

# CAYUGA COUNTY

AGRICULTURE AND FARMLAND PROTECTION BOARD



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COUNTY OFFICE BUILDING – 160 GENESEE STREET – AUBURN, NEW YORK 13201

(315) 253-1276

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Wednesday, February 6, 2019

**10:00 a.m.**

5th Floor Conference Room  
Cayuga County Office Building  
Auburn, New York

## **MEETING AGENDA**

- (1) Call to Order
- (2) Elect a Chair of the Board for 2019
- (3) Approval of Minutes – November 28, 2018
- (4) Town of Sennett NOI- Water District 3 Improvements
- (5) Other Business
- (6) Adjournment

**DRAFT Minutes**  
Cayuga County Ag & Farmland Protection Board  
Wednesday, November 28, 2018, 10:00 A.M.  
5<sup>th</sup> Floor, Conference Room  
Cayuga County Office Building  
Auburn, NY 13021

**Board Members Present:**

Kelly Anderson, Chair (Cayuga County Real Property Services, Director)  
Steve Lynch (Cayuga County Planning & Economic Development, Director)  
Jeff Ten Eyck (Agricultural Land Preservation Organization Representative)  
Craig Culver (Farmer Representative)  
Christopher Gross (Farmer Representative)  
John O'Connell, III (Farmer Representative)  
Thane Benson (Farmer Representative)

**Others present:**

Kari Terwilliger (CCPED Staff to AFPB)

**Absent:**

Ben Vitale (Cayuga County Legislator)  
Jason Cuddaback, *designee* (Chairperson of the Board of Directors CCSWCD)  
Judy Wright (Cornell Cooperative Extension Educator Representative)  
Dennis Eckel (Agribusiness Representative)

**1. Call to Order**

The meeting was called to order by Kelly Anderson at 10:04 A.M. with a quorum of members present.

**2. Approval of Minutes - July 16, 2018 meeting**

Kelly Anderson asked the Board if they had reviewed the minutes from the July 16, 2018 meeting and if they had any questions, comments, or corrections to make. There were none. She asked if there was a motion to approve said minutes. **Jeff Ten Eyck made a motion that the minutes from July 16, 2018 be accepted as written. Motion seconded by Craig Culver. Motion carried.**

**3. County 2018 Pre-Applications for Dairy PDR**

Kelly Anderson asked Kari Terwilliger to review this agenda item with the Board. Kari reminded the Board that Dennis Eckel was not present, was not copied on emails to schedule this meeting, and did not receive a copy of the meeting materials particularly those for the pre-applications at his request per the direction of his employer Farm Credit East. FCE has instructed all of their employees that serve on Boards that review PDR applications to recuse themselves and not participate in the process at all. Kari then gave a brief overview of the differences between this round of PDR funding specifically for dairy farms versus the normal full program from the state; and what adjustments were made to the County's pre-application process and scoring accordingly. She stated that over the past few years the AFPB, Planning Dept. staff, and staff from NYALT have been working together to update the County's process, particularly the scoring matrix to ensure that the selection process is as objective as possible while also aligning very closely with NYSDAM's scoring criteria and goals. The Board then discussed the 6 farms that submitted a pre-application for this round. Much of this discussion centered around small farm versus large farm and whether or not to support farms that have received PDR funding in the past for other land that they own. Several Board members stated that they were a bit frustrated with the fact the scores seemed to reflect a prioritization for protecting larger farms rather than the smaller ones which might be more likely to succumb to development pressure and who also might need the funding the most in order to help sustain their farm operation. Kari explained that while we do want to support the smaller farms the Board's hands have been a bit tied by trying to align our scoring matrix to that of the priorities of NYSDAM as the funding agency and NYALT as the easement holder in order to increase the odds of any Cayuga County farm being selected for funding. She stated that because Cayuga County is not positioned at this point to be an applicant and subsequent easement holder in perpetuity, noting the

lack of dedicated staff and funding to monitor the easements, the County does have to select farms with the greatest chance of being funded, even though we might prefer to focus on the smaller farms. The Board discussed their desire to in the coming years to work with NYALT and NYSDAM to help shift the focus from large farms to small farms as a priority, or at least to find ways to make the smaller farms more competitive for future rounds of funding. Kelly asked Kari how many of the 6 pre-applications was she hoping the Board would select to support and submit to NYALT. Kari stated that she has been in contact with the Finger Lakes Land Trust which expressed an interest in the New Hope Haven Farm in Niles since the farm borders the Bahar Nature Preserve, and that their Board may want to submit an application on behalf of the farm for this round of funding. She stated that NYALT will likely be submitting 2 or 3 applications to the State in total depending on the pre-applications they receive from the various counties they work in. Kari then suggested that the AFPB consider selecting up to 3 pre-applications to send to NYALT and encouraged them to consider supporting New Hope Haven and sending that pre-application to FLLT. Kari stated that generally the process has been that she drafts a letter of support for each land trust that lists the AFPB's selections; then the Chair signs those letters; and finally Kari drafts and signs on behalf of the Board (if the Chair is unavailable) any individual support letters for the farms that NYALT selects for use in the State application. She requested that the Board consider adding the approval of this process in their motions for support of the farms they will select.

Kelly then asked the Board if they were comfortable with supporting the New Hope Haven Farm pre-application and submitting it to FLLT for their consideration. **John O'Connell, III made a motion to support the New Hope Haven Farm pre-application, to submit a letter of support and associated materials to the Finger Lakes Land Trust for their consideration, and to allow Kelly Anderson, Chair and Kari Terwilliger, staff to prepare, sign, and submit any letters or materials necessary to convey the Board's support of this farm. Motion seconded by Craig Culver. Motion carried.**

For the remaining 5 pre-applications the Board continued to discuss their preferences and selection criteria. The Board discussed taking advantage of this open-round of funding and the State's adjusted process for selection- not truly competitive but rather if the farm meets the minimum qualifications and there is funding available they will be awarded- and it was suggested that a large, medium, and small dairy operation be selected by the AFPB in order to support a wider variety of dairy farms in the county; and to hopefully secure funding for a smaller farm operation. The Board discussed selecting the highest scoring pre-application which is a large farm, the one medium sized farm, and then making a decision between the smaller farms to ultimately select 3 farms for submission to NYALT. Kelly then asked the Board to make their motions for support one farm at a time to allow for discussion in between if necessary. The following motions were made:

- 1) **John O'Connell, III made a motion to support the Vansridge Dairy Farm pre-application, to submit a letter of support and associated materials to the New York Agricultural Land Trust for their consideration, and to allow Kelly Anderson, Chair and Kari Terwilliger, staff to prepare, sign, and submit any letters or materials necessary to convey the Board's support of this farm. Motion seconded by Craig Culver. Motion carried.**
- 2) **Steve Lynch made a motion to support the McGarr Farms pre-application, to submit a letter of support and associated materials to the New York Agricultural Land Trust for their consideration, and to allow Kelly Anderson, Chair and Kari Terwilliger, staff to prepare, sign, and submit any letters or materials necessary to convey the Board's support of this farm. Motion seconded by John O'Connell, III. Motion carried.**
- 3) **Steve Lynch made a motion to support the Romano Farm pre-application, to submit a letter of support and associated materials to the New York Agricultural Land Trust for their consideration, and to allow Kelly Anderson, Chair and Kari Terwilliger, staff to prepare, sign, and submit any letters or materials necessary to convey the Board's support of this farm. Motion seconded by Thane Benson. Motion carried.**

#### **4. Board Member Terms Ending 12-31-18**

Kelly Anderson asked Kari to speak about the Board member terms that are ending in 2018. Kari stated that there are three members whose terms are ending this year. She said that while Jeff Ten Eyck recently retired from American Farmland Trust, his current position as the Agricultural Land Preservation Organization Representative was the only position on the Board according to Article 25AA, Section 302 of NYS Ag & Markets Law which “may” be a member of the Board and is not mandatory. Therefore, if Jeff was still willing to serve, he could do so as an agritourism business representative since he owns and operates a farm brewery in Summerhill. Kari stated that all members do have to be residents of Cayuga County though. Jeff expressed his interest in serving another term and staying on the Board until another land trust representative comes along who also resides in our county. Kari stated that she emailed Dennis Eckel and heard back from him that he too was interested in serving another term on the Board. Christopher Gross stated that he was interested in serving another term as well. Kelly asked the Board if anyone had any objections to reappointing all three members. There were no objections. **John O’Connell, III made a motion to appoint Jeff Ten Eyck as an Agritourism Business Representative, to reappoint Dennis Eckel as the Agribusiness Representative, and to reappoint Christopher Gross as a Farmer Representative all for four year terms. Motion seconded by Craig Culver. Motion carried.**

#### **5. Other Business**

Kari Terwilliger stated that Judy Wright is leaving the Cornell Cooperative Extension of Cayuga County at the end of November and going to the CCE in Seneca County so she will no longer be able to serve on our AFPB. She also stated that the other position at our CCE for an Agricultural Educator was eliminated and that Judy’s position was not yet filled. Therefore, the Board will have to wait until CCE of Cayuga County fills their Agricultural Educator position to request that they appoint someone to the AFPB- this position on the AFPB is coterminous with the agricultural educator (or equivalent) position at CCE. Steve Lynch handed out copies of an invitation that he and Kari received to attend an Agriculture Economic Resources Summit being hosted by the Cayuga Economic Development Agency on Monday December 3<sup>rd</sup> for anyone on the Board that may be interested in attending.

#### **6. Adjournment**

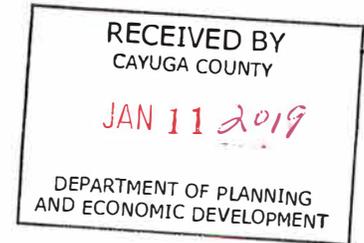
Kelly Anderson asked if there was any further discussion or business to come before the Board. Hearing none, she asked for a motion to adjourn. **John O’Connell, III made a motion to adjourn the meeting. Motion seconded by Jeff Ten Eyck. Motion carried. Meeting was adjourned at 11:44 A.M.**

Minutes prepared by Kari Terwilliger

January 8, 2019

Richard A. Ball, Commissioner  
NYS Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235-0001

David Shurtleff, Chairman  
Cayuga County Agriculture and Farmland Protection Board  
c/o Cayuga County Department of Planning & Economic Development  
160 Genesee Street, 5<sup>th</sup> Floor  
Auburn, NY 13021



RE: PRELIMINARY AND FINAL NOTICE OF INTENT  
Proposed Advance of Public Funds to Construct a Waterline to be Located in a Portion of  
Cayuga County Agricultural District No. 5  
Town of Sennett – Water District No. 3 Improvements

Dear Mr. Ball and Mr. Shurtleff:

The Town of Sennett, Cayuga County, New York is proposing an action entitled "Town of Sennett – Water District No. 3 Improvements." This action involved the replacement of an existing water storage tank with a new 300,000-gallon tank and the installation of approximately 20,100 linear feet of 8-inch and 12-inch waterline along portions of Jericho Road (County Road 15A), Grant Avenue (NYS Route 5), Depot Road (County Road 87B), Healy Road, County House Road (County Road 85), and Mutton Hill Road. Activities include the installation of watermain, fire hydrants, valves, watermain connections, residential hook-ups, road crossings, excavation and bedding materials and surface restoration. The attached USGS Location Map indicates the proposed location of the various improvements.

The project will be located within a portion of Cayuga County Agricultural District No. 5. The Town has applied for funding assistance from the USDA Rural Development and in order to undertake the project.

This document serves as a combined Preliminary and Final Notice of Intent. The enclosed Parcel Boundary Map delineates the location of the proposed water improvements and the relationship of these improvements to properties within the Agricultural District. The Town of Sennett has determined that the proposed action will affect a total of 24 parcels with at least 10 acres of land (agricultural or non-agricultural) within Agricultural District No. 5. All 24 parcels appear to have at least 10 acres in active agricultural use based on our assessment of property class codes and aerial imagery. It is our understanding that the Department of Agriculture and Markets will conduct further land use analysis to verify which of the 24 affected parcels actually have at least 10 acres in agricultural use. Table 1, which is attached at the end of this submission, provides statistical information about each parcel.

This Notice is being submitted on behalf of the Town Board of the Town of Sennett. The Town Board has prepared this combined Preliminary and Final Notice of Intent in accordance with the provisions



of Article 25 AA, Section 305.4 of the State Agriculture & Markets Law. Four (4) copies of the combined Notice are transmitted for your convenience. The address for the Town of Sennett is P.O. Box 145, Sennett NY 14429. The completed Full Environmental Assessment Form (EAF) has been distributed to Involved Agencies in compliance with SEQR.

## I. Description of the Project

The project involves the replacement of an existing water storage tank with a new 300,000-gallon tank and the installation of approximately 20,100 linear feet of 8-inch and 12-inch waterline along portions of Jericho Road (County Road 15A), Grant Avenue (NYS Route 5), Depot Road (County Road 87B), Healy Road, County House Road (County Road 85), and Mutton Hill Road. Activities include the installation of watermain, fire hydrants, valves, watermain connections, residential hook-ups, road crossings, excavation and bedding materials and surface restoration.

The project will provide public water service to 153 equivalent dwelling units which are currently dependent on individual wells that produce an inadequate supply of poor quality water. Water District No. 3 will receive water from the City of Auburn, which has sufficient capacity to meet the demands required for the Town of Sennett – Water District No. 3.

## II. Description of the Agricultural Setting

Of the properties affected by the construction of Water District No. 3, 24 parcels with at least 10 acres of land are located within Agricultural District No. 5. These 24 parcels may or may not currently be used for agricultural purposes. Based on an assessment of property classification codes and aerial imagery, it appears as if all 24 parcels have at least 10 acres in agricultural use. However, it is our understanding that the Department of Agriculture and Markets will make the final determination as to which of the 24 affected parcels have at least 10 acres in agricultural use. Table 1 (attached at the end of this document) identifies each parcel and includes the property owner's name and address as well as specific acreage data and other information.

Based upon a review of assessment information and aerial photography, all of the affected properties are primarily used to grow field crops and serve as residences and also include a dairy farm and greenhouse. A Parcel Boundary Map, which is keyed to Table 1, is attached to identify the location and ownership of all affected parcels within Agricultural District No. 5.

The 24 affected parcels encompass approximately 1,334 acres within Agricultural District No. 5. It is estimated that all of these parcels (approximately 1,334 acres total) will be included within Water District No. 3. Given our assumptions are correct concerning which of the 24 affected parcels have at least 10 acres in agricultural use, the affected agricultural properties encompass 1,334 acres in total within Agricultural District No. 5 and Water District No. 3.

A copy of soil mapping from the Cayuga County Soil Survey has been included with this Notice to depict the location and the extent of area covered by each soil type within the project area. The predominant soil types are listed below in Table 2. It is estimated that approximately 70% of the total length of water line to be installed will be constructed within soils with a classification of 1 through 4.



Table 2 - Soils Information			
Soil Type		Classification	Approx % of Project Area
Al	Alluvial land	9	<1%
AtB	Arkport fine sandy loam	3	4%
AtC	Arkport fine sandy loam	4	<1%
BeB	Benson loam	6	3%
CeB	Cazenovia silt loam	3	12%
CeC3	Cazenovia silt loam, eroded	6	4%
CeCK	Cazenovia silt loam, rolling	5	3%
CeD	Cazenovia silt loam	6	2%
ClA	Collamer silt loam	2	1%
DuC3	Dunkirk silt loam	5	3%
Ee	Eel silt loam	3	2%
Eh	Eel silt loam, high bottom	3	2%
GaB	Galen fine sandy loam	3	2%
HnB	Honeoye silt loam	2	1%
LtB	Lima silt loam	3	2%
Ma	Madalin silt loam	7	1%
Na	Niagara fine sandy loam	4	2%
Nc	Niagara and Canandaigua silt loams	6	2%
OnB	Ontario loam	2	24%
OnC3	Ontario loam, eroded	5	2%
OnD3	Ontario loam, eroded	6	2%
OvA	Ovid silt loam	5	2%
OvB	Ovid silt loam	5	2%
PgB	Palmyra gravelly loam	2	15%
PgC	Palmyra gravelly loam	5	5%
Sn	Sloan silt loam	8	2%

### III. Agricultural Impact of the Proposed Action, Including Short and Long-Term Effects

Short-term effects primarily involve construction-related impacts associated with excavation of a trench to contain the watermain. Such ground disturbance could potentially disrupt drainage or tile lines within an agricultural field. However, it is not expected that construction will exert significant physical impacts on agricultural resources as it will primarily occur within the road right-of-way.

The potential long-term impacts on agricultural resources involve the removal of farmland from production as a result of the availability of a public water supply. Approximately 1,334 acres of land are within both Agricultural District No. 5 and the water service area. Only a portion of the 1,334 acres (to be determined by the Department of Agriculture and Markets) is also actively used for at least 10 acres of agricultural purposes. This portion will be the maximum amount of significantly contiguous agricultural land within this Agricultural District that may be removed from production as a result of the availability of a public water supply.



Although the project may induce some growth, the impetus for this project is to correct the existing public health and safety problems confronting residents who currently rely on inadequate and contaminated groundwater supplies to meet their daily household needs.

IV. Adverse Agricultural Effects Which Cannot Be Avoided Should the Proposed Action Be Implemented

Unavoidable impacts on agricultural resources include potential disruption of drainage or tile lines during construction of the waterline. Such impacts are not considered significant given the minor amount of land potentially affected and the fact that the Town will repair any facilities disturbed as a result of the installation of the watermain. Other construction related impacts, including increased noise, dust and traffic, will also be temporary and will not affect the long-term viability of the use of land for agricultural purposes. The Town will include construction standards specified by the Department of Agriculture in the bid package.

V. Alternatives to the Proposed Action

The proposed action involves the construction of approximately 21,100 linear feet of 8-inch waterline along portions of Holley Byron Road (NYS Route 237), Munger Road, and South Holley Road (County Road 73). Most properties within the proposed service area have been plagued by the poor quality of their individual well supplies along with seasonal quantity limitations during dry periods. Additionally, public water is not currently available for fire protection.

Public water service cannot be extended to these affected properties within the existing Water District No. 3 in a cost-effective manner without locating watermains along the public rights-of-way of Jericho Road (County Road 15A), Grant Avenue (NYS Route 5), Depot Road (County Road 87B), Healy Road, County House Road (County Road 85), and Mutton Hill Road. The road rights-of-way represent the shortest and most direct route between the properties to be served with public water. As the rights-of-way areas were previously disturbed during road construction, it would also result in the least amount of environmental impact, including impact to agricultural resources. For this reason, there does not appear to be a practical alternative to installing the watermain in the proposed location to accomplish the stated objectives. Moreover, private or individual solutions to the existing water supply problems are not cost-effective and would produce only limited benefits.

A public water supply would provide the most cost-effective and comprehensive means to resolve the existing public health and safety concerns confronting area residents. The establishment of the proposed public water system will eliminate the reliance on poor quality water supplies and assure residents of a safe and dependable supply of good quality water. A public system would also substantially improve the quality of fire protection services in the area.

VI. Any Irreversible and Irretrievable Commitments of Agricultural Resources Which Would Be Involved in the Proposed Action Should It Be Implemented

No farmland will be permanently removed from production as a result of the watermain installation. The Town will restore any drainage or tile lines that may be disrupted as a result of the construction of the project to existing conditions as closely as possible.



VII. Mitigation Measures Proposed to Minimize the Adverse Impact of the Proposed Action on the Continuing Viability of a Farm Enterprise Within the District

The Town has existing zoning regulations in place to protect agricultural lands and to provide a stable environment for residential development. Moreover, the Town intends to maintain its rural and agricultural nature. The proposal to install public water facilities within Water District No. 3 will not adversely affect the ability of the Town to achieve its land use objectives within Agricultural District No. 5.

The Town Board of the Town of Sennett will consider a “hook-up” restriction resolution to limit the conversion of farmland to non-farm uses within the water district, if such an action is recommended by the Department of Agriculture and Markets. The hook-up restriction resolution would limit the connections to the public water system to agricultural uses and existing non-farm uses.

All standard construction practices will be used to minimize ground disturbance, erosion, and drainage problems that may result during and after construction until ground cover has been re-established. The Town will require the contractor to comply with specific construction requirements established by the Department of Agriculture and Markets.

VIII. Any Aspects of the Proposed Action Which Would Encourage Non-Farm Development, Where Applicable and Appropriate

The Town of Sennett is predominantly rural in character and intends to maintain its rural or country environment. This project has been planned to correct serious public health and safety problems and not as a means to stimulate growth and development. The long-term growth inducing aspects of the project are not expected to be significant.

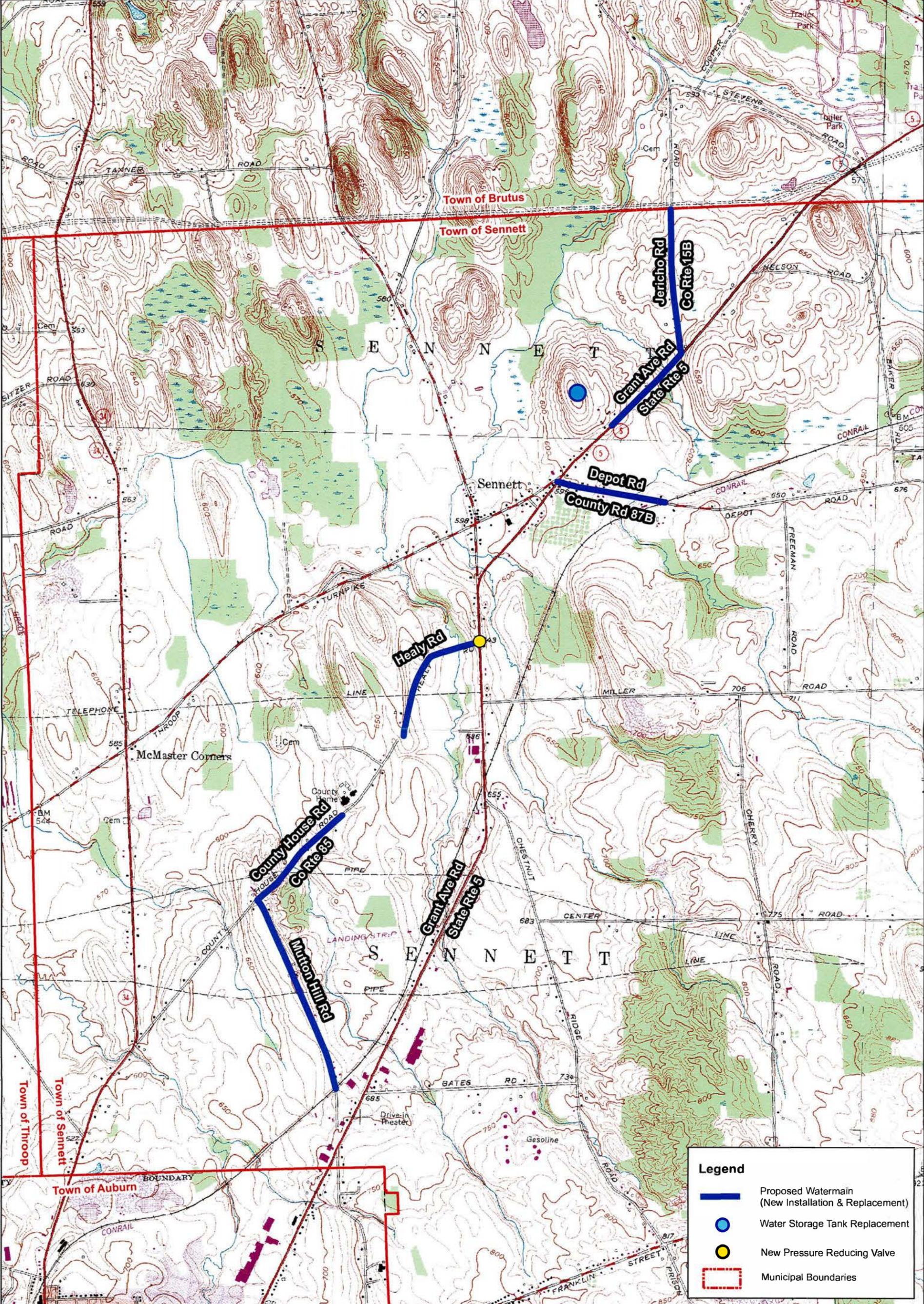
Should you have any questions with regard to this submittal or if you need additional information, please do not hesitate to contact me. My phone number is 585-402-7073 and my email is lwoo@labellapc.com.

Respectfully submitted,

LaBella Associates

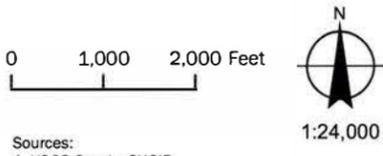
Alexandra Vitulano  
Environmental Planner

Path: J:\Sennett\_Town of 2170711 - WD No 3 & 6 Env. Rev Svcs RAPP Environ SEQR NEPA Maps & Graphics MAP.2018.8.10 USGS\_Sennett3.mxd Creator: LW Reviewer: KSS



**Legend**

- Proposed Watermain (New Installation & Replacement)
- Water Storage Tank Replacement
- New Pressure Reducing Valve
- Municipal Boundaries



Sources:  
 1. USGS Quads: CUGIR  
 2. Roads: TIGER 2010  
 3. Municipal Boundaries: NYS GIS Office 2018

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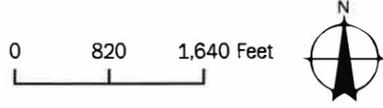
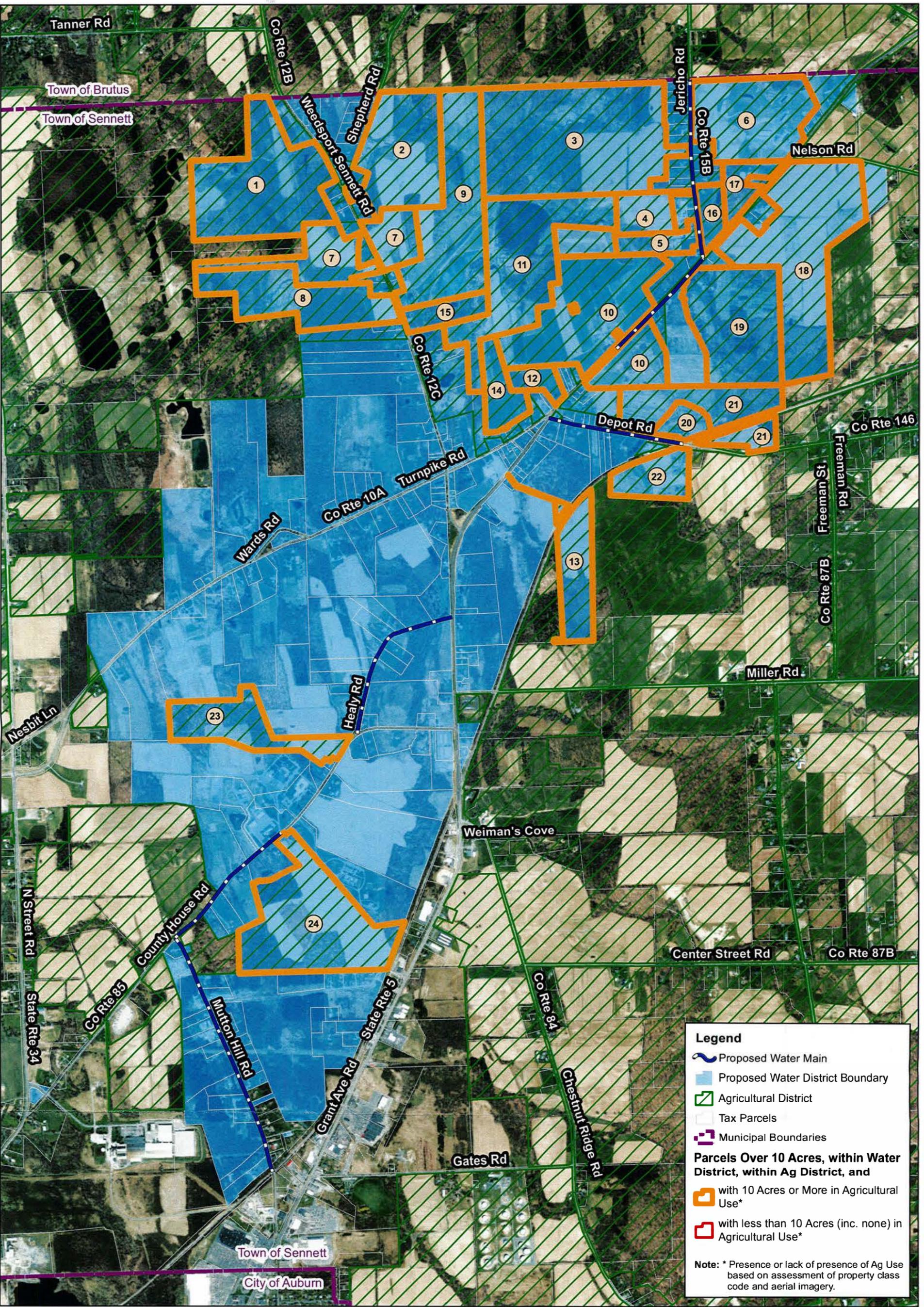
**TOWN OF SENNETT**

**WATER DISTRICT NO. 3**

LaBella Project No : 2170711  
 Date: AUGUST 2018

**USGS LOCATION MAP  
 AUBURN &  
 WEEDSPORT QUADS**

**FIGURE 1**



Sources:  
 1. Tax Parcels: Cayuga County Real Property 2017  
 2. Agricultural Districts: CUGIR 2014  
 3. Roads: TIGER 2010  
 4. Municipal Boundaries: NYS GIS Office 2018

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**TOWN OF SENNETT**

**WATER DISTRICT NO. 3  
 IMPROVEMENTS**

LaBella Project No: 2170711  
 Date: DECEMBER 2018

**PARCEL BOUNDARY  
 MAP WITH AERIAL  
 IMAGERY**

**FIGURE 2**

**Table 1****Farmland Parcels (10 acres or greater) within a Cayuga County Agricultural District and Town of Sennett – Water District No. 3**

<b>ID</b>	<b>Property Owner(s) Name and Mailing Address</b>	<b>Tax Map No.</b>	<b>Ag District No.</b>	<b>Total Parcel Acreage</b>	<b>Acres within Water District</b>	<b>Property Classification Code</b>	<b>At Least 10 Acres of Productive Agricultural Land*</b>
1	Panna, Joseph J. 7942 Weedsport Sennett Rd Weedsport, NY 13166-9757	89.00-1- 4.11	5	95.4	95.4	105: Agricultural Vacant Land	<b>Yes</b>
2	Panna, Joseph J. 7882 Weedsport Sennett Rd Weedsport, NY 13166-9757	89.00-1- 19.1	5	66.4	66.4	105: Agricultural Vacant Land	<b>Yes</b>
3	Barbaglia, Vincent 6478 River Rd Jordan, NY 13080	89.00-1- 20.113	5	148.4	148.4	105: Agricultural Vacant Land	<b>Yes</b>
4	Panna, Joseph J. PO Box 278 Auburn, NY 13021	89.00-1- 23.212	5	30.4	30.4	105: Agricultural Vacant Land	<b>Yes</b>
5	O'connell, Timothy & Christine 8041 Jericho Rd Weedsport, NY 13166-9745	89.00-1- 24.1	5	13.1	13.1	240: Rural Residence with Acreage	<b>Yes</b>
6	Senprop, LLC 816 W Genesee Street Rd Skaneateles, NY 13152-9311	90.00-1- 2	5	65.0	65.0	447: Trucking Terminal	<b>Yes</b>
7	Greenwood, Kevin 8037 Weedsport Sennett Rd Weedsport, NY 13166	95.00-1- 9.111	5	51.2	51.2	323: Vacant Rural Land	<b>Yes</b>
8	Greenwood, Kevin 8037 Weedsport Sennett Rd Weedsport, NY 13166	95.00-1- 10.1	5	57.5	57.5	105: Agricultural Vacant Land	<b>Yes</b>
9	Panna, Joseph J. 7882 Weedsport Sennett Rd Weedsport, NY 13166-9757	95.00-1- 13	5	87.3	87.3	241: Rural Residence with Some Ag Acreage	<b>Yes</b>
10	Panna, Joseph J. PO Box 278 Auburn, NY 13021	95.00-1- 14.1	5	111.1	111.1	112: Dairy Farm	<b>Yes</b>

**Table 1****Farmland Parcels (10 acres or greater) within a Cayuga County Agricultural District and Town of Sennett – Water District No. 3**

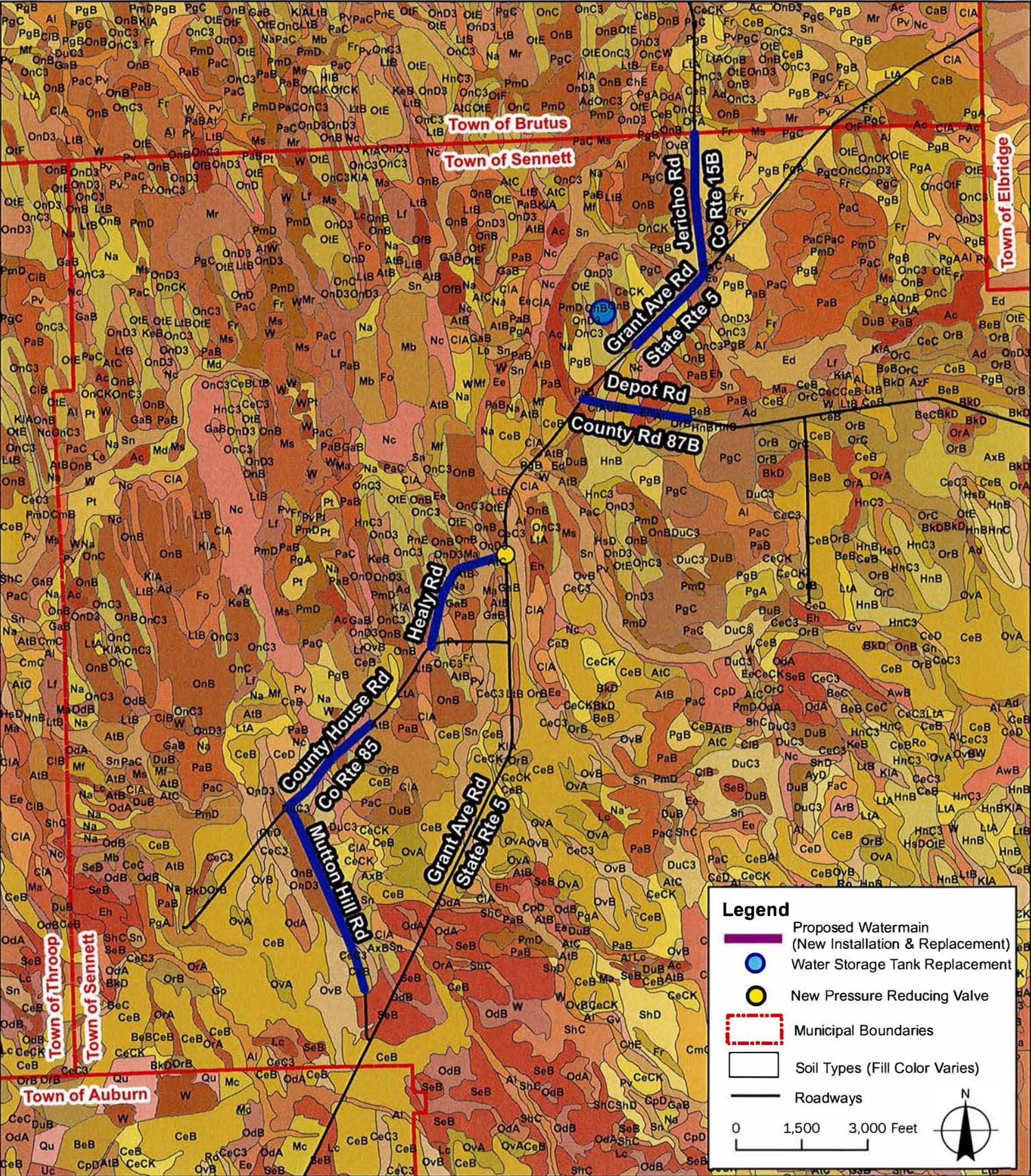
<b>ID</b>	<b>Property Owner(s) Name and Mailing Address</b>	<b>Tax Map No.</b>	<b>Ag District No.</b>	<b>Total Parcel Acreage</b>	<b>Acres within Water District</b>	<b>Property Classification Code</b>	<b>At Least 10 Acres of Productive Agricultural Land*</b>
11	Panna, Joseph J. 7882 Weedsport Sennett Rd Weedsport, NY 13166-9757	95.00-1- 14.2	5	92.2	92.2	105: Agricultural Vacant Land	<b>Yes</b>
12	Wells, Robert 7861 Grant Avenue Rd Auburn, NY 13021-8960	95.00-1- 20	5	10.1	10.1	240: Rural Residence with Acreage	<b>Yes</b>
13	O'Connell, Michael & John 8019 Jericho Rd Weedsport, NY 13166	95.00-1- 26	5	34.1	34.1	105: Agricultural Vacant Land	<b>Yes</b>
14	Panna, Joseph J. PO Box 278 Auburn, NY 13021	95.00-1- 43.21	5	19.4	19.4	105: Agricultural Vacant Land	<b>Yes</b>
15	Mabbett, Richard & Kathryn 7934 Weedsport Sennett Rd Weedsport, NY 13166-9757	95.00-1- 47	5	14.8	14.8	240: Rural Residence with Acreage	<b>Yes</b>
16	O'Connell, Michael & John 8019 Jericho Rd Weedsport, NY 13166	96.00-1- 2.1	5	11.3	11.3	210: Single Family Home	<b>Yes</b>
17	Connors, Thomas D.; McNally, Constance J 8113 Grant Avenue Rd Weedsport, NY 13166-3168	96.00-1- 3.1	5	14.6	14.6	240: Rural Residence with Acreage	<b>Yes</b>
18	Property Owner 8294 Jericho Rd Weedsport, NY 13166	96.00-1- 4.131	5	116.4	116.4	170: Nursery and Greenhouse	<b>Yes</b>
19	Murray, Catherine; Jeffers, Daniel & Rebecca 3564 Oak Hill Rd Moravia, NY 13118-3587	96.00-1- 24.1	5	74.0	74.0	320: Vacant Rural Land	<b>Yes</b>
20	Opanhoske, Christopher J. 3373 Depot Rd Auburn, NY 13021	96.00-1- 31.3	5	10.2	10.2	240: Rural Residence with Acreage	<b>Yes</b>

**Table 1**

**Farmland Parcels (10 acres or greater) within a Cayuga County Agricultural District and  
Town of Sennett – Water District No. 3**

<b>ID</b>	<b>Property Owner(s) Name and Mailing Address</b>	<b>Tax Map No.</b>	<b>Ag District No.</b>	<b>Total Parcel Acreage</b>	<b>Acres within Water District</b>	<b>Property Classification Code</b>	<b>At Least 10 Acres of Productive Agricultural Land*</b>
21	Potter, John M. 3454 Miller Rd Auburn, NY 13021	96.00-1- 31.41	5	50.6	50.6	105: Agricultural Vacant Land	<b>Yes</b>
22	Dilaj, Ihor 3324 Depot Rd Auburn, NY 13021-9447	96.00-1- 31.42	5	22.1	22.1	312: Vacant Residential Land w/ Improvement	<b>Yes</b>
23	Montross Farms, LLC 7309 County House Rd Auburn, NY 13021-8967	102.00- 1-6.1	5	41.8	41.8	105: Agricultural Vacant Land	<b>Yes</b>
24	Hourigan Farms of Elbridge, LLC 878 Gorham Rd Elbridge, NY 13060	102.04- 1-3.1	5	96.2	96.2	120: Productive Agricultural Land	<b>Yes</b>
<b>24 Properties with 10 or More Acres of Active Farmland</b>				1,333.6	1,333.6		
<b>0 Properties with Less than 10 Acres of Active Farmland, including None</b>				0.0	0.0		
<b>24 Properties Total</b>				1,333.6	1,333.6		

Note: \* LaBella's assessment based on aerial imagery.



Sources:  
 1. Soils: CUGIR  
 2. Roads: TIGER 2010  
 3. Municipal Boundaries: NYS GIS Office 2018  
 4. Imagery: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus D.S, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**LaBella**  
 Powered by partnership  
**TOWN OF SENNETT**

**WATER DISTRICT NO. 3**  
 LaBella Project No : 2170711  
 Date: AUGUST 2018

**SOILS MAP**  
**FIGURE 5**



Robert Somers, Ph.D., Manager  
Farmland Protection Unit  
State of New York Department of Agriculture and Markets  
Division of Land and Water Resources  
10B Airline Drive  
Albany, New York 12235

February 6, 2019

Re: Preliminary and Final Notice of Intent- Proposed Advance of Public Funds to Construct a Waterline to be Located in a Portion of Cayuga County Agricultural District No. 5, Town of Sennett - Water District No. 3 Improvements

Dear Mr. Somers:

The Cayuga County Agriculture & Farmland Protection Board received correspondence and a copy of the Preliminary and Final Notice of Intent documents regarding the proposed water project for the Town of Sennett. The Board reviewed said proposal as it relates to properties located in Cayuga County Agricultural District No. 5; and requests that you require of the Town the following:

1. Adopt a Town Law which places lateral restrictions for non-agricultural uses on parcels in Cayuga County Agricultural District No. 5, excluding existing development, on all parcels with potential access to the proposed water line. The Board recognizes that the intent of this project is to provide potable water to existing residential and commercial developments; however, without a lateral restriction law in place, new lateral connections could be permitted in the project area which would lead to an increase in residential development and loss of the active agricultural lands in this area.
2. Enter into a legal agreement, as part of their construction contract/agreement, with the Town's chosen contractor which states that for all affected agricultural properties:
  - a. The contractor shall work with property owners in the proposed project area to identify all private water and drainage lines, including tile drainage lines, prior to final design and construction of the proposed water line.
  - b. All existing drainage facilities will be restored in kind during final restoration, including repair/replacement of any damaged drainage pipe, grading, and re-establishment of topsoil and seeding (if appropriate).
  - c. Require that the contractor warranty the construction and drainage facility (drain tile) restoration work for a minimum of one year to ensure that no farm fields experience new or increased areas of flooding as a result of this construction project.

3. Additionally, the AFPB would like to strongly encourage the Town of Sennett to require its engineer to prepare a SWPP plan and obtain a SPDES permit from NYS DEC for this project whether the proposed disturbance area requires one or not as insurance against potential negative impacts on the environment and uncontrolled stormwater runoff during construction.

Lastly, the AFPB requests that in paragraph three of Section III: Agricultural Impact of the Proposed Action, Including Short and Long-Term Effects, that the engineer remove from the NOI document the word “contaminated”. While the AFPB recognizes that some home owners may have seasonally inadequate water supplies and some may have high concentrations of sulfur or other naturally occurring elements in their well water, there is no documentation to support the claim that any private water system in this area is contaminated.

These items will help further alleviate negative impacts on agricultural properties and operations in addition to the mitigation measures provided in the Preliminary & Final NOI.

Sincerely,



Kari Terwilliger, AFPB Staff on behalf of  
, Chair