

# **TOWN OF LANSING**

## **AGRICULTURE AND FARMLAND PROTECTION PLAN**

### **ACKNOWLEDGEMENTS**

#### Agriculture & Farmland Protection Plan Committee

Skip Hardie, Chair  
David Buck  
Matthew Dedrick  
Dan Konowalow  
Larry Moore  
Kay Moore

#### Town of Lansing Planning Board Representatives

Lin Davidson  
Larry Sharpsteen

#### Cornell Cooperative Extension Tompkins County

Monika Roth, Agriculture Program Leader  
Debbie Teeter, Agriculture Community Educator

#### Tompkins County Planning Department

Scott Doyle, Senior Planner  
Sharon Heller, GIS Analyst

#### Consultant

George R. Frantz, AICP, ASLA

#### Special Thanks

The planning committee would like to acknowledge the following individuals who have been active in supporting the plan development process. Current and former town staff members: Darby Kiley, Charmagne Rungay, Jeff Overstrom, Sharon Bowman, Sue Munson. Current and former town board members: Connie Wilcox, Andra Benson, Katrina Binkowicz, Ruth Hopkins, and former planning committee member Larry Zuidema. And finally, former and current Town Supervisors: Scott Pinney and Kathy Miller. Additional thanks go to Tompkins County Planning, County Assessment and the Tompkins County Soil and Water District for data that is contained in the document.

Most importantly, the committee appreciates the input of farmers and community members who attended public meetings and provided input on plan strategies.

# TABLE OF CONTENTS

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

### **I. Introduction.....**

Background.....  
.....

Purpose.....  
.....

Definitions.....  
.....

Plan Development  
Process.....

### **II. Town of Lansing Profile.....**

Overview.....  
.....

Population.....  
.....

Housing.....  
.....

Infrastructure.....  
.....

Land Resource  
Base.....

Watershed/  
Waterbodies.....

Natural & Scenic  
Areas.....

**III. Town of Lansing Agricultural Profile.....**

Land in farms.....  
.....

Farm operations/ employment.....

Farming enterprises.....  
...

Economic value of farming.....

Future plans reported by farmers.....

Key concerns voiced by farmers.....

Agricultural Trends and outlook.....

-  
Farmland.....  
.....

-Farming operations.....

**IV. Town of Lansing – Land use policies, plans and programs impacting agriculture**

**A. Existing Town Land Use Policies**

Agriculture as reflected in the Town’s 2006 Comprehensive Plan.....

2012 Comprehensive Plan Review Process.....

Town Center Proposal.....

Town of Lansing Right to Farm Law.....

**B. Tompkins County & NYS Land Use Programs, Policies, and Plans....**

Protected Farms -  
Lansing.....

Protected Open Space -  
Lansing.....

Protected Farms in Tompkins  
County .....

NYS Agriculture & Markets Law25AA – Agricultural  
Districts.....

Tompkins County 2004 Comprehensive  
Plan.....

Tompkins County Agriculture Resources Focus Area  
Plan .....

***I. Recommendations for Agriculture & Farmland  
Protection.....***

**A. Town of Lansing Zoning Ordinance Review and  
Recommendations....**

-Conformance with NYS Agriculture & Markets Law  
25AA.....

-Recommendations for Zoning Ordinance  
Changes.....

**B. Strategies for Farmland  
Protection.....**

Vision  
Statement.....  
..

Plan  
components.....  
...

-Location of areas/land recommended for protection for agricultural  
use

-Value of land to be protected.....

-Consequences of Farmland  
Conversion.....

-Level of Development  
Pressure.....

-Development  
Impacts.....

**C. Priority Actions/  
Recommendations.....**

-Town Agriculture  
Committee.....

-Encourage farmers to be active on town board/  
committees.....

-Immediate actions – change the RA Zone to AG  
zone.....

**D. Implementation Chart – Programs & Strategies to Preserve  
Farmland and Protect  
Agriculture.....**

**APPENDIX** (being compiled) – note some stuff in the body could move to appendix.

**TOWN OF LANSING**  
**AGRICULTURE & FARMLAND PROTECTION PLAN**  
**Summary of Findings and Recommendations**  
**November 2013**

***Purpose:***

This plan was developed to fulfill a matching grant from by NYS Dept. of Agriculture & Markets in response to concern about development impacts on farmland and farm viability in the Town of Lansing. New York State has a constitutional priority to protect agricultural lands and therefore, has enacted the NYS Agriculture District Law and provides funding to municipalities to develop agriculture plans and for purchase of development rights. The Town was awarded plan development funding in 2008 and a farmer-led committee was formed to make recommendations for farmland protection and strengthening town agriculture. Recommendations contained in the plan reflect input from the agriculture committee, other town farmers and rural landowners, town officials, and the community at large. The plan provides details on development and other pressures on farming, existing land use policies, farming resources and enterprises, along with recommendations to ensure a viable future for farming in the Town of Lansing.

***Vision for the Future of Agriculture in the Town of Lansing:***

Agriculture has a significant impact on the Town's economy and land use. High quality soils and land suitable to farming is a unique resource that is protected for farming through policies that direct development away from prime soils. Supportive town policies and broad community support for agriculture create a climate where farming remains feasible and viable. A diversity of full and part-time farms will produce dairy, livestock, feed crops, local foods, horticultural crops, renewable energy resources, and other agricultural products that are marketed locally and through conventional agricultural market channels. The town's farms provide a variety of jobs and thereby strengthen the local economy. Farming practices protect soil, environmental quality, natural resources, and provide scenic working landscapes that preserve the rural character and enhance the quality of life of the town.

***Farming Profile:***

Farming is alive and well in the Town of Lansing. Lansing enjoys a long history of continuous farming and can boast having the highest quality soils in the county that support 40 farm businesses, their owners, families and employees, that generate a total of \$20 million dollars in agricultural product sales, one third of the total agriculture sales for the entire county. Farmers utilize 16,261 acres of land or about one-third of the Town's land area. Of the total land in farming, 8,834 acres are owned by 40 farmers and 7,427 farmed acres are rented from about 80 rural landowners. According to the Tompkins County Land Use Land Cover survey (2012), 1,017 acres of inactive agriculture land in the town has come back into production (some for organic farming) in the last 5 years. The increase in farmed land demonstrates the demand for farmland and the viability of farming in the area.

Of the land in farming, 43% is designated prime soil and another 22% as soils of statewide significance, making Lansing the town with the best soils for farming in the county. Good soils for farming result in higher yields and better returns for farmers.

Dairy farming is the dominant agricultural enterprise (11 farms) accounting for about \$17 million in agricultural products from milk, cattle, and crops. Dairy farming creates most of the farm jobs. Most of the field crops raised in the town are destined to be consumed by dairy cows, but several crop farmers also sell crops on the commodity market. Organic farming occupies 2,900 acres of the total 16,261 acres (18%) and includes 3 organic dairy farms plus several field crop and vegetable farms.

The next most prominent enterprise after dairy and crops are nursery sales and service. These businesses benefit from the proximity of residential development in the southern part of the town. Horticulture businesses also provide many seasonal jobs. Direct sales of fruits, vegetables, meat animals, poultry, and agritourism are areas for potential growth provided there is local consumer support. There are a total of 40 farming businesses in the town that employ approximately 100 people.

### **Key Findings:**

- Town population with growth centered in the Village of Lansing has continued to increase at a significantly higher rate than other towns in the county. During the past 20 years, housing development outside the village grew at a rate three times faster than within the village. This has impacted farming in many ways – traffic, rising land prices and taxes, rural neighbors unfamiliar with farming activities, trespass issues, making it harder for farmers to find land to rent or buy, etc.

-Rural sprawl poses additional problems for development and delivery of services to residents demanding water, sewer, better roads, lighting, etc. A Cost of Community Services study (1996, TC Ag Plan) showed that agriculture in the town demands 16 cents in services for every dollar paid in taxes, compared to \$1.56 in services demanded by residential development for every dollar paid. Rural sprawl can cost towns much more than keeping land in active agriculture.

-Farmers rent nearly half of the land they operate and depend on rented land for the viability of their farming enterprises. There is uncertainty about the future of rented land given development pressure, rising taxes, and competition among farmers for good farmland. In recent years farmers have been buying additional land but land prices have climbed to a level that is not affordable for smaller farmers. In some cases town farmers have been out bid by larger farmers from Cayuga County who now own 3000 acres of Lansing farmland. This has put smaller farmers in a more vulnerable position relative to their future.

-Development rights have been sold two town farms comprised of 1,446 acres of land (almost 10% of the actively farmed land in the town). Farmer sentiment and understanding of farmland protection programs seems to be shifting from property rights protection to acceptance of ideas that direct development away from actively farmed land.

## Priority Recommendations:

- Create a Town Agriculture Committee with responsibility for advising the Town Board on matters pertaining to agriculture and to steer the implementation of the Agriculture Plan strategies.
- Change most of the current Rural Agriculture (RA) zoning district to an Agriculture Zone (AG) and eliminate some of the currently allowed uses least compatible with farming.
- Review the definition of agriculture in the zoning code and develop a uniform definition consistent with the diversity of farming enterprises in the town and with NYS Agriculture District Law.
- Encourage in-fill development in South Lansing to reduce rural sprawl and the associated costs of infrastructure development.
- Explore options for keeping critical high quality farm parcels that come up for sale available for farming.
- Identify key farm properties to target for NYS Farmland Protection funding to preserve prime farmland.
- Seek opportunities to expand and strengthen agriculture and the contribution it makes to the town's economy.

## Plan Adoption Process:

- *Preliminary review and input by planning board, town board*
- *Public meeting, Public Hearing*
- *Town Board review/approval*
- *County Agriculture & Farmland Protection Board review/approval*
- *NYS Agriculture & Markets Department review/approval*

# **TOWN OF LANSING**

## **AGRICULTURE & FARMLAND PROTECTION PLAN**

### ***I. INTRODUCTION***

#### **BACKGROUND**

New York State Agriculture and Markets Law, Article 25 AAA, encourages the development of county and town agriculture and farmland protection plans. According to state law, agriculture and farmland protection means “the preservation, conservation, management, and improvement of lands which are part of viable farms, for the purpose of encouraging such lands to remain in agriculture production.”

In 2006, the State made grant funding available for municipal Agricultural and Farmland Protection Plan development. The Town of Lansing submitted an application and was awarded a municipal Agriculture and Farmland Protection Plan Development Grant in 2008.

The State grant requires the following information be included in the Town Agriculture and Farmland Protection plan:

- Location of areas or land to be protected
- An assessment of the economic and open space value of the agricultural lands to be protected, the consequences of conversion, and the level of development pressure on these lands
- A description of programs and strategies to be used by the municipality to promote continued agricultural use

Plan development is carried out at the local level with participation from town officials, farmers, Cooperative Extension, County Planning, the Soil & Water District, and consultants as needed. Plan approval requires at least one public hearing, town board approval, and County Agriculture and Farmland Protection board approval with final approval by NYS Department of Agriculture & Markets.

#### **PURPOSE**

The Town of Lansing updated its Town Comprehensive Plan and adopted the revised plan in November 2006 with the goal of updating zoning and land use regulations to match the goals of

the comprehensive plan. It was the intention of the town (as stated in the Agriculture & Markets grant application) to utilize state funding to develop a municipal Agriculture and Farmland Protection Plan, to review zoning regulations and their benefit to farmland protection, and to support farmers interested in participating in the State's Farmland Protection Program (purchase of development rights).

While the Town's Comprehensive Plan expresses strong support for and recognition of the importance of agriculture, it does not lay out specific strategies for preserving valuable farmland and promoting the continuation of agriculture. Additionally, local laws and ordinances should be reviewed relative to their contribution or hindrance to the goal of protecting agriculture and farmland.

The completion of the Town of Lansing Agriculture and Farmland Protection Plan is timely given that the Town is updating its Comprehensive Plan. Taking steps to identify key agricultural resources to ensure the long term viability of agriculture and farmland will allow the Town of Lansing to accommodate future growth without threatening the valuable land and soil resources and economic activity that make agriculture significant to the town and the county as a whole.

## **DEFINITIONS**

For the purpose of this report, agriculture is defined as the use of land, buildings, structures, equipment, manure processing and handling facilities, and farming practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise or a hobby, and including commercial horse boarding operations as defined in the Agriculture and Markets Law Article (AML) 25-AA, Section 301. Agriculture is becoming increasingly diverse and the intent of this definition is to cover the variety of current and emerging farm enterprises; this includes but is not limited to: orchards and vineyards, vegetable crops, hops, greenhouse/nursery production of horticultural and floriculture crops, greenhouse vegetable production, harvested agronomic crops (corn, soybeans, small grains), hay and pasture, livestock and poultry raised for food and fiber, and animals raised for recreation or sale (e.g. horses, alpaca/llama), beekeeping, aquaculture (fish production), silviculture (timber, firewood), agroforestry (forest farming) including maple, energy production including energy from manure or biomass crops. Agriculture and farming, and agricultural operations and farms, are considered to be interchangeable terms in this report. Agri-business or farm support services with equipment sales and repair, seed and feed, fertilizer and compost, custom services, storage, marketing and processing facilities, etc. all contribute to the viability of farming and provide non-farm jobs. Agritourism including activities such as pick your own crops, corn mazes, wineries/breweries/distilleries, farm bed & breakfasts, farm markets and roadside stands,

farmers' markets, farm festivals, farm weddings, etc. are all considered dimensions of farming that contribute to the viability of farming enterprises.

## **PLAN DEVELOPMENT PROCESS**

### **Background**

Activity related to this grant was initiated in January 2008 by then Town Environmental Planner, Darby Kiley. Shortly thereafter, when Ms. Kiley resigned from her position, former Town Planning Board member Larry Zuidema reviewed the grant application and presented a plan to proceed with plan development to the town supervisor in June 2008. Early in 2009, Connie Wilcox, then Town Board member and Assistant Supervisor, activated a farmer steering committee. An agreement to provide plan development support services was executed between Cornell Cooperative Extension of Tompkins County and the Town of Lansing in June 2009. The agreement with Cooperative Extension included CCE staff to support committee work and the plan development process, conduct a farmer survey and profile of farming activities in the town, facilitate the development of a vision for the plan and recommendations, and support for final plan writing.

In July 2011, George Frantz, Planner, was hired by the town to review current land use policies for their consistency with NYS Agriculture and Markets Law 2-AA, section 305, and to suggest additional policies that would further the goal of farmland protection in the town. Information was summarized and presented to the Town Planning Board and Agriculture Committees in Fall 2011. During 2012, Cooperative Extension staff and George Frantz reviewed input and presented a preliminary draft plan to the town agriculture committee on Feb. 21, 2013. Further revisions have been made at committee meetings since 2013. Three public information meetings were held to gain broader farmer and landowner input on April 5, 2010, March 27, 2013, and January 8, 2014.

### **Meetings Held**

Farmer and town representatives were invited to an inaugural meeting on May 11, 2009 to learn about the grant requirements and goals, and were asked to give input on issues of concern pertaining to land use and local laws.

Farmers, town representatives and Cooperative Extension staff served on a steering committee that met on the following dates:

- June 15, 2009 – further input on planning needs
- August 24, 2009 – maps review, farm profiles
- October 5, 2009 – work plan draft, farmer survey, vision, strategies
- January 10, 2010 - ?? (notes?)

March 8, 2010 – vision statement and strategies  
March 23, 2010 ?? (notes?)  
April 8, 2010 – public information meeting to review vision and strategies  
June 30, 2010?? (notes)  
July 26, 2010 – joint meeting with planning board  
December 13, 2010 – reviewed remaining steps for plan completion with town officials  
July 2011: Hired planning consultant George Frantz for zoning review and recommendations  
July 20, 2011 – possible zoning changes  
August 3, 2011 – review maps and zoning recommendations  
February 7, 2012- CCETC Staff and Consultant Frantz presented preliminary draft to Town of Lansing Agricultural and Farmland Protection Plan committee and Planning board members  
March 13, 2012 – follow up meeting with a more complete draft, edits suggested  
October–December 2012 – CCETC staff devoted time to editing  
February 21, 2013 – reviewed latest plan draft  
March 7, 2013 – plan review  
March 27, 2013 – Farmer and public meeting to present and review plan recommendations  
April 2, 2013 – meeting to discuss input from farm community  
April 25, 2013 – discussed ag zoning & trends  
May 29, 2013 – discussed zoning & reviewed maps  
June 26, 2013 – reviewed implementation strategies  
Oct. 9, 2013 – presentation to the Comprehensive Plan Committee  
Nov. 25, 2013 – presentation to the Town Planning Board  
Jan. 8, 2014 - public meeting for farmers and rural landowners

Meeting notes can be found in Appendix III - electronic copy only on file with the town.

### ***Final steps for plan adoption***

Comments/revisions

Plan approval by the Town Agriculture committee

Plan review by the Town Planning Board and Town Board for review/input

Public Hearing

Approval by Town Board

Approval by Tompkins County Agriculture & Farmland Protection Board

Final approval by NYS Department of Agriculture & Markets

## ***II. TOWN OF LANSING PROFILE***

### **OVERVIEW**

The Town of Lansing is comprised of three distinct areas that have been evolving for the past 50 years. To the north, agriculture is the active and predominant land use with field crop and dairy production that continues northward into Cayuga County. The town has approximately 13 miles

of lake frontage where housing developments are expanding to enjoy the attractive lake views. In the southern part of the town, the Village of Lansing is dominated by shopping, businesses, apartment complexes, and single family homes. Development has been occurring most rapidly in this part of the town given its proximity to the City of Ithaca and major employers including Cornell University, the Regional Airport, the Cornell Research and Technology Park, mail services, the County Jail, medical offices, and schools. Beyond the highly developed areas of the Village, there has been strong interest among town officials and the community to develop a “Town Center” where Rt. 34 and 34B join. The area is currently includes the Town Hall, Town Park and Recreation facilities, the library, a grocery store, gas station, restaurant and a few other small retail businesses. Increasing residential and commercial density to grow the Town Center will impact active agriculture to the north unless steps are taken to concentrate development and protect agriculture.

## **POPULATION**

According to the most recent 2010 US Census, the town’s population is 11,033 people with 3,529 residents living in the Village of Lansing. From 1940 to 1990, the town’s population increased by 234%. During the same 50 year period, the county population grew by only 122%. In the 10 year period from 1990 to 2000 the town’s population increased from 9,296 to 10,521 for a 13.18% increase. This was the largest increase of any town in the county and more than the City of Ithaca. County population during the same period only grew by 2.55%. From 2000 to 2010, population in the town grew at slightly less than half the rate of the previous 10 year period (4.87%), while the rate of population growth for the county overall was 5.25%.

## **HOUSING**

In 2010 there were 5,130 dwelling units in the town with 1,788 (approx. 35%) of those being in the Village of Lansing. Over the 20 year period from 1990 to 2010, dwelling units increased by nearly 1000, for a 24% overall increase. The increase in housing for that period was largely outside of the Village of Lansing, with a 33.9% increase compared to only a 9% increase in housing the Village. This could be attributed to existing density in the Village, along with demand for single family homes, including lake view developments. The expansion of housing outside the village has implications for agriculture. A closer look at both census data and town building permit data reveals that the growth in population occurred primarily in the Village of Lansing and areas of the town south of Rte34/34B. This is readily apparent in **Map 1** which depicts building permits issued for new homes between 2001 and 2010. Almost 80% of new homes built in the town during that timeframe appear to have been built south of Rte34/34B.

**Table 1. Growth in Town and Village of Lansing, 1990 - 2010**

Municipality	Population				Housing			
	1990	2000	2010	Change 1990-20 10	1990	2000	2010	Change 1990-20 10
Lansing Town	9,296	10,521	11,033	1,737	4,135	4,634	5,130	995
Lansing Village	3,281	3,417	3,529	248	1,639	1,705	1,788	149
Net Outside Village	6,015	7,104	7,504	1,489	2,496	2,929	3,342	846
Tompkins County	94,097	96,501	101,564	7,467	35,338	38,625	41,674	6,336

Data Source: US Census

**Table 2. Number of Homes and Median Home Values by Year Built, Town of Lansing**

Year Built	Number of Homes Built	Median Value by Year Structure Built
2005 or later	109	\$361,000
2000 to 2004	281	\$185,700
1990 to 1999	788	\$264,600
1980 to 1989	949	\$198,900
1970 to 1979	1,161	\$175,800
1960 to 1969	730	\$133,300
1950 to 1959	487	\$184,100
1940 to 1949	54	
1939 or earlier	610	\$195,800

Data Source: City melt.com

## INFRASTRUCTURE

**Roads:** Lansing is served by three state highways - Routes 13, 34 and 34-B, and several county feeder routes run through the town, including Triphammer Road (central) and Warren

Road (to the east). The Tompkins County Airport is located on Warren Road, and many businesses are clustered nearby in the Cornell Business and Technology Park.

**Water:** The Town of Lansing water supply comes from Cayuga Lake through the Southern Cayuga Lake Inter-municipal Water Commission, Bolton Point, a joint entity made up of five municipalities: the Towns of Dryden, Ithaca, and Lansing, and the Villages of Cayuga Heights and Lansing. The Bolton Point water supply facility, located at 1402 East Shore Drive has the capacity to process 9 million gallons of water a day (MGD). Recent daily production averaged 2.476 million gallons a day. Water service is concentrated in the southern part of the Town and there is a line along Ridge Road (34B) to serve the power plant on Milliken Station Road (Map 2). There is also water service in North Lansing in the northeastern corner of the town. The water line running from Myers Point to Milliken Station is in a state certified agriculture district with restrictions on water hook ups to existing dwellings. [Map 2.](#)

**Sewer:** The Town of Lansing has been considering sewer development in the Town Center area for many years and while some demand exists, finding an equitable means to pay for sewer development has proven to be a stumbling block given the lack of density to spread the cost of installation. [Map 3.](#)

## LAND RESOURCE BASE

### *Geology/Bedrock and Topography*

The geology of the Finger Lakes is shaped by abundant Devonian rocks and by recent glacial history. Together, the Devonian rocks that accumulated in a warm shallow sea more than 360 million years ago, and the action of massive ice sheets shaping the rocks during the last 2 million years have produced the arresting landscape of lakes, hills, gorges and waterfalls.

The latest glacial episode was most extensive around 21,000 years ago, when glaciers covered almost the entire state. Around 19,000 years ago, the climate warmed, and the glacier began to retreat, disappearing entirely from New York for the last time around 11,000 years ago.

The most obvious evidence left by the glaciers are the gravel deposits at the south ends of the Finger Lakes called moraines and streamlined elongated hills of glacial sediment called drumlins. Moraines are most visible south of Ithaca. Drumlins are visible at the northern end of Cayuga and Seneca lakes.

Bedrock that predominates in the region is limestone, shalestone and siltstone and is found at elevations between 400 to 1000 feet. The Ithaca Formation is the dominant formation both in the county and the Town of Lansing. The topography of the northern part of the county in

Lansing is medium elevation with flat areas that are ideally suited to farming. The gorges and creeks carved by glaciers have never been actively farmed; however, logging may have occurred in these areas.

### ***Soils***

Tompkins County soil associations and soil types were mapped by the USDA Soil Conservation Service in 1965. Soil associations are mapped on a scale of 1 inch per 2 miles (1:126,720) and broadly represent the parent source of soil origin. A soil map is more detailed classifying soils by type at a scale of 1:20,000 and provides much more specific information about soil capabilities and limitations generally within a two acre area.

***The four predominant soil associations in the northern part of the Town of Lansing include:*** Cazenovia-Ovid; Honeoye-Lima; Lansing-Conesus; and Kendaia-Lyons. The first three are dominantly deep, well to moderately drained, medium to moderately fine textured, nearly level to sloping soils. The fourth association, Kendaia-Lyons, is composed of somewhat poorly to poorly drained soils, subject to prolonged wetness and is rated as having medium to low potential for general farming. **Map 4.**

It is significant to note that based on soil association data, approximately 80% of the soil in the northern part of the Town of Lansing is rated as having high to medium potential for farming. The continuation of farming in this area can be attributed to high quality soil resources. A study conducted in 1974 by R.E. Linton and H. E. Conklin, College of Agriculture & Life Sciences, for the Tompkins County Planning Department rated farming areas for their potential for the continuation of farming taking into account soils and economic factors. In reference to Lansing farming areas, the study stated that “Efficient and productive farming will continue in this area, if not disturbed by urban influence.”

In creating the Agricultural District (originally #4) in the northern part of Lansing, then District Conservationist Jim Calhoun with the USDA Soil Conservation Service, stated that “Good soil to form the basic resource, coupled with an active and ongoing conservation program, good farm managers, and a town government that is agriculturally oriented such as the case in Lansing, makes a good combination for an active, viable, expanding agriculture.” [1974 – Soils information provided by Jim Calhoun for formation of Agricultural District #4 in northern Lansing].

Lansing farmland located west of Triphammer Road to Rt. 34 and south of the 34/34B intersections was added to a new Agricultural District #7 created in 1979. Soil associations in this area include: Conesus-Lansing (25% of area), Hudson-Rhinebeck (55%), and Hudson-Cayuga (20%). The best of these associations is Conesus-Lansing being predominantly well

drained medium textured fertile soils that are easy to work with good water holding capacity and responsive to fertilization. Hudson-Rhinebeck is less well drained and may be more difficult to work. Hudson-Cayuga soils are found on steeper slopes with higher erodability.

It is also important to note that the Town of Lansing and the eastern part of Groton has the highest percent of prime soils (43%) and soils of statewide significance (22%) compared to all other farming areas of the county. Prime soils in Lansing occupy nearly twice the area of any other town except Ulysses which has 35% prime soils.

Active farming continues in Lansing today because high quality soils are a critical asset for viable farming. Farm viability is driven by productivity; high quality soils produce greater yields that result in higher returns per acre. This drives home the importance of protecting high quality soils for future farming and food production.

## WATERSHEDS/WATERBODIES

### *There are two dominant watersheds in the Town of Lansing:*

***Cayuga Lake Watershed:*** As the principal water body, about 80% of the county's land area ultimately drains into Cayuga Lake and north to Lake Ontario. The Town of Lansing's western border includes about 13 miles of lake shore. The land near the shore slopes steeply to the lake and therefore is not actively farmed. However, because farming is actively practiced on hilltops and on moderate slopes east of the lake, runoff may find its way into creeks draining to the lake.

***Salmon Creek:*** This is the main creek that originates to the north in Cayuga County and drains into Cayuga Lake at Myers Point. Salmon Creek bisects agricultural areas with mostly steep slopes and forested hillsides bordering the creek. There are relatively few flat areas near the creek that are farmed. Soil and nutrient erosion from farm fields can and does on occasion enter the creek and subsequently the lake. Farmers must remain vigilant in their farming practices to prevent source and non-source point pollution. This is done by following best management practices and through the installation of infrastructure to minimize and capture potential runoff. Salmon Creek is home to a 33 acre bird sanctuary managed by the Finger Lakes Land Trust, and the creek is a significant recreational resource for fishing with public fishing areas maintained by NYS DEC. Salmon Creek is identified in the Tompkins County Conservation Strategy Natural Features Focus Area worthy of protection (2007).

### ***Protecting Water Quality***

Agricultural best management practices are recommended in the Cayuga Lake Watershed Management and Restoration Plan to reduce soil erosion as well as source and non-point source pollution from farms and other facilities. Farmers in the town are active participants in the NYS Agricultural Environmental Management (AEM) program that provides farm location and enterprise specific recommendations for practices that mitigate water pollution and environmental degradation. A total of 6,224 acres of town farmland are enrolled in AEM representing 8 farm operations.

#### **Practices and infrastructure on farms that reduce or mitigate source and non-point source pollution include:**

- 6 manure storage systems
- 6 milk house waste systems
- 4 silage leachate treatment systems
- 4 barnyard water runoff control systems
- 3 grazing rotational plans
- 2 fuel spill prevention systems

1 alternative watering source system  
1 buffer system for nearby water courses.  
Source: Tompkins County Soil & Water District

## **NATURAL AND SCENIC AREAS**

### ***Unique Natural Areas (UNA's)***

UNA's are sites within Tompkins County with outstanding environmental quality, deserving special attention for protection. In the Town of Lansing a total of 31 UNA's were identified that encompass a total of 2,732.8 acres and represent 6.1% of the UNA's in the county (2000). Many of these are associated with farmlands in the town and are therefore protected by farm ownership.

### ***Open Space/Scenic Views***

Tompkins County is renowned for amazing natural areas and beautiful rural landscapes. Active and viable farms play a critical role in keeping land open and in providing scenic views. Open space in the northern part of the Town of Lansing is dominated by an active agrarian landscape that is unique when compared to other areas of the county.

Farmers own or rent 16,261 acres of land in the town. Both cultivated fields and inactive farmland contribute to scenic views and open space/biodiversity by providing vegetative cover and wildlife habitat.

In the Tompkins County Scenic Resources Inventory (2007), the noteworthy viewsheds identified in the Town of Lansing are found along Route 34B from Myers Park north. This area is still dominated by agricultural fields to the east of 34B with relatively little road front development. The viewshed in this area will only be maintained if agriculture remains active and development is compatible with maintaining the open agrarian landscape. Because there is a restriction (owing to the Agriculture District) on new water hook ups to the water line along Route 34B from Myers Point to Milliken Station, road frontage development is being slowed down and this will help preserve scenic views.

### ***III. TOWN OF LANSING AGRICULTURE PROFILE***

To effectively protect and promote agriculture in the Town of Lansing, it is necessary to understand the nature of farming in the Town. There are 8,834 owned and 7,427 rented acres in the Town receiving agricultural property tax assessment, for a total of 16,261 acres involved in agriculture – 36% of the town’s land base. Assessment data provides fairly accurate information about land that is farmed because both farmers and landowners value the benefit of agricultural exemptions on land they own. There may be some land that is farmed and does not receive agricultural assessment which is not captured in the data above. (2012 Tompkins County Assessment data).

The Tompkins County Planning Department in the 2012 Land Use Land Cover survey identified 14,728 acres of active agricultural land, plus 980 acres classified as inactive agriculture. This number is slightly lower than the agriculture assessment data because it reflects land use and not all farmland owned is actively farmed, for example some may be wooded. In this survey, it was noted that the active agricultural land has increased by 1,017 acres from 2007 to 2012, with most of the increase resulting from inactive land going back into farming (866 acres). This increase is reflective of the demand among farmers for land to farm.

Thirty-four (34) farm enterprises receiving agricultural assessment are associated with the above agriculturally-assessed farmer owned properties. To gain a better understanding of Lansing agriculture, a survey was distributed to these 34 operations in 2012, 18 of which were returned (53% return rate). The survey included questions about farm operations (acres, crops, livestock, employees, etc.) as well as, future plans.

A survey was also sent to 80 landowners renting land to farmers and receiving agricultural assessment. 38 of these were returned (46% return rate). This survey also asked landowners about future plans for their land.

#### **LAND IN FARMS**

As noted above, 16,261 acres of land is associated with farms in the town. Forty-five percent of the farmland is rented (7,427 acres) by farmers, the balance is owned (8,834 acres). Compared to 2001 Agriculture Assessment data, there were 7,841 acres owned and 5,016 acres rented by farmers for a total of 12,857 acres farmed. In the past 10 years, there has been a 993 acre increase in land that is owned by farmers and 2,411 acre increase in land rented by farmers. In

1996, farmers owned 8,928 acres of land and rented 3,145 acres. 2,900 (18%) of the 16,261 acres owned or rented by farmers are under certified organic production.

The increase in land that is owned and rented by farmers can be attributed to: 1) expanding dairy and crop operations; 2) inactive land that easily certified for organic production; 3) large dairy and crop farmers in Cayuga County are renting and buying land in the town; and 4) government regulations. EPA regulations require Confined Animal Feeding Operations (CAFO) to spread manure over a larger area to avoid nitrogen and phosphorous contamination of water supplies. Demand for land in Lansing from Cayuga county farmers has been primarily driven by large dairy operations that must comply with CAFO regulations; however, there are also several crop farmers and a wholesale sweet corn producer who farm land across the town/county line. In fact, the largest dairy operation in Lansing is not located in Lansing. This farm, in Genoa, rents 500 acres and owns 1,788 acres in Lansing. At the same time, six Lansing farms own or rent land beyond town boundaries into Cayuga County or in the Town of Groton illustrating that Lansing farmers are being pushed to find land at some distance from their home farms.

## **FARMING ENTERPRISES**

The predominant agricultural enterprise in the town is dairy farming along with commodity feed and field crop production. Other types of farm enterprises include horticultural businesses, small vegetable and fruit farms, Christmas trees, and small livestock farms. The growth of diversified farming operations in the town has been slower relative to other parts of the county. The reasons are that agricultural lands in the town are intensively used by crop and dairy farmers, and the price of farmland in the town is higher than in other parts of the county making it harder for small diversified farmers to buy land in Lansing. Larger farm operations are able to pay more for quality farmland. Some farms have a mix of enterprises so while there is a total of 40 farms, multiple farm enterprises are reflected in the accompanying table.

A diversity of field crops is grown on Lansing farms. The most common crops are corn and hay, with soybeans also being prevalent in the rotation. Producers also cultivate oats, winter barley, wheat, triticale, sorghum, sunflowers and trees. Pasture is another significant use of farmland, most typically for dairy livestock, although farmers also reported raising equine, beef cattle and pigs.

There are five are certified organic farms, including three dairy farms, one crop and one vegetable farm.

### **Farming Activity by Type of Enterprise**

#### **Dairy**

#### **11**

*in the town; 3 dairies own/operate land in Lansing with facilities in Cayuga County*

<b>Crops, No dairy</b>	<b>8</b>	
<b>Vegetables/Fruit</b>		<b>15</b>
<i>(includes Cornell Orchards on Sweazy Road; 6 small market gardeners; 7 are raising produce in association with other crop or livestock farming; 1 is a large vegetable producers with headquarters in Cayuga County)</i>		
<b>Livestock</b>	<b>8</b>	
<i>(3 beef, balance a mix of small livestock &amp; poultry)</i>		
<b>Equine</b>	<b>4</b>	
<i>offer stables or other services</i>		
<b>Honey/maple</b>	<b>2</b>	
<b>Ornamental Plants/Nursery</b>	<b>6</b>	
<b>Christmas trees</b>	<b>2</b>	
<b>Total:</b>		<b>56</b>
<i>enterprises associated with 40 farm businesses.</i>		

Source: Cornell Cooperative Extension Tompkins County

## **FARM OPERATORS/EMPLOYMENT**

While only 34 farming operations receive agricultural assessment, the total number of agricultural businesses in the town is 40; this includes 6 horticultural sales and service operations that are not typically counted as farms. Of forty, at least half (20) are operating full time or significant part time businesses.

10 farms have been in existence for 50 years or more, and four of these are century farms.

Nearly all farms report that various family members (parents, spouses, siblings, children, “other”) have roles in the farm operations, including labor, management, bookkeeping and clerical. On some farms, there is a division of labor with different family members in charge of different aspects of the operation, such as caring for calves, being in charge of equipment, or overseeing crops.

Lansing farms provide full or part time employment opportunities for 40 owners and their family members. Additionally, farmers hire at least 60 part time and seasonal employees. It is estimated that there may be 25 Hispanic workers on town dairy farms. The role of Hispanic workers on dairy farms is significant. There is concern that immigration enforcement actions and changes in immigration law could result in the sudden loss of Hispanic workers resulting in critical labor shortages on dairy farms. Further efforts to evaluate the importance of the Hispanic workforce should be considered by the town agriculture committee once appointed.

## **ECONOMIC VALUE OF FARMING**

Overall farm sales in the town are estimated to be around \$20 million with about \$17 million attributed to dairy farming. This is the largest value of agricultural product sales of any town in the county and it reinforces the significance of the agriculture industry in the Town of Lansing. Town of Lansing farms generate nearly one-third of total farm product sales in the county (\$67 Million total for Tompkins County, 2012 Census of Agriculture).

Capital investments on farms over the past 7 years as reported in the 2011 agriculture district review survey ranged from a majority of farms with investments under than \$10,000 to several farms with over one million invested. The majority of farms invested \$200,000 to \$700,000 per farm (7 year period). The fact that farms are investing in their businesses is a sign of farm viability, that farms are modernizing, and that farmers are optimistic about the future of farming. Typical farm investments include: new structures or equipment and, on dairy farms, improvements required for EPA Confined Animal Feeding Operation (CAFO) compliance.

As mentioned before, farms in Lansing provide at least 40 full time jobs for owners and operators and at least 60 additional jobs that are part-time or seasonal. This amounts to a combined payroll of at least 3 million. Most of the farm employment is associated with dairy farms and horticulture businesses. Dairy farm management jobs pay competitive wages and laborers are generally above minimum wage. Crop farmers and other smaller specialty enterprises are owner operated or they may employ extra workers during harvest season. Jobs on farms result in dollars being spent in the community for housing, food, and other personal goods.

Both part-time farmers and full-time farmers indicate that having off farm family income that provides health and retirement benefits is vital to both the farm operation and family quality of life.

### **Taxes paid by Lansing Farmers**

*\$30,807 in Fire District Tax, out of a total of \$1,241,417 which represents 2.48%.*

*\$45,658 in Town of Lansing Taxes, out of a total of \$1,630,854 which represents 2.80%*

*\$222,998 in County taxes, out of a total of \$43,778,193 which represents 0.51%.*

*\$614,885 in Lansing School Taxes out of a total of \$14,724,972 which represents 4.18.*

*\$14,185 in Groton School Tax, \$4,858 in Ithaca City School Tax and \$12,046 in Southern Cayuga Taxes.*

*Total tax liability paid by farmers in the Town of Lansing - \$945,407 – burden shared by 40 businesses involved in farming. Note that nearly 5% of gross ag sales is paid out in taxes.*

Source: Tompkins County Assessment Department, 2013

### **FUTURE PLANS REPORTED BY LANSING FARMERS**

Lansing farmers, especially full time farmers, indicate a strong desire to keep their land in agriculture and productive farming into the future. If farmers sell land, it tends to be the less productive fields or sites where development is already encroaching. Part-time farmers seem to have more uncertainty about what will happen to their farms and farmland in the future. Because many rent a portion of their land to full time farms, it is possible that their land will be sold to a larger farming operation. According to several farmers interviewed, when good farm land in the town becomes available, farmers tend to buy it. Buying farmland near the home farm is important for farm operation efficiency. Trends suggest there may be fewer farmland owners and larger farms in the future. However, several farm operators did not envision expanding their farming enterprise in the future and farmers that have been expanding in recent years indicate that they only anticipate moderate growth in the future.

Being able to transfer a farm to next generation is not an option for some farmers in the town. About half of the town's 11 dairy farms have a business structure or family members in place to take over. It is uncertain what will happen to the rest. Most have a few more years before they reach retirement age. In one case with no apparent successor, development rights have been sold which guarantees that the farm will not be developed but must be available for farming purposes. In another case where development rights were sold, the next generation is already in place and taking over the farming operation.

Small part-time livestock and produce farms may be less likely continue beyond the current owners, however, others will emerge, therefore it is anticipated that farmland use will remain stable into the future. Crop farmers who operate at least half of the land in the town along with their dairy farmer neighbors have an uncertain future as well unless there is someone who will take over their enterprise, presumably another crop farmer seeking to expand. Crop farmers own very little land but rent most of it. Their equity is mostly associated with field equipment.

The continuing availability of land to rent is a source of stress for both dairy and crop farmers. With nearly 45% of the land that is farmed being rented by farmers, there is a level of uncertainty about landowner plans. However, from the landowner survey, there was a strong stated preference to keep land in farming.

Small and beginning farming enterprises also face uncertainty. Many small farms, including those in Lansing, find it challenging to develop a profitable farming enterprise. It is typical that a major effort is expended on the part of owners during the startup years, but if limited progress is made with marketing, covering costs, and building equity, the owners tend to burn out. Some are able to refine and adjust operations until their goals are met --for some this is simply to cover costs and taxes while raising food for themselves; others hope to develop a part or full time business that eventually replaces off farm income.

## **Key Concerns Voiced by Farmers**

### ***Agricultural policies***

- high level of importance placed on the NYS Agricultural District Law in keeping land in agriculture

-agriculture assessment to keep taxes manageable but the state exemption is not great enough (the amount of the exemption has been less in recent years because of the valuation method used by the state; changes are being propose at the state level)

-PDR is less enticing given rising value of land and less differential between ag values and development values

-desire for town leadership pre-disposed to protecting farming interests, making it possible to keep farming

-rural roads need to be maintained in good condition for moving farm equipment

-government regulations in general are of concern

### ***Risks to farming operations***

-losing rented ground; finding good land to rent

-landowners may need to sell parcels to cover rising taxes

-finding land to buy

-price of farm land to buy or rent

-farm transfer to next generation

### ***Development pressure***

- misinformation and lack of understanding about agriculture practices among general public

-farmers are stewards of their land – this needs to be communicated to the public

-steady increase in development

-city people moving into rural areas, lack knowledge of farming practices

-complaints from non-farmers (smell, dirt on road, farming practices)

-more development pressure as non-farm neighbors sell land for development

***Maintenance of rural roads*** - Some farmers noted that increasing development and demand for services in the southern part of the town has resulted in less maintenance of roads in the northern part of the town. Farmers depend on rural roads for moving equipment, delivery of supplies, and movement of harvested product. Road maintenance is one of the few town services that farmers receive for taxes they pay; therefore it is of value to have good roads for farming operations.

***Demand for good farmland among farmers*** – due to the high level of farming activity in the town, there is demand for good quality farmland to own and rent among farmers. In recent years, rental rates and the selling price of farmland in Lansing have increased significantly contributing to higher operating costs. The increase in prices paid for farmland is being driven by larger farm operations in Cayuga County that have purchased town farmland as it has become available. Given the size of these farming operations; they can often afford to pay higher land prices. Some Lansing farmers have consequently lost the opportunity to buy nearby land to expand their farming operations. While larger operations keep land in farming, it makes it harder for Lansing farmers to remain competitive and impacts the ability of new farming operations to start up. High value and small scale farming enterprises may be able to afford higher land prices for smaller parcels. The demand among farmers for land may result in squeezing out middle sized farming operations.

**Property values** – In 2012 Tompkins County Assessment undertook a comprehensive review of agriculture property sales to determine the current value of farmland for assessment purposes. The purpose of the review was to bring agricultural land assessments to 100% fair market value. For the Town of Lansing, farmland sales ranged from \$1,000 to \$4,500 per acre, with an average selling price for the 6 farm properties in the review of \$2,850. The average farmland selling price in the county was \$2,300. Farmers are concerned about the increase in the assessed value of their properties along with the ability to buy land at a price they can afford. Farming as a business is based on land as its productive resource. If land is not available at a price they can afford, it will slowly be bought up by other interests. A town Purchase of Development Rights program is one way to keep land available and affordable for town farmers. However, higher prices paid for farmland is also making PDR less attractive to farmers as the difference between agriculture values and development values is shrinking, meaning that farmers will get paid less if they when selling their development rights.

**Taxes** – given the amount of land required to operate a viable farming operation, taxes even with agricultural assessment and the NYS Farmers School Tax Credit represent a significant operating expense. Of the 5 leading agricultural states, NY farmers pay the highest amount of taxes, even higher than California farmers. This means that NY farmers are at a competitive disadvantage given the higher cost of doing business and are also therefore, less profitable. Higher taxes and less profit can lead to loss of farming enterprises and the associated farmland.

**Land Rented vs. Owned** – many farmers are uncertain whether land that they are renting today for farming will be available in the future. Rural landowners, like farmers, are impacted by increasing taxes. Those renting land to a farmer and receiving agricultural assessment are less impacted by tax increases. Most farmers work with landowners they rent from to ensure there is a 5 year lease in place required to qualify for agricultural assessment. Many parcels being rented to farmers are owned by older residents including some that retired from farming but still own their land. A key concern is what will happen to this land once it is transferred to the next generation; will the heirs hold on to the land or will they sell it. Some may be sold to farmers, but some may be lost to farming depending on the heirs and estate. Estate planning and the sale of development rights may be one way to help keep rented land in farming.

**The Next Generation of Farmers** – Agriculture depends on future farmers to take over current operations or start new ones. In Lansing, there is a mix of farming operations with a younger generation or business partners ready to take over some farms, along with those that have no heirs or transition plan in place. The transition of farming operations to new owners or the next generation will require estate planning. Cooperative Extension and NY FarmNet can link farmers to legal counselors to help this process move forward.

There is an active community of beginning farmers and farming entrepreneurs in Tompkins County. These farming enthusiasts are seeking to raise a variety of crops and livestock on a small scale destined for local markets. In the Town of Lansing there are fewer start-up farms because land is less available and prices are higher. Small scale farming can play an important role in the rural economy and could be encouraged by matching beginning farmers with rural landowners or farmers who want to keep their land in farming. Cooperative Extension has started Finger Lakes Land Link to help foster connections between land owners and land seekers.

***Economic Realities of Farming*** – Ultimately, maintaining land in farming will depend on the economic conditions and policies that impact farming. Regulations, high taxes, high utility costs, availability of labor, supply and demand, input costs, and market prices all impact the costs and returns. Many farms have expanded to keep up with these realities; however, expansion alone may not address these challenges. Good management and strategic planning is critical. Some farmers have changed production and marketing strategies to generate higher returns. Policies at the local, state and federal level all play a role in agriculture’s future. At the local level, the key policy issues will be land use control and giving priority to agriculture, along with property taxes.

***Other Ways to Encourage the Continuation of Farming -***

- encourage growth in concentrated areas to stop/slow down growth in farming areas
- evaluate the option to lease development rights for a period of time with stipulations
- make it possible for town farmers to buy farmland at a price they can afford
- right to farm law – review existing law, strengthen as appropriate
- more focus on local food production and marketing
- town wide waste facility to produce biogas – manure could supplement

**AGRICULTURAL TRENDS AND FUTURE OUTLOOK**

Farmers in the Town of Lansing have reflected on what they see as trends and the outlook for the future of agriculture in the town. Given the long history of active agriculture as a dominant land use and economic sector, there is optimism that agriculture will remain viable in the future given high quality soil resources, well managed farming operations, and demand for farmland for expansion.

***Farmland***

Farming has been a continuous activity in the Town of Lansing since it was settled. Over its 200+ year history, there has been a shift in farming and farm related enterprises. One major

shift was from small plot diversified farming and related processing facilities such as mills and tanneries that existed in the late 1800's to early 1900's to more specialized agriculture that emerged mid-century and continues today. There is also a trend today to return to smaller specialty agriculture and organic farming. While there has been a loss of farm numbers over time, the land in farming has remained steady and is recently increasing.

Land Use Land Cover data from County Planning (2012) shows a gain in actively farmed land. This has been fueled by both large and small farms. Larger dairies are seeking land to comply with regulations for manure spreading; higher corn prices drive more acreage; organic farms are seeking land where chemicals have not been used for at least 3 years; and small specialty farms are emerging on parcels from 1 to 20 acres. While there is turnover of ownership, there is continuity in agriculture and it is in large part due to the fact that Lansing is a highly active farming area with high quality soils to support productive agriculture.

In the past 10 years, there has been a transition in farmland ownership from local farms to larger farms from north of the town line. Two Cayuga County farmers have been buying land in the town to expand their dairy and crop enterprises and now own a combined total of about 3000 acres of Lansing farmland. While these neighboring farm operations are keeping land in agriculture and pay taxes, several concerns have emerged for town farmers. The local farming community is finding it challenging to compete with these larger operations to buy or rent land. Both farm real estate prices and farmland rental prices have increased. As a result, the town's mid-sized farms are being out-priced by the larger farms with deeper pockets to buy land or pay higher rental rates. It is harder for town farmers to find land to buy or rent at affordable prices, which impacts their ability to expand and remain viable into the future. Some town farmers have been forced into buying land at some distance from their home base, when land next door to them sold at a higher price than they were able to pay. As farmers buy land at a greater distance from their home farm, there is an increased cost to farming.

This raises several concerns about agriculture in the future. Will it be dominated by large absentee farm owners; will mid-sized crop farming operations be able to find land they need to remain viable, and will high priced farmland deter the next generation of beginning farmers? Another impact of higher farmland selling prices is that it results in higher assessed values. Therefore, the overall tax liability for farmers increases even with the benefit of agricultural assessment. Taxes may be a small portion of a large farm's operating costs, but for small farms, it has a big impact on overall farming profits, cost of living, and overall quality of life for farming families.

Without an active farmland protection program that makes it possible for local farmers to buy farmland at prices they can afford, these trends will continue with the following consequences:

Larger absentee farmland owners will own and operate land in the town – this means that there is less of a personal connection between the farmer, the land, the neighbors, and town government. Farmers who live and work in the town have a commitment to their community.

The future of farming will depend on the viability of large farm operations outside the town. If these operations should downsize or even worse file for bankruptcy, it is uncertain what would happen to farmland they own or rent in the town. With fewer local farms to re-absorb that land, some land may be abandoned until some future use emerges.

Smaller diversified farming enterprises may find it harder to buy land in the town given the competition for farmland and higher selling prices. This limits the opportunity for new ventures focused on local food production and agri-tourism to emerge unless they have significant investment capital.

Several actions could be considered by the Town to help preserve an active local farming community. One is to make rural landowners aware that selling or renting farmland to a neighboring farmer instead of for the highest price may help preserve a local farming community. An incentive program that encourages landowners to sell to local farms could be considered. New farming enterprises might be encouraged through similar incentives that connect current landowners with beginning farmers with the goal of ultimately transitioning land to new owners. Creativity and commitment will be needed to secure a future for farming. To realize the vision for agriculture's continuation will require an engaged town agriculture committee and agriculture community, as well as consensus among town officials and the community at large that agriculture should be protected and promoted for the benefit of all.

### ***Farming Operations***

In the Town of Lansing as farmers have retired, the remaining farmers have absorbed much of the available farmland. This has resulted in fewer farmers farming more acres spread throughout the town. This historical trend of fewer and larger dairy and crop farms will likely continue.

The transition to organic dairy farming began in early 2000. Currently there are 3 certified organic dairies in the town farming a total of around 2,500 acres of land they own or rent. At present, there are no reports of additional dairies planning to become certified. Organic dairies rely on organic crops they grow or buy. Given prices of organic feed, more crop farmers could raise organic crops to meet the needs of organic dairies. There is one crop farmer raising approximately 350 acres of organic grains to supply area dairy farmers and a small organic vegetable farm with about 4 acres in production and 50 acres rented for organic grains.

Livestock beyond dairy is somewhat limited but has potential to expand if there is more demand for local meat. Beef is raised on 3 farms at present but demand exists for other meat animals (pork, lamb, goat) and poultry. These could be raised on a small scale and sold locally.

Overall, there has not been as strong a trend towards small diversified farming in Lansing, mostly because the larger specialized dairy and crop enterprises dominate. The cost of land is also higher in the Town of Lansing, making it less attractive to new farmers who are starting up south and west of Ithaca where land prices are lower.

There is a strong commercial ornamental horticulture industry in Lansing. Horticulture businesses in Lansing benefit from having nearby business and residential customers. Christmas trees are associated with two operations. Growth in housing and commercial development creates demand for horticulture sales and services and generates a niche farming opportunity that is less land intensive.

Fruit including soft tree fruits, berries and grapes have good potential in Lansing. Evidence for this comes from the fact that the Cornell Horticulture Department has a stone fruit research facility on a slope down off Rt. 34B. There are two stone fruit orchards near 34B. Apples have been successfully established in two other town locations near Rt. 34. There is additional potential for fruit production, especially along the 34B corridor. A pick your own fruit farm could offer a high value crop opportunity for an enterprising new farmer. There is a diversified pick your own farm just over the county line in Cayuga County. Competitors might find a niche with organic fruit. Agritourism including orchards, wineries, and other farm attractions along Route 34 B could enhance the Cayuga Wine Trail on the east side of Cayuga Lake.

Vegetables are a sideline on several dairy, livestock and crop farms and part-time enterprise for a few market gardeners. There are two CSA options for Lansing residents at present: Thomson Farm located on Van Ostrand Road with pick up at the Grey Barn on Peruville Rd., and Early Morning Farm in Genoa, offering a CSA pick up in Lansing near the post office. Approximately 100 Lansing area households are served by these two farms.

Consumer interest in local foods is likely to continue as a societal trend as long as local foods are easily obtainable and affordable. The level of interest among Lansing residents in local foods is unknown; a survey of residents might be considered. Many south Lansing residents shop at the Ithaca Farmers Market. After 3 seasons of operation, vendors involved in a Saturday Lansing Farmers Market held at the Town Hall felt they were not attracting enough customers and sales to justify their time. This may suggest that interest in local foods among Town residents is not strong enough to support a farmers market. A market will only succeed if there

are sufficient vendors and customers. There is a new farmers market operating on Friday mornings in the Triphammer Mall parking lot (next to the Fish Truck) which appears to be a better venue for sales than at the Town Hall. This market is consistently attracting about 18-20 vendors and has a regular customer base of shoppers visiting the Fish Truck.

## **LANDOWNER SURVEY RESULTS**

A survey was sent to 80 Lansing non-farming landowners that receive agricultural assessment on land they rent to farmers; 38 returned the surveys (46% return rate). These property owners were asked a variety of questions about their land and what they thought might happen to it in the future. Following is a summary of landowner responses (survey questions can be found in Appendix II).

Like much of the owner-farmed land in Lansing, agricultural land that is rented to farmers has typically been in the family for decades. Twenty-eight (74%) landowners responding have owned their land for 21 or more years, and nine of these owners reported their land has been in their family for over 60 years. The most commonly cited reasons for holding on to or purchasing agricultural land were to: maintain open space (27 responses/71%), for privacy (23 responses/61%) and recreation was also important (17 responses/45%), and income was the least often selected (12 responses/32%). Six respondents (16%) provided additional reasons: two people said investment, one said firewood/hunting, and one said family.

All respondents were reasonably satisfied with their current rental arrangement, with 32 (85%) leaning towards highly satisfied. Nearly all, 32, found it relatively easy to find a farmer to rent land, although three reported some difficulty. Sixteen landowners reported renting their land to the same farmer for more than ten years, and nine of these had agreements for twenty years or more. Six landowners reported that their current rental arrangement was less than five years old. Most of the landowners (35 out of 38) expect to rent their land to a farmer for at least the next five to ten years, and 20 (53%) of those expect to rent beyond ten years – although 15 (39%) didn't know what would happen beyond the next ten years suggesting there is some uncertainty about the future of their land in farming.

Twenty-five landowners (61%) place no restrictions on farming practices used by farmers renting land. Of the eight (21%) reporting some form of restriction, two are involved organic production/no pesticides use, one requests advance notice of spraying, one said no manure spreading (odor), and three wanted input of cropping plans.

Thirty landowners (79%) have never sold land for house lots. Most landowners (28 or 74%) do not intend to sell housing lots in the next five to ten years; only three landowners said they would, and one said maybe. Profit, the need for supplemental or retirement income, or high taxes were some of the reasons landowners had sold or might sell housing lots. Landowner hopes for the future were that their land stay agricultural or at least open space (17 or 45%); four expected to pass the land as is to other family members, three had no idea what would happen, and three thought the land would be used for development. Nearly all respondents indicated income from the sale of housing lots was not important (22 did not respond and 10 said it was not at all important).

Landowners clearly indicated interest in keeping their land actively farmed (31 or 82%) and undeveloped (25 or 61%). They also cited that receiving agricultural assessment on land that is rented is important (25 or 61%), and the importance of the rental payments they receive was seen as somewhat less important by comparison (20 said it was important, 12 moderately important, and 5 said not important).

Of the non-farm landowners with woodlands, seven have a forest management plan, seven regularly harvest wood for timber, and nine regularly harvest wood for firewood.

Most landowners (31 or 82%) do not expect to ever farm the land themselves, although five expected to start farming at some point.

Sixteen respondents (42%) thought there was a great amount of housing development pressure on the Town of Lansing, eight thought there was some, and 11 thought the pressure was very low. There was a shift in these figures when landowners were asked about development near their land: 11 thought there was a great amount of housing development pressure, 11 thought there was some, and 13 thought the pressure was very low. Most respondents, 28 (74%), indicated nearby development would not influence them to subdivide their land, while five said it would and three others indicated it might.

Landowners indicated interest in the following as services/assistance to help manage land:

- Keep the Ag District intact
- Someone to look at the land and let me know it is being most productively used
- Keep zoning to a minimum
- Lower taxes
- Keep the land around me strictly for agriculture; don't want to be blocked in by housing developments

- Continue to encourage other farmland to stay in farming
- Observance/enforcement of existing land use ordinances
- Make it possible for retired farmers live off their land by not restricting farmland sales
- Tax advantages for farming & small rural business
- Lower taxes on farmland. Undeveloped land owners should be rewarded for NOT subdividing. Most subdivide to pay for land they are trying to keep.

At least one rural landowner attending a public meeting expressed concern about farming practices on large dairy farms (letter can be found in the Appendix III - notes from meetings). Sentiments regarding large farms and their associated odors and potential pollution hazards were not addressed by survey respondents perhaps because they rent to farmers, some for many years renting to the same farm, and therefore may have less concern about farming practices than a more recent rural landowner. Agriculture production methods have changed over the years and larger farms do pose some risks that smaller less intensive enterprises may not pose. The EPA regulations that dairy and large livestock operations must follow have generally minimized the environmental risks. Building good farmer neighbor relations is in the interest of the farm community. Farming practices can be modified to accommodate the needs of the farm and of the surrounding rural residents.



## **IV. LAND USE POLICIES, PLANS AND PROGRAMS IMPACTING AGRICULTURE**

### **A. Existing Town Land Use Policies**

#### **AGRICULTURE AS REFLECTED IN THE TOWN'S 2006 COMPREHENSIVE PLAN**

The Town of Lansing's adopted Comprehensive Plan (11/15/2006) states in the Agriculture section that an objective is *"to protect the Town's agricultural land resources through the use of Transfer of Development Rights and Purchase/Lease of Development Rights."* The northern portion of the town was identified as a target area for farmland protection. This area has productive farming operations, excellent soil characteristics, and is geographically connected to a similar farming region in southern Cayuga County.

According to the 2006 plan, the Town is also committed to keeping development concentrated in the southern part of the town to promote development in South Lansing and in the *"Town Center"* at the intersection of NYS Routes 34 and 34B to maximize the return on infrastructure investments. Encouraging development in this service area and keeping the northern part of the town in active farmland are mutually reinforcing elements of the same goal, as stated in the Town's Comprehensive Plan: *"New development should be encouraged to occur in areas where a larger population concentration will make the provision of public utilities practical and feasible. Within this overall growth orientation, the Town also intends to support viable agricultural activity."*

#### **2012 COMPREHENSIVE PLAN REVIEW AND UPDATE**

The Town of Lansing is currently updating the 2006 Comprehensive Plan. A committee appointed by the Town Board began meeting in September 2012. The committee is in the process of reviewing and revising goals and drafting recommended actions for the Town to consider. It is hoped that the update will be completed in 2015. Information about the Comprehensive Plan update is available on the Town website ([www.lansingtown.com](http://www.lansingtown.com)).

#### **TOWN CENTER PROPOSAL**

The Town is seeking to create a mixed-use pedestrian-oriented development that further enhances a conceptual plan for a traditional neighborhood styled "Town Center." The site has

road frontage on three sides with access to Route 34/34B and Conlon Road. The intent of the Town is to have complimentary uses including: retail, residential, hotel and motel, affordable market-rate and senior housing, business, commercial, and office space uses, research and development, recreation, open space, and trails. County housing studies and recent development pressure point to the need for housing, public spaces, and mixed higher-density nodal developments. The town would like to meet these needs, while simultaneously promoting a sense of community in this Town Center area. Municipal water is currently available, as is natural gas, electricity, and other utilities. Sewer service is not currently available but a sewer district is under consideration.

## **TOWN OF LANSING RIGHT TO FARM LAW – LOCAL LAW #2 – ADOPTED IN 1997**

With this Local Law, the Lansing Town Board affirmed that farming is an important activity in the town that contributes to the quality of life, provides open space, and generates economic benefits. The intent of the law is to preserve the tradition of farming, permit normal farm operations, and encourage the expansion of farms and agricultural businesses. A provision of the law is to provide anyone filing for a building or subdivision permit with the Town Zoning officer a disclosure statement if the property borders a farm. The intent is to make permit applicants aware of farming neighbors and to inform them that farmers have the right to undertake and follow sound agricultural practices. This local law further affirms the right to farm provisions in the NYS Agriculture & Markets Law 25 AA (details follow). Much of the farmland in the town lies within Agricultural District #1 and is therefore protected by both the town and state Right to Farm law provisions. For town farmlands outside of Agriculture District #1, the town Right to Farm Law provides protection for the conduct of normal farming practices.

### ***B. Tompkins County and New York State Land Use Programs, Policies and Plans***

#### **PROTECTED FARMS IN LANSING**

In 2003, the 439-acre, 35 cow dairy owned by Donald Howser on Auburn Road (Rt. 34) was the first farm in Tompkins County to be awarded funds from the NYS Farmland Protection Implementation Program. In 2005, the farm also received Federal Farm and Ranch Lands Protection Program (USDA NRCS) matching funds. The deed restriction and agricultural conservation easement for the Howser Farm was finalized in 2006.

Bensvue Farm (approximately 6 miles from the Howser Farm, on Lansingville Road) was awarded NYS Farmland Protection Implementation Program funding in 2009. This 525 cow organic dairy farm

encompasses a total of 1,007 acres that are now under permanent agricultural conservation easement (Spring 2012).

Both easements are held by Tompkins County and the County Planning Department has the responsibility for monitoring the easements annually to ensure terms are upheld.

***Total Farmland under permanent agricultural easement in the Town of Lansing:*** 1,446 Acres

(16% of total farm land owned by farmers; 9% of all land owned and rented by farmers)

**Protected Open Space: Town of Lansing and nearby**

300 acres Finger Lakes Land Trust – conservation easement on a farm belonging to Gordon and Margaret Nesbitt, 761 Peruville Rd. (tax parcels: Groton-34.-1-15 and Dryden-21.-1-11)

33-acre (tax parcel Lansing-9-1-12) Finger Lakes Land Trust Salmon Creek Bird Sanctuary. To help protect the Sanctuary’s birds, there are no trails on the preserve.

**PROTECTED FARMS IN TOMPKINS COUNTY**

In 2006, the 419-acre Lew-Lin Farm in the Town of Dryden was approved for NYS Farmland Protection Implementation Program funding. Since then two additional Dryden Farms have been selected for state funding – Sherman’s Jerry Dell Farm on Simms Hill and Carpenter Farm east of the Village of Dryden on Route 13. Three farms in the Town of Ithaca are under permanent agricultural conservation easement (Ferguson, N. Eddy, Cummins). In the case of the Town of Ithaca, easement funding came from three different sources: the town’s own program; Federal USDA Natural Resource Conservation Service (NRCS) Conservation Easement; and the NYS Farmland Protection Implementation Program.

**NYS AGRICULTURE & MARKETS LAW 25 AA - AGRICULTURE DISTRICTS**

Article 25-AA of the Agriculture & Markets Law authorizes the creation of local agricultural districts pursuant to landowner initiative, preliminary county review, state certification, and county adoption. The purpose of agricultural districts is to encourage the continued use of farmland for agricultural production. The law provides a combination of landowner incentives and protections, which are designed to forestall the conversion of farmland to non-agricultural uses. Included in these benefits are preferential real property tax treatment (agricultural

assessment and special benefit assessment), protection against overly restrictive local laws, government funded acquisition or construction projects, and private nuisance suits involving agricultural practices.

The NYS Department of Agriculture & Markets Division of Agricultural Protection manages the certification of new districts and the review and recertification of existing districts. State certification confirms that a district meets the purposes and intent of the Agricultural District Law and all eligibility criteria described therein. Districts are reviewed for recertification every 8 years at which time the county board recommends properties for removal or inclusion (the state certifies all changes for district continuation). Properties can be added to districts annually but removed only during the 8 year review. The Tompkins County Agriculture and Farmland Protection Board, along with the full County Legislature, are responsible for conducting reviews of agriculture districts in Tompkins County. A step in the review process is to meet with town boards to ensure that local land use plans and agriculture district boundaries remain compatible.

### ***Tompkins County Agriculture District #1***

The process of forming an agricultural district begins when farmers with a combined total of 500 acres or more petition the County Legislature for district designation; subsequently the district is reviewed and certified by NYS Dept. of Agriculture & Markets and the NYS Dept. of Environmental Conservation (DEC).

In 1974, then Agriculture District 4 in the Town of Lansing was formed to encompass farms and contiguous non-farm rural lands from Route 34B north and east to the Groton Town line. The original agricultural district encompassed 25,293 acres wholly within the Town of Lansing and included a total of 98 farm operations (including 23 dairy farms) at the time of formation. In 1979, an additional district #7 was formed to include 3 farms in the southern part of the town encompassing 664 acres.

In 1981, the Tompkins County Agricultural District Advisory Committee combined District #1 (originally in Dryden) with Districts 3 (east side of Groton), 4 and 7 in Lansing. The new larger Agricultural District #1 includes most of the farmland in the eastern half of Tompkins County in the Towns of Lansing, Groton, Dryden, Caroline, Ithaca and Danby. District #2 includes farmland in the western half of the county.

Agricultural District #1 includes 24,815.3 acres of farm and rural non-farm land in the Town of Lansing or about 24% of total of 102,818.7 acres in the entire District #1. The district was last

reviewed in 2012 and data from that review is included in the description of farming activities in this report. In 2012, there were 10 properties with a combined total of 596 acres removed from the agriculture district in Lansing. The properties removed were in the southern part of the town and were removed because there was no associated agricultural activity on the property or nearby.

It is the practice of the Tompkins County Agriculture & Farmland Protection Board (AFPB) to meet with town boards during the 8 year review of agricultural districts to identify properties to include or remove from the district so that the agriculture district remains compatible with town plans while protecting farms and farmland. For the Town of Lansing, the AFPB strongly endorses actions that protect the important active agricultural areas and soil resources found in the northern half of the Town. The AFPB also acknowledges that large farms are less common in areas south of Rt. 34/34B, however, the Board feels that south Lansing is appropriate for small scale farming oriented at direct marketing. Having small farms in proximity to residential development can provide fresh local foods to consumers via Pick-Your-Own, Community Supported Agriculture (CSA), farm stands, or for sale at farmers markets.

It is the goal of AFPB to ensure that active farms, regardless of their location, benefit from the provisions of the agricultural district law. Therefore, if a farm is located within a developing area of a town, the AFPB generally recommends keeping it in the agriculture district. It is also the practice of AFPB to include both agricultural and rural non-farm land in an agriculture district where agriculture is the dominant use such as in the northern part of Lansing. However, there are a few non-farm properties that have been removed from the Agricultural District in north Lansing by landowner request made to and approved by AFPB. (Map – agriculture districts)

## **NYS Agriculture & Markets Law, Section 305a - Agriculture Districts Key Provisions of the Law**

### ***Agricultural Assessment***

One of the most important benefits of the NYS Agricultural Districts Program is the opportunity for farmland owners to receive real property assessments based on the value of their land for agricultural production rather than its development value. The Department of Agriculture & Markets uses a Land Classification System based on soil productivity to calculate agricultural assessments for individual parcels. Farmers qualify for Agricultural Assessment if they operate 7 acres or more that has been farmed for 2 years, and generate \$10,000 in agricultural product sales. Landowners qualify for agricultural assessment on land they rent to a farmer if they have a written 5 year lease with a farmer who qualifies for agricultural assessment. To receive the

exemption, farmers and landowners renting land to farmers fill out a soils worksheet to classify their soil and then apply each year by April 1 with the county assessment department.

### ***Notice of Intent***

The NYS Agricultural District Law places a mandate on state agencies, local governments, and public benefit corporations to avoid or minimize adverse impacts to farm operations when pursuing projects within an agricultural district that involve either the acquisition of farmland or the advance of public funds for certain construction activities. Agriculture & Markets staff conducts detailed reviews of Notice of Intent documents provided by project sponsors and recommends mitigative action where necessary. Such projects cannot proceed until the Notice of Intent process is completed.

### ***Restrictive Local Laws***

The NYS Agricultural District Law protects farmers against local laws which unreasonably restrict farm operations located within an agricultural district. Agriculture & Markets staff, together with Department legal staff, reviews both existing and proposed laws to determine if they are compatible with farm operations. In cases where a local law is determined to be unreasonable, staff works with local government to develop mutually acceptable modifications. If a local government is unwilling to modify a restrictive law, the Department is authorized to take action to compel compliance with NYS Agricultural District Law.

### ***Sound Agricultural Practices***

The NYS Agricultural District Law also authorizes the NYS Agriculture Commissioner to issue opinions, upon request, concerning the soundness of specific agricultural practices. If the Commissioner determines that a practice is sound, it shall not constitute a private nuisance. In order for a practice to be considered sound, it must be legal, not harmful, necessary and supported by expert guidance or opinion. Cornell Cooperative Extension educators or Soil and Water District staff may be called upon to issue an opinion regarding sound practices.

### ***Agricultural Enterprise Determinations***

Under Section 308(4), the NYS Agriculture Commissioner is authorized to issue an opinion on whether particular land uses are agricultural in nature.

## **TOMPKINS COUNTY COMPREHENSIVE PLAN**

The Tompkins County 2004 Comprehensive Plan recommended diversity in the agriculture sector, including agriculture that serves local and regional markets, an emerging clean energy sector based on renewable resources, conservation of forest lands and their management for

sustainable yields of forest products, and protection of water resources and wildlife habitat. It was recognized that agriculture and agriculture-related enterprises represent a significant share of the economy in rural towns and contribute to the scenic countryside that attracts tourists and business to the area.

Specifically with regard to the Town of Lansing, the 2004 County Comprehensive Plan identifies the northern part of Lansing as one of three major Agricultural Resources Focus Areas. These areas have the best soils and highest concentrations of contiguous, actively farmed parcels of land in Tompkins County. According to the county comprehensive plan, these areas provide the best opportunity to protect a critical mass of contiguous agricultural land, and ensure the long-term viability of agriculture in Tompkins County.

Tompkins County's policies with regard to agriculture set forth in the 2004 Comprehensive Plan include:

- Enhancing the viability of existing farming operations and agricultural businesses, and encouraging the creation of new ones
- Supporting agri-tourism development
- Sustaining and enhancing the agricultural activities and working farms within the Agricultural Resources Focus Areas identified in the Plan
- Encouraging development designed to preserve valuable agricultural and forest land and protect prime agricultural land for agricultural use

The County adopted a new Comprehensive Plan in March, 2015. This plan is less specific in making recommendations related to farmland protection given that there is work being done to update the Tompkins County Agriculture and Farmland Protection Plan (to be completed July 2015). There are however references to agriculture's contribution to the economy, to maintaining active working landscapes, promoting agricultural tourism and encourage local food production. Additionally agriculture has a role in protecting water quality and natural areas, reducing carbon emissions, and for providing alternative energy resources.

<http://www.tompkinscountyny.gov/files/compplan/documents/FINAL-March%2012-low%20res.pdf>

### **Tompkins County Agriculture Resource Focus Area Plan (ARFA)**

The purpose of the Tompkins County ARFA Plan (2010) is to present a strategic county-wide approach for long-term conservation of farmland resources. The plan reflects existing conditions of each focus area; identifies impediments, opportunities, and resources for the farming community; and suggests conservation and management tools to ensure the future viability of these important agricultural resources and to help farming prosper in these areas.

**Where are the ARFAs?** The six ARFAs are located across Tompkins County, in the Towns of Lansing, Groton, Dryden, Caroline, Newfield, Enfield and Ulysses. For the County Planning ARFA document visit: <http://tompkinscountyny.gov/planning/rural-resources-arfa-plan>.

The North Lansing-West Groton Agricultural Resource Focus Area is composed of 21,680 acres of land. Unlike other farming areas in Tompkins County, this area has experienced a slight increase in actively farmed land in the last 12 years. The increase is driven by demand for farmland by the larger farm operations in Lansing and in Cayuga County and by organic farming operations bringing land that has not been actively farmed in many years back into production. According to the County’s ARFA report; *“this is significant and speaks to the area’s strength as an agricultural economic engine especially in the face of increasing development pressure’*.

Data compiled by the Tompkins County Planning Department provides an interesting comparison among the above agricultural resource focus areas. First, it is significant to note that agriculture in the county has become concentrated on prime soils or soils of statewide significance (SOSS). The following table shows that the North Lansing-West Groton Area has the highest percent of prime soils compared to all other areas. Also, dairy remains dominant in the Northeast and North Lansing-West Groton focus areas which are contiguous with the significant and large dairy industry to the north in Cayuga County.

Having a concentration of similar farming enterprises in one area maintains a viable agriculture sector where suppliers, service providers, and buyers can be more efficient in serving the needs of the farm community and may pass on cost savings to farmers. Additionally, farmers in proximity to each other tend to collaborate on farming activities (e.g. purchasing feed, trucking, equipment use, land leasing, etc.) thereby, potentially achieving economies of scale.

**AGRICULTURAL RESOURCE FOCUS AREA (ARFA) STATISTICAL SUMMARY TABLE**

North heast t	North Lansi ng/ West Grot on	North hwe st	Benj amin Hill	Pon y Holl ow	Six Mile Cree k	TOTAL
---------------------	---	--------------------	----------------------	------------------------	--------------------------	-------

<b>Total ARFA Acreage</b>	25,234	21,680	21,522	2,155	1,930	4,774	77,295
<b># of Farm Operations</b>	59	52	67	12	4	19	213
<b>Total Farm Operation Acres (active +inactive agricultural land)</b>	16,590	15,467	13,197	1,584	1,702	3,389	51,929
<b>Average Farm Operation Size (acres)</b>	281	297	197	132	426	178	<u>AVERAGE</u> 244
<b>% Total of ARFA in Active Agriculture, 2007</b>	52%	55%	49%	56%	44%	47%	<u>AVERAGE</u> 52%
<b>% Loss of Agriculture Land (active + inactive), 1969-2007</b>	24%	16%	23%	19%	9%	25%	<u>AVERAGE</u> 21%
<b>% Owned; % Leased Farm Operation Acres</b>	72% owned; 28% leased	66% owned; 34% leased	78% owned; 22% leased	56% owned; 44% leased	100% owned; 0% leased	55% owned; 45% leased	<u>AVERAGE</u> 71% owned; 29% leased
<b>% Prime Soils; % Soils of Statewide Significance (SOSS)</b>	9% Prime; 57% SOSS	43% Prime; 22% SOSS	35% Prime; 30% SOSS	1% Prime; 73% SOSS	37% Prime; 28% SOSS	21% Prime; 40% SOSS	<u>AVERAGE</u> 27% Prime; 38% SOSS
<b>Estimated # Dairies</b>	30	23	3	3	1	3	63

Source: Tompkins County Conservation Plan (April 2010) – Part II – A Strategic Approach to Agricultural Resource Stewardship – <http://www.tompkins-co.org/planning/Rural%20Resources/ARFAPlan.htm>

## DEFINITIONS:

**Prime soils** – have the best combination of physical and chemical characteristics for agricultural production with minimal inputs of fertilizer, lime, etc. to produce highest and best yields for viable agriculture. Prime soils are characterized by having high lime, high nutrient supply capacity, good structure/texture, well drained (or when artificially drained), flat to gently sloping, and significant depth before reaching bedrock.

**Soils of Statewide Importance** –

land which is deemed suitable for agricultural production when appropriate management practices are applied.

**For exact definition, see:** <http://www.law.cornell.edu/cfr/text/7/657.5>

## **V. RECOMMENDATIONS FOR AGRICULTURE AND FARMLAND PROTECTION**

### **A. Town of Lansing Zoning Ordinance Review**

#### **Review and Recommendations prepared by George R. Frantz, Planner**

The purpose of this review is to identify current zoning strategies that impact agriculture and to identify options for strengthening farmland protection or minimizing adverse impacts of zoning on agriculture in the Town of Lansing.

#### **CONFORMANCE WITH NYS AGRICULTURE AND MARKETS LAW**

NYS Agriculture and Markets Law (AML), 25 AA, section 305a, Agricultural Districts, provides farmers and agricultural operations located within state certified agricultural districts specific protections against local zoning regulation that may be unreasonably restrictive and cause undue interference with legitimate agricultural practices as defined by state law. Because most farms in the Town of Lansing are located within a state approved agricultural district (Tompkins County Agricultural District #1), they are afforded the protections available through Section 305-a.

In 2002, the NYS Legislature amended Town Law Section 283-a to require local governments to ensure that their laws, ordinances or other regulations that might apply to agricultural operations located in state certified agricultural districts do not “...*unreasonably restrict or regulate farm operations in contravention of Article 25-AA of the Agriculture and Markets Law, unless it can be shown that the public health or safety is threatened.*”

General questions that municipal officials should ask when assessing the application of zoning regulations to agriculture include:

1. Do the regulations materially restrict the definition of farm, farming operations or agriculture in a manner that conflicts with the definition of “farm operation” as set forth in AML Sect. 301(11)
2. Do the regulations materially limit or prohibit the production, preparation or marketing of any crop, livestock or livestock product?

3. Are certain types of agriculture subject to more intensive review or permitting process than other types of agriculture?
4. Is any agricultural activity that meets the definition of “farm operation” as set forth in AML Sect. 301(11) subject to special permit, site plan review or other local review standard above ministerial review, or subject to a more intensive level of review than other uses permitted within the same zoning district?
5. Are farm operations treated under the local zoning regulations as integrated, interdependent uses and activities, or as independent, competing uses of the same property?
6. Do the local zoning regulations relegate any farm operations located within a state agricultural district to the status “nonconforming use”?

The NYS Commissioner of Agriculture & Markets is empowered to initiate a review of local land use regulations as they may affect farm operations within a state certified agricultural district, either independently or upon the request of a farmer or municipal official within said agricultural district. The NYS Department of Agriculture & Markets will review the regulations to assess whether the local law or ordinance is unreasonably restrictive on its face and whether it is unreasonably restrictive when applied to a particular situation. The Department must also assess whether the regulated activity also poses a threat to public health or safety.

If the NYS Department of Agriculture & Markets determines that a local law or ordinance does impose an unreasonable burden on farm operations within a State agricultural district, it will notify the municipality of its findings. The Department will then work with municipal officials to bring the local regulations in line with Agriculture & Markets Law. If the issue cannot be resolved through negotiation, the commissioner is authorized under the law to bring an action against the municipality to enforce the provisions of Section 305-a.

### **Town of Lansing Zoning Districts**

Rural Agricultural – RA. Designates areas where farming and farm-related businesses are the predominant and desired land uses, but where some low-density housing and commercial development exists and is expected to continue to be developed in the future.

Lakeshore – L1. Designates areas that are adjacent to or have access to the shoreline of Cayuga Lake, where residential and limited non-residential development is considered appropriate.

This district is designed to minimize impacts from development due to steep slopes and erosion, and inadequate water and sewer services.

Residential Low Density (R1). Areas that are primarily residential, and where density is limited by factors such as soil conditions, land accessibility and unavailability of public water or sewer services.

Residential Moderate Density (R2). Areas where the expected and desired land uses are a mix of different types of residential development at a somewhat higher density. Such areas may have public water available.

Residential Mixed Use Transitional (R3). Areas where a change from traditional land uses to more dense residential development is anticipated upon introduction of public water and sewer services.

Commercial Mixed Use (B1). Areas where a relatively dense development of a mixture of land use including residential, small scale retail commercial and offices, specialty shops, personal services and light industry are considered appropriate.

Commercial General Business (B2). Areas where a wide range of retail, services and repair businesses, commercial and storage activities and light industry and similar land uses are permitted.

Industrial-Research (IR). Areas where light manufacturing, fabrication assembly or research, mining and power generation and other utilities are permitted.

## **Recommended Zoning Changes to Improve Farmland Protection**

### **RECOMMENDATION #1 – DEFINITIONS**

An important component in any set of zoning regulations is the glossary section containing definitions of various terms used in the zoning regulations. Because of the nature of zoning, clarity is critical to ensuring fair and consistent interpretation of the regulations, promoting efficient administration and positive public perceptions with regard to their local zoning, and inoculating the community against controversy and in some cases expensive litigation.

There are several definitions related to agriculture in the Town Land Use Ordinance that warrant revision:

## **Farm**

The Town should consider removing the reference to regulations of the NYS Board of Equalization and Assessment in the definition of farming. Section 503 Schedule 1 does not specifically permit agriculture, but instead lists “Farming – dairy,” “Farming – poultry,” “Farming – livestock.” These uses are currently permitted in the Rural Agriculture and Residential-Mixed Use districts. Rather than separately listing a number of specific farming activities that make up the practice of agriculture, the Town should use one umbrella term encompassing all activities such as “agriculture” or “farming.”

This approach would take into account not merely the specific activities set forth in the various definitions, but also the multiple structures and subordinate activities that contemporary agriculture encompasses. Such an approach may also eliminate ambiguities, such as whether or not the “growing of fruits and vegetables...” includes processing and storing for sale of such commodities, or whether the “commercial growing of plants...” in the definition of greenhouses precludes growing plants as a hobby or for personal enjoyment. Farm supply and service providers should also be recognized activities and enterprises that are integral to supporting agriculture. And marketing should be understood to include a variety of direct marketing opportunities that bring customers to farms (agritourism, wineries, farm stands, CSA farms, farm festivals, corn mazes, farm B&B’s, etc.).

By replacing multiple uses and definitions with one umbrella definition that is more generic, the Town of Lansing could streamline its zoning regulations, head off possible controversy over defining specific activities, and ensure some flexibility to accommodate the changing nature and increasing diversity of agriculture.

An example of a comprehensive definition of agriculture is:

*“The use of land, buildings, structures and equipment, and the practices which support the production, preparation, processing, marketing and transportation of grains, vegetables, fruit, and other crops, horticultural and floricultural products, animal husbandry (including horses, llamas and alpacas), livestock and livestock products, aquaculture, apiary products, forest farming, and farm energy production from manure or biomass crops.”*

This definition is designed to take into account the numerous activities that may take place on a farm of any size. It provides a clear and concise definition of what would constitute an agricultural operation, but provides considerable flexibility that accommodates wide variety of activities generally recognized as being “agriculture” in New York and the constantly evolving nature of agriculture and agricultural practices. Businesses that exist in support of agricultural

enterprises such as suppliers, processors, trucking companies, veterinarians, loggers, composting operations, and other such services that farmers need, can also be considered as part of this definition if providing services for the farming community.

The following types of farming operation should be included in the definition of agriculture and therefore be treated the same as other farming enterprises under the local land use law.

### ***Commercial Plant Nursery or Greenhouse***

“Commercial plant nursery or greenhouse” is permitted upon site plan approval (Sect. 802.8), as are “roadside stands” (Sect. 802.30) and “public stables” (Sect. 802.1) in the Rural Agriculture district. These should be treated consistent with other farming enterprises.

### ***Horse Boarding***

The Town’s definition of agriculture does not include “commercial horse boarding operations.” These are considered to be “agricultural” activities and benefit from the protections of NYS Agriculture & Markets Law Section 305-a. There is a definition for “public stable,” which covers the same type of establishment, and which is use permitted in the Rural Agricultural District in the Town, subject to site plan approval. By adding horse boarding to the agriculture definition, it avoids the potential for contravention of NYS AML Article 25AAA.

### ***Roadside Stand***

The current definition provides for the sale of “farm or other products” on a seasonal basis, with no description of what “other products” may include. The Town could consider modifying the definition to promote the sale of farm products produced within 50 miles of the property where the roadside stand is located. Roadside stands generally operate from tents, sheds or small buildings and may be self-serve or staffed and operated on a seasonal basis. Roadside stands should be understood to be distinct from year round Farm Markets which are permanent building dedicated to retailing of farm products and perhaps other goods purchased for resale to serve customer needs and interests. Farm Markets associated with farms for the primary purpose of selling farm raised products should be permitted under local land use law. For more information see NYS Dept. of Agriculture & Markets guidance document: Guideline for Review of Direct Marketing activities (<http://www.agriculture.ny.gov/AP/agservices/guidancedocuments/305-aFarmMarket.pdf>).

### ***Junk***

There appears to be one potential conflict between the Town of Lansing Land Use Law and the provisions of AML Article 25AAA. The NYS Department of Agriculture & Markets does not

expect municipalities to grant farmers an exemption from junk accumulation. A number of towns have modified their existing definitions for junkyard to include language such as “...and other debris that is not generated by or used in any active agricultural operations on the premises.”

The definitions for “Junk” and “Junkyard” do not exempt farm equipment and other items that may not be operational, but are kept for spare parts, etc. Many local regulations governing junkyards do not exempt farm “junk piles” or a collection of inoperable equipment or vehicles that can be found on the typical farm. The NYS Department of Agriculture & Markets recognizes the need for some “junk” storage on farm and the prohibition of such activities may be considered a contravention of NYS Agriculture and Markets Law (AML) Section 305-a. This technicality could be resolved with a slight modification to the definition of “junk” by the addition at the end of the following language: “*with the exception of materials generated by or acquired for use on the farm premises in any ongoing agricultural operations.*”

The modified definition could read:

*“Junk. Any scrap, waste paper, rags, scrap metal, white goods, junked vehicles and boats or parts therefrom, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition, with the exception of materials generated by or acquired for use on the farm premises in any active agricultural operations.”*

Further information pertaining to the State’s perspectives on “junk” can be found in the following guidance document:

[http://www.agriculture.ny.gov/ap/agservices/guidancedocuments/305-aJunk\\_Junkyard%20Guidelines.pdf](http://www.agriculture.ny.gov/ap/agservices/guidancedocuments/305-aJunk_Junkyard%20Guidelines.pdf)

## **RECOMMENDATION # 2 – CREATE A NEW AG ZONING DISTRICT**

The Lansing Agriculture & Farmland Protection Plan Steering Committee is recommending the creation of a new Agriculture Zoning (AG) district to encompass most actively farmed areas in the northern part of the Town and encompassing high quality soils necessary for continued viable farming in areas with the least amount of development pressure. This recommendation would not eliminate the RA zoning district entirely but would reduce it to areas where uses as permitted in the RA zoning district exist.

Two Tompkins County towns with Agricultural Zoning districts include the Town of Ithaca and the Town of Ulysses. The intent of the agricultural zoning district in Ulysses is to protect the town’s agricultural resources including viable agricultural operations and high quality soils.

The Town of Ithaca's goals for their agricultural zone is to provide conditions for continued agriculture use, maintain open space in agricultural areas, and support compatible activities and densities while minimizing incompatible uses. [See the Appendix II for a summary of AG zone provisions from the Town of Ithaca and Ulysses.]

Given that agriculture is much more active in the northern part of Lansing than in the Towns of Ithaca and Ulysses, it is recommended that the Lansing Town Board take a proactive approach to protecting high quality soils and farmland that will enable farming to remain as a viable industry in the town. Developing an AG zoning district that designates agriculture as the primary use is a necessary step toward achieving a higher level of farmland protection than is currently provided by the RA zoning district provisions. Further it would help clarify ambiguity that currently exists given the many permitted uses in the RA zone.

By designating an AG Zoning district, greater emphasis is given to the continuation of farming and development of compatible non-farm uses thereby reducing scattered rural sprawl, farmer-neighbor conflicts, and it will help direct development to the Town Center area making sewer development and water service expansion more feasible.

### ***Uses recommended in new AG zone***

In addition to residential and agricultural uses the Town of Lansing Land Use Law permits a number of other land uses within the RA zoning district. These are listed in Table 1. Uses that are less compatible with farming that would be excluded from the AG zone include: industrial and commercial land uses that require substantial amounts of level land and thus can compete with farmers for valuable agricultural land, particularly those with higher quality agricultural soils; nursing homes, multi-family housing, hotels, restaurants and health care facilities, that can be adversely affected by the noise, dust and odors associated with contemporary agricultural operations, and can result in conflicts with local farming activities.

Although many of the above uses are subject to special permit review, in New York where a land use is subject to special permit, the presumption has been made by the municipality that it is an appropriate land use in the zoning district(s) where it is permitted subject to special permit. As a result the municipality is generally limited to setting specific conditions of approval to mitigate potential impacts of the proposed development.

The recommendation for removal of specific land uses is not a recommendation that such businesses be excluded entirely from the agricultural areas of the Town of Lansing. There are a number of businesses, including several long-standing businesses already in existence in the proposed Agricultural zoning district that would be grandfathered in the new district.

As the Town of Lansing evolves there may be one or more proposals for such development in the AG zoning district. At that point, the Town will have the opportunity to thoroughly review such a proposal for its long-term land use and environmental implications, its suitability for the proposed location, and its conformance with the goals and objectives set forth in the comprehensive plan.

**Table 1. Land Uses or Activities Recommended for Retention in the New AG Agricultural Zoning District**

Land Use/ Activity	Recommended Permitted Uses in AG Agricultural Zoning District	Recommended additional Permitted Uses in RA Zoning District
RESIDENTIAL	A.1 Dwelling, 1-family; A.2 Dwelling, 2-family; A.3 Dwelling, conversion of existing to 3 or 4 dwelling units; A.7 Congregate housing; A.8 Shared housing; A.9 Mother-in-Law/Accessory; A.10 Dwelling, ECHO; A.11 Dwelling, home (mobile home); A.13 Cluster development; A.15 Accessory use related to residential	A.4 multi-family dwellings; A.5 townhouse dwellings; A.6, Retirement housing; A.12 mobile home park; A.16 mixed residential/commercial
BUSINESS	C.1 Farming-crops**; C.2 Farming-dairy**; C.3 Farming-poultry**; C.4 Farming-livestock**; C.5 4H/similar educational husbandry programs; C.6 Commercial plant nursery; C.7 Roadside Stand; C.8 Bed & Breakfast facility; C.9 Rooming house, tourist home; C.10 Nursery school, daycare facility; C.12 Residential (home) business or occupation; C.13 Funeral home; C.14 Public Stable; C.15 Kennel, animal boarding; C.16 Keeping or raising of horses or ponies**; C.17 Veterinary hospital; C.18 Commercial recreation, outdoors ; C.23 Retail sales, specialty; C.24 Retail sales, general; C.25 Retail sales, lumber & other building materials and supplies; C.26 retail sales, industrial or agricultural equipment & supplies; C.29 Restaurant or tavern; C.31 Barber/beauty shop/similar personal services; C.32 Photocopying & similar graphic services; C.34 “Mini” commercial warehouse for self-storage; C.35 Vehicle fuel & service (except body work); C.39 Laundry (self-service)	C.11 nursing home, hospital, health-related clinic; C.19 indoor commercial recreation; C.20 hotel, motel; C.21 professional or business office; C.22 bank, financial institution; C.27 retails sales, etc.: marine/water oriented; C.28 retail sales, mobiles homes, RV, etc.; C.30 drive-through restaurant; C.32 photocopying, etc.; C.33 Convenience (mini) mart; C.36 new, used car sales; C.37 car wash; C.38 sale of plumbing, HVAC, electrical supplies & equipment; C.40 sexually oriented business
INDUSTRIAL/ RESEARCH	D.5 Use of accessory building for sale of farm commodities, light fabrication & assembly; D.6 Commercial excavation; D.7 natural resources exploration; D.8 Truck or motor freight terminal; D.9 Vehicle body shop, not as part of new or used car sales & service; D.12 Agricultural research laboratory*	D.1 warehouse, storage or wholesaling of non-agricultural goods, materials; D.2 printing & publishing; D.3 commercial assembly (not a home business); D.4 industrial or educational research, design & production (not a home business)*; D.10 vehicle wrecking & salvage; D.11 general processing, light manufacturing; D.12 scientific research laboratory*

\* Continue to permit agricultural research, but not other types.

\*\* These uses would be included under one term, Agriculture, which would be defined to encompass all under a single definition.

## **Permitted uses in the new Agriculture zone (AG)**

**Agricultural Commerce.** The current list of permitted commercial and industrial uses in the new AG zoning district should explicitly include and encourage “agribusiness,” “agricultural enterprises”, or “agricultural commercial” for the purpose of zoning. Such businesses may include farm services, farm equipment and supplies, processing, and marketing functions and may be owned or operated by farmers or agri-support entrepreneurs. Such enterprises provide local jobs and keep dollars circulating in the local economy.

Many farm operations have side businesses that supplement the income of the overall agricultural operation. The Town of Lansing already permits “home occupations.” The home occupation concept provides the farm community with the opportunity to supplement income from farm operations on a smaller scale that would not compete for land or introduce potentially incompatible uses.

Agricultural commercial enterprises and cottage industry or rural enterprises, however, could be much larger, employ persons not living on the premises, and also include retail and wholesale services to the general public. Examples of agricultural commercial businesses would be farm equipment dealerships, seed, grain, hay, straw and fertilizer sales, repair services, building, excavating and other contracting services and trucking services.

***In the Town of Ulysses such businesses are referred to as “agricultural commerce” and defined as:***

*“A retail or wholesale enterprise providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations.”*

**Agri-tourism** is a growing and important component of an overall direct marketing strategy for an active agricultural operation or farm market, and is an important source of supplemental income for farms. The Town of Lansing zoning regulations do not explicitly permit such activities in the current Rural Agricultural zoning district. Such uses should be defined in a manner that accurately describes the activities envisioned as part of an agri-tourism enterprise,

protects the town from unanticipated ones, and permits some flexibility in interpretation. An example of a definition for agri-tourism is:

*Recreational, educational and entertainment activities operated in conjunction with and as part of an overall direct marketing strategy for an active agricultural operation or farm market that contribute to the production, preparation and marketing of crops, livestock and livestock products, and including activities such as petting zoos, hayrides, corn mazes, festivals, farmtours, farm lodging, farm wineries, farm restaurants, and other such recreational activities, educational demonstrations, and the onsite preparation, processing and sale of foods prepared from local farm products for consumption on site and off site.*

Agri-tourism operations are designed to attract the general public. They also have the potential to grow into major businesses that may attract large numbers of people and traffic, particularly for occasional special events. Site plan approval is a mechanism by which a municipality can ensure that the health and safety of the general public and patrons of such businesses are protected; ensure that adequate facilities for parking and safe ingress and egress from public highways are provided, and that potential adverse impacts of such businesses or large events are mitigated. The Town of Lansing may wish to require site plan approval for agritourism.

The NYS Department of Agriculture & Markets offers a Guideline for Review of Direct Marketing activities (<http://www.agriculture.ny.gov/AP/agsservices/guidancedocuments/305-aFarmMarket.pdf>).

**Farm Market.** Generally permanent year-round retail operations that sell agricultural products, baked goods, and other foodstuffs, and operated as part of an overall farm enterprise. Handicrafts and other agriculture-related products could also be sold. Although they can provide an outlet for agricultural products grown on the host farm, because of their size and because they may be year-round operations, some of the products sold at a farm market may not be produced on the farm premises.

**Rural Enterprises.** Another type of business suitable in the agriculture zone would be “rural enterprises.” Unlike the agribusinesses or agri-tourism described above, these are small-scale business enterprises operated by rural residents, but are not necessarily linked to the agricultural economy. They provide employment to rural residents and services to rural areas, but maintain a scale in character with the rural nature of the Agricultural zoning district.

A rural enterprise would be a small-scale business operated by a resident of the premises. The business could be a service or small-scale craft or industrial enterprise. Key attributes of these

types of businesses are that they are operated by a resident; and their size and scale limited by the number of employees permitted. An example of a definition for rural enterprises is:

*A manufacturing, construction or service enterprise owned and operated by a resident of the principal dwelling on a lot, but which does not employ more than ten (10) persons on site not residing on the premises.*

Types of businesses that are envisioned under the above definition include small contractors, woodworking, metalworking and other craft manufacturing, small auto repair and body shops, small craft bakeries and food processors. They may also include businesses such as bed-and-breakfast inns or other types of small-scale lodging establishments that take advantage of and are compatible with the rural character of the Agricultural zoning district. In many case such businesses can occupy surplus farm buildings. Their size would be controlled by a limit on the number of employees not living on the premises. Such businesses should be subject to site plan approval.

**Wind Energy Source.** Although permitted under Sect. 503, Schedule I, the zoning regulations do not provide a definition of what constitutes a wind energy source, and what distinguishes commercial or residential scale systems. Such systems also require site plan approval. The Town of Lansing should consider permitting small-scale wind energy systems as a permitted use, without site plan approval, subject to specific design and setback requirements, for residential and agricultural operations. Such systems can be distinguished from large scale commercial systems by limiting their size to 10 kw. These smaller units are large enough to serve a typical home, and 2 to 3 can serve a moderate size dairy operation.

Key standards for the design and placement of wind energy sources include limits on generating capacity, height, turbine blade length, setbacks from buildings and property lines, color and number permitted. Where a farm operation may warrant more than one turbine, the number can be controlled by tying the number permitted to the number of acres on the parcel of land. (e.g. one turbine unit for each 10 acres). Although concerns about visual impact have been expressed, these smaller systems generally recede into the background at distances beyond 500 feet, and within 500 feet can be screened from public roads by existing buildings, trees and other vegetation.

Additional guidance is provided by NYS Dept. of Agriculture & Markets at: [http://www.agriculture.ny.gov/AP/agservices/guidancedocuments/Guidelines\\_for\\_Solar\\_and\\_Small\\_Wind\\_Energy\\_Facilities.pdf](http://www.agriculture.ny.gov/AP/agservices/guidancedocuments/Guidelines_for_Solar_and_Small_Wind_Energy_Facilities.pdf)

## **VI. Agriculture & Farmland Protection Recommendations for the Town of Lansing**

### **VISION STATEMENT**

*A future vision of agriculture and its contribution to the Town of Lansing*

Agriculture has a significant impact on the Town of Lansing economy and land use. High quality soils and land suitable to farming is a unique resource that is protected for farming through policies that direct development away from prime farmlands. Supportive town policies and broad community support for agriculture create a climate where farming remains feasible and viable. A diversity of full and part-time operations will produce dairy, livestock, feed crops, local foods, horticultural crops, renewable energy resources, and other agricultural products marketed locally and through conventional agricultural marketing channels. The town's farms provide a variety of job opportunities and thereby strengthen the local economy. Farming practices protect soil, environmental quality, natural resources, and provide scenic working landscapes that preserve the rural character and enhance the quality of life of our community.

### **Plan Components**

*(as required by State Dept. of Agriculture & Markets)*

#### **I. Location of areas/land recommended for protection for agricultural use**

### **RECOMMENDATIONS**

- A. **Create a new AG zone to encompass the majority of agricultural areas of north Lansing.** *Boundaries of new Ag zone:* all agricultural areas North of NYS Route 34B. The area from 34 B to Buck Rd. is considered as being under development pressure and transitioning to residential/rural agriculture. **Map**

South Lansing agriculture is a mix of open hay fields (abandoned agriculture) and would be most appropriate for small scale consumer oriented agriculture given proximity to residents; larger scale animal agriculture would not be appropriate in this area. We propose no changes be made in this part of the town's zoning district and that agriculture be allowed to continue along with other uses.

**B. Consider options and seek opportunities for securing and protecting key farmlands for continued and permanent agriculture use.**

- 1) Support farmers that are interested in seeking conservation easements on their properties via the NYS Farmland Protection Program. Work with Tompkins County Planning Department and the AFPB in the application process.
- 2) Work with NYSEG/AES and future owners of this property if sold, to ensure that the portions of this parcel that is currently farmed remain available to rent.

## ***II. Value of Land to be protected***

A change in zoning from RA to AG in North Lansing will provide broader recognition and protection for farming by giving priority to agricultural uses and restricting uses that are not compatible with agriculture. By protecting agriculture in North Lansing and encouraging development in South Lansing, the town will preserve economic activity generated by farming enterprises including \$20 million dollars in product sales and jobs for at least 100 people. In addition to the economic contribution of agriculture, it is important to recognize the value of high quality soils that are not replaceable once developed. Farming is viable in Lansing because of its high quality soils.

## ***III. Consequences of Farmland Conversion***

Loss of high quality soils for farm and food production – Given the amount prime soil and soil of statewide significance in the Town of Lansing that is desirable and necessary for farming and food production it would be a significant loss to the future of farming and food production in the town, county and region if this resource were lost. Soils cannot be replaced once lost due to construction when the landscape is carved up with infrastructure and buildings.

Fragmentation of farmland making it harder for existing operations to remain viable – Rural sprawl including housing and business developments make it harder for farmers to farm efficiently and thereby increases the cost of doing business. Fragmentation has been shown to lead to the impermanence of farming. Farm operations need land to operate and the farther they must go to find farm land the more challenging it becomes as they travel from field to field and work around developed areas.

Loss of farm jobs and employment sector – Farms in the Town of Lansing provide full or significant part time jobs for approximately 40 owner/operators and their family members. Hired labor on farms is generally part-time and seasonal providing approximately 60 jobs. Hispanic workers have become the dominant labor force on at least 3 town dairy farms (approx.

15 workers total). Hispanic workers along with employees from the local area live here, shop locally, and contribute to our community.

Loss of supply services-support businesses – Having a concentration of farming in one area makes it more economical for suppliers and other support businesses to provide services to farmers. Farmers rely on a range of services including veterinary services, seed and feed suppliers, crop consultants, trucking, vehicle maintenance, accounting, and other such business. Given the scope of the farming in the town, there is potential for more farm support and supply business development.

Loss of economic activity – Farms in the Town of Lansing generate approximately \$20 million dollars in dairy, crop and related agricultural sales. \$17 million in sales is generated by the dairy industry alone. Total agriculture product sales in the county is \$60 million (2007 USDA Census of Agriculture), therefore, Lansing farms are significant in the overall Tompkins County farm economy generating one-third of the total agricultural sales value.

Loss of open space/scenic views/UNA's associated with farms – Over 16,000 acres of land in the town or slightly over one-third of the land area of the town is associated with agriculture. An additional 13 % of the town's land is classified (Tompkins County Land Use Land Cover Survey, 2012) as being in vegetative cover, some of which may also be associated with farms. Most of the UNA's in the Town of Lansing are associated with farms. The rural character of the northern part of the town will change significantly if agriculture is no longer a dominant factor in contributing to scenic views and open space. These are attributes that also benefit rural tourism development.

Increased rural sprawl – Rural sprawl is already a reality in the town. During the past 20 year period housing development outside the village grew 33.9% compared to 9% within the village. As the village has become built out, more housing is moving into rural areas, impacting farming operations, but also creating a demand for more town services that are less efficient and more costly to deliver over larger areas.

Higher taxes and increased demand for services – A 1995 Cost of Community Services Study prepared by Cooperative Extension and the Tompkins County Agriculture & Farmland Protection Board compared the cost of services demanded by 3 sectors: residential, industrial and agriculture compared to revenues contributed for services. For the Town of Lansing, the ratio of tax dollars generated compared to town expenditures was 1 to 1.56 for residential; and for both industrial/commercial and agriculture the ratio was 1 to .16, meaning that for every tax dollar from residential \$1.56 is demanded in services while both agriculture

and industrial/commercial receive only 16 cents in services for each dollar paid in taxes. Consequently, the loss of agricultural land to residential development will result in increased demand for services and result in higher taxes overall. This type of study has been repeated by American Farmland Trust in many communities, with similar overall findings.

#### ***IV. Level of Development Pressure***

Development in the Town of Lansing has been steady expanding from south to north. It is anticipating that the following trends will continue to impact the farming community.

Population in the Town of Lansing grew at a rate double that of county from 1940-1990. From 1990 to 2000 town population increased from 9,296 to 10,521 for a 13.18% increase. This was the largest increase of any town in the county and more than that of the City of Ithaca. County population during the same period only grew by 2.55%. From 2000 to 2010 the town population grew half the rate of the previous 10 year period at a rate of 4.87% while the rate of population increase for the county overall was 5.25.

Housing development has been strongest in the Village of Lansing but as the village has become more built-out, there has been an increase in suburban-style scattered development in the form of single-family homes in areas beyond the village, generally south and southwest of 34 and 34B, in areas with lake views, and along rural routes.

From 1990 to 2010 there were 995 new housing units/dwellings added to the town. This represents a 24% increase in the number of dwelling units in the town. Of this number, 846 units or 85% were built outside the Village of Lansing.

The housing stock in the Town of Lansing is of higher median value than in other parts of the county. This drives up the value of land for housing and the value of land in general. This is reflected by higher land prices in both suburban and rural areas of the town compared to other towns in the county.

Business development concentrated in the Village of Lansing and near the airport provides jobs and consequently increased demand for nearby housing.

Town Center – the Town Center proposal for the intersection of Rt. 34/34B is supported by farmers but is also of concern in that it borders agricultural areas to the north. The proximity of an area of mixed use housing, retail, business, and recreational use will draw more traffic into rural/agricultural areas and has the potential to drive more rural housing sprawl into agricultural areas.

Rural roads – farmers have noted increased car traffic traveling at higher speeds on rural roads. With more housing along rural roads, and more drivers, there is concern that fast moving cars and slow moving farm equipment especially during spring planting and fall harvest season pose increased safety concerns.

Non-farm neighbors – farmers are concerned about the compatibility of rural development with farming operations. Given that fewer people are familiar with farming operations and activities, there is the potential for misunderstanding farming practices and for trespass and injury associated with unlawful trespass. The need to educate non-farm neighbors places an additional burden on farmers.

Rural sprawl – poses several problems beyond non-farm neighbor conflicts and traffic on rural roads. Farming operations are generally less efficient when they operate fields over a larger area interspersed by housing. There are increased costs associated with moving equipment, fuel, and growing crops on smaller fields instead of larger contiguous farm fields. Additionally, rural sprawl results in demand for services from residences that are not cost effective to deliver over larger areas.

## ***V. Development Impacts***

Farmers feel the encroachment of development in north Lansing farming areas and it is of concern to them. There is documented rural housing growth outside of the Village of Lansing which is likely to continue as a trend. Horticulture businesses and small scale farming oriented at direct marketing can benefit from urban/suburban growth if residents place a value on buying products from local businesses. Larger scale farms are concerned about the proximity of non-farming neighbors unfamiliar with typical farming activities. More cars and people in rural areas increase the need to educate rural residents about road safety and trespass issues.

Development opportunities will also impact what residents who own land and currently rent to farmers will do in the future. Farmers are concerned about access to rented land. For some farmers who rent the majority of the land they farm, it could mean the end of their farming operation because there is little other land available to rent. While many rural landowners indicate they prefer that their land is farmed, high taxes and development opportunities are likely to impact future decisions to rent land to farmers.

## **IMPLEMENTATION RECOMMENDATIONS**

The Agriculture Plan for the Town of Lansing serves as a guidance document for town officials to follow in the protection of valuable agricultural lands, in particular those with high quality soils that occupy the northern area of the town, and serves as a reference for planning and agricultural economic development.

The recommendations in this plan reflect current conditions and therefore, in order to remain relevant, the plan will require that changes in agriculture and the community over time be monitored.

## **PRIORITY ACTIONS/RECOMMENDATIONS**

### ***A. Form a Town Agriculture Committee***

#### **Appoint committee**

(define membership), describe duties/charge/mission, establish regular meeting schedule

It is recommended that the committee be comprised of at least 5 active farmers, a liaison from the Town Board, a liaison from the Planning Board, Town staff (zoning or planning), and at least 1 rural non-farmer landowner. Farm owners may include: dairy, livestock including horses, field crops, fruits, vegetables, Christmas trees, and other enterprises as defined as agriculture in this document. Liaisons may include representatives from agricultural organizations such as Cornell Cooperative Extension Tompkins County or the Tompkins County Soil & Water District or other such person as deemed relevant to furthering the purpose of the committee.

#### **Set the committee charge**

It is recommended that the main function of the committee be to ensure a means for implementation of the agriculture plan; to review and update the plan periodically; to review site plans for proposed developments and to assess and provide input on their impact on agriculture; to provide input to the County Agriculture & Farmland Protection Board on matters pertaining to the Agriculture District; and to host at least one annual farm community meeting to listen to concerns and needs. Additional suggestions for committee roles can be found in the appendix.

### ***B. Encourage farmers to be active on Town boards/committees***

- 1) Enlist at least one farmer to serve on the committee to update the Town's Comprehensive Plan
- 2) Recruit farmers to serve on Town Planning Board, Board of Zoning Appeals, Conservation Committee, others as appropriate

3) Encourage farmers to run for Town Board

4) Encourage farmers to join other relevant town boards and committees

***C. Prioritize the following recommendations for immediate action:***

1) Create a new Ag Zone in the predominantly agricultural area of north Lansing

2) Revisit the definition of agriculture in the current zoning document and consider revising it to reflect current farming activities and to be consistent with NYS Agriculture & Market Law 305a (as per recommendations on page xx of this report).

3) Continue to remain informed about the status of the NYSEG/AES land so that land that is currently rented by farmers may be available to rent after sale to a new owner, in particular if the owner is NYS DEC.

4) Identify high priority area/parcels for State Farmland Protection funding to purchase permanent agricultural easements on farm land that is high quality and that serves as a buffer to protect other active farming areas of the town. Establish criteria for identifying such parcels and actively reach out to landowners to assess interest in selling agricultural easements.

***D. Goals and Strategies to preserve farming and promote agriculture***

The following chart is based on input from the farming community on ways to strengthen agriculture. The recommendations provide ideas and opportunities for consideration by the Town agriculture committee and Town Board as they move forward with plan implementation. The committee has assigned High, Medium or Low priority to the recommendations and recognizes that the Town will want to reach out to partner with county agencies to move forward with some of these recommendations. It is anticipated that some recommendations are more feasible than others and that not all will be implemented. It is also anticipated that new priorities will emerge over time.

***E. Plan adoption***

1) Provide input and recommendations as needed.

2) Host a public meeting.

3) Town Board approval.

4) Forward to Tompkins County Agriculture & Farmland Protection Board for review.

5) Submit final plan to NYS Dept. of Agriculture & Markets for approval.