUCTURE

In Urbana, the Town of Bath sewer district extends along Route 54 to serve the hospital complex (see Chapter 2.8, "Transportation and Infrastructure"). None of the Urbana portion of the NYS Agricultural Districts is served by public sewer or water. Currently, all the residences and other developments in the Town of Urbana use individual septic systems. The lack of public sewer and water has a restraining effect on development pressures and to date has been a major factor in limiting the conversion of agricultural land to urbanized uses.

STEBEN COUNTY AGRICULTURAL SURVEY 2000

The County conducted a survey of farmers in 2000. Among the findings of the survey include the following:

- ✎ The median acres farmed in Steuben County per farmer surveyed was 244 acres.
- ✎ The median acres of agricultural district lands farmed in Steuben County per farmer surveyed was 179 acres.
- ✎ About 37 percent of farm products were sold to a cooperative or processor; 33 percent were sold to a broker, auction, or other third party; and 30 percent were sold directly to consumers (e.g., farm stand, mail order).
- ✎ The overwhelming majority of farmers surveyed were unaware of tax exemptions for new vineyards and tax credits for rehabilitating historic barns.
- ✎ Only 17 percent of farmers experienced problems with complaints by neighbors. Of those who did, boundary conflicts, manure odors, and drainage issues were the most common complaints.
- ✎ The farmers surveyed indicated that tax incentives and other cost reductions were the most important tools for protecting the future of farming in the county.

2.7.4 BENEFITS OF AGRICULTURE

ECONOMIC

In Steuben County, the total enrolled acreage includes approximately 274,304 acres of active farmland, other viable agricultural lands, and buffer areas. According to 1997 statistics from the U.S. Census of Agriculture, there are an estimated 1,295 farms in the County, most of which are family farms. The agricultural industry employs an estimated 6,100 workers including 4,110 in crop and livestock related jobs, and 1,990 in winery and dairy processing jobs. In addition, lumber and wood products jobs are not included in these totals.

Countywide gross receipts in the agricultural industry (crops, dairy, and other livestock) totaled \$79 million in 1997. The related forestry and wine industries had gross receipts of \$8 and \$2 million, respectively, bringing total sales to \$89 million. As a primary extractive

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industry and a net exporter of goods, agriculture also generates substantial indirect and secondary economic effects. As a result, its total economic impact is estimated at more than two times its gross farm production value. The agricultural-related industries' total spending includes estimated generated secondary expenditures of \$100 million in local businesses and their suppliers that service the agriculture businesses, for a total economic impact of \$189 million in 1997. In addition, data indicate that the farms have made substantial recent investments in equipment, structures, and land to continue and enhance their operations. Agricultural investment also has a multiplier effect, by supporting equipment suppliers, construction trades, and related industries throughout the region.

Winery sales are not counted by Federal agencies as agriculture, but rather as manufacturing. Steuben County has seven commercial and farm wineries. Most of these are located in the Town of Urbana. Less than half of the wineries utilize only their own grapes, but rely on local growers. This expands the positive economic effects of the industry. In 1997, the County had 62 grape producers, with 1,362 acres in grape production. Steuben County's *Agricultural Expansion and Development Plan* estimates that wineries added a minimum of \$2 million in direct economic activity (not including multiplier or tourism effects) to the County's economy in 1997.

OPEN SPACE, SCENIC, AND CULTURAL RESOURCES

Farmland consists of crop land, pastureland, and non-tillable land such as woodland and wetlands. Agricultural lands and adjoining buffered wooded areas constitute areas of private open space, providing a visual resource to the community and important wildlife habitat. The Town of Urbana has rolling topography and a wealth of scenic natural features including Keuka Lake; hills, valleys and related views and vistas; and gorges, waterfalls, and wetlands. As shown in the photographs of farming landscapes in Chapter 2.5, "Cultural and Visual Resources," the Town of Urbana's vineyards, historic winery buildings, farm fields and meadows, barns, homesteads, outbuildings, and adjoining wooded buffer lands contribute significantly to the Town's unique pastoral character. Preservation of this rural landscape is very important to community residents. According to the 2001 survey of Town and Village residents, 85 percent of the total respondents indicated that the protection or enhancement of farmland in the Town was important to them. The farm homesteads, barns, and silos may also include potential historic resources.

ENVIRONMENTAL

Much of the Town's farm land traverses stream corridors or is located on hillsides on the west side of Keuka Lake. In addition, these streams and adjacent lands provide important habitats and migration corridors for wildlife. Associated agricultural lands also include wooded areas which provide habitat to plants and animals. The use of lands which drain into water bodies or water course for agricultural as opposed to urbanized purposes, assuming best management practices are used, can be an important factor in maintaining the water quality of the lake and streams.

A portion of Agricultural District #4 is located in designated wetlands and floodplains in the Pleasant Valley area (see Figure 2.6-1). The undeveloped wetlands in the Agricultural District function to control runoff and erosion. The floodplains are prone to flood damage and therefore not suitable for commercial or residential development. Thus, agricultural activities are an appropriate use for these lands. It is also important to note that prime

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farmland is a virtually irreplaceable environmental resource. It is estimated that it takes 500 to 800 years to create one inch of topsoil.