



Town of Chili

AGRICULTURAL & FARMLAND

PROTECTION PLAN

June 2015

ACKNOWLEDGEMENTS

The following people have provided invaluable assistance in the preparation of the Town of Chili Farmland & Agricultural Protection Plan:

Steering Committee Members

Town Board

Town Officials

Farmers and Farmland Owners

Monroe County Agricultural and Farmland Protection Board

Monroe County Soil & Water Conservation District

Cornell Cooperative Extension of Monroe County

Monroe County Department Planning and Development

Agriculture and Life Sciences Institute at Monroe Community College

NYS Department of Agriculture & Markets

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INTRODUCTION

Agricultural land in the Town of Chili is vital to the Town's open space character and supports the regional agricultural economy. This Agricultural & Farmland Protection Plan identifies priority farmland for long-term protection, analyzes challenges from conversion and other sources, and presents strategies for the Town to protect farmland and support agricultural operations.

COMMUNITY DESCRIPTION

The Town of Chili is located in central western Monroe County and bordered by seven other municipalities in the County. Generally, north of the Black Creek the Town has been developed in a suburban density with a mix of commercial, residential and industrial properties. South of the Black Creek, the Town is characterized by agricultural land, wetlands and wooded areas.

Access to the Town is exceptional. Interstates 490 mostly and 390 partly traverse the Town providing regional and statewide access to the Town. Major regional state routes including 33, 33A, 386, 252, 383 and 259 provide additional regional access to Monroe County and adjoining counties.

Natural resources also are a major asset in the Town with the Genesee River east of Town and the Black Creek and its tributaries finger their way throughout the Town. Wetlands in the Town provide environmental benefits and often act as buffers between developed and undeveloped areas of the Town.

Chili is growing. Population has increased from just under 20,000 people in 1970 to almost 30,000 people in 2010 according to the U.S. Census. This has been beneficial for the Town's tax base and commercial businesses, and, at the same time, has reinforced the need to address protection of agricultural land in the Town.

JOINT PLANNING PROCESS

An Agricultural Planning grant was obtained for both the Town of Chili and the Town of Wheatland. Therefore the planning process was a partnership between the municipalities including engaging a planning consultant and meeting together. As a result, some of the content and recommendations in each plan are similar. At the same time, the Towns have met separately to refine the final recommendations so they are relevant for each Town.



VISION STATEMENT, GOALS AND OBJECTIVES

The vision:

- A town where diverse agricultural production thrives in balance with the protection of natural resources and existing and future residential and economic development and in harmony with the community at large.

The goal of this Plan:

- To set priorities for the Town's involvement in long-term land protection, document the significance of agriculture in the Town and identify actions that the Town can take to support agriculture and retain farmland...

The Town's objectives are to:

- Retain sufficient land within the Town to support a viable agricultural industry
- Enhance the economic and fiscal benefits of agriculture in the Town
- Minimize disruption to farm operations from non-agricultural development and infrastructure.
- Continue to support public understanding of farming
- Support environmentally responsible agricultural practices

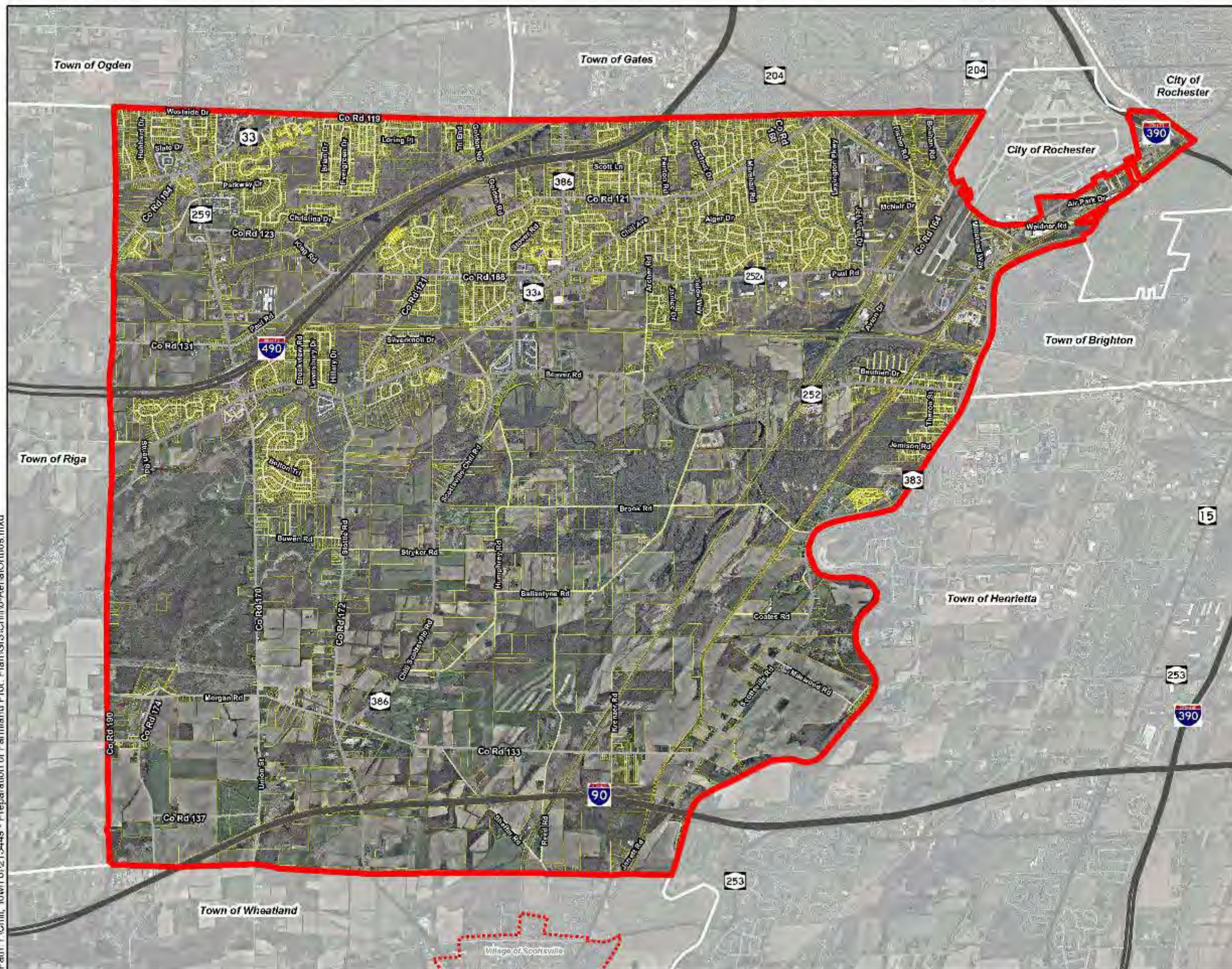
The Vision Statement, goals and objectives were based on public meetings, stakeholder meetings, workshops and an assessment of strengths, weaknesses, opportunities and threats.

PUBLIC/ STAKEHOLDER INPUT

Farmers, community members and town officials participated in the planning process through representation on a steering committee, public meetings, interviews and workshops.

Steering Committee

The two Towns appointed a joint Steering Committee to guide the process. The Steering Committee and other Town representatives provided information to the consultant, assisted with outreach to farmers and other stakeholders, established policies and reviewed drafts.



Town of Chili Agricultural & Farmland Protection Plan

Aerial Map

- Town of Chili
 - Other Towns (White Boundary)
 - Villages
 - Parcels (2013)
- Road Types**
- Interstate
 - State Highway
 - County Highway
 - Local Road

Figure 1. Aerial Map

SOURCE: 2013 parcel shapefiles provided by the Monroe County GIS Services Division. County and Town Boundaries and Roads obtained from US Census TIGER/Line 2010 shapefile database. Basemap: Monroe County 2012 orthoimagery obtained from the NYS GIS Clearinghouse.

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CREATED: May 15, 2013
REVISED: January 10, 2014



ABELLA
Associates, D.P.C.

FARMER/ LANDOWNER PUBLIC WORKSHOP

In July 2013, the Town invited all farmers and farmland owners as well as the general public to participate in a public workshop at the Wheatland Town Hall to kick off the planning process. The Town's planning consultant facilitated the workshop. Participants were encouraged to discuss the future of farming in the Town and identify opportunities and concerns.

At the public workshop held in July 2013, farmers, farmland owners and residents identified the Strengths, Weaknesses, Opportunities and Threats (SWOT) relating to farmland and agriculture in the two Towns. A summary of participant input is included in Appendix A. The exercise was facilitated by the Town's planning consultant and helped to guide the planning process.

"Strengths" and "weaknesses" are generally intrinsic to the community; "opportunities" and "threats" come from outside the community and are defined as follows:

- **Strength** - An asset or policy that can be leveraged to help achieve our goals
- **Weakness** - A liability, hindering us in achieving our goals, that can be corrected or mitigated
- **Opportunity** - A situation or an element that can be seized or capitalized on to support our goals
- **Threat** - An element or force that must be countered because it threatens achievement of our goals

A public workshop was held on January 27, 2014 to present information about land protection approaches and agricultural preservation efforts in other communities. Representatives from the Genesee Land Trust and the Town of Parma made presentations. The Town's planning consultant facilitated the event.

A public informational meeting was held in the Chili American Legion Hall on April 29, 2015. The Town's planning consultant presented the preliminary recommendations in the Plan, answered questions and facilitated comments from those in attendance.

FARMER INTERVIEWS

The Town's consultant visited several farms and interviewed several farmers and farmland owners, in person and via telephone, during the course of the planning process. The interviews helped to identify significant issues as well as appropriate techniques to support agriculture. In order to preserve the anonymity of those who participated in the interviews, their responses have been incorporated into the identification of issues and the evaluation of alternatives.

In-person interviews were conducted with farmers in Chili and Wheatland, including farmers specializing in crop farming, dairy and horse boarding. Farmer input included:

- Future viability of agriculture depends mostly on market conditions. Good resources (land, access to markets and supplies) available to support agricultural industry;
- Need for communication during road improvements to minimize impacts on farm fields;
- Limited interest in permanent easements or purchase of development rights;
- Market conditions are satisfactory, although that could change. Farming is a challenging business. Farm-related and other businesses help to supplement farming income;
- Zoning and other regulations could impact farmers when they are too restrictive (example: outdoor boilers);
- Drivers on roadways are impatient (or worse) when stuck behind slow moving equipment; and
- Finding suitable workers is challenging

TOWN WORKSHOPS

The Town's planning consultant facilitated a workshop with the Chili Planning Board on January 14, 2014 and a workshop with the Chili Conservation Board on March 31, 2014. At these workshops, participant's issues and alternative approaches to supporting agriculture and discussed current Town policies and procedures and the potential role of these Boards in implementing this Agricultural & Farmland Protection Plan.

SURVEY SUMMARY

In the winter of 2015 LaBella Associates sent out a survey by mail to all farmland owners in the Towns of Chili. The list was derived from real property tax records of owners of at least five acres farmland based on GIS map of active farmland. A postcard sent a week following the survey reminded landowners to return the surveys.

Respondents to the survey included full-time and part-time farmers as well as landowners who rent or lease land to farmers. Of those who responded, 11 were full time farmers, 9 were part time farmers and 29 were landowners who rent land to a farmer. Some key findings of the survey include:

- 79 percent of the respondents were 51 years of age or older;
- 78 percent plan to continue to use the land for farming;
- The large majority of farms used the land for crops; and
- The biggest challenges to farm operations area government regulations, commodity prices, availability/cost of land and drainage issues.

A summary report is in Appendix A.

AGRICULTURAL LAND BASE

Many people who are not from Chili, and likely some of those who live in Chili, may not be aware of the wealth of the agricultural land base in the Town. Development in Chili that travelers see along routes 33A, 33, 252 and Interstate 490 actually represents a minority of the land base in the Town. The large majority of land south of the Black Creek is productive agricultural land.

This section provides information on soils, active farmland and the relationship between the two. It is the basis, foundation and justification for preparing an Agricultural and Farmland Protection Plan.

LOCATION AND SIZE OF AGRICULTURAL LAND BASE

Generally, most of the land south of State Routes 252 (&Beaver Road) and 33A (west of the Genesee River) in the Town is primarily agricultural land. There are wetlands between and around many of the properties that by default buffer some of the farmland from residential and commercial development.

The size of the farms in the agricultural area varies. Some of the farmland is part of large farm operations that operate within Town or within multiple Towns that span multiple counties. Other farmland parcels are smaller and often operated by younger or new farm operators, part time farmers or rented to large farms.



AGRICULTURAL SOILS

High quality agricultural soils include those soil types designated by the USDA Natural Resource Conservation Service (NRCS) as “prime,” “prime farmland if drained” and “farmland of statewide importance.” Townwide, high quality agricultural soils occupy a total of 20,792 acres in the Town of Chili and comprise 81% of the Town’s total land area. Of the 20,792 acres of high quality agricultural soils in the Town of Chili, a total of 5,147 acres (22%) are actively farmed.

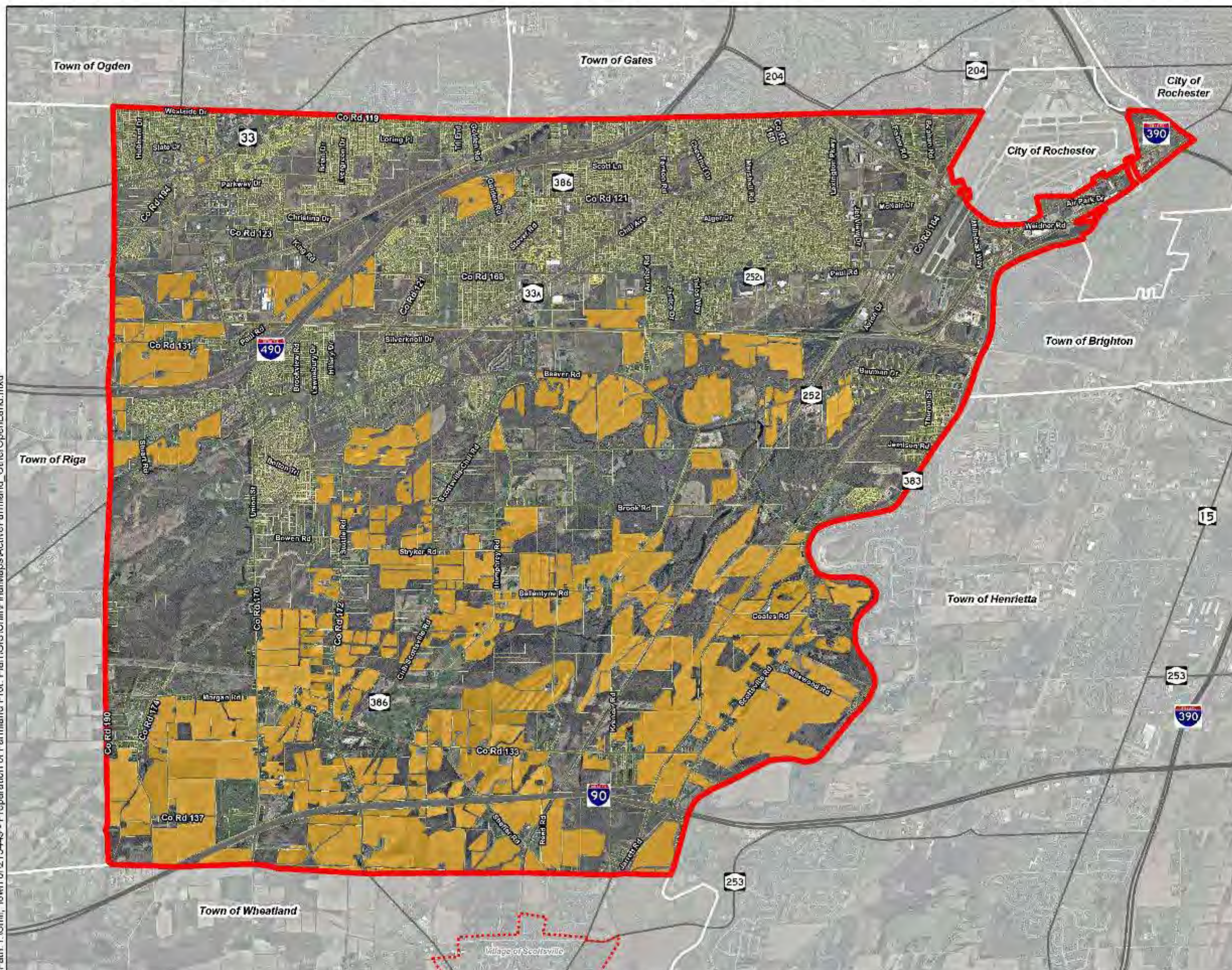
Table 1. Agricultural Soils in Chili, Actively Farmed

Agricultural Soils Classification	Active Farmland (cropland, pasture, other open land) ¹	
	Acres	%
Prime farmland	3,287	58.0%
Prime farmland if drained	1,189	21.0%
Farmland of statewide importance	671	11.8%
Total high quality agricultural soils:	5,147	90.8%
Other soils (includes water)	519	9.2%
Total:	5,666	100.0%

¹Calculated with GIS software from delineations of active farm fields and other open land that may be suitable for farming.



Farmland in Chili



Town of Chili
Agricultural & Farmland
Protection Plan

Active Farmland and Other Open Land

- Farmland and Other Open Land
 - Town of Chili
 - Other Towns (White Boundary)
 - Villages
 - Parcels (Yellow Boundary)
- Road Types**
- Interstate
 - State Highway
 - County Highway
 - Local Road

Figure 2. Active Farmland

SOURCE: Farmland and Other Open Land shapefile digitized from Bing Maps Aerial.
2013 parcel shapefiles provided by the Monroe County GIS Services Division.
County and Town Boundaries and Roads obtained from US Census TIGER/Line 2010 shapefile database.
Basemap: Monroe County 2012 orthoimagery obtained from the NYSGIS Clearinghouse.

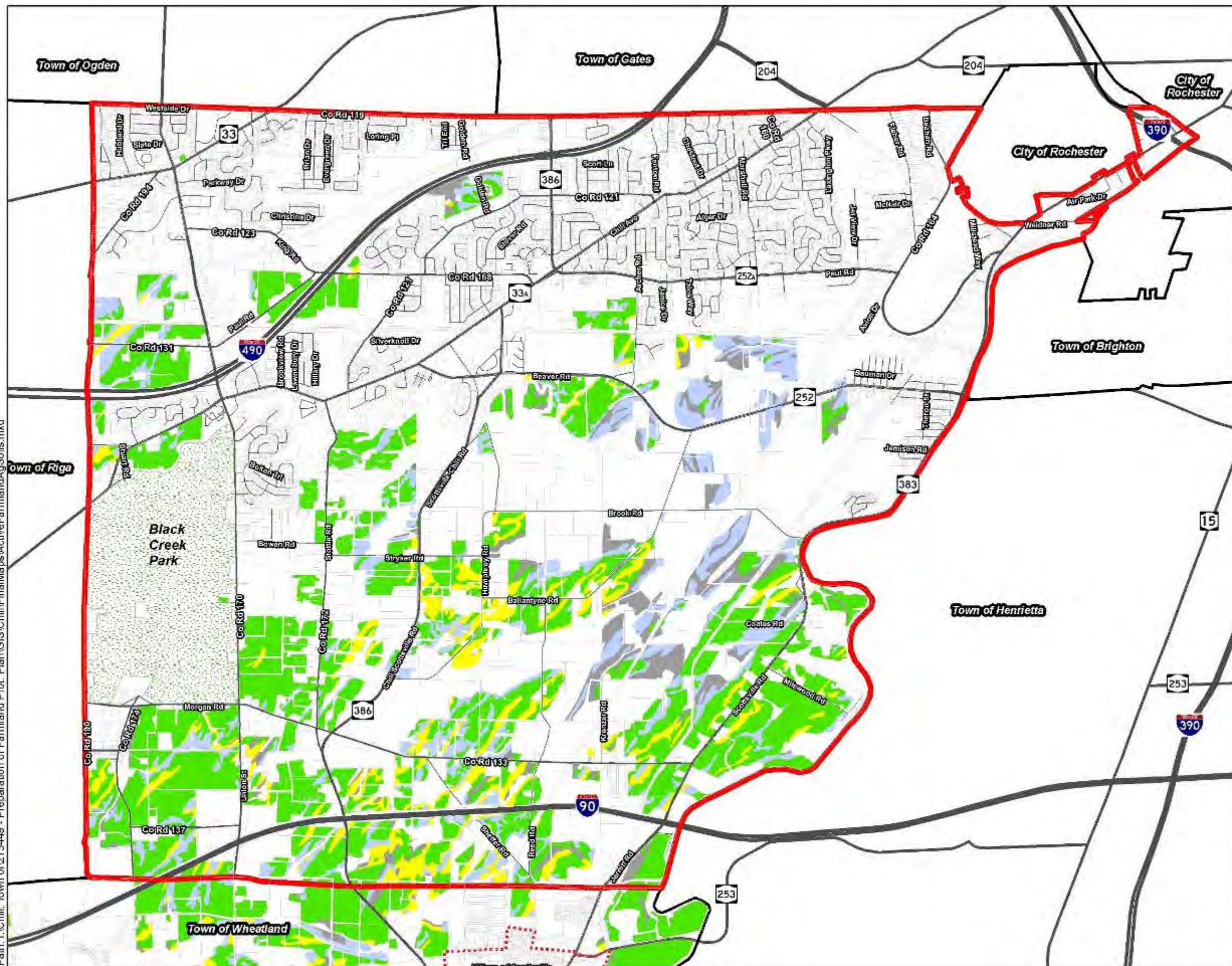
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CREATED: May 31, 2013
REVISED: July 15, 2013
January 10, 2014



ABELLA

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Town of Chili Agricultural & Farmland Protection Plan

Active Farmland by Agricultural Soil Classification

- Ag Soil Classification**
- Prime soils
 - Soils of statewide importance
 - Prime if drained
 - Other soils

BlackCreekPark

Town of Chili

Other Towns

Road Types

- Interstate
- State Highway
- County Highway
- Local Road

Figure 3. . Active Farmland by
Agricultural Soil Classification

SOURCE: Agricultural Soil Classification obtained from
USDA Natural Resources Conservation Service (NRCS)
Soil Survey via the SSURGO online database.
County and Town Boundaries and Roads obtained
from US Census TIGER/Line 2010 shapefile database.

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CREATED: May 30, 2013
REVISED: January 10, 2014

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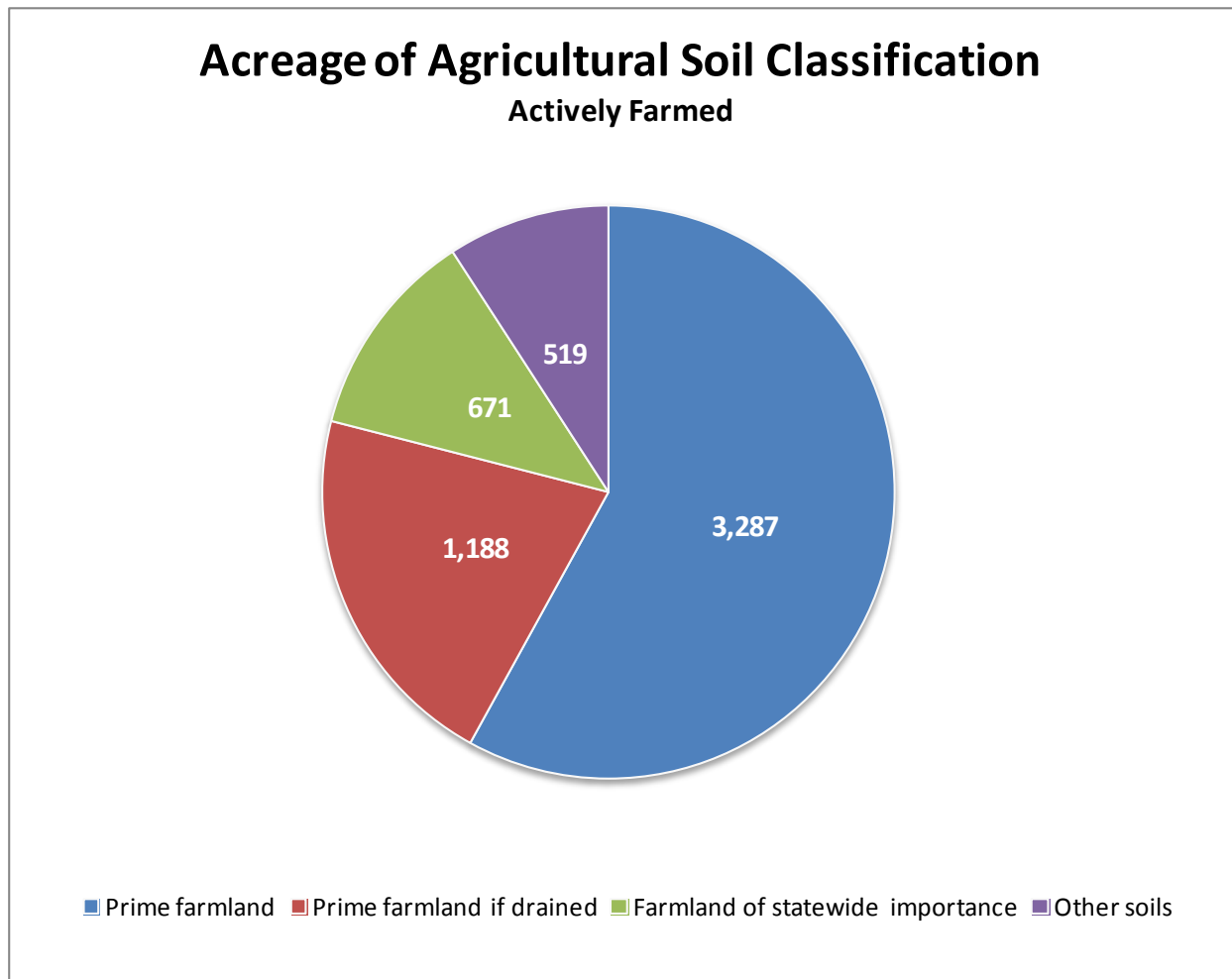


Figure 4. Acreage of Agricultural Soil Classification – Actively Farmed



AGRICULTURAL INDUSTRY

As with the Town's agricultural land base, the contribution of Chili's farmland to the regional agricultural economy likely is not well known. The Town's farmland provides jobs and produces goods for the area's economy. This section provides information on the Town's land that is used for agricultural production, the types of products produced regionally and the economic and fiscal impact of farms for the area.

LAND IN AGRICULTURAL PRODUCTION

Approximately 5,666 acres in the Town of Chili consist of actively farmed land or other open land that may be suitable for agriculture, based on an analysis of aerial photographs taken in 2012 and analysis by the Steering Committee. This land represents approximately 22 percent of the total land area of the Town. (See Figure 2: Active Farmland).

Farmland in the Town of Chili is located on approximately 176 individual tax parcels. Most of the parcels with active farmland also include buildings as well as forested land or hillsides that are not actively farmed.

Table 2. Share of Land in Agricultural Production

<i>Land Area in:</i>	<i>Acres</i>	<i>% of Town's Total Land Area</i>
Entire Town	25,525	100%
Active Agricultural / Other Open Land	5,666	22%

SOURCE: Calculated using GIS software from map of Town.

Farms in the Town include both large commercial farms as well as small part-time operations. These farms produce field crops such as soybeans, corn, wheat and hay, dairy products, cattle and other livestock, vegetables and horses.

Some Chili horse farms and farmland have roots in the storied history of standardbred horse breeding from the harness racing industry's heyday. Some of Chili's commercial horse farms have diversified their businesses to include various combinations of boarding, breeding, riding lessons and training.

FARMLAND OWNERSHIP

Based on an analysis of real property tax records in 2010, most (62.7%) of the land in Chili's farm parcels are utilized by farmers who reside within the Town. A total of 2,730 acres are owned by Chili-based farmers and another 1,851 acres are leased by Chili-based farmers.

Farmers who reside in neighboring towns farm 32.2% of the land in Chili's farm parcels. These farmers own 802 acres and lease an additional 1,563 acres.

A total of 16 parcels with a total of 365 acres (5% of the total) are utilized by small, part-time farms.

MARKET VALUE AND PRODUCTION – AGRICULTURAL CENSUS

Based on the 2007 U.S. Census of Agriculture, of the 126 farms based in the zip codes that include Chili and Wheatland, 71 (56%) were less than 50 acres in size and 46 (36%) were between 50 and 999 acres in size. A total of 9 farms – 3 based in the 14428 zip code and 6 based in the 14546 zip code, were 1000 acres or larger.

Table 3. Types of Farms in the Chili and Wheatland Area

Farms with sales of animals and their products		Farms with sales of crops	
5	Dairy	22	field crops, including hay
14	cattle/ calves	30	grains
6	hogs/ pigs	8	Vegetables
8	sheep/ goats	7	Horticulture/ nursery
5	horses/ ponies	7	Fruits
3	Poultry, including eggs	5	Cut Christmas trees
2	Specialty animals		

SOURCE: U.S. Census of Agriculture, 2007 - Zip code totals for the 14428, 14514, 14546 and 14624 zip codes

A total of 16 farms sold more than \$250,000 in agricultural products and 16 generated sales of between \$50,000 and \$249,999. Most (79%) of the farms in the Chili/ Wheatland area generated less than \$50,000 per year in sales.

Of the 63 farms with sales from crops, 30 sold grains and 22 sold other field crops, including hay. A total of 7 farms sold horticultural or nursery products, 8 sold vegetables, and 5 sold cut Christmas trees.

Of the crop farms, 11 (18%) generated annual sales of \$250,000 and 10 (16%) had sales between \$50,000 and \$249,000. The remaining 42 crop farms had sales of less than \$50,000. Of the 22 crop farms that generated at least \$50,000 in sales, 13 produced grains, 9 produced vegetables, 2 produced cut Christmas trees, 1 produced fruit, and 1 produced other field crops, including hay.

Of the 31 farms with sales from animals and their products, 8 (26%) generated sales of \$50,000 or more. Of those reported in the Census, 4 were dairies, 1 sold cattle and calves, and 1 was a horse farm.

AGRICULTURAL CENSUS – 14546 ZIP CODE AREA TRENDS

The U.S. Agricultural Census is conducted every five years with the most recent one completed in 2012. The 2012 Census information is just being released and data is only available at the State and County geographies. Therefore, Agricultural Census data from 1997 and 2007 was utilized for evaluating trends in sales, tenure and operations. While zip code data is available for all the zip codes that comprise Chili and Wheatland, this report focused on the 14546 zip code as it includes the most active farmland areas in Wheatland and Chili.

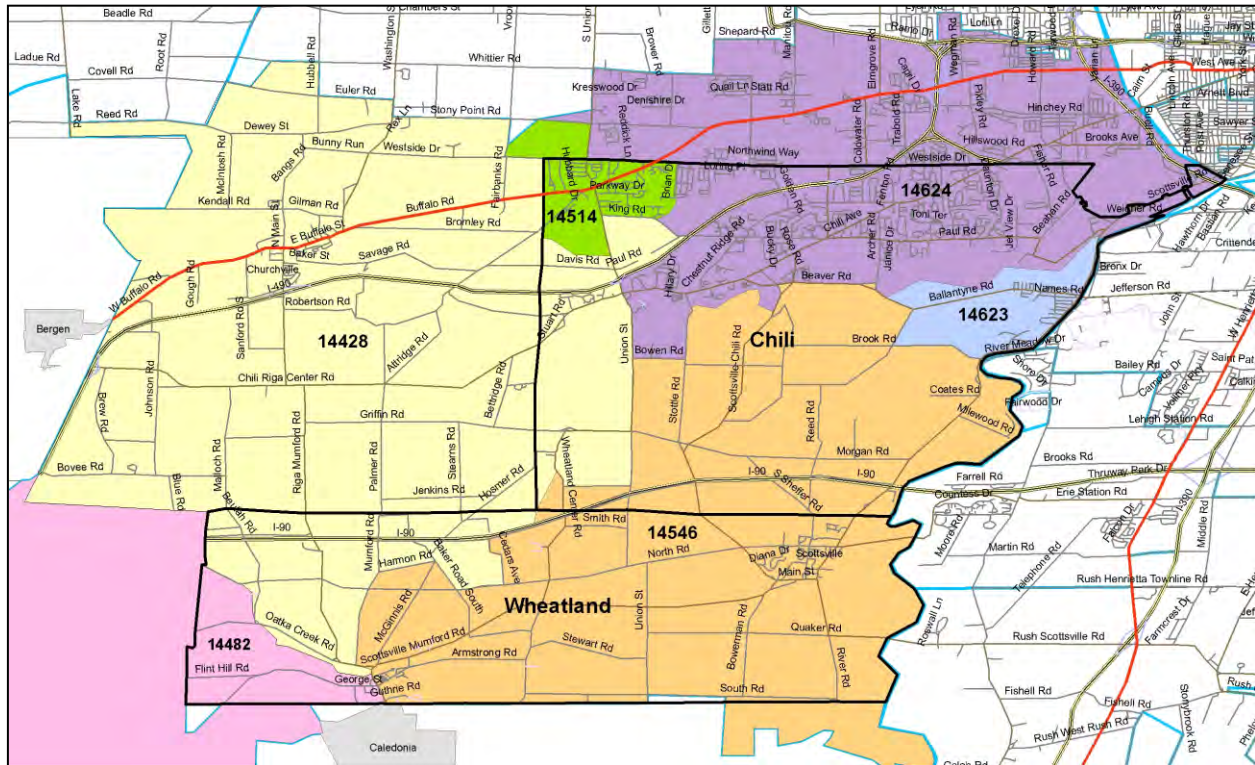


Figure 5. Area Zip Code Geographies

Some key trends and facts that are exhibited in Figures 8 to 12 include:

- The number of farm operations increased from 28 to 40 between 1997 and 2007. The increase was almost evenly attributed to growth in both large farms of more than 1,000 acres and small farms of less than 50 acres.
- The number of Full Time operators almost doubled from 15 to 28 between 1997 and 2007.
- Most farm operations sold less than \$50,000 in product.
- The majority of farms were crop farms and 2 out of every 3 crop farms sold grains.
- Cattle, turkey and chicken sales uniquely accounted for an equal 25 percent share of livestock sales with dairy and sheep sales accounting for the remainder.

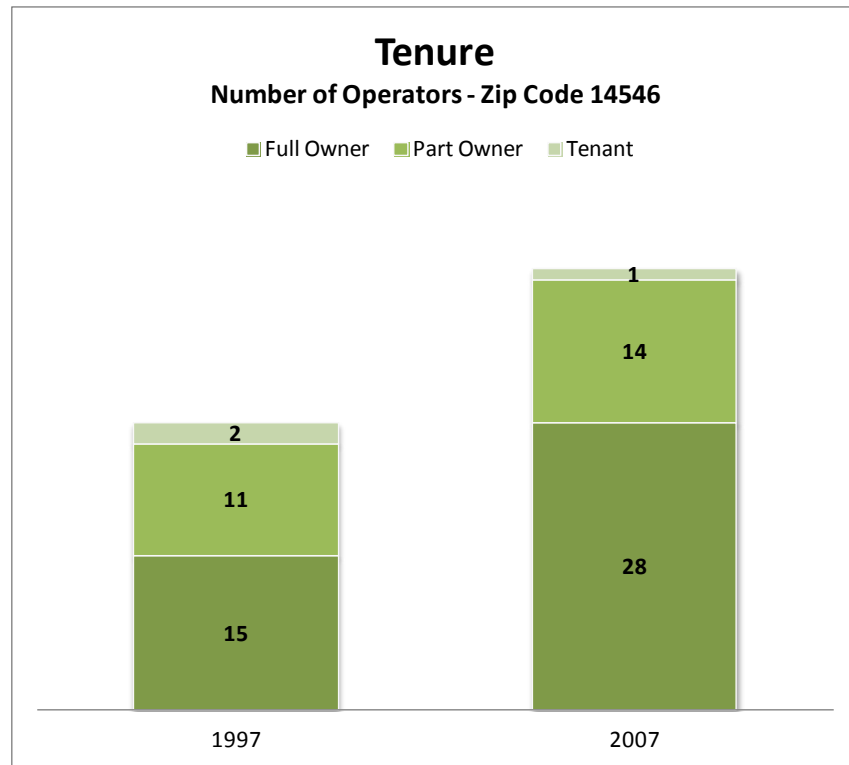


Figure 6. Tenure of Farms, 1997 & 2007

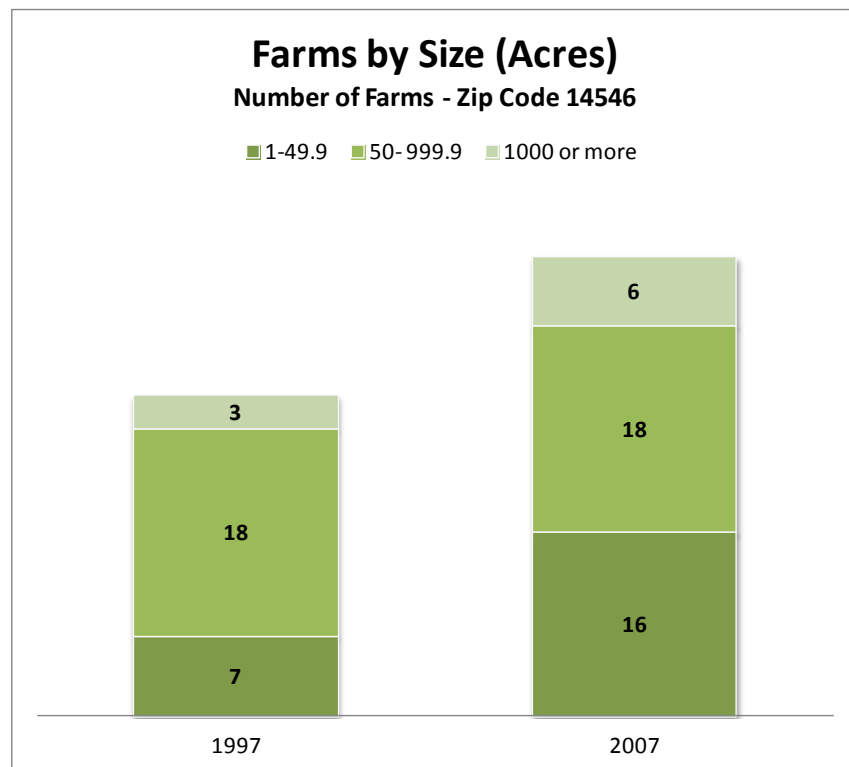


Figure 7. Farms by Size, 1997 and 2007

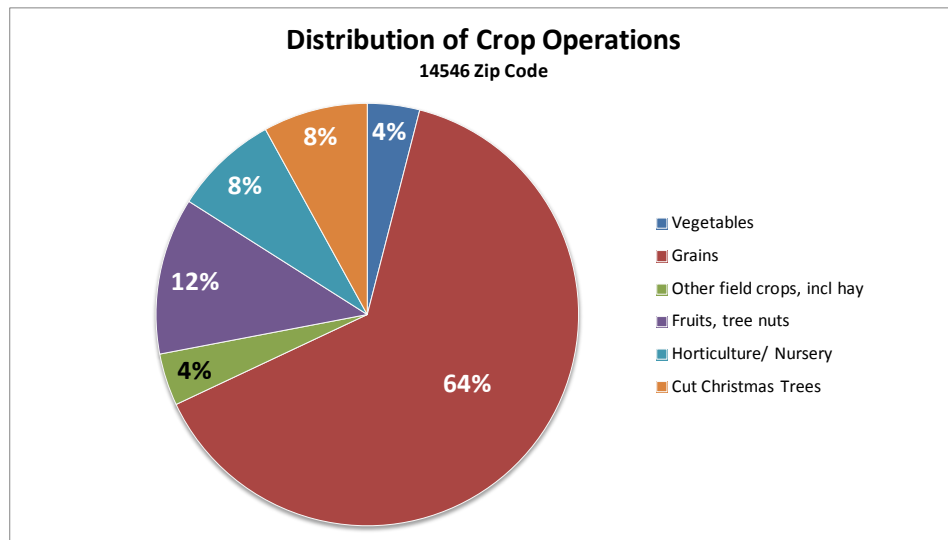


Figure 8. Distribution of Crop Operations

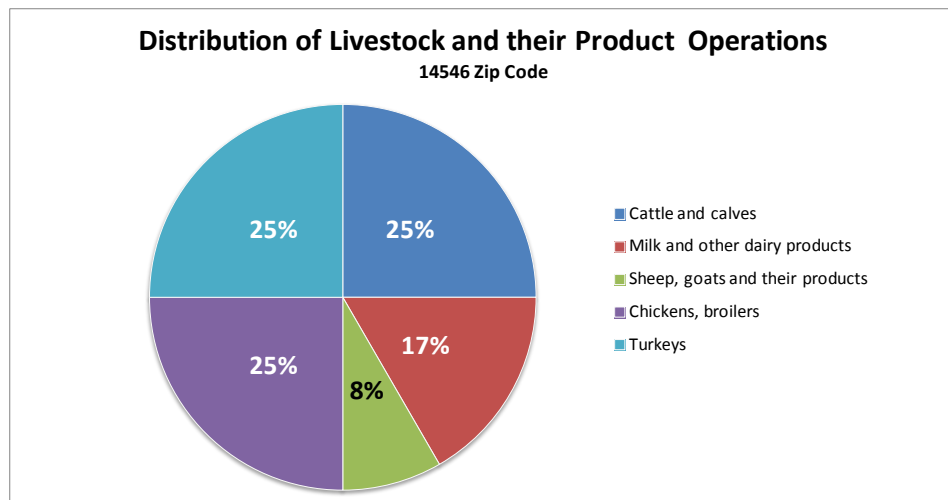


Figure 9. Distribution of Livestock Operations

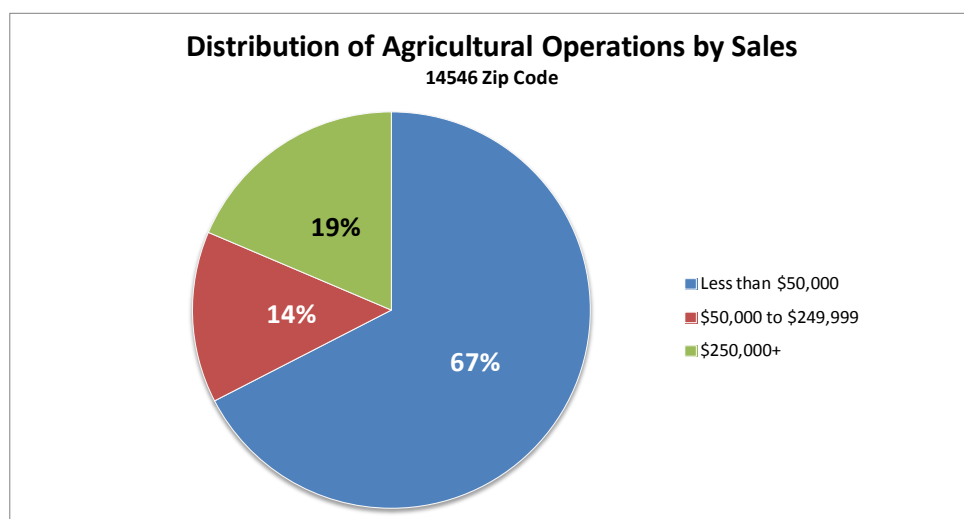


Figure 10. Distribution of Agricultural Operations

ECONOMIC BENEFITS OF AGRICULTURAL MARKETS AND SUPPORT BUSINESSES

Farms in and around the Town generate sales each year through the production and sales of farm products and support the regional economy through purchase of supplies and services. Small and large farms contribute to the rural, agricultural character of the town and support the agricultural economy through the purchase of supplies and services.

Several farms generate income from complementary activities that were not included in USDA farm statistics. For example, the equine industry generates income from boarding, sales of horses, training and other services. The NYS Agricultural District Law was recently amended to include such income to allow equine operations to be defined as “farm operation” for the purpose of Agricultural District protections and agricultural use assessment, provided the operation consists of at least 7 acres, stables at least 10 horses and generates \$10,000 in sales from commercial equine activities. (See text in Appendix B.)

Agriculture also generates economic impacts from businesses that provide services or goods to farmers and from businesses that process, transport or resell farm products. These include: retail businesses that sell equipment, fertilizer, seeds and other inputs; providers of financial, technical, and engineering services; construction contractors; trucking companies; processing plants; and retail sales of farm products.

FISCAL IMPACT OF AGRICULTURE

Several studies have determined that agriculture requires lower expenditure for governmental services than other types of land use, particularly residential. The largest service cost is education, which is shared among residents of the school districts. In general, the increase in tax revenue associated with residential development is outweighed by the cost of services. Because of these costs, land use policies need to be based on factors other than the potential for additional tax revenue. The American Farmland Trust summarizes the findings of several “Cost of Community Services” studies that document the fiscal impacts of residential development. (See fact sheet in Appendix C.)



LAND USE PLANNING CONTEXT

This Agricultural & Farmland Protection Plan continues a long tradition of support for agriculture in Town policies and programs and complements numerous State, County and regional plans and programs. This section summarizes the policies and recommendations of existing Town, County, regional and State plans and programs as they relate to support of farming and the retention of agricultural land in the Town.

LAND USE

Table 4 provides evidence that the two dominant land uses in Chili are residential (30% total) and agriculture (29%). While land used for residential purposes certainly isn't far behind, 29 percent or 6,887 acres in the Town are being utilized for agricultural uses. Interestingly, when the acreage of property classified as agricultural land is combined with property classified as residential land with acreage as well as vacant land, the majority of the Town of Chili, or 52% would be considered rural despite significant development that has expanded the tax base of the Town primarily north of Black Creek.

Table 4. Land Use in the Town of Chili

Property Use Classification	Acres	Percent of Total
Agriculture	6,887	29%
Residential with Acreage	1,547	7%
Residential	5,427	23%
Vacant	3,824	16%
Commercial	583	2%
Storage/ Manufacturing	618	3%
Utilities/ Transportation	896	4%
Government/ Community Service	783	3%
Recreation	2,838	12%
Conservation	88	0%
Total:	23,490	100%

SOURCE: 2013 Real Property Tax Parcel data provided by Monroe County. Acreages computed by LaBella Associates



ZONING

Most (73%) of the actively farmed land in the Town of Chili is within the AC Agricultural Conservation zoning district. An additional 532 acres (9%) are in the Planned Residential Development District. (See Figure 14: Zoning Districts and Table 5 below.)

Permitted uses in the AC zoning district, where most of the Town's actively farmed land is located, include single family dwellings and a variety of institutional and community service uses with a special use permit. The minimum lot size for dwellings in the AC zoning district is five acres.

The Planned Residential Development District is intended for residential and mixed uses as part of a coordinated development plan. Agriculture is a permitted use only in those portions of the district that are not serviced by public water and sewers. A significant amount (532 acres) of high quality, productive farmland is within the areas zoned for Planned Residential Development. (See also the Zoning Audit in the Appendix D).

Table 5. Active Farmland by Zoning District

Zoning District		Acres	% of total
FW	Floodway District	116	2.0%
RA	Rural Agricultural District	32	<1%
RM	Residential Multiple-Family District	40	<1%
PRD	Planned Residential Development District	532	9.3%
RB	Restricted Business District	1	<1%
GB	General Business District	1	<1%
GI	General Industrial District	79	1.4%
AC	Agricultural Conservation District	4,174	72.6%
HP	Historical Preservation	9	<1%
LI	Light Industrial	155	2.7%
R-15	Residential	249	4.3%
R-20	Residential	362	6.3%
Total:		5,750	100.0%

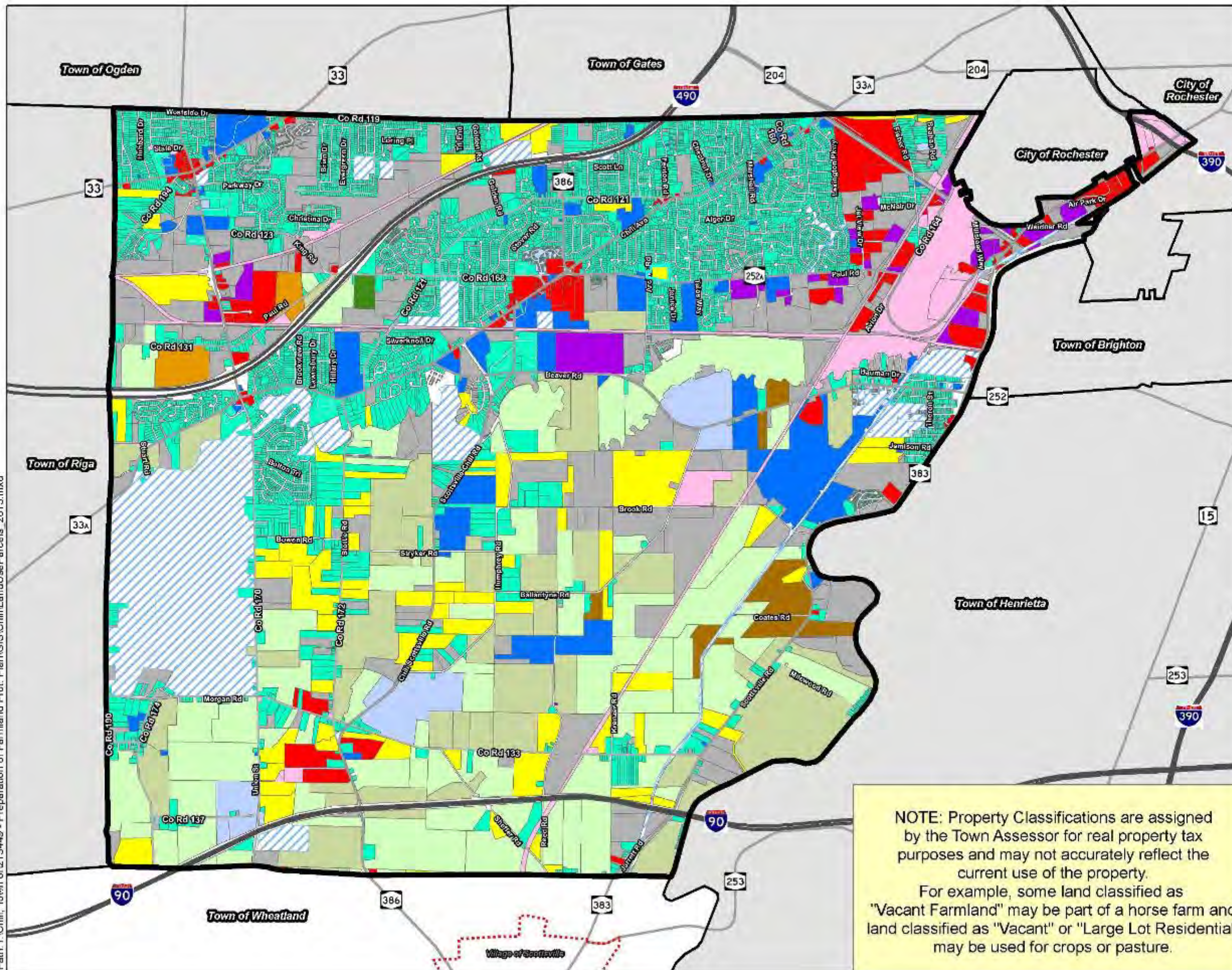
SOURCE: 2013 tax parcel data provided by Monroe County

NOTE: Property classification data not available for some parcels



Photo credit: Matt Jarrett

Productive Farmland in Chili



Town of Chili Agricultural & Farmland Protection Plan

Land Use

- Villages
- Town of Chili
- Road Types**
 - Interstate
 - State Highway
 - County Highway
 - Local Road
- Land Use by Tax Parcel**
- Property Classification**
 - Vacant Farmland
 - Cattle
 - Horse Farm
 - Field Crops
 - Truck Crops
 - Residential
 - Large Lot Residential
 - Vacant
 - Commercial
 - Recreation
 - Public/Community
 - Industry/Mining
 - Utilities/Transportation
 - Conservation

Figure 11. Land Use

SOURCE: 2013 parcel shapefiles provided by the Monroe County GIS Services Division. County and Town Boundaries and Roads obtained from US Census TIGER/Line 2010 shapefile database.

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Miles

CREATED: May 15, 2013
REVISED: May 6, 2015



NOTE: Property Classifications are assigned by the Town Assessor for real property tax purposes and may not accurately reflect the current use of the property.
For example, some land classified as "Vacant Farmland" may be part of a horse farm and land classified as "Vacant" or "Large Lot Residential" may be used for crops or pasture.

ABELLA

PLANS AND PROGRAMS

CHILI 2030 COMPREHENSIVE PLAN

The Town's existing Comprehensive Plan, which was adopted in 2011, acknowledges the importance of agriculture to the Town's economy and character and encourages the retention of land for agricultural production. Relevant goals, policies and recommendations are presented below.

General Community Goal: Priority shall be given to sustaining active agricultural operations and the identification of needed objectives and policies to minimize conflicts between established agricultural practices and non-agricultural land uses.

Managing the Built Environment

Objective 1: Land use, development and environmental regulations which are in accordance with the Comprehensive Plan

Objective 4: Focus development to avoid sprawl

Conservation, Open Space and Environmental Protection

Objective 1: Protection for natural resources, selected open space, environmentally sensitive areas, and unique natural areas.

The Economy and Associated Land Uses***GOAL: To enhance agricultural viability and resources.***

Objective 1: Land use and development regulations which address the special needs of farmers, including provisions which stipulate that farming activities take precedence over other uses in areas zoned for agriculture

Objective 2: Productive agricultural lands remain in agriculture.

Objective 3: Regulate land subdivision within farming areas that minimizes the consumption of farmland, the disruption of soil conservation practices on adjacent farmlands and the potential adversity of accepted agricultural practices occurring within the area

Objective 4: Agricultural practices which minimize negative impact to the environment, soil erosion, and surface water runoff

Objective 5: A Chili Agriculture Advisory Committee to advise the town on land use policies and development applications

The Future Land Use Plan in the Town's adopted Comprehensive Plan designates virtually all of the land in Chili that is currently farmed for continued agricultural use.

No conflicts were found between the goals and policies of the Town's adopted Comprehensive Plan and those of this Agricultural & Farmland Protection Plan.

MONROE COUNTY AGRICULTURAL & FARMLAND PROTECTION PLAN

The goals of the Monroe County Agricultural & Farmland Protection Plan, completed in 1999, are to preserve farmland and promote the agriculture industry. The Plan includes an inventory and analysis of farmland and agriculture and recommends a set of actions to achieve the Plan's goals. Recommended actions address Farmland Preservation and Protection, Economic Development/Viability/Marketing and Education.

NEW YORK STATE AGRICULTURAL DISTRICTS PROGRAM

The Agricultural District Program was established by New York State in 1971 to provide certain protections and benefits to farmers and farmland owners. Counties may establish and certify Agricultural Districts in order to make these benefits available to farmers. Inclusion in an Agricultural District denotes a commitment on the part of the County and the landowner to retain the use of such land for agriculture.

In Monroe County, Agricultural Districts are scheduled for review every eight years. In addition, landowners may request that property be added to the District during the annual 30-day addition period during February and March.

Farmland in the Town of Chili are in Monroe County's Southwestern Agricultural District (#2). This District was due for its 8-year review in 2014. However, Monroe County plans to consolidate this Agricultural District with other Districts in 2016 and therefore the Town's review was not completed.

A total of 6,788 acres within the Town of Chili are within a NYS-certified Agricultural District. Most of the land within the Agricultural District is located south of Black Creek.

The Agricultural District Program includes the following provisions to protect farmers:

- Agricultural use value assessments. Eligible farmland is assessed at its value for agricultural production, rather than at its full market value. If land that received the agricultural exemption is sold for non-farm purposes, the landowner must repay the amount of property taxes saved over the life of the District, up to 8 years. ***Agricultural use assessment is also available to owners of eligible farmland that is not located within an Agricultural District. Applications for agricultural use assessment must be filed each year***
- Protection from local regulations that would restrict farm practices. The NYS Department of Agriculture & Markets can bar the implementation, on a case-by-case basis, of local land use and other regulations that unreasonably restrict standard farm practices.

- Protection from public acquisition of farmland through “eminent domain.” Before a local or county government may undertake a project that affects land within an Agricultural District, it must submit a "Notice of Intent" to the County Agricultural and Farmland Protection Board and the NYS Department of Agriculture and Markets for consideration of the impacts on agriculture.
- Protection from nuisance suits (right-to-farm provisions). A person who buys property within an Agricultural District must be notified about the possible presence of noise or odors associated with farm practices and acknowledge receipt of this notice in writing.

REGIONAL PLANS

GENESEE-FINGER LAKES REGIONAL SUSTAINABILITY PLAN – 2012

The Genesee/ Finger Lakes Regional Sustainability Plan, funded by the NYS Energy Research & Development Authority (NYSERDA), identifies goals and recommended initiatives to promote the region’s sustainability. One of the key targets of the plan is to promote the economic viability of agriculture and forestry as well as sustainable land use and livable communities. Projects recommended in the Sustainability Plan may be eligible for implementation funding through NYSERDA.

The Plan’s goal relating to Agriculture is to: “Increase the viability, accessibility, and ecological contribution of farms, while decreasing waste and dependence on external inputs.” Broad strategies include:

- Support the continued development of an efficient and productive regional food system.
- Increase adoption of distributed bio-energy production technologies to increase production of renewable energy from farm and forest products and product waste.
- Reduce the conversion of quality farmland
- Educate the non-farming community about the economic, environmental, and social impacts that the agricultural sector has on the region.

FINGER LAKES REGIONAL ECONOMIC DEVELOPMENT COUNCIL STRATEGIC PLAN

The Regional Economic Development Councils were created by NYS to identify priority economic development projects to be funded through the Consolidated Funding Application (CFA) process. The Strategy identifies agriculture and food processing as a key sector in the regional economy.

SEWER AND WATER

Most of the Town of Chili is served by public water service. Monroe County Water Authority owns and manages the public water system.

Public sewer service is available in the area generally north of Black Creek, with the exception of an area in the northwestern part of the town along Davis Road and portions of Paul Road and King Road. (See Figure 15 below.) Areas south of Black Creek that are served by public sewers include a residential subdivision along the east side of Union Street. Monroe County Pure Waters owns and operates the sewer system on the eastern section of the Town. The areas served by public sewer are the most densely developed. Remaining farmland in these areas could potentially be converted to residential or business use consistent with the Town's current zoning.

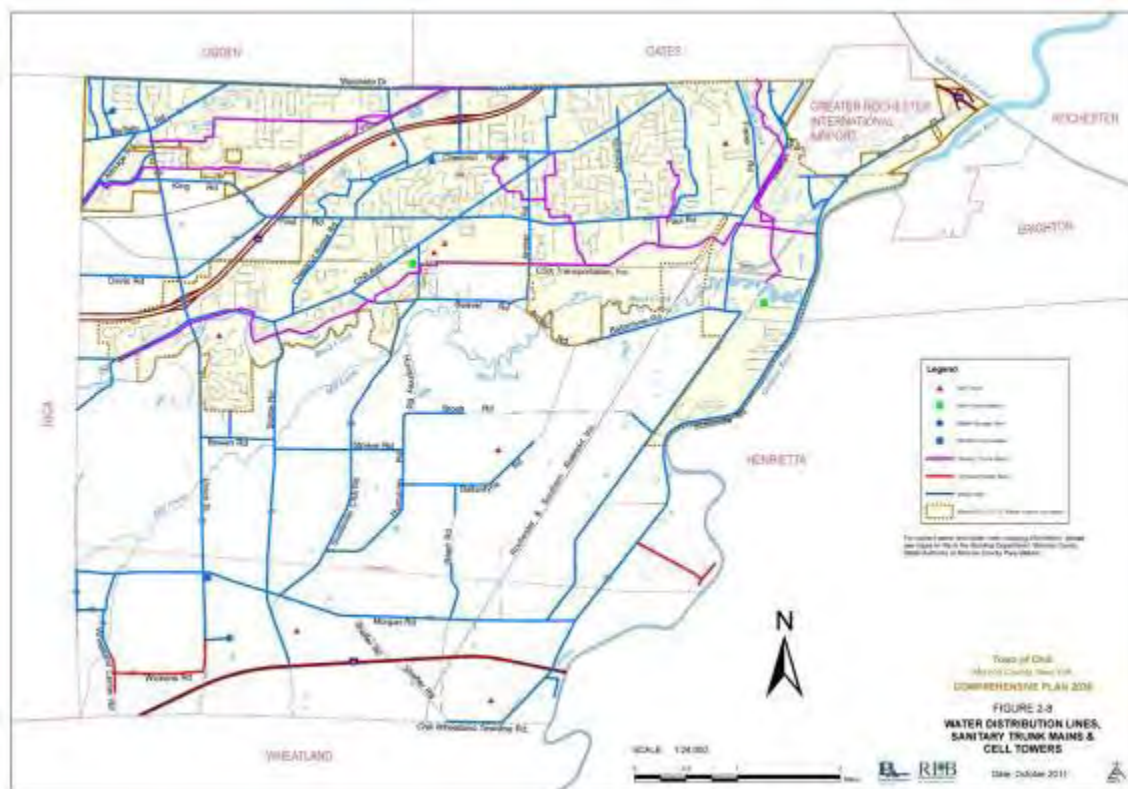


Figure 13. Public Water and Sewer in the Town of Chili

Extensions to the existing sewer system would require significant capital investment as pump stations and Creek crossings would likely be required. However, the cost of extending sewers could be borne by new developments located outside of existing sewer service areas, if such development is consistent with the Town's future zoning and development policies. In Chili, developers have shown interest in extending sewers to the following areas that currently include actively farmed land along the south side of Beaver Road west of the intersection with Archer Road (zoned R-1-20 Single Family Residential)

OPEN SPACE AND PARKS

TOWN OF CHILI OPEN SPACE INVENTORY

The Chili Open Space Inventory recognizes the importance of farmland to the Town's economy and community character. It notes:

Agriculture is an important component of State and local economies, and the Town of Chili has been blessed with a large amount of high quality agricultural land that has positively impacted the character of the community and quality of life for its residents. The agricultural heritage of the Town has played an important role in shaping its rural character, providing a sense of openness by way of scenic vistas and gently rolling farm fields. As such, understanding agricultural lands in the Town of Chili is an important component of open space preservation.

The plan includes an inventory of agricultural land uses and an analysis of soil suitability. It recommends a variety of actions aimed at preserving natural open space as well as agricultural land, including cluster zoning/subdivision revisions, conservation easements, land mitigation ordinances (impact fees) and purchase of development rights.

WATERSHED/ STREAM CORRIDOR PLANS AND PROGRAMS

The Black Creek Watershed Characterization (2012) documents the physical, hydrologic, and land use characteristics of the Black Creek Watershed, which encompasses 76% of the Town of Chili and 22% of the Town of Wheatland. The study also documents the water quality of Black Creek and identifies potential sources of contaminants. This study provides the scientific basis for actions to be incorporated into a Black Creek Watershed Management Plan.

The Black Creek Watershed Coalition, formed in 2002, includes representatives of Genesee and Monroe Counties, municipalities, State and Federal government agencies, academic institutions, businesses and interested citizens. It undertakes studies and plans with the support of grants. Its purpose is to protect, enhance and celebrate Black Creek and its watershed.



DEVELOPMENT PRESSURE

This section describes the level of conversion pressure on agricultural lands in the Town and the consequences of potential conversion on the agricultural industry. It includes an overview of population and housing trends, sewer and water infrastructure, and zoning regulations that influence development potential in the agricultural areas of the Town.

Farms that are susceptible to conversion to other uses may be a higher priority for conservation than other farms. Pressure for conversion may take the form of scattered residential development, residential subdivisions or other development and may be stimulated by infrastructure extensions or nearby development. The extent of development pressure should be a consideration in the evaluation of farm parcels for long-term protection.

POPULATION AND HOUSING TRENDS

The population of the Town of Chili, according to the U.S. Census, was 28,625 in 2010. This represents an increase in population since the 2000 count of 3.6%.

While the population increased slightly between 2000 and 2010, the number of housing units increased by 11.6% to 11,685 housing units. Households consist of fewer people, on average. The trend toward smaller households and an aging population is nationwide and is expected to continue. The chart below illustrates population and housing trends over the last several decades

The Town's Comprehensive Plan¹ identified the area south of Black Creek and north of Stryker road as "a logical extension for residential development." However, this area includes significant areas of productive farmland and public sewers are not likely to be extended to this area.

The Comprehensive Plan also noted opportunities for more dense residential development in the southeastern corner of the Town just north of the Village of Scottsville. This area also includes productive farmland and currently lacks public sewers. However, if public sewer is extended to this area, either through expansion of the Village of Scottsville system or connection to the regional system operated by Monroe County Pure Waters, this area would become very attractive for dense residential development.

INFRASTRUCTURE

As stated in the previous section, with the exception of a few areas, most of the Town is serviced by public water. Sewer service is primarily limited to areas north of the Black Creek. A limiting factor is the ability and cost of extending sewers under the Black Creek. If the economics, therefore, improve where either the costs of installation declines or the price of homes increases, or both, land south of the Black Creek could be attractive for development.

¹ Town of Chili 2030 Comprehensive Plan, p. 3-5

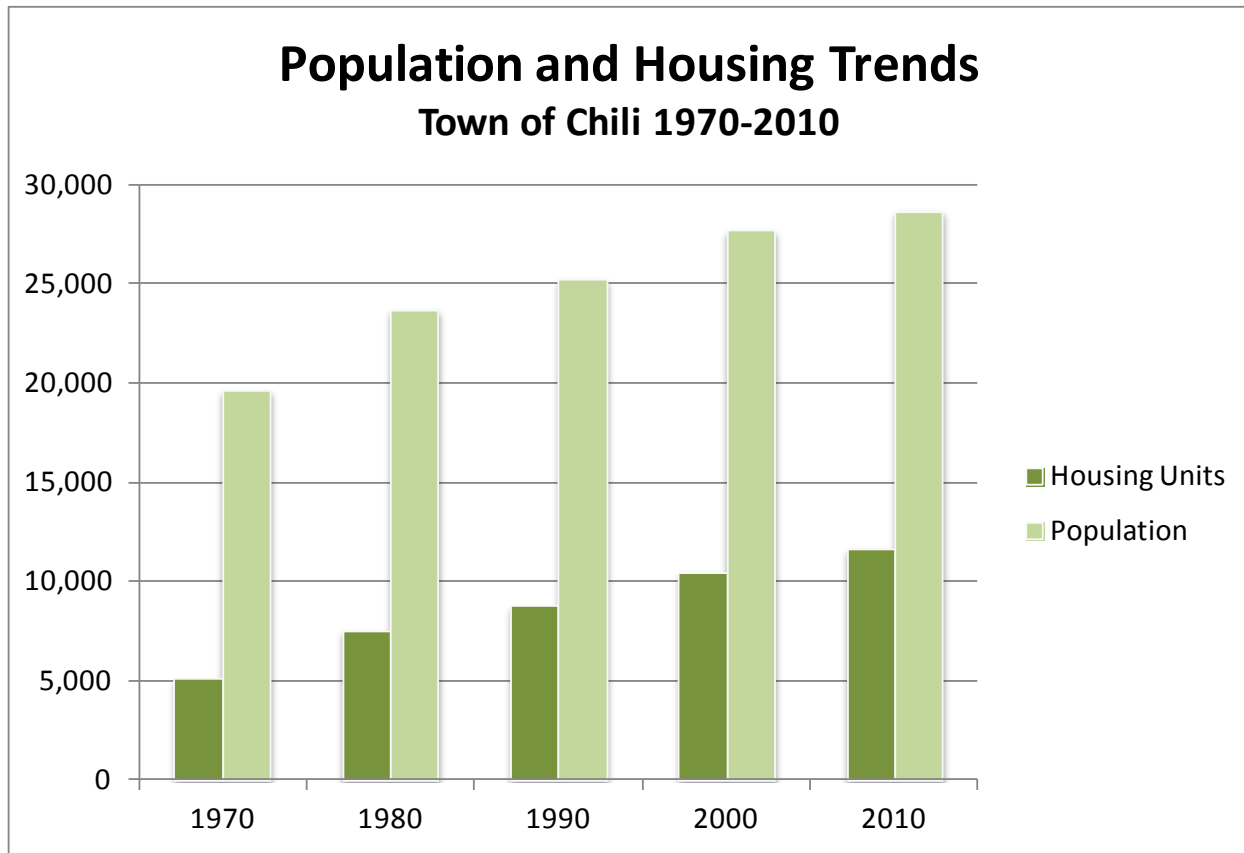


Figure 14. Population and Housing Trends

BUSINESS DEVELOPMENT TRENDS

Most of the commercial and industrial development in the Town of Chili is located in the northern portion of the Town, in Chili Center, along Paul Road and in the northeast corner of the Town near the Rochester International Airport (see Figure 13: Land Use.) South of Black Creek, several small businesses are located near the intersection of Morgan Road and Chili-Scottsville Road. Additional business development is not anticipated in the more agricultural areas of the Town.

POTENTIAL DEVELOPMENT

In areas that are not likely to be served by public sewers, the most significant threat to farmland in the Town is scattered residential development, which has the potential to fragment farm fields and contribute to conflicts between farming and non-farming neighbors. If sewer service is extended, areas served by sewers will be subject to significantly more pressure to be developed for residential and/or business uses.

Figure 14, Zoning Districts, illustrates the current zoning classifications of existing farmland. Future rezoning should take into consideration the impact on farmland, with a priority to avoid developing on lands that are actively farmed and contain high quality agricultural soils.

BUILD OUT ANALYSIS

FARMLAND CONVERSION TRENDS

In 1991, the Town of Chili mapped the locations of “Lands Actively Being Farmed” for its Comprehensive Plan Update. A comparison of this map with the Active Farmland map prepared for this Plan indicates the extent and rate of farmland conversion in the Town over the past 25 years.

Between 1991 and 2014, approximately 320 acres of farmland was converted to non-agricultural uses. This represents a loss of 5.3% of the Town’s active farmland (currently 5,666 acres). North of Black Creek, approximately 47 acres were converted for a large church on the south side of Paul Road, 17 acres for a 74-lot residential subdivision east of Archer Road which is partially built-out and 34-acres for a 107-lot residential subdivision northeast of King Road.

South of Black Creek, 101 acres were converted for a 273-lot residential subdivision on the east side of Union Street. This subdivision required the extension of sewer service under Black Creek.

Another 173 acres of farmland were converted to 13 large residential lots, some with adjoining land that is no longer used for agriculture. Some landowners have allowed agricultural land to revert to shrubs and woods for hunting, conservation or aesthetic enjoyment.



Credit: John Ignatowski 1

BUILD-OUT

A build-out analysis calculates the extent of development that can take place, given existing zoning and natural constraints. The analysis focuses on land south of Black Creek that is currently zoned AC Agricultural Conservation and PRD Planned Residential Development. The zoning regulations require 5-acre minimum lot sizes in the AC and in the PRD where sewer and water is not available. Parcels currently classified Agricultural and Vacant comprise a total of 7,491 acres. Regulated wetlands reduce the amount of buildable land to approximately 6,425 acres. If all of this land were developed at a density of 5 acres per unit, the land could accommodate 1,285 new housing units.

During the past five years, Chili has granted an average of 36 permits a year for new single family dwellings. Between 2005 and 2008, the average was 86 new single family dwellings per year. Assuming that approximately one-half of the new residential development over the next 20 years occurs in the AC or PRD zoning districts at densities of 5 acres per unit and 20 units per year, a total of 100 acres per year could be converted from agricultural to residential use. After 20 years, Chili would lose approximately 2000 acres, or 35% of the current total.

RELATED PLANNING INITIATIVES

The Town of Chili's Comprehensive Plan devotes a Chapter to consideration of future development opportunities in the Town. The conclusion is that most, if not all, of future development in the Town will occur north of the Black Creek, thereby protecting valuable agricultural land south of the Creek:

While the presence of wetlands, flood prone areas, agricultural districts and the airport environs inhibit development in certain areas in the Town of Chili, the patterns of their location also clearly define the parameters of developable areas. These areas are generally located north of Black Creek (totaling 3,405 acres) and have a variety of attributes that encourage growth and development. All opportunity areas north of Black Creek can be served by public utilities. They also contain large parcels of land able to be suitable for development.

In addition, the New York State Smart Growth Infrastructure Act of 2010 may also impact development. Generally, the new law discourages state agencies from funding infrastructure extensions or improvements in undeveloped areas including agricultural areas.

CONCLUSIONS

Future conversion of land south of Black Creek, which the Town has identified as priority for farmland protection, is most likely to occur as large residential lots. Such conversion is most likely to occur among the parcels currently rented for agricultural use by non-farming landowners, as most of the farmer-owned land is used in long-standing and productive farm operations. The 5-acre minimum lot size requirement in the Agricultural Conservation zoning district may accelerate the conversion.

FUTURE FARMLAND PROTECTION IN THE TOWN

Based on the data and trends described in previous sections, as well as the Town's existing agricultural land base and industry the Town has evaluated opportunities for protecting farmland. The evaluation measures various factors but the most important, as outlined in this section, are the quality of soils, the viability of the farm operation, development pressure, and the value of agricultural land as a natural resource.

FARMLAND SUITABLE FOR PROTECTION

The Town has identified those lands that have high quality agricultural soils and that are currently used for agricultural production as suitable for protection. The areas of active farmland were delineated from aerial photographs and represent crop fields, pasture and other open land that may be suitable for agricultural production (see Figure 2, Active Farmland). High quality agricultural soils include soils classified by the USDA Natural Resources Conservation Service Soil Survey as "prime farmland," "prime farmland if drained", and "soils of Statewide importance (see Figure 4 Active Farmland by Agricultural Soils). The intersection of these two features – areas that consist of prime or important agricultural soils as well as active farmland.

To provide guidance to the Planning Board and other Town officials, Figure 19, Farmland Suitable for Protection depicts the agricultural soil classification of all actively farmed land in the Town. This map should be used by Town boards and advisors as a reference when reviewing development proposals and in implementing strategies for the long-term protection of farmland.



PARCEL RATING

A list of parcels that include agricultural land is included in Appendix E. A rating system was applied to each parcel to rate the extent and quality of the agricultural soils within each parcel. The following weighting factors were applied to the total number of acres of each soil category within the parcel:

Table 6. Agricultural Soils Rating Factor

<i>Agricultural Soils Classification</i>	<i>Rating Factor</i>
Prime Soils:	3
Prime if Drained:	3
Soils of Statewide Importance:	2
Other soils:	1

The Agricultural Rating for each parcel is the sum of the acres of soils in each category multiplied by the weighting factor. This rating system assesses only the amount and quality of agricultural soils on individual parcels. As such, it is intended as the starting point for determining the suitability of individual parcels for long-term protection.

In addition, the highest agricultural soils ratings are given to large parcels that include significant quantities of farmland. Small parcels that are used to raise high value crops such as vegetables would not receive a high rating using this system; the agricultural value of these smaller parcels will need to be documented on a case-by-case basis.

In addition, the rating system does not group parcels that are part of a single farm operation. However, if multiple parcels are proposed for protection, the data for each individual parcel may be added together to determine the total rating for a group of parcels.



CRITERIA FOR LONG-TERM FARMLAND PROTECTION

Several other factors, in addition to the presence of high quality agricultural soils, should be considered in assessing suitability for long-term protection. These include the application of land management and conservation practices, plans for continued operation of the farm in succeeding generations, and proximity to other farmland and other protected lands. These other factors should be considered on a case-by-case basis for those parcels that are proposed for long-term protection.

In evaluating parcels for the purpose of sponsoring applications for long-term protection, such as private conservation easements or public purchase of development rights, the following criteria apply:

- Acreage of high quality agricultural soils
- Proportion of the parcel that contains high quality agricultural soils
- Long-term viability of the farm operation over the long term
- Impact of soil conservation practices used and protection of significant natural resources
- Extent to which the farm is subject to significant development pressure
- Whether the farm operator is a Chili resident.

These criteria parallel those specified by New York State in its most recent Purchase of Development Rights program. Information about Purchase of Development Rights grants administered by New York State Department of Agriculture & Markets is included in Appendix F.

LONG-TERM VIABILITY

Factors that should be considered in evaluating the long-term viability of a farm parcel include:

- The presence of a succession plan that demonstrates that the land is going to continue to be farmed, either by the next generation of the family that is currently farming the property or by a neighboring farmer.
- A history of appropriate conservation and land management practices on the farm
- Location in an area does not have constraints to continued farming. For example, a parcel that is completely surrounded by residential development is more difficult to farm than one that is contiguous to or near other farm parcels.

One measure of viability is whether the land is receiving the agricultural use property tax exemption. This exemption is allowed for land used in agricultural production where sales exceed \$10,000/ year. The Parcel Rating Map depicts those farm parcels that received an Agricultural Use exemption in 2014.

The owner of farm land who does not farm, but leases his land to a farmer is eligible for the Ag Value Land Exemption on his land under the “umbrella” of the farm operation to which he is leasing

his land. A written 5-year lease agreement (with the farmer) is required for the non-farmer land owner to be eligible.

DEVELOPMENT PRESSURE

Farms that are susceptible to conversion to other uses may be a higher priority for conservation than other farms. Pressure for conversion may take the form of scattered residential development, residential subdivisions or other development and may be stimulated by infrastructure extensions or nearby development. The extent of development pressure should be a consideration in the evaluation of farm parcels for long-term protection.

NATURAL RESOURCE VALUE

Farmland protection may have the added benefit of protecting or enhancing nearby natural resources. For example, cropland and pasture absorb rainwater and generate less stormwater runoff than developed land. It can serve as a buffer to forests and wildlife habitat. If properly managed, it can provide protection to stream corridors. The contribution of the farm toward the protection of natural resources should be considered in the evaluation of individual farm parcels for long-term protection. Figure 18 depicts the locations of wetlands, flood zones and other natural resources in the Town.



PRIORITY AGRICULTURAL PROTECTION AREAS

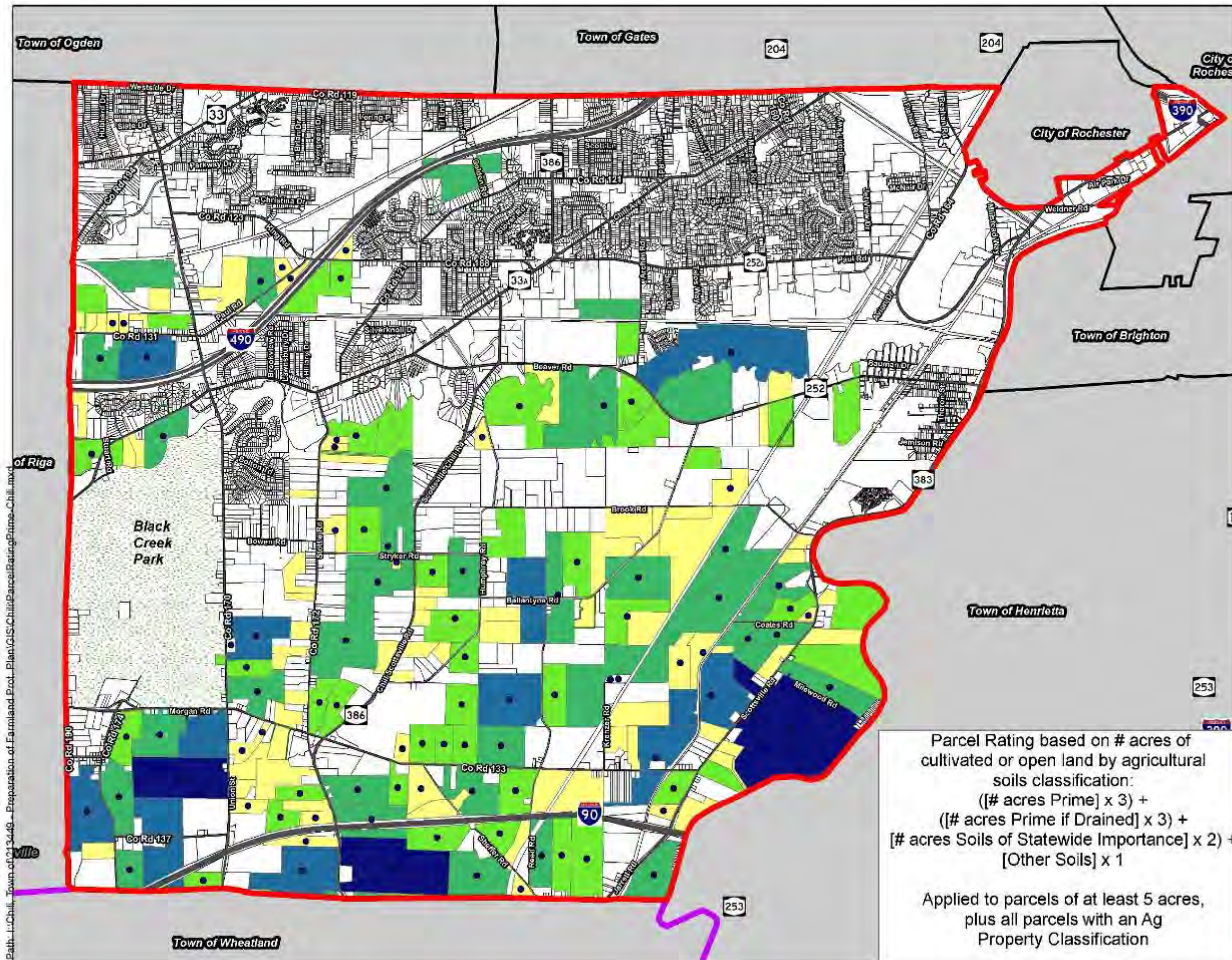
In order to focus agricultural land preservation efforts, the Town has delineated a portion of the Town as the highest priority for agricultural land protection as depicted in Figure 19. A total of 4,370 acres of actively farmed land and other open space that may be suitable for farming is within this priority area. This represents 77% of the total acreage of active farmland and other open land suitable for farming located in the Town.

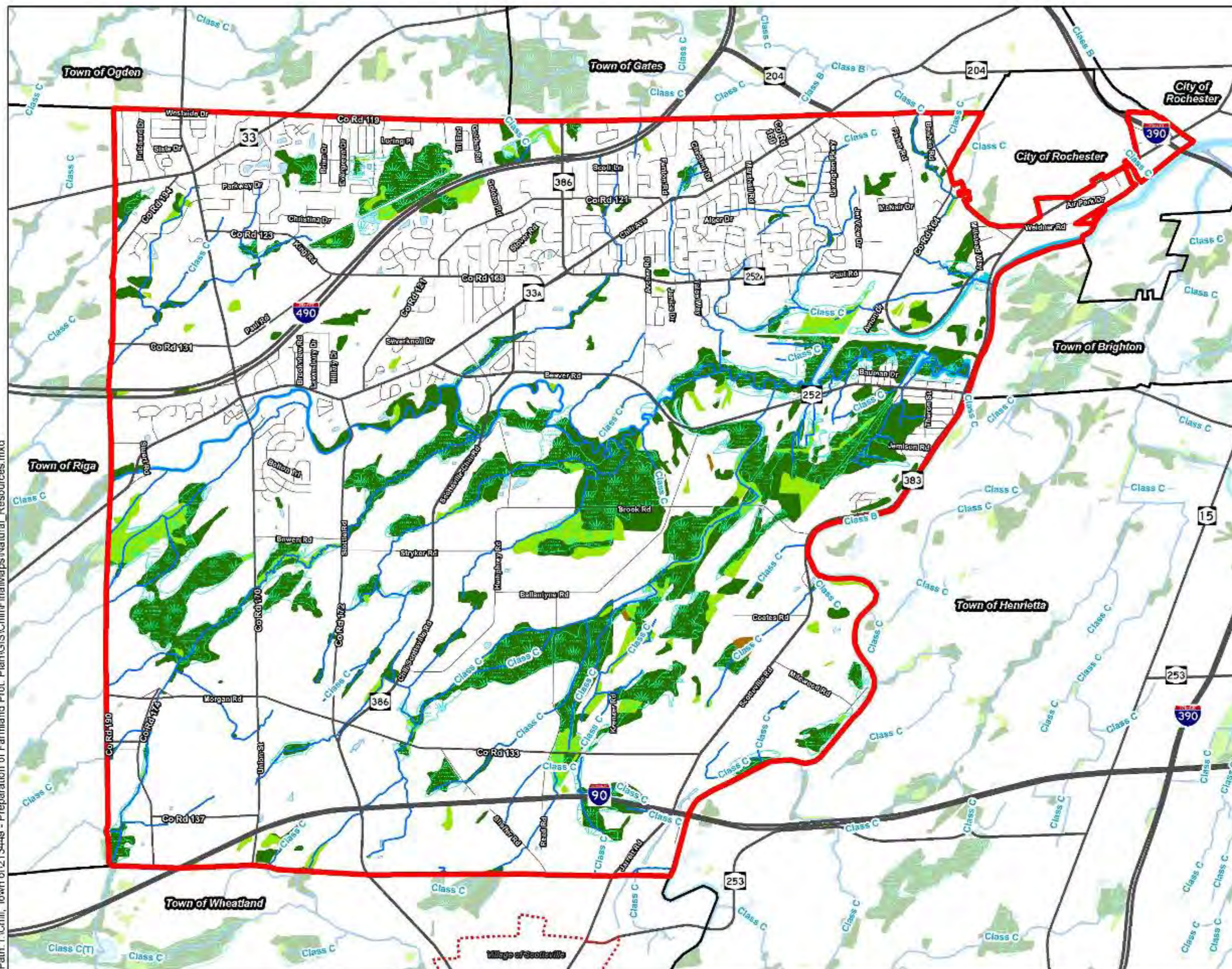
The retention of farmland in these areas would help to ensure that a “critical mass” of high quality farmland remains available to support agricultural production in the Town. Land protection efforts such as incentive zoning and purchase of development rights should be targeted to these areas.

Criteria for selecting the area included:

- Areas that are not currently served by public sewers
- Area zoned for less intensive development. Town zoning district boundaries represent current development policies.
- Encompass contiguous areas of active farmland and other open land.







Town of Chili Agricultural & Farmland Protection Plan

Natural Resources

- Villages
- Town of Chili
- Other Towns
- Road Types**
 - Interstate
 - State Highway
 - County Highway
 - Local Road
- NYSDEC Classified Waterbodies
- NYSDEC Wetland
- Federal Classification**
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Riverine
 - Other

Figure 16. Natural Resources

SOURCE: NYSDEC Classified Waterbodies shapefile obtained from NYSGIS Clearinghouse database. NYSDEC Wetlands shapefile obtained from CUGIR shapefile database. Federal Wetlands shapefile obtained from the National Wetlands Inventory via US Fish and Wildlife Services online database. County and Town Boundaries and Roads obtained from US Census TIGER/Line 2010 shapefile database.

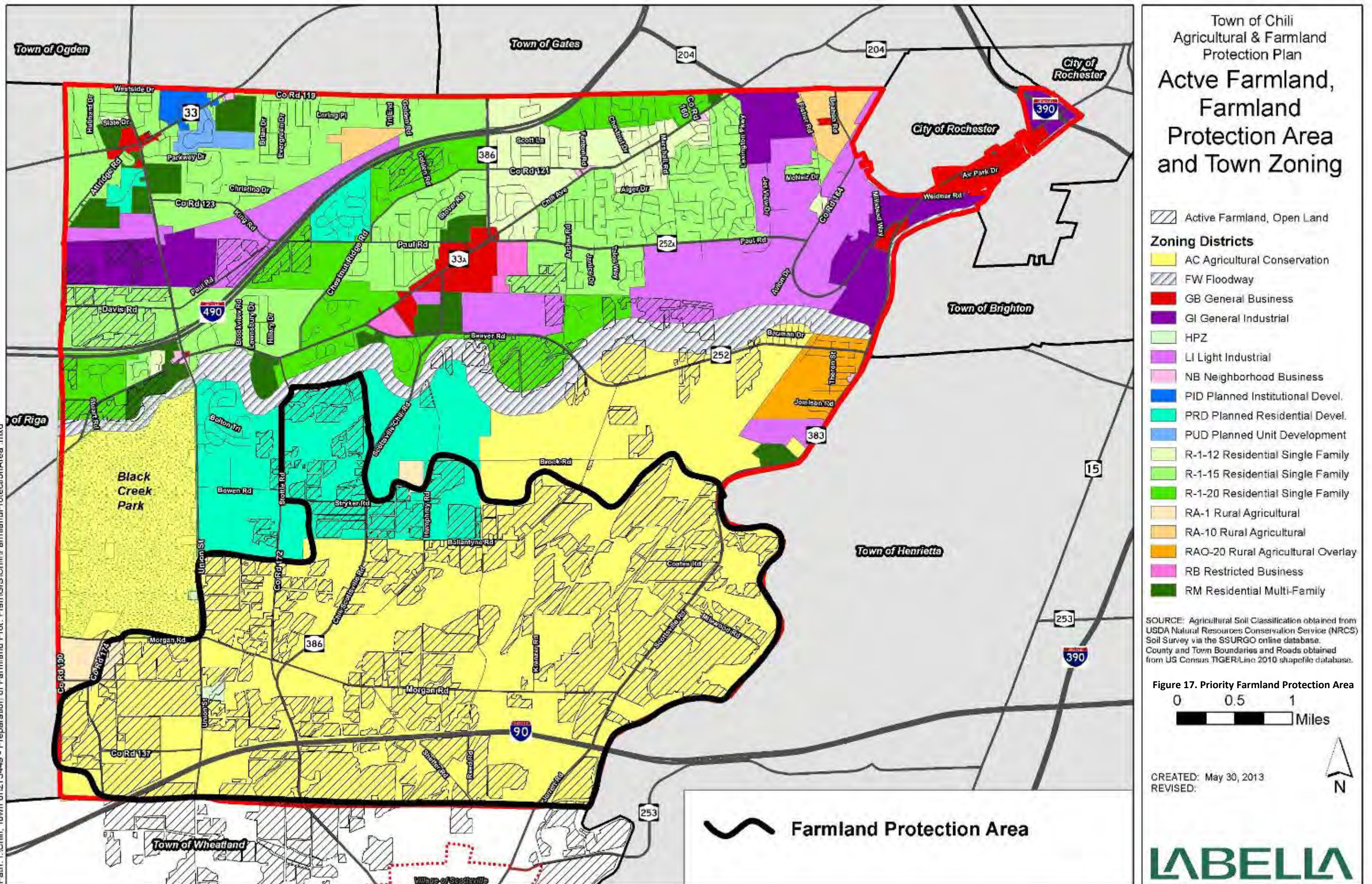
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CREATED: May 30, 2013
REVISED: January 10, 2014

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GOALS AND STRATEGIES

This section presents the Town's Goals, Vision and recommended initiatives and specific actions. Additional information about alternative approaches is included in Appendix G.

VISION

Promote a strong and secure agricultural industry in balance with the protection of natural resources and existing and future residential and economic development.

GOALS

- Retain sufficient land within the Town to support a viable agricultural industry
- Enhance the economic and fiscal benefits of agriculture in the Town
- Minimize disruption to farm operations from non-agricultural development and infrastructure.
- Continue to support public understanding of farming
- Support environmentally responsible agricultural practices

GOAL 1: RETAIN SUFFICIENT LAND WITHIN THE TOWN TO SUPPORT A VIABLE AGRICULTURAL INDUSTRY

Approximately 5,666 acres in Chili – 22% of the Town's total land area – is cropland, pasture and other open land suitable for agricultural production. (See Figure 2: Active Farmland and Other Open Land.) Farm operations include field crops such as soybeans, corn and hay, as well as cattle and other livestock, vegetables and equine operations.

A small number of large farms operate on a majority of the Town's farmland. In addition, several smaller farms produce vegetables livestock and other products that do not require large land areas. Farmland in Chili includes land owned by farmers as well as land leased to farmers by non-farming landowners.

Chili's farmland soils are highly suited for agricultural production. High quality agricultural soils are a globally valuable natural resource and are critical to sustaining a viable agricultural industry in the region. High quality agricultural soils include those soil types designated by the USDA Natural Resource Conservation Service (NRCS) as "prime," "prime farmland if drained" and "farmland of statewide importance." [See Figure 4: Active Farmland by Agricultural Soil Classification.]

The Farmland Protection Areas map identifies those areas within the Town where continued agricultural production will be a priority. A total of 4,370 acres of actively farmed land, 77% of the total within the Town – is within this area. This map will guide Chili's land use policies, zoning and land protection efforts, in conjunction with the Town's other development and resource protection policies. (See Figure 19, Farmland Protection Area.)

Farmland Parcels table lists all parcels in the Town with active farmland and other open land that may be suitable for farming. The table indicates the number of acres of active farmland and other open land within each parcel, the number of acres in each agricultural soils suitability category: prime farmland, soils of statewide significance and prime when drained. The table also notes:

- Whether the parcel is receiving an agricultural use value property tax exemption
- Whether it is located within a NYS-certified Agricultural District
- Whether it is located within the Town's Farmland Protection Area.

Each parcel is rated based on a formula that factors in the extent of agricultural soils, whether it is receiving an agricultural use assessment, whether it is located within a NYS-certified Agricultural District, and whether it is located within the Town's Farmland Protection Area.

INITIATIVE A: PERMANENTLY PROTECT HIGH QUALITY FARMLAND FOR CONTINUED AGRICULTURAL PRODUCTION

Permanent protection of farmland, provided that farming remains financially viable, is an effective way for landowners, working with government entities or land trusts, to retain high quality farmland for agricultural use over the long term. Permanent conservation easements, voluntarily entered into by landowners, remove the development rights from land, eliminating development pressure, creating land that is more affordable to own as well as purchase by farmers, and returning capital to the landowner for purchase of land or equipment or to finance retirement.

New York State periodically offers grants to municipalities and land trusts for farmland protection. (See http://www.agriculture.ny.gov/rfps/FPIG14/Rnd_13_RFP.pdf.) Alternatively, land trusts may accept donations of farmland easements.

The Farmland Protection Area map, the parcel ratings and additional criteria specified by funders, will help the Town to evaluate parcels proposed for long-term protection.

Local funds can supplement State, Federal and/or private sources by contributing a portion of the local grant match or assisting with up-front administrative costs such as surveys and appraisals.

ACTIONS:

1. Sponsor applications for State or Federal grants for the purchase of development rights to high quality farmland within the Town's Farmland Protection Area.
2. Educate and promote the concept of donating conservation easements.
3. Consider establishing a fund for farmland protection efforts. Study legalities and consequences of creating a dedicated fund. Create a mechanism to collect money for the fund through exactions on new development in the Farmland Protection Area.

INITIATIVE B: DISCOURAGE NON-AGRICULTURAL DEVELOPMENT OF HIGH QUALITY FARMLAND WITHIN THE TOWN'S FARMLAND PROTECTION AREA

Most of the active farmland in Chili is located in the southern portion of the Town, which is less developed than the northern portion and is not served by public sewer service. (Figure 2-8 from the Chili Comprehensive Plan depicts sewer service areas in the Town.) The extension of sewers into agricultural land would likely accelerate the conversion of farmland to residential and other uses.

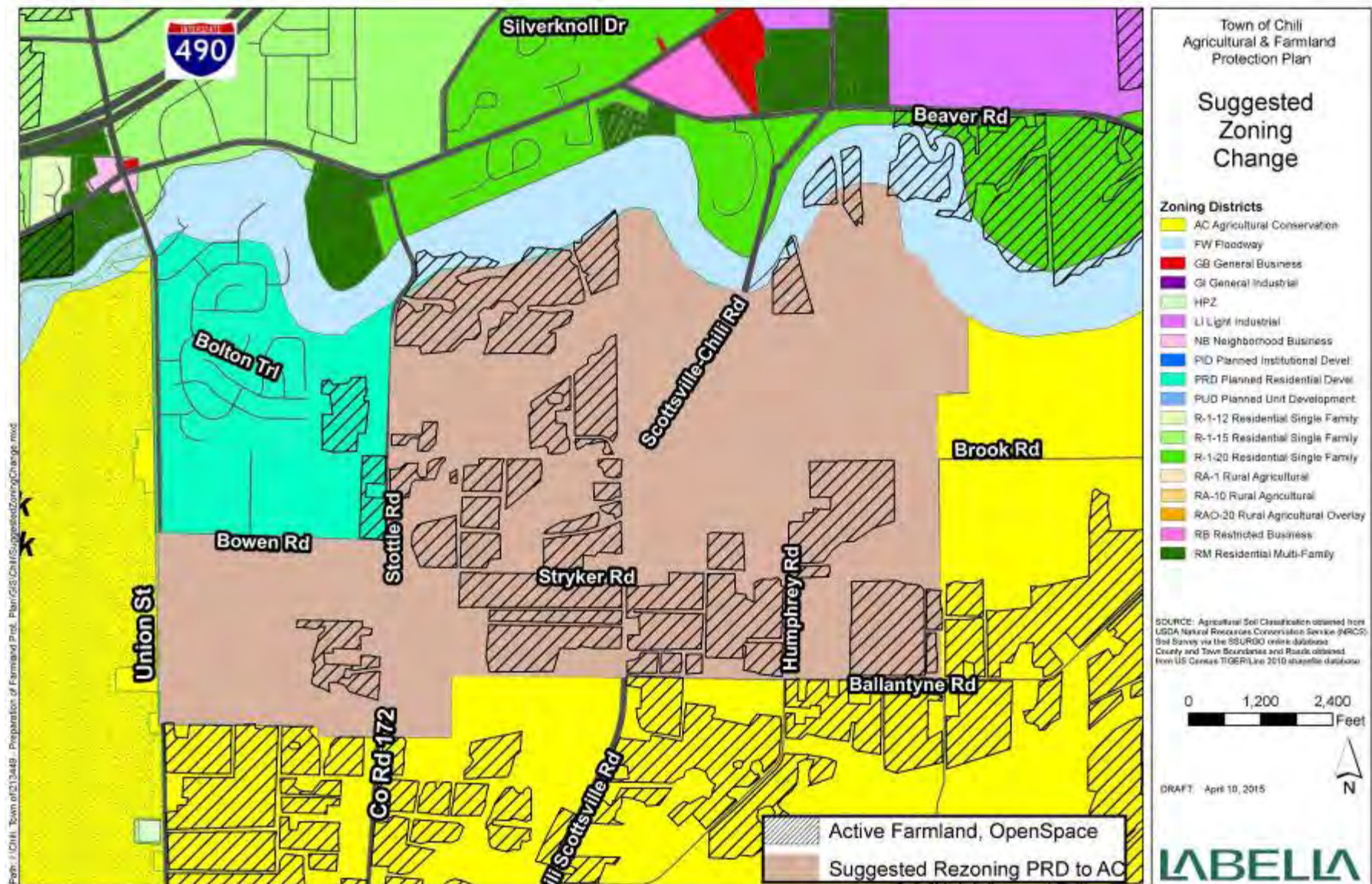
Most (4,174 acres, or 73%) of Chili's active farmland and other open land is zoned "Agricultural Conservation."

The 5-acre minimum lot size in this district has the potential to accelerate conversion of farmland. In addition, farm families currently need variances to building houses for workers or family members. Allowing or requiring smaller lots while maintaining low densities of development would help to minimize the impacts of new residential development in agricultural areas. In order to ensure subdivision designs that minimize impact on farmland, the Planning Board at the early stage in subdivision design.

A total of 1,469 acres of high quality and productive farmland is located in zoning districts that are intended for intensive residential or business development. Some of these areas include productive farmland, including 532 acres in the PRD Planned Residential Development District.

ACTIONS:

1. Rezone the area south of Bowen Road and east of Stottle Road from PRD Planned Residential to AC Agricultural Conservation. (See map on following page.)
2. Consider modifying the 5-acre minimum lot size in the AC zoning district to limit the size of residential lots while maintaining the low density of development.
3. Authorize the Planning Board to review the design of all proposed subdivisions in the AC area that involve farmland within the Farmland Protection Area.
4. Discourage the extension of sewer infrastructure into the Farmland Protection Area.
5. Advocate for agricultural interests when Monroe County, New York State or private utilities propose infrastructure improvements or extensions for non-agricultural development within the Farmland Protection area.



6. When sewer lines are extended through land in a State-certified Agricultural District, adopt lateral restrictions to limit hookups to residences subsequently constructed on farmland while it is in the Agricultural District.
7. Consider authorizing the Planning Board to require conservation subdivisions as part of the subdivision review process.
8. Educate Town staff on the importance of farmland protection and its relationship with codes, permits and zoning reviews.

Example of Conservation Subdivision Approach



Actual buildout with 5-acre lots



Alternative lot configuration, with farmland retained for agricultural use

GOAL 2: ENHANCE THE ECONOMIC AND FISCAL BENEFITS OF AGRICULTURE IN THE TOWN

In addition to keeping land open and in agricultural production, farms in Chili contribute to the regional agricultural economy. Agriculture is a major industry in Monroe County, the Genesee/Finger Lakes region and New York State. In 2012, farms in Monroe County alone generated \$81,342,000 in crop sales and \$9,238,000 in sales of animals and their products. Farms based in nearby Genesee and Livingston counties, which utilize land in Chili, generate additional sales in support of the regional economy. The Finger Lakes Regional Economic Development Strategy identifies agriculture and food processing as a significant economic “cluster” which employs nearly 19,000 people with a payroll of \$700 million.

Businesses that support the agricultural economy include services, supplies and processing. Such businesses in Chili include food processing and veterinary services. The Genesee Valley Regional Market Authority, which manages a complex of farm product marketing and related businesses on Jefferson Road in Henrietta, owns land on Scottsville Road that may be used in the future to support the Authority's regional marketing function.

On-farm sales, farmers markets and value-added production of farm products make local farm products available to area residents and provide additional income to local farmers. In Chili, farms offer on-farm sales of produce, horticultural and other products. The Town of Chili supports local sales of farm products through the seasonal Chili Farm Market at Chili Paul Plaza. Building markets for local farm products can lead to additional income for farms in the Town.

In New York State, property taxes on farm parcels that meet certain thresholds are based on agricultural use value rather than full market value. In general, the parcel must be used by a farm operation that generates at least \$10,000 a year (on average) from agricultural operations. Farmland owners who rent the property to an eligible farm operation are eligible for agricultural use property tax assessment.

Other property tax relief programs available to farmers include the Farmers School Property Tax Credit and exemptions for farm worker housing and renovations of historic barns for continued agricultural use.

A total of 99 farm parcels in Chili receive agricultural use exemption. These parcels include 6,021 acres of which 2,064 qualify for agricultural use exemptions.

Farmland and agriculture generally require lower expenditures for local governmental services than other types of land use. Residential development in particular often leads to increased demand for schools and other services. Although residential land generates more property taxes than agricultural land, the increase in tax revenue associated with residential development is outweighed by the cost of services.



INITIATIVE A. REVISE ZONING REGULATIONS TO ACCOMMODATE THE DIVERSITY OF FARM OPERATIONS IN THE TOWN.**ACTIONS:**

1. Modify the definition of “Agriculture” to be broad enough to include all types of agricultural operations as referenced in NYS Agricultural District Law.
2. Modify the definition of “Agribusiness” to include farm-related businesses such as distribution and processing, excluding farming and the production of agricultural products.
3. For farms in the AC zoning district, review the minimum 10-acre lot size requirement for farm operations and consider including language in the zoning regulation that exempts farm operations in certified Agricultural Districts from the 10-acre minimum lot size requirement.
4. Consider permitting an additional residence on farm property within the Farmland Protection Area when housing is needed for the continued operation of the farm.

INITIATIVE B: SUPPORT INCREASED AGRI-TOURISM AND SALES OF LOCAL FARM PRODUCTS.**ACTIONS:**

1. Encourage agri-tourism, on-farm sales and value-added processing
 - Distribute information about farm markets, roadside stands and other agriculture-related businesses in the Town, including the Chili Farmers Market.
 - Maintain zoning regulations that accommodate on-farm sales and value-added processing and agricultural support businesses on farm parcels
 - Collaborate with neighboring Towns, Monroe County Cooperative Extension and other entities to support and promote farm markets, roadside stands and other agri-tourism enterprises on a regional basis. Encourage farmers to participate in the Grow Monroe program administered by Monroe Community College Agriculture & Life Sciences Institute.
 - Partner with other agencies to provide information to entrepreneurs about sources of technical and financial assistance for value-added processing and agri-tourism enterprises
2. Work with County and State agencies to develop or expand markets for agricultural products
 - Work with Monroe County and regional entities to retain and attract food processors, distributors and other agriculture-related industrial businesses to the region.



- Provide information about grants and loans administered by COMIDA for the creation, expansion or improvement of agriculture-related businesses that create or retain jobs.

INITIATIVE C: CONTINUE TO ADMINISTER APPLICABLE TAX INCENTIVES.

1. Encourage landowners and farm business operators to obtain all applicable real property tax exemptions and incentives.
 - Ensure that information about various tax relief programs continues to be available in the Assessor's Office and elsewhere at the Town Hall.
 - Continue to support the Town Assessor's efforts to inform farmland landowners about tax relief programs that they may be eligible for, including information about deadlines for applying. Include information about exemptions in the Town's annual mailing regarding agricultural assessments.

INITIATIVE D. CONSIDER ALLOWING ADDITIONAL AGRICULTURAL RELATED BUSINESS USES ON FARMS, TO SUPPLEMENT FARM INCOME.

As farming is a seasonal business, many farmers and their family members have non-farm jobs to supplement farm income. Some farms may be able to support non-agricultural businesses without impacting neighbors or the community.

ACTIONS:

Consider revising zoning regulations to allow diverse agriculture related business uses on farms in the AC zoning district on a case-by-case basis with a special use permit. Establish limitations on lot size, setbacks, deliveries and other aspects of the business as well as appropriate special use permit criteria to minimize potential impacts on neighboring properties.



GOAL 3: MINIMIZE DISRUPTION TO FARM OPERATIONS FROM NON-AGRICULTURAL DEVELOPMENT AND INFRASTRUCTURE

Development and other activities that physically alter the landscape can affect farming operations. For example, roadway improvements can impact drainage on nearby farm fields. Trees along the border of a residential development can shade fields, reducing productivity.

INITIATIVE A: APPLY ZONING AND SUBDIVISION REGULATIONS AND PROCEDURES TO REDUCE THE IMPACT OF NEW RESIDENTIAL DEVELOPMENT ON CONTINUING AGRICULTURAL OPERATIONS

ACTIONS:

1. Revise subdivision regulations to acknowledge that preservation of prime agricultural soils and agricultural infrastructure is one of the objectives of the regulations. Require applicants to document the location of prime agricultural soils and existing agricultural infrastructure in the sketch plan and preliminary plat. Encourage house lots to be located on the least productive agricultural soils and ensure that existing agricultural infrastructure is maintained, including drainage improvements and access lanes.
 - Add to §439-27, Easements: Easements within the subdivision shall be provided where required for storm drains, sanitary sewers, other utilities, recreation areas, open spaces, agricultural production or pedestrian traffic.
 - Add to §439-22, “The location of agricultural drainage systems, including diversion ditches and tiling, as well as agricultural access roads and other infrastructure that affects agricultural production on the parcel to be subdivided or neighboring parcels.”
 - Add to §439-31, Preliminary Plat: “A description and map of those areas that have been used for agricultural production during the past three years and those areas that have soils identified as prime agricultural soils, prime if drained, or soils of statewide importance based on the USDA Soil Survey and/or the NYS Soil & Water Conservation District.”
 - Add to §439-22, “F. Conservation of high quality agricultural land. Where the proposed subdivision includes land identified in published plans as recommended for agricultural protection, lots should be sited on areas that are least suitable for continued agricultural production. Conservation easements or other means to ensure continued agricultural production shall be considered. Access to land used in agricultural production and infrastructure supporting agricultural production shall be preserved.”
2. Consider potential impacts on agriculture during the review of development proposals in the Town

- During Planning Board and Conservation Board review of site plans, consider potential impacts on neighboring farmland. For example, a vegetative buffer of trees adjoining farmland will reduce the productivity of the field, as trees block sun and roots grow into fields

INITIATIVE B: AVOID ADVERSE IMPACTS ON FARM OPERATIONS FROM INFRASTRUCTURE AND UTILITY EXTENSIONS AND MAINTENANCE

ACTIONS

1. Minimize impacts on agricultural operations from maintenance and improvement projects on Town, County and State roads.
 - Design and implement improvement projects to avoid or minimize impacts on neighboring farmland.
 - Continue to maintain communications with farm operators before and during the improvement and maintenance projects in order to identify and avoid potential negative impacts.
2. Participate in decisions by Monroe County, the NYS Department of Environmental Conservation (NYSDEC), utility regulators and others that may affect farmland in the Town. To the extent possible, advocate for agricultural interests in the Town.



GOAL 4: CONTINUE TO SUPPORT PUBLIC UNDERSTANDING OF FARMING.

Agricultural practices can affect residents in many ways. For example, farm equipment on public roadways slow traffic. Farm practices may generate noise or odors that disrupt residential activities. Except when public health and safety is affected, farms within NYS-certified Agricultural Districts are protected by the “right to farm” provisions of NYS Agricultural District Law, which limits the ability of municipalities to restrict farm practices and of neighbors to bring “nuisance” lawsuits against farmers.

INITIATIVE: DISTRIBUTE INFORMATION TO RESIDENTS AND LANDOWNERS REGARDING AGRICULTURAL OPERATIONS, AGRICULTURAL DISTRICT RIGHT TO FARM PROVISIONS, AND THE TOWN’S POLICY TO SUPPORT AGRICULTURE IN THE TOWN.

Town officials are called with complaints about farm practices that negatively affect residents. Town staff needs to be able to respond knowledgeably regarding the limits of Town government to affect farm practices, the agencies to contact for support or more information.

ACTIONS:

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1. Disseminate information prepared by others, such as brochures at the Town Hall or information on the Town website that includes information about standard farm practices and the right-to-farm provisions of the NYS Agricultural District Law.
 2. Provide information to residents and local schools, through a newsletter, public events, website and other means, about programs administered by New York State, Monroe County, Cornell Cooperative Extension, Farm Bureau, Soil & Water Conservation District and other agencies that raise public awareness of accepted farming practices and the economic significance of agriculture, including educational activities for school children.

GOAL 5: SUPPORT ENVIRONMENTALLY RESPONSIBLE AGRICULTURAL PRACTICES.

Runoff from agricultural land can affect the water quality of streams and groundwater. Farms can minimize environmental impacts by applying best management practices.

Effective management of stormwater is essential to farming. Drainage projects to improve the productivity of farm fields should be designed to minimize impacts on neighboring properties and roadways.

Farms can also support the use of renewable energy and reduce waste through recycling of plastic and other products.

INITIATIVE: SUPPORT AND MONITOR ENVIRONMENTAL PROTECTION, SUSTAINABLE ENERGY AND DRAINAGE IMPROVEMENT PROGRAMS ADMINISTERED BY OTHER ENTITIES.

Numerous County, State and regional agencies and private organizations administer programs to support area farmers and the agricultural industry. These include the NYS Department of Agriculture & Markets, Cornell Cooperative Extension of Monroe County, Monroe County Agricultural and Farmland Protection Board, Monroe County Soil and Water Conservation District, USDA Natural Resources Conservation Service, Farm Bureau, Genesee Land Trust, County of Monroe Industrial Development Agency and other agencies and organizations. Local governments can help to publicize the programs of these agencies.

ACTIONS:

1. Encourage farmers as well as landowners who lease land to farmers to participate in the Agricultural Environmental Management Program and other programs that protect environmental quality on farms, including protection of water quality and retention of topsoil.
2. Provide information to farmers about incentives to install renewable energy facilities and improve energy efficiency.
3. Work with the Monroe County Soil & Water Conservation District to identify, obtain funding for, and install or construct drainage projects that would benefit agricultural operations in the Town.
4. Continue to support efforts of the Black Creek Coalition to improve management of the watersheds, in cooperation with the Genesee-Finger Lakes Regional Planning Council.
5. Maintain communications with State, County and private agencies and organizations and provide information about their programs to interested farmers, landowners and residents.



ROLE OF TOWN GOVERNMENT

Agriculture is a global industry that is affected by many factors outside the control of local governments. This plan will focus on those aspects of agriculture that Chili's town government can address. Town functions and activities that can affect agriculture include:

- Regulation of land use through zoning and subdivision regulations
- Administration of NYS tax relief programs
- Promotion of public education and awareness
- Use of Town funds to support agricultural land protection, public education and farm markets
- Partnerships with other agencies and organizations
- Advocacy for agricultural interests with other government agencies

Many other governmental agencies and not-for-profit organizations will help the Town of Chili to achieve the goals of this Plan. The Town of Chili will continue to maintain communications with these entities as it implements the recommendations of this Plan.

IMPLEMENTATION

The Town Board should establish an Advisory Committee to oversee the implementation and monitoring of the recommendations in this Plan as well as its periodic maintenance. This Committee should include representatives of the agricultural community and related businesses as well as non-farming residents.

The Town Board will determine whether the Advisory Committee will be a new entity or whether its responsibilities will be assigned to an existing board such as the Conservation Board. The duties of the Advisory Committee are expected to include:

- Advise the Town Board, Planning Board and other Town officials in matters affecting agriculture in the Town
- Monitor the implementation of this Agricultural & Farmland Protection Plan
- Participate in public education efforts to increase awareness of the contributions of agriculture to community character and the regional economy.

A sample resolution to establish an Agricultural Advisory Committee is included in Appendix H.

At a minimum the Committee should meet annually and on an as needed basis at the request of the Town Board. The Agricultural and Farmland Advisory Committee is anticipated to be a resource to the Town Board, Planning Board and other Town boards regarding agricultural protection.

Funding to support these initiatives will be the responsibility of the Town Board.

The Town intends to adopt this Agricultural & Farmland Protection Plan as an Addendum to the Comprehensive Plan.

IMPLEMENTATION TABLE

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
Goal 1. Retain sufficient land within the Town to support a viable agricultural industry					
A. Permanently protect high quality farmland for continued agricultural production					
1. Sponsor applications for State or Federal grants for the purchase of development rights to high quality farmland within the Town's Farmland Protection Area.			X	Town Board	Advisory Committee, farmland owners
2. Educate and promote the concept of donating conservation easements			X	Advisory Committee	Town Board; Land Trust
3. Consider establishing a fund for farmland protection efforts. Study legalities and consequences of creating a dedicated fund. Create a mechanism to collect money for the fund through exactions on new development in the Farmland Protection Area.	X			Town Board	Advisory Committee
B. Discourage intensive development in the Town's Farmland Protection Area					
1. Rezone the area south of Bowen Road and east of Stottle Road from PRD Planned Residential to AC Agricultural Conservation.	X			Town Board	Planning Board
2. Consider modifying the 5-acre minimum lot size in the AC zoning district to limit the size of residential lots while maintaining the low density of development.				Town Board	Planning Board
3. Authorize the Planning Board to review the design of all proposed subdivisions in the AC area that involve farmland within the Farmland Protection Area.				Town Board	Planning Board

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
4. Discourage the extension of sewer infrastructure into the Farmland Protection Area.			X	Town Board	Advisory Committee
5. Advocate for agricultural interests when Monroe County, New York State or private utilities propose infrastructure improvements or extensions or non-agricultural development within the Farmland Protection Area.			X	Town Board	Advisory Committee
6. When sewer lines are extended through land in a State-certified Agricultural District, adopt lateral restrictions to limit hookups to residences subsequently constructed on farmland while it is in the Agricultural District.				Town Board	
7. Consider authorizing the Planning Board to require conservation subdivisions as part of the subdivision review process.				Town Board	Planning Board
8. Educate Town staff on the importance of farmland protection and its relationship with codes, permits and zoning reviews.				Town Board, Advisory Committee	Department of Public Works; Planning Board; Code Enforcement Officer
Goal 2. Enhance the economic and fiscal benefits of agriculture in the Town					
A. Revise zoning regulations to accommodate the diversity of farm operations in the Town.					
1. Modify the definition of "Agriculture" to be broad enough to include all types of agricultural operations as referenced in NYS Agricultural District Law.	X			Town Board	Planning Board

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
2. Modify the definition of “Agribusiness” to include farm-related businesses such as distribution and processing, excluding farming and the production of agricultural products.	X			Town Board	Planning Board
3. For farms in the AC zoning district, review the minimum 10-acre lot size requirement for farm operations and consider including language in the zoning regulation that exempts farm operations in certified Agricultural Districts from the 10-acre minimum lot size requirement.	X			Town Board	Planning Board
4. Consider permitting an additional residence on farm property within the Farmland Protection Area when housing is needed for the continued operation of the farm.	X			Town Board	Planning Board
B. Support increased agri-tourism and sales of local farm products					
1. Encourage agri-tourism, on-farm sales and value-added processing			X	Advisory Committee	Town Board
2. Work with County and State agencies to develop or expand markets for agricultural products.			X	Advisory Committee	Town Board
3. Encourage landowners and farm business operators to obtain all applicable real property tax exemptions and incentives.			X	Town Assessor	Town Board
C. Consider allowing additional agricultural related business uses on farms, to supplement farm income.					
Consider revising zoning regulations to allow diverse agricultural related business uses on farms in the AC zoning district on a case-by-case basis with a special use permit.	X			Town Board	Planning Board; Advisory Committee

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
Goal 3. Minimize disruption to farm operations from non-agricultural development and infrastructure					
A. Apply zoning and subdivision regulations and procedures to reduce the impact of new residential development on continuing agricultural operations.					
1. Revise subdivision regulations to acknowledge that preservation of prime agricultural soils and agricultural infrastructure is one of the objectives of the regulations.	X			Town Board	Planning Board; Advisory Committee
2. Consider potential impacts on agriculture during the review of development proposals in the Town.			X	Planning Board; Zoning Board; Conservation Board	Code Enforcement Officer
B. Avoid adverse impacts on farm operations from infrastructure and utility extensions and maintenance					
1. Minimize impacts on agricultural operations from maintenance and improvement projects on Town, County and State roads.			X	Town Board; Department of Public Works	Advisory Committee
2. Participate in decisions by Monroe County, the NYS Department of Environmental Conservation (NYSDEC), utility regulators and others that may affect farmland in the Town.			X	Town Board	Advisory Committee
Goal 4. Continue to support public understanding of farming.					
Distribute information to residents and landowners regarding agricultural operations, Agricultural District right to farm provisions, and the Town's policy to support agriculture in the Town					
1. Disseminate information prepared by others, such as brochures at the Town Hall or information on the Town website that includes information about standard farm practices and the right-to-farm provisions of the NYS Agricultural District Law.			X	Advisory Committee	Town Board; Town Clerk

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
2. Provide information to residents and local schools through a newsletter, public events, website and other means, about programs administered by New York State, Monroe County, Cornell Cooperative Extension, Farm Bureau, Soil & Water Conservation District and other agencies that raise public awareness of accepted farming practices and the economic significance of agriculture, including educational activities for school children.			X	Advisory Committee	Town Board; Partner agencies
Goal 5. Promote environmental protection and sustainability					
Support and monitor environmental protection, sustainable energy and drainage improvement programs administered by other entities.					
1. Encourage farmers as well as landowners who lease land to farmers to participate in the Agricultural Environmental Management Program and other programs that protect environmental quality on farms, including protection of water quality and retention of topsoil.			X	Advisory Committee	Town Board
2. Provide information to farmers about incentives to install renewable energy facilities and improve energy efficiency.			X	Advisory Committee	Town Board; Town Clerk
3. Work closely with NYS DEC during the review of solid waste disposal and other activities that may impact groundwater quality.			X	Town Board	Advisory Committee; NYS DEC
4. Continue to support efforts of the Black Creek Coalition to improve management of the watersheds, in cooperation with the Genesee-Finger Lakes Regional Planning Council.			X	Conservation Board; Town Board	Advisory Committee; Town Board; GFLRPC; SWCD

Policies & Recommended Actions	Short Term Action 3 years	Long Term Action 3-7 years	Ongoing Action	Responsible Entity	Other Involved Parties
5. Maintain communications with State, County and private agencies and organizations and provide information about their programs to interested farmers, landowners and residents.			X	Advisory Committee	Town Board