

Agricultural District Review Frequently Asked Questions:

Q: *What do I do with this "Agricultural District Review Sheet" form?*

A: Please fill out the form to the best of your ability and return it to the County Planning Department. The County is required by NYS Agriculture & Markets to report a summary of "census" data for the farms in the County's Agricultural District once every 8 years when we conduct the required review of the district. The information provided on the form will help us provide this summary to the State and capture a "snapshot" of the current state of agriculture in our county. All personal information and parcel identifying information is kept strictly confidential.

Q: *My property is not farmed, what effect does being in the Agricultural District have on my property?*

A: There is no effect on non-farm properties by being in the Agricultural District. Being in the district **does not** affect property taxes, property values, or property assessments for any parcel regardless of use; nor does it guarantee that any parcel will receive any tax exemptions. Land in County Agricultural Districts are protected by the State's Right-To-Farm Law.

Q: *Why might someone want to take their property out of the Agricultural District?*

A: A property owner that wants to develop their vacant land for either commercial or residential development may want to remove their property from the County's Agricultural District if the property is currently restricted from hooking up to public water or sewer service by being in the district. For example, when towns and villages establish a new water or sewer district that includes parcels located in the County's Agricultural District they are almost always required to adopt a lateral restriction law for that new water or sewer district. Essentially this means that any vacant parcel that is in both the water or sewer district and in the County's Agricultural District is prohibited from tapping into that water or sewer line to receive water or sewer service as long as the parcel remains in the County's Agricultural District. **The only time a property owner may remove their land from the County's Agricultural District, by law, is during the 8 year review of that district.** If you'd like to remove your property from the County's Agricultural District a removal request form, available from the County Planning Department, must be filled out and returned to the County Planning Department by August 1, 2019; otherwise you will have to wait another 8 years to do so.

Q: *What are the benefits of being in the Agricultural District?*

A: Agricultural Districts are formed under the provisions of the New York State Agriculture & Markets Law and are designed to protect farming from a variety of non-farm activities that can make farming more difficult and contribute to the conversion of farmland to non-farm uses. Some benefits to farm operations located in a County Agricultural District include:

- The obligation of State agencies to encourage the maintenance of viable farming in agricultural districts;
- Limitations on the exercise of eminent domain;
- Limitations on the siting of solid waste management facilities on land dedicated to agricultural production;
- Local governments are required to avoid unreasonable restrictions in the regulation of farm operations when exercising their powers to enact and administer comprehensive plans, local laws, ordinances, rules and/or regulations;
- Agricultural Land owners may be eligible for an agricultural property tax assessment and/or agricultural property tax exemption provided they comply with certain requirements of NYS Agriculture & Markets Law;
- Agricultural Land owners are protected from private nuisance lawsuits so long as they are adhering to sound agricultural practices as determined by NYS Agriculture & Markets and by requiring the disclosure to prospective buyers of real property that the property is in an or adjacent to an agricultural district.