

Callicoon & Delaware Farmland Protection Plan Committee Meeting, 6-18-09

Virginia Andkjar	Tom Bose	Linda Babicz
Stefan Gieger	Paul Hahn	Tanya Hahn
Sonja Hedlund	Jennifer Mall	Earl Myers
Nan Stolzenburg	Mary Tonjes	Jill Weyer

1. Meeting times and dates. Third Thursday is ZBA meeting night—we can share the space, as we’ve been doing, but is there another night that works for everyone? Discussion. No, let’s leave it as it is. If there’s a conflict we can try to find another venue.

2. Demonstration Farm. Jill described the demonstration farm project: The County removed an 84-acre parcel on Fulton Hill Road from the foreclosure auction list, and we are now exploring options for agricultural use of the parcel. It’s a farm, with roughly 30 acres of fields and 50 acres of woods, and has been idle for many years. County Planning is working with the Northeast Organic Farmers’ Association, Cornell Cooperative Extension, Delaware Highlands Conservancy, Catskill Mountainkeeper, Open Space Institute, SC Partnership for Economic Development, the Town of Delaware, David Sager, the County Treasurer’s Office, and the County Attorney’s Office to discuss options. One idea we are currently discussing is creating a demonstration farm, which the Northeast Organic Farmers’ Association would administer, under a lease with an option to purchase. The demonstration farm would be a functional farm model and educational facility.

3. Transfer of Development Rights: Discussion.

TDR needs to be attractive to landowners. Some towns create TDR Banks. There is a lot of time and planning involved in TDR programs. TDR should remain on the table as an option for the future. (See attached article from the Land Trust Alliance.)

4. Purchase of Development Rights: Discussion.

One issue with PDR: There is never enough money to buy development rights from everyone who wants to sell them. TDR and PDR are just two tools out of many, and we also need to consider other options for our plans.

5. Zoning and the Farmland Protection Plans.

Our committee must decide whether changing our zoning would benefit ag in our towns. If so, then we can advocate for zoning changes in our plans. Two key questions are: How much development is acceptable? Where should development occur?

Nan and Don can overlay the buildout map with the farmland map and map of prime soils, so we can get a better idea of how current and future development will affect agriculture.

Discussion of Each Town’s Zoning and Comp Plans.

Delaware:

Comp Plan (2007) is very supportive of agriculture. But there is a need to familiarize people with what protections and assistance the Town already offers.

Delaware’s Zoning Code (2006) doesn’t match the Comp Plan.

Callicoon:

Comp Plan (1980?) is outdated, and somewhat limited in scope. It appears that it was designed to guide the development of the Town’s first zoning law. The Plan offers broad statements but little guidance.

Callicoon Zoning (1995) needs a better definition of agriculture, and more specific requirements (for example, the section on water pollution describes water pollution so vaguely that it would prohibit many typical ag activities).

Conservation District zone should better reflect critical environmental features.

Zoning Suggestions for both towns:

Once the definitions are addressed, the committee should look at the substance of the plan (for example, how much density and where).

Open Space is defined very narrowly, and must be expanded if it is to include agricultural land.

Neither town explicitly allows for agriculture in the open space areas of cluster subdivisions.

Definitions are oriented toward intensive agriculture operations. The thresholds for classification as an intensive operation should be reviewed and made more appropriate.

Uses: Agriculture is an allowed use in most districts, but each town could address niche farms, aquaculture, you-pick, agritourism, and other types of ag in their definitions.

Clustering: It's an optional technique in Delaware, but not addressed at all by Callicoon.

Issue: clustering is harder than traditional subdivision. So some communities mandate it on parcels of a certain size, or in an ag overlay district.

Both towns set the amount of required open space in any development quite low. This could be increased.

Ag Data Statements: NYS Ag and Markets mandates these. Farm landowners within some radius (usually 500') of a proposed land use project must be notified. Each person should get a notice when the project comes up for review. Callicoon needs to address what happens to the ag data statement after it's generated (to ensure that notice is being given).

Zoning Districts:

Look at each district's intent. The requirements for each zone are weighed against the district intent, so the two must be compatible.

Both towns: The area of the RU District is different than the area where the farms are.

There are two needs that need to be addressed:

1. Low density rural residential development
2. Low density rural residential development where there are farms.

Low density rural residential development isn't necessarily compatible with farming. So, maybe the RU District should be split to meet those two different needs.

Lot Size: Increase minimum lot size, or use an average lot density, which offers much more flexibility than a standard minimum lot size. Some towns use a sliding scale: Higher density is permitted in smaller parcels, and less is permitted in larger parcels. So lots that are already subdivided can continue to be subdivided. Issue is that some people see it as penalizing large landowners.

Q: Can we set up a session to go over the buildouts and recommendations with the town boards, and planning and zoning boards?

A: We'll set it up. Supervisors will invite board members to the next committee meeting, and send them copies of the buildout maps and zoning analyses. Only the Town Board can change the zoning law. But the Planning and Zoning Boards should be present also, and know what we're working on, in order to get their support and buy-in.

Next Meeting: Thursday, July 16th, 7:30 pm. Location TBA.