

# ALBANY COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

Prepared for the Albany County Agricultural & Farmland  
Protection Board  
by the Albany County  
Department of Economic Development, Conservation & Planning

2004



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### **MISSION**

***To develop goals and strategies to support and enhance Albany County's agricultural industry and agricultural resources.***

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# Table of Contents

<b>Chapter 1: Executive Summary</b> .....	<b>1</b>
<b>Chapter 2: Introduction</b> .....	<b>3</b>
Why Does Albany County Need an Agricultural and Farmland Protection Plan? .....	3
History of Agricultural and Farmland Protection Planning in New York State .....	3
Why is it Important to Preserve Farms and Farmland? .....	3
Why Act Now?.....	16
<b>Chapter 3: The Agricultural and Farmland Protection Planning Process</b> .....	<b>9</b>
Survey of Farmers and Farmland Owners.....	9
AIDER: Agricultural Industry Development Enhancement and Retention .....	10
<b>Chapter 4: Albany County's Agricultural Profile</b> .....	<b>13</b>
Agricultural Highlights.....	13
Farmland in Albany County.....	14
Important Agricultural Soils .....	15
Farms in Albany County .....	17
Economic Contributions From Agriculture .....	17
Farm Types and Farm Productivity.....	20
Farm Expenses and Cash Returns .....	22
Agricultural Districts.....	23
<b>Chapter 5: Conversion Pressure and Municipal Planning Efforts</b> .....	<b>27</b>
Population Growth .....	27
Residential Building Permits.....	28
Property and School Taxes .....	29
Land Use Programs and Agriculture in Albany County .....	29
<b>Chapter 6: Existing Strategies to Protect Farmland</b> .....	<b>31</b>
Agricultural Districts Law.....	31
Right-to-farm Laws.....	31
Agricultural Value Assessment .....	33
Agricultural Conservation Easements .....	35
Land Use Planning .....	36
Agricultural Economic Development .....	39
State Grant Programs .....	41
<b>Chapter 7: Agricultural and Farmland Protection Goals and Recommendations</b> .....	<b>43</b>
Increase Marketing Opportunities, Competitiveness, and Profitability .....	43
Increase Public Recognition and Understanding of Agriculture .....	46
Retain Viable Agricultural Land for Agricultural Purposes .....	48
Rapid Response Projects .....	49

<b>Appendices .....</b>	<b>51</b>
Appendix A: Comments From Farmers and Farmland Owners .....	51
Appendix B: Model Right-to-farm Law .....	53
Appendix C: Applying the Agricultural Districts law in Municipalities.....	57
Appendix D: Does Your Town Support Farming? .....	59
Appendix E: Agricultural and Farmland Protection Planning Survey .....	61
 <b>Maps</b>	
1 Productive Agricultural Soils in Albany County .....	16
2 Albany County Agricultural Districts .....	25
 <b>Figures</b>	
1 Farmers' Plans for the Future .....	10
2 Land in Farms and Cropland.....	14
3 Farmland Use .....	14
4 Land Uses Adjacent to Farms .....	15
5 Number of Full and Part-time Farmers .....	17
6 Farm Sizes in Albany County, 1997 .....	17
7 Value of Agricultural Sales-Albany County .....	18
8 Market Value of All Agricultural Products Sold.....	19
9 Market Value Per Farm.....	19
10 Top 5 Products Sold in Market Value.....	19
11 Farm Types 1997.....	20
12 Town Residential Building Permits .....	29
 <b>Tables</b>	
1 Top Ranking Commodities.....	13
2 Census of Agriculture Summary Data for Albany County.....	14
3 Farms by Agricultural Sales .....	18
4 Agricultural Districts Statistics.....	23
5 Agricultural Districts Review Dates .....	24
6 Population Projections for Albany County .....	27
7 Population Statistics 1980-2000 .....	28
8 Town Residential Building Permits 2000-2001.....	28
9 Plans and Regulations in effect in Albany County Municipalities .....	30
 <b>Definitions .....</b>	<b>69</b>
<b>List of Abbreviations.....</b>	<b>70</b>
<b>Contacts.....</b>	<b>71</b>
<b>References.....</b>	<b>73</b>

# Chapter 1: Executive Summary

In recognition of the important economic and cultural influence agriculture has on businesses and residents in Albany County, the County Agricultural and Farmland Protection Board, with assistance from the Albany County Office of Natural Resources and Cornell Cooperative Extension of Albany County, developed this plan to detail ways we can support farming and enhance agriculture in the County. The plan was funded through a matching grant, awarded to Albany County, from the New York State Department of Agriculture and Markets. The steps taken to develop this plan included:

- ◆ A study to evaluate the number and types of farms, the amount of land used for agriculture, and the economic climate for agricultural business in Albany County.
- ◆ A survey of area farmers and three public meetings designed to learn and understand the concerns and needs of the agricultural community.
- ◆ Completion of a study conducted through Cornell University's Agricultural Industry Development, Enhancement, and Retention program (AIDER) to identify and prioritize needs and initiate various implementation projects.
- ◆ Identification of important goals the plan will address.
- ◆ Development of short- and long-term strategies to implement the goals.

**AGRICULTURE IN ALBANY COUNTY FACES MANY CHALLENGES.** Over the past few decades, both the number of farms and land being farmed has decreased. Dairy farms have been especially hard hit, and many have gone out of business or switched to other types of agriculture. Factors that have contributed to these losses and changes include a stressed agricultural economy, an aging farm operator population, increasing development pressures, and increasing property taxes.

**AGRICULTURE IN ALBANY COUNTY STILL PLAYS A LARGE ROLE IN THE ECONOMY AND ENVIRONMENT** even though losses have taken place. Farms and farmland have many attributes that make them a necessary and desirable part of a community.

- ◆ Farms in Albany County employ over 500 seasonal and full-time employees, pay out over \$1 million in payroll, generate over \$15 million annually in sales, and contribute over \$1 million in property taxes. Additionally, farmers spend about \$11 million per year in production expenses, much of which stays in Albany County and supports other local businesses.
- ◆ Agricultural land requires fewer services than residential development, keeping the cost of providing community services lower.
- ◆ Family farms return a large percentage of their revenues back to the local economy.
- ◆ Productive farms ensure a local and regional food supply for the community.
- ◆ Farmland provides open space, wildlife habitat, and buffers for sensitive areas and other natural resources.
- ◆ Farms and active farmland contribute significantly to the highly valued rural character in parts of Albany County.

**THE PLANNING PROCESS IDENTIFIED A NUMBER OF ISSUES** impacting farmers' ability to remain in agriculture. These factors include increased school and property taxes, pressures to subdivide farmland, and the critical need to educate governments and non-farmers about agriculture and its contributions to the County.

**THE PLAN ESTABLISHES A COMPREHENSIVE STRATEGY** and presents a variety of tools that can be used at the private, town, and county level to meet the goals for agricultural and farmland protection. Three major goals established in the plan are:

1. Increase the marketing opportunities, competitiveness, and profitability of farming and the agriculture industry in Albany County.
2. Increase public recognition of the value of agriculture and farmland in Albany County and convey a better understanding of farm issues among non-farmers and municipal officials.
3. Retain the viable agricultural land resources for agricultural purposes.

**ACTION ITEMS DETAILED IN THE PLAN INCLUDE:**

- ◆ Encourage town and county governments to review their present and proposed laws, procedures, and plans and amend them or develop new ones to insure that they include provisions that promote farmland protection and agricultural economic development and that they do not contain disincentives to agricultural businesses.
- ◆ Encourage adoption of right-to-farm laws and neighbor notification laws for real estate transfers to protect responsible farming operations and foster good relations between the farmers and their non-farm neighbors.
- ◆ Integrate agricultural economic development into town and county economic development strategies.
- ◆ Work with Hudson-Mohawk Resource Conservation & Development (RC&D), Cornell University Cooperative Extension of Albany County (CCE), and other agricultural agencies to assess opportunities for specialty crops, niche markets, and use of value-added programs.
- ◆ Develop a buy local campaign.
- ◆ Develop a display to highlight agriculture in Albany County and dispense farm products maps.
- ◆ Foster the relationship between local restaurants and local producers to encourage the use of locally grown products and feature locally grown choices on menus.
- ◆ Provide teachers with information and resources to help them teach children about agriculture.
- ◆ Organize a tour of farms for state, county, and local government officials.
- ◆ Offer workshops to educate local officials on land use planning and economic development issues related to agriculture.
- ◆ Establish a county-wide signage program that promotes local farms and identifies farmed areas where agricultural activity may require motorists to be more attentive.
- ◆ Create a publication for farmers with a complete list of tax relief opportunities and other agricultural programs.
- ◆ Consider developing and implementing local tax incentives for farmers and those who voluntarily protect active farmlands through term or permanent easements.
- ◆ Establish and support programs to protect important agricultural lands in Albany County.

The plan also includes a model right-to-farm law and other methods that will enhance local governments' reviews of proposed development impacts on agriculture.

## Chapter 2: Introduction

### **WHY DOES ALBANY COUNTY NEED AN AGRICULTURAL AND FARMLAND PROTECTION PLAN?**

This Agricultural and Farmland Protection Plan was developed to serve as a guide for enhancing the agricultural industry in Albany County and protecting our farms and farmland. It identifies issues important to our agricultural community and recommends strategies that will help stimulate the rural economy, maintain active agriculture, and help preserve the valued character of the county's agricultural areas.

### **HISTORY OF AGRICULTURAL AND FARMLAND PROTECTION PLANNING IN NEW YORK STATE**

New York State's Agricultural and Farmland Protection Program was adopted in 1992 as part of the Agricultural Protection Act (Article 25-AAA). This legislation resulted in a number of initiatives designed to protect the state's agricultural interests. In addition to reformulating the agricultural districts advisory committees into agricultural and farmland protection boards, Article 25-AAA also made planning grants available to counties to prepare Agricultural and Farmland Protection Plans. The goal of these plans is to address agricultural viability and profitability, agricultural land use issues, farmland protection methods, agricultural awareness, public education, municipal land use, and specific regional concerns. Upon completion of a plan, municipalities become eligible for further funding to assist in implementing the plan, which includes funds to support a voluntary program to purchase development rights on productive farmland.

In 1999, Albany County was awarded a grant through this program to prepare a County Agricultural and Farmland Protection Plan. The Agricultural and Farmland Protection Board (AFPB) worked with Albany County Office of Natural Resources, Cornell Cooperative Extension of Albany County, and the Agricultural Industry Development, Enhancement and Retention program (AIDER) at Cornell University, to prepare the plan and to initiate various implementation projects.

### **WHY IS IT IMPORTANT TO PROTECT FARMS AND FARMLAND?**

Farms and farmland play a vital role in Albany County's communities. Agriculture has many attributes that make it a necessary and desirable part of a community. Farms contribute to local and regional food supplies, are important components of the area's tourism industry, contribute to the local and regional economy, and positively impact municipal budgets and tax rates. In addition, farms and farmland are critical components of an area's character and quality of life.

- ◆ *Agricultural land uses fewer services than residential development, keeping the cost of providing community services to all residents lower.*
- ◆ *Family farms return a large percentage of their revenues to the local economy.*
- ◆ *Productive farms ensure a local and regional supply of food and other agricultural products for the community and contribute to our tourism industry.*
- ◆ *Farmland provides open space, wildlife habitats, and can be a buffer to sensitive environmental areas and other natural resources.*
- ◆ *Farms and active farmland contribute significantly to the highly valued rural character in parts of Albany County and creates a diverse landscape that enhances our quality of life.*

## ***FISCAL BENEFITS***

In Albany County, farming is a significant economic activity. Agriculture's economic influence is demonstrated by the fact that it accounts for over \$15 million in sales, \$1 million in payroll, and contributes over \$1 million in property taxes annually. In addition to farmers and their family members, farms in the county also employ over 500 full-time and seasonal employees. Additionally, farmers spend \$11.5 million on production expenses, much of which stays in Albany County and supports other local businesses (1997 Census of Agriculture). Albany's agricultural industry not only provides jobs, but also significantly contributes investment money, income, and tax base to our communities.

## ***TAX BENEFITS OF FARMLAND***

Saving farmland saves money. There is often a misconception that developing land for residential use will lower the property tax rate by bringing in substantial tax revenue but, while it is true that an acre of land with a new house generates more total tax revenue than an acre of hay or corn, it does not account for the true cost of providing services to that residence. Farms, forests, and other open lands may generate less revenue than residential, commercial, or industrial properties, but they also require little public infrastructure and few services. In other words, residences cost more than they pay and farmland pays more than it costs.

### ***Three Common Myths Related to Farms and Fiscal Policies***

- 1. Residential development will lower property taxes by increasing the tax base;***
- 2. Farmland gets an unfair tax break when it is assessed at its actual use for agriculture instead of its potential use for development;***
- 3. Open lands, including productive farms and forests, are interim uses just waiting to be developed to their "highest and best use."***

***Several Cost of Community Service (COCS) studies have shown that these statements are not true.***

It is important for citizens and community leaders to understand the relationships between residential and commercial growth, land conservation, and their municipality's bottom line. A Cost of Community Services study can reveal how protecting farms and farmland benefits both farmers and non-farm taxpayers by determining the net fiscal contribution of different land uses to local municipal budgets and comparing taxes generated by various land uses to the costs of services they require.

American Farmland Trust developed a series of Cost of Community Services studies (COCS) to give communities a simple and inexpensive way to evaluate the contributions that farms, forests,

and ranch lands make to the local tax base. These studies have helped local leaders discard the notion that open land must be converted to other uses to ensure fiscal stability and have highlighted the fiscal value of protecting farmland.

COCS studies conducted in a number of towns in New York State showed that owners of farms, forest, and open lands pay more in local tax revenues than it costs local governments to provide services to their properties. Residential land uses, in contrast, are financially a net drain on municipalities. Studies in 29 New York Counties found that, for every tax dollar raised from residential uses, it costs, on average, \$1.27 to provide services (a net loss of \$.27 per \$1.00). Yet for every tax dollar paid on a farm, forest, or open land, it costs only \$.29 to provide services (a net gain of \$.71 per \$1.00).

COCS studies are not intended to stop growth; rather they are designed to give communities a method of evaluating the costs of land uses and to help them make decisions about long-term planning and fiscal strategies. Communities must balance goals such as maintaining affordable housing, creating jobs, and conserving land and resources. With good planning, these goals can complement rather than compete with each other.

#### ***MULTIPLIER EFFECT OF FARMS***

Agriculture has far reaching economic effects. A host of secondary businesses, including farm suppliers and farm machinery sales and repair businesses, receive direct support from farm enterprises. A common figure places the value of the multiplier effect at \$2.00 to \$5.00. This means that for every farm dollar spent, local businesses and processors servicing farmers earn \$2.00 to \$5.00.

#### ***KEEPING A LOCAL SUPPLY OF FRESH FOOD***

Farms in Albany County produce a diverse selection of products. Using this local food supply provides the community with the freshest products available, conserves energy used for transportation, and reduces the dependence on foreign products. Local products can be found in supermarkets and can be purchased directly from farmers at farmers markets, farm stands, pick-your-own operations, and Community Supported Agriculture operations (CSAs). Purchasing directly from farmers maximizes the benefit of buying local by avoiding the middleman and allowing farmers to earn higher profits. Many farms in the county use direct marketing to distribute their goods. Over 50 farms sell directly to the public, generating an average of \$10,000 per farm in sales (1997 Census of Agriculture).

#### ***ENVIRONMENTAL BENEFITS***

Farmers are often referred to as stewards of the land. In Albany County, farmers care for approximately 60,000 acres of privately owned land. These lands are not only a valuable soil resource for food production, but also serve as wildlife habitat and buffer to water resources.

#### ***RURAL CHARACTER***

Farmland is intricately tied to our scenic landscapes and cultural heritage. Active farmland contributes significantly to the character of our local areas and is the dominant landscape feature of the region. As farmland disappears, the character of an area can be permanently changed. Maintaining working farms is the key to keeping this rural landscape part of our community.

#### ***MINIMIZES CONFLICTS WITH NON-FARM NEIGHBORS***

While the population density in the rural towns of Albany County is much lower than suburban areas, there is still a mix of residential, commercial, and industrial uses among agricultural lands. As more commuters move out to the more rural areas in search of country living, there is likely to be an increase of conflicts between residential and agricultural land uses. Protecting farms and preserving large contiguous blocks of farmland in areas predominated by farms can help keep neighboring farms in operation and reduce the number and severity of conflicts.

## WHY ACT NOW?

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### ***FARMLAND IS AN IRREPLACEABLE, NON-RENEWABLE RESOURCE.***

According to agricultural census data and information available from local agencies such as Cornell Cooperative Extension of Albany County and the Albany County Agricultural and Farmland Protection Board, the number of farms and farm acres in Albany County has decreased significantly in the past few decades. Although the number of farms and farm acres has remained fairly stable over the past 10 years, the types of agricultural operations in the county have shown a marked change, and remaining farms are under increasingly difficult economic pressures. The continued loss of farms and farmland can have many repercussions that affect the county's economy, environment, and quality of life. The strategies, goals, and recommendations established in this County Agricultural and Farmland Protection Plan can help municipalities contend with these economic and demographic challenges.

Recent changes in the agricultural industry may be attributed to a variety of factors influencing farm profitability and farmland retention in the county. Economic factors and development pressure significantly affect a farm's ability to stay profitable. Economic data and feedback from local farmers indicate that many farms in the county continue to struggle to make a profit. In addition, the county has an aging farmer population that, when coupled with a low rate of younger or new farmers to the area, may hinder the continuation of many farms. As farmers retire or scale-down their operations, land may go idle or be sold for non-farm development. This demographic change alone may have a serious impact on the viability of agriculture in Albany County during the next decade.



Development pressures also influence the sustainability of area farms. Many parts of Albany County, including rural areas, continue to experience increased residential and commercial development. Although this development is less pronounced in the more rural southern and western areas of the county, the conversion of agricultural land to residential development is becoming a notable land use trend. Most of the rural towns have prepared master plans in which the importance of preserving rural and agricultural character is noted. The towns of Guilderland and New Scotland have recently updated their master plans and address the need to protect agricultural areas and open spaces. Development pressures, however, continue to increase throughout the county.

While suburban sprawl continues to consume farmland and open space in the municipalities surrounding the City of Albany, farmers in the southern and western towns face additional pressures. A recent move to full-value assessments in the towns of Berne, Knox, Rensselaerville, and New Scotland has resulted in substantial increases in the tax burden for many landowners of large parcels. Farmers in these locations are more frequently seeking ways to reduce their property taxes in order to maintain their profitability and have recently shown a greater interest and enrollment in the Agricultural Assessment program.

While there are many issues affecting the agricultural industry, the county does have a relatively stable supply of productive farmland and low development pressure in many rural areas. Nonetheless, it is essential to have goals and strategies established in order to enhance the profitability of farms and to preserve remaining active farmland in order to support farmers, farm employees, and agri-businesses and to ensure that the many benefits provided by agriculture are maintained. The time to act is now to protect our valuable farmers and farmland and to take advantage of the many local and regional opportunities available to increase the profitability of farms and hopefully secure the future of agriculture in the county.



# Chapter 3: The Agricultural and Farmland Protection Planning Process

## SURVEY OF FARMERS AND FARMLAND OWNERS

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In order to develop a plan that will help protect agriculture and farmland and meet the needs specific to Albany County, the Agricultural and Farmland Protection Board surveyed local farmers and those that are actively involved in agriculture. In addition, three public meetings were held in various locations around the county to discuss issues related to agriculture.

The survey was mailed to 296 people and there was an excellent return rate of 46%. The questions were designed to collect information about the types of farming practices in the county, perceived challenges, important issues, and possible ways to enhance farming operations (see Appendix 5).

### Quick Facts From Survey:

Surveys mailed _____	296
Surveys returned _____	138
Full time farmers _____	48
Part time farmers _____	73

The majority of farms participating in this survey had between 50 and 500 acres. There were fewer very large (1,000+ acres) or very small (1-9 acres) farms. Rural non-farm areas surrounded a large percentage of farms represented in this survey. Although many farms had

non-farm neighbors, most respondents did not have a history of problems or conflicts with them. For those who did, the issues were mostly related to manure odor and spreading.

By far, the greatest cost to those farmers who responded was school and property taxes. Rising taxes are felt to be significantly affecting the profits of local farmers and increasing the pressure to subdivide their land or, in some cases, putting them out of business. Other government issues such as environmental regulations and zoning were also of great concern.

Respondents to the survey also stressed the need to educate both government and the non-farm community about the contributions of agriculture and the effect of land use decisions on farmers.

Many perceived Cooperative Extension, the Farm Bureau, the Farm Service Agency, and the Soil and Water Conservation District as being very effective. Although many were not familiar with the Agricultural and Farmland Protection Board, those who were familiar felt that the Board effectively supported agriculture. Generally, local governments and chambers of commerce were seen as being somewhat or not effective.

With the exception of the Agricultural Districts Program, most people were not familiar with other government-sponsored programs designed to help agriculture. The Agricultural Districts Program was considered to be somewhat effective by those who were familiar with this program. The Agricultural Districts Program was seen as the most effective program and the Wetlands Reserves Program, the least effective.

When respondents were asked to rate the importance of various actions that could be taken by government agencies, the highest value was given to promoting agricultural products, implementing right-to-farm laws, strengthening support for agricultural districts, and offering public education about farming.

In terms of private sector support for agriculture, farmers were asked to identify what businesses would be helpful if they were to locate in the area. The most frequent responses were for a slaughter facility, farm supply store, machinery sales and repair operation, and a food processing facility.

Finally, farmers were asked to describe their feeling about the future of agriculture in Albany County and to forecast where their operation would be 5 years from now. Although many were uncertain about the future of agriculture in the county, most anticipated diversifying, expanding or investing in their operation, or passing it on to a family member. Twenty-three farmers planned on retiring. Other plans included selling or passing on all or a portion of farmland for non-farm uses; moving or changing the operation; and selling, leasing, or passing on land for farming.

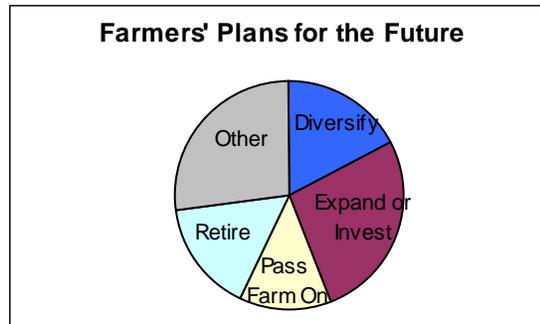


Figure 1

The issues and concerns expressed in this survey echoed those of farmers across the state and the country. Using the results of this survey, along with numerous other research sources, a list of goals, priorities, and implementation projects was developed to address the issues that were identified.

In addition to the written survey, three public meetings were held to discuss agriculture related issues. These meetings were held in Medusa, Guelderland, and Voorheesville. The issues and concerns raised during these meetings were very similar to those obtained from the written survey.

*“We want to keep the farm, as it has been in the family since 1890.  
I was born here, and I will give it on to my son and grandson.”*

*Quote from Farmer Survey*

## **AIDER: AGRICULTURAL INDUSTRY DEVELOPMENT ENHANCEMENT AND RETENTION**

While feedback obtained from the farmer survey and public meetings provided an overall picture of the agricultural industry in the county, the Agricultural and Farmland Protection Board looked to a Cornell University program called Agricultural Industry Development Enhancement and Retention (AIDER) to gain additional input on the agricultural economy and to identify issues affecting profitability. AIDER is an inclusive community-based program with the overall goal of integrating agriculture into comprehensive economic development strategies. It engages both local agricultural and economic development leaders in developing agricultural economic development strategies. AIDER develops and implements action plans leading to an enhanced agricultural and food systems industry.

As part of the Agricultural and Farmland Protection planning process, the county contracted with AIDER to assist in developing agricultural economic development initiatives that would be recommended for implementation as part of the county’s plan. All agricultural producers, municipalities, chambers of commerce, and others concerned with enhancing the agricultural economy in Albany County were invited to participate in the AIDER work group. Led by an AIDER coordinator from Cornell University, the group met several times to discuss the issues affecting the profitability of agriculture and possible ways to mitigate problems and promote a healthy agricultural economy.

The initial phase of AIDER was a cooperative collaboration between Albany and Schenectady counties. A Leadership Team and Task Force were created as the first step in the AIDER process. The Leadership Team was composed of the Planning Department, Cornell Cooperative Extension, and Soil and Water Conservation District representatives from both counties. The Task Force was made up of Agricultural and Farmland Protection Board members as well as representatives from Farm Bureau, Farm Service Agency, and members of the farm community. This work, together with the survey, resulted in the identification of issues and development of goals and recommendations. (See Chapter 7).





## Chapter 4: Albany County's Agricultural Profile

### AGRICULTURAL HIGHLIGHTS

Although a portion of Albany County is highly suburbanized or urban, there are approximately 60,000 acres of remaining active farmland. The number of farms in the county has remained fairly stable at about 390 over the past few years, but has decreased significantly since 1982 and earlier. Still, county farms contribute over \$15.8 million to the local economy from agricultural sales and hire a considerable number of employees. The primary agricultural products sold in Albany County are cattle and calves (beef) along with nursery and greenhouse crops and dairy products (see **Table 1**). Equine-related businesses are also rapidly growing in the county. **Table 2** summarizes some of the trends experienced by agriculture in the county since 1982.

Unless otherwise noted, statistics regarding the county's agricultural profile are taken from the United States Department of Agriculture's National Agricultural Statistics Service (NASS) Census of Agriculture. This census is completed every 5 years and the data collected is released about every 7 years. The most recent report was released in 1997. The next report is expected to be available early in 2004. The data collected in the census include information provided from farms, which are defined for this purpose as any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the census year. Detailed census information can be found on the NASS website at [www.usda.gov/nass/](http://www.usda.gov/nass/).

**Table 1 – Top Ranking Commodities** — US Dept. of Agriculture, NY Agricultural Statistics Service

1997 CENSUS OF AGRICULTURE		Albany County	New York State
Market Value of Agricultural Products Sold (\$1,000)	Value	Ranking	# of Counties
Total value of agricultural products sold	15,770	45	61
Value of livestock and poultry	9,040	44	58
Value of crops including nursery	6,730	33	61
Top Four All Commodities – Value of Sales (\$1,000)	Value	Ranking	# of Counties
Cattle and calves	4,937	15	56
Nursery and greenhouse crops	4,030	14	61
Dairy products	3,703	47	53
Vegetables, sweet corn, and melons	929	28	59
Top Five Commodities – Livestock Sold (number)	Amount	Ranking	# of Counties
Cattle and calves sold	7813	33	56
Hogs and pigs sold	932	23	56
Sheep and lambs sold	744	25	55
Layers, pullets, and pullet chicks sold	(D)	39	54
Broilers and other meat-type chickens sold	(D)	26	47
Top Five Commodities – Livestock Inventory (number)	Amount	Ranking	# of Counties
Cattle and calves inventory	9,193	43	56
Layers 20 weeks and older inventory	995	42	56
Sheep and lamb inventory	912	29	55
Horse and pony inventory	595	38	57
Ducks, geese, and other poultry inventory	538	28	57
Top Five Commodities – Crop Area	Acres	Ranking	# of Counties
Hay crops-acres	20,625	39	56
Corn for silage-acres	2,839	43	54
Corn for grain-acres	1,081	46	53
Land used for vegetables-acres	525	30	59
All nursery-acres	492	29	60

**Table 2 - Census of Agriculture Summary Data for Albany County** — United States Department of Agriculture, New York Agricultural Statistics Service

<b>Summary Highlights</b>	<b>1997</b>	<b>1992</b>	<b>1987</b>	<b>1982</b>
Farms (number)	396	391	460	510
Land in Farms (acres)	56,782	57,889	67,754	82,788
Average Size of Farms (acres)	143	148	147	162
Estimated market value of land & buildings per farm (dollars)	235,570	358,794	212,390	153,476
Estimated market value of land & buildings per acre (dollars)	1,878	2,527	1,356	N/A
Farms with Cropland	376	376	440	485
Total Cropland (acres)	35,877	36,388	41,137	50,082
<b>Market Value</b>				
Total Market Value of Agricultural products sold in \$1000	15,770	15,611	16,257	15,345
Per Farm Market Value of Agricultural products sold (dollars)	39,823	39,926	35,342	30,088
Market Value of Crops in \$1,000	6,730	7,485	5,598	5,097
Market Value of Livestock in \$1,000	9,040	8,126	10,659	10,248
Total farm production expenses in \$1,000	11,501	13,773	14,363	N/A
Average per farm production expenses (dollars)	28,898	35,224	31,292	N/A
Property taxes paid in \$1,000	1,063	1,212	716	N/A
<b>Farm Operators by principal operation</b>				
No. of farm operators with farming as principal occupation	181	178	201	242
No. of farm operators with other principal occupation	215	213	213	259

### FARMLAND IN ALBANY COUNTY

According to the 1997 Census of Agriculture, about 17% or 56,782 acres of Albany County's land base is in farmland. This number indicates a loss of about 30% of the county's farm acreage since 1982 and a 16% decrease since 1987. Overall, approximately 15,000 acres of cropland have been taken out of production since 1982. The greatest reduction in cropland took place in the 1980s. Recent data shows a much smaller number of acres in farms and cropland has been lost in the last 10 years.

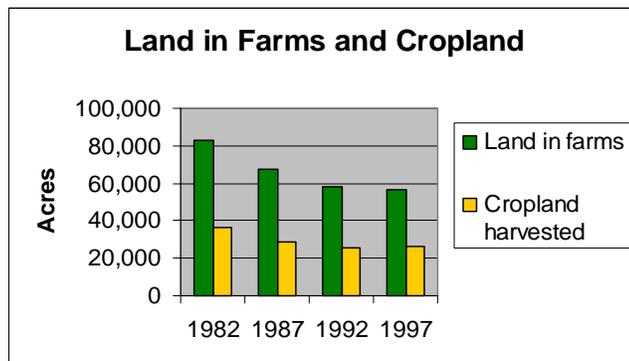


Figure 2

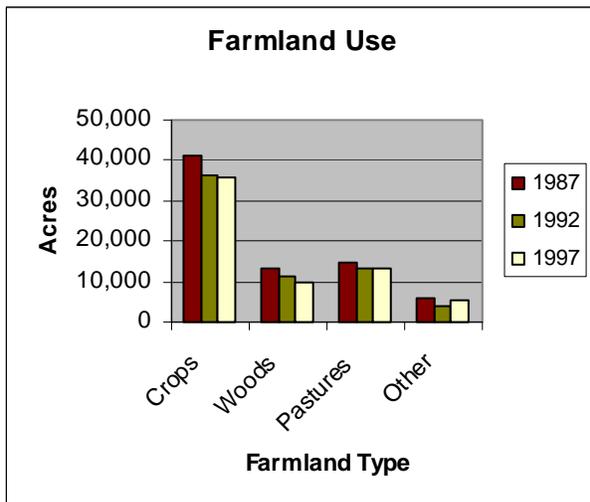
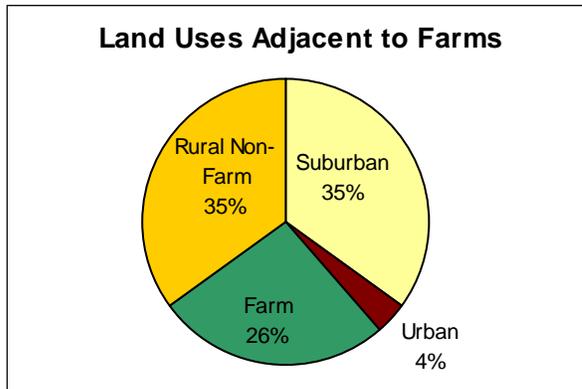


Figure 3

Most of Albany County's farmland is used for crops, primarily corn for silage and hay. Some farmland is used for corn for grain, oats, vegetables, and fruit and also includes pastures, woodland, and Christmas trees. Farmland acres in crops and woodland decreased between 1987 and 1997. About 63% of farmed land is in cropland, while 20% is in woodland. The remainder of the land is being used for other uses like pastureland, ponds, roads, and support buildings. Today, many farms are surrounded by non-farm uses, including rural residential, suburban, and urban land.



**Figure 4**

### **IMPORTANT AGRICULTURAL SOILS**

The USDA defines prime farmland as lands best suited to food, feed, forage, fiber, and oilseed crops. These soils produce the highest yields with minimal inputs of energy and economic resources, and farming them results in the least damage to the environment. Some of the soils classified as prime farmland, however, must be drained in order to be used for crop production. Prime farmland does not include urban or built-up land or water areas. Scattered areas of prime farmland are still found throughout the county, which are typically located in major valleys and on nearly level to undulating lands. Crops grown on prime soils are mainly corn, small grains, hay, vegetable crops, and nursery stock.

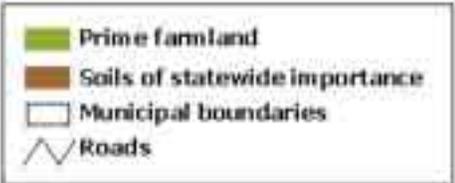
At the time of the last the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) soil survey completed in 1983, there were nearly 58,000 acres of land classified as prime farmland in Albany County. Much of the remaining prime soil located in the rural towns of Berne, Knox, Westerlo, Rensselaerville, and New Scotland is included in Agricultural Districts. Unfortunately, prime farmland conditions such as gentle slopes and good drainage also make the land ideal for development. In the 20 years since the last soil survey, prime farmlands in the rapidly developing Towns of Bethlehem, Colonie, and Guilderland have been largely developed for commercial and residential uses.

In addition to the remaining prime soils, a significant amount of land in the county consists of soils of statewide importance. These are soils that are nearly prime and are capable of producing high yield crops when managed properly. With the exception of Bethlehem and Colonie, and the urbanized portions of the county, there are still large undeveloped areas of these soils throughout the county. Although prime soils and soils of statewide importance are considered to be the best soils for crop production, other soils can support various types of agricultural activity.

The objective of soil mapping is to separate the landscape into areas that have similar use and management requirements. Map units are identified and named according to the dominant soil type but other soil types may be present in the area. While delineation at this scale is sufficient for making generalizations about areas, on-site investigation is needed to determine the actual soil conditions on a site and to plan for uses in small areas. Landowners can refer to the local Soil and Water Conservation District and Regional Natural Resources Conservation Service office for more site-specific soil information.

MAP 1

## Productive Agricultural Soils in Albany County



Map created by: Albany County Office of Natural Resources

Map based on data from: USDA-NRCS Soil Survey Geographic Data Base

## FARMS IN ALBANY COUNTY

Since the 1982 Census of Agriculture, Albany County has lost over 100 farms, many between 1982 and 1992. Since 1992, however, the number of farms has remained relatively stable. The 1997 US Census of Agriculture reported 396 farms. Less than half of those farms, however, are full-time operations.

The average farm size in Albany County is 143 acres. A closer look at the distribution of farm sizes shows that a significant number of county farms are small. The 1997 US Census of Agriculture shows 214 farms with less than 100 acres in 1997, 141 of which had less than 50 acres.

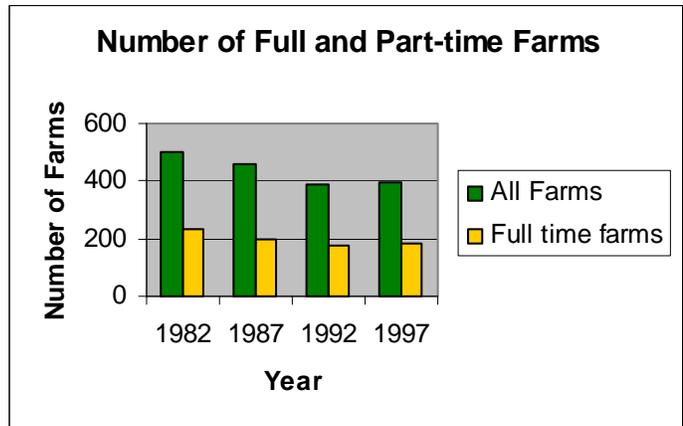


Figure 5

## ECONOMIC CONTRIBUTIONS FROM AGRICULTURE

Agriculture continues to be an important industry in Albany County. County farmers manage almost 60,000 acres of land, generate over \$15 million from the sale of farm products, and provide hundreds of permanent and seasonal jobs.

The continuing success of farms is due to dedicated farmers who continue to invest in their farms and diversify to meet the changing agricultural climate. For many operators, farming is still their primary source of income. In addition to the 215 part-time farmers, 181 consider farming their principal occupation.

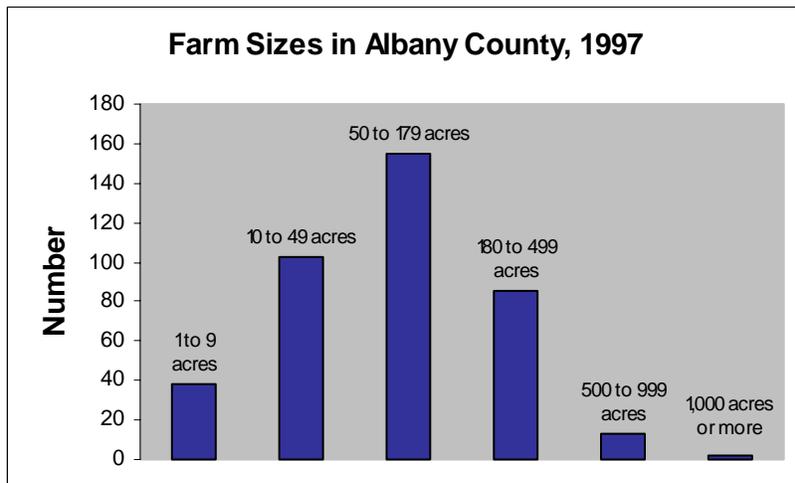


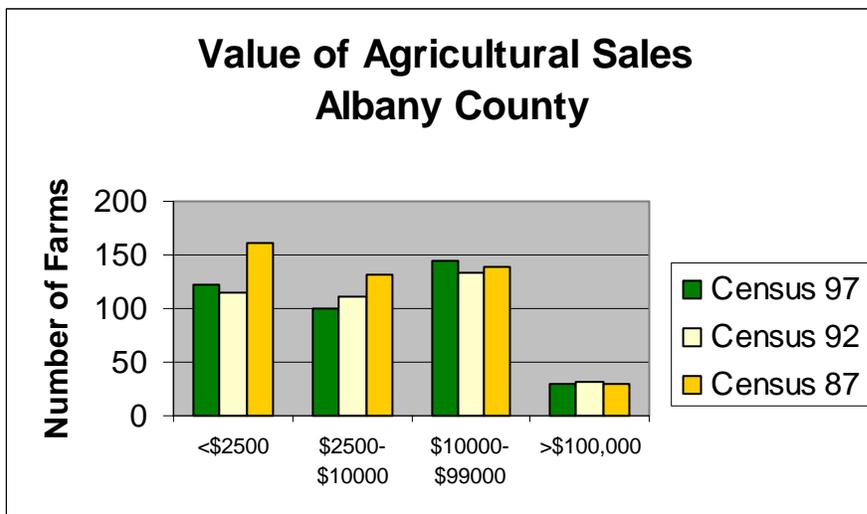
Figure 6

**Table 3**

<b>Farms by Agricultural Sales</b> Albany County, Census of Agriculture 1997			
	<b>1992</b>	<b>1997</b>	<b>Total Value of Sales 1997</b>
Total # of Farms	391	396	\$15,770,000
Less than \$2,500	114	122	\$111,000
\$2,500 to \$4,999	59	55	\$201,000
\$5,000 to \$9,999	53	45	\$339,000
\$10,000 to \$24,999	79	73	\$765,000
\$25,000 to \$49,999	23	43	\$340,000
\$50,000 to \$99,999	31	28	\$1,521,000
\$100,000 or more	32	30	\$10,466,000

**FARMS BY AGRICULTURAL SALES**

Similar to other counties in the Hudson Valley, there are a large number of smaller/part-time farms in the county. This is reflected in the fact that a majority of farms have annual sales of less than \$10,000, and about a third of all farms have sales less than \$2,500.



**Figure 7**

that farms with sales of \$100,000 or more comprise only 7% of the total farms, but account for approximately 66% of the total agricultural sales.

The market value of all agricultural products sold in the county, in total sales has declined since the 1987 census of agriculture, but has increased slightly in recent years

Although total sales for the county have decreased since 1987 the average market value per farm has increased 13% since 1987 and has remained fairly stable since 1992. It should be noted that this small percentage average increase in sales per farm does not come close to matching the increased rate of inflation and cost of doing business in the same period of time, leaving many farmers still struggling to make a profit.

As shown in **Figure 7**, the number of farms with sales exceeding \$100,000 as well as those with sales between \$10,000 and \$99,000, has remained relatively stable over the past 10 years. However, there has been a marked decline in the number of farms with sales less than \$10,000 over the same time period. It is important to note

Figure 8

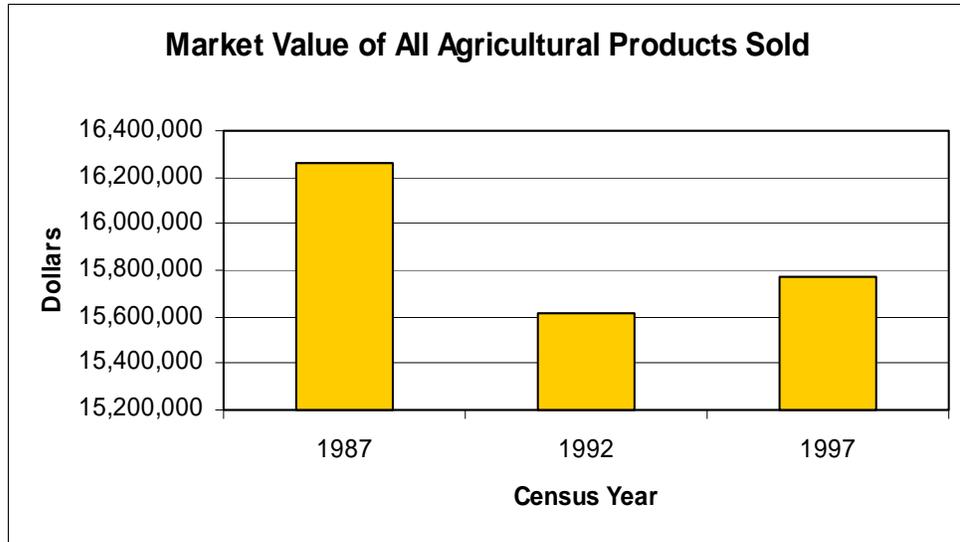


Figure 9

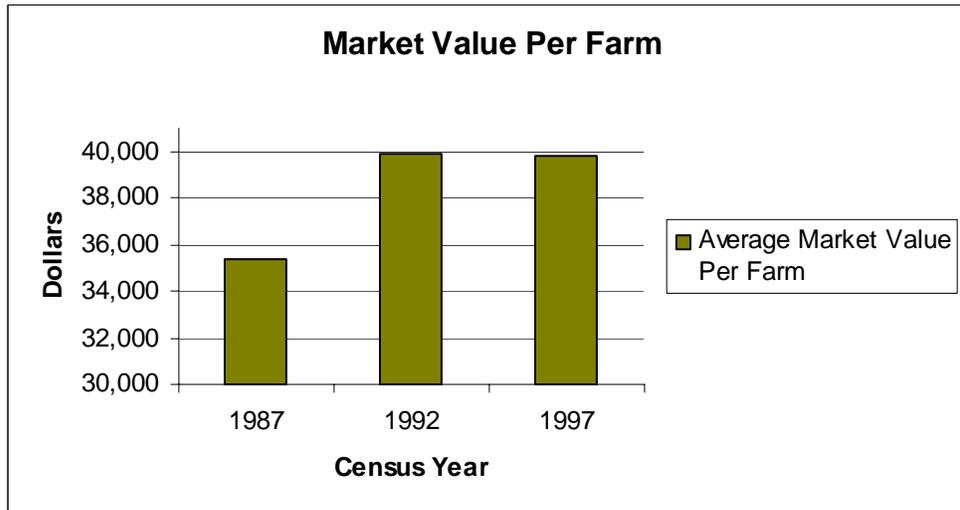
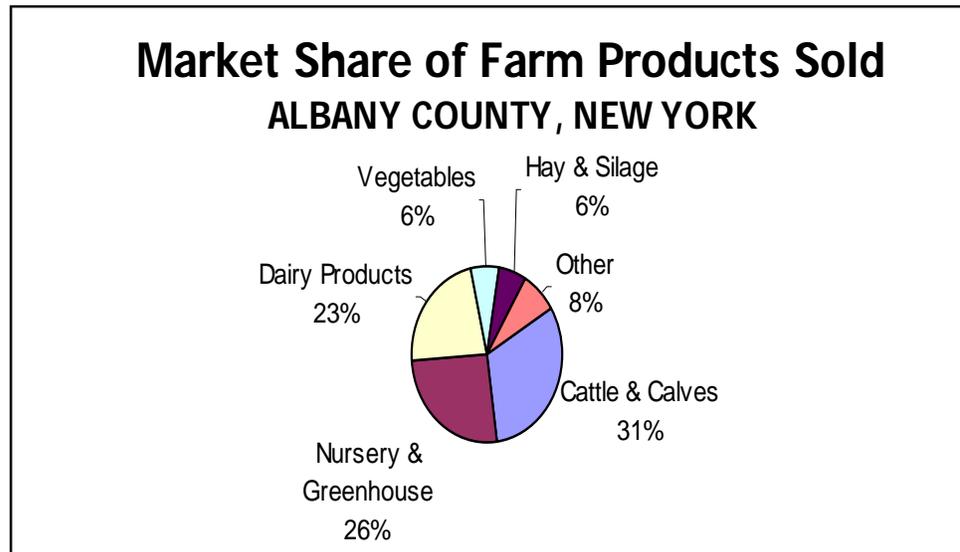


Figure 10



Market sales are dominated by three agricultural industries: dairy, nursery and greenhouse operations, and cattle and calves. About a quarter of market sales come from vegetables, hay and silage, and other products. The market value of all agricultural crops sold dropped from \$7,485,000 in 1992 to \$6,730,000 in 1997; however, market value of livestock sold during this time rose by almost \$1,000,000.

### FARM TYPES AND FARM PRODUCTIVITY

Corn/hay, beef farms, and nursery and greenhouses dominate farm types in the county. Forty percent of farms had livestock and poultry. The number of beef farms remained stable and the number of animals increased by 39% between 1987 and 1997. During the same period, 10 dairy farms took advantage of a federally funded dairy buy-out program and went out of business. More recent data (1999 and 2000) show that the number of dairy cows has increased slightly over the past few years.

#### GREENHOUSE AND NURSERY, VEGETABLES

In market value, nursery and greenhouse crops represent the second largest sector of Albany County's agricultural industry with \$4,030,00 in sales reported in 1997, up slightly from the 1992 census. This large contribution to the local economy requires comparatively less farmland than other crops with only 175 acres and 741,000 sq. ft. (undercover) for nursery and greenhouse production, respectively.

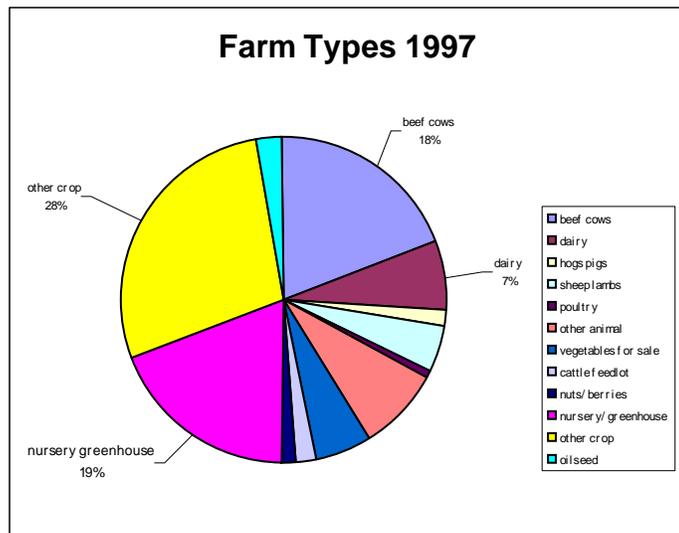


Figure 11

Vegetable production in Albany County occurs primarily in areas of prime soils. There are approximately 42 farms totaling 560 acres producing almost \$1 million in sales from vegetables and sweet corn. There are several large vegetable growers and nursery/greenhouse operations that have estimated annual gross sales of greater than \$100,000, six of which gross over \$500,000. In addition, some farmers use vegetable, nursery and greenhouse crops to supplement their primary business.

#### HORSES

According to the 1997 Census of Agriculture, there were 595 horses reported in the county with \$188,000 in sales. In addition to breeding, horse boarding and riding operations have recently become a bigger part of the county's agricultural industry. According to Cornell Cooperative Extension, there is a lot of interest in equine facilities and there are many opportunities in the county to expand this type of agricultural operation. The growing importance of horse boarding as part of a farm operation is reflected in recent amendments to the Agricultural Districts Law which extend district benefits to commercial horse boarding operations of at least ten horses and a minimum of seven acres.

#### OTHER AGRICULTURAL PRODUCTS

A variety of other agricultural products are produced and sold in the county. There are currently two large orchards growing tree fruit and other producers growing small fruits (e.g. strawberries,

blueberries, etc.). Some farms supplement their income with the sale of forest products (timber), corn for silage, and hay. Other farm products include maple syrup, honey, Christmas trees, and u-pick operations. Other livestock being raised include llamas and alpacas, pigs and hogs and deer.

### **DAIRY**

According to Cornell Cooperative Extension of Albany County, the number of dairy farms in the county continues to decline as result of low milk prices and recent increases in production costs.

Despite the reduction of the number of dairy farms, Albany still maintains a viable dairy industry. The 17 remaining dairy farms in the county vary greatly in the number of cows milked from 22 to over 500, and the capital investment ranges from under \$1,000 to over \$8,000 per head. Albany County also has one of only three dairies in the state that still produces, bottles, and delivers milk.



Dairy products remain one of the top three farm commodities by value of sales in the county. However, the continued low wholesale price of milk and the increasing cost of production and marketing forces dairy farmers to work harder and make more investment in order to stay viable and remain competitive. Until a fair price can be obtained for wholesale milk, it will remain a challenge for our local dairy farmers to stay in business.

### **BEEF**

Beef production in Albany County is very different than the small-scale beef operations in surrounding counties. Albany County has two large feedlot operations and several small feedlots. These feedlots combined, provide feed for 5,000 head of beef cattle each year.

In addition to the feedlot operations in the county, there are 55 cow/calf operations. Cow/calf operations have very little investment in buildings and equipment and generally have adequate or excessive pasture and hay acreage to meet the needs of their cow herds.

The beef feedlots have more money invested in equipment for feeding and moving manure and will soon be required to keep all of their feeder cattle within enclosed feeding facilities to meet the new requirements of concentrated animal feeding operation (CAFO) regulations. The investment needed to comply with these regulations will also affect the profitability of these operations.

Beef cow/calf operators sell most of their calves, each weighing about 500 pounds, as feeder calves in the fall to local feedlots and to out-of-state feeders. Local feedlots sell all of their finished cattle to buyers out of state. Cow/calf producers utilize locally grown feeds to feed

### **Albany County and Environmental Management**

Albany County has been an early innovator in the use of Agricultural Environmental Management (AEM) and Environmental Quality Incentives Programs (EQIP). These programs are designed to help plan and implement environmental management practices on the farm. The county was one of the first to get EQIP funding and through the AEM Program has completed TIER I and TIER II assessments for this program.

their animals. Local feedlots utilize a variety of by-product feeds, which allows them to compete with mid-west operations. As in other areas of agriculture, however, local beef producers face competition from foreign markets with lower production costs and less stringent environmental regulations.

### ***SHEEP AND GOATS***



The number of sheep raised in the county has decreased over the last several years due to low wool prices, a shortage of experienced custom sheep shearers, and the lack of an organized Easter lamb market. Currently, there are 20 to 25 sheep operations with animal numbers ranging between five and 425 head.

Goat production has increased, mainly due to the introduction of the Boer meat goat breed. There are 13 goat operations in the county, most of which are raising Boer meat goats. While the number of

meat goat producers has increased, the number of dairy goat producers in the county has dropped.

Recently, a number of agricultural agencies and interest groups have collaborated to investigate the opportunity to open a regional processing plant. This would greatly improve the feasibility of processing goat meat on a larger scale to serve the downstate market.

### **FARM EXPENSES AND CASH RETURNS**

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According to the USDA – NASS, of the \$11.5 million in total farm production expenses in 1997, the most significant production costs were for feed, followed by farm labor, purchase of animals, repair and maintenance, and property taxes. Between 1987 and 1997, there was an almost 20% decrease in total county production expenses. This apparent decrease, however, may be largely a reflection of a reduction in the number of farms and inconsistent reporting on the survey forms. Regardless, per farm production costs were also reportedly reduced from \$31,292 in 1987 to \$28,898 in 1997. Unfortunately, contrary to this data, most farmers in the county report dramatic increases in costs for property tax, labor, feed, fuel and other necessary goods and services.

There was a 44% increase in property taxes and a 20% increase in repair and maintenance costs between 1987 and 1997. Recently, there has been a considerable increase in the number of agricultural landowners seeking Agricultural Value Assessments. This suggests that this increased property tax burden has become a significant issue. Tax increases for agricultural landowners may lead to greater conversion pressure over the next decade.

While local farmers report that production costs have risen, the NASS also reports that the net cash return from agricultural sales has also increased since 1987, benefiting some county farms. One hundred and sixty-five farms showed net gains while 233 farms showed net losses in 1997. In general, escalating expenses and stagnant commodity prices have reduced the profit margin for many farmers. With slimmer profit margins, small fluctuations in commodity prices or expenses such as fuel or electricity can force a farmer out of business.

### ***ALBANY COUNTY FARMS ARE FAMILY FARMS***

The majority of Albany County farms (338 out of 391) are family-run businesses. Full-time owners manage almost half of the farms and the remaining farms have operators who work 200 or more days off the farm. The average age of operators is 56 compared to a statewide average age of 53.5 years. Since the average farm operator in the county is nearing retirement age, attracting young people to farming will continue to be crucial to the continued success of agriculture. This will be a challenge due to the high cost of land and the increasing difficulty of making sufficient profits. An increasing number of farmers are finding it necessary to find work off the farm to supplement their income and provide for costly benefits such as health insurance.

Small-scale and part-time farmers work a significant amount of farmed land in Albany County. They play an important role in keeping land in active production and in contributing to the agricultural economy of the county. Unfortunately, these farms are also at risk in part because many agricultural and farmland protection laws do not benefit small agricultural operations and retired farmers, which are excluded due to acreage and minimum gross sales requirements. These same requirements also limit the availability of financial benefits programs to small-scale and part-time farm operations. All of these issues facing the small family farmer make the matter of passing the farm down very uncertain.

### **AGRICULTURAL DISTRICTS**

The first Agricultural District in Albany County was created and certified in July 1974. This District included parts of the towns of Berne, Knox, New Scotland, Guilderland, and Westerlo. Between 1974 and 1977, the Albany County Legislature formed five more Agricultural Districts, which included farmland in all of the towns in the county except Colonie and Green Island.

In the early 1980s the Agricultural District law was amended to allow parcels to be placed in an Agricultural District that were not contiguous. As a result of that modification, the Albany County Agricultural District Review Committee recommended that Agricultural District #5 be incorporated into Agricultural District #1 in 1982 and that Agricultural District #4 and #6 be incorporated into Agricultural District #3 in 1987. These consolidations resulted in three Agricultural Districts, as described below.

**Table 4 – Agricultural Districts Statistics**

<b>Agricultural District</b>	<b># Acres in District</b>	<b># Acres in farms</b>	<b># Acres cropped</b>	<b># Acres owned by farmers</b>	<b># Acres rented by farmers</b>
#1	27,012	21,870	15,045	16,402	5,468
#2	16,694	10,121	4,469	7,376	2,745
#3	24,574	15,416	7,493	11,616	3,800
<b>Total</b>	<b>68,280</b>	<b>47,407</b>	<b>27,007</b>	<b>35,394</b>	<b>12,013</b>

Agricultural District #1 now includes lands located in the towns of Berne and Knox; Agricultural District #2 includes lands located in the towns of Westerlo and Rensselaerville; and Agricultural District #3 includes lands located in the towns of Guilderland, Colonie, New Scotland, Bethlehem, and Coeymans and a small portion the City of Cohoes. Agricultural Districts are reviewed and modified as necessary every 8 years.

Today, most of the county's productive agricultural land is now included in one of the three Agricultural Districts. There are 68,280 acres of land included in the three districts, of which 47,407 acres are farmland. The majority of the contiguous blocks of districted agricultural land is in the rural towns of Berne, Knox, Westerlo, and Rensselaerville. The more increasingly suburban town

of New Scotland also has a significant amount of acreage remaining in agriculture. Agricultural District lands are somewhat dispersed through the Town of Coeymans and the more densely populated towns of Guilderland, Colonie, and Bethlehem.

The most recent review completed in 2003 covered the district encompassing the towns with the largest number of modifications to the district and the most development pressure.

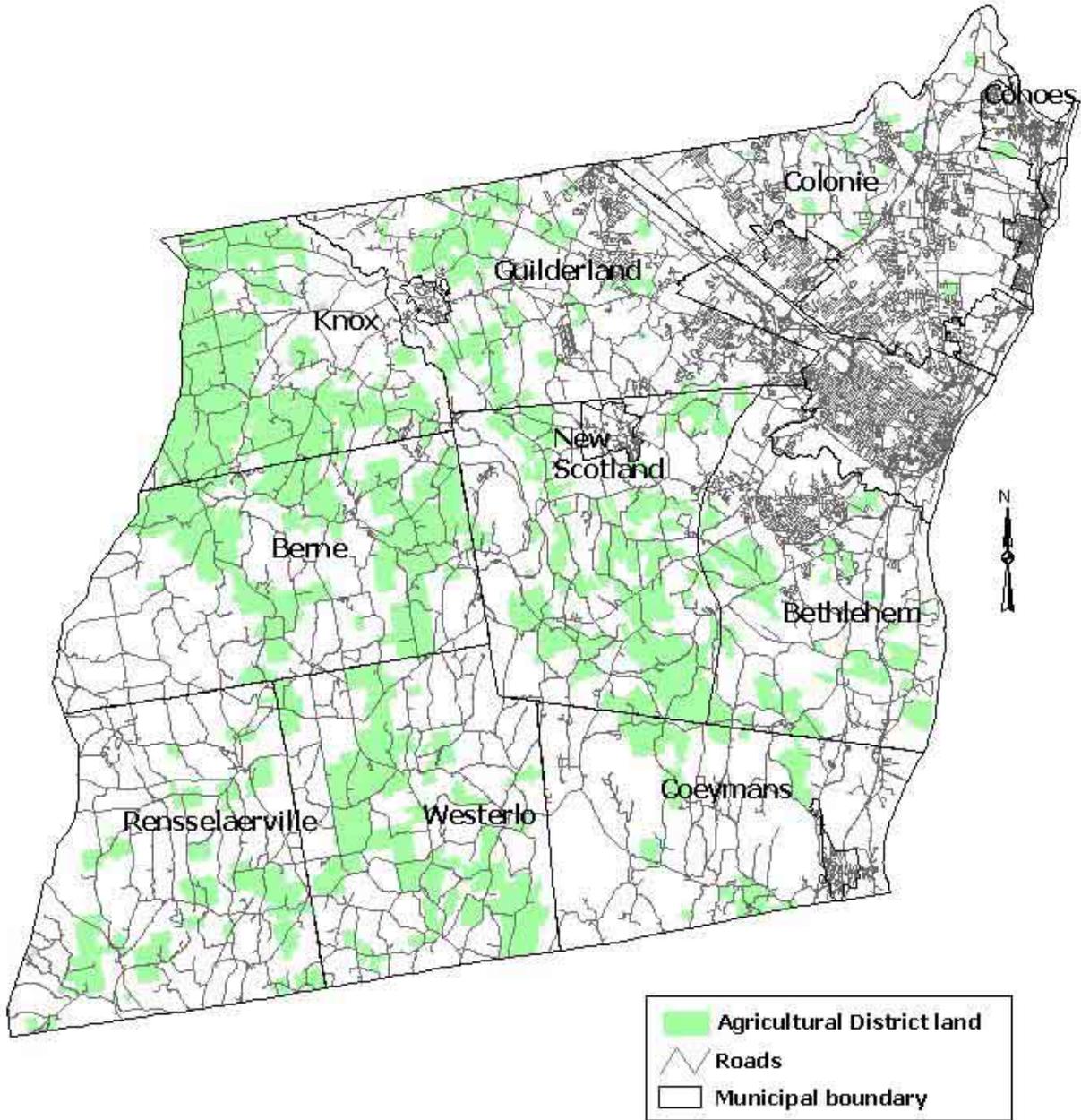
**Table 5 – Agricultural Districts Review Dates**

	<b>Agricultural District #1</b>	<b>Agricultural District #2</b>	<b>Agricultural District #3</b>
<b>Year of Last Review</b>	1998	2002	2003

Participation in the Agricultural Districts program has steadily increased. Results of a survey conducted as part of the farmland protection planning process show that the majority of farmers support the program, with 82 percent responding that they feel it is a useful and effective tool for protecting farmland.

Both the number of acres and the number of farms in the Districts have increased over the past 10 years as has the number of farms in the districts with gross sales over \$100,000. The increase in farms with gross sales over \$100,000 can be attributed, in part, to an increase in horticultural specialty operations, which use much less land than the larger farms they may be replacing. In the most recent reviews of the county agricultural districts, 4,856 acres of land were added into one of the districts. Most of these additions were from previously un-districted lands that were already in some form of agriculture so do not necessarily represent an increase in farming activity. Approximately 1,814 acres of land were removed from the districts during the last reviews. Land that was removed was no longer active farmland and was reverting to shrub or had been developed. While the majority of active agricultural land is now included in an Agricultural District, it does not represent all land being farmed in the county.

## ALBANY COUNTY AGRICULTURAL DISTRICTS



Map created by: Albany County Office of Natural Resources

Map based on data from Albany County Agricultural District data



## Chapter 5: Conversion Pressure and Municipal Planning Efforts

### POPULATION GROWTH

The number of people living in Albany County has grown steadily with a current population of 294,565 people (2000 U.S. Census). According to projections from the Capital District Regional Planning Commission, and as evident in **Table 6**, this growth trend is expected to continue in the future. Perhaps more important to agriculture than population increases is the distribution of the population, which has changed markedly over the years. Historical census data shows that the rural towns of Berne, Knox, Westerlo, and Rensselaerville have seen a decrease in population in the 1800s and early 1900s while the incorporated towns of Guilderland, Bethlehem, Coeymans, Colonie, and New Scotland have seen small population increases. Beginning in the 1940s and 1950s the trend toward suburban living caught on, and the areas directly outside the cities began developing at a rapid rate while city populations declined. The most dramatic increases were in the towns of Bethlehem, Colonie, and Guilderland where there was already a significant amount of commercial, industrial and residential development. Population levels in these suburban towns continued to grow significantly in the following years. The towns of Bethlehem and Guilderland grew at the fastest rate.

**Table 6 – Population Projections for Albany County** — Source: Capital District Regional Planning Commission

Population Projection	2000	2010	2020	2030	2040
Albany County	294,565	302,162	307,201	311,707	316,197
City of Albany	94,301	94,741	94,740	94,846	94,922
Town of Berne	2,846	2,811	2,794	2,796	2,808
Town of Bethlehem	31,304	33,922	35,730	37,510	39,296
Town of Coeymans	8,151	8,122	8,162	8,200	8,234
Village of Ravena	3,369	3,317	3,289	3,289	3,288
City of Cohoes	15,521	14,998	14,670	14,455	14,309
Town of Colonie	79,258	81,970	83,725	84,731	85,402
Village of Colonie	7,916	7,823	7,736	7,624	7,531
Village of Menands	3,910	3,920	3,921	3,921	3,922
Town/Village of Green Island	2,278	2,508	2,515	2,522	2,540
Town of Guilderland	34,045	36,093	37,715	39,238	40,964
Village of Altamont	1,737	1,701	1,670	1,638	1,613
Town of Knox	2,647	2,720	2,779	2,845	2,940
Town of New Scotland	8,626	8,700	8,798	8,925	9,079
Village of Voorheesville	2,775	2,750	2,795	2,844	2,889
Town of Rensselaerville	1,915	1,986	2,047	2,107	2,165
City of Watervliet	10,207	9,994	9,804	9,665	9,536
Town of Westerlo	3,466	3,597	3,722	3,867	4,002

**Table 7 – Population Statistics 1980-2000** — Source: Capital District Regional Planning Commission

Towns and Villages	1980 Census Population	1990 Census Population	2000 Census Population	Percent Change 1990 to 2000	Percent Change 1980 to 2000
Albany County	285,909	292,793	294,565	.61	3.1
Town of Berne	2,532	3,053	2,846	-6.8	12.4
Town of Bethlehem	24,296	27,552	31,304	13.6	28.8
Town of Coeymans	7,896	8,158	8,151	0	3.2
<i>Village of Ravena</i>	3,091	3,547	3,369	5.0	9.0
Town of Colonie	74,593	76,497	79,258	3.6	6.3
<i>Village of Colonie</i>	8,869	8,019	7,916	1.3	-10.7
Town of Guilderland	26,515	30,011	32,688	8.9	23.3
<i>Village of Altamont</i>	1,292	1,519	1,737	14.4	34.4
Town of Knox	2,471	2,661	2,647	.53	7.1
Town of New Scotland	8,976	9,139	8,626	-5.6	-3.9
<i>Village of Voorheesville</i>	3,320	3,225	2,705	-16.1	-18.5
Town of Rensselaerville	1,780	1,990	1,915	3.8	7.6
Town of Westerlo	2,929	3,325	3,466	4.2	18.3

In the 1960s, rural towns saw their population grow. Although population increases in rural Albany County towns between 1990 and 2000 were not as dramatic as in the previous decade, overall, there have been substantial increases in rural population levels since 1980. For example, Knox increased by 7.1 %; Rensselaerville by 7.6 %; Berne by 12.4 %; Westerlo by 18.3 % between 1980 and 2000.

Though we cannot draw the conclusion from this data that people were moving out of cities and into the suburbs and rural hill towns, population, building permit, and agricultural census data show a trend toward residential subdivisions on farmland along with commercial and industrial development in both the suburban and rural towns of Albany County.

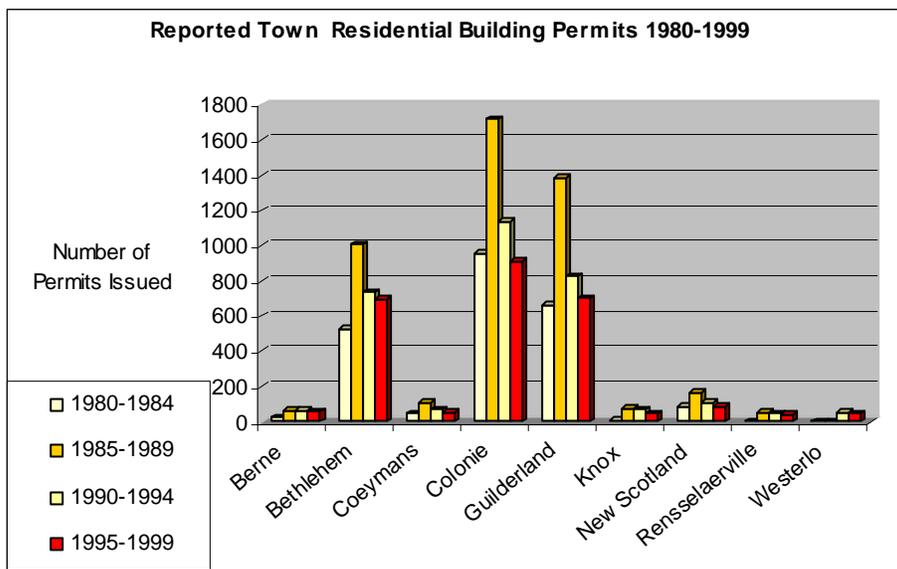
### RESIDENTIAL BUILDING PERMITS

As the population of Albany County grew and the population distribution changed, so did the demand for residential housing. The number of building permits issued between 1980 and 1999 mirrors the population data, increasing in the suburbs in the late 1980s and early 1990s and somewhat later in the rural towns. The majority of residential construction has been single-family homes, although there have also been a number of multiple family residences constructed in the suburbs, especially in Guilderland, Colonie, and Bethlehem. Data from 2000 and 2001 indicate that the trend toward increased residential development in Albany County towns is continuing.

TOWN	2000	2001
Berne	7	5
Bethlehem	189	171
Coeymans	3	4
Colonie	199	225
Guilderland	118	124
Knox	8	9
New Scotland	20	19
Rensselaerville	6	7
Westerlo	9	10

**Table 8 – Town Residential Building Permits 2000-2001**

Source: Capital District Regional Planning Commission



**Figure 12 – Town Residential Building Permits**

Additional information on residential building permits issued in the Capital District can be found on the Capital District Regional Planning Commission website (<http://www.cdrpc.org>).

## PROPERTY AND SCHOOL TAXES

Many factors affect the profitability of farming in the county. Property and school tax rates, however, were identified in a recent survey of local farmers as a major problem. Since farmers typically own large amounts of land, they often end up paying a disproportionate amount of the tax burden. Increasing tax burdens are partially due to the increasing need for school district funds to meet the demands of growing residential development. As taxes continue to rise and rural towns move toward full value assessment, the tax breaks currently available to farmers have become insufficient to compensate for overall tax increases.

Eligibility for reduced assessments can be a problem for the small-scale farms, which comprise the majority in Albany County. This has been partially recognized and addressed by changes in NYS law reducing the number of acres required to claim an exemption. However, it is clear from the survey of farmers and opinions expressed at several public meetings, that school taxes and local property taxes are greatly affecting the profitability of farms in the county and looking at alternative taxing methods should be a priority.

## LAND USE PROGRAMS AND AGRICULTURE IN ALBANY COUNTY

Several towns in Albany County have prepared comprehensive plans that identify the important role agriculture plays and make recommendations to encourage the continuance of agriculture and the protection of farmland. Some also recommend using conservation easements, cluster development, minimum lot sizes, supportive zoning, and right to farm laws. Several comprehensive plans also support the New York State Agricultural Districts program. The agricultural districts are frequently used as a guide for identifying important areas of agriculture and applying planning methods to meet the goals and objectives of the program.

While recently developed and updated comprehensive plans support the protection of agricultural and natural resources, in many cases, the zoning and subdivision regulations and the site plan review process have not been adequately revised and utilized to implement these goals and objectives. The Agriculture and Markets Farmland Protection Planning Program presents an opportunity for municipalities to review and update their plans and laws to focus resources toward supporting agriculture and preserving the land base necessary to sustain it.

**Table 9 – Plans and Regulations in Effect in Albany County Municipalities**

<b>Municipality</b>	<b>Comprehensive Plan</b>	<b>Zoning Regulations</b>	<b>Subdivision Regulations</b>	<b>Site Plan Review</b>	<b>Planning Board</b>
City of Albany	N	Y	Y	Y	Y
<b>Town of Berne</b>	Y*	Y	Y	N	Y
<b>Town of Bethlehem</b>	Y	Y	Y	Y	Y
Village of Ravena	N	Y	Y	N	Y
<b>Town of Coeymans</b>	N	Y	Y	N	Y
<b>City of Cohoes</b>	Y*	Y	Y	N	Y
<b>Town of Colonie</b>	N	Y	Y	Y	Y
Village of Colonie	Y	Y	Y	Y	Y
Village of Menands	N	Y	Y	Y	Y
Town/Village Green Island	N	Y	N	Y	Y
<b>Town of Guilderland</b>	Y*	Y	Y	Y	Y
Village of Altamont	N	Y	Y	Y	Y
<b>Town of Knox</b>	Y*	Y	Y	N	Y
<b>Town of New Scotland</b>	Y*	Y	Y	Y	Y
Village of Voorheesville	Y*	Y	Y	Y	Y
<b>Town of Rensselaerville</b>	Y*	Y	Y	N	Y
City of Watervliet	N	Y	N	N	Y
<b>Town of Westerlo</b>	N	Y	Y	N	Y
* Plan has been adopted <b>Municipalities with Agricultural District Land are in boldface.</b>					

## Chapter 6: Existing Strategies to Protect Farmland

### AGRICULTURAL DISTRICTS LAW

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In 1971, the New York State Legislature created an Agricultural Districts Program in response to concerns that non-agricultural land uses were expanding into valuable farm areas. This program allows the creation of Agricultural District areas where commercial agriculture is encouraged and protected. Agricultural Districts programs are authorized at the state level and implemented at the county level. Voluntary enrollment in the program provides farmers with protections including:

- ◆ Differential tax assessment;
- ◆ Protection against unreasonable local regulations;
- ◆ Special review of proposed eminent domain takings;
- ◆ Required Agricultural Impact Statement for public projects;
- ◆ Notification requirement to inform property buyers about surrounding farming practices; and
- ◆ Limited protection against nuisance lawsuits.

### RIGHT-TO-FARM LAWS

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Right-to-farm laws are designed to accomplish one or both of the following objectives:

- ◆ Strengthen the legal position of farmers when neighbors sue them for private nuisance.
- ◆ Protect farmers from anti-nuisance ordinances and unreasonable controls on farming operations.

Most laws also include a number of additional provisions, including special protection for farmers with land enrolled in an agricultural district. Right-to-farm provisions may also be included in state zoning enabling laws and in laws at the local level.

#### ***NEW YORK STATE RIGHT-TO-FARM PROVISIONS***

In 1963, a law passed in Kansas to protect feedlots from litigation was the first to protect farmers' right to operate their businesses. By 1994, every state in the Union had enacted some form of right-to-farm law.

In New York State, the Agricultural Districts Law includes provisions to protect the rights of farmers to engage in agricultural practices. These are:

#### ***New York Agricultural Districts - Article 25AA***

**Section 305(4)** – Limits the exercise of eminent domain and other public acquisitions and the advance of public funds for municipal projects. This section requires the review of an agricultural impact statement by the Commissioner of Agriculture and Markets which details the adverse agricultural impacts of a project and proposed mitigation measures. The commissioner may recommend alternatives that would minimize or avoid the adverse impact of the proposed action after a public comment and review period.

**Section 305-a** – Requires coordination of local planning and land use decision-making with the agricultural districts program. Town comprehensive plans, zoning laws, and land use plans can affect the viability of farming operations. This section ensures that local

*“We are very concerned about new neighbors who want us to stop all farming activities.*

*Right-to-farm is a top priority.”*

*Quote from Farmer Survey*

laws will not unreasonably restrict or regulate farm operations within an agricultural district unless there is a threat to public health or safety.

**Section 308 - Right-to-farm** - The Commissioner of Agriculture and Markets is also authorized to issue opinions regarding whether certain agricultural practices are sound. Any practice that is determined to be sound does not constitute a private nuisance when an action is brought. In a nuisance suit where a farming practice is determined to be sound, this section ensures that the plaintiff will incur any fees and other expenses related to the defense. This section protects farmers from paying costly legal fees to defend their operations against frivolous nuisance actions.

**310-Disclosure** - When there is an exchange or sale of real property located within an agricultural district, a disclosure notice must be provided that identifies the property as being within an agricultural district and that farming occurs within the district. The notification informs buyers of the state and local policy of supporting the provisions of the Agricultural Districts Program. This notice is important because it provides prospective non-farm neighbors with critical information about activity in their neighborhood.

### ***LOCAL RIGHT-TO-FARM ORDINANCES***

Most of the protections afforded by the state-level right-to-farm law apply only to farms within agricultural districts and enrolled in the Agricultural District Program. For this reason, local right-to-farm ordinances can be a critical piece of protecting agricultural operations that are not in an Agricultural District. A growing number of counties and local municipalities are passing their own right-to-farm legislation to supplement and expand the protection provided by state law. In addition, most nuisance complaints and land use planning decisions are handled at the local level, so a local right-to-farm law helps the town government address these issues.

Many nearby communities have enacted local right-to-farm laws. Eleven towns in Saratoga County have passed such laws intended to complement the right-to-farm provisions of the state's law and to show local support for agriculture in the county. According to the Saratoga County Agricultural and Farmland Protection Plan, these local laws tend to include one or more of the following components:

- ◆ Protect the right to undertake agricultural activities associated with farming and require notice to neighbors applying for building permits and subdivision approval;
- ◆ Prohibit interference with farming practices and provide for penalties for interference; and
- ◆ Provide for a dispute resolution committee.

Another neighboring county, Columbia County, has passed a right-to-farm ordinance that applies countywide. A model right-to-farm ordinance is provided in the **Appendix B**.

Why does a community need a right-to-farm law? Right-to-farm laws are intended to discourage neighbors from suing farmers. They help farmers who use good management practices to prevail in private nuisance lawsuits. They also signify the importance of farming to a locality and put non-farm rural residents on notice that generally accepted agricultural practices are reasonable activities to expect in agricultural areas. This has become increasingly important as more residential development expands into areas where agriculture was traditionally the primary land use. Many people who move to farming communities for the rural character are often unfamiliar with the noise, dust, and odor associated with farming. Local right-to-farm laws provide farm families with a feeling of community support and the sense that farming remains a valued and accepted activity in their communities while assuring other residents that farm businesses who use sound practices will continue to contribute to the quality of life in the community.

## **AGRICULTURAL VALUE ASSESSMENT**

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Agricultural assessment provides property tax relief to farmers by allowing farmland to be taxed on its agricultural value rather than its full market value. Land does not have to be in an agricultural district to receive this assessment. To qualify:

- ◆ Enrolled land must be at least 7 acres with sales of \$10,000 and farmed by a single operation.
- ◆ Land must have been used in the preceding two years for the production of crops, commercial boarding of horses, or production of livestock.
- ◆ Land of fewer than 7 acres may qualify if average gross sales value \$50,000 or more.
- ◆ Rented land is now 7 acres and \$10,000 in sales independently or in conjunction with land owned by the farmer renting the land
- ◆ Land associated with commercial horse boarding may be eligible if it is 7 or more acres.

Rented land, support land, woodland, and land in a federal conservation program may also qualify. Landowners must apply annually by March 1 for this assessment by completing the State Office of Real Property Services form 305A. Prior to application, a soil group worksheet must be completed by the local Soil and Water Conservation District. The soil type is used to determine the agricultural assessment. Landowners can contact their local town office to apply. Land placed under agricultural assessment and then converted to non-agricultural use may be subject to conversion fees.

An addition to the special assessments above, legislation was passed in September 2000 expanding existing sales tax exemptions to commercial horse boarding operations. A revised ST-125 exemption certificate should be used to claim this exemption. Farmers and suppliers may still use the blanket form ST-125 certificate.

A commercial horse boarding operation consists of at least 7 acres and the boarding of at least 10 horses year round. The operation must receive \$10,000 or more in gross receipts generated through the boarding of horses or the production of crops, livestock or livestock products for sale. Operations primarily for horse racing are not eligible for the exemption.



This legislation also expands the definition of farming to include silviculture, aquaculture, and the production and sale of Christmas trees and nursery stock.

### ***FARMERS' SCHOOL TAX CREDIT***

The 1996 State Farmers' Protection and Farm Preservation Act created the farmer's school tax credit, which allows eligible farmers an income tax credit for school district property taxes. The credit applies to school taxes paid by the farmer on land, structures, and buildings used for agricultural production in New York. Eligible farms must receive at least two-thirds of their excess federal gross income from farming. The credit is fully funded by the state and does not affect the local school district revenue or the local tax base.

### **FARM BUILDING EXEMPTIONS**

Several provisions are made in the state Real Property Tax Law (Sections 483, 483-a, and 483-c) that exempt farm buildings or structures from property taxes. Agricultural structures and buildings will be exempt from any increase in a property's assessed value resulting from the improvement. These exemptions can be applied for through the local assessor. Certain limited-use agricultural structures such as temporary greenhouses are also allowed exemptions. Structures must



be essential to the operation of lands devoted to agriculture or horticultural use and must be used and occupied to carry out agricultural or horticultural operations. In addition, farmland must be used in bona fide agricultural or horticultural operations for profit, and the farmland must be greater than 5 acres.

The Real Property Tax Law also offers a limited exemption for the rehabilitation of historic barns. Local governments and school districts may authorize a 10-year exemption for the increase in value to a reconstructed

or rehabilitated barn. This does not apply to buildings that have already received exemptions, to barns used as residences, or to renovations that alter historic appearances.

In addition, to the historic barn exemption, a tax credit can be obtained to cover 25% of the rehabilitation costs. The credit applies to projects started after January 1, 1997, and to projects that do not materially alter the barn's historic appearance. To qualify for the tax credit, a barn must have been built before 1936 and used originally for storing farm equipment or agricultural products, or for housing livestock. The credit may not be used for barns currently in residential use or for projects that result in the conversion of barns to residential units.

A condition of the credit also requires approval by the New York State Office of Parks, Recreation and Historic Preservation if the barn is listed in the National Register of Historic Places. If the barn is not listed, taxpayers simply certify on their tax return that their work has not materially altered the barn's historic appearance. More information about this exemption is available through the NYS Department of Taxation and Finance.

#### **GETTING INFORMATION ON TAX LAWS**

The following sources provide additional information on applying for tax credits and exemptions for agricultural businesses. These publications and forms are available at the Cooperative Extension office at 24 Martin Road, Voorheesville (518-765-3500).

- ◆ *The Farmer's Tax Guide (IRS)*
- ◆ *ST-125* - Farmer's and Commercial Horse Boarding Operators Exemption Certificate (sales tax exemption)
- ◆ *ST-120.1* - Contractor's Exempt Purchase Certificate (sales tax exemption)
- ◆ *FT-1004* - Certificate for Purchase of Diesel Motor Fuel or Residual Petroleum Products -for farmers and commercial horse boarding operations
- ◆ *DTF - 803* - Claim for Sales Tax Exemption-Title/Registration, motor vehicle, ATV, Vessel or snowmobile
- ◆ (TSB-M-00 (8) S)- Sales Tax Exemption for *Farmers and Commercial Horse Boarding Operations*

## **AGRICULTURAL CONSERVATION EASEMENTS**

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An agricultural conservation easement, sometimes referred to as Purchase of Development Rights (PDR), is a voluntary legal agreement, which places a deed restriction on the property to protect the land for agriculture. PDR can help farmers plan for, and invest in, the future of their business and can be used by the community to protect prime farmland. Agricultural conservation easements preserve farmland by limiting the use of land to agricultural purposes. The landowner retains all other rights pertaining to property ownership, but sells the right to develop the land for non-agricultural uses. Landowners can donate or sell easements, which must be held by a public body such as a town, county, or state agency or by a qualified nonprofit organization such



as a Land Conservancy. PDR has been used in many parts of the country, and across New York State. In Albany County, a conservation easement was finalized in 2003, which protected over 300 acres of orchard and associated farmland in the Town of New Scotland.

PDRs may not be applicable in every community; however where applied, they should be part of a comprehensive agricultural and farmland protection program. Communities should first determine

whether there is support for a PDR program before moving forward, and all impacts on the agricultural and non-farm community should be considered. Certain criteria pertaining to farm quality and conversion pressure should also be used to evaluate and prioritize land for conservation easement sale to ensure that the highest quality, viable farmland is protected. A farmland protection program that incorporates PDRs with other farmland protection techniques should result in the preservation of a critical mass of contiguous farmland that can be worked without interference from non-farm development.

New York State and the federal government offer matching grants that provide a portion of the funds for purchasing development rights on farmland. Municipalities that have farmland protection language in their land use plans and counties with an adopted Agricultural and Farmland Protection Plan are eligible to apply for state PDR funds. Some communities have come up with alternative ways to fund PDR programs and to meet the match requirements for the state and federal grants. Municipal bonds (used in Suffolk County and the towns of Pittsford and Warwick), annual appropriations (Town of Amherst and City of Ithaca), Real Estate Transfer Tax (Long Island), and a matching grant fund (Dutchess, Monroe, and Saratoga counties) are a few of the methods that have been used by communities in New York State (AFT Action Guide).

### ***TERM EASEMENT TAX ABATEMENT PROGRAMS***

Several towns in New York have enacted local tax abatement programs in return for conservation easements. These programs offer reductions in property taxes in return for a temporary conservation easement, i.e., a voluntary agreement by the landowner to keep the land in farming or open for a specified period of time. These programs usually specify a required minimum acreage and minimum term and impose a penalty for converting land prematurely. Since there is no minimum income requirement attached to the term easement, farm acreage that is not eligible for an agricultural value assessment can still get a reduced assessment through this program.

## LAND USE PLANNING

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Most land use planning takes place at the local level. In Albany County, local legislative, planning, and zoning boards are responsible for guiding their community toward established goals. Several towns in the county have adopted a comprehensive and/or land use plan to guide these decisions. Zoning and subdivision regulations also affect the type and rate of development allowed in a municipality. These local laws, along with site plan review and other guidance documents, can have a significant impact on agriculture and farmland protection efforts. There are several land use planning methods that can be initiated and applied at the local level to protect farmers and farmland and to keep agriculture as a viable business in the community.

### **COMPREHENSIVE LAND USE PLANS**

The comprehensive plan can be an important means for supporting farmers and agribusiness and protecting farmland. Through these plans, municipalities can recognize the importance and contributions of agriculture and make recommendations to preserve and protect farmland and agricultural businesses.

Some plans in Albany County make reference to using conservation easements, cluster development, minimum lot sizes, supportive zoning, and right-to-farm laws. Several comprehensive plans also support the New York State Agricultural Districts Program. Agricultural districts are frequently used in these plans as a guide to identify important areas of agriculture and to apply planning methods to meet the goals and objectives of the Agricultural District program.

Comprehensive plans allow municipalities to establish priorities, identify the strengths and weaknesses of current planning methods, and set long-term goals for their community. It can have a positive impact on the viability of agricultural businesses if agricultural land uses are accurately defined, and provisions are made for addressing the specific needs of agriculture in site plan reviews. Including farmland protection in a comprehensive plan shows that the community recognizes the value of agriculture and is committed to taking steps to retain farms and farmland.

The agricultural section of the comprehensive plan may include an overview of the data available from NRCS, Census of Agriculture, and Department of Agriculture and Markets. These data highlight the contributions agriculture makes to the local economy and identify threats to and opportunities for agriculture in the municipality. In addition, this section often describes methods of identifying the best agricultural land and the most appropriate locations for development, describes goals and objectives for farmland protection, and prioritizes land for protection.

### **ZONING**

Zoning laws are another important part of a farmland protection package, in that they provide the legal basis for land use decision-making. Too often, traditional zoning caters to residential subdivision, which can result in restrictions on agriculture and encourage large lot developments that consume valuable farmland and set the stage for land use conflicts. A carefully written zoning ordinance can help prevent unplanned growth in agricultural areas and promote complementary land uses in adjacent areas.

Zoning laws can also establish appropriate densities and set standards for new development that are consistent with agriculture. Agriculture should be established as a permitted use in agricultural areas and defined in the zoning law so that the nomenclature is consistent with the practice of agriculture. Zoning that is written to be farm-friendly can support roadside stands, signage,

*“It seems that towns that think that they are helping preserve open spaces and agriculture by only allowing large building lots are destroying as much farmland as high density development (one new house sitting in the middle of a field still takes that field out of production).”*

*Quote from Farmer Survey*

and agritourism, as well as support businesses like processing facilities and equipment sales and repair. This type of zoning gives farmers the support and flexibility needed to maintain a viable agricultural business.

### ***ZONING ANALYSIS***

The impact of zoning on farms and farmland may not be readily apparent. One method that communities can use to understand the impact of zoning is a build-out analysis. This type of analysis can provide a picture of what the community would look like if all the land were developed to the extent that is allowed under current zoning regulations. When using build-out analysis or other methods of analyzing current zoning, it is very important to consider other variables including density, utilities and infrastructure, and physical features such as slopes, depth to bedrock, wetlands, etc., and other limiting factors to assure that an accurate portrayal of developable land is produced.

Zoning analysis can be useful in helping a community understand the actual level of growth that is possible under current zoning and how full development will affect community resources. It can also help residents gain an appreciation of the location and extent of current land uses, and reveal whether existing land use programs are consistent with supporting agriculture and protecting farmland. By understanding the amount and types of development allowed under existing controls and resource limits, citizens, land owners, and local officials can objectively consider alternative land use strategies to preserve a balanced mix of land uses in the community.

### ***SUBDIVISION REGULATIONS***

Subdivision regulations can be adopted by a community to set standards which must be met during the review process before land can be divided into building lots. A subdivision law should be consistent with zoning regulations and should support the goals and objectives of a comprehensive plan if applicable.

The subdivision review process provides an opportunity to scrutinize a subdivision proposal and make recommendations for the most appropriate development of those parcels. In certain cases, alternatives such as clustering subdivisions and using buffers may help avoid conflicts between residential development and agricultural activity.

Municipalities can require developers to use subdivision techniques that reduce the amount of developed land and foster more agriculture-friendly lot layouts. Local laws can allow or require new homes to be grouped together on smaller lots in one location on a development site. This grouping preserves land by leaving a large portion of the parcel undeveloped. The undeveloped portion of the land is permanently restricted from development and can be used as a buffer to active agricultural land. The pros and cons of using these techniques must be carefully considered on a case-by-case basis. While conservation techniques do preserve land, there are conflicts inherent in locating residential housing in proximity of active agricultural operations.

### ***REGULATION OF DENSITY***

As an alternative to setting a large minimum lot size, common to many local zoning and subdivision laws, land use policies can be established that use a true density measurement of dwellings per acre. When lot size and density are separated, it allows the landowner and local government more flexibility to develop the land sensitively to protect valuable resources by allowing a majority of land on the parcel to remain undeveloped.

### ***EFFECTIVE USE OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT***

The intent of State Environmental Quality Review (SEQR) is to ensure thorough public and agency review of potential environmental impacts of proposed projects before they are approved. SEQR also provides a mechanism to mitigate potential negative impacts. A SEQR review should include a thorough evaluation of how a proposed project would impact agriculture.

### ***AGRICULTURAL OVERLAY ZONES***

An overlay zone is a mapped zone placed over other existing zoned districts to provide special regulations and standards that supplement the base zone. An agricultural overlay zone can be fitted over one or more base zones to correspond with land that has prime soils and/or active agricultural operations to ensure that sensitivity is given to the location of and pressures from surrounding non-farm development.

A variety of options including clustering requirements, buffers between residences and existing farms, and other performance standards can be applied in an overlay district, where public utilities and infrastructure is adequate. These measures help to minimize conflicts between residential and agricultural uses.

Overlay zones can also specify permitted uses, making sure provisions for signage, worker housing, and farm structures are considered and that necessary agricultural activities are allowed and protected in an agricultural area. Agricultural overlay zones should not be used where town agricultural zoning already exists and should not be used to impose additional restrictions on farms, but should be used as a method of supporting and protecting viable farms and farmers who want to continue using their land for agricultural uses. Agriculture, like many other industries in the capital region, is facing changing times and farmers in the county must have flexibility if their business is to survive.

### ***BUFFERS***

Buffers are physical separations between incompatible land uses. Buffers are often required to separate agricultural uses from residential uses. Buffers can be strips of land or vegetation such as hedgerows, trees, or shrubs. When required, it is the responsibility of the developer to provide the buffer, rather than the farm owner.

### **WHAT LOCAL GOVERNMENTS CAN DO TO PROTECT FARMLAND**

- ◆ Work with local farmers to develop techniques to preserve farmland and sustain agriculture.
- ◆ Support Agricultural Districts since they offer farms many protections.
- ◆ Pass a local right-to-farm ordinance to supplement state law.
- ◆ Provide agricultural value assessment on property tax and ensure that assessors are properly trained to assess agricultural structures.
- ◆ Discourage land uses that will conflict with neighboring agricultural operations.
- ◆ Include agriculture in local economic development plans. Ensure that local ordinances encourage economic viability by permitting roadside stands, farm markets, greenhouses, and use of off-site signs to attract customers.
- ◆ Review planning and zoning ordinances and make revisions to support agriculture and incorporate farmland protection and the needs of agriculture.

## **AGRICULTURAL ECONOMIC DEVELOPMENT**

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### ***DIRECT MARKETING***

There are several well-established farm stands and farmers markets in Albany County. Some producers have also marketed their products in the larger retail grocery stores in the area though it can be difficult to provide a consistent quality and quantity of product required by larger retail markets. An increased public demand for locally grown options may make local retailers more flexible. In a local survey conducted at the Altamont Fair, 84% said that they would purchase more local products if they were identified as such and would be willing to pay more for local products if it would help local farms stay in business.

*“The Albany area Chamber of Commerce (sic) should recognize and encourage agricultural and horticultural business.”*

*Quote from Farmer Survey*

Buying local farm products benefits everyone in the community. Farmers can increase their profit margin while providing consumers with the freshest available products. When consumers buy directly from farmers, it enables farmers to cut out the middleman and keep a greater percentage of the profits. Cornell University’s Farming Alternatives newsletter showed that the return to the farmer for direct sales averages about 30 cents more on the dollar (1999). In Albany County, direct marketing accounted for over \$541,000 in sales, or an average of \$10,216 per farm.

Many people take the availability of fresh produce for granted and are unaware of where their food comes from or the effects that their buying habits have on the community. Food in the U.S. travels an average of 1,300 miles from the farm to the market shelf, which greatly impacts the quality of the produce as well as the economy of the local farm community. Buying directly from producers represents a viable alternative to this long-distance relationship most of us have with the food we consume. Farm stands, farmers markets, and community supported agriculture (CSA) all provide an opportunity for farmers to distribute their products directly to the consumer.

### ***COMMUNITY SUPPORTED AGRICULTURE (CSA)***

CSA is a partnership of mutual commitment between a farm and a community of supporters, which provides a direct link between local farmers and local consumers. Community members purchase shares, which cover a farm’s yearly operating budget in return for seasonal, locally grown produce throughout the growing season. CSA members make a commitment to support the farm throughout the season and assume the costs and risks of growing food along with the farmer. This mutually supportive relationship between local farmers and community members helps create an economically stable farm operation in which members are assured the freshest produce, often at below retail prices. In return, farmers are guaranteed a reliable market for a diverse selection of crops. CSA farmers often use organic or biodynamic farming methods, and strive to provide fresh, high-quality foods.

#### **CSAs CAN:**

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- ◆ Cut out the middleman, giving farmers a larger return on their products.
- ◆ Keep food dollars in the local community and contribute to the establishment and maintenance of regional food production.
- ◆ Provide a "guaranteed market" for produce.
- ◆ Create opportunities for dialogue between farmers and consumers, fostering an appreciation of the role farms and farmers play in the community.

The success of CSA in this region has been mixed. While there are a number of successful CSA's in the region and throughout the state, some CSA farmers have been unable to establish an adequate customer base. According to Duncan Hilchey, an agriculture marketing specialist from Cornell University, CSA works best when a farmer partners with a group of businesses or restaurants that can share some of the burden of accounting and distribution.

#### **FARMERS MARKETS AND ROADSIDE FARM STANDS**

Farmers markets and farm stands provide a forum for farmers to sell products directly to consumers. Buying local farm products allows residents and visitors the opportunity to enjoy the freshest farm products available while educating consumers about the importance of agriculture in the community and raising awareness of types of products available locally. By purchasing locally grown farm products at farmers markets, roadside stands, and pick-your-own operations,



the community can be a part of supporting local farms, which in turn, protects farmland. Communities can support this method of marketing by making sure that provisions allowing for farm markets and roadside stands are included in the local laws and plans. These provisions also need to afford farmers flexibility to change their operation to meet consumer trends and needs.

#### **BRANDING**

The "*Pride of New York*" program is a statewide marketing initiative introduced by Governor George E. Pataki in 1996. This voluntary program was developed by the Department of Agriculture and Markets to identify and promote the many different food and other agricultural commodities of New York State.



The program participants label and identify their products and markets with "*Pride of New York*" point-of-sale material. Participants in the program include growers, manufacturers, retailers, direct marketers, wholesalers, and producers. Enrollees sign a *Participation Agreement* for the rights to use the logo and pay a one-time participation fee of \$25.00.

Several counties have participated in similar regional programs such as "Hudson Valley Harvest," which uses labels to identify and promote local products. Another locally based program - "Finger Lakes Bounty" links agricultural producers with consumers and tourists by featuring local products on the menu at restaurants in the region. This partnership between restaurants and producers gives farmers a local market for their products and helps to develop a regional identity through locally produced foods. Another successful initiative in the Pioneer Valley in western Massachusetts encourages consumers to "be a local hero" by purchasing locally grown food. More information about this program is available at <http://www.buylocalfood.com> or by calling (413) 559-5338.

## **STATE GRANT PROGRAMS**

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Several state grant programs are available to foster agricultural economic development and enhance the viability of farm markets. Examples of these grant programs include the following:

**GROW New York** – New York State Department of Agriculture and Markets offers several competitive grants through the Grow New York program. The grants are intended to increase the profitability of farm businesses and the viability of the agricultural community.

**Agricultural Research and Development Grants** – These grants fund projects involving new product development, alternative production, processing, distribution, and marketing technologies.

**Farmland Viability Grants** – This program supports the development of farm viability plans and the implementation of projects that contribute to farm profitability and sound environmental management.

**Farmers Market Development Grants** – These grants may be used to assist in the construction, reconstruction, expansion, rehabilitation, or physical improvement of a market.

Additional information on these and other New York State Programs is available on the internet at <http://www.agmkt.state.ny.us/Programs.html> or by contacting the NYS Department of Agriculture and Markets at (518) 457-3880.



## Chapter 7: Agricultural and Farmland Protection Goals and Recommendations

Agricultural and farmland protection is a complex issue. The many international, national and statewide forces affecting the industry may make many aspects seem beyond the control of local decision makers. Farmers and local decision makers can easily become overwhelmed and disillusioned about what can be accomplished at the local level to assist the agricultural sector. Finding the right course of action takes creative thinking, innovative ideas, and a commitment from local governments, farmers, and the non-farm public to work together to find solutions.

Through the planning process, the following three major goals were established to guide Albany County's agricultural and farmland protection efforts:

1. Increase the marketing opportunities, competitiveness, and profitability of farming and the agriculture industry in Albany County.
2. Increase public recognition of the value of agriculture, farmers, and farmland in Albany County and convey a better understanding of farm issues among non-farmers.
3. Retain farmland for agricultural purposes by keeping Albany County farms viable.

### **GOAL: INCREASE MARKETING OPPORTUNITIES, COMPETITIVENESS, AND PROFITABILITY**

One of the most effective ways to preserve farmland is to ensure that farms are profitable; however this is one of the most complex and critical issues facing agriculture in Albany County today. Changes in both the global market and operating procedures in the food and agriculture industry have resulted in a loss in profitability within many agricultural sectors.

Specific issues facing the profitability of agricultural businesses include high production costs and taxes, the lack of local markets, international competition, the shortage of skilled and unskilled labor, policies that discourage agricultural business expansion and retention, and failure of the food and agriculture industry to participate in the traditional economic development channels at the local and county level.

While some forces affecting the industry are beyond local control, there are strategies that can be used locally to improve the economic climate for farmers in Albany County. Action steps to address these issues fall into two major areas. The first is focusing on local regulations and laws that consider and meet the needs of the agriculture industry when community decisions are made. Local planning and zoning laws, nuisance legislation, and the regulation and/or maintenance of infrastructure suitable for continued farming are principal ways local government can positively affect the viability of local agriculture. Local right-to-farm laws have also fostered business retention and expansion for local producers because these laws acknowledge the value of their contributions and demonstrate how government will deal with issues affecting farmers and their businesses. The second area focuses on economic development including work force development, market development, and business expansion and retention initiatives.

### ***RECOMMENDED ACTIONS***

1. ***Ensure that public policy protects, promotes, and sustains agriculture and that local regulations do not unduly restrict normal farm operations.***
  - a. Encourage and support developing and implementing local tax incentives for farmers and those who voluntarily protect active farmlands through term or permanent easements. While there are several tax abatement programs available at the state level, some farmers are excluded from the benefits by eligibility requirements such as owner-operated vs. rental, number of acres owned, and gross sales. Some counties and towns have enacted

special local programs to extend tax relief to farmers and farmland owners that may not be eligible for other programs. The Town of Clifton Park in Saratoga County; Webster, Penfield and Perrington in Monroe County; Orchard Park in Erie County; and Warwick in Orange County are examples of municipalities that have implemented easement/tax abatement programs to protect farmland or agricultural open space and reduce property taxes for landowners. These programs provide a percentage reduction in property taxes in exchange for term (non-permanent) conservation easements.

- b. Promote and encourage agriculture by supporting statewide legislation extend tax credit programs to smaller farms.
- c. Identify ways county and local government can make the services they provide more agriculture-friendly and educate local officials about these techniques. Such efforts could include ensuring that drainage culverts provide adequate water flow; that utility lines are installed high enough for agricultural vehicles to pass under; that bridges are built wide enough and with adequate capacity to accommodate agricultural equipment; and that roads are adequately constructed and maintained to accommodate the shipment or delivery of agricultural products.
- d. Encourage county and local governments to review their laws, procedures, and plans to ensure that they promote farmland protection and agricultural economic development, do not contain disincentives to agricultural businesses, and address the changing needs of agriculture. (See Chapter 6 for more detailed information on planning options.)
- e. Coordinate local planning efforts and land use decisions with the Agricultural Districts program so as not to unreasonably restrict or regulate the normal activities of farm operations within agricultural areas.
- f. Encourage representation from the agricultural community on local legislative bodies as well as planning, zoning, conservation, and other advisory boards.
- g. Encourage local government to consult with the County Agricultural and Farmland Protection Board, and other agricultural agencies to advise them on the impact that existing and proposed laws and regulations have on agriculture.
- h. Encourage adoption of right-to-farm laws and neighbor notification laws for real estate transfers to protect responsible farming operations and foster good relations between farms and their non-farm neighbors (see sample law in Appendix B).
- i. Provide information to municipal boards to enhance project reviews and evaluation of impacts on agriculture. Both boards should ensure that all requirements of the New York State Agriculture and Markets Agricultural District Law-Article 25 AA are met (see Appendix C).
- j. Encourage and provide support to help towns conduct Cost of Community Service Studies so that they may better understand the impacts of development in their municipality.
- k. Encourage towns to complete the "Checklist for Supporting Agriculture" located in Appendix D. This checklist can be very useful for identifying areas needing improvement in local laws and programs.

## **2. *Support agricultural economic development and tourism efforts***

- a. Develop priorities and specific strategies to integrate agriculture and agribusiness into local and county economic development programming. This is especially important in order to place agricultural economic development on the same level as other non-farm economic development initiatives. It will also help Albany County take advantage of available grant programs.
- b. Consider the formation of AFPB subcommittees to work on coordinating implementation of recommended projects. The size and membership these subcommittees may change

throughout this process based on interest and/or expertise in a particular project. While many initiatives will be county-specific, continued multi-county collaboration with Schenectady and other neighboring counties including Rensselaer, Schoharie, Columbia, Greene and Saratoga should be considered. Improvements in the agricultural industry can be more easily achieved through multi-county efforts because many businesses are based on a regional market. In addition, regional collaborations make efficient use of resources and are sometimes more competitive grant projects. Success in completing these initiatives will be dependent on continued participation and support from the work group, other groups and agencies, and the community.

- c. Coordinate with economic development agencies and chambers of commerce on agricultural issues and needs. Encourage farmers to participate in local chambers of commerce and encourage local chambers to include agricultural interests in their organization.
- d. Conduct an extensive study of local wholesale and retail food marketing channels and identify strategies to improve their effectiveness for local producers and consumers.
- e. Use the Albany County website (<http://albanycounty.com>) and other links from area sites and tourism bureaus to promote agricultural destinations and products of the county.
- f. Seek additional funding and grants for agricultural economic development efforts in the county.
- g. Support development of an agricultural economic development position that could be shared by neighboring counties. The role of this specialist should be multi-faceted and should concentrate on providing expertise to help implement the established goals and recommendations of this plan.
- h. Identify programs that can assist farm businesses in securing a stable, trained, quality workforce and communicate these opportunities to local farmers.
- i. Inventory existing federal, state, county, and local economic development programs and their applicability to agricultural business development. Work closely with economic development agencies to ensure that agricultural businesses are aware of, and have access to, available programs and initiatives.
- j. Expand partnerships between agriculture and the hospitality/tourism industry to give farmers a local market for their products and foster a regional identity that can promote agricultural tourism.
- k. Support agricultural economic initiatives and programs sponsored by Cornell Cooperative Extension.

### **3. *Expand marketing opportunities for agricultural products***

- a. Pursue opportunities to capitalize on regional collaboration and marketing initiatives with other counties.
- b. Work with Hudson-Mohawk RC&D, Cornell Cooperative Extensions, and other agencies on regional studies to assess opportunities for a local meat processing facility, specialty crops, niche markets, and use of value-added programs.
- c. Undertake a study to evaluate the effectiveness of regional wholesale/retail outlets and explore methods to establish a regional market place at a viable location.

### **4. *Market and promote Albany farms and farm products***

- a. Develop a buy local campaign, possibly in concert with new or existing programs. Financial assistance may be available through NYS Department of Agriculture and Markets.
- b. Promote and enhance economically viable and self-sustaining farmers markets, study the effectiveness of the many small, scattered farmers markets downtown, and explore the possibility of consolidating markets at a central point.

- c. Develop a display to highlight agriculture in Albany County and to distribute “Albany County Bounty” farm products map.
- d. Establish a relationship with local restaurants and look for opportunities to promote relationships with local producers to use locally grown products and feature locally grown choices on menus.
- e. Encourage supermarkets to identify and sell local agricultural products.
- f. Examine feasibility of a local Community Supported Agriculture (CSA) operation.
- g. Support small-scale food processing opportunities. Consider procuring a space for processing to enable value added products to be offered through a “buy local” initiative.
- h. Promote supportive zoning to allow processing, as well as marketing and promotion of farms and farm products.

**GOAL: INCREASE PUBLIC RECOGNITION AND UNDERSTANDING OF AGRICULTURE**

Today, few people have any direct contact with agriculture. As a result, many people are not aware of what it takes to bring food to their tables and do not recognize the value of agriculture in the community. Unless farmers have the understanding and support of the larger community, they cannot succeed. It is absolutely essential that the non-farm public and decision-makers value the contributions made by the agricultural industry and understand the issues that face the farming community.

In addition to providing food, farms contribute to the community and the economy by:

- ◆ Providing a stable source of tax revenue
- ◆ Providing jobs
- ◆ Serving as opportunities for the tourism industry
- ◆ Contributing to a higher quality of life by providing a rural character and maintaining open agricultural land.

*“Most residents of Albany County are at least two generations removed from a family farm in their history. People are losing touch with the importance of farming and consider the profession as low importance, backward, a novelty and definitely unattractive. The impression of farmers has never been lower in American history. Our children and the general public’s opinion needs to be enlightened to agriculture’s importance in their lives and to show support for the farming community.”*

*Quote from Farmer Survey*

In addition to the lack of community awareness, insufficient knowledge and understanding is often evident in decisions made and legislation passed at the federal, state, and local levels that reduce the viability of agricultural businesses.

**RECOMMENDED ACTIONS**

**1. Strengthen the connection between farms and local schools.**

- a. Encourage education about agriculture in the classroom. Provide teachers with information and resources to help them teach children about where their food comes from and to communicate a realistic perspective of how the agriculture industry operates. Consider supporting programs such as “Ag in the Classroom” that are designed to teach school-aged children about where their food comes from and the value of agriculture in their community.

- b. Establish a link with local farmers that offer students opportunities to experience the local agricultural industry first hand.
- c. Encourage schools to purchase local farm products for their lunch program by participating in programs such as "Farms to Schools" and by placing vending machines with locally produced milk in schools.

**2. Increase support for and appreciation of the agriculture industry among legislative and local government officials.**

- a. Establish a relationship with state, county, and local government officials to increase their awareness of the contributions made by agriculture as well as the needs of the industry and instill recognition that farms and farmland are valuable to the community.
- b. Continue to provide training in agricultural assessments to local assessors.
- c. Organize a tour of farms for state, county, and local government officials to allow an opportunity to discuss issues raised in the Agricultural and Farmland Plan and to raise awareness about agriculture in the County of Albany among those who make land use decisions.
- d. Educate local land use decision-makers on planning strategies to enhance the local agricultural industry and protect farmland.

**3. Build widespread community support for agriculture.**

- a. Build linkages to other community groups by using areas of common interest that can serve as a basis for coalitions and cooperative efforts that have mutual benefits.
- b. Hold an annual event such as a Farm Breakfast to get the community out to a working farm to get a better understanding about agricultural processes and where their food comes from.
- c. Use the local media or other means of general notification to keep the public informed about farm-related activities that may range from community awareness of harvest times to neighbor notification of manure spreading.
- d. Establish a county-wide signage program that promotes local farms and identifies farmed areas where agricultural activity may require motorists to be more attentive.

**4. Improve communication between agriculture and the local media.**

- a. Improve communication between the agricultural community and the local media by expanding contacts with the media to encourage greater coverage of agriculture related issues.
- b. Ensure there are knowledgeable representatives of the farm community that are available to talk to the media for interviews and comments to convey a positive image for the agricultural industry.

## **GOAL: RETAIN VIABLE AGRICULTURAL LAND FOR AGRICULTURAL PURPOSES**

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In order to retain agriculture as a viable industry in the county, there must be sufficient productive agricultural land and farmers who can make a profit by using the land for agricultural purposes. The key to meeting this goal is identifying areas where productive agricultural soils are being actively farmed and working to maintain the viability of these agricultural operations.

### ***RECOMMENDED ACTIONS***

- 1. *Encourage continued and expanded participation in the Agricultural Districts program.***
  - a. Encourage continued and expanded participation in the Agricultural Districts program. Agricultural Districts have the advantage of being readily identifiable on official maps and have the support of both farmers and municipalities. The benefits of the Agricultural District program should be used with a combination of protection techniques to establish a long-term method of preserving the agricultural land base.
- 2. *Identify and map productive farmland.***
  - a. Identify and map productive farmland and active farms and assess conversion pressure in these areas. Communicate this information to local governments to guide their planning efforts.
- 3. *Create a publication for farmers.***
  - a. Create a publication for farmers with a complete reference list of tax relief and other agricultural programs and a list of agencies and organizations available to help them improve their operations and profitability. Widely disseminate this to area farmers, perhaps through Cornell Cooperative Extension and the Soil and Water Conservation District. This brochure should be updated as necessary so that it remains current.
- 4. *Assist farmers.***
  - a. Assist farmers in locating available farmland and provide technical assistance and expertise to new farmers.
- 5. *Establish and support programs to protect important agricultural lands in Albany County.***
  - a. Establish and support programs to protect important agricultural lands in Albany County. Nearly all viable and actively farmed land is included in existing Agricultural Districts in the county. Since the established agricultural districts coincide, for the most part, with viable, active farms, any undeveloped productive farmland within these Agricultural Districts should be a priority for protection and a focus for recommended economic enhancement projects.

## **RAPID RESPONSE PROJECTS**

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In the course of working through the goals and recommendations of the Agricultural and Farmland Protection Plan, several rapid-response projects were identified. These projects are short term, low cost initiatives that can foster awareness of agriculture in Albany County and promote local products.

### ***EDUCATION AND INFORMATION INITIATIVES***

- ◆ Hold training workshops for local assessors and other government officials.
- ◆ Make a map and information about agricultural districts available on the county website.
- ◆ Organize a tour of local farms for local officials to showcase local agricultural operations, discuss challenges the agricultural industry faces, and to discuss the goals and objectives of the Agricultural and Farmland Protection Plan.
- ◆ Work with other agricultural agencies to promote bringing education about agriculture into the classroom and to provide an opportunity for students to visit working farms.
- ◆ Develop an educational display highlighting the importance of agriculture in the county, to be used at meetings and public events.
- ◆ Compile a directory of organizations, agencies and individuals that can provide information on grants and programs that support, promote, and facilitate the continued use of land for agricultural purposes.

### ***INCREASE MARKETING OPPORTUNITIES***

- ◆ Update and publish the “Albany County Bounty” farm products map on the county website.
- ◆ Revise and promote the “Drive it yourself farm tour”.
- ◆ Work with regional workgroups to explore opportunities for regional marketing projects in the Hudson Valley.
- ◆ Compile and distribute a directory of organizations, agencies and individuals that can provide business development services to farmers.
- ◆ Establish workgroups to focus on specific goals and implementation projects.



## Appendix A: Comments From Farmers and Farmland Owners

The following excerpts were collected as part of the survey process. They offer deeper understanding into the issues faced by area farmers.

*“The only thing I work for is to pay TAXES.”*

*“It seems to me that the only way agriculture and farmland is to going to resist development is if the economics of agriculture are good enough that people willingly prefer to keep the land in production to selling for some form of development.”*

*“Please help us keep farming. Our family is proud to be doing what we are doing where we are doing it. What we need is careful consideration about the impact of us with that. Down the road its going to look easy to look at a map and say design an exit no problem, there’s a big old farm out there we can just go right through. And when we say do you have to split us in half they say you don’t understand what it takes to build a road. Well, I say they don’t understand what it takes to FARM.”*

*“We must also be able to save the farmer. Young people are not getting into farming because of the hard work and low returns on their crops.”*

*“School and property taxes are destroying the incentive to farm. Added relief is necessary.”*

*“Farmers struggle to survive and as long as taxes increase they will be forced to discontinue to operate farms.”*

*“It’s the same old deal we have been working against for years. Residents like to “look” at farms and farm operations, but, if they disrupt any part of their “hustle, bustle” life, then they have a problem with it. Where do Americans think everything comes from at the supermarket?”*

*“I’m sure people love to drive out in what little countryside is left to see open fields, but they have not the slightest idea what is involved in farming. Today the average farmer sells some crops (hay) for almost the same price as he received 40 years ago. We bought a tractor for \$2000 then, today a tractor costs \$35-60,000 for a mid size tractor.”*

*“I fear that subdivision will spring up on property nearby. We have already seen a house built on the banks of the Normans kill in what we thought to be a wetland adjacent to our property. It would be good to have a commitment from local, county, and state politicians on the importance of keeping agricultural areas agricultural”*

*“Small farms are the key to maintaining Albany’s rural character.”*



# Appendix B: Model Right-to-Farm Law

## MODEL RIGHT-TO-FARM ORDINANCE SARATOGA COUNTY

Be it enacted by the BOARD of SUPERVISORS of the COUNTY OF SARATOGA as follows:

### Section 1. Legislative Intent and Purpose.

The Board of Supervisors recognizes that farming is an essential enterprise and an important industry that enhances the economic base, natural environment and quality of life in Saratoga County. Therefore, the Board of Supervisors finds and declares that this county encourages its agriculture and urges understanding of and cooperation with the necessary day-to-day operations involved in farming.

It is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the county, to permit the continuation of agricultural practices, to protect the existence and operation of farms, to encourage the initiation and expansion of farms and agribusinesses, and to promote new ways to resolve disputes concerning agricultural practices and farm operations. In order to maintain a viable farming economy in Saratoga County, it is necessary to limit the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

### Section 2. Definitions.

1. "Farmland" shall mean land used in agricultural production, as defined in subdivision four of section 301 of Article 25AA of the State Agriculture and Markets Law.
2. "Farmer" shall mean any person, organization, entity, association, partnership, limited liability company, or corporation engaged in the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.
3. "Agricultural products" shall mean those products as defined in section 301(2) of Article 25AA of the State Agriculture and Markets Law, including but not limited to:
  - a. Field crops, including corn, wheat, rye, barley, hay, potatoes and dry beans.
  - b. Fruits, including apples, peaches, grapes, cherries and berries.
  - c. Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
  - d. Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
  - e. Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, ratites, such as ostriches, emus, rheas and kiwis, farmed deer, farmed buffalo, fur bearing animals, milk and milk products, eggs and furs.
  - f. Maple sap and products.
  - g. Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump.
  - h. Aquaculture products, including fish, fish products, water plants and shellfish.
  - i. Woody biomass, which means short rotation woody crops raised for bioenergy.
  - j. Farm woodland includes land used for production and sale of woodland products, including but not limited to logs, lumber, posts and firewood.
4. "Agricultural practices" shall mean those practices necessary for the on-farm production, preparation and marketing of agricultural commodities. Examples of such practices include,

but are not limited to, operation of farm equipment, proper use of agricultural chemicals and other crop protection methods, and construction and use of farm structures.

5. "Farm operation" shall be defined in section 301(11) in the State Agriculture and Markets Law.

### Section 3. Right-to-Farm Declaration

Farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in agricultural practices within this county at all such times and all such locations as are reasonably necessary to conduct the business of agriculture. For any agricultural practice, in determining the reasonableness of the time, place, and methodology of such practice, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

Agricultural practices conducted on farmland shall not be found to be a public or private nuisance if such agricultural practices are:

1. reasonable and necessary to the particular farm or farm operation,
2. conducted in a manner which is not negligent or reckless,
3. conducted in conformity with generally accepted and sound agricultural practices,
4. conducted in conformity with all local state, and federal laws and regulations,
5. conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person, and
6. conducted in manner which does not reasonably obstruct the free passage or use of navigable waters or public roadways.

Nothing in this local law shall be construed to prohibit an aggrieved party from recovering from damages for bodily injury or wrongful death due to a failure to follow sound agricultural practices, as outlined in this section.

### Section 4. Notification of Real Estate Buyers.

In order to promote harmony between farmers and their neighbors, the county requires land holders and/or their agents and assigns to comply with Section 310 of Article 25-AA of the State Agriculture and Markets Law and provide notice to prospective purchasers and occupants as follows: "It is the policy of this state and this community to conserve protect and encourage the development and improvement of agricultural land for the production of food, and other products and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors." This notice shall be provided to prospective purchase of property within an agricultural district or on property with boundaries within 500 feet of a farm operation located in an agricultural district.

A copy of this notice shall be included by the seller or seller's agent as an addendum to the purchase and sale contract at the time an offer to purchase is made.

### Section 5. Resolution of Disputes.

- a. Should any controversy arise regarding any inconveniences or discomfort occasioned by agricultural operations which cannot be settled by direct negotiation between the parties involved, either party may submit the controversy to a dispute resolution committee as set forth

below in an attempt to resolve the matter prior to the filing of any court action and prior to a request for a determination by the Commissioner of Agriculture and Markets about whether the practice in question is sound pursuant to Section 308 of Article 25AA of the State Agriculture and Markets Law.

b. Any controversy between the parties shall be submitted to the committee within thirty (30) days of the last date of occurrence of the particular activity giving rise to the controversy or the date the party became aware of the occurrence.

c. The committee shall be composed of three (3) members selected from the county including one representative from the County Agricultural and Farmland Protection Board, one person from the local government in which the dispute arose, and one person mutually agreed upon by both parties involved in the dispute.

d. The effectiveness of the committee as a forum for the resolution of disputes is dependent upon full discussion and complete presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy.

e. The controversy shall be presented to the committee by written request of one of the parties within the time limits specified. Thereafter, the committee may investigate the facts of the controversy but must, within twenty-five (25) days, hold a meeting at a mutually agreed place and time to consider the merits of the matter and within five (5) days of the meeting render a written decision to the parties. At the time of the meeting, both parties shall have an opportunity to present what each considers to be pertinent facts. No party bringing a complaint to the committee for settlement or resolution may be represented by counsel unless the opposing party is also represented by counsel. The time limits provided in this subsection for action by the committee may be extended upon the written stipulation of all parties in the dispute.

f. Any reasonable costs associated with the functioning of the committee process shall be borne by the participants.

#### Section 6. Severability Clause.

If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not effect the remainder of this local law. The county hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

#### Section 7. Precedence.

This Local Law and its provisions are in addition to all other applicable laws, rules and regulations.

#### Section 8. Effective Date.

This Local Law shall be effective immediately upon filing with the New York Secretary of State.

Budget Impact: None



# Appendix C: Applying the Agricultural Districts Law in Municipalities

## **NEW YORK STATE AGRICULTURE AND MARKETS LAW REQUIREMENTS**

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Municipalities are required to consider the impact of their laws and proposed projects on farms in agricultural districts. There are several requirements in the Agricultural Districts Law (Agriculture and Markets, Article 25-AA) that ask municipalities to carefully consider farm operations within local agriculture districts when making any land regulations decisions. Section 305-a of the law requires local planning and land use decision making to recognize the policy and goals of the agricultural districts law and to avoid unreasonable restrictions or regulations on farm operations within agricultural districts. For example, municipal governments should not instigate or assist intense residential development in farming areas by installing unnecessary utilities or infrastructure that are more typical of suburban areas. Nor should the local government enact laws that restrict the ability of a farm to conduct normal agricultural operations. Section 305-a of Article 25-AA contains the following mandate:

“Local governments, when exercising their powers to enact and administer comprehensive plans and local laws, ordinances, rules or regulations, shall exercise these powers in such manner as may realize the policy and goals set forth in this article [*Article 25-AA of the Agriculture and Markets Law*], and shall not unreasonably restrict or regulate farm operations within agricultural districts in contravention of the purposes of this article unless it can be shown that the public health or safety is threatened.”

Individual public projects are also included in this careful review. Section 305 (4) states that it is important to analyze the effect of proposed public projects on agriculture and to avoid or minimize adverse farm impacts before public dollars are spent or land is acquired for projects.

### ***AGRICULTURAL DATA STATEMENT***

One of the most important features for the coordination of local planning and agriculture is the agricultural data statement (ADS). The ADS requires input from owners of farmland, and evaluation and consideration of a proposal's possible impacts on agriculture before a local board makes a land use or planning decision.

The ADS is required when a municipality receives applications for special use permits, site plan approvals, use variances or subdivision approvals requiring municipal review and endorsement if they occur within or on a property within five hundred feet of a farm operation located in an agricultural district. In these cases, the reviewing board must evaluate the statement and review the possible impacts of the proposed project on the functioning of farm operations.

The Agricultural Data Statement includes:

- ◆ Name and address of the applicant
- ◆ Description of the proposed project and its location
- ◆ Names and addresses of landowners within the district who have farms and are located within 500 feet of the boundary of the proposed project property
- ◆ Map showing the project's site relative to the farm operations identified in the agricultural data statement

The municipality (usually the town clerk) must notify the owners of land identified in the agricultural data statement to allow farmland owners to comment on the effect of any proposed change on their farm operation. In addition, the municipality's review board is required to evaluate the

possible impacts of the proposed project in a way that is consistent with the Agricultural Districts Law. While there is no requirement that any potential conflicts or impacts be mitigated, the State Environmental Quality Review Act may be used (where appropriate) to further investigate and/or request mitigation to (or deny) project proposals.

#### ***A SUGGESTED REVIEW PROCESS \****

- ◆ A map of the municipality's agricultural districts should be well displayed within the town office where land use applications are submitted. This will help both applicant and reviewing officer to determine the location of the parcel in question. Maps can be obtained from County Planning Department.
- ◆ The local reviewing board should ascertain present and future farming conditions to ensure the proposed land uses does not conflict with current or future farming activities. The board should ensure that the proposal complies with the municipality's comprehensive plan and zoning documents (if they exist). Further, the proposal must be in accordance with any local laws regarding land development (such as set backs, minimum lot size, etc). As mentioned earlier, SEQR review could be an effective method of seeking mitigation of conflicts or negative impacts due to a proposal. Some questions that Planning Boards should ask to determine if a project will negatively impact farms include:
  - ◆ What potential conflicts between the existing farm and the new use will be created? How will these conflicts be prevented?
  - ◆ Will the new use negatively impact a farmer's ability to use existing right-of-ways or farm roads needed to access fields?
  - ◆ Will the new use affect land values and rental rates for agriculture?
  - ◆ If new roads are to be built, will they accommodate agricultural equipment and traffic?
  - ◆ Will this new use spur additional non-farm development in the future?
  - ◆ Is the landowner familiar with nearby agricultural practices that will be used and how will they be educated about them?
  - ◆ Will the new use remove significant amount of land from being available for farming?
- ◆ The Agricultural and Farmland Protection Board (AFPB) may assist local reviewing boards in project evaluation. There is no set role or guideline for an Agricultural and Farmland Protection Board in this process. Under the law's procedural considerations it only states "the County AFPB may assist local review boards in review process."
- ◆ According to Town Law 283-a and Village Law 7-741, notice must be given to the county about proposals requiring the Agricultural Data Statement.
- ◆ A copy of the completed Agricultural Data Statement and action by the local reviewing board should be submitted to the AFPB for its records.

**\*Sources:** *Agricultural and Farmland Protection for New York, American Farmland Trust), Processing an Agricultural Data Statement (pursuant to Section 305-a of the Agriculture and Markets Law), Department of Agriculture and Markets.*

*Interview with Ron Meade and Bob Somers, Agricultural Districts Program, Division of Agricultural Protection and Development Services, New York State Department of Agriculture and Markets (July 2002), Herkimer County Agriculture and Farmland Protection Plan.*

# Appendix D: Does Your Town Support Farming?

## A CHECKLIST FOR SUPPORTING AGRICULTURE IN ALBANY COUNTY

(adapted from Keep It Growing: An Agricultural and Farmland Protection Plan for Rensselaer County)

### DOES YOUR TOWN...

Have a detailed section on agriculture, which includes a definition of agriculture, in the town master or comprehensive plan and zoning law?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow agricultural uses in more than one zoning district?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Properly assess specialized agricultural structures?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow flexibility in regulations to accommodate the unique needs of agricultural businesses?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Require buffer zones to be provided by developers between farmland and non-farm uses?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow permanent off-site signs and temporary mobile changeable copy signs to attract customers to farm stands and pick-your-own operations?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow accessory uses to agriculture?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have a consistent policy approach for local land use procedures that deal with agriculture as required by NYS Agricultural Districts Law?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have planning and zoning that is supportive of agricultural districts and consistent with NYS Agriculture and Markets Law?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have a good idea of the number of farms, farmers, farm workers, and acres of agricultural land there are in the town and how much agriculture contributes to the town's economy?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow roadside stands or pick-your-own by right?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Use zoning definitions such as "agricultural accessory uses" in a broad and inclusive manner?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow roadside farm stands and farm markets to supplement sales of locally-grown products with the sale of produce and related products purchased elsewhere?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Recognize that agricultural structures are assessed differently?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Allow retail-based farm businesses in agricultural districts?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Consider farmland a valuable natural resource and encourage voluntary conservation easements and/or provide tax exemptions to preserve farmland?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have farmers serving on local land use planning and zoning boards as provided for in NYS Town and Village Law?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have farmers serving on the Industrial Development Agency, Chamber of Commerce or any local economic development committees?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Know where to go to get advice and assistance on farm questions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Adequately enforce its trespassing laws on farmland?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have a local right-to-farm law?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have local tax policies that are supportive of agriculture?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have a business infrastructure that supports modern farms?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Consider the effects of residential, commercial, and industrial development in agricultural areas.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

After filling out this checklist, add up all your "YES" answers and look at the chart on the next page to see how farm-friendly your town is.

**WHAT IS YOUR SCORE?**

***If you answered Yes on...***

21-24 questions	Your town is exceptionally friendly and helpful to its farmers and fully recognizes all the benefits and contributions of agriculture to the community.
17-20 questions	Your town knows that farmers are good neighbors who provide lots of benefits to the quality of life, but you're not sure what to do to encourage them.
13-16 questions	Careful! Your town may be less farm friendly than you think – even inadvertently unfriendly.
9-12 questions	Time to get to work helping your fellow citizens understand the importance of protecting its agricultural land base and supporting local farm operations.
5-8 questions	Your town is not a farm friendly town, but there might still be hope. Seek advice immediately from farmers, farm groups and related organizations.
0-4 questions	Ask yourself what you like about your town, and then what it would be like without any agriculture whatsoever. If there are any farmers left in town, take them out to dinner and ask them to help you turn over a new leaf.

## Appendix E: Agricultural and Farmland Protection Planning Survey

# The Future of Agriculture in Albany County



## Agricultural and Farmland Protection Planning Survey

NO  YES  MAYBE

**ALBANY COUNTY  
AGRICULTURAL AND FARMLAND PROTECTION BOARD**

**John O’Pezio - Chairman**

**Joseph Abbruzzese  
Thomas A. Gallagher  
Alexander Gordon  
Harold E. Hahn  
Eugene Kellam**

**John Lynch  
Donald Odell  
Charles VanWie  
John Wilkinson  
Howard Zimmer**



13. Please rate the importance of the following to the successful future of your business in Albany County by checking the appropriate box.

<b>Profitability</b>	<b>Very Important</b>	<b>Important</b>	<b>Somewhat Important</b>	<b>Not Important</b>	<b>Unsure or Undecided</b>
Cost of energy.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cost of labor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cost of land.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of skilled labor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property tax relief.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School tax relief.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sales tax relief.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequate financing.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development pressure.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic development/Marketing...	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Education**

*Educating Farm Community About:*

Availability of tax relief programs.....	<input type="checkbox"/>				
Purchase of development rights.....	<input type="checkbox"/>				
Estate planning/transferring farm....	<input type="checkbox"/>				
Agricultural District benefits.....	<input type="checkbox"/>				

*Educating Non-Farm Community About:*

Contributions of agriculture to the economy	<input type="checkbox"/>				
Value of farming.....	<input type="checkbox"/>				
Availability of farm products.....	<input type="checkbox"/>				
Farm neighbor education.....	<input type="checkbox"/>				

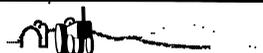
*Educating Public Officials About:*

Effect of land use decisions on farmers..	<input type="checkbox"/>				
Contributions of agriculture to the economy.....	<input type="checkbox"/>				
Agricultural property value assessment	<input type="checkbox"/>				
Perception of farming as an industry	<input type="checkbox"/>				

**Governmental Issues / Regulations**

Property rights and zoning.....	<input type="checkbox"/>				
Environmental regulations.....	<input type="checkbox"/>				
Farmer representation on local boards..	<input type="checkbox"/>				

14. If you are interested in learning more about any of the issues listed above please circle those items.



15. Of the issues listed in question #13, what do you feel are the three most important issues facing farming today?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

16. If you have participated in any of the programs below, do you feel the program has been effective? Please check the appropriate box below.

	Very Effective	Effective	Somewhat Effective	Not Effective	Not familiar with program
NYS Agricultural Environmental Management (AEM)	<input type="checkbox"/>				
Conservation Reserve Program.....	<input type="checkbox"/>				
Wetland Reserves Program.....	<input type="checkbox"/>				
Agricultural District Program.....	<input type="checkbox"/>				
Forestry Incentive Program.....	<input type="checkbox"/>				
Environmental Quality Incentives Program (EQIP)..	<input type="checkbox"/>				

If not effective, please explain. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. If you are interested in learning more about any of the programs listed, please circle the program names above.

18. Would you be interested in participating in a Purchase of Agricultural Conservation Easement Program (PACE) if a program was available?

Yes  No  Unsure  Not familiar with the program  Need more information

19. What method do you use to sell your products? (check all that apply)

Method	Percentage of annual farm income
<input type="checkbox"/> Wholesale.....	_____ %
<input type="checkbox"/> Broker.....	_____ %
<input type="checkbox"/> Cooperative.....	_____ %
<input type="checkbox"/> Direct Marketing (i.e. farm stand, farmer's market).....	_____ %
<input type="checkbox"/> Other.....	_____ %

20. What business not presently available would help if it was to locate in the Albany area?(ie. slaughter facility, food processing, farm supply store)

\_\_\_\_\_

\_\_\_\_\_



21. Do you think that a directory of agricultural businesses would be helpful?

Yes  No  Unsure

22. If yes, would you be interested in listing your business?

Yes  No  Unsure  Need more information

If yes, please include details.

Business name \_\_\_\_\_

Business address \_\_\_\_\_

Business phone # \_\_\_\_\_

Available products \_\_\_\_\_

Dates/hours open \_\_\_\_\_

23. Please rate the importance of actions you think **GOVERNMENT** should take to encourage agriculture to remain in the county by checking the appropriate box.

	Very Important	Important	Somewhat Important	Not Important	Unsure
Promote agricultural products.....	<input type="checkbox"/>				
Offer public education about farming.....	<input type="checkbox"/>				
Support education and training for farmers...	<input type="checkbox"/>				
Promote agritourism.....	<input type="checkbox"/>				
Reduce rate of development.....	<input type="checkbox"/>				
Implement right to farm laws.....	<input type="checkbox"/>				
Strengthen and support agricultural districts	<input type="checkbox"/>				

24. Do you feel the following are effective in supporting agriculture in Albany County?

	Very Effective	Effective	Somewhat Effective	Not Effective	Unsure	Not Familiar with
Cornell Cooperative Extension.....	<input type="checkbox"/>					
Albany Co. Soil and Water Conservation District....	<input type="checkbox"/>					
Albany Co. Agricultural and Farmland Protection Board.....	<input type="checkbox"/>					
Albany Co. Farm Bureau.....	<input type="checkbox"/>					
USDA Farm Service Agency.....	<input type="checkbox"/>					
USDA Natural Resources Conservation Service(NRCS).....	<input type="checkbox"/>					
NYS Department of Agriculture and Markets.....	<input type="checkbox"/>					
Albany County Government.....	<input type="checkbox"/>					
Local government (Town, Village, City).....	<input type="checkbox"/>					
Private Lending Institutions.....	<input type="checkbox"/>					
Local Chamber of Commerce.....	<input type="checkbox"/>					



**25. In the next 5 years do you intend to: (check all that apply and indicate the reason for your decision.)**

- Diversify your farm operation \_\_\_\_\_
- Expand or invest in your operation \_\_\_\_\_
- Retire \_\_\_\_\_
- Subdivide \_\_\_\_\_
- Move your farming operation \_\_\_\_\_
- Change your operation \_\_\_\_\_
- Sell all or portion of farm for farming \_\_\_\_\_
- Lease your farm for farming \_\_\_\_\_
- Sell all farmland for non-farm use \_\_\_\_\_
- Sell portion of farmland for non-farm use \_\_\_\_\_
- Pass farm on to family members for farming \_\_\_\_\_
- Pass farm on to family member for non-farm use \_\_\_\_\_

**26. Please check the box which best describes your feeling about the future of agriculture in Albany County.**

- Very Good     Good     Uncertain     Bad     Very Bad

**27. Your name (optional) \_\_\_\_\_**

All names will be kept confidential. Your name will not be associated with the results and will not be printed with the data.

**28. Are there any additional issues you would like us to consider in developing an Agricultural and Farmland Protection Plan for Albany County? Any additional comments would be greatly appreciated. (Please use back page if necessary)**

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**THANK YOU**

Your time and effort in completing the Agricultural and Farmland Protection Planning Survey is a very important part of the planning process. A summary of the results will be available to all interested parties and will be published in the Albany County Agricultural and Farmland Protection Plan.





## Definitions

**Agribusiness** – Any business that provides products or services to agricultural producers to support production, marketing, and distribution of their products.

**Agricultural District** – Established by a county and approved by the NYS Department of Agriculture and Markets, agricultural districting is to encourage the continued use of farmland for agricultural production. The Program is based on a combination of landowner incentives and protections for land included in the district, all of which are designed to forestall the conversion of farmland to non-agricultural uses. Included in these benefits are preferential real property tax treatment (agricultural assessment and special benefit assessment), protections against overly restrictive local laws, government funded acquisition or construction projects, and private nuisance suits involving agricultural practices.

**Agriculture** - Agriculture or Agricultural use means the employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops, or breeding, managing, selling or producing livestock, poultry, fur bearing animals or honeybees, or by dairying and the sale of dairy products, or by any other horticultural or viticultural use, aquaculture, hydroponics, silviculture, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines, including, but not limited to providing riding lessons, training clinics and schooling shows, and other on-farm niche marketing promotions. (As defined by NYS Farm Bureau)

**Agricultural and Farmland Protection** – the preservation, conservation, management and improvement of lands which are part of viable farming operations, for the purpose of encouraging such lands to remain in agricultural production. (Agriculture and Markets Law Article 25AAA sec. 322)

**Agricultural and Farmland Protection Board** – An eleven member board established by the County Legislature pursuant to NYS Agriculture and Markets Law. The Board advises the County legislature and planning board on issues related to agricultural districts and other matters regarding agricultural and farmland protection.

**Commercial horse boarding operation** – An agricultural enterprise, consisting of a least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. (Agriculture and markets Law 25AA sec 301)

**Farm operation** – The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock product as a commercial enterprise, including a “commercial horse boarding operation” as defined in subdivision thirteen of this section. Such farm operation may consist of one of more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other. (Agriculture and markets Law 25AA sec 301)

**Viable agricultural land** – means land highly suitable for agricultural production and which will continue to be economically feasible for such use if real property taxes, from use restrictions, and speculative activities are limited to levels approximating those in commercial agricultural areas not influenced by the proximity of non-agricultural development. (Agriculture and markets Law 25AA sec 301)

## Abbreviations

<b>AEM</b>	Agricultural Environmental Management
<b>AIDER</b>	Agricultural Industry Development, Enhancement, and Retention
<b>AFPB</b>	Agricultural and Farmland Protection Board
<b>AFPP</b>	Agricultural and Farmland Protection Plan
<b>EQIP</b>	Environmental Quality Incentives Program
<b>NYS A&amp;M</b>	New York State Department of Agriculture and Markets
<b>USDA</b>	United States Department of Agriculture
<b>NRCS</b>	Natural Resource Conservation Service
<b>HMRC&amp;D</b>	Hudson Mohawk Resource Conservation & Development Council
<b>AFT</b>	American Farmland Trust
<b>NASS</b>	National Agricultural Statistics Service
<b>PDR</b>	Purchase of Development Rights
<b>CAFO</b>	Concentrated Animal Feeding Operation
<b>COCS</b>	Cost of Community Services Study

# Agricultural Agencies and Organizations

## **Albany County Agricultural and Farmland Protection Board**

C/O Cornell Cooperative Extension  
PO Box 497

Voorheesville, NY 12186

*Board appointed by the County Legislature to advise the legislature and planning board on issues related to agricultural districts and other matters of agricultural and farmland protection.*

## **Albany County Farm Bureau**

RD#2 Box 250 Schoharie, NY 12157

Phone: (518) 872-1290

Fax: (518) 872-1290

<http://www.albanycountfarmbureau.org>

*A non-governmental, volunteer organization financed and controlled by families, for the purpose of solving economic and public policy issues challenging the agriculture industry.*

## **Albany County Soil and Water Conservation District**

24 Martin Rd. PO Box 497

Voorheesville, NY 12186-9621

Phone: (518) 765-7923

Fax: (518) 765-2490

*Public agency providing technical assistance and programs related to soil, water, and natural resources conservation.*

## **American Farmland Trust (Northeast)**

110 Spring Street

Saratoga Springs, NY 12866

(518) 581-0078

<http://www.farmland.org>

<http://www.farmland.org/northeast/index.htm>

*Nationwide nonprofit organization dedicated to protecting agricultural resources.*

## **Cornell Cooperative Extension of Albany County**

Wm. Rice Jr. Extension Center

24 Martin Road

PO Box 497

Voorheesville, NY 12186-0497

Phone: (518) 765-3500

Fax: (518) 765-2490

Email: [albany@cornell.edu](mailto:albany@cornell.edu)

*Educational network with Cornell University linking research based information with community programs in agriculture and food systems, community and economic vitality, environment and natural resources, and nutrition, health, and safety.*

## **USDA Farm Service Agency**

24 Martin Rd. PO Box 497

Voorheesville, NY 12186-9621

Phone: (518) 765-2326

Fax: (518) 765-2304

<http://www.fsa.usda.gov>

*A federal government agency that administers programs for federal assistance programs.*

**Albany County Land Conservancy**

PO Box 567; Slingerlands, NY 12159

(518) 436-6346

<http://www.albanylandtrust.org>

*A not-for-profit organization dedicated to the protection and stewardship of natural, cultural, and scenic areas in and around Albany County.*

**Hudson Mohawk Resource Conservation and Development Council**

1024 Route 66

Ghent, NY 12075

(518) 828-4385, ext. 105

*A nonprofit organization promoting regional economic and natural resource development.*

**Regional Farm and Food Project**

148 Central Ave., 2nd Floor

Albany, NY 12206

(518) 426-9331

<http://capital.net/~farmfood/index.html>

*An independent non-profit organization promoting sustainable agriculture and a healthy local food system through farmer education and community development activities.*

**USDA Natural Resource Conservation Service**

24 Martin Rd.

PO Box 497

Voorheesville, NY 12186-9621

(518) 765-2326

<http://www.nrcs.usda.gov>

*Federal government department offering landowners and farm operators financial, technical and educational assistance to implement conservation practices.*

**Albany County Department of Economic Development, Conservation and Planning**

112 State St. Rm. 1006

Albany, NY 12207

Phone: (518) 447-5660

Fax: (518) 447-5662

<http://www.albanycounty.com>

*County government department providing technical assistance for agricultural district review, preparation and implementation of the farmland protection plan and review of development projects.*

**ADDITIONAL RESOURCES:**

Cornell University small farms web page-offering information on small farms, community agriculture development and agroforestry

<http://www.cals.cornell.edu/agfoodcommunity>

NY Farm Link-providing farmers with essential networking, consulting and educational support

<http://www.nyfarmlink.org>

## References

Capital District Regional Planning Commission *Capital District Residential Building Permits*  
[http://www.cdrpc.org/Res\\_Permit.html](http://www.cdrpc.org/Res_Permit.html)

Capital District Regional Planning Commission *Capital District Population Projections*  
<http://www.cdrpc.org/PopProj.html>

Daniels, Tom and Deborah Bowers. *Holding our Ground Protecting America's Farms and Farmland* Washington D.C. : Island Press, 1997.

Digital Data Soil Survey of Albany County, New York United States Department of Agriculture, Natural Resource Conservation Service 1992.

Ferguson, Kirsten, Jeremiah Cosgrove and Teri Ptacek. *Action Guide: Agricultural and Farmland Protection for New York*. Saratoga Springs, NY: American Farmland Trust, 2000.

United States Department of Agriculture-National Agricultural Statistics Service *Census of Agriculture 1997* <http://www.nass.usda.gov/census>