

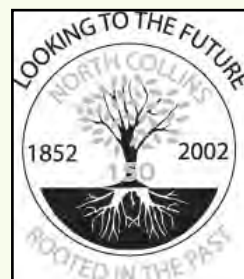
Town of North Collins

Agricultural and Farmland Protection Plan



FINAL REPORT

January 2023



***Town of North Collins
Agricultural and Farmland Protection Plan***

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***Town of North Collins
Agricultural and Farmland Protection Plan***

TABLE OF CONTENTS

	<i>Page</i>
EXECUTIVE SUMMARY	ES-1
I. INTRODUCTION	
A. Grant and Consultant	I-1
B. Existing Plans and Programs	I-1
C. Approvals	I-10
II. COMMUNITY INPUT AND GOALS	
A. Public Participation	II-1
B. Goals and Objectives	II-2
III. COMMUNITY OVERVIEW	
A. Regional Setting and Local History	III-1
B. Demographics and Housing	III-1
C. Land Use, Zoning, and Other Policies and Regulations	III-4
D. Environmental Resources	III-11
E. Infrastructure Services	III-14
IV. AGRICULTURAL LANDS AND RESOURCES	
A. Agricultural Soils	IV-2
B. Agricultural Zoning	IV-4
C. Agricultural Districts	IV-4
D. Farm Operations, Farm Statistics and Economic Contributions of Farming	IV-8
E. Agricultural Markets and Support Businesses	IV-12
F. Development Pressure and Consequences of Conversion	IV-15
V. FINDINGS, RECOMMENDATIONS, AND IMPLEMENTATION STRATEGIES	
A. Overview of Farming, Farmland and Agricultural Protection	V-1
B. Vision for the Future	V-2
C. Analysis of Strengths, Weaknesses, Opportunities and Threats	V-4
D. Tools and Techniques for Farmland Protection	V-5
E. Recommendations and Implementation Strategies	V-29
VI. IMPLEMENTATION MATRIX	VI-1
VII. GLOSSARY, RESOURCES AND REFERENCES	VII-1

***Town of North Collins
Agricultural and Farmland Protection Plan***

List of Maps

	<i><u>Page</u></i>
1 Regional Setting	III-2
2 Existing Land Use	III-5
3 Zoning	III-8
4 Environmental Resources	III-12
5 Water and Sewer Service	III-15
6 Agricultural Soils	IV-3
7 Agricultural Districts	IV-5
8 Active Farmland	IV-9
9 Vision Map / Agricultural Protection Areas	V-3

Appendix

- A Public Participation
- B Town of North Collins Land Use Regulations
- C NYS Department of Agriculture and Markets Circulars and Information
- D Solar Farm Considerations
- E American Farmland Trust Cost of Services Study Fact Sheet
- F Purchase of Development Rights Information
- G Transfer of Development Rights Information
- H Miscellaneous Program Information and Fact Sheets
- I USDA Environmental Management Program Information
- J Organic Farming Information
- K Climate Resilient Farming Information



Executive Summary



***Town of North Collins
Agricultural and Farmland Protection Plan***

EXECUTIVE SUMMARY

Agriculture in Town of North Collin is alive and active, with a deep history that supports its continuation well into the future. Farming today in the Town consists of a mix of different operations and pursuits, from larger field operations and greenhouses to smaller, non-commercial, hobby-scale pursuits including beekeeping, raising flowers, herbs, poultry, and fruits, among others. Since the scale of farming and agriculture in the Town varies widely, regulations and policies cannot be a “one size fits all” approach and, instead, need to be responsive to the different areas of the Town where agricultural and farming activities occur, and the characteristics found within them.

This *Agricultural and Farmland Protection Plan* serves two functions for the Town – providing a framework for future regulatory and policy actions to protect farming and agriculture, and to act as a resource document for new and existing farmers, providing financial, educational, and technical support and other pertinent information.



Vision for Farming on North Collins

The vision for the future of farming and agriculture on North Collins is to provide an environment in which these activities can become established and/or remain active and viable, regardless of their size, level of intensity, or type of operation. Promotion of existing agricultural businesses and farming uses is as important as the protection of these resources with the goal of keeping North Collins self-sufficient and self-enforcing of its own unique agricultural environment. Some of the items outlined in this *Agricultural and Farmland Protection Plan* indicate the need to revisit existing regulations to ensure that



Town of North Collins Agricultural and Farmland Protection Plan

North Collins remains farming-friendly, promotes agricultural activity, protects the environment, making it clear that farming will always be a dominant activity in the community.



Key Issues

Through the development of this *Agricultural and Farmland Protection Plan*, several key issues were revealed pertaining to the current state of agriculture and its future on North Collins:

- North Collins has a *Right to Farm* law in place and is a “Right-to-Farm community”, as posted on signs around the community. Non-farming residents, both new and existing, must be educated on the Town’s history and long-standing position for protection agriculture and farming activities.
- Similarly, some North Collins residents, particularly new residents, are unaware of the extent of agriculture in the Town and unfamiliar with farming practices, which can lead to nuisance issues and complaints. Expanded promotion and public education is a means for addressing this issue.
- While residential development activity is limited, the introduction of new, non-farming residents was noted as resulting in a small number of conflicts between property owners. There is currently no formal process or committee that exists to hear, or mediate nuisance complaints received from residents with respect to agricultural operations and activities. Such an entity could also assist with the provision of public education and promotion of agricultural activities in the Town.
- Existing farmers and non-farming property owners who own vacant land should be encouraged to lease these lands to other farmers to sustain and strengthen farming in the community.
- Additionally, retiring farmers who desire to sell their lands, including leased lands, should be provided information on the existing programs that can help ensure that that these lands remain in production and not converted to non-farming (residential) use.



Town of North Collins Agricultural and Farmland Protection Plan

- The number of hobby farms (small scale, non-commercial operations) are slowly increasing in North Collins. Existing land use regulations should keep pace with changing trends and, therefore, provide flexibility for new and existing agricultural businesses and activities.
- Newer farming practices and operations encourage diversification of farming products and activities that enable farms to remain viable and sustainable. Raising alternative and new crops, undertaking additional smaller-scale efforts (such as growing herbs or beekeeping) to expand on-farm activities, and the use of farm stands, u-pick fields, eco- and agricultural tourism, and community-supported agriculture (CSA), are all endeavors that can help sustain and modernize farming in North Collins.
- The Town’s zoning regulations should be reviewed to ensure that they are “farm friendly” and identify any restrictions that might need revisions to support and protect agricultural activities.

Recommended Actions

The *Agricultural and Farmland Protection Plan* identifies three goals for the future of agriculture and farming, with coincident recommended actions that are aimed to promote and protect the future of agriculture on North Collins. The key goals include:

1. Protecting land and resources critical to the long-term success, viability and resiliency of agriculture and preservation of community character
2. Leverage the Town’s agricultural assets and natural resources to enhance and expand the agricultural economy of the Town and its capacity to respond to economic and climate trends and changes
3. Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities

A general summary of the recommended actions, starting with the adoption of the *Town of North Collins Agricultural and Farmland Protection Plan*, is outlined as follows:

- Post the adopted Agricultural and Farmland Protection Plan on the Town’s website, along with maps of the local agricultural districts, a copy of the Right-to-Farm Law, and any other information pertinent to farmland protection in the Town.
- Revising local zoning and other land use regulations, as required, to bring them in line with current practices, to support new actions, and eliminate any overly restrictive provisions.
- Expand agricultural definitions and policies in the Town to enable hobby farms and other small-scale, non-commercial enterprises as allowable uses.



Town of North Collins Agricultural and Farmland Protection Plan

- Create proper channels and processes for addressing any potential nuisance complaints by creating a permanent body or committee to undertake such action and amending the Town’s Right to Farm Law to reflect this.
- Utilize available resources for educating new and existing farmers on new technologies, business endeavors, management, and financial support, among other things to help them succeed and strengthen their businesses. Erie County Cornell Cooperative extension, the Soil and Water Conservation District, Cornell University, the USDA, and American Farmland Trust are a few of the agencies and organizations that offer a wealth of programs, support, and materials to help local farmers.
- Encourage farmers to take advantage of local tax relief and other programs designed to help them reduce costs, expand markets, and improve their business and farming techniques/technologies.
- Promote local farm stands and farm products that are available in the community and create a wayfinding system to guide residents to locations inside and outside of the Town where local farm products are sold.
- Expand markets for local agricultural products through the school district, local businesses, churches, and other avenues to promote local products and support North Collins farmers.
- Educate the community on common farm practices and operations via the Town website, information at Town Hall, at community events, and through other means to help market local farmers and increase awareness of local farming activities.
- Inform and facilitate access to information on agricultural and farmland protection in the Town for local real estate brokers, realtors, and lawyers, and others, as well as farmers, who are involved in land sales and transfers to ensure that new home/land buyers in Town understand the community.
- Encourage local farmers and non-farming property owners to lease vacant lands for farming and provide these landowners with information on how to keep these lands in active farming upon retirement and/or sale, such as the American Farmland Trust “Farmland for a New Generation New York”.
- Promote the expansion of avenues for the sale of fresh, local produce and farm products through establishment of new farm stands, u-pick farms, and community-supported agricultural cooperatives (CSAs).
- Encourage the use of small-scale, on-farm solar technology, wind turbines, and other energy efficient measures and systems to help farmers conserve resources, reduce costs, and be resilient to changing climate and other conditions.

Moving Forward

The recommendations included in this *Agricultural and Farmland Protection Plan* and outlined above provide the foundation for the Town of North Collins to take the next steps necessary for preserving,



***Town of North Collins
Agricultural and Farmland Protection Plan***

strengthening, and promoting agriculture for the future. To put the recommendations into action, this Plan must be approved and adopted by the Erie County Agriculture and Farmland Protection Board, the North Collins Town Board, and the Commissioner of the New York State Department of Agriculture and Markets. Thereafter, the Town can begin implementing the recommendations, many of which do not require funding. The recommendations associated with zoning ordinance and other land use law revisions can be referred to the Planning Board for further action. Additionally, the Town may wish to establish a new Agriculture and Farming Planning Committee (perhaps by utilizing the representatives who comprised the Advisory Committee for this plan, as a means of assisting with the implementation of this plan, as a mediation body for potential farm/non-farm conflicts, and for promoting the agricultural heritage in North Collins. Section V and VI of this *Agricultural and Farmland Protection Plan* contain a complete implementation strategy to help the Town move forward with the recommendations. The two most important and effective ways to implement the strategies and recommendations contained in this Plan are to undertake necessary revisions to local regulations to create a more favorable environment for farming, now and into the future, and to establish a process for responding to and representing agricultural interests in the Town and for implementing this Plan.



***Town of North Collins
Agricultural and Farmland Protection Plan***

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Section I

Introduction



***Town of North Collins
Agricultural and Farmland Protection Plan***

SECTION I – INTRODUCTION

A. Grant and Consultant

The Town of North Collins secured funding through the New York State Department of Agriculture and Markets to prepare an Agricultural and Farmland Protection Plan to prepare an Agricultural and Farmland Protection Plan to preserve farmland and enhance farming in the Town. The New York State Department of Agriculture and Markets defines farmland and agricultural protection as “the preservation, conservation, management, or improvement of lands that are part of viable farming operations, for the purpose of encouraging such lands to remain in agricultural production.” In accordance with the State’s requirements, municipalities that develop agricultural and farmland protection plans must include, among other things:

- the location of farmland or other areas proposed to be protected;
- an analysis of the factors concerning the areas and lands proposed to be protected, such as the value to the agricultural economy, the value of open space to the community, the consequences of possible conversion of farmland to other land uses, and the level of conversion pressure on the lands or areas proposed to be protected; and
- a description of activities, programs and strategies intended to be used to promote continued agricultural use.

Preparation of an agricultural and farmland protection plan must include public input and, thereafter, be submitted to the North Collins Town Board and the Erie County Agricultural and Farmland Protection Board for their review and approval. Upon Town and County approval, the plan must be submitted by the Town to the Commissioner of the New York State Department of Agriculture and Markets for final approval. This North Collins Agricultural and Farmland Protection Plan has been developed to comply with intended State requirements.

B. Existing Plans and Programs

The following is an overview of existing land use plans that have been developed by other entities, including Erie County and the Town of North Collins, that promote the protection and enhancement of agriculture. The information presented below includes the policies, goals and recommendations related to agricultural and farmland protection, as set forth in each individual plan. These plans are all supportive of the North Collins Agricultural and Farmland Protection Plan and the Town’s desire to maintain farming as an important industry in the community.



Town of North Collins

Agricultural and Farmland Protection Plan

Erie County Agricultural and Farmland Protection Plan

The Erie County Agricultural and Farmland Protection Plan was developed by the Erie County Agricultural and Farmland Protection Board in 1998; an update to this plan was developed by the American Farmland Trust in 2012. The preparation of this plan was made possible through grant funding from the New York State Agricultural and Farmland Protection Program, which is administered by the State Department of Agriculture and Markets.

The goal of the Erie County Agricultural and Farmland Protection Plan strategy is to maintain a productive, open landscape that is viable for future generations and that does not preclude more intensive activity when the demand exists; and to promote and expand markets for agricultural products. The findings in the plan indicate that Erie County has diverse, productive, vital farms that are located near a sizable population. The County benefits from prime farm soils, a climate that is moderated by Lake Erie, and farmers with years of experience, as well as new farmers who are eager to take on the challenge of agriculture. Additionally, a growing interest in local farms and farm products has boosted agriculture as a visible economic driver that is creating new opportunities for farming in both urban and rural areas of Erie County.

The Plan is intended to direct agricultural planning in Erie County for the next decade and provides a picture of agricultural activity as it presently exists and outlines the loss of farmland that has occurred over the past few decades. The Plan also documented strong public support for agriculture and demonstrates how agriculture has been a significant contributor to the County economy, although much of the farmland is now located in the outer ring of land, adjacent to neighboring farm counties. Focusing on agricultural economic development holds significant promise for Erie County farms, particularly with regard to direct marketing opportunities and opportunities to improve farm viability and profitability through coordinated economic development efforts.

The two major strategies and associated goals and recommendations set forth in the Erie County Agricultural and Farmland Protection Plan include the following.

1. Keep land in agricultural production by protecting farmland, helping a new generation to farm, and improving the viability of all farms in the County.

Summary Actions:

- Protect farmland and stabilize the farm base.
- Determine the feasibility of developing a County-wide purchase of development rights program.



Town of North Collins Agricultural and Farmland Protection Plan

- Support the State-certified agricultural district program with right-to-farm provisions.
 - Collect agricultural assessment data by town in order to inform agricultural planning efforts.
 - Assist towns that wish to adopt term and/or permanent easement programs.
 - Develop a ditch maintenance program that supports conservation of prime agricultural land.
 - Help a next generation become established on new and existing farms through training programs, promotion of farming and local training programs, other education initiatives, and incentives.
 - Determine the feasibility of developing a community college agricultural training program for workforce development or establishing County-wide apprenticeship and internship programs.
 - Research the institution of a farm workforce development program that could benefit new immigrant populations and farms.
 - Encourage BOCES, and local school districts (City, suburban and rural) to include agricultural workforce training.
 - Support City and suburban community zoning regulations in order to expand urban farming opportunities.
 - Determine the feasibility of establishing a property tax abatement program for new farmers.
 - Improve farm viability and increase investment in agricultural development projects, such as agritourism.
 - Establish a shovel-ready agricultural business park to attract food and agricultural processing businesses.
 - Develop a program to help farmers market their agricultural products and to assist in identifying new market opportunities.
2. Inform the public, local leaders, and elected officials about the benefits that agriculture provides and support policy and legislative changes that will improve farm viability

Summary Actions

- Educate local leaders and elected officials about the benefits that farms provide to local economies and to the quality of life for County residents.
- Calculate the value of agriculture to the local and regional economy as part of a complete economic analysis of agriculture and its multiplier effects.
- Offer regular training for local leaders and volunteers.
- Periodically host farm tours for local leaders and officials.
- Support policies that will help farms to provide affordable, local food to County residents.



Town of North Collins Agricultural and Farmland Protection Plan

- Develop a County Food Policy Council that includes a formal role for the Erie County Agriculture and Farmland Protection Board.
- Promote locally grown food purchasing by school districts in the region and work with the Erie County Agricultural Society to promote the Farm2Table school program.
- Promote/support farmers markets in the cities, towns, and villages to attract more people to existing markets.
- Educate and inform the public about farms and food production through the establishment of an annual County-wide agricultural event.
- Support the Erie County Farm Bureau's efforts to encourage Agriculture in the Classroom.
- Support partner agricultural organizations, such as Farm Bureau, American Farmland Trust, the Soil and Water Conservation District and Cornell Cooperative Extension, through advocacy efforts to increase penalties for terminating agricultural assessments and enact revisions to County, State and Federal agricultural policy and legislative changes.
- Establish stronger regional planning, especially between Erie and Niagara Counties.

Erie Niagara Framework for Regional Growth

The Erie Niagara Framework for Regional Growth, adopted in 2006, was prepared and supported by Erie and Niagara Counties. It sets forth a blueprint to support the actions of county and regional agencies as they relate to the area's physical development. It is to be used to inform state and local governments, private developers, and non-profit organizations about the process and actions County government could undertake when making decisions affecting the region's development. The Framework establishes basic policies and principles to guide the future growth and development of the region, and provides:

- a vision for how the region should grow and redevelop over the next 15 years;
- direction on growth and redevelopment to County decision makers and other regional organizations that are linked to the two counties via funding, membership, and other relationships;
- information on the ways local government, private sector and non-profit actions and initiatives can reinforce the overall regional vision; and
- mechanisms to ensure that the goals, concepts, and recommendations of the Framework for Regional Growth are implemented in an efficient and accountable manner.

The Framework examines the regional context and challenges and establishes guidance for growth and investment in a number of areas. One area in particular is the loss of rural, agricultural, and environmentally sensitive lands. The report recognizes that the loss of agricultural lands and the



Town of North Collins Agricultural and Farmland Protection Plan

associated effects on rural economies and landscapes warrants attention for several reasons. Agriculture plays an important role in the region's and the State's economies, contributing directly through sales, job creation, support services and businesses, and secondarily through markets for processing and agricultural and heritage tourism.

Agriculture also generates low levels of demand on public services and infrastructure. Studies across the State have shown that agricultural lands have a positive fiscal impact. Well-managed, privately held agricultural land also has environmental and social benefits by providing food and cover for wildlife, conserving environmentally sensitive lands, and maintaining scenic, cultural, and historic landscapes.

The Framework's core policies and strategies offer guidance regarding the type and pattern of development for three broad geographic areas – *Developed, Developing, and Rural*. *Developed* areas include the cities and large, contiguous areas of urban and suburban development that are served by public sewer, water, and transportation infrastructure. *Developing* areas include both recently developed and sparsely settled areas experiencing development pressure and increasing demand for the extension of public sewer, water, and transportation infrastructure. *Rural* areas include the region's least intensely developed areas, with large, contiguous blocks of farmland and/or forested land, as well as compact commercial, public and residential uses clustered in hamlets or incorporated villages.

For each of these three areas, the Framework offers:

- high level policy direction for regional decision-makers;
- guidance for municipal officials and community stakeholders regarding regional preferences for future development and conservation, and
- a baseline to compare future conditions with existing conditions and Framework growth targets.

The entire Town of North Collins lies within the designated *Rural* area, wherein specific policy guidance applies. The Village of North Collins is identified in the Framework as a *Rural Center*. Rural centers include incorporated villages located in rural areas and unincorporated hamlets that serve as the social, cultural, economic, and often historic heart of the region's rural communities. These centers provide varying combinations of essential commercial and public services, including post offices, branch banks, libraries, schools, government offices, some level of public infrastructure, and clusters of historic sites and buildings.



Town of North Collins Agricultural and Farmland Protection Plan

The Framework policies and strategies for the *Rural Areas* and *Rural Centers* in Erie and Niagara Counties include aligning County policies and investments by:

- Encouraging limited development in rural areas and reinvestment in rural centers.
- Discouraging the conversion of rural, agricultural, and forested lands.
- Supporting zoning and other land use regulations that reduce permitted development densities in unsewered areas, require cluster development to maintain rural character and protect resources, and discourage continued subdivision of road frontages.
- Encourage the limited, seamless extension of development in rural centers, where appropriate, to avoid isolated projects with poor connections to surrounding development.
- Identify planning barriers to infill development and preservation and adaptive reuse of older and historic structures.
- Restrict “strip” commercial and industrial development along arterials and highways in rural areas.
- On County-owned roads in rural areas, consider revising access management, bridge maintenance, and road design standards, and assess the feasibility of decommissioning facilities in areas with little development potential.
- Support efforts to improve mobility within rural centers.
- Consider reducing sewer district boundaries where such boundaries extend into areas designated for conservation and agricultural use.
- In areas where the extension of public water or sewer is recommended to address public health issues associated with failing wells or septic systems, restrict tap-ins for new development in areas designated for conservations and agriculture.
- Continue to support intermunicipal agreements that increase cost savings in the delivery of public services.

Western New York Regional Economic Development Strategic Plan – A Strategy for Prosperity

The Western New York Regional Economic Development Strategic Plan is a comprehensive plan to create a more dynamic and sustainable economy for the region. The Plan reflects the values, perspectives, and aspirations of the people in the region. The Plan is aimed at making fundamental improvements in the economy to ensure sustainable and long-term growth in jobs and income in the five-county area, and to contribute to the resurgence of the broader economy of New York State.



Town of North Collins Agricultural and Farmland Protection Plan

The Strategy for Prosperity focuses on three fundamental issues that, if addressed properly, can create the right environment for achievement. These issues include job readiness, smart growth, and entrepreneurship. The Strategy also puts forward ways to capitalize on opportunities in eight industry sectors where Western New York is the strongest. Among these eight sectors is agriculture.

The Strategy for Prosperity recognizes that the production of food and agricultural products is a leading industry in the region, as well as New York State. Agriculture capitalizes on geographic or natural resources that are unique to the region. However, the full potential remains unrealized and concern about local food systems and other economic needs provides new opportunities. The Plan calls for programs to spur innovation in products, processes, and market links through applied research; to improve marketing and communicate the value of local food; and to join in efforts to reform regulatory processes for more effective and efficient regulation.

The Plan identifies that farms account for one in every seven businesses in Western New York. Western New York has a strong strategic location, natural resources, critical mass, and human capital to sustain the industry. Western New York has a reputation for the highest quality fruit, vegetable, and dairy products, and produces significant quantities of other products, including grains. In Erie County, agricultural activity is split fairly evenly between the raising of crops and livestock. However, there is a need to leverage market opportunities and improve consumer education. There is also a need to overcome urban sprawl to protect agricultural lands. With better access to markets, new products and processes and a less burdensome regulatory scheme, this industry could be improved. Because the agricultural sector is large, even modest increases in sales or reductions in cost can translate into new jobs, and more income and opportunity.

The Plan indicates that Western New York can position agriculture as an economic driver, cultivate next-generation farms and sustain local food systems by diversifying products and markets, creating a supporting policy environment and pursuing applied research. The industry is primed for diversification and expansion in food processing, value-added products, tourism, and untapped local and external markets. These opportunities are particularly important with growing concerns over local food system sustainability and community health. Additionally, rising costs, outdated and cumbersome state regulatory policies and global competition challenge farm sustainability, inhibit growth and threaten next generation farming. Innovative programs can overcome these barriers and seize growth opportunities. New investment models are needed to support often risky agricultural ventures. Applied research can improve awareness of sustainable practices and new market or product opportunities. And marketing and advocacy efforts can build public awareness, develop an agricultural workforce, correct misperceptions of the industry and push policy change.



Town of North Collins Agricultural and Farmland Protection Plan

The Strategy for Prosperity calls for creation of a new marketing strategy that is focused on promoting the value of local food, with a goal of increasing sales across the sector. Innovation in agriculture is also key. The Plan proposes a broad-based program to connect farmers with researchers to improve techniques for growing, processing, packaging, and distribution, and to introduce new products and create new market linkages to increase competitiveness within the sector. As set forth in the Plan, the agenda for making the agricultural industry sector in Western New York more competitive is as follows:

- Collaborate to create and promote a regional brand for local food and agricultural products – Collaboration is necessary to create program to educate the public on the value and availability of locally produced food and agricultural products with the goals of increasing sales for local producers.
- Increase innovation to improve products, processes, and market links – Organize an innovation council to promote connections among farm businesses and research institutions to develop and promote innovative practices to lower costs and increase the value of farm products. Increased investment in research and translation can help farmers increase product quality, reduce energy use, promote workforce quality and motivation, develop new linkages between producers and consumers, and share information across the industry and research universities.
- Undertake actions that promote regional assets and protect and enhance resources, and reforms that allow businesses to thrive.

Western New York Regional Sustainability Plan

The Western New York Regional Sustainability Plan was developed to create a future where social and environmental issues in the five-county region are addressed within the framework of a sustainable regional economy. The Plan promotes the creation and maintenance of conditions under which Western New York communities utilize the resources they have in the most effective ways to permit social and economic growth, while preserving natural resources. The Plan focuses on six areas that are critical to attaining sustainability in the region, including agriculture and forestry. The Plan considers agriculture and forestry as two important industries that provide tremendous economic value and environmental benefits to local communities. The need to incorporate sustainable practices, protect agricultural land and increase the availability of value-added products are recognized in the Plan, as well as the fact agriculture in the region is important in supporting the entire food system from farmers to processors and restaurants to grocers. Land that remains in farming also provides scenic, employment and tourism benefits while avoiding the costs of urban sprawl.



Town of North Collins Agricultural and Farmland Protection Plan

The Plan establishes regional sustainability goals for agriculture, which include the following:

- Strengthening the economic viability of agriculture and forestry enterprises by establishing a WNY Food Hub or agricultural processing facility; connecting farmers with markets in new or more effective ways that increase profit margins, value-added products, specialty products in demand by consumers, meeting demands in food deserts, etc.
- Achieving more efficient uses for energy inputs and maximizing use of agriculture and forestry by-products for energy production by working with farmers to develop and implement farm energy audits that enable farmers to maintain production while saving energy and money through efficiency; and promoting energy generation projects that use agricultural or forestry by-products as fuel sources.
- Increasing support from government officials and the public for the protection of farmland, continued use of farmland for agricultural purposes, and strengthening the business climate for agriculture and forestry in the region by coordinating policies and program to minimize conflicts between infrastructure planning and continuing farming by expanding the number of right-to-farm communities; updating agricultural protection plans at the county level, encouraging plan development at the local level and supporting implementation of farmland protection plans.
- Promoting environmentally sustainable management systems for the agriculture and forestry sector by promoting and preserving enterprises through farmer recruitment programs and innovation and entrepreneurship programs for small farms.

The Western New York Regional Sustainability Plan also establishes targets for selected indicators to measure achievement of goals. For agriculture, the target is the number of acres of harvested cropland that are kept in production, keeping the acreage constant through 2017 (from a 2007 baseline).

Town of North Collins Comprehensive Plan

The Town of North Collins adopted a Comprehensive Plan in 2010 and a minor update that related to recreational use was approved in September 2016. The Vision for the future of North Collins was outlined in the Goals and Objectives and Land Use Plan sections, that summarized the expression of community values and need for orderly development. The Comprehensive Plan recognizes the need to adhere to intelligent land use planning practices and explore traditional and new patterns of development that focus growth on the existing hamlets of New Oregon, Langford, Lawtons, and the area adjacent to the Village of North Collins.



Town of North Collins Agricultural and Farmland Protection Plan

1. Goals

The Comprehensive Plan identifies four goals that focus on residential, commercial, industrial, and public and semi-public land use. With respect to the protection of agriculture, the goals offer the following:

- The basic goal for residential land use is to obtain a balance of residential land use patterns that are consistent with local needs and harmonious with the vision for the future. With respect to agriculture, the residential goal encourages residential development patterns that respect and maintain agricultural development and natural assets in the Town.
- Provide for a logical extension of sewer and water utilities into those area that can best accommodate future growth and encourage in-fill of vacant, developable land in areas with adequate public services.
- Cluster development offers a number of desirable advantages , such as reduced lot sizes, greater flexibility with road alignment, and protection of scenic areas and environmentally sensitive areas.

2. Findings and Recommendations – Future Land Use

The Comprehensive Plan designates areas that are outside of the practical limits of anticipated gravity flow sanitary sewers are not in critical drainage areas or environmentally sensitive (steep slopes, wetlands, heavily forested, etc.) as rural residential areas. It recognizes the need to protect rural and/or agricultural areas from unnecessary or premature, non-farm development. The Plan proposes that the majority of the upland areas in the Town be left basically as they are. Minimum lot sizes should be sufficiently large enough to preserve rural character in this upland area. The bulk of new residential development should only be encouraged in areas where public sewers can be feasibly, and cost effectively made available.

C. Approvals

In accordance with the requirements of the New York State Department of Agriculture, the draft Agricultural and Farmland Protection Plan must be approved by the Erie County Agricultural and Farmland Protection Board and the North Collins Town Board before it receives final approval from the State. The Erie County Agricultural and Farmland Protection Board reviewed a draft plan and approved it on January 26, 2022. In addition, the Town Board conducted a public hearing for the formal adoption of the Plan.



Section II

Community Input and Goals



***Town of North Collins
Agricultural and Farmland Protection Plan***

SECTION II – COMMUNITY INPUT AND GOALS

A. Public Participation

Farming in the Town of North Collins has been practiced since the early settlement of the community. Today, farming continues as a way of life and economic driver in the Town. The preparation of this Agricultural and Farmland Protection Plan is a means of ensuring that agricultural activities remain active and viable in North Collins and that productive farmland is protected to ensure the continuation of these activities. It also provides a means to promote and support the changing diversity and trends in the farming community. As a part of the preparation of this Plan, the Town undertook the following efforts to ensure that public involvement was a part of the planning process.

- **Agricultural and Farmland Protection Plan Advisory Committee**

An Agricultural and Farmland Protection Plan Advisory Committee was established that included local farmers and other community representatives. This Committee was charged with providing guidance and oversight for the development of the Agricultural and Farmland Protection Plans for the North Collins community. This Steering Committee met periodically to review the progress of plan development, provide insight into the planning process, and ensure that the concerns of stakeholders and local citizens were taken into consideration. They also helped with the development of the draft goals, which were also presented to the public for further input.

- **Public Survey Questionnaire**

As part of the public outreach for the Plan, a survey questionnaire was utilized to gather more specific information on the state of farming in the community and what residents would like to see in the future. The survey was executed through Survey Monkey and posted on the Town's website to gather public input. Blank copies were also made available at Town Hall for residents to complete. Additionally, survey questionnaire was implemented at the Fallfest event (noted below). The results of the survey were used to finalize the draft goals and objectives for the Plan and develop recommendations for the North Collins Agricultural and Farmland Protection Plan. The summary for the Public Survey Questionnaire is included in Appendix A.

- **Public Outreach Event**

To gather public input from the North Collins Community, public comments were gathered through participation at a Fallfest event on September 14, 2019, which was held in Fricano



Town of North Collins Agricultural and Farmland Protection Plan

Town Park. A tent was set up and used to display information about the project. Mapping of the community from the inventory of resources and existing conditions was presented for discussion. This event was also a means for vetting the preliminary goals and discussing the vision for the future of farming in North Collins with residents and others who attended the event.



- **Agency Outreach**

Members of the Project Team contacted representatives from local and regional agencies to assess agricultural economic development and farmland conservation efforts in Erie County and the Town of North Collins, and to provide these representatives the opportunity to offer input into the planning process, which included the Erie County Department of Environment and Planning.

B. Goals and Objectives

The Town's primary purpose for developing this Agricultural and Farmland Protection Plan is to recognize, better understand and establish a strategy for protecting the agricultural and rural character of the North Collins community. These goals and objectives were developed with input from those who attended the Farmers and Agency Stakeholders' Round Table and Public Information meetings and were shaped around the major issues and concerns expressed by farmers, residents, Town officials, agency representatives and other interested parties. These goals and objectives are aimed at protecting and enhancing important agricultural resources; increasing public awareness of agriculture in North Collins; ensuring the long-term viability of farming in the Town; and protecting, enhancing, and expanding the agricultural economy.

GOAL 1: Protect Lands and Resources Critical to the Long-Term Success, Viability and Resiliency of Agriculture and Preservation of Community Character

By its nature, farming, and agricultural activities, regardless of the size or scale, enhance the local economy, preserve open space, add to the rural character of a community, and preserve local heritage. These activities provide several benefits, including the production of local food and other farm products, employment, and other economic benefits to the community at large and the region; preservation of scenic vistas and rural character; potential for secondary income for residents; and a more balanced tax base. The Town recognizes that the protection of farming and agricultural activities, which includes field crops, dairies, and keeping of animals, among numerous other uses



Town of North Collins Agricultural and Farmland Protection Plan

and activities, maintains the heritage of the area and is of primary importance to the local economy and overall future of North Collins.

- Protect farmland and support farming related activities that are economically viable to maintain a critical mass of agricultural uses.
- Sustain agriculture as a means of economic development.
- Consider farming as the highest and best use for areas with prime farm soils or soils of State-wide importance.
- Maintain public support for local farms and farmers and the right to farm.
- Encourage growth patterns and conservation measures that are respectful of agricultural operations, enable continued agriculture uses, and protect productive farmland.
- Promote and maintain farm-friendly, flexible land use policies, regulations, and permit procedures to support agriculture and protect agricultural activities.
- Encourage the development of housing in a manner that discourages sprawl and enables residents to use existing services and infrastructure efficiently.
- Promote conservation agriculture practices and encourage responsible environmental stewardship of the land.
- Preserve viewsheds that contribute to the rural and agricultural character of the Town.
- Maintain and strengthen positive relationships between the farm community and the various levels of State and County government that support all means of farming activity.
- Maintain and strengthen partnerships with not-for-profit and government agricultural support agencies.
- Promote, support, and build upon the Erie County Agricultural District regulations and the Erie County Agricultural and Farmland Protection Plan.
- Be pro-active to avoid and mitigate conflicts between farmers and non-farm neighbors.
- Encourage farmland property owners to utilize available tax relief programs and agricultural district protections.
- Evaluate tax assessment policies that assist farm property owners who live on site.

GOAL 2: Leverage the Town's Agricultural Assets and Natural Resources to Enhance and Expand the Agricultural Economy of the Town and its Capacity to Respond to Economic and Climate Trends and Changes

North Collins continues to maintain productive farmlands and resources that keep agricultural activities alive in the community. Utilizing existing assets is essential for strengthening and increasing farming activities of any size or scale. Farming provides benefits, including the production



Town of North Collins Agricultural and Farmland Protection Plan

of local agricultural products and creation of jobs, and although it may have changed over the years in size, scale, or intensity, agriculture remains an important and integral component of the character and economy of the Town. Agriculture related businesses support farming and contribute to the local and regional economy. Additionally, agricultural activities can provide an additional source of income to help keep farming viable and increase appreciation of agriculture in the community. By maintaining and expanding the existing economic base of farming in the community and the viability of existing farms and businesses, the Town has the potential to create and strengthen a successful and diverse farming industry that is good for farmers, the Town, and the region.

- Promote the continuation of farming and agriculture as a business and a means of economic development.
- Foster a viable agricultural economy and encourage the expansion of agriculture in the Town.
- Encourage development of new businesses that are compatible with neighboring agricultural uses and are in character with the surrounding area.
- Recognize and protect viable farmland and farm soils as a significant resource that can support farming as an economic activity and warrants protection.
- Locate business and industrial economic development in a manner that does not sacrifice viable and valuable farmland and farm soils.
- Encourage and allow farming related businesses and accessory farm uses as a support service and secondary interest to farming and agricultural activities in the Town.
- Promote organic farming as a viable form of sustainable, value-added agriculture.
- Realize the economic potential of agricultural tourism as a means of enhancing the economic vitality of farming and agriculture.
- Encourage the expansion of new technologies, including biomass production, and explore and promote new markets and agricultural activities.
- Increase the share of agricultural products direct marketed to consumers at higher margins.
- Encourage cooperative-farming initiatives and community supported agricultural projects that bring farmers and residents together and support the agricultural economy in the Town.
- Promote locally produced and grown agricultural products.
- Encourage cooperative farming initiatives that benefit the community.
- Promote hobby (small-scale and non-commercial) farming in the community particularly as a means of secondary income and a pastime for residents to increase overall farming activity in North Collins.



***Town of North Collins
Agricultural and Farmland Protection Plan***

GOAL 3: Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities in North Collins

Farming provides numerous benefits to the community, such as the preservation of rural community character and scenic vistas, production of food and provision of local jobs, and a more balanced tax base. It is the highest and best use, and most fiscally valuable use, of land in the Town. Increasing public awareness of how agriculture positively impacts a community and the needs of farmers to operate successfully is essential for achieving awareness and continued public support for the long-term viability of this industry. Strengthening this link between farming, food and the economy, and the local understanding of how farming and agriculture are important to the community will help contribute to its long-term success.

- Educate the public about the changing trends and diversity of agriculture and its value and benefits of the continuation of agriculture to the community and region.
- Develop a community environment that supports patience and understanding of the operational needs of farmers and agricultural activities.
- Educate the real estate community about the importance of agriculture in North Collins and the Town's commitment to maintain the strength of this industry in the community.
- Encourage and promote community supported agricultural projects that bring farmers and residents together.
- Promote smaller-scale and hobby farming agricultural activities that helps to sustain the visibility of agriculture in the community.
- Promote agricultural tourism as a means of increasing awareness of farming and agriculture.
- Promote and support fairs, festivals, and farming events to make farming visible in the Town and help residents understand the benefit of having farms in the community.
- Promote programs in local schools that help to educate students about agriculture.



***Town of North Collins
Agricultural and Farmland Protection Plan***

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Section III

Community Overview



Town of North Collins
Agricultural and Farmland Protection Plan

SECTION III - COMMUNITY OVERVIEW

A. Regional Setting and Local History (MAP 1)

The Town of North Collins is located approximately 20 miles south of the City of Buffalo within the Western New York region locally known as the “Southtowns.” Bordering other agriculturally active Towns such as Eden, Concord, Collins, and Brant, North Collins is about 43 square miles in size and situated between Interstate 90 to the west and NYS Route 219 to the east.

The first settlers came to the area that encompasses North Collins in 1809, 1810 and 1811, during the onset of the War of 1812. They were primarily English Quakers from New England who settled in the hamlets of Lawtons, Shirley, Marshfield, and Rose’s Corners (now known as Village of North Collins). A second wave of settlers arrived from Germany beginning about 1830 and settled in the hamlets of Langford and New Oregon, while a third wave of immigrants, largely comprised of Italians from the City of Buffalo, came to work on the farms around 1900 and shortly thereafter. Most of the settlement that occurred in this wave took place in the Village of North Collins.

The Town of North Collins separated from Town of Collins in November 1852 and was known as the Town of Shirley. The name of the town was changed to Town of North Collins in 1853 by the NY State Legislature at the request of residents of the Town. Although the hamlets of Langford, Lawtons, Marshfield and New Oregon are still recognized in the Town, the hamlet of Shirley is not. The Village of North Collins was officially incorporated in April of 1911.

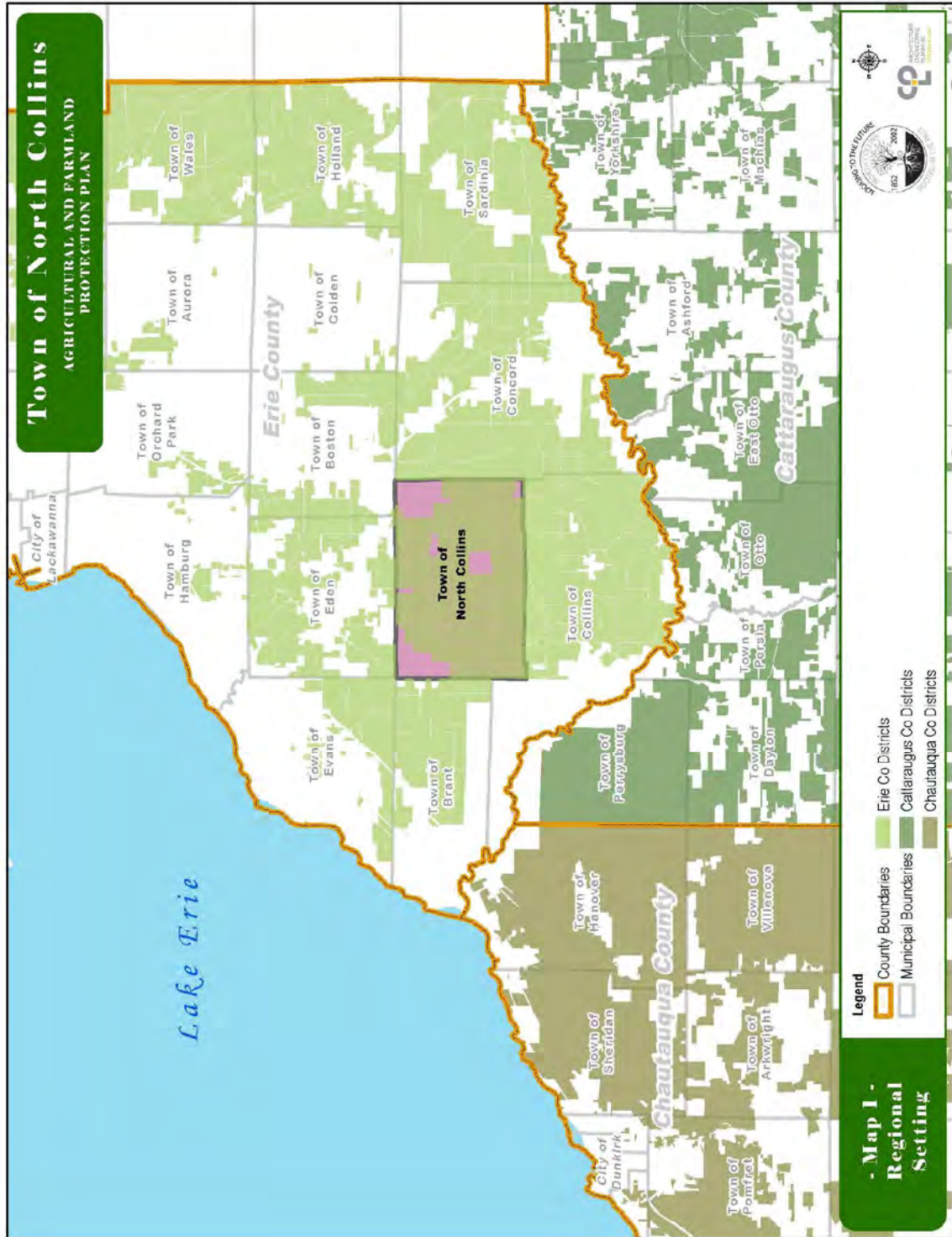
B. Demographics and Housing

Demographics

According to 2021 estimates, US Census estimates the Town’s population at approximately 3,505 people (see Table 1). The population, while experiencing slight fluctuations, has remained relatively stable since 1990, when the population was reported at around 3,502 persons. The Town’s highest population was reported at 4,090 persons in 1970. When compared to Erie County on a larger scale, the Town fares better as the County has dropped significantly in population after 2000 but has stabilized and is now estimated to be above population numbers reported for that decade.



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins
Agricultural and Farmland Protection Plan

Table 1: Population Trends – 1990 to 2020

Year	Town of North Collins	Erie County
1990	3,502	968,532
2000	3,376	950,265
2010	3,523	919,040
2015*	3,513	921,584
2021*	3,505	954,236
<i>Source: US Census Bureau, *estimates</i>		

Family households have remained steady from 2010 through 2020 encompassing approximately 38 percent of the total Town population; additionally, the household size is slowly increasing (from 2.54 persons per household in 2010 to 3.07 in 2020). The median age is slowly decreasing as well between the same time period, going from 40.3 to 38.9 years old. These various figures give some indication that the makeup of the Town over the past decade is getting slightly younger, possibly due to an increase in younger families with children.

Housing

As of 2020, the number of estimated housing units reported were 1,547, representing an increase from the 1,435 units reported in 2010. Most of the housing stock within the Town is comprised of single-family detached homes with only 15.3 percent of the structures in the Town consisting of two or more dwelling units. Approximately 94 percent of the housing stock was occupied (1,418), leaving 129 units (6 percent) vacant.

The age of the housing stock is mixed, with approximately 91.9 percent of the homes having been built prior to 2000 and the remaining 8.1 percent (107 homes) being built after 2000 indicating an aging housing stock – almost 50 percent of the total homes in North Collins were constructed prior to 1940 and an estimated 11 homes were built in the past decade. Housing values have been on the rise in the past few decades with a median value of \$110,100 in 2000 and increasing to \$138,200 in 2019.



Town of North Collins Agricultural and Farmland Protection Plan

C. Land Use, Zoning, and Other Policies and Regulations

Land Use (MAP 2)

Consisting of more than 26,000+ acres of land, the Town of North Collins is an agricultural community; this is reflected in the land use breakdown (as categorized by NYS Office of Real Property classifications – Table 2) with 46.2 percent of the total land in agriculture. The actual acreage utilized for agricultural pursuits is likely higher as lands that are categorized as vacant and residential include lands that are actively being farmed, are fallow or are fully or partially leased by farmers for cultivation. Nineteen of the 817 parcels that are identified as residential are further classified as “rural residential and agricultural,” indicating that although residential is the primary land use in terms of the number of parcels in use, portions of these lots are utilized for agricultural pursuits, typically through lease or rental agreements. This additional rural residential acreage (753 acres) further highlights the extent of agriculture in the Town beyond the 12,148 acres noted in the Table 2. Additionally, as noted on Map 2, lands that receive an agricultural exemption and are included in the Erie County Agricultural District reflect the true picture of the extent of agriculture in the Town.

Table 2: Existing Land Use Classifications and Data

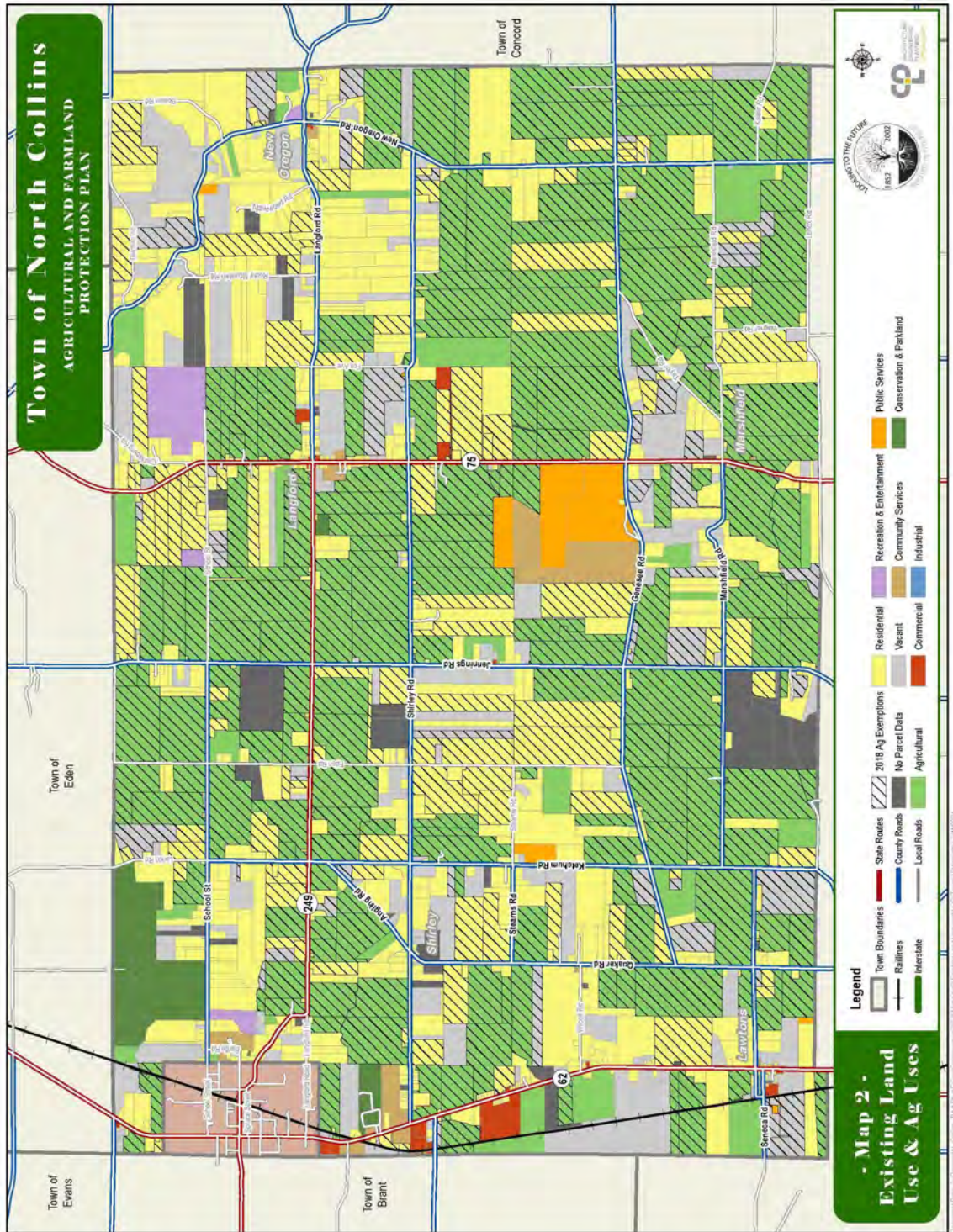
Code	Property Class	No. of Parcels	% Total	Acreage	% Total	Assessed Land Value	% Total	Assessed Total Value	% Total
100	Agricultural	212	14.6%	12,147.90	46.2%	\$13,680,522.00	38.9%	\$21,237,755.00	14.0%
200	Residential	817	56.3%	8,647.20	32.9%	\$14,555,314.00	41.4%	\$101,942,624.00	67.3%
300	Vacant	277	19.1%	3,302.50	12.6%	\$5,040,503.00	14.3%	\$5,319,645.00	3.5%
400	Commercial	26	1.8%	134.50	0.5%	\$597,600.00	1.7%	\$14,886,206.00	9.8%
500	Recreation & Entertainment	4	0.3%	213.70	0.8%	\$199,900.00	0.6%	\$800,300.00	0.5%
600	Community Service	23	1.6%	332.90	1.3%	\$616,710.00	1.8%	\$5,304,331.00	3.5%
700	Industrial	0	0.0%	0.00	0.0%	\$0.00	0.0%	\$0.00	0.0%
800	Public Services	12	0.8%	368.20	1.4%	\$180,100.00	0.5%	\$765,178.00	0.5%
900	Forest, Parks & Conservation	11	0.8%	436.40	1.7%	\$278,750.00	0.8%	\$1,146,150.00	0.8%
0	No Data available	70	4.8%	724.90	2.8%	\$0.00	0.0%	\$0.00	0.0%
TOTAL		1,452	100.0%	26,308.20	100.0%	\$35,149,399.00	100.0%	\$151,402,189.00	100.0%

Source: NYS Real Property Tax Service; 2019.

Although agriculture represents the most prominent land use in the Town, residential (the second highest land use category at 32.9 percent) is significant in terms of contributions to the assessed value in North Collins (Table 2). As is the typical case in many rural communities,



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins Agricultural and Farmland Protection Plan

residential uses provide most of the value and, therefore, carry the bulk of the tax burden, as well. Comparing the land values and total assessed values (which includes improvements to the land including buildings) of residential and agricultural uses, the impact of the tax exemptions on the latter is evident as the difference between the two uses is much lower on the land value side (\$0.8 million) than the total value side (\$80.7 million). However, this is balanced by the fact that a large swath of the Town consists of prime farm soils that support farming, a valuable resource for agriculture that cannot be replaced without significant amendments. Prime farm soils are disappearing at an alarming rate nationwide according to various agricultural-support agencies and groups.

Most of the residential properties in the Town consist of larger, narrow lots that likely mirror the division of the community from the older range maps of the late 1800's, with modern subdivision-style developments (i.e., smaller lots) sporadically located along roadway corridors or in some hamlets. The hamlets in the Town include Lawtons to the southwest, Shirley to the west, Langford and New Oregon to the northeast, and Marshfield to the south. The average residential lot size in the Town is around 10.5 acres, with the largest lot being over 140 acres in size.

While residential uses are scattered throughout the Town, they are more prevalent in the northeast corner of North Collins, as well as adjacent to the Village of North Collins. Commercial and industrial uses are found along or in close proximity to the State highways.

Zoning (MAP 3)

Zoning in the Town of North Collins is Euclidean-based and consists of eight different districts. Similar to the land use breakdown, the zoning is primarily centered around agriculture with 96.7 percent of the total land area zoned as Residence-Agricultural, followed by several smaller residential districts and business/commercial districts. The latter districts are centered around the hamlets of Lawtons, New Oregon, and Langford, as well as the State Route 62 corridor that extends through the Village of North Collins. The districts are generally broken down as follows.

Residential

Single-Family Residence (R-1), General Residence (R-2), Residence-Mobile Home Court (R-M), Residence-Agricultural (R-A), Residence-Restricted Business (RC)

In general, development density increases with each progressive district, although the extent of permitted and specially permitted uses generally remains the same. The R-1 classification is



Town of North Collins Agricultural and Farmland Protection Plan

primarily intended to maintain the rural character of North Collins, allowing for larger properties and low-density development. The R-2 classification is designed with the same intent but allows for development at a higher density and with more variety of housing types. The R-M classification is the only one that allows mobile homes. The R-A district, which covers the majority of the Town, builds upon the limited residential uses found in R-1 and also provides for a variety of agricultural endeavors, supporting uses, and other open space uses (e.g., cemeteries, wildlife reservations, clubs, etc.). The R-C district builds upon the R-2 uses while also permitting professional offices, cultural uses, community uses, and lodging. This district extends along most of the State Route 62 corridor, south of the Village.

Business

Local Retail Business (C-1), General Commercial (C-2)

The C-1 and C-2 districts are found in the western portion of the Town along the State Route 62 corridor, as well as along State Route 249/Langford Road in the hamlet of Langford. The C-1 classification allows for small-scale businesses and services. The C-2 District permits the development of larger business establishments, including entertainment uses and warehousing.

Industrial

Planned Light Industrial (M-1), General Industrial (M-2)

Both the M-1 (*Planned Light Industrial*) and M-2 (*General Industrial*) classifications allow for clean industry or industries that are more appropriate in proximity to residential uses (i.e., non-polluting or lighter intensity uses). Commercial uses are allowed within the districts providing that they are supportive and/or contribute to a primary industry enterprise. Only one small industrial district exists in the hamlet of Lawtons; no planned light industrial uses currently exist in the Town. This district is a floating district and rezoning under this classification is dependent upon certain acreage criteria for siting and development.

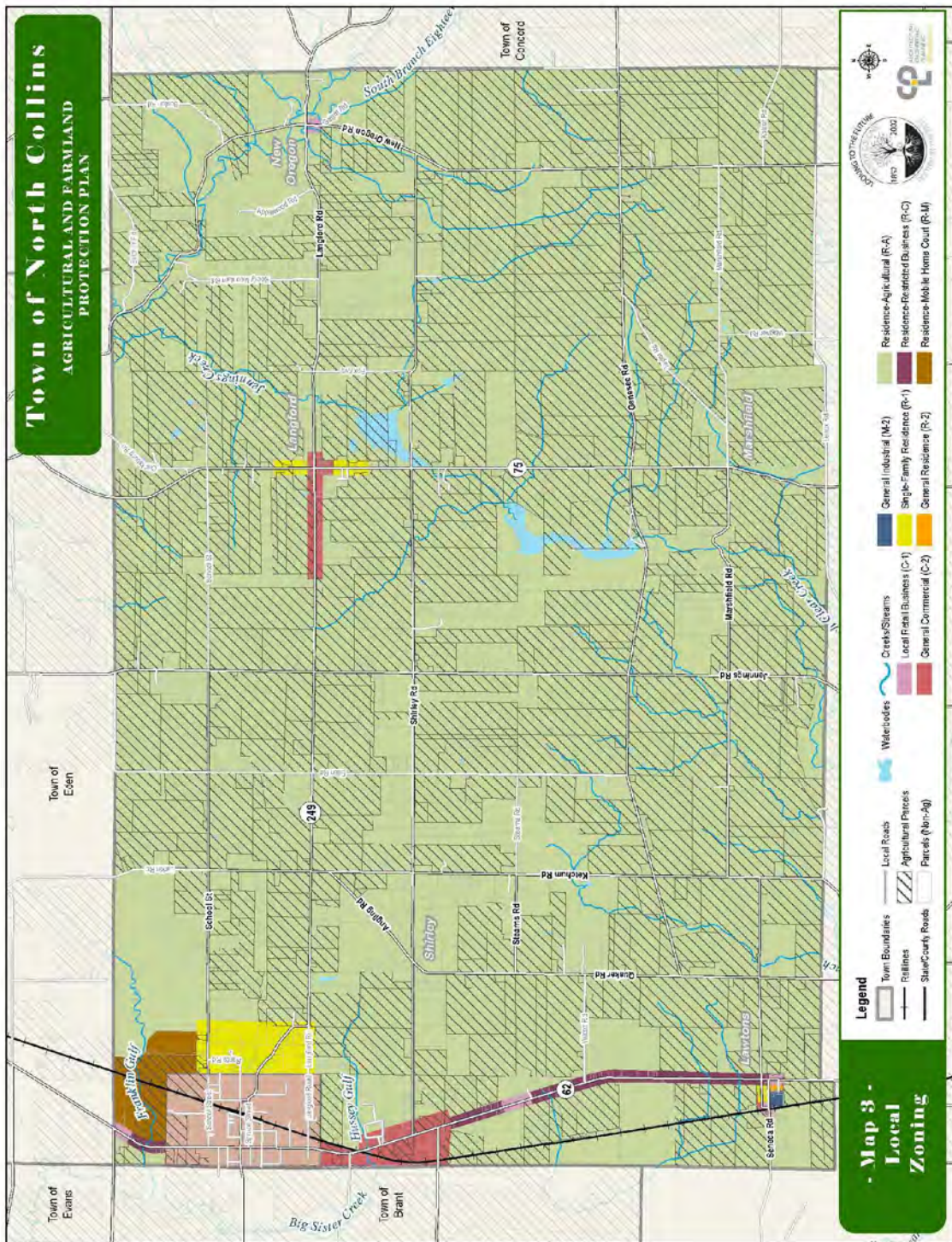
Town Land Use Planning Documents

Comprehensive Plan

The Town's 2010 Comprehensive Plan was developed in 1996 with a 14-year timeframe, making the current plan quite dated and in need of an update at some point. Regardless of this, the Plan correctly anticipated that the Town would steadily grow by 2010, with the population projected to be 2,389 persons by that point (compared to 3,523 according to US Census Bureau figures).



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins Agricultural and Farmland Protection Plan

Development (residential and commercial) is encouraged where suitable public services exist, as well as along the major corridors in Town and in the three primary hamlets, which has trended to be the predominant development pattern in North Collins. The remainder of the Town is considered suitable for continued or expanded agricultural use and rural residential use. It is noted that the acreage breakdown of agricultural lands in the 1996 plan (47.5 percent) as compared to the 2019 land use data (46.2 percent), constituting a 1.3 percent decrease over the 23-year time span. This demonstrates that agriculture continues as a dominant land use.

With respect to agriculture, the comprehensive plan includes the following recommendations:

- Continue to encourage commercial, industrial, and dense residential development (i.e., major residential subdivisions) in and around the hamlets and adjacent to the Village.
- Most of the prime farm soils in the Town exist around State Routes 62 and 75 corridors, creating a conflict between agriculture and potential development along these roadways. Such development should include appropriate buffering to protect these soils.
- Expansion to public water and sewer is dependent on quantity – sufficient development is needed to offset high installation costs. It is not likely (as of the time of the Plan) that expansive additions to the districts are anticipated.
- The majority, if not all, of the non-agricultural development encouraged by the Comprehensive Plan centers around the conservation of farmland in the Town and continues this development pattern, as outlined in the previous points.
- Clustered subdivisions are preferred where larger (major) subdivisions are proposed in order to preserve farmland and other sensitive environmental features. Large lot subdivisions will likely remain the dominant development style due to the lack of public sewers.
- Commercial and industrial land use should remain in close proximity to major corridors where sufficient traffic volumes exist, and the roadways can accommodate truck travel. These include the State Route 62 and 75 corridors but located in areas closer to the Village of North Collins, where public utilities exist.
- Agriculture will remain the most prominent use in North Collins.

Land Subdivision Regulations

Chapter 220 of the Town Code, Subdivision, provides the North Collins Planning Board with the ability to approve the subdivision of land. Town review is for the subdivision of two or more lots and lands shall be subdivided *“in the public interest, to achieve the orderly, efficient and economical development of the Town to promote development in accordance with the Master*



Town of North Collins Agricultural and Farmland Protection Plan

Plan of the Town of North Collins and to promote and protect the health, safety and welfare of the entire community.” Subdivision shall occur for building purposes without danger to public health, safety and welfare, or peril from fire, flood, or other hazards. Design standards are included for street design and improvements, provisions for drainage, playgrounds/parks, utility and drainage, pedestrian access, and any other required land improvements. All lots are to be laid out and sized to conform to Town requirements and in harmony with existing and desired development patterns.

Right to Farm Law

Chapter 128 of the Town Code outlines the “Right to Farm” regulations for North Collins, specifically noting:

The Town Board recognizes that farming is an essential enterprise and an important industry which enhances the economic base, natural environment, and quality of life in North Collins. Therefore, the Town Board of North Collins finds and declares that this Town 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 chapter to maintain and preserve the rural traditions and character of the Town, 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 North Collins, 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.

This law provides the following protection for agricultural practices:

- Outlines that the intent of the Town is to preserve, protect, and encourage the development of agricultural land and industries for the production of food and other agricultural products.
- Requires residents of property located on or near agricultural uses or agricultural zoning districts be made aware of and accept certain inconveniences or discomfort from normal and necessary farming operations.
- Protects agricultural and farming operations, establishments, facilities, or any other supporting uses from being alleged a nuisance due to odors, noise, dust, use of chemicals or



Town of North Collins *Agricultural and Farmland Protection Plan*

water pollution from livestock or on-site farming or crop production activities unless such actions are found to have a substantial adverse effect on public health and safety.

- Provides the right and establishes policy for Town residents to conduct farming activities on lands owned by the Town that have been identified for such use.
- Requires that a real estate disclosure notice, pursuant to the Agricultural Districts Law, be attached to the purchase and sale contract at the time an offer for the purchase of property is made or shall be provided prior to the sale or exchange of real property if no purchase and sale agreement exists, or prior to the acquisition of a leasehold interest or other interest in real property located in the Town.

The various Town land use regulations are found in Appendix B.

D. Environmental Resources (MAP 4)

The natural resources of the Town include numerous assets, most notably woodlands and open space dedicated to farming operations; wetlands, floodplains, steep slopes, and waterbodies/creeks are also located throughout the community. The extent of these resources has helped to shape the development of the Town, with elements such as topography (i.e., steep slopes) being a significant factor in the location and density of development, without significant engineering intervention.

Topography

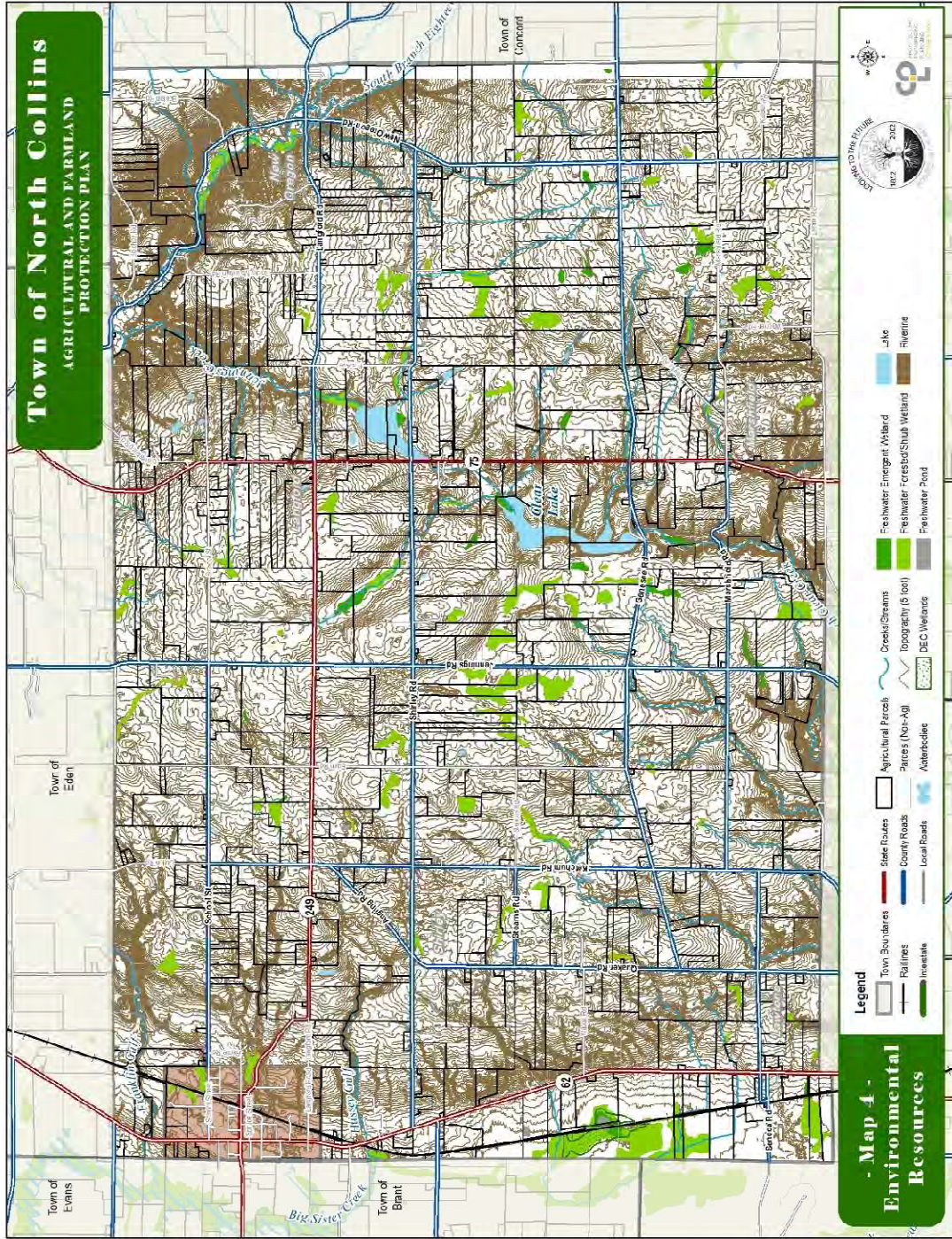
The majority of the Town of North Collins is flat or gently sloping to the west. Gullies and steeper slopes (shown as the shaded area on image below) are typically found adjacent to the major creek corridors, including the North Branch of Clear Creek and Jennings Creek, as well as unnamed tributaries that connect to these features. The valley associated with the South Branch Eighteen Mile Creek, in the northeast portion of town, is a wide, flat valley with steeper slopes that are typical of larger waterbodies such as this. The interior of the Town remains fairly flat before reaching State Route 62 to the east and then decreases in elevation as the land continues to slope towards the valley encompassing Cattaraugus Creek outside of Town.

Forest and Vegetation

The Town consists of a mix of open lands dedicated to agriculture and other development, with larger pockets of woodlands that contain older growth trees and scrub-shrub vegetation. These forested and vegetated areas are primarily located adjacent to waterbodies (i.e., streams, creeks, and lakes), acting as natural buffers and important ecological habitats, including Jennings



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins Agricultural and Farmland Protection Plan

Creek, the North Branch Clear Creek, and Clear Lake. Additionally, a forested corridor is found along the eastern side of State Route 62, between Franklin Gulf County Park (which straddles the Towns of North Collins and Eden), extending south to Lawtons hamlet and into the Town of Collins. In terms of agricultural operations, these areas support various smaller-scale and/or secondary activities that are focused on maple syrup, timber, and Christmas tree sales.

Water Resources

Several creeks traverse the Town and influence the aforementioned physical characteristics of the community. The predominant creek in North Collins is the North Branch of Clear Creek, which has its headwaters south of the hamlet of Langford and runs south and west before joining with the main branch of Clear Creek in the Town of Collins/Cattaraugus Indian Reservation Lands. Several unnamed tributaries extend off the North Branch of Clear Creek in the Town. Clear Lake (Reservoir) is located just south of the center of town; this is a man-made waterbody that was created by the construction of an earthen embankment dam in the 1920's for public water supply. The dam is approximately 30 to 40 feet in height and includes a concrete spillway that feeds the North Branch of the Clear Creek on the north side of Genesee Road (County Road 488).

Jennings Creek, located in the northeastern portion of the Town. This creek flows in the opposite direction towards the South Branch of Eighteen Mile Creek, which extends through the northeast corner of North Collins. Franklin Gulf and Hussey Gulf, in the northwestern corner of the Town, feed into Big Sister Creek in the Town of Brant, to the west. Each forms steep ravines/gullies that frame the north and west sides of the Village of North Collins. The eastern end of Franklin Gulf forms the Franklin Gulf County Park (Larkin Woods).

In addition to these waterbodies, State (NYSDEC) and Federally designated (US Army Corps of Engineers) wetlands are scattered throughout the Town, but overall are not a prevalent natural feature in the community due in part to topography. Wetlands provide valuable habitat for various plant and animal life. They also act as a "natural filter" for pollutants and sediment in waters that flow through their vicinity prior to reaching larger waterbodies. Wetlands are typically categorized by hydric soils that do not drain well and generally consist of saturated soil, ponding, and, in some instances, higher flooding potential. However, these soils are also high in nutrients and typically conducive to a variety of agricultural pursuits. The largest concentration of wetlands is located on the western side of North Collins, between the Town boundary and the rail line (see Map 4). There are no regulated floodplains in the Town.



Town of North Collins Agricultural and Farmland Protection Plan

E. Infrastructure Services (MAP 5)

Transportation Network

North Collins primarily contains roadways that are under Erie County and New York State jurisdiction, with few Town-owned and maintained roads. Most of the roads in the Town run north to south and east to west. New York State Routes 62, 249, and 75 are the main thoroughfares that extend through town, connecting the Village of North Collins to the hamlets of Lawtons to the south and Langford to the east. State Route 62 is also considered the main street of the Village. The only other transportation system found in the Town is the Buffalo Southern Railroad, a Class 3 short-line rail line, which runs north to south through the western portion of Town, connecting the City of Buffalo to Village of Gowanda. This rail line eventually ties into the New York and Lake Erie Railroad in Gowanda, running parallel to State Route 62 south to the Conewango Valley in Cattaraugus County.

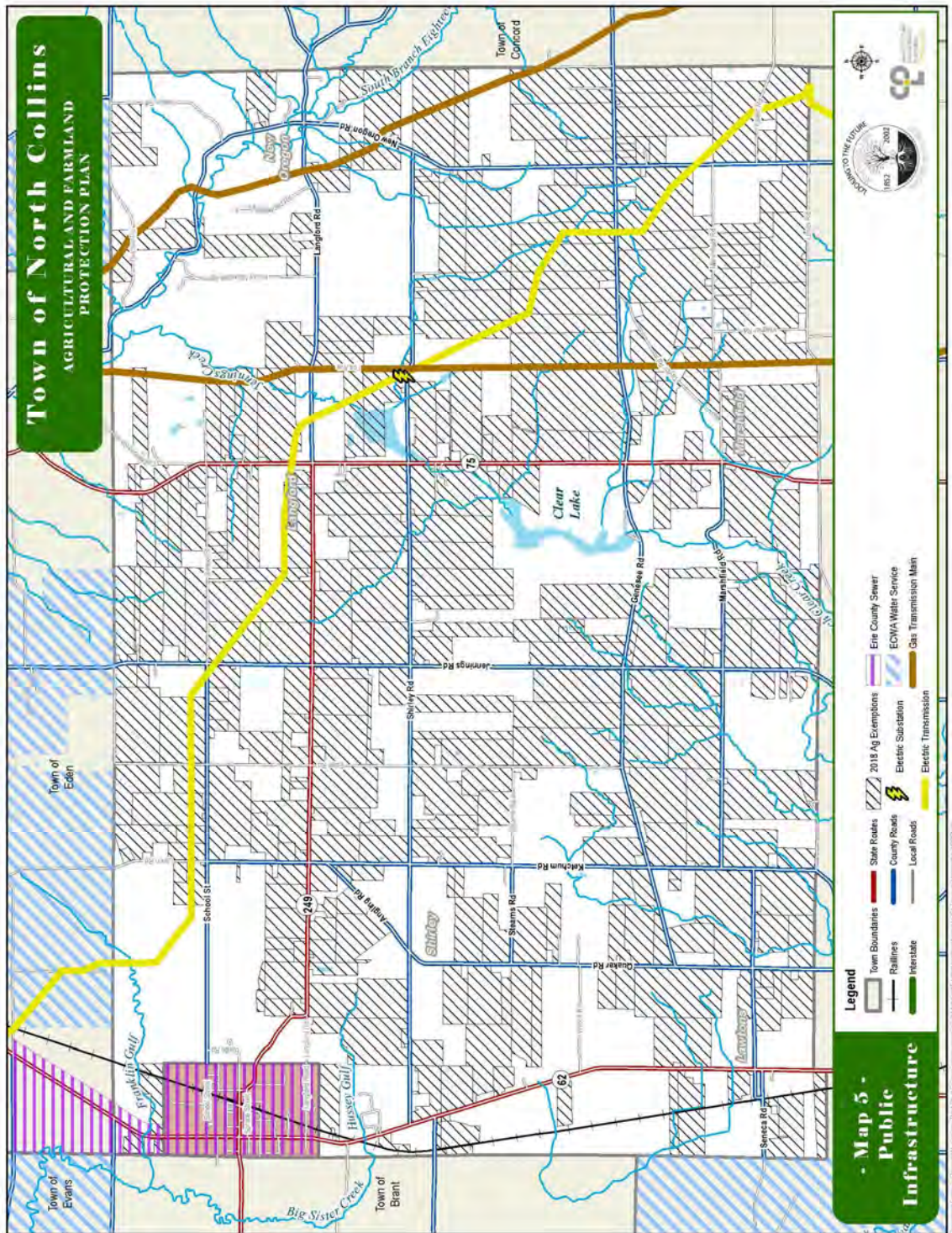
Local Gas/Electric Utilities

The Town of North Collins is serviced by National Grid (electric) and National Fuel Gas (oil/gas). Each of these utilities has transmission corridors that traverse the Town. The electric transmission line extends southeast through the community from the northwestern corner of the Town (line running through the Town of Eden), running parallel to State Route 249 and then diagonally along State Route 75. In addition, a 556-kW substation is located on Shirley Road, east of State Route 75 (Langford Substation 180). The presence of this transmission line and substation is an important resource for the Town, not only for potential economic development purposes, but also for potential renewable energy projects. Close proximity to the line and the availability of a connection to the substation are two critical factors that potential renewable energy developers look for during the siting process. The agricultural lands and resources located in the vicinity are the most vulnerable to conversion for utility-scale renewable energy projects.

In addition to the electric transmission line, National Fuel Gas (NFG) also maintains a natural gas transmission main that runs north to southeast of State Route 75. This line comes from the Tennessee Gas Pipeline interconnection facility in the Town of Eden and continues south to the NFG Distribution Corporation (NFGDC) interconnection facility in the Town of Collins.



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins Agricultural and Farmland Protection Plan

Potable Water Supply

The majority of the Town of North Collins relies on private wells for potable drinking water. Erie County Water Authority (ECWA) services portions of the Town of Eden to the north, and the Towns of Evans and Brant to the west, as well as the Cattaraugus Reservation to the west.

The hamlet of Lawtons in the southwest corner of the Town, which has a 1912-era, spring fed water system, is the only area in the Town that has been provided public water service. Public water service, which was extended to this area from the reservation, has been provided to 38 properties in this area due serious issues related to influences from surface waters and increased groundwater contamination. Water will be provided through a service line that will extend from the neighboring Seneca Nation of Indians water district. The remainder of the Town will continue to utilize private wells for potable water.

Water Quality

Certain farmers that grow corn crops in North Collins inject fertilizer directly into the ground rather than spreading it on top of the soil. Under the Erie County Soil and Water Conservation District's Conservation Stewardship Program, these soils must be tested annually to demonstrate that they are not being over-fertilized and potentially contaminating groundwater supplies.

Additionally, certain landowners in the Town, who operate larger farms with livestock (typically over 200 dairy cows), work with the Western New York Crop Association (WNYCA) who provides direction to farmers that are considered concentrated animal feeding operations (CAFO) by the federal government.¹ The WNYCA monitors manure usage and provides instructions on the safe and economic use of fertilizer. It was noted that locally, any farm operations with over 200 head must comply with CAFO requirements.

¹ A CAFO is a specific type of large-scale industrial agricultural facility that raises animals, usually at high-density, for the consumption of meat, eggs, or milk. To be considered a CAFO, a farm must first be categorized as an animal feeding operation (AFO), which is a lot or facility where animals are kept confined and fed or maintained for 45 or more days per year, and crops, vegetation, or forage growth are not sustained over a normal growing period (Environmental Protection Agency [EPA], 2009). CAFOs are classified by the type and number of animals they contain, and the way they discharge waste into the water supply. CAFOs are AFOs that contain at least a certain number of animals or have several animals that fall within a range and have waste materials that come into contact with the water supply. This contact can either be through a pipe that carries manure or wastewater to surface waters, or by animal contact with surface water that runs through their confined area.



***Town of North Collins
Agricultural and Farmland Protection Plan***

Wastewater Management

In terms of public sewerage, Erie County’s District #2 provides public sanitary sewer service to the Village of North Collins and a small portion of land area located west of State Route 62, which extends into this area from the north. The remainder of the Town is located outside of the County sewer district and has no public service. As noted, most properties in the Town utilize on-site septic systems for private wastewater disposal. As expansion of the sewer district or sanitary sewer service is not supported by the Erie Niagara Framework for Regional growth or the Town’s Comprehensive Plan, all the lands situated outside the sewer district will continue to be service by private, on-site systems.



***Town of North Collins
Agricultural and Farmland Protection Plan***

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Section IV Agricultural Lands and Resources



*Town of North Collins
Agricultural and Farmland Protection Plan*

SECTION IV – AGRICULTURAL LANDS AND RESOURCES

Like many communities in southern Erie County, agriculture is a predominant feature throughout the North Collins landscape, and this is further evident in the land use breakdown with over 46 percent of the land mass (total acreage) dedicated to agricultural use. Residential is the second highest land use category (32.9 percent); however, it eclipses agriculture in terms of parcel quantity (817 vs. 212 parcels) and assessed value. The third highest land use in the Town of North Collins in terms of acreage and parcel count is vacant lands (12.67 percent), which are scattered throughout the community. These percentages are based on NYS Real Property Tax Service data and do not necessarily reflect actual use of the land. In many cases, parcels are classified as residential but are not fully used in this regard. In places, residential dwellings are situated on lands that are primarily utilized for agriculture. A deeper analysis of the land use classifications reveals that 19 of the parcels identified as residential (753 acres) are further classified as “rural residential with agriculture”, which highlights the breadth of agricultural use in North Collins.

The Existing Land Use Map (Map 2) in Section III, includes the 2018 agricultural tax exemption information, which is overlain on the land use map, it indicates that many of the vacant properties are active farmlands or utilized for agriculture. Farming operations will leave productive lands fallow for a number of years as part of an agricultural management plan in order to allow the land to rest from years of cultivation and harvesting. This, in turn, can lead to the fallow land to be deemed as vacant at the time of assessment. Additionally, some properties are used for timber harvesting operations. Taking these elements into account, the “true story” is that farming operations in the Town likely accounts for over 13,000 acres of land or 50 percent of the total land area in the community. These farms range in size and intensity from beehives (apiaries) and greenhouses to field crops and dairies, among other activities.

The Town is within USDA hardiness zone 6A, with an average growing season of about 140 days in the season (early May through early October) and an average precipitation level of approximately 38.5 inches. The growing season can be extended by the use of high tunnels and greenhouses.



***Town of North Collins
Agricultural and Farmland Protection Plan***

A. Agricultural Soils (MAP 6)

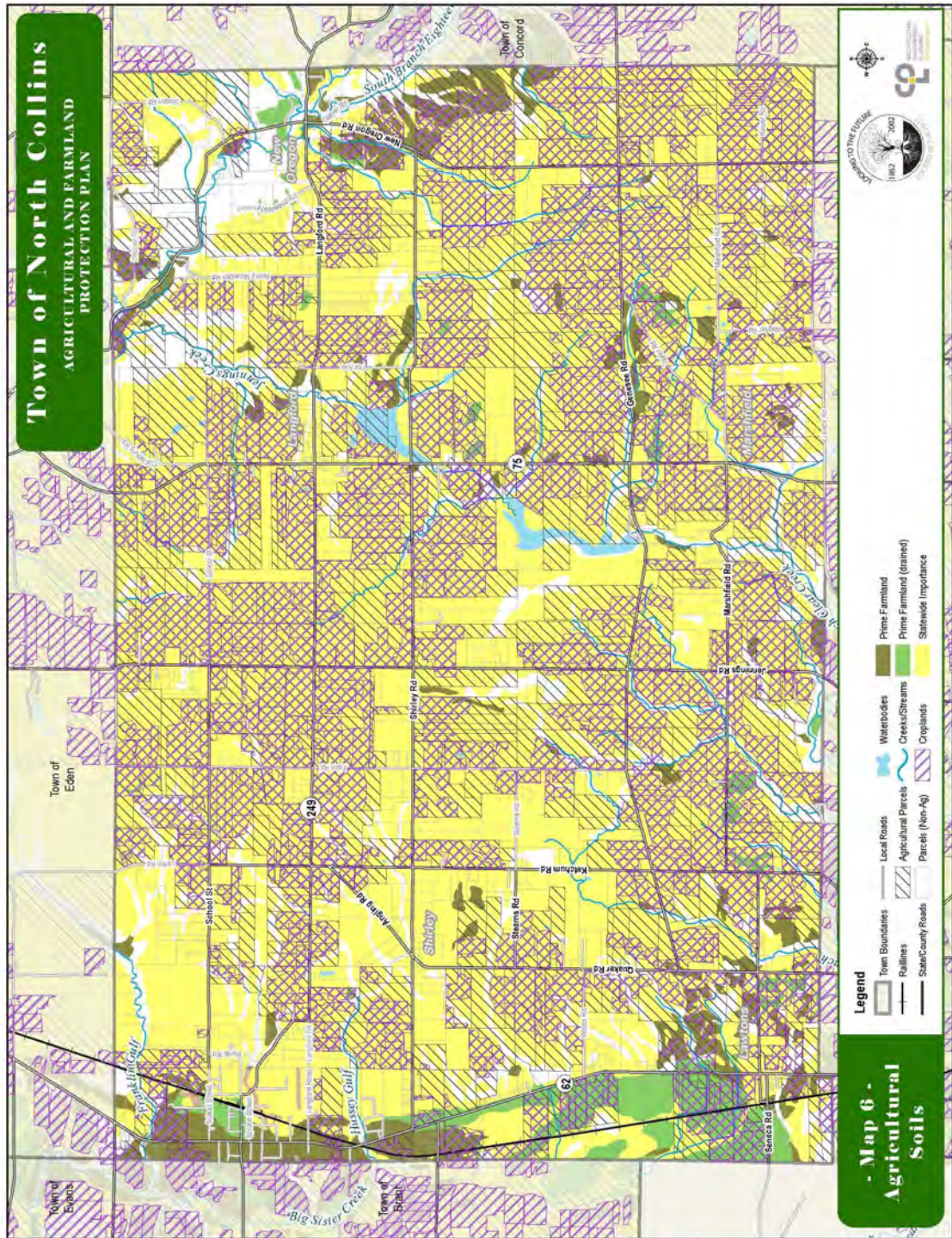
Though the Town of North Collins has a significant amount of active farming operations almost all the Town consists of soils that are actually not prime soils; most soils are recognized as soils of Statewide importance. According to the Natural Resource Conservation Service (NRCS), these soils “nearly meet the requirements for prime farmland and lands that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable.” Regardless of this designation, the soils in the Town have shown to be, and are continuously used for viable agricultural activities.

The Erie County Agricultural and Farmland Protection Plan identifies the central and southeastern portions of the Town as having Clusters of Parcels with High Agricultural Soils Value. These are generalized areas that have value when using planning tools to protect areas of farmland with good farming soils, larger parcels and a high quantity of adjacent farmland. These are places where non-farm development should not occur. Water and sewer extension should not be placed in these areas; where they may exist, tap ins should be prohibited. Map 6 below generally illustrates this area, where prime and soils of Statewide importance exist and there are many parcels in agricultural use. This map tends to be consistent with and supports the Counties findings regarding the importance of this area of the Town for agriculture.

The soils in the Town generally consist of the following types: Mardin channery silt loam (20 percent), Volusia channery silt loam (19 percent), Erie channery silt loam (11 percent), and Langford channery silt loam (5 percent), followed by a variety of other soils making up five percent or less of each. Of these soils almost all of them are well drained with the exception of Volusia and Erie soils. In general, the Town is split between somewhat poorly drained and moderately well-drained soils with the more poorly drained soils in the vicinity of existing waterbodies (i.e., wetlands, creeks, ponds/Clear Lake). This also correlates to the ability of the soils to handle septic systems and absorption fields with the majority of the Town classified as being “somewhat” (soil has features that are moderately favorable for septic) to “very limited” (one or more features are unfavorable). As such, any limitations can be overcome with soil reclamation, special design, or other engineered installation procedures.



**Town of North Collins
Agricultural and Farmland Protection Plan**



***Town of North Collins
Agricultural and Farmland Protection Plan***

B. Agricultural Zoning

As discussed in Section III.C, most of the Town is zoned R-A Residence-Agriculture (see Map 3 in Section III). This classification allows single and two-family dwellings, as well as a range of agricultural uses and activities, among other things. Permitted accessory uses in the R-A district include uses and structures customarily incidental to permitted principal uses, along with temporary stands for the sale and display of agricultural products grown on the premises, and buildings for private horticultural purposes. The minimum lot size in the R-A district is 20,000 sq. ft.; the minimum lot width is 100 feet. There are no maximum height limitations for farm buildings.

C. Agricultural Districts (MAP 7)

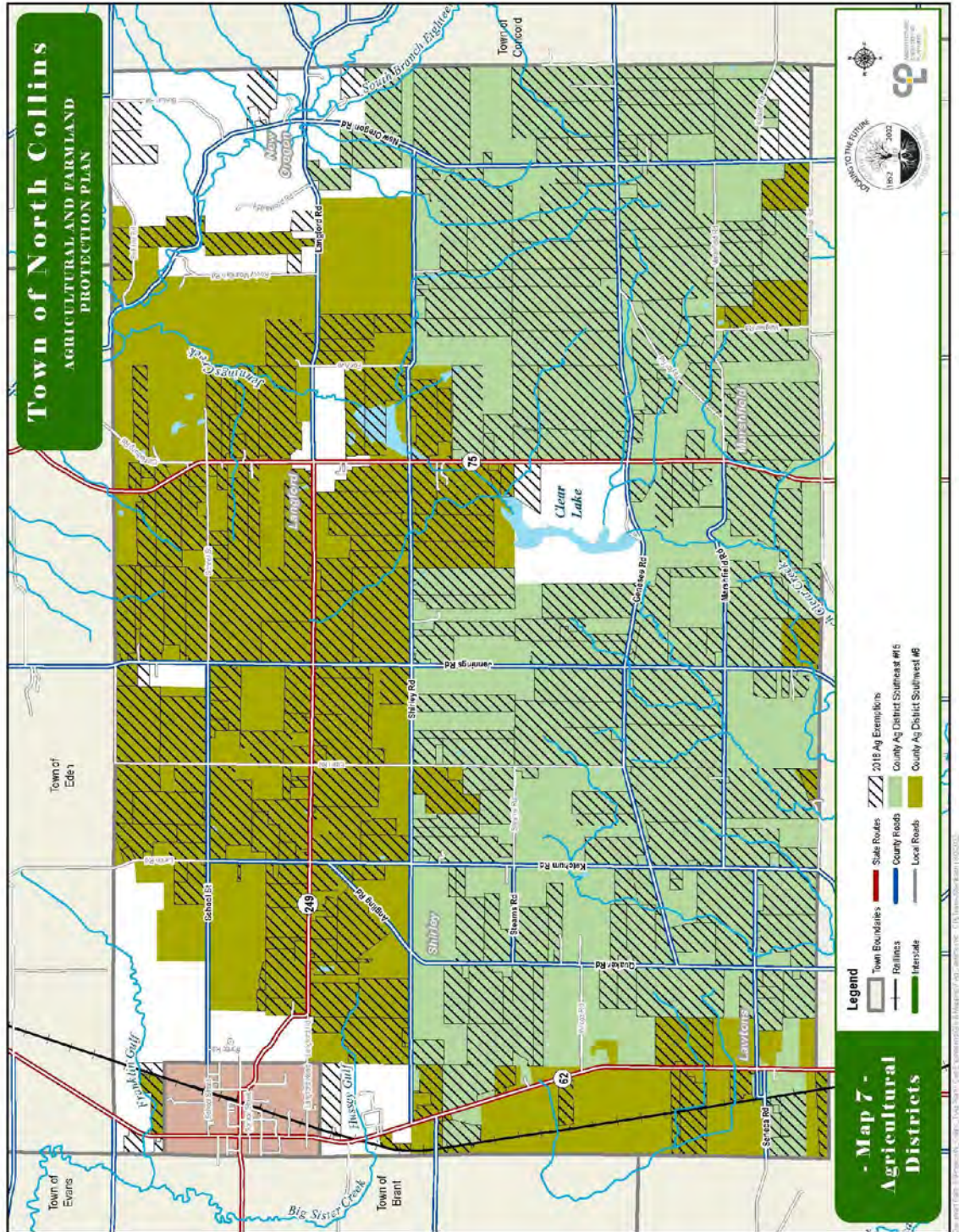
Approximately 76 percent (1,100 parcels) of the Town is currently located within two Erie County-certified agricultural districts, namely the Southwest #8 and Southeast #15 Districts. Of these parcels, 524 (9,995 acres) are within District #8 and 576 (12,922 acres) are found in District #15, encompassing a total of approximately 22,917 acres in North Collins. The areas surrounding the Village of North Collins in the northwest, the hamlet of New Oregon in the northeast, and Clear Lake in the south-central portion of the Town are not within these districts, namely due to environmental conditions (i.e., topography) that make agriculture less practical in those area. New York State Agricultural Districts Law mandates that governmental agencies must avoid or minimize potential adverse impacts to farming operations when undertaking or acting upon any project within an Agricultural District that involves the acquisition of land or the use of public funds for construction purposes.

Unlike an agricultural district in the zoning perspective, a County agricultural district does not regulate land use, rather it provides farmers with various protections to encourage continued operations. The benefits of being in a County Agricultural District include:

- Agricultural lands are assessed on the value of farmland, not on potential development value, which reduces the tax burden on lands;
- A property owner can receive an agricultural tax assessment without being located within an Agricultural District;



Town of North Collins Agricultural and Farmland Protection Plan



***Town of North Collins
Agricultural and Farmland Protection Plan***

- Local laws may not unreasonably restrict farm operations within the district and existing and proposed laws are subject to review by the State Department of Agriculture and Markets¹ to ensure that they comply with the law and are not overly restrictive;
- Real estate agents are required to disclose to potential buyers that the property they are about to acquire is located in an Agricultural District or within 500 feet of any farm operation and/or farmland; and
- Any application for development of land located within an Agricultural District, or land located within 500 feet of any farm operation and/or farmland, must submit an Agricultural Data Statement to the Town as a part of the land development application.

Agricultural Data Statements

Pursuant to Section 283-a.2. of Article 16 of NYS Town Law, any application for a special use permit, site plan approval, a use variance, or approval for subdivision of land that requires review and approval by the Planning Board, Zoning Board of Appeals or Town Board, which involves an action that would occur on property that is located within an agricultural district and contains a farm operation, or on property situated within five hundred feet of a farm operation that is located in an agricultural district, shall include the preparation of an Agricultural Data Statement as part of the application. The information required by an agricultural data statement may also be included as part of any other application required by local law, ordinance, or regulation.

The Town Clerk or other representative for the Board reviewing the application request must mail a notice to all owners of land as identified in the Agricultural Data Statement. This notice shall include a description of the proposed project and its location and may be sent in conjunction with any other notice required by state or local law, ordinance, rule, or regulation for the project. The cost of this mailing can be borne by the applicant. In addition, the Town must refer all applications that require an agricultural data statement to the Erie County Department of Planning and Development, as required under Section 239-m (for site plan review) of the NYS General Municipal Law.

The local reviewing board must evaluate and consider the Agricultural Data Statement as a part of its overall review of the proposed action to determine the potential impacts that the action may have on the existing farm operations. This board should also determine present and future farming conditions to ensure the proposed land use does not conflict with current or future

¹ This only applies if a 305a review is requested by an aggrieved property owner.



***Town of North Collins
Agricultural and Farmland Protection Plan***

farming activities on the land. A farmer’s knowledge of local agricultural conditions is fundamental for the local review board’s evaluation and determination of appropriate mitigation measures and whether the action proposed could conflict with ongoing and future farming practices.

Agriculture, Ecology and Climate Resiliency

It is important to highlight the relationship that agriculture has with the natural environment. Farmers and agricultural interests own a considerable amount of land in the Town of North Collins and, in that capacity, they influence the natural environment. From dairy operators to field crops, or vineyards and orchards, farmers can implement holistic management practices for climate resiliency or “regenerative agriculture” to make farming more sustainable and address the increasing impacts of climate change. These actions can help provide a clear pathway for a future with cleaner air, water, and native pollinator habitat, and for farming in Colden that is more resilient to changing climate.

At the same time, agricultural activities are impacting the environment. Improper soil and water management can result in a reduction in soil fertility and impacts to water quality. It is important to accentuate the relationship that agriculture has with the natural environment. The basic tenet is that farming and agriculture should be undertaken in a manner that demonstrates environmental stewardship. This is important in order to strengthen the commitment and relationship between agricultural interests and ecology in North Collins as farming activities continues. Farmers and agricultural interests own a considerable amount of land in the community and in that capacity, they influence the natural environment, whether through maintaining woodlots to protect habitat, utilizing techniques such as crop rotation, minimizing tillage or mulching with crop residue to improve soil fertility; planting perimeter shrubs to provide food, cover and nesting sites for wildlife or windbreaks to protect crops and soils, among other benefits; or managing surface water runoff to protect water quality and reduce sedimentation of creeks and tributary streams that ultimately impact Lake Erie. Additionally, the growing practice of agrivoltaics is a means of introducing diversity of land use through the installation of solar farms that can support the growing of crops or animal grazing.

Integrating the relationship between agriculture and the environment into this Agricultural and Farmland Protection Plan allows for the application of expertise for better land use and water management and expands the scope of future project and implementation possibilities. The New York State Department of Agriculture and Markets and the Erie County Soil and Water Conservation District (discussed under Section E. below) offer valuable information to help



***Town of North Collins
Agricultural and Farmland Protection Plan***

farmers with the implementation of best management practices to address climate resiliency. The State also offers funding to assist with the implementation of climate resilient farming practices. Cornell Cooperative Extension of Erie County offers environmental and natural resources programs that are designed to help individuals and communities manage the long-term diversity of natural assets, boost the use of sustainable energy resources, and mitigate climate change.

D. Farm Operations, Farm Statistics and Economic Contributions of Farming (MAP 8)

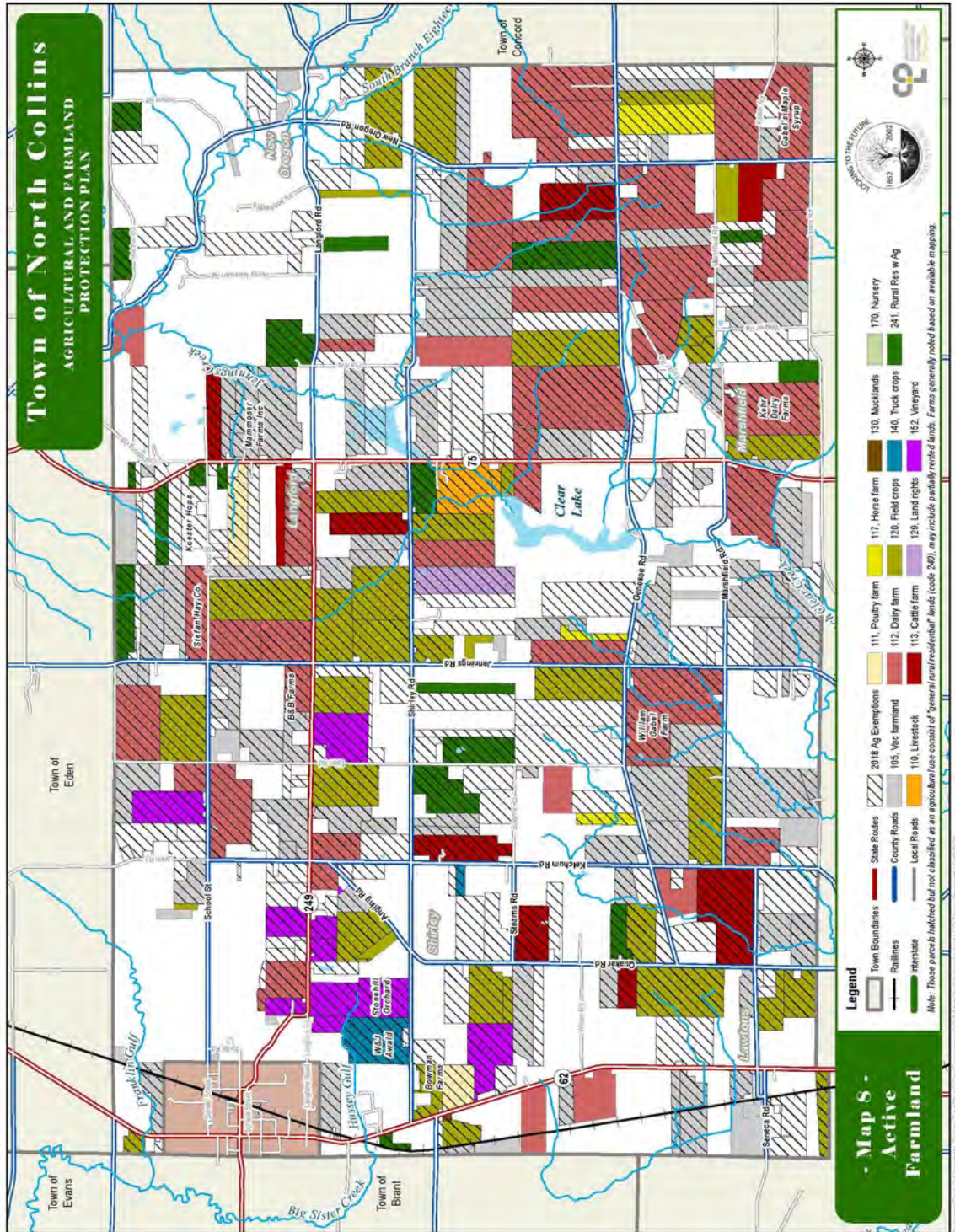
Real Property Service land use code data available from Erie County, in conjunction with the Town of North Collins Assessor’s office data, were used to identify the types of agricultural activities that occur within the Town of North Collins. This data reinforces the fact that there is a significant agricultural presence in the Town, with almost 50 percent of the land utilized for farming operations at some level. As shown on Map 8, these operations are mainly centered around field crops, with 37 parcels growing soybeans, wheat, corn, hay, and/or oats, and dairy farms, which encompass a total of 44 separate parcels (single farms may encompass several parcels). Nineteen parcels are classified as “rural residential with agriculture”, indicating residential as the primary use and likely leased/rented backlands to local farmers for field crops. Vineyards, cattle farms, horse farms, truck crops (fruit/vegetable crops commonly sold from trucks or fresh/direct-to-market), livestock, poultry farms, and nurseries make up the other active agricultural lands. Vacant farmlands (land use classification Code 105), which are identified on approximately 98 parcels, are lands that are part of an operating farm that do not have living accommodations and cannot be included in any other Real Property Service agricultural classification; they may include a mix of productive cropland and supporting buildings (silos, storage, silage, etc.).

The US Department of Agriculture National Agricultural Statistics Service (NASS) conducts surveys each year that cover numerous aspects of farming in the Country – every five years a Census of Agriculture is undertaken that provides detailed data down to the zip code level, with 2017 being the most recent year for data collection. Within the Town of North Collins, zip codes 14091 and 14111 were examined as these are the two that cover the Town (14091 extends into a small portion of the Town of Brant and 14111 into the extreme northern portion of the Town of Collins). The data from the 2017 survey generally yields the following information to support the level of agriculture present in the Town:

- 58 total agricultural operations, 28 in 14091 and 30 in 14111 (not including cropland, pastureland or woodlands);



Town of North Collins Agricultural and Farmland Protection Plan



***Town of North Collins
Agricultural and Farmland Protection Plan***

- Areas harvested:
 - One to 49 acres – 36 operations
 - 50 to 499 acres – 20 operations
 - More than 500 acres – 7 operations
- Not specified – 63 operations Farms with animal product sales:
 - \$250,000 or more – 13 operations
 - \$50,000 to \$249,999 – 3 operations
 - Less than \$50,000 – 13 operations
 - Not specified – 29 operations
- Commodity farms with sales:
 - \$250,000 or more – 16 operations
 - \$50,000 to \$249,999 – 16 operations
 - Less than \$50,000 – 48 operations
 - Not specified – 80 operations

Generally, this data indicates that most farms in the two zip codes that include North Collins are smaller farms in terms of size and revenue, though an average of each of these cannot be easily quantified due to the high number of those that did not respond and are “not specified.” Based on those farmers that did respond, the majority of farms are in the 1–50-acre range in terms of harvested lands and have gross receipts of under \$50,000 for both commodity and animal products.

Reflecting the variety of agricultural operations present in the Town, the census data for the 14091 and 14111 zip codes also indicates a diverse mix of products grown/raised, including beef and milk cows, broiler and layer chickens, grain, and silage (feed) corn, equine, non-commodity field crops, fruit and nut trees, orchards, hogs, maple syrup, sheep/goats, vegetable, and specialty animals (not classified). The most widely reported crop was hay and haylage (60 operations), field crops (36), fruit and nut trees (34), grain corn (32), and soybeans (24).

Community Input on Agriculture in the Town

Information about farming in North Collins was solicited from the community through meetings with the project advisory committee and public events (see Appendix A). Meetings that were held with the Agricultural and Farmland Protection Plan Advisory Committee that provided useful information about farming in North Collins. As this Committee was comprised largely of local farmers, they offered insights on farming activities and conditions in the Town. In addition



***Town of North Collins
Agricultural and Farmland Protection Plan***

to identifying products that are grown locally and other agricultural pursuits in the Town (see Map 8), the Committee offered the following:

- Locally grown products include grapes, hay, corn (for feed), soybeans, vegetable crops, apples, pumpkins and gourds, seasonal berries, and hops.
- Other agricultural pursuits include chicken (eggs), dairy and beef cattle, goats and sheep, horse farms and boarding stables.
- The Town is a member of the Southern Tier Trail; while this is not agri-tourism, agricultural tourism is something that could be pursued at local dairies and vineyards.
- Farmers that have dairy cows, chickens, and horse farms operate year-round.
- Most of the farmers earn enough during the growing season to support themselves through the winter. Many sell their stored products, such as soybeans and corn, after harvest season. Most farmers undertake equipment maintenance and repairs in the off season.
- Regarding markets, locally grown hay is sold (exported) to dairy farms statewide. Corn is also sold regionally for feed. Milk is sold statewide and to New York City. Markets change in response to government programs and actions. There is more reliance on foreign markets (which are affected by foreign demand and the value of the US dollar).
- There are no agricultural support services in the Town; however, a Tractor Supply Company store was built in the Village of North Collins. Farmers use businesses and services in other communities in the region (Springville, Eden, Brant, etc.).
- Spectrum provides broadband internet service in most parts of the Town (but the availability of this service could incentivize residential development).
- Because of competition along State Route 62, it is hard for small, local businesses to survive. There is a desire for a gas station and truck wash facility in Town.
- There is currently no trend toward organic farming in North Collins and there are no farms who conduct community-supported agricultural activities.
- There is not a lot of pressure for residential development because of the lack of public services (water and sewer). The Town does not record a large number of new builds each year. However, many people rent land and there is always a risk of land being sold after a farmer retires that could result in conversion to residential use.
- To protect areas that are currently being farmed, modifications to zoning that build in more protections for farms could be considered, such as lending preference to agricultural uses over residential by restricting residential to uses that have accompanying agricultural uses (reduce number of pure residential uses).



***Town of North Collins
Agricultural and Farmland Protection Plan***

- The desire for the future is to maintain land in active farming and avoid the proliferation of large-lot residential subdivisions.

In September of 2019, public comments were gathered through a survey questionnaire to gain a better understanding of the current state of agriculture in the Town and the direction the public desires for the future. The results of the survey reveal:

- Over 60% of respondents indicated that they undertake some form of agricultural activity in the community, including grazing of dairy cows and sheep, raising chickens, keeping horses, berries and apple picking, family vegetable gardens and pumpkins, and raising field crops such as hay and corn.
- Some of these activities are conducted year-round.
- Respondents also indicated that they were aware of other farming activities, such as greenhouses, vineyards, equestrian/riding stables, berry farms, dairy farms, timber harvesting, dog kennels, produce farms, nurseries, hay, and hops.
- All respondents said that they buy produce from local farmers and farm stands, and over 90% said they would support having more opportunities to buy local produce and agricultural products. This includes through more drive-up farm stands, community-supported agricultural farming opportunities, u-pick farms, a farmer's market, and grocery sales of local products, as well as online sales of bulk and wholesale products.

E. Agricultural Markets and Support Businesses

Products grown in North Collins are marketed throughout the region, including neighboring Cattaraugus and Chautauqua Counties to the south; commodity crops such as soybeans and corn are also sold outside of the region on statewide, national, and international markets where feasible. Facilities that utilize corn for ethanol, such as Western New York Energy in Medina or Attis Industries, Inc. in Fulton, will purchase corn from local farms in North Collins as well.

The Town has various avenues for selling locally grown agricultural goods, most of which are farm-direct through on-site markets or stands as well as u-pick operations. These include, but are not limited to, Awald Berry Farms, W&J Awald Pumpkin Patch, Stonehill Orchard, and Bowman Farms. In addition, Robbins Nest Country Store, located in the hamlet of Langford, offers locally grown goods in addition to beef cattle, chicken, and pork. While there are no dedicated community farmers markets in the Town or Village of North Collins, several other neighboring towns do have weekly events during the growing season, typically May through



***Town of North Collins
Agricultural and Farmland Protection Plan***

October, that farmers in North Collins may utilize, including (in order of proximity) Eden (every other Tuesday), is (Saturdays), Hamburg (Saturdays), Derby at Graycliff, Springville (Thursdays), and Holland (Sundays). Other markets exist outside of these listed though they are closer to an hour away from the Town of North Collins.

Support Businesses and Organizations

Support businesses include those that provide direct resources for local farmers (e.g., feed and seeds), as well as those providing services such as equipment repair. Within the Town of North Collins, the only local support business is a Tractor Supply Company and Trailer Sales of NY that is located in the Village of North Collins. This business provides agricultural equipment and materials, though more on the retail scale and less so for larger-scale operations and equipment. In addition, some local farmers, such as Stefan Hay, provide silage/feed and bedding materials for farms and other agriculturally based businesses in the area.

Outside of the Town, there are a number of businesses that provide additional agricultural supplies including Ace Hardware, Renaldo Sales and Service (agricultural equipment and fabrication), A.R. Timmel Farm Equipment, and Eden Tractor and Equipment. In addition to the businesses found in the neighboring Town of Eden and Collins, it is likely that most farmers travel to the Springville for home improvement goods and larger agricultural equipment; Tractor Supply, Landpro Equipment (John Deere) and Lamb & Webster, Inc. retailers are located here.

In addition to equipment and material support, various agencies are available within the region that provide assistance to local farming interests including, but not limited to:

- **New York State Department of Agriculture and Markets** – The primary intent of the New York State Department of Agriculture and Markets (NYSAGM) is to provide State-level regulation and protection of farms within State-certified, County-adopted Agricultural Districts. Local right-to-farm laws are typically derived from and relate to the State’s section 305 regulations. The Department also promotes New York agriculture within the State and throughout the country. NYSAGM circulars and information are found in Appendix C.
- **USDA Farm Service Agency** – The USDA Farm Service Agency (FSA) provides assistance and support to farmers through five key mission areas: programs, loans, commodity operations, management, and State operations. The predominant programs and services revolve around commodity protection and conservation, the latter through the Conservation Reserve Enhancement Program (CREP). FSA programs are funded through the Federal Farm Bill and



***Town of North Collins
Agricultural and Farmland Protection Plan***

subject to reauthorization every five years or so. The Each State has its own office and individual contacts within each County.

- Erie County Farm Bureau - The Farm Bureau is a membership organization that offers a number of benefits to members, including insurance and banking, automotive, business and family and health, among other things. The Farm Bureau also monitors state and national legislative priorities and provides information of this nature to members in support of agricultural protection and prosperity.
- USDA Farm Service Agency – The USDA Farm Service Agency (FSA) provides assistance and support to farmers through five key mission areas: programs, loans, commodity operations, management, and State operations. The predominant programs and services revolve around commodity protection and conservation, the latter through the Conservation Reserve Enhancement Program (CREP). FSA programs are funded through the Federal Farm Bill and subject to reauthorization every five years or so. The Each State has its own office and individual contacts within each County.
- Erie County Soil and Water District – The County Soil and Water District (SWD) is a local government organization that focuses on programs for the conservation of soil, water, and related resources in conjunction with other State and Federal agencies. More specifically, *“Districts work with landowners, land managers, local government agencies, and other local interests in addressing a broad spectrum of resource concerns: erosion control, flood prevention, water conservation and use, wetlands, ground water, water quality and quantity, nonpoint source pollution, forestland protection, wildlife, recreation, wastewater management and community development.”* The Erie County SWD works with local farmers on establishing Agricultural Environmental Management (AEM) plans, streambank stabilization, environmental education, agricultural assessment, and agricultural conservation assistance, among other programs. At a much larger scale, the SWD can work with municipalities on watershed planning and other conservation assistance.
- Cornell Cooperative Extension of Erie County – Using the knowledge network and strength of Cornell University, Cornell Cooperative Extension of Erie County (CCE Erie) provides a wide variety of programming and education for existing and new farmers, including business development, marketing, farming practices, technology, resource protection AG Energy NY, Farm to School, Farmland for a New Generation, and many other programs. avenues. Erie



***Town of North Collins
Agricultural and Farmland Protection Plan***

County CCE offers the 4-H program for youth, providing hand-on learning activities in four areas: science, technology, engineering, and math; as well as civic engagement, healthy living, and agriculture and food systems. CCE is a valuable resource for farmers and others involved in agriculture in the region. Visit their website at erie.cce.cornell.edu.

- Erie County Office of Agriculture – Erie County created the Office of Agriculture to address the loss of farmland, improve the viability of farming, and assist rural communities with planning for agriculture. This office provides information on various agricultural resources, some of which include:
 - Agricultural Planning Grants
 - Erie County Agricultural and Farmland Protection Plan
 - Erie County Agricultural District program
 - Erie County Agricultural and Farmland Protection Board
 - Land use coordination
 - Online agricultural maps
 - Solar PILOT agreements
 - Food Policy Council of Buffalo and Erie County
 - Fresh Local NY and Produce Peddlers
 - Erie Grown (and Erie Grown Passport)

Erie Grown is one of the major objectives of this office. This is a program that promotes the purchase of local and regional farm products in Erie County and encourages all county residents to “buy local” fruits, vegetables, meat, eggs, flowers, etc.

F. Development Pressure and Consequences of Conversion

Competition for land is a typical issue that farmers need to contend with, especially in high demand areas where residential development is on the rise resulting in the conversion of high-value agricultural lands. North Collins, however, is somewhat buffered from this pressure compared to other southern Erie County communities located north of the Town, primarily as a result of the lack of available public utility services (i.e., sewer and water). This is further supported by trends showing a fairly stable population over the past decade; while there may be some growth within the Town, it is likely to be in the vicinity of the Village or in other small hamlet areas, maintaining the minimum lot size required by the County for the installation of private septic systems (32,000 square feet). Typically, development pressure is found on lands that are on the border of areas that have public sewer and water available, which are only found



***Town of North Collins
Agricultural and Farmland Protection Plan***

in the Village of North Collins proper, and in the northwestern portion of the Town, adjacent to the Town of Eden to the north and Town of Brant in the southwest. In addition, where public water is or could be available in the future, lateral restrictions are in place in Erie County designated Agricultural Districts that put limits on development, with oversight and review provided by a local and/or Erie County Agricultural and Farmland Protection Board.

Public infrastructure and any other non-agricultural development typically raise land values and impact the potential for local farmers to continue to operate and/or expand their businesses effectively due to rising land costs, as well as farm/non-farm nuisance conflicts. Typically, the land that is most suitable for development is the same well-drained land that is best for agriculture, as it supports the use of septic systems. Additionally, the extension of sanitary sewer infrastructure into agricultural areas increases the attractiveness of these areas for denser residential development. For many farmers, their land is their retirement and as property values increase the decision to keep land in farming becomes more difficult. This can be further complicated by the lack of family members or others with the desire and/or have the ability to keep these lands in agriculture. For retiring farmers, the price paid by developers is often higher than what the land is worth for farming. Any alternative to selling land for development would need to offer a similar financial return.

Poorly planned residential development also fragments larger areas of farmland into smaller configurations that can result in conflict between farmers and residential neighbors. Farm-neighbor conflicts become more frequent when new residential development is constructed adjacent to active farmland. Farmers have indicated that to maintain profitability, farms need to remain large; therefore, to maintain an active and viable agricultural industry in the Town, it is important to preserve a critical mass of farmland and maintain economies of scale.

The proximity of agricultural lands to electricity transmission corridors is fast becoming another public utility driver that can increase land costs and result in the potential conversion of farmland, with developers and solar companies looking for large tracts of nearby open land for utility-scale renewable energy facilities or battery storage facilities. These types of developments, while potentially offering some level of continued farming through the application of agrivoltaics practices (depending on local regulations or community/municipal pushback and the developer), tend to take out large swaths of active agricultural fields for 20 to 40 years. In many cases, developers offer a financial return on par with residential development. While the land is leased from the current landowner and future decommissioning of such facilities indicates a “return to previous site conditions,” there have been no instances of this



Town of North Collins Agricultural and Farmland Protection Plan

occurring as of yet in New York, and whether or not the land would, in fact, return to agricultural use. In the meantime, the land is converted to a non-agricultural use for 20 to 40 years, with the applicant/developer responsible for giving up any tax exemptions and paying any required conversion penalties if they are located in a County-adopted Agricultural District. As solar farm development is becoming a growing subject of interest in North Collins, the Town is encouraged to update existing solar energy and zoning regulations to protect local interests, and to investigate the benefits of entering into PILOT (Payment in Lieu of Taxes) programs and Host Community agreements for larger-scale projects. Appendix D contains information about things to be considered by evaluating the leasing of land for solar installations, and Host Community Benefit Programs, as well as agrivoltaics practices.

In addition, local farmers have indicated that there is a need for education. It was noted that education is needed on two fronts. First, local realtors must be informed about the importance and benefits of farming in North Collins, the fact that the Town is a right-to-farm community, and the Town's position on maintaining lands in active farming. This is important for instances where they are promoting land for sale in predominantly agricultural areas. Lands sold to non-farmers, who have no knowledge of how farms operate and the potential for noise, smells, mud on roads, etc., can lead to conflicts between neighboring landowners. This goes hand in hand with the need to also educate the non-farm public on the benefits of farming in North Collins and importance of keeping farmland in active use. Local real estate companies should be provided with a copy of the Town's Right-to-Farm law, as well as a copy of the adopted Agricultural and Farmland Protection Plan and encouraged to inform prospective buyers on this subject. Having an Agriculture and Farmland Planning Committee to assist the Town with the mediation of potential conflicts could also help with these issues.

General Consequences of Conversion

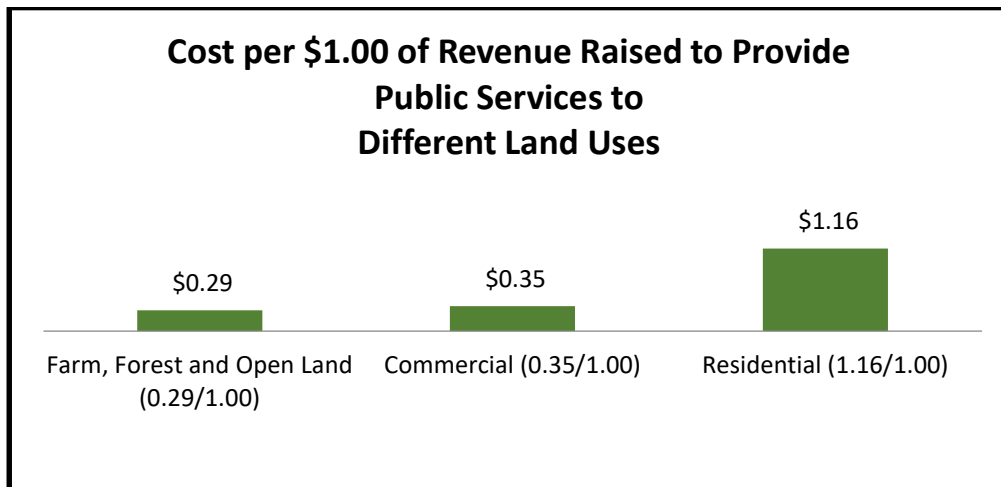
Regardless of the general lack of development pressure, the agricultural community in North Collins should still be aware of the potential impacts of the conversion of land. In the American Farmland Trust's report Farms Under Threat: The State of America's Farmland (2018), research notes that *"between 1992 and 2012, almost 31 million acres of agricultural land were irreversibly lost to development. That is nearly double the amount of conversion previously documented and is equivalent to losing most of the State of Iowa or New York. As alarming, this loss included almost 11 million acres of the best land for intensive food and crop production."* According to the United States Department of Agriculture, New York State lost the equivalent of 9,000 acres of farmland a year between 2002 and 2010 – the equivalent of one farm every three days; and this loss of farmland continues. North Collins is lucky that the amount of land



Town of North Collins
Agricultural and Farmland Protection Plan

dedicated or used for farming in the Town has remained fairly steady and farming remains strong. However, as farmers approach the age of retirement, there are concerns about land transition, particularly for parcels that are leased to other farmers. The potential exists for these lands to be sold and converted to non-farm (residential) use, increasing the possibility of conflicts between adjoining landowners.

New residential development can also bring about imbalance in the tax base, which can have an impact on the community. The saying “Cows and Corn don’t go to school” reflects the truism that while farmland pays less in property taxes than residential properties do, it requires significantly less in public services². There is no lack of examples of communities that struggle to balance their tax base. As residential development increases, residents are faced with the associated costs of this new development that are reflected in continuing increases in local, county and school taxes and, possibly, fees for services.



The American Farmland Trust (AFT) conducts Cost of Community Services (COCS) studies nationwide, which provide a snapshot in time of current revenues and expenditures on a land use basis. COCS studies analyze the demands on public services (e.g., schools, fire protection, recreational amenities, and road maintenance) and show how much it costs to provide public services to each land use in your community (e.g., residential, commercial, and agricultural). Unlike typical fiscal impact studies, COCS studies evaluate working land on equal ground with

² Planning for Agriculture in New York. American Farmland Trust, 2012.



***Town of North Collins
Agricultural and Farmland Protection Plan***

other types of development. When the AFT completes these studies, they find time and again that farm and forest land generate a net property tax “profit” while housing generally results in a property tax “loss” due to the high cost of associated residential needs and services. A Cost of Services Study Fact Sheet is included in Appendix E.



***Town of North Collins
Agricultural and Farmland Protection Plan***

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Section V

Findings, Recommendations, and Implementation Strategies



***Town of North Collins
Agricultural and Farmland Protection Plan***

SECTION V – FINDINGS, RECOMMENDATIONS, AND STRATEGIES

A. Overview of Farming, Farmland and Agricultural Protection

Farming in the Town of North Collins has been practiced since the early settlement of the community. Today, farming continues as a way of life and economic driver in the Town; the extent of agricultural land has declined minimally since 1996 (1.3%) when land use was first documented in the comprehensive plan. As noted in Section I, the Town of North Collins 2010 Comprehensive Plan had a minor update in September of 2016, but most of that plan requires further updating. The Comprehensive Plan includes goals and recommendations for managing future growth and development in the community. Recommendations supported by the Comprehensive Plan to protect farmland and agricultural activities include the following.

- Conserve prime agricultural soils and agricultural districts and protect them from non-agricultural use.
- Encourage residential development patterns that respect and maintain agricultural activities and natural assets in the Town.
- Conserve prime agricultural soils, soils of Statewide importance and established agricultural districts, and protect these resources from the potential impacts of urban growth.
- Establish conservation areas of prime agricultural soils around each hamlet to limit sprawl and provide open space.
- Concentrate development around the Village of North Collins, where public services are adequate to support it.
- Ensure that new development has adequate provisions for drinking water and wastewater disposal. Restrict the expansion of the sewer district and sanitary sewer service into the upland areas of the Town, and in particular any area where gravity flow cannot be easily accommodated, to control urban growth, preserve agricultural land, and manage municipal costs.
- Protect streams, floodplains, and critical drainage areas from development that could inhibit their natural function.

The preparation of this Agricultural and Farmland Protection Plan for North Collins is a means of updating and implementing the land use goals of the Comprehensive Plan to ensure that existing agricultural activities remain active and viable in the Town; that the expansion of smaller-scale, non-commercial agricultural activities are encouraged; and that productive farmland is protected



Town of North Collins Agricultural and Farmland Protection Plan

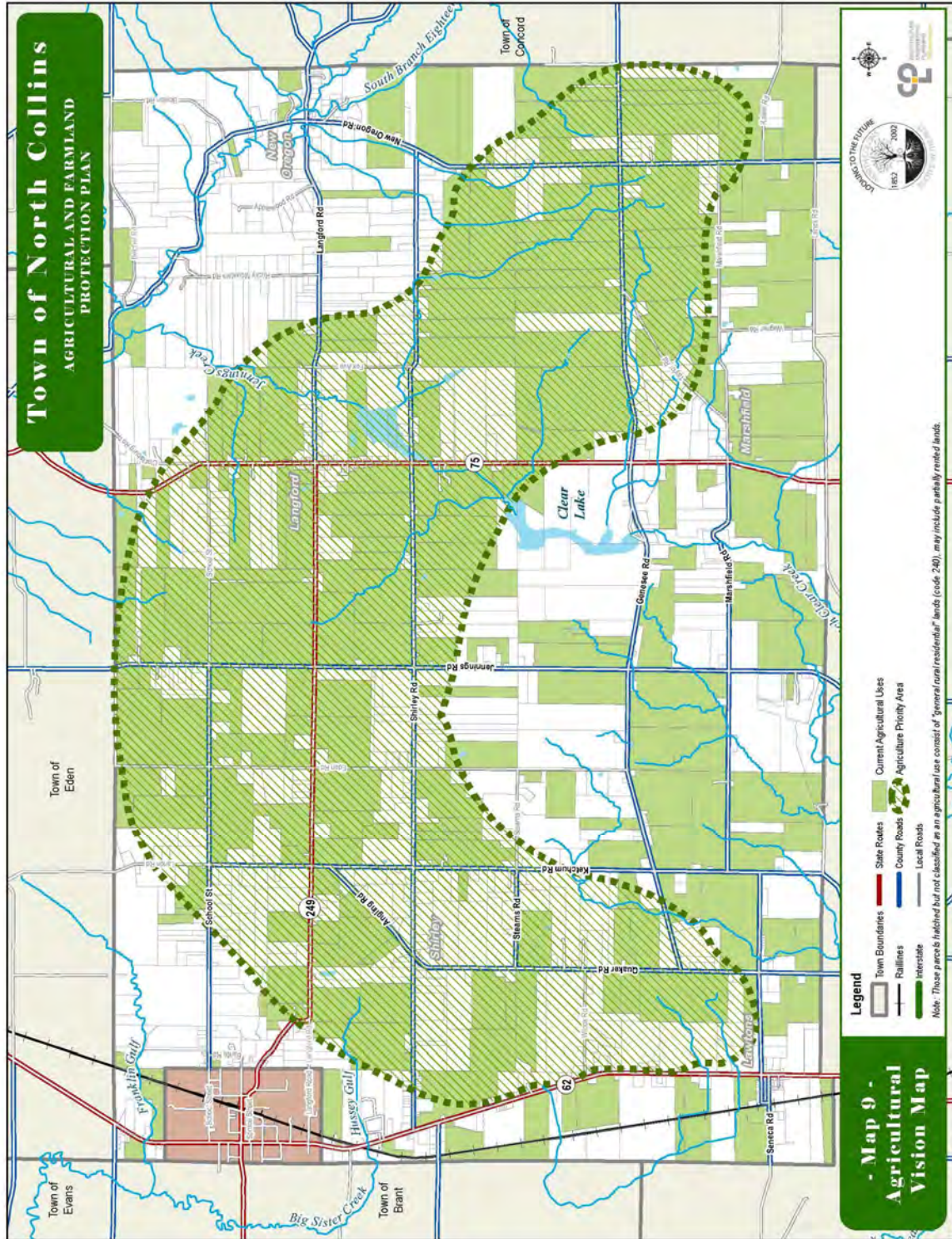
to ensure the continuation of existing and future farming activities. This Plan is also intended to bring about local farm-friendly regulatory changes that provide protections and more flexibility for agricultural use. The goal is to maintain the agricultural culture in North Collins as self-sufficient and self-enforcing of the existing agricultural environment. At present, when development pressure is not a significant threat to farming and agricultural land uses, this Agricultural and Farmland Protection Plan enables the Town to be pro-active and pre-emptive with planning efforts for the community.

B. Vision for the Future (Map 9)

As previously noted, the Town of North Collins 2010 Comprehensive Plan specified goals and recommendations for land use management and agricultural protection. The primary goal for agricultural protection identified the need to preserve agricultural lands and districts in the Town and protect these resources from urban growth and development. The information outlined in Section IV provides an overview of the agricultural characteristics and resources in the Town, as well as the public desires for agricultural protection and growth of this industry. As noted, the Town has extensive areas of soils of Statewide Importance, a significant amount of land included in Erie County agricultural districts, and a variety of farming and agricultural activities that occur in the community. This information was used to prepare a Vision Map that illustrates a large area identified for agricultural and farmland protection. While the Town has land used for agricultural purposes that is spread widely throughout the community, areas with creek valleys and ravines, gullies, and steeper slopes, which are typically found adjacent to the major creek corridors, are considered less favorable for certain farming activities. Hence, while the topography of much of the Town is relatively flat or gently sloping and more conducive to farming and agriculture, the valley areas in the northeast near the south branch of Eighteen Mile Creek, Hussey Gulf, and in the vicinity of Jennings Creek and Clear Creek have topographic constraints and steeper slopes (environmentally sensitive areas and critical drainage areas) that limit agricultural use. Based on this, and as shown on Map 9, a significant area of the Town is designated for agricultural protection. This includes upland areas where topography is relatively flat, locations where numerous parcels are being farmed, areas with soils that support agriculture, parcels that are included in the Erie County Agricultural Districts and/or have agricultural tax exemptions, and land with limited access to public infrastructure. It also includes portions of the area identified by Erie County as having clusters of parcels with high agricultural soils values. Protection of these lands is in keeping with the goals of the Comprehensive Plan to preserve upland areas, important agricultural resources and soils, and agricultural districts from urban sprawl and development. The Vision for the future, as supported by this Plan and public input, is to protect and promote



Town of North Collins Agricultural and Farmland Protection Plan



Town of North Collins
Agricultural and Farmland Protection Plan

agriculture and farming, of any size or scale, in North Collins, and to strengthen and diversity farming enterprises for long-term success.

C. Analysis of Strengths, Weaknesses, Opportunities and Threats (SWOT)

The following SWOT analysis was prepared using the comments and other input gathered from discussions with the Agriculture Protection Steering Committee, and the public, as well as the findings of the analysis of existing conditions and agricultural resources. This analysis identifies what are considered to be the strengths and weaknesses that affect farming and agriculture within the Town of North Collins (internal factors over which you generally have some measure of

SWOT Analysis

<u>Strengths</u>	<u>Weaknesses</u>
<i>Right to Farm Law</i> <i>Large extent of productive farmland</i> <i>Good / productive farm soils</i> <i>Strong farm traditions and commitment</i> <i>Farmers (knowledgeable/adaptable)</i> <i>Increasing diversity In agricultural pursuits</i> <i>Increasing interest in small-scale farming</i> <i>County and regional support/programs</i> <i>Availability of support for Agricultural conservation Easements (Land Conservancy and other assistance)</i> <i>Availability of support services in the vicinity</i> <i>Recognition of the value of agricultural land</i> <i>Desire for locally grown produce and products</i> <i>Limited farmer/non-farmer conflicts</i> <i>Interest in utilizing alternative farming techniques and sources for energy generation</i> <i>No public sanitary sewers in town; limited public water service</i> <i>Limited pressure for development</i> <i>Changing State laws and potential for new market crops</i>	<i>Soil conditions (limited areas of prime soils)</i> <i>Topography constraints</i> <i>Stable Town population</i> <i>Zoning / land use regulation weaknesses</i> <i>New farmers with limited experience</i> <i>Aging population with limited land use transition to family members</i> <i>Many rented properties that could be sold off for residential use after farmers retire</i> <i>Limited awareness of public education for new farmers</i> <i>Lack of public water resources</i> <i>Growing interest to convert agricultural lands to non-farm uses, including alternative energy generation and energy storage</i> <i>Younger generation not showing as much interest in becoming part of the local farming industry</i>



**Town of North Collins
Agricultural and Farmland Protection Plan**

<u>Opportunities</u>	<u>Threats</u>
<p><i>Market trends</i></p> <p><i>County, regional and state programs, and support Infrastructure / support businesses</i></p> <p><i>Increasing interest in buying local produce</i></p> <p><i>Growing agritourism industry in the vicinity</i></p> <p><i>Introduction of new crops/crop varieties driven by climate change</i></p> <p><i>Smaller farming enterprises have different requirements for greenhouses, services, and equipment sales and services creating opportunities for locate supply businesses in Town</i></p> <p><i>Erie County's Erie Grown and Erie Grown Passport increases awareness of local farm products</i></p> <p><i>State, County, and regional programs and support, including the WNY Land Trust</i></p>	<p><i>Market trends</i></p> <p><i>Price volatility</i></p> <p><i>Increasing land costs</i></p> <p><i>Climate change</i></p> <p><i>Expanded interest in organic farming is overshadowed by the fact that it is more costly</i></p> <p><i>New York State green energy goals</i></p> <p><i>Growing pressure to convert agricultural land for alternative energy use and energy storage</i></p>

control), and the opportunities and threats that come from outside the community (external factors over which you have little or no control). This analysis is useful in helping to identify strategies for helping the Town of North Collins achieve its goals and objectives for the future.

D. Tools and Techniques for Farmland Protection

There are several techniques, programs, activities, and strategies that can be used to protect farming and promote the continuation and increase of agricultural activities in a community. The choice of which mechanisms to utilize can be based on the extent of agricultural activities in a community, as well as the amount of development pressure that exists. The following is an overview of programs and techniques that may be helpful for protecting and promoting farming in North Collins.

Farmland Protection

- ***Agricultural Zoning and other Land Use Regulations***

The main purpose of zoning is to separate land uses that might result in threats to public health, safety, or welfare, or reduce a landowner's enjoyment of their land. Zoning also



Town of North Collins Agricultural and Farmland Protection Plan

promotes orderly growth of a community, which can help control the cost of public services and maintain a pleasing visual quality in the community. Zoning should strike a balance between the right of a property owner to use their land and the right of the public to a healthy, safe, and orderly living environment.

Agricultural zoning is aimed at enabling farmers and others to conduct agricultural activities without undo restrictions and reducing conflicts between farmers and non-farmers. Many normal farming practices can generate irritants, such as dust or odors for neighboring residents. Similarly, non-farm neighbors often do not respect private property, and farmers report problems with dirt bikes or all-terrain vehicles in fields or litter and vandalism. Agricultural zoning can provide some protection for farmers by limiting the number of non-farm dwellings that can be built in the area. Agricultural zoning is used to protect valuable and productive farm soils and other resources that have value to the public, such as open space, wetlands, and wildlife habitat. Therefore, zoning is one of the best mechanisms to support, promote, and protect agricultural pursuits in the Town.

Agricultural zoning is the most commonly used land use technique for limiting the development of farmland into non-farm uses and has become the first line of defense in most communities that have successful farmland protection programs. Agricultural zoning involves the creation of a zoning district that typically designates farming and other agricultural activities as the primary, preferred land uses. This type of zoning district generally targets the most productive soils and large contiguous areas of active farms. The minimum lot size may vary from a minimum lot size of 2 acres to over 40 acres, depending on the average size of farm properties in the area. Agricultural zoning districts can incorporate “density averaging” or “sliding scale” provisions to limit the number of dwellings permitted. The regulations may also specify maximum (as well as minimum) lot sizes for non-farm development. Regulations for this type of zoning district usually allow farm-related businesses and home-based businesses and limit non-agricultural development and uses. Agricultural protection zoning may be combined with purchase of development rights (discussed below) or incentive zoning to achieve greater success. Agricultural zoning provisions intended to support farms and protect farmland should be designed to:

- Support a farm-friendly business environment;
- Protect a critical mass of agricultural land to encourage the continuation of crop production and other activities;



Town of North Collins Agricultural and Farmland Protection Plan

- Discourage land uses that would cause nuisance conflicts with farming operations;
- Allow farm-related businesses that generate extra income for the property owners, but are secondary to the farm operation;
- Establish setbacks for farm buildings from property lines to limit the spillover of odors, chemical sprays, dust, and noise that could cause conflicts with neighbors;
- Prevent the conversion of the Town’s most productive farmland or the division of the land into tracts that are too small to farm profitably;
- Provide some assurance that the public investment in farm property tax breaks and in the potential purchase of conservation easements on farmland will be protected;
- Help to keep land more affordable for farmers to purchase; and
- Allow farmers to raise crops or livestock without undue restriction.

Additionally, zoning provisions should support and promote smaller-scale, non-traditional farm activities that are becoming more prominent in many Erie County communities, including North Collins. Regulations should be more flexible with minimum lot sizes (e.g., farming activities permitted on lots less than one or more acres) and should allow for the pursuit of a variety of agricultural activities on the smaller lots. Uses such as beekeeping, raising of seasonal flowers and herbs, hydroponics, and other smaller-scale, hobby-type activities are examples of this, which should be clarified in revised zoning definitions.

Local zoning revisions that should be considered in the North Collins Zoning Ordinance include supplementing the definitions Section 265-4 of Article II. For instance, consideration should be given to the inclusion of proper definitions for farm operations and agricultural practices, and recognizing newer activities, such as agricultural tourism, that are becoming more readily desired and acceptable by the non-farming public. Agricultural tourism should also be permitted as an accessory use in the R-A district. Additionally, it is important to remove provisions that only apply to commercial farming operations, thereby allows for start-up farm operation, hobby farms, and other smaller-scale, non-commercial activities (which should also be properly defined). There should be differentiation between large farming operations, and small farms/hobby farms – operations that generate revenue and those that do not. Other zoning law revisions that lend greater recognition to the protection of farmland and flexibility for agricultural activities, such as keeping of animals, should be considered.

Section 265-30, which regulates supplemental uses in the Town, should be revised to ensure that farmers who own vacant parcels that are used for active agricultural purposes can



Town of North Collins Agricultural and Farmland Protection Plan

construct farm structures for storage as of right. An additional provision should be added to make it clear that there is no requirement that a property contain a principal residential use in order to construct farm structures for on-site storage purposes.

The existing Subdivision Regulations (Chapter 220) should be reviewed and revised to make sure they are up to date and effectively protect agricultural uses and activities. For instance, provisions to allow for “cluster development” should be included as a viable means of protecting farmland is recommended. Additionally, the minimum lot sizes in the R-A district and the subdivision regulations should recognize that the minimum allowable lot size permitted by the Erie County Department of Health for unsewered lot is 32,000 sq. ft. As there is no public sanitary sewer service in the Town of North Collins, this requirement is pertinent.

The Town should develop effective regulations for stormwater management and erosion control to protect important farm soils, water quality and to protect agricultural activities in areas with steeper topography. These regulations could be adopted as a stand along law or incorporated into the Subdivision Regulations or the Zoning Ordinance.

Additionally, Chapter 212 of the Town Code allows solar energy facilities in the R-A district. Chapter 258 regulates Wind Energy Conversions Systems. These laws should be reviewed and revised, as required, to ensure the proper protections for agricultural uses and lands, and the ability of farmers to utilize small-scale systems. Regulations for proper storage of batteries associated with alternative energy generation systems must also be developed (and provisions within existing laws properly revised) to address such use and safeguard public health and safety.

It should be noted that a good zoning classification is not necessarily enduring. Property owners may be granted variances from the zoning restrictions under certain conditions by a Zoning Board of Appeals or lands may be rezoned by a Town Board. Therefore, it is suggested that the Town Board utilize the Planning Board, or establish a separate Agriculture and Farmland Planning Committee, to keep track of changes to farmland in the community. This recordkeeping could help the Town Board consider the public benefits of potentially rezoning agriculture land to another classification, and if the rezoning is in compliance with the Town’s Comprehensive Plan and Agricultural and Farmland Protection Plan.



Town of North Collins Agricultural and Farmland Protection Plan

Agricultural zoning provisions must also enable flexibility and create a supportive business environment as the agricultural industry is frequently changing as farmers adapt to new market and operating conditions. As globalization continues to accelerate, it is likely that the rate and extent of change within the agricultural industry will increase as well. These changes may include the production of different agricultural products or adoption of new production practices, as well as the continued proliferation of smaller farming activities. For instance, there is an increase in the use of tunnel greenhouses or other temporary structures for the production of fruits, vegetables, horticultural products, and livestock housing. While these structures may not conform to some traditional views of farms, they are valuable to producers and hobby farmers as they are a cost-effective means for controlling growing conditions, which is of great importance in New York given the State's limited growing season and varied (and often challenging) weather conditions. The Town zoning and other land use regulations can be found in Appendix B.

- ***Purchase of Development Rights (PDR)/Agricultural Conservation Easements (PACE)***

It is a common misconception that planning and zoning, which are necessary components of establishing and regulating land use in local communities, will take care of the protection of farmland and open space. In many cases, this is typically what is built into comprehensive plans and zoning codes as a means for agricultural and farmland protection. Conservation easements offer a permanency to land protection that cannot be replicated through community planning. Purchase of Development Rights (PDR) and agricultural conservation easements provide a complementary method for saving important farmland and natural resources for the future.

Purchase of Development Rights programs agricultural conservation easements are a voluntary and beneficial approach for farmland protection that compensates landowners for permanently protecting their land for continued agricultural use. In general, landowners possess a variety of rights to their property, including the right to use water resources, harvest timber or develop their property consistent with local regulations. Some or all these rights can be transferred or sold. PDR programs pay landowners to extinguish their rights to develop their land. Landowners retain other ownership rights to the property, the property remains on the tax rolls, and its taxable value is based on these remaining rights. Following its protection, the land can still be used for agricultural purposes.

A PDR program places a deed restriction, commonly known as a conservation easement, on the property that is being preserved. In most cases, conservation easements are permanent



Town of North Collins Agricultural and Farmland Protection Plan

agreements that are tied to the land and apply to all future owners. These binding agreements provide certain government agencies and/or qualified private, nonprofit organizations (such as Land Trusts), the right to prevent non-farm development or activities that could interfere with the existing or future agricultural use on the property.

The goal of permanent farmland protection through PDR and conservation easements is to protect land and help support and continue the business of farming, and conserve productive soils and other natural resources for future generations of farmers. Land that is subject to an agricultural conservation easement can still be farmed or used for forestry and other uses compatible with agricultural activities. Since agriculture is constantly evolving, agricultural conservation easements typically provide opportunities for farmers to construct new farm buildings and farm worker housing or allow for change or diversification of commodities and crops that are grown or farm practices conducted on the land. In most cases where a Land Trust is involved, a conservation plan will be developed that follows the State's Agricultural Environmental Management (AEM) program's five-tier approach, which includes:

- an inventory and analysis of environmental resources and practices on the farm;
- identification of current environmental stewardship practices and areas of concern;
- an outline of conservation strategies for addressing concerns and opportunities tailored to farm goals;
- an implementation strategy that uses available educational, technical, and financial assistance; and
- an evaluation of practices and techniques for conservation and farm vitality.

PDR programs and conservation easements offer several advantages for permanently protecting farmland. They allow for protected lands to be kept in private ownership, keeping them on the municipal tax rolls. They allow farmers to transform their land assets into liquid assets that can be used for other purposes, such as paying down debts, updating infrastructure, securing more land, saving for retirement, and more. The landowner is allowed to continue their agricultural activities on the property, particularly in relation to the production of food, fuel and fiber products that support community health and welfare. In addition, the landowner can leave the property to their heirs or sell the property, use the land as loan security, and/or install limited agriculture-related buildings, as the development restrictions and land protections stay in place on the land in perpetuity. These programs are incentive based and



Town of North Collins Agricultural and Farmland Protection Plan

totally voluntary and enable landowners to protect a variety of agricultural and natural resources.

Some counties or municipalities create their own purchase of development rights programs and fund them through bond resolutions or property taxes. However, this can be a cumbersome and expensive undertaking for smaller municipalities like North Collins. Fortunately, local and regional land trusts are available to take the lead on new purchase of development rights projects. These non-profit entities are experts in handling all aspects of a conservation easement project, including easement drafting, site planning and mapping, securing state or federal farmland protection grants, and administering grant contracts. Once the land is protected, the land trust ensures long term stewardship and easement enforcement.

Agricultural conservation easements are not a one-size fits all solution to development pressure. In some places and situations, the outright sale of land to a developer may be more lucrative for a landowner, but the land is then converted to a non-farm use forever. PDR programs offer a financial incentive while allowing family farms to secure their legacy into the future.

State and federal farmland protection grant funding is available to help land trusts and farmers conserve farmland in New York State, as follows:

- *New York State Department of Agriculture and Markets (AGM) Farmland Protection Implementation Grant Program (FPIG)*

The FPIG provides funding to counties, municipalities, soil and water conservation districts, and land trusts to implement farmland protection activities consistent with local agricultural and farmland protection plans. The most frequently funded activity is purchase of development rights or conservation easements on individual farm properties. These projects cover all the easement transaction costs, including stewardship funding, and can pay a participating farmer up to 87.5% of the value of their development rights. This funding is usually available every two years and is in high demand across the state and region. FPIG funding may also be available for agricultural planning efforts, including funding for local governments to prepare farmland protection plans, and amend local laws affecting agricultural. For more information on this program go to:

[Farmland Protection Implementation Grants Program | Agriculture and Markets \(ny.gov\)](#)



Town of North Collins Agricultural and Farmland Protection Plan

- *United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP)*

The ACEP Program can help private landowners, land trusts, and state or local governments, to protect agricultural land with conservation easements. Funding from this grant may contribute up to 50% of the fair market value of the agricultural land easement. Additional funding is needed to cover transaction and stewardship costs. For more information about this program go to: [Agricultural Conservation Easement Program | Natural Resources Conservation Service \(usda.gov\)](https://www.nrcs.usda.gov/programs/acep/)

Appendix F included information on some local PDR programs in Western New York and additional information on funding programs.

- ***Transfer of Development Rights***

Another land preservation program that has proved useful for farmland conservation is Transfer of Development Rights (TDR). This type of program is most effective in communities that are under significant pressure for development and that have lands available to enable the actual transfer of development rights from agricultural lands to be preserved to areas approved for denser development. While this program is not recommended for implementation in the Town of North Collins, a time may come where it might warrant further consideration. Therefore, information on TDR has been included in Appendix G.

- ***Estate and Transition Planning***

For many farm families, passing the farm on to the next generation can be a major challenge. Transferring a farm involves more than just passing on land. A will is an important part of an estate plan, but a will alone cannot guarantee a secure future for a farm family's land and business. Estate planning is needed to address inheritance tax and settlement issues that may arise because land is not a liquid asset.

Estate planning can accommodate the needs of all family members, even those who leave the farm operation. A good estate plan can accomplish at least four goals:

- Transfer ownership and management of the agricultural operation, land, and other assets.
- Avoid unnecessary income, gift, and estate taxes.
- Ensure financial security and peace of mind for all generations, and
- Develop the next generation's management capacity.



Town of North Collins Agricultural and Farmland Protection Plan

Frequent changes in tax laws highlight the need for estate planning that is tailored to individual circumstances and addresses the uncertainty about future tax legislation. There are many sources of information on estate and transition planning, including attorneys, accountants, and other financial advisors.

NY FarmNet, which is affiliated with Cornell University and coordinated with Cornell Cooperative Extension, is a commonly used resource that offers no cost and confidential consulting services to any farm located in New York State (<https://nyfarmnet.org>). They offer financial analysis, business planning, retirement and estate planning, business transfers, family farming skills, and personal well-being support. FarmNet services are available to all farms in New York State, large and small, with a diversity of commodities including dairy, crops, livestock, maple, fruit, vegetables, honey, nursery stock, and more. This organization also serves agribusiness professionals, such as nutritionists, veterinarians, truck drivers, custom operators, etc., who work directly with farmers through family or personal consulting. FarmNet has no political or financial agenda so farmers can feel comfortable using this service. They help farmers with any personal and financial issues and have a network of professional consultants available who work one-on-one with farmers and farm families to help resolve problems and concerns.

American Farmland Trust (AFT) has published “Your Land Is Your Legacy: A Guide to Planning for the Future of Your Farm”, which is a useful tool for farmland ownership transition. AFT also coordinates the “Farmland for a New Generation New York” program. This program helps farmers seeking land and landowners who want to keep their land in farming. Their website – <https://nyfarmlandfinder.org>, offers links for finding a farm, finding a farmer, local and statewide events and other resources that offer direction and assistance to farmers at any stage in their career.

Learning to Farm and Developing Farm Plans

With the expansion of smaller farming activities in North Collins, problems and conflicts can arise where residents and hobby farmers lack the experience required to undertake the farming activities they are pursuing. Whether it involves cultivation crops, beekeeping, livestock, or other farming pursuits, having the knowledge and experience to manage a farm and/or properly conduct an agricultural activity is important. Helping residents and farmers understand agricultural practices and what is required to successfully operate small farming activities in the Town will help



Town of North Collins Agricultural and Farmland Protection Plan

to promote and expand the agricultural industry and economy in the community. Furthermore, helping residents and farmers understand and capitalize on opportunities for new practices, crops and/or markets can help sustain their operations, particularly during downturns in the farm economy, and provide greater potential for success. The following programs and information can help farmers with a wide number of agricultural issues and opportunities. Additional information can be found in Appendix H.

- ***Cornell Small Farms Program***

Cornell University offers the Cornell Small Farms Program helps farmers get expert assistance to facilitate all phases of small farm business development, from initial growth to optimization to maturity (<https://smallfarms.cornell.edu>). This program envisions a future where diverse and vibrant urban and rural farms build human capacity, revitalize communities, supply regional food systems, and foster ecological resilience in a changing world.

The Small Farms Program offers a wealth of information, expertise, and resources. This includes online tutorials and training courses for all skill levels; Plans and other training programs; and resource guides. This information covers initial farm planning, business, and market considerations; and general resource guides and publications. Of note, is the *NY Small Dairy Innovators: Successful Strategies for Small Dairies*, which provides highlights on how seven small dairies in New York State found methods for increasing profit and leisure time, even in the face of a very challenging time for the dairy industry. Information about the Small Farms Program is included in the Appendix I.

- ***Erie County Cornell Cooperative Extension***

Cornell Cooperative Extension of Erie County (CCE Erie – <https://erie.cce.cornell.edu>) offers a wealth of information and educational programs to Erie County residents on farming in the region, such as beginner farmer resources, field crop resources, growing hemp, and malting barley; agriculture and food systems, and nutrition; 4-H Youth Development; invasive species; and consumer horticulture, among many other things. CCE Erie uses local experience and research-supported solutions to build stronger communities. Currently educators work throughout the County on projects as diverse as connecting farms to schools in Buffalo and elsewhere in the County, connection a senior generation of farmers and landowners to a new generation of farmers and connecting farmers to consumers at the Taste NY Market.



Town of North Collins Agricultural and Farmland Protection Plan

CCE Erie educates farmers about business and production best practices, including helping new farmers to map their path to starting a farm. CCE Erie is a regional navigator with *Farmland for a New Generation* and supports new farmers with resources specific to finding farmland, help an aging generation of farmers understand their options for transferring their land, and facilitate the connection between the two with one-on-one assistance, workshops, and training. Connecting a new generation of farmers with available land can stem the loss of farmland in urban-edge communities in Erie County and continue to growth of a vibrant local farming industry.

- ***Erie County Soil and Water Conservation District***

The Erie County Soil and Water Conservation Service (ECSWCD) is a resource management agency that was established by law to carry out a program for the conservation, use and development of soil, water, and related resources (www.ecswcd.org). The ECSWCD coordinates and implements resource and environmental programs at a local level in cooperation with federal and state agencies. The district works with landowners and others to address a broad spectrum of concerns, including erosion control, flood prevention, water use and conservation, wetlands, groundwater, water quality and quantity, nonpoint source pollution, forestland protection, wildlife, recreation, wastewater management and community development. Its primary focus is on soil conservation and water quality, providing information, technical and financial assistance to agricultural, urban, and suburban constituents.

The ECSWCD can provide technical assistance to farmers for the implementation of best management practices that are aimed at decreasing the transfer of soil and nutrients to local waterways. They can also oversee a number of agricultural programs (e.g., Agricultural Environmental Management and Nonpoint Source Pollution Abatement and Control) and provide information and assistance on a host of other items, such as agricultural tax relief, integrated pest management, agritourism, organic farming, stream management, energy conservation, biofuels, wetland conservation, wildlife habitat improvement and nuisance wildlife control.

- ***Other National Programs***

Farm Answers - There are several other sources of guidance and information where farmers and other interested in agriculture and farming can learn more. Farm Answers (<https://farmanswers.org>) is sponsored by the University of Minnesota Center for Farm



Town of North Collins Agricultural and Farmland Protection Plan

Financial Management and the USDA National Institute of Food and Agriculture. They consider themselves the largest source of information for beginning farmers. This service provides materials and toolboxes on several things, including direct marketing and local foods, organic farming, farm financial management, farmland access, business planning, farm transition planning, urban farming, food safety and commodity marketing. The urban farming toolbox offers useful information for new farmers and small operators in suburban and urban areas. The toolbox is designed to help anyone who wants to be a farmer in their own neighborhood, regardless of where they are located.

National Young Farmers Coalition

The National Young Farmers Coalition (www.youngfarmers.org) is an advocacy network of young farmers fighting for the future of agriculture. They have chapters around the country, including New York State (the closest chapter is in Ithaca, NY). This organization is focused on changing policy, building networks, supporting sustainable farm practices, and providing business services to young, independent, and prosperous farmers to enable them to succeed.

The goals of the Coalition are to:

- ensure that farming remains a desirable and profitable career and livelihood;
- encourage farming practices that sustain resources and protect the climate for the next generation of farmers and consumers;
- help ensure a supply of high-quality farmland that is affordable for fulltime farmers to purchase and farmland ownership;
- advocate for fair labor practices;
- support an apprenticeship model of farmer education and farmer-to-farmer learning opportunities;
- support inclusiveness and diversity in the farming professions to maintain a strong and vibrant agricultural sector; and
- encourage cooperation and friendship among farmers to ensure that land, skills, and place-based knowledge is transferred from generation to generation.

New Farmers – The US Department of Agriculture (USDA) provides information for farmers and others interested in farming activities. The New Farmers website <https://newfarmers.usda.gov> has links for new farmers, new ranchers, women in farming, young farmers, and veterans. It also provides information for farmers looking for land and those who wish to keep their land in



Town of North Collins Agricultural and Farmland Protection Plan

farming. The USDA National Institute of Food and Agriculture (<https://nifa.usda.gov>) also offers extensive information on all aspects of food and food science, nutrition, natural resources and the environment, animals and plants and farming and ranching for new and beginning farmers. This includes information on organic farming, small and family farming and sustainable agriculture.

Beginning Farmers – This organization hosts a website (www.beginningfarmers.org) that provides a wealth of information on starting a farm, types of farming, farm resources and farm jobs and internships. It includes links to workshops and other learning opportunities, funding, business planning, “AG Daily” agricultural news and more.

Alternative Farming Systems – The USDA established the Alternative Farming Systems Information Center (AFSIC) to focus on sustainable, urban, and organic agriculture (www.nal.usda.gov/afsic). This Center provides information related to sustainable and alternative agricultural systems, urban agriculture, crops, and livestock. The Center specializes in library services, locating, accessing, organizing, and distributing information and guidance on various topics, including:

- Sustainable and regenerative crops (vegetables, fruits, nuts, grains, legumes, viticulture, specialty crops) and livestock (grazing and pasture management, aquaculture, beekeeping, organics, specialty livestock) farming systems and diversification;
- Production practices (sustainable, organic, biodynamic, permaculture, hydroponics, aquaponics, certification, and marketing);
- Small farm guidance and management (beginner, women, and minority farmer issues; business planning, farm preservation and transitioning, funding);
- Urban agriculture (backyard, rooftop, community gardening and other small-scale actions);
- Marketing practices and local food systems (direct marketing, added value, farm to institutions, community supported agriculture, cooperatives/food hubs, agritourism, farm markets, farm certification);
- Natural resource management (pests, soils, water, and whole farm systems);
- Renewable energy options for farms (wind, solar, bioenergy, geothermal, hydropower, energy policy, funding);
- Local food and community (community gardens, urban agriculture, local food systems, food security); and
- Education and research.



Town of North Collins Agricultural and Farmland Protection Plan

Agricultural Education Opportunities

There are a small number of colleges and universities in the western and central New York regions that offer degree programs in farming and agriculture programs.

- ***Alfred State College of Technology***

www.catalog.alfredstate.edu/current/department/agriculture-veterinary-technology

The Alfred State College of Technology has a department of Agriculture and Veterinary Technology that offers Associates degrees in Agriculture Automation and Robotics, Agricultural Business, Agricultural Technology and Veterinary Technology, as well as a degree in Agricultural Technology. The mission of this department is to facilitate learning and engage communities in the practices of sustainable food production and animal welfare. Entrepreneurship. Students participate in hands-on experience with crops, plants, animals, facilities, and equipment. The college has an 800-acre farm that serves as a field laboratory to provide practical instruction in production agriculture and to produce feed for the college's livestock. The college also operates a Center for Organic and Sustainable Agriculture.

- ***Niagara County Community College*** www.niagaracc.suny.edu/programs

The Hospitality, Tourism and Culinary Arts Program at Niagara Community College offers Associates of Applied Science degrees in Brewery Operations and Winery Operations; they also offer a Certificate in Wine and Beverage Management. The brewery program offers students the opportunity to learn management of a labor-intensive industry that incorporates the science of growing hops and making beer. This program is designed to give students hands-on preparation and knowledge necessary to be successful in the field of beer making and brewery management. Under the winery operations program students will learn and perform the necessary skills for seasonal vineyard operations and management. This program incorporates the science of wine making with knowledge on marketing cool-climate wines.

- ***Cornell College of Agriculture and Life Sciences*** <https://cals.cornell.edu/>

The Cornell University College of Agriculture and Life Sciences offers several degree programs, both major and minor. Bachelor of Science degrees are offered in Agricultural Sciences, Plant Sciences, Viticulture and Enology, Entomology and Animal Science. Students can also minor in agricultural business management, crop management, plant sciences, viticulture and enology, animal science, horticulture, plant breeding, soil science and entomology to enhance their major degree program and career studies.



Town of North Collins Agricultural and Farmland Protection Plan

Tax Relief Programs

Tax relief is an important issue for farmers. Farms need land to operate, and property taxes on farmland often are a considerable expense. Not only do property taxes add significantly to business costs for farmers, but farms also tend to pay more in property taxes than they require in public services. Increasingly, state, and local governments are recognizing that keeping farmland in production may help control the cost of providing expensive community services. In response, New York State has established programs to reduce property taxes on farmland that meets certain eligibility requirements. Certain of these programs are utilized in the Town of North Collins, others are lesser known, and farmers should be made aware of their potential value for tax relief.

- ***Agricultural Use Assessments***

Agricultural assessment provides “use value” assessment for eligible farmland. This allows farmland to be taxed for its agricultural value, rather than its market (i.e., non-farm development) value. Any parcel of land that is used for agricultural production may qualify if the land meets the requirements or is rented to an eligible farm operation. Landowners must file for this agricultural tax exemption annually with the Town Tax Assessor’s office. Land placed under agricultural assessment and then converted to nonagricultural use is subject to conversion fees. It should be noted that agricultural assessments and agricultural districts are mutually exclusive, and you do not need to have land located in an agricultural district to qualify for an agricultural use assessment.

The NYS Department of Agriculture and Markets has established a formula to determine the Agricultural Use value of property based on soil types and projected crop yields. In areas where the land is valuable for development purposes, the agricultural use value will be much lower than the market value, resulting in significantly lower property taxes. However, in areas where farming is the “highest and best use” of the property – where a farmer is likely to pay as much for the land as anyone else - the agricultural use value is the same as the market value. While agricultural use assessments are applied automatically to property taxes levied by municipalities and school districts, fire districts must “opt in.” To do so, the governing body needs to pass a resolution agreeing to utilize agricultural use assessments.

To qualify for an agricultural assessment:

- Enrolled land must generally be a minimum of seven acres and farmed by a single operation.



Town of North Collins Agricultural and Farmland Protection Plan

- Land must have been used in the preceding two years for crop production, commercial boarding of horses or livestock production.
- Farm operation must gross an average of \$10,000 or more in sales per year.
- Land of fewer than seven acres may qualify if the operation has an average gross sales value of \$50,000 or more per year.
- Support land, land set aside in federal conservation programs or farm woodland (up to 50 acres per eligible tax parcel) may qualify.

Non-farmers who rent land to farmers are eligible to receive an agricultural assessment if the rented land satisfies the basic eligibility requirements described above. If the rented land does not satisfy the average gross sales requirement, but does satisfy the other requirements, it may still be eligible if it is farmed under a written rental agreement of at least five years, with other farmland that satisfies the eligibility requirements.

The agricultural assessment program may not be widely known among non-farmers and is something that the Town of North Collins should promote as another means of preserving farmland and assisting farmers. Farmers interested in applying for an agricultural assessment should contact the Erie County Soil and Water Conservation District to fill out all necessary forms and paperwork, as well as contacting the local tax assessor for additional guidance.

- ***Farmers' School Tax Credit***

This Property Tax Credit program enables farmers to receive a tax credit against their State personal income tax or the corporation franchise tax to reimburse some or all the school district property taxes paid by the farmer. An eligible farmer or corporation must own qualified agricultural property, must pay eligible school taxes during the year, and their income must be below the income limitation amount of \$250,000. Eligible farmers must receive at least 2/3 of their excess federal gross income from farming. Excess federal gross income is federal gross income, reduced by up to \$30,000. In other words, take gross income and subtract \$30,000. If 2/3 of the remaining amount is from the farm, you generally will qualify. Farming is defined as an individual or corporation that cultivates, operates, or manages a farm for gain or profit, even though the operation may not produce a profit each year. Many commodities are included in the definition of farming, as well as commercial horse farms and Christmas tree farms. Also included in the definition of farming are members of a limited liability company, a shareholder of an S or C corporation, and the beneficiary of an estate or trust that is engaged in the business of farming.



Town of North Collins Agricultural and Farmland Protection Plan

This program allows eligible farmers to receive credit refunds of up to 100 percent of the school taxes paid on agricultural property up to 350 acres in size, and 50 percent of school taxes paid on acreage in excess of 350 acres. The school property tax credit should be claimed annually on the farmer's personal NYS tax return (complete Form IT-217-I, *Claim for Farmers' School Tax Credit*). Additional information on this program is included in Appendix H and at the following website www.tax.ny.gov/pit/credits/farmers_school_tax.htm.

- ***Farm Building Exemptions***

Several provisions in New York's Real Property Tax Law exempt farm buildings or structures from property taxes. Section 483 exempts new or reconstructed agricultural buildings, such as barns or farm worker housing, from any increase in assessed value that results from the improvement. Farm worker housing is exempt provided that the facility meets all safety and health standards set by the State building code and the NYS Department of Labor. An application for a tax exemption for newly constructed or reconstructed farm buildings must be made within a year following the completion of construction work. The exemption continues automatically for 10 years, as long as the building continues to be used for farming. Sections 483-a, 483-c and 483-d permanently exempt certain agricultural structures from taxation. Some of the structures that qualify for the exemption include silos, bulk tanks, manure facilities and temporary greenhouses (https://www.tax.ny.gov/pubs_and_bulls/orpts/farmblld.htm).

Structures must be located on parcels of at least five acres and used for profitable agricultural production. Structures used for processing, retail merchandising, personal use or residences of applicants and their immediate families do not qualify for the exemption. The owner of the building or structure for which an exemption is sought must file application form RP-483, which is available from the Town Tax Assessor or the Erie County Office of Real Property Services, with the Town of North Collins or Erie County. For more information see Appendix H.

- ***Historic Barn Rehabilitation Tax Credit***

Owners of barns in New York State may qualify for the New York State Historic Barn Rehabilitation Tax Credit, which is a state income tax credit equal to 25% of quality rehabilitation expenditures. This program can help farmers save a considerable portion of costs required for the restoration of historic barns. Program information and criteria that apply to determine eligibility is provided in Appendix H. The New York State Farmer's Protection and Farm Preservation Act, re-enacted by New York State in 2021, which revives a federal program



Town of North Collins Agricultural and Farmland Protection Plan

that was eliminated in 2018 as a result of changes to the federal tax code, places it in New York State Tax Law and expands eligibility so that more historic barns throughout the State may qualify. Property owners can apply for the 25% tax credit to restore barns constructed before 1946, or a barn that contributes to a property listed on the State or National Register of Historic Places. The purpose of this program is to preserve and restore historic barns and put them back to productive use or into small businesses such as craft breweries, event spaces, and the like, to foster economic growth. Rehabilitation expenditures must amount to more than \$5,000 and the project must not change or alter the historic appearance of the structure. More information on this program is included in the Appendix, or contact the New York State Office of Parks, Recreation and Historic Preservation (518-237-8643) or visit their website at <https://parks.ny.gov/shpo/tax-credit-programs/>. For more information on this program see Appendix H.

- ***Sales Tax Exemptions for Farmers and Commercial Horse Boarding Operators***

New York tax law exempts certain items or services used in farm production and commercial horse boarding operations, such as machinery, equipment, and supplies, from State and local sales and use taxes. This program applies to commercial horse boarding operations that operate on at least seven acres of land; board at least 10 horses, regardless of ownership; and received \$10,000 or more in gross receipts annually from fees generated from horse boarding, the production for sale of crops, livestock, and livestock products, or both these activities. The items must be used “predominantly” (more than 50 percent) for farm business and production in order to qualify. Some of the exempt items include personal property used for production/operation; building materials used for farm buildings or structures; services to install, maintain or repair farm buildings or structures; motor vehicles used predominantly for production/operation; and fuel, gas, electricity, refrigeration, or steam used for production /operation. Farmers seeking a sales tax exemption must utilize form ST-125 (more information on this tax exemption go to the following website or see information in Appendix H https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/farmers_exemption_cert.htm).

- ***Forest Land Exemption***

To encourage the long-term ownership of woodlands, Section 480-a of the Real Property Tax Law allows eligible owners of forest land to lower their taxes by exempting up to 80% of the assessed value of enrolled acreage from property taxes. Landowners must own a minimum of 50 acres of contiguous forestland and be willing to commit the land to forest crop production for 10 years; participation in this program is voluntary. In addition, landowners must follow



Town of North Collins Agricultural and Farmland Protection Plan

forest management plans that have been prepared by qualified foresters and approved by the New York State Department of Environmental Conservation (NYSDEC). Owners of tracts certified by NYSDEC must apply annually to their local assessors for the exemption (<http://www.dec.ny.gov/lands/5236.html>). Landowners must comply with the program for nine years following the last year of commitment. Penalties may be imposed if a landowner fails to follow the approved management program or converts the land to a use that prevents continued forest crop production. For more information on this program see Appendix H.

Environmental Management Programs

Farmers have played an important role in the stewardship of New York's natural resources for generations. There are several voluntary programs aimed at helping farmers keep land in active agricultural use while protecting water, soil and air quality and achieving other natural resource goals. An example of some of the programs that could be helpful to farmers in North Collins include the following.

- ***Agricultural Management Assistance***

The USDA's Natural Resources Conservation Service (NRCS) offers voluntary Farm Bill programs that benefit both agricultural producers and the environment (<https://www.nrcs.usda.gov>). One such program is the Agricultural Management Assistance (AMA) program.

The USDA Natural Resources Conservation Service oversees the Agricultural Management Assistance (AMA) program, which provides Farm Bill funding to 16 states (including New York) where participation in the Federal Crop Insurance Program has typically been low. The AMA program offers cost-share assistance to agricultural producers to address issues such as water management, water quality and erosion control, and to manage financial risk through crop diversification or transition to organic farming. Program priorities may vary from year to year. The AMA program funds up to 75 percent of the cost for producers to install and maintain eligible conservation practices.

AMA assistance helps agricultural producers manage financial risk through diversification, marketing, or natural resource conservation practices. The NRCS works with farmers to develop an AMA plan of operations for the construction of water management structures to improve water quality, plant trees for windbreaks or to mitigate risk through crop diversification or resources conservation practices (e.g., integrated pest management, erosion control or transition to organic farming). The local USDA Natural Resources Conservation Service



Town of North Collins Agricultural and Farmland Protection Plan

(affiliated with the Erie County Soil and Water Conservation District) and the NYS Department of Agriculture and Markets can be contacted for more information on this program. For more information on the USDA's Agricultural Management Assistance program, see Appendix I.

- ***Environmental Quality Incentives Program***

The Environmental Quality Incentives Program (EQIP) is another program offered by the NRCS under the Farm Bill that provides technical and financial assistance to farmers to address natural resource concerns and deliver environmental benefits, such as improved water quality, water conservation, and reduced soil erosion (<https://www.nrcs.usda.gov>). Through the EQIP, the NRCS offers one-on-one help and financial assistance to plan and implement structural and management improvements (conservation practices). EQIP funding may also establish conservation practices, such as nutrient management, integrated pest management, forest management, manure management and wildlife habitat management. Other EQIP initiatives include funding and/or technical assistance for high tunnel (hoop house) systems, organic farming, on-farm energy efficiency and conservation innovation. The 2018 Farm Bill increased funding available for EQIP cost-share and the incentive payments and extended eligibility to conservation practices directly related to organic production or transition. The local USDA Natural Resources Conservation Service (affiliated with the Erie County Soil and Water Conservation District) and the NYS Department of Agriculture and Markets can be contacted for more information on this program. For more information on this program see Appendix I.

- ***Agricultural Environmental Management***

Agricultural Environmental Management (AEM) is a voluntary State program offered to help improve management of local farmland, water supply and environmental conditions. The program is run by the Erie County Soil and Water Conservation District (www.ecswcd.org) and offers technical, educational, and financial resources. This assistance provides response to essential environmental needs, while providing farms and communities with cost effective improvements. AEM is implemented to achieve the best sustainable farming practices for each individual farm and increase profitability, while improving the condition of the surrounding environment. For more information on the New York State Agricultural Environmental Management program, see Appendix I.



Town of North Collins Agricultural and Farmland Protection Plan

- ***New York State Agricultural Nonpoint Source Pollution Abatement and Control Grant Program***

This grant program was established by New York State in 1994 to assist farmers in preventing water pollutions from agricultural activities by providing technical assistance and financial incentives. The Erie County Soil and Water Conservation District (ECSWCD) applies for competitive grants on behalf of farmers and coordinates funded activities. Grants can cover up to 75% of project costs or more if farm owners contribute to the environmental planning and implementation (construction or application of management practices). For more information contact the ECSWCD or visit their website at www.ecswcd.org.

- ***Organic Farming***

The 2018 Farm Bill continues and expands opportunities for organic agricultural operations that were established under the 2014 Farm Bill. The EQIP Organic Initiative provides financial assistance to organic producers looking to address resource concerns by implementing and installing conservation practices tailored to organic crop production. Examples of activities for funding include the development of conservation plans, the establishment of buffer zones, planning and installing pollinator habitat, improving irrigation efficiency, and enhancing crop rotations and nutrient management, among other things. Organic, transitioning-to-organic, and producers that are exempt from National Organic Program certification requirements are eligible to contract with the USDA National Resources Conservation Service (NRCS) to install and implement organic-specific conservation activities that are consistent with an organic system plan. The EQIP Organic Initiative allows eligible agricultural producers to apply for \$20,000 annually, and \$80,000 over a maximum of six years.

Additionally, the funding allocated for the National Organic Certification Cost-Share Program offsets the costs of annual certification for organic farmers and handlers. This program provides assistance to producers, handlers and processors who are applying for National Organic Certification for eligible agricultural products. Producers may be reimbursed for up to 75 percent of their organic certification costs, not to exceed \$750. The 2018 Farm Bill renews funding for the Organic Agriculture Research and Extension Initiative at the previous \$20 million per year level, and funding for the Organic Production and Market Date Initiatives at \$5 million over five years. The National Organic Program also receives \$5 million for technology upgrades. The USDA Natural Resources Conservation Service (<https://nrcs.usda.gov>) or the NYS Department of Agriculture and Markets (<https://agriculture.ny.gov>) can be contacted for



Town of North Collins Agricultural and Farmland Protection Plan

more information on these opportunities. For more information on organic farming see Appendix J.

- ***Biomass Crop Assistance Program***

The 2014 Farm Bill continues a program established in 2008 that provides incentives to farmers, ranchers, and forest landowners to establish, cultivate and harvest eligible biomass crops for heat, power, bio-based products, research, and advanced biofuels. Individual farmers or farmers working as a group can propose a project for funding assistance. There is no minimum acreage requirement. Landowners must enter into five-year contracts for annual and perennial crops, and 15-year contracts for woody biomass. Program participants receive cost-share payments to support production, and funding to assist with the collection, harvest, storage, and transport of materials. See Appendix H for more information on this program or visit the USDA Natural Resources Conservation Service (<https://nrcs.usda.gov>) and the USDA Farm Service Agency at <https://www.fsa.usda.gov/programs-and-services/energy-programs/BCAP/>

- ***Climate Resilient Farming***

As noted in Section IV, climate change preparedness makes good business sense. Planning to minimize risks and capitalize on opportunities is wise for the future of local farming as certain commodities that dominate the New York State agricultural landscape will be adversely impacted and operational changes may be necessary as a result of warming trends predicted in the coming century. Opportunities to introduce profitable new crops and new crop varieties will also result as temperatures rise and the growing season lengthens.

Climate change trends include changing precipitation (increased precipitation, drought, and heat stress), increasing greenhouse gas emissions and an increase in invasive insects and vegetation/weeds. More extreme, short-term rainfall events (2+ inches/48 hours) are expected to continue and increase. Some areas are predicted to experience increased short-term droughts, with increasing temperatures and a longer growing season increasing water demand. Crop cultivation for corn, wheat, soybeans, hay, and other grains is an increasing source of nitrous oxide and carbon emissions. Heat stress from a lengthening growing season (the growing season has already increased by approximately eight days) is a concern as the number of heat stress days, with temperatures exceeding 90 degrees Fahrenheit, increases and winters grow milder. Heat stress can also have devastating impacts on livestock and increase water use demands. Additionally, while the relationship between climate, crops, insects, diseases and is



Town of North Collins Agricultural and Farmland Protection Plan

complex, there is evidence that changes will require farmers to invest earlier and more intensively in pest and weed management strategies.

While climate change trends present challenges, there are also solutions that can be implemented to mitigate adverse impacts. Farmers can get guidance and assistance from the Cornell University College of Agriculture and Life Sciences (see Appendix K), the New York State Soil and Water Conservation Committee Climate Farming Resiliency Program and the USDA Natural Resources Conservation Services. More information on climate change can be found at www.nrcs.usda.gov/wps/portal/nrcs/main/national/climatechange/ or at the NYSDEC website (www.dec.ny.gov/emergu/44992.html).

- ***Ag Energy NY***

The Cornell Cooperative Extension *Ag Energy* program offers a resource guide on agricultural practices to improve energy efficiency and productivity. Improving farm energy efficiency can reduce costs and improve reliability on farms, especially as sources of energy become more costly and limited. Energy efficiency measures can have both economic and environmental benefits. Energy efficiency is the difference between actual energy used versus how much energy is needed to achieve the same results. A more energy efficient farm can produce more than a less efficient farm using the same amount of energy. Using less energy for the same level of productions can make the transition to renewable energy easier. Additionally, many efficiency measures will improve the performance of equipment uses on farms. The website offers information on key energy efficiency concepts, access to relevant resources, and connects farmers with free energy assessments and expert assistance to improve energy savings and productivity (<https://agenergyny.org>).

Farm Viability Assistance

There are several programs available to help farms and farmers to be economically viable and sustainable over the long term. There are several programs offered at the federal and state level to assist farmers. These include the following:

- ***New York State New Farmer Grant Program*** – provides grants to help beginning farmers improve profitability by expanding or diversifying agricultural production, expanding the agricultural season and advancing innovative agricultural techniques that increase sustainable practices (<https://esd.ny.gov/new-farmers-grant-fund-program>).



Town of North Collins **Agricultural and Farmland Protection Plan**

- **New York Farm Viability Institute Grants** – funding for farm-based projects, including applied research and education (<https://nyfvi.org>);
- **The New York State Young Farmers Loan Forgiveness Incentive Program** – This program is offered to encourage recent college graduates to pursue careers in farming in New York State. It provides loan forgiveness awards to individuals who obtain an undergraduate degree from an approved college or university in New York State and who agree to operate a farm in the State on a fulltime basis for five years (<https://www.hesc.ny.gov/pay-for-college/financial-aid/types-of-financial-aid/nys-grants-scholarships-awards/new-york-state-young-farmers-loan-forgiveness-incentive-program.html>);
- **Northeast Sustainable Agriculture Research and Education (SARE)** – grants funding assistance for innovative approaches and projects that advance good land stewardship, improve farm profitability, and strengthen rural communities (<https://northeastersare.org>);
- **Farm to School** – facilitates connections between New York State farmers and food service managers in educational facilities across the state (www.agriculture.ny.gov/farming/farm-school);
- **USDA Farm Service Agency** – offers direct and guaranteed loans and microloans to help start, improve, expand, transition, or strengthen family farming operations; help beginning, minority and women farmers; support value-added, direct sale, organic and specialty crop operations; support urban farmers and roof-top producers; and fund operations using alternative farming methods such as hydroponics, vertical farming, aeroponics and freight container farming (www.fsa.usda.gov/programs-and-services/far-loan-programs/index);
- **Rural Development Grants and Loans (USDA)** – offers farm labor housing loans and grants, value-added producer grants and rural microentrepreneur loans for farming interests (<https://www.rd.usda.gov/programs-services>);
- **Small Business MicroLoans** – the Small Business Administration offers several financial assistance programs (www.sba.gov/funding-programs/loans);
- **Climate Resilient Farming Program** – As previously noted, this program is offered by the Soil and Water Conservation Service to help farmers reduce the impacts of agriculture on climate



Town of North Collins Agricultural and Farmland Protection Plan

change/mitigation and to increase the resiliency of farms in New York State in the face of a changing climate/adaptation (<https://www.nys-soilandwater.org/programs/crf.html>); and

- ***Dairy Checkoff Program*** – Under the *dairy checkoff program*, dairy farmers pay 15 cents (and dairy importers pay 7.5 cents) for every 100 pounds of milk they sell (or the equivalent thereof), which goes into a generic dairy product promotion fund. With USDA oversight, that money is used to fund research, education, and innovation programs aimed at promoting dairy product consumption and protecting the good image of dairy farmers, dairy products, and the dairy industry to increase demand. For more information go to the following websites: Dairy Management, Inc. (www.usdairy.com/about-us/dmi) and the American Dairy Association Northeast (www.americandairy.com/dairy-farms/for-farmers/).

E. Recommendations and Implementation Strategies

The following recommendations and implementation strategies provide a variety of options that can be utilized by the Town to protect and grow farming and agricultural activities in the community. These recommendations and strategies are outlined under each of the four goals, which are aimed at protecting and enhancing important agricultural resources and the long-term viability of farming in the Town; increasing public awareness of agriculture in North Collins; and protecting, enhancing, and expanding the agricultural economy. The options that follow provide a toolbox of strategies that can be employed by the Town, as needed, to address issues and concerns, capitalize on opportunities and ensure the continued and increasing presence of farming activities in North Collins.

GOAL 1: Protect Lands and Resources Critical to the Long-Term Success, Viability and Resiliency of Agriculture and Preservation of Community Character

The Town recognizes that the protection of farming and agricultural activities, regardless of their size or scale, contributes to the preservation of open space and maintains the rural community character and agricultural heritage of the area. Protecting and promoting agriculture in the Town, which includes field crops, the keeping of animals, and numerous other pursuits and activities, is of primary importance to the local economy and future of farming in North Collins.

1. Adopt the *Agricultural and Farmland Protection Plan* as a demonstration of commitment to maintaining farming as an important part of the North Collins community.



***Town of North Collins
Agricultural and Farmland Protection Plan***

2. In an effort to further promote the Town’s commitment to agricultural and farmland protection, post the adopted *Agricultural and Farmland Protection Plan*, along with maps of local agricultural districts, a copy of the Right-to-Farm Law, and any other information pertinent to agricultural protection in the community, on the Town of North Collins website.
3. Inform and facilitate access to the information on agricultural and farmland protection for local real estate brokers, realtors, lawyers, and others in the Town, as well as farmers, who are involved in land sales and transfers.
4. Maintain and better utilize the Planning Board or establish a stand-alone *Agriculture and Farming Planning Committee* as a means of implementing the Agricultural and Farmland Protection Plan, advocating for continued agricultural protection, assisting the Town Board with land use decisions that may affect agricultural lands, mediating potential conflicts and, in general, advocating for the rights of farmers in the Town.
5. Revise the Zoning regulations, as needed, and as specified in this Plan, to better protect farming and farming operations, particularly farms located in agricultural districts, but not excluding hobby farms in residential areas.
6. Work with Erie County and neighboring communities to identify mutually beneficial ways to carry out the goals and objectives of the Agricultural and Farmland Protection Plan.
7. Continue to work with local farmers and Erie County to maintain, and where possible increase, the number of properties that are included in the Erie County State Agricultural Districts in North Collins.
8. Support Purchase of Development Rights applications for conservation easements on local farms.
9. Support programs offered by the Cornell University Small Farm Program and Erie County Cornell Cooperative Extension, which provide business planning and financial management assistance to farmers to keep farmland in the Town in active use and production, to expand farming practices and activities, and help new farmers build their businesses and be successful.
10. Support the American Farmland Trust “Farmland for a New Generation New York” program that assists local farmers and/or startup operations who are seeking land and existing farmers and landowners who want to sell their land and keep it in farming.



***Town of North Collins
Agricultural and Farmland Protection Plan***

11. Encourage farmers to utilize services and resources offered by the USDA Natural Resources Conservation Service, the Erie County Soil and Water Conservation Service, and Erie County Cornell Cooperative Extension and Cornell University for issues related to climate change and climate resiliency farming.
12. Review and review the R-A zoning classification to identify means for better protecting farming and agricultural uses of all types and sizes, emphasizing farms over residential uses, enabling smaller scale and non-commercial activities, and addressing bulk regulations that may be too restrictive.
13. Update definitions and other appropriate sections of the Zoning Ordinance to recognize existing agricultural activities, properly define such uses in accordance with State requirements, and make zoning regulations more farm friendly, where needed, in support of agricultural activities in the community.
14. In revising zoning for agricultural purposes, ensure that regulations allow for the construction of farm buildings, which are customary and incidental to agricultural practices, as principal uses on vacant lands (no requirement for having a primary residential structure on site).
15. Review and revise Chapter 212 – Solar Energy Systems, and Chapter 258 – Wind Energy conversion Systems, to ensure the proper protection of agricultural lands and the ability of farmers to effectively utilize shall scale systems on their properties.
16. Review and revise the Town of North Collins subdivision regulations (Sections 220) to incorporate cluster development regulations and recognize farming as a means of preserving and protecting open space and valuable farm soils, as well as ensuring that minimum lot size requirements are consistent with Erie County Department of Health standards for non-sewered lots.
17. Develop effective regulations for stormwater management and erosion control to protect important farm soils and water quality and protect agricultural activities in areas with steeper topography.



***Town of North Collins
Agricultural and Farmland Protection Plan***

18. Ensure that notice requirements under the NYS Agricultural District Law are being followed (use of Agricultural Data Statements) in the Town.
19. Continue to support local farm stands and farmers markets to help farmers keep farming, support small farms and non-commercial operations, and expand the availability of local farm products.
20. Establish a “wayfinding” system that provides directions to local farm stands in Town and farm markets located outside the town, such as the Eden Valley Growers Co-op, where local farmers sell their products.
21. Encourage retired farmers and non-farm property owners to lease vacant lands to other local farmers for agricultural use to sustain and strengthen the industry.
22. If pressure for land development increases in the future, explore the feasibility of enacting a local tax abatement program in exchange for term or permanent conservation easements for farmland protection. This kind of program provides a percentage reduction in property taxes as a part of the agreement between the landowner and the Town for farmland preservation.

GOAL 2: Leverage the Town’s Agricultural Assets and Natural Resources to Enhance and Expand the Agricultural Economy of the Town and its Capacity to Respond to Economic and Climate Trends and Changes

Farming provides numerous benefits, including the production of local food, jobs, and other economic benefits to the community at large and the region; preservation of scenic vistas and rural character; potential for secondary income for residents, and a more balanced tax base. Strengthening and increasing public awareness and understanding of how agriculture positively impacts a community is essential for achieving public support for the existence and continuance of farming activities.

1. Post the adopted Town of North Collins Agricultural and Farmland Protection Plan the Town’s website and develop a webpage specific to agriculture and farming in the community. Ensure that the existence of this webpage is prominently displayed on the website homepage.



***Town of North Collins
Agricultural and Farmland Protection Plan***

2. Promote local farm stands on the Town’s website, through the County’s Erie Grown website, through local mailings, and in local media as a means of supporting local farmers and introducing residents and others to the benefits of local agriculture.
3. Establish a “wayfinding” system that provides directions to local farm stands in Town and farm markets located outside the town, such as the Eden Valley Growers Co-op, where local farmers sell their products.
4. Work with Erie County and other agencies and organizations to identify and expand markets for locally grown products.
5. Utilize local boards and committees, the Town’s website, town mailings, local citizens’ groups and organizations, and the local media to promote the Cornell University Small Farms and Farmland for a New Generation New York Programs to residents and local farmers to help educate and strengthen the farming community in North Collins.
6. In the same manner, promote the availability of existing information that is posted on the Erie County, the Soil and Water Conservation District, and the Cornell Cooperative Extension websites on local farming, farm stands and markets, and other local farm resources in the Town and region.
7. Promote the establishment of community-supported agriculture (CSA) cooperatives in North Collins to provide fresh, local produce to residents and establish a more direct relationship between local farmers and the community.
8. Encourage Erie County Department of Environment and Planning , Erie County Cornell Cooperative Extension and the Soil and Water Conservation District to create a clearing house of information (“one-stop shopping”) for farmers and others (website, training opportunities, seminars on state and federal programs of benefit to farmers, funding opportunities, etc.) in support of farming and agricultural business in the community.
9. Create a “Farming in North Collins” packet to be distributed to new and existing non-farming residents that identifies the benefits of farming and the resources, such as fresh food, available in the community, as well as the agricultural activities that farmers have the right to undertake in North Collins per the local Right-to-Farm law.



***Town of North Collins
Agricultural and Farmland Protection Plan***

10. Promote the use of small-scale, on farm alternative energy technologies and systems.
11. Encourage retired farmers and non-farm property owners of vacant land to rent/continue to rent their properties to other farmers (both inside and outside of the Town) to maintain and expand the amount of land in agricultural use in North Collins.

GOAL 3: Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities in North Collins

Although it is changing in size, scale and nature, agriculture remains an integral component of the character and economy of the Town. Agricultural related businesses support farming and contribute to the local and regional economy. The existing economic base of farming in the community and the viability of existing agricultural businesses and activities should be enhanced and expanded because a strong base is good for farmers, the Town, and the region, as well as for the long-term success of agriculture in the community.

1. Utilize local boards and committees, the Town's website, town mailings, local citizens' groups and organizations, and the local media to promote the importance of programs, organizations and agencies that support and assist farmers and farmland property owners, such as Erie County Cornell Cooperative Extension, the Erie County Soil and Water Conservation District, and the USDA Natural Resources Conservation Service. Furthermore, advocate for the continued funding of these programs at appropriate levels.
2. In the same manner, promote the educational programs and training offered by the Cornell University Small Farms Program and other entities in the region to help existing farmers and those interested in farming careers to gain a greater understanding of agricultural practices and small business management.
3. Encourage Erie County and other local agencies and organizations to offer/expand training in basic business management techniques for farmers.
4. Encourage farmers and other agricultural interests who could benefit from business and financial planning assistance or other farm planning or operational assistance to utilize the services of the Cornell University Small Farms Program and Erie County Cornell Cooperative



***Town of North Collins
Agricultural and Farmland Protection Plan***

Extension, as well as guidance from the New York State Department of Agriculture and Markets.

5. Encourage Erie County Department of Environment and Planning , Erie County Cornell Cooperative Extension, and the Soil and Water Conservation District to create a clearing house of information (“one-stop shopping”) for farmers and others (website, training opportunities, seminars on state and federal programs of benefit to farmers, funding opportunities, etc.) in support of farming and agricultural business in the community.
6. Promote the use of the American Farmland Trust “Farmland for a New Generation New York” program by local farmers and/or startup operations who are seeking land and existing farmers/landowners who want to keep their land in farming.
7. Encourage farmers to work with the New York State Department of Agriculture and Markets and local agencies to explore new markets and market opportunities to maintain viability, better manage market/economic downturns, and increase the potential for success.
8. Work with Erie County and other local farming organizations to help farmers expand local markets for locally grown products.
9. Promote the use of small-scale, on-farm solar technology, wind turbines, and other energy efficient measures to help farmers conserve resources, reduce costs, and stay up to date with farming practices and technology.
10. Work with Erie County to improve access to broadband communication service through the ErieNET program, where needed in the Town, to further assist local farmers and agricultural businesses and to ensure townwide broadband service availability.
11. Ensure that farmers are advised on the various tax relief programs that are available to help reduce their tax burden, as well as viable environmental management programs.
12. Encourage farmers to explore and take advantage of Federal and State programs that assist with the transition to organic farming or other new/ongoing farm technologies that could be of benefit.



***Town of North Collins
Agricultural and Farmland Protection Plan***

13. Explore the potential for establishing a Farm to School Project program to encourage the North Collins School District to purchase locally grown produce and other farm products to serve in local schools, as well as include curriculum on the importance of agriculture and healthy food and nutrition. Also, through the collective wisdom of the community, help farmers develop a stronger connection with the school district through field trips, lectures, and other events.
14. Encourage farmers to utilize the Climate Resilient Farming Program offered by the Erie County Soil and Water Conservation Service to assist with climate change related issues and opportunities.
15. Promote the establishment of community-supported agriculture (CSA) cooperatives in North Collins to provide fresh, local produce to residents and establish a more direct relationship between local farmers and the community.



Section VI

Implementation Strategy Matrix



***Town of North Collins
Agricultural and Farmland Protection Plan***

Section VI - Implementation Matrix

This section outlines the action plan to achieve the goals and implement the various recommendations outlined in the Agricultural and Farmland Protection Plan. The matrix shown on the following pages does not cover each and every possible action nor the exact method for carrying it out; it is intended to give direction and give insight into level of effort, parties that can lead or help carry out the action, and its level of importance/priority.

The Plan is intended to be a working document that lays out the recommendations to protect and promote agriculture and farming on North Collins in the following manner:

1. **Goal** – These tie the recommendations back to the original goal outlined in earlier sections of the Plan and provides background.
2. **Recommendation** – The specific recommendation to help achieve the noted goal.
3. **Action Type** – The guide calls out several recommendations that involve policy decisions, initiating programs and committees, regulatory changes, communication, and coordination with agencies, and securing funding for future undertakings. Each recommendation is categorized by various action types, including:
 - a. **Funding or Capital Improvement:** An action that requires the need for an investment on behalf of the Town, whether through a Capital Improvement Program, budget lien item, grant funding, or a combination thereof.
 - b. **Policy:** Actions that result in the establishment of a specific policy enacted by the Town Board to govern future decision-making regarding agriculture and farming promotion and protection.
 - c. **Program:** A plan, activity, committee, proposal, or similar action.
 - d. **Regulation:** An action that consists of the development of a new or amended local regulation in the Town Code to further the protection and promotion of agriculture and farming on North Collins.
4. **Time Frame** – The level of importance of the action or priority; some actions can be achieved right away while others may require a multi-year effort. An annual review of the Plan can help to identify actions to undertake based on this scale as well as refine the time frame listing based on funding and/or other initiatives. The time frame is based on the following scale:
 - a. **Near-Term:** To be implemented immediately following adoption (within the first year)
 - b. **Short-Term:** An action to be implemented within 18 to 24 months of adoption
 - c. **Long-Term:** A longer-term action that would likely follow the implementation of other actions and/or take up to 3+ years to carry out
 - d. **Ongoing:** An ongoing action item

Town of North Collins
Agricultural and Farmland Protection Plan

- 5. **Estimated Costs** – The estimated level cost for implementing the recommendation ranging from \$ (low) to \$\$\$\$ (High)
- 6. **Participants & Partners** – Those local groups, agencies, boards, and local organizations that have a stake in or the potential to influence an action through funding, review, permitting, technical assistance, etc., including internal and external entities. This may not include all those that could be involved, but a least gives an idea to who should be “at the table” to coordinate efforts.

GOAL 1: Protect Lands and Resources Critical to the Long-Term Success, Viability and Resiliency of Agriculture and Preservation of Community Character				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Adopt the Agricultural and Farmland Protection Plan	Regulation	Near-Term	\$	North Collins Town Board, Town Clerk, Erie County Department of Environment and Planning, New York State Department of Agriculture and Markets
Post the Agricultural and Farmland Protection Plan on the Town’s website, along with supporting maps and the Right-to-Farm Law	Program	Near-Term/ Ongoing	\$	Town Clerk, Town Supervisor
Maintain and better utilize the Planning Board, or establish a stand-alone Agricultural and Farming Planning Committee, to monitor agricultural land use and advocate for farmland protection	Program	Near-Term/ Ongoing	\$	North Collins Town Board
Inform and facilitate access to the information on the Agricultural and Farmland Protection Plan for local real estate brokers, realtors, attorneys, and others in North Collins who are involved in land sales and transfers	Program	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Encourage farmland owners to seek designation of their lands or to maintain designation of their lands in Erie County Agricultural Districts #8 and #15	Program	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Agricultural and Farmland Protection Board

Town of North Collins
Agricultural and Farmland Protection Plan

GOAL 1: Protect Lands and Resources Critical to the Long-Term Success, Viability and Resiliency of Agriculture and Preservation of Community Character				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Work with Erie County and neighboring communities to identify mutually beneficial ways to carry out the goals and objectives of the Agricultural and Farmland Protection Plan	Policy	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning
Revise zoning regulations and update zoning definitions to better protect farming and farm operations and other agricultural uses and activities	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning,
Update zoning to include provisions for small-scale (hobby) and non-commercial agricultural uses	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Eliminate zoning restrictions on farm buildings as principal structures	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Update the definitions for consistency and to recognize agricultural activities	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Update Subdivision Regulations to include Cluster zoning regulations and minimum lot size restrictions that are consistent with ECDOH	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Review and revise the solar energy and wind energy conversion systems laws to ensure farmers ability to utilize small scale systems	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Develop stormwater management and erosion control regulations	Regulation	Near-Term	\$\$	North Collins Town Board, Planning Board, Erie County Department of Environment and Planning
Ensure that notice requirements in the New York State Agricultural District Law are followed (proper use of agricultural data statements)	Policy	Near-Term/ Ongoing	\$	North Collins Town Clerk, Building Department

**Town of North Collins
Agricultural and Farmland Protection Plan**

GOAL 1: Protect Lands and Resources Critical to the Long-Term Success, Viability and Resiliency of Agriculture and Preservation of Community Character				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Promote business planning and financial assistance programs offered by Cornell Small Farm Program and EC Cornell Cooperative Assistance	Program	Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Promote the American Farmland Trust “Farmland for a New Generation New York” program that assists new and existing farmers	Program	Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Encourage farming interests to take advantage of programs and services offered by USDA and NRCS, Cornell University and Cornell Cooperative Extension, Erie County Soil and Water District, and American Farmland Trust	Policy	Short-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Promote local farm stands on the Town’s website, local mailings, and local media as a means of support for local farmers	Program	Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, North Collins Chamber of Commerce
Establish a “Wayfinding’ signage system that provides direction to local farm stands and markets inside and outside Town	Program	Near-Term/ Ongoing	\$\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, North Collins Chamber of Commerce
Encourage retired farmers and non-farm property owners to lease vacant lands to local farmers for agricultural use	Policy	Short-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
In future, if needed, explore feasibility of local tax abatement program for conservation easements	Program	Long-term	\$	North Collins Town Board, Town Tax Assessor, Erie County Department of Environment and Planning, Western New York Land Conservancy

**Town of North Collins
Agricultural and Farmland Protection Plan**

GOAL 2: Leverage the Town’s Agricultural Assets and Natural Resources to Enhance and Expand the Agricultural Economy of the Town and its Capacity to Respond to Economic and Climate Trends and Changes				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Post the Agricultural and Farmland Protection Plan on the Town’s website and include a recognizable icon/link on the homepage to a webpage that hosts the Plan and other important information on farming in the Town	Program	Near -Term	\$	Town Clerk, Town Supervisor
Create a “Farming in North Collins” packet for distribution to new farmers and non-farm residents that identifies farms local resources and the value of farming in the Town.	Program	Short-Term/ Ongoing	\$\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Promote local farm stands on the Town’s website, in local mailings, and in local media as a means of supporting local farmers	Program	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee
Establish a “Wayfinding’ signage system that provides direction to local farm stands and markets inside and outside Town	Program	Near-Term/ Ongoing	\$\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, North Collins Chamber of Commerce
Encourage retired farmers and non-farm property owners of vacant land to lease/continue to lease their properties to other farmers	Policy	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning
Promote the availability of existing information that is posted on the Erie County Soil and Water Conservation District and Erie County Cornell Cooperative Extension websites related to farming, farm markets and other farm resources	Program	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning
Work with Erie County and other agencies and organizations to identify and expand markets for locally grown products	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension

Town of North Collins
Agricultural and Farmland Protection Plan

GOAL 2: Leverage the Town’s Agricultural Assets and Natural Resources to Enhance and Expand the Agricultural Economy of the Town and its Capacity to Respond to Economic and Climate Trends and Changes				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Promote the establishment of Community-Supported Agriculture cooperatives on North Collins	Program	Short-Term/ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Use Town website, Town mailings and local media to promote the Cornell University Small Farms and American Farmland Trust “Farmland for a New Generation New York” programs	Program	Near-Term\ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Promote the use of small-scale, on-farm alternative energy technologies and systems	Policy	Short-Term\ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension, NYSERDA
Work with Erie County, Cornell Cooperative Extension, Erie County Soil and Water Conservation District to create a clearing house of information (“one stop shopping”) for farmers and others (website, training opportunities, seminars/workshops, tax programs, funding opportunities) in support of farming and agricultural business	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension, Erie County Soil and Water Conservation District

**Town of North Collins
Agricultural and Farmland Protection Plan**

GOAL 3: Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities in North Collins				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Promote the importance of programs, organizations and agencies that support and assist farmers and farm property owners, such as the Erie County Cornell Cooperative Assistance, Soil and Water Conservation District, and USDA Natural Resources Conservation Service	Policy	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning
Promote educational programs, business planning, and financial assistance programs, and other training offered by Cornell University Small Farms Program and other entities to help existing farmers and those interested in farming careers to gain valuable information	Policy	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning
Encourage Erie County and other local agencies to offer/expand training opportunities in basic business management and financial planning techniques.	Program	Short-Term\ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension, Chamber of Commerce
Work with Erie County and others to identify and expand markets for locally grown products	Policy	Near-Term/ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension.
Encourage the creation of a “one-stop” source of information on resources to support farms and agriculture	Program	Short-Term\ Ongoing	\$	Planning Board / Town Agricultural and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension, Chamber of Commerce
Encourage farmers to work with New York State Department of Agriculture and Markets and local agencies to explore new markets and market opportunities	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension

Town of North Collins
Agricultural and Farmland Protection Plan

GOAL 3: Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities in North Collins				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Encourage farmers to explore and take advantage of programs that assist with transitioning to organic farming or crop diversification	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Ensure that farmers are advised on the various tax relief programs that are available to help reduce tax burdens, as well as viable environmental management programs	Program	Short-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Soil and Water Conservation District
Explore the potential to establish a Farm to School program with school district	Program/ Funding	Short-Term	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning,
Work with Erie County to improve broadband communication services in the Town	Program/ Funding	Short-Term	\$\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning,
Promote the use of small-scale solar technology, wind turbines, and other energy efficient measures	Program	Near-Term/ Ongoing	\$	North Collins Town Board, Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Promote the use of the American Farmland Trust “Farmland for a New Generation New York” program	Policy	Short-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Advise farmers on available tax relief programs and environmental management programs	Program	Short-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension, Erie County Soil and Water Conservation District
Encourage farmers to utilize the Climate Resiliency Farming Program offered by the Erie County Soil and Water Conservation District	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Soil and Water Conservation District

**Town of North Collins
Agricultural and Farmland Protection Plan**

GOAL 3: Increase awareness of the changing trends and diversity of agricultural activity and the link between farms and food by the non-farm community to support and help ensure the long-term sustainability of farming activities in North Collins				
Recommendation	Action Type	Time Frame	Est. Cost	Participants & Partners
Promote the establishment of Community Supported Agriculture cooperatives	Program	Short-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension
Use the Erie County and North Collins websites to post events, newsletters, other information on the benefits of farming in the Town	Program	Near-Term/ Ongoing	\$	Town Supervisor, Town Clerk, Erie County Department of Environment and Planning
Promote information on Erie County and Cornell Cooperative Extension websites about farms, farm stands, farm products in North Collins.	Program	Near-Term/ Ongoing	\$	Planning Board / Town Agriculture and Farming Planning Committee, Erie County Department of Environment and Planning, Erie County Cornell Cooperative Extension

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***Town of North Collins
Agricultural and Farmland Protection Plan***

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Section VII

Glossary, Resources and References



***Town of North Collins
Agricultural and Farmland Protection Plan***

SECTION VII – GLOSSARY, RESOURCES, AND REFERENCES

Glossary

AEM – Agriculture Environmental Management
AFT – American Farmland Trust
AMA – Agricultural Management Assistance
AML – Agriculture and Markets Law
CCE – Cornell Cooperative Extension of Erie County
COCS – Cost of Community Services Study
ECAFPB – Erie County Agriculture and Farmland Protection Board
EQIP – Environmental Quality Incentive Program
NRCS – Natural Resources Conservation Service
NYS – New York State
NYSAGM – New York State Department of Agriculture and Markets
NYSDEC – New York State Department of Environmental Conservation
NYSERDA – New York State Energy Research and Development Agency
PDR – Purchase of Development Rights
REDC – Regional Economic Development Council
SARE – Sustainable Agricultural Research and Education
TDR – Transfer of Development Rights
USDA – US Department of Agriculture



Town of North Collins Agricultural and Farmland Protection Plan

Resources

Agricultural Marketing Services

www.ams.usda.gov/services/local-regional/food-sector/urban-agriculture

Alfred State College of Technology

www.catalog.alfredstate.edu/current/department/agriculture-veterinary-technology

American Farmland Trust

New York State Office

(518) 581-0078

www.farmland.org/newyork

Farmland Information Center

(800) 370-4879

www.farmlandinfo.org

Western New York Office

(716) 652-0100

Cornell College of Agriculture and Life Science

<https://cals.cornell.edu/>

Cornell Cooperative Extension of Erie County

(607) 255-2237

www.cce.cornell.edu

Erie County Office

(716) 652-5400

erie.cce.cornell.edu

Farm to School

(607) 255-2730

<http://farmtoschool.cce.cornell.edu>

Cornell Small Farms Program

Cornell University

<https://smallfarms.cornell.edu>

Erie County Department of Environment and Planning

(716) 858-8390

www2.erie.gov/environment

Erie County Farm Bureau

(716) 652-5151

www.ecfarm.com

Erie County Soil and Water Conservation Service

(716) 652-8480

www.ecswcd.org

Farm Answers

University of Minnesota Center for Farm Financial Management/
USDA National Institute of Food and Agriculture

<https://farmanswers.org>



Town of North Collins
Agricultural and Farmland Protection Plan

“Farmland for a New Generation New York” Program, American Farmland Trust.

<https://nyfarmlandfinder.org>

Internal Revenue Service

(800) 829-4933

www.irs.gov

Land Trust Alliance, Northeast Office

(518) 587-0774

www.lta.org

National Agricultural Statistics Service

<https://www.nass.usda.gov>

National Young Farmers Coalition

www.youngfarmers.org

New Farmers

<https://newfarmers.usda.gov>

New York Farm Bureau

(518) 436-8495

www.nyfb.org

New York FarmNet

(800) 547- 3276

www.nyfarmnet.org

New York Farm Viability Institute

(315) 453-3823

<https://nyfvi.org>

New York State Soil and Water Conservation Committee

(518) 457-3738

https://agriculture.ny.gov/soil-and-water/soil-water-conservation-committee?utm_medium=301&utm_source=www.nys-soilandwater.org

New York State Department of Agriculture and Markets

(518) 457-3880

(800) 554-4501

<http://agriculture.ny.gov>



***Town of North Collins
Agricultural and Farmland Protection Plan***

New York State Department of Environmental Conservation, Region 9
(716) 851-7000 General
Water quality (716) 851-7070 Permits (716) 851-7165 Forests (716) 851-7010
www.dec.ny.gov

New York State Department of Parks, Recreation and Historic Preservation
(518) 237-8643
www.nysparks.state.ny.us/shpo/tax-credit-programs/

New York State Department of State
(518) 474-4752
www.dos.state.ny.us

New York State Energy Research and Development Authority
(866) NYSERDA
(518) 862-1090
www.nyserda.org

New York State Environmental Facilities Corporation
(800) 200-2200
www.nysefc.org

New York State Farm Service Agency
(315) 477-6300
www.fsa.usda.gov/ny

New York State Department of Taxation and Finance
www.tax.ny.gov

New York State Office of Real Property Services, Agricultural Unit
(518) 486-5446 / (518) 474-2982
www.orps.state.ny.us

New York State Soil and Water Conservation Committee - NYS Soil and Water Conservation Districts
(518) 457-3738
www.nys-soilandwater.org

Niagara County Community College
www.niagaracc.suny.edu/programs



**Town of North Collins
Agricultural and Farmland Protection Plan**

Northeast Sustainable Agriculture Research and Education Program (SARE)
(802) 656-0471
www.nesare.org

Small Business Administration
(800) 827-5722
www.sba.gov

USDA Alternative Farming Systems Information Center
www.nal.usda.gov/asfic

USDA Farm Services Agency
(716) 652-1400 (Erie County Office)
<https://fsa.usda.gov>

USDA National Institute of Food and Agriculture
<https://nifa.usda.gov>

USDA Natural Resources Conservation Service
www.nrcs.usda.gov
www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/urbanagriculture/

USDA Natural Resources Conservation Service – New York
(315) 477-6504
www.ny.nrcs.usda.gov

USDA Rural Development - USDA Rural Business Cooperative Service
(315) 477-6400
www.rurdev.usda.gov/

Western New York Land Conservancy
(716) 687-1225
<https://wnylc.org>



Town of North Collins Agricultural and Farmland Protection Plan

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Erie County Real Property Tax Service.

<http://www.csrees.usda.gov/nea/economics/economics.cfm>

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New York State Department of Agriculture and Markets.

New York State Department of Environmental Conservation.

North Collins Town Code; Town of North Collins, New York.

Strategy for Prosperity – Western New York Regional Economic Development Plan; New York State Regional Economic Development Council.

U.S. Army Corps. of Engineers, Buffalo District Office.

Western New York Regional Sustainability Plan, New York State Regional Economic Development Council.

Your Land Is Your Legacy: A Guide to Planning for the Future of Your Farm; American Farmland Trust.

