



Town of Mentz

Agriculture & Farmland Protection Plan

Adopted December 19, 2017



**Agriculture
and Markets**

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

February 16, 2018

Honorable Richard Niensens, Jr.
Town of Mentz
PO Box 798
Port Byron, NY 13140

RE: Municipal Agricultural and Farmland Protection Plan

Dear Supervisor Niensens:

We have concluded our review of the Agricultural and Farmland Protection Plan for the Town of Mentz which was adopted by the Town Board on December 19, 2017, and approved by the Cayuga County Agricultural and Farmland Protection Board on November 16, 2017. Pursuant to Section 324-a of the Agriculture and Markets Law (AML), and consistent with the legislative intent of Article 25-AAA of the AML to promote local initiatives for agricultural and farmland protection, I approve the plan.

I commend the Town Board for its initiative and effort in developing the Plan. The Plan contains a number of very good recommendations.

The Department supports the Town's actions to establish a permanent Agricultural Advisory Committee. This committee can play an important role in advising the Town Board on agricultural issues, providing input to the County Agriculture and Farmland Protection Board and assisting in the implementation of the Plan.

Further, the Department would encourage the Town to advance implementation of the following key actions contained in the Plan:

Update the Town's zoning ordinance, subdivision regulations and development approval procedures designed to direct future residential and commercial growth away from prime agricultural lands.

Work with the school district and other agencies/ local not-for-profits to provide education about making healthier food choices. The NY Farm to School and Farms

Honorable Richard Niensens, Jr.

Page 2

February 16, 2018

to Institutions programs were created to connect schools and institutions with local farms and food producers to strengthen local agriculture, improve student health and promote regional food systems awareness.

Work with the County Planning Department and Cornell Cooperative Extension to create a farm succession planning workshop that explores legal and financial mechanisms used to transfer farms and farmland to the next generation.

Establish a process for new, young and beginning farmers to help identify viable agricultural lands that will become available for farming, now and into the future.

We look forward to working with you in furthering the protection and development of farm operations and agricultural resources in Mentz. Thank you for your continued support of New York agriculture.

Sincerely,



Richard A. Ball,
Commissioner

cc:

Patrick Mahunik, Chairman, Cayuga County Legislature
David Shurtleff, Chair, Cayuga County Agricultural and Farmland Protection Board
Douglas Ververs, Executive Director, Cornell Cooperative Extension of Cayuga County
Stephen Lynch, Director, Cayuga County Planning and Economic Development
Kari Terwilliger, Planner, Cayuga County Planning and Economic Development
Judy Wright, Resource Educator, Cornell Cooperative Extension of Cayuga County

Acknowledgements

The Town of Mentz Agriculture & Farmland Protection Plan was funded by a Municipal Planning Grant through the New York State Department of Agriculture and Markets, the Town of Mentz, and with in-kind support from the Cayuga County Department of Planning & Economic Development. This plan would not have been possible without the dedication, hard work, and support from the following individuals:

Town of Mentz Town Board Members

Richard T. Nielens, Jr., Town Supervisor
Mark Emerson, Deputy Supervisor
Barbara Clancy
Jeff Mills
Matt Poyneer

Town of Mentz Agricultural Planning Committee

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Mark Emerson	Darrin Rooker
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Jack O'Neil	Robert Warrick
Richard T. Nielens, Jr.	Dwight Wethey
	Charleen Wood

Town of Mentz Staff

Charleen Wood, Town Clerk
Michael Riley, Town Historian
Jay Moose, Code Enforcement Officer

Cayuga County Department of Planning & Economic Development

Kari Terwilliger, AICP; Senior Planner

Residents of the Town of Mentz

Adopted by the Town of Mentz: December 19, 2017

Cover Photograph by Kari Terwilliger, AICP

Table of Contents

Introduction	pg. 1
Agricultural Operations in Mentz	pg. 4
Farmland Protection Suitability Analysis	pg. 6
Vision for the Future of Agriculture in the Town of Mentz	pg. 17
Definitions	pg. 18
Goals for Farmland Conservation and Protection	pg. 20
Objectives and Implementation Strategies Matrix	pg. 24
Appendix 1: Inventory and Analysis	pg. 27
History of Agriculture in Mentz	pg. 27
Demographics and Trends	pg. 30
Land Use and Zoning	pg. 32
Natural Environment	pg. 34
Surficial Geology	pg. 34
Hydrologic Soil Groups	pg. 35
Hydrology	pg. 36
Landcover	pg. 37
Soil Texture	pg. 38
Prime Agricultural Soils	pg. 39
Agricultural Assessment Value of Soils	pg. 40
Cayuga County Agricultural District	pg. 41
Farm-Friendly Audit	pg. 42
Public Outreach	pg. 51
Farmland Protection Suitability Index	pg. 56
Appendix 2: Town of Mentz Right-to-Farm Law (draft)	pg. 58
Appendix 3: Model Lateral Restriction Law	pg. 61
Appendix 4: Establishing an Agricultural Advisory Committee	pg. 62

Introduction

Agriculture has been an important way of life and economic driver in Mentz, New York since before the Town was founded; and became increasingly so when the Erie Canal and Lock 52 were constructed through the Town and the Village of Port Byron. Like other Canal communities in this region, several value added agricultural industries developed in Mentz; and while the intensity of production of value added agricultural products has waned over the years, farming is still the largest land use in Mentz, covering over 67% of the total acreage in the Town. The importance that the Town places on agriculture was made evident during the joint Comprehensive Planning process for the Town of Mentz and the Village of Port Byron. The plan identifies “Promote farmland protection and support economic development in the farming industry in the Town of Mentz.” as one of the primary goals along with “Preserve the rural character of the Town of Mentz”.

There are several land use trends and economic conditions which have led to the need for farmland protection strategies in Mentz including: 1) single-family residential development pressure on farmlands adjacent to the Town limits from the neighboring Towns of Throop and Brutus; 2) NYS Thruway and State and County highway improvements have resulted in a shorter commute to both the City of Auburn and the City of Syracuse which has made the Town more attractive for development; 3) the lack of clear land use policies and subdivision regulations addressing the fragmentation of farmland; 4) development of lands critical to surface and groundwater supplies which the local farming industry relies upon; and 5) the development of low-lying flood prone areas and wooded or forested areas that act as natural buffers, wildlife habitat, and flood control areas adjacent to farmland.

A key strategy for determining the focus for the goals and objectives of this plan was to perform a “Farm-Friendly Audit” on the Town’s existing Zoning Code, Local Laws and Regulations as well as previous planning efforts. The table below highlights some of the findings from this exercise with regards to the Town’s Zoning Law and other Local Laws. The complete audit, which also includes a review of the Joint Comprehensive Plan, is included in Appendix 1 beginning on page 42. This Agriculture & Farmland Protection Plan takes the Goals of the Comprehensive Plan, as they relate to agriculture and farming, a step further by developing an actionable plan to conserve farmland, support agricultural economic development, educate residents about the importance of agriculture, and engage the youth of the community to introduce them to the joys and benefits of consuming locally grown foods.

Highlights from the Farm-Friendly Audit of the Town Zoning Code			
Areas of Potential Conflict		Areas Supporting Agriculture	
§4.201 A-1 Agricultural Use Class 8	The description of “customary accessory uses” does not include accessory uses that are in fact customarily accessory to agricultural operations.	§4.201 A-1 Agricultural	The reduction of the minimum lot size for a single-family dwelling in an A-1 district from 5 acres to 1 acre (43,560 sq.ft.) some years ago. This reduction in minimum lot size helps to reduce the amount of farmland that is lost to residential development, particularly the development that is typical in the Town of Mentz at one or two lots at a time.
§4.201 A-1 Agricultural	The maximum building coverage of 20% on a farm should be analyzed to ensure that the limitation of 20% is not overly restrictive to modern day farms that may need several barns, silos, and storage facilities.	§4.201 A-1 Agricultural Use Class 9	Inclusion of agri-businesses to the list of permitted “subordinate” farm uses
§4.201 A-1 Agricultural Use Class 9	The definition of related agricultural uses is confusing because it seems to require a special use permit for the removal of top soil, and for a variety of agricultural buildings and uses that are typically permitted by right in agricultural zoning districts.	§5.102	Height limitations do not apply to farm structures.

The intent of this document is to support agricultural activities and farmers; work with property owners to encourage them to develop and subdivide “smartly” by preserving access to as much farmland as possible while still maintaining their property rights; and to educate the non-farming public about the importance of farming not only in this community but in our region and state as well. Currently, the State’s Right-to-Farm Law applies to parcels in the Town which are in the County’s Agricultural District. In order to further emphasize the importance of agriculture in the Town of Mentz, a Town wide Right-to-Farm Law which will apply to every parcel in the Town regardless if they are covered by the State’s Law or not is a key recommendation of this plan. Neither the Town Board, the Planning Board, nor the Zoning Board of Appeals, as a result of this plan, will create any local law to permanently protect or conserve a property owner’s land for farming without their consent. Any and all permanent protections of agricultural lands will be initiated by the property owner his/herself and the Town may provide assistance to said property owner if requested.

The Town of Mentz Agriculture and Farmland Protection Plan **is not** a Town Law. This document will provide guidance to Town Officials when laws and regulations are updated over time with regards to the needs of the agricultural community. As with the Comprehensive Plan, this document is not meant to be static, but rather evolve and be updated over time with the help of the Town’s Agricultural Advisory Committee as the needs of farmers, trends in the agricultural industry, and development pressures change. This document should also be used as guidance and inspiration for the community to create programs and activities which can improve the agricultural economy in the Town and encourage landowners to think about the future of farming in this community.



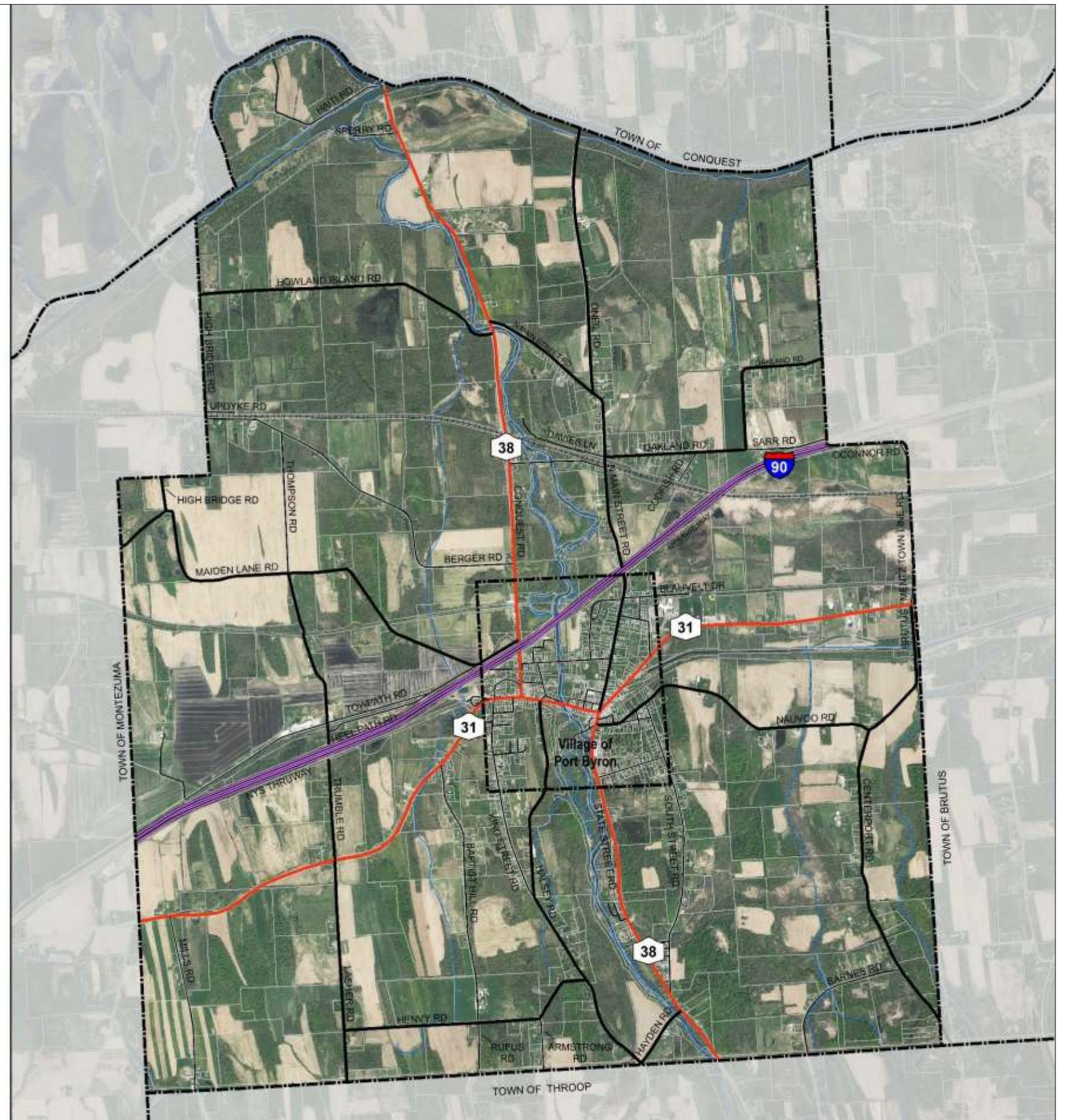
Farm on Baptist Hill Road, taken from hill on Henvy Road.

TOWN OF MENTZ Agriculture & Farmland Protection Plan

MAP #1- Aerial Imagery

Legend

-  Parcels
-  Streams
- Roadways**
-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  CSX Railroad



Agricultural Operations in Mentz

Like many areas in Central New York, particularly in Cayuga County, the number of farm operations active in the Town of Mentz has slowly been declining over the past 20 years; however, the land lost to residential development through subdivisions has not been significant (only 169.74 acres between 2003 and 2016). The trend in the region has been one of farm operation consolidation with smaller farms being purchased and aggregated into larger operations; and like many towns in the county, farm operations do not stay within municipal boundaries...they exist where the land they need and can purchase exists. For instance, three large dairy farms (two operating out of the Town of Scipio in the southern portion of Cayuga County and one operating out of the Town of Elbridge to the east in Onondaga County) have purchased cropland in the Town of Mentz to grow corn, soybeans, and other silage grains to feed their cows. The most impactful of these purchases has resulted in the conversion of approximately 300 acres of rich active muck land, that produced massive quantities of traditional “truck crops” like onions, potatoes, cabbage, celery, etc. for generations as Marten’s Farms, into corn and soybean fields. While the “kitchen” facility for Marten’s Farms still processes and distributes “truck crops”, the owners are no longer growing the produce themselves, rather it is purchased wholesale from other growers to be processed and sold to grocery stores and restaurant supply distributors.

As with other areas of the county and NYS, the Town of Mentz is experiencing an increase of new and beginning farmers that are looking to start small family farms, hobby farms, and expand into crop production to support wineries and breweries. This is an exciting trend that should help stabilize the loss of agricultural land in the town and the region. The resources and support structure developed by Governor Andrew M. Cuomo and Richard Ball, Commissioner of the Department of Agriculture & Markets for new and beginning farmers will be promoted and distributed by the Town of Mentz in an effort to encourage younger generations and those looking for a rewarding second career to join the agricultural community and work together to protect the farming legacy in New York State.

Currently, there are 140 parcels (6,688.95 acres) used for agricultural production in the Town of Mentz and the Village of Port Byron. Of those, 7 parcels (435.9 acres) are known to be rented to local farmers from non-farmer land owners. The Agricultural Advisory Committee was able to identify 37 different unique farm operations on 72 parcels (3,921.69 acres) by farm operation type. The dominant agricultural use of farm parcels in the town is for cash crops/row crops like corn and soybeans. The table below summarizes the number of each type of farm operation in the town, and Map 2 illustrates the distribution of these farm operation types across the Town and Village.



TOWN OF MENTZ Agriculture & Farmland Protection Plan

MAP #2- Farms by Operation Type

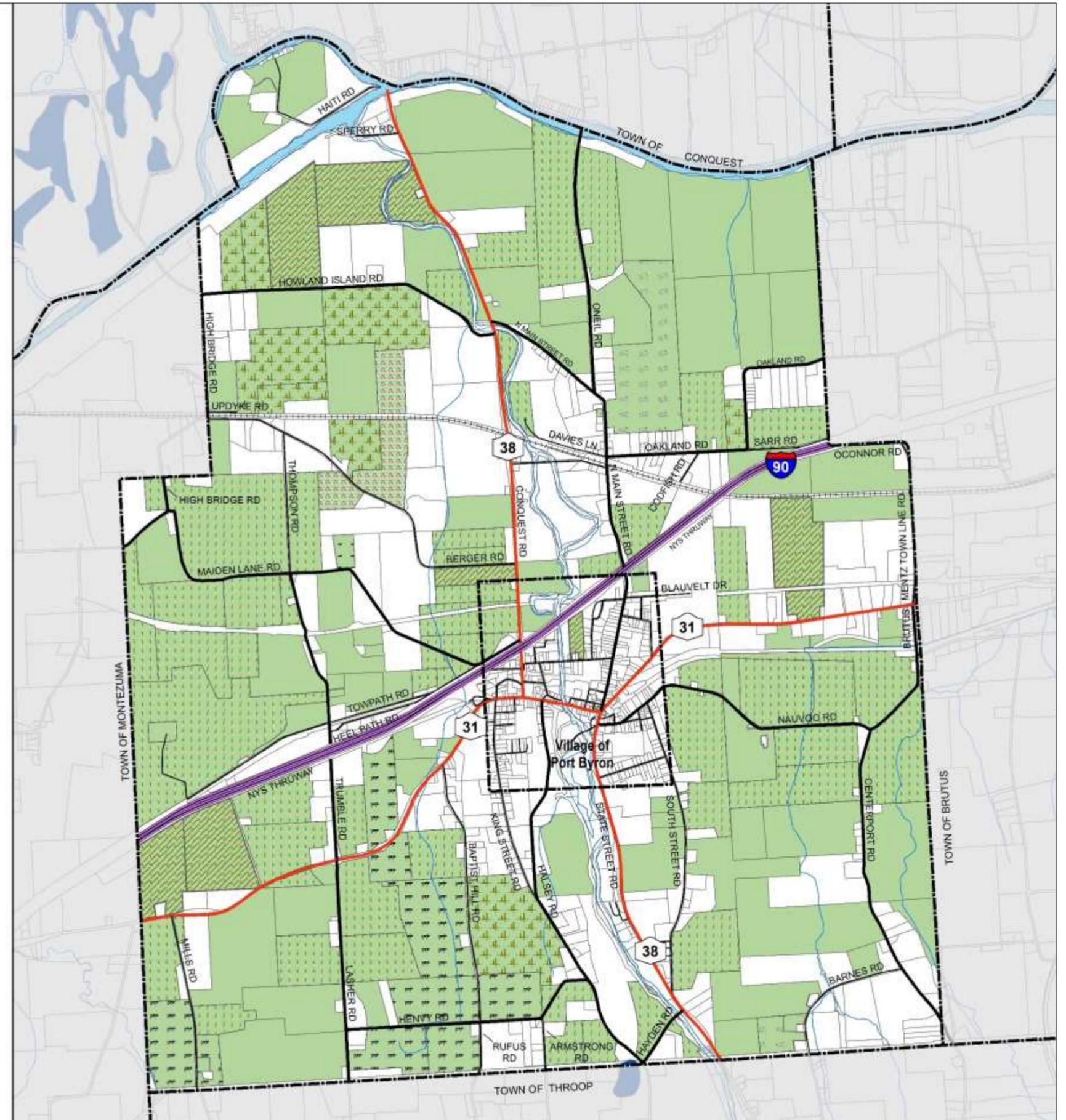
Legend

- Parcels
- Seneca River
- Lakes
- Streams
- Agricultural
- Agricultural- rented
- Interstate Hwy
- State Route
- County Hwy
- Local Road
- CSX Railroad

Farm Operation Type

- Cash Crops (Corn, Soybeans, etc.)
- Dairy
- Equine
- Hay/Pasture
- Livestock
- Specialty

Farm Operation Type	# of Parcels Utilized	Acres Utilized	# of Farm Operations
Cash Crops	59	3,218.47	30
Dairy	6	434.84	2
Equine	4	165.11	3
Livestock	1	10.08	1
Specialty Crops	2	93.19	1
TOTAL:	72	3,921.69	37



Farmland Protection Suitability Analysis

One tool used to determine, objectively, which agricultural lands in a community should be protected is a farmland protection suitability analysis. This analysis is most often used to evaluate applications for Purchase of Development Rights (PDR) programs. The criteria in the analysis used here in this plan, is similar to what the NYS Department of Agriculture & Markets (NYSDAM) uses to evaluate applications that they receive for their Farmland Protection Implementation Grant program, which historically has funded PDR projects. An incentive PDR program is often appealing to agricultural property owners given the continuing evolution of the agricultural industry, and often, the lack of future generations interested in taking over the family farm business; because landowners can receive compensation for permanently extinguishing the right to develop their land for a future use other than agriculture, thus preserving the land forever for farming. The suitability analysis for PDR is also useful as a guide for other farmland protection programs and policies.

It is this analysis, along with recommendations from the Town of Mentz and Village of Port Byron Joint Comprehensive Plan, which have helped shape the Goals, Objectives, and Implementation Strategies of this Agriculture & Farmland Protection Plan. It will also guide the Town of Mentz Agricultural Advisory Committee as they pursue adoption and completion of these strategies. The final suitability map (Map 12 on page 16) highlights the current agricultural parcels, which in the areas described below, scored the highest and therefore can be considered to be some of the most viable and productive agricultural lands in the Town.

There are several factors in the farmland protection suitability analysis which combine to ultimately create a composite index of weighted scores based on the series of land attributes described below. Each agricultural parcel in Mentz has received a score from 0-100, with 100 being the most suitable for protection. A complete listing of index values can be found in the appendix of this plan. The five criteria used to determine suitability index values are:

- Proximity to protected farmland (PDR parcels)
- Proximity to the following natural resources
 - Lakes or a Major Pond
 - River or Streams
 - Wetlands
 - Aquifers
- Parcel size
- Percentage of the parcel available for agricultural use
- Quality of soils for agricultural production on the parcel

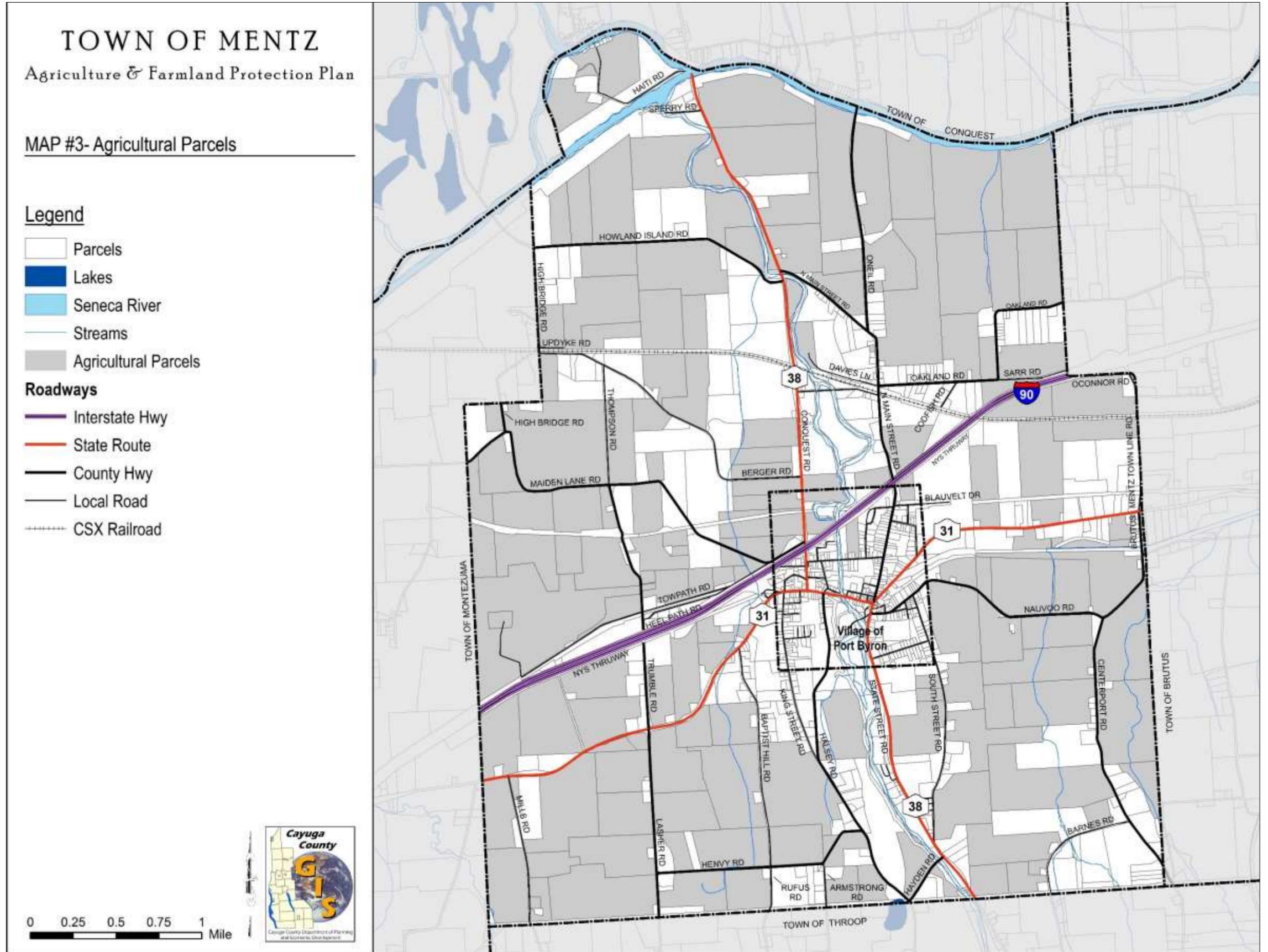
The first step in conducting a farmland protection suitability analysis is to identify and refine specifically which parcels will be analyzed, referred to as the “agricultural parcels”. For the Town of Mentz, all active agricultural parcels located in the Town and in the Village which met the following criteria were chosen:

- Received and Agricultural Tax Exemption in either 2015 or 2016
- 100 Series and 241 property tax classification codes
- Identified as being farmed on returned County Agricultural District Review Sheets (2013)
- Identified as being farmed by the Town of Mentz Agricultural Planning Committee
- Appeared to be tilled or under cultivation on the 2015 orthographic aerial imagery

The complete Farmland Protection Suitability Index scoring table, which includes the ranking score for each agricultural parcel in the Town, is located in the Appendix beginning on page 56.

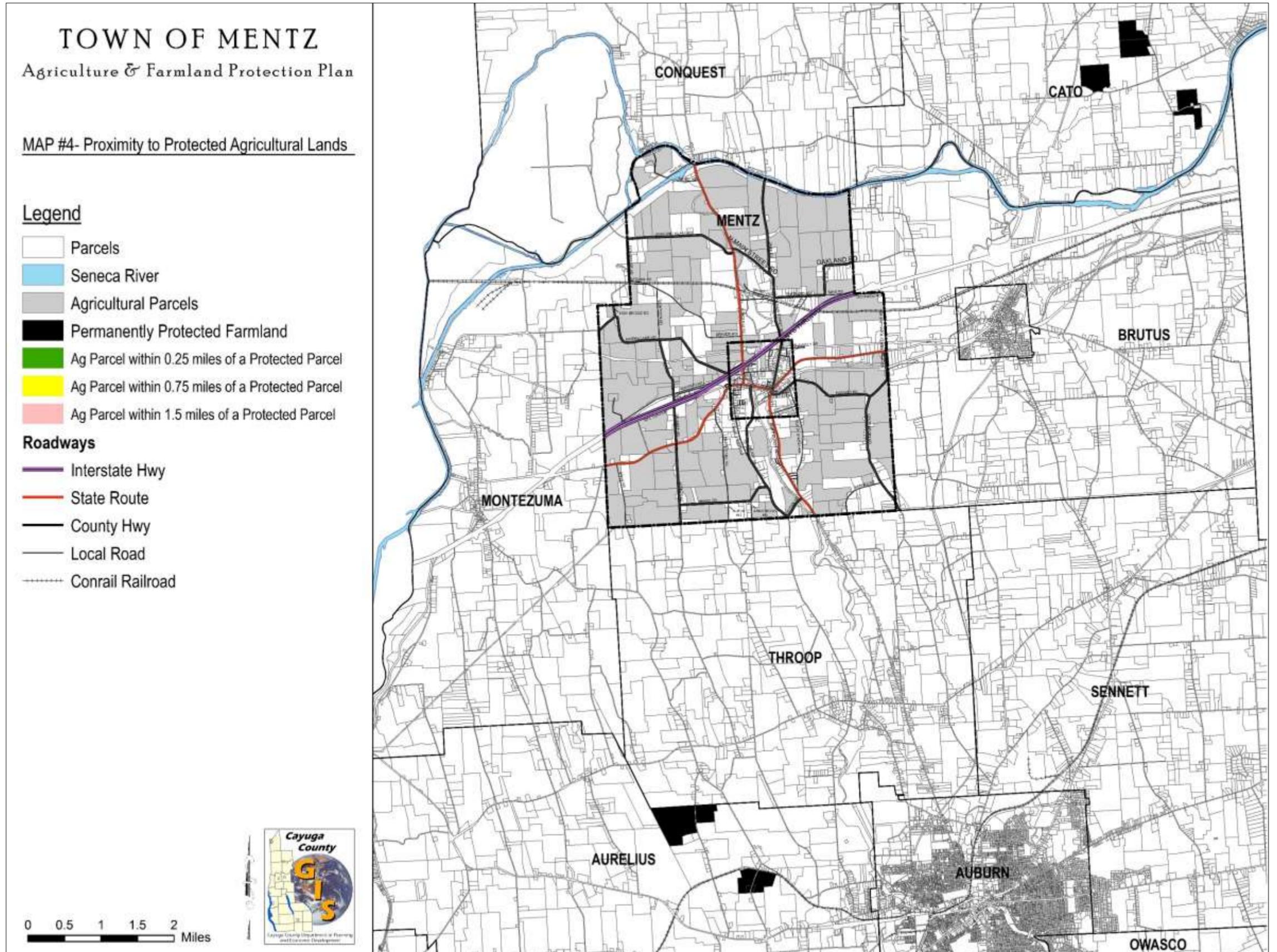
Agricultural Parcels

From this extensive list, as identified with the criteria listed on the previous page, all parcels which were less than 10 acres in area were eliminated from the analysis. Map 3 shows the 140 remaining Agricultural parcels totaling 6,688.95 acres which, prior to any further analysis, appear to have the greatest potential for development pressure: large parcels with road frontage.

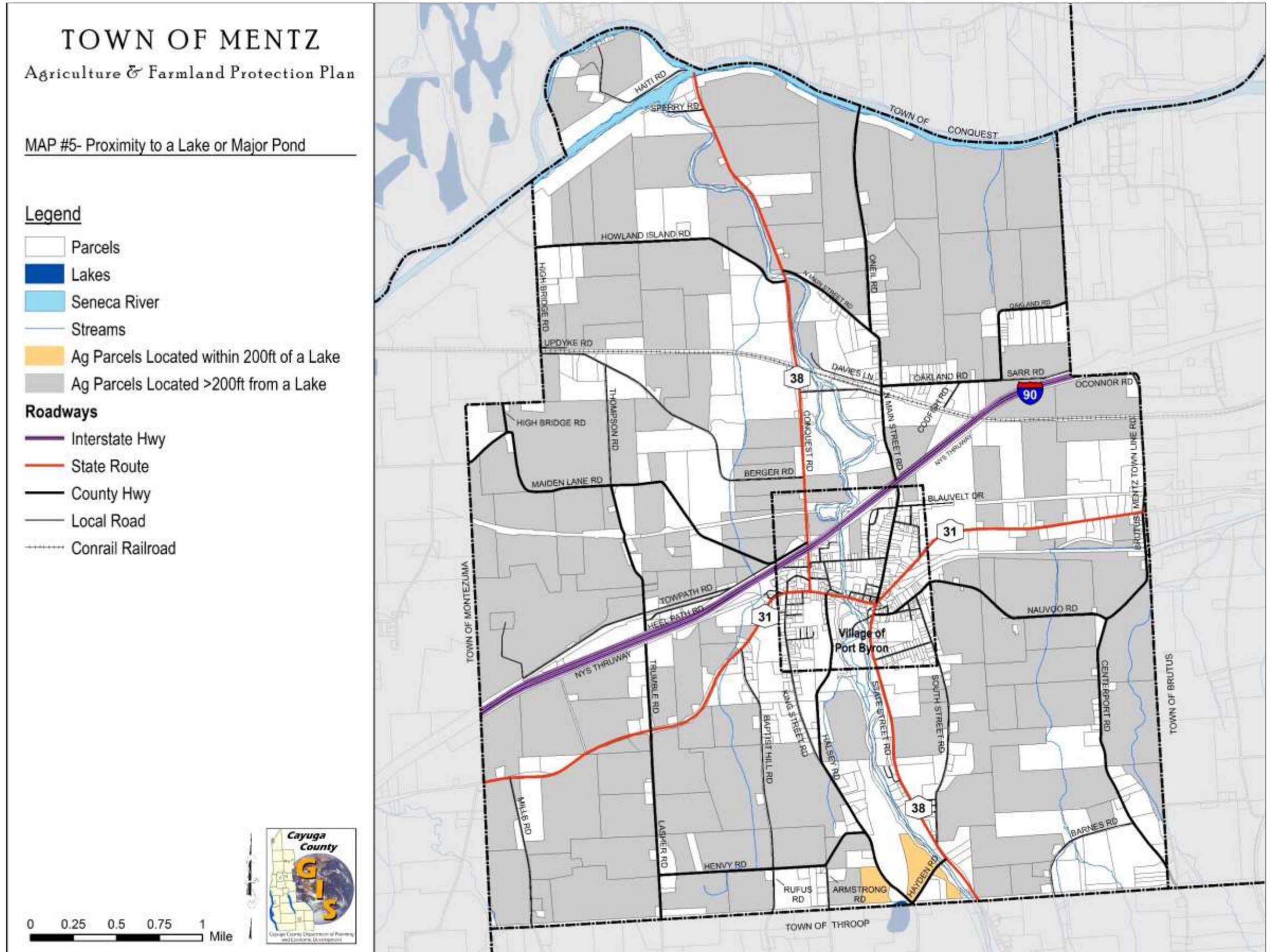


Criteria 1: Proximity to Protected Farmland (10% Weight)

Currently there are no parcels located in the Town of Mentz which have been permanently protected through a PDR program. The closest protected parcels are in the Town of Cato or in the Town of Aurelius as shown on Map 4. Therefore, all parcels received a score of zero for this analysis criteria.



There are four factors in determining the weighted index value for an agricultural parcel's proximity to natural resources. All parcels which are located within 200 feet of a lake or major pond; river or streams; wetlands; and aquifers were selected. A 0-100 scale was then applied to each parcel. For example, a parcel which is not within 200 feet of any of the four resources scored a 0 while a parcel which is within 200 feet of three of the resources scored a 75. Maps 5 through 8 illustrate this analysis.



TOWN OF MENTZ Agriculture & Farmland Protection Plan

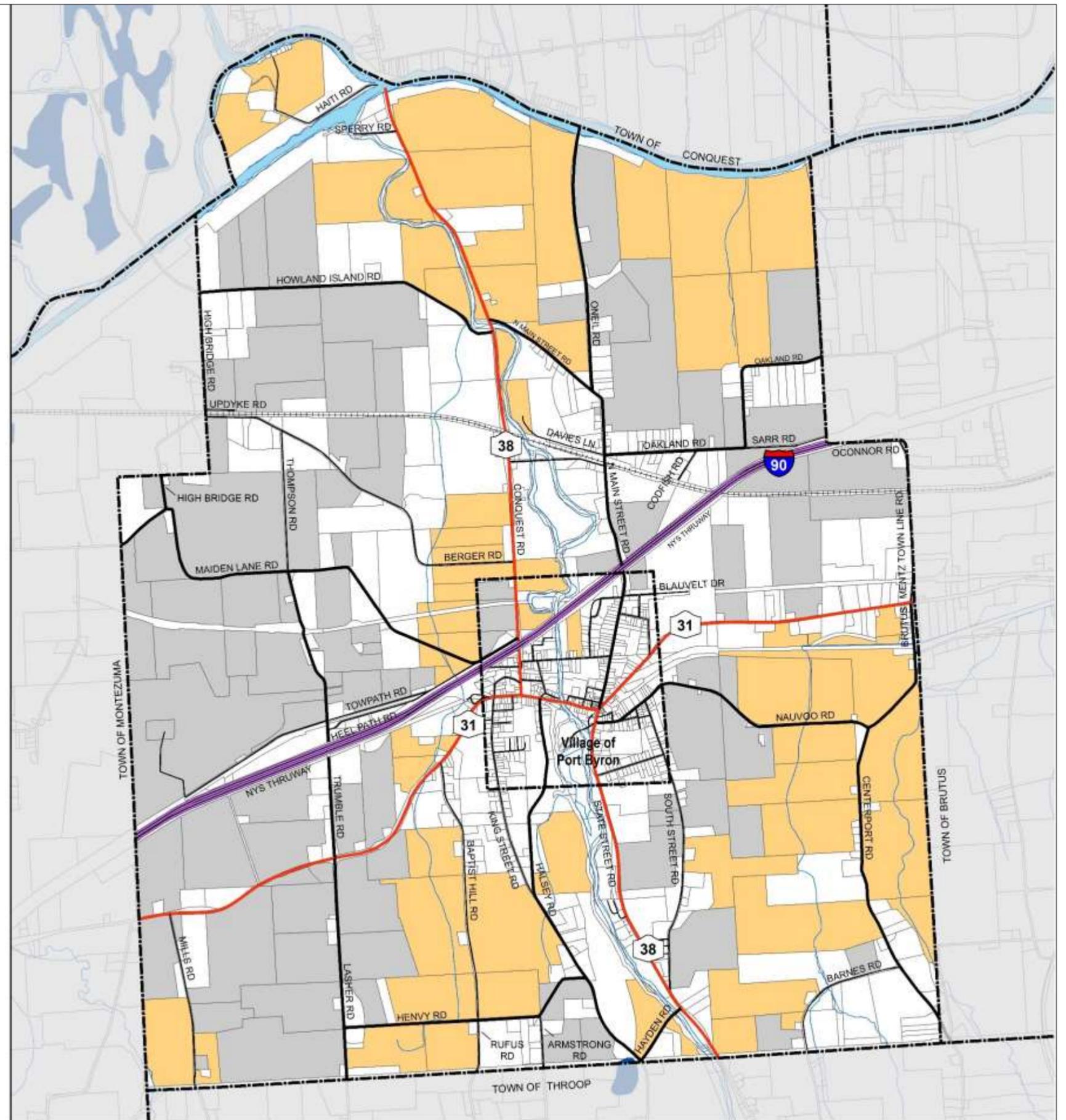
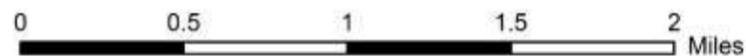
MAP #6- Proximity to a River or Stream

Legend

-  Parcels
-  Lakes
-  Seneca River
-  Streams
-  Ag Parcels Located within 200ft of a River or Stream
-  Ag Parcels Located >200ft from a River or Stream

Roadways

-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  Conrail Railroad



TOWN OF MENTZ

Agriculture & Farmland Protection Plan

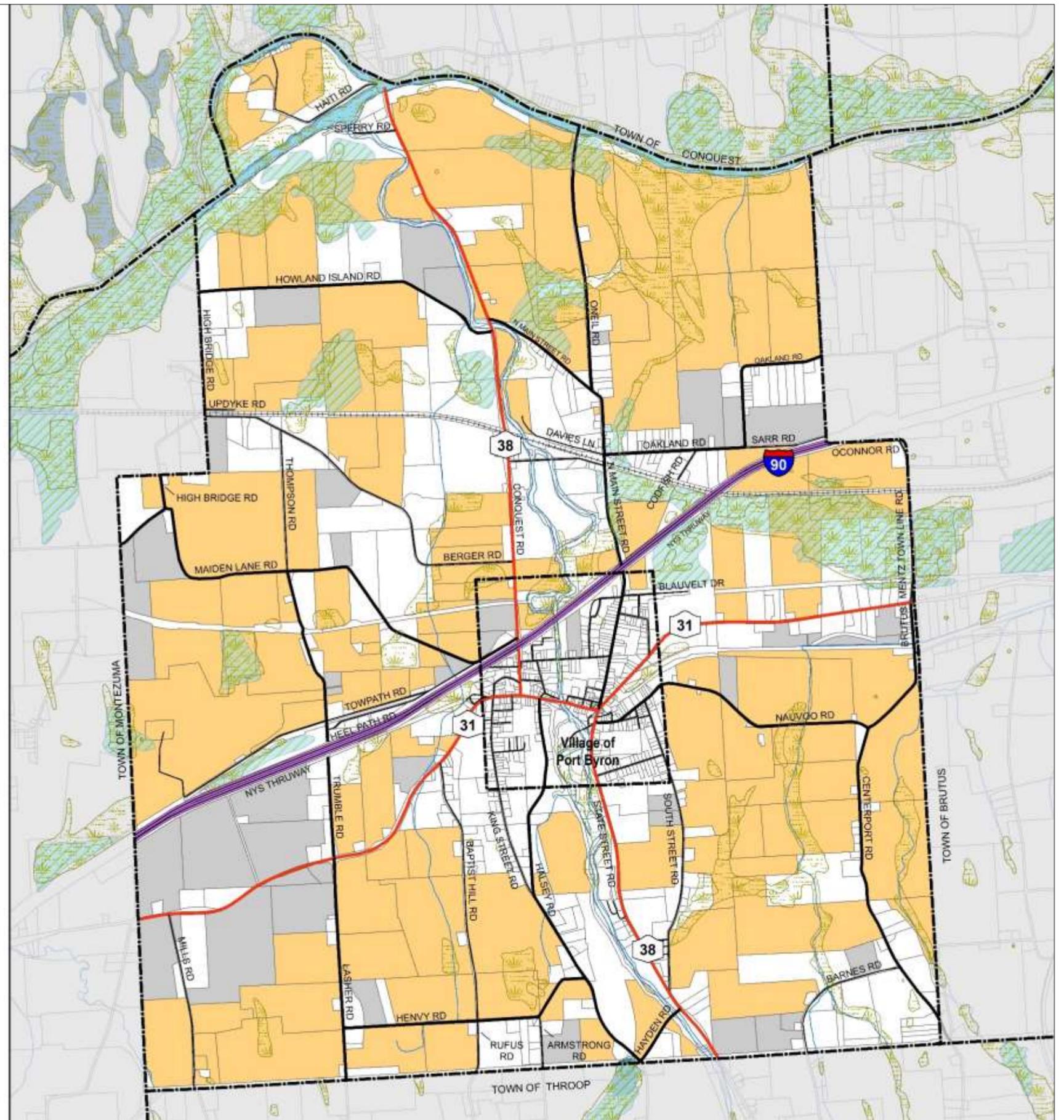
MAP #7- Proximity to Regulated Wetlands

Legend

-  Parcels
-  Lakes
-  Seneca River
-  Streams
-  US FWS Wetlands
-  NYS DEC Wetlands
-  Ag Parcels Located within 200ft of Regulated Wetlands
-  Ag Parcels Located >200ft from Regulated Wetlands

Roadways

-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  Conrail Railroad



TOWN OF MENTZ

Agriculture & Farmland Protection Plan

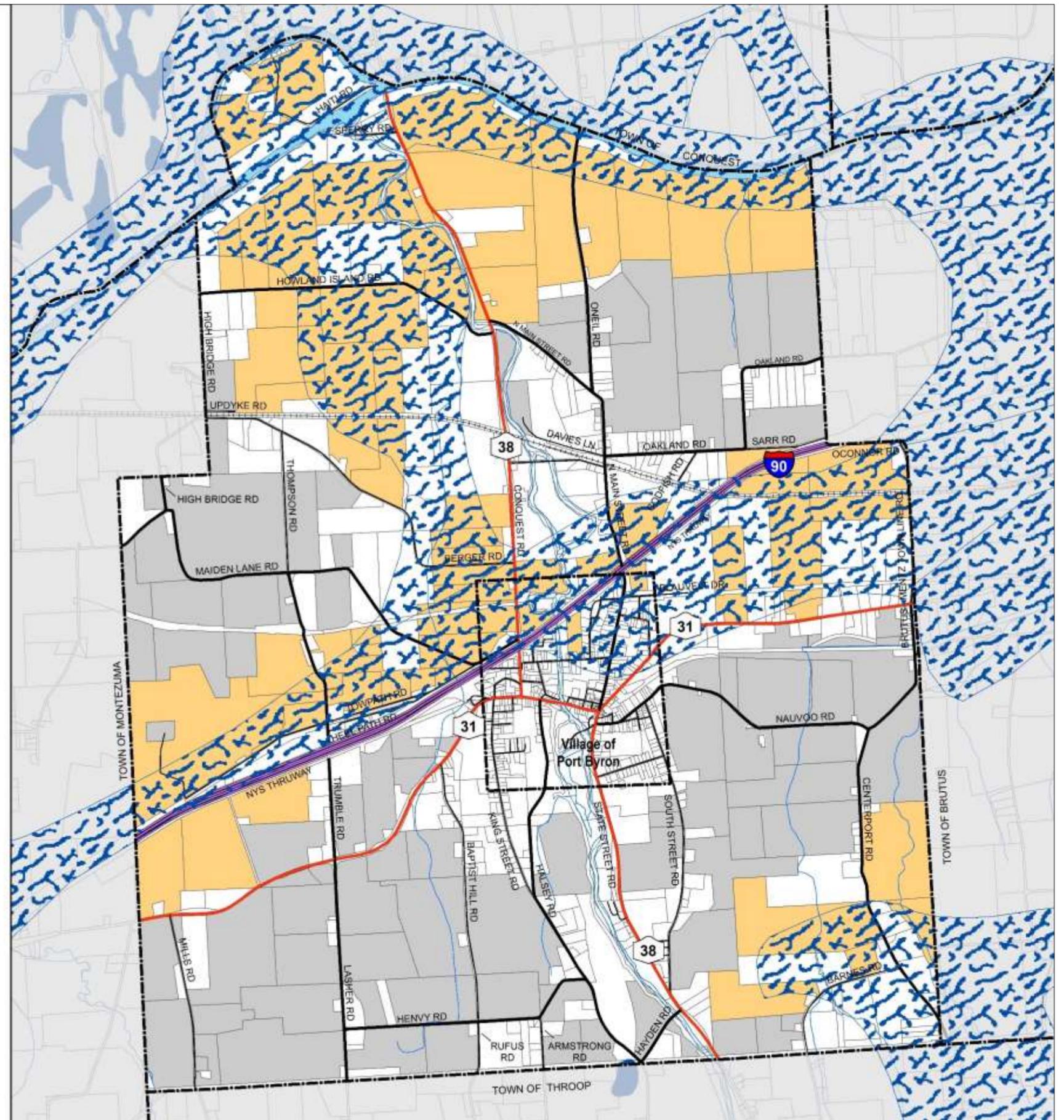
MAP #8- Proximity to Aquifers

Legend

-  Parcels
-  Lakes
-  Seneca River
-  Streams
-  Unconsolidated Aquifer
-  Ag Parcels Located within 200ft of an Aquifer
-  Ag Parcels Located >200ft from an Aquifer

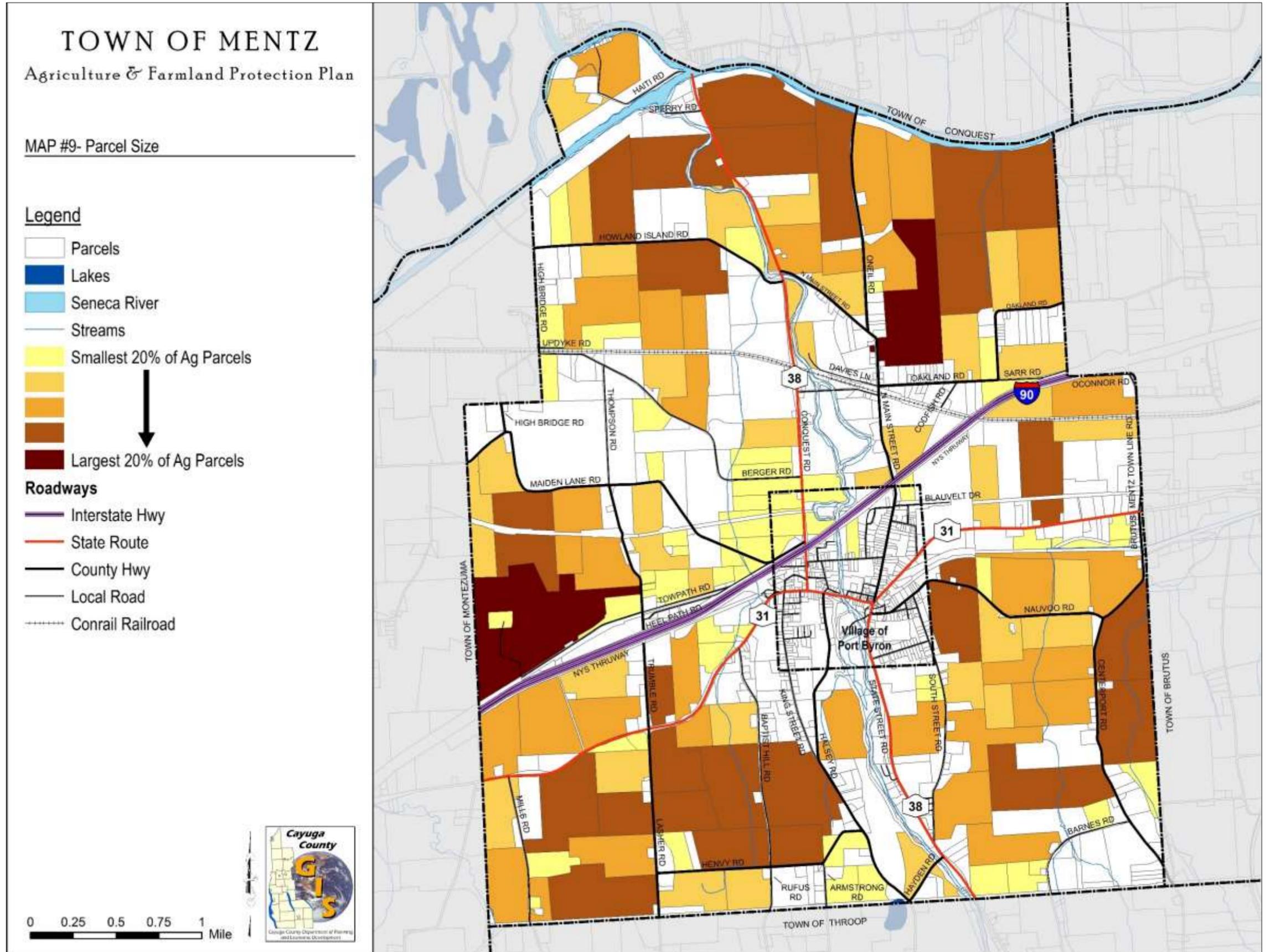
Roadways

-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  Conrail Railroad



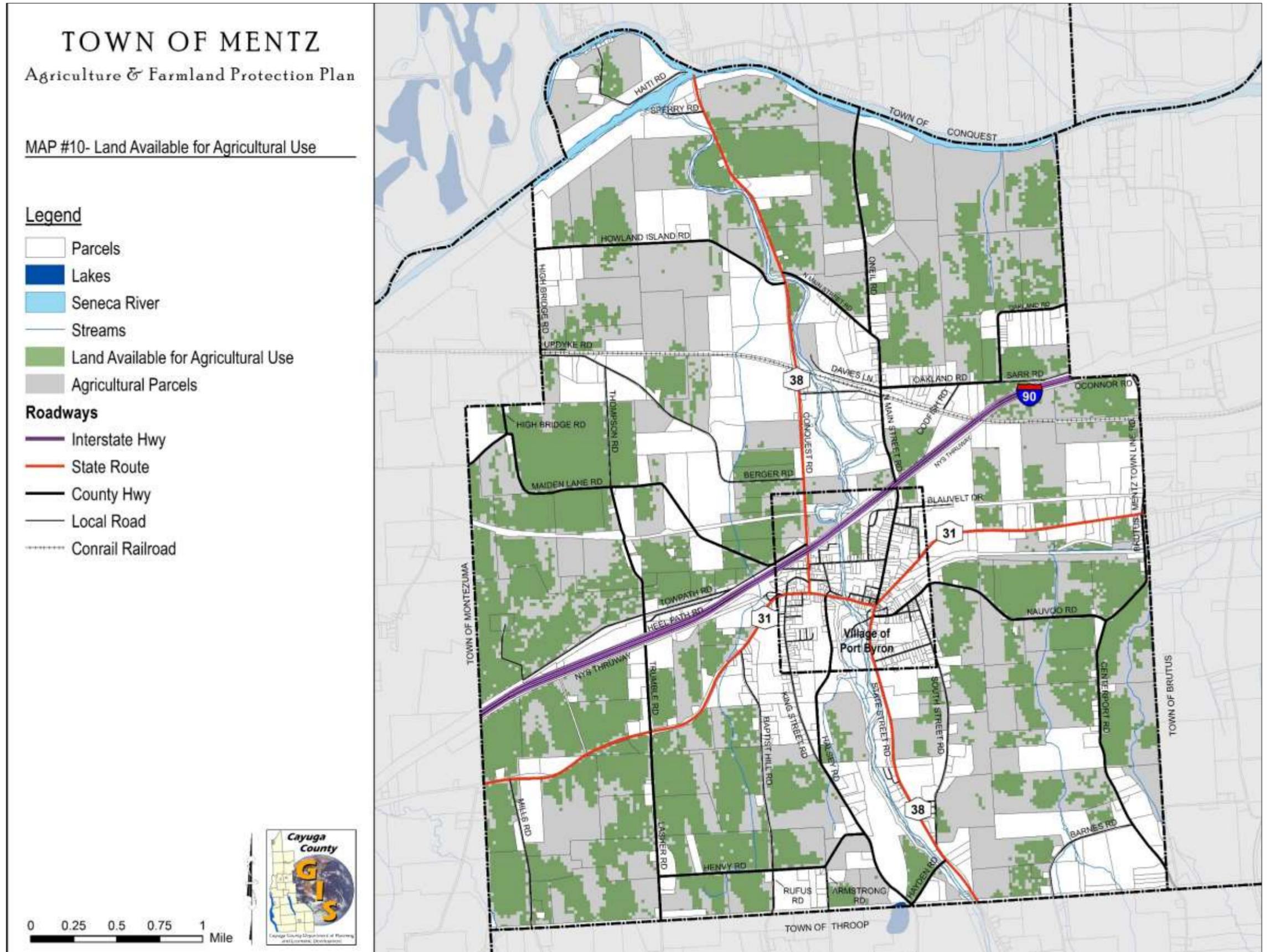
Criteria 3: Parcel Size (15% Weight)

For the three most prevalent types of agriculture in Mentz (cash crops, hay/pasture, and dairy farms) larger contiguous parcels of land are preferred for successful operation by farmers over smaller fragmented ones. The size, in acres, of each agricultural parcel was calculated using GIS software. The parcels were then grouped into categories with the largest 20% of the parcels in the highest category as shown in Map 9.



Criteria 4: Percentage of the Parcel Available for Agricultural Use (25% Weight)

USDA landcover data from 2011, the most recent coverage data available, was used to determine the area of each parcel which is available for agricultural use. Those areas classified as cultivated crops or pasture were identified on each parcel and the acreage of which was calculated. Map 10 shows the areas on each parcel which are available for agricultural use.



Criteria 5: Quality of Soils for Agricultural Production (45% Weight)

There are several different soil types and soil conditions across the Town of Mentz, and some of these soils are more productive than others. For each agricultural parcel, the quality of soils for agricultural production was calculated by multiplying the acreage of each soil type by the corresponding 2016 assessment value of each soil type and adding together the resulting values. The data was then classified into categories based on these values with the highest 20% of the values being in the top category (representing the most productive soils).

TOWN OF MENTZ

Agriculture & Farmland Protection Plan

MAP #11- Soil Quality for Agricultural Use

Legend

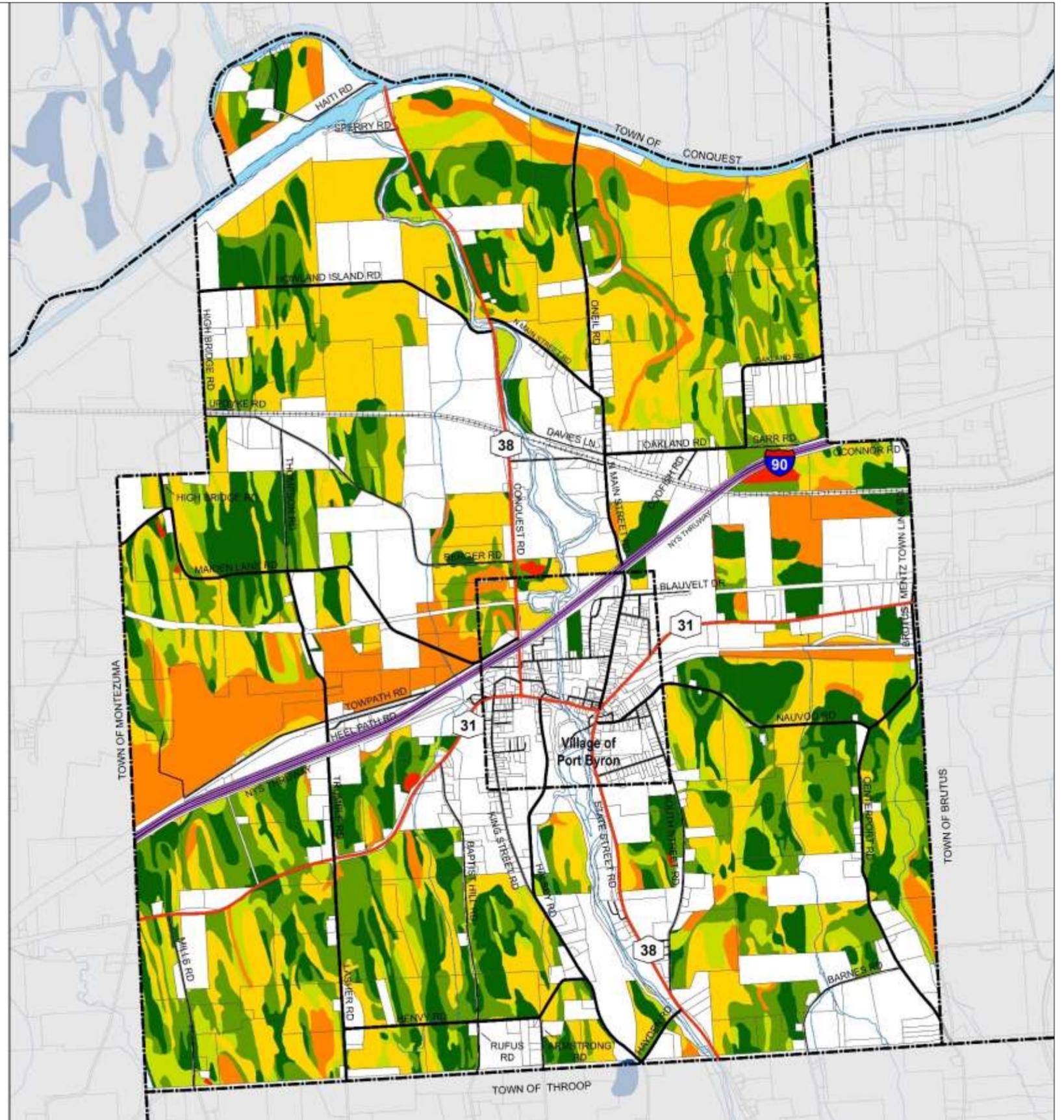
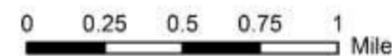
-  Parcels
-  Lakes
-  Seneca River
-  Streams

Agricultural Soil Quality

-  Least Productive Soils
 - 
 - 
 - 
 -  Most Productive Soils
- ↓

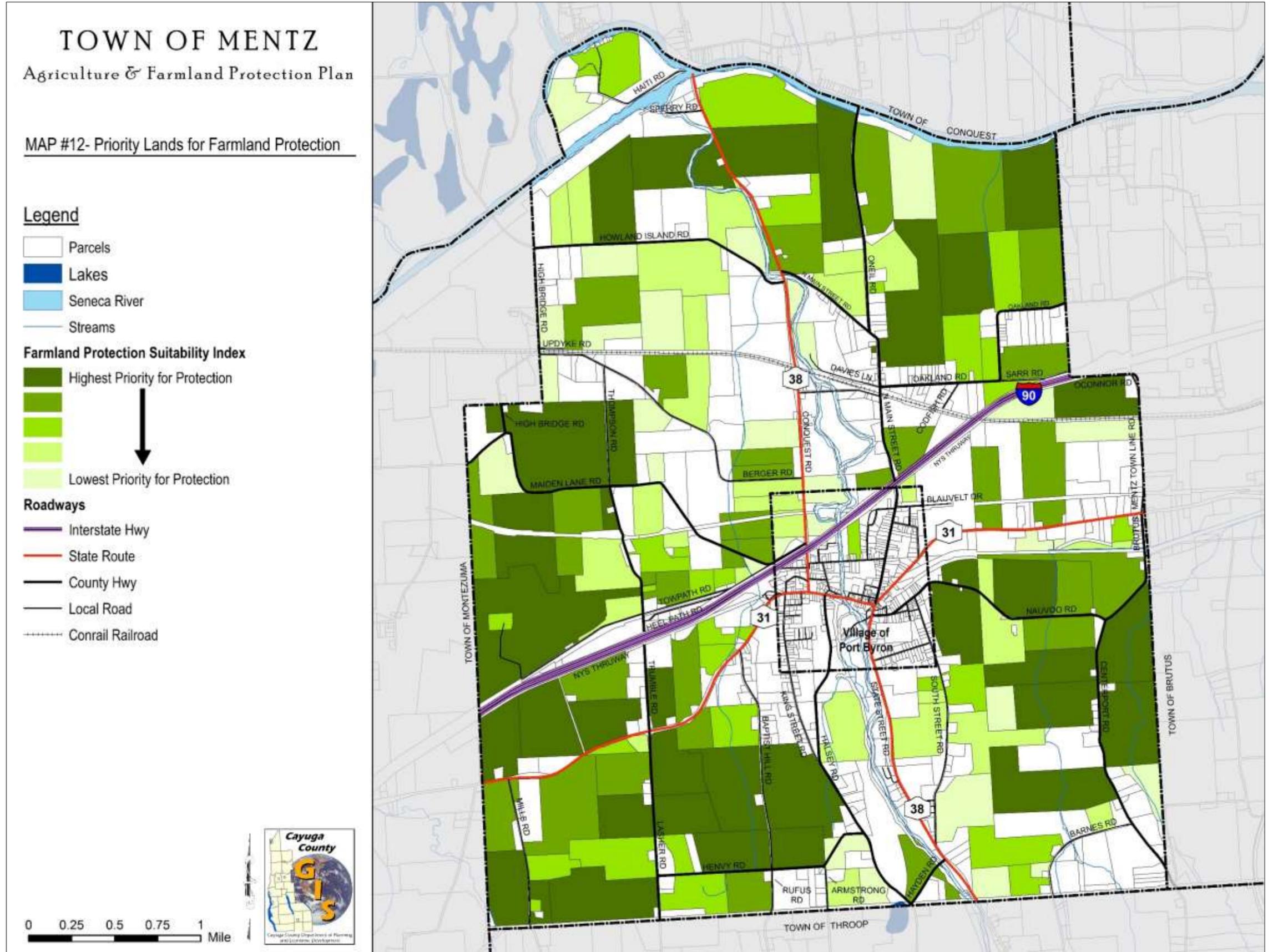
Roadways

-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  Conrail Railroad



Farmland Protection Suitability Index

The final Farmland Protection Suitability Index (Map 12) classifies the agricultural parcels in Mentz on a scale of most suitable for protection to least suitable for protection. Of the 140 parcels and 6,688.95 acres analyzed, 28 parcels totaling 2,880.06 acres (43%) received the highest suitability scores and therefore were determined to be the highest priority for protection. Only 731.07 acres (10%) received the lowest suitability scores. This map will be used as a guide in determining future land use decisions and how agriculture and farming will be protected in the Town of Mentz.



Vision for the Future of Agriculture in the Town of Mentz

Vision Statement:

In the Town of Mentz, the practices of family farming established the societal values and sense of stewardship of the land that still remains as the backbone of the community today. In support of this, the Town of Mentz will develop zoning and planning guidelines that will encourage farmers, businesses, and all residents to embrace and contribute to the conservation of our most valuable resources such as high quality farmland, woodlands, lakes, and streams.



Definitions:

Agriculture: The use of land and resources for the production of food, fiber, fuel, and for agri-tourism activities in accordance with the accepted practices of land, nutrient, and farm management as defined by the New York State Department of Agriculture & Markets including but not limited to:

- the raising, harvesting, and selling of crops;
- feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals, or honeybees;
- dairying and the sale of dairy products;
- any other aquacultural, floricultural, horticultural, silvicultural, or viticultural use;
- animal husbandry, agricultural support industries, or by any combination thereof; and
- the use of land for the primary purpose of stabling or training equines including, but not limited to, providing riding lessons, training clinics, and schooling shows.



Farmland: Land which is currently used for crop production, pasture, or a farmstead; and land which is not currently in use for but, is suitable for these purposes in the future (e.g. idle farmland).



Farmstead: The land upon which agricultural buildings and equipment is located or stored which may or may not also include a single-family residence and associated accessory buildings, and/or farm worker housing.



Agricultural Practices: Those practices necessary for the on-farm production, preparation, and marketing of agricultural commodities. Examples of such practices include, but are not limited to: operation of farm equipment, construction and use of farm structures, proper licensed use of agricultural chemicals, and proper nutrient management activities (e.g. spreading of manure or compost, application of nutrients like nitrogen on the soil, and other accepted crop production methods) as defined by the New York State Department of Agriculture & Markets.



Agri-Tourism: A form of commercial enterprise that links agricultural production and/or processing with tourism in order to attract visitors onto a farm or other agricultural business for the purposes of entertaining and/or educating the visitors and generating income for the farm or business owner including but not limited to: pumpkin picking patches, corn mazes, U-pick or Community Supported Agriculture (CSA) operations, petting and feeding zoos, hay rides, cut-your-own Christmas tree farms, demonstration farms, agricultural museums, living history farms, on-farm farmers' markets or road-side stands, winery tours and wine tasting, and garden tours.

Goals for Farmland Conservation and Protection

The Town of Mentz has identified four (4) main goals for farmland conservation and protection, along with numerous objectives and projects for achieving these goals. An implementation chart can be found at the end of this section which, for each goal and objective, identifies the board, committee, or agency that will be responsible for completing that objective/project, potential funding sources, and the priority order for completion.

Goal #1: **Protect farmland by identifying high quality agricultural lands in the Town that are at risk for conversion and adopting appropriate protection strategies and tools.**

Objectives:

- a. Protect prime soils for current and future farm use.
- b. Support and encourage farmers to participate in land conservation programs including Purchase of Development Rights (PDR) programs to help permanently protect their farmland from future non-agricultural development.
- c. Promote the use of NY FarmNet and NY FarmLink and other services that connect owners of farmland to individuals looking to purchase a farm to operate to assist landowners without secession plans find farmers to take over their land and prevent it from being developed into housing.
- d. Support New and Beginning farmers in the Town by encouraging individuals in the community to take advantage of the New York Beginning Farmer Loan Program and other grant and loan programs designed to help foster new farming opportunities such as helping first time farmers purchase farmland and equipment; and by directing interested individuals to the Resources for New Farmers: A guide for farmers looking to start or diversify a farm in New York State developed by the NYS Department of Agriculture & Markets.
- e. Ensure that local regulations and permit procedures are in line with New York State Agriculture and Markets Law and are supportive and protective of agricultural activities.
 - i. Update the Town's zoning ordinance, subdivision regulations, and development approval procedures to reflect the farmland protection components in the comprehensive plan; including modifying zoning district boundaries to direct future residential and commercial development away from prime agricultural lands.
- f. Preserve the land, water and other environmental resources critical to the long-term success of the local agricultural economy.
- g. Establish a Town Agricultural Advisory Committee to be responsible for implementing and maintaining the Town's Agriculture & Farmland Protection Plan. This Committee will also:
 - i. Advise the Town Board, the Town Planning Board, and the Town Zoning Board of Appeals as necessary regarding agricultural and farming issues in the Town;
 - ii. Work with the Cayuga County Soil & Water Conservation District to identify priority areas for erosion control and nutrient management plans; and
 - iii. Work with the Cayuga County Soil & Water Conservation District to secure funding for farmers for the development of Nutrient Management Plans and the implementation of Best Management Practices on farms in the Town for those farms that are interested in these programs.
- h. Support Cornell Cooperative Extension of Cayuga County and the Cayuga County Soil & Water Conservation District for the programs and services that they provide to area farmers; and advocate to the Cayuga County Legislature to increase funding to these critical agencies.

Goal #2: Protect and maintain the attractiveness and unique rural character of the community.

Objectives:

- a. Adopt a local Right-to-Farm law establishing the Town of Mentz as a Farm-Friendly Town; and install “Farm-Friendly Town” signage at all major roads into the town.
- b. Review zoning regulations, updating them where necessary, to help protect the scenic qualities of this rural community and to help control the accumulation of “junk” and “junk equipment” on all properties in the Town, including on farmland in accordance with NYS Agriculture & Markets Law.
- c. Promote and encourage the establishment and continuation of farms that follow good environmental stewardship practices.
- d. Work with the Cayuga County Soil & Water Conservation District and the Cornell Cooperative Extension of Cayuga County to reach out to and work with the entire farming community to educate about and discuss nutrient and manure management practices; to identify highly sensitive areas and existing hedge rows and other vegetation that should stay in place to protect the water quality of local streams, the Seneca River, and groundwater resources; and to work with landowners to maintain natural protective resources to the fullest extent possible.
- e. Limit the future expansion of water lines only to areas designated for future residential and commercial development in the comprehensive plan.
- f. Encourage farmers and landowners to adopt technologies such as wind, solar, and bio-gas.

Examples of Right-to-Farm signage



Lansing Agriculture Advisory Committee Chair Connie Wilcox next to one of six new “Right to Farm Community” signs, entering North Lansing from Cayuga County.¹

¹ Source: <http://www.lansingstar.com/news-page/12889-right-to-farm-signs-define-lansing-as-an-ag-community>

Goal #3: Promote the link between farms and food: educate the general public about agriculture in the Town, its value and its benefits to the overall community; and how to have a good relationship with neighboring farmers.

Objectives:

- a. Conduct a cost of services analysis of agricultural land versus residential land/development to help educate local political leaders and residents about the true costs related to developing land for residential or commercial use (the high demand on services like water, sewer, fire protection, EMS, schools, etc.) in comparison to the relatively low cost of public services that are required to keep land in agricultural production.
- b. Facilitate an ongoing dialogue between the farm community and other residents.
- c. Encourage public appreciation of the agricultural resources located in the Town.
- d. Promote the availability of locally grown foods and other agricultural products for all residents including limited income families.
- e. Help provide increased access to locally grown food for all residents in the community.
 - i. Support the Port Byron Farmers' Market and help expand their vendor and customer base. All local farmers should be encouraged to join and support the local farmers' market in order to make it more successful and to draw people in from other towns in the area;
 - ii. Establish a multi-purpose community pavilion at the Town's recreational field by Town Hall that could be used for a weekend farmers' market;
 - iii. Work with the school district to help educate students about the different types of produce available to them here in Upstate NY and encourage them to try something new;
 - iv. Work with the school district and other agencies/local non-profits to provide education and training/cooking classes for families and children to show them how to make healthy food choices and prepare meals with fresh food/produce; and
 - v. Work with the local food pantry, school district, and local farmers to provide more locally grown fresh produce to low-income families and all school children.



Advertisement for a healthy cooking program for school children²



Summer Camp and Cooking Classes for kids and teenagers³

² Source: <http://www.ocweekly.com/event/superhero-chefs-cooking-classes-for-kids-school-age-children-7351696>

³ Source: <https://www.mawaskitchen.com/cooking-school/kids-teens-5-day-summer-camp/>

Goal #4: Create and maintain a supportive business environment for farm operations.

Objectives:

- a. Maintain positive relationships between the various levels of government and the farming community.
- b. Support economic opportunities for local farmers and related businesses.
- c. Allow farmers the opportunity to use their land for non-traditional and heritage type crops.
- d. Encourage farmers to diversify their products to include more locally grown vegetables, fruits, and specialty/niche crops like hops, hemp, barley, organics, etc. to support the booming craft brewing and other niche markets; as well as the increasing demand from consumers for locally grown food.
- e. Encourage roadside farm-stands and other agri-tourism related businesses.
- f. Promote and encourage the development of new agricultural support businesses, employing specialized skilled workers, to support local agricultural operations and help keep costs down for local farms.
- g. Introduce high speed internet to all homes and farms by identify areas with limited broadband service and working with the providers to run lines to these areas.
- h. Work with the Village of Port Byron to re-establish a local Chamber of Commerce to support existing local business and to help develop new businesses in the community.
- i. Work with local, state, and federal agencies to explore opportunities and funding to reconstruct and reopen the bridge over the Seneca River on O'Neil Road, which was closed in the early 1990s, to reconnect farms on both sides of the river and ease transportation cost burdens for farmers.



Hops in the field



Barley in the field

Goal	Objective	Responsibility	Potential Funding Source(s)	Priority Level
1. Protect farmland by identifying high quality agricultural lands in the Town that are at risk for conversion and adopting appropriate protection strategies and tools.	Protect prime soils for current and future farm use.	Town Board & Planning Board	NYS Department of Agriculture & Markets FPIG Program, Town Funds	Continuous
	Support and encourage farmers to participate in land conservation programs including Purchase of Development Rights (PDR) programs to help permanently protect their farmland from future non-agricultural development.	Town Board, Planning Board & Agricultural Advisory Committee	NYS Department of Agriculture & Markets FPIG Program	Short-Term (Year 1, then continuous)
	Promote the use of NY FarmNet and NY FarmLink and other services that connect owners of farmland to individuals looking to purchase a farm to operate to assist landowners without secession plans find farmers to take over their land and prevent it from being developed into housing.	Agricultural Advisory Committee	Distribution of brochures and informational materials from these agencies (get copies from agencies)	Continuous
	Support New and Beginning farmers in the Town by encouraging individuals in the community to take advantage of the New York Beginning Farmer Loan Program and other grant and loan programs designed to help foster new farming opportunities such as helping first time farmers purchase farmland and equipment; and by directing interested individuals to the Resources for New Farmers: A guide for farmers looking to start or diversify a farm in New York State developed by the NYS Department of Agriculture & Markets.	Agricultural Advisory Committee	NYS New Farmers Grant Fund, USDA Beginning Farmer and Rancher Individual Development Account Pilot Program (BFRIDA), USDA Downpayment Farm Ownership Loan Program (DFOWL), Town funds (for printing and marketing)	Short-Term (1-3 Years)
	Ensure that local regulations and permit procedures are in line with New York State Agriculture and Markets Law and are supportive and protective of agricultural activities. Action: Update the Town's zoning ordinance, subdivision regulations, and development approval procedures to reflect the farmland protection components in the comprehensive plan; including modifying zoning district boundaries to direct future residential and commercial development away from prime agricultural lands.	Town Board, Planning Board & Agricultural Advisory Committee Planning Board & Agricultural Advisory Committee	NYS Office of Climate Change, Climate Smart Communities Grant Program (NYS DEC), and/or Town Funds (to pay County Planning Dept. or another consultant)	Short-Term (1-3 Years) Short-Term (1-3 Years)
	Preserve the land, water and other environmental resources critical to the long-term success of the local agricultural economy.	Town Board & Planning Board	Town Funds, Private Funds	Continuous
	Establish a Town Agricultural Advisory Committee to be responsible for implementing and maintaining the Town's Agriculture & Farmland Protection Plan. Action: Advise the Town Board, the Town Planning Board, and the Town Zoning Board of Appeals as necessary regarding agricultural and farming issues in the Town. Action: Work with the County Soil & Water Conservation District to identify priority areas for erosion control and nutrient management plans. Action: Work with the Cayuga County Soil & Water Conservation District to secure funding for farmers for the development of Nutrient Management Plans and the implementation of Best Management Practices on farms in the Town for those farms that are interested in these programs.	Town Board Agricultural Advisory Board Agricultural Advisory Board Agricultural Advisory Board	Town official / employee and volunteer staff time (as members of the Advisory Committee)	Short-Term (Year 1) Short-Term (Year 1, then continuous) Short-Term (1-3 Years) Mid-Term (3-5 Years)
	Support Cornell Cooperative Extension of Cayuga County and the Cayuga County Soil & Water Conservation District for the programs and services that they provide to area farmers; and advocate to the Cayuga County Legislature to increase funding to these critical agencies.	Town Board	Town Board Member and Town employee staff time	Short-Term (Year 1, then continuous)

Goal	Objective	Responsibility	Potential Funding Source(s)	Priority Level
2. Protect and maintain the attractiveness and unique rural character of the community.	Adopt a local Right-to-Farm law establishing the Town of Mentz as a Farm-Friendly Town; and install "Farm-Friendly Town" signage at all major roads into the town.	Town Board	Town funds or donations. Permitting & installation by NYS DOT may be required.	Short-Term (1-3 Years)
	Review zoning regulations, updating them where necessary, to help protect the scenic qualities of this rural community and to help control the accumulation of "junk" and "junk equipment" on all properties in the Town, including on farmland in accordance with NYS Agriculture & Markets Law.	Town Board & Planning Board	NYS Office of Climate Change, Climate Smart Communities Grant Program (NYS DEC), and/or Town Funds (to pay County Planning Dept. or another consultant)	Short-Term (1-3 Years)
	Promote and encourage the establishment and continuation of farms that follow good environmental stewardship practices.	Planning Board & Agricultural Advisory Committee	USDA Farm Loan Programs	Short-Term (Year 1, then continuous)
	Work with the Cayuga County Soil & Water Conservation District and Cornell Cooperative Extension of Cayuga County to reach out to and work with the entire farming community to educate about and discuss nutrient and manure management practices; to identify highly sensitive areas and existing hedge rows and other vegetation that should stay in place to protect the water quality of local streams, the Seneca River, and groundwater resources; and to work with landowners to maintain natural protective resources to the fullest extent possible.	Planning Board & Agricultural Advisory Committee	Agricultural Nonpoint Source Abatement and Control Program (NYS Dept. of Agriculture & Markets funding through County Soil & Water Conservation Districts), Town Funds, Private Funds	Mid-Term (3-5 Years) & Long-Term (5-10 years)
	Limit the future expansion of water lines only to areas designated for future residential and commercial development in the comprehensive plan.	Town Board & Planning Board	N/A	Short-Term (1-3 Years)
	Encourage farmers and landowners to adopt technologies such as wind, solar, and bio-gas.	Planning Board & Agricultural Advisory Committee	The Northeast Region Sustainable Agriculture Research and Education program (SARE)	Mid-Term (3-5 Years)
3. Promote the link between farms and food: educate the general public about agriculture in the Town, its value and its benefits to the overall community; and how to have a good relationship with neighboring farmers.	Conduct a cost of services analysis of agricultural land versus residential land/development to help educate local political leaders and residents about the true costs related to developing land for residential or commercial use (the high demand on services like water, sewer, fire protection, EMS, schools, etc.) in comparison to the relatively low cost of public services that are required to keep land in agricultural production.	Town Board	Town Funds	Short-Term (1-3 Years)
	Facilitate an ongoing dialogue between the farm community and other residents.	Agricultural Advisory Committee	Town Funds	Continuous
	Encourage public appreciation of the agricultural resources located in the Town.	Town Board, Planning Board & Agricultural Advisory Committee	Town Funds	Continuous
	Promote the availability of locally grown foods and other agricultural products for all residents including limited income families.	Town Board, Planning Board & Agricultural Advisory Committee	Cornell Cooperative Extension through the Eat Smart NY Program, Town Funds (development & printing of brochures)	Continuous
	Help provide increased access to locally grown food for all residents in the community.	Town Board, Planning Board & Agricultural Advisory Committee	Town Funds, County Funds, NYS Funds, Cornell Cooperative Extension through the Eat Smart NY Program	Short-Term (Year 1, then continuous)
	<p>Action: Support the Port Byron Farmers' Market and help expand their vendor and customer base. All local farmers should be encouraged to join and support the local farmer's market in order to make it more successful and to draw people in from other towns in the area.</p> <p>Action: Establish a multi-purpose community pavilion at the Town's recreational field by Town Hall that could be used for a weekend farmers' market.</p> <p>Action: Work with the school district to help educate students about the different types of produce available to them here in Upstate NY and encourage them to try something new.</p> <p>Action: Work with the school district and other agencies/local non-profits to provide education and training/cooking classes for families and children to show them how to make healthy food choices and prepare meals with fresh food/produce.</p> <p>Action: Work with the local food pantry, school district, and local farmers to provide more locally grown fresh produce to low-income families and all school children.</p>	<p>Agricultural Advisory Board</p> <p>Town Board & Planning Board</p> <p>Agricultural Advisory Board</p> <p>Agricultural Advisory Board</p> <p>Agricultural Advisory Board</p>	<p>Farmers Market Promotion Program (USDA)</p> <p>Farmers Market Promotion Program (USDA)</p> <p>NY Farm to School Program (NYSDAM); Creating Healthy Schools and Communities (NYS Dept. of Health) & NYS Dept. of Education</p> <p>NY Farm to School Program (NYS Dept. of Agriculture & Markets)</p> <p>NY Farm to School Program (NYSDAM); Creating Healthy Schools and Communities (NYS Dept. of Health) & NYS Dept. of Education</p>	<p>Short-Term (Year 1, then continuous)</p> <p>Mid-Term (3-5 Years)</p> <p>Mid-Term (3-5 Years)</p> <p>Mid-Term (3-5 Years)</p> <p>Mid-Term (3-5 Years)</p>

4. Create and maintain a supportive business environment for farm operations.	Maintain positive relationships between the various levels of government and the farming community.	Agricultural Advisory Committee	N/A	Continuous
	Support economic opportunities for local farmers and related businesses.	Town Board	Cayuga County Small Business Loan Program (Cayuga Economic Development Agency-CEDA)	Short-Term (Year 1, then continuous)
	Allow farmers the opportunity to use their land for non-traditional and heritage type crops.	Town Board & Planning Board	N/A	Continuous
	Encourage farmers to diversify their products to include more locally grown vegetables, fruits, and specialty / niche crops like hops, hemp, barley, organics, etc. to support the booming craft brewing and other niche markets; as well as the increasing demand from consumers for locally grown food.	Agricultural Advisory Committee	Specialty Crop Block Grant Program (NYS Dept. of Agriculture & Markets)	Short-Term (Year 1, then continuous)
	Encourage roadside farm-stands and other agri-tourism related businesses.	Town Board, Planning Board & Agricultural Advisory Committee	Farmers Market Promotion Program (USDA) & Cayuga County Small Business Loan Program (Cayuga Economic Development Agency-CEDA)	Short-Term (Year 1, then continuous)
	Promote and encourage the development of new agricultural support businesses, employing specialized skilled workers, to support local agricultural operations and help keep costs down for local farms.	Agricultural Advisory Committee	Cayuga County Small Business Loan Program (Cayuga Economic Development Agency-CEDA)	Mid-Term (3-5 Years)
	Introduce high speed internet to all homes and farms by identify areas with limited broadband service and working with the providers to run lines to these areas.	Town Board & Planning Board	NYS Funds for extending broadband access	Mid-Term (3-5 Years)
	Work with the Village of Port Byron to re-establish a local Chamber of Commerce to support existing local business and to help develop new businesses in the community.	Town Board & Agricultural Advisory Committee	Town Board Member and Town employee staff time	Mid-Term (3-5 Years)
	Work with local, state, and federal agencies to explore opportunities and funding to reconstruct and reopen the bridge over the Seneca River on O'Neil Road, which was closed in the early 1990s, to reconnect farms on both sides of the river and ease transportation cost burdens for farmers.	Town Board & Planning Board	NYS DOT (state and federal funding), Cayuga County Highway Department	Long-Term (5-10 years)

Appendix I: Inventory and Analysis

History of Agriculture in Mentz

The following summary of the history of agriculture and farming in the Town of Mentz and the Village of Port Byron was prepared by Michael Riley, Mentz Planning Board member and Town Historian specifically for this plan.

There is little written about the history of farming and agriculture in the town and village. We can make some assumptions based on what is known about how people lived and worked throughout the years. The settlement that would become Bucksville and later Port Byron was at first a mill seat, with the earliest mill built on the Owasco Outlet in 1814. This allowed local farmers and families the chance to grind their grist, but due to the lack of good cheap transportation and available money, trade was limited to the local population, mostly at a subsistence level. Those who wished to trade had to cart their goods to the larger population centers in the east, a trip that could take over a month. It wasn't until the Erie Canal was built in 1820 that the local farmer could sell their excess production, or even think about growing crops for sale to a regional market. When the canal was complete in 1825, the markets of the east coast and even Europe were then open to the local farmer. A symbol of this rapid market growth was that for a very brief period the largest grist mill in the state was in Port Byron. This mill was built with the latest technology and its capacity far exceeded what the local farmers could supply. Most of the grain that was ground in Port Byron was brought in and shipped out by canal. It is noted that in the 1830's, the central regions of New York were considered to be the bread basket of the country as the mid-west markets had yet to be settled, cleared and planted. The canal not only made it possible for farmers to sell their goods to a larger market, but the trade and communication with the larger world brought social and technological changes to Port Byron and Mentz. So we can see in the census new occupations being listed, and even that woman and children were entering the labor force. No longer would a family be tied to the daily toil of farming if they wished to do something else. It is very likely that the wives and daughters of farmers took up home production and later took jobs in the growing villages. Farmers who had poor soils or a lack of skills could become canal boat owners and workers. And when the railroads came to Mentz in 1853, the farmers and others could find work on the railroad. So we see decade by decade a shift away from farming as new opportunities became available. It is likely that the early settler farmed because they had to support and feed the family, in spite of the ability of the land to produce the quality and quantity needed to support the homestead. Those who were fortunate enough to get the good land were able to stick with it and carve out a decent life. Not all the land in Mentz is high quality farming land. This is why we can find generations of farming family names on the census rolls throughout the decades, as those who worked the land and had large enough tracts of good fertile land could make a good living.

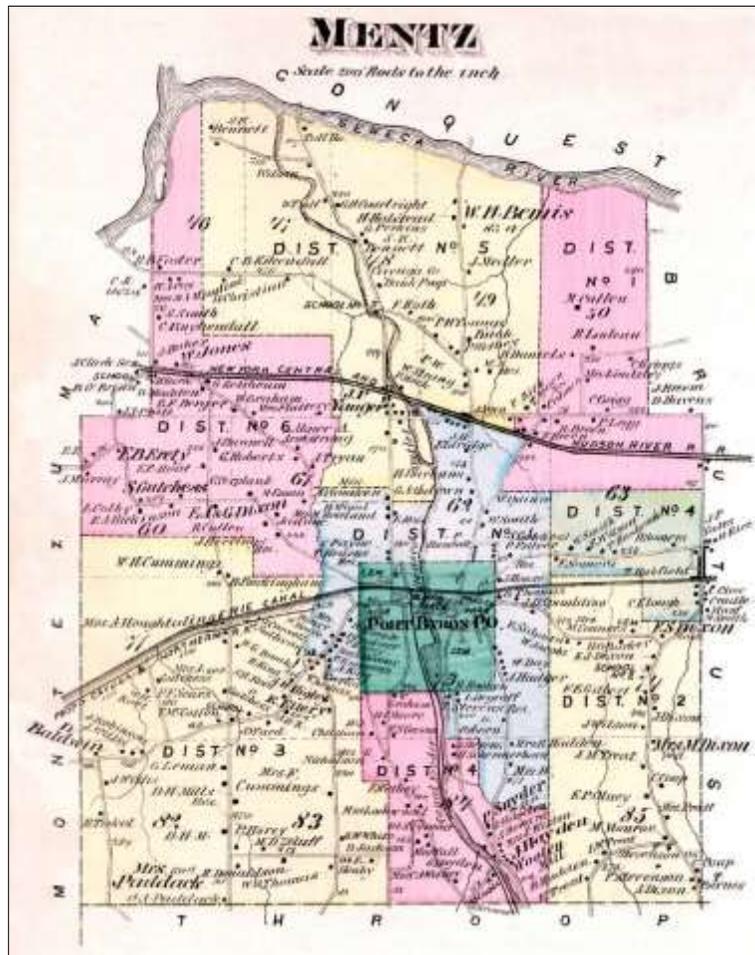
The best source on the business of farming are the federal and state censuses. The first census that tells us the occupation of the person is the 1850 count. Before that, the census was basically a roll call of the men with hash marks telling us a little about others in the family. In 1850, all the family members were listed as was their occupation and relative wealth. I counted each farmer to get a sense of the number of farms, not counting the kids and boarders who were living at the farm. I repeated this with every federal census up to 1940, the last census available. I was able to find a 1960 farm census in the 1966 Town of Mentz Comprehensive Plan.

In 1850 there were 726 farmers, 13% of the total population. However, in 1850 the town of Mentz included all of Montezuma and parts of Throop, so the total number of farms is misleading. It is clear that a large number of people were farming or living on farms. While the villages and towns are not separated in the census count, it is clear that farming was taking place inside the village boundaries.

The 1855 State census gives a clearer picture of Mentz, Port Byron, and Centerport. There are 177 farmers listed, however an agriculture census lists 220 farms, Montezuma, and Throop were divided out of Mentz in 1859, so the 1860 Federal census gives a better snapshot of the

farms. An interesting sidebar is that new occupations are listed, showing that people were finding alternative jobs out of the farming industry. This is likely due to a growing population, innovation, and a shift in society that welcomed non-agricultural based jobs. Listed for the first time are jobs in railroads, mechanics, farm laborers, and domestics. In 1860 there are 153 farmers listed, about 6% of the population. This does not count those who were children of farmers or boarders who were hired men. This aligns with the 1855 State census, and shows a slight decreased in the number of farms.

In 1870 the number of farmers decreased to 134. However this is 11% of the population as the entire population is lower by about 1,000. This might be due to losses from the Civil War, and migration to the west. Earlier counts also tended to include people traveling on canal boats, which could have boosted the population counts. In 1880 a new occupation of gardener is listed, and the few that were found were counted as farms. This is likely due to the farming of produce in the mucklands, what would be later called “truck farms”. Farmers and gardeners totaled 142, 10% of the population. The total population from 1870 to 1880 grew by 200.



Map of the Town of Mentz from 1875⁴

The census records skip 1890 as those records were lost. In 1900, a great shift to muckland farming is seen in the town as occupations such as Produce Dealer, Farmers, Gardener, Gardener Truck, and Truck Farm are listed. Truck farming is the farming of fruits and vegetables sold to regional markets, and this is closely associated with European immigration. Pages of the census are filled with truck gardeners who were born in Italy (more on this later). Also listed are retired farmers, showing that the early generations of farmers were aging to retirement and handing farms down to their children. All total, there were 152 farmers and gardeners, 8% of the population.

⁴ Source: William Hecht's Pictures of Cayuga County and the Finger Lakes. Available at: <http://freepages.genealogy.rootsweb.ancestry.com/~springport/pictures.html>

In the 1910 census, the village and town are enumerated separately, and this shows that 10 farmers lived inside the village limits and 111 lived in the town for a total of 121, or 6% of the population. The total number of residents decreased from 1900 to 1910, as did the number of farmers. This census also reflects another big change in that the electric railroad had opened up job markets in nearby cities and created jobs in the new occupation of electrical engineers.

The 1915 State census has listings by road and street and show what was referred to in the paper as the Italian colony, a settlement of Italian gardeners living in the mucklands along Towpath Road west of Port Byron. Each parent is listed as born in Italy, with their children as native born. This was a community of people which differed from the typical family farm who raised cows, beef, and grains.

The total population again declines in 1920, however the number of farmers remains basically the same at 127, or 7% of the total. The 1930 Census shows a further decline in the total population, but another small increase in the farmers, with 131 farms, 8% of the total

The last Federal census available is the 1940 count. 1940 also marks the end of the decade long depression. It shows a marked increase in the total population by about 500 people, but a decline of farming to 118, or 5% of the total. The 1940 censuses are broken up by village and town and show that 20 farmers were living inside the village. This might be accounted for by people who lived in the village yet had farms outside the village, however, the 1938 aerial photographs show that many areas inside the village were in cultivation. The 1966 Comprehensive Plan shows that the number of farmers had reduced down to 42.

The last of the family owned truck farms were the Marten and the Guidone Farms. These two operations had raised potatoes, cabbage, onions, and celery. As of 2015, both operations had sold out to larger farm corporations that are now growing corn and soybeans instead of produce. The Marten's had set up a potato and produce processing plant known as the Country Kitchens as part of their farming operations. This business was kept by the Marten's when the rest of the farmlands were sold. All produce is now trucked in.

Town of MENTZ. PORT BYRON.	
<p>A. M. GREEN..... Resident J. C. VAN BLARICAM..... Lino and Plaster HIRAM BURHANS..... Carriage Manuf WM. G. GALLT, Propriet National Hotel, newly fitted and furnished J. R. & B. M. HOWARD..... Howard House SENECA KELLEY, Agt N. Y. C. & H. R. R. JOHN P. YEAGER..... School Trustee HOLACE CHRISTIAN..... East Boat House STEPHEN GUTSHESS, Ex Canal Supt; 130 acres; lot 63 WM. JONES, Ex Canal Supt; 197 acres; lot 56 JAS. V. WHITE..... Flour and Grain Mill J. H. WETHEY..... Banker H. W. STILLWELL & Co., Coal and Lumber Dealers RANSON & JOHNSON..... Weekly Chronicle W. A. HALSEY..... Resident R. H. HOFF, Druggist, Books and Stationery J. H. WETHEY & Co., Insurance Agts E. B. AUSTIN, Grocer, Saloon and Auctioneer ARMSTRONG BROS..... Coal and Lumber H. V. HOWLAND, Atty and Counselor at Law B. C. SMITH..... Carriage Wheel Factory</p>	<p>JOHN HAYDEN, Woolen Mills; no Shoddy ---warranted all Wool S. B. KENDRICK, P.O. 88 Water St., N. Y. City; Residence, Port Byron LUCIAN C. FARGO, Wholesale and Retail Dealer in Pine and Hemlock Lumber, Doors, Sash, Blinds and Moldings, Green Street FARMER & SHELTER, Farmers; Boat Builders and Repairers at shortest notice A. SHELTER..... Boat Builder SAMUEL DOUGHERTY, Canal Grocery, and Day Boat barn DE LEROY SIMMONS, Simmons' Marble Co. Manure and Dealers in Italian and Ameri- can Marble, Scotch and American Granite, Jersey and Ohio Free-stone, Monuments, Head-stones, Tombs and Vaults, Marble and Slate, Mantels, Grates, Table Tops, Wash Stands, &c., Rochester St., opp P. O. MRS. T. H. HOUGHTALING..... Resident S. H. HIGLEY, Nurseryman; Trees, Plants, Vines and Seeds, from the Port Byron Nur- sery E. HOMEL, Undertaker; furnishes all kinds Undertaking Goods of the latest and best styles, Times building AUGUSTUS MEAD, Livery Stable; Horses, Carriages, &c., Let on reasonable terms; at- tention paid to style, elegance and comfort ABRAM GUTCHES, Grain Dealer, Storage and Forwarding JAMES N. TRAVER..... Resident EDMOND ELLERY..... 60 acres; lot 72 F. SNYDER..... 12 " " 84 R. S. DIXON..... 139 " " 74 JOHN M. DIXON..... 70 " " 85 DANIEL BALDWIN, 75 acres; lots 71 and 82 C. B. PAEDACK..... 60 acres; lot 82 GEO. W. LARAMAY, Manuf'r of Barrels, Slaves, Heading, Clser, Vinegar and Paper Barrels C. B. KIKENDALL, Soil Lumpy, one of the first farms in Town; 1884 acres; lot 36 L. D. AMES..... Boat Builder and Repairer G. W. DICKINSON, 140 acres; lots 60 and 61 WM. H. BEMIS, 85 acres; lot 49; Land, gravelly loam; the 2nd best apple orchard in Town THEO. L. BROOKS, Dealer in Soap, Chemi- cals, Medicines, &c., &c. PETER VAN WIE, Canal Grocery, and Day Boat Barn; good accommodations; Gro- ceries and Provisions</p>

List of Merchants in Mentz, 1875⁵

⁵ List of active merchants in the Town of Mentz in 1875, page 145 from *The Principal Merchants, Manufacturers and Farmers of Cayuga Co., N.Y.* Source: Source: William Hecht's Pictures of Cayuga County and the Finger Lakes. Available at: <http://freepages.genealogy.rootsweb.ancestry.com/~springport/pictures.html>



Demographics and Trends

The Town of Mentz, like many rural communities in central New York, experienced a population boom between 1990 and 2000, but has experienced a leveling off and slight decline in population growth since then. According to the US Census, in 2000, the Town of Mentz had a total population of 2,446 which fell down to 2,378 in 2010 (a -0.28% change). However, in the few short years since then, the town now has an estimated population of 2,513. While the exact reason for this growth is unknown, it is likely due to increased development pressure from the Town of Throop to the south and the Town of Brutus and Village of Weedsport to the east. Both the Town of Mentz and Village of Port Byron have an older housing stock and a substantial number of vacant and available housing units that could accommodate much of this growth. There has been some new residential development over the past five years in the Town, with the issuance of 16 new building permits (12 for single or double-wide manufactured houses). This development has been matched however, by the farming community which has acquired permits for 16 new barns/agricultural buildings.

According to 2016 estimates, there are a total of 1,085 housing units in the town and a median household income of \$45,413. In terms of population age distribution, 80% of the population is 18+ years old and 17% of the population is 65+ years old. This statistic would generally signal a strong local workforce base, but for the farming industry there are fewer and fewer farm operators under the age of 65 every year. There has been a slowly emerging trend state and nationwide of younger individuals and families taking up the profession of farming and agricultural production, one which with some promotional assistance could take hold here in Mentz and Port Byron as well. If not, the fate of farmland owned by those 65 years and older is likely doomed for future residential development.

One statistical topic that farmers seem to get a lot of underserved criticism for from non-farm neighbors is that of agricultural tax exemptions for their property taxes. In 2016, 74 (12%) of the parcels in the Town of Mentz received an Agricultural Tax Exemption for their qualifying agricultural operations. In addition, there were 5 properties which received an Agricultural Building Tax Exemption. Despite the prevalence of farming in the Town, the total reduction in revenue from property taxes as a result of these agricultural exemptions in 2016 was only \$17,992.98 (12.61% of the total lost revenue) compared to a total net loss of \$142,634.10 from all possible tax exemptions (Star, Veterans, Ag, etc.). Comparatively, the Village of Port Byron lost a total of \$153,543.74 from property tax exemptions (\$223.56 [0.15%] from agricultural exemptions); and the Port Byron School District lost a total of \$1,104,370.07 from property tax exemptions (due to Star and Star Enhanced exemptions only, agricultural tax exemptions are not applicable to school taxes). While many will argue that agricultural tax exemptions unfairly provide benefits to farmers and cost communities huge sums of money, it is clear from the analysis above (using actual final tax rolls from the town and the village for 2016) that each taxing agency (town, village, and school district) “lost” far more from property owners receiving other tax exemptions like Star and Veterans credits than from the agricultural tax exemption program. The average reduction in property tax bills for farmers receiving an agricultural tax exemption in 2016 was \$239.91 in the town and \$74.52 in the village.

Map 13 illustrates the current density of development in Mentz with the darkest shading representing the highest density of parcels per quarter mile (typical development patterns in the region are reflected in higher density of buildings/houses where there is a larger concentration of parcels).

TOWN OF MENTZ

Agriculture & Farmland Protection Plan

MAP #13- Development Density

Legend

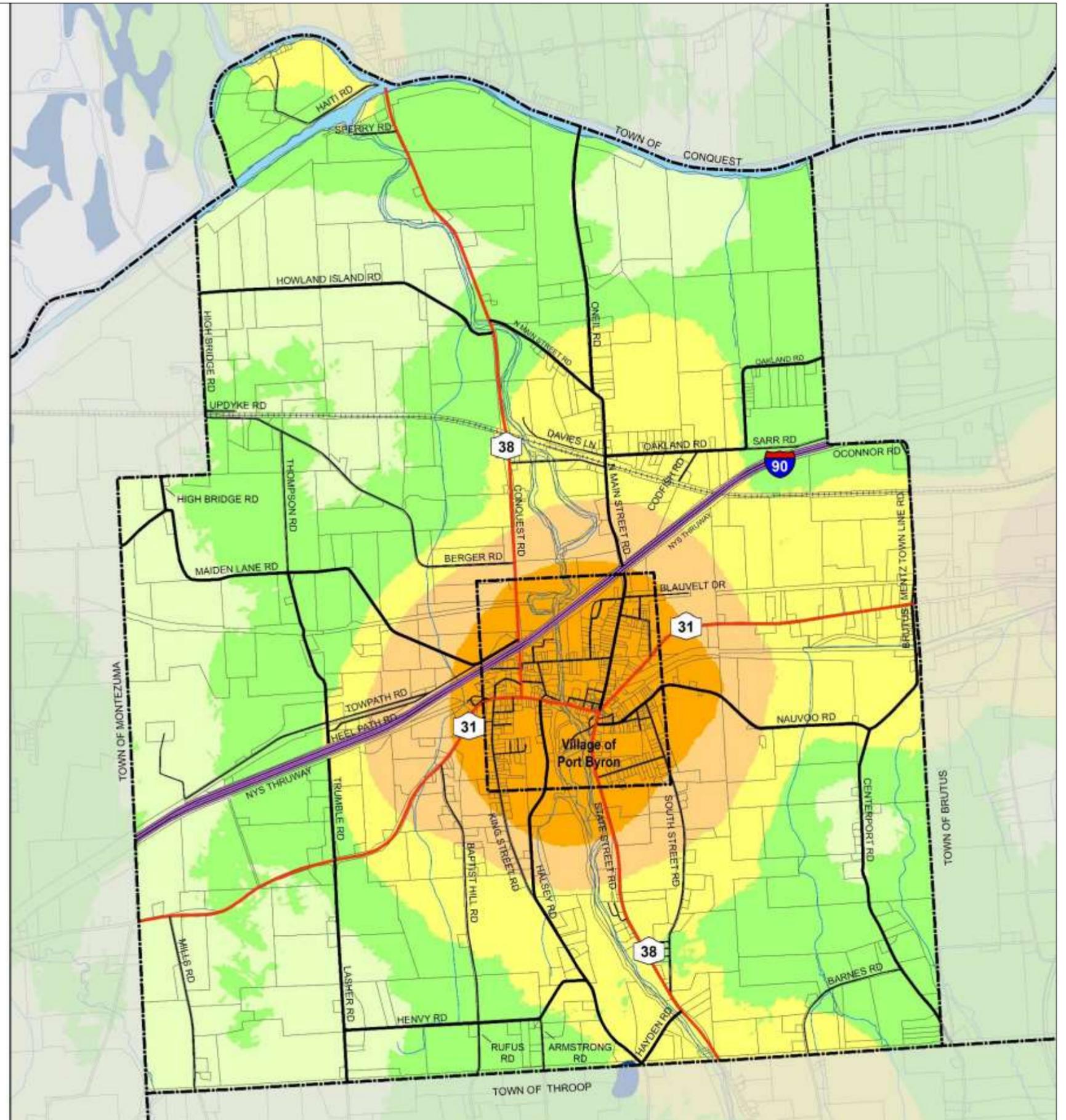
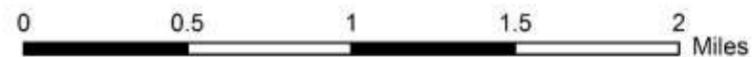
-  Parcels
-  Seneca River
-  Lakes
-  Streams

Number of Parcels Within 1/4 Mile

-  0 - 10
-  10 - 25
-  25 - 50
-  50 - 100
-  100 - 200
-  200 - 500
-  500 - 1,000
-  1,000 - 2,000

Roadways

-  Interstate Hwy
-  State Route
-  County Hwy
-  Local Road
-  Conrail Railroad



Land Use and Zoning

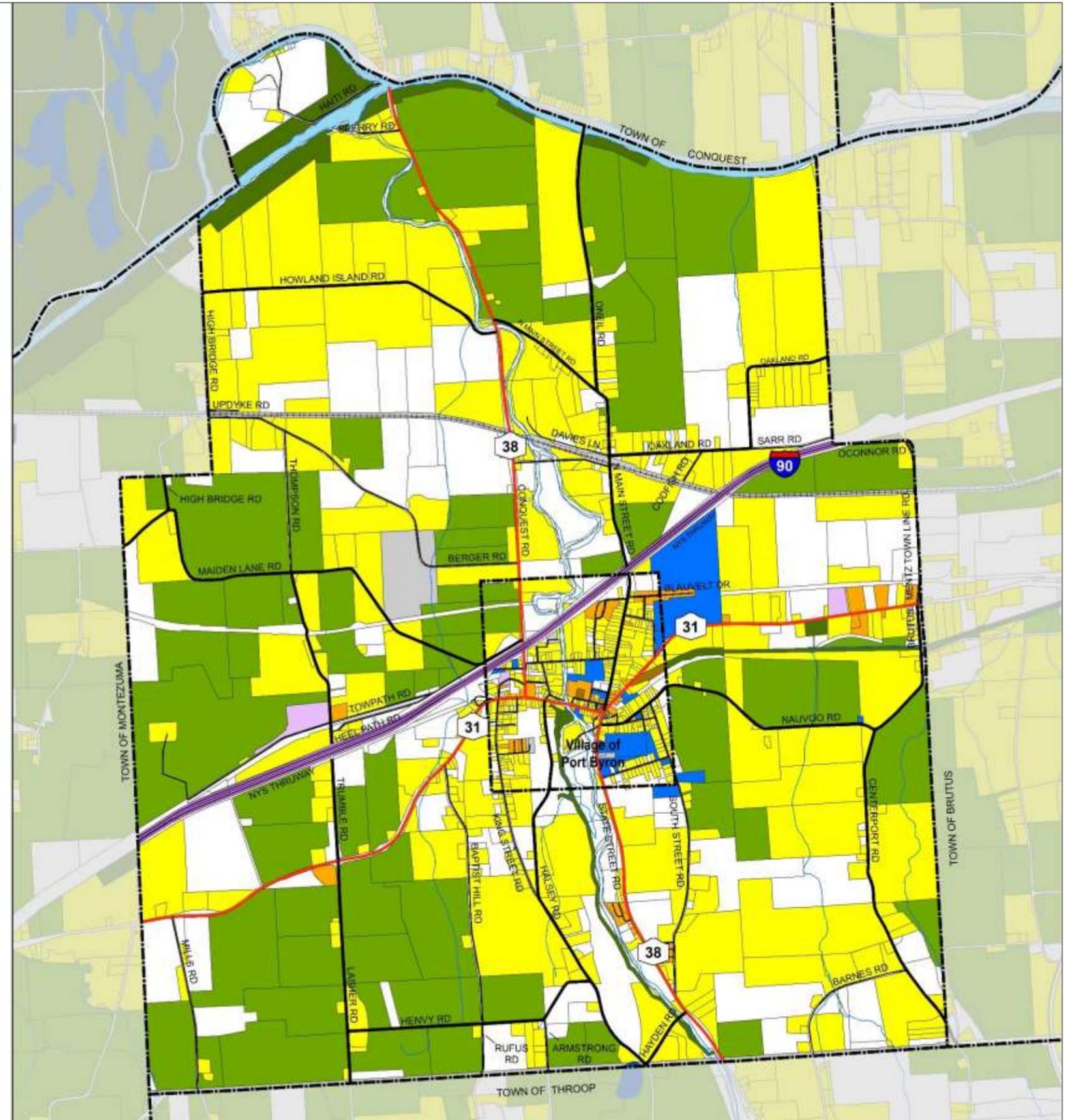
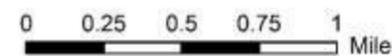
Maps for the current land use, as determined by the assessor codes used by the Town Assessor, and current zoning districts in the Town of Mentz help to illustrate the prevalence of agriculture as a land use within the town. Map 14 below shows that the vast majority of the land in Mentz is either used for agricultural or residential purposes (as determined by 2016 tax assessor codes). Additionally, the majority of the land labeled as vacant, is actually in agricultural use as hay and pasture lands.

TOWN OF MENTZ Agriculture & Farmland Protection Plan

MAP #14- Current Land Use

Legend

- Parcels
- Lakes
- Seneca River
- Streams
- Land Use**
- Agriculture
- Residential
- Vacant Land
- Commercial
- Recreation & Entertainment
- Community Services
- Industrial
- Public Services
- Wild, Forested, Conservation Lands & Public Parks
- Roadways**
- Interstate Hwy
- State Route
- County Hwy
- Local Road
- Conrail Railroad



These land uses are consistent with the Town's current Zoning Code; however, the Joint Comprehensive Plan for the Town and Village from 2015 calls for amendments to the zoning code and the map below that would help decrease the likelihood that the agricultural lands in the areas of highest development pressure (along State Route 31) would be converted to residential or commercial uses (see the Farm-Friendly Audit for more details).

TOWN OF MENTZ

Agriculture & Farmland Protection Plan

MAP #15- Current Zoning

Legend

- Parcels
- Lakes
- Seneca River
- Streams

Mentz Zoning

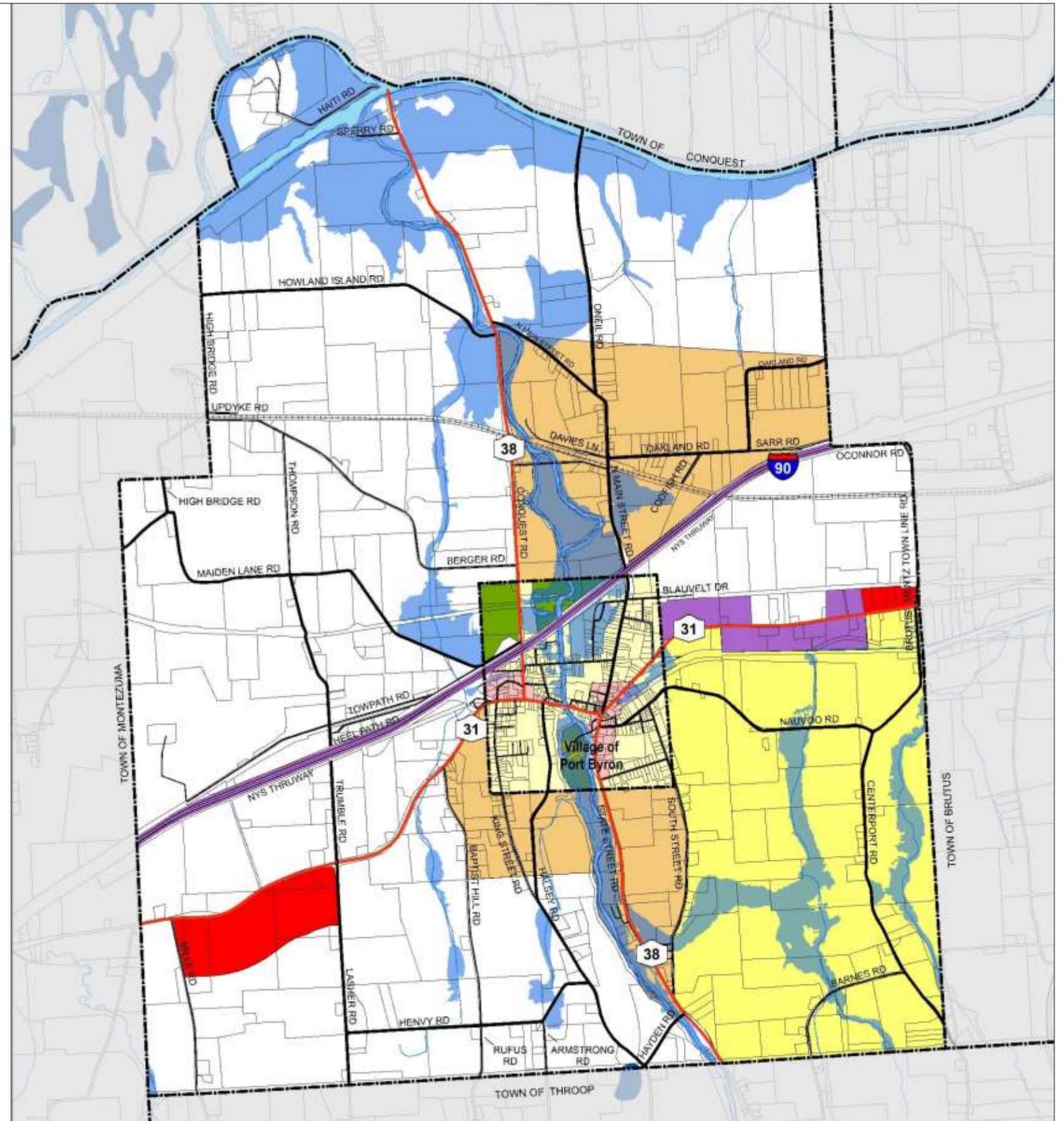
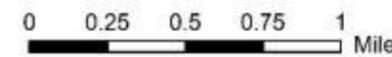
- A-1 Agriculture
- R-1 Low Density Residential
- R-2 Medium Density Residential
- C-1 Highway Commercial
- M-1 Limited Industry
- F-1 Flood Plain Overlay

Port Byron Zoning

- R-1 Medium Density Residential
- C-1 Central Business District
- A-1 Agriculture
- A-2 Agriculture/Conservation
- F-1 Flood Plain Overlay

Roadways

- Interstate Hwy
- State Route
- County Hwy
- Local Road
- Conrail Railroad



Natural Environment

Several features of the natural environment can help to identify priority areas in the Town of Mentz where land used for agriculture should be conserved and protected not only to allow for the continued use of the land for farming, but to protect vital natural resources for the entire community. An analysis of these features has been provided through a series of maps with written explanations which follows below.

Surficial Geology

The predominant types of surficial geology, the material between the soil and bedrock, in Mentz are glacial till, comprised of impermeable materials left behind during the last glacial retreat; and lacustrine silt and clay which are sedimentary rock formations that formed in the bottom of ancient lakes which can be quite unstable. Groundwater tends to accumulate in gravely and sandy surficial geological deposits like lacustrine silt and clay formations (often the same locations as aquifers).

TOWN OF MENTZ

Agriculture & Farmland Protection Plan

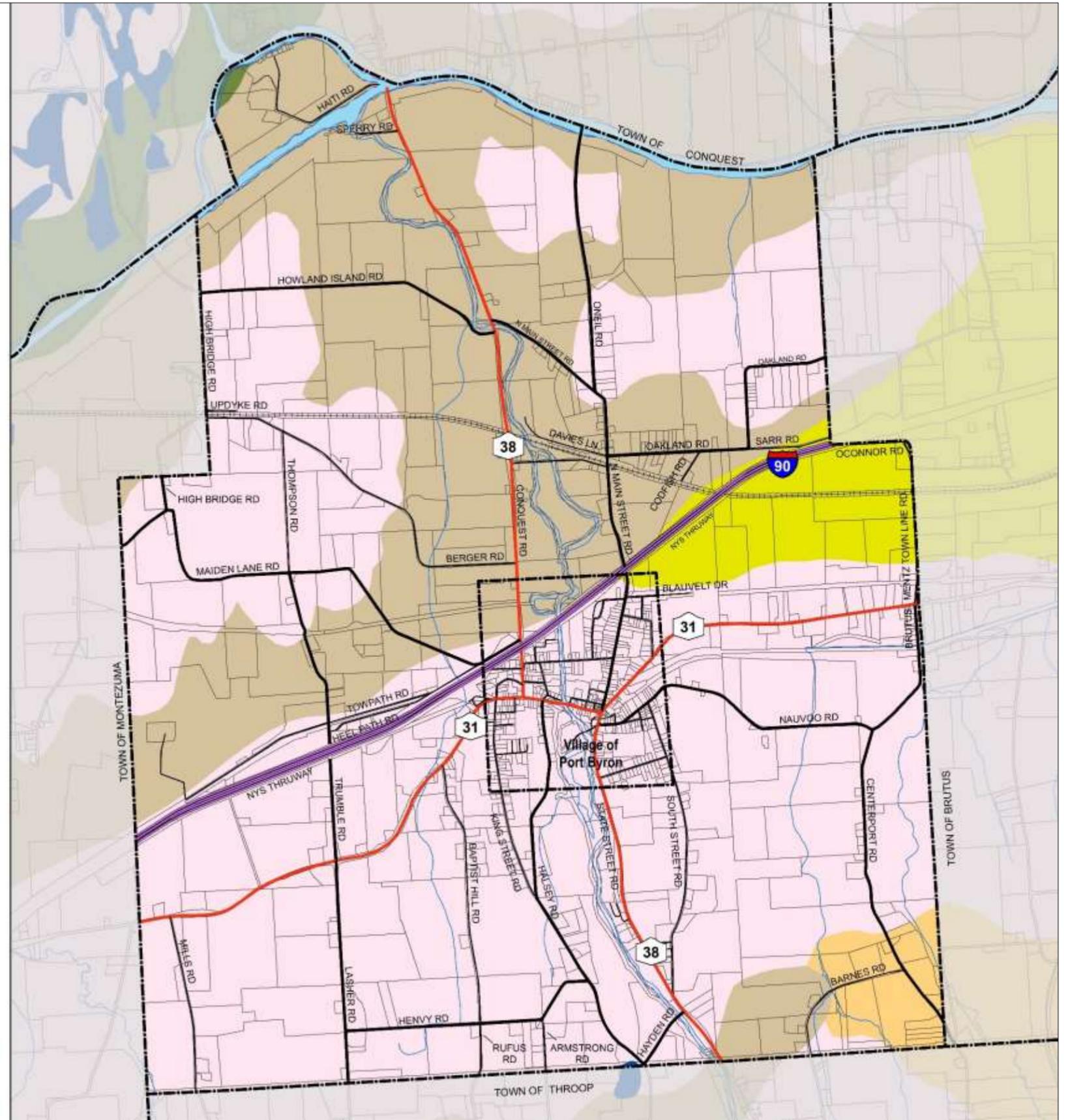
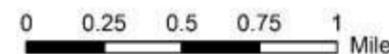
MAP #16- Surficial Geology

Legend

- | | |
|--|---|
|  Parcels | Roadways |
|  Lakes |  Interstate Hwy |
|  Seneca River |  State Route |
|  Streams |  County Hwy |
| |  Local Road |
| |  Conrail Railroad |

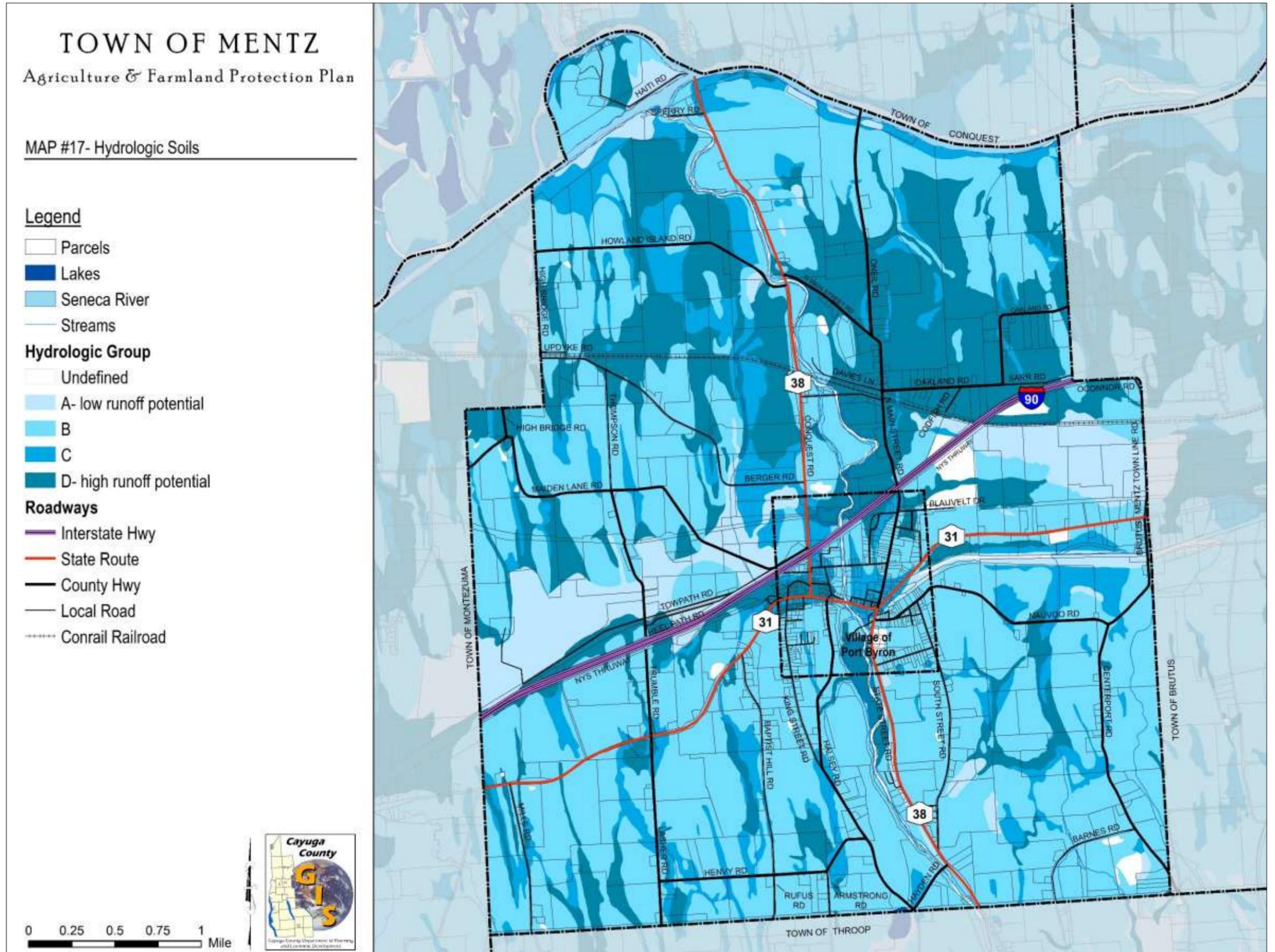
Surficial Geology Classification

-  **pm - Swamp deposits**
Peat-muck, organic silt and sand in poorly drained areas, unoxidized, may be overlying marl and lake silts, potential land instability, thickness generally 2-20 meters.
-  **lsc - Lacustrine silt and clay**
Generally laminated clay and silt deposited in proglacial lakes, generally calcareous, potential land instability, thickness variable (up to 50 meters).
-  **og - Outwash sand and gravel**
Coarse to fine gravel with sand, proglacial fluvial deposition, well-rounded and stratified, generally finer texture away from ice border, thickness variable (2-20 meters).
-  **k - Kame deposits**
Includes kames, eskers, kame terraces, kame deltas, coarse to fine gravel and/or sand, deposition adjacent to ice, lateral variability in sorting, coarseness and thickness, locally firmly cemented with calcareous cement, thickness variable (10-30 meters).
-  **t - Till**
Variable texture (e.g. clay, silt-clay, boulder clay), usually poorly sorted diamict, deposition beneath glacier ice, generally calcareous, relatively impermeable (loamy matrix), variable clast content - ranging from abundant well-rounded diverse lithologies in valley tills to relatively angular, more limited lithologies in upland tills, potential land instability on steep slopes, thickness variable (1-50 meters).



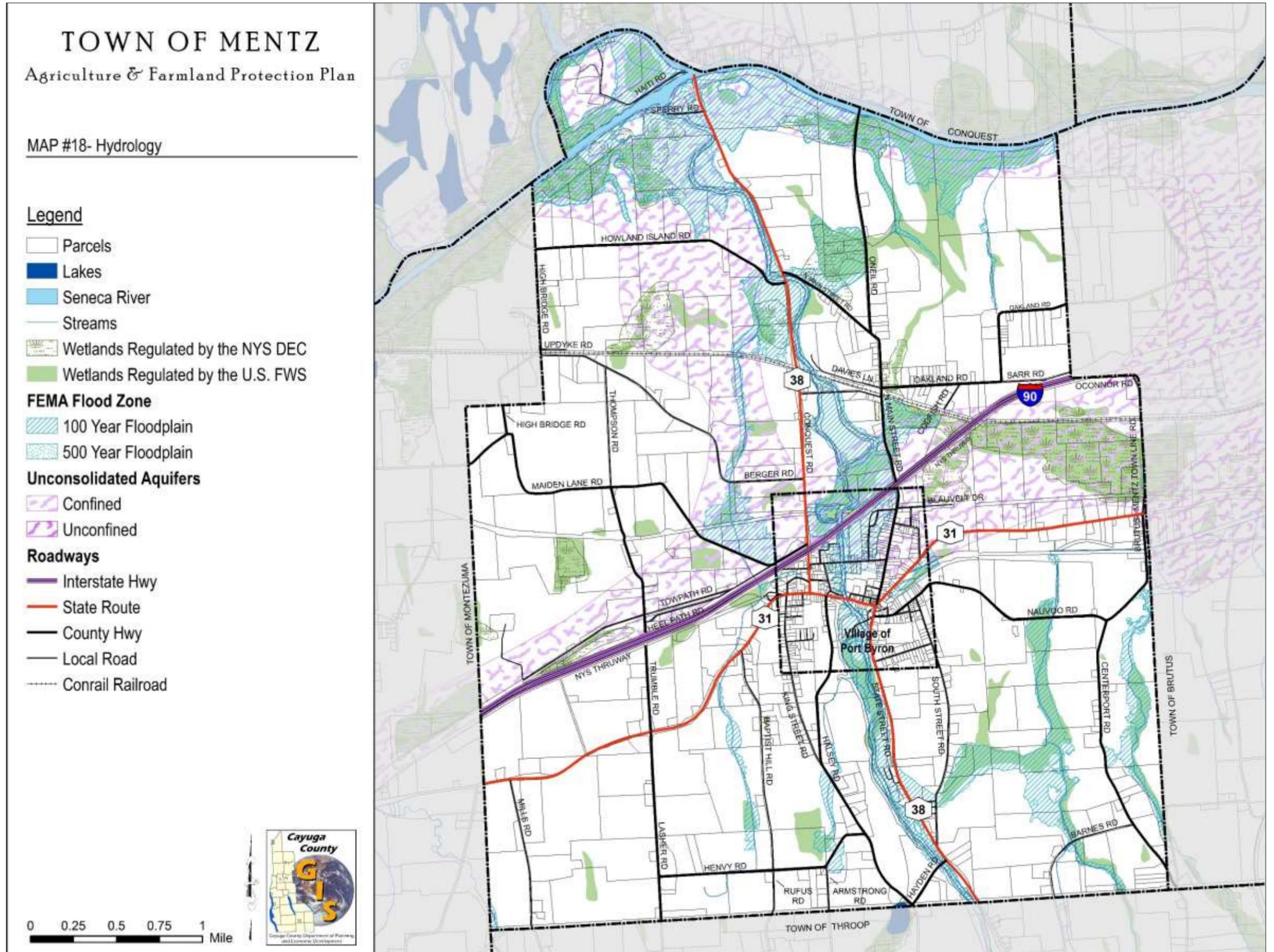
Hydrologic Soil Groups

Where Surficial Geology indicates subsurface attributes, the locations of aquifers for example, Hydrologic Soil Groups can help identify the differences in the ability of soils to drain water. Water is better able to infiltrate soils with a higher sand and sandy loam content than it can in clay soils which are more readily saturated and therefore create higher runoff conditions. On the Hydrologic Soils Map below (Map 17), Group A soils, which are the best drained, are indicated by the lightest shade of blue. Group D soils with their high clay content and low water infiltration rates are the most likely to retain water and generate runoff, are indicated by the darkest shade of blue on the map.



Hydrology

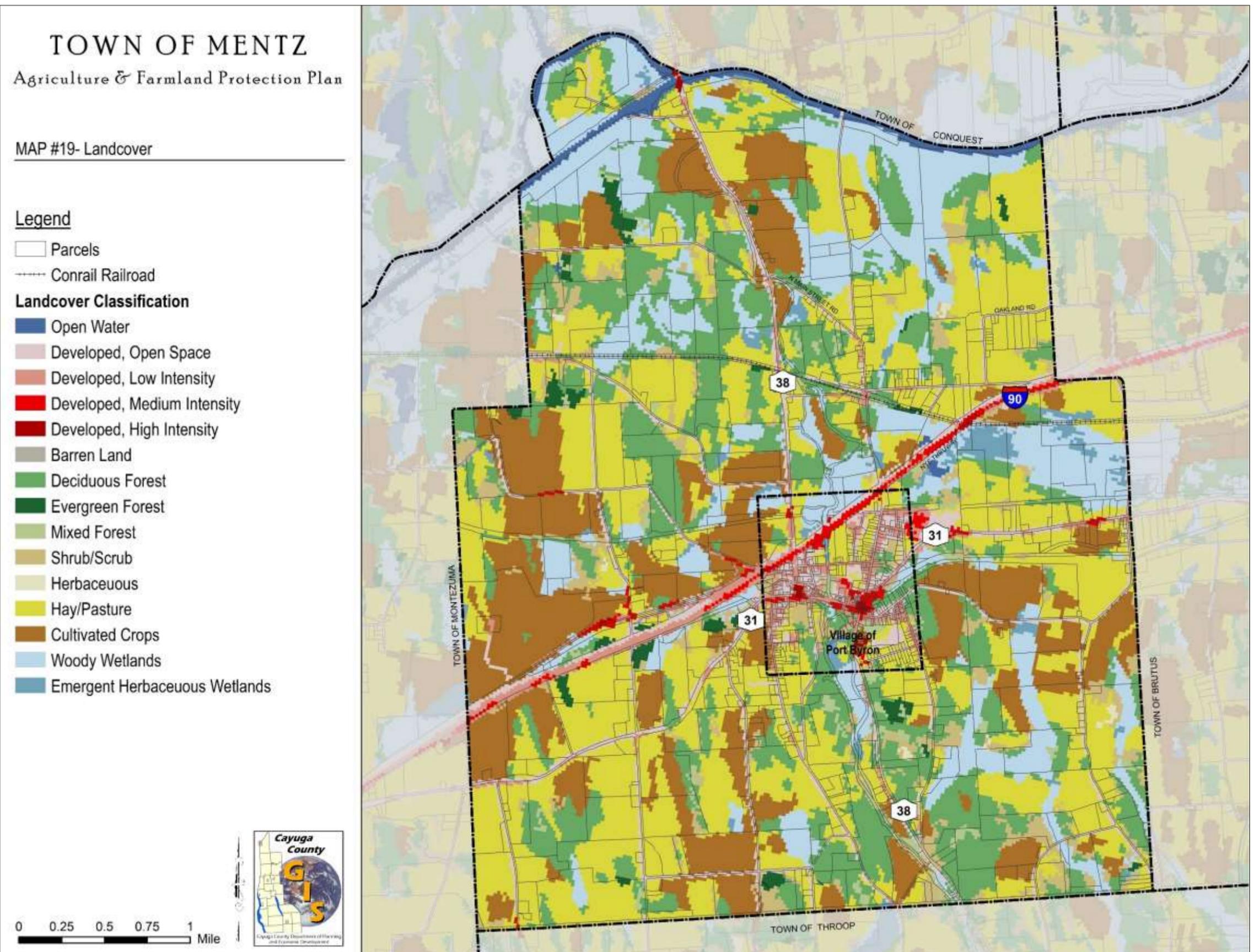
Surface hydrological features, which include streams, ponds, wetlands and floodplains, are another important factor in farmland protection. Farmland, if managed properly, can help to protect these environmentally sensitive features. The management and protection of these features is important for the stability and longevity of not only the farms in the town, but the portion of the community which depends on clean drinking well water. The development of flood-prone areas can also lead to serious erosion and flooding issues which can have a ripple effect throughout the community. Protecting these environmentally sensitive areas and permitting only low impact appropriate development will aid in protecting farmland, wildlife habitats, and the water resources of the Town.



Landcover

A comparison of data, recorded by earth observation satellites in 2001 and 2011 indicates that there was a slight change in landcover conditions in the Town of Mentz during that 10 year period. Most notably, there has only been a 2% loss in land used for cultivated crops. However, there was a 20% gain in open water and a 7% gain in wetlands which seems to indicate either results from flooding events or man-made features used for irrigation and similar uses. Map 19 shows the landcover conditions in 2011 in Mentz; and the adjacent table shows the change in landcover from 2001 to 2011.

Change in Landcover in the Town of Mentz			
Landcover Type	2001 (acres)	2011 (acres)	% Change
Open Water	109	131	20%
Developed	926	931	0.5%
Barren	0	0	0%
Forest	2,306	2,291	-0.7%
Shrub/Herbaceous	619	527	-15%
Hay/Pasture	3,526	3,535	0.3%
Cultivated Crops	1,924	1,883	-2%
Wetlands	1,573	1,685	7%
Total:	10,983	10,983	



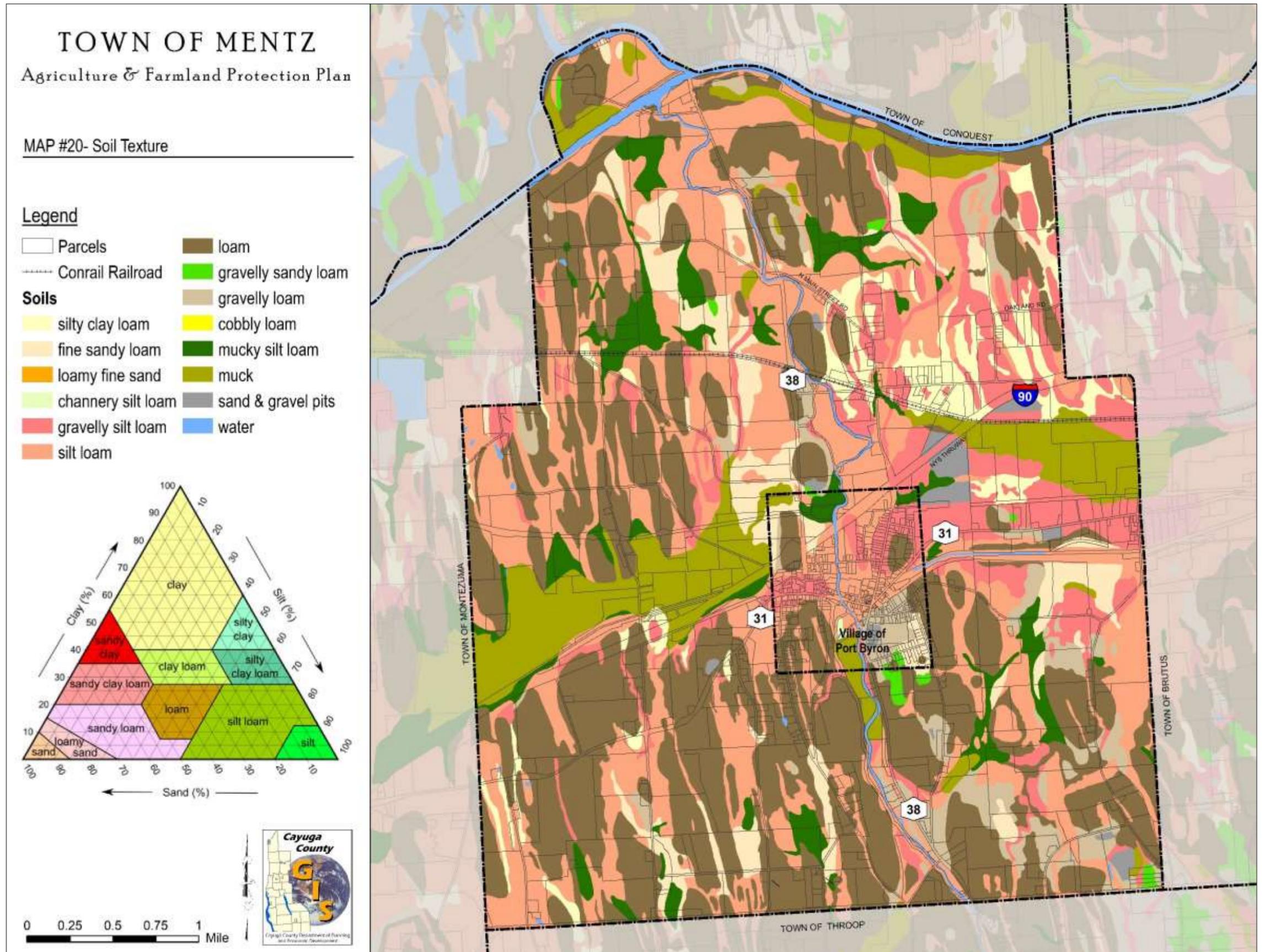
Soil Texture

Soil texture is the percentage of sand, silt, and clay found in a particular soil type. Soil texture cannot be changed so it is important for farmers to know what type of soil they have on their land and its associated properties. A basic understanding of soil texture is also important for the Town Board and Town Planning Board when they are looking at subdivision and development requests, particularly when trying to conserve as much of the most productive agricultural lands for future production as possible. There are four dominant soil texture types in Mentz: loam (3,710.72 acres, 34%), silt loam (2,925.74 acres, 27%), gravelly silt loam (1,091.65 acres, 10%), and muck (926.29 acres, 8%).

Loam soils are primarily composed of sand, silt, and clay in usually a 40-40-20 ratio, but does occur in several variations based on the percentage of sand, silt, or clay found in the soil (loam is the only soil type that is not predominantly sand, silt, or clay, but a more even mixture of the three). Loam soils are considered ideal for gardening and agricultural uses because they retain nutrients and water while still allowing excess water to drain away.

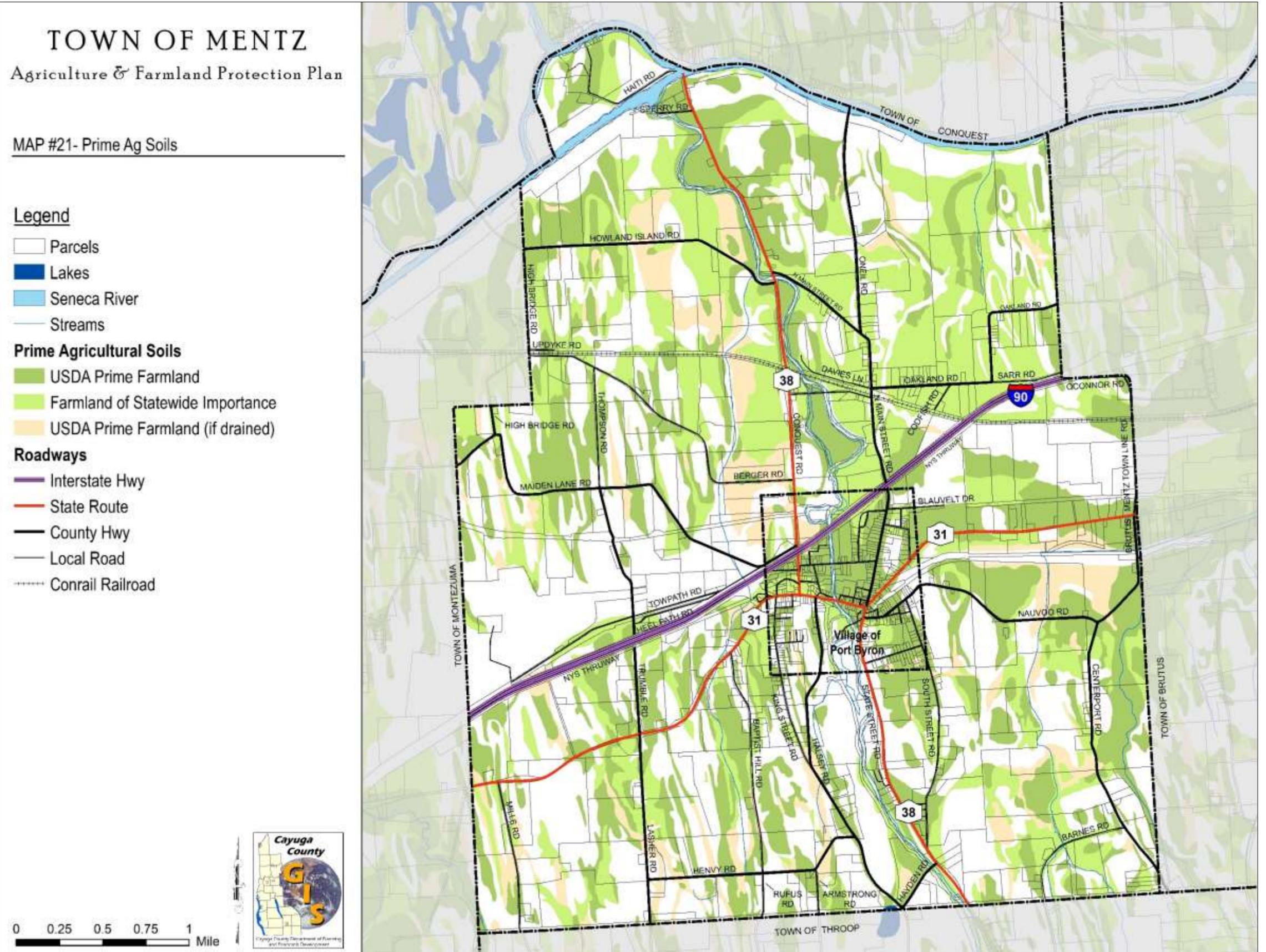
Muck soils are primarily made of a substance called humus which is left behind from drained swamp land (either from natural events or man-made). Muck soils are rich in nutrients and are generally not well drained and stay fairly wet, which is why they are the preferred soil type for growing "truck crops" like onions, potatoes, celery, cabbage, carrots, etc.

The soils triangle, used by the USDA, illustrates soil types by the clay, silt, and sand composition found in the soil; and Map 20 shows the location of the various soil texture types located in the Town of Mentz.



Prime Agricultural Soils

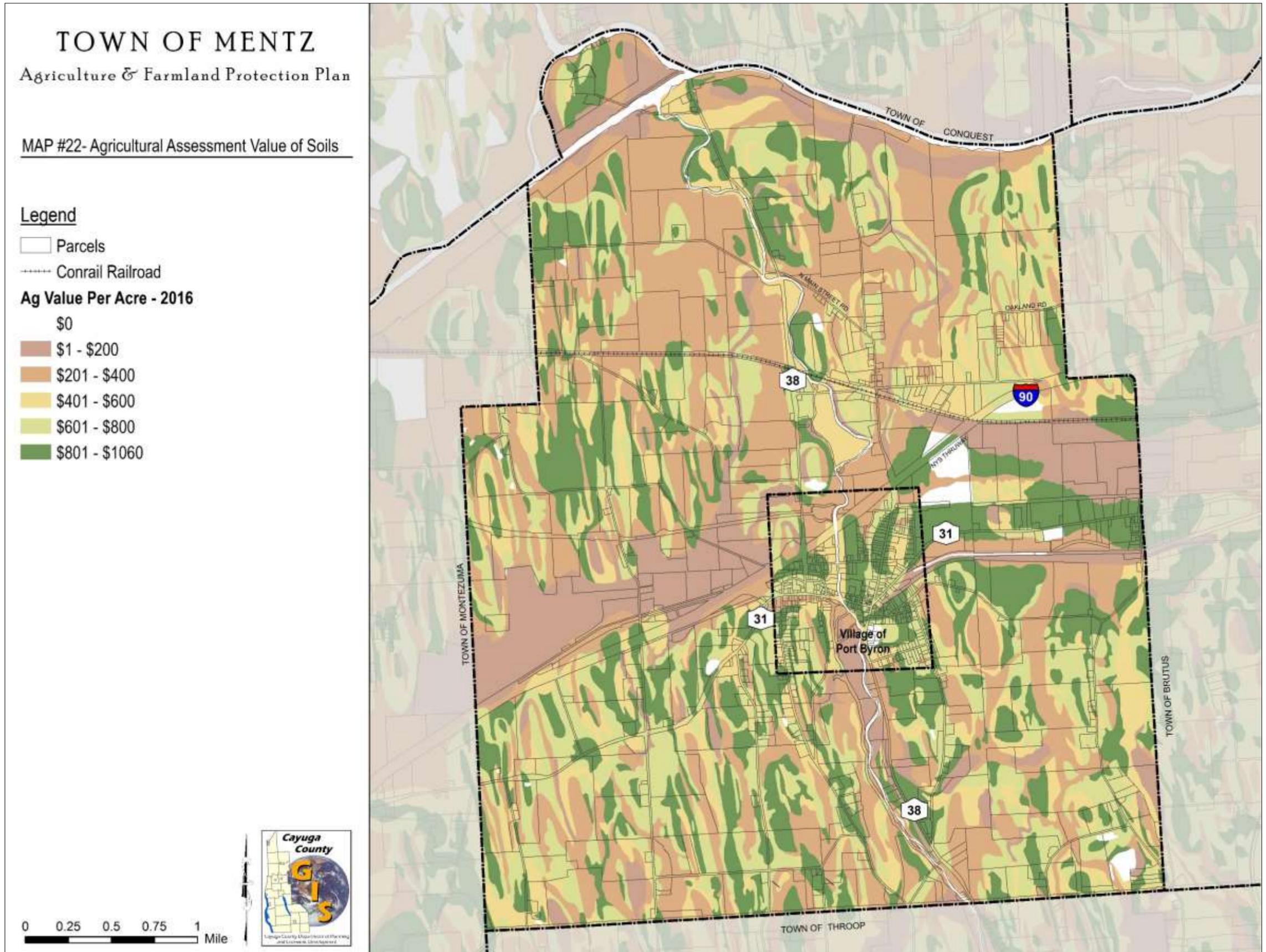
The USDA classifies soils for agricultural production as either Prime Farmland Soils, Soils of Statewide Importance, or areas which would be considered prime farmland if they were drained of water. The Prime Farmland areas have soils which have the best combination of chemical and physical factors to produce food and fiber. Farmland of Statewide Importance, while not as productive as Prime Farmland, will produce good to fair yields if managed properly. In Mentz, 27% of the soils are considered USDA Prime Soils, 22% are Farmland of Statewide Importance, and 7% of the soils are considered Prime Farmland if Drained. These three categories combined cover 56% of the soils in the Town.



Agricultural Assessment Value of Soils

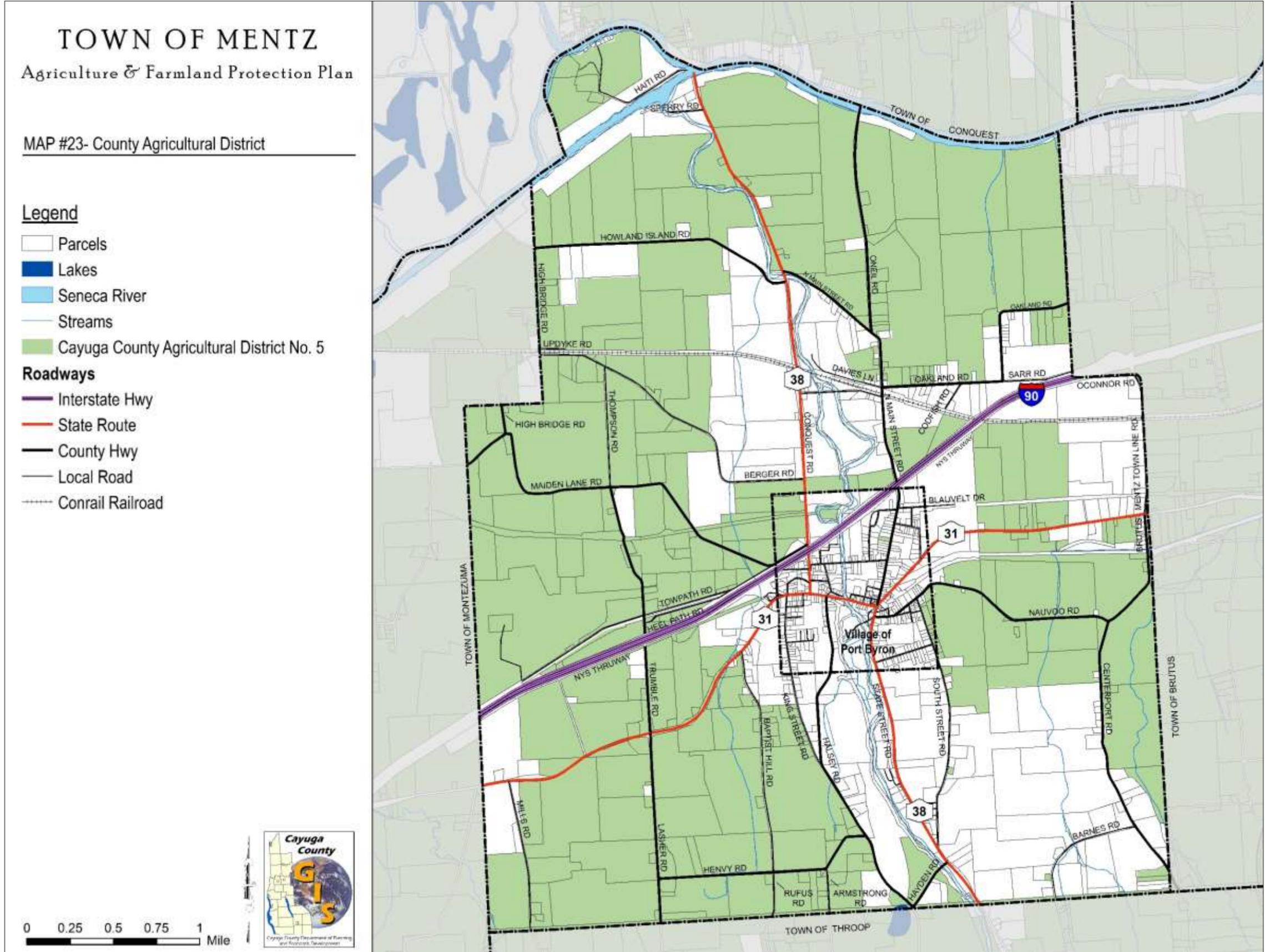
As mentioned on page 14, one factor in determining the suitability of land for agricultural protection is the agricultural assessment value of the soils. The agricultural assessment value of a parcel is based on the productivity of the different soil types found on the parcel. These assessment values are calculated and published as a per acre dollar amount in ten categories annually by the New York State Department of Agriculture and Markets. Map 22 and the adjacent table illustrate the distribution of the agricultural assessment values of soils in the town.

2016 Value Per Acre (\$)	Total Acres	% of the Town
0	262.14	2.39%
53	926.29	8.43%
170	412.86	3.76%
276	1,017.87	9.27%
392	2,237.19	20.37%
498	1,500.10	13.66%
615	2,001.05	18.22%
721	246.59	2.25%
837	1,130.72	10.29%
943	1,189.46	10.83%
1,060	58.25	0.53%



Cayuga County Agricultural District

Approximately half of the Town of Mentz is located in Cayuga County Consolidated Agricultural District #5. A County Agricultural District provides some protections for farming under New York State's Right-to-Farm Law through the New York State Department of Agriculture & Markets including: protection from unreasonably restrictive "anti-farming" local laws, protection from nuisance lawsuits, limitations on the use of eminent domain for public or private construction projects, and an expedited process for applying for agricultural tax exemptions among other things. Map 23 shows the boundaries of the County Agricultural District within the Town of Mentz.



Farm-Friendly Audit

The Town of Mentz subdivision regulations were adopted in August of 1966; and the zoning ordinance was adopted on May 1, 1969 and amended several times since then. The Town Planning Board determined during the development of the Town of Mentz and Village of Port Byron Joint Comprehensive Plan, adopted February 17, 2015, that both of these sets of regulations needed to be re-written and updated, incorporating the subdivision regulations into the zoning ordinance, to reflect more modern land use patterns and approval processes such as site plan review and a streamlined special permit review and approval. Another desire for the update is to create a more user-friendly ordinance for both Town officials and property owners alike.

Staff from the Cayuga County Department of Planning & Economic Development (CCPED) conducted a Farm-Friendly Audit for the Town of Mentz Agriculture & Farmland Protection Plan. The intent of this audit is to highlight existing regulations and policies in two ways:

1. Identifying regulations and policies that are considered supportive of agricultural operations; and
2. Identifying regulations and policies that may pose a hindrance to agricultural operations, or are contradictory to the New York State Right-to-Farm Law or with the New York State Department of Agriculture & Markets definitions or regulations.

Current regulations and policies pertaining to the farming industry from the zoning ordinance/local laws, subdivision regulations, and comprehensive plan are provided below with comments from CCPED staff to help guide the Planning Board and Town Board with future amendments to these regulations and policies to ensure that the town is truly farm-friendly and supportive of agriculture.

Excerpts from the Town of Mentz Zoning Ordinance:

2.100 APPLICABLE DEFINITIONS

- 2.115 Camp. Any one or more of the following, other than a hospital, place of detention or school offering general instruction.
- b. Farm Camp. A camp located on a farm used or designed to be used for more than ten (10) persons who are transient farm laborers and/or transient farm laborers and their families, whether or not for compensation.

Comment: The term "Farm Camp" is a bit antiquated and while this definition could be interpreted to include farm worker housing, it should be replaced with an actual definition for farm worker housing, both for seasonal and year round workers. The new zoning ordinance should also include provisions for farm worker housing as a permitted use, either by right or special permit, in the Agricultural A-1 zoning district.

4.200 USE CLASSES IN ZONING DISTRICTS

- 4.201 Permitted Uses (Use Classes 1 through 8). Uses listed as "Permitted Uses" in Schedule I shall require no special action by the Board of Appeals or by the Planning Board before a zoning permit is granted by the Building Official.

TYPE OF REGULATION	R-1		R-2		C-1	M-1	M-2	A-1		F-1
	SF	TF	SF	TF				SF	FARM	
<u>Minimum Lot Size</u>										
Area (Sq. Ft.)	30,000	30,000	12,750	15,000	20,000	43,560	435,600	43,560	XX	XX
Width (Ft.)	150	150	85	100	100	150	600	150		
Depth (Ft.)	200	200	150	150	150	200	1,000	250		
<u>Minimum Yards</u>										
Front Yard Depth (Ft.)	30 (c)	30 (c)	30 (c)	30 (c)	75 (c)	75 (c)	75 (c)	70 (c)	70 (c)	70 (c)
Rear Yard (Ft.)	20	20	20	20	40	40 (a)	40 (a)	70	30	30
Each Side Yard (Ft.)	15	15	15	15	15 (b)	30	30 (a)	40	20	20
<u>Maximum Building Hgt. for Principal Bldg.</u>										
Number of Stories	3	3	3	3	3	3	XX	XX	XX	XX
Max. Hgt. in Feet	40	40	40	40	40	40	XX	40	XX	XX
<u>Max. Bldg. Coverage</u>	25%	35%	30%	40%	40%	40%	30%	10%	20%	20%

(a) EXCEPT when abutting a RESIDENTIAL DISTRICT, then 50 FEET SHALL BE REQUIRED

SF denotes Single-Family Dwellings

(b) EXCEPT when abutting a RESIDENTIAL DISTRICT, then 30 FEET SHALL BE REQUIRED

TF denotes Two-Family Dwellings

(c) See Article 5 for variation to front yard requirements where USES FRONT ON AN ARTERIAL STREET

Comment: The Town made an excellent choice to reduce the minimum lot size for a single-family dwelling in an A-1 district from 5 acres to 1 acre (43,560 sq.ft.) some years ago. This reduction in minimum lot size helps to reduce the amount of farmland that is lost to residential development, particularly the type of development that is typical in the Town of Mentz at one or two lots at a time. By not requiring such large lots, the Town has helped keep up to 4 acres per single new lot created on a farm available for farming. It is also encouraging to see that there is no minimum lot size required for a farm in the A-1 district, which accommodates farm operations of all types and sizes; especially with the recent trend of small niche farms. The maximum building coverage of 20% on a farm should be analyzed when the Town develops their new zoning ordinance with feedback gathered from area farmers in the town and surrounding communities to ensure that the limitation of 20% is not overly restrictive to modern day farms that may need several barns, silos, and storage facilities (particularly if they would like to cluster these structures on one parcel to maximize the space available for crops or pasture on other more suitable land).

A-1 Agricultural

Use Class 1. Low Density Residential. Single-family, detached dwellings.

Use Class 7. Agricultural and Open Space Uses. Agricultural and Open Space Uses and buildings include the production of agricultural, nursery, forest products, and other customary agricultural operations, farm water conservancy ponds, fire protection ponds, golf courses, swimming pools, and landscaped areas.

Comment: The Town should consider amending this definition to align more closely with the definitions of agriculture and agricultural practices developed by the Town of Mentz Agricultural Advisory Committee in the Town of Mentz Agriculture & Farmland Protection Plan which are based in part on the New York State Department of Agriculture & Markets definition of agricultural operations.

Use Class 8. Customary Accessory Uses and Essential Services. Includes uses customarily accessory to the principal use of a lot and essential services provided by public utilities. Such uses include the following:

Accessory uses which are customarily subordinate to the principal use of a lot or a building located on the same lot, and which serve a purpose customarily incident to the use of the principal building or lot within any district. Such uses include home occupations, home gardening, nurseries and greenhouses (not including outdoor storage of equipment) and professional offices of persons residing on the premises, private garages or parking areas, signs, off-street parking and loading, temporary tract offices, unoccupied travel trailers and buildings, and other uses customarily appurtenant to other Permitted or Special Uses.

Essential services for public utilities, as defined in Section 2.120 which conform to the height regulations of the Zoning district in which they are proposed.

Comment: The description here of “customary accessory uses” does not include accessory uses that are in fact customarily accessory to agricultural operations including farm stands; on-farm stores; CSA pick-up locations; tasting rooms for value added operations like wineries, distilleries, etc.; or other agri-tourism facilities. The description also prohibits outdoor storage which is utilized by nearly all types of farm operations in some way; and it only allows “professional offices” for “persons residing on the premises”. As farm operations continue to evolve and grow in size, often they require a central office where employees check in and the public can visit if necessary; and it may not be practical to locate said office on the main homestead of the farm. As previously mentioned, this section along with others should be updated to reflect modern agricultural uses and be more inclusive and flexible to allow for the continued evolution of farming in the Town of Mentz.

4.202 Special Uses (Use Classes 9 through 15). Uses listed as “Special Uses” in Schedule I shall require individual consideration in each case because of their unique characteristics. Such “Special Uses” may be permitted only upon authorization by the Board of Appeals, subject to certain conditions and safeguards, as provided in this Section and after review by The Planning Board.

Such “Special Uses” shall comply with the provisions of this Section and may be permitted by the Board subject to any additional conditions and safeguards which may be warranted by the character of the areas in which such uses are proposed or by other special factors.

A “Special Use” shall not cause substantial injury to the value of other property where it is to be located; shall conform with regulations applicable to the District where located; shall be compatible with adjoining development; shall provide adequate landscaping and screening to protect adjoining areas; shall provide off-street parking and loading so as to minimize interference with traffic on the local streets and shall not jeopardize the public health, safety, welfare and convenience.

The following regulations shall apply to “Special Uses” (Use Classes 9 through 15) which are authorized by the Board of Appeals.

A-1 Agricultural

Use Class 9. Related Agricultural and Open Space Uses. Includes bank earth products, excavations, providing that the elevation of the floor of any such excavation shall be not less than two feet above the traveled way, except when the excavation is 200 feet or more from the right-of-way of the nearest street, and the slope of the face of the cut shall not exceed the normal angle of repose of the earth product being excavated.

Such uses shall also include the removal of top soil providing that such removal shall not endanger the productivity of the area to be stripped, and also riding academies, stables for the boarding or breeding of horses, cows or other farm animals, veterinary clinics and animal kennels, livestock arenas, and sales areas and related accessory uses, camps, parks and recreation areas, game and hunting areas, cemeteries and mortuaries.

Comment: This definition could be confusing to some because it seems to require a special use permit first for the removal of top soil, but then with no real distinction in meaning, it seems to require a special use permit for a variety of agricultural buildings and uses that are typically permitted by right in agricultural zoning districts i.e.: “stables for the boarding or breeding of horses, cows or other farm animals”. The new zoning ordinance should take on a more traditional format of utilizing a use table to more clearly distinguish which specific use classifications are permitted by right or by special use permit in each zoning district rather than using these broad and somewhat confusing general categorical statements.

Such uses shall also include subordinate farm use. A subordinate farm use shall be defined as a secondary or associated agri-business engaged in by a farm owner-operator to supplement or compliment the primary farm enterprise. An agri-business shall be defined as commercial activities undertaken to provide goods and/or services primarily marketable to the agricultural sector and generally of little or no marketability to the general consumer population. Such activities may include crop drying, tractor sales, feed sales, slaughtering and similar undertakings.

Such subordinate use shall be permitted only if under the direct management and ownership of the person, firm, or corporation which directly manages and owns the farm to which the proposed use would be subordinate. When such subordinate use would require location within a structure, such structure shall conform with all applicable dimensional requirements of this ordinance.

Comment: The two sections above were a good addition to this section of the zoning ordinance made by the Town Board several years ago; however, as stated in the previous comment, a use table accompanied by specific definitions for each use classification would be more useful to the Planning Board and to property owners.

Use Class 13. Large Scale Non-Residential Development. Includes commercial, industrial uses or other non-residential uses of all types which are located on a tract of land at least 10 acres in size, which is planned for development in its entirety under single ownership or control.

Such large scale non-residential development may be permitted by the Board of Appeals after review by the Planning Board to encourage a flexibility of design which will result in an integrated site plan designed to benefit the municipality and shall comply with the following:

- a. The proposed developer of the large scale development shall demonstrate that a sufficient market exists for the type, size, and character of the development proposed.
- b. The orientation of buildings shall be as follows:
 - Exterior walls of opposite buildings shall be located no closer than a distance equal to the height of the taller building.
 - A building group may not be so arranged that any permanently or temporarily inhabited building is inaccessible by emergency vehicles.
- c. Adequate, safe, and convenient pedestrian and vehicular circulation facilities, including roadways, driveways, off-street parking and loading, sidewalks, malls and landscaped areas, to serve the development shall be provided.
- d. Paving and drainage facilities shall be designed to adequately handle storm waters, prevent erosion and the formation of dust.
- e. Permanent screen planting, fencing, and walls shall be provided where necessary to shield adjacent residential districts from parking lots, illumination and headlights, noise and other objectionable influences.

Comment: This type of use classification is traditionally referred to as a Planned Development District (PDD) and if the Town properly utilizes that approval process instead of a special use permit process, the Planning Board and Town Board will have greater discretionary power over the approval process to ensure that the quality and type of development proposed is truly appropriate for the community. Additionally, in order to

preserve agricultural lands neither “Large Scale Non-Residential Development” nor PDDs should be permitted in an agricultural zoning district.

Use Class 15. Appropriate Public Uses. Includes public and quasi-public uses of a welfare, educational, religious, and recreation and cultural nature, and religious homes accessory to such uses; radio and television transmission or receiving towers; and essential public utilities that require enclosure within a building except for telephone central office buildings and telephone booths.

Such Public Uses permitted by the Board of Appeals as a “Special Use” shall be appropriate to the character of the District in which it is proposed and to the area which it will serve. Such appropriate Public Uses shall have adequate access, shall provide off-street parking and loading as specified in section 5.500, shall provide necessary landscaping and screening to protect adjoining areas, and shall comply with the following lot, yard, and building regulations:

Comment: While the provision for the types of uses listed above in an agricultural zoning district is not detrimental to the continuation of agricultural operations in the Town, CCPED staff strongly recommends that the A-1 district in the new zoning ordinance be written with a primary purpose and focus on agriculture with a limited number of additional non-related permitted uses such as single-family dwellings so as to not encourage the development of potentially incompatible uses.

Comment: In accordance with the standards provided in NYS Town Law and the best practices guidelines established in the James A. Coon Local Government Technical Series for Special Use Permits, all uses that require a special use permit should have very specific criteria that need to be met in order to receive said permit. Some level of subjectivity on the part of the Planning Board is ok, but land owners should be able to look at the zoning ordinance and know exactly what is required in order to obtain the necessary permits and approvals for their requested activity. Also, the number of uses requiring a special use permit approval for agricultural operations should be reduced as much as possible, again, reference the definitions of agriculture and agricultural practices developed by the Town of Mentz Agricultural Advisory Committee in the Town of Mentz Agriculture & Farmland Protection Plan for a more clear indication of what types of farm activities should be permitted by right.

5.100 PERMITTED VARIATIONS FROM REQUIRED AREAS

The minimum lot, yard, and height requirements of Article 4 shall prevail in all cases, except as follows:

5.102 Height Limitations. District height limitations shall not apply to church spires, cupolas and domes, monuments, water towers, chimneys, smoke-stacks, farm structures, silos, flag poles, utility poles, radio and television masts or aerials, utility towers, and parapet walls extending not more than four feet above the limiting height of the building. The Board of Appeals, after review by the Planning Board may waive the height limitations of this Ordinance, as they pertain to elevator apartments and to commercial and manufacturing buildings. In such cases the Board of Appeals shall determine that such a departure is in the best interests of the municipality, that it will be compatible with and not cause substantial injury to the value of other adjoining property, and that adequate off-street parking, loading, and fire protection will be provided.

Comment: The exemption of farm structures and silos from height restrictions in the zoning ordinance (as mentioned here and seen in the chart in Section 4.201) is supportive of agricultural uses since often these structures are built much higher than homes typically found in rural agricultural areas in order to provide adequate space/volume as required by the farm practice they are designed and utilized for.

5.300 ACCESSORY STRUCTURES AND USES

5.301 Accessory Structures. All accessory structures shall conform with the minimum yard regulations established in Article 4, except as permitted below:

b. Unattached Structures Accessory to Non-Residential Buildings. Such accessory structures shall comply with front and side yard requirements for the principal structure and shall have a minimum rear yard of at least 20 feet.

Comment: This requirement could pose interpretive issues for the Code Enforcement Officer and the land owner on a farm when trying to determine which farm structure is considered the principal structure; and depending on lot size and configuration, it may be difficult and prohibitive for farmers to expand their operations by building additional structures that must meet the same setback requirements. The same type of analysis and input as suggested for the lot coverage should be conducted for this provision when the new zoning ordinance is developed to ensure that both existing and new farm operations are not needlessly hindered by excessive setback requirements. One provision that has worked well in other rural communities is to require new residential properties to install buffers adjacent to farm properties in lieu of requiring large setbacks on the farm properties; with one exception of the location of manure pits/piles which can be required to be

setback a reasonable distance from property lines and waterbodies (creeks/streams, rivers, ponds, etc.) to protect the water quality and environment in the community.

5.500 OFF STREET PARKING AND LOADING

5.501 OFF-STREET PARKING. In all Districts, off-street parking spaces shall be provided as set forth in the following table whenever any building is erected or enlarged. Such spaces shall have an area of at least 200 square feet and shall have adequate and well-designed ingress and egress and shall be located on the same lot as the use to which they are accessory or within a radius of 400 feet.

Comment: The table provided in this section does not seem to include any agricultural uses and it was unclear to CCPED staff whether this was intentional and if the Town has been exempting agricultural uses from the parking requirements set forth in this section of the zoning ordinance. If in fact the intent is to exempt farms from having to provide off-street parking, it should be clearly stated as such in the new zoning ordinance. While requiring a limited number of off-street parking spaces for commercial agricultural or agri-tourism related uses seems quite reasonable, the Town should make sure that they examine this need carefully and determine an appropriate number, or better yet area, that would be designated for parking for customers and/or employees. The requirement that parking spaces/areas are paved should also be examined to ensure that the cost is not prohibitive to farms and farm businesses; and that adverse effects on the environment are not created from run-off (one argument for the use of gravel or other pervious surfaces and natural drainage systems when possible).

Excerpts from the Town of Mentz Subdivision Regulations:

3.300 RESIDENTIAL DESIGN STANDARDS

3.303 Design of the Residential Lots –

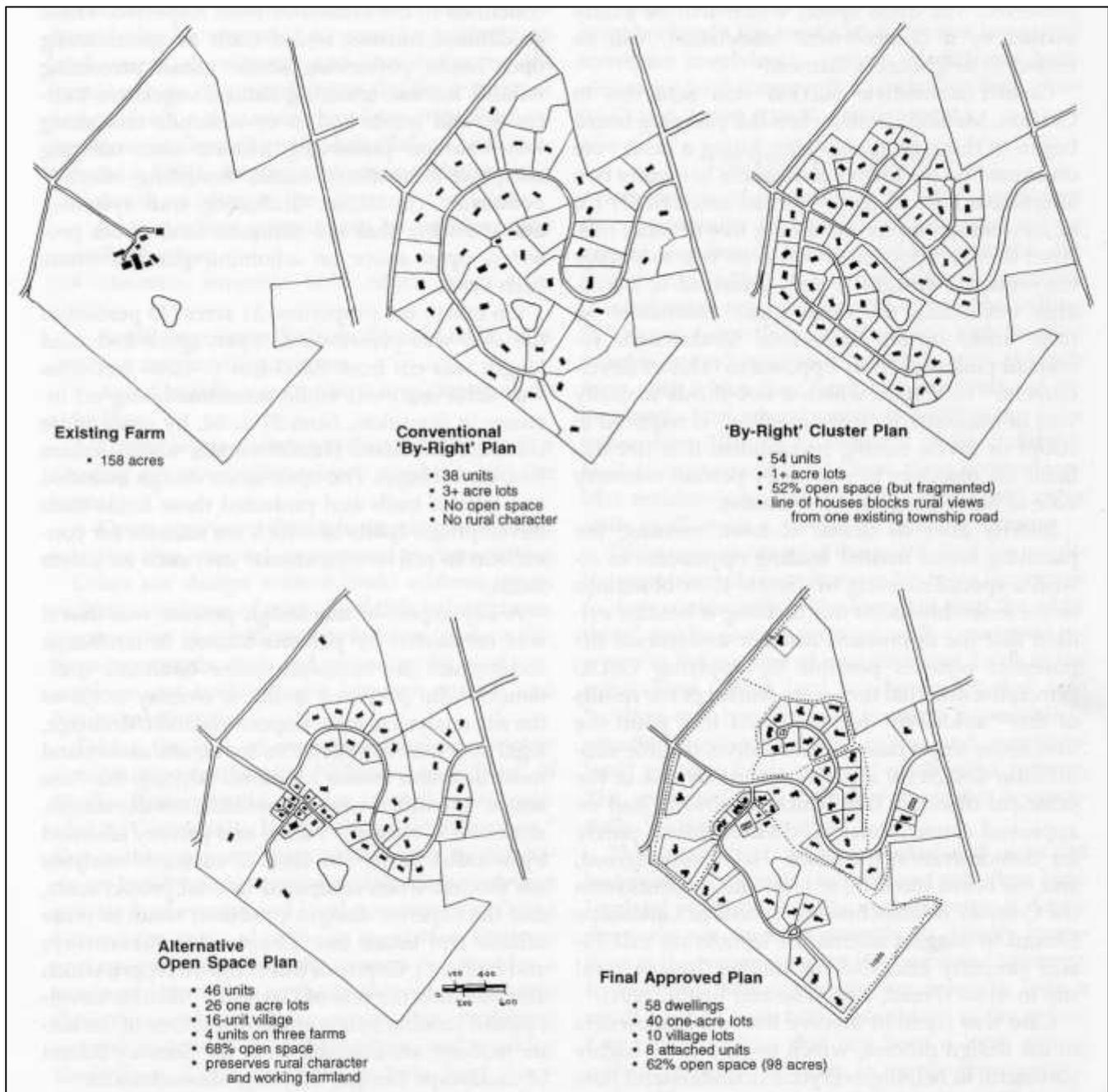
- a. Unless specifically waived by the planning Board all lots shall front upon a public street, existing or proposed.
- b. Side lot lines shall be substantially at right angles or radial to street lines.

3.400 COMMERCIAL AND INDUSTRIAL SUBDIVISION DESIGN STANDARDS

3.406 Location –

- b. Commercial and industrial subdivisions may not be located in predominantly residential areas or areas that are better suited to residential development, provided, that a commercial parcel designed as an integral part of a residential subdivision will be permitted and provided that said site shall be in conformance with the zoning ordinance.

Comment: The Town of Mentz subdivision regulations are quite outdated and do not include provisions for cluster, open space, or conservation subdivision development (three names that essentially mean the same thing...flexibility in the design and layout of lots to preserve the maximum amount of open space and prime farmland as possible). The subdivision regulations and the Planning Board should encourage agricultural land owners that want to create a new residential building lot(s) to do so in a manner that preserves as large of a piece of quality farmland as possible; and maintains adequate space for farm equipment to access the residual field. The Town can accomplish this goal by allowing and encouraging farmers to create new building lots that are set back along a new road or shared driveway from the main right-of-way rather than the typical development pattern of creating lots only along the main road frontage resulting in either a land locked parcel that cannot be accessed by farm equipment, or a flag lot with road frontage that still may not be large enough for modern farm equipment. The traditional development pattern also creates a higher potential for farmer and non-farmer conflicts and nuisance complaints since the farm field is left behind all of the housing units.



Conventional Subdivision design versus Conservation Subdivision design to preserve active agricultural land. Original image from Rural by Design by Randall Arendt, page 227.

Excerpts from the Town of Mentz and Village of Port Byron Joint Comprehensive Plan -

(CCPED staff assisted the Town and Village with the preparation of this plan. Listed here are the relevant goals, recommendations, actions, and policy statements from the Joint Comprehensive Plan related to agriculture).

FUTURE LAND USE CLASSIFICATIONS-

Agriculture (Town and Village district)

The Agriculture district shall promote the continued use of the land for agricultural production of all scales and also protect the rural character of the Town by limiting the number of new housing permits issued for non-farm related worker housing and by requiring additional criteria for subdivisions. While some new growth is expected over time, new single family housing development should primarily occur in the Low Density Residential areas.

Conservation (*Town and Village district*)

The Conservation district is designed to protect some of the most valuable natural resources in the Town and Village. These areas are located along major water bodies such as the Owasco Outlet, the Seneca River and the Erie Canal. These areas are also located in the Flood Plain Overlay and are highly susceptible to seasonal flooding and as such should not be built upon. Some acceptable permitted uses in this district are “light” farming practices such as the planting and harvesting of row crops, passive recreational trails, nature preserves and general open space. No new building permits should be issued in these areas due to their seasonal and storm related flooding potential.

IMPLEMENTING THE COMPREHENSIVE PLAN-

AMEND ZONING REGULATIONS

The following general zoning changes are recommended by this plan.

- Protect scenic, environmentally sensitive and important farmland and open space locations through overlay zones, performance standards for development, buffer zones, or other tools.
- Ensure that the new zoning regulations are written in easy to understand language and with illustrations as appropriate.

PASS NEW OR AMEND OTHER EXISTING LAND USE REGULATIONS

Local laws that will need to be revised include subdivision regulations and the Town Highway Law. New laws recommended by this plan include Conservation/Open Space Subdivision Regulations, a Local Right-to-Farm Law, Site Plan Review Standards for Commercial Development, and an Impact Fee Law.

It is important that residents and businesses feel that enforcement of land use and zoning regulations is consistent and equitable. Therefore, the following zoning amendments and actions shall also be made:

- A clear set of performance and or design standards leaves little room for “discretion” and therefore it is important to incorporate them into zoning, subdivision or other future laws such as site plan review. All special permit uses should have a rigorous review based on design standards.
- Small scale projects should have less complicated review than large-scale ones, and could be considered “use permitted after review”, but should be consistent with all performance and environmental standards.
- Actively involve Town and Village residents, land owners and businesses in zoning and other land use issues by improving communications between these individuals and the planning and zoning boards.

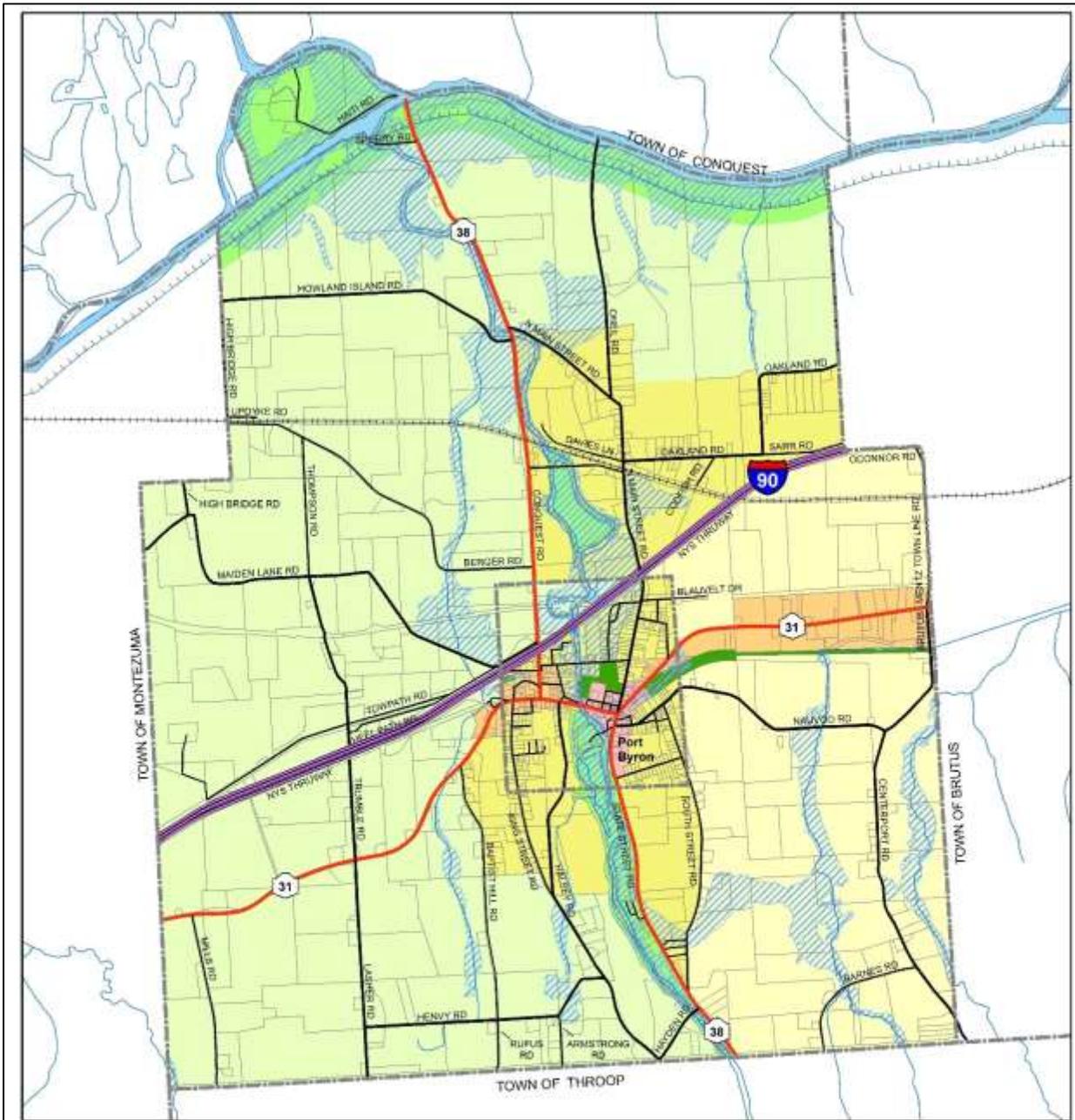
GOALS, RECOMMENDATIONS AND ACTIONS-

- **Preserve the Rural Character of the Town of Mentz.**
 - Revise the Town’s current land use, zoning, and subdivision regulations to more effectively protect the town’s rural character. Improve the administrative process for all land use, zoning, and subdivision related applications and approvals.
 - Establish a Zoning and Land Use Committee (ZLUC) responsible for drafting and recommending to the Town Board targeted revisions to the town’s current zoning and land use regulations to more effectively protect the town’s rural character.
 - The Town of Mentz and Village of Port Byron zoning codes and land use regulations should be updated and amended to comply with and effectively advance the vision and goals of the Town’s Comprehensive Plan as stated herein. Professional assistance and advice should be obtained when updating the local zoning code and land use regulations.
 - The Planning Boards should consult with the Cayuga County Planning Department and Cayuga County Soil and Water District to update the local zoning codes, land use regulations, and zoning maps for the Town of Mentz and Village of Port Byron. The Town and Village should also consider creating site plan review standards for commercial development and an impact fee law to help pay for future infrastructure improvements.
- **Promote Farmland Protection and Support Economic Development in the Farming Industry in the Town of Mentz.**
 - Establish a Farmland Protection Plan for the Town of Mentz
 - The Town Planning Board should appoint a Farmland Protection Committee to collaborate with the Cayuga County Planning Department to develop a Farmland Protection Plan. As a result of the plan, the Committee should work with the Zoning and Land Use Committee to amend the zoning

ordinance to help protect open space and farmland, and to promote agricultural economic development and agri-tourism by removing overly burdensome restrictions from the zoning ordinance; and by establishing new overlay zones, performance standards for development, buffer zones or other tools.

- Adopt a local “Right-to-Farm” law.
- **Encourage Commercial Development that Supports the Preservation of Rural Character and Discourages Corridor Sprawl and Strip Mall Development.**
 - Work closely with the Cayuga County Planning Department to advance the completion of the draft NYS Route 31 Corridor Plan, which currently addresses land use and development along NYS Route 31 Corridor. Create a new NYS Route 31 Committee that will collect new and relevant data regarding commercial development along NYS Route 31. The completed plan should support the vision and development goals of this Comprehensive Plan.
 - Appoint a NYS Route 31 Committee to advance and complete the NYS Route 31 Corridor Study.
 - Remove the C-1 zoning that is currently in place between Lasher Road and Mills Road, and rezone into A-1. This will serve to preserve the farmland and help to preserve the rural nature of the town. Instead the town should rezone additional areas along NYS Route 31 east of the village to C-1 and M-1, and investigate making use of the old West Shore Railroad line off Townline Road as a new area for development.
 - Have the ZLUC look into the issues with industrial development along the NYS Route 31 corridor and rezone to foster growth while carrying out the objectives of this Comprehensive Plan.
 - The new waterline along NYS Route 31, between Port Byron and Montezuma, will make home building more attractive along this corridor. Zoning should reflect this change. However it should be the goal to protect the farmland along the town roads that branch off NYS Route 31.
 - Prohibit the expansion of additional sections of waterline along the NYS Route 31 and adopt a lateral restriction law for the current NYS Route 31 waterline project.
- **Protect, Preserve, and Restore Natural, Historic, and Scenic Resources.**
 - The Town and Village should adopt new Subdivision Regulations that allow and encourage Conservation/Open Space subdivision development to preserve natural resources and protect against sprawl-like development.
 - Have the ZLUC work with the Cayuga County Planning Department to create new conservation/open space subdivision regulations that are appropriate for the community.
- **Promote the Expanded Use of Green and Renewable Energy Systems for Agricultural, Residential, and Commercial Buildings Within the Town and Village.**
 - The Zoning Regulations need to be updated to reflect the growing trends in and use of renewable energy systems for residential, agricultural, commercial and institutional applications.
 - Have the ZLUC look at these issues when drafting other updates to the local zoning codes.

The map below, from the Town of Mentz and Village of Port Byron Joint Comprehensive Plan, shows the adopted future land use plan for both communities. Note the proposed zoning changes along both the western and eastern corridors of State Route 31 compared to the existing zoning map (page 20 of this plan), which eliminates two highway commercial zones and an industrial zone, concentrating future low density development near the Town of Brutus municipal boundary. These changes were made to accommodate and direct the incremental growth that this area of the Town is already experiencing, locating future commercial and housing development closer to the school district and away from the most productive agricultural areas in the Town.



TOWN OF MENTZ & VILLAGE OF PORT BYRON Future Land Use

LEGEND

Mentz Future Land Use

- Commercial
- Residential- Medium Density
- Residential- Low Density
- Public Parkland
- Conservation
- Agriculture
- Flood Plain Overlay

Village Future Land Use

- Central Business District
- Commercial
- Residential
- Public Parkland
- Conservation
- Agriculture
- Flood Plain Overlay



Cayuga County Department of Planning and Economic Development



Public Outreach

The Town of Mentz Agriculture and Farmland Protection Plan development process began with a series of meeting between the Town Supervisor, Town Clerk, and staff from the Cayuga County Department of Planning and Economic Development to outline the planning process and to develop a list of farmers and non-farmers in the Town that might be interested in serving on the Town of Mentz Agricultural Advisory Committee. The Town Supervisor and Town Clerk then met with prospective committee members to see if they would participate. Once the committee was formed, the Town held a public kick-off meeting. In preparation for that meeting Cayuga County, on behalf of the Town, published a public notice in local newspapers and posted a copy at the Town Hall to inform residents about the plan, the kick-off meeting, and the process the Town would undertake in order to develop the plan. Cayuga County, again on behalf of the Town, sent meeting notice postcards to every resident in the Town.

Personal interviews were conducted during the early phases of developing this plan in order to gain valuable information from both farmers and non-farmer residents in the Town of Mentz. Interviewees were asked about their perspective on agriculture, what it means to them, and what it means to the town, as well as their ideas for protecting agricultural land in the Town. The responses from these interviews, organized into answers to the question “What does agriculture mean to you?” and areas of Strengths, Weaknesses, Opportunities, and Treats (SWOT) to agriculture in the Town were compiled and also included below. At the end of the SWOT, there is also a list of specific suggestions that some interviewees had for goals or actions for the plan.

Cayuga County, on behalf of the Town of Mentz, published public notices in local papers and mailed meeting notice postcards to the residents and property owners in the Town encouraging them to attend the two Public Hearings held by the Town Agricultural Planning Committee. For the first Public Hearing, held on June 7, 2017, a copy of the portion of the draft plan containing the Vision, Goals, and Objectives was made available for public review at Town Hall. For the September 13, 2017 Public Hearing, a copy of the full draft plan was made available for public review at Town Hall; and in digital format (.pdf) on the Town’s website.

On November 15, 2017 the Cayuga County Agriculture & Farmland Protection Board held a meeting to review and comment on the draft plan. The Town Board held a final Public Hearing on December 19, 2017 to once again hear from residents on the draft plan and to formally adopt the plan. At all of these meetings residents were encouraged to provide feedback on the draft protection plan.

What Does Agriculture Mean to You?

- Agriculture and farming in the Town of Mentz is a family tradition going back through several generations; and is a practice/lifestyle that should continue for generations to come with the same families and their relatives that started here.
- Agriculture is a complete business/operation and full circle where farmers not only grow plants for food but raise chickens, cows, and other livestock first for their own needs and then to sell to make a living.
- Farmers grow what they need to produce milk, meat, etc. and are self-sustaining (grow their own feed/inputs and put out their own manure to fertilize their fields).
- Farming is a family operation rather than a factory operation that brings in a lot of outside seasonal help.
- Agriculture is a way of life and the production of food stuff.

Strengths

- There is a strong history of farming and families that have farmed for generations in the town.
- The community supports the development of the Town of Mentz Agriculture & Farmland Protection Plan
- Majority of the land in the town and surrounding neighboring towns is agricultural land.
- The farming industry in Mentz is supported by the local farmer's market.
- The Town of Mentz has good access to several major transportation facilities: the NYS Thruway, State Routes 31 and 38 (and 34, 81, 89, and 690 via the Thruway and 31). There is also access to rail and air transportation in and around the town.
- The Cayuga Milk Ingredients milk processing plant in the Town of Aurelius is a short distance for local farmers.
- There are good agricultural soils in the town.
- Most farms and residences have good access to water either from the few municipal lines or well water.
- While the Martens Farm may not be producing their own truck-crops anymore, they do employ local labor to run their processing kitchen/facility.
- Agriculture is an asset to the Town and will become more so as more and more Mennonites move in and buy farms from the older generations because they will help keep these lands in agricultural production.
- The local auto parts store supports local farms by stocking or ordering in many parts for farm equipment.
- The Brutus Hardware store is an asset to the community. They even sell unpasteurized milk from cows raised by the owner.
- The Town of Mentz has been good to work with so far on building and zoning issues. There have been no problems with getting permits or approvals for what we need for our farm.

Weaknesses

- There is a need for specialized skilled workers to support agricultural operations through new agricultural support businesses to help keep the costs down for local farms.
- Lack of fresh foods/produce offered to families at the local food pantry; and lack of knowledge/skills in those families to prepare

fresh foods and healthy meals. Education and training is needed for families and especially children in how to make healthy food choices and prepare meals with fresh food/produce. General lack of knowledge about different types of fruits and veggies among school aged children.

- The farmer's market has seen a decline in participation by local farmers in recent years.
- The cost of doing business as a farmer is very expensive; and although farmers do receive some tax credits and help through government programs, it is not always enough to keep them turning a profit and being productive.
- A history of independence, not seeing the larger picture when it comes to helping one another. Some communities have a history of helping one another and pulling together. Residents/farmers in Mentz do not do this.
- Poor political leadership at the local level; politicians not able to vision a plan, buy into a plan, or sell a plan.
- Lack of a Chamber of Commerce or similar local organization to help the local business-person.
- Mono-culture, the loss of a variety of products.
- Growers have to ship to distant markets to get best price.
- The closed bridges over the Seneca River in the town (several since the early 1990s) are a huge inconvenience to farmers and residents on both sides of the river. Farmers have to go almost 10 miles out of their way to access their fields on the other side of the river, or to work on their family's farm that is on the other side. At least one of the bridges should be opened to light passenger vehicle traffic while the town seeks funding to rebuild a bridge to support farm and trucking equipment.
- The farmer's market in Port Byron needs to be more accommodating to all individuals wanting to join and sell their goods; and should not dictate the minimum prices that a farmer can sell their food or products for. Vendors should be able to sell their food and wares at the price that they choose.

Opportunities

- Mennonites are moving into the area and buying farm land and keeping it in ag production – opportunity for some of the aging farmers that do not have a secession plan.
- Encourage the expansion into specialty/niche crops like hops, hemp, barley, organics, etc. to

support the booming craft brewing and other niche markets; as well as increasing demand from consumers for locally grown food.

- People want a farm to plate product. They want to know the local grower. We need to grow and offer a better variety.
- There is land available for “mini-farms” and small-scale producers to start new operations and ag-businesses.
- Farmers in Mentz have access to the county bio-digester.
- As farmers are more successful, their neighbors are too. An increase in farm profitability will support the need for new jobs in industries that support those farms which will help create jobs for non-farmers in the community.
- Establish a farm stand with products from local producers at the new Erie Canal Heritage Center in Port Byron on the Thruway (reach out to NYS and the Canal Society to see if this is an option).
- Homestead farms, small hobby farms.
- What if the old ADM plant had been turned into a receiving and shipping plant for farmers, load directly into railcars or barges. Is there a local / regional option?
- I was at a dinner where a young person was telling me about the pride that the entire State of Michigan shows in its agriculture, and she went on to cite various statistics on Michigan agriculture. Check out www.michiganagriculture.com There is a lot of good things there that could be scaled down to the local or regional level. One thing that was said was that Michigan grows the largest diversity of foods, maybe not the most, but the greatest diversity. We have lost that in Mentz. We use to grow onions, cabbage, celery, carrots, etc., now it is all soybeans and corn.
- There are a few existing farms today with family that want to take over the farm operation; so in the future, 25 years from now, the Town of Mentz will be run by the Mennonites. It will look great and they will do a good job of maintaining and caring for the farmland in the Town. The Town will become a real family farm operation town.
- The Town and Village Boards should work together to meet with the leaders of the Mennonite community in the town and encourage them and support them in efforts to open businesses in downtown Port Byron or elsewhere in the town to help support the local economy.
- All local farmers, including the Mennonites, should be encouraged to join and support the local farmer’s market in order to make it more successful and to draw people in from other area towns.
- The hardware store in the village would get more local business if they offered a larger variety of products and if some items weren’t as expensive.
- A Mennonite country store would be most welcome in the community, but it would be hard to put it in the village, especially in downtown to utilize vacant storefronts without an area for a parking lot and delivery trucks.
- Having a John Deere or other large farm equipment sales and repair store closer to Mentz would be great and help reduce costs for local farmers.

Threats

- There has been an increased value of land and assessments due to farmers buying up farm land at \$5,000 - \$6,000 per acre (larger farms from southern towns buying up large lots is driving the price of land up). This could out price some smaller farms and also lead to the whole area seeing higher assessment values and taxes.
- There is an increasing number of aging farmers that do not have family interested in taking over the farm operation – could lead to conversion of farmland to housing.
- Mennonites that move to the area and buy farm land aren’t sending their children to the local school – which is a part of the cause for the reduction in enrollment numbers, resulting in a reduction in the financial aid that the school will receive which is based partially on enrollment numbers.
- There have been recent requests to either re-zone or approve a use variance for non-agricultural commercial businesses on land zoned for agricultural use along NYS Route 31 (on land that was previously or is currently being farmed). The Town’s zoning ordinance, subdivision regulations, and development approval procedures need to be updated to reflect what is called for in the new comprehensive plan.
- There are only a small number of dairy farms left in the town and the once large truck-crop farm(s) have sold their land to large dairy farms that are growing only corn and soybeans to feed

their cows that reside in the southern half of the county.

- The potential for both commercial and residential sprawl coinciding with the recent installation of the waterline on NYS Route 31 could pose a threat to the farms that are left along NYS Route 31 if the lateral restrictions law that the town passed is not enforced; or if those ag lands choose to take their land out of the county ag district so that they can be sold and developed.
- Water rates are increasing but there are fewer new houses being built so there are fewer new taps and the higher cost is not being alleviated by new development. Prices are only going in one direction: up; which could lead to a huge financial burden on local farmers if they are connected to municipal water (monthly/quarterly bills for water keep getting higher).
- Mono-culture. One disease wipes out most of crops.
- Budget cuts to County level organizations and agencies that aid the agriculture market.
- There are several issues with flooding of farmland and other private property on Howland Island Road: the Town doesn't dig out or clear out the ditches that feed into the Owasco Outlet; when Duck Unlimited created more wetlands several years ago their work resulted in increased flooding on farm fields; there are no culverts to divert the water off of individual properties. Storm drainage infrastructure is needed along the roadways and at the back of the wetlands and ponds to keep floodwaters off of private properties.
- The lack of public water on Howland Island Road makes farming, particularly livestock, difficult. Farmers have to haul water to their animals or invest in expensive pumping systems.
- Some farmers lack the financial resources to keep their fields highly productive...they do not

have the funding to install drain tile or other systems to keep their fields from flooding to produce higher yields of crops.

- A potential threat to the environment and other neighboring farms, through increased flood waters and nutrient/manure runoff, is the extent of hedge rows and woodlands that new Mennonite farmers are clearing on recently purchased farms in order to increase the size of their fields.
- The few remaining dairy farms in the Town cannot compete with the recently established, and future, Mennonite dairy farms because they are able to purchase farmland in the town at prices other cannot afford; and local farmers cannot compete with their prices and resources (they are able to finance purchases without a bank and can sell their products cheaper than area farmers).
- A threat to the existing small family farms in the town is that there are really only three types of buyers of farmland in our area: Mennonites; out of town/county big dairy farms; and people that are buying a farm cheap because they want a house with land, but who won't farm it.
- Uncontrolled development of water and sewer lines leads to sprawl that is hard to fight against.
- Biggest deterrent to protecting agricultural land is the expansion of big dairy operations and controversies that come along with these operations that creates hard feelings between small farm operators and the big farms. Some of the issues with big farms that the public experiences (smells, noise, traffic, potential water contamination, etc.) often leads to a lack of public support for farmland protection...one bad apple can spoil the whole bushel.
- PDR programs in other locations have not lowered the price of land, but raised it and made purchasing farmland to run a small family farm not feasible so people moved away.

Specific Suggestions for Goals or Actions for the Plan

- Encourage small family farms over large factory farms.
- The Town should conduct a cost of services analysis of agricultural land versus residential land/development to help educate local political leaders and residents about the true costs related to developing land for residential or commercial use (the high demand on services like water, sewer, fire protection, EMS, schools, etc.) in comparison to the relatively low cost of public services that are required to keep land in agricultural production.
- Support family farms and their continued operation so that they will hopefully thrive in the town. There should be no new housing development out near existing farms in order to preserve the farmland and reduce nuisance complaints and neighbor conflicts.
- The Town should make sure that small agricultural businesses can start up on the farm and are not required to purchase space or build off the farm which can be cost prohibitive. Be flexible and allow farmers to make a supplemental income with businesses on the farm that are related in some way to the agricultural industry.

Farmland Protection Suitability Index

<i>Tax ID#</i>	<i>Suitability Index Score</i>	<i>Rank</i>
80.00-1-7.11	83.73	1
75.00-1-8	52.15	2
87.00-1-33	46.60	3
80.00-1-13.111	43.77	4
87.00-1-18.12	43.55	5
87.00-1-20	41.86	6
87.00-1-22.2	41.45	7
82.00-1-23.1	41.20	8
86.00-1-10.11	40.74	9
88.00-1-5.21	39.96	10
87.00-2-46.11	39.52	11
88.00-1-7.113	39.34	12
86.00-1-1.1	39.30	13
76.00-1-2.11	38.64	14
75.00-1-17	38.50	15
80.00-1-9	38.16	16
82.00-1-56.12	38.01	17
75.00-1-27.1	37.46	18
86.00-1-2	36.51	19
87.00-1-14.212	35.53	20
76.00-1-4.1	35.49	21
81.00-1-41.1	34.94	22
87.00-1-25	34.49	23
75.00-1-4.2	34.32	24
82.00-1-2	34.11	25
75.00-1-3	33.85	26
88.00-1-3.111	33.20	27
88.00-1-1.1	32.61	28
80.00-1-10	32.30	29
75.00-2-10.12	32.24	30
76.00-1-1	32.07	31
81.00-1-4.2	31.43	32
75.00-1-20.1	31.41	33
87.00-1-1.114	31.32	34
82.00-1-56.111	30.34	35
86.00-1-5	30.16	36
87.00-1-16.2	29.97	37
82.00-1-22	29.95	38
87.00-1-32.2	29.85	39
75.00-1-15.1	29.54	40
80.00-1-8	29.53	41
81.00-2-11	28.46	42

<i>Tax ID#</i>	<i>Suitability Index Score</i>	<i>Rank</i>
81.00-1-4.11	28.44	43
76.00-1-3	28.05	44
82.00-1-15	28.01	45
87.00-2-53.1	27.98	46
86.00-1-9	27.75	47
81.00-2-10	27.48	48
81.00-1-32	27.47	49
87.00-1-4	27.27	50
76.00-1-11	26.85	51
75.00-2-6	26.64	52
81.00-2-28.12	26.43	53
82.00-1-23.2	26.27	54
82.00-1-12.5	26.20	55
81.00-2-22	26.05	56
75.00-1-10	25.92	57
69.00-1-16	25.87	58
87.00-1-19.1	25.78	59
81.00-2-19.211	25.45	60
81.15-2-18	25.44	61
87.00-1-30	25.37	62
81.00-2-21.2	25.01	63
87.00-2-23.112	24.70	64
86.00-1-11	24.53	65
87.00-1-24	24.31	66
76.00-1-5	24.19	67
87.00-2-22.113	24.18	68
81.00-2-31.11	23.85	69
81.00-2-43.11	23.76	70
76.00-1-6.2	23.72	71
86.00-1-10.2	23.64	72
87.00-1-9.412	23.56	73
69.00-1-2.12	23.55	74
82.00-1-1	23.28	75
76.00-1-9.52	23.25	76
82.00-1-42.1	23.01	77
87.00-1-15.1	22.94	78
87.00-1-26.2	22.74	79
88.00-1-13.2	22.62	80
88.00-1-15.113	22.61	81
80.00-1-13.2	22.45	82
75.00-1-24.13	22.33	83
81.00-2-48	22.20	84

<i>Tax ID#</i>	<i>Suitability Index Score</i>	<i>Rank</i>
87.00-1-15.2	22.10	85
81.12-1-6	21.78	86
80.00-1-12.121	21.45	87
75.00-2-11.1	21.44	88
75.00-2-13.1	21.35	89
75.00-1-7	21.16	90
81.00-2-9	21.10	91
87.00-2-13.1	20.26	92
82.00-1-19	20.15	93
81.00-2-8	20.13	94
81.00-2-32	19.59	95
81.00-1-35	19.19	96
87.00-2-25.1	18.74	97
87.00-2-50	18.46	98
75.00-1-24.11	18.34	99
75.00-1-2.2	18.29	100
81.00-2-5.21	17.94	101
81.11-1-9	17.91	102
87.00-2-22.114	17.87	103
87.00-2-22.112	17.86	104
81.00-2-18	17.83	105
80.00-1-17.21	17.80	106
75.00-1-23.1	17.71	107
82.00-1-21.1	16.89	108
75.00-1-2.13	16.79	109
81.11-1-2.1	16.45	110
88.00-1-18.12	16.38	111
82.00-1-27	15.88	112
75.00-1-21	15.82	113
87.00-2-62.1	15.54	114
75.00-2-17	15.09	115
88.00-1-15.12	14.79	116
82.00-1-4.11	14.43	117
75.00-2-3	14.24	118
81.15-1-1	14.05	119
82.00-1-58	13.94	120
75.00-2-10.2	13.56	121
81.00-2-12	13.53	122
80.00-1-5.4	13.18	123
75.00-2-7.2	13.11	124
80.00-1-1	12.43	125
69.00-1-1.1	12.27	126

<i>Tax ID#</i>	<i>Suitability Index Score</i>	<i>Rank</i>
75.00-1-12	11.82	127
75.00-2-5	11.62	128
81.00-1-2	10.40	129
81.11-1-3	9.66	130
81.11-1-8	8.76	131
88.00-1-14	8.63	132
82.00-1-12.4	8.20	133
88.00-1-8	7.54	134
88.00-1-2	7.31	135
81.00-1-34	6.49	136
87.00-2-51.1	6.46	137
81.00-2-3.1	5.77	138
87.00-2-48	5.35	139
75.00-2-11.21	4.38	140

The process for determining the Farmland Protection Suitability ranking for each agricultural parcel in the Town is described on page 6 of this plan.

Appendix 2: Town of Mentz Right-to-Farm Law (draft)

Title:

This chapter shall be known as the “Right-to-Farm Law of the Town of Mentz”.

Purpose and Intent:

- A. The Mentz Town Board finds, declares, and determines that agriculture is vital to the Town of Mentz because agriculture is an essential enterprise and an important industry that enhances the economic base, natural environment, and quality of life in the Town. In addition, agriculture provides locally produced fresh commodities and agricultural land does not increase the demand for services provided by local governments.
- B. The Town Board further declares that it shall be the policy of the Town to encourage agriculture and foster understanding by all residents of the necessary day-to-day operations involved in farming so as to encourage cooperation with those practices.
- C. It is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the Town, to permit the continuation of agricultural practices, to protect the existence and operation of farms, and to encourage the initiation and expansion of farms and agri-businesses.
- D. In order to maintain a viable farming economy in the Town of Mentz, it is necessary to limit the circumstances under which farming might be deemed to be a nuisance and to allow agricultural practices inherent to, and necessary for, the business of farming to be able to proceed, and to be undertaken free of unreasonable and unwarranted interference or restriction.

Definitions:

1. **Agriculture:** The use of land and resources for the production of food, fiber, fuel, and for agri-tourism activities in accordance with the accepted practices of land, nutrient, and farm management as defined by the New York State Department of Agriculture & Markets including but not limited to:
 - the raising, harvesting, and selling of crops;
 - feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or honeybees;
 - dairying and the sale of dairy products;
 - any other aquacultural, floricultural, horticultural, silvicultural or viticultural use;
 - animal husbandry, agricultural support industries, or by any combination thereof; and
 - the use of land for the primary purpose of stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows.
2. **Farmland:** Land which is currently used for crop production, pasture, or a farmstead; and land which is not currently in use for but, is suitable for these purposes in the future (e.g. idle farmland).
3. **Farmstead:** The land upon which agricultural buildings and equipment is located or stored which may or may not also include a single-family residence and associated accessory buildings, and/or farm worker housing.
4. **Agricultural Practices:** Those practices necessary for the on-farm production, preparation, and marketing of agricultural commodities. Examples of such practices include, but are not limited

to: operation of farm equipment, construction and use of farm structures, proper licensed use of agricultural chemicals, and proper nutrient management activities (e.g. spreading of manure or compost, application of nutrients like nitrogen on the soil, and other accepted crop production methods) as defined by the New York State Department of Agriculture & Markets.

5. **Agri-Tourism:** a form of commercial enterprise that links agricultural production and/or processing with tourism in order to attract visitors onto a farm or other agricultural business for the purposes of entertaining and/or educating the visitors and generating income for the farm or business owner including but not limited to: pumpkin picking patches, corn mazes, U-pick or Community Supported Agriculture (CSA) operations, petting and feeding zoos, hay rides, cut-you-own Christmas tree farms, demonstration farms, agricultural museums, living history farms, on-farm farmers' markets or road-side stands, winery tours and wine tasting, and garden tours.

Right-to-Farm Declaration:

- A. Farmers, as well as those employed, retained or otherwise authorized to act on behalf of farmers, may lawfully engage in agricultural practices within this Town at all times and all such locations as are reasonably necessary to conduct the business of agriculture. For any agricultural practice, in determining the reasonableness of the time, place and methodology of such practice, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge, research, and improved technologies. Agricultural practices conducted on farmland shall not be found to be a public or private nuisance if such agricultural practices are:
 1. Reasonable and necessary to the particular farm or farm operation
 2. Conducted in a manner that is not negligent or reckless
 3. Conducted in conformity with generally accepted and sound agricultural practices
 4. Conducted in conformity with all local, state, and federal laws and regulations
 5. Conducted in a manner that does not constitute a threat to public health and safety or cause injury to the health or safety of any person, and
 6. Conducted in a manner that does not reasonably obstruct the free passage or use of navigable waters or public roadways.
- B. Nothing in this Local Law shall be construed to prohibit an aggrieved party from recovering damages for bodily injury or wrongful death due to a failure to follow sound agricultural practice, as outlined in this section.

Notification to Real Estate Buyers:

- A. In order to promote harmony between farmers and their neighbors, the Town requires land holders and/or their agents and assigns to comply with section 310 of Article 25AA of New York State Agriculture and Markets Law, and provide notice to prospective purchasers and occupants as follows: "It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of agricultural land for the production of food and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district, or partially or wholly adjacent to areas where farm operations take place, and that farming activities occur within the district and within these other areas. Such farming activities might include, but not be limited to, activities that cause noise, dust, and odors." This notice shall be provided to prospective purchasers of property within an

agricultural district or on property with boundaries within 500 feet of an agricultural district or a farm operation that might be located outside a designated agricultural district. A copy of this notice shall be included by the seller or seller's agent as an addendum to the purchase and sale contract at the time an offer to purchase is made.

Severability Clause:

- A. If any or part of this Local Law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Local Law. The Town hereby declares that it would have passed this Local Law and each section and subsection thereof, irrespective of the fact they any one or more of these sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Precedence:

This Local Law and its provisions are in addition to all other applicable laws, rules, and regulations.

Appendix 3: Model Lateral Restriction Law

MODEL LATERAL RESTRICTIONS RESOLUTION

WHEREAS, the *[governing body of municipality]* has created the *[name of water district]* pursuant to Town Law for the express purpose of providing public water supply to residents along *[geographic extent of water district]*; and

WHEREAS, part of the land area within *[name of water district]* is also within Cayuga County Consolidated Agricultural District No. 5; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within *[name of Agricultural District]*; and

WHEREAS, the New York State Department of Agriculture and Markets (“Department”) has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District,

NOW THEREFORE BE IT RESOLVED, that the Town Board, in recognition of the concerns that have been raised, hereby resolves to adopt the “Lateral Restriction - Conditions on Future Service” specified by the New York State Department of Agriculture and Markets as follows:

MODEL Lateral Restriction - Conditions on Future Service Law

The *[municipality]* imposes the following conditions, as warranted or recommended on the management of water/sewer lines located along *[location]* within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures, and land and structures that have already been approved for development by the *[municipality]* prior to the filing of the Final Notice of Intent by the *[municipality]*.

Land and structures that have been approved for development refer to those properties/structures that have been brought before the *[municipality]* where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the *[municipality]* has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the *[municipality]* accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the *[municipality]* upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The *[municipality]* shall develop a hardship application to be filed with the *[municipality]*, approved by the County Department of Health, and agreed to by the Department.
- (3) If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the *[municipality]* if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the *[municipality]* are no longer in effect for the parcels of land that have been removed from the agricultural district.
- (5) Hydrants and valve boxes must not be placed directly in agricultural fields.

The restriction on hookups would apply to non-agricultural structures for as long as the property is located within an Agricultural District.

Appendix 4: Establishing an Agricultural Advisory Committee

MODEL RESOLUTION TO: ESTABLISH A TOWN AGRICULTURAL ADVISORY COMMITTEE

TOWN OF *[Municipality]* TOWN BOARD ESTABLISHMENT OF AN AGRICULTURAL ADVISORY COMMITTEE

WHEREAS, on *[Date]* the Town of *[Municipality]* Town Board adopted the Town of *[Municipality]* Agriculture & Farmland Protection Plan; and

WHEREAS, the Town of *[Municipality]* Agriculture & Farmland Protection Plan was subsequently reviewed and approved by the Cayuga County Agriculture & Farmland Protection Board on *[Date]* and the New York State Department of Agriculture & Markets on *[Date]*; and

WHEREAS, the resolution for adoption of the Town of *[Municipality]* Agriculture & Farmland Protection Plan approved by the Town Board on *[Date]* also established “an Agricultural Advisory Committee to assist the Town Board and other local agencies in implementing the recommendations of the Plan and generally advise the Town Board and other local agencies on matters impacting local agriculture; and agrees to adopt at subsequent meetings such resolutions as may be necessary to establish the membership of the Agricultural Advisory Committee and facilitate its operations”; and now therefore be it

RESOLVED, that the Town of *[Municipality]* Town Board hereby establishes the

Purpose, Organization and Responsibilities of the Town of *[Municipality]* Agricultural Advisory Committee

Section 1: Intent and Purpose. The Town of *[Municipality]* Town Board finds that the needs and concerns of farmland owners and operators within the community are important and must be understood by town officials and residents. In order to protect and maintain the beneficial character of agriculture in the Town of *[Municipality]*, the Agriculture and Farmland Protection Plan must be complemented by establishing, protecting, and maintaining a positive business climate for agriculture. The interest of farmers in making reasonable economic use of their farms, preserved or not, must be taken into consideration when the Town Board considers new or revised plans, polices and ordinances. The purpose of the Agricultural Advisory Committee is to advise the Town Board and other Town agencies on matters pertaining to the preservation, promotion, and ongoing operation of agricultural activities in the Town of *[Municipality]*.

The specific purposes and intent of establishing an Agricultural Advisory Committee in the Town of *[Municipality]* are to:

- A. Represent the needs and concerns of farmland owners and operators within the community and facilitate communication and understanding among town officials, residents and the agricultural community;
- B. Assist town officials in efforts to plan for the continuation of agriculture and prevent the loss of agricultural resources;
- C. Review the impact of existing and proposed plans, policies, and ordinances on the agricultural community and recommend changes as needed;
- D. Ensure that previous and on-going public investment in the preservation of agricultural land by the residents of *[Municipality]* is reinforced by policies at all levels of government to allow for a viable agriculture industry into the future.

F. Ensure that, if adopted, a municipal Right to Farm ordinance is consistent with the State Right to Farm Law and that other municipal ordinances and development regulations reinforce that farmers operating under generally accepted agricultural practices are not a nuisance to the community.

Section 2: Organization.

A. **Committee Personnel and Appointment.** There is hereby established in the Town of **[Municipality]** a permanent committee to be known and designated as the “Town of **[Municipality]** Agricultural Advisory Committee” which shall consist of seven (7) members. Five (5) of the members shall be residents of the Town of **[Municipality]** who are engaged in farming, agri-business, or a vocation related to agriculture; and two (2) members shall be residents who shall serve as ex-officio members, one of whom shall be a Town Board member and one who shall be a Planning Board member. Ex-officio members shall only be eligible to serve on the committee while they hold their cited position of Town office. The members of the said committee first appointed, shall serve for staggered terms as follows: two (2) appointees for a one (1) year term; two (2) appointees for a two (2) year term; and one (1) appointee for a three (3) year term. Thereafter, all appointments shall be for terms of three (3) years and vacancies shall be filled for the unexpired term only. The members shall serve until their respective successors are appointed. All appointments to the committee shall be made by the Town Board and there shall be no limits to the number of terms a committee member may serve. The members of the committee shall receive no compensation for their services.

The committee shall organize within thirty (30) days after the appointment of its total membership for the remainder of the then calendar year and thereafter annually and select from among its members a chairperson and such other officers as it may deem necessary. Said committee may establish rules of order and meet at least once annually and from time to time as its rules of order might provide. The Agricultural Advisory Committee shall report to the Town Board and to such other Town agencies as may request its assistance.

B. **Assistance.** The Agricultural Advisory Committee may request technical assistance and/or specialized advise from any resource it may deem appropriate, including but not limited to: other local residents; other Town of **[Municipality]** officials; the Cayuga County Department of Planning & Economic Development; the Cornell Cooperative Extension of Cayuga County; the Cayuga County Soil and Water Conservation District; the Cayuga County Agriculture & Farmland Protection Board; American Farmland Trust; the New York Agricultural Land Trust; and the New York State Department of Agriculture and Markets. However, no contracts for payment for services or other expenditure of Town funds may be entered into by the committee.

C. **Funds for Committee Operations.** As a citizen advisory committee, the Agricultural Advisory Committee may not authorize any expenditure of Town funds. Funds necessary for proper committee operation may be requested by the committee from the Town Board and, in accordance with customary procedures, the Town Board may authorize such funds and approve the expenditure thereof.

Section 3: Responsibilities of the Committee. The responsibilities of the committee shall be as follows:

1. To recommend methods, review proposals, and develop proposals for the implementation of the goals of the Town of **[Municipality]** Agriculture & Farmland Protection Plan and, report their findings to the Town Board.
2. To, from time to time, amend and update the Plan as needed and refer such updates and amendments to the Town Board.
3. To monitor local farming activity and determine existing issues facing farmers and those in related endeavors and to recommend reasonable and desirable solutions to the Town Board.
4. To monitor trends in agriculture and local development so as to identify future issues which will face farmers and those in related endeavors; and to recommend reasonable and desirable solutions to the Town Board.
5. To identify methods whereby the Town Board, County or State governments can encourage existing farmers to continue in active agricultural operation.

6. To, when requested by the Town Board or other agencies engaged in an environmental review of proposed private or public development projects and/or infrastructure projects, provide input regarding the impacts on agriculture of such projects.
7. To recommend to the Town Board, Town Planning Board and/or other agencies techniques which will help preserve large, contiguous, and economically viable tracts of agricultural land within the Town.
8. To communicate with local farmers that the Agricultural Advisory Committee exists and can offer direction and assistance in many cases; invite their participation in Committee activities; and either directly or through interaction with other government agencies, advise them of the benefits and protections to which they are entitled.
9. To facilitate the local presentation of educational programs by Cornell Cooperative Extension of Cayuga County and other experts for farmers for the purposes of improving local farming practices and meeting the challenges the industry faces.
10. To encourage and assist application to farmland preservation programs including but not limited to the New York State Purchase of Development Rights program; and when such applications are submitted provide input into the review thereof.
11. To encourage appropriate conservation strategies and agricultural activities.
12. To study and comment on proposals by local, county, state or federal governments which may have an impact on local farm and farmlands.
13. To recommend to the Town Board reasonable and desirable changes to this listing of responsibilities.
14. To make an annual report to the Town Board setting forth and detailing the activities and operations of the committee during the preceding year.
15. To accomplish any other tasks referred to it by the Town Board or other local agencies having to do with agricultural related activities.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE TOWN OF **[MUNICIPALITY]** TOWN BOARD AT A MEETING HELD ON THE **[DATE]** WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

Clerk, Town of **[Municipality]**

DATED: **[DATE]**