

Southold 2020

The New Comprehensive Plan for the Town of Southold

Agriculture Chapter

Draft (June 20, 2012)

Introduction.

Agriculture is an important part of Southold, both in land area as well as economically. About 31% of the Town's land area of 32,370 acres is farmland (Figure 1.).

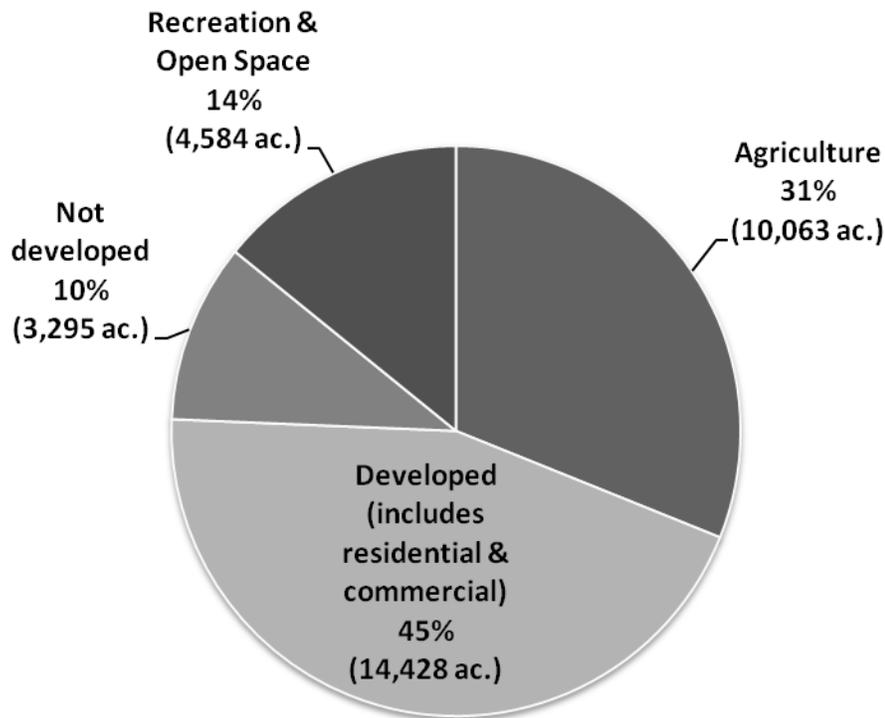


Figure 1. Southold General Land Use

This very visible and large land area is one of the reasons that agriculture is an integral part of the identity of the Town. Agriculture is also a strong economic force in Southold. Agriculture and related businesses combined are in the top five economic engines of our economy according to data compiled in the Economic Chapter of this document (Table 1.).

Table 1. Top five industries in Southold, by output to the local economy

Industry	Output to Local Economy
Construction Industry & Related	\$156,000,000
Government	\$139,000,000
Agriculture & Related Industries	\$120,000,000
Retail	\$108,000,000
Medical Industries	\$ 89,000,000

In 2010, the Southold Agricultural Advisory Committee conducted an inventory of farm operations and crop types. They found that there are approximately 134 agricultural operations in the Town, representing a diversity of crops (Table 2.).

Table 2. Crop categories in acres of land*.

Crop Category	Acres
Vineyard	2151
Vegetables/Fruits (not grown in greenhouses)	1835
Nursery/Greenhouse	1444
Fallow	1150
Sod	913
Hay, alfalfa, grain, field corn	786
Fallow 2	730
Livestock	576
Woodland	466
Aquaculture	272
Christmas trees	64

**Please note: This inventory was completed in 2010, and crop types are subject to change over time. The “Fallow” category represents farmland that is either being rested from cultivation as part of normal farming practice, or has recently stopped being actively farmed. The “Fallow 2” category represents farmland that has been fallow for long enough to have small cedars and brush.*

To retain agriculture as part of Southold’s fabric and economy, we need to understand farming as a business.

The business of farming has many forms in Southold, from the open vistas of vegetable row crops, to the structured vineyards with their rows of trellises, to greenhouses and nurseries with large areas of connected greenhouses and potted plants, to the open water of the bay where aquaculturalists grow shellfish. Business models also vary widely, and include wholesale

growers, retail farm stands, u-pick farms, wineries with live music, and corn mazes, hay rides and other on-site entertainment.

The challenges to agriculture in Southold are many. One of the largest difficulties is competition with growers in other places who have lower costs of doing business. The costs of doing business for a farm in Southold include high land prices, and utility prices that are among the highest in the country. Other challenges include weather, pests, crop diseases, and potential conflicts with neighbors, which present risk for a business. Farms also have many layers of regulation, beginning with Town zoning, and including County, State and Federal regulations. A challenge for the Town in its efforts to retain the business of agriculture is to also protect public health and safety.

1. Retaining & advancing the industry of agriculture

Goal 1.1 Ensure Southold Town Code & policies encourage and advance the business of agriculture.

Farming has been part of Southold town for its entire history. Over the years there have been major transitions from one type of farming to another, necessitated by the changing marketplace, and competition from other places. The ability for agriculture to make transitions is essential to the continuation of farming in Southold. The Town must find ways to ensure its regulations and development rights easements allow for enough flexibility to allow agricultural businesses to flourish, while continuing to balance the needs of the public safety and quality of life.

Objectives

- 1) Provide written policies and procedures for agricultural site plans, including a handout at the Building Department and Planning Board counters.

The Town Code provides for agricultural site plan applications to have some of the technical requirements waived, though the specific procedures for these waivers are not clear. A detailed policy and procedure handout would help applicants understand the requirements. In addition, land-based structures used for aquaculture should also be included under this policy.

Responsible Parties: Planning Board

Possible Partnerships: Building Department, Agricultural Advisory Committee

Timeline: 2014

- 2) Review Town Code to ensure the language allows for diversity and new ideas in farming uses and activities. The Town Code needs to be updated so it is flexible on future agricultural practices, and is consistent with the definitions and policies of the New York State Department of Agriculture and Markets while also balancing the public health, safety and welfare.
 - a. Exempt certain agricultural structures/uses from site plan review.

Site plans are required for the purpose of ensuring the public health, safety and welfare. Some agricultural structures are of a type, size or location where there is little or no possible impact to the public, or may not actually be considered “structures” because of their function (seasonal hoopouses are an example of this).

- b. Broaden Town Code to specifically allow on-farm processing of any type of crop into retail and wholesale-ready products (e.g. pies, preserves, chips, wine, beer, vodka), including the processing of livestock. Products must be primarily made from what is grown on the property, as well as on other farmland owned or leased by the person or company conducting the processing. Being able to convert a crop into a value-added product may be essential to agriculture’s future success as a business in Southold.
- c. Amend the definitions in Town Code to be consistent and up-to-date with current and future agricultural practices (Chapters 70, 72, 240, 280).
- d. Add definitions to the Town Code to clarify agricultural-related terms where necessary.
- e. Define a development right and what uses remain after development rights are purchased.

In other words, is the purchase of a development right simply to prohibit residential development? What uses remain intact after a sale of development rights? Clarify this in the Town Code.

- f. On land where development rights have been sold to the Town (Town-preserved farmland), consider providing for equal agricultural rights as land that has not had its development rights sold to allow for on-farm marketing and other structures and uses
- g. Explore ways to allow farms to have multiple agricultural uses without having to satisfy the minimum lot size requirement for each use.
- h. Consider bringing back the “set-off” for active farms only, with strict new rules to prevent the incremental subdivision into many lots over time. This is to allow for the creation of one lot for a family member without having to go through the full subdivision process. Considerations would include whether a viable farm is left behind, the appropriate size of the setoff parcel, and ensuring it is one-time only allowance.
- i. Clarify what is currently allowed under Town Code for aquaculturists to retail their harvest in Southold. If impediments exist due to an aquaculturist’s location in the water rather than on land, consider finding a way to remove or lessen the impediments through amendments to the Town Code to allow retail sales of aquaculture products at farmstands.
- j. Land containing ancillary land-based structures used for aquaculture should be included in the Agricultural District and be eligible for the Agricultural Assessment.

- k. Consider an increase in the lot coverage for greenhouses.

Currently the lot coverage for any structure is 20% on most agricultural land. Greenhouse operations or even high tunnels to extend the growing season need to be able to cover a higher percentage of land to maximize efficiency.

A sliding scale of lot coverage may be advisable, with smaller parcels being allowed a higher percentage. Drainage of stormwater must be considered ahead of time for high percentage of lot coverage with impervious surfaces.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Building Department, Planning Board, Land Preservation Committee, Long Island Farm Bureau, Long Island Wine Council

Timeline: 2014

- 3) Refer development applications related to agriculture to the Agricultural Advisory Committee for an opinion (in certain cases).

There are applications to the Town for development and/or permits where the applicant must show that the property is agricultural. In most cases this can be determined by checking to see if the parcel is in the agricultural district, receiving the agricultural assessment, or is obviously cultivated. Not all parcels that could be considered “agricultural”, however, fall into those categories. In those cases where it is not clear that a parcel is part of an active farm, the Agricultural Advisory Committee could be asked to provide an opinion based on their experience and knowledge of agriculture in Southold.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Building Department, Planning Board, Zoning Board of Appeals, Board of Trustees

Timeline: 2014

- 4) Review future Town Purchase of Development Rights (PDR) easements to ensure the language allows for diversity and new ideas in farming uses and activities.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Planning Board, Land Preservation Committee

Timeline: 2014

- 5) In future Town Purchase of Development Rights easements, allow for a residence within the easement area.

Reserving one development right for a residence within the easement will allow for more flexibility in the future location. This development right would be retained by the owner of the property (and thus would not be purchased by the Town).

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Land Preservation Committee, Planning Board

Timeline: 2014

Goal 1.2 Promote awareness of and enforce the provisions of the Farmland Bill of Rights (aka Right to Farm) in the Town Code.

In 1997, the Town Board amended the Town Zoning Code to include the Farmland Bill of Rights, the purpose of which is to reduce conflicts between people residing on tracts adjacent to farmlands. This section of the code finds that agriculture is an essential activity within the Town, outlines the benefits of farming along with finding that these benefits offset any nuisance that may be caused, and identifies farming practices that are in compliance with applicable regulations to be protected farm practices. Certain provisions of this law, such as the requirement that brokers provide a copy of the bill of rights to purchasers of property adjacent to farms, may need some promotion and awareness to ensure it occurs.

Objectives

- 1) Work with the real estate industry, including real estate brokers and real estate attorneys, to promote awareness of the requirements of the Farmland Bill of Rights in Southold Town Code
- 2) Create a brochure promoting awareness of this requirement that can be distributed to the public .
- 3) Ask the local paper to run an article on the Town’s ‘Farmland Bill of Rights’, or include mention of it in articles related to agriculture.
- 4) Add signage to the entrance of the town stating that the Town is a “right to farm community.”
- 5) Increase enforcement of this Town Code requirement.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Real estate companies and real estate industry organizations

Timeline: 2014

Goal 1.3 Continue to protect farmland from conversion to a non-agricultural use.

Farmland protection in the form of purchase of development rights has been steadily occurring in Southold since 1974 when one of the first-ever purchase of development rights was done by Suffolk County. Of the approximately 10,000 acres of agricultural land in Southold, over 4,000 acres have been preserved by various levels of government/ non-profit organizations by purchasing development rights, and through the subdivision process (Table 3).

Table 3. Types and amounts of preserved farmland in Southold.

Type of Protected Farmland	Acres
Southold Town PDR	2,312
Suffolk County PDR	1,651
New York State PDR	23
Peconic Land Trust	81
Subdivision Open Space	178
Total 4,245	

Objectives

- 1) Promote the purchase of development rights by Town, County & State.
- 2) Continue seeking funding from other sources for development rights purchases, including Federal and State grants.
- 3) Promote conservation subdivisions and Open Development Area Plans (ODA), and Agricultural Planned Development Districts (Ag PDD).
- 4) During the subdivision process, provide and enforce required buffers between farms and houses and buffers to the street. Buffers should be placed on the residential parcels created in the subdivision to keep as much land in agriculture as possible.
- 5) Contact appropriate state elected officials to promote the extension of the Community Preservation Fund (2% transfer tax used to fund land preservation efforts on the east end), which will sunset in 2030.

Responsible Parties: Land Preservation Committee, Planning Board

Possible Partnerships: Suffolk County, New York State, Federal grant programs

Timeline: 2014

Goal 1.4 Maintain a current inventory document of active agricultural lands

Maintaining an inventory document of active farmland is important to detect trends and determine whether Town goals of maintaining and advancing agriculture are being met.

Objectives

- 1) Update existing inventory at least every five years, or as needed.

Responsible Parties: Planning Board

Possible Partnerships: Agricultural Advisory Committee, Peconic Land Trust

Timeline: 2014

- 2) Implement a program to help connect new farmers with owners of fallow land that might agree to long-term leases for agriculture and potential property tax savings.
 - There are almost 2000 acres of fallow land identified in the latest Southold farmland inventory. This program could work well for people who are just beginning and may need only a small amount of land to start.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Cornell Cooperative Extension, Long Island Farm Bureau, Peconic Land Trust

Timeline: 2014

Goal 1.5 Promote and support agriculture-related tourism

Agriculture-related tourism helps farmers sell their product. Promoting tourism, however, must also take into consideration the welfare and safety of Town residents.

Objective

- Work with the North Fork Promotion Council (NFPC) to help promote agriculture-related tourism, including adding a link to the NFPC on the Town's website.

Responsible Parties: Agricultural Advisory Committee, Southold Town Economic Development Committee, North Fork Promotion Council.

Possible Partnerships: Long Island Wine Council, Long Island Farm Bureau, Mattituck Chamber of Commerce, North Fork Chamber of Commerce, East End Tourism Alliance, Village of Greenport, Village of Greenport Business Improvement District.

Timeline: 2014

Goal 1.6 Promote a "Buy Local" Campaign

Matching local producers with local buyers is a win-win for all involved. Produce that reaches the consumer is fresher, and the costs and environmental impacts associated with shipping are reduced.

Objective

1. Work with local organizations to promote a "buy local" campaign for agricultural products (e.g. Grown on Long Island).

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Southold Economic Development Committee, Long Island Farm Bureau, Peconic Land Trust, Long Island Wine Council, Human Resource Center

Timeline: 2014

2. Encourage schools to educate children about the connection between farming and food.

Responsible Parties: Agricultural Advisory Committee
Possible Partnerships: School districts
Timeline: 2014

Goal 1.7 Promote the direct purchase of fresh vegetables & fruits by schools and other institutions.

Direct connections between schools and other institutions to local farms have been successful in other areas. The Town might be able to be instrumental in encouraging this type of partnership between local cafeterias/kitchens and local farms.

- Work with schools, senior centers, hospitals, food pantries and other institutions to encourage their purchasing fresh vegetables and fruit and other products directly from local farms.

Responsible Parties: Agricultural Advisory Committee
Possible Partnerships: Schools, hospitals, nursing homes, Long Island Farm Bureau, Southold Human Resource Center
Timeline: 2014

Goal 1.8 Promote the continuation of aquaculture in Southold

Aquaculture is agriculture, the main difference being that the crop is grown in water. Aquaculture, as typically practiced in Southold, requires clean water in the bays and creeks to be successful. The crop most commonly grown by aquaculturists in Southold is shellfish. Shellfish are filter feeders, and their filtering of the seawater provides an environmental benefit to the health of the bays. Pollutants and siltation from stormwater runoff, groundwater pollution from septic systems and lawn chemicals among other inputs, all contribute to the degradation of our bays and creeks and can create a toxic environment for shellfish.

Objectives

- 1) **Improve water quality in the creeks and bays for aquaculture (the cultivation of aquatic organisms such as shellfish).**
 - a. Continue the stormwater runoff prevention initiative (MS4) to prevent stormwater runoff from polluting the creeks, bays and other surface waters, including a voluntary use of best management practices for preventing stormwater runoff from farmland. Devise low-tech, low-cost solutions to storm water runoff for farms that do not use up a large amount of land.

- b. Seek funds for an East End surface water-quality testing facility or create a volunteer program to test water quality in a manner that is acceptable to the New York State Department of Environmental Conservation.
- c. Educate homeowners about the impacts of septic systems and lawn fertilizers and chemicals to the groundwater, and steps that can be taken to lessen those impacts.

Responsible Parties: Southold MS4 (Stormwater Pollution Prevention) Committee
Possible Partnerships: Agricultural Advisory Committee, Southold Shellfish Advisory Committee, USDA Natural Resources Conservation Service, Suffolk County Soil and Water Conservation District, NYSDEC, Baymen's Association, Southold Board of Trustees, Association of Marine Industries
Timeline: 2014

2) Educate boaters about aquaculture operations to prevent the breakage of gear and the spread of contaminants from bilge water.

Boaters can unknowingly destroy aquaculture crops by travelling over buoys and pulling them up. They can also cause the spread of contaminants by pumping out bilges near aquaculture operations.

Responsible Parties: Southold Shellfish Advisory Committee
Possible Partnerships: NYSDEC, Baymen's Association, Southold Board of Trustees, marinas and boating associations.
Timeline: 2014

3) Provide a source of information and guidance for new aquaculturalists by providing links to educational programs, and existing aquaculturalists.

Responsible Parties: Southold Shellfish Advisory Committee
Possible Partnerships: Agricultural Advisory Committee, Suffolk County Planning, USDA Natural Resources Conservation Service, Suffolk County Soil and Water Conservation District, NYSDEC, Baymen's Association, Southold Board of Trustees
Timeline: 2014

Goal 2. Protect prime agricultural soils from depletion, removal and excessive erosion.

Soil is an important natural resource that must be protected for future generations.

Objectives

- 1) Encourage farmers to engage in soil conservation planning with USDA Natural Resources Conservation Service and Suffolk County Soil and Water Conservation District.

- 2) Prevent stripping of soil underneath farm structures through education programs in partnership with Cornell Cooperative Extension.
- 3) Encourage cover cropping to prevent soil erosion in partnership with Cornell Cooperative Extension through education about the importance of soil management and best techniques.
- 4) Encourage crop rotation, where appropriate.
- 5) Consider adding a page to the Town's website that focuses on agriculture and contains links to soil conservation resources and agencies.
- 6) Work with NYS Department of Environmental Conservation (NYSDEC) to find improved methods to control Canada geese and deer to prevent their removal of cover crops. One example of improved management is to implement an aggregate limit rather than a daily limit for the taking of geese.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: USDA Natural Resources Conservation Service, Suffolk County Soil and Water Conservation District, NYSDEC

Timeline: 2014

Goal 3. Promote best management practices for the use of agricultural pesticides and herbicides to protect groundwater and surface water resources.

Southold's aquifers, creeks and bays are all susceptible to pollution from the use of pesticide and herbicide chemicals. While these chemicals are heavily regulated by other levels of government, the Town could have a role in providing education and awareness, especially to new farmers, about the best management practices available, and how they relate to the unique environment in Southold.

Objective

1. Develop an informational website page and brochure regarding best management practices for agriculture in Southold, including links to relevant agencies.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Cornell Cooperative Extension, Long Island Farm Bureau

Timeline: 2014

Goal 4. Promote improved agricultural yields through nuisance wildlife management.

Southold is home to diverse wildlife, some of which cause major problems for crops. These include deer, Canada geese and wild turkeys. With almost no natural predators, the populations of these animals grow unchecked, leading to increasing damage to crops. Solutions to these problems should be explored by working with several levels of government regulatory agencies, as well as local growers.

Objective

- Work with regulatory and farm support agencies to determine if there are ways for the Town to help find solutions to this problem.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: NYSDEC, Cornell Cooperative Extension, USDA, Southold Deer Management Task Force. Long Island Farm Bureau

Timeline: 2014

Goal 5. Promote best management practices to prevent the movement of crop disease and pests from one location to another.

Awareness and education of the public of the methods by which crop diseases and pests are moved from one place to another can help prevent their causing widespread crop loss. For example, excavating and moving soil in an area with golden nematode can spread this devastating crop pest to other places. Another example is the late blight, a fungus that affects potatoes and tomatoes, among other crops. This fungus is spread by the wind, and a home gardener could easily spread it to commercial crops if they are unaware of it.

Objectives

1. Develop an informational brochure regarding local crop diseases and pests, including what the home gardener can do to help prevent crop diseases from moving from home gardens to commercial crops.
2. Develop an informational page on the Town's website regarding local crop diseases and pests, including the above information and links to existing information such as the "Blightcast" provided by Cornell Cooperative Extension.

Responsible Parties: Agricultural Advisory Committee

Possible Partnerships: Cornell Cooperative Extension, Long Island Farm Bureau

Timeline: 2014

Goal 6. Protect public safety by ensuring there is adequate parking and traffic control on private property at retail agricultural operations.

Objectives

1. Consider codifying parking requirements for retail operations that attract large numbers of people.

Responsible Parties: Southold Town Transportation Commission

Possible Partnerships: Agricultural Advisory Committee

Timeline: 2014

Agriculture Chapter Methodology

1. Data gathering

A data needs summary of data and trends analysis was created. Data needed to assess certain trends was not available. The data we did have up to date was analyzed. This included economic data, a crop inventory, and a land use inventory, as well as an inventory of individual agricultural operators.

2. Goals & objectives

The goals were initially developed from reviewing the Comprehensive Implementation Strategy (CIS) in 2003, in which there is a list summarizing the goals and objectives from twenty-one sources of existing planning documents in Southold. The goals and objectives related to agriculture were taken from this list. Where a goal or objective needed clarification, the original plan was consulted (e.g. the Farmland Protection Strategy of 2000 and the Stewardship Task Force of 1994 were consulted directly for more detail). The Local Waterfront Revitalization Program of 2004 was also directly consulted (though a 2002 draft of the Plan was summarized in the CIS), as were the Hamlet Stakeholder recommendations of 2007/2008.

3. The document was then revised with input from the Agricultural Advisory Committee.

Planners met with the Committee on 11/16/11, 12/14/11, 1/18/12 & 3/21/12 to review issues in Agriculture where the Town could have some influence. There was also a joint Agricultural Advisory Committee/Planning Board meeting on 1/30/12.

4. Further input was solicited from the Land Preservation Committee on 2/23/12.

5. In late January, 2012, all the agricultural operators identified by the inventory were contacted and informed of a meeting to be held on February 3, 2012 to gather their feedback on issues related to agriculture in Southold. About 60 people attended and provided their input. This feedback was incorporated into the draft chapter.

6. Two general public input meetings were held on April 28 & 30, 2012. The input from these meetings were also incorporated into the draft chapter.