



FARMLAND CHARACTER AREA

Overview

Farmland is the second largest Character Area within Lewis County, accounting for more than one-quarter of the land area. These areas are found along the Black River Plain, with the majority occurring west of the river's banks. As can be seen in Map 14, nearly all of the county's incorporated villages and hamlet areas are surrounded by farmland. This clearly illustrates the economic, cultural, and historic importance of farming in Lewis County.

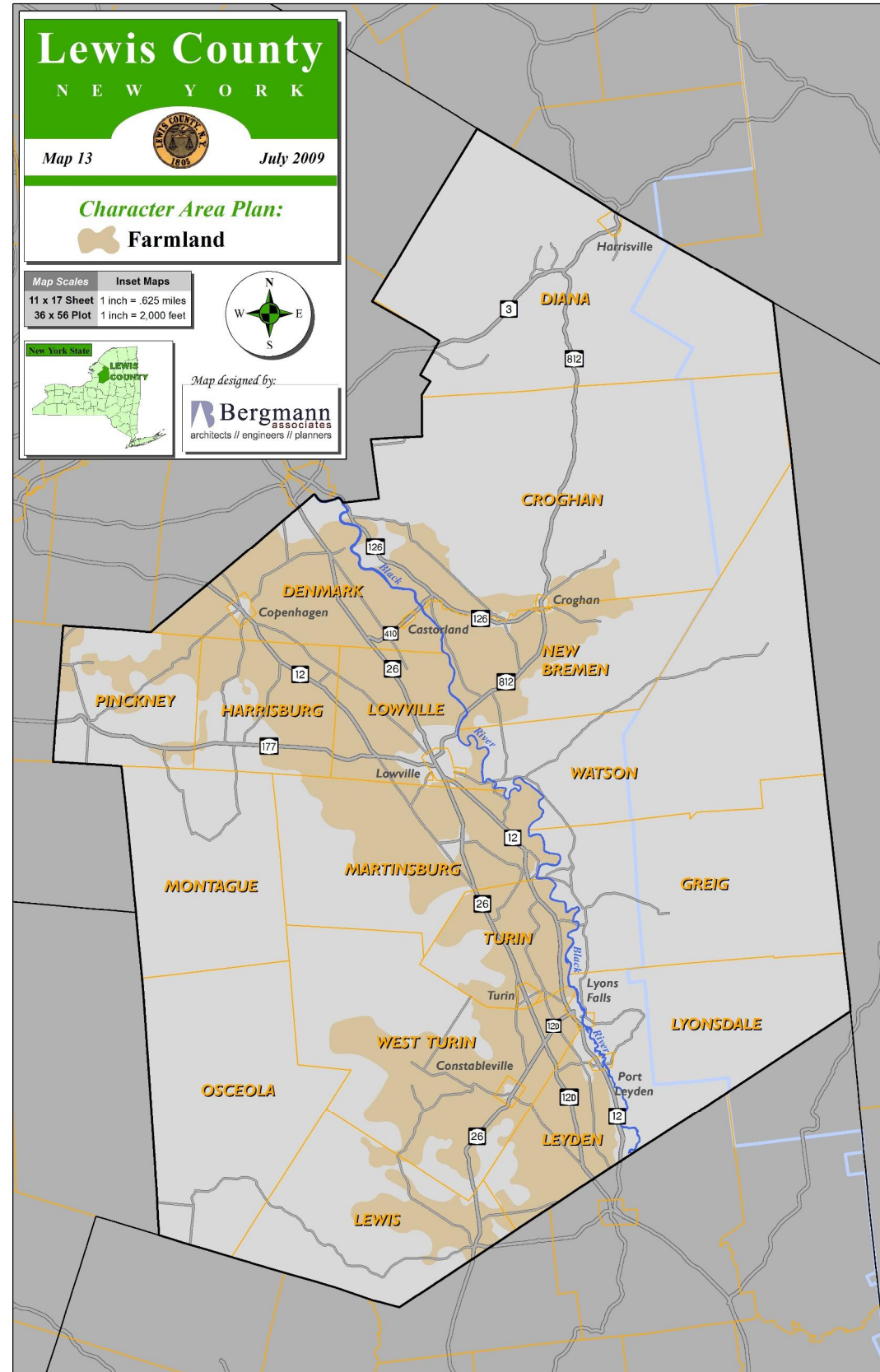
Farmland areas are dominated by large fields utilized for crops and grazing. In addition, there are groupings and pockets of residences that occur primarily in a linear fashion along roadways. The majority of this Character Area is in the county's Agricultural District, and contains quality soils for farming. While many residences without farms exist, agriculture is the dominant land use. There are also numerous forest stands, which have fluctuated over time due to the changes in the farming industry. Overall, this Character Area plays a vital role in the identity of the county. Although an increase in employment and economic development is a primary goal of the County, these benefits are sought while preserving its rural landscape and agricultural character.

The Character Area Plan identifies Farmland in the following locations:

- Majority of the west side of the Black River Valley, with swaths reaching up onto the Tug Hill Plateau (including the Maple Ridge Wind Farm)
- East side of the Black River Valley along the Routes 812 and 126 corridors.



A typical farm complex along Route 12 in Lowville.



Recommended Land Uses

Land uses in the Farmland Character Area should be oriented to agriculture and agri-businesses, and local land use regulations (site plan review, subdivision, and zoning) should clearly emphasize the importance to the community of maintaining farmlands and agricultural activities. Farm-friendly land use plans, policies and regulations should broadly define a wide variety of allowed agricultural uses, including agri-businesses such as food processing, veterinarians, machinery repair, and agri-tourism operations such as U-Pick's, seasonal events (corn mazes and hay-rides) and bed and breakfast inns. Additional examples of desirable land uses in the Farmland Character Area include home occupations, farm stands, farm retail outlets, farm worker housing, composting, and sawmills.

Incorporating NYS Ag and Market Law Requirements into Local Planning

All future local land use laws should reference NY AML 25-aa and Town Law 283-a requirements for agriculture data statements, notices of intent, and disclosure statements. Agriculture data statements are required to be filed for certain land uses proposed within 500 feet of a farm operation located in an agricultural district. Notice of intents are required when public funds are spent on certain projects located in an agricultural district and can be considered as agriculture-impact statements.

Disclosure notices are required to be given to all prospective land buyers in an agricultural district prior to signing a purchase contract. These notices are designed to notify property buyers about the sights, sounds, smells, and other aspects associated with living in an agricultural area, yet could be amended to include statements referring to a need for reduced expectations for public services that are taken for granted in more developed areas. It is recommended that these notices be supplied to prospective buyers early in the process to provide ample time for consideration prior to the execution of purchase agreements.



An example of a prototypical Farmland Character Area in the Finger Lakes region of New York.

Design Considerations

Design and policy considerations in the Farmland Character Area should promote new development that minimizes impacts on farmland and farm activities. Development in these areas must be carefully sited to avoid fragmentation of farmlands, preserve the most productive soils, and reduce nuisance conflicts – all of which are noted in this Plan as critical issues to Lewis County farmers. In order to accomplish this, the footprint of new non-farm development should be limited, overall residential density should be low, and new structures should be directed to the least agriculturally productive portions of a parcel being developed. The preservation of farmland and agricultural resources is good for community character and the environment, but it is also critical to support agriculture as a viable industry in Lewis County.

Conservation subdivisions can be effectively used to cluster or move new structures away from prime farmland soils. Towns should pay careful attention when approving subdivisions or site plans so new structures do not prevent farm equipment access to rear or undeveloped parcels, and are sited to create as much useable farmland as possible. Many communities use road frontage requirements as a way to reduce density and space new development out. However, large road frontage requirements are often counter-productive to protecting agricultural lands and often result in large residential lots which encumber land that could still be potentially farmed. Towns can reduce these standards and promote creative siting of new houses in farmland areas. Buffers between new development and farms are critical to minimize potential future conflicts and should be established by the new non-farm use.

A commonly utilized, yet often ineffective, regulation to protect farm land or open space is the determination of minimum lot sizes, such as one, two or three acres for each new lot created. Minimum lot sizes typically result in suburban style development and consumption of all available land resources into house lots. Rather than conventional minimum lot size requirements, communities should devote more attention to the overall density of development on a parent parcel, which should allow for a great deal of landowner flexibility while preserving open lands for farming (see page 108 for more information). Ideally, development proposals should approximate the size of an economically-viable farm field for continued agricultural use, and then determine minimum development acreages for the remaining lands.

Agriculture Protection / Rural Development Tool Kit

Communities in Lewis County must strive to find a balance between the protection of farm and forest lands and the ability of land owners to realize a reasonable return on their property. These tools may create that delicate balance.

The majority of development within Lewis County over the past two decades has been the subdivision of frontage lots from large parent parcels in rural areas. This practice can degrade the rural character of the county, reduce visual consistency along corridors, and also cause a loss of valuable natural resources over time (see page 87 in Vision and Implementation Chapter). While there is no apparent single solution to this issue, the following represent a variety of options that can be utilized together in the county's rural areas:

Site Plan Review

- Municipalities have the option to require development projects to undergo a formal review process before an appointed board of local residents.
- This review will help ensure that development proposals meet local, regional, and state requirements prior to the release of a building permit and a certificate of occupancy.
- This process is a municipality's first opportunity to guide the development of land within their jurisdiction.

Subdivision Regulations

- These regulations assist municipalities in controlling how new parcels of land are created, without specifying land use. They can also include guidelines for the design of roadways, driveways, and lots, and are considered a crucial first step in controlling development, but stop short of zoning.
- Consider setting a threshold, such as 5 lots within a 10-year period, at which time all subsequent subdivisions of the parent parcel are considered major, regardless of the number of lots involved. The application for multiple minor subdivisions over time can be used as a strategy to bypass the major subdivision review process. Major subdivision review process provides additional tools for municipal reviewers to examine the impacts of development.
- Subdivisions that result in one or more large parcels can have a dramatic impact on farm and forest land. Consider setting a threshold acreage to trigger a major subdivision process rather than the number of lots involved.

Frontage Requirements

- Consider requiring a minimum percentage of roadway frontage as open space, and/or requiring a minimum vegetative buffer of undisturbed land 200 feet or more in depth from the roadway.

Access Management

- For residential development, allow one driveway curb cut per lot, and only one driveway per 660 feet (1/8 mile) to limit the number of frontage lots with roadway access.
- On state highways, such as NY Route 12, consider setting a threshold on the number of lots within a given frontage distance that will trigger the need for shared access.

Site Design Guidelines/Standards

- The establishment of guidelines or standards for the clearing and development of land ensures that a base level of consistency occurs within a given area, or town-wide.
- The municipality can choose to establish general guidelines or standards for the entire town/village, or for a select district.
- Discourage clearing and earthwork beyond that necessary for construction and the general use and enjoyment of the land.
- Encourage the preservation of woodlots, hedgerows, undulating terrain, fence lines, and other heritage elements of the landscape.

Infrastructure Management

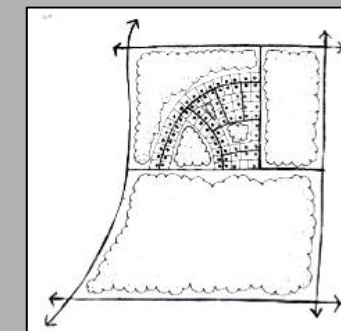
- Municipalities should consider creating Capital Improvement Plans for their publicly-owned roadways and utility infrastructure based on 10-15 year cycles.
- These Plans should dictate the extent of service coverage and the reasonable conditions required for the extension of infrastructure.
- Infrastructure investments should be consistent with the County Character Area Plan or any relevant local land use plans.

Conservation Easement Design

- Farms are small mixed-use enterprises that consist of residential, commercial, industrial, warehousing, storage, agricultural, and potentially retail activities.
- The drafting of conservation easements for agricultural activities needs to provide this flexibility to protect the operations and viability of a farm.

Conservation and Cluster Subdivisions

- Clustered subdivisions are a tool that allow developers to preserve existing community character and sensitive environmental features, while also preserving the overall density of development available to the property owner.
- The adjacent image depicts a scenario in which development is tightly arranged within a small area of the property, and the surrounding natural features are retained and placed under a conservation easement.



Local 'Right-to-Farm' Law

- Right-to-farm laws are designed to strengthen the legal position of farmers when neighbors sue them for private nuisance and to protect farmers from anti-nuisance ordinances and unreasonable controls on farming operations.
- These laws document the importance of farming to the state or locality, and put non-farm rural residents on notice that generally-accepted agricultural practices are reasonable activities to expect in farming areas.

Lease of Development Rights (LDR)

- Essentially a term conservation easement, this program provides incentives to landowners who voluntarily commit to keeping their land undeveloped for a defined period of time, rather than in perpetuity.
- Additional programs include Purchase and Transfer of Development Rights. These programs are more costly and are less likely to have a significant impact in Lewis County, due to the lack of concentrated development pressure.