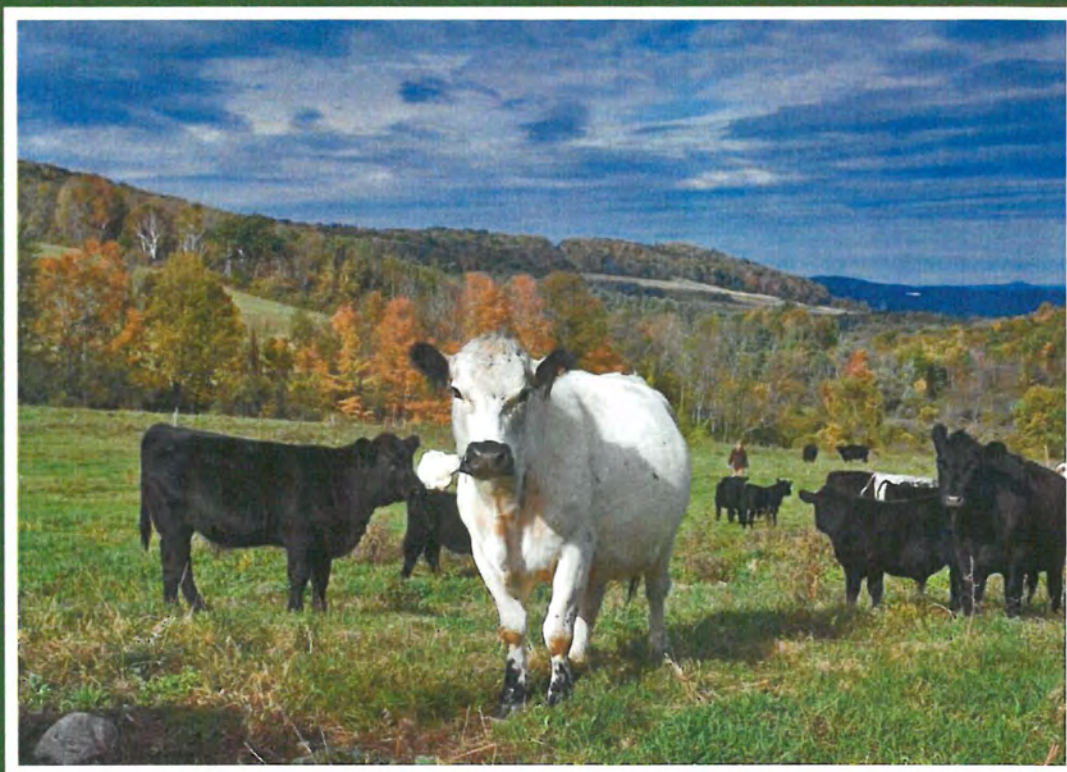


Hoosick, New York Agriculture and Farmland Protection Plan



Prepared by
The Town of Hoosick
with assistance from
American Farmland Trust

**Town of Hoosick
Agriculture and Farmland Protection Plan**

Adopted September 10, 2012

Prepared by:

**Town of Hoosick
Agriculture and Farmland Protection Plan Committee**



Acknowledgements

This plan was developed by:

Town of Hoosick Agriculture and Farmland Protection Plan Committee

Jeff Wysocki, Chairman

Beatrice Berle

Carl Cipperly

Terry Hoag

Bronnie Powers

Eric Sheffer

Eric Ziehm

With assistance from

Rensselaer County

Donna Murray,
Agriculture Economic Developer
Rensselaer County

Linda Von Der Heide,
Principle Planner
Rensselaer County

and

American Farmland Trust

David Haight, *New York State Director*
Laura Ten Eyck, *Senior Manager New York Projects & Outreach*
Tammey Holtby, *New York Operations Coordinator*

Photo Credits:

Cover Photo, page 3, 4, 7 & 27 - Dietrich Gehring
Page 1, 8, 10, 12, 14, 16, 18 & 22 - Town of Hoosick Website
Page 25 - istock photo

Table of Contents

Section I:	Executive Summary	1
Section II:	Introduction	5
Section III:	Vision Statement.....	7
Section IV:	Planning Process.....	8
Section V:	Community Outreach.....	10
Section VI:	Farming in Hoosick.....	11
Section VII:	Active Agricultural Lands.....	12
Section VIII:	Soils.....	14
Section IX:	Environmental and Recreational Benefits of Farmland in Hoosick	16
Section X:	Economic Impacts of Agriculture in the Town of Hoosick and Rensselaer County.....	17
Section XI:	Conversion Pressure.....	19
Section XII:	Land Use Regulations & Land Use Plans.....	22
Section XIII:	The Future of Farming	25
Section XIV:	Prioritizing Agricultural Land for Protection	26
Section XV:	Goals & Recommendations	29
Section XVI:	Implementation Plan	46

Appendix

- A. SWOT Analysis
- B. Interview Summary
- C. Review of Zoning Regulations
- D. Review of Subdivision Regulations
- E. NYSDAM Definition of Agriculture
- F. Fire Districts Budgets 2011
- G. New York Agricultural Landowners Guide
- H. Planning for Agriculture in New York: A Toolkit for Towns & Counties
- I. Letter from Rensselaer County Agriculture & Farmland Protection Board Approving Plan

Figures

- Figure 1:** Town of Hoosick Agricultural Enterprises – appears on page 17
- Figure 2:** Population & Households – appears on page 19
- Figure 3:** Town of Hoosick Population – appears on page 20
- Figure 4:** New Residential Building Permits – appears on page 20
- Figure 5:** Cost of Community Services - appears on page 21

Maps

- Map 1:** Location Map– appears on page 5
- Map 2:** Active Agricultural Lands – appears on page 13
- Map 3:** Soils – appears on page 15
- Map 4:** Zoning– appears on page 23
- Map 5:** Agricultural Stewardship Association’s Farmland Conservation Efforts in the Town of Hoosick – appears on page 28

Executive Summary

The Town of Hoosick has long been a farming community. Its residents value agriculture, locally produced farm products, and the open space maintained by the town's farmers. In anticipation of the steady increase in residential development that will come with the recovery of the national economy the town is planning ahead by developing strategies for accommodating growth while remaining an agricultural town. Toward this end the town has developed the following goals:

- **Encourage On-Farm Renewable Energy Production**
- **Retain Agricultural Land and Keep It In Production**
- **Educate Town Residents About Agriculture**
- **Foster Local Economy Based on Agriculture**
- **Create Agricultural Identity for Town**

Each goal is accompanied by a set of recommendations for various means to achieve the goal. The decision to implement any of these recommendations rests with Hoosick's town board. There are many recommendations and they are intended to be accomplished over a period of five years. An implementation matrix is included in the plan prioritizing recommendations, offering a suggested timetable as well as recommending appropriate individuals and groups to be tasked with the work involved.

The top five priority recommendations made by this plan are:

- **Establish an agriculture advisory committee**
- **Support development of renewable energy production**
- **Provide property tax relief for farmers**
- **Hold annual educational farm festival**
- **Support direct marketing of locally produced agricultural products**



The goals and recommendations included in the Town of Hoosick Agriculture and Farmland Protection Plan are as follows:

Goal I

Pursue Options for Renewable Energy Production on Farms

Recommendations:

1. **Support development of renewable energy production**
 - a. Biofuels
 - b. Windpower
 - c. Solar power
 - d. Farm forestry
 - e. Hydropower

Goal II
Retain Agricultural Land

Recommendations

1. **Local and State Regulations and Programs**
 - a. Review and revise town land use regulations
 - b. Provide purpose statement of town's support of agriculture in all town land use regulations.
 - c. Review the agriculture and farmland protection plan every five years and update as needed.
 - d. Take full advantage of Agricultural District Law to protect farms.

2. **Government Bodies and Officials**
 - a. Establish an agricultural advisory committee.
 - b. Cultivate farmer participation in local government.
 - c. Encourage town officials to receive training regarding land use planning, agriculture, and Agriculture District Law.
 - d. Revise the town's zoning ordinance to support farm labor housing such as mobile homes.
 - e. Revise the town's definition of "Junkyard" to exclude agriculture.
 - f. Strengthen the town's Right to Farm law.

3. **Land Conservation Tools and Partners**
 - a. Support use of conservation easements to protect farmland.
 - b. Educate landowners about agricultural conservation easements.
 - c. Study the viability of a term easement (also known as lease of development rights, LDR) program for the town.
 - d. Research viability of transfer of development rights program (TDR).

4. **Smart Growth and Real Estate Transactions**
 - a. Educate buyers and sellers of property on how to minimize the loss of farmland when developing property
 - b. Promote revitalization of population centers.
 - c. Consider impact of water and sewer line extensions.

5. **Property Tax Relief for Farmers**
 - a. Disseminate information about tax abatement programs.
 - b. Ensure owners of active agricultural land are receiving the benefit of agricultural assessment.
 - c. Encourage owners of agricultural land to take advantage of existing conservation programs and associated tax abatement.
 - d. Assessor training in agriculture issues.
 - e. Conduct study on feasibility of adopting agricultural assessment values for service districts.

6. Leasing and Farmer Transitions

- a. Direct farmers in transition to resources to help keep land in agriculture.
- b. Develop town-wide farmland rental network.
- c. Encourage beginning farmers.
- d. Promote town as a good place to farm to farmers outside of town who may want to relocate.

Goal III

Educate Public About Agriculture

Recommendations

1. Educate Town Residents About Value of Buying Food Produced Locally

- a. Support agricultural youth groups.
- b. Hold educational farm festival.

2. Create a Farm to School Program in the Hoosick Falls Central School District

- a. Form a farm to school committee.
- b. Encourage participation in state educational programs about agriculture.



3. Approach the Hoosac School and St. Mary's Academy about Providing Locally Produced Foods to their Students and Faculty

4. Address Practicalities of Living in an Agricultural Community

- a. Educate residents about road and traffic safety.
- b. Develop an informational brochure for new residents about living in an agricultural community.

5. Conduct Local Cost of Community Services Study

6. Reinforce and Maintain an Agricultural Identity for Town of Hoosick

7. Improve Access to Locally Grown Food for Low-income Residents

Goal IV

Foster Local Economy Based on Agriculture

Recommendations

1. Support Direct Marketing of Locally Produced Agricultural Products

- a. Expand and promote existing farmers market.

- b. Consider the potential for a store-front cooperative market located in Hoosick Falls that sells locally produced foods.
- c. Encourage existing retail stores and restaurants in town to sell locally produced food.
- d. Support development of more restaurants and retail outlets in Hoosick Falls where consumers can purchase locally grown food.
- e. Encourage location of small and medium-scale food processors in or near Hoosick.
- f. Support farmers catering to market for pastured and grass-fed meats.
- g. Support efforts to address the regional need for accessible, high-quality, USDA-inspected slaughterhouses for livestock and poultry.
- h. Research possibility of serving as a docking site for the Modular Harvest System.
- i. Encourage establishment of a butcher shop in Hoosick Falls specializing in the sale of locally produced meat.
- j. Offer incentives for development of community kitchens.
- k. Support initiatives to increase rural access to high speed internet.
- l. Encourage farmers to grow hops for craft brewing market
- m. Support development of agritourism operations.

2. Increase Support for Traditional Agriculture in Town

- a. Support government initiatives to stabilize milk prices.
- b. Encourage production and sale of beef and other livestock.
- c. Support dairy farmers converting to direct marketing.
- d. Form a farmers' cooperative for buying and selling product and supplies.



Introduction

Hoosick is an extremely scenic town, with quality farmland on both hillsides and river flats. The town is located in upstate New York in the eastern Upper Hudson Valley. Agriculture has historically been and remains the foundation of the Town of Hoosick's economy, producing food, employing people and paying taxes. Hoosick's farms provide open space, buffer natural resources and protect water quality.

The town remains very rural but it's proximity to fast-developing areas like Saratoga County and densely populated urban areas such as the Cities of Albany and Troy, along with the network of well-traveled state highways that pass through the town, make Hoosick vulnerable to over-development. Much of Hoosick's land is currently in farming however difficult financial challenges faced by the town's farmers over the past three years make this situation precarious. If farms that have been struggling to hang on through the recession, are ultimately forced out of business just as the economy is recovering and real estate prices are going up, the town will be vulnerable to a degree of farmland loss extensive enough to hamper future growth of its agricultural economy.

The Town of Hoosick lies in northern Rensselaer County. The western town line borders Pittstown. Washington County and the Towns of Cambridge and White Creek lie across the northern town line. The eastern town line borders the State of Vermont and the County and Town of Bennington. The Towns of Grafton and Petersburg lie to the south. The town includes the Village of Hoosick Falls and many small hamlets. The Hoosick River, a tributary of the Hudson River, and the Walloomsac River, a tributary of the Hoosick River, both flow through the Town of Hoosick.

Map 1: Location Map



The Town of Hoosick is an approximately one hour drive from the City of Albany, the state's capital, a half hour drive from the City of Troy, and a three-and-a-half hour drive from the New York Metropolitan Area, the largest city in the United States.

The Town of Hoosick is comprised primarily of agricultural lands, forest, scattered residential development and very limited small-commercial development. The town is 63.2 square miles or 40,448 acres in size. At the time of the 2000 United States Census of Population the Town of Hoosick had a population of 6,759, including the Village of Hoosick Falls population of 3,436. In the 2010 census the population for the entire Town of Hoosick was 6,924, with the Village of Hoosick Falls population being 3,501 and the town outside the village being 3,423. The population increase from 2000 to 2010 was 2 percent.

Hoosick is traversed by several major highways. New York State Highway Route 7, a major thoroughfare for travelers and truckers in route between New York and Vermont, cuts through the southern half of the town. NYS Highway Route 22, which connects the New York Metropolitan Area with the Adirondacks and Canada, bisects the town from north to south. NYS Route 67, connecting the Mohawk River Valley with Vermont, travels east-west through the northern part of town.

The town is home to the Hoosick Falls Central School District as well as the Hoosac School, a private boarding school and Saint Mary's Academy, a parish school of the Immaculate Conception Church in Hoosick Falls. The paintings of the famous folk artist Grandma Moses, who lies buried in the town, were discovered in Hoosick. The town is also home to the Bennington Battlefield, a state historic site of the famous Revolutionary War battle.

Vision Statement

As part of the planning process the Town of Hoosick's agriculture and farmland protection plan committee thought about how they would like the town to be in 20 years, creating the following vision statement:

In 2030 the Town of Hoosick will be a rural community with a thriving local economy based on agriculture. The town will continue to face increasing development pressure from the south and west as the Greater Capital District and the New York Metropolitan Area continue to sprawl but farming will remain viable because farmers, the town, the county and local land trusts, working with state and federal programs have protected the town's agricultural lands. The town's farm-based economy will continue to grow as agricultural-support infrastructure such as processing plants and equipment dealerships are attracted to the town by its farm-friendly policies.

Hoosick's land use planning efforts, structured to prevent the loss of valuable agricultural land, will have concentrated new residential and commercial development around the Village of Hoosick Falls and the town's hamlets. Benefiting from sound community planning these population centers will thrive. Dilapidated buildings will have been restored and new businesses will have opened. Farmers will be successfully marketing their products directly to the consumer and Hoosick residents' health will benefit from their access to fresh and nutritious locally grown food. The town will gain recognition for the high quality of its agricultural products.



Planning Process

In 2008 the Town of Hoosick applied for a grant from the New York State Department of Agriculture and Markets (NYSDAM) of \$25,000 to fund the development of a municipal agriculture and farmland protection plan. This funding is made available through NYSDAM's Farmland Protection Program which supports local efforts to protect agricultural land and ensure the economic viability of the agricultural industry.

Farming is vital to the health of New York State's economy, environment and communities. The importance of farmland is reflected in the New York State Constitution:

"the policy of this state shall be to conserve and protect its natural resources and scenic beauty and encourage the development and improvement of its agricultural lands for the production of food and other agricultural products..."

In 1992 the Agricultural Protection Act was passed creating the Agricultural and Farmland Protection Program to support local efforts to protect farmland and ensure the continued economic viability of the state's agricultural industry. The program funds the development of local agriculture and farmland protection plans and implementation grants such as funds for the purchase of agricultural conservation easements.



Local governments play an important role in protecting farmland. New York is a "home rule" state where town government officials make land use decisions and enforce them through local laws such as zoning ordinances and subdivision regulations. Agriculture and farmland protection plans are developed at both the town and county level. The majority of the counties in the state with farmland, including Rensselaer County, already have agriculture and farmland protection plans in place. The state is now making funding available to counties to

update their plans. Rensselaer County is currently updating its Agricultural and Farmland Protection Plan.

Agriculture and farmland protection plans enable communities to take stock of existing agricultural resources, including working farms, high quality farmland, and farm-related infrastructure. The plans recommend strategies for retaining farmland, agricultural economic development, educating the non-farming public about agricultural practices and ensuring that local regulations do not impede farmers' ability to take advantage of economic opportunities that will help them grow their business.

On August 15, 2008 the state awarded Hoosick a grant to develop a municipal agricultural and farmland protection plan. Hoosick's town board then appointed a committee made up of farmers and other residents to oversee the development of the plan.

The town hired American Farmland Trust (AFT) as a consultant to help in the development of the plan. AFT is a national, non-profit organization dedicated to saving farmland and supporting a sustainable future for farms and communities. AFT's New York State office is headquartered in Saratoga Springs with field representatives working across the state. In addition the town has received assistance from the Rensselaer County's Economic Development and Planning department.

While developing the plan the committee:

- inventoried the various types of agriculture in Hoosick
- created a map of the town's current active agricultural land by working with aerial photographs and maps
- conducted extensive community outreach
- analyzed the economic impact of agriculture on the town
- reviewed the town's land use regulations
- formulated goals to accomplish with the plan
- drafted recommendations for how those goals could be achieved, along with suggestions on how to implement the recommendations

The intention of this plan is to balance a steady increase in residential and commercial development and the rights of individual property owners with the community's collective desire to remain a farming town. This plan establishes goals for sustaining agriculture and makes recommendations on how to achieve these goals. The recommendations are offered as a guideline for town planning and the town board must approve any actions recommended by this plan before they can be undertaken.

By developing an agricultural and farmland protection plan the Town of Hoosick has positioned itself to remain a viable farming community as it grows in the future. Through strategies such as supporting farmers with farm friendly land use policies, working regionally to foster new economic opportunities for agriculture, and guiding dense residential development away from working agricultural land, Hoosick intends to accommodate growth while continuing its agricultural tradition.

Community Outreach

The Town of Hoosick sought and received much helpful input from the community during the development of the plan's goals and recommendations. Hoosick held a public meeting, facilitated by AFT, during which the members of the community shared their thoughts and concerns about the business of agriculture and the use of farmland in the town through a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis. The SWOT analysis appears in the appendix of this plan.

AFT also conducted interviews with farmers and owners of agricultural lands in the town and compiled the interviews into a summary that appears in the appendix of this plan. The interview summary addresses the common themes of:

- Working Families
- Impact of the Dairy Crisis and the Recession
- Concerns Regarding Local Property Taxes
- Development Pressure
- Views on Farmland Protection



Farming in Hoosick

Between the 1800s and 1950s, Hoosick was an agricultural leader among the townships in Rensselaer County. Between 1875 and 1950, Hoosick was the top township in the county in the following categories: land in farms; corn production; number of milk cows; and number of chickens.

Hoosick was also home to several farm industry-related factories. The Walter A. Wood Mowing and Reaping Machine Company operated in Hoosick from 1865-1924, employing over 1,000 people and producing 66,000 machines per year at its peak. Walter A. Wood won awards for its horse-drawn farm equipment and for a time dominated the European market.

The Gold Medal Creamery, in Buskirk, bought and processed milk from local dairy farmers from the 1850s through 1970s, when it was destroyed by fire. The creamery shipped milk from Hoosick to New York City. Additionally, the Shaw Brothers factory produced paper boxes for E-Z Mills of Hoosick Falls from 1901 to 1936.

In modern times Hoosick remains a primarily agricultural town but is no longer the bustling hub it once was. Three different agricultural districts, District 1, District 3 and District 4, contain farmland in the Town of Hoosick.

- Agricultural District 1, Breese Hollow and the Taconic Valley.
- Agricultural District 3, Pittstown and West Hoosick.
- Agricultural District 4 (all), North Hoosick.

According to an estimate from Rensselaer County's Economic Planning and Development department, 28,230 acres of land in the Town of Hoosick is contained in these three districts. The town has 221 parcels of land, a total of 18,886 acres, currently receiving agricultural assessment.

An analysis done by Hoosick's agriculture and farmland protection plan committee in cooperation with Rensselaer County's Economic Development and Planning department found approximately 80 individuals farm land in the town in some capacity. According to the inventory these farmers work roughly 15,500 acres of land. Approximately 4,500 acres of this land is rented from non-farming landowners. Agricultural products include: hay; beef; feed crops; dairy; horses; maple; vegetables; sheep; goats; hogs; nursery; and fruit.

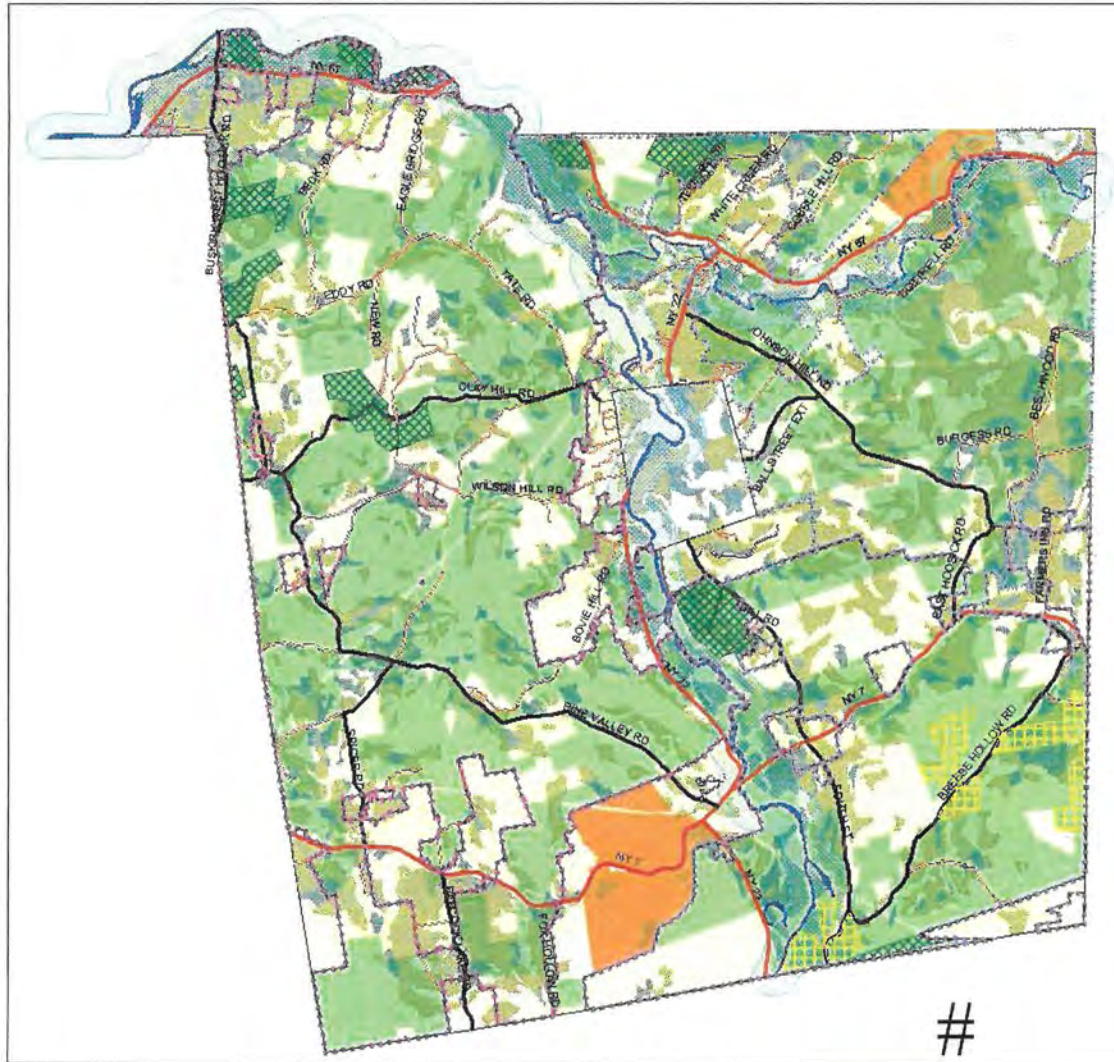
Historically much of the town's agricultural land was being worked by farmers practicing conventional dairy. Serious financial challenges over the years have led many dairies to close. Today many farms in Hoosick are now producing beef and other livestock as well as hay and field crops. Some dairy farms in town are trying alternatives such as feeding grass instead of grain and making organic cheese and producing yogurt. Horse farms in the area have increased in number, raising horses while providing riding lessons and boarding.

Currently most of the agricultural infrastructure utilized by farmers in Hoosick, including equipment and feed dealerships, meat processing and veterinary services, are located in neighboring Washington and Columbia counties. Farm services located in Hoosick include Breezy Hollow Farm, which sells feed, Greg Stratton's livestock processing, and the Harrington tractor tire repair and mounting service.

Active Agricultural Lands

Active agricultural lands can be found throughout the Town of Hoosick with the exception of areas on the Rensselaer Plateau. Although a goodly portion of the parcels are owned by farmers or their relatives, a large portion is also rented from non-farmers and, occasionally, other farmers. The active agricultural lands shown on the map are ones identified by the farmer members of Hoosick's agriculture and farmland protection plan committee. Not all of the land areas of many of the parcels are used directly in agriculture and may contain residences, woodlots, wetlands, brushlands and other uses. Some treed lots are used for sugar bush.





Town of Hoosick, New York Protected Agricultural Lands and Strategic Agricultural Lands



**Rensselaer County Bureau of Economic
Development & Planning, July 2011**

Soils

The Town of Hoosick contains a variety of soils types, many of which are well suited for farming. Soils within the Town of Hoosick that have been designated prime soils for farming are: Bernardston-Nassau Complex, undulating, which comprises 6.6% of the Town's soil; Bernardston Gravelly Silt Loam, 3 to 8 percent slopes which comprises 2.3% of the town's soil; Castile Gravelly Silt Loam, 0 to 5 percent slopes, which comprises 0.4% of the Town's soil; Chenango Gravelly Loam, 3 to 8 percent slopes, which comprises 1.1% of the town's soil; Chenango Very Gravelly Loam, 0 to 3 percent slopes, which comprises 0.4% of the town's soil; Chenango Very Gravelly Loam, 3 to 8 percent slopes, which comprises 0.5% of the town's soil; Elmridge Very Fine Sandy Loam, 3 to 8 percent slopes, which comprises 0.1% of the town's soil; Hamlin Silt Loam, 0 to 3 percent slopes, which comprises 3.7% of the town's soil; Haven Silt Loam, 0 to 3 percent slopes, which comprises 2.8% of the town's soil; Haven Silt Loam, 3 to 8 percent slopes, which comprises 0.2% of the town's soil; Hudson Silt Loam, 3 to 8 percent slopes, which comprises 1.0% of the town's soil; Pittstown Gravelly Silt Loam, 3 to 8 percent slopes, which comprises 11.1% of the town's soil; Riverhead Fine Sandy Loam, 0 to 3 percent slopes, which comprises 0.1% of the town's soil; Riverhead Fine Sandy Loam, 3 to 8 percent slopes, which comprises 0.4% of the town's soil; Scio Very Fine Sandy Loam, 0 to 3 percent slopes, which comprises 0.1% of the town's soil; Scio Very Fine Sandy Loam, 3 to 8 percent slopes, which comprises 0.1% of the town's soil; Teel Silt Loam, 0 to 3 percent slopes, which comprises 1.7% of the town's soil; Unadilla Silt Loam, 0 to 3 percent slopes, which comprises 0.5% of the town's soil; and Unadilla Silt Loam, 3 to 8 percent slopes which comprises 0.7% of the town's soil.



The Town of Hoosick also contains the following soils which are identified as farmland of statewide importance: Bernardston-Nassau complex, rolling; Bernardston gravelly silt loam, 8 to 15 percent slopes; Hoosick gravelly sandy loam, 0 to 3 percent slopes; Hoosick gravelly sandy loam, 3 to 8 percent slopes; Hoosick gravelly sandy loam, rolling; Hudson silt loam, 8 to 15 percent slopes; Madalin silt loam, 0 to 3 percent slopes; Nassau-Manlius complex, undulating; Pittstown gravelly silt loam, 8 to 15 percent slopes; Riverhead fine sandy loam, rolling; Scriba silt loam, 0 to 3 percent slopes; Scriba silt loam, 3 to 8 percent slopes; and Unadilla silt loam, 8 to 15 percent slopes.

*The National Resources Conservation Service defines Prime Farmland as "land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods."

** The National Resources Conservation Service defines Farmland of Statewide Importance as "land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops."



Environmental & Recreational Benefits of Farmland

Along with forest and woodlots, working farmland is responsible for much of the open space in the Town of Hoosick. Agricultural land also provides food and cover for wildlife, helps control flooding, and protects wetlands and watersheds. Farmland absorbs and filters wastewater and runoff and provides groundwater recharge that protects the quality of drinking water in the town.

Farmland and associated woodlands, with permission from the landowner, can also provide opportunities for outdoor recreation such as hunting, fishing, hiking, cross-country skiing, bicycling and snowmobiling. Snowmobile clubs including the Hoosick Trail Masters and the Rensselaer County Snow Riders use state snowmobile trails that traverse Hoosick farmland. Many farmers allow hunters access to their land during hunting season.



Economic Impact of Agriculture in the Town of Hoosick and Rensselaer County

Hoosick has a long history of farming that spans several generations. With over 28,000 acres of farmland and 150 agricultural enterprises, the town continues to support a thriving and diverse agricultural industry. These enterprises include dairy, crops and livestock as well as nursery and greenhouse, sugar bushes and agritourism. Farmers are generating income through the wholesale marketing of their crops as well as marketing directly to the consumer.

Figure 1: Town of Hoosick Agricultural Enterprises

Enterprise	Number
Dairy	7
Heifers	3
Beef Cattle	25
Goats	4
Sheep	5
Horses-Riding	9
Horses-Racing	2
Corn	19
Oats	1
Soybeans	2
Other Grains	1
Hay	52
Vegetables	4
Nursery/Greenhouse	2
Fruit Trees	2
Sugar Bush	5
Agritourism	1
Other	3
TOTAL	151

The total number of farm operations in the Town of Hoosick is 82. The above table depicts the number of enterprises that are currently operating on the farms. Several of the farms engage in more than one enterprise.

In recent years, the high cost of doing business and low commodity prices have negatively impacted both beef and dairy farms. As a result, some farms have been forced to sell their cows and either rent their farmland to neighboring farms or raise other crops and livestock. A large percentage of farms in the town are raising beef cattle and harvesting hay. This is in part due to the unpredictable milk prices and an expanding hay market. More options are available for farmers to process their animals and market their meat allowing them to earn a higher return on their products. Direct sales will continue to be an important money maker for farmers as the

costs of doing business continue to skyrocket, thereby forcing farmers to seek new markets to sell their products at a higher price.

Recent trends indicate that more consumers are spending more money for local products. From 2002 to 2007 the value of direct sales in the Hudson Valley region increased by 36 percent. This provides a unique opportunity for farmers to develop market-ready or value-added products. This may include individual cuts of vacuum-packaged meat as well as a variety of dairy products ranging from bottled milk to cheese.



As farms transition from one generation to the next or from retired farmers to new business owners, it will be imperative that the farm owners/operators expand or diversify their enterprises based on market demands. The fluctuating commodity markets and increased costs will continue to force farmers to consider other options in order to remain profitable. One of these options may include the use of alternative energy to decrease the cost of production. Currently, the state and federal governments are offering incentives for photovoltaic and wind energy projects.

Other opportunities to spur agriculture economic development in the town include marketing programs to promote agricultural businesses selling direct, farm-to-school programs, local produce cooperative, farm festivals, small-scale processing and agricultural awareness outreach to the town residents and neighboring communities. Funding for these projects will need to come from a variety of sources including grants, loans and outside investment. Assistance for these projects may also be available through federal, state and county programs.

Conversion Pressure

According to the United States Census of Population and Housing between 1990 and 2000 the population of the Town of Hoosick increased from 6,696 to 6,759 persons. The population of the Town of Hoosick living outside of the Village of Hoosick Falls increased from 3,206 to 3,323 persons, or by 3.6 percent. During this same time period the Village of Hoosick Falls' population actually dropped by 54 individuals or 1.5 percent. This population loss in the village combined with the population gain in the town gave the town a total population gain of 1 percent, or approximately 66 individuals. Yet, according to a review of town building permits conducted by AFT, between 1990 and 2000, 205 building permits for the new construction of single family homes were issued by the Town of Hoosick. The peak years were 1998 and 1999 during which 41 permits were issued in each year.

According to the census the population of the town in 2010 was 6,924, an increase of 165 individuals or 2 percent. This count includes the Village of Hoosick Falls and its population of 3,501. The town population outside of Hoosick Falls was 3,323. A review of building permits issued by the town, on file at Town Hall, found that 126 new single family homes were built in the Town of Hoosick between 2000 and 2010. The average number of people per household has decreased from 2.59 in 1990 to 2.55 in 2000.

Figure 2: Population & Households

Population & Households	1960	1970	1980	1990	2000	2010
Town of Hoosick						
Population	6,490	6,651	6,732	6,696	6,759	6,924
Households	2,022		2,303	2,556	2,620	2,777
Village of Hoosick Falls						
Population	4,023	3,897	3,609	3,490	3,436	3,501
Households			1,282	1,367	1,382	1,434
Hoosick w/o Hoosick Falls						
Population	2,467	2,754	3,123	3,206	3,323	3,423
Households			1,021	1,189	1,238	1,343

In general, since the 1960s, the population of the Town of Hoosick has grown slowly and steadily (Figure 2). However, Hoosick's population growth, and subsequent housing development, has been occurring in more rural parts of town, while the Village of Hoosick Falls has actually experienced a population decline (Figure 3).

This trend is consistent with the phenomenon identified in Rolf Pendall's Brookings Institute Report, "Sprawl Without Growth: The Upstate Paradox." Pendall identifies a trend in New York since the 1980s, where residents have continued moving out of urban centers and further and further into suburbs. This pattern threatens both urban and rural economies and lifestyles. Businesses in cities lose their market. Meanwhile, the population influx in the country creates a

demand for housing, driving up land prices and giving farmers incentive to sell their land for development.

Figure 3: Town of Hoosick Population

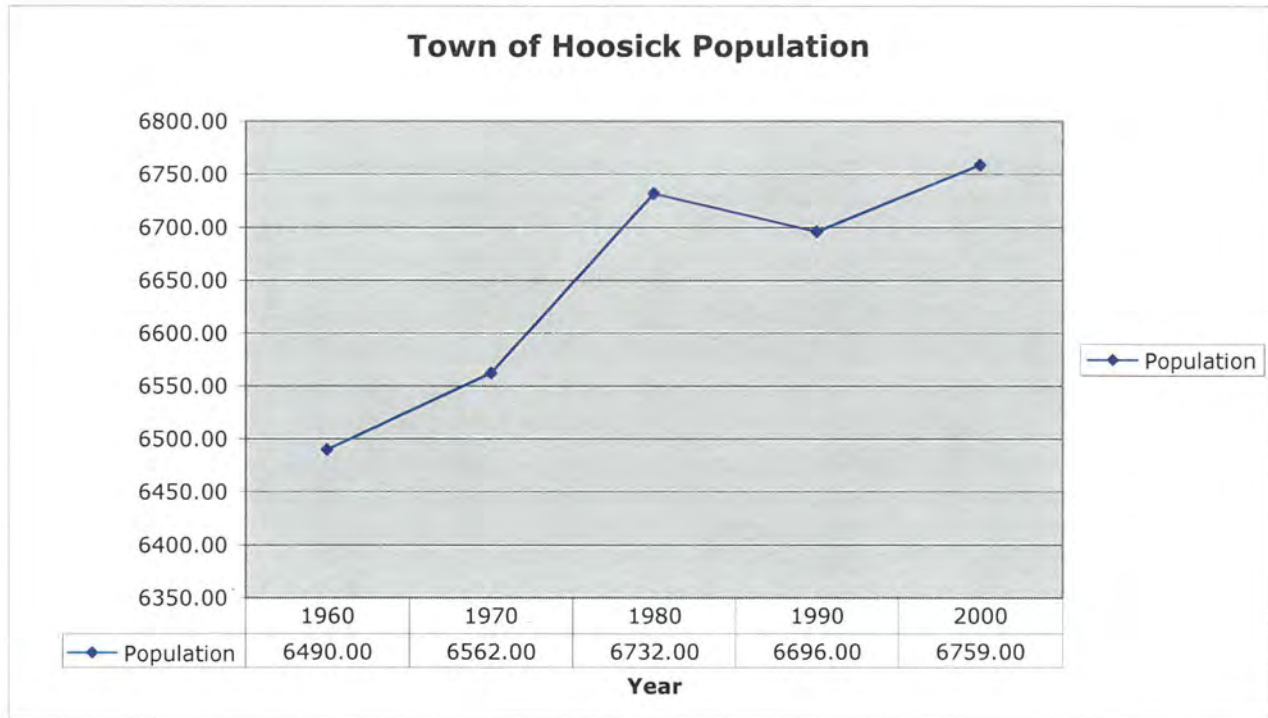
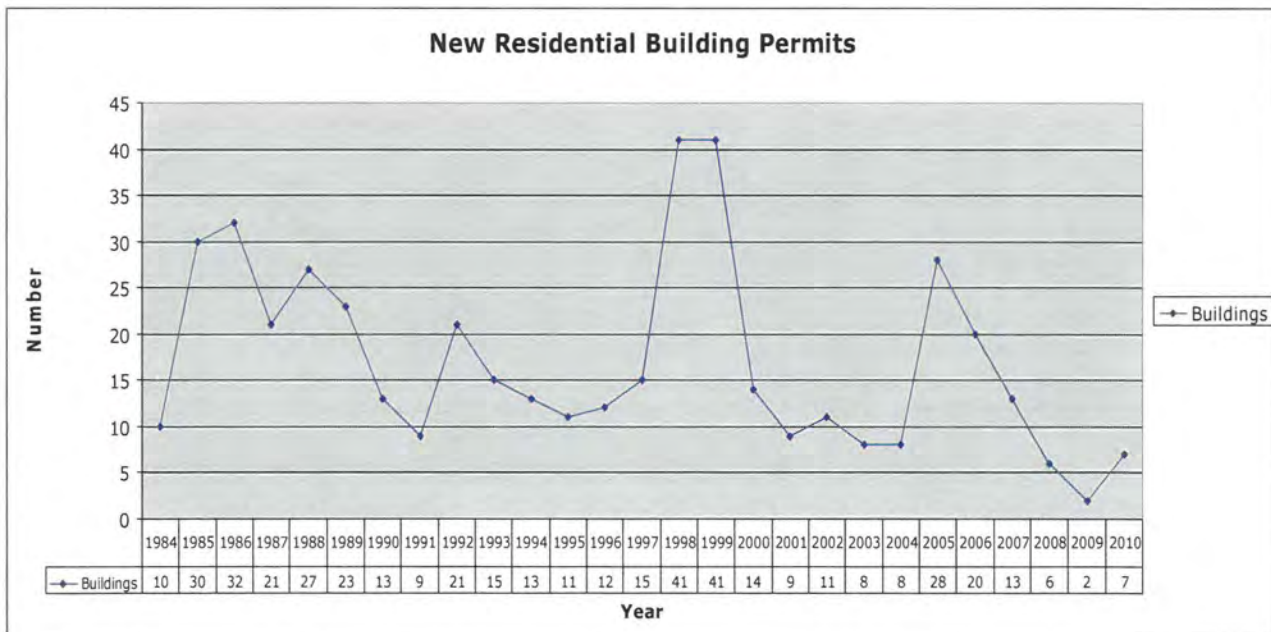


Figure 4: New Residential Building Permits

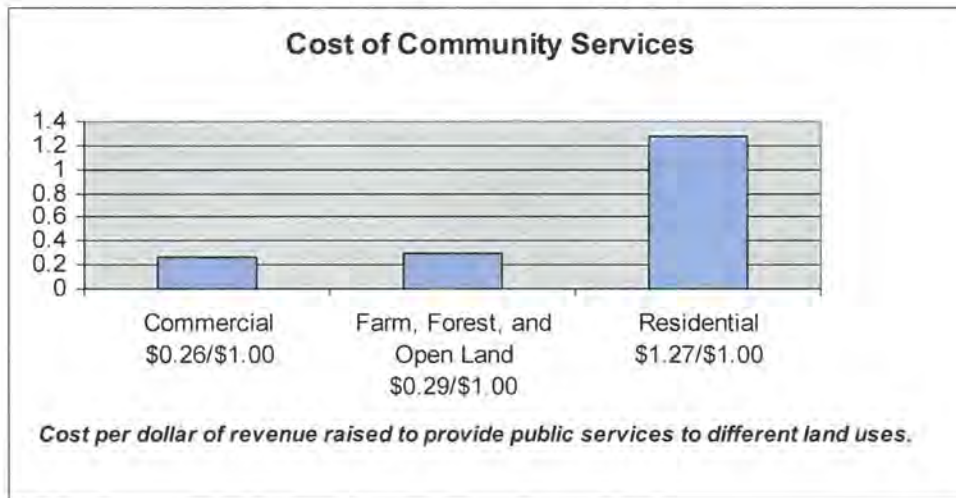


Such sprawl frequently occurs in agricultural areas where the land tends to be flat and easiest to develop. An increase in homes in agricultural areas fragments arable land and makes it more difficult for the farmer who can not only access less land but must spend additional time moving farm equipment between fields on roads that, due to the increase in homes, are more frequently traveled, creating risk for both farmer and rural resident. An increase in homes in agricultural areas also can often lead to conflict. The purchaser of a home in the country may not be prepared for the activities associated with agriculture such as manure spreading and farm equipment running in the fields at night.

In addition, because of its convenient location and rural character, the Town of Hoosick is an attractive location for second homes. As the economy recovers from the recession, the value of farmland for residential development will continue to rise. Retiring farmers and those needing to pay off debt accrued during the recession will begin to consider selling off land for development.

Conversion of agricultural land to other uses, such as residential housing, may increase the rate of loss of farmland in the area. Increased property taxes brought about by the increased demand for services that comes with residential development will escalate costs further for agriculture, causing yet more farms to go out of business continuing the cycle of farmland loss and residential development.

Figure 5 : Cost of Community Services



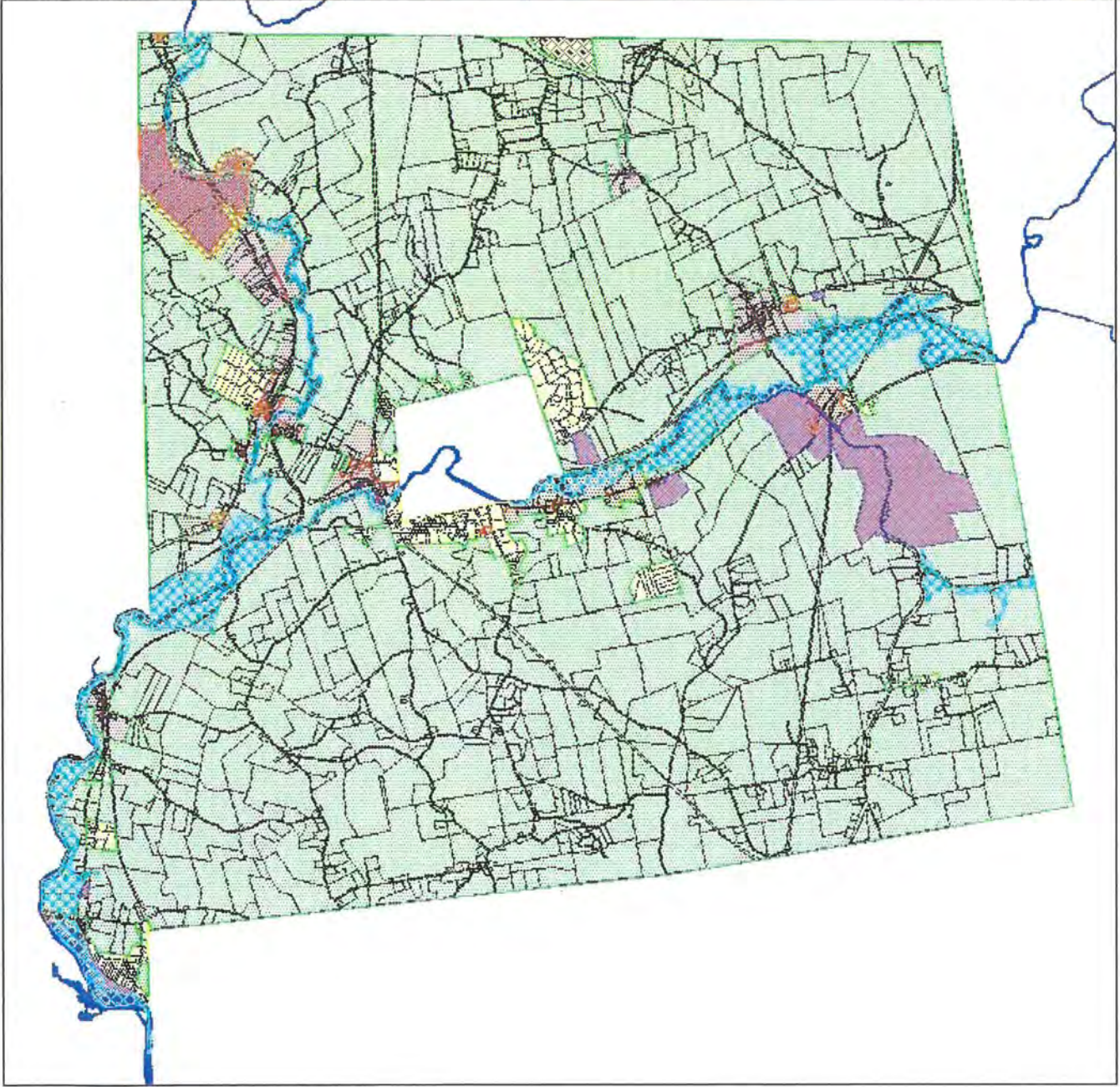
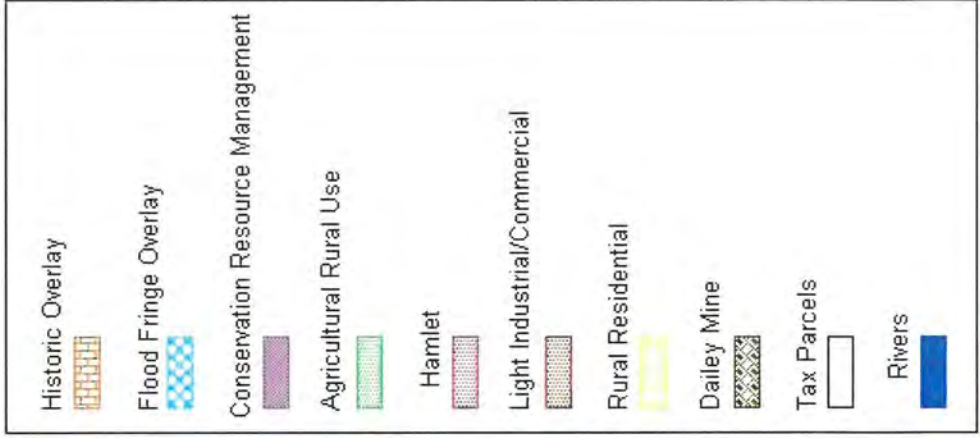
Land Use Regulations & Land Use Plans

Hoosick has several different sets of regulations regarding land use. The *Land Use Law of the Town of Hoosick, New York*, is a zoning code updated in 2009. It divides the town into land use districts and regulates the use of structures as well as the location, construction, alteration, occupancy and size of structures. The purpose of the *Land Use Law* is to protect and promote the health, safety, values and general welfare of the community. In addition the *Land Use Law* has the following stated purposes:



- Encourage the management of agricultural resources.
- Encourage the rural character of the town.
- Encourage the opportunities for growth recognizing the constraints of natural resources.
- Encourage economic development.
- Assure adequate sites for residential, agricultural, industrial and commercial uses.
- Facilitate the efficient, economical, and adequate provision of public utilities and services.
- Prevent and reduce traffic congestion, to promote efficient and safe circulation of vehicles and pedestrians.

**Town of Hoosick
Land Use District Map
DRAFT February 2009**



In addition to its *Land Use Law* Hoosick has in force a locally adopted *Subdivision Regulation Law*, which governs land subdivision within the town. The purpose of the *Subdivision Regulation Law* is to ensure that “the land shown on the plat be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health safety and welfare.” A review of Hoosick’s *Land Use Law* and *Subdivision Regulation Law* was conducted by American Farmland Trust and is included in the appendix of this plan.

Hoosick also has in place a *Comprehensive Plan* which was updated in 2004. The plan offers a section on protecting and promoting farmland with a stated goal of promoting “land use policy and conservation measures that encourage agriculture and protect productive farmland,” and to “maintain a viable agricultural economy,” promoting “the economic development of the agricultural sector.” Objectives include:

- Direct growth away from agricultural areas to minimize loss of prime soils and disruption of farm operations.
- Guide public policy promoting agriculture.
- Demonstrate the importance of farming and the integral part it plays in supporting the rural character of the town as well as the part it plays in Hoosick’s quality of life.
- Support the purchase of development rights on farmland.
- Expand efforts to promote town farm businesses and farm products.

The town also has a simple *Right to Farm Law* in place designed to work in concert with the New York State right to farm law that protects farmers employing good management practices from nuisance complaints and unreasonable controls on farm operations.

In addition to the above laws the town has several additional local ordinances that govern land use activities including:

- Historic landmarks and districts
- Telecommunication towers
- Mobile homes
- Second hand junk and auto parts activities

The Future of Farming

Maintaining profitability is the biggest challenge facing farmers in the Town of Hoosick. Although the recent recession has reduced development pressure on farmland it has also increased challenges to farm viability. Farmers in Hoosick are also challenged by the high cost of doing business in New York State as well as the volume of state regulations that must be adhered to.

In response to changes in the marketplace, commodity farms in Hoosick will continue to diversify. Dairy farms have converted or diversified into livestock, hay and field crop production. Some dairy and livestock farms are branching out into grass-fed and organic dairy, along with value-added dairy products such as cheese and yogurt. Many farmers who have traditionally only sold in the commodity market are now marketing their products directly to consumers.



In an effort to control the price they receive for their products and to bring more money to the bottom line farmers are expanding their efforts to market their agricultural products directly to the consumer. As energy costs rise farm businesses have, and will continue to, take advantage of government incentives to install renewable energy infrastructure to reduce on-farm energy expenses.

Prioritizing Agricultural Land for Protection

State agricultural and market law provides for the development of municipal agriculture and farmland protection plans. According to the language of the law plans shall include the “location of any land or areas proposed to be protected.”

Many farmers in Rensselaer County worry that without large, contiguous tracts of farmland, agriculture will no longer be a viable industry in the town and have expressed interest in protecting a critical mass of farmland.

In 2002 AFT conducted a study entitled “Is There a Critical Mass of Agricultural Land Needed to Sustain an Agricultural Economy? Evidence from Six Mid-Atlantic States.” According to this study the critical mass concept is based on the idea that a certain amount of agricultural activity must be sustained in order for the agricultural economy in an area to remain viable. As production levels decline below a given threshold, costs will rise. A decline in agricultural profits and thus a higher relative return for conversion to other uses, such as residential housing, may increase the rate of loss of farmland in the area due to the increased property taxes that come with it.

A fair amount of land in Hoosick is already protected. The state owns 2,025 acres of primarily forestland and 1,027 acres of farmland have been protected with agricultural conservation easements. According to the farmer interviews conducted as part of the research for this plan, farmers have a considerable amount of interest in participating in New York State’s purchase of development rights program. Unfortunately funding for the program has been cut dramatically and there is a significant backlog of approved applications that have yet to be funded. NYS DAM is not taking any applications at the time of the writing of this plan.

Rensselaer County does have in place a system for prioritizing agricultural land for protection through the state program that presumably will remain in place once funding is restored. Farmland in the Town of Hoosick will be prioritized for protection based on the county system. The county prioritizes farmland for protection based on its: soils; proximity to other farms; degree of development pressure; prospects of succession and environmental benefits. By adopting this agriculture and farmland protection plan Hoosick increases its opportunity to receive state funding for the purchase of conservation easements.

The Agricultural Stewardship Association (ASA), a non-profit land trust that works to protect farmland in Washington and Rensselaer County, administers Rensselaer County’s applications to the state’s farmland protection program. In 2006 ASA developed a five year Farmland Conservation Plan for Washington County and the northern section of Rensselaer County. At the time the plan was created only the northern section of Rensselaer County was in ASA’s area of work. Since 2006 ASA has expanded to cover the entire county. At the time of this writing ASA is working to update the plan examining and mapping the following criteria:

- Parcels in current agricultural production
- Prime soils
- Soils of statewide importance

- Lands within ¼ mile of conserved lands (ASA easements, state forests, state parks, etc.
- Lands with 1/8 mile of current land in agricultural production
- Lands within ¼ mile of state and county routes (as an indicator of development pressure)
- Lands within 100 feet of water resources (rivers, streams, wetlands, lakes, ponds , etc.)

ASA’s Farmland Conservation Plan was developed to help the organization respond to the critical challenges facing agriculture by developing a multi-pronged initiative that concentrates on priority agricultural lands. The plan identifies priority conservation areas and special project areas defined as follows:

Priority Conservation Area: Areas containing significant amounts of high quality farmland that are conducive to a long-term agricultural business environment. Priority Conservation Areas also include concentrations of Anchor Farms and farmland containing high quality soils near water resources.

Special Project Areas: Special Project Areas contain farms which define community character such as scenic and active farms located along road corridors or farms of special importance due to wildlife habitat or environmental significance.

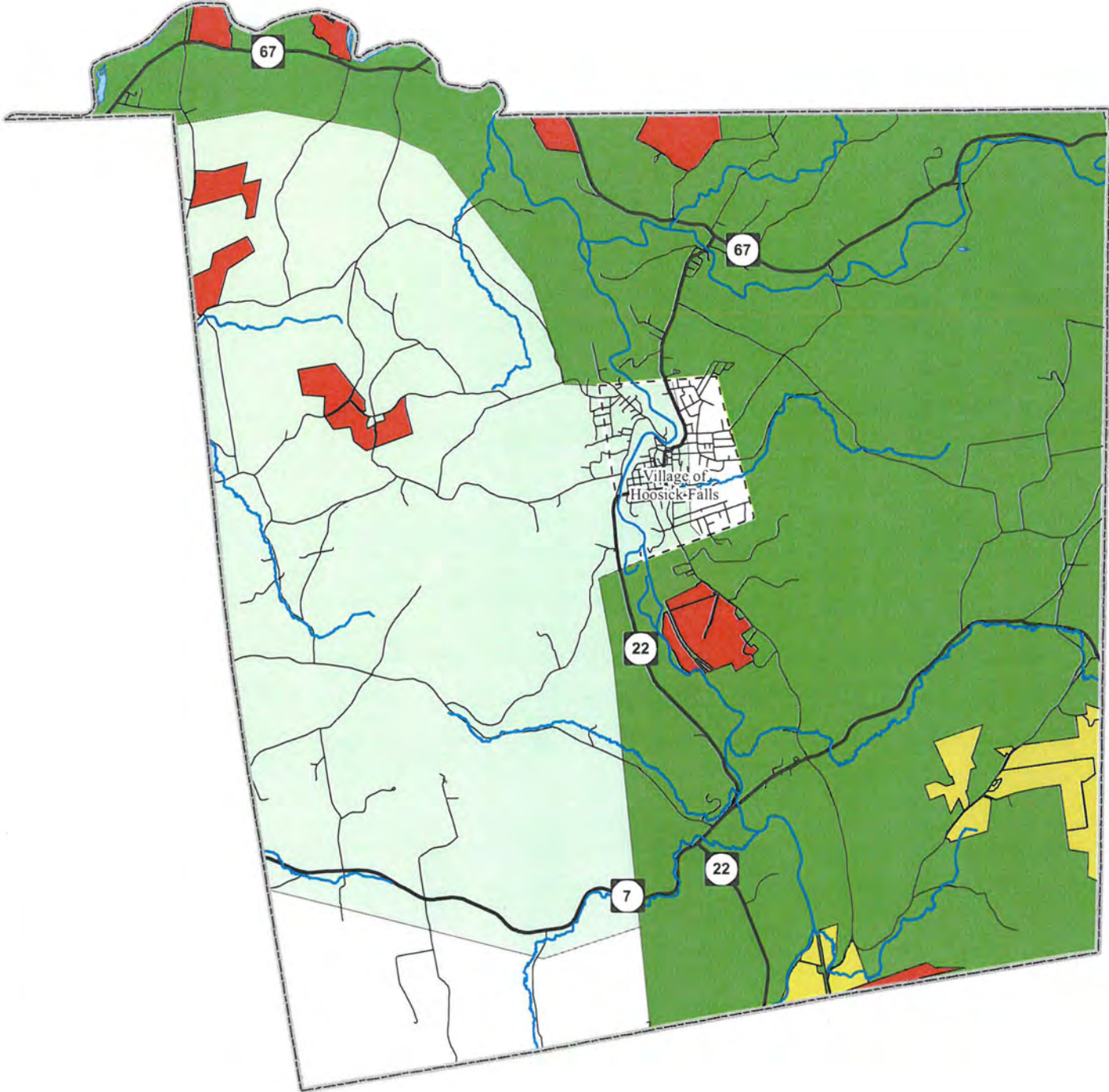
Priority Conservation Areas are ASA’s first priority when it comes to protecting farmland with conservation easements. Special Project Areas are a secondary focus. The 2006 plan identifies nearly all of the land in the Town of Hoosick as either a Priority Conservation Area or a Special Project Area with the exception of Hoosick Falls and the southwestern corner of the town.







The Hoosick Watershed, which includes the eastern half of the Town of Hoosick, is identified as a Priority Conservation Area in ASA’s 2006 Farmland Conservation Plan. In addition the plan identifies the West Hoosick Hills, in the western half of the town, as a Special Project Area.

As ASA’s Farmland Conservation Plan indicates, all farmland is important in the Town of Hoosick. The Town of Hoosick supports ASA’s Conservation Plan and identifies all farmland in the town as a priority for protection. In addition to working on the implementation of the recommendations of this plan to support agriculture and protect agricultural land the town will continue to partner with Rensselaer County and ASA, as well as the Rensselaer Land Trust to enable willing farmers to place conservation easements on their land.

Agricultural Stewardship Association's Farmland Conservation Efforts in the Town of Hoosick



Legend

-  ASA Conserved Land
-  Land in-process of conservation with ASA
-  ASA's Hoosick River Watershed Priority Conservation Area
-  ASA's West Hoosick Hills Special Project Area

Goals & Recommendations

The Town of Hoosick has long been a farming community and its residents value agriculture, locally produced farm products, and the open space maintained by the town's farmers. In anticipation of the steady increase in residential development that will come with the recovery of the national economy the town is planning ahead by developing strategies for accommodating growth while remaining an agricultural town. Toward this end the town has developed the following goals:

- **Encourage On-Farm Renewable Energy Production**
- **Retain Agricultural Land and Keep It In Production**
- **Educate Town Residents About Agriculture**
- **Foster Local Economy Based on Agriculture**
- **Create Agricultural Identity for Town**

Goal I

Pursue Options for Renewable Energy Production on Farms

Recommendations

1. **Support development of renewable energy production:**

Encourage farmers to produce renewable energy in accordance with town regulations. Farms throughout the state and country are currently producing renewable energy for on and off farm consumption in the form of wind, solar, hydropower and bio-fuels. The production of renewable energy is a major economic opportunity for farmers that will help them keep their land in agriculture. The town needs to keep this in mind when crafting regulations regarding renewable energy. To encourage renewable energy production the town should educate farmers about alternative-energy programs for farms offered by groups like New York State Energy Research and Development Authority (NYSERDA) and encourage their participation.

- a. Biofuels:** Collaborate with Rensselaer County Cornell Cooperative Extension (CCE) and Rensselaer County's Economic Development and Planning department to research how Hoosick could best meet the needs of the market for biofuels. Local biofuel businesses exist (Albany Renewable Energy, Empire State Ethanol and Energy) and are planning expansions. Find out what products they need in what quantities. Make this information available to farmers. Research the possibility of a group of farmers collaborating to apply for a grant from the United States Department of Agriculture's (USDA) Biomass Crop Assistance Program. Encourage dairy farmers to install anaerobic methane digesters to produce biogas. Funding to facilitate this is available from a number of sources.
- b. Windpower:** Support the development of on-farm wind power development in accordance with town regulations to produce energy for on-farm use. Producing their own electricity through an on-farm windmill is an opportunity for farmers to reduce their energy costs, increasing profitability.

- c. **Solar Power:** Encourage farmers to take advantage of federal and state incentive programs to install solar power units on their farm to reduce the amount of money they spend on electricity. Consider offering a tax exemption for solar power installations similar to the existing 10-year exemption on farm buildings.
- d. **Farm Forestry:** Farm forestry is the management of trees for timber yields by farmers. Farm forests, also known as woodlots, can be small-scale forest plantations or agro-forests featuring diverse types of timber mixed with livestock and crops. The sale of timber can provide additional income to the farmer, diversify a farm's yields and benefit the environment. The town should encourage farmers to practice farm forestry and offer resources and support. Encourage the location of a sawmill in town to provide a market for local timber.
- e. **Hydropower:** Currently hydropower is not permitted within the Town of Hoosick's land use regulations however Hoosick has a history of hydropower generation. The town should research environmentally sound options for bringing hydropower back to Hoosick.

Goal II

Retain Agricultural Land

Recommendations

1. Local and State Regulations and Programs

- a. **Review and revise land use regulations.** AFT has conducted a review of the town's *Land Use Law* and *Subdivision Regulation Law*. These reviews can be found in the appendix of this plan. The review found the Town of Hoosick's *Land Use Law* to be simple and reflective of the primarily rural and agricultural character of the town outside the Village of Hoosick Falls. The *Land Use Law* review does make several recommendations for revision to the town's zoning law that will improve the law's impact on agriculture and its compliance with NYS Agricultural District Law.

The review found the town's *Subdivision Regulation Law* to be well-written and comprehensive. Although the review did not find any major issues with regard to agriculture it does propose some minor changes to make the *Subdivision Regulation Law* more farm-friendly.

The town board and planning board should review AFT's analysis of the town's land use regulations and consider implementing the recommended revisions.

Farmers in Hoosick have objected to an element of the town's *Subdivision Regulation Law* that limits a landowner seeking a simple subdivision to no more than three lots. In July of 2011 the town board amended the law to allow farmers

to subdivide lots for children in addition to the three lots already allowed. The amendment requires each lot subdivided for the farmer's children be a minimum of five-acres in size. The minimum lot size throughout the town is one-acre. Lowering the five-acre minimum lot size for lots subdivided for farmers' children to one-acre is currently under discussion.

- b. Provide purpose statement of town's support of agriculture in all land use regulations:** Each of the town's regulation documents should contain a purpose statement regarding the priority the town places on agriculture.
- c. The agriculture committee should be tasked with reviewing the agriculture and farmland protection plan every five years, revising and updating it as needed.**
- d. Take Full Advantage of Agricultural District Law to Protect Farms:** Ensure that all of the provisions of the state's Agricultural District Law are being adhered to within the town. For example, the local ordinance provision prevents local governments from enacting laws that unreasonably regulate farm operations in agricultural districts unless public safety is threatened. The Agricultural District Law also requires agricultural data statements to be made when land use determinations affect land in or within 500 feet of an agricultural district. The agricultural data statement evaluates the proposed project's possible impact on agriculture and must be taken into account during the town's review of the project. Agricultural District Law also requires that landowners provide disclosure notices to prospective buyers prior to signing a purchase contract for land in an agricultural district. The notice advises potential property buyers about the sights, sounds, smells and other aspects of modern agricultural practices before they purchase property in a farming area.

2. Government Bodies and Officials

- a. Establish an agriculture advisory committee:** The town should adopt the proposal made in its comprehensive plan that it form an agriculture advisory committee. This committee, made up of farmers and owners of agricultural land, will be tasked with leading the implementation of the town's agricultural and farmland protection plan and will be responsible for ensuring that the town is adhering to the state agricultural district law and the town's right to farm law. The committee will keep farmers informed regarding town business that affects agriculture. The committee will also coordinate community support for new and existing farmers in the town as well as educate town residents about agriculture.
- b. Cultivate farmer participation in local government:** Strive to include farmers on all town boards and committees so that the farmer's perspective is brought to the table throughout discussion and decision-making processes.

- c. **Encourage town officials to receive training regarding land use planning, agriculture and agriculture district law:** Town officials, planning board members, employees and assessors should receive training and education about land use planning as it pertains to agriculture. Training is available from organizations such as the New York Planning Federation, AFT, New York State Department of State, Capital District Regional Planning Commission, New York State Office of Real Property Services (NYORPS) and NYSDAM.
- d. **Revise the town’s zoning ordinance to support farm labor housing such as mobile homes:** Farms operate 24 hours a day 7 days a week. As a result it is common for farm workers to live on the farm. For some farm operations on-farm residence is even a requirement of the job. Often the provision of housing is part of employee compensation. Farmer employing guest workers under the federal H2A program are required to provide housing for migrant farm workers. Mobile homes are commonly used as employee housing on farms. Hoosick’s current zoning regulations prohibit mobile homes within the town. The town should consider revising this ordinance to allow mobile homes for farm labor housing.

Currently *Town of Hoosick Local Law Number 2* includes definitions for mobile homes and mobile home parks. Mobile home parks are defined as “a parcel of land under single ownership which has been planned and improved for the placement of one or more mobile homes for non transient use.” This implies that in order to have a single mobile home on a parcel of land the landowner must go through the regulations that apply to a mobile home park, which traditionally includes multiple mobile homes.

Mobile home parks must be licensed by the town. In order to be licensed mobile home parks must comply with extensive regulations. These regulations are appropriate for a large mobile home park but are excessive for the small number of on-farm mobile homes that would be required for farm labor housing. However, because of the way the ordinance is written, the site of even a single mobile home is considered a mobile home park and would be subject to the regulations regarding mobile home parks.

There has been long-standing debate in the Town of Hoosick about whether or not mobile homes should be allowed. Upon their review of this plan’s recommendations the Rensselaer County Agricultural and Farmland Protection Board concurs that the town’s current blanket regulations against mobile homes were excessive when dealing with a single mobile home located on a farm. The town’s zoning board of appeals also expressed support for the recommendation to allow mobile homes on farms. The town’s planning board expressed concern regarding the recommendation and a desire to review any proposals that might be made regarding the law.

Ultimately the recommendation in this plan to allow mobile homes on farms is only a recommendation. It is up to the town board to consider the

recommendation. When considering the recommendation the town board will seek guidance from the planning board and the zoning board of appeals and weigh public input regarding the costs and benefits such a zoning revision would have to the community. Changes to the language of the town's land use regulations can only be made if the town board votes in favor of a revision.

e. Revise the town's definition of "Junkyard" to exclude agriculture:

Currently the town's land use regulations' definition for "Junkyard" reads "use definition from town's law." *Town of Hoosick Ordinance Number 6, An Ordinance Licensing and Regulating Dealers in Second Hand Junk and Auto Parts Activities and Businesses* may be the law referred to in this definition. However an actual definition for the term "junkyard" does not appear in this ordinance either. The ordinance does state that a license from the town is required for any activity which involves "the collection, storage, burning, dumping, disassembling, dismantling, salvaging, sorting or otherwise handling or arranging for sale, resale, storage or disposal or otherwise of bodies, engines, or parts of autos..." Autos are defined as "passenger auto, truck, tractor-truck, trailer, bus, motorcycle, or other vehicle, however propelled, as well as tractors, bulldozers, machinery and equipment."

Sometimes local regulations governing junkyards do not exempt traditional farm "junk piles" or the collection of inoperable equipment or vehicles that can be found on a typical upstate New York farm. These farm junk piles serve as a source for spare parts used in a farm operation.

NYSDAM recognizes the need for some junk storage on farms and the prohibition of such activities may be considered a contravention of Agriculture and Markets Law (AML) Section 305-a. This law provides farmers and agricultural operations within state agricultural districts specific protections against local zoning regulations that may be unreasonably restrictive and cause undue interference with legitimate agricultural practices defined by state law. Because many of the farms in the Town of Hoosick are located within state agricultural districts they are afforded these protections. Local governments are required to ensure that their regulations do not unreasonably restrict or regulate farm operations unless it can be shown that public health or safety is threatened.

In order to avoid conflict with state Agriculture and Markets law the, the Town of Hoosick should modify the town's junkyard definitions to exclude items that are generated by and or used in any ongoing agricultural operations on the premises of farms located in an agricultural district.

Upon review of these recommendations the zoning board of appeals expressed support for modifying the definition of junkyard to exclude items generated by or used in agricultural operations. The town planning board expressed concern regarding the recommendation and a desire to review any proposals regarding changes to the definition.

Ultimately it is up to the town board to consider the recommendation. When considering the recommendation the town board will seek guidance from the planning board and the zoning board of appeals and weigh public input regarding the costs and benefits such a revision to the definition of junkyards would have to the community. Changes to the language of the town's land use regulations can only be made if the town board votes in favor of a revision.

- f. Strengthen town's right to farm law:** The town has a basic right to farm law in place that serves to aid in protecting farmers using best management practices from public and private nuisance lawsuits. This law is essentially a local version of the state right to farm law. A local right to farm laws serves as a public demonstration of the town's support for agriculture. Hoosick's right to farm law could go further, strengthening its language of support.

In addition to reinforcing state protection of farmers from nuisance law suits the local law could reinforce other elements of Agriculture and Markets Law such as providing disclosure notices for the sale of property in an agricultural district. The local law could call for the disclosure notice to be issued at the time property in an agricultural district is put up for sale rather than at the closing. Town right to farm laws can also establish local systems for mediation of disputes relating to agriculture. In addition the local right to farm law can require that the intents and purposes of the law be taken into consideration by the town when processing applications for rezoning, site plan approval or special use permit approvals within a designated radius of the farm.

3. Land Conservation Tools and Partners

- a. Support use of conservation easements to protect farmland:** Foster collaboration between the town and regional not-for-profit land conservation organizations such as the Agricultural Stewardship Association (ASA) and Rensselaer Land Trust (RLT) as well as state and county farmland protection initiatives. Maintain support of and involvement with the state's Farmland Protection Program. Encourage the voluntary use of conservation easements to protect land whether through donation or purchase of development rights. The Whipstock Hill Preservation Society (WHPS) which protects the rural character of the Whipstock Hill and Breese Hollow area is a potential local source of matching funds for the purchase of conservation easements.
- b. Educate landowners about agricultural conservation easements:** Work with ASA and RLT to hold education sessions for landowners in town where they can learn about conservation easements, how they work, and the potential tax benefits.
- c. Study the viability of a term easement program for the town:** A term easement, also known as lease of development rights (LDR), is an arrangement in

which a landowner makes a commitment not to develop his land for a specified number of years in exchange for a property tax reduction during that time period. Research how term easements work and what other communities using term easements have experienced. Consider this as a possible means of reducing property taxes on farmland in order to keep the land in agriculture. WHPS has expressed an interest in assisting the town with such a study. An LDR program currently exists in the Town of Clifton Park, Saratoga County.

- d. **Research viability of a transfer of development rights program (TDR):** A transfer of development rights program is another planning tool that can be used to generate funds for farmland protection. Unlike purchase of development rights and term easements, TDR programs establish parameters under which the private sector pays for land conservation. TDR programs require the designation of sending and receiving areas in order to transfer development rights from one part of a community to another. Sending areas are the parts of the community that will be the focus of land conservation efforts. Receiving areas are the focus of more concentrated development. The developer purchases development rights from a landowner in the sending area to apply to development in the receiving area. A TDR program defines the location of these sending and receiving areas and creates standards that will govern this density transfer. When applied to farmland protection TDR programs transfer development away from agricultural areas to other parts of the community. TDR pilot projects are currently underway in Albany and Saratoga counties.

4. Smart Growth & Real Estate Transactions

- a. **Educate buyers and sellers of property on how to minimize the loss of farmland when developing property:** Collaborate with partners such as the Rensselaer County Economic Development and Planning department, the CCE and ASA to create an educational brochure or guide for those who want to subdivide and develop their property offering guidelines on how to minimize negative impacts on agriculture.
- b. **Promote revitalization of population centers:** Undertaking an initiative to restore hamlets and the Village of Hoosick Falls to a more dynamic and attractive state will encourage people to want to live in or near “town” and steer development away from farmland.
- c. **Water and sewer lines:** A water and sewer district currently exists within the Village of Hoosick Falls. Locations outside of Hoosick Falls can apply to the village to have the district extended to them and then pay the village for the service once it is installed. The town may want to consider restricting extension of water and sewer lines into the agricultural districts.

Water and sewer lines can accelerate the conversion of farmland if not carefully sited and managed. Towns can help retain farmland by concentrating water and sewer lines around hamlets and villages.

If water and sewer lines are extended into farming areas steps should be taken to mitigate the potential negative impacts on nearby farmland and farm operations. See the AFT publication *Planning for Agriculture in New York: A Toolkit for Towns and Counties*, located in the appendix of this plan, for recommendations and case studies about non-agricultural infrastructure.

5. Property Tax Relief for Farmers

- a. **Disseminate information about tax abatement programs:** Hold educational meetings, distribute informational hand outs from town hall, put information on the town's website and include information in town newsletters. *The New York Agricultural Landowner Guide*, published by AFT and located in the appendix of this plan, which summarizes available programs, should be made available to landowners.
- b. **Ensure agricultural landowners are receiving benefit of agricultural assessment:** Cooperate with the assessor to educate farmers and owners of farmland about how to apply for and receive agricultural assessment on land they farm or rent to a farmer. Make sure they understand what kinds of records they have to keep such as receipt of income and lease agreements.
- c. **Encourage farmers to take advantage of existing conservation programs and associated tax abatement:** Support farmers in taking advantage of federal and state natural resource conservation programs they are eligible to participate in that offer financial aid and/or tax incentives to help farmers protect the environment. Some examples of such programs are: Conservation Reserve Program; Federal Wetlands Program, Conservation Reserve Enhancement Program, Debt for Nature; Grassland Reserve Program; Landowner incentive program; Wetlands Reserve Program; Wildlife Habitat Incentives Program. These programs are described in AFT's *New York Agricultural Landowner Guide*.
- d. **Assessor training:** Encourage Rensselaer County to coordinate with NYORPS and NYDAM to access training programs for assessors on how to assess agricultural land and buildings. Make sure agricultural buildings in town are assessed at their proper value and land receives correct property type classification codes. Make the assessor aware of town support for non-farm businesses based on working farms.
- e. **Conduct study on feasibility of adopting agricultural assessment values for service districts:** Review potential impact of basing taxes paid by farms to the fire service district on the land's agricultural assessment value rather than its full market value. Currently farmers are paying a disproportionately high percentage

in taxes in relationship to the need for fire protection services on open farmland free of structures. The town's fire districts could consider consolidation as a means of reducing costs.

The Town of Brunswick, also in Rensselaer County uses agricultural assessment as the basis for calculating taxes for its five fire districts. According to Rensselaer County the law is set up so that the Brunswick Town Board approves the local law that set up the use of the agricultural assessment as the fire district assessed value. Brunswick performed a study previous to the adoption of the law showing the difference in rates if the law was approved.

For more information about fire districts see the state publication *Fire Protection in New York State* www.nyslocalgov.org/pdf/Fire_Protection_in_NYS.pdf cities and villages that have municipal fire departments control their budget.

According to the New York State Tax Department, citing Agricultural Districts law section 306, the governing body of a special service district has the authority to adopt a resolution to use agricultural assessment as the basis for special assessments or special ad valorem levies.

There are currently five fire districts serving the Town of Hoosick. They include:

- Hoosick, 2011 budget \$129,565
- North Hoosick, 2011 budget \$184,179
- West Hoosick, 2011 budget \$45,728
- Buskirk, 2011 budget \$33,478
- Hoosick Falls, 2011 budget \$325,000

A complete listing of fire districts in Rensselaer County and their 2011 budgets can be found in the appendix of this plan.

6. Leasing & Farmer Transitions

- a. **Direct farmers in transition to resources to help keep land in agriculture:** The agriculture committee can work with support agencies such as New York FarmLink/FarmNet (www.nyfarmlink.org) and other local partners such as the Rensselaer County agriculture marketing specialist, CCE agents, ASA and RLT to connect people looking for farms to purchase with farmers that are ready to sell. FarmLink also offers support for farmers seeking business partners as well as to farm families developing retirement plans and transferring ownership from one generation to the next. Another resource to assist with family farm succession and transfers is the New York State Agricultural Mediation Program (www.nysamp.com).

- b. **Develop town-wide farmland rental network:** Many farmers rely to a large degree on rented land, such as dairy farmers who rent land to produce feed for their cows. Due to the local foods movement an increasing number of beginning farmers, without a family farm to take over, are leasing land. On the other hand people who are not farmers are purchasing farms as country homes. As it stands now farmland is rented largely through word of mouth. In order to ensure that the town's farmland remains productive the town could set up a network to match people who own farmland who would like to rent with farmers who are interested in renting land.
- c. **Encourage beginning farmers:** Due in large part to the local foods movement there are an increasing number of beginning farmers. Some of these people are taking over family-run operations, some are young people who do not come from agricultural backgrounds but have received an education in agriculture and training through internship programs or on-farm jobs. Others are older people who are taking up farming as a second career. The best way to protect farmland from development is to keep people farming it. The town should welcome and support beginning farmers in order to ensure a future for agriculture in the town.
- d. **Promote town as a good place to farm to farmers outside of town who may relocate.** One of the simplest ways to keep farmland in agricultural use is for a farmer who is ceasing operation to sell the land to another farmer. Develop an extension of the town's website that promotes Hoosick to farmers seeking land. The website could feature this plan, the town's right to farm law and information about soils and existing agriculture. It could include a photo gallery and contact information for farmers interested in learning more about the town.

Goal III

Educate public about agriculture

Recommendations

1. Educate town residents about the value of buying food produced locally.

- a. **Support agricultural youth groups.** Active agricultural youth groups maintain a strong presence in Hoosick. Currently existing 4 H groups include:

- Petersburg/Hoosick Moos (dairy)
- Hoosick Shamrocks (beef)
- Hot Shots (beef and shooting sports)
- State Line (dairy)

Offer town support to agricultural youth groups. Provide them with meeting space. Help them with recruitment and publicity. In exchange task agricultural youth groups with performing public education functions such as hosting

festivals, and having farm float in the town parades. The agricultural youth groups could also participate in the Dairy Princess parade and the Pumpkinpalooza.

- b. Hold annual educational farm festival.** The town already holds an extremely successful annual event called the Pumpkinpalooza. This event could be expanded to bring the community together to support agriculture. Farms can open their gates on this day and welcome visitors who could travel from farm to farm using a map created for the festival. The farm tour could originate in Hoosick Falls where the festival could include a farmers market, local crafts fair and farm animal petting zoo. Farmers and agricultural youth groups could hold agricultural demonstrations and area chefs could do cooking demonstrations using locally grown ingredients. At the end of the day the community could come together for a picnic dinner or barbeque made entirely from local foods.

2. Create a Farm to School Program in the Hoosick Falls School District

- a. Form a Farm to School Committee:** Work with the Hoosick Falls School District to form a Farm to School committee composed of parents, school cafeteria staff, farmers, teachers, and the PTO and school administrators to research the viability of a farm to school program for the school. This program would examine the options for including locally grown foods into the cafeteria menu. The introduction of locally grown foods could dovetail with special curriculums that could introduce students to agriculture in their community. It could incorporate field trips to farms to learn about agriculture as well as in-school programs to educate students about nutrition. In addition to the cafeteria the program could involve science, social studies and home and careers departments.
- b. Encourage participation in state educational programs about agriculture.** NYSDAM offers a variety of educational resources including curriculum, brochures, puzzles, etc. The state also has a number of educational programs focusing on agriculture. The school as well as the town could participate in these statewide initiatives. Below is a listing of programs currently available:

- Farm to You Fest (first week in October)
- NY Agriculture in the Classroom program
- Agriculture Literacy Week (third week of March)
- Kids Growing Food—Connecting Kids to Agriculture Through Growing Food at School
- Orchard to Table (5th grade program)
- I Love NY Agriculture Contest (April 15th deadline, pre-k through 6th grade, themes and awards)

- 3. Approach other schools about providing locally produced foods to their students and faculty.** The Town of Hoosick is home to the Hoosac School, a private boarding school for grades 8 through 12 as well as Saint Mary's Academy in Hoosick Falls. The

town could approach the Hoosac School and Saint Mary's Academy about serving foods from local farms in their dining hall. There may be other opportunities for collaboration between the schools, the town, and the farming community. The Hoosac School may also be interested in creating a Farm to School program.

4. Address practicalities of living in an agricultural community

a. Educate residents about road safety. Make roads safe for farmers operating agricultural equipment.

- Work with New York State Department of Transportation (NYSDOT) and the Traffic Safety Commission to make sure that appropriate speed limits are established on roads in town traveled by farmers operating agricultural equipment. Make sure speed limit signage is sufficiently marked and that slow moving vehicle signs are in place where necessary.
- Work with the Rensselaer County Sheriff's Department and the New York State Police Department to make sure speed limits are enforced on routes frequently traveled by farm vehicles.
- Ensure that roads and bridges are wide enough to accommodate agricultural equipment and that roads do not become built up so high that it is difficult for agricultural vehicles to travel from the roadway into the fields.
- Provide town residents with information on how to safely share the road with farm equipment. Distribute brochures and other safety information regarding slow moving vehicles provided by SafeNY, a state traffic safety program.
- Make sure farmers understand and meet the requirements for state's slow moving vehicle marking regulations
- Communicate with the driver's education program at Hoosick Falls High School, as well as local independent driver's education teachers and schools. Find out what type of curriculum is offered pertaining to slow moving vehicles. Perhaps teachers could invite a farmer to come to the class to talk about sharing the road with agricultural equipment.
- Work with NYSDOT, the Commission on Traffic Safety and the county Sheriff's Department to find ways to ensure safety for farmers operating agricultural equipment who must travel NYS Route 7. This is a heavily used road traveled by trucks and cars moving at high speed. As it stands now it is extremely dangerous if not impossible for farmers to travel this road with agricultural equipment. Their inability to do so hinders farm operations.

b. Develop a brochure for new residents about living in an agricultural community. This brochure can welcome new residents and outline the types of farming that take place in the town. It should emphasize the importance of farmland to maintaining the rural character of the town. The brochure can describe the variety of agricultural activity that commonly occurs with the town such as farm equipment traveling the roads, manure being spread of fields, and night field work. The brochure can also explain Agricultural District Law, the town's right to farm law and best management practices.

This brochure could also function as a marketing tool, promoting farm businesses and their products to residents. It could describe the farms in town and the types of food produced on these farms as well as inform residents how they can go about purchasing these products directly from the farmer. The brochure could also provide information about why locally produced foods are more nutritious and how buying local foods helps the town's economy.

This brochure could also be made digital as a component of the town's website, allowing it to be updated according to season and as new products and information become available

5. Conduct local cost of community services study

Communities pay a high price for unplanned growth. Scattered development frequently causes traffic congestion, air and water pollution, loss of open spaces and increased demand for costly public services. That is why it is important for citizens and local leaders to understand the relationships between residential and commercial growth, agricultural land use, conservation and their community's bottom line.

A cost of community services study can help address commonly held misperceptions in rural and suburban communities facing development pressure. While it is true that an acre of land with a new house generates more total revenue than an acre of hay or corn, but on average working lands generate more public revenue than they receive back in public services. Converting agricultural land to residential land use should not be seen as a way to balance local budgets.

Work with Rensselaer County to calculate the property taxes paid by farms in relationship to the value of services used by farms and compare this with property taxes paid by residential development and cost of services used. This information could be used to educate the public about the importance of agriculture to the local economy.

Cost of community services studies involve three basic steps: 1. collection of data on local revenues and expenditures; 2. group revenues and expenditures and allocate them to community's major land use categories; and 3. analyze the data and calculate revenue-to-expenditure ratios for each land use category.

6. Reinforce and maintain an agricultural identity for the Town of Hoosick. Hoosick is and always has been an agricultural town but as the population in the region continues to grow Hoosick's population will inevitably increase. This population growth has the potential to compromise Hoosick's agricultural nature if the development it brings is not well managed. Hoosick needs to recognize its agricultural identity and let it guide the town through future growth. Maintaining and developing this agricultural identity can be accomplished through many means.

- Promote agricultural identity of town in all town regulations, online and print documents.
- Town land use regulations should state that the priority the town places on agriculture be taken into account in all decisions regarding land use.
- Social programs developed in the town should reflect the town's agricultural identity by supporting farmers and making locally grown foods available to the town's population.
- Education in the town's school district should incorporate agriculture.
- When the town promotes itself to potential residents and businesses as a great place to live and work it should emphasize the benefits of the agricultural nature of the town. Farmers in Hoosick should use the town's agricultural identity to help market their products.

7. Improve access to and affordability of locally grown food for low-income residents.

a. Offer electronics benefits transfer access at farmers market and local retail outlets, enabling shoppers to use SNAP and Farmers Market Nutrition vouchers.

b. **Develop a local partnership between farms and food pantries.** The town could organize a hunger relief effort that would focus on providing locally grown foods to the hungry through the development of a local food bank. Hoosick area churches may be willing to participate in this effort. Farmers could donate surplus produce to the food pantry. The food pantry could conduct fundraising to enable it to purchase food from farmers to feed the hungry. There is a farm in Albany County, called Patroon Farm, that actually grows food specifically for the Regional Food Bank with the help of volunteers.

Goal IV

Foster Local Economy Based on Agriculture

1. Support Direct Marketing of Locally Produced Agricultural Products

- a. **Expand and promote existing farmers market:** Hoosick has a farmers market on Route 7. This is a heavily traveled road and there is ample opportunity for the growth and expansion of Hoosick's farmers market.

- b. Consider the potential for a store-front cooperative market located in Hoosick Falls that sells locally produced foods:** A cooperative market or co-op is a commercial enterprise that is owned by its membership. Many cooperative markets are also open to the public. The public pays a full retail price, while the membership, which pays dues and is actually responsible for the operation of the store, purchases merchandise at a discounted price. Examples of co-ops that operate along these lines are the Honest Weight Food Co-op www.hwfc.com, in Albany and the Mohawk Harvest Cooperative Market www.mohawkharvest.com in Gloversville.
- c. Encourage existing retail stores and restaurants in town to sell locally produced food:** Distribute the local farms brochure to retail stores and restaurants in the town and encourage them to buy directly from Hoosick farmers and to promote these farms in their businesses. Encourage these businesses to distribute the local farms brochure to their customers. Restaurants could try it out by having one day a week or one week a month during which they feature one or more locally produced foods. The Man of Kent is already attempting to source as much of the food it serves locally as possible.
- d. Support the development of more restaurants and retail outlets in Hoosick Falls where consumers can purchase locally grown food:** The Village of Hoosick Falls, with many storefronts not being used to their full advantage, is well-suited for housing retail stores and restaurants that could buy and sell locally produced food. These outlets could cater to the local population as well as tourists. Invite the Village of Hoosick Falls' government representatives to work with the town to explore ways in which such businesses could be incentivized and promoted.
- e. Encourage location of small and medium-scale food processors in or near town:** Work with the Rensselaer County's Economic Development and Planning department to create strategies for attracting small and medium-scale food processors that can purchase locally produced foods to locate in the Town of Hoosick. The town's water resources and proximity to NYS Route 7 make it a strong candidate to host such industry.
- f. Support farmers catering to the market for pastured and grass fed meats:** The market for both grass-fed and pastured meat has been growing over the past several years. Concern about nutrition, low-fat diets and food safety appear to be accelerating the expansion of this market. Hoosick is well situated geographically to service this market, which exists primarily in urban and suburban areas such as the Greater Capital Region and the New York Metropolitan Area. Several Hoosick farmers are already raising and selling grass-fed meats.
- g. Support efforts to address the regional need for accessible, high-quality, USDA-inspected slaughterhouses for livestock and poultry:** Improved access

to slaughterhouses will enable local farmers to increase production to meet the growing demand for their products.

- h. Research possibility for offering a docking site for the Modular Harvest System:** The Module Harvest System is a mobile slaughter facility developed by Glynwood and managed by Local Infrastructure for Local Agriculture (LILA). This unit can be moved from location to location. Research the availability of an appropriate site in Hoosick for the Modular Harvest System.
- i. Encourage establishment of a butcher shop in Hoosick Falls specializing in locally produced meat:** A local butcher shop specializing in locally and regionally produced meats would provide a market for local livestock farmers. An example of such a butcher shop is Fleischer's Butcher Shop, www.fleischers.com, located in Kingston. Consider offering incentives to entice such a business to locate in Hoosick Falls.
- j. Offer incentives for commercial and community kitchens and food processing facilities:** Work with the Village of Hoosick Falls to offer public water and sewer to facilities that locate in the town. Work with Rensselaer County to make foreclosed commercial properties available for food processing operations.
- k. Support initiatives to increase rural access to high speed internet:** Town officials need to work with county, state and federal officials to make high-speed internet access available to farmers and individuals in rural settings. Farmers need high-speed internet access for many reasons. Farmers need to research farming techniques as well as shop online for competitively priced supplies. Farmers need to maintain contact with agricultural groups and associations that share knowledge and develop initiatives. Farmers need to be able to promote and market their products online and be able to interact online with their customers.
- l. Produce hops for craft brewing market:** Increased interest in craft brewing being practiced at home as well as by microbreweries, brew pubs and regional breweries has created an increased demand for locally grown hops. An effort is underway on multiple fronts to re-introduce hop-growing in New York State. Brown's Brewing Company, located in Troy, is growing their own hops on a farm in Hoosick Falls. They also purchase hops from other New York State farms. Hoosick could build upon what Brown's Brewing Company has begun and offer support to local farmers interested in growing hops.
- m. Support development of agritourism operations:** Agritourism is the attraction of people to a rural destination to participate in farm-related activities. The activity can be offered for a fee or can simply be used as a way to attract visitors to a retail farm outlet. Agritourism can serve a dual purpose, bringing people into the town where they can spend money as well as offering an educational

component that teaches people from both in and town and outside the town about agriculture.

2. Increase Support for Traditional Agriculture in Town

Recommendation

- a. **Support government initiatives to stabilize milk prices.** The town should encourage its farmers and non farming residents to contact their elected representatives in support of the various efforts underway at the federal level to stabilize milk prices and resolve a number of issues negatively impacting the dairy industry.
- b. **Encourage production and sale of beef and other livestock.** Food safety scares have led to an increased awareness of where meat products are originating from and how meat is handled during processing. Many consumers are seeking out local sources of beef and other meats. Farmers can capitalize on this opportunity to sell directly to the consumer in both the freezer trade and niche markets.
- c. **Support dairy farmers converting to direct marketing.** There has been a growing trend of dairy farmers selling their milk directly to consumers rather than selling to dairy cooperatives, which pool milk from a large number of dairy farms for processing and sale. Direct marketing enables the dairy farmer to set their own price rather than accepting the price being offered by the cooperative they belong to. Although the farmer has control over his or her price the expense of processing milk and marketing dairy products to consumers represents a significant challenge. Dairy farmers across the Northeast have formed a number of small cooperatives that share the expense and market a regional product. One local example is Hudson Valley Fresh www.hudsonvalleyfresh.com. This small, non-profit cooperative of dairy farms in Dutchess and Columbia counties process their milk in Kingston and sell it regionally. The town should develop a relationship with Hudson Valley Fresh and learn from them. Perhaps one day Rensselaer County dairy farmers could join their cooperative or, collaborating with neighbors develop a similar cooperative of their own.
- d. **Form a farmers' cooperative for buying and selling.** Participate in the development of a town-wide cooperative of farmers. The cooperative could pool resources to purchase farm supplies at a lower cost. The cooperative could also market agricultural products from the town's farms. Identify a centralized person to coordinate the sale of local agricultural products to urban markets as well as to institutions and other large volume purchasers. Collaborate with Rensselaer County to research the availability of grant funding to finance market development for local agricultural products.

Implementation Plan

The top five priority recommendations made by this plan are include:

1. **Establish an agriculture advisory committee**
2. **Support development of renewable energy production**
3. **Provide property tax relief for farmers**
4. **Hold annual educational farm festival**
5. **Support direct marketing of locally produced agricultural products**

The goals and recommendations included in the Town of Hoosick Agriculture and Farmland Protection Plan are as follows:

Goal I

Pursue Options for Renewable Energy Production on Farms

Recommendations:

1. **Support development of renewable energy production**
 - a. Biofuels
 - b. Windpower
 - c. Solar power
 - d. Farm forestry
 - e. Hydropower

Responsible: Agricultural Advisory Committee; Rensselaer County's Planning & Economic Development department; Cornell Cooperative Extension of Rensselaer County (CCE), New York State Energy Research & Development Authority (NYSERDA), New York State Department of Agriculture & Markets (NYSDAM)

Time Frame: Within 3 years

Goal II

Retain Agricultural Land

Recommendations

1. Local and State Regulations and Programs

1. Review and revise town land use regulations

Responsible: Town Board

Time Frame: Within 1st year

2. Provide purpose statement of town's support of agriculture in all town land use regulations.

Responsible: Town Board, Agricultural Advisory Committee

Time Frame: Within 1st year

3. Review the agriculture and farmland protection plan every five years and update as needed.

Responsible: Town Board, Agricultural Advisory Committee

Time Frame: Within 5 years

4. Take full advantage of Agricultural District Law to protect farms.
Responsible: Town Board, Agricultural Advisory Committee, Planning Board, Rensselaer County Planning;
Time Frame: Within 1st year

2. Government Bodies and Officials

1. Establish an agricultural advisory committee.
Responsible: Town Board
Time Frame: immediately
2. Cultivate farmer participation in local government.
Responsible: Town Board; Agricultural Advisory Committee
Time Frame: Within 1st year
3. Encourage town officials to receive training regarding land use planning, agriculture, and Agriculture District Law.
Responsible: Town Board, Agricultural Advisory Committee, Rensselaer County Planning
Time Frame: Within 1st year
4. Revise the town's zoning ordinance to support farm labor housing such as mobile homes.
Responsible: Town Board
Time Frame: Within 1st year
5. Revise the town's definition of "Junkyard" to exclude agriculture.
Responsible: Town Board
Time Frame: Within 1st year
6. Strengthen the town's Right to Farm law.
Responsible: Town Board, Agricultural Advisory Committee, Rensselaer County Planning;
Time Frame: Within 2 years

3. Land Conservation Tools and Partners

1. Support use of conservation easements to protect farmland.
Responsible: Town Board; Agricultural Stewardship Association (ASA); Rensselaer Land Trust (RLT); Rensselaer County Planning, Agricultural Advisory Committee
Time Frame: Within 1st year
2. Educate landowners about agricultural conservation easements.

Responsible: Town Board; Agricultural Stewardship Association (ASA); Rensselaer Land Trust (RLT); Rensselaer County Planning, Agricultural Advisory Committee

Time Frame: Within 3 years

3. Study the viability of a term easement (also known as lease of development rights, LDR) program for the town.

Responsible: Town Board; Rensselaer County Planning

Time Frame: Within 5 years

4. Research viability of transfer of development rights program (TDR).

Responsible: Town Board; Rensselaer County Planning

Time Frame: Within 5 years

4. Smart Growth and Real Estate Transactions

1. Educate buyers and sellers of property on how to minimize the loss of farmland when developing property

Responsible: Agricultural Advisory Committee, Town Board, Rensselaer County Planning, CCE

Time Frame: Within 2 years

2. Direct growth away from agricultural areas to minimize the loss of prime soils and disruption of farm operations.

Responsible: Town Board; Rensselaer County Planning

Time Frame: Within 1st year

3. Promote revitalization of population centers.

Responsible: Village of Hoosick Falls; Town Board; Rensselaer County Planning & Economic Development department

Time Frame: Within 5 years

4. Consider impact of water and sewer line extensions.

Responsible: Village of Hoosick Falls; Town Board, Agricultural Advisory Committee

Time Frame: Within 2 years

5. Property Tax Relief for Farmers

1. Disseminate information about tax abatement programs.

Responsible: Agricultural Advisory Committee; Rensselaer County Planning, CCE, NRCS Soil & Water Conservation District (SWCD)

Time Frame: Within 1st year

2. Ensure owners of active agricultural land are receiving the benefit of agricultural assessment.

Responsible: Agricultural Advisory Committee; Assessor; Rensselaer County Planning
Time Frame: immediately

3. Encourage owners of agricultural land to take advantage of existing conservation programs and associated tax abatement.

Responsible: Agricultural Advisory Committee; Rensselaer County Planning, CCE, NRCS Soil & Water Conservation District (SWCD)
Time Frame: Within 1st year

4. Assessor training in agriculture issues.

Responsible: Assessor, Rensselaer County Planning
Time Frame: Within 3 years

5. Conduct study on feasibility of adopting agricultural assessment values for service districts.

Responsible: Town Board; Fire Districts
Time Frame: With 2 years

6. Leasing and Farmer Transitions

1. Direct farmers in transition to resources to help keep land in agriculture.

Responsible: Agricultural Advisory Committee Rensselaer County Planning; CCE; ASA
Time Frame: Within 1st year

2. Develop town-wide farmland rental network.

Responsible: Agricultural Advisory Committee; Rensselaer County Planning; CCE

3. Encourage beginning farmers.

Responsible: Agricultural Advisory Committee; Rensselaer County Planning & Economic Development Dept.; CCE
Time Frame: Within 1st year then ongoing

4. Promote town as a good place to farm to farmers outside of town who may want to relocate.

Responsible: Agricultural Advisory Committee; Rensselaer County Planning & Economic Development dept.; CCE

Goal III

Educate Public About Agriculture

Recommendations

1. **Educate Town Residents About Value of Buying Food Produced Locally**

- a. Support agricultural youth groups.

- b. Hold educational farm festival.
 Responsible: Town Board; Agricultural Advisory Committee: 4H; CCE;
 Rensselaer County
 Time Frame: Within 1st year

- 2. Create a Farm to School Program in the Hoosick Falls Central School District**
 Form a farm to school committee.
 Encourage participation in state educational programs about agriculture.

- 3. Approach the Hoosac School and St. Mary's Academy about Providing Locally Produced Foods to their Students and Faculty**
 Responsible: Agricultural Advisory Committee, CCE; Schools District;
 Parents; Students; 4H
 Time Frame: Within 3 years

- 4. Address Practicalities of Living in an Agricultural Community**
 - a. Educate residents about road and traffic safety.
 - b. Develop an informational brochure for new residents about living in an agricultural community.
 Responsible: Agricultural Advisory Committee: CCE; Rensselaer County

- 5. Conduct Local Cost of Community Services Study**
 Responsible: Town Board
 Time Frame: Within 3 years

- 6. Promote Agricultural Identity of Town**
 Responsible: Agricultural Advisory Committee
 Time Frame: Within 2 years

- 7. Improve access to and affordability of locally grown food for low-income residents.**
 Responsible: Town Board; Agricultural Advisory Committee; CCE;
 Church Groups
 Time Frame: Within 1st year then ongoing

Goal IV
Foster Local Economy Based on Agriculture

Recommendations

- 1. Support Direct Marketing of Locally Produced Agricultural Products**
 - a. Expand and promote existing farmers market.
 Responsible: Town Board; Agricultural Advisory Committee;
 Rensselaer County
 Time Frame: Within two years

- b. Consider the potential for a store-front cooperative market located in Hoosick Falls that sells locally produced foods.
 Responsible: Village of Hoosick Falls; Agricultural Advisory Committee; Rensselaer County
 Time Frame: Within 5 years
- c. Encourage existing retail stores and restaurants in town to sell locally produced food.
 Responsible: Village of Hoosick Falls; Agricultural Advisory Committee; Rensselaer County
 Time Frame: Within 1st year
- d. Support development of more restaurants and retail outlets in Hoosick Falls where consumers can purchase locally grown food.
 Responsible: Village of Hoosick Falls, Agricultural Advisory Committee; Rensselaer County
 Time Frame: Within 5 years
- e. Encourage location of small and medium-scale food processors in or near Hoosick.
 Responsible: Town Board; Agricultural Advisory Committee; Rensselaer County
 Time Frame: Within 5 years
- f. Support farmers catering to market for pastured and grass-fed meats.
 Responsible: Town Board; Agricultural Advisory Committee; CCE; Rensselaer County
 Time Frame: Within 1st year
- g. Support efforts to address the regional need for accessible, high-quality, USDA-inspected slaughterhouses for livestock and poultry.
 Responsible: Town Board; Rensselaer County; Agricultural Advisory Committee
 Time Frame: Within 5 years
- h. Research possibility of serving as a docking site for the Modular Harvest System.
 Responsible: Town Board; Agricultural Advisory Committee
 Time Frame: Within 1st year
- i. Encourage establishment of a butcher shop in Hoosick Falls specializing in the sale of locally produced meat.
 Responsible: Village of Hoosick Falls; Rensselaer County; Agricultural Advisory Committee
 Time Frame: Within 5 years
- j. Offer incentives for development of community kitchens.

Responsible: Agricultural Advisory Committee: Rensselaer County; CCE

Time Frame: Within 5 years

- k. Support initiatives to increase rural access to high speed internet.

Responsible: Town Board; Agricultural Advisory Committee: Rensselaer County

Time Frame: Within 1st year then ongoing

- l. Encourage farmers to grow hops for craft brewing market

Responsible: Agricultural Advisory Committee: CCE

Time Frame: Within 3 years

- m. Support development of agritourism operations.

Responsible: Town Board; Planning Board; Agricultural Advisory Committee; Rensselaer County

Time Frame: Within 1st year then ongoing

2. Increase Support for Traditional Agriculture in Town

- a. Support government initiatives to stabilize milk prices.

Responsible: Town Board; Agricultural Advisory Committee; Rensselaer County

Time Frame: Within 1st year then ongoing

- b. Encourage production and sale of beef and other livestock.

Responsible: Town Board; Agricultural Advisory Committee; CCE; Rensselaer County

Time Frame: Within 1st year then ongoing

- c. Support dairy farmers converting to direct marketing.

Responsible: Town Board; Planning Board; Rensselaer County; CCE

- d. Form a farmers' cooperative for buying and selling product and supplies.

Responsible: Agricultural Advisory Committee

Appendix

- A. SWOT Analysis
- B. Interview Summary
- C. Review of Zoning Regulations
- D. Review of Subdivision Regulations
- E. NYSDAM Definition of Agriculture
- F. Fire Districts Budgets 2011
- G. New York Agricultural Landowners Guide
- H. Planning for Agriculture in New York: A Toolkit for Towns & Counties
- I. Letter from Rensselaer County Agriculture & Farmland Protection Board Approving Plan

**Town of Hoosick
Public Meeting
June 30, 2009**

**SWOT Analysis
(Strengths, Weaknesses, Opportunities, Threats)**

Strengths

Soils
Farmers
History
Three Agricultural Districts
Family Farms Committed for the Long Haul
 Ties families together
Highway Systems
 Get supplies, move product
Diversity
Services
 Feed, machinery, repair people
Aesthetics, nature of town
Farmers supporting each other
 Help, equipment, informal borrowing, help out in case of accident
Stability
 Community not under intense pressure to change
 Large parcels intact over 200 years
Assessor
 Calls people with reminder
Supportive government
Farmers on appointed boards
Pride

Weaknesses

Taxes
Fuel costs
Equipment costs
Price of milk
Low beef prices
State mandates
OCEA
Lack of help, labor
 Economy, kids used to load hay, me generation
Ag programs in schools

Steep slopes
Small fields
Development pressure
Malta Project
Marketing-Dairy
Weather-Hay
Hard to get farmers to unite

Opportunities

With development comes direct marketing opportunities
-Price Chopper competes with direct marketers but also can be buyer
Promote farmers markets
Training workers (people out of work in bad economy)
Internships
Fewer job opportunities for students
Tourism
Bed & Breakfast on the farm
Chance for coordinating green spaces and environmental benefits, greenbelts
Helping farmers branch off into green energy
ASA (Agricultural Stewardship Association)
Rensselaer Land Trust
Location
Bad economy will force opportunities
Not necessarily something we want
Processing plant
Diversification
Public education
Marketing assistance
Agency to offer small short-term loans to assist with marketing
Do business farmer to farmer within community
Buy local campaign for farmers
Biodiesel
Buying cooperative for fuel purchasing
Local cheese maker buys milk
Market hay collectively to fill large orders
Goal: approach state re: better marketing plan
Local processing
Education-buy local
School lunch
Translate Vermont agriculture to NY
Eat your Landscape—encourage local people to eat locally

Threats

Imported food products

No restrictions, competing with US products

Unplanned growth

Environmental regulations

Taxes

Loss of local processors

Regulatory challenge

Economy

People don't have extra money to spend for local food

Incentives, discounts on processed food

Media

Listeria/raw milk, too much focus, ignore bigger issues like tobacco

Uneducated non farmers

Four wheelers

Hunters, poaching

Lack of respect for property owner



Town of Hoosick Agriculture and Farmland Protection Plan

Draft Hoosick Farmer Interview Summary

Prepared by Laura Ten Eyck, NY Field Representative

May 12, 2010

Hoosick has long been an agricultural community and the rolling hills of its rural landscape have been made famous by folk artist icon Grandma Moses, a Hoosick resident who painted scenes of 19th century farm life. Interviews with Hoosick farmers were conducted as part of the background research for the town's agriculture and farmland protection plan during the winter of 2009-2010. At the time of these interviews a modest level of residential development in Hoosick had been slowed by a major recession. During this economic downturn milk prices had fallen well below the cost of production and Hoosick's dairy farmers were struggling to stay in business. Meanwhile a burgeoning consumer interest in local foods led several farmers to begin direct marketing specialty products such as cheese and grass-fed meats.

Working Families

Many of the farmers interviewed were raising their children on the same farm they themselves had been raised. "My grandfather purchased this farm 86 years ago," said one farmer. "My son and I are the 3rd and 4th generation to milk cows here. We do it for the love of the cows. I've been milking cows myself for 53 years."

It is not uncommon for these farm families to have at least one family member working off the farm. Often this is what has enabled them to continue to operate the farm business through the economic downturn. "We are trying to pay what we can pay and just do the basics right now. We're better off than some farmers because our spouses have jobs that provide family income and health insurance," said one farmer.

Farmers who see their children leave the farm understand the reasons why. "My son knew how tough farming was," said a farmer. "He wanted to get out on his own. He didn't want to always be broke and he wanted time off." Yet a significant number of farm families in town have had children return after receiving an education to take their place on the farm as young adults. "I always knew this is what I wanted to do," said one young dairy farmer. "I went to school for animal science. I love cows and I love what I'm doing."

"The next generation is getting it together," observed another young farmer who had returned to the family farm. "It is happening. But the land has to be here for them when they get here."

Impact of the Dairy Crisis & the Recession

Everyone agrees that the best way to keep land in agriculture is to increase agriculture's profitability, yet the single biggest challenge farmers face are low to non-existent profit margins. The sharp decline of milk prices to below cost-of-production levels, has presented a huge challenge for the town's dairy farmers. "Most of the farms here in town are farms that have been dairy forever," observed one farmer. "They will stick with it I think, even with the milk price. I don't know of anybody that's gone out. But I don't know how they've stayed in. They've had to keep borrowing and borrowing and borrowing money. Most farms, the big farms, the talk was that they've had to borrow about \$1,000 per cow. If they milked 300 they borrowed \$300,000. If they milked 1,000 cows it was a million, just to stay in for the year. They'll be a long time making that up."

"We are just barely surviving and some days I don't even call it surviving," said a dairy farmer. "To be honest, financially this is the worst year of my life." Dairy farmers have been forced to borrow money and cut back on costs. Cows are spending more time on pasture and being fed less grain. "We cut back on feed. It hurts production. There's a lot of things we are not doing that we should be but there's no money. If you've got a VW income you drive a VW. If you've got a Cadillac income you drive a Cadillac."

Large purchases, such as new farm equipment, are put off indefinitely. "We don't buy anything new. We just fix everything. We go to auction and buy old machines and strip them for parts. New parts are so high. An old machine costs the same as what it would cost you to buy one part for a new machine."

The economic downturn has forced some farm families to go without health insurance, running up credit card bills to cover costs when medical problems occur. Others have taken on extra work, such as logging, to try to cover costs.

Concerns About Local Taxes

Every farmer interviewed identified paying school and property taxes as their biggest challenge at this time. "Our farm is 415 acres," reported one farmer. "We pay \$20,000 a year in taxes. Currently we are borrowing from our retirement to pay the taxes."

Faced with loss of farm revenue some farmers have fallen behind on their tax payments and are struggling to make it up. "Last year is the first year I didn't pay all my taxes," said one farmer. "I don't know if I'll be able to pay them this year. You get five years before the county will put the farm up for sale."

Farmers expressed frustration with the steady rise in taxes. "When I bought the farm in 1980 my property and school taxes combined were \$2,400," recalled a farmer. "Now they are about \$17,000 and that's with the agricultural exemption."

Some farmers feel the amount of money they pay in taxes is unfair because they do not require services needed by town residents living in developed areas. "The tax situation in

Hoosick is out of control high," said one farmer. "My taxes are over \$17,000 for school and land. What we pay in taxes exceeds what we use."

The farmers' concerns in this regard are not unfounded. Municipal level Cost of Community Services Studies (COCS) conducted by American Farmland Trust in the examines what types of land uses "pay for themselves." These studies determined that the cost to provide public services to residential acreage was consistently higher than agricultural acreage when compared to revenues generated by respective property taxes. Agricultural acreage typically produced \$1.00 in tax revenue for every .29 of town and school expenditures. However, residential acreage costs approximately \$1.27 for every \$1.00 in taxes generated.

Development Pressure

Some farmers believe good farmland is being lost to development unnecessarily in Hoosick. "Yes farmland is being lost. They are definitely moving in around us." Others feel the amount of development that has occurred is negligible. Most agree that there is little development pressure in Hoosick right now due to the recession but acknowledge that significant development pressure is inevitable in years to come.

Some complained that the development that has occurred has been poorly planned and resulted in an unnecessary loss of farmland. "The development in town is hideous. Unorganized is what it is," one farmer lamented. "Don't put a house in the middle of a farm field. Come on people." And some worry that undirected growth sets a bad precedent for future development. "There is not a huge amount of development, but the beginning of development determines how the rest of the area is going to be developed. In Hoosick there is very poor planning."

Improved land use planning could solve some of these problems. "We just passed zoning but I don't think anyone understands how to implement this. They don't understand that zoning is the last recourse for planning. Planning has to start with the planning board. Town level government needs to have better expertise in land use planning. They have relied on untrained people. We need to provide training in planning for agriculture for town officials."

Farmers agree that agricultural land is a valuable resource and in general do not want to see good farmland sold for housing. However they feel recently passed zoning regulations are too restrictive. "We've been fighting for years trying to hold zoning off. But we can't stop it. They want more regulations all the time."

Many farmers are concerned that the new land use regulations will hinder their ability to earn income from their land. "If you have your land and you paid for it you ought to be able to do what you want. A cell tower? That's extra money that's going to pay someone's bills, somebody's taxes. Why should someone in Hoosick Falls tell me I can't do something?"

"I'm not sure about this new zoning thing," said another farmer. "It is fine for a village but I don't think it should apply to a farm. If I've got an extra piece of machinery out in the back field and I want to put another one next to it the town shouldn't be telling me I've got too much junk machinery out there."

For the farmers the conflict over land use regulations contains an element of culture clash pitting the farmers against the townspeople and the long-time residents against the new. "The newcomers wanted zoning. The old landowners were against it. We are in the minority compared to the people who have moved into the area."

Views on Farmland Protection

All the farmers and rural landowners interviewed felt strongly about the value of agricultural land to the community and want to see farms remain available for food production. "I've got real good land and I think it should be in agriculture," said one farmer. "There's going to be a time when there isn't enough for people to eat. There will come a time when people will hate to see good productive land go to houses."

However, they acknowledge that agriculture's low profit margins do not allow farmers to put aside money with the result that they often have no choice but to sell their land to fund their retirement. "Most farmers don't have 401K plans," pointed out one farmer. "It's the land and animals that are their retirement. You don't want to lose all the farmland? Well I don't want to see that either, but if someone has worked all their life and that's all they have, you can't tell them they can't sell their land to a contractor who's going to put up houses."

A number of farmers interviewed expressed interest in learning more about farmland protection and agricultural conservation easements. Some believed that, although the purchase of development rights had its place, it would not work in their situation. "I don't know that selling the development rights to my land is for me," said one farmer. "I think it is a great program for people that have other generations that want to be farmers. But my children aren't ever going to farm. I don't want to back them into a corner."

Other farmers supported farmland protection and are interested in selling development rights to their farms for reasons both financial and philosophical. "I think the farmland protection program is a great program," said one farmer. "It is preserving farmland and that's important. Land is a tremendous resource. They're not making any more of it. A lot of people won't know what they've lost until its gone."

**Town of Hoosick, Rensselaer County
Land Use Law Review
Draft 10/6/5**

Introduction

The Town of Hoosick Land Use Law was adopted by the Town of Hoosick Town Board as Local Law # 2 in 2009. The Land Use Law divides the Town of Hoosick into land use districts and regulates the use of structures and land as well as the location, construction, alteration, occupancy and size of structures. The purpose of the Land Use Law is to protect and promote the health, safety, values and general welfare of the community, and to, among other objectives:

- Encourage the management of agriculture resources.
- Encourage the rural character of the Town.
- Encourage the opportunities for growth recognizing the constraints of the natural resources.
- Encourage economic development.
- Assure adequate sites for residential, agricultural, industrial and commercial uses.
- Facilitate the efficient, economical, and adequate provision of public utilities and services.
- Prevent and reduce traffic congestion, to promote efficient and safe circulation of vehicles and pedestrians.

The Land Use Law is relatively simple and reflective of the primarily rural and agricultural character of the Town of Hoosick outside the village.

According to the 2000 Census of Population the population of the Town of Hoosick was 6,759, including the village of Hoosick Falls (population of 3,436). Analysis of aerial imagery available for the Town of Hoosick from 2007 indicates a predominance of agricultural lands, forest lands and scattered rural residential development. In addition there are several small hamlets with small concentrations of residential and small-scale commercial development, namely Hoosick, North Hoosick, Walloomsac, Potter Hill, Mapletown, Buskirk and Eagle Bridge. Although there is a substantial amount of rural residential development, and some

isolated commercial and industrial enterprises in the town, with the exception of the village of Hoosick Falls there is no large scale residential development or commercial development visible within the town or immediately adjacent to the town's borders.

For the purpose of this report agriculture is defined as the use of land, buildings, structures, 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 or a hobby, and including commercial horse boarding operations as defined in the Agriculture and Markets Law Article (AML) 25-AA, Section 301. Historically agriculture has included a variety of disciplines aside from fruit, vegetable and crop production and livestock raised for food. In this report animal husbandry, or the breeding of specific animals for use or sale (e.g. race horses), beekeeping, aquaculture (fish production), horticulture, floriculture and silviculture are all considered agricultural pursuits as well.

Agriculture and farming, and agricultural operations and farms, are considered to be interchangeable terms in this report.

Analysis

This section focuses on four areas of the Town of Hoosick Land Use Law as it relates to agriculture in the Town of Hoosick:

- A. conformance with Agriculture and Markets Law
- B. permitted (and not permitted) land uses
- C. zoning dimensional requirements
- D. zoning definitions.

A. Agriculture and Markets Law

The Agriculture and Markets Law (AML) Section 305-a provides farmers and agricultural operations located with State agricultural districts specific protections against local zoning regulation that may be unreasonably restrictive and cause undue interference with legitimate agricultural practices as defined by State law. Because many of the farms in the Town of

Hoosick are located within a state agricultural district, they are afforded the protections available through Section 305-a.

In 2002 the Legislature amended Town Law Section 283-a to require local governments to ensure that their laws, ordinances or other regulations that might apply to agricultural operations located in State certified agricultural districts do not "...unreasonably restrict or regulate farm operations in contravention of Article 25-AAA of the Agriculture and Markets Law, unless it can be shown that the public health or safety is threatened."

Generally questions that municipal officials should ask when assessing their application of zoning regulations to agriculture include:

1. Do the regulations materially restrict the definition of farm, farming operations or agriculture in a manner that conflicts with the definition of "farm operation" as set forth in AML Sect. 301(11)
2. Do the regulations materially limit or prohibit the production, preparation or marketing of any crop, livestock or livestock product?
3. Are certain types of agriculture subject to more intensive review or permitting process than other types of agriculture?
4. Is any agricultural activity that meets the definition of "farm operation" as set forth in AML Sect. 301(11) subject to special permit, site plan review or other local review standard above ministerial review, or subject to a more intensive level of review than other uses permitted within the same zoning district?
5. Are farm operations treated under the local zoning regulations as integrated, interdependent uses and activities, or as independent, competing uses of the same property?
6. Do the local zoning regulations relegate any farm operations located within a State agricultural district to the status as "nonconforming use?"

The Commissioner of Agriculture and Markets is empowered to initiate a review of local land use regulations as they may affect farm operations within a State agricultural district, either independently or upon the request of a farmer or municipal official within an agricultural district.

The Department of Agriculture and Markets will review the regulations to assess whether the local law or ordinance is unreasonably restrictive on its face and whether it is unreasonably restrictive when applied to a particular situation. The Department must also assess whether the regulated activity also poses a threat to public health or safety.

If the Department of Agriculture and Markets determines that a local law or ordinance does impose an unreasonable burden on farm operations within a State agricultural district, it will notify the municipality of its findings. The Department will then work with municipal officials to bring the local regulations in line with the AML. If the issue cannot be resolved through negotiation the Commissioner is authorized under the law to bring an action against the municipality to enforce the provisions of Section 305-a.

There appears to be two potential conflicts between the Town of Hoosick Land Use Law and the provisions of AML Article 25AAA. They are:

1. A requirement in Chapter 3, Section 3.2 that a special permit be required for the practice of animal husbandry in the CRM Conservation Resource Management zoning district;
2. A requirement in Chapter 3, Section 3.2 that a special permit be required for riding stables and academies in the Rural Residential zoning district.

If these two zoning districts encompass lands with a State agricultural district then there is potential for conflict. In the case of the practice of animal husbandry in the CRM zoning district, the requirement for special permit may be considered arbitrary given that filed crops, greenhouses and other potentially more intensive uses are permitted by right.

The issue of potential impacts of riding stables and academies in Rural Residential districts may be better addressed through standards that govern the size and location of facilities and number of animals permitted, and possibly buffer requirements between such operations and surrounding residential development.

B. Permitted Land Uses

The Town of Hoosick is divided into six zoning districts, plus two overlay districts. The zoning districts are:

1. Hamlet-H. This district covers the existing hamlet areas of Hoosick, North Hoosick, Walloomsac, Potter Hill, Mapletown, Buskirk and Eagle Bridge as well as areas around the village of Hoosick Falls, and permits mixed residential and small commercial with limited floor/building sizes.
2. Light Industrial/Commercial- LIC. This district is intended to accommodate larger scale commercial uses and industrial uses along or in the vicinity of state highways in the town.
3. Rural Residential-RR. This district permits small scale residential development on in areas that are not heavily agriculture.
4. Agricultural/Residential-AR. This district encompasses rural areas of the town where agriculture predominates and low density residential and other rural land uses.
5. Conservation/Resource Management- CRM. This district covers park lands, cemeteries, state forest lands, lands protected by conservation easements, schools, rivers and trout streams.
6. Dailey Mine Zone-DZ. This district permits the mining and processing of construction aggregate.

In addition to the above zoning districts the Land Use Law includes two zoning overlay districts. These two districts are superimposed – i.e. overlaid – on the underlying zoning and are designed to protect specific attributes that may exist. They are:

1. Historic Overlay-HO. This overlay applies to all properties listed on the Federal and State Registers of Historic Places, or are State or Federal Historic Landmarks, or identified in Local Law #1 of 2004 of the Town of Hoosick, as well as to any lands within 50 feet of these properties.
2. Flood Fringe Overlay-FFO. This overlay applies to the 100-year flood plain and floodway as shown on the most recent FEMA Flood Insurance Rate Maps for the Town of Hoosick.

There are two sites listed Federal and State Registers of Historic Places in the town. The Breese-Reynolds House is located on South Street in Hoosick hamlet. The Bennington

Battlefield historic district covers approximately 1,100 acres of land along NYS Rte. 67 in the northeast corner of the town and encompasses the Bennington Battlefield State Historic Site and surrounding area.

Agricultural uses are permitted in the Historic Overlay zoning districts. Although Section 11.2 outlines specific design standards for new development in the district they appear to only apply when the Zoning Board of Appeals considers applications for special permits.

The Flood Fringe Overlay-FFO district reflects Federal government regulations and restrictions on construction in designated floodplain areas of the town. Persons wishing to build within the overlay zone must apply for a floodplain development permit from the code enforcement officer. With the exception of residential structures and veterinary clinics agriculture and related land uses are permitted within the Flood Fringe Overlay district.

The Town of Hoosick Land Use Law permits agricultural activities in all zoning districts with the exception of the Light Industrial/Commercial and Daily Mine districts. Rather than utilizing an umbrella term such as "agriculture" or "farming," however, the Land Use Law permits a number of activities associated with agriculture, including:

Animal Husbandry - the raising of animals and birds for food, wool, breeding, preservation or pleasure.

Agritourism – corn mazes, agricultural educational venues, hay rides and other assorted agriculture-associated activities that occur on an ongoing basis.

Field crops – the growing of fruits and vegetables outdoors for food, fodder, and grain. Includes hay and straw fields.

Greenhouses – the commercial growing of plants in traditional glass or temporary greenhouses.

Nursery – the growing of trees, bushes and flowering plants and sale of such plants.

Rather than list separately a number of specific activities that make up the practice of agriculture, the Town should consider one umbrella term such as "agriculture" or "farming." This approach could take into account not merely the specific activities set forth in the various definitions, but also the multiple structures and subordinate activities that contemporary American agriculture encompasses. Such an approach may also eliminate ambiguities, such as whether or not the "growing of fruits and vegetables..." includes processing and storing for sale

of such commodities, or whether the "commercial growing of plants..." in the definition of greenhouses precludes growing plants as a hobby or for personal consumption.

By replacing multiple uses and definitions with one umbrella definition that is also more generic the Town of Hoosick could streamline its zoning regulations, head off possible controversy over defining specific activities, and ensure some flexibility to accommodate the changing nature and increasing diversity of agriculture.

An example of a definition of agriculture is:

"The use of land, buildings, structures and equipment, and the practices which support the production, preparation, marketing and transportation of grain, vegetable, fruit, and other crops, horticultural and floricultural products, animal husbandry, livestock and livestock products."

This definition is designed to take into account the numerous activities that may take place on a farm of any size. It provides a clear and concise definition of what would constitute an agricultural operation, but provides considerable flexibility that accommodates wide variety of activities generally recognized as being "agriculture" in New York and the constantly evolving nature of agriculture and agricultural practices.

In addition to agricultural activities the Town of Hoosick also permits "agritourism" which is defined as *"corn mazes, agricultural educational venues, hay rides and other assorted agriculture-associated activities that occur on an ongoing basis."*

In many areas agritourism is a growing and important component of an overall direct marketing strategy for an active agricultural operation or farm market, and important source of supplemental income for farms. The above definition is crafted in a manner both describes the activities envisioned as part of an agritourism enterprise, protects the town from unanticipated ones, but permits some flexibility in interpretation. It does however leave out an activity that is commonly found in agritourism, which is the sale of prepared foods, generally from ingredients produced on the farm.

The definition also does not limit agritourism enterprises to being a component of an overall farm operation: anybody is permitted to engage in agritourism, on or off the farm.

Agritourism operations are designed to attract the general public. They also have the potential to grow into major businesses that may attract large numbers of people and heavy traffic, particularly for occasional special events. Site plan approval is a mechanism by which a municipality can ensure that the health and safety of the general public and patrons of such businesses is protected, ensure that adequate facilities for parking and safe ingress and egress from public highways are provided, and that potential adverse impacts of such businesses or large events are mitigated. The Town of Hoosick may wish to revise the Land Use Law to require site plan approval for agritourism.

In addition to residential and agricultural uses the Town of Hoosick Land Use Law permits a number of other land uses within the Agricultural/Residential-A zoning district. These include: small retail commercial, bars, taverns and restaurants, indoor and outdoor entertainment, gas stations, car repair shops, car sales, nursing homes, multi-family housing, dormitories and private educational institutions, hospitals and industrial operations.

These land uses, particularly industrial and commercial land uses, can require substantial amounts of level land and thus can compete with farmers for valuable agricultural land, particularly higher quality agricultural lands. Other uses, such as nursing homes, multi-family housing, restaurants and health care facilities, can be adversely affected by the noise, dust and odors associated with contemporary agricultural operations, and create conflicts with local farmers.

The Town of Hoosick should consider amending its Land Use Law to remove these uses from the list of those permitted in the Agricultural/Residential-A zoning district. Although many of the above uses are subject to special permit review, in New York where a land use is permitted subject to special permit, the presumption has been made by the municipality that it is an appropriate land use in the zoning district(s) where it is permitted subject to special permit. As a result the municipality is generally limited to setting specific conditions of approval to mitigate potential impacts of the proposed development.

At the same time many farm operations have side businesses that supplement the income of the overall agricultural operation. The Town of Hoosick already permits "farm occupations," which are defined as "a business run by a farmer or his family member(s) on farm property that

is incidental and not necessarily related to the farm business. The farm occupation, if not located in a barn or other existing outbuilding, is limited to a new building of 5,000 square feet in area."

The farm occupation concept, as defined in the Land Use Law, appears to provide the farm community in the town with the opportunity to supplement the income of farm operations, but on a smaller scale that would not compete for land or introduce potentially incompatible uses.

It appears to be similar to an approach utilized in other towns that have created a class of commercial enterprises described as "agribusiness," "agricultural enterprises," or "agricultural commercial" for the purpose of zoning. Such businesses are owned and operated by the owner/operator of an active farm and permit farm operators to tap sources of supplemental income by providing goods and other services that support theirs and other agricultural operations in the town and the region. Examples of such businesses would be farm equipment dealerships, seed, grain, hay, straw and fertilizer sales, repair services, building, excavating and other contracting services and trucking services.

In the Town of Ulysses such businesses are referred to as "agricultural commerce" and defined as:

"A retail or wholesale enterprise providing services or products principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or providing for wholesale or retail sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations."

Some municipalities limit the size of such operations by limiting the number of employees permitted. The Town of Hoosick approach of limiting the size of the structure in which such businesses can operate to 5,000 square feet is an appropriate approach as well.

C. Zoning Dimensional Requirements

Chapter 4 of the Town of Hoosick Land Use Law establishes minimum lot size and setback requirements for each of its zoning districts. They listed in Table 1 below.

Table 1. Area and Bulk Requirements					
	Zoning District				
	H	LIC	RR	AR	CRM
Minimum Lot area With septic & well	1 acre	2 acres	1 acre	1 acre	1 acre
Minimum Lot area With community water or sewer	.75 acre	2 acres	1 acre	1 acre	1 acre
Minimum Lot area With public water & sewer	.5 acre	2 acres	.5 acre	1 acre	1 acre
Minimum Lot Width	100 feet	200 feet	100 feet	100 feet	100 feet
Minimum Lot Frontage	20 feet	50 feet	50 feet	50 feet	50 feet
Minimum Front Setback (from road centerline) - State Highway	65 feet	80 feet	80 feet	80 feet	80 feet
Minimum Front Setback (from road centerline) – Town or County Road	50 feet	65 feet	65 feet	65 feet	65 feet
Minimum Side Setbacks	20 feet	20 feet*	20 feet	20 feet	20 feet
Minimum Rear Setback	10 feet	10 feet*	10 feet	10 feet	10 feet
Maximum Building Height	40 feet**	60 feet**	40 feet**	40 feet**	40 feet**
* Side and rear setbacks should be at least as great as the height of the structure abutting the setback. ** Section 4.3.1 exempts agricultural silos from the height restrictions.					

The area and bulk regulations set forth above appear to be reasonable and are not likely to unnecessarily burden agricultural operations in the Town of Hoosick. For agricultural uses permitted by right the Town has not established additional setbacks for farm buildings or structures, nor do they restrict the size of type of agricultural buildings or structure.

The one exception to the above that has been identified is specific standards set forth on Chapter 7 of the Land Use Law. Among other things, this chapter governs the granting of special permits by the Zoning Board of Appeals. Section 7.11.1.1 requires as a condition of approval for a special permit for "animal husbandry" in the Conservation Resource Management (CRM) district that "*sufficient area or acreage should be available for the shelter and exercise of livestock, as well as for the storage of food and wastes.*" Section 7.11.1.2 also requires that "*Manure shall be stored away from property lines whenever possible and in accordance to best management practices according to New York State Department of Ag and Markets.*"

Aside from the issue (discussed previously) as to why the animal husbandry use should be subject to special permit, the above standards are vague and subjective. If the Town of Hoosick decides to continue to require special permit approval animal husbandry in the CRM district it should establish clearer standards for the Zoning Board of Appeals to follow.

D. Zoning Definitions

An important component in any set of zoning regulations is the glossary section containing definitions of various terms used in the zoning regulations. Because of the nature of zoning, clarity is critical to ensuring fair and consistent interpretation of the regulations, promoting efficient administration and positive public perceptions with regard to their local zoning, and inoculating the community against controversy and in some cases expensive litigation.

The Town of Hoosick definitions section is comprehensive and provides complete and clear definitions of key terms.

In addition to the recommendations discussed previously under permitted uses, however, the Town should review the definition of "junkyard" in its separate local law covering junkyards.

Many local regulations governing junkyards do not exempt the traditional farm "junk piles" or the collection of inoperable equipment or vehicles that can be found on the typical Upstate farm. These many times serve as sources of spare parts or scrap used in the farm operation. The Department of Agriculture and Markets recognizes the need for some junk storage on farm and the prohibition of such activities may be considered a contravention of Agriculture and Markets Law (AML) Section 305-a. The Department however does not expect municipalities to grant farmers a blank check. A number of towns have simply modified their existing definitions for junkyard to include language such as "...and other debris that is not generated by or used in any ongoing agricultural operations on the premises."

Conclusions

The Town of Hoosick Land Use Law is a relatively simple but comprehensive set of land use regulations. As they relate to agriculture they are not overly burdensome and with the exception of a few minor issues avoid contravention of Agriculture and Markets Law (AML) Section 305-a or the provisions of Town Law governing land use regulations. Recommended actions related to the Land Use Law are:

1. Consider replacing several definitions of specific agriculture-related activities with a consolidated definition for agriculture.
2. Remove the special permit requirement for the practice of animal husbandry (or agriculture if the Town adopts the previous recommendation) in the CRM Conservation Resource Management zoning district.
3. Ensure that the special permit requirement for riding stables and academies in the Rural Residential zoning district does not contravene Agriculture and Markets Law. In lieu of a special permit requirement for such operations consider setbacks and other standards to better control such operations in the Rural Residential zoning district.
4. Consider revising the definition of agritourism to permit additional activities, and consider revising the District Schedule of Use Regulations to require site plan approval for such enterprises.

5. Consider amending the District Schedule of Use Regulations to remove a number of non-agricultural land uses from the list of those permitted in the Agricultural/Residential-A zoning district.
6. Review the Town of Hoosick regulations governing junkyards to ensure that they do not contravene Agriculture and Markets Law.

**Town of Hoosick, Rensselaer County
Subdivision Regulation Review**

December 9, 2010

Introduction

In addition to its Land Use Law the Town of Hoosick has in force a locally adopted Subdivision Regulation law that governs land subdivision within the Town. The Subdivision Regulation is administered by the Town of Hoosick Planning Board in accordance with Section 277 of NYS Town Law. Under Town Law Sect. 277 the Planning Board can regulate subdivision for the purpose of ensuring that:

"the land shown on the plat be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare."

Subdivision review in New York is generally considered to be a technical review of the design of a proposed platting of a parcel of land, the design of any proposed streets and other public infrastructure, and the location of any proposed dedications of land for public park and open space. The use of the land and the intensity of land use are controlled by the zoning regulations also in force in the municipality.

This analysis of the Town of Hoosick Subdivision Regulations focuses on the potential impacts of the regulations on agricultural lands and agricultural enterprises. Overall the Subdivision Regulations is well written and comprehensive. No major issues with regard to agricultural lands or agricultural enterprises were identified in the review. As a result some relatively minor changes are proposed for the regulations to make them more "ag-friendly."

Recommendations

The following changes are designed to enhance the ability of the Planning Board to utilize the regulations to better protect agricultural lands and operations from potential adverse impacts of development.

1. Under Section 303 (D), Sketch Plan Review and Recommendations, revise the second sentence of the first paragraph to add "*impact on access to agricultural fields,*" and "*impact on agricultural infrastructure such as field drainageways and tile lines within and adjacent to site*" to the list of factors the Planning Board would weigh during a sketch plan review.
2. Under Section 305 (C) Study of Preliminary Plat, revise the second sentence of the second paragraph to add "*impact on access to agricultural fields,*" and "*impact on agricultural infrastructure such as field drainageways and tile lines within and adjacent to site*" to the list of factors the Planning Board would weigh during its review of a preliminary plat.
3. Under Section 502, Lot Improvements, add a new (I) to the list, which could read "*The design of individual lots shall be such that any functioning agricultural drainageways or field tile lines identified during the review of the subdivision plat that drain lands uphill of the proposed lots or lots shall be preserved and protected from development on the lot.*" or language to this effect.
4. Under Section 504 (E), Watercourses, a third paragraph should be added similar to the language proposed for Section 502(I): "*The design of all proposed roads shall be such that any functioning agricultural drainageways or field tile lines identified during the review of the subdivision plat that drain lands uphill of the proposed lots or lots shall be preserved and protected.*" or language to this effect.

5. Under Section 601, Sketch Plan, Paragraph (B) should be revised to include in the information to be shown "*access roadways to agricultural fields,*" and "*agricultural infrastructure such as field drainageways and tile lines within and adjacent to site*"
6. Under Section 603, Major Subdivision Preliminary Plat, Paragraph (E) should be revised to include in the information to be shown "*access roadways to agricultural fields,*" and "*agricultural infrastructure such as field drainageways and tile lines within and adjacent to site*"

The rationale for the above recommendations is that in a number of cases across the country farms have been impacted by subdivisions and other developments that are approved on lands downstream of farm fields, because little or no attention is paid to drainageways and field tiles upstream of the development. Many times the lack of information on such features (tile lines are rarely mapped) results in such infrastructure being destroyed during development of the lands downstream. In addition to the disruption of farmland drainage systems and adverse impacts to the utility of the farmland, inattention to this drainage infrastructure can cause major problems within the new developments. Cut field tile lines or drainageways can direct water into the basements of new homes or other buildings built on the site.

By identifying such features early in the subdivision review process the applicant/developer can design around them or incorporate other protection measures that would protect both the farmland and the future development.

Under Section 202, Key Terms, the Town should consider adding to the definition of SUBDIVISION, SIMPLE language such as "or which involves an adjustment of one or more lot lines between existing lots or tracts of land."

The reason for this language is that on occasion two or more adjoining property owners, including farmland owners, may wish to adjust a property line by a few feet. This would permit

such actions to be completed without incurring the time and expense associated with the review of minor and major subdivisions by the Planning Board.

The Town of Hoosick may also wish to consider the addition of a new section to the Subdivision Regulation that would permit and also govern the approval of cluster subdivision development. Section 278 of NYS Town Law provides for this type of development, in which the Planning Board is authorized to waive specific lot dimensional requirements of conventional zoning. The availability of cluster subdivision as an option to land developers can provide a tool for protecting agricultural lands and other open space resources, while making more efficient use of public resources such as roads, streets, and water and sewer systems.

The minimum lot size of 1 acre provided for in the Town of Hoosick Zoning Law in the AR District is relatively small, and likely precludes the use of cluster subdivision design in most cases. Nonetheless, in areas of the town where public water or sewer service is available, or a developer is willing to build a private (community) system, the creative use of cluster design can substantially reduce lot sizes and permanently protect 50 to 60 percent of a site as permanent open space, including as agricultural land.

Finally, although the provisions within the subdivision regulation that deal with the State Environmental Quality Review (SEQR) process do not directly impact agricultural land or landowners, they should be reviewed to ensure their conformance with Section 276 (5)(c) of Town Law.

Conclusion.

As stated in the introduction no major issues with regard to agricultural lands or agricultural enterprises were identified in the course of this review. As a result some relatively minor changes are proposed for the Town of Hoosick Subdivision Regulations to make them more agriculture friendly.

Definition of Agricultural Land

11-10-10

For the purposes of this plan agricultural land is defined as land suitable for the production of crops, livestock (including horses), farm woodlots, agricultural products and services such as riding lessons, horse boarding, on-farm education, agritourism, etc.

Other Possibilities: Processing? Retail sales (foodservice)? Pick your own? Maple Syrup? Biofuel

Definitions pertaining to agriculture in zoning

Agritourism: corn mazes, agricultural educational venues, hay rides and other assorted agricultural-associated activities that occur on an ongoing basis

Animal Husbandry: the raising of animals and birds for food, wool, breeding, preservation or pleasure

Farm Bed and Breakfast: a bed and breakfast facility located on a working farm

Farm Occupation: a business run by a farmer or his family member (s) on farm property that is incidental and not necessarily related to the farm business. The farm occupation, if not located in a barn or other existing outbuilding is limited to a new building of 5,000 square feet area

Farm Stand large: an enclosed building that sells produce from the landholder and from off site producers. The large farm stand is likely to have multiple customers regularly

Farm Stand small: a table or shelter that sells produce from the landholder and neighboring properties

Field crops: the growing of fruits and vegetables outdoors for food, fodder, and grain. Includes hay and straw fields.

Food production: a facility that manufactures food products from raw or semi processed food stocks

Greenhouses: the commercial growing of plants in traditional glass or temporary greenhouses

Nursery: the growing of trees, bushes and flowering plants and sale of such plants

Slaughter facility: a commercial facility that slaughters livestock for production of meat and meat products for human consumption

Fire District Taxation Rates - 2011

Community	District	Eq. Rate	Tax Rate	Equilized Tax	Amount to be Raised	Total Change from Previous Year
Berlin		24.6				
	Berlin		4.96244	1.2208	204,855	0.69%
Brunswick		25.3				
	Eagle Mills		5.796752	1.4666	438,296	-0.50%
	Sycaway FPD		5.621696	1.4223	513,151	2.08%
	Ctr. Brunswick FPD		7.195518	1.8205	413,525	4.43%
	Mt. View FPD		12.20602	3.0881	173,913	2.45%
	Speigletown		6.246479	1.5804	130,250	1.25%
East Greenbush		100				
	East Greenbush		0.864434	0.8644	743,291	0.00%
	Clinton Heights		0.838547	0.8385	596,305	4.01%
	Best Luther FPD		0.496986	0.4970	91,080	-0.72%
	Third Avenue FPD		0.56271	0.5627	7,470	14.05%
Grafton		8.35				
	Grafton		5.111914	0.4268	87,385	6.31%
Hoosick		27.5				
	Hoosick		4.070112	1.1193	129,565	0.00%
	North Hoosick		7.637	2.1002	184,179	0.36%
	West Hoosick		3.534963	0.9721	45,728	0.06%
	Buskirk		4.735861	1.3024	33,478	5.02%
	Hoosick Falls FPD		7.270767	1.9995	325,000	0.00%
Nassau		70				
	Nassau FPD		1.644363	1.1511	74,000	-1.33%
	Hoags Corners		1.644363	1.1511	195,403	0.85%
	Nassau		0.934262	0.6540	94,316	6.23%
North Greenbush		26.25				
	North Greenbush		2.770301	0.7272	877,534	0.25%
Petersburgh		56.5				
	Petersburgh		1.366346	0.7720	100,000	0.00%
Pittstown		61.5				
	West Hoosick FPD		1.42228	0.8747	9,200	0
	Johnsonville FPD		3.70377	2.2778	217,670	-23.81%
	Raymertown		2.84235	1.7480	209,290	0
	East Pittstown		3.251052	1.9994	268,319	-10.28%
	Tomhannock FPD		0	0.0000	0	
Poestenkill		24.75				
	Poestenkill FPD		2.879263	0.7126	246,778	3.00%
Sand Lake		100				
	Averill Park		1.463339	1.4633	506,305	1.14%
	West Sand Lake		1.578729	1.5787	572,325	5.39%
	Taborton		1.42113	1.4211	89,000	-0.20%
Schaghticoke		23.5				
	Speigletown		6.838533	1.6071	191,356	2.52%
	Johnsonville FD		9.677977	2.2743	67,237	-1.94%
	Melrose		6.753938	1.5872	292,744	0.78%
	Hoosick Valley FPD		4.610751	1.0835	90,799	3.35%

Community	District	Eq. Rate	Tax Rate	Equilized Tax	Amount to be Raised	Total Change from Previous Year
	Hemstreet Park		5.246862	1.2330	128,000	0.00%
	Pleasantdale		6.271706	1.4739	88,729	4.30%
Schodack		100				
	East Schodack		0.615156	0.6152	88,000	2.33%
	Schodack FPD		0.477154	0.4772	36,950	0.00%
	Nassau Lake West		0.853908	0.8539	131,564	1.94%
	Schodack Center		0.526277	0.5263	109,240	3.08%
	Schodack Valley		0.580151	0.5802	171,333	3.80%
	Schodack Landing		0.446131	0.4461	100,300	5.03%
	Nassau		1.87265	1.8727	99,616	14.68%
Stephentown		30				
	Stephentown		1.686583	0.5060	137,000	0.59%

August 10, 2012

Mr. John Brennan
Chief, Agricultural Protection Unit
State of New York
Department of Agriculture and Markets
One Winners Circle
Albany, New York 12235

Dear Mr. Brennan:

Please accept this letter of approval, on behalf of the Rensselaer County Agriculture and Farmland Protection Board regarding the Agriculture and Farmland Protection Plan from the Town of Hoosick, New York. On November 2, 2011, we reviewed the plan, sent it back to the Town requesting certain changes. The Town of Hoosick then revised the plan with the suggested changes and sent it back. On August 8, 2012 this board reviewed the plan again and approved it as submitted.

Sincerely,

Kenneth H. Herrington, Chairman
Agriculture and Farmland
Protection Board for
Rensselaer County

cc: Town of Hoosick Supervisor Keith Cipperly