

Public Hearing
Spencer Agricultural District #1
September 13, 2012

The Public Hearing on review of a proposed plan for revision of the *Spencer Agricultural District* was called to order by the Chair at 1:00 P.M. at the Town of Tioga Hall, Tioga Center, NY. Legislative members Case, Hollenbeck, Huttleston, Standinger, Sullivan and Weston were present, Legislators Monell, Roberts and Sauerbrey being absent.

Staff members Elaine Jardine, Faith Pipher, Maureen Dougherty, Cathy Haskell, and Bill Ostrander were present.

There were 3 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Faith Pipher, Agriculture Program Assistant, spoke. "I have been working with the Planning Department on this review and the proposed changes we wish to make after thorough investigation and review are only and strictly only for additions of parcels to be included. We did have a request for one withdrawal. We wish to make no changes to the boundaries, rules, or regulations regarding the district.

"We received our notice of review from NYS Agriculture and Markets on March 19, 2012. At that time, the Department began the proper review process by initiating a public comment period from April 18th – May 17th, 2012. From that time forward, we began a mailing to all rural residents within the district for a collection of data and if they had a request for inclusion they could return it within this time. We made many telephone interviews and went over parcel data with our GIS Manager, Bill Ostrander, who is in attendance today. Mr. Ostrander is the one who put together the map of the proposed changes. I would like to stress to those in attendance today that these are not final changes. We have 40,000 acres to review and I have brought with me today what data forms have not been included as of this date, but will be prior to final submission.

"Compiled data so far shows that the prior Agricultural District #1 was composed of 40,073 acres and during this review period thus far, we have received requests for 8,685 acres. This represents, if adopted, a net increase of 21%. We can also report to NYS Agriculture and Markets that we have 17,992 acres thus far, if approved, as croppable acres.

“Notes from this hearing and the results from the data collection process will be presented to Tioga County Agricultural and Farmland Protection Board for their analysis and then to the Tioga County Legislature for their final approval before a January 2013 submission to NYS Agriculture and Markets for their concurrence.

“Those are the only changes we wish to make except for the one withdrawal and I have not tallied the acreage from that withdrawal as of this date. I feel these are all positive changes. ”

Chair Weston provided an opportunity for people to view the map and then make a public comment.

Bob Strong spoke. “I have 400 plus acres that I submitted, but are not on the map. ”

Faith Pipher spoke. “The map that was dropped off here today did not include any data that was prior to the review. If you look at the map today it may not be actually included. We have two reviews going on in the County at this time. The County maintains three districts and two of them are under review and they are approximately 30 days apart so this is 30 days behind the last review, so we are a little bit behind in getting data in which is a normal situation for two ongoing reviews. Bob, if you look over this map and your acreage is not here, it is probably yet to be added.”

Bob Strong spoke. “What was listed on the report for here had all of my land, but did not have Craig’s and Brian’s land listed.”

Faith Pipher spoke. “I think I talked with Craig on the phone and I am almost positive that we have his information to be added”. I would like to stress that this is an ongoing map and is not final until January 2013.” We are in the process of putting it together.”

Elaine Jardine spoke. “We will send Mr. Strong a pdf copy of the map as we get closer to finalization.” The date of the public hearing is prescribed by the law, so it has to be within 120-180 days of the anniversary date, therefore, we had to have this public hearing now. The data is so voluminous and we have so little human resources we are kind of in a bottleneck, but we will make sure Mr. Strong that you get a review of this before final submission.”

Faith Pipher spoke. "Bill Ostrander takes care of the whole County and not just the Planning Department, therefore, he has a lot more on his plate to take care of. " I remember reviewing your son's data form and talking to him on the phone. I am sure that your son's data is ready to go in and just needs to be added to the map."

Elaine Jardine spoke. "I know there were some inclusions for Craig a couple of years ago, so we will check that as well to make sure all parcels are in." So, the map here at the Town Hall does not have all of your parcels?"

Bob Strong spoke. "The map has all of mine and none of Craig's and Brian's.

Elaine Jardine spoke. "Ok, we have to check that again Bill. This isn't the first time that somebody has told us that inclusions were not in there."

Carol Ayers spoke. "I wasn't sure if my niece's property was in the Agricultural District. My brother, George, originally had this property and I think it was in the Agricultural District and now the property belongs to my niece."

Legislative Clerk Dougherty spoke. "Where is the property located? Is it still Hagadorn Hill? What is your niece's name?"

Carol Ayers spoke. "Yes, the property is on Hagadorn Hill Road and my niece's name is Melody Simmons."

Legislative Clerk Dougherty spoke. "They will need to research this to see if the property is still in the Agricultural District, but unless someone requested a withdrawal, the property would still be in the District."

Faith Pipher spoke. "You believe the property is already in the District? The only time that a property can be taken out of the Agricultural District is if you request to have it withdrawn during one of these 8-Year reviews. What is your brother's name?"

Carol Ayers spoke. "My brother's name is George Ayers."

Legislative Clerk Dougherty spoke. "What is your home phone number? They will do some research on the parcel and contact you to know the status."

Faith Pipher spoke. "The simplest way to understand this program is that this is New York State's effort for farmland preservation. This is done two ways by putting a little blanket of protection around the property for intrusive municipal laws and maybe even infrastructure being built around it, but it also gives the operator of the land an advocate with NYS Agriculture and Markets to help protect them with their endeavors of the land. For instance, if they were to receive a nuisance complaint from an individual or even a local municipality if what they are doing is producing the nuisance. The fact that they are practicing sound agricultural practices, New York State will stand in there and help represent them. It is preservation in two ways; for the property and the operator. There is really no monetary gain."

Marv Fisher spoke. "Is it too late to request property to be included in the Agricultural District?"

Faith Pipher spoke. "Not for this particular Agricultural District. I brought some forms with me today. As we go on, it will become harder for us. I would also like to remind you that there is an annual inclusion period that is usually after Christmas. I can give you a form to complete."

Marv Fisher spoke. "I rent land out to a farmer for the past few years."

Elaine Jardine spoke. "That's great. When you see the form, you will check non-farmer and there is a place for the farmer to fill out too."

Faith Pipher spoke. "I have a cover letter that explains what an Agricultural District is and you can also check out the NYS Agriculture and Markets website to give you a little bit more information than what I can tell you here today." It is a good program and I have never worked with it before. It has been exciting this year with a great overwhelming public response. Not just rural property owners, but I have had people who live in town that also received notification of this hearing call for information. I think people understand that with the drought this year in the national media how fragile our agricultural base is. So, I have been excited to have a good response like this."

There being no further public comments, the hearing was adjourned at 1:12 P.M.