

Wayne County Department of
Economic Development and Planning

www.co.wayne.ny.us

9 Pearl Street, 2nd floor
Lyons, NY 14489
Phone 315-946-
5919 fax 315-946-

Industrial Development Agency • Economic Development Corporation • Planning Department

TO: Supervisors, Mayors, Clerks, Assessors and Code Enforcement Officers
FROM: Ora Rothfuss, Ag Development Specialist
RE: Wayne County Agricultural District No. 1 Review
DATE: November 09, 2015

As required by New York State Agriculture and Markets Law, we are beginning the review of the Wayne County Agricultural District Number 1 which includes properties in your municipality. We are required to post an Agricultural District Public Review Notice in at least five “conspicuous places” and to publish a notice in the official County newspapers. Would you please post the enclosed Public Notice in your municipal offices until January 31, 2016?

In September, the County Ag Development Board recommended that the District be modified according to any written requests received and continued as an important land use tool for farm operators.

As part of the review, we will conduct an informational meeting at 7:00 P.M. on December 1, 2015 at Cornell Cooperative Extension, 1581 Route 88N, Newark and will also mail a letter and agricultural district review worksheet to approximately 10,600 landowners within the County.

After January 31, staff will prepare a report based on agricultural district review worksheets, gathered data and public input and the Wayne County Agricultural Development Board will make a recommendation to the Board of Supervisors. The Wayne County Board of Supervisors will then hold a public hearing regarding the agricultural district review on March 8, 2016 at 7:00 PM. After receiving the report and recommendations of the Wayne County Agricultural Development Board and the public hearing, the Board of Supervisors will make a final decision on whether the district should be continued, terminated or modified.

If you are aware of land that should either be added or removed from the district, please notify me by phone, e-mail (orothfuss@co.wayne.ny.us) or letter by January 31, 2016. Providing information such as tax parcel identification number and owner name would be helpful. Ag District maps are available for review at www.co.wayne.ny.us/wayne-county-planning-department/. If you have any questions, or if you receive any questions regarding the agricultural district review process, please contact me.

Thank you for your help

Enc: Notice of Review
Landowner Letter
Blank Add-Drop Form
Poster/ Notice

Cc: Wayne County Administrator
Sandra Sloane, Clerk of the Board of Supervisors
Dan Connors, County Attorney
Michael Jankowski, County Clerk
Karen Ambroz, Director, County Real Property Tax Service
Beth Claypoole, Executive Director, Cornell Cooperative Extension of Wayne County
Lindsey Gerstenslager, District Manager, Wayne County Soil and Water Conservation District
Ted McKay, CED, Wayne County Farm Service Agency
Adam Craft, Chairman, Wayne County Agriculture and Farmland Protection Board
David Broach, Chairman, Wayne County Planning Board



PUBLIC NOTICE

Agricultural District Number 1 Review and Modification

ALL TOWNS OF WAYNE COUNTY, NY

NOTICE OF A PERIOD FOR PUBLIC REVIEW OF AN AGRICULTURAL DISTRICT PURSUANT TO THE
EIGHT YEAR REVIEW

Notice is hereby given that the Wayne County **Agricultural District No. 1** is undergoing review and modification as part of the eight-year renewal process. Currently, there are approximately 294,000 acres in the NYS certified agricultural district in the County.

Municipalities and landowners within the district may propose a modification of the district by filing such proposal with the Clerk of the Wayne County Board of Supervisors, Sandra Sloane, C/O Ora Rothfuss, 9 Pearl Street, Lyons, 14489, by January 31, 2016. Please have your tax parcel identification number available for reference should you request a district modification.

Wayne County is also accepting Landowner Applications for including New Parcels Of viable agricultural land in Existing Certified Agricultural Districts. **The Wayne County Board of Supervisors has established the Agricultural District Open Review Period from January 01 to January 31 of each year, and will accept applications until January 31, 2016, the same as the eight year review process.**

Maps of the proposed Ag District are available for public inspection at the Wayne County Clerk's Office, First Floor, 9 Pearl Street, Lyons, NY and the Wayne County Planning Department, Second Floor, 9 Pearl Street, Lyons, NY during normal business hours (9 a.m. to 5 p.m.). Maps are also available on the County website at the Planning Department page www.co.wayne.ny.us/wayne-county-planning-department/

There will be an informational meeting for this Agricultural District review on Tuesday, December 1, 2015 at 7:00 PM at the Cornell Cooperative Extension, 1581 RT 88N, Newark.

There will be a public hearing for this Agricultural District review on Tuesday, March 8, 2016 7:00 PM at the Wayne County Court House, 26 Church Street in Lyons. The next review of this district will occur in 2024.

Questions: Please call Ora Rothfuss, County Planning Office, 315-946-5919. orothfuss@co.wayne.ny.us

Dated: November 09, 2015

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WAYNE COUNTY, NY AGRICULTURAL DISTRICT No. 1
Eight-year Review & Modification & Open Enrollment
ADD-DROP FORM

RETURN BY
January 31, 2016

Only the owner can remove parcels from or include them in the District.

To enroll your parcel in the Wayne County Agricultural District, please provide all information for any parcels you would like included; sign the form and return it to Wayne County Economic Development & Planning before January 31, 2016. Ag District maps are available for review at www.co.wayne.ny.us/wayne-county-planning-department/.

A	B	C	D	E
Land Owner Name	Tax Parcel #	# Acres	Parcel Address	Town/ Village
First & Last Name	11111-00-111111	??.??	9999 Any St	Any town
First & Last Name	11111-00-111111	??.??	9999 Any St	Any town

The property must be part of an active farm in order to include it in the District.

You must own the parcels to include them in the District.

A	B	C	D	E
Land Owner Name	Tax Parcel #	# Acres	Parcel Address	Town/ Village

- Please check if this property is farmed: **Yes-Farmed** Not Farmed
 Please check if the owner of this property is a farmer: Farmer Not a Farmer
 Please check if this property is rented to a farmer: **Rented to a Farmer** Not **Rented to a Farmer**

Please sign return to Wayne County Planning Department Staff before January 31.
 Please enroll the above parcels in the Wayne County Agricultural District.

Owner's Signature _____ Date: _____
 Printed Name: _____ Phone: _____
 Email: _____ (in case there are questions)

THE FORM MUST BE SIGNED BY THE LANDOWNER

Please return these forms by January 31, 2016
To: Wayne County Ec. Development & Planning, 9 Pearl St. Lyons, NY 14489. (fold and seal this form) the form may also be signed, scanned and emailed to wayneplanning@co.wayne.ny.us or faxed to 315-946-7657

Wayne County Agricultural District No. 1 Review Information Sheet

You are receiving this letter as part of the eight-year Agricultural District review process because Wayne County records indicate that your property is currently in the Agricultural District.

Agricultural districts were established to help protect and promote a farmer's opportunity to operate a successful business. Many people own property that was included in an Agricultural District as part of a farm when the districts were first formed beginning in the 1970s. There are currently about 10,600 parcels and 294,000 acres in the Agricultural District. When a landowner subdivides a parcel of land that is in the Agricultural District, all parcels remain in the District until they are removed by their current owner during an eight-year review. Since this is a voluntary program, you have an opportunity to remove your property from the District by marking and returning the enclosed form.

Your property will remain **IN** the Agricultural District unless you respond in writing. Action required to remove your property from the Agricultural District: please fill in the enclosed worksheet, sign and return it to the Department of Economic Development & Planning by **January 31, 2016**. Please do the same if you would like to **ADD** a different parcel to the District.

All requests to add or remove parcels must be signed by the landowner.

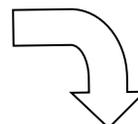
There are often questions that arise during the discussion of whether to add or remove land from the District. To help answer these questions, there is a more in depth description and "frequently asked questions" on the Wayne County Ag District review web page, located at <http://web.co.wayne.ny.us/wayne-county-planning-department/wayne-countys-agricultural-district/>. An Agricultural District is not the same as zoning, please see the FAQ for more information.

The County will hold an informational meeting on to describe the process and answer any questions that you may have. The slide presentation will also be on the County Ag District web page. The meeting will be:

Tuesday, December 01, 2015 7:00 PM
Cornell Cooperative Extension
1581 NYS Route 88 N
Newark, NY 14513

To assist you in your decision, the following table highlights commonly cited advantages and disadvantages of including land in an Ag District for a farmer who is "**operating with sound agricultural practices**". For more information please visit: <http://web.co.wayne.ny.us/wayne-county-planning-department/wayne-countys-agricultural-district/>.

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These are very simple examples and should not be considered as legal advice.

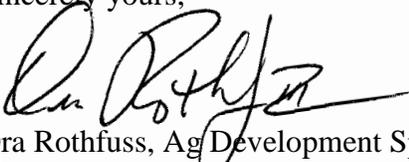
Advantages of farming on land that is in an ag district	Example	Note
Protection from overly restrictive local laws	For example: A Town law “that excludes electric fences from farm pastures;” may not be enforceable for qualified farming enterprises operating in a certified Ag District.	
Protection from nuisance law suits	For example: A neighbor who sues because “noise from the tractor keeps me awake at night” may be responsible for the farmer’s court costs if the neighbor loses the civil suit	A farmer is not protected from violations of environmental or safety laws.
Limitation on special benefit taxes	If a new waterline, paid for by an ad valorem tax, is run through an ag district, an owner of farmed-land that is in the ag district, may pay ad valorem tax on ½ acre of land, not on all the undeveloped land.	Many of the newer districts are paying this tax with a “unit value fee” instead of an ad valorem tax.
Limitation on ad valorem taxes	Qualified landowners may apply annually for an “ag exemption” which establishes the taxable value for agricultural land at farm value, not “development value”.	Landowners can apply for an agricultural exemption, but land doesn’t have to be in the Ag District to apply.

Disadvantage	Example	Note
Waterline hookup restrictions	If a town runs a new waterline through an ag district and if the town adopts a policy that states “only existing lots in an ag district can hook up to the waterline”, then a landowner may have to wait until the next ag district review cycle to take the land out of the district before new subdivisions can hook up to the waterline.	Enforcement of this is a town or village responsibility and may vary by municipality.

Staff will prepare a report and map to be submitted to the Wayne County Board of Supervisors, which will hold a **public hearing** on **Tuesday, March 8, 2016 at 7:00 PM** at the Old Courthouse, 26 Church Street in Lyons regarding the proposed Ag District modifications. A Public Hearing Notice will be published in March in the official County newspapers, (currently the Times of Wayne County and Sun & Record). The County Ag Development Board recommended that the District be modified according to any written requests received and continued as an important land use tool for farm operators.

A copy of the existing Ag District maps are available online at <http://web.co.wayne.ny.us/wayne-county-planning-department/wayne-countys-agricultural-district/>. For additional information, please call me at the Dept. of Economic Development & Planning, (315) 946-5919.

Sincerely yours,



Ora Rothfuss, Ag Development Specialist

Enc: Agricultural District Remove and Add Request Form (self-addressed return)

NOTE: Being in the Wayne County Agricultural District is not the same as the zoning of your property and does not affect the property class.