

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED
AGRICULTURAL DISTRICTS DURING THE 2019 THIRTY-DAY PERIOD FOR
ANNUAL DISTRICT REVIEW**

JULY 24, 2019

The Delaware County Board of Supervisors held a Public Hearing concerning the inclusion of land(s) into Agricultural District No. 6 and Agricultural District No. 12 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, at 12:50 p.m. on Wednesday, July 24, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

NOTICE OF PUBLIC HEARING

**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED
AGRICULTURAL DISTRICTS DURING THE 2019 THIRTY-DAY PERIOD FOR
ANNUAL DISTRICT REVIEW**

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a Public Hearing, Wednesday, July 24th 2019 at 12:50 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY concerning the inclusion of land(s) into Agricultural District No. 6 and Agricultural District No. 12. This hearing shall be held to consider the requests and recommendations of the County Agricultural Farmland Protection Board on the inclusion of the following properties into certified agricultural districts:

**Town of Sidney: Agricultural District No. 12
Tax Map ID# 116.-1-34.2 (3.6 ac.) County Route 23. Hops production/processing**

**Town of Hancock: Agricultural District No. 6
Tax Map ID# 458.-1-11.1 (145.21 ac.), 458.-1-11.2 (2 ac.) & 458.-1-11.3 (2 ac.) Hoolihan Brook. Hay**

**Town of Colchester: Agricultural District No. 6
Tax Map ID# 298.-3-4.11 (56.58 ac.) County Route 26. Hay, Berries**

A map and list of properties is available for inspection in the Clerk of the Board of Supervisors at 111 Main Street in Delhi, NY. All persons desiring to comment on any Agricultural District inclusions shall be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board at (607) 832-5110.

Dated: July 17, 2019

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

Howard Finch from County Highway 23 in the Town of Sidney stated that he lives next to the property owned by the Woods who are asking for inclusion into the agricultural district. He stated he has no objections to them growing hops, however, he does have objection to their belief that their property being in the ag district would give them the right to operate a farm brewery under the protection of the Right to Farm Law. They believe that this would give them the right not to obey the town law on zoning and the need for a site plan and review process. Being in an ag district should not equate to an unrestricted commercial activity. Mr. Finch stressed that he intends to continue to protect his adjacent residential property from this large-scale, outside recreational activity and the serious health and safety issues that this commercial activity has presented.

Mariane Kiraly from Cornell Cooperative Extension stated that she received some information from Bob Somers of New York State Department of Ag and Markets which may be helpful to town supervisors. She distributed copies of *Guideline for Review of Local Laws Affecting Farm Operations Which Produce, Prepare and Market Crops for Wine, Beer, Cider and Distilled Spirits*. The state has put forth and promoted the on-farm brewery. The brewery may or may not receive the protection for on-farm breweries if it is not classified as such. That kind of classification occurs when more than 51% of the product coming off that brewery must be from the farm's own production.

Ms. Kiraly stated that the Agricultural and Farmland Protection Board met on this issue and forwarded the issue to this County Board, and ultimately, New York State Ag and Markets will have the final say. Mr. Somers had indicated that this issue has come up in other areas of the state and a decision by Ag & Markets is still in flux.

Ms. Kiraly noted that Cooperative Extension has two agri-tourism series of workshops for people who are getting into agri-tourism and one of the first items on the agenda is to interface with towns and counties with zoning.

Since no one else wished to speak, Chairman Molé declared the hearing adjourned at 12:58 p.m.