

Town of Lima - Agricultural Advisory Committee
Review of Proposed Local Law, "Planned Development-Entertainment District"

Review undertaken on September 14, 2021 and concluded at second meeting, December 2, 2021

September 14, 2021

PRESENT: Chairman, Dennis Neenan, Ed Blodgett, Jr., Ron Blodgett, Dick Gruschow, Marc Krieger,
Ted Zornow

EXCUSED: Mike Neenan

GUESTS: Mike Falk, Supervisor, Bruce Mayer, Town Board Liaison, John Matthews, Agricultural landowner and member of Lima Agricultural and Farmland Protection Plan development committee, Steve Werner, Cathy Gardner, Secretary

Dennis Neenan called the meeting to order at 7PM and invited Bruce Mayer to lead the Pledge of Allegiance.

Dennis invited Supervisor Falk to explain the PD-E District Law. Mike noted that there are two existing provisions for planned development districts in the town, the light industrial area on Slocum Road and a Senior Residential development provision that has not yet been realized. He explained that he developed the PD-E in the same way to make it possible for entertainment venues to be built in the town and to allow for high density housing to be built in the town if it complements an entertainment venue. He also informed the committee that the Livingston County Planning Board reviewed the proposal and was not in favor of it and that the town board had begun a public hearing and had heard from some in favor and more not.

Discussion among members ensued, covering several points:

- NYS enacted county agricultural districts and has an active program that is permanently protecting farmland, including farmland in Lima, to retain the agriculture business sector. Why does the Town want to promote PD-E businesses in the agricultural district?
- Lima put a lot of effort including several community meetings into developing the Agricultural and Farmland Protection Plan. Why do we have this plan if it isn't going to guide land use decisions for the agricultural zone as it is intended to do?
- The Livingston County "DAN" Plan, Land Use Policies Plan has an overall land use goal to plan urban type development in and adjacent to the County's villages to minimize impacts on agricultural lands. Has this plan been considered in developing the proposal?
- Cost of Community Service studies confirm that conversion of farmland to developed uses drives up the need and cost of government services for fire protection, schools, emergency responders, etc. Has this been considered with this proposal?
- In addition to the village, the town has areas zoned for business. These areas are where the businesses included in the PD-E should be located.
- This proposal seems very much like spot zoning which is not legal.
- The Town's agricultural zoning district is also a residential area. Community surveys have found that residents desire to preserve agriculture and enjoy living in the town's rural environment. The noise and activity that come with entertainment businesses is not in keeping with these preferences.
- Maintaining farmland is essential to maintaining agriculture. Towns that encourage non-farm development in agricultural zones erode the essential land base and eventually close-out farming. This has happened in many nearby towns. If Lima goes forward with laws like the PD-E District Law, Lima will see the end of farming too.
- A key objective identified in the agriculture planning process is to limit permitted uses in the agricultural zoning district to agriculture and agriculturally related uses. For this reason, a number of non-farming permitted uses were eliminated from the agricultural zoning district during the zoning

update that was completed after the Agricultural and Farmland Protection Plan was adopted and added to Lima's Comprehensive Plan.

- All available farmland in the town is being farmed. Many of Lima's farm businesses require more land than is available in the town and must farm additional land outside of Lima. Moving large farm equipment on public roads is difficult and costly. Losing active farmland to non-farm development will hurt the town's farms and will lead to a decline in Lima's agriculture business sector.

Following this opening discussion, Dennis asked Bruce to read the law, section by section.

At 9 pm, Dennis closed the meeting for the evening. He asked committee members to continue to consider the law and its implications until a follow-up meeting later in the year, following harvest. Supervisor Falk was agreeable to holding the public hearing open to allow time for the committee to complete its review. The next meeting will be legally noticed in The Sentinel.

December 2, 2021

PRESENT: Vice Chairman, Ted Zornow, Ed Blodgett, Jr., Ron Blodgett, Dick Gruschow, Marc Krieger, Mike Neenan

EXCUSED: Chairman, Dennis Neenan

GUESTS: Mike Falk, Supervisor, Bruce Mayer, Town Board Liaison, John Lehning and Peter Lehning, Co-Owners, Lehning Farms - Lima and Honeoye Falls, Steve Werner, Cathy Gardner, Secretary

Ted Zornow called the meeting to order at 7PM. Bruce Mayer led the Pledge of Allegiance.

Ted noted that both the Livingston County Planning Board and the Lima Planning Board completed review of the PD-E District Law proposal and that both unanimously recommended against its enactment.

Guest John Lehning asked for an overview of the law. Supervisor Falk provided background on planned development districts, the existing Slocum Road light industrial area and the existing provision for senior residential development and said that the purpose of the PD-E district was to allow new entertainment and residential development in the town. He also mentioned a former volleyball recreational business that previously operated on Rt 15A.

Ted asked if members would like to comment on the proposal.

Ron Blodgett stated that all committee members farm and would like land to continue being farmed. He noted that there is a lot of good land in Lima and that he was involved in the Ag Plan development. With that background, he stated that this proposal seems like spot zoning because it would allow these businesses to be built in any zoning area. He mentioned that it was voted down 14 to nothing at the County Planning Board and that he has attended several meetings where the public has spoken against it, with just one person for it. He expressed frustration that there was no question-and-answer time at town board meetings and that it seems redundant to keep discussing it with so many reasons against it.

Supervisor Falk replied that the town board has held the public hearing open to provide the town planning board and agriculture committee the time requested to complete their respective reviews and comments.

Guest Steve Werner asked if the town had lost any tax parcels and whether the town is under financial stress that is causing this proposal to be considered.

Supervisor Falk replied that this is not the case and noted recent census findings that County population has declined 5.5% and that Lima's population declined by 3.5% (151 people).

Committee members commented on trends toward smaller families, people moving from the state due to high taxes and that those factors are outside of local control.

Mike Neenan stated that it has taken decades and generations for farm families to build farms with enough acreage to operate efficiently. He said that it may not seem like much to take a few acres out here and there, but that any acreage loss that fragments the land is damaging to an operation and more so as losses add up. The most important thing is to maintain farmland for farming.

Ed Blodgett said that the proposal seems like unorganized chaos. Putting an entertainment district in the middle of a farming area makes no sense. He explained that he has been working the land across from Dollar General for many years. Years ago, it was easy to park a truck for loading along the road shoulder but with the increased traffic entering and exiting directly across the street with the opening of the Dollar General Store, parking there now is impractical due to safety concerns. This makes it necessary to park heavy vehicles back on farmland which can be less efficient and problematic when field conditions are wet and muddy. He cited this as just one example of how the incursion on non-farm development into agricultural areas can have a detrimental impact.

Guest John Lehning spoke in support of maintaining farmland and working to keep development from sprawling into agricultural areas. Guest Peter Lehning talked about looking for a place to live and farm when he and his family planned their move back to New York. He said they ruled out nearby towns that were largely developed in favor of this area because of its rural features and farming opportunities. He said that he supports new development in villages and supports maintaining farmland in outer lying areas.

Marc Krieger pointed out that PD-E allowances don't have anything to do with agriculture.

Dick Gruschow stated that he agrees with the Livingston County Planning Board and Lima Planning Board recommendations against the proposal.

Ted called for a vote. Ron Blodgett moved to recommend against the PD-E District proposal, for all reasons discussed in this review. Dick Gruschow seconded the motion which passed with all members present in support, none opposed.

Supervisor Falk asked if the committee would be interested in a map and information on the recent County Ag District #2 Renewals and made copies for all who were interested. He noted that enrolled acreage declined by 727 acres, 6.1%, not accounting for a last-minute addition of 30 acres, as compared to the last renewal in 2013.

A meeting date of Tuesday, February 22, 2022 was agreed upon to review the Town's water proposal and status.

Meeting adjourned at 7:45 PM.

Minutes respectfully Submitted by Cathy Gardner, Committee Secretary