

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

AGRICULTURAL ADVISORY COMMITTEE

November 18, 2021, at 6:00 PM

Rev. 12/1/2021

MEETING REPORT

MEETING CALLED BY: BOB DICARLO, CHAIR

COMMITTEE MEMBERS: BOB DICARLO FERNANDO SOBERON
GARY DAVIS GARY JONES

SECRETARY: KIMBERLY BURKARD

TOWN STAFF: SARAH REYNOLDS

GUESTS:

CALL TO ORDER

- Mr. DiCarlo opened the Zoom meeting at 6:12pm.

REFERRALS

- None.

NEW BUSINESS

- **Membership / Town Code Chapter 4 Agricultural Advisory Committee**
 - Town Code Chapter 4 can be found at: <https://ecode360.com/32258383>
 - No changes noted for sections **4-1 Title** and **4-2 Purpose**.
 - **Section 4-3 Formation of Committee; membership; terms of office.**
 - **Section A:** Mr. DiCarlo noted that they had discussed not requiring members to be Town residents previously. Ms. Reynolds commented that the code was not changed to allow that. She further commented that Mr. Jones was appointed by the Town Board even though he is not a Town resident. Residence requirement prevents bringing in members from FLCC and BOCES.
 - This code also requires five members while the Committee feels this should be changed to a minimum of five members to allow more flexibility. Ms. Reynolds noted that there can be visitors and others taking part in the meetings who would not get to vote on Committee actions. Alternates are also a possibility.
 - Town Board reappointments committee members every year at the January organizational meeting.
 - It was noted that the Ag Committee has 3-year terms whereas other committees have 5-year terms.
 - Section A tentatively changed to:

“The Town Board of the Town of Canandaigua hereby establishes an Agricultural Advisory Committee for the Town of Canandaigua. The Committee shall be composed of **a minimum of five members from the agricultural community** appointed by the Town Board **including, but not limited to, producers, educators, land owners, industry professionals** as follows: ~~five residents of the Town of Canandaigua from the agricultural community, including but not limited to representatives from the greenhouse, crop production, cash crops, cattle, grapes/vineyard, horse farms, organic, produce, vegetables, specialty crops, grocery, farm market, farmstead, nursery, or dairy segments of the industry.~~”

(Ms. Reynolds may further change the wording.)

- **Section B:** Member terms changed from three to five years.
- **Section 4-4 Chairman; rules of procedure; records.**
 - **Section B:** Change to:

“At its first meeting of each year, the Agricultural Advisory Committee shall select, ~~from among its members,~~ a Recording Secretary.”
 - Ms. Reynolds will check the language on secretaries used for other boards and committees.
- **Section 4-5 Referrals**
 - Changed to

“All applications made to the Town Board, Zoning Board of Appeals, or the Planning Board for land development within any areas described as farm parcels, **adjacent to farm parcels**, preserved land, adjacent to preserved lands (PDR farms), or open space identified in the Town of Canandaigua Agricultural Enhancement Plan (December 2016 or as periodically updated), as adopted by the Town Board, shall be referred to the Agricultural Advisory Committee for review and comment. Such referral shall occur once the information and materials submitted by an applicant have been deemed appropriate by the Development Office staff and/or the respective board chair for placement on that board's agenda.”
 - Ms. Reynolds will investigate how and if planned water and sewer enhancements made by the Town (that are near farm parcels) can be referred to the Committee.
- **Section 4-6 Additional powers and duties**
 - No changes suggested.
- **Section 4-7 Reports**
 - No changes suggested.
- **Section 4-8 Construal of provisions**

- No changes suggested.
- Mr. DiCarlo made a motion to accept the changes made to Chapter 4 and send the changes to the Ordinance Committee. Mr. Soberon seconded the motion. Voice vote carries.
- Ms. Reynolds suggested creating a summary page to help communicate the reasons for the changes. Ms. Reynolds will draft the document and send it out to the Ag Committee members for review. She said that she would send this summary, when complete, with the draft changes to the Ordinance Committee.
- **Agricultural Protection Overlay District Discussion**
 - Mr. DiCarlo suggested a joint meeting with the Ordinance Committee to review this draft and get the Ordinance Committee’s feedback. Ms. Reynolds suggested that this be done when a draft is ready for discussion.
 - Mr. DiCarlo noted that the rights of landowners and what they can do with their own land was a key issue. He added that care must be taken to not put effort into preserving farmland that no one is going to farm.
 - Mr. Soberon commented that housing development has more buying power than farmers.
 - Mr. DiCarlo is going to speak with a real-estate acquaintance about what is being done in Western NY to preserve farmland. He will email information from the meeting out to the Committee.
 - Mr. Jones suggested coming up with a list of alternates to selling land to assist farmers in the community. Mr. Soberon wondered if there could be an internal fund created at the Town to help farmers purchase land at an agricultural price-point while the seller is receiving the full. Ms. Reynolds noted that only the State and Federal PDR programs offer funding with the Federal program paying out 50% of the difference in value and the State program paying out 75%. Ms. Reynolds continued that if there was a TDR program, that program would be funded by developers who pay into the fund to get certain development incentives. She said that the activity to put this in place is currently stalled but it could be “resurrected.” Mr. Soberon said that coming up tools to prevent the loss of agricultural land is key to making the Agricultural Committee useful.
 - Ms. Reynolds discussed other communities trying to preserve agriculture, ex. Skaneateles. She also said some communities use conservation easements regardless of what is on the land. She continued that the Town of Warrick uses transactional fees on real estate transactions to fund their conservation easement program—similar to how the Town of Canandaigua funds park creation by fees from building houses. Mr. Soberon said that while you would loose some land, a program funded by developers could be very useful in preserving other land, especially larger parcels with the most impact for farmers. Mr. Jones suggested that Committee members investigate this idea before the next meeting.
 - Mr. Soberon suggested creating incentives to make farming more viable.
 - Ms. Reynolds referred to the Ag Protection Overlay, section 174-18 G-2, “(2) The Planning Board shall find that the proposed subdivision does not cause a loss of valuable agriculture lands or the applicant has demonstrated an action to advance agricultural or open space protection in the Town of Canandaigua and proposed action was deemed to be appropriate by the Agricultural Advisory Committee.” She noted that this could be paying into a fund by the developer and thereby creating a TDR fund.

- Mr. Soberon suggested getting information on what was the hold up on the TDR program creation previously so the Committee could address/work through the issues.
- Mr. Davis noted that there is no rush needed in getting this to the Ordinance Committee as they would not be able to review this until maybe February/March 2022.
- **Implementation Plan**
 - Ms. Reynolds noted that the Committee should revisit this in order to come up with the focus for 2022.

ADJOURNMENT AND NEXT MEETING

Adjournment @ 7:34 pm

Next Meeting, December 9, 2021, 6pm