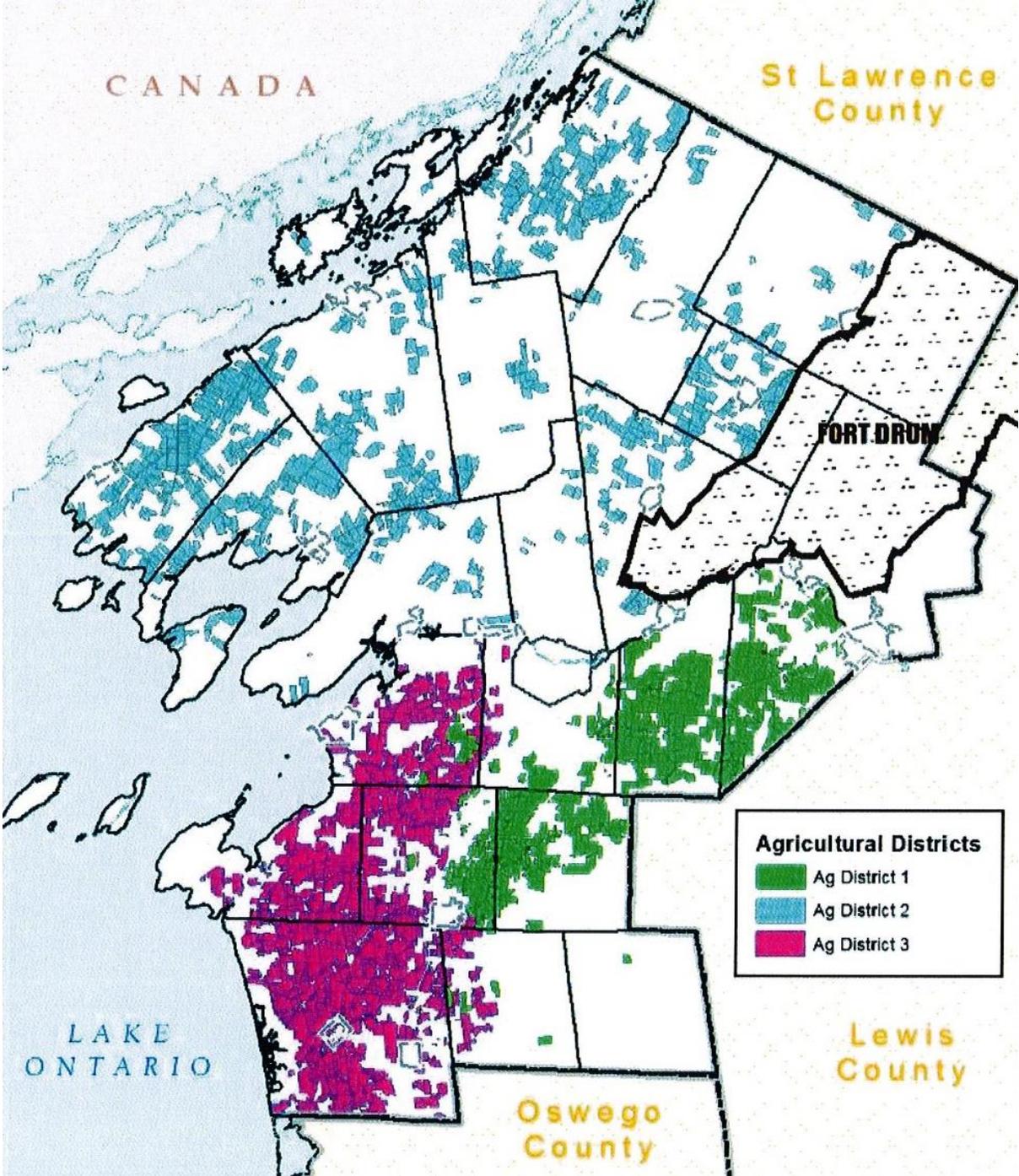


**2016 REPORT ON THE INCLUSION OF VIABLE AGRICULTURAL LANDS  
TO THE EXISTING NYS CERTIFIED AGRICULTURAL DISTRICTS**

JEFFERSON COUNTY AGRICULTURAL & FARMLAND PROTECTION BOARD

AUGUST 3, 2016



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

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## INTRODUCTION AND BACKGROUND

This report presents the findings of the Jefferson County Agriculture and Farmland Protection Board's (AFPB) review and recommendations to the County Legislature for the 2016 Agricultural District Inclusion Requests.

Article 25-AA of the NYS Agriculture and Markets Law was enacted in 1971 to help keep farmland in agricultural production through a combination of landowner incentives and protections that discourage the conversion of farmland to non-agricultural uses, including:

- providing reduced property tax bills for agricultural lands (agricultural landowners must apply to the local tax assessor for an annual agricultural assessment);
- providing the framework to limit unreasonable local regulation on accepted agricultural practices;
- providing Right to Farm provisions that protect accepted agricultural practices from private nuisance suits;
- modifying state agency administrative regulations and procedures to encourage the continuation of agricultural businesses;
- modifying the ability to advance public funds to construct facilities that encourage development;
- limiting the power to impose benefit assessments, special ad valorem levies or other rates or fees in certain improvement districts or benefit areas such as water, sewer or nonfarm drainage; and
- reducing the ability of public agencies to acquire farmland through eminent domain.

Agricultural districts primarily benefit owners of land that is farmed. Being part of an agricultural district does not require that the land be used for agriculture and it does not directly affect tax assessments (agricultural landowners must apply to the local tax assessor for an annual agricultural assessment).

There are two processes at the county level for the addition and review of these districts. Each Certified Agricultural District is required by New York State to undergo an Eight-Year Review to determine if the district still consists of predominantly viable agricultural land. There is also an annual individual inclusions process where agricultural land may be added to an existing certified agricultural district. There are three Agricultural Districts in Jefferson County comprising over 200,000 acres.

The New York State Agricultural Districts Law requires counties to establish an annual 30 day period to allow parcels of predominantly viable agricultural land to be added to existing New York State Certified Agricultural Districts. The Jefferson County Board of Legislators has set **June 1<sup>st</sup> through June 30<sup>th</sup>** of each year for this purpose.

Viable agricultural land is land that is actively farmed as well as inactive and non-farm acreage which is highly suitable for agricultural production. A parcel of land is "predominantly" viable if a minimum of 51% of the parcel meets the above definition.

There are three NYS Certified Agricultural Districts in the County. The Southeast District, #1, North District #2, and Southwest District #3.

**Jefferson County NYS Certified Agricultural Districts**

<b>Southeast</b>	<b>#1</b>	<b>49,320</b>
Towns of Wilna, Champion, Rutland, Rodman, Worth, and parts of Watertown, Adams, and Lorraine.		
<b>North</b>	<b>#2</b>	<b>112,648</b>
Towns of Brownville, Lyme, Cape Vincent, Clayton, Orleans, Pamela, Alexandria, Theresa, Antwerp, Philadelphia, and LeRay.		
<b>Southwest</b>	<b>#3</b>	<b>75,307</b>
Towns of Hounsfield, Henderson, Ellisburg, and parts of Watertown, Adams, and Lorraine.		
<b>Total acres in Districts</b>		<b>237,275</b>

\* Including 2015 Annual Inclusions

## LANDOWNER REQUESTS

The County received requests from nine landowners to consider the addition of 18 parcels consisting of 551 acres. The parcels are located in the Towns of Cape Vincent, Clayton, Brownville, Henderson and Watertown and Agricultural Districts #1, Southeast, #2, North and #3 Southwest.

Michael Bourcy from the County Planning Department and Jay Matteson, the County Agricultural Coordinator, conducted a windshield survey of the requested parcels. Notes from that survey are included in this report.

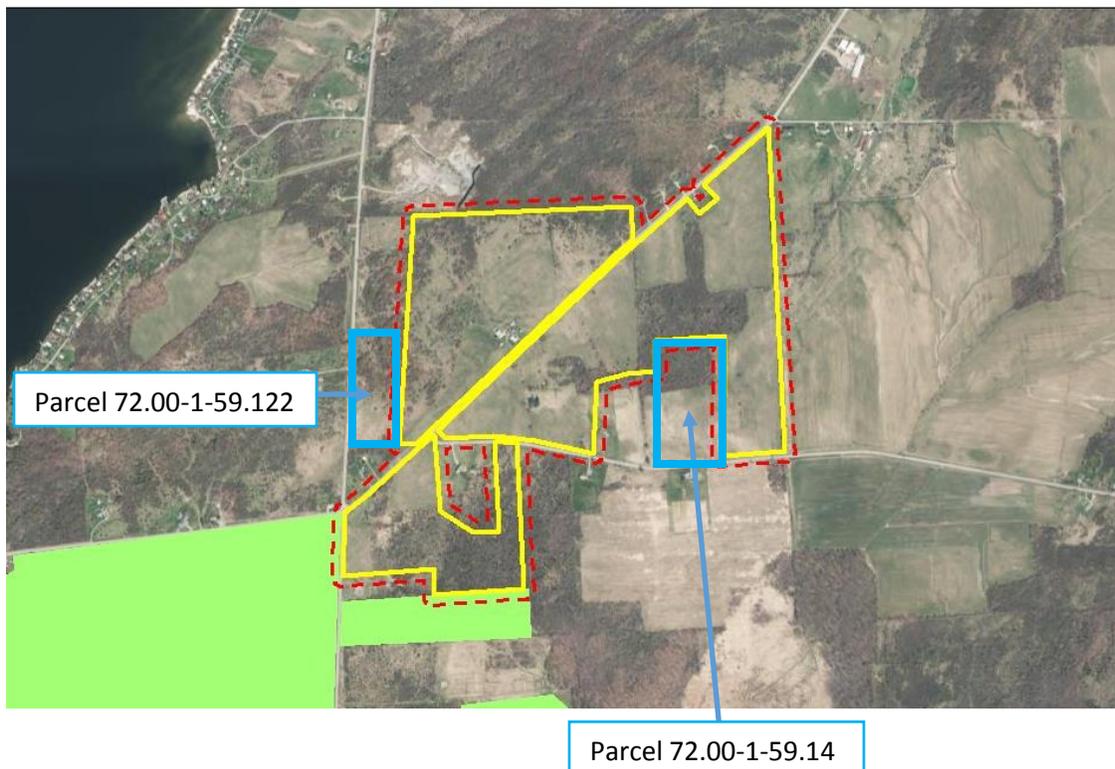
1. Reginald Schweitzer Jr.

Parcel Number	Town	Acres	District
72.00-1-59.11	Brownville	190.70	2
72.00-1-59.14	Brownville	18.01	2
72.00-1-59.122	Brownville	12.55	2

Mr. Schweitzer is requesting to add three contiguous parcels. He indicated that the land is being hayed. It was determined during the site visit that two of the parcels have hay fields and the third appears to be old pasture land with fencing.

The land would be adjacent to current agricultural district land.

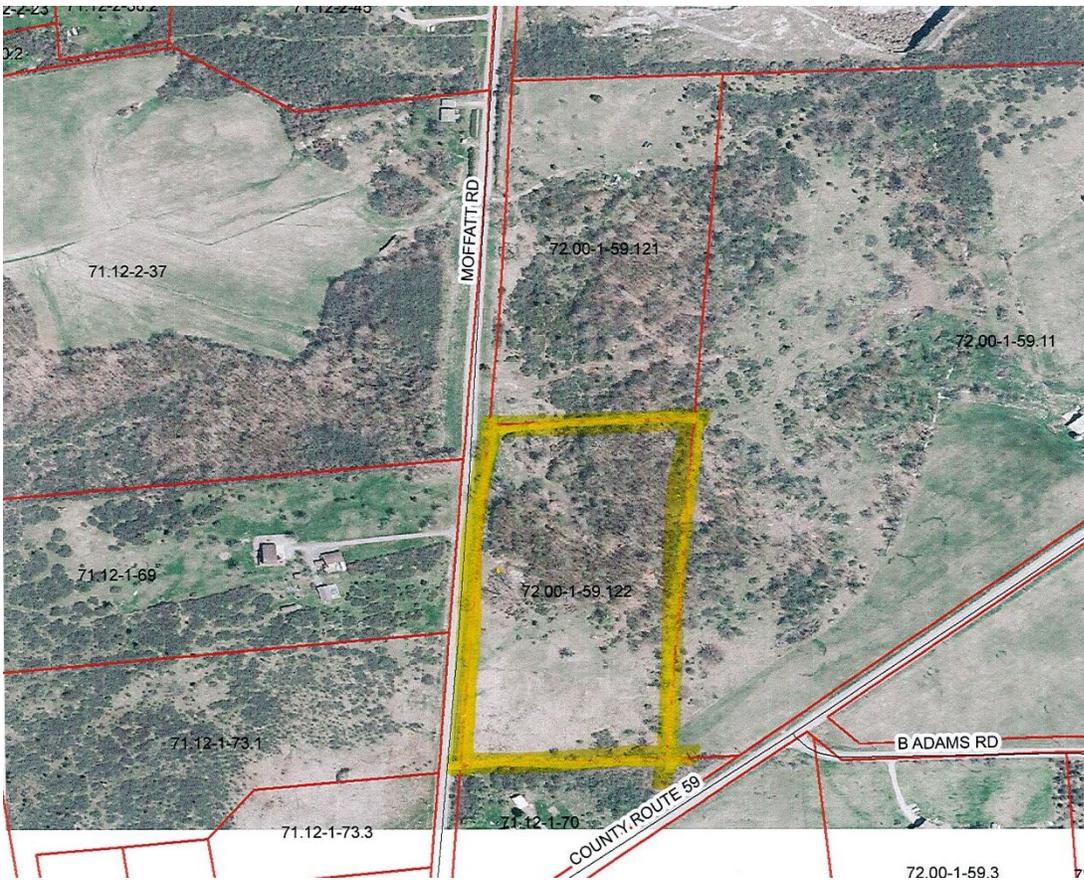
Schweitzer 72.00-1-59.11



Schweitzer 72.00-1-59.14



Schweitzer 72.00-1-59.122



2. Lazy Acres Park L.L.C.

Lazy Acres is requesting four parcels to be included to the North Agricultural District. The application form indicated that the property is hay and gardens.

Parcel Number	Town	Acres	District
29.19-1-62.2	Cape Vincent	2.62	2
29.19-1-46.1	Cape Vincent	6.70	2
29.19-1-56	Cape Vincent	1.97	2
29.19-1-34	Cape Vincent	4.78	2

Parcel 29.19-1-62.2



Our observations during the site visit for this parcel was that it is mowed lawn with a boat storage area.

Parcel 29.19-1-56



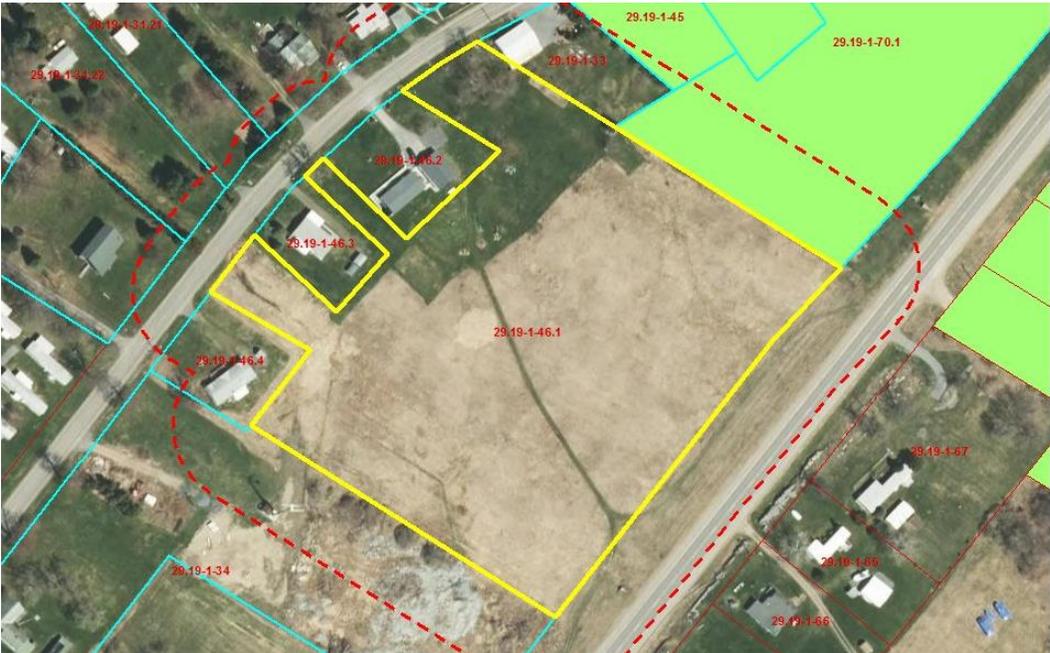
Our observations during the site visit for this parcel was that it was mowed lawn with what appears to be a pond being constructed.

Parcel 29.19-1-34



Our observations during the site visit for this parcel was that a good portion of it was rock debris and the remaining appeared to be residential with lawn.

Parcel 29.19-1-46.1



Our observations during the site visit for this parcel was that there was a small field that has been hayed in the past.

### 3. Taylor Family

Name	Parcel Number	Town	Acres	District
Taylor Trust, Justin	19.20-1-1.3	Clayton	4.65	2
Taylor Trust, Justin	19.20-1-1.1	Clayton	8.40	2
Schmitt, Nancy Taylor	19.20-1-1.5	Clayton	4.54	2
Taylor, Matt	19.20-1-1.4	Clayton	3.85	2

These four parcels are originally part of a family parcel that has been subdivided between the children. The applications indicate that there are currently horses, pasture, and vines. They indicated that the pasture is actually located on several of the parcels and that expansion of the vines will be a future endeavor.

There are no other agricultural district lands within close proximity of these parcels.



Parcel 19.20-1-1.1



Our observations during the site visit for this parcel was that there is pasture along NY 12E and the potential for grapes in the rear portion.

Parcel 19.20-1-1.3



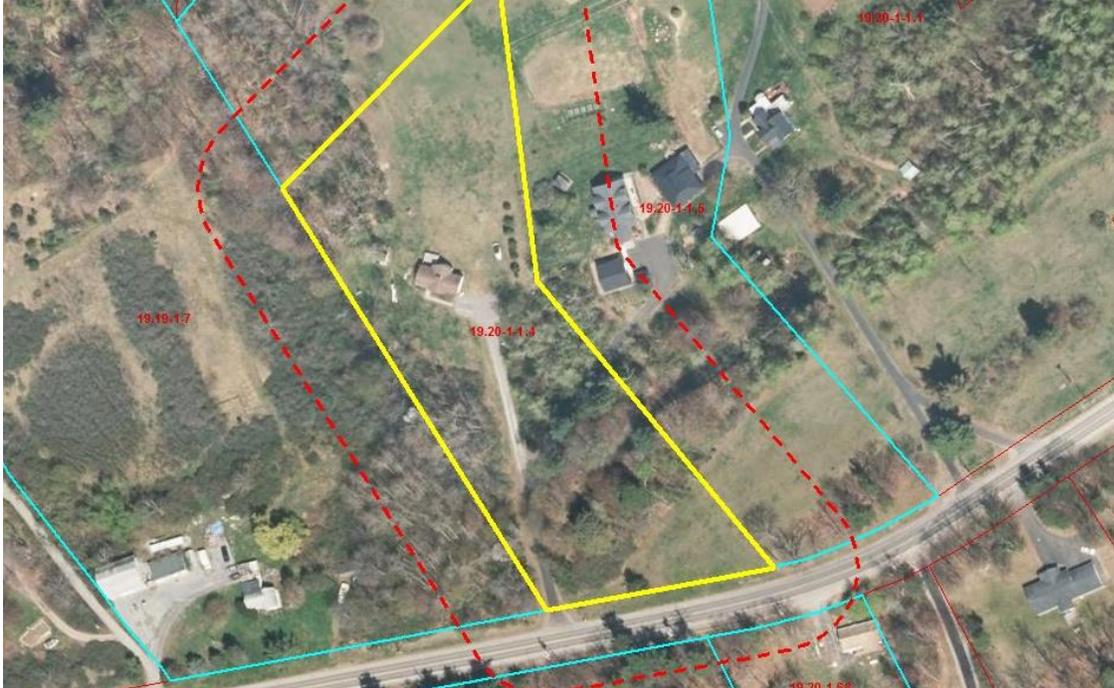
Our observations during the site visit for this parcel was that are horses in the pasture and grape arbors.

Parcel 193.20-1-1.5



Our observations during the site visit for this parcel was that is a horse barn and training area.

Parcel 19.20-1-1.4

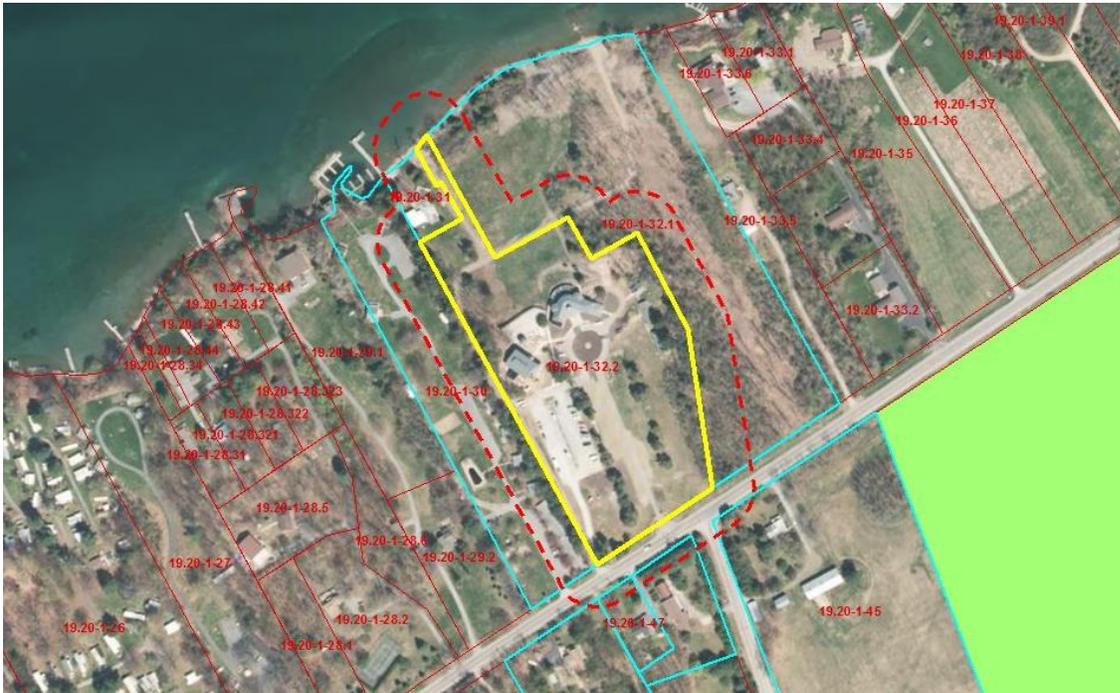


Our observations during the site visit for this parcel was that portions in the front and rear are part of the pasture areas for other parcels. The applicant also indicated the potential for growing grapes in the back portion.

#### 4. Doreen Marks

Parcel Number	Town	Acres	District
19.20-1-32.2	Clayton	7.60	2

The applicant is requesting that one parcel be included in the North Agricultural District. The application form indicated that the property is a farm based distillery, apiary, and contains farm labor housing.



This parcel was requested to be added during the North District Eight Year Review in 2015 and was denied.

There is existing agricultural district land within 430 feet of the parcel.

Since last year's consideration of this parcel, the Town's decision to rezone the parcel was upheld by the court. This allows a farm distillery, restaurant, and Inn to be located on the parcel. The Town of Clayton Planning Board has approved a special use permit.

5. Howard Sanderson

Parcel Number	Town	Acres	District
98.00-1-8.1	Henderson	134.00	3
98.12-1-12.1	Henderson	11.60	3
98.12-1-12.4	Henderson	5.50	3
98.12-1-12.6	Henderson	4.90	3

The applicant is requesting that four parcels be included in the Southwest Agricultural District. The application form indicated that crops were grown on the parcels.

Parcel 98.00-1-8.1



Our observations during the site visit for this parcel was that the field was planted to corn.

There is agricultural district land adjacent to this parcel.

Parcel 98.12-1-12.1



Our observations during the site visit for this parcel was that the field was mowed hay. There is agricultural district land adjacent to this parcel.

Parcel 98.12-1-12.4



Our observations during the site visit for this parcel was that the field was planted to corn. There is agricultural district land adjacent to this parcel.

Parcel 98.12-1-12.6

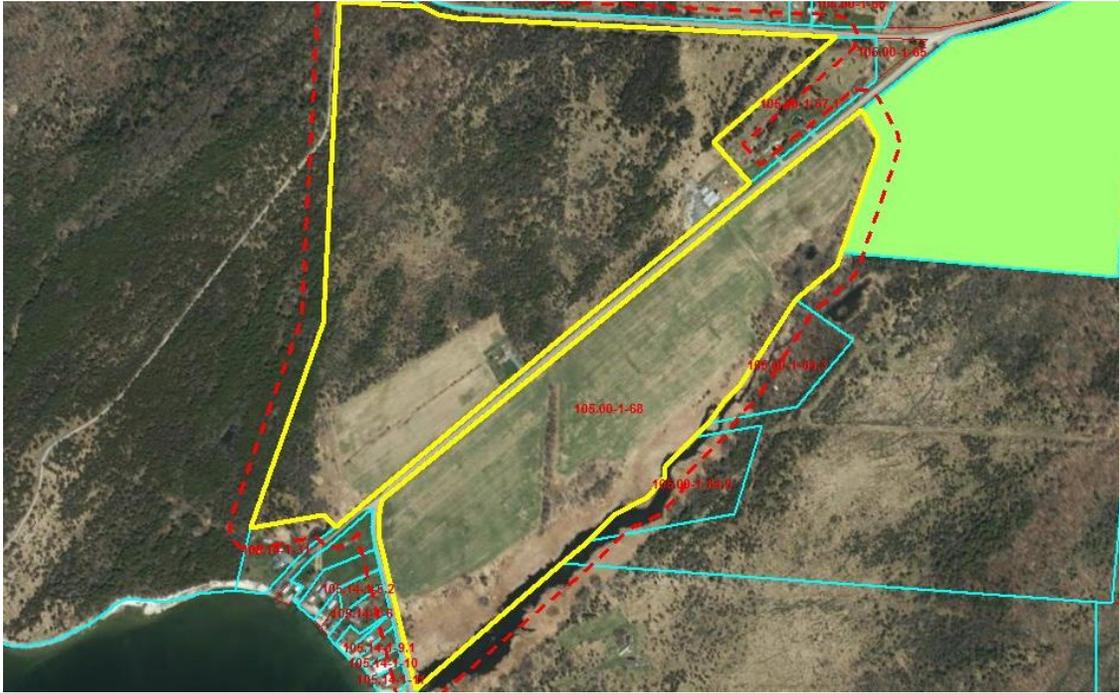


Our observations during the site visit for this parcel was that the field was planted to corn  
There is agricultural district land adjacent to this parcel.

6. Jon Marra

Parcel Number	Town	Acres	District
105.00-1-68	Henderson	129.00	3

The applicant is requesting to add this parcel to the Southwest Agricultural District. On his form he indicated hay and soybean.



Our observations during the site visit for this parcel was that the field was planted to soybean and hay. There is agricultural district land adjacent to this parcel.

7. LeRoy Burnham and Joanne Armstrong

Parcel Number	Town	Acres	District
91.00-1-32.1	Watertown	23.6	1

The applicant is requesting that the above parcel be included in the Southeast Agricultural District.

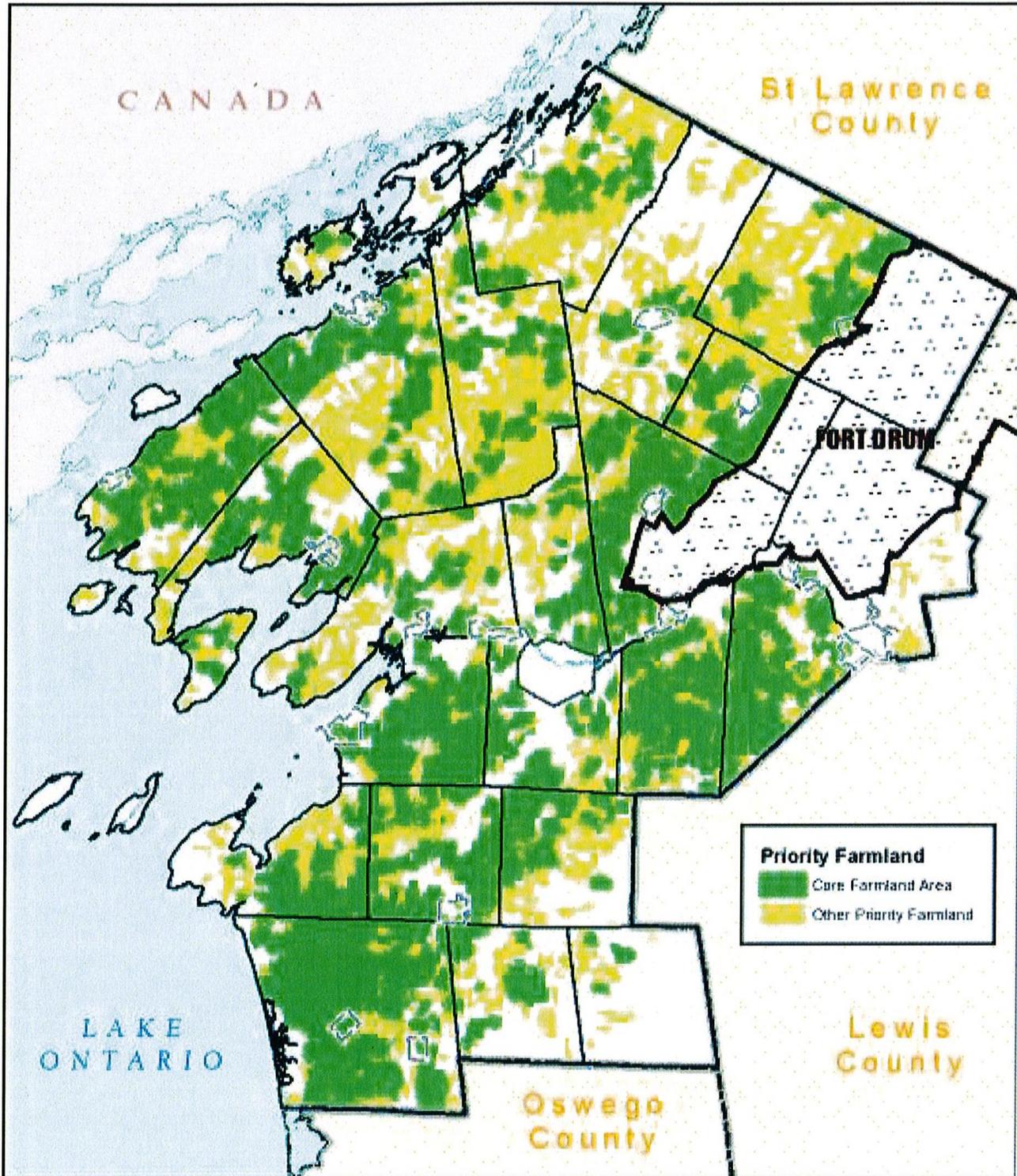
The application indicated that beef cattle, compost, fire wood, and maple syrup.



Our observation during the site visit was that there were numerous horses, a few mules, and firewood.

## PRIORITY FARMLAND – JC Agricultural and Farmland Protection Plan, 2016

The recently adopted Jefferson County Agricultural and Farmland Protection Plan indicated priority farmland in the County. The map below identifies the areas. Most of the requested additions are within one of the areas or in close proximity.



# PRIORITY AGRICULTURAL SOILS

While the identification of specific soil type's location is not possible, this general soil map shows that all of the proposed additions contain one or more of the soils identified below.



**Recommendation of the Agricultural and Farmland Protection Board  
for the 2016 Agricultural District Inclusion Requests**

The Jefferson County Agricultural and Farmland Protection Board recommends that the following parcels be added to existing agricultural districts:

Recommendation						
Approve	Disapprove	Landowner	Parcel Number	Town	Acres	District
X		Schweitzer, Reg	72.00-1-59.11	Brownville	190.70	2
X		Schweitzer, Reg	72.00-1-59.14	Brownville	18.01	2
X		Schweitzer, Reg	72.00-1-59.122	Brownville	12.55	2
	X	Lazy Acres Park	29.19-1-62.2	Cape Vincent	2.62	2
	X	Lazy Acres Park	29.19-1-46.1	Cape Vincent	6.70	2
	X	Lazy Acres Park	29.19-1-56	Cape Vincent	1.97	2
	X	Lazy Acres Park	29.19-1-34	Cape Vincent	4.78	2
X		Taylor Trust, Justin	19.20-1-1.3	Clayton	4.65	2
X		Taylor Trust, Justin	19.20-1-1.1	Clayton	8.40	2
X		Schmitt, Nancy Taylor	19.20-1-1.5	Clayton	4.54	2
X		Taylor, Matt	19.20-1-1.4	Clayton	3.85	2
X		Marks, Doreen	19.20-1-32.2	Clayton	7.60	2
X		Sanderson, Howard	98.00-1-8.1	Henderson	134.00	3
X		Sanderson, Howard	98.12-1-12.1	Henderson	11.60	3
X		Sanderson, Howard	98.12-1-12.4	Henderson	5.50	3
X		Sanderson, Howard	98.12-1-12.6	Henderson	4.90	3
X		Marra, Jon	105.00-1-68	Henderson	129.00	3
X		Burnham, LeRoy	91.00-1-32.1	Watertown		1

Motion made by: John Peck, seconded by, Al Gehrke.

All in favor 8

Opposed 0

Absent 3

Motion carried.