Town of Milton
FARMLAND PRESERVATION PLAN

ADOPTED JUNE 1, 2016

PREPARED FOR

Town of Milton

Town of Milton
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Ballston Spa, NY 12020

PREPARED BY

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Town of Milton

FARMLAND PRESERVATION PLAN

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Partial funding provided by the New York State Department of Agriculture and Markets

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EXECUTIVE SUMMARY

OVERVIEW

This farmland preservation plan is intended to identify strategies and actions to help the Town of Milton, New York preserve the important agricultural lands, farming traditions and rural character which have been slowly dwindling in more modern years. Agriculture in the Town of Milton is composed of a diverse mix of resources, with livestock, horse farms, cash crops, poultry and vegetables among the most common. Despite continued development over the years, and the economic difficulties farming has faced, agricultural lands still account for over 20% of the total land area within the town. The rich soils of this area are an important consideration, with over 70% of the land area within the town classified as having significantly fertile soils suitable for productive farming. With increasing population and development pressure across the state and the nation, these productive agricultural lands and healthy soils are an important natural resource which should be thoughtfully preserved in order to maintain a long-term food supply and natural open space for future generations. The Town of Milton wants to do all that it can, in partnership with farmers and farmland owners and partner agencies, to ensure that agriculture thrives in the town and continues to be part of the town's land use future.

VISION

Agriculture will continue to be a key element of Milton's land use, economy, history and future. Farming will change and Milton's farmers will adapt to new markets and the evolution of agriculture to continue and grow this age-old tradition. While methods of production will change, the love of the land and the diversity that is Milton's agriculture will prevail. The town recognizes the importance of agriculture town life and its landscape and will continue to foster supportive town policies for agriculture and will continue to create a climate where farming remains feasible and desirable in the town. Strong partnerships exists between the farmers, the Milton Grange, Milton's elected and appointed officials, Saratoga County, Cornell Cooperative Extension and its partner agencies, New York State, and the U.S.D.A. among other partners at the national level. As agriculture in town flourishes and diversifies, and as these partners continue to work toward enhancing agriculture as an economic activity, the number of people involved and benefitting will also grow and appreciate all that an active agricultural base adds to the quality of life in the town, county and state.

PURPOSE

In 2014, the Town was awarded a grant from NYS Dept. of Agriculture & Markets to develop a municipal Agriculture and Farmland Protection Plan. New York State has a constitutional priority to protect agricultural lands and therefore, has enacted the NYS Agriculture District Law and provides

funding to municipalities to develop agriculture plans and for purchase of development rights.
A committee was formed to make recommendations for farmland protection and for strengthening agriculture. Recommendations contained in the plan reflect input from this committee, farmers and rural landowners, town officials, and the community. The plan provides details on development and other pressures on farming, existing land use policies, farming resources and enterprises, along with recommendations to change land use laws to ensure a viable future for farming in the Town of Milton.

VIEW FROM THE FIELD

Over the course of this study, local farmers were interviewed to get a better understanding of the difficulties they face, and their long-term plans for the future of their farm. It is notable that a majority of those questioned felt that it was very important that their land remain in agricultural use after they retire, with more than half planning to eventually pass their farm onto other family members. Despite these intentions, preserving this farmland will require active assistance from the town, county and community to ensure it is not lost. Local agriculture provides, among other things, a significant contribution to the local economy. Saratoga County farms produced almost $39 million in products according to the most recent data, provided jobs and food, supported local suppliers and services, and often provided a symbiotic support relationship with other area farms.

Among the diverse mix of agricultural resources and activities within the town, equine operations have proven to be one of the larger and stronger sectors of the agricultural economy, both in Milton and Saratoga County as a whole. Horse-related farms and activities are considered to be one of the most promising growth areas for the agricultural community and local economic development, and it is strongly recommended that these be supported and diversified where possible.

KEY FINDINGS

Milton's farmers have creatively combined dedication, resilience, and entrepreneurship to ensure that farming is alive and well in the town. Milton enjoys a long history of continuous farming and can boast having high quality soils, 80%of Milton is underlain by prime soils, that support numerous farm businesses, their owners, families and employees that generate an important part of the county's total of $80 million in agricultural product sales.

- Farmers utilize 4,850 acres of land on 140 parcels of land.
- 22% of the town's prime soil has been lost to development.
- The town is losing land to non-farm conversions near Ballston Spa and Saratoga Springs in typical urban sprawl patterns. The plan identifies steps to help stabilize or reverse this trend.

Town population has continued to increase at a significantly high rate with a 13% increase over the last three decades and an expected increase of 10% over the current 18,575 population by the next census in 2020.

Housing development, through typical suburban development has impacted farming in many ways – in particular rising land prices and taxes and the cost to secure and maintain working farmland at an affordable price, making it harder for farmers to find land to rent or buy. This trend is expected to continue into the future if steps are not taken today.

- Development pressure increases the cost of land making it very difficult and often impossible to pass land on to a next generation of farmers.
- Farmers also depend greatly on renting land for agriculture, and the loss of rented land due to property sales to non-farm use is going to be an increasing problem.
- History has convincingly shown that the only way to ensure farmland for the future is for communities to lead the way be finding creative ways to protect the land from development.
- No town in the state has been able to rely solely on zoning to protect farmland from development. Every town facing this kind of development pressure that has used only regulations as a tool has become fully built out and has lost its farms.
- Milton and Saratoga County stand at a turning point in saving farms. Once the land is built with houses and roads, there is no turning back.
- The town, in partnership with the county, the state, the land trusts and the farmers and farmland owners can do much more to protect farmland and enhance agriculture; this plan sets the stage.

MARKETING

The diversity and scale of Milton's farmland operations lend itself to benefit most from establishing centralized points at which agricultural products can be advertised, cross-marketed and sold, for the ease of both the farmers and the purchasing public. A number of zoning changes, including the ability for farmers to improve visibility of their products and collaboratively sell them on-site with other local farms, are recommended to strengthen their economic health and allow more diverse uses. This can be established with the provision for on-site retail sales, combined with the ability for farmers to attractively identify their farm with signs that display what local goods and crafts are available for sale. Combined with this effort, a central online repository of information about all of the farms of Milton, combined into an attractive interactive map, is recommended to help establish a local farming identity and attract buyers interested in locally-produced goods. Additionally, a central "cooperative marketplace", where local goods can be sold within the town center, would give these farms higher visibility and relieve the need for farmers to staff a market booth full time.

PRIORITY RECOMMENDATIONS

1. The town of Milton should charge the Town Agriculture Advisory Committee with responsibility for implementation of this Protection Plan. Further, the committee should advise the Town Board on matters pertaining to agriculture. Gain input from Cornell Cooperative Extension.
2. Review and revise the definition of agriculture in the zoning code and develop a uniform definition consistent with the diversity of farming enterprises in the town and ensure compatibility with NYS Agriculture District Law.
3. Consider applying to NYSDAM for a follow-up grant to change local land use law to insure land use documents are farm friendly and compatible with NYS Ag and Markets Law. Consider creating an agricultural zoning district in the part of the town designated as part of the Saratoga County Consolidated Agricultural District #2 (predominantly agricultural area in the western sector of Milton).
4. Provide plan implementation financial support to outreach to farmland owners to solicit interest and identify key farm properties to target for NYS Farmland Protection funding to preserve prime farmland. Support farmers that are interested in seeking conservation easements on their properties via NYS Farmland Protection Program. Work with Saratoga County Planning Department and the County Agriculture and Farmland Protection Board in the application process. Review criteria for identifying such parcels and actively reach out to landowners to assess interest in selling Development Rights.
5. Work with Saratoga County Farmland and Open Space Committee to investigate ways to increase local funding sufficient to achieve the county-wide goal of permanently protecting 10,000 acres of farmland. Consider all potential funding sources including a Community Preservation Fund.
6. An important finding during the study was that many of the agricultural parcels in the Town are not receiving an Agricultural Assessment on their land. Work with the County Planning Office and the Town Assessor to inform farm property owners of the Ag Assessment Process.

Other Recommendations

- Encourage 'Focused Growth' through the implementation of a Transfer of Development Rights (TDR) system to create cluster subdivisions in the eastern part of the town while leaving farms intact. Consider applying to the NYSDAM for funds to develop a Transfer of Development rights program in the Town of Milton.
- Change town land use laws to permit farmers to sell their own farm products. Remove local regulations that restrict farmer's ability to erect signs of style, size and placement of their choosing.
- Inform Town farmers of the benefits of participating in the State Agricultural District program. Many farms on the north side of the Town are not included in the State Program.
- Work closely with Saratoga Cornell Cooperative Extension so that farmers can be aware of grant opportunities, tax assessments, farming education and other concerns. Invite representatives to the Ag Advisory Committee meetings

- Encourage in-fill development in already developed land to reduce rural sprawl and the associated costs of infrastructure development.
- Develop a plan for Cluster Development and Cluster Subdivisions to maximize land use and minimize impact of residential development on agriculture and stop Rural Sprawl.
- Explore options for keeping critical high quality farm parcels that come up for sale available for farming.
- Creating a town-wide brochure map and internet-based map for agri-tourists to follow.

The Town of Milton Planning Board, in its review of these recommendations, has provided some additional considerations and perspective for the Town Board to weigh before adopting some of these specific strategies. A letter outlining their suggestions and considerations can be found at the beginning of the Appendix, for reference.

I. INTRODUCTION

Background

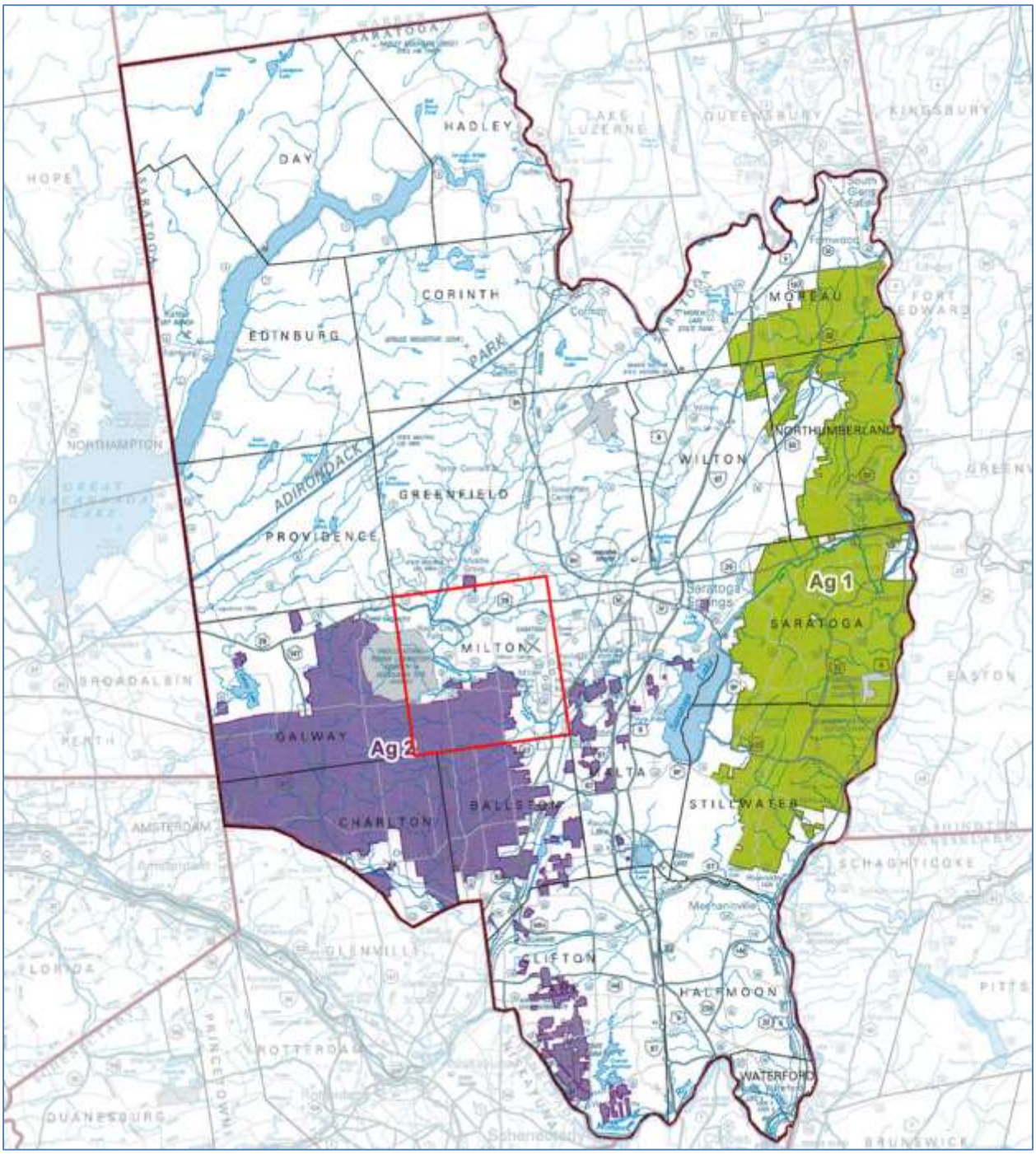
Loss of farmland is a concern to the citizens of Milton, and with good reason. Saratoga County witnessed a rapid decline in farmland acreage immediately following construction of the Adirondack Northway in the 1960's. Since then, farmland in Saratoga County has continued to steadily decline, particularly along this travel corridor. More recently, the arrival of Global Foundries—a major microchip fabrication plant built in the neighboring town of Malta—and associated development has continued to induce steady growth pressure on the area. The explosive growth experienced in Malta as a result of this is expected to spill over into Milton. The eastern portions of the town are already heavily developed, leaving the rural western portion vulnerable. For this and other reasons, the town has decided to proactively plan for growth and identify ways to protect farmland now, rather than plan in a reactionary way once the growth has arrived. One of the primary goals of this farmland preservation plan is to help preserve the core farmland in the town, and deter fragmentation, thus maintaining farm viability for future generations.

Regional Context

The Town of Milton is located near the center of Saratoga County in the Capital Region of New York. The town is square-shaped, and bordered by the City of Saratoga Springs to the east, the Town of Ballston to the south, the Town of Galway to the west, and the Town of Greenfield to the north, with minor intersections with the towns of Malta and Charlton as well. The Village of Ballston Spa is partially located in the southeast corner of the town.

The town is within the northeast portion of Saratoga County Consolidated Agricultural District #2, and is only about two miles from the Adirondack Northway (I-87) and therefore a short commute to Albany, Glens Falls and points beyond. There are three state routes that pass through the town, NYS Routes 29, Route 67 and Route 50. Route 67 provides easy access to Amsterdam and the New York Thruway, approximately a half-hour to the west. In general, Milton is relatively centrally located for commuters to a wide range of employment centers, including the Global Foundries facility in the neighboring

Town of Malta. Milton's farmland is part of the working landscape of farms identified in Saratoga County Green Infrastructure Plan.



Saratoga County Consolidated Agricultural District #2 encompasses a large portion of the southwestern area of Milton.

II. EXISTING CONDITIONS

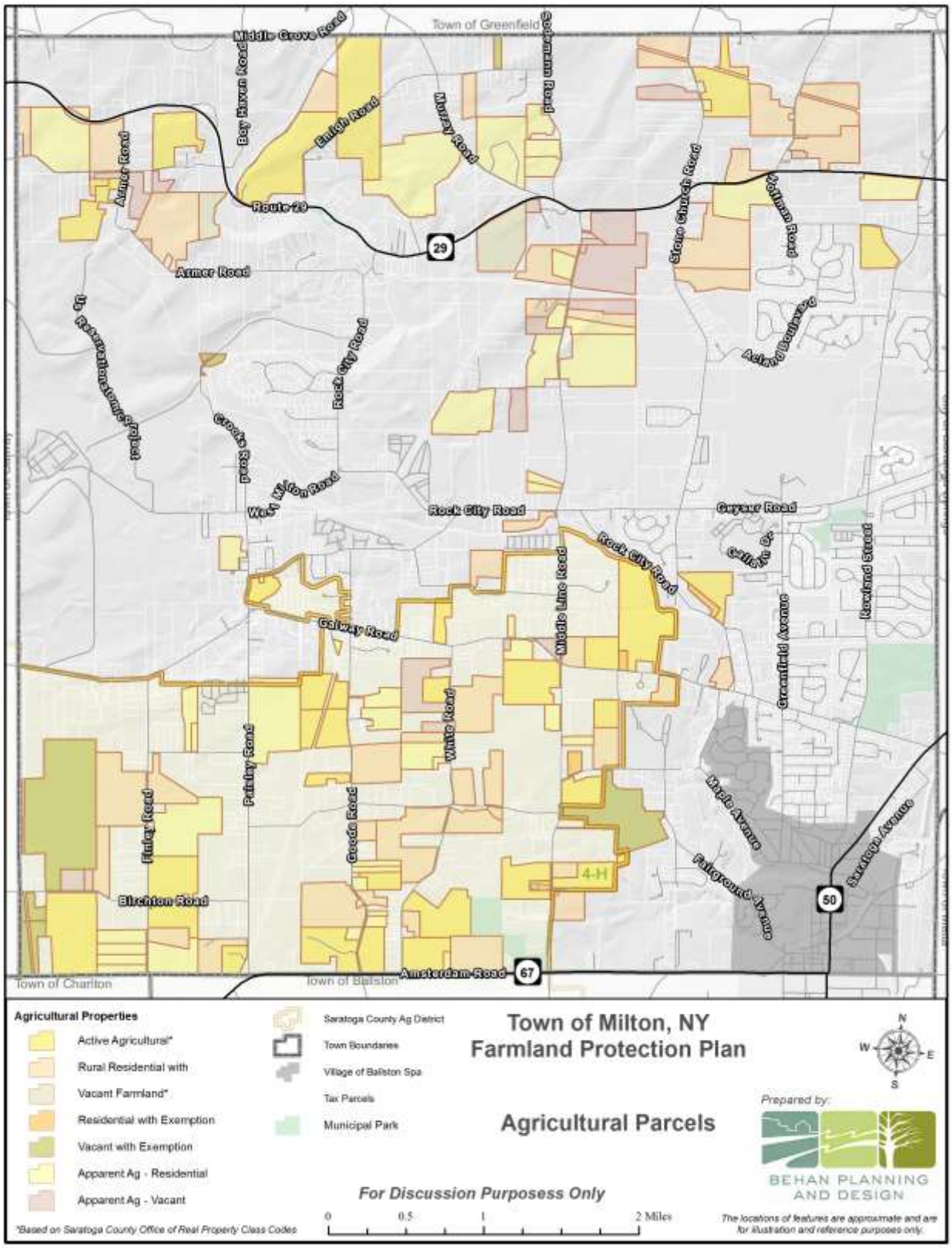
Agricultural Properties

There are approximately 140 parcels in the Town of Milton, totaling approximately 4,850 acres, that are known or believed to be, involved in agriculture. Agriculture is the primary use for approximately 40% of these 140 properties in Milton, while the remainder are residential properties with an agricultural use. Agricultural uses on the residential properties range from small horse paddocks to large fields that are rented for hay or other field crops. While agricultural parcels account for only 3% of the total number of parcels in the town (excluding the Village of Ballston Spa), they comprise 23% of the town's land area. Based on aerial image interpretation, it appears that roughly 20% (+/- 1,000 acres) of the land area of the agricultural properties is actively used for farm activities, with the remainder being mostly woodland, as well as homesteads, wetlands, and scrubland. Additional land is involved in forest products – timber and maple sugaring. An inventory map depicting the existing agricultural properties of the town is included on the following page.

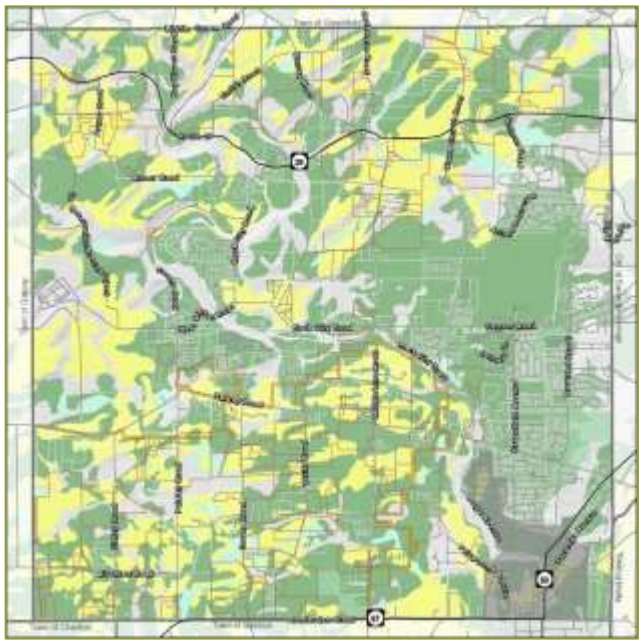
Based on a variety of data sources, including real property data, site reconnaissance, landowner interviews and discussion with the Farmland Preservation Committee there is a variety of agricultural uses in the town including equine, poultry, vegetables, llamas, daylilies, corn, hay, timber, sugar bush (maple sugar production), and aquaculture. Unlike several other towns in Saratoga County, Milton no longer has any traditional dairy farms, although there is at least one goat dairy operation in town. Some land in Milton is believed to be rented to nearby dairy farmers, however. Similar to other areas of Saratoga County and New York State, Milton has seen a shift to equine operations.

Definition of Agriculture & Farm Operations

"Agriculture" or "Farm operations" typically means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse boarding or equine operation, a timber operation and compost, mulch or other biomass crops. Such farm operation may consist of one or more parcels of owned or rented land, which may be contiguous or noncontiguous to each other.


Town of Greenfield
Middle Grove Road
Boy Haven Road
Emigh Road
Murray Road
Sodemann Road
Armer Road
Route 29
29
Stone Church Road
Hoffman Road
Armer Road
Rock City Road
Crooks Road
West Milton Road
Rock City Road
Geyser Road
Rock City Road
Galway Road
Middle Line Road
Greenfield Avenue
Rowland Street
White Road
Fairley Road
Finley Road
Goode Road
Maple Avenue
Fairground Avenue
Saratoga Avenue
4-H
50
Birchton Road
Town of Charlton
Town of Ballston
Amsterdam Road
67
Agricultural Properties
Active Agricultural*
Rural Residential with
Vacant Farmland*
Residential with Exemption
Vacant with Exemption
Apparent Ag - Residential
Apparent Ag - Vacant
Saratoga County Ag District
Town Boundaries
Village of Ballston Spa
Tax Parcels
Municipal Park
Town of Milton, NY
Farmland Protection Plan
Agricultural Parcels
For Discussion Purposess Only
0 0.5 1 2 Miles
*Based on Saratoga County Office of Real Property Class Codes
Prepared by:
BEHAN PLANNING AND DESIGN
The locations of features are approximate and are for illustration and reference purposes only.

Agricultural Soils



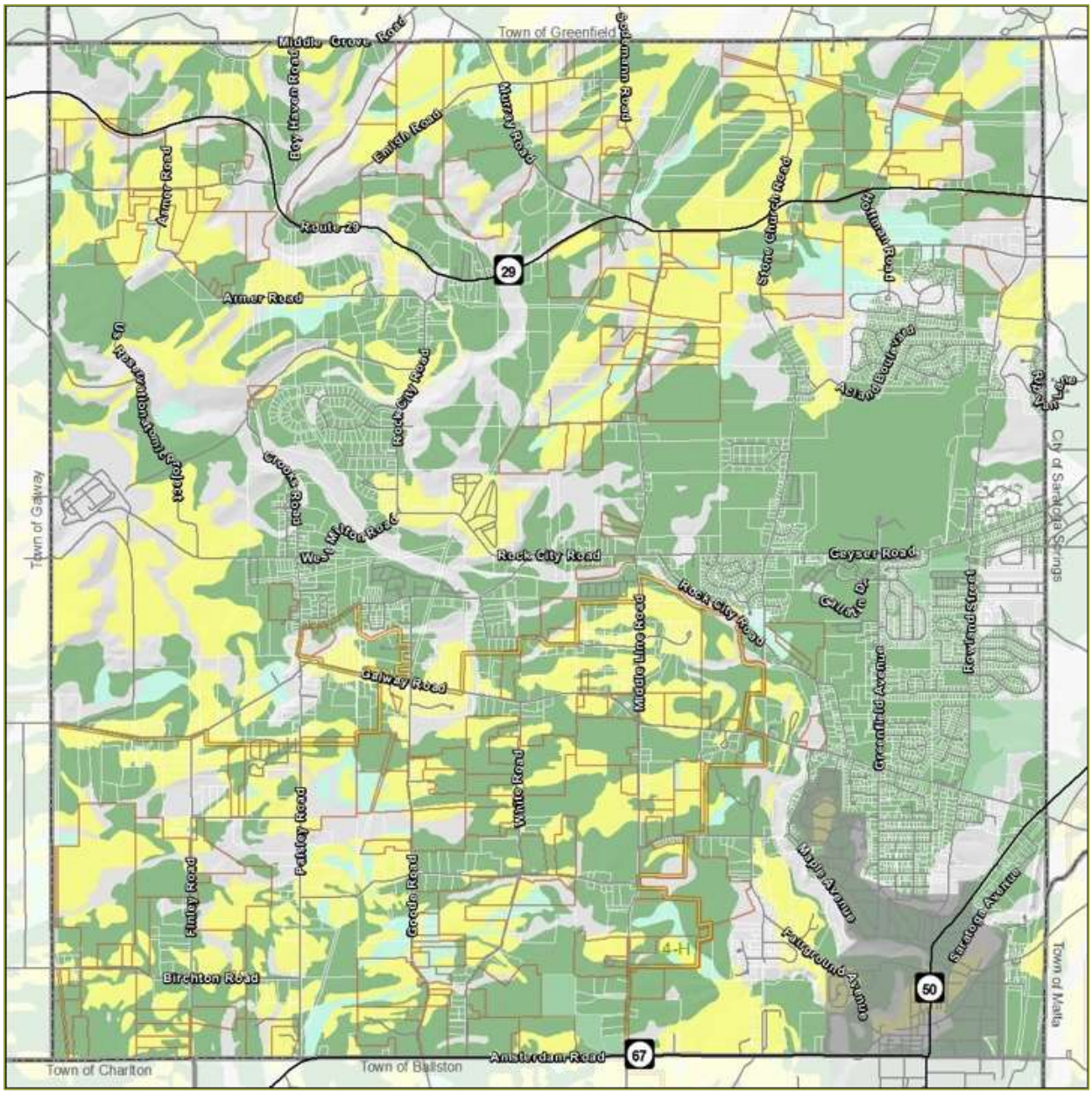
Nearly 80% of the Town of Milton is underlain by prime farmland soils and farmland soils of statewide importance. Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. Farmland soils of statewide importance include areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed correctly. These soils are important because they are necessary to meet our nation's long-term food supply needs, and their overall supply is finite. Approximately 28% of the town contains prime farmland soils, with an additional 51% of the town's soil classified as farmland soil of statewide importance. According to the American Farmland Trust, prime farmland soils consistently produces the most food and fiber with the least fertilizer, labor and energy requirements. Prime soils tend to be resistant to erosion and run off. Thus, they support intensive cultivation with minimal adverse environmental impacts. The conversion of prime farmland to non-farm development increases pressure to farm less productive, ecologically fragile lands. These lands tend to degrade rapidly, erode easily and contribute excessively to water quality problems.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses.

Farmland of Statewide Importance is land, in addition to prime and unique farmlands that is of statewide importance for the production of food, feed, fiber, forage, and oil seed crops. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.

Only 6% of the town's farmland soils are in active or recent production, with an additional 3% unused on agricultural properties. Approximately 22% of the town's prime or statewide importance agricultural soils have already been lost to development. Approximately 10% of the town's high-quality farmland soils are located within the Kesselring Atomic Site and Saratoga County Airport.

Town of Milton - Soils Map



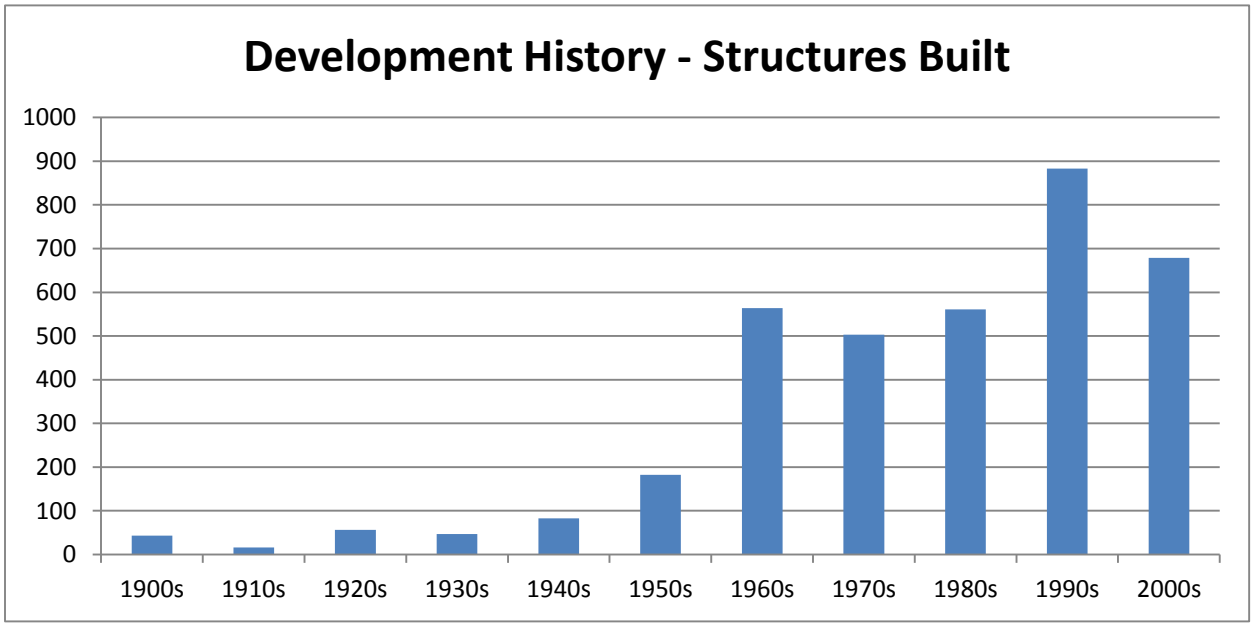
Much of Milton contains a mixture of Prime Farmland Soils (shown in yellow) and Farmland Soils of Statewide Importance (shown in green).

Development Trends

The Town of Milton has two predominant development patterns. In the eastern portion of the town—near the Village of Ballston Spa and City of Saratoga Springs—the town has a suburban development pattern characterized by several residential subdivisions. The middle and western areas of town, while not devoid of subdivisions, are more rural in nature with large lots and/or homes fronting along the main roads.

The town has seen a continuous increase in population for some time, with a population increase of 13% on average over each of the last three decades. The town's 2010 population of 18,575 residents is projected to grow by another 10% by 2030[1]. Unfortunately much of this growth could occur at the expense of open farmland, especially on the eastern side of the town.

Like other areas of Saratoga County, much of the recent development occurring in Milton is in the form of subdivisions. Agricultural land tends to be the easiest to develop as it generally has good soil and is already cleared of trees. While agricultural land can be conserved as part of a subdivision approval, creating a meaningful amount of preserved land as part of a development in a manner that does not lead to future conflicts between farm activities and residences can be a difficult challenge for developers.



[1] *CDRPC projections*

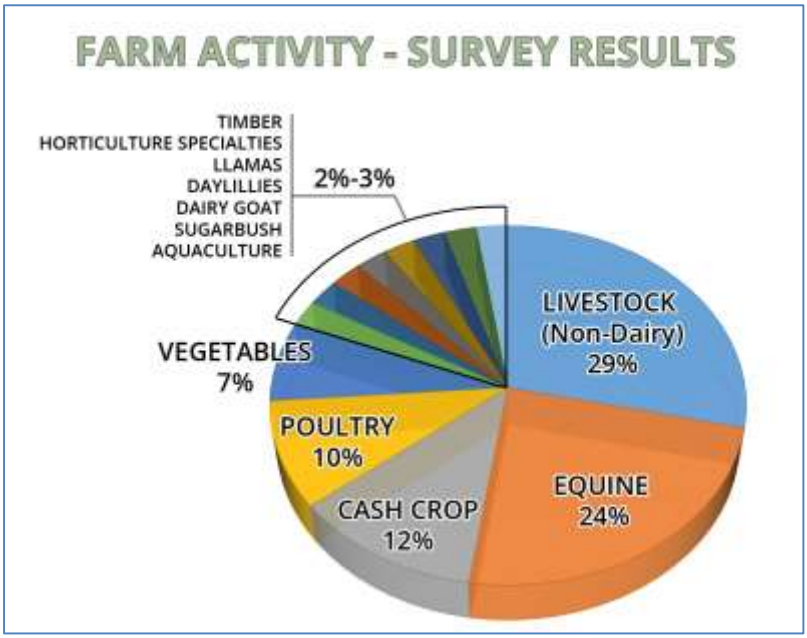
III. PUBLIC INPUT

Committee Meetings

To help guide the planning process, a nine-member Farmland Protection Committee was formed that met on a semi-regular basis during the planning process. The committee was comprised of area farmers, landowners and municipal representatives. In addition, there were two project advisors on the committee - Jaime O'Neill, Saratoga County Planning Department, and Maria Trabka, Executive Director of Saratoga PLAN. The committee had their kick-off meeting in March of 2014. The initial meeting served to obtain a baseline of information about existing conditions in the town, and to begin to identify issues and opportunities that exist in the Town of Milton. A public outreach strategy was also discussed, including conducting landowner interviews. Additional guidance documents from the New York State Department of Agriculture and Markets (NYS Ag & Markets) were distributed and reviewed.

Landowner Interviews

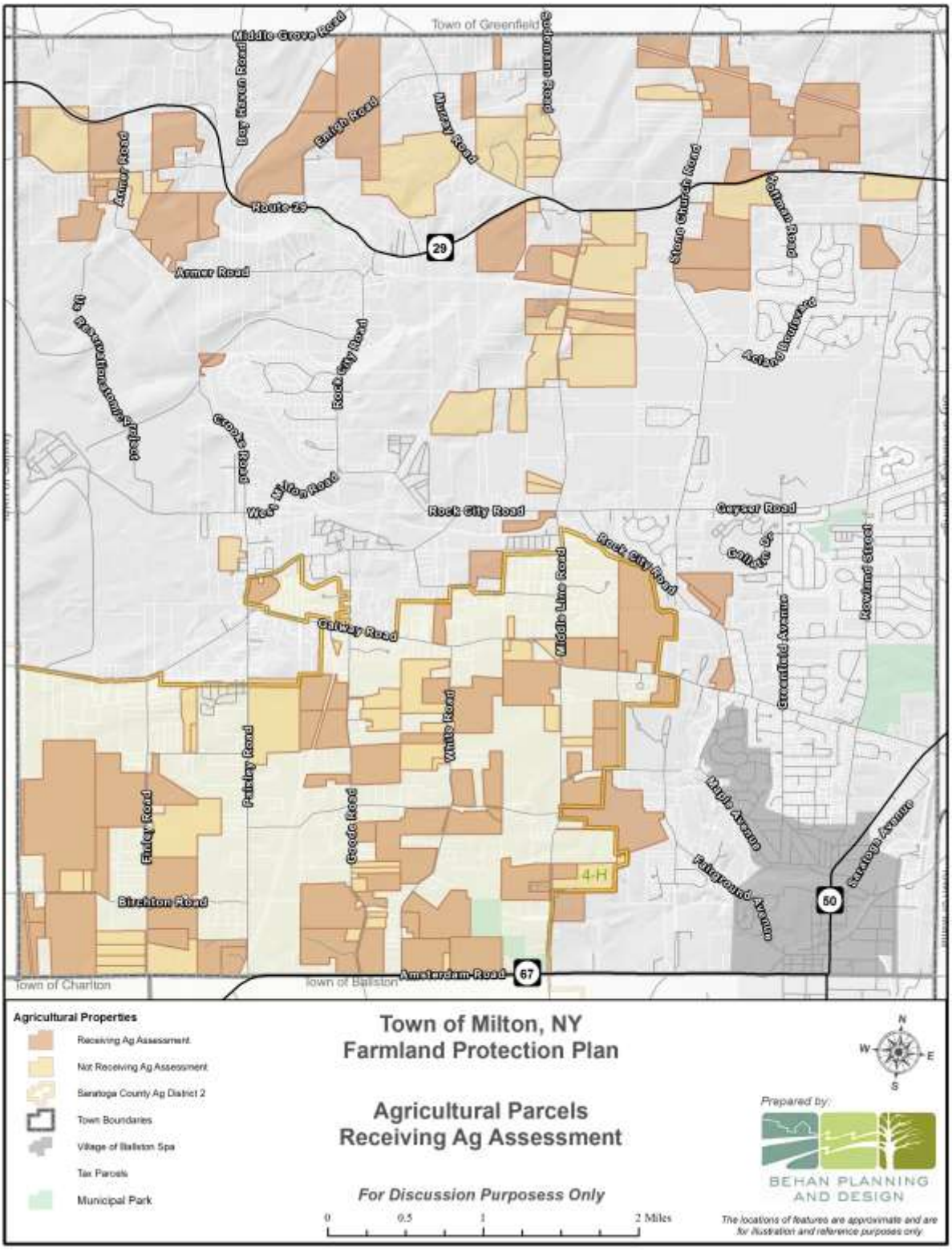
With help from the Farmland Protection Committee, a number of landowners were selected for interviews to gain a deeper insight into the agricultural conditions in the Town of Milton. A total of 22 interviews were conducted during the course of the project, the majority of which solicited input from active farm operators that owned their land. Nearly half of the landowners interviewed were involved in equine operations and/or livestock. Cash crops represented the third highest use among the interviewees. Over a quarter of the interviewees have been involved in farming for 40 or more years, with less than 25% only having farmed for less than 10 years. Only about a quarter of respondents indicated that they receive an agricultural tax exemption on their property. Of those that sell products, the majority do so onsite.



The majority of respondents felt it was very important that their land remain in agriculture and approximately half plan to pass their land on to other family members.

Several landowners indicated they plan to expand their operations in the future, however others indicated the desire to downsize, or cease operations altogether in the future. The high cost of operating expenses and taxes were identified as the biggest obstacle to their successful farm operation. However, it is important to note that the majority of respondents felt it was very important that their land remain used for agriculture and approximately half plan to pass their land on to other family members. A copy of the questionnaire used for the interviews, as well as a summary of the responses, is included in the Appendix.

Interview / Survey Results Sample	
Do you own or rent your farming land?	86% Owned
Number of Years Farming	1 – 10 (6%) **11 – 20 (33%)** 21 – 30 (22%) 31 – 40 (6%) 41 – 50 (17%) 50+ (17%)
Do you sell your farm products? Where?	**On site: 57%** Farmer's Market / Other farmer: 5% No / Other: 36%
Do you work with Cornell Cooperative Extension, or the Soil and Water Conservation Commission?	CCE: 13% SWCD: 4% Both: 4% **Neither: 68%**
Do you host public events or activities on your farm property?*	**No: 50% (Yes: 50%)*** Horse Riding: 27% Special Events: 22% Snowmobiles: 13% Other (u-pick, skiing, hunting, class trips): 18%
How important is it that your land remain agricultural?	**Very important: 59%** Somewhat important: 13% Not important: 4% No answer: 22%
Do you receive an Ag Assessment on your land?	**No: 60%** Yes: 40%
*Note: Total percentage may add above 100% due to multiple activities on some farms.	



An important finding during the study was that many of the agricultural parcels are not receiving an Agricultural Assessment on their land.

Focus Group Meeting

A focus group meeting was held in January 2015 to introduce the planning process to a larger audience of local agricultural property owners. The goal of this meeting was to gather additional insight on challenges that may exist in the industry and ideas to strengthen agriculture in Milton. The focus group participants pointed out a number of issues that could be addressed, including zoning issues, sign limitations, marketing opportunities and operating costs. The suggestions and strategies from this meeting are provided in Sections IV and V.

Public Meeting

A public meeting was conducted on April 30, 2015 at the Milton Town Hall. Following a presentation on the draft plan, the meeting participants discussed aspects of the plan that they liked and disliked as well as providing suggestions for what else to include in the plan and other thoughts about agriculture in Milton.

There was a lot of focus at the meeting about getting information out to the public and the best strategy to do that. Other topics included sign zoning, confusion with agricultural exemptions, and a lack of marketing and sales for the agricultural community in the town. There was also discussion about the way land is assessed in town, and whether assessment should be adjusted to focus on agricultural values, rather than development potential. Overall, while a small crowd, a lot of good ideas were discussed at the meeting, many of which incorporated into the sections of the plan that follow.

IV. ANALYSIS

Opportunities

There is a diversity of farm operations in the Town of Milton which helps to set it apart from some of the other towns in the area. This diversity of products would lend itself well to utilizing a centralized sales location which could provide a variety of goods to the public. Presently, a large majority of retail sales of farming products in Milton occur on the individual farm properties, which appears to be a limitation in both marketing and visibility. Most farmers reportedly do not participate in the local farmers' markets due to the man-hours involved of staffing a booth, when they would prefer or need to spend this time working on the farm. However, if there were a central location provided for these sales which included dedicated sales staff, it would be far easier on the individual farmers and would greatly increase the visibility of their products. Such a "cooperative market", perhaps located at Milton Town Center or on the town hall property, would be far easier to market to the public and would increase the visibility of the town overall.

The idea of creating such a centralized system is specifically discussed in Saratoga County's recent economic development plan. This recommendation, noted as a top catalyst project for the area, suggests the creation of a "Food Distribution Network"

The diverse mix of farming operations and products in the Town of Milton lends itself to a centralized market location.

project, where the county should partner with southern Saratoga farmers to create *"a new distribution channel for their products to open access to new markets."* A centralized location which could receive (or pick-up) local agricultural goods and sell them on behalf of the local farming community would achieve this goal and greatly enhance the visibility of their products.

Horses are a major industry in Saratoga County.

Like other towns in New York (and in particular Saratoga County) Milton has witnessed an increase in the number of equine operations – from large farms with stall barns and paddocks to homeowners with a couple acres to pasture a horse or two. This influence has been bolstered by the proximity to Saratoga's famous racetracks which creates an equine identity for the area. Landowners, as well as the Town of Milton as a whole, can benefit from this identity and continue to market it as a specialty. Landowners can rent land for hay or pasture, as well as barn space and riding opportunities. The town should continue to promote itself as being "horse friendly" and encourage equine activities through zoning flexibility and the creation of designated horse trails, both of which are discussed later in the plan.

Threats

As can be heard throughout the state, the biggest threats to local agriculture are financial—marginal revenues against taxes and high operating costs. This plan seeks to identify ways to reduce this threat by finding ways to increase farm revenue while reducing their expenses. Unfortunately, for the most part taxes are beyond the control of the town, as the highest percentage of tax money goes to the local school districts. There are ways farmers can reduce their tax burdens however, through reduced assessment and tax credits. The town also does not have the power to control the operating costs of fuel prices, feed prices, etc., however there are some programs available which can provide assistance for these expenses. It was noted during the public outreach that many farmers in town do not take full advantage of these reductions, as they reportedly find the required forms difficult to complete or there is uncertainly on the commitments required and penalties that may be incurred for leaving the program. As such, as discussed further in Section V, educational outreach regarding these programs would seem to be beneficial for Milton farm owners in reducing the revenue vs. expenses gap.

Like many other towns, growing development is another potential threat to agriculture in Milton. Not just losing land to houses, but having a new housing subdivision constructed in close proximity to agricultural operations often creates problems for the farmer. While the Town of Milton does have a Right-to-Farm law—which protects farmers from nuisance complaints—it can still create animosity between homeowners and farmers when people don't understand or know about the law. There was also some concern raised during the public outreach process that "quality" open space land, including potential agricultural land, is not being preserved as part of conservation subdivision approvals as it was intended to be. Developers are reportedly setting aside open space land that would generally be unbuildable anyway, which runs counter to the intent of the open space provisions. If so, this provision of the zoning should be strengthened or clarified, as discussed in the following section.

Agricultural assessments

The Agricultural Districts Law allows reduced property tax bills for land in agricultural production by limiting the property tax assessment of such land to its prescribed agricultural assessment value. Owners whose land satisfies the eligibility requirements may apply for an agricultural assessment.

Agricultural assessments can help to reduce property tax bills for owners of productive farmland.

Agricultural Districts.

The southwestern portion of the town is included in Saratoga County Consolidated Agricultural District #2. Agricultural districts also provide the framework to:

- limit unreasonable local regulation on farm practices
- modify public agencies' ability to acquire farmland through eminent domain
- modify the right to advance public funds to construct facilities that encourage development
- require state agencies to modify administrative regulations and procedures to encourage continuing far businesses
- provide "right-to-farm" provisions for protection from private nuisance suits for land in agricultural districts and parcels receiving agricultural assessments outside districts
- limit collection of *ad valorum* fees for water, sewer and similar improvement districts

Land outside an agricultural district

Land outside an agricultural district may qualify for an agricultural assessment.

Eligibility requirements

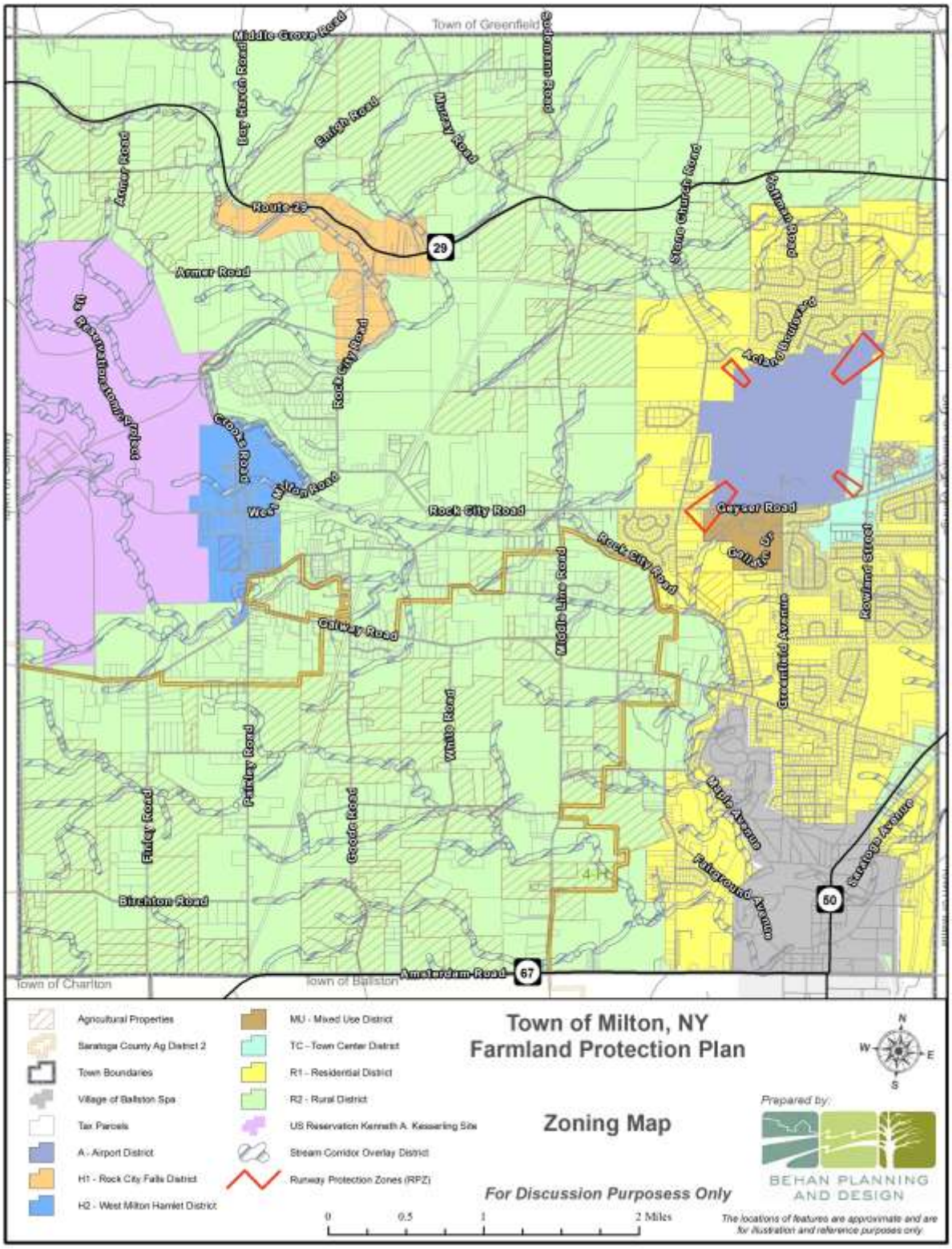
Eligibility is determined by the assessor where the application is filed. If denied, the applicant has the right to an administrative review.

Land generally must consist of *seven or more acres* that were *used in the preceding two years* for the production for sale of crops, livestock, or livestock products with annual *gross sales* of agricultural products generally *must average $10,000* or more for the preceding two years. Land that supports a commercial horse boarding operation may qualify for an agricultural assessment. A start-up operation may qualify based on it's annual gross sales of agricultural products in the operation's first or second year amounts to at least $10,000.
(For more information see: www.tax.ny.gov/research/property/assess/valuation/agindex.htm)

Analysis of Existing Zoning

Agricultural properties are located throughout the Town of Milton, however the majority are located in the R2 - Rural District. A "Farm Operation" is a permitted use in the R2 district, as are Roadside Stands. Nurseries, Commercial Stables and Commercial Recreation are special permitted uses, however, accessory retail sales are not a permitted use in the R2 district.

The town defines a Farm Operation as "*The land and on-farm buildings, equipment and practices which contribute to the raising, production, preparation and marketing of crops, livestock and livestock products for gain. The farm operation includes necessary farm structures within the prescribed limits of the farm parcel and the storage of equipment as part of the farm operation. A farm operation does not include the operation of a commercial stable, or kennel.*" This differs from the NYS Agriculture and Markets Law (AML) definition guidelines, which specifically do not exclude commercial horse boarding (stables) or kennels, and allows that farm parcels may be non-contiguous. In order to protect agricultural uses and promote revenue, the town should consider expanding this definition to more closely align with the AML guidelines, and add agricultural-related retail sales as an allowed or special permitted use within the R2 district. This would allow farmers to expand their operations to create a farm "store" which sell products conveniently at their own farm. In addition to their own agricultural products, these stores should be permitted to sell agricultural products from other local farms within the town, Consolidated Ag District #2 or Saratoga County. This would allow a greater diversity of products to be sold under one roof, create a better pool of items to attract customers, promote cross-marketing of other local farms and provide a new sales outlet for other farms which may not be able or willing to have a store of their own. Providing the ability to sell goods in a retail setting, rather than just a small temporary outdoor road stand, could greatly improve farm viability. In order to protect the rural character of the area, the size of the retail space could be limited, with additional restrictions on other variables such as setbacks, parking or hours of operation as needed.



A majority of Milton NY is zoned "R2 – Rural District" which has a minimum lot size of 5 acres while the remaining districts are much smaller (R1=0.5 acres; MU=0.25 acres; H1=1 acre; H2=1 acre)

A "farm-friendly" zoning audit was conducted as part of this plan. Among the other items identified for improvement as part of this audit were the potential for: a special zoning overlay or district to help protect agriculture; buffer zones between Ag uses and future subdivisions; elimination of ag-related special permit requirements; expanded uses such as agri-tourism and breweries; and potentially loosening the 50-foot height limitations for silos.

Zoning Use Analysis

Ag-Related Uses	R2 Zoning
Farm Operation	Permitted
Accessory Retail (on farm or other)	X
Private Stables	Permitted
Roadside Stand	Permitted
Commercial Kennel	Special Permit
Commercial Stables	Special Permit
Nursery	Special Permit
Forest Farming Operation	Permitted

Although there is no purpose statement specific to the R2 District, one of the stated purposes of the overall zoning code is: "*To create a suitable system of open spaces and to protect and enhance existing green spaces wooded areas, scenic areas and water resources.*" The town could consider either adding agriculture to this definition and/or specifically create a purpose statement for the R2 that addresses the importance of agriculture in the Town of Milton. In general, the zoning could be updated to provide guidance on protecting rural character, providing updated conservation subdivision design guidelines and consider coordinated subdivision planning to preserve a network of non-fragmented open space for the long-term benefit of all Milton residents. Such open space, in addition to greatly protecting the scenic character and real estate value of different residential neighborhoods, can also provide useful linkages for recreational trails.

One area of the zoning that came up repeatedly in discussions with local farmers was the issue of signs. It is reportedly very difficult to get approval to have a sign on a farm to identify or advertise the agricultural business conducted there. Apparent confusion in the sign code has resulted in farmers being told such signs aren't permitted for farming operations. This makes it difficult to market products or create an identity. A suggested change for the zoning code would be adding an allowable "Farm Sign", which could work in conjunction with the previously mentioned retail sales, or clarify the existing sign code to make sure agricultural uses are included as a non-residential operation. Such signs could be limited only to permitted farm operations in the R2 district, and have other reasonable rules such as not exceeding 12 square feet per side and limited to displaying the name of the farm, street number and a brief description of the goods sold on the premises as part of a permitted accessory retail use.

Rural Development Design Guidelines, such as those used by the Town of Milton, can be helpful to promote attractive development while protecting scenic character and can help to provide a network of non-fragmented open space for recreational trails and natural habitats.

As previously noted, the town does have a Right-to-Farm law as part of the adopted town code. This law states that "*Farming, as defined herein, reinforces the special quality of life enjoyed by citizens, provides the visual benefit of open space and generates economic benefits and social well-being within the community. Therefore, the Town of Milton emphasizes to newcomers that this Town encourages its agriculture and requests newcomers to be understanding of the necessary day to day operations.*" It is important for the zoning therefore to also help reinforce this mission by permitting the basic traditions and functions which farms have historically had.

"Farm-friendly" Zoning Analysis - Town of Milton, NY

Red **'X'** denotes areas for improvement

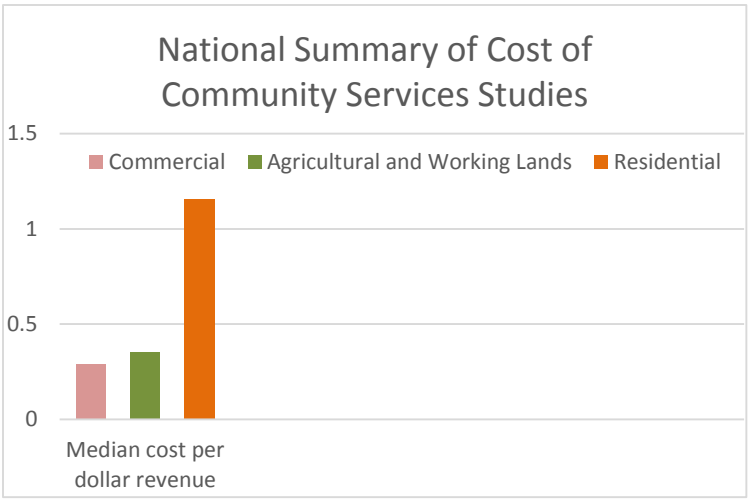
QUESTION	YES	NO	NOTES
Does the regulation's purpose statement include a discussion of agriculture or promoting or preserving agriculture specifically?	X		
Does zoning allow agriculture as a permitted use by right in any district?	X		
Does zoning prohibit agriculture in any district?	X		Yes, however it is permitted in roughly 75% of the town.
Does zoning require special use permits for agriculture or ag-related uses in any district?	X		Yes, commercial recreation, commercial stables and nurseries
Does the zoning encourage higher density or commercial growth in core farm areas or where a NYS Agricultural District exists?		X	
Does the zoning establish a local agricultural zoning district, agricultural overlay district, or special use district for agriculture?		X	Can be recommended
Does the zoning allow farms to have more than one business or offer flexibility to accommodate the needs of agricultural businesses?		X	Not clear.
Are buffer zones between farmland and residential uses required for new construction or subdivision?		X	Buffers are only required between fowl or livestock structures and residential lot lines.
Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (conservation subdivision, clustering, TOR)?	X		Town has an Open Space Incentive option which permits clustering
Are off-site or on-site signs allowed to attract and direct people to farm stands?		X	On-site signs are allowed, but there appears to be confusion interpreting the sign code.
Are farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?	X		Farm stands are permitted, however other ones are not.
Are farm processing facilities such as community kitchens, slaughterhouse, etc. allowed?		X	
Are farm stands limited to selling just products from that one farm? Do they need a site plan review or special use permit?	X		Farm stands (permitted by right) to only sell items from that property.

"Farm-friendly" Zoning Analysis - Town of Milton, NY

Red **'X'** denotes areas for improvement

QUESTION	YES	NO	NOTES
Does zoning allow for accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?	X		
Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an agricultural district? What farming activities take place on or near the site? Whether prime farmland soils are present?	X		Applications require disclosure that farming activities take place nearby and may cause noise or odor.
Do standards exist that require the PB or ZBA to evaluate impacts of a project on agriculture?		X	Can consider overlay requirement
Do any design standards exist to direct building envelopes to areas on a parcel that would still allow farming to occur on remaining open spaces?	X		Town has Rural Development Design Guidelines
Does the regulation define agriculture, agricultural structure, farm worker housing, agri-tourism, agri-business?		X	Definitions exist for Ag building, however not farm worker housing, agri-tourism or agri-business
Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?	X		Yes, except for commercial forestry which must be 3 acres or more
Are non-traditional or retail based farm businesses allowed in a district or agricultural zoned district. For example, can a farmer set up a brewery on site and sell products onsite?		X	
Does the community have a farmer sitting on their Planning Board?		X	
Is an agricultural data statement as per AML25-aa required as part of an application for site plan, subdivision, special use or other zoning?		X	
Does the community require placement of an agricultural disclosure statement on plans or plats when development takes place in an Ag District?	X		
Are any ag-related uses required to get a special use permit or go through site plan review?	X		Commercial stables and Nurseries
Does the regulation define and allow for farm worker housing? Are mobile homes allowed *as* farm worker housing?		X	Farm worker housing is listed as part of the definition of Agricultural Building, however it does not define it or specifically list it as a use.
Are silos and other farm structures exempt from height requirements?		X	Silos are exempt from normal height requirements, however are capped at 50 feet.
Are personal wind mills and solar panels allowed for farms? With permits or permitted *as* of right?	X		Solar panels and windmills are permitted as an accessory structure

Fiscal Impacts



Farmland is important to the local economy in the Town of Milton. In addition to providing a livelihood for the farmers, farms help to provide a picturesque countryside character which many people enjoy when looking for a place to live and can provide unique employment or income opportunities. Some residents in Milton rent their land to farmers, which not only provides supplemental income, but can allow for a reduction in property taxes though an agricultural assessment. Perhaps most importantly, studies have shown that agricultural land uses provide an efficient tax revenue compared to more intensive land uses such as residential subdivisions (which require infrastructure, road maintenance, emergency services, snow plowing, school expansions and other services) which increase taxes. Studies conducted across New York State, referred to as a Cost of Community Services Study, have shown that the fiscal impact of what agriculture "costs" the town is less than other uses. While a study has not been done specifically for Milton, taking an average from 12 studies done in New York, for every dollar agricultural properties pay in taxes they receive 34 cents in services. Conversely, for every dollar a residential property owner pays in taxes they receive $1.31 in services (American Farmland Trust). While the exact results vary by location, these types of studies consistently show that agricultural land pays more in taxes than it costs to service, and residential development is the opposite.

In 2003, farms in Saratoga County provided full and part-time jobs to 1,382 people, including 571 owners/operators and 811 employees. Farms sold almost $39 million in farm products in 2004 – a 17% increase from 2002. The economic activity and jobs created by Saratoga County farms are also closely connected to other local businesses that provide goods and services to farms as well as food processors. In 2002, local farms spent over $32 million on expenses at hardware stores, feed and seed dealers, machinery repair facilities, banks and many other businesses – many of which are located in Saratoga County and the Capital District. Farms are often capital-intensive businesses which require significant on-going investments to remain profitable and competitive in the global marketplace. In 2002, Saratoga County farms owned almost $214 million in land and building assets and an additional $41 million in machinery and equipment. This combined $250 million is an indication of the commitment of the county's farmers to their businesses and the local economy.

According to the 2007 Census of Agriculture, there were 128 active farm operations in the two primary zip codes that cover Milton. 83 of these operations were less than 50 acres in size, and one was over 1,000 acres. The majority of these operations (93%) had $50,000 or less in annual sales.

According to the 2012 Census of Agriculture there were 583 farms in Saratoga County, a decrease from the 641 reported in 2007. The land in farming in the county, however, increased slightly from 2007 to 2012, from 75,660 acres to 78,849 acres. The total market value of products sold in 2012 was reportedly nearly $80 million.

Summary

Agriculture and the Town of Milton's history go hand-in-hand. While agriculture was once the primary land use in the town, now it is part of the economic diversity of the town and greater region. Dairy farms which once were predominant have given way to a more diverse mix of farm operations, with equine operations being one of the larger and growing aspects of Milton's agricultural base.

Milton is blessed with a beautifully rolling landscape that includes some of the largest expanse of prime and soils of statewide importance in the county—with roughly 80 percent of the town having soils of this high quality. Yet agriculture is facing pressure from two powerful and adverse influences—first, the economics of agricultural production have not been kind to the small dairy farms that had made up Milton's earlier agricultural base and one-by one, these farms have ceased production—some transitioned to other, smaller, non-dairy operations and others went out of agriculture altogether; second, the growth of the county and ongoing development pressures have made real estate development a preferred land use to agriculture in terms of the per-acre selling price of land. Yet, agriculture is important to the town in many ways. It provides employment and income for a large number of people, it creates and adds to the town's rural character and sense of place, and the farm products, services and farm activities add both to the economic prosperity of the region and contribute greatly to the quality of life in town—and for folks who come to town to purchase farm products, enjoy horseback riding, and any number of other farm-related activities.

Maintaining and growing the town's agricultural base and protecting farmland from loss to development is important to the town and will provide benefits to the entire community. As one of the more cost-effective land uses to service, agricultural uses also add to the scenic and open space values of the town creating an economic amenity from which all property owners benefit. Further, farm activities provide a venue for many to enjoy the fruits of this time-honored tradition of caring for the land, animal husbandry, and growing food and fiber to sustain life.

For these reasons, the long term financial health and diversity of Milton benefits from a continued and strong agricultural sector.

V. STRATEGIES

There are numerous strategies that the Town of Milton can pursue to protect and strengthen agriculture in the town. There are also county-wide initiatives that Milton could advocate for that would help both the town and the surrounding agricultural community. The strategies presented are not necessarily a "one size fits all" solution, and many will need to be implemented in parallel in order to have a meaningful impact on the strengthening of local farming operations and the preservation of important agricultural land.

Regulatory Strategies

At the forefront of strategies, those which are in the direct control of the town and which can be implemented with almost immediate effect are regulatory changes, such as zoning. The NY State Legislature amended Town Law 283-a to require local governments to ensure that their ordinances do not unreasonably restrict or regulate farm operations. These are the short-term recommendations—or low hanging fruit—of the recommendations because they are relatively easy to implement and can have an almost immediate and direct effect on day-to-day operations. The following strategies are ways the town and/or county can help to comply with §283-a, strengthen agricultural revenues while lowering operating costs and preserving important farming land.

Accessory Retail Sales

As discussed in the zoning analysis, it is recommended that a new accessory use classification ("Retail Farm Sales") be added to the zoning which would permit farming operations within the R2 district to conduct on-site accessory retail sales as a special permit. The types of goods which can be sold as part of this accessory use should be limited to goods grown or crafted as part of the farming operation, and can include goods grown or crafted on other area farms (limited to; Town of Milton, Consolidate Agricultural District #2 or Saratoga County as may be deemed appropriate). The size and scope of this retail use could be limited in size (800 s.f. retail space, for example), with protective limits on number of public parking spaces, hours of operation and other requirements as needed to protect the rural or residential character of the neighborhood. Further discussion on the details of how these sales would best be established should be a logical next step for the town.

In conjunction with this, the definition of Farm Operation should be updated to include the possibility of on-site accessory retail sales.

Farm Signs

It is recommended that a new sign type ("Farm Sign") be permitted in the zoning for permitted farm operations within the R2 district. The sign could be limited to a single freestanding sign not exceeding six square feet in size (per side) which does not extend into the public right-of-way. The sign graphics or text may be limited to the name of the farm, and may optionally include the street number, brief description of produce or goods which are created on the farm, or brief description of produce or goods which are sold on the premises as part of a permitted accessory retail use. Such signs should be permitted for any legally operating farm operation, regardless of the presence of any retail activity. Additional design requirements for the sign could be established to ensure they are permanent in nature, constructed of painted or carved wood, have permanent letters, etc. to ensure they are an attractive addition to the roadway scenery.

Agricultural Protection Overlay District

The adjacent Town of Malta recently adopted an overlay district which applies to all parcels outside planned development areas and the downtown core, that are of seven acres or more in size. The intent of the overlay is to evaluate a project's potential impact to agriculture and also to ease the permitting process for recognized agricultural uses. The law closely follows NYS Agricultural District laws and Right-to-Farm laws, with some local considerations included. The Town of Milton could adopt a similar strategy for streamlining the approval of agricultural related applications and ensuring that non-agricultural development occurs in a way that causes the least adverse impact possible on the agricultural community.

Incentive Zoning

Incentive zoning (or amenity zoning) allows a landowner or developer to work with a municipality to obtain incentives in exchange for providing desired community amenities such as preservation of agricultural resources. The Town of Milton has an Open Space Incentive option, and this tool should continue to be encouraged. Incentives may include modifications to density, allowed uses, setbacks, or other zoning controls. The landowner or developer may provide, in exchange, permanently protected farmland or open space, trail access, park land, or potentially cash (in lieu of land) to contribute to a PDR (Purchase of Development Rights) program.

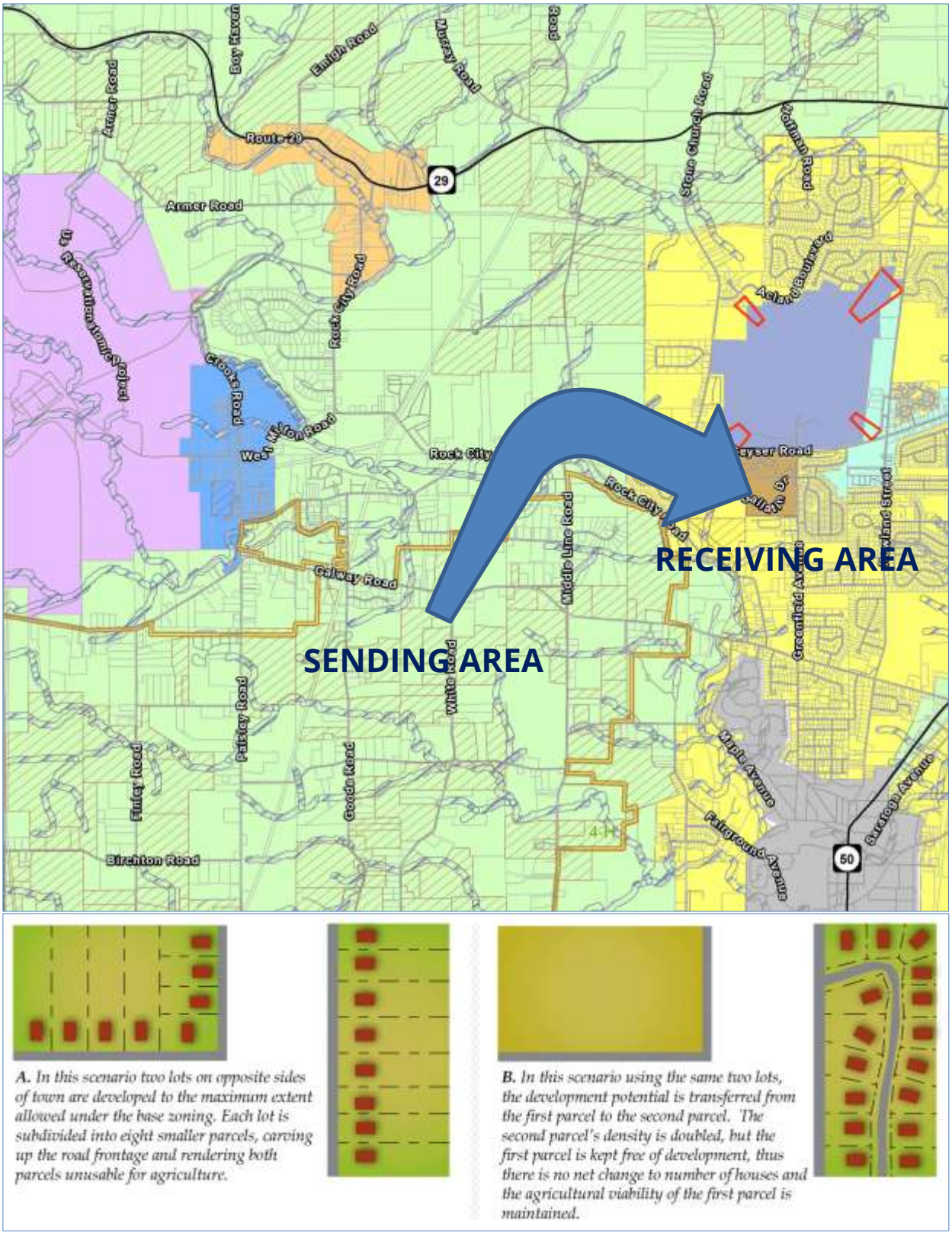
Incentive zoning is voluntary and optional, and therefore it is a preferred approach since it does not infringe on the rights of a landowner. However, since following the incentive zoning is not mandatory for a landowner/developer, the desired land use patterns and amenities are not always guaranteed.

There have been many successful applications of incentive zoning throughout the state. One example is in the Town of Pittsford, in Monroe County, where the town has recently completed its conservation goals through the use of incentive zoning. The final properties involved in Pittsford's "GreenPrint" were nearly 300 acres in area, and through zoning the town was able to retain 160 acres of open space while the developer was able to create two hamlet-style developments and build homes that were at a density and style that would not have been available under traditional zoning. A more detailed summary of this project is included in the Appendix.

Encourage Focused Growth

Another zoning related option the town could consider is to encourage more development around the existing town center, while discouraging development in the surrounding rural areas. This is typically accomplished by lowering the permitted density in agricultural areas while increasing the allowable density in other areas of town which can better accommodate growth. The Town of Milton enacted this farm-friendly measure in recent years by increasing the minimum lot size in the rural R2 District (a majority of the town) up to 5 acres. It is not known if the town could sustain a further minimum lot size increase, or if the local farming community would support such an initiative. Although the 2012 Comprehensive plan noted a desire to maintain the rural character of the R2 District, it is not known what areas of town would be best suited for a corresponding balance of density increase to offset additional change, and this would likely require a much more in-depth study. It is anticipated however that further density offsets could be accommodated in the H1-Rock City Falls District, H2-West Milton Hamlet District; MU-Mixed Use District; TC-Town Center District, and through voluntary "density transfer" system.

With a density transfer system, such as a Transfer of Development Rights (TDR), a developer could purchase some, or all, of the development rights from an agricultural land owner, and in exchange increase the density a proportional amount on the proposed development parcel(s). In this scenario, additional development rights could be purchased from a farm in the R2 District and transferred to the TC district, or other district that was identified as the desired sending area. The net effect is the same amount of allowed development, however the rural character in the R2 district has been preserved.



A. *In this scenario two lots on opposite sides of town are developed to the maximum extent allowed under the base zoning. Each lot is subdivided into eight smaller parcels, carving up the road frontage and rendering both parcels unusable for agriculture.*

B. *In this scenario using the same two lots, the development potential is transferred from the first parcel to the second parcel. The second parcel's density is doubled, but the first parcel is kept free of development, thus there is no net change to number of houses and the agricultural viability of the first parcel is maintained.*

A conceptual example of how TDR (Transfer of Development Rights) can be used to preserve farmland by transferring allowable density from a "Sending" area to a "Receiving" area.

Create Enhanced County-wide Funding Source

Saratoga County created a farmland and open space protection fund following the 2006 adoption of the county's Green Infrastructure Plan. The level of funding for this program has fluctuated through the years and lacks a dedicated funding source. Currently, funding for the program comes from general county funding. The town should encourage Saratoga County to take a more proactive approach to farmland protection by establishing a dedicated funding stream for the protection program.

The One potential source of funding would be a Community Preservation Fund. According to the Nassau Land Trust on Long Island, in the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold, community preservation funds have generated more than $400 million, which has protected over 7,500 acres of natural, productive, historic, and recreational land. Town residents have twice voted to extend the life of their fund, which will now be in effect until 2030. Drawing from the East End's success, the Towns of Warwick, Red Hook, Chatham, and Fishkill also approved CPFs in recent years. And in August 2007, the Hudson Valley Community Preservation Act became law, granting the towns and cities in Putnam and Westchester Counties the authority to hold referendums on establishing CPFs.

Currently communities in Saratoga County would need to petition the state legislature to authorize such a fund. The fund would be financed by implementing a real estate transfer fee. The fee would be assessed when a property in the county is sold and would be part of the closing costs associated with the real estate transaction. The fee would be established as a small percentage of the sale value *above the county median sale price*. For example, if the median sales price for the county in a given year was $250,000, and a house sold for $275,000, the buyer would only pay the transfer fee on the difference of $25,000 (the amount over the median). If the transfer fee were set at 2% for example, the fee paid would be $500. The advantage of the real estate transfer fee, compared to a dedicated tax, is that it is only paid when a property changes hands, and only impacts those sales above the county median sale price.

Another potential funding source would be a dedicated portion of the county-wide sales tax. This could be set at a very small amount, down to a fraction of a percent. Saratoga County boasts the lowest (tied) county sales tax rate in the state. While having that distinction may be a source of pride, increasing the sales tax rate by only a quarter of one percent (which would bring it up to 3.25%) would have a very minimal impact while producing a significant fund. The average consumer would only see a .50 cent increase on a purchase of $200, however the county could see upwards of $9 million in funding based on 2014 sales figures. That could make a significant impact on local farmland and open space protection, allowing towns to leverage state and federal grant money or make outright purchases of development rights.

Boulder, Colorado - Case Study

In 1967 Boulder residents passed a referendum to become the first city in the country to fund open space preservation through local sales tax revenue, and have subsequently passed several additional measures. The Open Space and Mountain Program is currently funded by a city sales tax of 0.88% and has protected tens of thousands of acres. In 2014 alone the program spent nearly $5 million on property acquisition, adding to the approximately 45,000 acres already preserved. Open space is a significant amenity and an economic driver for the City of Boulder, just as agriculture is, and could be, for Saratoga County.

Alternatively, the county could dedicate a portion of the existing sales tax revenue to farmland and open space preservation, but that would require a reduction in dedicated funds elsewhere or less money being put into the county's fund balance.

Town-Wide Generic Environmental Impact Statement (GEIS)

Using density incentives could also be used to fund a local farmland protection program. Rather than one-to-one exchanges between a developer and an agricultural landowner, the town could complete a GEIS to determine the economic impacts on the loss of farmland to development. Using the GEIS, the town could then charge developers a fee for each lot that exceed the base zoning. The collected fees could then be used to purchase development rights from agricultural land owners, or used as local matching funds for county, state and/or federal PDR grant programs. In lieu of a full town-wide assessment, a more focused "rural farming areas" GEIS could be conducted, similar to the GEIS conducted for the western portions of the Town of Clifton Park.

Actively Pursue Conservation

The hope is that agriculture will survive and be sustainable on its own, however the reality is that often when forced with the choice between maintaining a farm and selling it for development, the financial burdens/incentives result in the sale of the farm and the loss of agriculture in the town. One way to avoid this critical decision in the future is to place a conservation easement on the property which will limit future development. Easements can be donated or sold depending on the individual situation.

Nearby, the Town of Clifton Park has a robust farmland protection element of its town-wide open space program. Riverview Orchards, seen here by air, was protected through the town's purchase of the development rights on the property. The land ownership remains with the family, while the town protects the farm from development through a conservation easement that is recorded in the county registry of deeds.

A conservation easement is a voluntary agreement that restricts development of a property only to the extent necessary to protect the land's conservation value. For agricultural lands, the conservation value is often achieved by restricting new subdivision and development to protect farming operations. This does not mean that new farm buildings are prohibited. Conservation easements can also be developed creatively to ensure that the landowner's future needs are planned for; for example by excluding some parcels from the easement so children can build a home in the future. A conservation easement protects agriculture while keeping land in private ownership and on the tax rolls. The landowner retains all of the rights to the property, including the right to sell, lease or transfer the mortgage and can continue to use the land in any way that is consistent with the easement. Public access is not required for a conservation easement. The town should actively promote farmland protection through such voluntary conservation easements. Information about easements should be readily available to interested landowners on the town's web site and at town hall.

Easement Donation

Currently, if a landowner is interested in donating a conservation easement, he or she can discuss this with Saratoga PLAN, the nonprofit land trust in Saratoga County. Typically, land trusts such as Saratoga PLAN would hold the easement and ensure that it is enforced and monitored over time. There are transaction costs associated with each conservation easement just as there are for any real estate transaction and the funding for these transaction costs must be identified for each project to move forward.

There are tax credits available at both the state and federal level associated with conservation easement donations. There are also other tax and estate benefits available that should be explored further by landowners interested in donations. The town could post an annual summary of the current tax laws with respect to easements as a starting point for interested landowners.

Purchase of an Easement

Conservation easements can also be sold by a landowner through what is referred to as the Purchase of Development Rights (PDR). PDR requires a funding source in order to pay the landowner for the development rights. The State Farmland Protection Program administered by the New York State Department of Agriculture and Markets offer one potential funding source for PDR. The program awards grants to local governments (town or county with approved agricultural protection plan) or land trusts with government support, that cover up to 75% of the cost to acquire development rights on qualifying farms. It requires a 25% local match, which can come from Saratoga County's Farmland/Open Space Preservation Program, the Town of Milton, private donations, or the landowner (who can offer a bargain sale of the 25% or sell at 25% below appraised value and use this as a tax deduction). If the landowner is providing the entire match, as a donation, then the state will pay up to 87.5% of the purchase cost.

The New York State Farmland

Lease of Development Rights

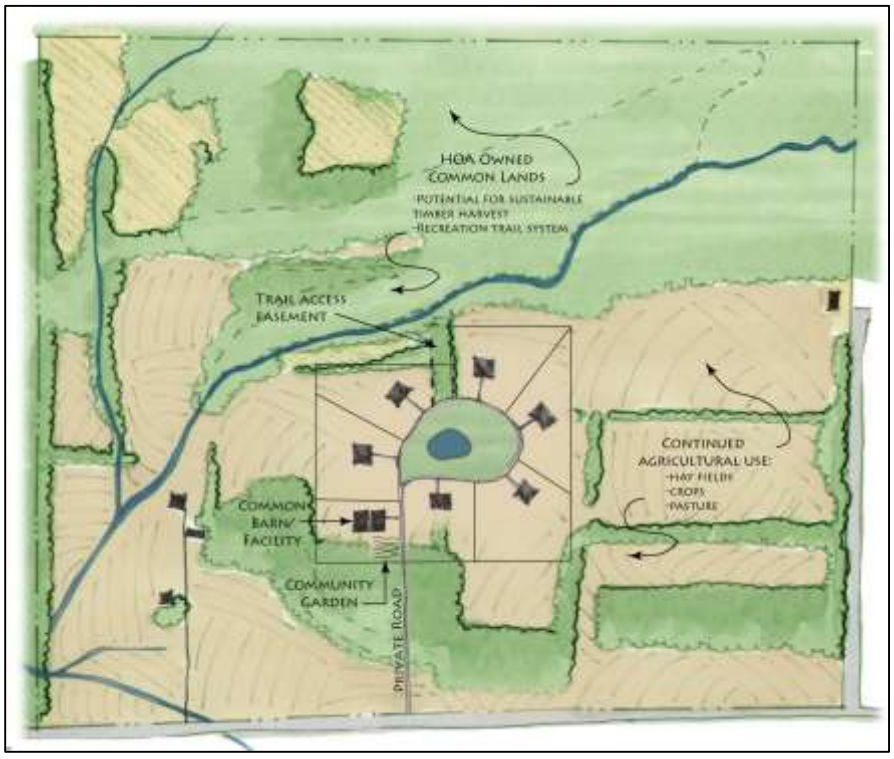
The Town of Clifton Park, also in Saratoga County, NY, developed a term conservation easement program to respond to landowners' needs and the ever increasing development pressures in the town. The Town offers term easements for agricultural, open space, and historic properties. There is a minimum 15-year term for the easements (but no maximum), and the reduction in taxes increases as the easement term increases. The program was enacted in 1996. Approximately 2,500 acres were enrolled in the program in the first decade of its existence. A similar program could be implemented in Milton to give landowners "breathing room" while they adjust farm operations, find a new owner for the farm, or prepare to sell the development rights to the farm, for example.

Protection Program is a competitive grant program, with currently about $17.5 million to spread evenly across all of New York State, thus there is only $3.5 million available in the "Eastern Region" which includes the Capital Region and the Adirondack Region. Therefore, the Town of Milton must pre-screen any potential grant applications against its criteria to ensure that the most viable projects are submitted to the program. The screening criteria is discussed at the end of this report.

The county's program can be used to augment the state program, or in some cases as a stand-alone source of funding. The county has $250,000 available in its farmland and open space preservation program, however the funds are not restricted to farmland, and may be used for ecological and recreation projects as well, with an additional $100,000 available for trail projects.

Cooperative Farm Subdivision Example

A development concept that has had success in other locations is a cooperative farm subdivision, which is set up similarly to a home-owners association. There are different ways the program can work, one way is that a farmer subdivides several relatively small lots, and each of the owners of the new lots also own a percentage of the large farm parcel. The advantage of this type of development is that the residential owners have a vested interest in the agricultural land and are thereby preserving it as a group of private individuals, each of which may wish to own a farm but have neither the financial nor practical resources to do so. This type of development is often implemented with landowners that own horses. By collectively owning a large piece of land they have sufficient open space for their horses, as well as a common barn to stable the horses. This group investment benefits the individual land owners, as well as the greater public since this land remains open and in active agriculture. The town could modify the existing conservation subdivision regulations to encourage this special type of development.



Promotion of Agriculture in Milton

The more economically viable farming is in the Town of Milton, the more likely agriculture will continue, and ideally expand. There are some recommended strategies that the town can implement to assist in the economic viability of Milton's agricultural industry.

Create a Centralized Farm Cooperative

As discussed in the Opportunities section, the Town of Milton and its farmers could benefit from a centralized "cooperative market" which could sell locally grown goods to the public at a highly-visible and easily accessible location. Similar to the farmer's market, this co-op would instead be staffed by volunteers and regular staff so that the farmers themselves can stay on their farm and continue to work, which is a primary reason they have opted to skip participating in the local market. Ideally, their goods could even be picked up once a week to minimize downtime.

Presently, a large majority of retail sales of farming products in Milton occur on the individual farm properties, which appears to be a limitation in both marketing and visibility—a farmers' market could help address this problem.

While on-the-farm direct sales has benefits in terms of bringing people to the farm, agricultural economic development has historically relied on more centralized marketing to increase sales and exposure. Some type of common central farmers market would be an important outlet for Milton's farm families. Further, a successful farmers market can also support other commercial businesses such as restaurants and retail operations nearby as visitors may choose to do other shopping and dining before or after attending a farmers' market. While the town does not have any interest and is not willing to be the operator, host, or service provider for such a market, if it were fully staffed, managed and maintained by the farm community, such a market would be a welcome addition to the town and would be helpful in continuing to improve the economic viability of agriculture in the town.

This concept could be advanced as an implementation activity of this plan. Key steps would be organizing a working group to advance the initiative, create a legal structure to serve as the project sponsor and identify a suitable location and operations and maintenance plan for the market/cooperative. As a focal point in the community, such a market would be a local asset and would be in high demand now that more and more people are preferring to buy locally-grown goods.

Create Farm Promotional Materials

The town could help to head up the development of professional marketing materials that give a strong identity to Milton farms and raise awareness of the goods and services that are publically available. It is recommended that a visually-oriented website with an interactive map could be professionally created that allows people to easily see what farms are in the area, what goods and services they sell and what special events or activities they may be hosting. Clicking on parts of the map would bring up information about each farm, business hours, etc. Also, visitors would be able to select from a list of locally grown foods which are available, and visually see which farms provide them and how to get there. The web site could be advertised locally, with links to it placed on partner sites such as the Town of Milton, Chamber of Commerce, etc. The initial design and set up for this web site would require funding, perhaps through a grant, but once set up would require only minimal upkeep which could be funded through small donations and advertising. Partnering with neighboring towns could also help to offset costs and create a more regional product. The town could also host this resource as a part of their official website, to reduce costs.

Example of a map style which could be used as an interactive web site showing all of the different farms in Milton, and what each has to offer. (© Sue Prince - http://www.sueprinceartist.co.uk/)

Identify Partner Industries and Businesses

The town could set-up an information sharing website or other informational materials that would allow businesses and industries, both local and regional, find out what products are currently available in Milton that could be incorporated into their products/services. Likewise, these businesses could provide information on their needs (such as hops for a brewery) in the hopes of finding new farmers looking to start an agricultural operation, or existing farmers looking to expand or reconfigure their operations.

Youth Involvement

A critical element to the success of the future of agriculture in Milton is having people around to take over farming when the current generation moves on. While many farms will remain in one family for generations, many more will need new ownership to continue. By engaging the youth in the area, educating them on the importance of agriculture, and getting them excited about farming, future generations of farmers could be found locally. One way to get kids involved in the agricultural community is through the local schools. Reportedly classes used to visit area farms and learn about farm operations, but that has not happened for some time, perhaps due to liability concerns. The town could work with the local school districts to identify what obstacles there may be to resuming these visits, and work out a way to overcome them. Having the children see the farm operations first-hand will not only begin to instill an understanding of agriculture, but hopefully their excitement will be brought home so their parents may also gain some additional agricultural awareness. The schools could also participate in their own farming and gardening activities on school property, perhaps with the assistance of area farmers, to further the agricultural education program. Lastly there is a local 4-H program in the Town of Milton, and perhaps there are ways to promote and enhance activities there that the town could be involved with.

Education and Outreach

An important, and yet low cost, action that the Town of Milton can take to help support and promote agriculture is providing educational assistance to existing and future farmers. There is a vast amount of information on local, state, and federal programs that could benefit agricultural landowners and the town could serve as a central repository for assistance with some of the key opportunities and programs. The following are just some of the many areas that the town could assist landowners.

Tax Preparation Assistance

Completing tax documents can be a confusing endeavor for any property owner, however when agricultural exemptions or farm related income have to be factored in, the process can seem overwhelming at times. The Town of Milton, in cooperation with Saratoga County and Cornell Cooperative Extension, could assist landowners by organizing training events for individuals to learn the ins and outs of tax preparation as it relates to agriculture. Summary documents could be prepared and available at Town Hall, and a group of agricultural tax "experts" could be identified that would be available by phone or email when a landowner has questions. The town could seek out volunteers, or provide a small stipend to those individuals that can help out others.

Agricultural Assessment and Exemption Education

Like agricultural related tax preparation, understanding the agricultural assessment and exemption process can be difficult. New York's agricultural assessment allows owners of farmland to receive a lower land assessment if the farming operation meets certain criteria, including a minimum of seven acres of land in production and gross agricultural sales of $10,000 or more *($50,000 or more if the operation is on less than seven acres*). Through this program, agricultural land is assessed for its value for agricultural production rather than for development. Land rented to farms is eligible for the agricultural assessment as well.

In addition to the agricultural property assessment, New York State provides farmers a significant state personal income and business tax credit for school property taxes paid on farmland and buildings. The tax credit exempts the first 250 acres of farmland from school property taxes by providing a tax credit to New York's farm families up to 100 percent of the annual cost of their school property tax. More information about the Farmers School Tax Credit can be found in New York State Department of Taxation and Finance's Publication 51.1, at: *http://www.tax.ny.gov/pdf/publications/multi/pub51.pdf*

There is also an exemption available for new or renovated farm buildings through the state (*Real*

Property Law Section 483) that applies for up to 10 years, and makes the new value of the farm structure(s) exempt from local and school taxes.

The town could organize informational workshops to help people better understand these assessments/exemptions, how they can qualify to receive the exemption, and how to fill out the necessary paperwork. This could be a good opportunity for a group of agricultural volunteers to be established that could not only help people navigate the assessment process, but also seek out landowners that may not be receiving an agricultural assessment and provide them with the information on the benefits of the program.

Promote and Assist New Farmers

While the Grange has proven to be an invaluable tool for the local agricultural community, for agriculture to be sustainable in Milton there also needs to be new farmers to take over from retiring ones and to purchase or lease existing or former farmland. Milton can assist new farmers by maintaining information on grants, education and networking on the town's website, at town hall, and through regular informational workshops. Some of the programs that could be promoted include **Cornell's FarmNet and FarmLink Programs** and the **New York State New Farmers Grant Fund**.

The **FarmNet** (*nyfarmnet.org*), **FarmLink** (*newyorkfarmlink.org*) and **Hudson Valley Farmlink Network** (hudsonvalleyfarmlandfinder.org) are unique programs that help farmers deal with farm succession, a key to maintaining farmland viability. The FarmLink programs can help match people looking to get into farming or expand their existing operations with a landowner who is getting close to retirement, but does not have any family willing or able to take over the farm. The FarmNet program can also assist farmers in planning for retirement or improve their business operations. Both programs are supported by the New York State Department of Agriculture and Markets. Cornell also has an entire website dedicated to providing information to new and prospective farmers – the Northeast Beginning Farmers Project (*http://nebeginningfarmers.org/*). The site is a great resource for finding information on getting started in farming, and also who to contact for questions and advice.

The **New York State New Farmers Grant Fund** provides grants from $15,000 to up to $50,000 to new farmers in the state (defined as farming for less than 10 years). The grant funding covers up to 50 percent of project costs including, but not limited to: lease or purchase of farm machinery and equipment; construction or expansion of farm buildings or systems; and, purchase of supplies such as root stock, seed, and fertilizer. This is a relatively new program in the state, with the first round of applications having been completed in January 2015.

Another potential aid for new farmers in Milton could be the USDA's **Beginning Farmers and Ranchers Development Program.** This program is aimed at funding education and outreach to new farmers, and the grant funds can be applied for by a locally organized farmers group or an established non-governmental entity, like the Cooperative Extension. While the town itself would not be eligible to apply for funding, it could help coordinate an appropriate applicant.

Inform Farmers of Agricultural Assessment and Farmers School Tax Credit

Another education piece is in regards to costs savings that landowners may be entitled to but are not taking advantage of to their full potential. The state's agricultural assessment allows owners of farmland to receive a lower land assessment if the farming operation meets certain criteria, including a minimum of seven acres of land in production and gross agricultural sales of $10,000 or more. Through this program, agricultural land is assessed for its value for agricultural production rather than for development. Land rented to farmers is eligible for the agricultural assessment and the land size and value is based on the farmer, not the landowner renting to the farmer. Recognizing that "cows don't go to school" New York State provides farmers a significant state personal income and business tax credit for school property taxes paid on farmland and buildings. The tax credit exempts the first 250 acres of farmland from school property taxes by providing a tax credit to New York's farm families up to 100 percent of the annual cost of their school property tax. More information about the Farmers School Tax Credit can be found in New York State Department of Taxation and Finance's Publication 51.1, at: *http://www.tax.state.ny.us/pdf/publications/multi/pub51_1197.pdf*. An additional tax benefit that farmers may not be aware of is the exemption from fire taxes on open farmland (farm buildings are excluded). The exemption in Milton it reportedly 40%, but it could be altered if so desired.

Promote Agricultural District Benefits

New York State's agricultural districts program is a multi-faceted initiative designed to promote the continued use of farmland for agricultural production. The program's benefits include "preferential real property tax treatment (agricultural assessment and special benefit assessment), and protections against overly restrictive local laws, government funded acquisition or construction projects, and private nuisance suits involving agricultural practices". Some of the benefits provided to landowners in the Agricultural District include:

a) Any property identified as being in active production within an agricultural district is eligible for an agricultural assessment;

b) State policies that encourage the maintenance of viable farmlands in a municipality;

c) Limitations on the exercise of eminent domain or other public acquisitions and on the advance of public funds for eminent domain projects on farmlands;

d) Limitations on the power to impose benefit assessments, special levies based on the value of property, or other rates or fees in certain improvement districts or benefit areas;

e) Use of assessment for certain purposes;

f) Any lands that are used for replanting or crop expansion as part of an existing vineyard or orchard are exempt from taxation for six years after a documented replanting or crop expansion takes place; and

g) Requiring that any project that requires municipal review on or within 500 feet of a farm include an agricultural data statement that documents the impact of the proposed use to nearby farms.

Source: New York State Department of Agriculture and Markets

The Town of Milton can ensure that landowners are aware of the benefits of being part of the Consolidated Agricultural District #2, and that all residents understand the protections afforded by the district.

Recreational Opportunities

One way to get the greater population excited about farmland preservation is if it is in the context of outdoor recreation, particularly trail opportunities. Having trails on, or in close proximity to agricultural land, can enhance people's desire to keep that land open, rather than have it be developed.

Equine-related operations

Horses and their breeding, feeding, stabling, riding and related activities are a very important sector of the town and county agricultural economy. And horse breeding is a growing and important element of the regional economy. The report by Camoin Associates, (Economic and Fiscal Impact Analysis of the Saratoga Race Course, February 2015) highlights the important role of the breeding sector in expanding much-needed greenspace in the surrounding area, citing a 14 percent increase in the number of horse farm properties in Saratoga County between 2010 and 2013. Horse farms account for 3.7 percent of agricultural parcels in the nine-county study area in comparison to only 2 percent in New York State.

Hannanna Stables is one of many equine operations in Milton.

The results also show an especially strong horse industry in the Eastern District of New York, which includes Saratoga County. The District saw a 45% increase in equine operations and a 51% increase in horse sales. Saratoga County itself performed very strongly between 2007 and 2012 with sales increasing 124%, far outpacing the District, New York State, and the U.S. overall. The 660 horses sold in the County represented 48% of all horses sold in the Eastern District and 7% in New York State. Operations with sales also grew from 69 to 95, a 38% jump.

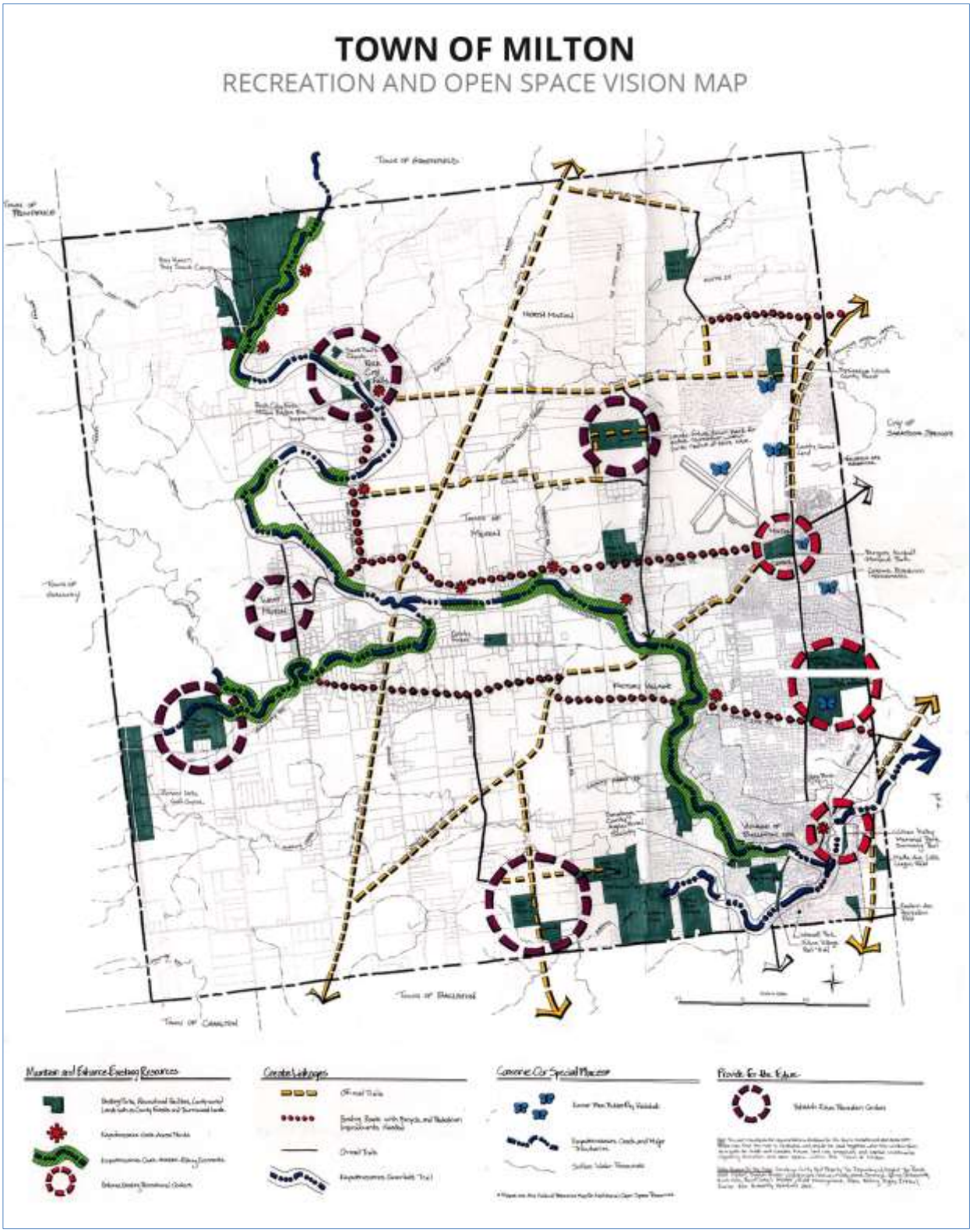
Local Horse Trails

With the growing presence of equine operations, both in the town, and the surrounding area, having an established area to ride horses would benefit many local horse owners, as well as bring visibility and appreciation to the town's farms and woodlands. The Open Space Committee is currently in charge of looking into the promotion of horse trails in Milton, and should continue to do this. Identifying "destinations" that the trail network could link to would help to promote this effort and allow for landowners to travel by horse to certain areas, and also help increase agricultural awareness in the surrounding community.

Lobby for the Inherent Risk Law

One obstacle to trail development is the perceived liability that landowners face in allowing the public on a portion of their land. While many farmers allow snowmobile trails on their property, they are more hesitant about other types of access. Part of this is because the local snowmobile clubs carry insurance, while other organizations and individuals do not. New York is one of only

five states to not have an “inherent risk” law to protect landowners from lawsuits stemming from unavoidable equine related injuries. Were the state to have such a law in place, landowners may feel more comfortable allowing horse trails on their property. As such the town could add their voice in Albany to have such a law passed.



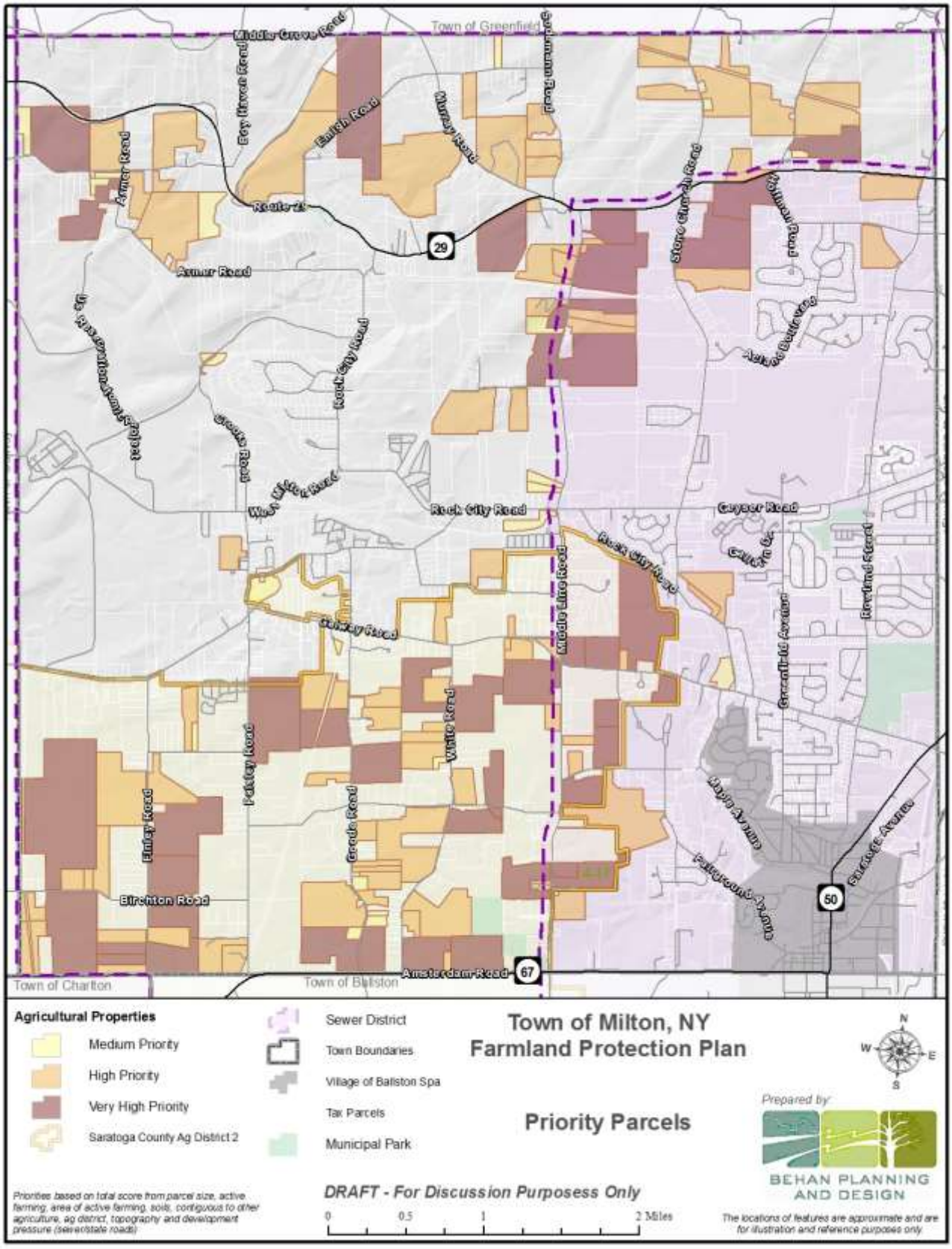
The Town of Milton Recreation and Open Space Vision Map outlined a network of future recreational trails, natural habitats and places of interest. These concepts should be further pursued as part of a larger conservation and recreational amenities strategy.

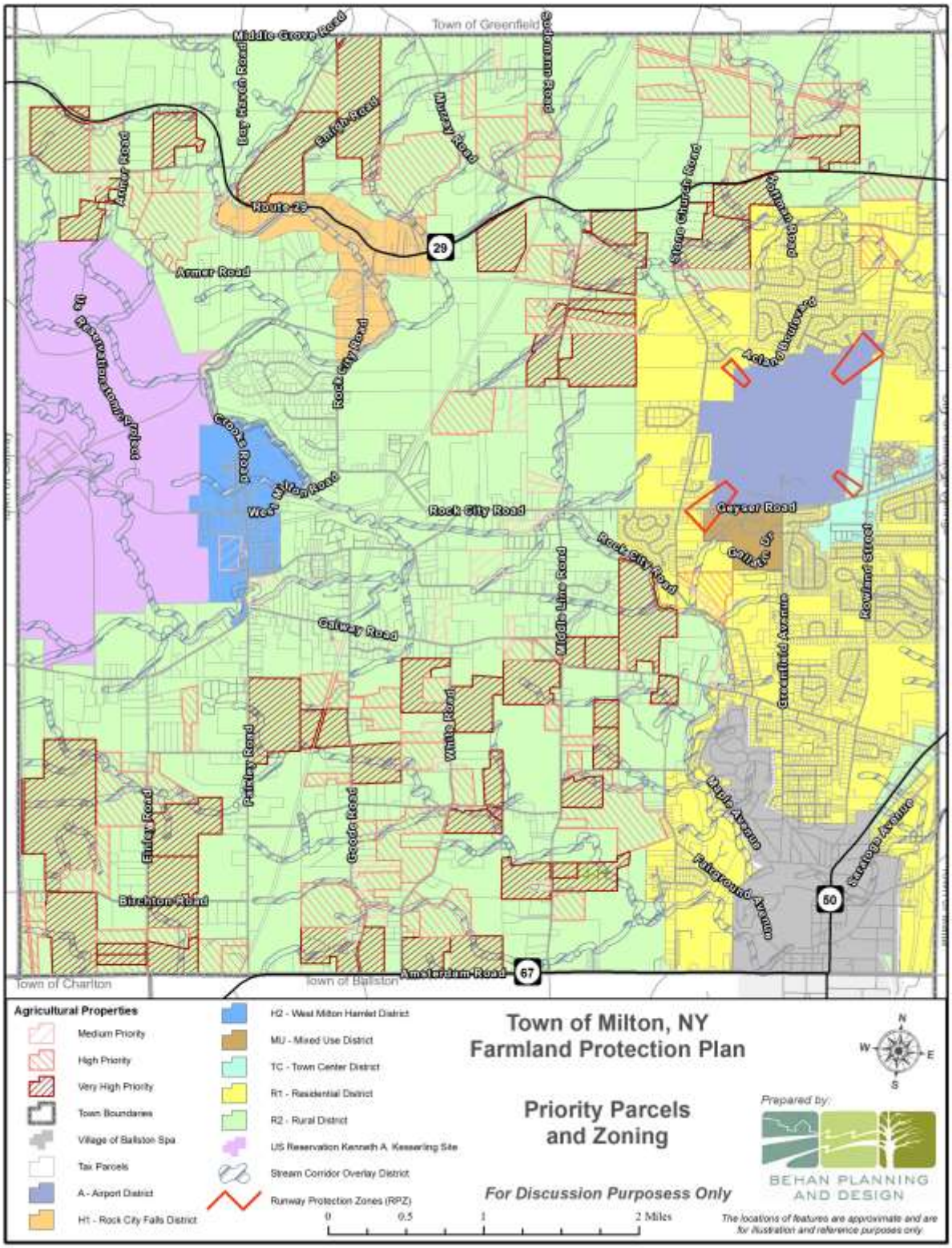
Prioritizing Farmland for Protection

While all the farmland in Milton could be considered important and worth conserving, the reality is that some of the existing farms will inevitably be lost to development. Were the town to obtain grant funding or otherwise have the financial means to permanently protect farmland, whether through the purchase of development rights, or the transferring of development rights, or other means, a system should be in place to help the town focus conservation efforts. By creating a tiered priority scale, based on a number of factors, the town can evaluate the relative value of an agricultural parcel in the event a choice must be made between two competing projects. In addition the prioritization can help the town see where more outreach efforts may be the most beneficial. The prioritization system developed for Milton assigns points to each agricultural property based on its physical characteristics as outlined in the table below. This scoring system works to consider the analysis factors outlined in Circular 1500 from the NYS Department of Agriculture and Markets, as follows:

1. The value of the property to the agricultural economy of the area;
2. The open space value of the property;
3. The consequences of possible conversion / development of the propeperty;
4. The level of conversion / development pressure on the property.

Prioritization Analysis	
Physical Characteristics of Properties	**Circular 1500 Considerations Covered**
Parcel Size: 7 to 40 acres = 1 point, 40+ acres = 2 points	• Agricultural/Economic value • Open space value
Actively agricultural operation: 1 point	• Agricultural/Economic value • Consequence of conversion/development
Area of land in agricultural use: 5-40 acres = 1 point, 40+ acres = 2 points	• Agricultural/Economic value • Consequence of conversion/development
Located in an agricultural district: 1 point	• Agricultural/Economic value
Located adjacent to other agricultural properties: 1 point	• Open space value
Development Pressure: Within the sewer district = 2 points, within ½ mile of the district = 1 point, and located along a state road = 1 point	• Level of development pressure
Soils: 7+ acres of prime farmland soil = 2 points, 7+ acre of soil of statewide importance (or a combination of statewide important and prime) = 1 point	• Consequence of conversion/development


Town of Greenfield
Middle Grove Road
Boy Haven Road
Emigh Road
Murray Road
Sudemann Road
Armer Road
Route 29
29
Armer Road
Stone Church Road
Hoffman Road
Rock City Road
Crooks Road
West Milton Road
Rock City Road
Geyser Road
Rock City Road
Middle Line Road
Galway Road
Greenfield Avenue
Rowland Street
White Road
Feisley Road
Goode Road
Finley Road
Maple Avenue
Fairground Avenue
Saratoga Avenue
50
Birchton Road
Amsterdam Road
67
Town of Charlton
Town of Ballston
Agricultural Properties
Medium Priority
High Priority
Very High Priority
Saratoga County Ag District 2
Sewer District
Town Boundaries
Village of Ballston Spa
Tax Parcels
Municipal Park
Town of Milton, NY
Farmland Protection Plan
Priority Parcels
N
W
E
S
Prepared by:
BEHAN PLANNING AND DESIGN
Priorities based on total score from parcel size, active farming, area of active farming, soils, contiguous to other agriculture, ag district, topography and development pressure (sewer/state roads)
DRAFT - For Discussion Purposess Only
0
0.5
1
2 Miles
The locations of features are approximate and are for illustration and reference purposes only



The Town of Milton – Priority parcels for agricultural protection, compared to the current zoning. 97% of all ag parcels are within R2 District, and 100% of all high priority parcels are within the R2 District.

The scores were totaled and then broken into three tiers based on natural breaks – medium priority parcels, high priority parcels and very high priority parcels. As can be seen on the Priority Parcels map on the previous pages, there are very high priority parcels located throughout the town, with several located within the agricultural district in the south and west portion of town. There are also several located in the northeast part of town, within the sewer district as these properties are facing a lot of development pressure from infrastructure (sewer and State Route 29). Notably, 97% of all of the agricultural parcels, and 100% of all the high-priority parcels identified, are found within the R2 District.

While priority parcels are found throughout the Town of Milton, a critical mass of them is found in the southwest corner within County Ag District 2, and in the north.

The identification of these priority agricultural parcels should be used to protect against encroaching development, obtain funding for conservation of specific properties and establish a future zoning overlay or district which will provide additional protection to these areas.

VI. CONCLUSION

The Town of Milton is home to a diverse mix of farm operations. From large horse farms to small farms that sell flowers. While the diversity has in some ways led to a perceived lack of agricultural identity (e.g. a dairy community), it in itself provides an identity. Milton is diverse. There is a place for many different kinds of farming, big and small. This is something to celebrate and promote, as often new farmers are looking to find an ideal location to begin their operation, and Milton has a place for just about anything. Milton is also fortunate to be located in the center of a strong agricultural county, and in particular a strong equine community. As the majority of farms in Milton are equine related this provides additional opportunities for area farmers.

Milton's diverse agricultural base adds to the scenic and open space values of the town creating an economic amenity from which all property owners benefit. Further, farm activities provide a venue for many to enjoy the fruits of this time-honored tradition of caring for the land, animal husbandry, and growing food and fiber to sustain life. Finally, agriculture is a land use that will continue to contribute to the local and regional economy creating employment and income and yielding savings to local taxpayers as farmland is a demonstrated positive contributor to local fiscal resources.

Like other communities though, while there are opportunities, there are factors that threaten agriculture in Milton, particularly taxes, operating costs, and development pressure. As many farmers do not take advantage of tax credits and exemptions there is room to improve with town-sponsored education. And while the town cannot directly influence the cost of doing business, it can help promote the farms in Milton and raise agricultural awareness so that hopefully the income side of the equation can increase. The town can also help guide development in a more "farm friendly" way – both within individual subdivisions, and also taking a wide view of the town with a hard look at where to focus development, and where to focus preservation. Milton still has a large core of farmland, but it will take a collaborative effort among the farmers, other landowners, and the Town of Milton to ensure that Milton maintains an agricultural identity for future generations.

Summary Recommendations Matrix				
Recommended Action	Short Term	Long Term	Ongoing	Action By:
Establish a Farmland Implementation Committee to periodically review the recommendations of this plan, identify yearly goals and ensure that priority items are being implemented. The committee should also keep notes of changes to the farming community and their needs over time to be used in a future update to the plan.	X			Town Board
Change Commercial Stables and Nurseries from Special permit uses to permitted by right.	X			Town Board Planning Board
Allow on-site accessory retail farm sales as a defined use which is permitted in the R2 district.	X			Town Board Planning Board
Update the definition of Farm Operation to include retail farm sales, as described above.	X			Town Board Planning Board
Revise definition of Farm Operation to include commercial stable, kennel to more closely align with Ag&Markets guidelines, and describe that farm parcels may be non-contiguous.	X			Town Board Planning Board
Create an Agricultural Protection Overlay District to evaluate the impact of future development proposals on adjacent farming operations and streamline approval for agricultural-related applications.		X		Town Board Planning Board
Consider zoning buffers between existing farming operations and new subdivisions within an Ag Protection Overlay District, the county Ag District, or the R2 zoning district.		X		Town Board Planning Board
Consider adding uses such as agri-tourism and breweries which would enhance local agricultural strength and the economy.		X		Town Board Planning Board
Consider raising 50 foot height limitation on farm silos.	X			Town Board Planning Board
Create a purpose statement for the R2 District which specifically mentions the importance of protecting and preserving existing agricultural uses.	X			Town Board Planning Board

Summary Recommendations Matrix				
Recommended Action	Short Term	Long Term	Ongoing	Action By:
Review the Rural Development Design Guidelines for improvements or updates based on success of recently approved projects.		X		Farm Committee
Clarify sign code that active farms are included as a non-residential use which can have a permanent sign which identifies the name of the farm and describe what products are sold on the premises.	X			Town Board Planning Board
Continue the use of incentive zoning in the town to obtain community amenities such as protected open space, parks, trails in return for modification in density or setbacks, etc.			X	Planning Board
Consider the creation of a dedicated Agricultural Zoning district to encompass actively-farmed areas which would reduce conflicting development pressure.		X		Town Board Planning Board
Create a new funding source for open space protection through a real-estate transfer fee.		X		Saratoga County Town Board
Work with Saratoga County to enhance open space protection fund with modest county-wide sales tax.		X		Saratoga County Town Board
Consider a Generic Environmental Impact Statement (GEIS) to determine long-term development impacts and corresponding fees for use in a Purchase of Development Rights (PDR) program, and/or the identify potential sending areas outside of primary farming zones for transfer of density systems.		X		Saratoga County Town Board
Encourage more focused growth in zoning districts outside of primary farming areas.			X	Planning Board
Develop a dedicated web site, or web page hosted through the town, which provides a critical mass of information about local farms and the activities, goods and services they provide.		X		Farm Committee Town Board
Promote the use of voluntary conservation easements in town to protect remaining farmland.			X	Planning Board Town Board Town website

Summary Recommendations Matrix				
Recommended Action	Short Term	Long Term	Ongoing	Action By:
Provide information on conservation easements to landowners and farmers who may consider donating land.			X	Planning Board Farm Committee Town website
Create a centralized farm cooperative market which would enable farms to sell their goods without having to be on-site and away from their farm staffing a booth.		X		Farm Committee
Youth involvement – work with local schools to promote farm visits and class trips that raise awareness and education about the importance of farms and farming methods.			X	Town Board Saratoga County Town website
Provide reference material or training events to property owners who need tax preparation assistance understanding agricultural exemptions or farm-related income.		X		Farm Committee Town website
Provide information and education regarding the New York State agricultural assessments and exemptions.			X	Farm Committee Town website
Help to sponsor applications to NYS for the purchase of development rights on priority parcels.			X	Town Board
Provide information to encourage and assist new farming families getting started, such as Cornell's Farmnet Program, Hudson Valley Farmlink Network, the NY State New Farmers Grant Fund and the Beginning Farmers and Ranchers Development Program.			X	Farm Committee Town website
Help to inform farmers about the benefits of Agricultural Assessments and Farmers School Tax Credit.			X	Farm Committee Saratoga County Town website
Help to inform farmers about the benefits of being located within the Agricultural District.			X	Farm Committee Saratoga County Town website
Establish a local trails committee to investigate potential areas for recreational trails for pedestrians, bicyclists and horses.		X		Open Space Committee Town Board

Summary Recommendations Matrix				
Recommended Action	Short Term	Long Term	Ongoing	Action By:
Lobby New York State to adopt an "Inherent Risk Law" similar to many other states which protects landowners from lawsuits related to equine related injuries on horse trails.		X		Town Board

The Town of Milton Planning Board, in its review of these recommendations, has provided some additional considerations and perspective for the Town Board to weigh before adopting some of these specific strategies. A letter outlining their suggestions and considerations can be found at the beginning of the Appendix, for reference.

APPENDIX

Planning Board Review Comments

To: Milton Town Board
From: Larry Woolbright, on behalf of the Planning Board
Date: April 28, 2016
Re: Review of Farmland Preservation Plan

The Town Board referred the proposed Farmland Preservation Plan (hereafter "the Plan") to the Planning Board for recommendations, and the Planning Board held a special meeting on April 27 to discuss the Plan. All members were present except Mr. Whittel who was out of town. Also present were Mr. Howe, Mr. Pozefsky, acting secretary Brenda Howe, and several members of the public including some who had worked on the Plan and were able to help clarify the Plan's intentions.

Our overall reactions to the Plan were very positive. We agreed that it shows a great deal of thoughtful deliberation and presents many good ideas that are likely to help the Town in its efforts to support and preserve agriculture in the Town of Milton. We recommend that the Town Board adopt the Plan. However, we also identified four areas that contain suggestions that would have impacts on existing zoning regulations. The Town Board will want to review these and decide whether or not they wish to revise the zoning codes. To help you with this process, the remainder of this memo provides a summary of those four areas and detailed information on these specific changes to zoning regulations. We hope this review will be useful to you, and we will be happy to discuss any of this with you further.

1) Change our definition of agriculture. (Executive Summary page 4 Priority Recommendation #2; expanded on p 20.) The major goal of this section seems to be adding kennels and commercial stables to the definition of agricultural activities and therefore allow these land uses by right. Current zoning allows kennels only by special permit in the R2 and Commercial Transition districts and commercial stables only by special permit in the R2 and hamlet districts. The special permit restrictions do not prevent these activities, but simply require individual review by the Planning Board. This review includes evaluating the site plan and considering possible impacts on the character of the neighborhood in question. It also requires a public hearing that allows neighbors to share their opinions on the impacts the proposed activity might have on their properties. While we believe that commercial stables and kennels would be appropriate activities in many parts of Town, we also think that there are some places where they might be inappropriate. As such, we think the special permit restriction is useful and that the Town Board might wish to continue its use.

2) Retail Sales. (Executive Summary page 4 Other Recommendations bullet 2; expanded on pp 20 & 27.) Current zoning allows farm stands that can be as large as 100 ft^2 and can sell only items produced on site. The proposal is to create a new use classification of "Retail Farm Sales" by special permit in the R2 district. This proposed new use would allow much larger stores (up to 800 ft^2 for example) and allow sales of goods and crafts produced on other farms within a designated area such as the Town or County. Members of the Planning Board support the concept of retail farm sales. We believe they could provide an important boost to local agriculture. We also support the idea of allowing neighboring farms to sell goods produced at other local farms. This could be accomplished simply by amending the language about what can be sold at farm stands. We have not seen evidence so far that the size restriction creates hardships, but that might change given a new definition of what can be sold. A possible way to

proceed would be to make the simple change to what can be sold at farm stands now, and then wait and see if other changes are needed the next time the zoning laws are up for review.

However, if the Town Board decides to move forward now with a new use classification by special permit as the Plan suggests, we believe additional work would be needed on the details of such a change. As the Plan recognizes, the creation of a new use classification would require further discussion about the limits of that use, such as size, parking spaces, and hours of operation. If the Town Board wants to pursue this option, we suggest that they appoint a small committee to make specific recommendations about implementation. The report of that committee could then be reviewed by the Planning Board for recommendation to the Town Board.

3) Signs. (Executive Summary page 4 Other Recommendations bullet 2; expanded on pp 22 & 28.) The Plan suggests that there is confusion about whether or not farm signs are allowed and recommends adding a new sign type ("Farm Sign") to the zoning. In fact, signs are now allowed and can be up to 12 ft^2 where the speed limit is under 45 mph and up to 20 ft^2 where the speed limit is over 45 mph. Sign area variances can also be granted by the ZBA, although we are not aware that this is currently a problem. We suggest that the simplest way to resolve this issue is to add agriculture to the list of examples of non-residential operations in the sign regulations. This should serve to clarify that farms are permitted to have signs.

4) Development Rights – this is an umbrella including Transfer of Development Rights (TDR), Purchase of Development Rights (PDR), conservation easements, and incentive zoning. (Executive Summary page 4 Priority Recommendation #4 and Other Recommendations bullet 1; expanded on pp 28, 29, 32 & 34.) All of these are useful tools that can be helpful in preserving not just agricultural uses but other types of open spaces as well. They can all be beneficial to the Town of Milton in its stated goal of preserving the rural character of the R2 district.

We believe the Town currently uses incentive zoning effectively in its R2 Open Space Incentive (OSI) option which allows a density bonus for subdivisions that permanently preserve at least 50% of the land being subdivided. This option includes agriculture as one of the examples of open spaces that can be preserved. This is the option that was used to create the Town's Boice Family Park near Rock City Falls.

PDR and conservation easements are also tools that are currently available in the Town. If a land conservancy (such as Saratoga PLAN) or a governmental body (such as the NYS Farmland program or the Town of Milton) wants to permanently preserve an open space, they can purchase the development rights from the property owner, allowing the owner to recognize much of the value of the property and reducing the pressure to sell that arises when property values are high because of their potential as house lots. The description of what has been sold (and therefore what the owner can no longer do – such as put in a subdivision) is the "conservation easement" that becomes a part of the deed to the property. This type of arrangement is not prohibited by Town regulations and can therefore be used. The idea that the Town might want to be more proactive in funding such efforts was implicitly supported by the Town Board's creation of a dedicated open space funding stream.

TDR is a much more complicated type of program, and it is currently not available in the Town. Under a TDR program, a municipality must identify areas that it wishes to reduce the allowed density of housing ("sending areas") and also areas where it is willing to allow an increase in housing densities ("receiving areas"). The Town would then allow a developer to purchase development rights from a property owner in a sending area and transfer them to a receiving area where the developer could build at higher than the background density. In the Town of Milton, for example, the Town Board might designate some parts of the R2 zone that it wants to remain more rural as sending areas and some parts of the R2 that it is willing to let develop (such as portions adjacent to the Village or the hamlets) as receiving areas. The background zoning in the receiving areas would remain at 5 acres as it is now, unless a developer purchased additional development rights from property owners in the sending areas, in which case he might be allowed to have 1-acre lots in the receiving area. Conservation easements become part of the deeds of those properties that have sold their development rights. The total number of houses that can be built in the Town has not changed, but their location has. The Plan specifically recommends that the Town consider applying for a grant from NYSDAM to fund the development of a TDR program for Milton. We note that the Town's Open Space Plan also recommended that the Town consider implementing a TDR program. In view of these two similar recommendations, the Planning Board suggests that it is time for the Town of Milton to move forward with such a study, and if it can be funded by NYSDAM, so much the better.

Town of Milton

Milton Farmland Protection Plan

Interview Worksheet

Hello! The Town of Milton is preparing a Farmland Protection Plan to help identify ways to preserve active or important agricultural lands and make farming easier and more profitable for landowners. In preparation for some upcoming public meetings, we are interviewing local farming operators to learn more about their operations and what problems they are facing which the Town of Milton might assist them with.

Landowner & Farm Info			
Landowner / Farm Name	Address		
Tax ID# of Parcels	Acres	Is this farmed parcel Owned or Rented?	
		☐ Owned by Farmer	☐ Rented by Farmer
		☐ Owned by Farmer	☐ Rented by Farmer
		☐ Owned by Farmer	☐ Rented by Farmer
		☐ Owned by Farmer	☐ Rented by Farmer
		☐ Owned by Farmer	☐ Rented by Farmer
Total Acres:		~Acres:	~Acres:

Production - What types of crops or operations do you provide? (Check any that apply)		
☐ Cash Crop (grain, etc)	☐ Vegetables	☐ Orchard
☐ Vineyard	☐ Christmas trees	☐ Sugar bush
☐ Equine / horse farm	☐ Livestock (non-dairy)	☐ Poultry
☐ Dairy	☐ Aquaculture	☐ Horticulture specialties
☐ Other (specify):		
Approximate Annual Sales (optional):		Number of years farming:
Do you receive an Agricultural Assessment on your land?		☐ Yes ☐ No

Do you sell any of your farm products?			
☐ On site	☐ Farmers market	☐ Local grocery store	☐ Restaurant
☐ Direct to another farmer	☐ Wholesale/Bulk	☐ Other:	

Do you work with Saratoga County Cornell Cooperative Extension, or the Soil and Water Conservation District as part of your business/management plan?	
☐ Cornell Cooperative Extension	☐ Soil and Water Conservation District

Do you host public events or activities on your farm property?			
☐ Farm tours	☐ U-pick	☐ Horse riding	☐ X-Country skiing
☐ Special events	☐ Other:	Would you consider it? ☐ Yes ☐ No	

Future Improvements. If you wanted to expand or improve your operations, what would you be looking to do?

(e.g. Sell to new market areas, expand operations, modernize equipment, refine products into finished goods, etc.)

Regulations / Obstacles. What sort of obstacles or problems have you encountered?

(e.g. Regulations; zoning limitations, fees, taxes, operational costs, conflicts with neighbors, etc.)

Long Term Plans. What are your long-term plans for the farm or land?

(e.g. Pass operations onto younger family, sell to other active farmers, sell land to whomever, etc.)

Long Term Plans. How important is it to you that the land remain as agricultural land in the future?

☐ Not Important	☐ Somewhat Important	☐ Very Important

Other Comments / Ideas. What do you think could be done to help agriculture in the Milton area?

E.g. What do you think can be done to help strengthen agriculture locally?

E.g. What do you think can be done to increase farmland and agriculture business?

E.g. What do you think can be done to keep more land open in the long term?

E.g. What do you think can be done to increase the supply of open land by opening up more follow / overgrown parcels?

Misc.	
Want plan updates or notices of upcoming meetings?	Email or other contact info
☐ Yes ☐ No	
Would you be interested in learning more about programs/services offered for local farmers by:	
Saratoga County Cornell Cooperative Extension?	☐ Yes ☐ No
Saratoga County Soil & Water District?	☐ Yes ☐ No
Saratoga County Planning?	☐ Yes ☐ No
Conservation Easements / Purchase of Development Rights?	☐ Yes ☐ No

Milton Farmland Protection Plan

Interview Worksheet

22 surveys returned

Q: Own or Rent

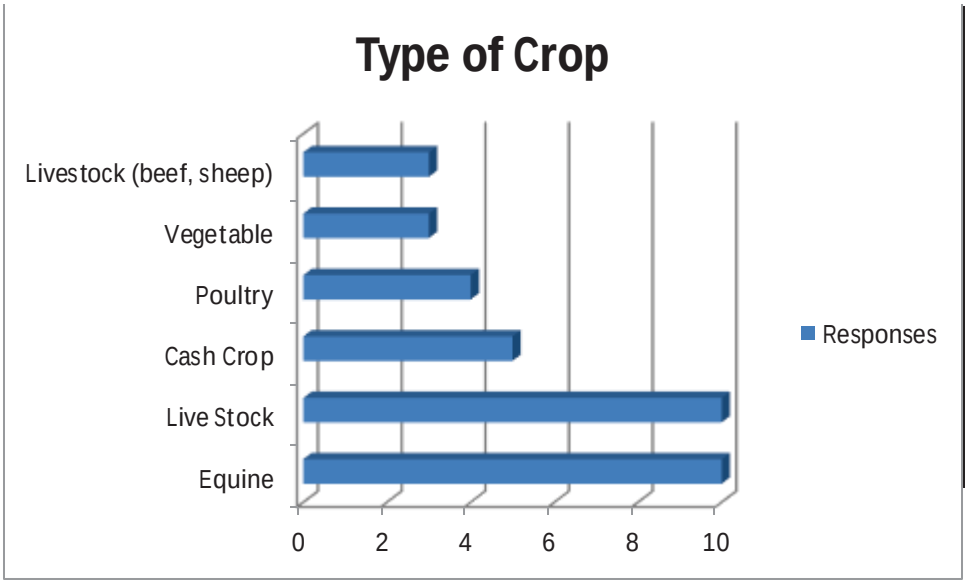
A:

86% - Owned or 19 responses
13% - no answer or 3 responses

Other responses (1%):
Owned/rented
Neither

Q: Type of Crop

A:



Other responses:
Timber
Corn/hay
Aquaculture
X mas trees
board llamas
sell daylilies
Dairy (goat)
Not a farm
Sugarbush

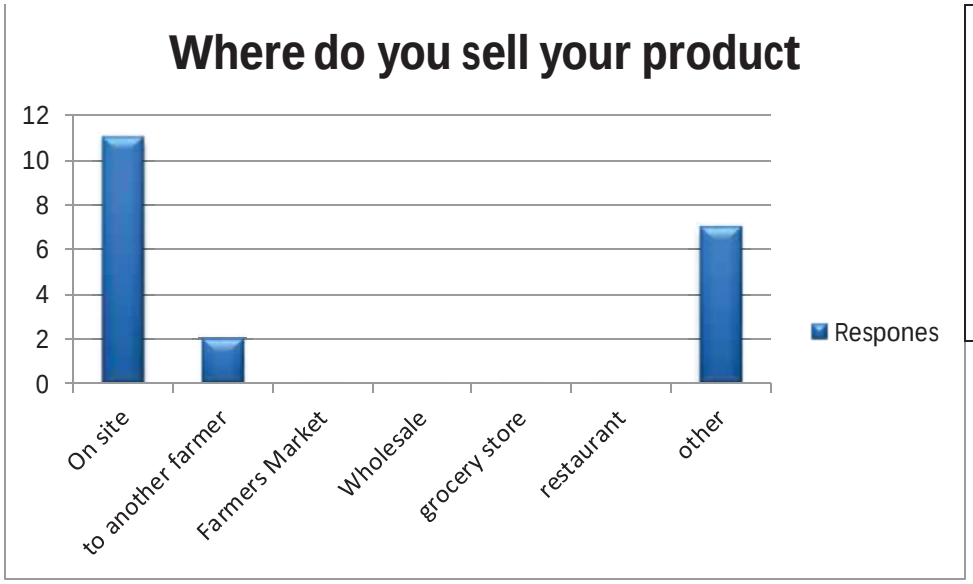
Q: Years Farming

A:

Q: Do you receive an Agricultural Assessment on your land

A:
8 responded – NO
6 responded – YES
8 blank or unsure responses

Q: Do you sell any of your farm products?

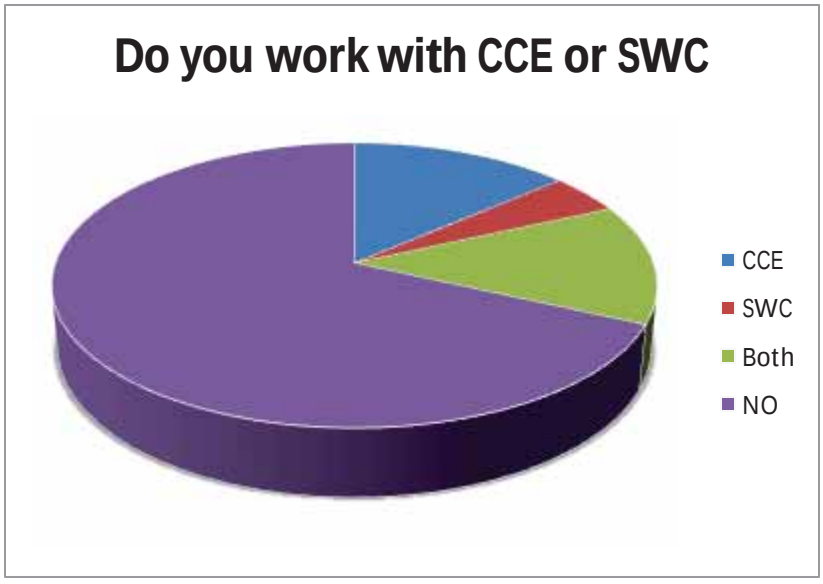


Other responses:

No, donate, stall rental, sell game birds

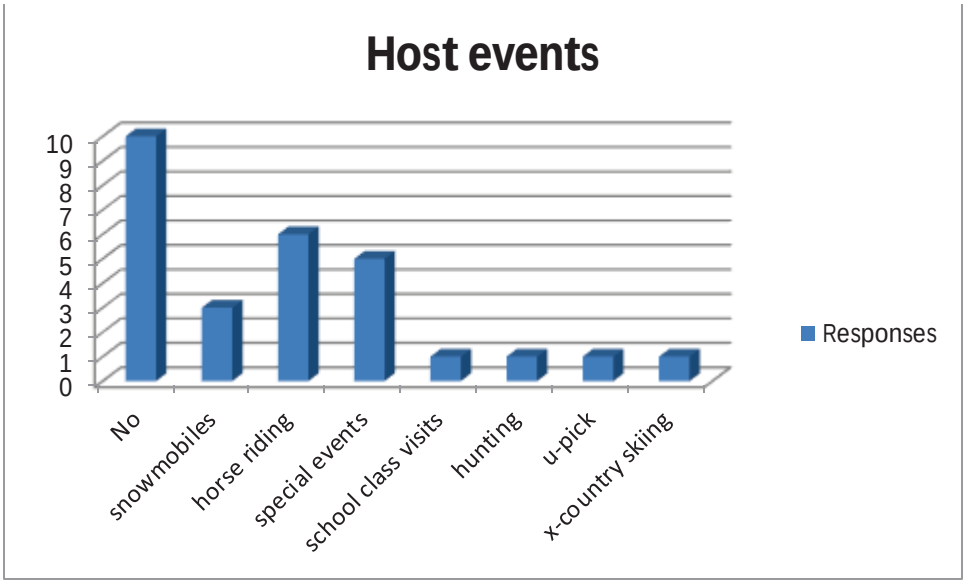
Q: Do you work with Saratoga County Cornell Cooperative Extension (CCE), or the Soil and Water Conservation District (SWC) as part of your business/management Plan?

A:



Q: Do you Host public event or activities on your farm property?

A:



Q: Future Improvements?

A:

FUTURE IMPROVEMENTS
Expand operations updating equipment, repair outbuildings
Clear more overgrown areas and donate land for production to others as I am doing now
modernize equipment
modernize equipment, expand
Expand certain produce operations
expand pasture. Plant additional Christmas trees. Enhance biosecurity of poultry housing
-
Expand operations - we have started raising Hereford beef cattle in the last 2.5 years
Would like to market a large animal wood based bedding for horses, etc at farm. Considering selling pumpkins, gords, etc in fall.
-
-
no plans to expand. Operations will cease when current plantings are all sold in about 8 years
hayfields
Diversify animals, goats. Promote local sale of livestock
We would like to update our barn with newly built stalls. We would also like to cover our round pen, add rubber footing to our indoor arena and possibly our outdoor arena.

actually in the process of down-sizing slightly
no plans
build indoor arena
-
would like to clear land to make more pasture areas and modernize equipment/barns
Enlarge present facility
modernize equipment

Q: Regulation/Obstacles you have encountered?

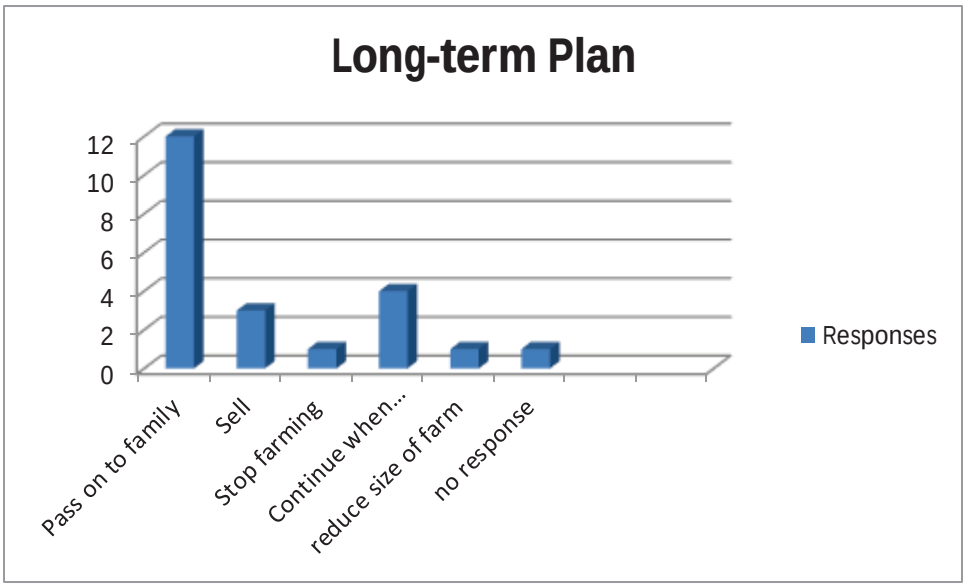
A:

Taxes are too high; it will be very hard to hang onto the property. Main barn is in need of major repairs; feel that when the barn is repaired taxes will increase.
Taxes make it difficult to remain a good steward of lands that are not returning income.
-
weather
-
Non-compliance with posting signs. Hunting stands in trees in close proximity to posted signs.
-
Operating costs keep going up - have had to replace older haying equipment. In the past we had problems with neighbors not liking the animals; however we now have new neighbors who are aware of the right-to-farm law and even volunteer to help with the haying.
Would like to put an access driveway into the paddock on the corner of middleline and Gallway Rd (off of Galway road). Would like to put an access road across the wetlands from the NatGrid gas pressure reduction station to my back paddock (off of Galway Rd)
-
Zoning regulations appear to i.e. 5 acre lots put limitations on the value of our land
we collect and remit NYS sales tax, but no other government interaction
lacking of equipment
cost of business - if active farm, should reduce land tax, school tax
Our problems do include operational costs and deciding whether to upgrade facilities or make do with what we have. We have not encountered zoning limitations. Taxes are a problem for anyone doing business in NYS.
amount of (hand) manpower needed - weather problems, last year it was too wet then went directly into too hot making it a very poor year.
none - feed and hay too high
school taxes, wetland regulations
-
Original barns were not deemed agricultural - so were not tax exempt due to our ignorance in how the regulations worked when the property was first bought. Town will not change those barns to agricultural use (exempt) even though that has been their use since the start. State regulations on sale of raw milk make costs too high as well. Too many hoops to jump through - not worth going down that

road. Rising feed costs make livestock more expensive to raise, very difficult to make a profit and be even close to be sustainable.
none
-

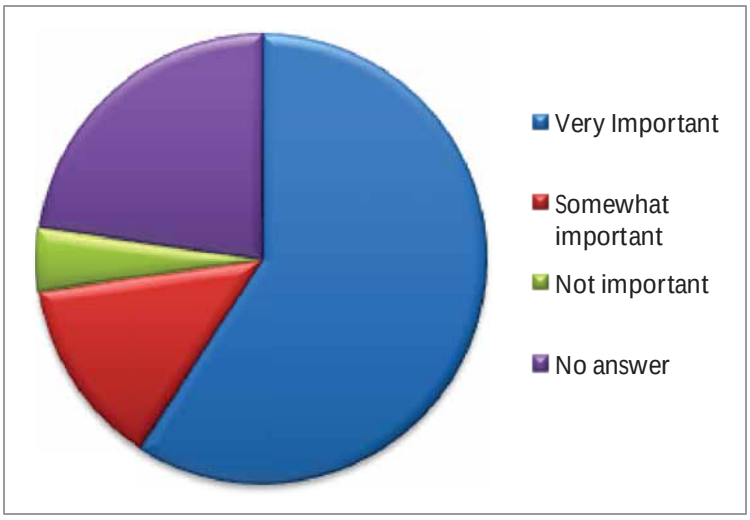
Q: What are your long-term plans for the farm or land?

A:



Q: How Important is it that your land remain agricultural?

A:



Q: Other Comments?

A:

Need break on taxes. Grant or loan money for structure repairs.
taxes, cost of business, promote local sale of animals (buffalo). If farming, reduce land and school tax, reduce new construction. Town and county could help financially with seed / fertilizer
Strengthen ag: Teach the public on the necessity of farming. Increase farmland: Teach in ballston school.
Strengthen Ag: Community support. More open land: Educate the community about the importance of wetlands, farms & residential property co-existing in the town.
town and county should help support and strengthen local agriculture, and increase farm business. Encourage farming on small and large parcels. Recovery of former ag sites can increase the supply of land.
Strengthen Ag: Schooling (agriculture)
Could use support from town and county officials to strengthen local ag and increase farmland. Should stop allowing developments in the agricultural and open space districts to keep more land open.
-
a cell tower in the wooded area would help to sustain the farm
Strengthen Ag: School programs to educate our younger generations on farmers to keep farming in this area a viable career. Increase business: Improved tax breaks.
Im in favor of zoning that would increase farming and agricultural business
More help for people starting out, lower taxes, encourage more agriculture
reduce taxes on new owners. Reduce taxes for active farms. Promote local sale of livestock. Re-examine wetland on farms. Should reduce housing (new construction) to help keep more land open. Town/county should offer tax breaks for new seeding/fertilizer in order to open up fallow/overgrown parcels
Strengthen Ag: Better tax breaks for farm businesses; Increase farmland: Protect current agriculture zoning laws; More open land: All of the above. Increase supply of open land: How can that be done? These parcels belong to somoneone and what do these owners have to gain?
Should decrease the number of acres that one is required to be utilizing to be considered a farm in order to increase ag business. Comments on how well her (modest) sign for daylillies is accepted in Milton. Regulations for posting signs for small ag business Milton vs. Charlton - other friends in nearby townships are not allowed to post any signs.
lower school taxes
restricting school expenses
-
Strengthen Ag: We are very small, but my dealings with the town have not been very supportive of agriculture. They seem to view it as if people are trying to get out of paying higher taxes instead of wanting to preserve a way of life and agriculture. Increase farmland: Allow people to change existing structures on property to agricultural use after property was originally purchased. If it is being used as an agricultural building/acres, it should be able to be taxed that way later. Keep more open land: Farmers should be able to retire with their ag exemption for their property taxes w/o having to then keep the $10,000 income. This way, when they retire from farming, they dont have to sell off parcels of their land in order to survive. The land parcels would stay together as a larger agricultural tracts -

preserving the acres and allowing farmers to really retire. Increase supply of open land: By allowing people to purchase and maintain parcels of agricultural land with an Ag exemption on taxes with less than $10,000 required - especially at the starting few years (much less).
Strengthen Ag: Lower taxes, local government help
-

Q: Do you want updates?

A:

Yes – 13 responses
No – 3 responses
No answer – 5 responses

winkledave@yahoo.com
johnsr@munterenterprises.com cell: 858-1783
mail
cfischer775@yahoo.com
efgassjr@aol.com
tholland53@gmail.com
885-0965
by mail
stormhaven19@hotmail.com

Q: Who do you want updates or notices from?

A:

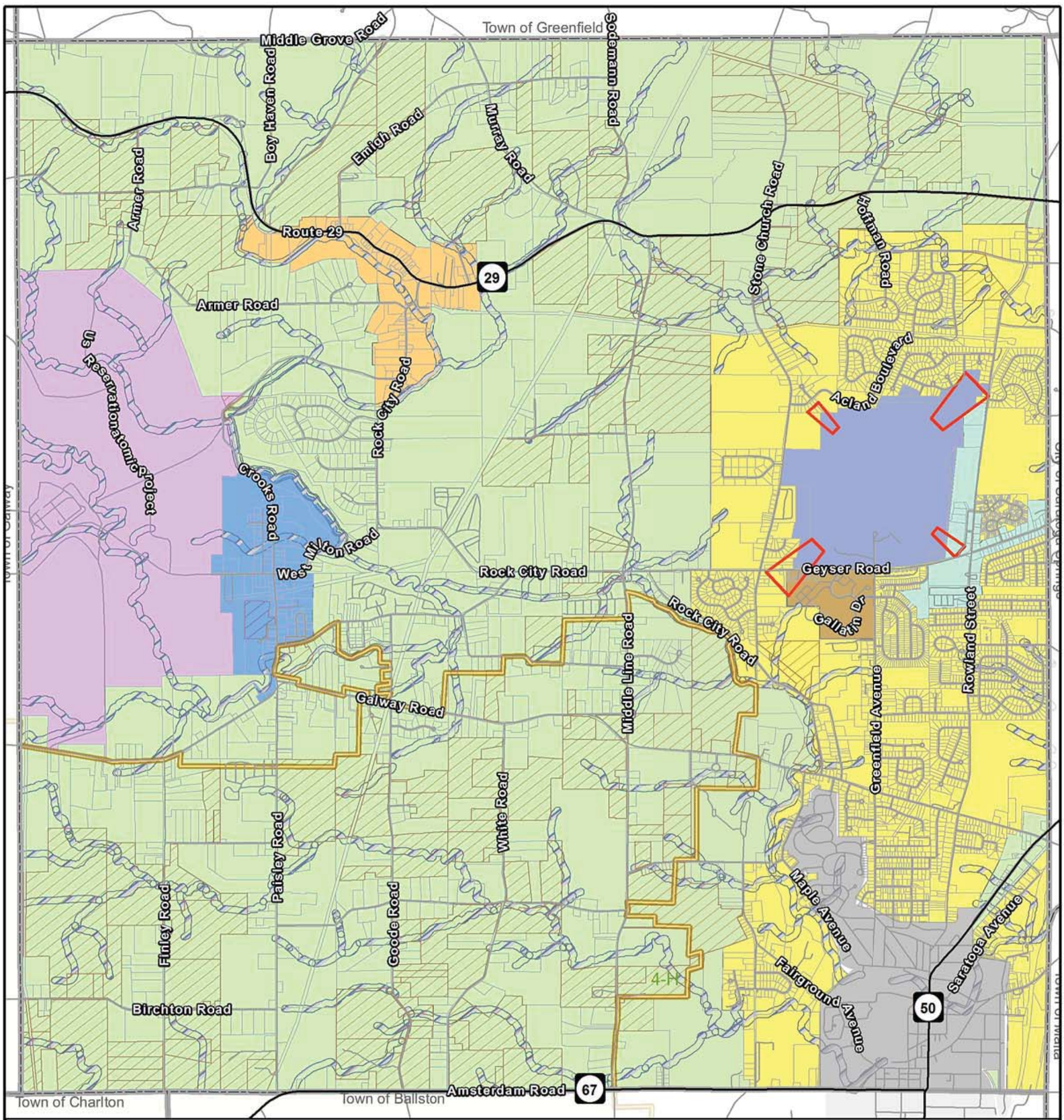
CCE, CSWD, Planning, Conservation easements/DevRights
County soil and water district
NO all 4 – CCE, SWD, Saratoga County Planning & Conservation Easements/Purchase of Development Rights
all 4
all 4
yes all 4
CCE, CSWD
Yes - all 4
CCE
CCE
county soil and water district, county planning

#	ACRES	Owned or Rented	Crops	YEARS FARMING	Ag Assessment?	SELL FARM PRODUCTS	CCE or SWC	PUBLIC ACCESS?	FUTURE IMPROVEMENTS	REGULATIONS / OBSTACLES	LONG TERM PLANS	How Important is it that your land remain agricultural?	OTHER COMMENTS	WANT UPDATES?
1	89.2	Owned	Livestock (non dairy), sugarbush	11		on site, family		no	Expand operations updating equipment, repair outbuildings	Taxes are too high, it will be very hard to hang onto the property. Main barn is in need of major repairs, feel that when the barn is repaired taxes will increase.	Upon retirement the plan is to expand the sugaring and the cattle. Passing on the property to children.		Need break on taxes. Grant or loan money for structure repairs.	YES
2	68.4	owned	cash crop, some wooded controlled timber harvest. No income from corn and hay. Timber sales vary & sporadic	60		no		snowmobile, horse riding, special events, hunting	Clear more overgrown [ahers?] and donate land for production to others as I am doing now	Taxes make it difficult to remain a good steward of lands that are not returning income.	yes (expect farm to continue operations after retirement)			YES
12	150.0	owned	equine, aquaculture, livestock (non-dairy)	68	no	-	-	no	modernize equipment	-	pass operations onto younger family or active farmers	very important	taxes, cost of business, promote local sale of animals (buffalo). If farming, reduce land and school tax, reduce new construction. Town and county could help financially with seed / fertilizer	YES
18	117.3	owned	Cash crop	26	Yes	on site + direct to other farmer	-	no	modernize equipment, expand	weather	pass on operations to family	very important	Strengthen ag: Teach the public on the necessity of farming. Increase farmland: Teach in ballston school.	-
21	16.39 (19)	owned	Vegetables	11	No	On site	-	No	Expand certain produce operations	-	pass onto family	very important	Strengthen Ag: Community support. More open land: Educate the community about the importance of wetlands, farms & residential property co-existing in the town.	-
7	50.0	owned	equine, poultry	30	no	on site - donate eggs, sell game birds when produced	-	grade school class visits	expand pasture. Plant additional christmas trees. Enhance biosecurity of pultry housing	non-compliance with posting signs. Hunting stands in trees in close proximity to posted signs.	continue to maintain land. Continue harvesting firewood for personal and extended family use. Pass operations onto children.	Very important	town and county should help support and strengthen local agriculture, and increase farm business. Encourage farming on small and large parcels. Recovery of former ag sites can increase the supply of land.	
19	27.9	owned	-	44	-	-	-	-	-	-	pass onto family	very important	Strengthen Ag: Schooling (agriculture)	No

#	ACRES	Owned or Rented	Crops	YEARS FARMING	Ag Assessment?	SELL FARM PRODUCTS	CCE or SWC	PUBLIC ACCESS?	FUTURE IMPROVEMENTS	REGULATIONS / OBSTACLES	LONG TERM PLANS	How Important is it that your land remain agricultural?	OTHER COMMENTS	WANT UPDATES?
15	22.6	owned	cash crop (hay), equine, livestock (non-dairy)	20	Yes	-	-	horse riding	Expand operations - we have started raising Hereford beef cattle in the last 2.5 years	Operating costs keep going up - have had to replace older haying equipment. In the past we had problems with neighbors not liking the animals, however we now have new neighbors who are aware of the right-to-farm law and even volunteer to help with the haying.	pass property, equipment and livestock onto younger family	very important	Could use support from town and county officials to strengthen local ag and increase farmland. Should stop allowing developments in the agricultural and open space districts to keep more land open.	YES
13	63.0	owned	equine	8	yes	on-site: horses	CCE, SWCD	horse riding, special events, horse lessons	Would like to market a large animal wood based bedding for horses, etc at farm. Considering selling pumpkins, gords, etc in fall.	would like to put an access driveway into the paddok on the corner of middleline and Gallway Rd (off of Galway road). Would like to put an access road across the wetlands from the NatGrid gas pressure reduction station to my back paddock (off of Gallway Rd)	pass operations onto younger family	somewhat important	-	YES
9	84.2	owned / rented	cash crop, equine, livestock (beef, sheep, non-dairy), poultry (waterfowl)	60	yes	(Arnold Feed?)	CCE and SWCD	snowmobiling	-	-	keep farming - will pass the farm onto his son to sustain the farm,	very important	a cell tower in the wooded area would help to sustain the farm	
17	29.0	owned	Cash crops, equine, livestock (non-dairy)	-	No	on site	-	special events, would consider other	-	Zoning regulations appear to i.e. 5 acre lots put limitations on the value of our land	Could pass operations onto any of the choices	Somewhat important	Strengthen Ag: School programs to educate our younger generations on farmers to keep farming in this area a viable career. Increase business: Improved tax breaks.	Yes
6	10.0	owned	xmas trees	28	no	on site	not recently	u-pick	no plans to expand. Operations will cease when current plantings are all sold in about 8 years	we collect and remit NYS sales tax, but no other government interaction	operations will cease when existing plantings are sold	Not important	Im in favor of zoning that would increase farming and agricultural business	Yes (on Plan, but no on meetings)
14	83.8	owned	vegetables (personal) livestock (non-dairy - personal), poultry	-	Not sure/	on site: eggs	-	no	hayfields	lacking of equipment	pass to children	Very important	More help for people starting out, lower taxes, encourage more agriculture	YES

#	ACRES	Owned or Rented	Crops	YEARS FARMING	Ag Assessment?	SELL FARM PRODUCTS	CCE or SWC	PUBLIC ACCESS?	FUTURE IMPROVEMENTS	REGULATIONS / OBSTACLES	LONG TERM PLANS	How Important is it that your land remain agricultural?	OTHER COMMENTS	WANT UPDATES?
11	119.0	owned	equine, livestock (non-dairy), beef cattle	-	no	-	-	no	diversify animals, goats. Promote local sale of livestock	cost of business - if active farm, should reduce land tax, school tax	pass operations on to younger family / active farmers	very important	reduce taxes on new owners. Reduce taxes for active farms. Promote local sale of livestock. Re examine wetland on farms. Should reduce housing (new construction) to help keep more land open. Town/county should offer tax breaks for new seeding/fertilizer in order to open up fallow/overgrown parcels	YES
22	98.5	owned	equine	30	yes	-	CCE and SWCD	Horse riding, x-country skiing, special events, clinics	We would like to update our barn with newly built stalls. We would also like to cover our round pen, add rubber footing to our indoor arena and possibly our outdoor arena.	Our problems do include operational costs and deciding whether to upgrade facilities or make do with what we have. We have not encountered zoning limitations. Taxes are a problem for anyone doing business in NYS.	At this point in time we plan to continue our operations as it is.	Very important	Strengthen Ag: Better tax breaks for farm businesses; Increase farmland: Protect current agriculture zoning laws; More open land: All of the above. Increase supply of open land: How can that be done? These parcels belong to somoneone and what do these owners have to gain?	-
10	12.4	-	livestock (non-dairy), horticulture specialties, board llamas and sell daylillies	15	No	on site	CCE	special events	actually in the process of down-sizing slightly	amount of (hand) manpower needed - weather problems, last year it was too wet then went directly into too hot making it a very poor year.	when I sell I would prefer to sell to someone with livestock, I would accept a slightly lower offer to facilitate this, I assume the flower operation will not go on forever.	Somewhat important	Should decrease the number of acres that one is required to be utilizing to be considered a farm in order to increase ag business. Comments on how well her (modest) sign for daylillies is accepted in Milton. Regulations for posting signs for small ag business Milton vs. Charlton - other friends in nearby townships are not allowed to post any signs.	
4	24 (revised from 14)	-	livestock (beef)	44		no - own use		horse riding	no plans	none - feed and hay too high	are retired		lower school taxes	YES
5	20.6	owned	equine	12		stall rentals		snowmobiles, horse riding, special events, birthday parties	build indoor arena	school taxes, wetland regulations	sell to other active farmers		restricting school expenses	YES
3	35.6	neither	none - not a farm	0		n/a		no	-	-	-		-	no

#	ACRES	Owned or Rented	Crops	YEARS FARMING	Ag Assessment?	SELL FARM PRODUCTS	CCE or SWC	PUBLIC ACCESS?	FUTURE IMPROVEMENTS	REGULATIONS / OBSTACLES	LONG TERM PLANS	How Important is it that your land remain agricultural?	OTHER COMMENTS	WANT UPDATES?
16	8.2	owned	equine (non-boarding), Livestock (non-dairy), Pultry, Dairy (goat)	16	-	Farmers market, to farmstore on occasion	CCE	We have in past with 4H, but now 4H and CCE is limiting goat activities with public	would like to clear land to make more pasture areas and modernize equipment/barns	Original barns were not deemed agricultural - so were not tax excempt due to our ignorance in how the regulations worked when the property was first bought. Town will not change those barns to agricultural use (excempt) even though that has been their use since the start. State regulations on sale of raw milk make costs too high as well. Too many hoops to jump through - not worth going down that road. Rising feed costs make livestock more expensive to raise, very difficult to make a profit and be even close to be sustainable.	Would like to keep it as a small farm down the line.	Very important	Strengthen Ag: We are very small, but my dealings with the town have not been very supportive of agriculture. They seem to view it as if people are trying to get out of paying higher taxes instead of wanting to preserve a way of life and agriculture. Increase farmland: Allow people to change existing structures on property to agricultural use after property was originally purchased. If it is being used as an agricultural building/acres, it should be able to be taxed that way later. Keep more open land: Farmers should be able to retire with their ag excemption for their property taxes w/o having to then keep the $10,000 income. This way, when they retire from farming, they dont have to sell off parcels of their land in order to survive. The land parcels would stay together as a larger agricultural tracts - preserving the acres and allowing farmers to really retire.	YES
20	42.4	owned	Vegetables	50+	No	On site	CCE	No	Enlarge present facility	none	Hope to continue in family	Very important	Strengthen Ag: Lower taxes, local government help	No
8	78.3	owned	livestock (non-dairy)	40	yes	manure (assumed on site)	soil and water conservation district	none	modernize equipment	-	pass operations onto younger family (son) who has small herd of herefords	Very important	-	YES



Town of Milton, NY
Farmland Protection Plan

Zoning Map

For Discussion Purposess Only

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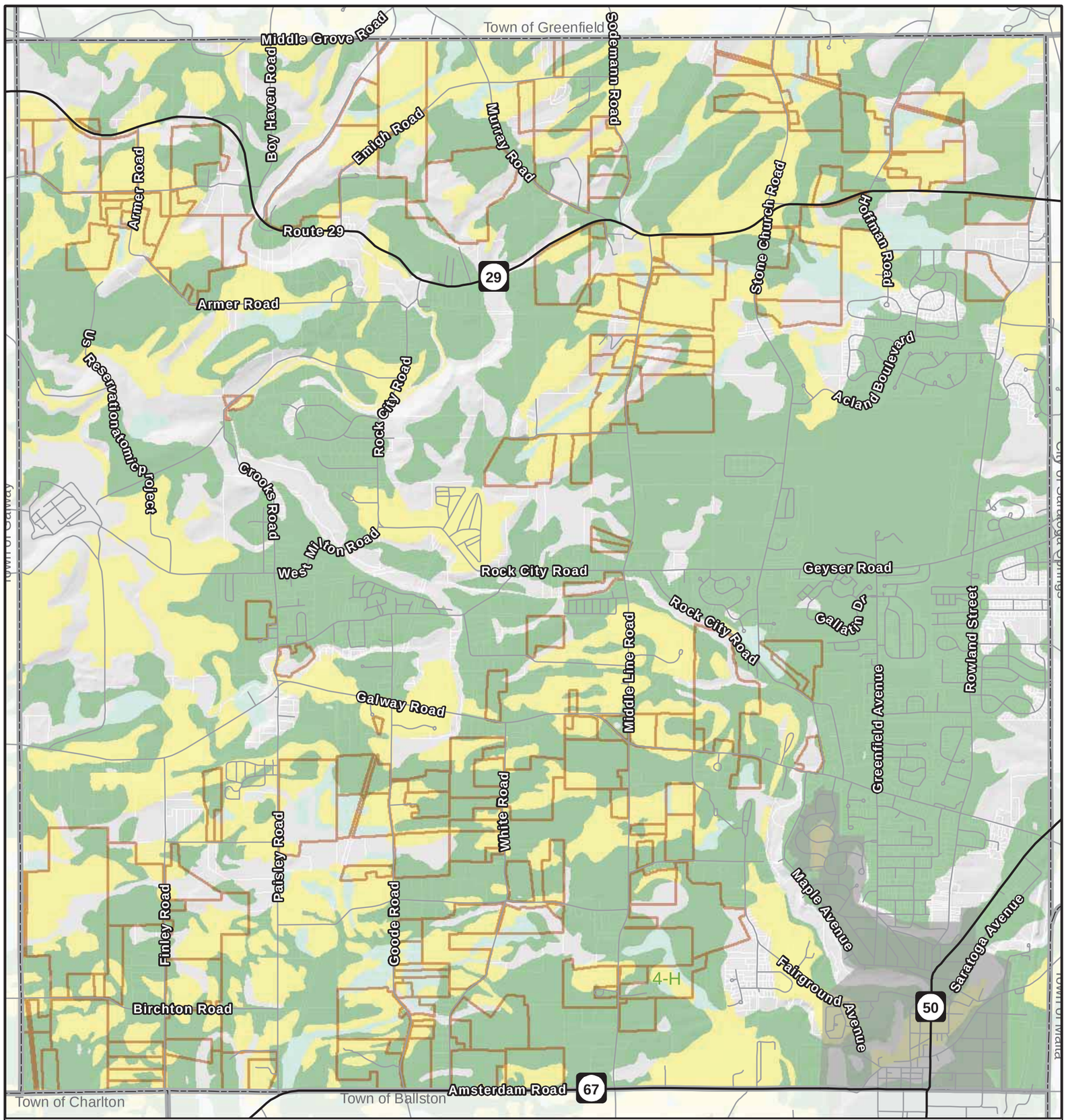

Agricultural Properties

Town Boundaries

Village of Ballston Spa

Tax Parcels

Prime farmland soil

Farmland of statewide importance

Prime farmland if drained

Town of Milton, NY
Farmland Protection Plan

Agricultural Soils

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0 0.5 1 2 Miles

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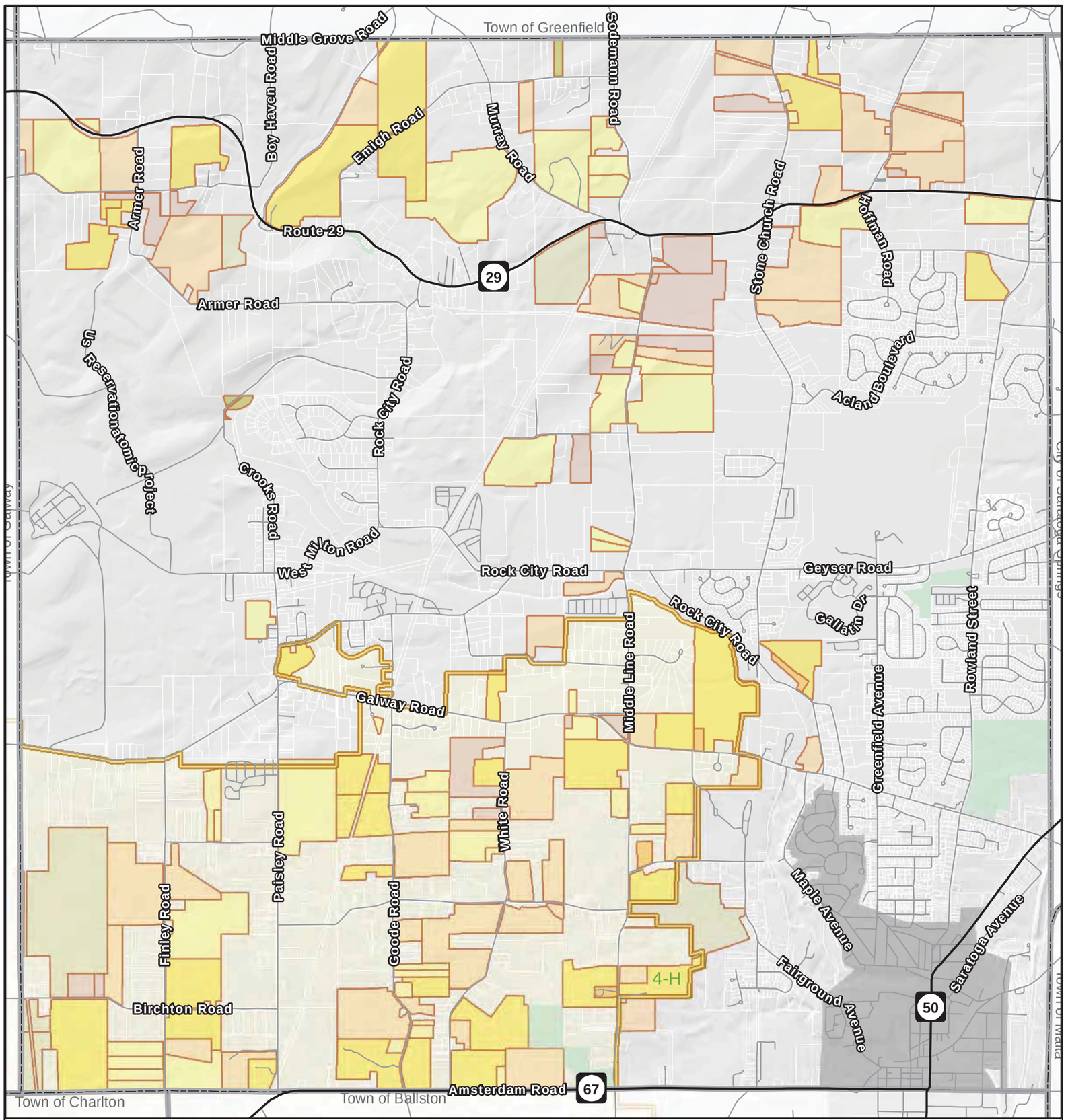

Agricultural Properties

- Active Agricultural*
- Rural Residential with Agriculture*
- Vacant Farmland*
- Residential with Exemption
- Vacant with Exemption
- Apparent Ag - Residential
- Apparent Ag - Vacant

*Based on Saratoga County Office of Real Property Class Codes

- Saratoga County Ag District 2
- Town Boundaries
- Village of Ballston Spa
- Tax Parcels
- Municipal Park

Town of Milton, NY
Farmland Protection Plan

Agricultural Parcels

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0 0.5 1 2 Miles

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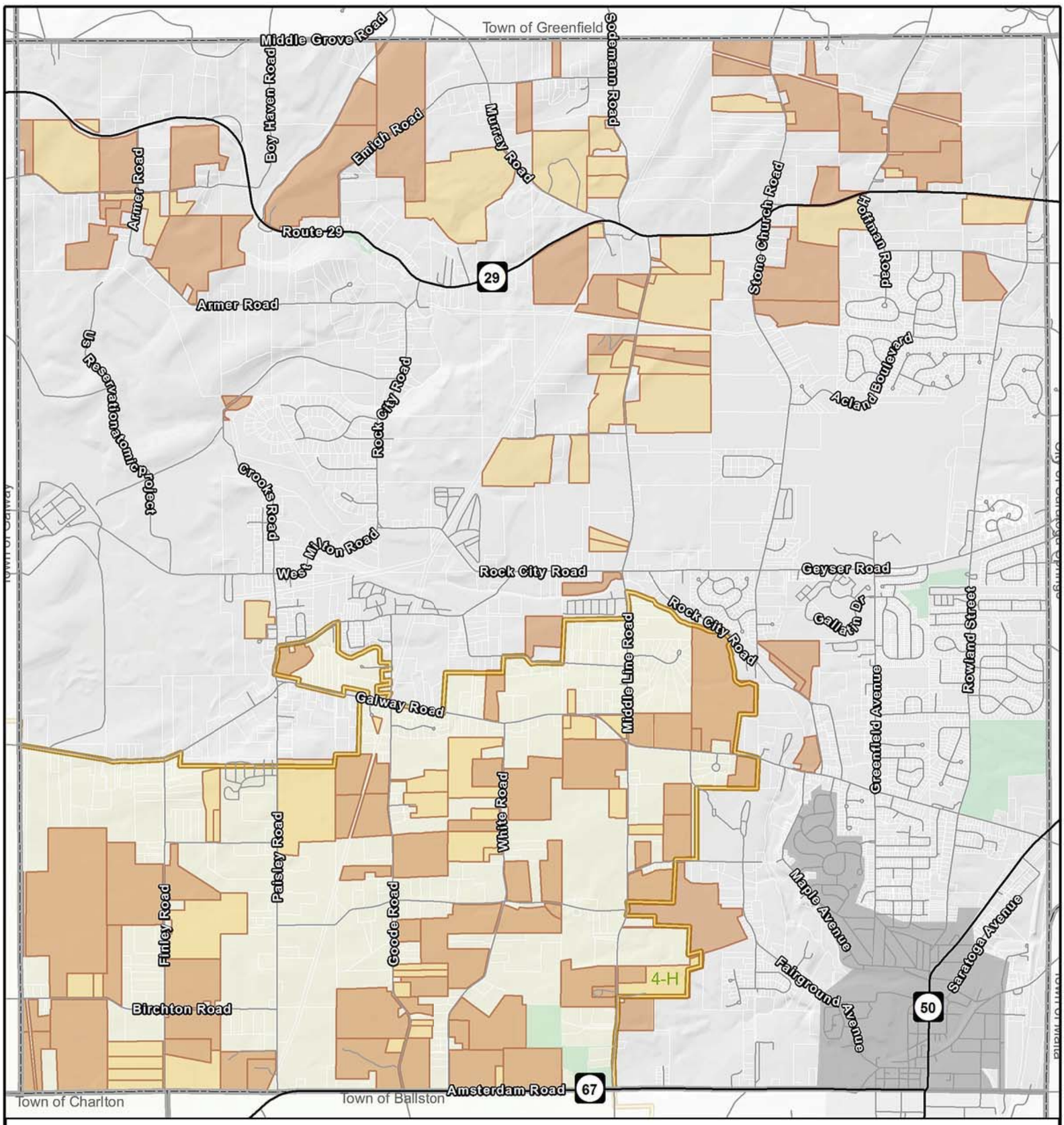

Agricultural Properties

- Receiving Ag Assessment
- Not Receiving Ag Assessment
- Saratoga County Ag District 2
- Town Boundaries
- Village of Ballston Spa
- Tax Parcels
- Municipal Park

Town of Milton, NY
Farmland Protection Plan

Agricultural Parcels
Receiving Ag Assessment

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0 0.5 1 2 Miles

N W E S

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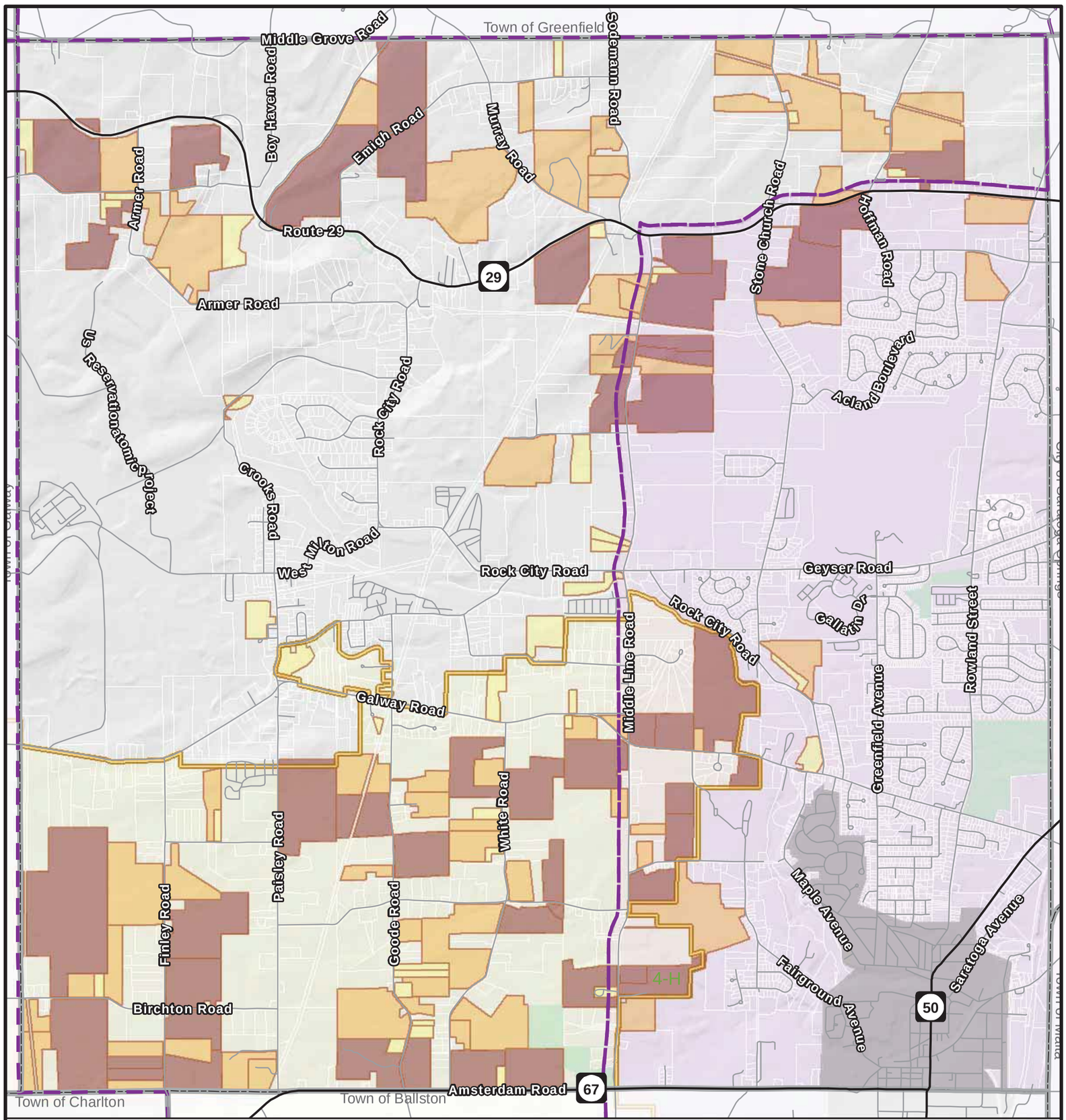

Agricultural Properties

- Medium Priority
- High Priority
- Very High Priority
- Saratoga County Ag District 2

- Sewer District
- Town Boundaries
- Village of Ballston Spa
- Tax Parcels
- Municipal Park

Town of Milton, NY
Farmland Protection Plan

Priority Parcels

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Priorities based on total score from parcel size, active farming, area of active farming, soils, contiguous to other agriculture, ag district, topography and development pressure (sewer/state roads)

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0 0.5 1 2 Miles

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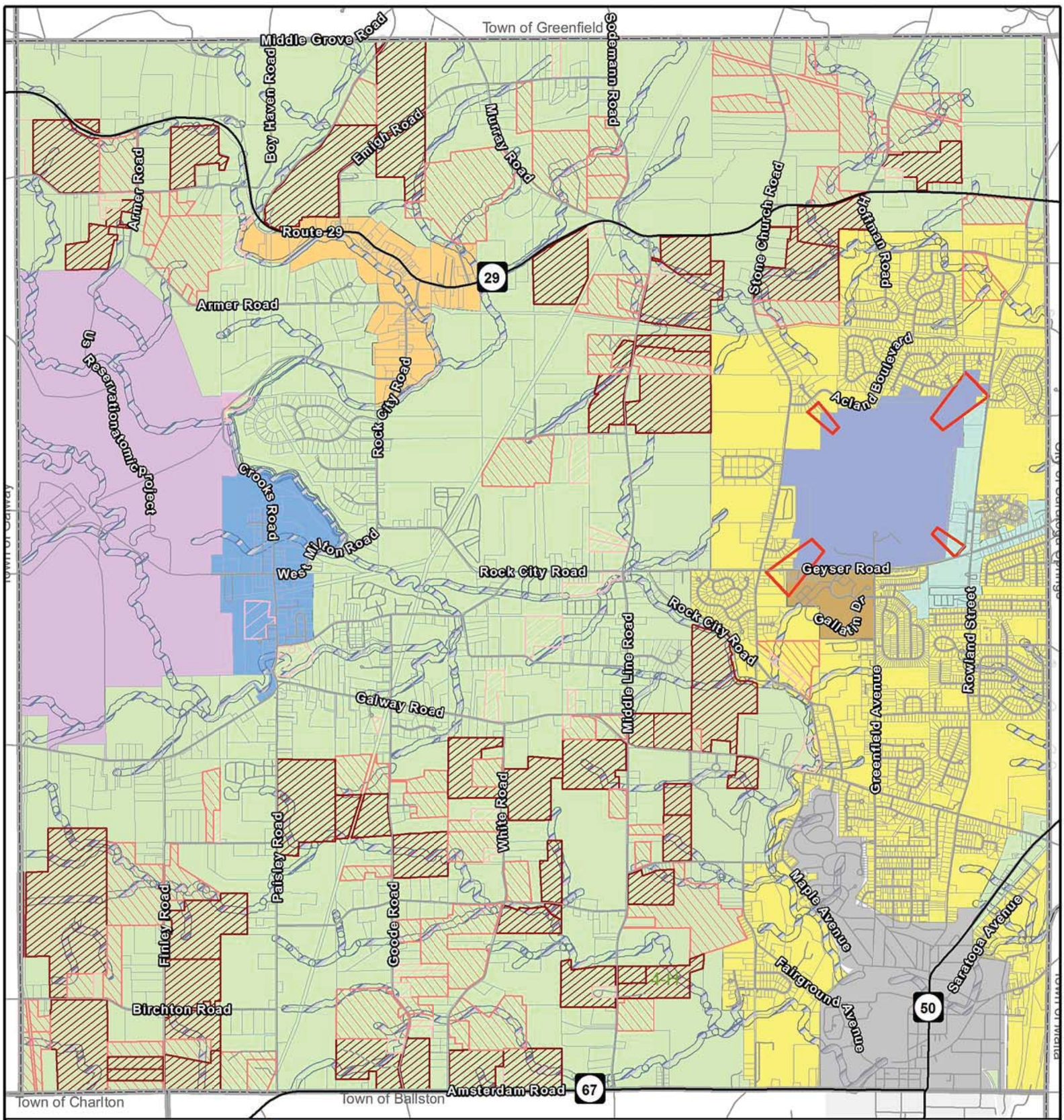

Town of Milton, NY
Farmland Protection Plan

Priority Parcels and Zoning

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A Success Story:

Open Space Preservation through Incentive Zoning

By Peter Vars, P.E.

The summer of 2014 saw completion of the last phase of a land planning project in the Town of Pittsford that can serve as a model for open space preservation and planned residential development throughout New York State.

At the center of this project was the state's Incentive Zoning Law, which provided the basis and flexibility for the community to achieve open space preservation, while protecting the rights of property owners and providing flexibility in housing, in order to meet the ever-changing demands of market demographics. The project is an undeniable success for all parties involved, and resulted in the preservation of over 160 acres of highly desirable green space and agricultural lands at no cost to the Town.

Town of Pittsford Greenprint Analysis Map

The total acreage involved in the project was 295 acres: the properties were located in an area of Pittsford that had become very desirable for residential subdivision development, and the Town had recognized that if current development trends continued unchecked, this trend would convert the remaining lands to a mix of suburban homes and unrelated, nondescript open space parcels. (Note: the Town did have an open space requirement as part of its zoning code, but did not have any criteria in designating the open space.) In order to address this concern, the Town prepared an open space inventory, ranking parcels and adopting their "Greenprint for the Future." which identified undeveloped parcels of potential value either for ecological or agricultural reasons. The "Greenprint" would become a key component of land use planning for the municipality.

A local developer assembled seven non-contiguous parcels (two of which were ranked in the top ten of Pittsford's open space inventory) that comprised the 295 acres and, instead of developing them individually and piecemeal, worked with the Town on a comprehensive use plan for the property. Both the developer and Town recognized that an approach which looked at the parcels as a whole, instead of individually, would be the best route to achieve both their goals—the developer's being to provide in-demand housing, and the Town's being the preservation of meaningful and highly desirable open space.

The question became how to achieve these goals while working within both the Town's zoning code and New York Town Law. Traditional planning tools of cluster subdivision or transfer of development rights (TDR) would not work. Cluster subdivision design per Town Law Section 278 didn't apply, as the parcels in question were not contiguous. It was also determined that a TDR program would not provide the flexibility required by the project; also that a TDR would present an upset to landowners and the market in general, based upon whether the parcels in question were in receiving or sending zones.

Enter Incentive Zoning—the right planning tool to provide the developer flexibility to design subdivisions that would meet a changing market, and also allow the Town to realize its own open space preservation goals. In its most basic definition, Incentive Zoning allows landowners and/or developers to seek relief from a municipality's zoning criteria in return for the municipality receiving benefits beyond those that would have been provided through code-compliant development. In the case of Pittsford, the key factor for using Incentive Zoning was that the Town had already identified open space preservation (via its "Greenprint") as having a community-wide benefit. Their pursuit of this benefit would be accomplished through property acquisition via Purchase of Development Rights (PDR). However, the use of Incentive Zoning would allow the Town to obtain property rights without having to purchase them.

The process involved the Town identifying the key parts of the subject properties that were of value to Pittsford, either for recreational purposes, trail connections, woodlot preservation, or to protect prime agricultural lands. Each parcel was reviewed in order to identify its natural resources of value, based upon the criteria established in the Town's open space ranking system. Once these areas were identified, planning then helped determine how these potential open spaces fit within the larger context of Pittsford's overall "Greenprint" plan, and were ranked accordingly. The process was acceptable to the developer because of the Town's established ranking system that allowed ready identification of land that was of high value. There were no surprises, no sense that the developer was losing density or that the landowners were losing any of their property rights.

The next step was for the developer to plan his development and work with the Town to determine the overall density of residential homes that would be constructed on the seven parcels. In order to protect the rights of the landowners, the first step was to identify the allowed density on each individual property, based on its underlying zoning. Proper site planning would determine the final yields, as well as how the lots were distributed among the seven parcels in question. The developer indicated the different types of homes he wished to build: he was looking to move away from the standard, single family suburban lot typical of this part of Pittsford and, instead, provide patio homes for the ever-growing empty nest population, estate lots that would take advantage of scenic views, and introduce neo-traditional communities in the form of hamlets on two of the parcels. This mix of housing and various lot standards would not have been possible, given the current zoning of the individual properties.

Once each party's goals were established, the mutual planning process got underway. The density of housing was placed on those pieces of land where municipal infrastructure (sewers, water and road network) was already in place to support new housing. This provided the added benefit of not encouraging sprawl through an extension of existing infrastructure. The highly desirable open areas were preserved, along with key open space corridors, future parklands and agricultural resources.

Density was clustered into the areas suitable for development with minimal impact to natural resources. Minimal impact was achieved because no restriction was placed on the maximum number of units allowed on the individual parcels—thus, those parcels with little or no valuable natural

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resources were the ones where development was concentrated, while those parcels with highly ranked open space areas had larger portions of the property preserved than would have been achieved via conventional zoning subdivision development.

The community of Pittsford achieved its stated goal of preserving critical open space, while the developer achieved his goal of providing a variety of housing options. The rights of property owners were protected, since each realized full value of his/her property regardless of whether or not it was developed to its full potential. The application of Incentive Zoning and collective planning removed pressure on individual property owners to develop their land to its full density; moreover, it made sure that these properties were developed with the community's stated goals of quality open space preservation as the driving factor.

The project was a success because the Town of Pittsford identified what was important to its residents, and because it was willing to work with landowners and developers to achieve these goals. They realized that they could not accomplish their goals by themselves, and that all stakeholders would need to participate in order for the plan to be successful. The result was the preservation of more than 160 acres of quality open space that met the goals of the Town's overall open space plan, as identified in its "Greenprint for the Future." Pittsford also gained a mix of housing that it wouldn't have been able to realize through the application of conventional zoning tools.

The author is President of BME Associates in Fairport, NY. He will be presenting a session on "Reading and Interpreting Subdivision and Site Plans" at the 2015 NYPF Annual Planning & Zoning Conference. Information on the Town of Pittsford "Greenprint for Pittsford's Future" is on the Town website, www.townofpittsford.org/home-greenprint-index.