

# Town of Canandaigua

5440 Routes 5 &amp; 20 West

Canandaigua, NY 14424

Phone: (585)394-1120 - [www.townofcanandaigua.org](http://www.townofcanandaigua.org)

## Purchase of Development Rights (PDR) Application Funding from NYS Dept. of Agriculture & Markets 2020 Farmland Protection Implementation Grant (FPIG) Program

### TOWN OF CANANDAIGUA APPLICATION PROCESS

#### TIMELINE

- Application Window Opens: May 1, 2019
- Applications Due: **July 31, 2019**
- Internal Review Period: August 1 – October 31, 2019
  - Review conducted by the Town's PDR Team consisting of the Town Manager, the Finger Lakes Land Trust, the Town's Environmental Conservation Board and the Town's Agricultural Advisory Committee
- Town Board approval of final applicant(s): November 2019
- Joint Preparation of FPIG Application Package: Late Winter / Spring 2020
  - Town and Applicant complete and fine-tune proposal package together
- Town Submits FPIG Application Package to NYS Dept. of Ag. & Mkts. Spring / Summer 2020
- FPIG Application Due: Summer / Fall 2020
- Awards Announced: Fall / Winter 2020
- Project Closing (receipt of award): 2022 (Approx. two-year process from award announcement date)

CONTACT INFORMATION: For help with this application please contact the following:

Doug Finch, Town Manager: 585-394-1120 x2234 or [dfinch@townofcanandaigua.org](mailto:dfinch@townofcanandaigua.org)

Sarah Reynolds, Administrative Coordinator: 585-394-1120 x2232 or [sreynolds@townofcanandaigua.org](mailto:sreynolds@townofcanandaigua.org)

### PART A – Applicant and Farm Information

#### 1. APPLICANT INFORMATION

Name of Applicant(s):

Diane M. Whiteley

Are you the Owner(s) of the Farm/Land in this Application? ☒ Yes ☐ No

Applicant Address:

4577 Middle Chestire Road, Canandaigua, NY 14424

City Canandaigua State NY Zip 14424  
Applicant Email & Phone: dianemwhiteley@gmail.com 619-709-7669  
Contact Person (if other than applicant): Same  
Contact Person Email & Phone: Same as above

## 2. FARM INFORMATION

Farm Name: Wyffels Farm, LLC  
Farm Owner (if different from applicant): Gary and Joan Wyffels  
Farm Address (business center of farm operations): 4065 Middle Cheshire Road  
City Canandaigua State NY Zip 14424  
Name of Person/Business who Actively Farms the Land (if not Landowner): Gary & Joan Wyffels

## 3. LAND INFORMATION

Parcel(s) included in Farming Operations - Address or Tax Map #(s) (Please include the total acres of each parcel and indicate whether they are owned by the farmer or rented from another landowner):

See attached statement from Gary & Joan Wyffels -  
- Wyffels Farm, LLC.

Parcel(s) of Farm to be Protected by PDR (if different from above) - Address or Tax Map #(s) (Please include the total acres of each parcel and indicate whether they are owned by the farmer or rented from another

landowner): Tax Map No. 322400 140.00-1-3.131 — 37.764 Acres  
- owned by landowner - Diane M. Whiteley  
- leased by - Gary & Joan Wyffels

**PART B – Proposal Package**

1. ACREAGE IN PROPOSAL: Please fill out the following table regarding the total acreage on your farm and the total of those acres that would be included with the PDR if awarded.

Description of Land	Total Acres in Farm	Total Acres to be Protected
Acres in Farming Operation	<u>37.764</u>	<u>37.764</u>
Acres of Crop Production	<u>205</u> <del><u>37.764</u></del>	<u>37.764</u>
Acres of Livestock Production	<u>145</u> —	—
Acres of Prime Soils (if known)		
Acres of Soils of Statewide Importance (if known)		

2. SOILS: Do you have a soil survey map of your farm? ☐ Yes ☐ No. If yes, please include it with this application.
3. PROJECT NARRATIVE: For each subheading below, please attach a statement that provides a complete response to each. Label each answer with the corresponding title below.
- Current Farm Operation: Describe the nature of the current farm enterprise. Please include all of the following: type and size of operation, recent production yields of each product, total years in operation, number of employees (part- and full-time, plus seasonal, and whether they are family members or not) plans for future operations, amount of additional land owned and/or rented, and any awards received (i.e. Dairy of Distinction).
  - Long-term Viability: Describe factors and/or attributes of the Farm Operation that suggest it will likely continue to be a farm in the future. Include any succession planning.
  - Evidence of Development Pressure: Describe the extent to which the Farm Operation is facing significant development pressure and why it is at risk of being converted to non-farm uses. You may incorporate any figures, tables, or other information showing development patterns, trends, population statistics or other relevant factors as part of your attachment.
4. INITIAL MEETING: Please indicate if you would like us to contact you upon receipt of this application to set up a meeting between the applicant and the Town to discuss the application in more detail.
- ☒ Yes ☐ No.
- If No, please contact us within one week of the application due date to set up an initial meeting.

Mr. Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, NY 14424

Re: Diane M. Whiteley – NYS PDR Grant Application  
37.764 Acres – Middle Cheshire Road, Canandaigua, NY 14424  
Tax Map No. 322400 140.00-1-3.131

Mr. Finch,

As a proud and native New Yorker, I grew up in the Southern Tier Region of the state of New York, with generations of family members before me, who were local area farmers, and a proud daughter I was to my father, who was the lead engineer for the Erie Lackawanna Railroad. Growing up in the region of Hornell, NY in an area of dairy and various farming cultures, I believed it was the standard life style to have two gardens which we toiled by hand to enjoy the rewards of the autumn harvest, weekly trips to the local dairy farmer, purchasing gallons of milk and sweet summer corn purchased from yet another local area farmer. I learned at an early age what skimming cream off milk entailed and the anticipation of enjoying the savory taste of grilled corn on the cob on a hot summers day. Attending school and being best friends with classmates who were children of farmers, this was the grounding of my early years of life which is a foundation that I cherish, which today has given me a love that runs deep in my soul for the land which I look upon on a daily basis and know that I am blessed to be a part of this farming culture, as well as the community which this land is a part of.

Having ventured out into the world beyond the state lines of New York, I have come to learn that growing up in the culture in which I was raised and once believed to be the norm, is not the typical life style which others have experienced. I learned about tract homes and new construction, subdivisions and new developments. I learned that children played on concrete and not the rolling green hills I once ran, fell and scraped many knees and shins on. I learned that many did not have the same gardens which I ran to, just to pull a red ripened tomato from its vine, which was warmed by the summers afternoon sun. I came to learn early in my adult years, just how fortunate and blessed I was to grow up not only in the era in which I did, but where I did, in the farmlands of upstate New York.

Today, I gaze upon approximately 37 acres of a meadow, field or grassland as you may, wherein the local wildlife claims this area as their natural habitat and home. Foxes and deer have made their dens along with minks for the birth of their younglings. This natural landscape attracts and allure eagles and falcons, cooper hawks and various avian species and provides numerous varieties of pollinator food sources. Serving as a home to various wildlife species, this land also serves as a food source for a local organic farm organization, owned and operated by Mr. and Mrs. Gary Wyffels. With the planting of various seeds for the enhanced production of enriched grasslands, Mr. and Mrs. Wyffels annually farms 80-85 bales of hay from the 37 acres of grassland for the benefit of their organic farm organization. Viewing the steps taken in the farming of the land from that of a grassland to the making of a bale of hay is an amazing sight all in itself. There is something to be said when one views a meadow dotted with large bales of hay against the backdrop of the views of Canandaigua Lake, with the golden colors of the sun setting at the end of the day. At these special moments you stop...and pause...and take in the beauty of the farmland and the benefit of what farm organizations and operations bring our community and our nation as a whole.

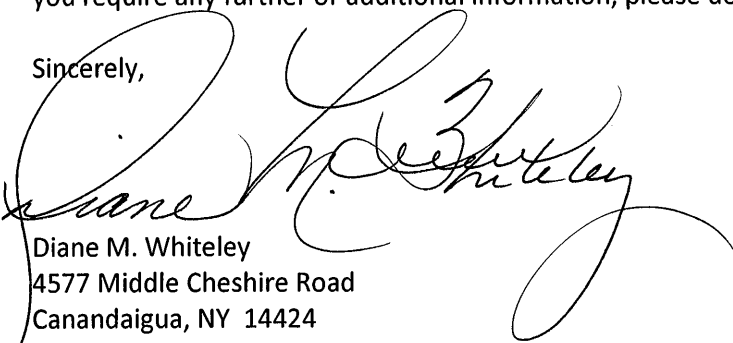
Though an area of the 37 acres of grassland is not considered or designated as a wetland, a portion of this area of land has developed into an area which remains extremely wet throughout the year and over time has produced a variety of growth of various species of shrub and trees and grass which is the habitat for wildlife and various avian species. Due to the amount of water in this particular area and growth of woods and the like, Mr. and Mrs. Wyffels have not disturbed this area for farming needs. I am currently in the process of obtaining the necessary documentation to allow this particular area to be considered a type or form of a designation of wetlands, through the local USDA and NRCS as well as working with the United States Army Corps. Of Engineers.

As the need for housing and the development of new construction is upon us, this pressure of development is greatly weighing on the farming community. In the specific area of Middle Cheshire Road, Canandaigua, NY, major housing developments are taking place and working their way over hillsides, one in particular overlooks Mr. and Mrs. Wyffels farming organization. Unfortunately, this pressure of development is not subsiding, as a local real estate agent whom I have utilized over the years has notified me that she has been approached by several individuals as well as a major local developer inquiring about the 37.764 acres of grassland which I own for their development. The major interest in this specific piece of land is due to the location as well as the phenomenal views of Canandaigua Lake, as there are minimal properties available with views such as the views from this specific piece of land. Said inquiries have not shown an interest in keeping the grasslands in their natural and present condition or utilizing the land for agricultural purposes. Their sole interest is for the development of the land for housing purposes.

In closing, I have a personal attachment to this particular piece of land as my intentions are to keep the land in its current natural condition for the continuous farming for the benefit of local farming organizations. This land further serves as home and habitat for numerous wildlife which thrive on the natural elements and have found this particular area as a safe zone for their existence.

Thank you for the invitation for allowing this particular piece of farmland to be included in the application process of the 2020 New York State Purchase of Development Rights Grant Program. Should you require any further or additional information, please do not hesitate to reach out to me.

Sincerely,

A large, flowing handwritten signature in black ink, which appears to read "Diane M. Whiteley". The signature is written over the printed name and address.

Diane M. Whiteley  
4577 Middle Cheshire Road  
Canandaigua, NY 14424  
619-709-7669  
dianemwhiteley@gmail.com

Mr. Doug Finch  
Town Manager  
Town Of Canandaigua  
5440 Routes 5 & 20  
Canandaigua, NY 14424

Re: Diane M. Whiteley 37.764 Acres  
Tax Map No. 322400 140.00-1-3.131

Mr. Finch,

It is with great pleasure in assisting Ms. Diane M. Whiteley in providing information pertaining to our farming organization, as well as to the farming operations of Ms. Whiteley's farmland acreage which she so graciously has allowed us to lease and use for the benefit of our organic farm operation, as well as other farming organizations within the local area.

Having been awarded with the 2011 New York State Ag Markets Property Development Rights Grant, we understand the importance of protecting the development rights of property within our community and having Ms. Whiteley's farmland acreage as an extension of our farming organization, it would be extremely beneficial to include and consider Ms. Whiteley's farmland acreage as a part of the next Property Development Rights Grant application process.

In conjunction with Ms. Whiteley's Purchase of Development Rights (PDR) Application for the 2020 Farmland Protection Implementation Grant Program, please consider the following information to be included in said application:

**PART A – Applicant and Farm Information**

**Page 2**

**Item 3. LAND INFORMATION (paragraph one)**

The following parcel(s) are included in the Wyffels Farm LLC (Gary and Joan Wyffels) Farming Operations:

<b><u>Tax No. or Name</u></b>	<b><u>Owner Name</u></b>	<b><u>No. of Acres Owned/Leased</u></b>
126.00-1-53.110	Wyffels Farm	145.10 Owned by Wyffels
140.00-19.000	Stebbins	3.7 - Leased
126.00-1-5.110	Todd Cook aka Ladd Enterprise	53.9 - Leased
126.00-1-22-121	Chris Richlin	58.6 - Leased
140.00.1-3.131	Diane M. Whiteley	37.764-Leased
126.00-1-16.200	David Dawson	18.5 - Leased
Johnson Road	Michael Rennee	5.2 - Leased
Johnson Road	John Callahan	10.0 - Leased
Middle Cheshire Road	Ann Erdle	14.5 – Leased

**PART B – Proposal Package**

**Page 3**

**Item 3. PROJECT NARRATIVE**

**a. CURRENT FARM OPERATION:**

**The nature/type of Wyffels Farm LLC current operation is:**

Strictly organic beef and hay farming consisting of 350 acres owned and leased.

**The following are the most current/recent production yields:**

Beef – sold 36 beef 2018

Hay – 650 bales (1800 – 2000 lbs. each bale) – used for personal beef feed and sales

**Total years in operations:**

Over 100 years of continuous operations– including 5 generations

**Number of Employees:**

2 Full time employees (Owners)

2 Part time employees (Family members)

**Plans to Continue Farming Organization:**

Future plans are to continue Organic Beef and Hay Operations and presently planning to increase the beef herd with oncoming young stock.

**Amount of additional land owned/leased:**

<b><u>Tax No. or Name</u></b>	<b><u>Owner Name</u></b>	<b><u>No. of Acres Owned/Leased</u></b>
126.00-1-53.110	Wyffels Farm	145.10 Owned by Wyffels
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126.00-1-16.200	David Dawson	18.5 - Leased
Johnson Road	Michael Rennee	5.2 - Leased
Johnson Road	John Callahan	10.0 - Leased
Middle Cheshire Road	Ann Erdle	14.5 – Leased

**Awards Received:**

1. Canandaigua Lake Watershed Association 2012 Rohrer Stewardship Award
2. New York State Ag Markets Property Development Right Grant Award (PDR) - 2011

**b. LONG-TERM VIABILITY:**

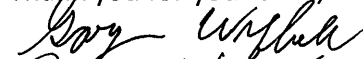

Since the Wyffels Farm LLC. has been awarded with a Property Development Rights (PDR) the future plans for our farming organization is to continue farming on this land as well as on the land which is leased as more particularly described herein and have the farming operations handed down to the next generation of family members.

**c. Evidence of Development Pressure:**

There is much development pressure facing the Wyffels Farm LLC with development on both the North and South property lines. We have been approached by at least 3 developers prior to being awarded with the Property Development Rights (PDR). With the continued home farm and the leased land, this farming organization can and will continue raising beef and hay with sufficient profits to sustain itself today, tomorrow and into the future.

For the reasons stated herein, as well as for the benefit of the Wyffels farming organization as well as other surrounding farming operations within our community, Ms. Diane M. Whiteley's acreage which is leased to us for farming purposes is a vital part of our farming organization and with the fortified and enhanced grasslands which this particular parcel of land produces, this is an all-important parcel of land that is beneficial to the operations of the Wyffels Farm LLC. With the continuous development pressures this land in particular is experiencing from local developers due to its location and scenic views of Canandaigua Lake, Ms. Whiteley is experiencing the pressures of developers, therefore, as recipients of past PDR awards, we recommend that the land/acreage of Ms. Diane M. Whiteley be highly considered for the 2020 Farmland Protection Implementation Grant Program.

Thank you for your time,

  
  
Gary and Joan Wyffels

4065 Middle Cheshire Road  
Canandaigua, NY 14424



July 25, 2019

Mr. Doug Finch  
Town Manager  
Town Of Canandaigua  
5440 Routes 5 & 20  
Canandaigua, NY 14424

Re: Diane M. Whiteley: 37.7654 Acres; Tax Map No. 322400 140.0-1-3.131  
Carol Welch: 17.5562 Acres; Tax Map No. 322400 140.00-1-21.210  
Peter Dehond: 100 Acres (approximately) Cramer Road, Canandaigua, NY 14424

Mr. Finch,

The intent of this letter is to provide you with an overall broad scope of information with regard to Ms. Diane M. Whiteley's, Ms. Carol Welch's and Mr. Peter Dehond's Purchase Of Development Rights (PDR) Application for the 2020 Farmland Protection Implementation Grant Program, as to how our farming operation, referred to as Wyffels Farm LLC, heavily relies upon their farmland acreage (Whiteley and Welch) in order to sustain our farming operation as well as assistance from Mr. Peter Dehond, when the need for assistance is required.

Having been awarded the 2011 New York State Ag Markets Property Development Rights Grant, a vital part of our farming organization is relying upon the land which Ms. Whiteley leases to us for farming purposes. Ms. Whiteley has been leasing said land to us, since her ownership, which has been for the last five (5) years and prior to Ms. Whiteley, the prior owners, (Mrs. and Mrs. Arlen Snyder and Mr. Musolino) additionally allowed us to farm said land since approximately 1973. Having this land available to our farming organization is crucial to sustain and continue our farming operations as Ms. Whiteley's land provides not only a food source for our cattle, but it also allows us to sell the product which her land produces to other farming organizations within our community (Diane Rogers & Dan – Seneca Castle, NY) which allows us to sustain our farming operations and pay for costs which would be otherwise a burden to our family. Ms. Whiteley's land is a vital part of our farming organization as we consider her land to be an extension of our farming operations and is very beneficial to the everyday needs and operations of our farming organization.

Additionally, Ms. Carol Welch, as well as generations of her family (Musolino Family & Farm) prior to current date, have allowed us to lease and farm their land since approximately 1973. Ms. Welch's land has provided our farming organization with a food source for our cattle as well as a source of product which we can also sell to local farming organizations, which have been further mentioned herein above. This allows us to continue our farming operations, as this too is a source which pays for the everyday needs and costs to run our farming organization.

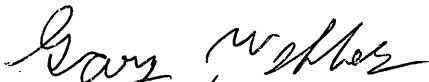

Mr. Peter Dehond, a neighboring farming operation within our community has been gracious to assist us in the time of need, with a helping hand as well as we assist Mr. Dehond, should he be in need of assistance and/or supplies for the everyday running of their farming operations. We have also helped Mr. Dehond with local land owners such as Ms. Welch to assist him with his farming needs whether it be for crops or grasslands to sustain his farming organization.

As stated herein, the Wyffels Farm LLC, benefits generously from the assistance of local community land owners within our community and Ms. Diane M. Whiteley's as well as Ms. Carol Welch's acreage of land, utilized for our farming purposes is vital to our farming organization and with the assistance from Mr. Peter Dehond, we are able to benefit from these local land owners and local farming organization which allows us to continue being a successful farming organization.

It has been a wonderful pleasure to know and work with these generous neighbors, who value as well as support local farming organization such as the Wyffels Farm LLC, as they too value the importance of keeping the land in its current state and to continue to ward off local developers from taking these vital lands from farming organization, to build yet another development community, overtaking the land which farming organizations utilize for their farming operational needs. Recently, Ms. Whiteley received an offer from a local developer/investor as well as an out of state investor for the purchase of the land which we lease from her, as they see it as a golden opportunity for the development of a new subdivision, due to the location of her land, which with beautiful views, overlooks Canandaigua Lake. This particular property has views which are ideal to any developer. Ms. Whiteley elected not to pursue or accept the offer as it would defeat the sole purpose of the reason as to why she purchased the land — to keep developers such as those who have pursued her, from developing the land into another vast development community as well as to protect it for the utilization for local farming organizations, such as the Wyffels Farm LLC. Should these developments of vast home projects continue, they in turn will have a long lasting effect on the local area and farming community as well as the community in general. Ms. Whiteley, Ms. Welch as well as Mr. Dehond are truly a benefit to this community and enough cannot be said for how much they continuously support the local farming organizations and individual farming operations, such as the Wyffels Farm LLC.

For the benefit of this community, whether it be yesterday, today or tomorrow, we truly hope you do consider Ms. Diane M. Whiteley, Ms. Carol Welch as well as Mr. Peter Dehond for the 2020 Farmland Protection Implementation Grant Program.

Thank you for your time,

  
  
Gary and Joan Wyffels

4065 Middle Cheshire Road  
Canandaigua, NY 14424

Mr. Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20  
Canandaigua, NY 14412

Doug,

I have represented Diane Whiteley in real estate transactions and have been approached by several individuals and a local builder inquiring about her vacant land of 37.764 acres, on Middle Cheshire Rd. in the Town of Canandaigua Tax Map #322400 140.00-1-3.131. They have all been interested in developing the property rather than leaving it in its present and natural condition, which includes not utilizing the land for agricultural purposes as it currently is.

As a realtor representing Diane, what I have always believed to be her intentions with the land, is to continue with utilizing the land for agricultural purposes for the benefit of local farmers. And keeping the landscape of the vacant land as natural as possible for the cultivating of grass including keeping the habitat natural for the benefit of the thriving wildlife, who utilize this particular area for their home as well as a safe buffer zone for the birth of many species of wildlife babies.

The lower portion of the vacant land which remains wet throughout the entire year. It is home to many species of wildlife to use as their habitat, including birds, bees, deer, fox, turkeys, mink and the annual births of their offspring.

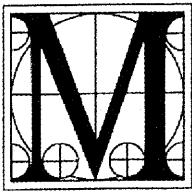
Diane has allowed local farmers, Mr. & Mrs. Gary Wyffels to farm her land for the annual harvest of numerous bales of enriched grass provided to Mr. & Mrs. Wyffels and their organic farm animals.

I hope this letter will serve as a reason for the NYS PDR Grant towards the protection of development for the 37.764 acres.

If you have any questions, please do not hesitate to call me.

Regards,  
Debi

Debra Hoevenaar  
Licensed Real Estate Salesperson  
Buyer Specialist  
CBR, SRES  
Keller Williams Gateway  
1880 Rochester Road  
Canandaigua, NY 14424  
Cell: 585-752-8878 Quickest way to reach me!  
website: [findyourhomewithdeb.com](http://findyourhomewithdeb.com)



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**Proposal for: 4577 Middle Cheshire Road home and 6.8 acres, Tax #322400-140-000-0001-003-211 and 37.76 acre parcel Tax #322400-140-000-0001-003-130**

**Seller: Diane Whiteley**

**Buyer: Kimberlie Barrett (via Eastman Management LLC or entity to be created)**

**Price: \$750,000 including all appliances, furnishings, patio, deck and porch furniture**

**Terms: \$100,000 down at 5% amortized over 30 years, due and payable in 4 years**

**Monthly Payment: \$3,489.34 X 48 months = \$167,488.35**

**Closing: TBD**

**Contingent on attorney approvals, formation of new entity, inspections, perk tests, preliminary approval from the Town of Canandaigua to subdivide and obtaining a zoning variance.**

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