Town of Liberty

Agriculture and Farmland Protection Plan

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List of Acronyms Used in Plan

Ag – Agriculture
AFPB – Agriculture and Farmland Protection Board
AG LDC – Agricultural Local Development Corporation
AML – Agriculture and Markets Law
BOCES – Board of Cooperative Education Services
CAFO – Concentrated Animal Feeding Operation
CCE – Cornell Cooperative Extension
CSA – Community Supported Agriculture
DHC – Delaware Highlands Conservancy
FFA – Future Farmers of America
IDA – Industrial Development Agency
LDR – Lease of Development Rights
LEED – Leaders in Energy and Environmental Design
NYS DAM – New York State Department of Agriculture and Markets
NYS DEC – New York State Department of Environmental Conservation
NYSERDA – New York State Energy Research and Development Agency
OSI – Open Space Institute
PDR – Purchase of Development Rights
SC – Sullivan County
TDR – Transfer of Development Rights
WAC - Watershed Agricultural Council –
USDA – United States Department of Agriculture

Executive Summary

The Town of Liberty sought and received a grant from the New York State Department of Agriculture and Markets to develop a town-level plan to protect and enhance agriculture. The grant tasked the Town to locate farm areas that should be protected, look at the value of farmland open space and the agricultural economy to the municipality, evaluate consequences of possible conversion, and describe activities, programs and strategies to promote continued agricultural use. A local committee was established in cooperation with the Town of Bethel to develop this Plan.

This plan is designed to offer the Town a toolbox of ideas and actions that can be implemented over time to improve agricultural opportunities in Liberty, preserve important farmlands, and maintain open lands as part of the landscape. Overall, the Agriculture and Farmland Protection Plan will give the Town:

- Additional leverage and success in receiving future State Aid;
- Assistance to local landowners who wish to participate in State or Federal purchase of development rights programs;
- A framework for the Town and interested landowners to promote farming and agri-tourism in town;
- Tools the Town and Planning Board can use during project review to protect farms to the maximum extent practical;
- A timetable for the Town to implement recommendations;
- Policies to establish agriculture as a critical land use in Town;
- Opportunities to identify new farm operations;
- Aid to help the Town maintain agriculture to promote healthy and local food.

"Ag" or "ag businesses" as used in this plan refers to agricultural operations, farms, and farming activities. "Agri-business" refers to those businesses such as machinery dealers, seed dealers and veterinarians that support agricultural operations.

What is included in the Plan?

1. Current status of farming: The Plan documents changes in farming over time and offers information about

the economic and development pressures facing area farmers. The Plan presents a map showing priority farmlands so the town can target future programs to critical areas. A buildout analysis was done to illustrate the potential non-farm development capacity and building levels were analyzed to determine the conversion pressures on farmland. The Plan outlines issues facing farms including the milk price crisis, low profitability, and high production costs. A lack of understanding by the general public about agriculture, lack of a next generation of farmers, and new housing development pressures are other serious issues facing farmers.

2. Role of Agriculture in town: The Plan discusses the important roles that agriculture plays in the Town of Liberty, especially related to the economy, open space, rural character, and overall quality of life. The general public highly regards farms and how they contribute to the small town and rural character of the area. Farmers in particular, also recognize the important economic value of farms.

3. Farmland Prioritization: Criteria are established in the Plan to help prioritize agricultural lands based on farmland soils, agricultural activities, and development pressures. The priority map included in the Plan identifies critical areas where farmland protection and enhancement programs should be targeted.

4. Vision and Goals: The Plan establishes a long-range vision for agriculture in the Town that aspires for more profitable farms, more locally grown and supported foods, more involvement and understanding by the general public in agriculture, new land use patterns that support farming and prevent sprawl, and new, diversified farms and agri-businesses.

5. Strategies: The heart of the Plan is its comprehensive toolbox of potential actions that can be put to work to address the many issues facing agriculture. Over 70 different ideas are presented in the Plan. A set of foundation actions are recommended to be implemented immediately after adoption of the Plan. These strategies, including formation of an inter-municipal Agricultural

Implementation Committee (Liberty and Bethel), are necessary to lay the foundation for success of future actions. The remaining strategies include economic development ideas, policy and regulation improvements, education and communication actions, and farmland preservation strategies suggested at the Town level. Because the success of this effort is in part based on regional efforts, County and State level strategies are also offered to support local initiatives. The Plan analyzes current land use regulations and makes specific recommendations aimed to help make zoning and subdivision laws more farm-friendly and supportive of ag businesses. In addition, new techniques such as transfer of development rights, conservation subdivisions, and purchase or lease of development rights are suggested. Helping match farmers to landowners who have farmland, promoting agricultural entrepreneurs, and helping new farms and farm expansions are central concepts included in the economic development strategies.

6. Implementing the Plan: All recommendations are included in a table to help the Town Board implement their plan. Each strategy has a priority, and agency or committee assigned to help with implementation.

Introduction

History of Agriculture Planning In New York

In 1992, the State adopted the Agricultural Protection Act which strengthened farmers' right-to-farm, placed greater scrutiny on state projects that could negatively impact agriculture, and authorized development of county farmland protection plans. Article 25-aaa of this act helps to sustain the farm economy and promotes local initiatives to protect agriculture and farmland in New York State. This section authorized the creation of county Agriculture and Farmland Protection Boards (AFPB). These boards advise their county legislatures on actions that impact farms located in county agricultural districts. Sullivan County established their AFPB by legislative resolution in November of 1992.

County Agriculture and Farmland Protection Boards are authorized to:

- ✓ Advise their county legislature about agricultural districts
- ✓ Review notice of intent filings
- ✓ Make recommendations about proposed actions involving government acquisition of farmland in agricultural districts
- ✓ Request review of state agency regulations that affect farm operations within an agricultural district
- ✓ Review and endorse applications for New York Purchase of Development Rights (PDR) funding.

New York State legislation modified the agricultural protection programs (Article 25-aaa) in 2006 to authorize local towns to develop agriculture and farmland protection plans (Section 324-a). The law requires that local plans include identification of land areas proposed to be protected, analysis of those lands related to their value to the agricultural economy, open space value, consequences of possible conversion, and level of conversion pressure, and a description of actions intended to be used by the

municipality to promote continued agricultural use. The State established a funding program to assist local municipalities with the development of these plans.

Overview of the Planning Process

The planning process in the Town of Liberty was initiated in November 2007 when the Sullivan County Department of Grants Administration, on behalf of the Town, submitted a grant proposal to the New York State Department of Agriculture and Markets for funding to develop this plan. This funding was awarded in 2008 as a collaborative and joint planning process between the Town of Liberty and the Town of Bethel. Throughout the process, the Town of Liberty has worked in partnership with Bethel by sharing a Steering Committee and implementing a completely integrated planning process. This was conducted with the understanding that the process would result in separate documents individualized to each town. In 2008, the Town hired a planning consultant to assist in development of the plan. Work began in August, 2008.

Planning activities included the following steps:

1. Documented the current conditions of farms and farmland in Town.

2. Identified public as well as farmer/farmland owner attitudes towards agriculture.

3. Identified trends and issues facing agriculture.

4. Identified needs and opportunities and wrote a vision statement and a set of goals for agriculture.

5. Developed specific strategies to help the Town reach its agricultural vision and goals.

6. Developed a priority ranking system to identify locations that are critical to continuing agriculture in Liberty.

7. Developed a full plan document that meets the statutory requirements of Section 324-a of Article 25 aaa of the New York State Agriculture and Markets Law.

A variety of public input activities took place as part of the planning process including meeting with the agricultural stakeholders to explore strengths, weaknesses, and opportunities related to agriculture; working with a farm focus group; conducting a survey of farmers, farmland owners, and agri-businesses; conducting in-depth interviews with representatives of a variety of agricultural oriented groups, businesses, and agencies; and conducting public meetings to present the plan and hear comments from the public and farmers.

Definition of Agriculture

Agriculture is defined and interpreted in different ways for different purposes. Defining agriculture to determine what operations or locations may be eligible for incentives, funding, or incentive programs is an important function of this plan. Town land use laws may define agriculture one way for determining what, where, and how agriculture is regulated through zoning. New York State defines agriculture from the perspective of the Agriculture and Markets Law related to the State Ag Districts and Ag Exemption programs.

As a result of the farm and agri-business survey, interviews, public workshop and farm focus group meetings, the following broad definition of agriculture was developed to include a wide variety of agricultural operations:

> Agriculture includes equipment, processing facilities, on-farm buildings, manure processing and handling, and practices that contribute to the production, preparation, or selling of crops, livestock, and wood products, including commercial horse boarding operations and compost, mulch or other biomass operations. Agriculture is an activity that produces food, fiber, animal products, wood products, and other goods and services from the land including but not limited to maple syrup, bee products, and Christmas trees. The Town of Liberty recognizes that there are different kinds of farms: hobby or subsistence farms that produce agricultural goods but whose intent may not be as a business, and production or commercial farms that operate with the intent to make a profit as a business. Both kinds of farms are working landscapes that help maintain the rural character and the economy of the Town.

Status of Farming in Liberty

Appendix 1 and 2 offer many details about farms and the farm economy in Liberty. A summary of this data points out several significant characteristics of farming in Town:

- There are 7,270 acres of land on 231 parcels farmed in Liberty. Of these, 115 are classified by the Town Assessor as agricultural land and the others are farmlands part of a residential parcel.

- There are 17,064 acres of land within the designated NYS certified Ag District. Of that, 16,120 acres are farmland.

- There are about 3,190 acres of prime farmland soils

in Liberty of which 338 acres are farmed. There are also almost 27,747 acres of farmland soils of statewide importance, of which 4,670 are farmed.

- Liberty farms are dominated by hay and crops, dairy, poultry, cattle, and horses. All these major agricultural operations have decreased in number over the years.

- There is a diversity of farming activities going on but these are at a much smaller scale in terms of acreage. The average farm size however is 47 acres.

- Farms are supported by a great deal of rented land (about 113 parcels) in Liberty. Farmers are concerned about the long-term availability of this land for agriculture.

- Most farms do not have products sold at local farmers markets.

- The number of farms supporting their owner as a principal occupation is increasing.

- The majority of farms in Liberty are small income earners (less than $50,000).

- Many farms have secondary operations for added income.

- Farms in Liberty employ at least 103 people (according to survey participants). These farms add significant dollars to the local economy.

- Sullivan County agri-businesses do not supply products and services to support all the needs of town farmers and they must go out of the area for some.

- The farm population is aging and there is concern

about lack of a new generation of farmers to take over.

- Since 2002, 11% of farms in the Liberty zip code areas have gone out of business. Between 1990 and 2008, Liberty population has decreased while the number of new homes have increased by 622 and 727 new lots have been created.

Role of Agriculture in Liberty

In January 2008, the Town of Liberty adopted a joint Comprehensive Plan with the Village of Liberty. Through that planning process, residents of Liberty have established the very important role agriculture plays in Liberty. The Plan includes ten different goals including one specific to agriculture that states "to sustain, promote, and support active agricultural and forest land". The Liberty Plan also recognizes agriculture's importance to the economy of the area and calls for increasing agricultural economic development and diversification of existing farms/croplands, preserving the critical mass of farms, protecting open spaces, and encouraging the preservation of farmland especially within existing Agricultural Districts. According to information from the public workshop, farm focus group, farmer/agri-business survey, and other data (Appendix 1), the following roles for agriculture in Liberty have been identified:

Reasons Why Agriculture is Important to the Town of Liberty

1. Farms contribute to the local economy through sales of agricultural products, and tourism. Since farms pay more in local taxes than they demand in public services,

agriculture helps maintain the fiscal health of the Town. Farms support other local businesses in the region and there is a large multiplier effect of agriculture on the area's economy.

2. Farms add to the quality of life and are a foundation of the County.

3. Farms are working open spaces that enhance the diversity of the landscape and contributing to the rural character in Liberty. Farms are important open spaces that contribute to scenic views, and add to the beauty and culture of our Town.

4. Farms will play an even more important role in the future as rising energy prices in the future will limit the distance food can come from. This will make local food sources critical.

5. There is a growing recognition of the importance of locally produced food from a safety and nutrition perspective.

6. Residents like knowing farms are there and seeing farm animals.

7. Agriculture plays an important role historically in the area.

8. Farms are important in continuing to attract visitors to the area.

Vision and Goals

The following statements, developed by farmers and the general community as part of the public input for this plan, capture the hopes and desires for agriculture in Liberty:

- Agriculture becomes part of everyone's everyday existence.
- Agriculture will be the pride of our county.
- Farmers have greater knowledge of land preservation opportunities.
- Farms will be more profitable and will be the pillar of local economy.
- Farms will be viable and part of who we are.
- Foods can be grown and processed locally.
- More education about food and agriculture should be available to foster better connections to local farms.
- Sustainable agricultural practices are supported and encouraged.
- The development pattern will be more concentration of density in the village surrounded by open space and farms.
- There will be a diversified agricultural base and farms will take advantage of agri-tourism opportunities.
- There will be improved distribution of foods locally.
- There will be more agri-businesses.
- There will be more protected farmland.
- Zoning and local policies facilitate farms and agri-businesses.

These sentiments were summarized and incorporated into a unified statement, below, that represents the vision for the future of agriculture in Liberty:

In 2020, the state of agriculture will be:

Agriculture is appreciated as working open space and for its intrinsic contribution to Liberty's economy, environment, community character, health, history, culture, and quality of life. Our Town supports a wide diversity of profitable farms from niche farms and horticulture, to traditional dairy and livestock farming operations. Lands remain available for active agriculture. More farmers capitalize on local and regional markets and add value to their products. New and sustainable agri-business and agri-tourism investments in the area are promoted. Farmers and farmland owners are supported in their efforts through ag-friendly land use policies and regulations. Agriculture in Liberty is firmly integrated into our everyday lives.

Goals

- To enhance agriculture as an important economic contributor in the Town and promote agricultural diversity, viability, and profitability.

- To increase community support, and awareness of agriculture, and cultivate an appreciation of the many roles agriculture plays in our Town.

- To implement and promote local policies and programs that support and encourage a diversity of viable farm operations.

- To promote and preserve agriculture as working open space and a critical land use that protects our Town's rural character, scenic beauty, and quality of life.

- To preserve currently dormant but potentially valuable farmlands for future agricultural use.

- To eliminate conflicts between farm operations and other land uses.

- To promote woodlot management and preserve woodlands for forest-related agricultural activities.

Strategies

This section details a variety of actions that should be taken to implement this Plan. The actions are organized as local, county or state initiatives.

Local initiatives are those that will be carried out by the Town. These are organized into two kinds – Foundation Actions and Strategic Actions. In order to be successful, the Town should concentrate its initial efforts to implement the foundation actions.

Foundation actions are those that "set the stage" and establish a solid foundation to enable other, more detailed actions to take place. The **Foundation Actions**, when implemented, establish the leadership and structure needed to effectively carry out the other more topic-oriented actions. **Strategic Actions** are topic-oriented and are specific to meet one or more of the goals established in this plan.

Town Initiatives

1. Foundation Actions

A. Formally adopt this Plan as a part of the Town Comprehensive Plan. This could be as an appendix or addendum to the existing plan.

B. Continue the inter-municipal cooperation and regional planning efforts initiated with the creation of this Plan. Create a formal inter-municipal agreement between at least the towns of Bethel and Liberty and explore cooperation with adjacent towns to establish the leadership, scope of work, and procedures to implementing this plan.

C. Establish an advisory Agricultural Implementation Committee and appoint members to represent farmer, open space, agri-business, and local government interests. This advisory committee should be an appointed, standing committee of the Town that is responsible for representing the farm

community, encouraging and promoting agricultural-based economic opportunities, and preserving, revitalizing, and sustaining the Town's agricultural businesses and land. The Town Board should assign terms of service, establish a time table and benchmarks for different actions as per this plan, establish a mission statement for the committee, and outline expectations for the two boards will communicate with each other. This committee should be this Plan's implementing body, and should report regularly to the Town Board. Ideally, this committee should be shared between at least the Town of Liberty and Bethel to assist both in implementing their plans. A multi-town committee could have sub-committees oriented to specific actions that may be needed for each Town. This Committee should coordinate and work closely with the County agricultural economic development staff. Of prime importance should be to promote small farms and dairy farms.

D. Consider hiring a part time person to serve as staff to the agriculture implementation committee. Funding this staff person will be most feasible if the costs are shared by multiple towns. A multi-town Agriculture Implementation Committee facilitated by one staff person could be very effective.

E. Aggressively advocate to Sullivan County (County Manager, Legislators and staff and the Agricultural and Farmland Protection Board) the critical need to fully implement the County Agriculture and Farmland Protection Plan. Work to elevate the importance of that Plan with Sullivan County officials.

F. Aggressively advocate to New York State (Department of Agriculture and Markets, Legislators, and Governor) the critical need to implement the state-level actions identified in this Plan.

G. Seek funding for implementing this Plan. Funding sources, especially public-private opportunities to be explored include, but are not limited to:

USDA: Has a variety of loans and grant programs including the Value-Added Producer Grant and the Rural Business Enterprise and Rural Business Opportunity programs.

NYS DAM: Has a variety of loans and grant programs including the Agri-Tourism Project, Specialty Crop Block Grant, Farmers Market Grants, SARE Farmers/Grower Grant Program, Grow NY including Ag Research and Development Grants, Farmland Viability Grants, Enterprise Program, and Non-point Source Abatement and Control Grants.

NYS DEC: Offers the Environmental Farm Assistance and Resource Management Program.

NYS Office of Small Cities: Offers Community Development Block Grants.

Sullivan County IDA – Has agriculturally oriented revolving loan funds, and the Agriculture Local Development Corporation that currently exists to provide incentives and tax benefits for new and expanding agricultural businesses.

NYSERDA: Offers Innovation in Ag Grants.

Watershed Agricultural Council: Offers a variety of programs and funding for ag economic development and farm improvements for those farms within the NYC Watershed.

Other sources of funding to explore include but not limited to the Sullivan County Chamber of Commerce, Sullivan County Partnership for Economic Development, Pure Catskills, and LEED Certification (for agricultural structures).

H. Implement farm and farmland related strategies recommended in the Town Comprehensive Plan. Keep both the Town Comprehensive Plan and this Agricultural Plan updated by reviewing and updating as needed every five years.

I. Support programs, organizations, and agencies that assist farmers and farmland owners. These include

but are not limited to Cornell Cooperative Extension, Soil and Water Conservation District, Natural Resource Conservation Service, Sullivan County Planning and Environmental Management, Sullivan County IDA, Sullivan County Agricultural Local Development Corporation (Ag LDC), Delaware Highlands Conservancy, and Pure Catskills.

J. Successful implementation will depend on a team approach. Coordinate implementation efforts with partners, including, but not limited to Cornell Cooperative Extension of Sullivan County, the SC Soil and Water Conservation District, USDA Natural Resource Service, SC Agricultural and Farmland Protection Board, Open Space Institute, Delaware Highlands Conservancy, Sullivan Alliance for Sustainable Development, the Rural Economic Area Partnership Zone, and the Catskill Mountainkeeper.

K. Stress the importance of agriculture in all Town functions. Use every opportunity to convey the importance of agriculture to the Town including implementing this Plan and using Town websites, newsletters, offices, press releases, etc.

2. Strategic Actions *(Not in prioritized order)*

A. Topic: Economic Development

(1) Provide information to farmers and farmland owners regarding tax relief programs that are available. Maintain copies of brochures and other information in Town Hall on these programs as well as land trusts, new farm marketing and start-up information, etc.

(2) Ensure that the Town Assessor, farmers and farmland owners have up-to-date information on the tax relief programs and make this available to farmers.

(3) Work with the Sullivan County Agriculture Economic Development Specialist to promote economic development programs including, but

not limited to:

a. agricultural cooperatives,
b. ag economic development zones,
c. utilize the existing empire zone to its maximum potential to promote agricultural cooperatives and other ag businesses. (As of 2004, agricultural cooperatives are eligible to be granted Empire Zone status, allowing them to receive current tax incentives for the creation and retention of new jobs. Agricultural cooperatives are comprised of farmers located in a specific region of the State who organize to market a bulk agricultural commodity. A number of dairy cooperatives exist in New York State.) Businesses operating inside a zone are eligible for a range of tax benefits that are applied against new capital investments. Benefits include tax reduction credits, real property tax credits, sales tax exemptions, wage tax credits, and utility rate reductions, among others.

(4) Promote agricultural entrepreneurship within the Sullivan County Partnership for Economic Development. Work with staff and their Board of Directors to build awareness of agricultural businesses and the role they play in the economic health of Sullivan County. This already-developed and successful private/public economic development effort could be support agriculturally related businesses and farm operations as part of their stated mission because they already have programmatic structures such as revolving loan funds in place. There is an opportunity to improve the status of agri-business in the region through this program.

(5) Work with Sullivan County and expand the Sullivan County Agri-Business Revolving Loan Fund. This targets entrepreneurial, emerging and expanding agri-businesses and is available to agri-businesses for establishment or expansion in

Sullivan County. Review their definition of eligible agri-businesses and ensure that production agriculture, not just processing facilities are included so that it could be used to promote additional farming operations. The loan may be used to purchase capital goods, such as:

- Inventory (including livestock)
- Machinery and Equipment
- Furniture
- Fixtures and Signage
- To make leasehold improvements directly related to needs of business and working capital.

(6) Work with Cornell Cooperative Extension to create a clearing house of information including websites, and educational materials that can be used to help new farming and ag business start-ups. Tie this into existing extension efforts such as the new farm start-up program.

a. Many materials have already been developed by a variety of agencies and organizations. These materials should be consolidated into a single "one-stop-shopping" as a small farm marketing and business development tool kit. See Appendix A for some resources.

(7) Promote local branding and the "Pure Catskills" brand. The "Pure Catskills: Buy Fresh, Buy Local" and the "Made in the Sullivan County Catskills" are existing brands that could be promoted and more effectively utilized. However, evaluate if there are advantages to having an additional brand specific to agriculture. The Town should evaluate the effectiveness of these brands and consider developing an agricultural-based one if needed.

(8) Inventory and develop a method to advertise all farms in the Town. Consider the following ideas:

a. Use the Town website as marketing for area farms with text and pictures that capture the

agricultural character of the Town.

b. Create a local regional farm inventory website that includes location, products, availability, prices, etc.

c. Encourage farmers to become members of Pure Catskills and increase the number of farms in Town that are listed in the Sullivan County Catskills and Pure Catskills brochures.

d. Work with local farms and encourage them to be listed in the New York MarketMaker website. This is an interactive mapping system that locates businesses and markets of agricultural products in New York, and provides a link between producers and consumers. (http://ny.marketmaker.uiuc.edu)

e. Create a map and guide showing farms and farm markets in the county.

f. Organize farm tours, especially for local and county elected officials.

(9) Use the Grow NY and Pride of NY materials to promote fresh foods and agriculture. Provide restaurants and businesses that buy or sell local food products with promotion materials that advertise Sullivan County fresh, local foods. (See NYS Department of Agriculture and Markets website).

(10) Work with Sullivan County and the Sullivan County IDA to finish development of the Southern Catskills Red Meat Processing Facility in Liberty.

(11) Establish a program to encourage entry of young and new entrepreneurial famers into agricultural businesses. Consider the feasibility of using a Lease of Development Rights program (LDR, see below) for this purpose. An LDR could provide tax incentives for 10 years if farmers voluntarily

agree to a term conservation easement and active farm operations for that time period.

(12) Work with the Sullivan County IDA to enhance funding opportunities in the forms of loans, grants, and tax incentives directly for new farm, farm expansion, and ag-business development. Work to expand the Ag Local Development Corporation that currently exists to provide incentives and tax benefits for new and expanding agricultural businesses. Promote agricultural business development in this agency so that the same incentives are given to farms and ag businesses as other businesses.

(13) Explore the feasibility of alternative agricultural opportunities such as aquaculture, and a Kosher market in the region.

(14) Partner with The Center for Workforce Development program, FFA, and establish a local intern program to help provide and train a skilled agricultural workforce.

(15) Promote value-added farming, CSA's, niche farming, and agri-tourism opportunities with landowners and farmers. Use existing resources such as the Agricultural Marketing Resource Center (www.agmrc.org) and the Small Scale Food Entrepreneurship program (www.nysaes.cornell.edu) to help. See Appendix A for a list of other resources that can assist in this.

(16) Work with Sullivan County to enable provision of cable and high-speed internet access to all locations in the Town.

(17) Facilitate formation of buying cooperatives so farmers can pool resources together for lower costs of products and machinery.

(18) Help local value-added food producers explore for-rent community kitchens such as the Hudson Valley Food Works or other similar operations (http://hudsonvalleyfoodworks.org). The Hudson Valley Food Works is a facility that offers six separate but contiguous production spaces for rent, including well-equipped commercial kitchens, bakery and bottling lines and cooled packaging areas. They accommodate special production needs, including USDA and Kosher and have areas for shipping and receiving and secured spaces for dry storage, refrigeration and freezers. As the local need increases, consider developing, supporting, and marketing a similar multi-town or county-wide community kitchen.

(19) Promote renewable energy such as solar, wind, and geothermal to take advantage of alternative energy options that will reduce energy costs of farms.

B. Topic: Policies and Regulations

(1) Develop a "farm-friendly" regulatory environment in Town. See Recommendations for Land Use, below.

(2) Use NYS Town Law 271.11 and appoint a farmer to serve as a member of the Planning Board to ensure that the agricultural perspective is included in the planning process.

(3) Educate local realtors about the Ag Disclosure Notice and the critical role they play in informing new land buyers about agricultural practices.

(4) Develop a brochure that summarizes zoning and other land use requirements as they relate to farms and agricultural businesses and distribute to farmers and farmland owners.

C. Topic: Education and Communication

(1) Establish an education campaign to publicize the

value of farming to the total community and improve public understanding of farm practices. Concepts to concentrate on include the role of agriculture in the community (aesthetic, environmental, recreational, and economic), and the role agriculture plays in the broader open space of the community. Education needs to be three-pronged: for the general public, for local and county elected officials, and for farmers. Some ideas to consider include, but are not limited to:

a. Work with the County to continue establishment of an Agricultural Visitors Center with a working farm as a learning center;

b. Facilitate farm tours, for the general public and elected officials;

c. Work with school districts that serve Town residents and establish Farm-to-School, school-based gardens, and farm-based school trips;

d. Support local farmers markets and events to promote farms;

e. Include links on the Town website to local farms and farm events;

f. Create welcome packets for new residents with maps, coupons, and other farm-related promotional materials, including information about farm practices, the agricultural district law, the Ag Disclosure Statement, local regulations and plans, and right-to-farm laws.

g. Work with Cornell Cooperative Extension and other agencies and organizations to help farmers learn ways to promote positive farmer/non-farm neighbor relationships.

h. Provide for training of the Planning Board in

agricultural topics. This should count toward their required four hours of training.

i. Promote youth education programs oriented to agriculture such as 4-H and FFA.

(2) Work with Cornell Cooperative Extension and other agencies and organizations to coordinate a regularly held but informal farm focus group for Town farmers. Two or three times a year, invite farmers to the Town Hall for a lunch-time meeting to discuss farm-related issues and to provide information or training. If this is done at a Town or bi-town scale, farmers might be more apt to take an hour to participate.

(3) The agricultural community should have an increased voice as local businesses in the area chambers of commerce. Encourage the Sullivan County Chamber of Commerce, Liberty Chamber of Commerce, and the Bethel Business Association to reach out and recruit farms as members. Farmers should be informed about the benefits of Chamber membership.

(4) Address gas drilling via educational programs and materials designed to help people learn about the various options and issues related to it.

D. Topic: Farmland Preservation

(1) Support landowners who desire to use conservation easements to protect their farmland properties.

(2) Establish a Purchase of Development Rights program (PDR). Use the prioritization map and criteria to direct funds to the critical farmlands first. Lands should be preserved with conservation easements.

(3) Establish a Transfer of Developments Right Program

(TDR). Ensure that preserved areas include high priority farmlands as shown on Farmland Priority Map.

(4) Establish a Lease of Development Rights Program (LDR). Use the Priority Farmland Map to assist in determining critical locations to direct this program towards.

(5) Use development density incentives to encourage preservation of important farmlands as identified on the map showing priority farmlands.

(6) Connect land sellers and buyers to promote available farmlands for sale or rent to other farmers. Develop a program modeled on the Jefferson County "Come Farm with Us" program (www.comefarmwithus.com). Promote farmlands as potential niche farms to urban residents seeking a rural business opportunity.

(7) Promote use of formal farmland rental agreements between farmers and farmland owners to stabilize availability of rental lands.

(8) Use this plan's farmland prioritization system for purposes of targeting PDR, TDR, LDR, incentive programs (mentioned above) and other farm-related programs to the critical mass of farmland in the Town. (See Farmland Prioritization for prioritization criteria and model).

(9) Develop non-consumptive model leases (for example recreational leases and hunting leases) to promote maintenance of open lands.

County Initiatives

(not in any priority order)

(1) Promote and expand the County IDA's program to retain existing farms and expand new farming and agri-business opportunities. (See also Key

Strategy 2 (A) above).

(2) Update the County Agriculture and Farmland Protection Plan and commit to full implementation of it. Add more detail, time frames, and to-do-checklists to aid in implementation.

(3) Facilitate more interaction between County legislators and the farming community.

(4) Continue to fund the County agricultural economic development efforts.

(5) Support with staff, funding, and leadership the various Town initiatives outlined in this Plan.

(6) Direct IDA policies to target more than agricultural infrastructure and processing, but farm retention and expansion. Emphasizing dairy and livestock farm initiatives is critical.

(7) Reach out and ensure that the farmers and farmland owners are familiar with county-level programs and opportunities. Provide additional information and training of local officials about the Ag District Program, its purposes, and its requirements.

(8) Evaluate the feasibility of developing a farmer-supported, but county-facilitated farm produce distribution network that would aid moving farm products to restaurants, farm markets and other retail opportunities. Interviews for this Plan indicated that some potential markets do not have easy access to local products.

(9) Provide up-to-date county-based information on the cost/benefits of conservation easements that protect farmland.

(10) Enhance presence of agriculture and locally grown products on the Sullivan County Visitors

Association website. Agriculture should have a more prominent role in tourism. The website currently has opportunities for people to request brochures on county antiques, pottery, gay-friendly businesses, and historic sites, but nothing about agriculture. Some agricultural events and businesses are included on the site, but not as many as included in the Made in the Sullivan County Catskills brochure.

(11) Promote agricultural education at local schools and in the community colleges, and through youth programs such as 4-H.

(12) Develop and maintain an up-to-date list of all farms in Sullivan County.

State Initiatives

(not in any priority order)

(1) Provide additional incentives to landowners who rent their land for farmland to maintain the rented land farm base.

(2) Create additional funding streams to assist towns and counties to implement the ag and farmland protection plans the State has already sponsored.

(3) Lower the gross sales limits a farmer needs in

order to be eligible to receive ag assessments (currently $10,000 or more if 7 acres are farmed or $50,000 if less than 7 acres are farmed).

(4) Increase the Farm to School initiatives.

(5) Expand local options for raising funds for PDR and LDR programs including allowing for use of real estate transfer taxes.

(6) Provide funding to reduce farm production costs through the use of on-farm methane digesters and solar or small wind facilities to reduce energy costs for farms.

(7) Allow local governments to use the penalties that are collected when land that has received ag assessments is taken out of production to be used for local PDR funding and other new farm incentives.

(8) Create county by county information on cost of services, cost/benefit analyses, economic multipliers, and fiscal impacts of land conversion. This information is important to help local governments understand the implications of farms and farmland loss to their communities.

(9) Develop mechanisms to help local communities bring their local planning to be more consistent with the Ag Districts Program.

(10) Provide additional information and training of local officials about the Ag District Program, its purposes, and its requirements.

(11) Provide a mechanism, possibly through Cornell Cooperative Extension, to provide specific business plan development and marketing support for direct sale, niche farming, and value added operations.

(12) Change state level policies that require creation of new jobs as part of the ranking criteria for economic development project proposals.

(13) Provide more training for local officials using up-to-date technology such as webinars on a variety of topics including:

a. Valuation of farm properties (assessors)
b. Provisions of Ag District Law
c. Operational details of farmland protection
d. Farmland protection techniques for towns and their attorneys.
e. More tools and models for local leaders to help them effectively incorporate agriculture into their plans, codes and ordinances. Create a real toolbox that the average volunteer local official can easily and readily adapt to their situation.

(14) Initiate state level programs to plan for local "foodsheds" to ensure that New York can "feed itself" in the future.

(15) Establish a "farm viewshed protection program" by providing for tax incentives to farmers who maintain open farmland within public viewsheds.

Recommended Strategies for Land Use[1]

A. Zoning Law

1. §84-4 Definitions. Update and add terms related to agriculture. Consider adding definitions for agriculture, farm, nurseries, agri-tourism, farm stand, open space, stable, horse boarding operation, riding academy, tree farm, nursery, intensive poultry and swine operations, on-farm meat processing, and agri-business. Consider adopting regulations similar to those established in NYS AML 25-aa related to riding stables. (See Appendix 7 for model definitions).

1 See Appendix 4 of this plan for the full regulatory audit that provides the full explanation and rationale for these recommendations.

2. Update the District Purpose Statement for the AC (Agriculture/Conservation) District (included in the proposed use table) to be consistent with that proposed in the Liberty Comprehensive Plan as follows: "This district is intended to encourage preservation of agricultural land and open space. Minimize residential development through protection of sensitive natural areas, viable farmlands and water resources. Ensuring these resources protect the rural character of the Town and are used in ways which adapt to those limitations and do not threaten the health and safety."

3. §84-11—Ensure that there are no specific height restrictions for silo's.

4. §84-14— Evaluate and clarify requirements related to unattached accessory structures to exempt farm accessory uses outside the agricultural district from this section.

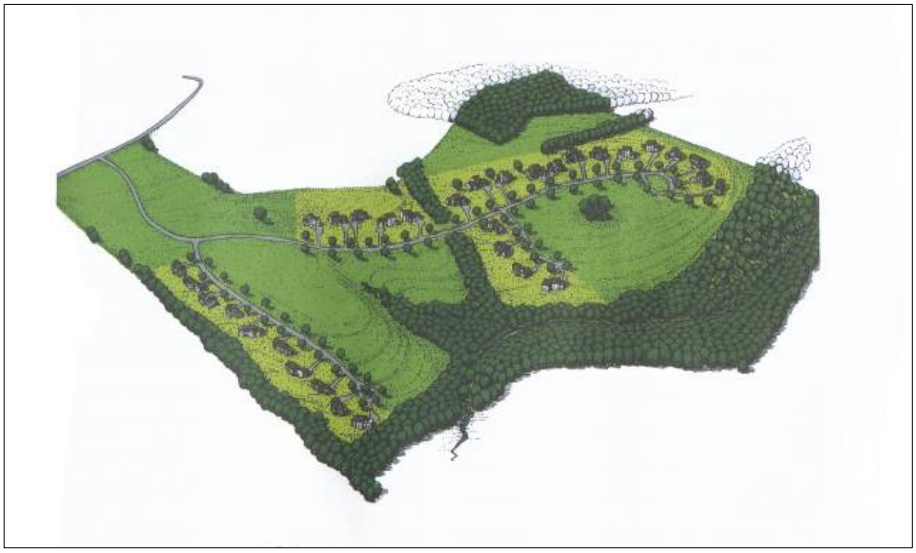
5. §84-20 (G) - Amend the size , dimension, and manure/disposal regulations related to intensive use of poultry and swine so that it does not restrict smaller poultry and swine operations (See Appendix 4). A definition of these uses should be included in the use table. Consider referencing or using DEC CAFO General Permit rules related to these uses. Also amend this to allow for small, on-farm meat processing as these may be desired to support agriculture in Liberty.

6. §84-20 (H) - Liberty should re-evaluate the needs for regulating horses and the keeping of animals and find language that would be both protective of non-farmers, but encouraging of these types of farm operations.

7. §84-21, Cluster Development – update this entire section to offer more guidance on designing an effective clustered development.

    a. Consider establishing criteria in the zoning that would authorize the Planning Board to require cluster/ conservation subdivision design under certain circumstances to preserve critical farmlands.

b. The section should state the percentage of land to be permanently preserved as open space.



c. The section should define open space and offer standards as to what, where, and how this open space will be determined. Further, it should detail how the land will be preserved, what uses will be allowed on it, and what the ownership options are.

d. Agriculture should be listed as a specifically allowed use on the preserved open space.

e. De-emphasize active recreational uses of the open space such as golf courses.

f. Offer incentives for clustering. This is usually in the form of a density bonus that offers additional housing units in exchange for the use of the technique and permanent preservation of the land.

g. Incorporate conservation subdivision tools into the process. These clearly outline that the houses are designed around important environmental features to create meaningful open space.

h. Allow for maximum flexibility in placement of new lots and area dimensions for them. Site conditions should dictate how big and where each of the new

lots should be. Consider removing or changing the requirement that lot dimensions are ½ of what is required without clustering.

i. Consider removing the requirement for central water and sewer for a clustered subdivision. Some effective design may be feasible without central water and sewer.

8. §84-27, Site Plan and Special Use Permits – update to ensure agriculture is considered during the design and review of projects that require site plan and special use permits. Review the list of permitted uses in the AC District to ensure they are compatible long-term and cumulatively with agriculture. Make sure all permitted uses are also defined.

9. Density: Considering the Comprehensive Plan and the buildout analysis, consider reducing the overall capacity of development, especially in the AC district. Consider adopting the recommendations from the Comprehensive Plan in the proposed AC district (A 10 acre minimum lot size or a 3 acre minimum lot size with 50% open space preserved if a conservation subdivision is developed). Other tools that could be considered by Liberty include:

a. Use Average Lot Density: Do not require a minimum lot size, but instead rely on an average density to be attained over the entire parcel being developed. Minimum lot sizes can be as small as allowed by the Department of Health for septic systems or even smaller if sewers were provided for.

b. Reduce Density Using a Sliding Scale: This technique sets a density of development based on the size of the parcel to be divided.

c. Reduce Density by Using Net Acreage: This removes lands on a parcel having certain characteristics such as wetlands, open water, very steep slopes, or prime farmlands from being included in the calculation for how many new residential units the parcel is eligible for.

Sliding scale zoning limits the number of times that a parent parcel (a parcel existing on the date of ordinance adoption) can be split, based on its size,

Sliding scale zoning allows some non-farm residential development without special land use or other reviews. Sliding scale zoning can be useful in agricultural areas where there are significant development pressures and land speculation. The use of sliding scale zoning is most effective in areas where a wide range of parcel sizes exist and non-farm residential development has already begun to occur.

Sliding Scale (Example)	
Area of Lot of Record	Maximum Additional Lots Permitted
1 to 10 acres	1
10.1 to 20 acres	2
20.1 to 40 acres	3
40.1 to 80 acres	4
80.1 to 160 acres	5
160.1 to 320 acres	6
over 320.1 acres	7

d. Reduce Density but give it back with Incentives: For conventional subdivision development with no open space protections, reduce the allowable density of development compared to existing regulations. Offer a density bonus if the applicant proposes a clustered subdivision, participates in a Transfer of Development Rights program, or otherwise protects agricultural lands in Town. A density bonus process that offer incentives for development could be added to zoning. Incentives could be offered for use of conservation easements, purchase and preservation of farmland off-site, use of conservation subdivisions, use of clustered subdivisions, or a participation in a transfer of development rights program, for example.

e. Mandate use of cluster/conservation subdivision for all subdivisions over 5 lots or at a minimum in appropriate areas of Town, or authorize the Planning Board to require such subdivisions for large developments if the environment or agriculture can be better protected than with a conventional subdivision. The criteria for this would be outlined in the zoning.

f. Initiate a Transfer of Development Rights (TDR) Program. This program should include the following concepts:

   1. A density bonus should be given when a TDR takes place. The TDR program should create a demand for density bonuses.

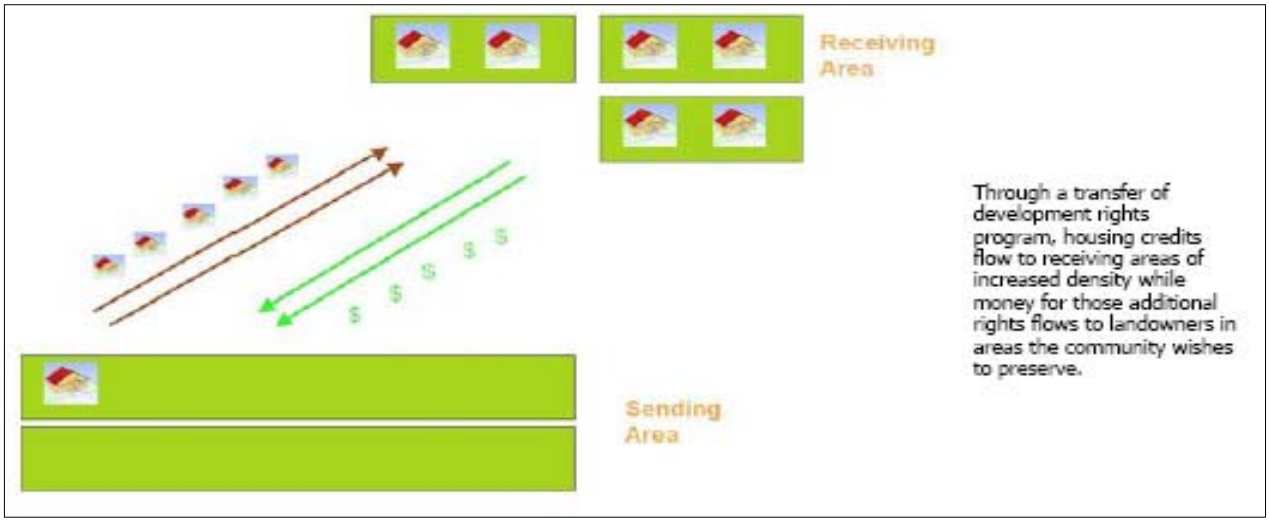
   2. Receiving areas should have adequate infrastructure, be politically acceptable, compatible with existing development, and be clearly designated and in a location where developers perceive a market for higher density. Receiving areas should be in the R-2 districts near the Village of Liberty. To accommodate this growth, consider expanding the R-2 areas around the village where environmentally feasible.

   3. Sending areas must have strict regulations and

lower densities for TDR to work. Too high a density in the sending area will make the TDR option not favorable. Sending areas should be priority farmlands in the AC district.

4. The TDR program should be as simple as possible and set up to give developer's certainty in the planning and review process.

5. Consider use of a TDR bank. This is an entity officially authorized by the community to buy, hold and resell TDRs. The bank can acquire TDRs from sending area landowners who cannot find private buyers. It can establish and stabilize TDR prices, facilitate transactions, and market the program. Further, a TDR bank can create a revolving fund by buying TDRs, selling them, and using the proceeds to buy more TDRs.



10. Zoning Districts. Consider adopting the proposed zoning map from the Comprehensive Plan. This entails including all NYS certified Agricultural Districts in the AC district, as well as some currently undeveloped woodlands. Further consider expanding higher density districts and allowing smaller lots around the Village of Liberty, hamlets, and other existing higher density areas to direct more development to these areas.

11. Ensure that regulations related to hours of business operation, use of temporary signs, and parking requirements are reduced or do not apply for farms, especially season farm businesses.

12. Add to the Use Table additional agri-businesses such as u-picks, CSAs, expanded road stands, corn mazes, hay rides, pumpkin patches, seasonal events, school programs, weddings and parties, farm markets, dairy barns, bakeries, farm stores and restaurants, bed and breakfasts, farm stays; Farm support businesses such as slaughterhouse, community kitchen; and Farm-compatible businesses.

13. Add all NYS Agriculture and Markets Law requirements such as the Ag Data Statement.

14. Add in all NYS State Environmental Quality Review Act (SEQRA) requirements. SEQRA also requires a review of a projects impact on agriculture.

15. Add in all NYS General Municipal Law requirements related to County Planning Board review of certain projects. This may offer additional insight into the regional impacts a proposed development might have on broader agricultural resources.

16. Add rural design and layout standards for new residential uses proposed on or adjacent to farmlands to help guide the placement of new structures in ways that would be the most advantageous to continuing agriculture.

17. For proposed projects within the NYS Agricultural District requiring a special use permit or site plan approval, add an application submission requirement that active farmlands, prime farmland soils, and soils of statewide importance be identified on the proposed parcel and within 500 feet on any adjacent parcel having these features. In this way, Liberty can more adequately review the impacts of the proposed project on agricultural resources.

18. Add in a density bonus process to offer incentives for

development that preserves farmland. Incentives could be offered for use of conservation subdivisions, clustered subdivisions, or a transfer of development rights program participation for example.

19. Make sure that the mobile home law (Chapter 52) allows for use of mobile homes on agricultural operations for farm worker housing in a NYS certified Agricultural District.

B. Subdivision Law

1. Purposes: Amend this section to strengthen the emphasis on agriculture. Add in a reference to the comprehensive plan, which should be added in as well.

2. Definitions. Define agricultural and farm-related terms to be the same as in zoning (See Appendix 7 for model definitions).

3. Procedures: Amend to include requirement that the Ag Data Statement be part of the subdivision application and that the Planning Board shall use this statement to inform farm owners of a subdivision proposal.

4. Plan Requirements: Strengthen by adding to the plat requirements the need to identify the zoning districts in which the subdivision is proposed, identification of whether the parcel is in a NYS Ag District, and identification of active farming uses on or adjacent to the parcel being subdivided. Consider also specifying identification of any prime farmland soils or soils of statewide importance. Basic information about the agricultural environment should be part of both the preliminary and final plans.

5. To enhance the ability of Liberty to preserve effective open space and lands for agricultural activities, consider eliminating the requirement that the Planning Board can't require any more than 10% open space or 3 acres of preserved land.

6. Include a section on clustering/conservation subdivision procedures and standards. This should be consistent

with the zoning requirements. The subdivision law should define the review process and administration of these projects.

7. Remove language in Section 130-21 that does not allow a waiver of depth or width of lot size for any cluster development as this may be an impediment to doing a well-designed clustered subdivision.

8. Design Standards: Include agriculture in all language where the law establishes the need to preserve natural features. Agriculture should be elevated to the same consideration. Further, subdivision language should specify that new subdivisions should be designed to have the least amount of interference with adjacent agricultural operations or those within the NYS Ag District. Add language so buffers would be required to be created by new subdivisions when adjacent to existing farm operations.

Implementation Steps

This section outlines an action plan to implement the Agriculture Protection Plan's recommended strategies. Leadership from the Town Board is critical to put this plan into action. Although the Town Board has the ultimate responsibility in implementing this plan, they will need assistance from various boards, agencies, and organizations for specific strategies recommended in the plan.

This plan calls for a variety of policy decisions, program initiation, regulatory changes, coordination with regional organizations and agencies, and securing funding. The following schedule is a compilation of all the actions identified in this Plan. The action table does not detail each strategy contained in the Plan. Instead, it is a compilation of the major actions suggested and presents a prioritization of major categories of work to be accomplished in Liberty. This Action Plan should not be a substitute for the details contained in the rest of the Plan.

The table below provides a checklist of strategies and identifies the level of priority each holds as well as staff, agencies and organizations who could be responsible for implementing that action, and the specific section in this plan where details about that action can be found.

Key to Priorities

The priorities listed in the table below are based on the following scale:

Initial Short Medium Long Ongoing

Where

Initial = Highest priority to be implemented immediately following plan adoption (Within the First Year).
Short = High priority to be implemented within two years following plan adoption.
Medium = Priority to be implemented within two to five years of adoption.
Long= Important but not a critical priority, to be implemented within five to seven years following plan adoption.
Ongoing= An action item that needs ongoing attention.

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
Foundation	Adopt the Ag Plan as an addendum to the Town Comprehensive Plan.	Initial	Town Board	Foundation Action A
Foundation	Continue inter-municipal cooperation between Liberty and Bethel	Initial/Ongoing	Town Board	Foundation Action B
Foundation	Establish an advisory Agricultural Plan Implementation Committee	Initial	Town Board	Foundation Action C
Foundation	Advocate implementation of the Sullivan County Ag and Farmland Protection Plan	Initial/Ongoing	Town Board	Foundation Action E
Foundation	Advocate implementation of state-level strategies with New York State Department of Agriculture and Markets	Initial/Ongoing	Town Board	Foundation Action F
Ag Economic Development	Provide information and training on tax relief programs	Initial	Town Board/Ag Committee/Assessor/ NYSDAM	Strategic Action (A) 1 and 2
Foundation	Seek funding and consider hiring part-time person to serve as staff and implementation facilitator	Short	Town Board/Ag Committee	Foundation Actions D and G
Ag Economic Development	Work with Sullivan County to establish ag economic development zones and enhance other IDA funding opportunities, expand the Agri-business Revolving Loan Fund, finish the Meat Processing Facility in Liberty	Short	Ag Committee/IDA/ County Ag Economic Development	Strategic Action (A) 3, 6, 11, 13 and County Initiatives 1 and 6
Ag Economic Development	Enhance the role of agriculture in the Sullivan County Partnership for Economic Development programs	Short	Ag Committee/Sullivan County Partnership	Strategic Action (A) 5
Policies and Regulations	Appoint farmer to serve on Planning board	Short	Town Board	Strategic Action (B) 2

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
Education and Communication	Develop and disseminate educational materials on gas drilling to farmers and farmland owners	Short	Sullivan County Planning	Strategic Action (C) 4
Farmland Preservation	Update zoning to include an incentive program in the form of density bonuses for farmland protection	Short	Ag Committee/ Planning Board/ Town Board	Strategic Action (D) 5
Farmland Preservation	Promote use of formal farmland rental agreements	Short	Ag Committee/ Town Assessor	Strategic Action (D) 7
County Initiative	Enhance the role of agriculture on the Sullivan County Visitors Association website	Short	Sullivan County Visitors Association	County Initiative 10
State Initiative	Develop new initiatives to encourage landowners to maintain long term leases for farming	Short	NYSDAM	State Initiative 1
State Initiative	Create new funding streams to help towns implement ag plans; provide funding to reduce productions costs	Short	NYSDAM	State Initiative 2, and 6
State Initiative	Expand local options for raising funds for PDR and LDR programs; Allow for local governments to use penalties collected for taking land out of production to be used for local PDR funding	Short	NYSDAM	State Initiative 5 and 7
State Initiative	Develop mechanisms to help towns bring local planning to be consistent with Ag Districts program	Short	NYSDAM	State Initiative 9
State Initiative	Change state policies that require economic development project proposals to be oriented to employment creation to better mesh with agriculture	Short	NYSDAM	State Initiative 12

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
Ag Economic Development	Inventory and find ways to advertise all farms in Town	Short/Ongoing	Ag Committee/Sullivan County Planning	Strategic Action (A) 9
Ag Economic Development	Promote value-added, Community Supported Agriculture (CSA), niche, and agri-tourism farming opportunities	Short/Ongoing	Ag Committee/ NYSDAM/ Cornell Cooperative Extension	Strategic Action (A) 16
Education and Communication	Establish an educational campaign to publicize value of farming to the total community and improve public understanding of farm practices	Short/Ongoing	Ag Committee/ Cornell Cooperative Extension/ NYSDAM/ Open Space Institute/ DHC/ SCSWCD	Strategic Action (C) 1
Ag Economic Development	Work with Cornell Cooperative Extension to create a clearing house of information for new farm startups and expansions	Medium	Ag Committee/Cornell Cooperative Extension	Strategic Action (A) 7
Ag Economic Development	Establish programs to encourage entry of young and new entrepreneurial farmers into agriculture in Town	Medium	Ag Committee	Strategic Action (A) 12
Ag Economic Development	Explore feasibility of alternative agricultural opportunities such as kosher markets and aquaculture	Medium	Ag Committee	Strategic Action (A) 14

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
Ag Economic Development	Partner with Future Farmers of America (FFA), and the Workforce Development Program to establish a local intern program for training skilled agricultural workers	Medium	Ag Committee/FFA/ Cornell Cooperative Extension/County Workforce Development Program	Strategic Action (A) 15
Ag Economic Development	Work with Sullivan County to provide for high-speed internet and cable throughout Town	Medium	Town Board/Sullivan County	Strategic Action (A) 17
Ag Economic Development	Explore creation of a for-rent community kitchen to promote value-added farming	Medium	Ag Committee	Strategic Action (A) 19
Policies and Regulations	Update zoning, subdivision, and site plan laws to be farm-friendly	Medium	Ag Committee/ Planning Board/ Town Board	Strategic Action (B) 1
Policies and Regulations	Work with area realtors to educate them about the ag disclosure notice	Medium	Ag Committee/ Area Real Estate Agencies	Strategic Action (B) 3
Policies and Regulations	Develop brochure that summarizes zoning and land use requirements and disseminate to farmers and farmland owners	Medium	Ag Committee/ Planning Board	Strategic Action (B) 4
Education and Communication	Work with the Sullivan County Chamber of Commerce to increase farmer membership in the Chamber	Medium	Ag Committee/ Sullivan County Chamber of Commerce	Strategic Action (C) 3
Farmland Preservation	Establish a Purchase of Development Rights (PDR) program: Use this plans prioritization model to identify priority parcels	Medium	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 1, 2, and 8
Farmland Preservation	Promote use of model leases for landowners to use for recreation and hunting uses	Medium	Ag Committee/ Town Assessor	Strategic Action (D) 9

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
County Initiative	Explore a county-wide distribution network to improve local business access to local farm products	Medium	Sullivan County Planning	County Initiative 8
County Initiative	Conduct county study showing cost/benefits of use of conservation easements on town budgets	Medium	NYSDAM/ Sullivan County Planning/ DHC/ Open Space Institute	County Initiative 9 and State Initiative 8
State Initiative	Change ag assessment rules to allow for more small farms to take advantage of the ag assessment program	Medium	NYSDAM	State Initiative 3
State Initiative	Initiate "foodshed" planning for long-term sustainability in New York State	Medium	NYSDAM	State Initiative 14
Education and Communication	Work with Cornell Cooperative Extension to coordinate and hold regular farm focus group meetings for Town farmers and farmland owners.	Medium/Ongoing	Ag Committee/ Cornell Cooperative Extension	Strategic Action (C) 2
State Initiative	Support business plan development and marketing support	Medium/Ongoing	NYSDAM	State Initiative 11
Farmland Preservation	Establish a Transfer of Development Rights (TDR) program: Use this plans prioritization model to identify sending and receiving parcels	Medium/Long	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 3 and 8
Farmland Preservation	Establish a Lease of Development Rights (LDR) program	Medium/Long	Ag Committee/ Planning Board/ Town Board/ Open Space Institute/ DHC	Strategic Action (D) 4

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
Ag Economic Development	Explore formation of local buying cooperatives to help farmers pool resources and keep productions costs down	Long	Ag Committee/Cornell Cooperative Extension	Strategic Action (A) 18
Farmland Preservation	Develop a "Come Farm with Us" program to match buyers and sellers of farmland for farming	Long	Ag Committee/Local Real Estate Agents	Strategic Action (D) 6
State Initiative	Develop tax incentive program to encourage preservation of farms within viewsheds of State highways	Long	NYSDAM	State Initiative 15
Foundation	Advocacy to NYS to implement state-level initiatives, continue support of farm support agencies and organizations, incorporate agriculture into all Town functions	Ongoing	Town Board, Ag Committee	Foundation Actions F, H, I and K
Ag Economic Development	Promote the "Pure Catskills" brand and consider establishing a new agriculturally-based theme, use Grow NY and Pride of NY materials and programs	Ongoing	Ag Committee/ Cornell Cooperative Extension/ NYS Ag and Markets	Strategic Action (A) 8, 10
Ag Economic Development	Promote alternative energy for farms	Ongoing	Ag Committee	Strategic Action (E) 1
County Initiative	Facilitate more interaction between County legislators, County Manager, and the farming community	Ongoing	Sullivan County Planning	County Initiative 3
County Initiative	Continue funding of County agricultural economic development staff and programs and continue staff and funding of ag programs as outlined in plan	Ongoing	Sullivan County Planning	County Initiative 4 and 5
County Initiative	Create and maintain an inventory of farms in Sullivan County	Ongoing	Sullivan County Planning	County Initiative 12

Topic of Action	Recommended Strategic Action	Implementation Priority	Responsibility	Plan Reference
County Initiative	Promote agricultural education in schools and colleges and support 4-H.	Ongoing	Sullivan County Planning, Cornell Cooperative Extension	County Initiative 11
County Initiative	Educate farmers and farmland owners about county level programs that support agriculture	Ongoing	Sullivan County Planning	County Initiative 7
State Initiative	Provide information and training on Ag District programs, farm valuation, farmland protection techniques, models and tools for land use planning	Ongoing	NYSDAM	State Initiative 10 and 13

Appendix 1: Trends and Challenges Facing Agriculture

1. Buildout Analysis

A build-out analysis is an exercise designed to estimate the amount of development that can possibly occur if all developable land in a Town, Village, or County is built according to that municipality's current land use regulations. The buildout analysis applies current land use regulations, considers environmental constraints that would limit development in certain areas, and calculates the total residential density allowed at full buildout of the municipality. It does not predict when this would occur, at what rate it would occur, or where it would occur first. It only predicts the possible end result.

The general process followed to calculate full buildout conditions is:

- Identify areas that already have residential development and therefore would not allow new development.
- Identify properties subject to conservation easements, or are owned by government entities not likely to allow development.
- Identify areas in the Town having environmental constraints that would not support new residential development.
- Calculate the amount of new residential development allowed by the current land use regulations in the remaining undeveloped areas of the Town.

A geographic information system (GIS) software program is used to conduct the analysis. In essence, the analysis calculates the total land base of the Town, subtracts all lands having environmental constraints and completely built areas, and then applies the various development rules to calculate the number of allowable new residences. For purposes of this analysis, the buildout assumes that all new development would be single-family homes.

Note that the results of all of these calculations are only estimates. The GIS layers used are not exact replicas of what is actually found in the real world, only representations of what is there. The processing of the data also introduces a certain amount of error, and can increase the inaccuracy of the data layers. The only way to get an accurate count of allowed residential uses on a particular property is to do an on-site survey of existing conditions.

The following table summarizes the results of the Buildout analysis. See also Buildout Maps for illustrated results.

Using the Current Minimum Lot Size Requirements							
Zoning District	**AC**	**IC**	**RD**	**RH**	**RS**	**SC**	**Totals**
Existing Residences	**431**	**181**	**1,171**	**166**	**757**	**328**	**3,034**
Potential New Residences (No environmental constraints considered)	**3,244**	**824**	**15,615**	**1,675**	**4,050**	**2,618**	**28,026**
Potential New Residences (Water, Wetlands, and Flood Hazards constraints considered)	**3,079**	**776**	**14,955**	**1,622**	**3,858**	**2,418**	**26,708**
Potential New Residences (Water, Wetland, 100 ft buffers of Water and Wetlands, and Flood Hazard constraints considered)	**2,843**	**698**	**13,801**	**1,488**	**3,660**	**2,208**	**24,698**
Potential New Residences (All environmental constraints considered, including Slopes over 15%)	**2,025**	**433**	**9,913**	**1,062**	**2,650**	**1,425**	**17,508**

Zoning District Codes used in the table above:

AC	Agricultural Conservation	IC	Industrial Commercial
RD	Rural Development	RH	Resort Hotel
RS	Residential Settlement	SC	Service Commercial

2. Strengths, Weaknesses, Opportunities, and Threats

The following list of strengths, weaknesses, opportunities, and threats was developed from public, farmer, stakeholder, and committee member input. Analysis of trends, maps, and data also identified items.

Agricultural Strengths: resources or capabilities that help agriculture be successful. (Not in any priority order)

- Proximity to New York City provides additional markets for farm products.
- Educational programs for farmers, and about farming, are available through organizations such as the Sullivan County Chamber of Commerce and the Sullivan County Partnership for Economic Development, Cornell Cooperative Extension's, and the Farm Service Agency.
- Farmers markets, especially the Harvest Festival at Bethel Woods, attract people to the area, which also benefits other local businesses.
- Farms contribute to the quality of life in the area.
- Farms offer fiscal benefits to the Town by not costing as much as residences need in terms of services.
- Farms protect water quality.
- Farms provide natural beauty and open space, which also helps to fuel the tourism industry. They add significantly to the rural character of the area.
- Farms provide wildlife habitats.
- Innovative farming efforts are taking place.
- There is a growing demand for local, healthy food products, especially in restaurants.
- More value-added processes are being used.
- Various grants and programs exist to support farmers.
- There is a good market for niche farming.
- The area provides fertile soil and moderate weather that are supportive of agriculture.
- There are a diversity of farming opportunities available.
- There is a large multiplier effect on spending on food/products.
- There is a regional buy local campaign "Pure Catskills".

Agricultural Weaknesses: Internal deficiencies in resources or capabilities that hinder agriculture from being successful. (Not in any priority order)

- Farmers markets need better advertising.
- There is competition for land as non-farm development.
- About half of the farmers experience nuisance complaints about farm practices.
- Costs are increasing for fuel, fertilizer, taxes, and feed; and farm profitability is low.
- There is a disconnect between home, schools and farms.
- Farmers do not take full advantage of educational programs offered within the County.
- Farmers lack skills and time to establish and market value-added products.
- Farmers often don't use formal rental agreements with landowners and this can cause problems in the future.
- Farmers can have difficulty getting their products to market.
- Farming is not recognized as the economic force that it should be within the Town and County.
- There are high expenses in starting a new farm.
- IDA and county agencies do not pay enough attention to agriculture and don't promote these businesses like they do other kinds of businesses.
- There is a lack of farmer control on dairy milk prices.
- There is a lack of education and understanding about agriculture on the part of non-farmers.
- There is a lack of skilled farm labor.
- People are not often aware that they can purchase certain products directly from farmers.
- Realtors are not using the Ag Disclosure Notice.
- Restaurants and ag specialty businesses have issues obtaining local products due to time and travel constraints.
- There is a lack of visibility of farmers with the general public.
- There is lack of high speed internet.
- There is no local processing (milk, community kitchen, and slaughterhouse).
- There is poor communication, in all directions, between farmers, consumers, and support organizations.
- There is traffic and difficulty parking at the farmers markets.
- Zoning can impede farm business expansion and retail sale or direct sale of products.

Agricultural Opportunities: External or outside factors that can affect agriculture in a positive way. (Not in any priority order)

- Build successful infrastructure to support the agricultural industry, including the creation of a slaughterhouse in the Town of Liberty. Develop local processing facilities, especially a community kitchen and dairy processing.
- Consider starting a delivery co-op among local businesses to share responsibilities of traveling to pick up products.
- Create more opportunities for underutilized dairy farms.
- Create uniform signs throughout the County advertising that the Town is a farm community.
- Develop a central depository of information on land rentals to help farmers and landowners connect more easily.
- Develop a comprehensive guide that lists who is producing what, where, and when (possibly in the form of a monthly newsletter). Let local consumers know where they can go to buy products other than traditional produce.
- Develop a kosher market.
- Develop a workshop to inform farmers about all of the programs available to them.
- Develop large-scale community farms where new farmers can try out farming on an acre of land.
- Develop programs for alternative energy (ex. converting cow waste to energy, which would also create another potential source of income for farmers).
- Educate farmers about Town zoning and regulations.
- Promote use of formal rental agreements.
- Help provide liability insurance for those doing agri-tourism businesses.
- Provide educational seminars on TDR and PDR, and implement these programs.
- Offer a subsidy for niche farmers and develop programs to help them market more effectively and cost efficiently.
- Reach out to landowners with large lots to encourage them to allow their land to be used for agriculture and promote farm/non-farm relations.
- Promote agriculture as the County's best economic opportunity.
- Promote public awareness of and interest in local food.
- Promote the multiplier effect of agriculture and how it contributes to the viability of the area's economy.
- Start aquaculture for fresh fish.
- Start more FFA programs and BOCES Animal Science programs in the County high schools in order to get kids interested in production agriculture.

- Take advantage of more direct marketing of products.
- Tax incentives could be developed for young farmers who are entering the agricultural business.
- Use existing programs like FFA and the Workforce Development Program to find interns and workers to deal with the labor issue.

Agricultural Threats: External or outside factors that can affect agriculture in a negative way. (Not in any priority order)

- Farmers are holding back to wait and see what happens with gas drilling before they pursue conservation easements for their properties.
- There is a much financial instability for dairy farming.
- Gas leasing can cause conversion of land to non-farm owners. Speculators are buying up a lot of land to lease to gas companies.
- Some feel gas drilling is a threat.
- There is a lack of next generation of farmers.
- There is a lack of zoning compatibility for mixed use and non-traditional farms.
- Rental land is supporting agricultural operations but is controlled mostly by non-farmers.
- Second home creep and the enticement of high land sale prices for non-farm uses can lead to sale of farmland.
- The combination of land price, the price of equipment, and access to a market are often too much for young farmers or transition farmers to deal with when starting up.

Appendix 2: Farms and Farm Resources

1. Farm Operations and Farmland

Feature	Acres
Productive Vacant Land (105)[2]	554
Poultry (111)	302
Dairy (112)	901
Cattle (113)	286
Horse (117)	184
Field Crops (120)	78
Aquaculture (183)	18
473 Commercial Class- Greenhouse	21
Other Non-Farm class properties, but identified as farmland through planning process	4,927
Total Farmland Acres	7,270
Number of parcels rented for farmland (estimate)	~113 parcels
Average Size of Farm	47

Farmland Soils	Acres
Prime Farmland in the Town	3,190
Soils of Statewide Importance in the Town	27,747
Prime Farmland Soils on farms	338
Soils of statewide importance on farms	4,670

2 The numbers in the parenthesis refer to the code assigned to land uses by the Town Assessor.

Farm Employment for Residents over 16 Years of Age

	1990				2000			
	Bethel	Callicoon	Delaware	Liberty	Bethel	Callicoon	Delaware	Liberty
# with Farming, Fishing and Forestry as Occupations	91	42	56	48	18	4	5	66
# in Farming, Fishing and Forestry Industry	92	56	52	31	44	56	28	95

2. Snapshot of Liberty Farms and Farmland Owners from Survey

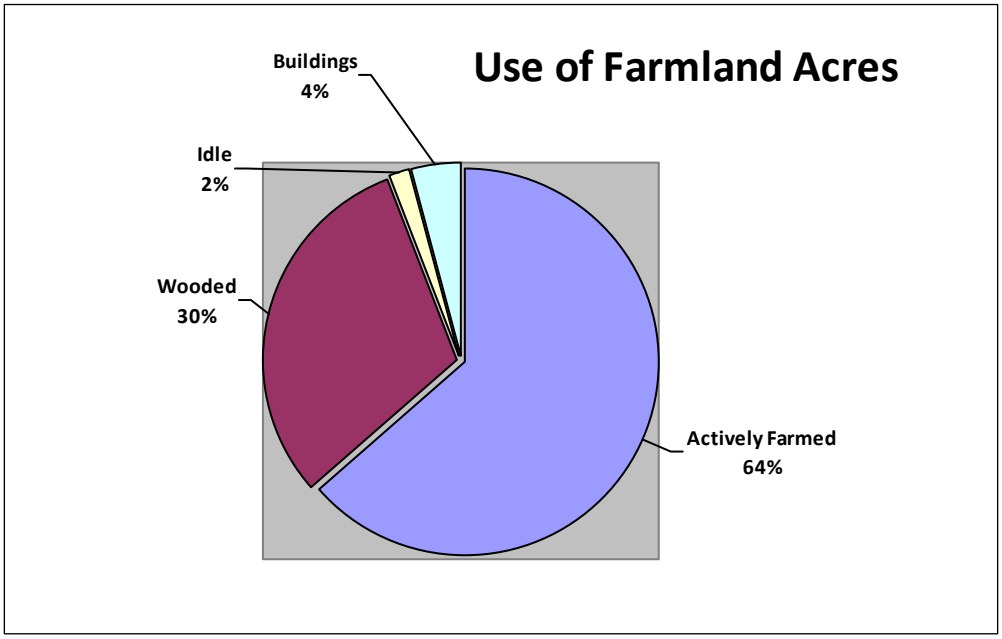
Results of Survey

During the Fall of 2008, all farmers and farmland owners in Town were included in a farm and agri-business survey. Twenty-two farm/farm landowners responded. The results of this effort reflect a snapshot, or sample, of farm and farm operations in Town. A summary of the results are as follows:

a. There are a wide variety of farms represented in the sample including:

Type of Farm	Number of Farms
Dairy	5
Livestock (including horses and alpaca)	8
Horticulture	1
Maple products	1
Other (eggs, evergreens, beef, dairy replacements, horse boarding, nursery, hay)	2

b. Some farms had secondary operations including agri-tourism, lumbering, lodging, alternative energy, and farm stands.



c. One farms sold goods or services at the Catskill Harvest farmers market.

d. The 22 participants farm 3,520 acres of land in Liberty – about half of which is rented land. The average size of owned land was 110 acres and the average size of a rented parcel was 146 acres. About 63% of the farmland inventoried was actively farmed, with the remaining acres being primarily woodland. Less than 2% of the land was considered idle.

Farmland Owned and Rented by Liberty Survey Participants

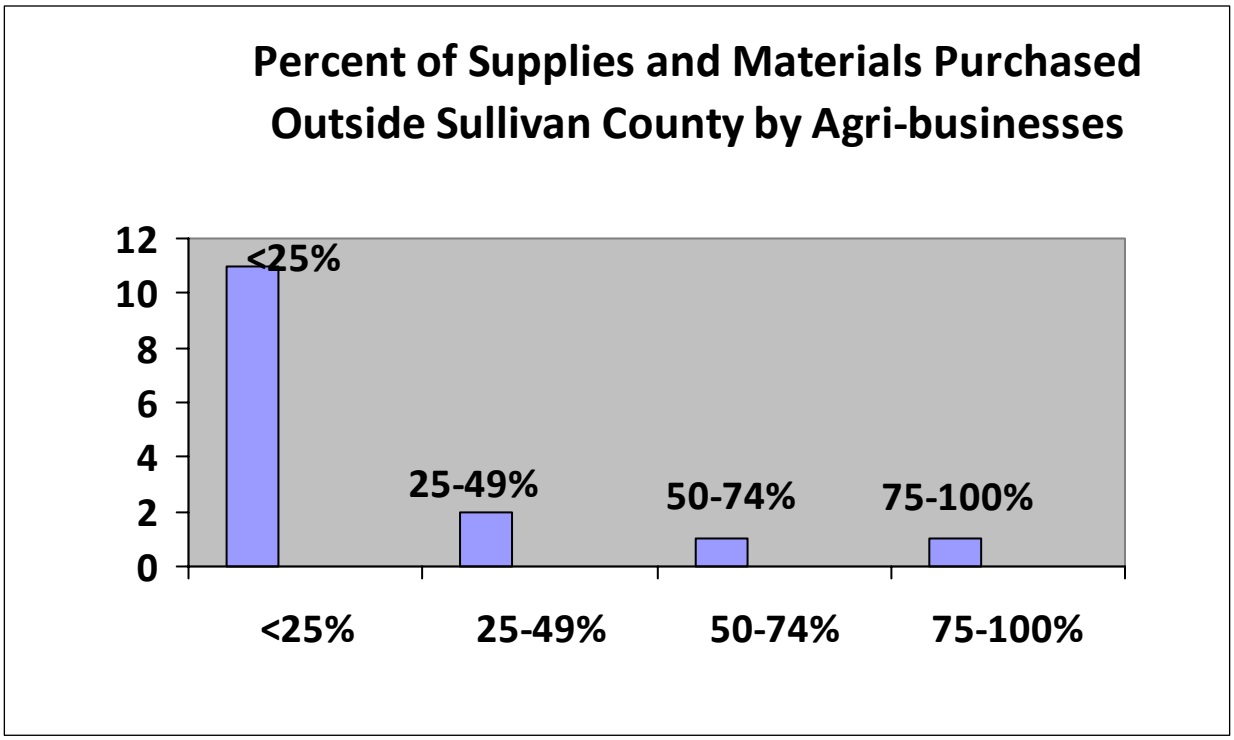
Town	Total Acres Owned	Total Acres Rented
Bethel	0	0
Callicoon	0	0
Delaware	0	0
Liberty	1766	1754
Total	1766	1754

e. One hundred three (103) people were employed by the farms that participated in the survey. This included 82 full time workers, three part time workers, 13 seasonal full time and six part time seasonal workers.

f. Farms typically support one household. Almost all farms have been in existence for a long time with farms being held an average of 49 years in the same family.

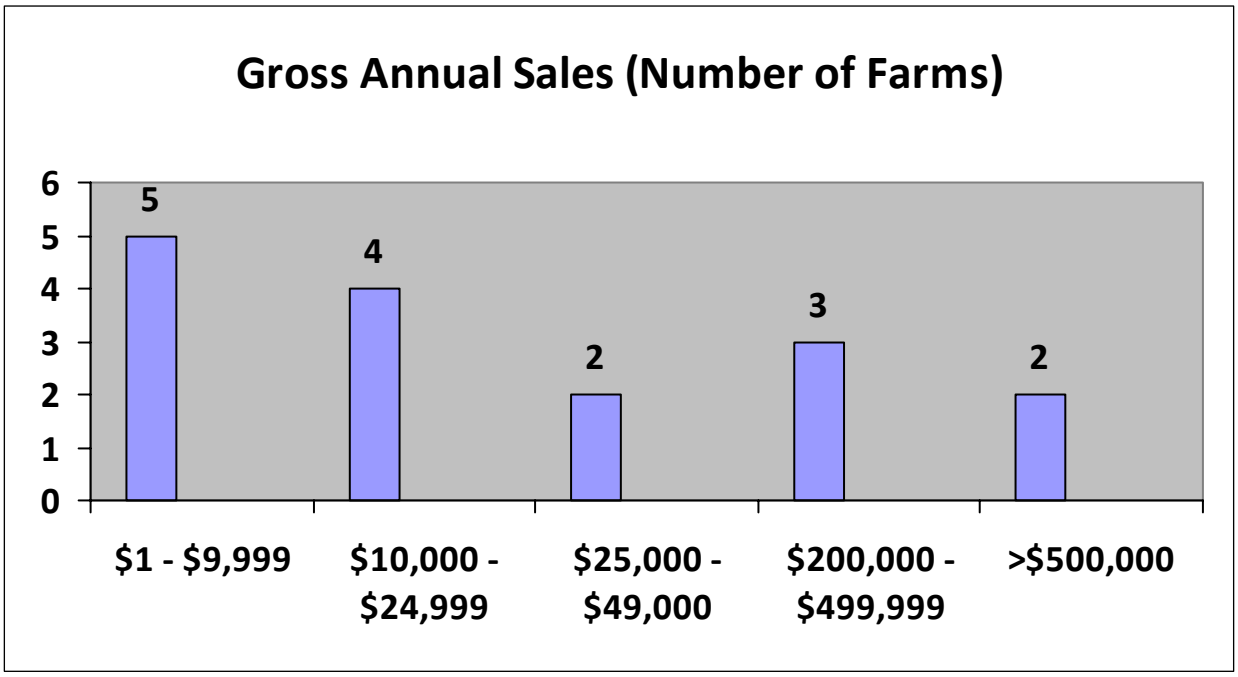
g. A majority of farmers received agriculture assessments on their property and structures, participated in the STAR tax program, and were enrolled in a State certified Agricultural District. However, there was very little participation in the Sustainable Agriculture Research and Education program, IDA tax abatement, NYSERDA, or Watershed Ag Council programs.

h. About 73% of participants buy supplies from within Sullivan County as shown below.

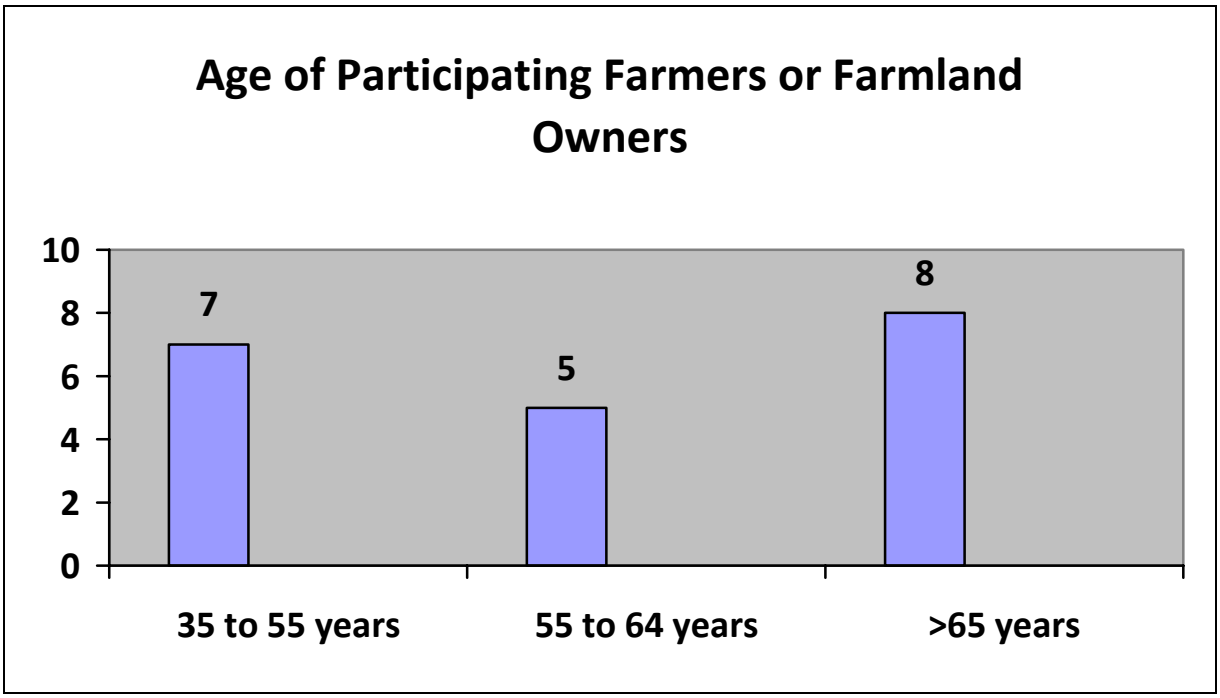


i. There was a wide variation in farm gross annual sales. Of the 16 farms that answered this question, 11 or 69% earned less than $50,000 from their farm operation, and five earned less than $10,000. Although many farms had relatively small gross annual sales, taken together, these sample farms contributed about 1.7 million dollars of gross sales in Liberty. Agriculture has a very large multiplier effect and thus positively impacts the area's economy. For example, gross sales of 1.5 million dollars would have a total economic impact of about $570,000 from earnings and about $2 million in output (using conservative multipliers). Four participants indicated that

their farm operation contributed over 75% of their net family income. Nine farms said that less than 25% of their net family income came from the agricultural operation.



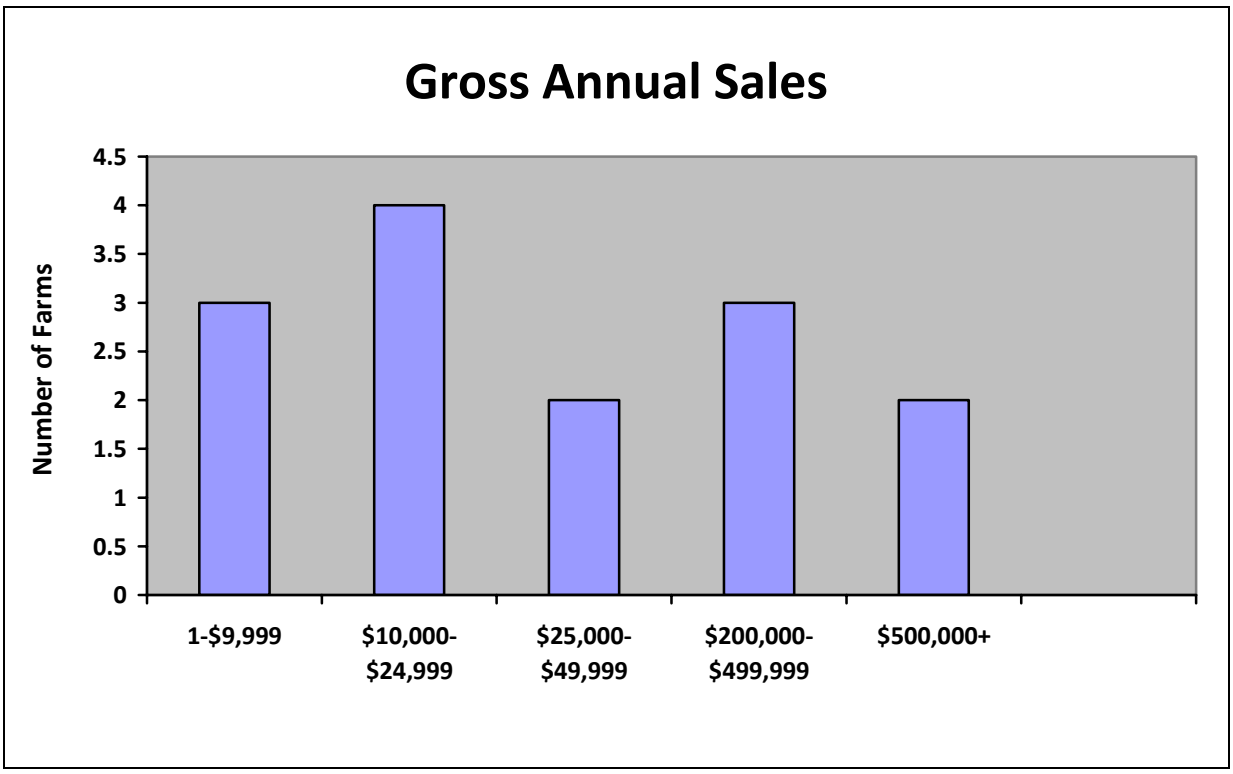
j. The farm population is an aging one. No participants were younger than 34 years of age. Sixty percent of the participants were middle aged (35 to 64 years, and 40% were over 65 years.



k. About 80% of the surveyed farmers have lived in Sullivan County for more than 20 years. All participants except two had at least a high school degree. About 27% have high school degrees, 9% have some college, and 45% have a college degree. Among the participants were four with a master's degree.

2. Agri-business Survey

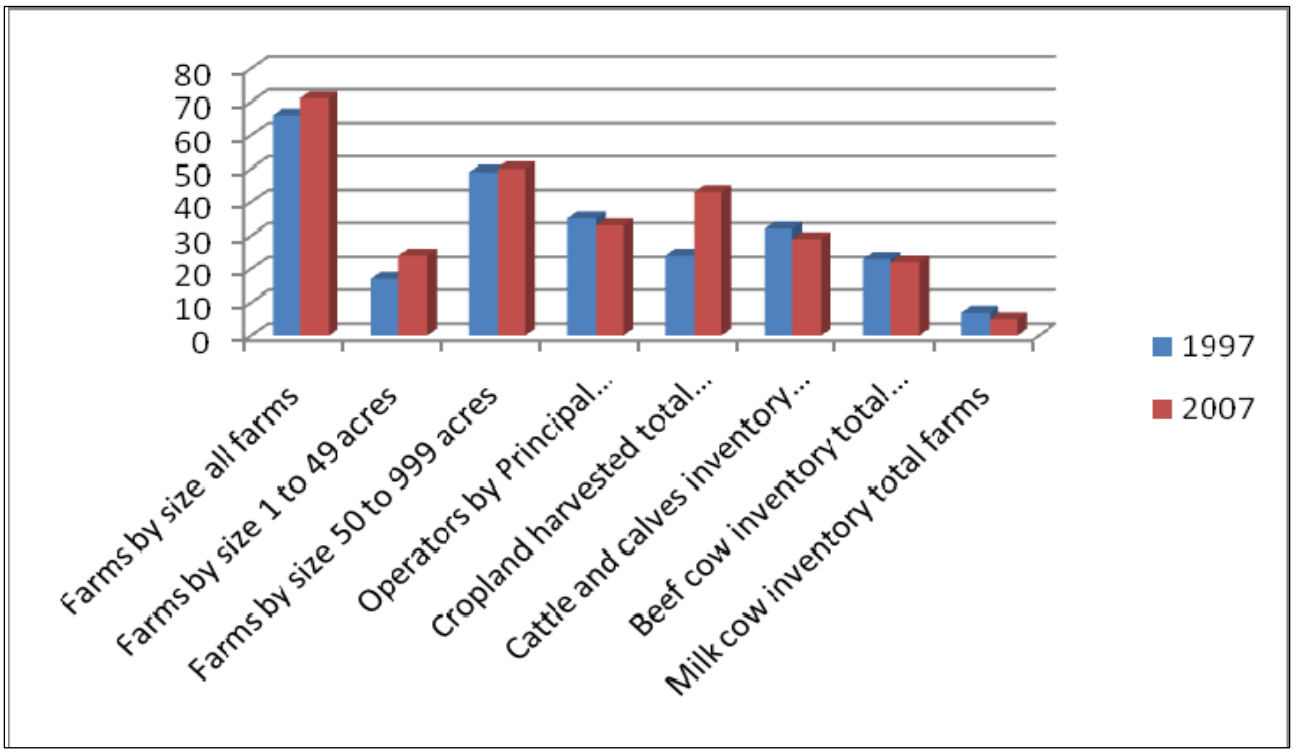
The agri-business survey went to businesses that support agriculture in the Sullivan County region. These included feed and seed dealers, machinery sales, equipment, insurance, legal, financial, and veterinary businesses. Most of these businesses were long-lived being in business an average of 67 years. 71 seasonal workers (26 full time and 45 part time), and 374 year round (332 full time and 42 part time) are employed by these businesses. Even removing insurance, legal and financial businesses, all other agri-businesses employed 193 year round and 63 seasonal employees. The majority of businesses had gross sales over $100,000 as shown below. Forty-three percent had gross sales over $500,000. Taken together, these businesses contribute 1.3 million to over 10 million to the Sullivan County economy. These businesses are not totally supported from farms within the County however: only three businesses indicated that more than 75% of their client base is from within the county and most (58%) said that less than 25% of their clients are within the county.



3. Highlights of US Census of Agriculture by Zip Code

Appendix 1 details data from the US Census of Agriculture by zip code (See Zip Code Map). This census is completed every five years.

The following chart compares highlights of the 1997 to 2002 data:



Between 1997 and 2007, several significant trends can be seen from the zip code data for the Liberty region. The data shows a slight increase in the number of farms, but those were mostly increases seen in small farms. The number of large farms was relatively stable. About the same number of farmers consider farming their principal occupation and there were fewer farms with cattle/calves, beef and dairy but more doing cropland. (It is important to note that the observed trend may be influenced by more farmers filling out the census from one year to the next.)

Some other trends comparing 1997 to 2007 include the following:

- There has been an increase in the number of farms raising sheep, but that was attributed to farms in the Livingston Manor zip code.

- There has been a decrease in market value of products sold even though there are more farms.

A look at changes in Bethel, Liberty, Callicoon, and Delaware towns offers additional insight. Using US Census data and US AG Census Data (zip code level), the following table summarizes trends and changes:

	1990-2008 Change in Population (number of people	1990-2000 Change in Population (percent)	2000-2008 Change in Population (percent)	# Residential Building Permits Issued 1990-2008	# Lots Created 1990-2008	Change in # of Farms 2002-2007
Callicoon	+92	+.99%	+2%	326	458	-17%
Delaware	+166	+3.3%	+2.9%	288	202	-19%
Bethel	+850	+18%	+4.1%	869	732	No Change
Liberty (outside Village)	-163	-0.7%	-2.2%	622	727	-11%

In Liberty, the population decreased by 163 people with a higher rate of change (loss) between 2000 and 2008 than 1990 to 2000. At the same time, 622 new residences were built, 727 lots were created, and the number of farms decreased by about 11%. The Town of Bethel had the highest growth rate of the four towns, but no real change in the number of farms.

4. County Trends

Understanding the agricultural trends facing Sullivan County assists in identifying changes or issues that may be influencing farms in the Town of Liberty. The following 1997 to 2007 highlights summarize the major trends agriculture is experiences in the County (See full data set in Appendix 2).

Between 1997 and 2007 there were:

- A decrease in acres farmed.
- An increase in the number of farms.
- An increase in the market value of farm land and buildings.
- A decrease in the number of very small farms, and increase in the medium sized farms (10 to 179 acres) and a decrease in larger farms.
- A decrease in cropland and harvested cropland.
- An increase in the market value of farm products.
- An increase in the number of farms earning small amounts from the farm and a decrease in the number of farms earning larger amounts.
- A decrease in the per farm net cash return.
- A decrease in the number of farmers who farm as a principal occupation.

- o A decrease in the number of farms raising, and in the number of cattle, calves, and cow animals.
- o A decrease in the acreage planted to corn and hay, and in orchards.
- o An increase in the number of farms and acreage planted to potatoes, sweet potatoes and vegetables.

5. Ag Districts

Land in a NY Certified Ag District	17,064 acres
Farmland in a NY Certified Ag District	6,120 acres
Number of farmland parcels in a NY Certified Ag District	115 parcels

6. Economic and Fiscal Conditions

PARCELS INCLUDED IN 2007 LIBERTY ASSESSMENT ROLL for AGRICULTURE					
Property Use Code	**Category**	**Number of Parcels**	**Number of Parcels With Ag. Exemption**	**Average Value ($)**	**Total Market Value ($)**
105	Productive Vacant Land	13	10	45,085	586,100
111	Poultry	5	5	226,720	1,133,600
112	Dairy	5	5	202,580	1,012,900
113	Cattle	3	3	139,400	418,200
117	Horse	4	0	226,175	904,700
120	Field Crops	2	0	90,700*	90,700*
183	Aquaculture	1	0	92,100	92,100
473	Commercial Class-Greenhouse	3	2	NA	NA
	Other Non-farm class	118	52	NA	NA
Subtotal		**154**	**77**	**1,022,760**	**4,238,300**

*Based on only one of the parcels. The other parcel had no assessed value available.

7. Prioritizing Farmland

Land Evaluation and Site Assessment, also referred to as LESA, is a tool to help citizens and local officials to prioritize those lands that should be protected from conversion to nonagricultural uses. LESA was developed by

the United States Natural Resources Conservation Service, and is based on a technique developed in Orange County, NY in 1971 (the first place it was used in the United States.) LESA has a long history of use in New York, and throughout the United States. It is basically a rating system designed with local conditions and needs in mind. It is a tool that can help local officials identify farmlands needing protection by taking into account soil quality and other factors that affect agricultural practices.

LESA is an analytical tool. It is not a regulatory program. LESA's role in Liberty is to provide a systematic and objective procedure to rate and rank sites in order to help people make decisions on where to target farmland protection programs. A LESA system can be useful to answer questions such as what lands are most appropriate to designate for long-term continuation in agricultural uses, and which farms should be given the highest priority for purchase of development rights monies.

Sullivan Farms for the Future Program

LESA is a rating system. The LESA system combines soil quality factors with other factors that affect the importance of the site for continued agriculture. In order to provide an unbiased method of selecting properties for the Sullivan Farms for the Future Program, the Sullivan County Agricultural and Farmland Protection Board has developed a ranking system modeled after the LESA ratings. The ranking system, based on a series of points per category, will enable the Agricultural and Farmland Protection Board to prioritize potential Sullivan Farms for the Future program properties based on their agricultural characteristics.

The Town of Liberty adapted the Sullivan Farms for the Future rating system to develop a town-level model that identifies priority farmlands. The following table shows this ranking system and details how the Town adopted the Farms for the Future program in order to incorporate it into the GIS system assembled for this plan. See Farmland Prioritization Map that illustrates results.

Category	Criteria	Points	Town Modifications to the County LESA
NYS Agricultural District			
	Is the property within a NYS certified agricultural district	**Must be in a NYS certified Agriculture District**	**Same Criteria**
Whole farm or conservation plan			
	Does the property owner have a whole farm plan or a	**Must have one of these plans in place**	**Same Criteria**

Category	Criteria	Points	Town Modifications to the County LESA
	conservation plan in place?		
Prime Soils			
	>80% of the farm	**20**	**Eliminate >80%**
	60 - 79% of the farm	**15**	**20**
	40 - 59% of the farm	**10**	**15**
	20 – 39% of the farm	**5**	**10**
Soils of statewide importance			
	>80% of the farm	**10**	**Eliminate >80%**
	60 - 79% of the farm	**7.5**	**10**
	40 - 59% of the farm	**5**	**7.5**
	20 – 39% of the farm	**2.5**	**5**
Crop Yields			
	20 – 50% above average	**20**	**Same Criteria**
	20% above average	**10**	
	10% above average	**5**	
Soils highly suitable for development			
	>=50%	**10**	**Same Criteria**
	25 – 50%	**5**	
State Road Frontage			
	>5,000 feet	**20**	**Same Criteria**
	4,000 – 4,999 feet	**15**	
	3,000 – 3,999 feet	**10**	
	2,000 – 2,999 feet	**5**	
County Road Frontage			
	>5,000 feet	**10**	**Same Criteria**
	4,000 – 4,999 feet	**7.5**	
	3,000 – 3,999 feet	**5**	
	2,000 – 2,999 feet	**2.5**	
Town Road Frontage			
	>5,000 feet	**5**	**Same Criteria**
	4,000 – 4,999 feet	**3.25**	
	3,000 – 3,999 feet	**2.5**	
	2,000 – 2,999 feet	**1.25**	
Distance from hamlet or village (road)			
	< 1 mile	**10**	**Same Criteria**
	1 – 3 miles	**5**	
Proximity to water and sewer			
	On site	**20**	**Same Criteria**
	> ¼ mile	**15**	
	> ½ mile	**10**	
	> 1 mile	**5**	
Significant natural resources			
	Within a major watershed	**20**	**Same Criteria**
	Within or bordering Catskill	**20**	**Add Lake Superior**

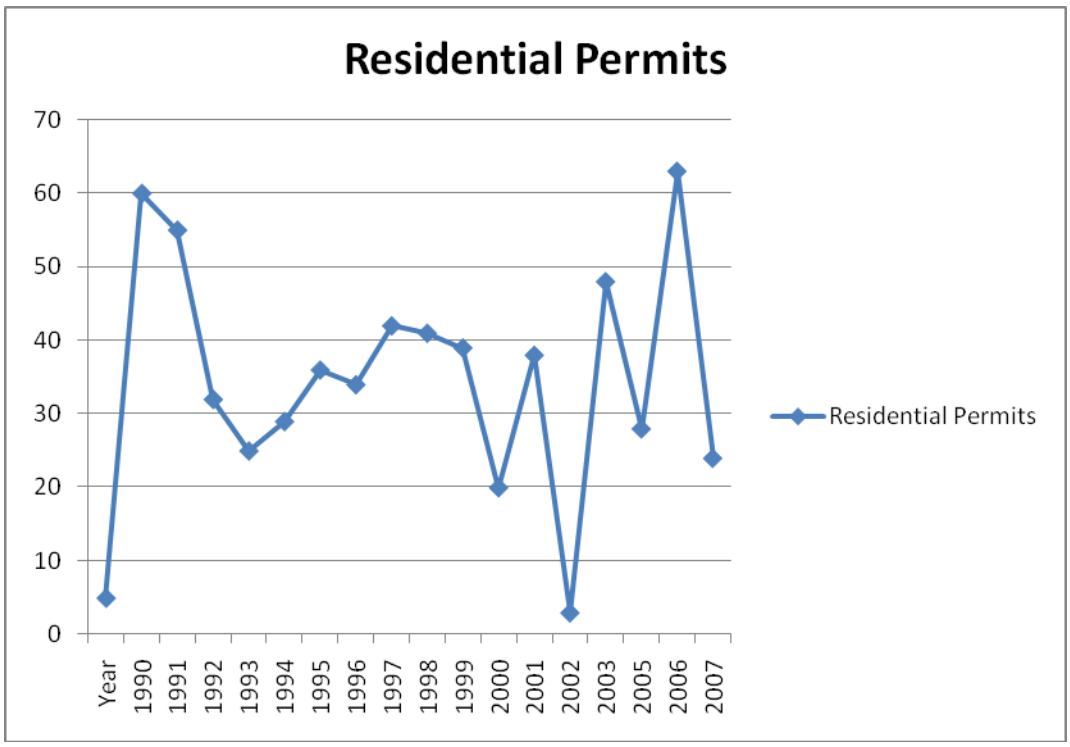
Category	Criteria	Points	Town Modifications to the County LESA
	Park or Bashakill Preserve		**Park**
	Multiple Ag enterprises	**15**	**Same Criteria**
	Historically significant	**5**	**Use farms 100 years old, and 50 years old as criteria**
Formal estate or business plan			
	Yes	**25**	**Same Criteria**
Proximity to protected land			
	Adjacent to permanently protected land	**20**	**Same Criteria**
	Within 2 miles of protected land	**10**	
	Within 2 to 5 miles of protected land	**5**	
Proximity to viable agricultural lands			**Measured contiguous farms instead of distance from other farms**
	> 10 farms within 3 miles	**10**	**Shrink the radius to 1 mile**
	5 – 10 farms within 3 miles	**5**	
Simultaneous applications			
	1 contiguous neighbor	**10**	**Not used**
	2 or more contiguous neighbors	**20**	
Percent of property to be protected			
	100%	**10**	**Not used**
	75 – 100%	**5**	
Acreage to be protected			
	>500 acres	**25**	**Eliminate the 500 acre criteria**
	100 – 500 acres	**20**	**Same Criteria**
	50 – 99 acres	**10**	
	< 50 acres	**5**	
Additional criteria identified by the Town as important criteria			
Try to identify farms that contribute the most to the local economy, or sell products to local restaurants.			

Appendix 3: Housing and Demographic Trends

1. Housing and Development Trends

Year	Residential Permits	Miscellaneous Permits	Commercial Permits	Industrial Permits	Total
Town of Liberty					
1990	5	35	1	0	41
1991	60	75	9	2	146
1992	55	103	6	0	164
1993	32	66	2	1	101
1994	25	88	6	0	119
1995	29	64	5	0	98
1996	36	80	12	0	128
1997	34	69	5	0	108
1998	42	160	0	0	202
1999	41	NA	NA	NA	41
2000	39	88	13	0	140
2001	20	83	0	0	103
2002	38	171	2	0	211
2003	3	50	0	0	53
2004	NA	NA	NA	NA	NA
2005	48	66	12	0	126
2006	28	39	5	1	73
2007	63	82	7	0	152
2008	24	19	0	1	44
Total	622	1338	85	5	2045
Village of Liberty for 1990 to 2008	107	634	25	4	770

In the past 18 years, 622 permits have been issued for new homes and 85 for commercial operations in Liberty. Over the years there has been much variation in the number of new housing permits issued. The average number of new homes over the 18 year period was 35 per year. The building permit information indicates that the number of houses increased by 359 units between 1990 and 1999. Between 2000 and 2006, an additional 263 homes were built in Liberty (data is missing for one year during that time frame). Note that the majority of new residential development over the past 18 years has taken place in the Town, and not in the Village.



Subdivision Plats and Lots, 1990 to 2009

Year	Number of Subdivision Plats Filed	Number of Lots Created
1990	23	207
1991	17	57
1992	15	52
1993	11	26
1994	13	40
1995	8	21
1996	10	41
1997	8	19
1998	7	20
1999	6	14

Year	Number of Subdivision Plats Filed	Number of Lots Created
2000	8	19
2001	16	NA
2002	2	4
2003	6	14
2004	4	8
2005	21	92
2006	12	85
2007	NA	NA
2008	4	8
Total	191	727

Seven hundred twenty seven new lots were created between 1990 and 2008 through 191 different subdivisions. As shown on the table below, most of the subdivisions were minor subdivisions and four lots or less. Over this time frame, 24 subdivisions were major, and 10 of those were more than 11 lots.

Number of Lots Created Per Plat, 1990-2009

Year	Total Plats	1 - 4 Lots	5 - 10 Lots	11-49	50+
1990	23	19	2	1	1
1991	18	15	3	0	0
1992	16	14	1	1	0
1993	14	14	0	0	0
1994	14	12	2	0	0
1995	8	8	0	0	0
1996	11	10	0	1	0
1997	10	10	0	0	0

Year	Total Plats	1 - 4 Lots	5 - 10 Lots	11-49	50+
1998	8	7	1	0	0
1999	7	7	0	0	0
2000	9	9	0	0	0
2001	16				
2002	2	2	0	0	0
2003	10	10	0	0	0
2004	6	5	1	0	0
2005	25	19	3	3	0
2006	14	10	1	3	0
2007	NA	NA	NA	NA	NA
2008	4	4			
Total	215	175	14	9	1

2. Demographic Trends

Total Town (including the Village of Liberty)

Demographic	1990	2000
Persons	9825	9632
Households	3619	3711
Employed residents over 16 years of age in agriculture, forestry, fisheries	8	7
Housing Units	4966	5350
Occupied housing units	3594	3711
Vacant housing units	1372	1639 (plus 893 listed as seasonal)
Structures Built in Previous Decade	704 (1980's)	506 (1990's)

Town Outside Village of Liberty

Demographic	**1990**	**2000**
Persons	5697	5689
Households	2012	2065
Housing Units	3139	3251
Occupied housing units	2021	2023
Vacant housing units	1118	1228
Structures Built in Previous Decade	539	417

A comparison of the 1990 to 2000 census shows several significant trends that could affect agriculture in the Town of Liberty. Town-wide, population decreased. Most of this decrease was in the Village of Liberty. The Town population level was basically the same from 1990 to 2000. At the same time, the number of households increased in both the Town and Village. Outside the Village, the number of households increased about 3% and the number of housing units increased by about 112 or 4%.

Note that this Census data does not reflect the actual building going on in Town. The Building Permit data (above) offers more accurate and up-to-date information and shows 176 new homes built since 2000, and 359 units added in the 1990's.

Housing Characteristics

	1990 Total Housing Units	2000 Total Housing Units	Percent Change 1990-2000
Bethel	3,616	3,649	0.9%
Liberty	4,966	5,350	7.5%
Callicoon	1,648	1,797	9.0%
Delaware	1,321	1,335	1.1%

*data from US Census

Appendix 4: Planning, Land Use Regulations and Agriculture

1. Town Comprehensive Plan and Agriculture

In January 2008, the Town of Liberty adopted a joint Comprehensive Plan with the Village of Liberty. Through that planning process, residents of Liberty have established the very important role agriculture plays in Liberty. The Plan includes ten different goals including one specific to agriculture that states "to sustain, promote, and support active agricultural and forest land". The Liberty Plan also recognizes agriculture's importance to the economy of the area and calls for increasing agricultural economic development and diversification of existing farms/croplands, preserving the critical mass of farms, protecting open spaces, and encouraging the preservation of farmland especially within existing Agricultural Districts.

In light of a recent increase in major subdivisions in Liberty, the plan states that "residents and local officials recognize that it makes most sense for development to occur near the existing hubs, the Village and hamlets, in order to conserve open space and natural resources; and to minimize government expenses by utilizing existing infrastructure."

The Plan establishes several agriculture-related tasks including:

- Create a niche market for each farm through diversification and innovative farming strategies.
- Research opportunities to promote agri-tourism through the creation of a year-round farmers market, such as a produce transfer station, including marketing, processing and distribution/exportation opportunities.
- Create an agricultural taskforce at the CDC level to ensure farmland preservation.
- Continue efforts in developing the Ag Industrial Park.
- Zone for open space by requiring a minimum percentage of open space in specific zones.
- Research and identify development practices such as conservation easements, TDR, PDR, deed restrictions and land trusts.

- Create an open space plan to identify tracts of land that are currently open space.

- Redefine district intent in zoning to promote desired land use.

- Develop high impact development checklist to assess and track the cumulative impacts of projects.

2. County Plans

Sullivan County adopted a county-wide agricultural development and farmland protection plan in 1999. This plan presents data and maps related to agriculture at that time, and offers long-range goals, objectives and strategies to support farming. Eight goals are established along with strategies aimed at seven different topic areas. These major topics are right-to-farm, farmland preservation, land use planning, education and public relations, taxation, economic development of agriculture, and business, retirement and estate planning. The Plan also offers an implementation schedule for the protection of agriculture in Sullivan County.

In 2008, Sullivan County adopted a strategic plan, "Conserving Open Space and Managing Growth". This plan identifies the County's existing natural resources so that open space conservation can be focused in areas where it will have the greatest impact. It will serve as a "road map" for Sullivan County to protect and restore these resources. The document provides an overview of related plans, and establishes goals and strategies. Agricultural resources are a major category of open space established by the County in that plan. It establishes a goal of maintaining the County's valuable farmland in active agricultural use while creating and promoting land use planning and zoning incentives that counter the conversion of farmland. To accomplish this, the strategic plan establishes several strategies and specific actions as follows:

- Secure priority areas by annually seeking Federal and State program Purchase of Development Rights (PDR) funding for selected parcels.

- Leverage funding from private organizations to assist in County farmland protection goals.

- Develop a local fund for purposes of acquiring agricultural conservation easements on a purchase or lease basis.

- Structure a simple transfer of development rights (TDR) program and broker it to prospective farmers and developers.

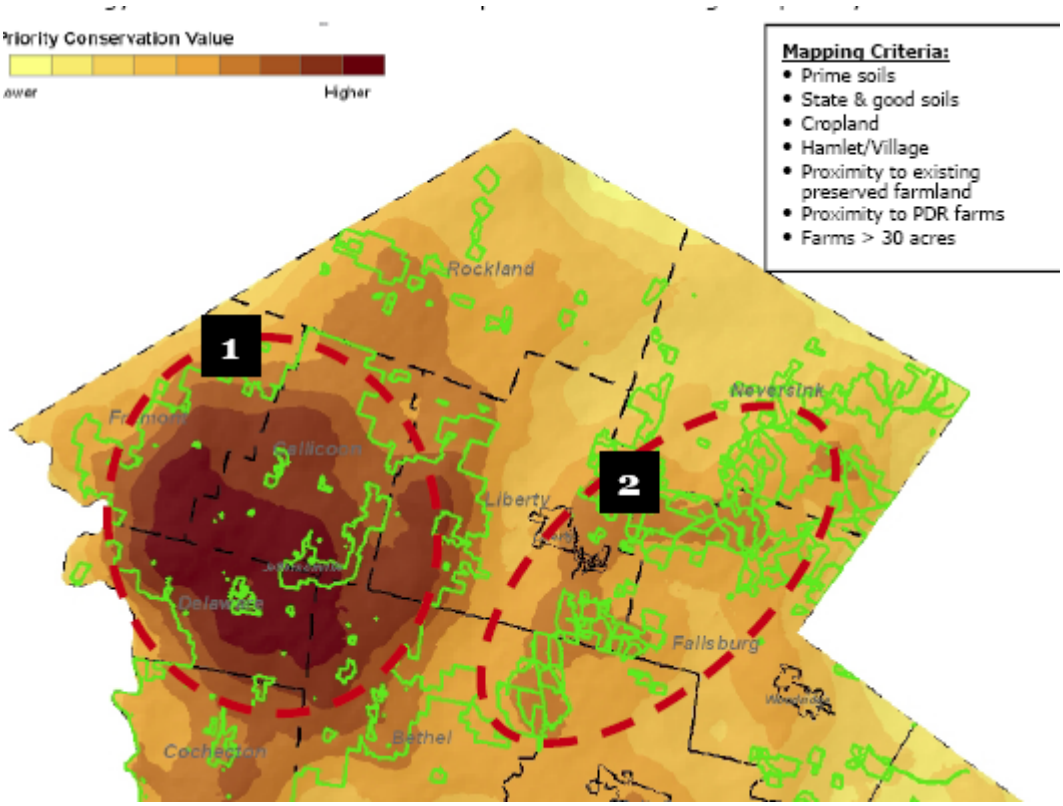
- Develop planning and zoning programs that offer incentives for agriculture conservation. Steps to accomplish this include developing a farm-friendly checklist for use by towns in evaluating land use regulations for impacts on agriculture, crafting model language for use in local land use regulations, and assisting land owners with use of conservation subdivision techniques.

- Provide educational assistance and technical assistance to farmers in estate and retirement planning to facilitate farm transfers to younger generations.

For agriculture, the County Strategic Plan prioritized lands based on prime soils, statewide important soils, cropland, locations of hamlets and villages, proximity to existing preserved farmland, proximity to farms already having PDR easements, and farms greater than 30 acres.

The figure below shows two county agricultural priority areas: Priority Area #1 is concentrated in the towns of Callicoon, Delaware, Bethel, and Liberty and which includes the area known as the “the Beechwoods”.

A second priority area encompasses portions of the towns of Bethel, Liberty, Fallsburg and Neversink that have also historically been important farming areas. While there are fewer active farms than in the past, the area supports numerous working farms and inactive farms are often the targets for development.



The Beechwoods is also significant in that it is an area named in the 2009 Draft NYS Open Space Plan as a statewide area for agricultural conservation. The following excerpt describes this:

New York State Open Space Conservation Plan (2009 Draft)

In its 2009 Draft update to the *New York State Open Space Conservation Plan*, the DEC identifies the Upper Delaware Highlands, which includes the project site, as a Regional Priority Conservation Project Area. As such, this area is eligible for funding from the State's Environmental Protection Fund, and other State, federal and local funding sources. For these project areas, the Plan advises that "a combination of State and local acquisition, land use regulation, smart development decisions, land owner incentives and other conservation tools used in various combinations, will be needed to succeed in conserving these open space resources for the long term" (47). The Plan specifically addresses farmlands:

- Agriculture is one of the leading economic sectors in Sullivan County's Upper Delaware Highlands Region, remaining equal to recreational tourism. Including poultry, dairy, livestock, horticulture and aquaculture, this agricultural industry produces more than $72 million on 385 active farms covering more than 63,000 acres. To

preserve important agricultural lands not only furthers this economic base for this Catskill region but retains a rural community character and protects critical water and wildlife resources. The best soils in Sullivan County are predominantly located in the Beechwoods, an area that encompasses the Towns of Bethel, Callicoon, Cochecton and Delaware, and along the Delaware River.

This has yielded the most dense concentration of active farming operations in the County and has been designated as Agricultural District One by the New York State Department of Agriculture and Markets. The concentration of operations here is an asset to make local farms economically strong and culturally important. As such, particular focus should be placed on encouraging the continued use of farmland for agricultural production in this area by purchasing development rights on farmland, as well as in the neighboring towns of Fremont and Rockland.

The Plan recommends several actions to support working farms and forests:

- Help to build the capacity of municipal and nonprofit partners working on farmland protection projects.
- Support the work of municipalities to develop or update local Agricultural and Farmland Protection Plans.
- Support tax incentives or regulatory relief for forest-based industries.
- Support technical assistance and financial support for new forest product development, industry modernization and new environmentally friendly technologies.
- Improve skill-building initiatives within forest-based industries to improve competitiveness, safety and economic viability. Continue to support state, local government and non-profit acquisition of or easements on priority forest lands

Finally, the Sullivan 2020 Plan addresses farmland protection under the open space section and agricultural diversification under the economic development section. Sullivan 202 is a strategic plan that establishes a vision for the County. The Conserving Open Space and Managing Growth Plan (above) is a recommended action directly from the Sullivan 2020 Plan. Intermunicipal collaboration, regional coordination of zoning laws, strategies to promote environmental consciousness, and identification of effective

solutions and actions plans are keystone features of the Sullivan 2020 and agriculture plays a key role in helping meet Sullivan's vision.

3. Local Land Use Regulations

General Description of Current Regulations

The Town of Liberty has several local laws related to agriculture. These include zoning, subdivision, and a right to farm law. As a result of the adoption of the comprehensive plan, the zoning law is currently under review and revision.

Current zoning establishes ten different zoning districts. A majority of the Town is included in the Agricultural Conservation or Rural Development district (see Zoning Map). In addition to special use and site plan review procedures, the zoning includes regulations for intensive poultry and swine operations, stables, riding academies, and keeping of animals. Zoning also allows for clustered subdivisions and Planned Unit Developments (PUD).

Chapter 76 (Farming) adopted in 2006, establishes that farming is an "essential enterprise and important industry, which enhances the economic base, natural environmental and quality of life" in Liberty. This local law's intent is to maintain and preserve the rural traditions and character of the Town and to permit agricultural practices to continue, expand, and to promote conflict resolution. This Right-to-Farm law also defines a variety of agriculture related terms and declares that agricultural practices shall not be public or private nuisances if conducted according to the criteria outlined in the law. It also includes a notification of real estate buyers as per State law Article 25-AA and establishes a dispute resolution process.

A. Review of the Comprehensive Plan

1. The Plan was done recently and adopted in January 2008. It includes public input, demographic analysis and general discussion of community resources. Some very positive specifics (summarized) from the plan related to agriculture include:

a. Ag is included in one of 10 major goals.
b. The plan adds a definition of agri-tourism, and has a section devoted to agricultural economic development.
c. Agriculture (defined as "fields") are included in the open space definition.
d. The plan recognizes new forms of agriculture have been

attracted to Liberty.

e. The plan supports “smart growth” principles through recognizing the desire to direct development to existing “hubs” of village and hamlets.
f. It encourages the preservation of farmland, especially within agricultural districts.
g. It promotes use of TDR, PDR, forest management, easements, deed restrictions, etc.
h. It promotes establishing a set percentage of open space in subdivisions, evaluating cumulative impacts of development, improving zoning flexibility related to density and zone placement, and integration of “innovative design, land use techniques and development standards” - all of which could serve to benefit agricultural land uses.

2. The objective of providing for the expansion of water and sewer to meet current and future needs may not be consistent with agriculture as these public infrastructures usually promote growth and are not generally conducive to long-term ag use. The long-term planning for infrastructure should include agriculture and be planned to avoid important ag areas so as not to promote high density growth.

3. The background information included in the plan does not appear to include details, statistics or maps on the agricultural character of the Town. This agricultural protection plan could therefore, be very helpful as a comprehensive plan addendum as this data is included herein.

4. The proposed zoning map included in the plan expands the Agricultural Conservation district to include all of the lands included in the NYS Agricultural District and much of the remaining undeveloped woodlands. This proposed change is more protective of agriculture than existing zoning (see below).

5. The Plan includes a Proposed Use Table for permitted and special uses in all the districts. It recommends updates to the District Intent Statements and offers new development standards to meet those objectives. The proposed AC (Ag Conservation) district is clearly intended to encourage preservation of ag land and open spaces and minimize residential development. The RD district intent is also updated and defined to provide a transition area between the AC and R-1 areas. The proposed use table is improved and includes most ag activities as permitted uses although some agri-businesses are allowed with special permits.

The minimum lot size for the AC district is proposed at 10 acres with a 50% open space requirement. Density for a conservation subdivision is 3 acres with a 50% open space requirement. It also includes a package plant standard that requires a percentage of open space based on size. (Without further text in the zoning law, it is unclear to me how this would work. I assume this means that when a package plant exists you can get a 2 acre lot with a minimum of 60% open space, etc.) The RD district sets a 3 acre minimum lot size and a 30% open space requirement, along with package plant/conservation subdivision lot sizes. These development standards, if adopted, set up a "reduce density, but give it back if effective open space designs are provided for" technique. It is unclear whether agricultural activities would be allowed on the preserved open space however. If the zoning text established agriculture as permitted uses on the open space, these standards and this technique could be very effective at promoting the goals of the district to preserve agriculture.

B. Review of the Zoning Law

1. §2 Purpose. This is adequate—it already includes the need to protect and promote agriculture.

2. §4 Definitions. This section is recommended to be significantly updated. No agriculturally related terms are included in the definitions. There is no open space definition. It does include private and commercial stables however. Consider adding definitions for agriculture, farm, nurseries, agri-tourism, u-pick operations, etc. The definitions should include a wide variety of ag-related uses and terms. The Schedule of Use Tables at the back of the zoning law lists many other agriculturally related uses that are not defined. Each land use included in the table should be defined.

3. §3 Definition for Stable, Commercial. This term defines a use having 5 or more horses as a commercial operation whether operated for profit or not. This seems restrictive and could prevent establishment of horse farms—whether for hobby or profit. It is unclear what the purpose of this restriction is, and as farms transition from dairy or livestock to other types of agriculture, horse raising and stables may become more of an important ag use in Liberty. It is recommended that this definition be changed and allow stables of all sorts to be considered agriculture. Further, the Town can consider adopting the NYS rules about riding stables (those could be considered commercial uses).

4. District Purpose Statements. These are included in the use table. The proposed use table in the Liberty Comprehensive Plan offers a more effective statement of intent that is more oriented to agriculture in the AC district than currently exists. It is recommended the new statement be included in any zoning revision.

5. §11—This limits the height of a silo to no more than 40% of the height regulation. Although upright silo's are not used very frequently, the Town should evaluate if this height restriction would limit certain desired agricultural operations.

6. §14—This regulates unattached accessory structures. Would this ever apply to barns and other necessary farm buildings? If so, this may be restrictive to some agricultural operations. Also, it requires a permit for accessory structures greater than 100 square feet and signs greater than 10 square feet. If barns and machinery sheds are considered accessory structures, would this requirement be restrictive to farmers? This should be evaluated and clarified to exempt farm accessory uses.

7. §20 (G) regulates intensive use of poultry and swine. A definition of these uses should be included in t he use table. This requires a minimum of 50 acres of land, 200' setbacks from property lines, and evaluation of manure and disposal plans. State CAFO rules do not establish acreage requirements. For the AC district, requiring 50 acres for 100 hogs may be restrictive to smaller operations and if the intent of the district is agriculture, the Town should consider amending this. This section also includes a reference to manure storage and disposal plans as recommended by Cornell Cooperative Extension. The Town may want to also reference DEC CAFO General Permit rules as well since this is a more definitive set of guidelines.

8. Section 20 (G) also says that chicken and meat processing plants shall be considered industrial enterprises and be regulated as such. However, processing plants are not defined so it is unclear if a very small processing facility would fall under this regulation or not. This might preclude small operations that may be very beneficial to Liberty.

9. Section 20 (H) regulates stables, riding academy and keeping of animals. This regulates size of parcel, number of horses allowed,

size of structures, and setbacks for stables as well as keeping of animals. Although it is important to ensure that adequate acreage exists for animals as well as to minimize issues with non-farm neighbors, this section is quite restrictive for both personal and commercial horse uses. Outside the AC and RD districts, it limits keeping of other domestic animals to parcels at least 10 acres in size. There are no such restrictions in the AC and RD districts. Commercial stables and riding academies require a 10 acre parcel with 1 acre required for each horse in excess of 5. The restrictions on domestic animals outside the RD and AC districts are understandable and acceptable. The size regulations on both acreage and structures for private stables seems very restrictive however and might serve to discourage private stables in the AC and RD districts. The Town should re-evaluate the needs for regulating horses and the keeping of animals and find language that would be both protective of non-farmers, but encouraging of these types of farm operations.

10. Section 21, Cluster Development. These are allowed in the AC, RD, RH and RS districts. The Planning Board can require clustering and the parcel must be 10 acres or larger. Cluster developments can only be for single family dwellings. Other dwelling types must follow the multi-family regulations. The law allows reduction of the lot size by 1/2 the normal size, but no less than 1 acre with on-site services and 7500 square feet where off site services exist. These sizes may be appropriate when individual well and septic systems are required on-site. However, some large developments include their own on-site water and sewer systems that serve the entire development. Because these are still “on-site” facilities, such developments may still be required to have 1 acre minimum lot sizes. That would result in an ineffective clustered layout. It is recommended that “on-site” services be defined to include wells and septic systems on individual lots, and a definition be added for “community-level services” to include package plants for water and sewer treatment designed to serve the entire development. Further, developments with on-site package plants and water should be allowed to cluster on much smaller lots.

    This section does not indicate how much of the parcel needs to be preserved as open space. It also requires that 50% of the common open space preserved is to be used for active recreation activities and specifically cannot include wetlands, floodplains or steep slopes. It is recommended that the law be updated to specify a certain percentage of land to be permanently preserved as open

space. Most laws require 50% to be preserved. In this way, an effective mass of land can be maintained for ecological functioning, rural character, or offer enough space useful for agriculture. It is also recommended that the requirement that 50% of the preserved land be used for active recreation be eliminated so as to promote agriculture and conservation uses. There are also no open space standards or criteria given to guide the proper identification of lands to be preserved. It is recommended that these be added to the language of this section.

Liberty should update this entire section to offer more guidance on clustered developments. The conservation subdivision technique (4-step process) should also be included to ensure effective design of the subdivision. Consider also making cluster/ conservation subdivision a mandatory technique for subdivisions over a certain size.

Some issues that should be resolved in a zoning amendment include:

a. The section should state the percentage of land to be permanently preserved as open space.

b. The section should define open space and offer standards as to what, where, and how this open space will be determined. Further, it should detail how the land will be preserved, what uses will be allowed on it, and what the ownership options are.

c. Agriculture should be listed as a specifically allowed use on the preserved open space.

d. De-emphasize active recreational uses of the open space such as golf courses.

e. Offer incentives for clustering. This is usually in the form of a density bonus that offers additional housing units in exchange for the use of the technique and permanent preservation of the land.

f. Incorporate conservation subdivision tools into the process. These clearly outline that the houses are designed around important environmental features to create meaningful open space.

g. Allow for maximum flexibility in placement of new lots and area dimensions for them. Site conditions should dictate how big and where each of the new lots should be. Consider removing or changing the requirement that lot dimensions are ½ of what is required without clustering.

h. Some effective designs may be feasible without central water and sewer. Consider removing the requirement for central water and sewer for a clustered subdivision.

11. Section 27, Site Plan and Special Use Permits. Neither of these processes includes agriculture as a consideration in the design and review of projects requiring site plan and special use permits. Agricultural resources such as active fields, soils, location in a NYS Certified Ag District, and use of the Ag Data Statement should be part of the required application materials. Further, consideration of the impact on agriculture, especially in the AC district should be added to ensure it becomes part of the Planning Board review. For instance, agriculture should be added to 27 (E)(9) as "The Planning Board should pay special attention to the impact of the project on agriculture in the district and mitigate negative impacts to the maximum extent."

12. Section 23, Planned Unit Development (PUD). This section adequately addresses the importance of preserving significant natural features as well as provides for recreation in protected open space areas within a PUD. However, there is no mention that agricultural uses may be equally important. It is suggested that this section be amended to include ag as resource to be protected on any preserved open space lands within a PUD.

    The law offers a density bonus based on the amount of open space preserved. This is an excellent concept. Currently however, a bonus is allowed for preserving up to 25% of the parcel without specifying the bottom number. If someone preserves 1%, is that eligible for a density bonus? It is recommended that the language be changed so that the first density bonus category is 10 to 25% instead of <25% in order to promote preservation of meaningful open spaces.

    The language does not specify what the minimum amount of preserved open space shall be. There needs to be more definition of what open space is, where it should go, how to include environmentally constrained lands, and how to promote agriculture

on the preserved portion of the parcel. There is nothing in the PUD law directing the Planning Board to evaluate the PUD's impact on agriculture. Along with the Ag Data Statement, identification of active agricultural lands, farmland soils, and location of land in relation to the Ag District should be part of the application materials for a PUD.

13. Consider adding a requirement that new non-farm uses create a larger buffer when adjacent to active agricultural uses. It should be the new non-farm use that buffers, not require the farm to buffer itself.

14. Use Table and Lot Dimensions

a. Uses:

1. The RS district requires a special use permit for vineyards, orchards or raising of crops. No other kinds of agriculture are allowed. However, there are some ag lands in this district. It is not clear why the RS district extends to the area in the SW of the Town but these may be areas with opportunities for agriculture. It is also not clear why, in this part of Town, a special use permit is needed for vineyards, orchards, and crops. This may be disadvantageous for promoting agriculture and this area may be suitable for smaller, niche farms beyond crops. Further, there is no definition of any of those ag terms.

2. Clarify if farm stands/farm markets and other ag-related businesses could go in the SC district. Would they be considered retail and service? If so, you should define these terms to clarify this.

   The IC district allows all forms of agriculture as a permitted use. Although this is acceptable, it seems unlikely that anything but agricultural processing facilities would develop in the IC district. Production agriculture will likely take place outside this corridor.

   1. Liberty may want to consider more emphasis on agricultural processing here rather than animal and livestock production.
   2. All farming activities are allowed as a permitted use in the RD district and that is very farm-friendly. At the same time, offices, restaurants, personal service, and

convenience retail are also allowed. The Town should review this use list to determine if these uses are compatible long-term and cumulatively with agriculture. Several agri-businesses are allowed with special use permits (farm equipment sales, stables and riding academy, feed and fertilizer businesses, for example and no definitions are included to describe these uses. Single family clusters are allowed in the RD district but there are no definitions, standards, or procedures outlined.

3. AC district adequately addresses ag uses: uses as listed allows for a variety of ag operations, and agri-businesses in the AC district.

B. Density: The Buildout analysis shows that zoning creates a potential for 28,000 new homes (or 17,500 with all the environmental constraints removed from the density calculation). Up to 3,000 of these could be in the AC district and about 15,000 could be in the RD district. Most farmlands are found within the AC district. The Town will need to evaluate whether this level of development is consistent with what they want for their community and whether agriculture can co-exist with this level of residential development. Long-term, it is unlikely that this level of development would sustain agricultural land uses. As such, consider reducing the overall capacity of development, especially in the AC district. The Comprehensive Plan already recommends reduction of density in the proposed AC district: A 10 acre minimum lot size or a 3 acre minimum lot size with 50% open space preserved if a conservation subdivision is developed. This is a very viable option for the Town to consider adopting. Other tools that could be considered by Liberty include:

1. Use Average Lot Size Density: Do not require a minimum lot size, but instead rely on an average density to be attained over the entire parcel being developed. A 10-acre parcel may adequately reduce development pressures on farmland, but may also be very unaffordable for young and working families. Use of an average lot size however, is much more flexible, allows smaller lots to be created and leaving more opportunity for preservation of open space. While the cluster provisions of zoning will work best on major developments, use of average lot density will assist with preservation of farmland and open space on smaller subdivisions as well.

Minimum lot sizes can be as small as allowed by the Department of Health for septic systems.

2. Reduce Density Using a Sliding Scale: This technique sets a density of development based on the size of the parcel to be divided. Smaller parcels get a higher density and larger parcels get a lower density. In this way, more growth is directed to those parcels already cut up and leaves a lower density on the larger parcels still farmed. At the same time, landowners can subdivide their farmlands if necessary.

3. Reduce Density by Using Net Acreage: This removes lands on a parcel having certain characteristics such as wetlands, open water, very steep slopes, etc. from being included in the calculation for how many units the parcel is eligible for. For instance, in the CD district a 100 acre parcel would be eligible for a maximum of 50 new lots using a gross acreage calculation. Using a net acreage calculation, the 100 acre parcel having 20 acres of environmental constraints would have 80 acres of land, and would be eligible for 40 dwellings.

4. Reduce Density but Give it back with Incentives: If someone wants to develop a conventional subdivision with no protections for open space or ag lands, then the density is reduced. If however, they cluster, participate in a Transfer of Development Rights program, or otherwise protect agricultural lands, then they would be eligible for a density bonus. This would not necessarily reduce density in the Town, but would help meet other protection goals.

5. Keep Density the Same as Now but Offer Incentives for Better Subdivision Design or Permanent Preservation of Farmlands: This would at least encourage better design and protection of some farmlands. It would not reduce densities overall in the Town.

6. Mandate cluster/conservation subdivision for major subdivisions: Currently, Liberty does not mandate use of clustering. However, mandatory use for all major subdivisions with the provision that the dedicated open space be oriented to farmland would direct growth to the more appropriate locations on the parcel. This would not change the density but re-direct it.

7. Initiate a Transfer of Development Rights Program. This is a program that allows the development rights from one parcel to be transferred and built on another parcel. TDR's can be complicated and the simplest method for the Town should be considered. However, it works best when

   - o A demand for density bonuses that could be obtained through a TDR program is created. If developers are satisfied with the density they get through zoning without buying TDR's there is less chance for the program to be used. Sending areas must have strict regulations and densities. Too high a density in the sending area will make the TDR option not favorable. That means a very low density should be allowed in the "sending areas" and a higher density in the "receiving areas".

   - o Receiving areas should have adequate infrastructure, be politically acceptable, compatible with existing development, be clearly designated and in a location where developers perceive a market for higher density.

   - o Voluntary TDR programs have not been found to be as successful as those that are mandated. However, a voluntary program can work if it is advantageous for a developer to do so. Most successful programs do not allow developments to circumvent TDR requirements.

   - o Develop a TDR program that is as simple as possible and give developers certainty in the planning and review process.

   - o Consider a TDR bank. This is an entity officially authorized by the community to buy, hold and resell TDR's. The bank can acquire TDRs from sending area landowners who cannot find private buyers. It can establish and stabilize TDR prices, facilitate transactions, and market the program. Further, a TDR bank can create a revolving fund by buying TDRs, selling them, and using the proceeds to buy more TDRs.

1. Sending areas should be priority farmlands in the AC district.

2. Receiving areas should be in the R-2 districts and near the Village of Liberty.

3. A density bonus could be given when a TDR takes place.

15. Zoning Districts. Consider adopting the proposed zoning map from the Comprehensive Plan. This entails including all NYS certified Agricultural Districts in the AC district, as well as some currently undeveloped woodlands. Further consider expanding higher density districts and allowing smaller lots around the Village of Liberty, hamlets, and other existing higher density areas to direct more development to these areas.

C. Other Zoning Amendments to Consider that are Favorable Towards Agriculture

The zoning does not include the following. The Town should consider amending the zoning to include these in as added tools to maintain and promote farmland protection and farm operations in Liberty.

16. Ensure that regulations related to hours of business operation, use of temporary signs, and parking requirements are reduced or do not apply for farms, especially season farm businesses.

17. Add to the Use Table additional agri-businesses such as u-picks, CSAs, expanded road stands, corn mazes, hay rides, pumpkin patches, seasonal events, school programs, weddings and parties, farm markets, dairy barns, bakeries, farm stores and restaurants, bed and breakfasts, farm stays; Farm support businesses such as slaughterhouse, community kitchen; and Farm-compatible businesses.

18. Add all NYS Agriculture and Markets Law requirements such as the Ag Data Statement.

19. Add in all NYS State Environmental Quality Review Act (SEQRA) requirements. SEQRA also requires a review of a projects impact on agriculture.

20. Add in all NYS General Municipal Law requirements related to

County Planning Board review of certain projects. This may offer additional insight into the regional impacts a proposed development might have on broader agricultural resources.

21. Add rural design and layout standards to help guide the placement of new structures in ways that would be the most advantageous to continuing agriculture.

22. Add in to special use plan and site plan requirements the identification and location of critical farmlands, and farmland soils so that they can be considered as an important resource during the development review process.

23. Add in a density bonus process to offer incentives for development that preserves farmland. Incentives could be offered for use of conservation subdivisions, clustered subdivisions, or a transfer of development rights program participation for example.

D. Review of the Subdivision Law

The Town's subdivision law could be strengthened in relation to its review of and permitting of new subdivisions so as to maintain farmland to the maximum extent practical. These include the following:

1. Purposes: There is no mention of agriculture or protecting and maintaining agriculture in the purpose statement. Consider amending this to strengthen the emphasis on agriculture. There is also no reference to the comprehensive plan, which should be added in as well.

2. Definitions. No agricultural or farm-related terms are defined. It defines Open Space adequately, but even this is not strongly oriented to having open space used for anything but "the use and enjoyment of the residents of the development". This may prevent future use as agriculture and may limit flexibility in how a subdivision could be set up to allow for farming.

3. Procedures: do not reference Ag and Markets requirements for an Ag Data Statement. Not only should this be part of the subdivision application, the Planning Board should use this statement to inform farm owners of the subdivision proposal.

4. Plan Requirements: The law could be strengthened by adding to the plat requirements the need to identify zoning districts, the ag data statement, identification of whether the parcel is in a NYS Ag District, and identification of active farming uses on or adjacent to the parcel being subdivided. There is no mention of agriculture in the application requirements. For example, it asks for "all existing structures and wooded areas within the area to be subdivided" be located on the plat, but does not include identification of farmlands. The law could also specify identification of any prime farmland soils or soils of statewide importance. It already asks for the types and boundaries of soil types. Further identification of prime farmlands could be important to promote protection of these important soils. In order to fully evaluate a subdivision and its environmental and agricultural impact (as required by SEQRA), the Town should have a comprehensive set of information. Basic information about the agricultural environment should be part of both the preliminary and final plans.

5. The laws indicate that the Planning Board can't require any more than 10% open space or 3 acres. This is probably not adequate to preserve either effective open space or agricultural activities.

6. There are no procedures or standards to allow for clustering. However, the zoning law allows for clustering—at the very least, in a PUD. In Liberty, use of clustering and conservation subdivisions could be a very important tool to protect open space and promote small scale agriculture. It is recommended that these techniques be included in both the zoning: Zoning would authorize use of them, how and in what districts, and subdivision would outline the review process and administration. One concern is a statement in 130-21 that does not allow a waiver of depth or width of lot size for any cluster development. This may be an impediment to doing a clustered subdivision.

7. Design Standards: There are opportunities to strengthen the law in relation to agriculture. For example, it establishes the need to preserve natural features, but does not mention agricultural resources. Farmland should be on par with other important natural resources in Liberty. There is no mention about laying out lots in a manner which has the least amount of interference with agricultural operations. Buffers should be required to be created by new subdivisions when adjacent to existing farm operations.

E. Review of the Right to Farm Law

Adopted in 2006, this law is excellent and appears to be up-to-date and comprehensive. It has excellent purpose statements and definitions. The definitions included in this law could be used in both subdivision and zoning laws for consistency. It includes a good right-to-farm declaration, notification of real estate buyers, and dispute resolution.

Appendix 5: US Agriculture Census Zip Code Level Data

1. Description and Comparison of Farm Operations in Town of Liberty Zip Codes

Farm Owner and Operator Characteristics in Liberty by Zip Code (small portions of Youngsville and Jeffersonville zip codes are also in Liberty, but not included below. White Sulfur Springs zip code 12787 is not included below as there were no farms reported in that area on any year of the US Ag Census.)

ZIP	Town	Full owners	Part owners	Tenants	Operators living on the farm operated	Operators by Principal Occupation farming
1997						
12734	Ferndale	**4**	**4**	**1**	**7**	**5**
12754	Liberty	**8**	**1**	**0**	**9**	**6**
12768	Parksville	**5**	**4**	**1**	**8**	**6**
12783	Swan Lake	**6**	**8**	**0**	**12**	**9**
12758	Livingston Manor	**13**	**11**	**0**	**17**	**9**
Totals		36	28	2	53	35
2002						
12734	Ferndale	*	*		6	5
12754	Liberty	9	*		9	9
12768	Parksville	10	*		14	9
12783	Swan Lake	7	*	*	11	7
12758	Livingston Manor	29	7	*	32	26
Totals		55	7	*	72	56
2007						
12734	Ferndale	3	6	1	7	6
12754	Liberty	11	1	0	12	4
12768	Parksville	11	3	0	14	3
12783	Swan Lake	4	3	0	7	4
12758	Livingston Manor	19	8	0	23	16
Totals		48	21	1	63	33

2. Type of Farms in Liberty Zip Codes

Livestock Inventory on Farms in Liberty by Zip Code

ZIP	Town	Cattle and calves inventory total farms	Beef cow inventory total farms	Milk cow inventory total farms	Cattle and calves sold total farms	Hogs and pigs inventory total farms	Hogs and pigs sold total farms	Sheep and lambs inventory total farms	Hens & pullets laying age inventory total farms	Horses and ponies of all ages inventory total farms	Horses and ponies of all ages sold total farms
1997											
12734	Ferndale	**2**	**2**	**0**	**2**	**0**	**0**	**0**	**0**	**2**	**1**
12754	Liberty	**2**	**1**	**0**	**2**	**1**	**2**	**1**	**2**	**1**	**0**
12768	Parksville	**4**	**4**	**0**	**6**	**0**	**0**	**0**	**0**	**4**	**2**
12783	Swan Lake	**8**	**3**	**4**	**8**	**0**	**0**	**1**	**1**	**3**	**1**
12758	Livingston Manor	**16**	**13**	**3**	**1**	**4**	**3**	**1**	**2**	**8**	**1**
Totals		32	23	7	19	5	5	3	5	18	5
2002											
12734	Ferndale	*	*						*	*	*
12754	Liberty	6	*		6	*	*	*	*	*	
12768	Parksville	*	*		*				*	*	
12783	Swan Lake	*	*	*	*			*	6		
12758	Livingston Manor	19	13	*	12	7	7	10	11	*	*
Totals		25	13	*	18	7	7	10	7	*	0
2007											
12734	Ferndale	4	0	0	2	2	2	2	4	5	2

12754	Liberty	3	3	0	3	2	2	2	4	5	3
12768	Parksville	5	5	0	1	0	0	0	0	5	2
12783	Swan Lake	5	3	3	4	0	0	0	0	3	2
12758	Livingston Manor	12	11	2	9	8	4	6	11	5	1
Totals		29	22	5	19	12	8	10	19	23	10

Source: US Agricultural Census. Note: 1997 Agricultural Census no data was available for zip codes in Hortonville (12746 or Kenoza Lake (12750).

Cropland Harvested in Liberty by Zip Codes

ZIP	Town	Cropland harvested total farms	Cropland harvested 1 to 49 acres	Cropland harvested 50 to 499 acres	Cropland used for pasture or grazing total farms	Cropland idle total farms	Total woodland total farms	Pasture and rangeland other than cropland or woodland	All other land total farms	All other land 100 acres or more
1997										
12734	Ferndale	7	4	3	3	1	5	2	5	2
12754	Liberty	8	5	3	2	2	7	5	6	0
12768	Parksville	6	3	3	4	2	8	6	6	2
12783	Swan Lake	11	3	7	9	1	7	5	9	0
12758	Livingston Manor	22	8	14	12	1	17	4	1	0
Totals		24	23	17	19	7	28	22	27	4
2002										
12734	Ferndale	*	*	*	*	*	*	*	*	
12754	Liberty	5	*	*	*	*	11	5	1	
12768	Parksville	7	*	*	6	*	11	*	1	
12783	Swan Lake	5	*	*	8		7	*	6	*
12758	Livingston	26	16	10	13	*	27	12	1	

	Manor									
		19	1	1	15	*	11	6	9	*
2007										
12734	Ferndale	8	3	5	1	0	3			
12754	Liberty	1	0	1	7	0	7			
12768	Parksville	6	5	1	2	0	10			
12783	Swan Lake	6	3	3	1	0	5			
12758	Livingston Manor	22	16	6	7	0	21			
Totals		43	27	16	18	0	46			

3. Farmland Acreage and Size of Farms in Town of Liberty Zip Codes

ZIP	Town	Farms by size all farms	Farms by size 1 to 49 acres	Farms by size 50 to 999 acres
1997				
12734	Ferndale	9	3	6
12754	Liberty	9	3	6
12768	Parksville	10	3	7
12783	Swan Lake	14	2	12
12758	Livingston Manor	24	6	18
Totals		66	17	49
2002				
12734	Ferndale	7	*	*
12754	Liberty	11	8	*
12768	Parksville	14	*	11
12783	Swan Lake	11	*	7
12758	Livingston Manor	37	15	22
Total		80	23	40
2007				
12734	Ferndale	10	4	6

12754	Liberty	12	8	4
12768	Parksville	15	2	13
12783	Swan Lake	7	2	5
12758	Livingston Manor	27	5	22
Total		71	24	50

4. Market Value of Farms, Economic Trends in Town of Liberty Zip Codes

1997 Market Value of All Agricultural Products in Liberty Zip Codes

ZIP	Town	Market value of agricultural products sold total farms	Market value of agricultural products sold less than $10000	Market value of agricultural products sold $10000 or more	Market value of agricultural products sold $10000 to $99999	Market value of agricultural products sold $100000 or more
12734	Ferndale	9	6	3	0	3
12754	Liberty	9	2	7	7	0
12768	Parksville	10	7	3	3	0
12783	Swan Lake	14	6	8	4	4
12758	Livingston Manor	24	12	12	10	2
Totals		66	33	33	24	9

2002 Market Value of All Agricultural Products in Liberty Zip Codes

		Total farms	**Less than $50,000 (farms)**	**$50,000 to $249,999 (farms)**	**$250,000 or more (farms)**
12734	Ferndale	7	*		*
12754	Liberty	11	11		
12768	Parksville	14	14		
12783	Swan Lake	11	8		*
12758	Livingston Manor	37	32	*	*
Totals		80	65	*	*

2007 Market Value of All Agricultural Products in Liberty Zip Codes

		Total farms	**Less than $50,000 (farms)**	**$50,000 to $249,999 (farms)**	**$250,000 or more (farms)**
12734	Ferndale	10	7	0	3
12754	Liberty	12	12	0	0
12768	Parksville	15	15	0	0
12783	Swan Lake	7	4	0	3
12758	Livingston Manor	27	22	3	2
Totals		71	60	3	8

Appendix 6. US Agricultural Census County Data

Census of Agriculture: Sullivan County	1997	2002	2,007	% Change
Farms (number)	311	381	323	3.9
Land in farms (acres)	58,067	63,614	50,443	-13.1
Land in farms - average size of farm (acres)	187	167	156	-16.6
Land in farms - median size of farm (acres)	116	106	100	-13.8
Estimated market value of land and buildings: average per farm (dollars)	379,677	522,088	546,478	43.9
Estimated market value of land and buildings: average per acre (dollars)	1,861	2,798	3,493	87.7
Estimated market value of all machinery/equipment:aver per farm (dollars)	62,091	72,534	81,001	30.5
Farms by size: 1 to 9 acres	27	27	19	-29.6
Farms by size: 10 to 49 acres	50	107	81	62.0
Farms by size: 50 to 179 acres	125	128	134	7.2
Farms by size: 180 to 499 acres	83	92	66	-20.5
Farms by size: 500 to 999 acres	23	19	19	-17.4
Farms by size: 1,000 acres or more	3	8	4	33.3
Total cropland (farms)	279	322	274	-1.8
Total cropland (acres)	34,813	34,476	24,614	-29.3
Total cropland, harvested cropland (farms)	261	274	236	-9.6
Total cropland, harvested cropland (acres)	25,045	26,541	21,198	-15.4
Irrigated land (farms)	19	35	24	26.3
Irrigated land (acres)	109	293	75	-31.2
Market value of agricultural products sold ($1,000)	23,364	37,753	42,117	80.3

Census of Agriculture: Sullivan County	**1997**	**2002**	**2,007**	**% Change**
Market value of agricultural products sold, average per farm (dollars)	75,126	99,090	130,393	73.6
Market value of ag prod sold-crops, incl nursery and greenhouse crops ($1,000)	2,117	2,690	2,088	-1.4
Market value of ag products sold - livestock, poultry, and their products ($1,000)	21,247	35,064	40,029	88.4
Farms by value of sales: Less than $2,500	79	155	123	55.7
Farms by value of sales: $2,500 to $4,999	38	40	30	-21.1
Farms by value of sales: $5,000 to $9,999	39	34	26	-33.3
Farms by value of sales: $10,000 to $24,999	54	43	62	14.8
Farms by value of sales: $25,000 to $49,999	21	27	28	33.3
Farms by value of sales: $50,000 to $99,999	28	32	16	-42.9
Farms by value of sales: $100,000 or more	52	50	38	-26.9
Total farm production expenses ($1,000)	19,833	26,504	40,529	104.4
Total farm production expenses, average per farm (dollars)	63,162	69,383	125,477	98.7
Net cash return from agricultural sales for the farm unit (farms)	314	382	323	2.9
Net cash return from agricultural sales for the farm unit ($1,000)	2,775	12,280	2,747	-1.0
Net cash return from ag sales for fm unit (see text), average per farm (dollars)	8,838	32,146	8,504	-3.8
Operators by principal occupation: Farming	194	243	164	-15.5
Operators by principal occupation: Other	117	138	159	35.9
Operators by days worked off farm: Any	154	181	179	16.2
Operators by days worked off farm: 200 days or more	90	123	123	36.7
Livestock and poultry: Cattle and calves inventory (farms)	160	155	119	-25.6
Livestock and poultry: Cattle and calves inventory (number)	11,012	8,900	6,300	-42.8
Beef cows (farms)	69	75	79	14.5

Census of Agriculture: Sullivan County	**1997**	**2002**	**2,007**	**% Change**
Beef cows (number)	1,082	875	1,215	12.3
Milk cows (farms)	72	53	32	-55.6
Milk cows (number)	4,505	3,948	2,272	-49.6
Cattle and calves sold (farms)	158	109	89	-43.7
Cattle and calves sold (number)	5,508	3,123	2,220	-59.7
Hogs and pigs inventory (farms)	11	19	23	109.1
Hogs and pigs inventory (number)	126	206	425	237.3
Hogs and pigs sold (farms)	11	19	21	90.9
Hogs and pigs sold (number)	182	227	525	188.5
Sheep and lambs inventory (farms)	23	48	31	34.8
Sheep and lambs inventory (number)	334	1,010	729	118.3
Layers and pullets 13 weeks old and older inventory (farms)	31	65	64	106.5
Layers and pullets 13 weeks old and older inventory (number)	(D)	(D)	(D)	
Broilers and other meat-type chickens sold (farms)	11	15	13	18.2
Broilers and other meat-type chickens sold (number)	1,208,336	2,542,338	1,528,519	26.5
Corn for grain or seed (farms)	8	6	3	-62.5
Corn for grain or seed (acres)	693	670	(D)	
Corn for grain or seed (bushels)	69,580	26,627	(D)	
Corn for silage or green chop (farms)	52	30	21	-59.6
Corn for silage or green chop (acres)	2,523	1,324	882	-65.0
Corn for silage or green chop (tons, green)	27,579	11,970	14,451	-47.6
Wheat for grain (farms)	(N)		1	
Wheat for grain (acres)	(N)		(D)	
Wheat for grain (bushels)	(N)		(D)	
Barley for grain (farms)	(N)		1	
Barley for grain (acres)	(N)		(D)	
Barley for grain (bushels)	(N)		(D)	

Census of Agriculture: Sullivan County	**1997**	**2002**	**2,007**	**% Change**
Oats for grain (farms)	2		1	-50.0
Oats for grain (acres)	(D)		(D)	
Oats for grain (bushels)	(D)		(D)	
Soybeans for beans (farms)	(N)		2	
Soybeans for beans (acres)	(N)		(D)	
Soybeans for beans (bushels)	(N)		(D)	
Dry edible beans, excluding dry limas (farms)	(N)			
Potatoes, excluding sweetpotatoes (farms)	6		12	100.0
Potatoes, excluding sweetpotatoes (acres)	17		22	29.4
Potatoes, excluding sweetpotatoes (hundredweight)	1,262		(N)	
Hay-alfalfa,other tame,small grain,wild,grass silage,green chop,etc(farms)	210		186	-11.4
Hay-alfalfa,other tame,small grain,wild,grass silage,green chop,etc(acres)	23,488		19,636	-16.4
Hay-alfal,oth tame,small grain,wild,grass silage,green chop,etc(tons,dry)	38,529		35,056	-9.0
Vegetables harvested for sale (farms)	25		31	24.0
Vegetables harvested for sale (acres)	157		151	-3.8
Land in orchards (farms)	13		9	-30.8
Land in orchards (acres)	101		25	-75.2
(D) Withheld to avoid disclosing data for individual farms.				
(N) Not available.				

Appendix 6: Model Definitions

Definitions to Add:

Agriculture: Any processing facilities, on-farm buildings, manure processing and handling, and practices that contribute to the production, preparation, or selling of crops, livestock, and wood products, including commercial horse boarding operations and compost, mulch or other biomass operations. Agriculture is an activity that produces food, fiber, animal products, wood products, and other goods and services from the land including but not limited to maple syrup, bee products, and Christmas trees.

Ag Business: agricultural operations included, but not limited to u-picks, CSAs, expanded road stands, corn mazes, hay rides, pumpkin patches, seasonal events, school programs, weddings and parties, farm markets, dairy barns, bakeries, farm stores and restaurants, bed and breakfasts, farm stays, and community kitchen.

Agri-business: services and businesses that support agricultural operations including but not limited to veterinarians, seed and fertilizer dealers, machinery dealers, and slaughterhouse.

Agri-tourism: means activities conducted by a farmer on-farm for the enjoyment or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life. Agri-tourism activities include, but are not limited to on-farm bed and breakfasts, farm stay programs, u-pick operations, and pumpkin patches.

Farm: Any location where agriculture activities take place.

Farm Accessory Use or Structure: A use or structure located on a farm that is clearly incidental and subordinate to the principal activity of agriculture located on the same lot and in the same ownership.

Farm Stand: A structure whose principal use is the seasonal display and sale of agricultural products grown on the premises. A farm stand may also include a movable wagon or platform pulled by a truck or tractor and placed in proximity to a roadway to attract potential customers.

Farmer: Any person, organization, entity, association, partnership, limited liability company, or corporation engaged in agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.

Horse Boarding Operation: A commercial horse boarding operation provides care, housing, health, related services and training to animals kept on the premises or on other properties owned or leased by the farm operator. Riding and training activities, not open to the general public, that are directly related to and incidental to the boarding and raising of horses, including riding lessons for persons who own or have a long-term lease from the farm owner for the horse that is boarded at the farm and uses for such activities, are part of the farm operation. Riding academies and horse racing operations are not deemed to be a horse boarding operation.

Intensive Poultry and Swine Operation: An Animal Feeding Operation (AFO) as defined and regulated pursuant to ECL Section 17-0105(16) and is a CAFO. CAFOs are defined as follows:

Large Concentrated Animal Feeding Operation (Large CAFO) means an Animal Feeding Operation (AFO) that stables or confines as many as or more than the numbers of animals specified in any of the following categories:

- **a.** 700 Mature Dairy Cows, whether milked or dry
- **b.** 1,000 Veal Calves
- **c.** 1,000 Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs)
- **d.** 2,500 Swine, each weighing 55 pounds or more
- **e.** 10,000 Swine, each weighing less than 55 pounds
- **f.** 500 Horses
- **g.** 10,000 Sheep or Lambs
- **h.** 55,000 Turkeys
- **i.** 30,000 Laying Hens or Broilers, if the AFO uses a liquid manure handling system
- **j.** 125,000 Chickens (other than laying hens),if the AFO uses other than a liquid manure handling system
- **k.** 82,000 Laying Hens, if the AFO uses other than a liquid manure handling system
- **l.** 30,000 Ducks, if the AFO uses other than a liquid manure handling system
- **m.** 5,000 Ducks, if the AFO uses a liquid manure handling system

Medium Concentrated Animal Feeding Operation (Medium CAFO) means an Animal feeding Operation (AFO) that stables or confines the type and number of animals that fall within any of the following ranges:

- **a.** 200-699 Mature Dairy Cows, whether milked or dry
- **b.** 300-999 Veal Calves
- **c.** 300-999 Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs)
- **d.** 750-2,499 Swine, each weighing 55 pounds or more
- **e.** 3,000-9,999 Swine each weighing less than 55 pounds
- **f.** 150-499 Horses
- **g.** 3,000-9,999 Sheep or Lambs
- **h.** 16,500-54,999 Turkeys
- **i.** 9,000-29,999 Laying Hens or Broilers, if the AFO uses a liquid manure handing system
- **j.** 37,500-124,999 Chickens (other than laying hens), if the AFO uses other than a liquid manure handling system
- **k.** 25,000-81,999 Laying Hens, if the AFO uses other than liquid manure handling systems
- **l.** 10,000-29,999 Ducks, if the AFO uses other than a liquid manure handling system
- **m.** 1,500-4,999 Ducks, if the AFO uses a liquid manure handling system

Small Concentrated Animal Feeding Operation (Small CAFO) means an Animal feeding Operation (AFO) that is designated by the Department of Environmental Conservation as a CAFO or requests CAFO permit coverage and is not a Medium or Large CAFO. Small CAFOs must meet all of the medium CAFO regulatory requirements of this General Permit.

Nursery: Land or greenhouses used to raise flowers, shrubs, and plants for sale.

On-Farm Meat Processing: A structure for the slaughter and processing of animals and fowl for food as per NYS Agriculture and Markets Law 5-A.

Open Space: -- Land left in a natural state for conservation and agricultural purposes or for scenic purposes, devoted to the preservation of distinctive ecological, physical, visual, architectural, historic, geologic or botanic sites. It shall also mean land left in a natural state and devoted to active or passive recreation. The term shall not include land that is paved, used for the storage, parking or circulation of automobiles, or occupied by any structure except agricultural buildings.

Riding Stable and Academy: A commercial establishment that offers riding lessons to the general public and to individuals that do not own or have a

long-term lease for the horse that is boarded and used at the facility for such riding.

Tree Farm: A privately owned forest dedicated to producing renewable and sustainable crops of forest products while protecting the soil, water, range, aesthetic, recreation, wood, fish and wildlife resources. A Certified Tree Farm must maintain standards set by the American Forest Foundation and is decertified if it fails to continue to meet the standards.

Appendix 7: Maps

Base Map

Property Class

Government Owned/Protected Properties

Farm Locations

New York State Agricultural Districts

Farmland Soils

Farmland Prioritization

Buildout Analysis (various maps)

Zoning

Water and Sewer Districts

Aerial Photo