

Town of Caroline  
Agriculture Advisory Board  
December 12, 2023  
Caroline Town Hall  
7:20 - 9:00 pm

Member Attendees: Erica Frenay (Chair), Don Barber, Peter Hoyt, Wil Lawrence, Matt Mix

Additional attendees: Crystal Buck (Cooperative Extension Farmland Protection and Ag Marketing Educator), Raymond Durkin, Sam Durkin, George Franz (consultant), Joel Gagnon (Danby Conservation Advisory Council), Greg Hutnick (Danny Town Planner), Nancy Munkenbeck, Monika Roth (Ag Plan Coordinator), Mark Witmer

Minutes of November meeting

Ms. Lawrence moved to accept the November minutes as modified. The motion was seconded by Mr. Barber and approved with no objections.

Danby Conservation Easement Program

Mr. Gagnon, a founding member of the Finger Lakes Land Trust and active in Danby's conservation easement program and town Conservation Advisory Council, reported on Danby's open space protection program process. Their process drew from their town's comprehensive plan and involved a town task force. He observed that land protection programs could be enacted by regulatory activity and by voluntary measures. In Danby, the task force noted a strong showing of people willing to put their land into easements voluntarily and that influenced the creation of easements in Danby that proceeded without the need for zoning. So far, eight conservation easements, comprising 350 acres, have associated contracts. Although in programs elsewhere such programs might involve money changing hands, in all of these eight contracts, development rights have been donated to the town, with the help of the Conservation Advisory Council.(CAC).

Mr. Gagnon noted that two camps had surfaced during the task force discussions on possible regulation: those who wanted zoning as a route to minimize development, and those who were willing to forego allowing development while unwilling to give up their rights. A zoning law was enacted and revised and resulted in a minimum 10-acre residential density; the town has not yet seen tax impacts from the 2022.

In response to the need for tax relief for large open space landowners, the New York State legislators passed December 2022 legislation allowing tax relief by refunding 25% of a property's tax with a cap of \$5,000. Thirsty Fruit Farm pointed out that the easements were ignored during the assessment which resulted in clarification that in Danby, the easement had to be new since the legislation and must be through a contract with the town. Under the new legislation, the town can pass a tax abatement measure. Counties and school districts may opt in. So far, this fifteen-year town tax abatement is too small to be worthwhile, and the Ithaca City School District declined to discuss such a measure. Those who have gone the route of conservation easements in Danby are generally either middle-aged or senior citizens. Hence, there has been negligible impact thus far.

Mr. Gagnon also discussed the value of not putting unenforceable restrictions such as "no hunting" or "organic only" in the easement contracts. The CAC has encouraged donors to make allowances for open space users (farmers, e.g.) to be able to take measures that prevent erosion or to ameliorate conditions (for example, getting rid of invasive species). He noted that donors who favor more restrictions than what the CAC will allow are directed to the Finger Lakes Land Trust because they have stewardship funding. The CAC, on behalf of the Town of Danby, does not require a stewardship fee, that land have special characteristics or need more monitoring than once per year. There was some discussion of the use of an easement by South Hill Cider in Danby. The need for some type of enterprise to sustain a farming business during bad crop years was noted.

Follow-up to committee's December request for further review

Mr. Franz reminded the Committee that NYSDAM's comments were minor, and Mr. Witmer reported that the town board had completed its review of the draft zoning law. Mr. Witmer also clarified that NYSDAM is an interested party for any SEQR. After minimal discussion, Mr. Hoyt moved that the Committee is satisfied with Mr. Franz' review of the NYSDAM recommendations and is no longer requesting that NYSDAM provide another

review before the Town Board passes the zoning into law. The motion was seconded by Mr. Barber and passed with no objections.

#### Update on Land Protection Strategies

Ms. Buck distributed a hand-out to address additional land protection measures, as a follow-up to her presentation at the December 2023 Committee meeting. She pointed out that Tompkins County is shifting their focus from protecting water resources to also protecting farmland. This will be more consistent with the original intent to include both water resources and farmland as focus areas for land protection.

She led discussion on a New York State water buffer program that the Town of Caroline could qualify for in the future. She reported that current prioritizing criteria include the presence of prime farmland, BIPOC participation and larger size of land parcels.

In response to her suggestion that there was opportunity to help set the County's priorities for selecting program funds, Committee members suggested that the program consider prioritizing eligibility by age or by by impending transfer of land, and that slope not be a disqualifying criterion.

Mr. Mix suggested that there was the risk of taking a payout under such a program without being able to guarantee good financial outcomes twenty years hence.

The next meeting is scheduled for January 11, at 7 pm in the town hall.

Respectfully submitted,

Wil Lawrence

Ad Hoc Secretary