

## **Erie County Agricultural District**

**Eden Agricultural District No. 2; North Collins Agricultural District No. 4;  
Collins Agricultural District No. 8; Brant-Evans Agricultural District No. 9**

### **Eight-Year Review and District Consolidation Report**



**PREPARED BY:**

**ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING  
FOR THE AGRICULTURAL AND FARMLAND PROTECTION BOARD  
AND ERIE COUNTY LEGISLATURE**

**PURSUANT TO SECTION 303-A OF NYS AGRICULTURE AND MARKETS LAW**

## **OVERVIEW**

### **District Consolidation**

In accordance with the Erie County Agricultural District Consolidation Framework, which was adopted by the Agriculture and Farmland Protection Board on 10/24/12, approved by New York State Department of Agriculture and Markets on 11/19/12 and amended by the Agricultural and Farmland Protection Board on 5/24/16, the following districts will be consolidated during the eight-year review into one district:

- Eden Agricultural District No. 2
- North Collins Agricultural District No. 4
- Collins Agricultural District No. 8
- Brant-Evans Agricultural District No. 9

The consolidated district will be known as the Southwest Agricultural District.

### **District Description**

The Eden Agricultural District, which contains properties located in the Towns of Eden, Hamburg, Boston, and Orchard Park, was initially certified in April 1973 and is undergoing its fifth eight-year review. The present district contains approximately 21,172 acres (see attachment #11). The North Collins Agricultural District, which contains properties located in the Town of North Collins, was initially certified in April 1973 and is undergoing its fifth eight-year review. The present district contains approximately 8,236 acres (see attachment #13). The Collins Agricultural District, which contains properties located in the Towns of Collins and North Collins, was initially certified in March 1976 and is undergoing its fifth eight-year review. The present district contains approximately 26,207 acres (see attachment #15). The Brant-Evans Agricultural District, which contains properties located in the Towns of Evans, Brant, and North Collins, was initially certified in June 1976 and is undergoing its fifth eight-year review. The present district contains approximately 18,558 acres (see attachment #17).

At the end of 2015, surveys were mailed to all residential and agricultural property owners in the aforementioned Towns, requesting information about their operation and allowing them to make modifications to their lands' status. Of the 2,950 surveys sent, 154 (5.2%) were returned; these account for 11% of the total acreage of the above Agricultural Districts.

## **NATURE AND STATUS OF FARMING AND FARM RESOURCES**

### **Eden Agricultural District No. 2**

Of the approximately 21,172 acres in the Eden Agricultural District, 4,743.44 acres were reported as owned or rented, with 4,201.31 acres in crops, 160.81 acres in pasture, and a total of 4,362.12 acres (approximately 91% of the land accounted for in returned surveys) in agricultural use.

The survey results show a variety of farming enterprises ranging from large to small, with good diversity of farming activity. The majority of the reported acreage in crops is devoted to hay, with dairy and other livestock being the principal enterprises of the district. The survey also revealed that the gross sales and agricultural investments of the operations in this district are generally on the smaller end of the spectrum, with many smaller farms comprising much of the district. The majority of the reported gross sales fall under the \$10,000, while reported agricultural investments in the district are slightly higher, falling between the \$10,000 or less category and the \$10,000 - \$39,999 category.

Soil classifications in the Eden Agricultural District are predominantly prime or of statewide importance where applicable, the exception being the steep areas along Eden Valley and the south branch of Eighteen Mile Creek.

The northern half of the district is located in the developed and developing policy areas as defined by the *Framework for Regional Growth* and is experiencing development pressure. The southern half is located in the rural policy area of Erie County that experiences limited development pressure. Water and sewer districts cover approximately fifty percent of the District.

#### **North Collins Agricultural District No. 4**

Of the approximately 8,236 acres in the North Collins Agricultural District, 3,580.37 acres were reported as owned or rented, with 1,099.85 acres in crops, 285 acres in pasture, and a total of 1,384.85 acres (approximately 47% of the land accounted for in returned surveys) in agricultural use.

The survey results show a variety of farming enterprises ranging from large to small, with cash crops central to the district. Much of the reported acreage in crops is devoted to hay and other animal feed, sustaining the large population of livestock found in the district. The survey also revealed the presence of a few large agricultural operations in the district, reportedly grossing \$200,000 or more in sales. However, the majority of the operations within the North Collins Agricultural District have invested between \$40,000 and \$99,999 and gross on average \$10,000 to \$39,999.

Soil classifications in the North Collins Agricultural District are predominantly prime or of statewide importance.

The majority of the North Collins Agricultural District is located in a rural policy area of Erie County as defined by the *Framework for Regional Growth* that experiences limited development pressure. Water and sewer service is scarce through most of the district.

#### **Collins Agricultural District No. 8**

Of the approximately 26,207 acres in the Collins Agricultural District, 1,634.18 acres were reported as owned or rented, with 399.38 acres in crops, 34.16 acres in pasture, and a total of 433.54 acres (approximately 27% of the land accounted for in returned surveys) in agricultural use.

The survey shows a variety of farming enterprises ranging from large to small, with the cropped acreage dominated by corn and hay. However, there is a great presence of dairy farming in the Collins Agricultural District. The survey also revealed that most of the farms in this district are smaller-scale, grossing \$39,999 or less with an average of \$10,000 or less in agricultural investments.

Soil classifications in the Collins Agricultural District are predominantly prime or of statewide importance where drained.

The majority of the Collins Agricultural District is located in a rural policy area of Erie County, as defined by the *Framework for Regional Growth*, that experiences limited development pressure. Water and sewer service is scarce through most of the district.

#### **Brant-Evan Agricultural District No. 9**

Of the approximately 18,558 acres in the Brant-Evans Agricultural District, 779.46 were reported as owned or rented, with 220 acres in crops, 85 acres in pasture, and a total of 305 acres (approximately 40% of the land accounted for in returned surveys) in agricultural use.

The survey shows a variety of farming enterprises, mostly on the smaller side, with hay, dairy, and livestock farms dominating the landscape. The survey also revealed that many of the agricultural operations in the Brant-Evans Agricultural District gross \$39,999 or less, and have similar amounts of agricultural investments.

Soil classifications in the Brant-Evans Agricultural District are predominantly prime or of statewide importance.

The northern half of the district is located in the developed and developing policy areas as defined by the *Framework for Regional Growth* and is experiencing development pressure. The southern half is located in the rural policy area of the County that experiences limited

development pressure. Water and sewer districts cover approximately forty-five percent of the District.

**DISTRICT MODIFICATIONS**

In accordance with the Erie County Agricultural District Consolidation Plan, the following districts will be consolidated into the Collins Agricultural District (No. 8):

- Eden Agricultural District No. 2
- North Collins Agricultural District No. 4
- Collins Agricultural District No. 8
- Brant-Evans Agricultural District No. 9

New York State Department of Agriculture and Markets advised the County that the district consolidation will be treated as a modification of one district during the eight-year review period – the Consolidated Southwest Agricultural District. This will help to streamline the Agricultural District Program, and is the first step in the County’s plan to consolidate the fourteen current agricultural districts into four relatively equal districts.

REQUEST	DISTRICT	PARCEL	ACRES	ADDRESS	TOWN	LANDOWNER
Removal	Eden 2	208.00-4-39.2	0.39	3050 Belknap Road	Eden	Charles Cole
Removal	North Collins 4	287.00-3-9.2	23	3946 Shirley Road	North Collins	Mary Ellen Winter
Removal	Collins 8	332.00-2-15.11	46	0 New Road	Collins	Angelo V. Diblasi
Removal	Collins 8	332.00-2-15.12	12	0 New Road	Collins	Angelo V. Diblasi
Removal	Collins 8	332.00-2-25	35.55	0 New Road	Collins	Angelo V. Diblasi
Consolidation	Collins 8	Eden 2, North Collins 4, Collins 8, Brant-Evans 9	74,173*	Southwestern Erie County	Collins, North Collins, Brant, Evans, Eden, Hamburg, Boston, Orchard Park	Multiple

\*Total number of acres currently reported may be slightly different from the acreage reported during the last eight-year review, due to a more accurate GIS parcel file used in this review.

**EXTENT TO WHICH COUNTY AND LOCAL COMPREHENSIVE PLANS, POLICIES, AND OBJECTIVES ARE CONSISTENT WITH AND SUPPORT THE DISTRICT**

***Framework for Regional Growth***

The *Framework for Regional Growth* was adopted as Erie County's land use plan. The *Framework* regards the Towns of Collins and North Collins, as well as large parts of the Towns of Brant, Evans, and Eden as rural policy areas of the County. The *Framework* also regards parts of the Towns of Brant, Evans, Eden, Hamburg, and Orchard Park as developing policy areas of the County. The *Framework* seeks to minimize water and sewer infrastructure extensions into the developing and rural areas of the county, and aims to halt the conversion of agricultural lands. These goals are in accordance with the goals and intent of the State Agricultural Districts Program.

Portions of the Towns of Evans, Hamburg, and Orchard Park are regarded by the *Framework* as developed policy areas of the County. The *Framework* encourages reinvestment and redevelopment of the developed areas of the County, and there is very little agricultural use of the portions of these towns that are considered developed areas of the County.

***Agricultural and Farmland Protection Plan***

Erie County's Agricultural and Farmland Protection Plan (AFPP) was approved by the Erie County Legislature and adopted in March 2013. It recognizes the importance of agricultural land within Erie County as a preferred land use, due to its importance to resource conservation, the preservation of open space, and the economic contributions to Erie County.

The Erie County Agricultural and Farmland Protection Plan creates innovative strategies to guide the County to identify and protect agricultural land with development pressure, support new farms and attract new farmers to Erie County, identify strategies to increase the financial viability of agriculture in the County, connect rural and urban farmers with consumers and new markets, and increase accessibility of healthy, local food for consumers.

***Right-To-Farm Legislation***

The Erie County Legislature adopted a County Right to Farm Law effective January 1, 2001. This law recognizes the importance of agriculture in Erie County and alerts prospective buyers of property adjacent to or within an agricultural district to the impacts of agricultural practices (specifically odors, noise, dust, etc.). The disclosure notice to be signed at the time of contract sale is also a part of the County law. The Towns of Collins, North Collins, Eden, Brant, Evans, Boston, Hamburg, and Orchard Park have all enacted right-to-farm laws, recognizing agriculture as an important part of their economy.

### ***Local Comprehensive Plans***

The Eden Agricultural District includes land from the Town of Eden, and to a lesser extent land from the Towns of Hamburg, Boston, and Orchard Park. The North Collins Agricultural District includes land from the Town of North Collins. The Collins Agricultural District includes land from the Town of Collins, and to a lesser extent land from the Town of North Collins. The Brant-Evans Agricultural District includes land from the Towns of Brant and Evans, and to a lesser extent land from the Town of North Collins. The Concord West Agricultural District includes land from the Town of North Collins and to a lesser extent land from the Town of Collins.

The comprehensive plans for the above-mentioned towns in Southern Erie County all exhibit language that is supportive of the Erie County Agricultural and Farmland Protection Plan. Common themes and objectives between the comprehensive plans, as well as the Agricultural and Farmland Protection Plan, include items such as the preservation of agricultural land and open space, future growth areas being located away from established agricultural operations, and the stated understanding that much of the land in these towns is prime agricultural soil and should remain in agricultural use.

### **EXTENT TO WHICH THE DISTRICTS HAVE ACHIEVED THEIR ORIGINAL OBJECTIVES**

The Eden Agricultural District No. 2, the North Collins Agricultural District No. 4, the Collins Agricultural District No. 8, and the Brant-Evans Agricultural District No. 9 have met their intended goal, and in conjunction with the other Agricultural Districts within Erie County, formed the foundation for the County's future actions towards agricultural protection and enhancement.

### **DEGREE OF COORDINATION BETWEEN LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS**

All of the Towns containing lands in the Eden, North Collins, Collins, and Brant-Evans Agricultural Districts currently enforce a Zoning Ordinance or Law, with district lands falling predominantly within agricultural or residential use zoning districts, which are designed to accommodate primarily agricultural and rural residential uses. Farms and agricultural operations are allowed by right in these districts.

### **RECOMMENDATIONS**

Based upon the findings of this report and the results of the 2/11/16 AFPB meeting, it is recommended that the Erie County Legislature **does not** remove the Cole parcel from the Eden Agricultural District, the Winter parcel from the North Collins Agricultural District, or the Diblasi parcels from the Collins Agricultural District. Furthermore, it is recommended that the Collins Agricultural District be modified through the addition of all parcels in the Eden Agricultural

**District No. 2, the North Collins Agricultural District No. 4, and the Brant-Evans Agricultural District No. 9. The result of the proposed modification will be the consolidation of the aforementioned districts into one Southwest Agricultural District.**

**List of Attachments:**

1. Eden Agricultural District No. 2 Survey Results Sheet
2. North Collins Agricultural District No. 4 Survey Results Sheet
3. Collins Agricultural District No. 8 Survey Results Sheet
4. Brant-Evans Agricultural District No. 9 Survey Results Sheet
5. Combined Survey Results Sheet
6. *Framework For Regional Growth – Policy Areas Map*
7. Map – Existing Erie County Agricultural Districts
8. Agricultural District Consolidation Plan Map
9. Agricultural District Consolidation Plan Grid
10. Map – Eden Agricultural District No. 2 Context Within County
11. Map – Eden Agricultural District No. 2
12. Map – North Collins Agricultural District No. 4 Context Within County
13. Map – North Collins Agricultural District No. 4
14. Map – Collins Agricultural District No. 8 Context Within County
15. Map – Collins Agricultural District No. 8
16. Map – Brant-Evans Agricultural District No. 9 Context Within County
17. Map – Brant-Evans Agricultural District No. 9

**ATTACHMENT 1**

**Eden Agricultural District No. 2 Survey Results Sheet**

**#2 Eden**

	Acres in Pasture	160.81	Acres Owned	4,743.44
Acreage – 21,172	Acres Cropped	4,201.31	Acres Rented	3,343.55

**Number of Active Agricultural Operations by Principal Enterprise**

Dairy	3	Horticultural Specialties	2
Cash Crop (including grains and vegetables)	2	Orchard	0
Livestock	3	Wood	0
Poultry	1	Other	3

**Number of Operations According to Gross Sales and Agricultural Investments**

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	7	4
10,000 – 39,999	2	4
40,000 – 99,999	1	0
100,000 – 199,999	1	2
200,000 or more	2	1

**Crops Including Horticulture (acres)**

Hay/alfalfa	2,095	Fruit/Vegetables	15.5
Corn	1,828	Nursery/Agricultural Specialties	9.5
Grains	58	Pasture	55
Sugarbush/Christmas Tree	15		

**Livestock (#)**

Cows	1,315	Hogs	6	Horses	3
Heifers/Calves	1,142	Poultry	146	Other	6
Beef	56	Sheep/Goats	10		

**Products:**

8 gallons maple syrup  
63 cords wood  
34,000,240 lbs milk

*The results of this survey are limited to the responses received by the Department of Environment and Planning*

**ATTACHMENT 2**

**North Collins Agricultural District No. 4 Survey Results Sheet**

**#4 North Collins**

	Acres in Pasture	85	Acres Owned	1,892.72
Acreage – 8,236	Acres Cropped	1,099.85	Acres Rented	1,687.65

**Number of Active Agricultural Operations by Principal Enterprise**

Dairy	2	Horticultural Specialties	1
Cash Crop (including grains and vegetables)	6	Orchard	1
Livestock	1	Wood	0
Poultry	0	Other	2

**Number of Operations According to Gross Sales and Agricultural Investments**

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	2	1
10,000 – 39,999	7	2
40,000 – 99,999	0	4
100,000 – 199,999	0	1
200,000 or more	3	1

**Crops Including Horticulture (acres)**

Hay/alfalfa	1,767	Fruit/Vegetables	103.45
Corn	564	Nursery/Agricultural Specialties	80
Grains	275	Pasture	185
Sugarbush/Christmas Tree	32		

**Livestock (#)**

Cows	85	Hogs	0	Horses	30
Heifers/Calves	90	Poultry	170	Other	0
Beef	1	Sheep/Goats	0		

**Products:**

60 cords wood

*The results of this survey are limited to the responses received by the Department of Environment and Planning*

**ATTACHMENT 3**

**Collins Agricultural District No. 8 Survey Results Sheet**

**#8 Collins**

	Acres in Pasture	34.16	Acres Owned	1,146.4
Acreage – 26,207	Acres Cropped	399.38	Acres Rented	487.78

**Number of Active Agricultural Operations by Principal Enterprise**

Dairy	0	Horticultural Specialties	0
Cash Crop (including grains and vegetables)	2	Orchard	0
Livestock	0	Wood	1
Poultry	1	Other	2

**Number of Operations According to Gross Sales and Agricultural Investments**

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	3	3
10,000 – 39,999	3	1
40,000 – 99,999	1	1
100,000 – 199,999	0	1
200,000 or more	0	0

**Crops Including Horticulture (acres)**

Hay/alfalfa	196	Fruit/Vegetables	94
Corn	156.98	Nursery/Agricultural Specialties	19
Grains	36.3	Pasture	21.16
Sugarbush/Christmas Tree	80		

**Livestock (#)**

Cows	85	Hogs	0	Horses	0
Heifers/Calves	50	Poultry	50	Other	0
Beef	0	Sheep/Goats	0		

**Products:**

40 cords wood  
1,152,899 lbs milk  
1200 gallons maple syrup

*The results of this survey are limited to the responses received by the Department of Environment and Planning*

**ATTACHMENT 4**

**Brant-Evans Agricultural District No. 9 Survey Results Sheet**

**#9 Brant-Evans**

	Acres in Pasture	85	Acres Owned	673.86
Acreage – 18,558	Acres Cropped	220	Acres Rented	105.6

**Number of Active Agricultural Operations by Principal Enterprise**

Dairy	1	Horticultural Specialties	1
Cash Crop (including grains and vegetables)	1	Orchard	0
Livestock	2	Wood	0
Poultry	0	Other	3

**Number of Operations According to Gross Sales and Agricultural Investments**

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	2	2
10,000 – 39,999	2	1
40,000 – 99,999	0	1
100,000 – 199,999	0	0
200,000 or more	0	0

**Crops Including Horticulture (acres)**

Hay/alfalfa	190.7	Fruit/Vegetables	.25
Corn	29	Nursery/Agricultural Specialties	7
Grains	7	Pasture	85
Sugarbush/Christmas Tree	11		

**Livestock (#)**

Cows	0	Hogs	0	Horses	4
Heifers/Calves	0	Poultry	12	Other	39 bison
Beef	7	Sheep/Goats	0		

**Products:**

15 gallons maple syrup  
55 cords wood

*The results of this survey are limited to the responses received by the Department of Environment and Planning*

**ATTACHMENT 5**

**Combined Survey Results Sheet**

**Consolidated Southwest District**

		Acres in Pasture	364.97	Acres Owned	5,112.87
Acreage –	74,173	Acres Cropped	5,920.54	Acres Rented	5,624.58

**Number of Active Agricultural Operations by Principal Enterprise**

Dairy	6	Horticultural Specialties	4
Cash Crop (including grains and vegetables)	10	Orchard	1
Livestock	6	Wood	1
Poultry	2	Other	10

**Number of Operations According to Gross Sales and Agricultural Investments**

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	14	10
10,000 – 39,999	13	8
40,000 – 99,999	2	6
100,000 – 199,999	1	2
200,000 or more	5	2

**Crops Including Horticulture (acres)**

Hay/alfalfa	4,219.7	Fruit/Vegetables	213.2
Corn	2,572.98	Nursery/Agricultural Specialties	115.5
Grains	376.3	Pasture	364.97
Sugarbush/Christmas Tree	138		

**Livestock (#)**

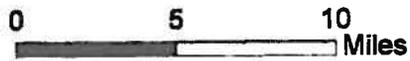
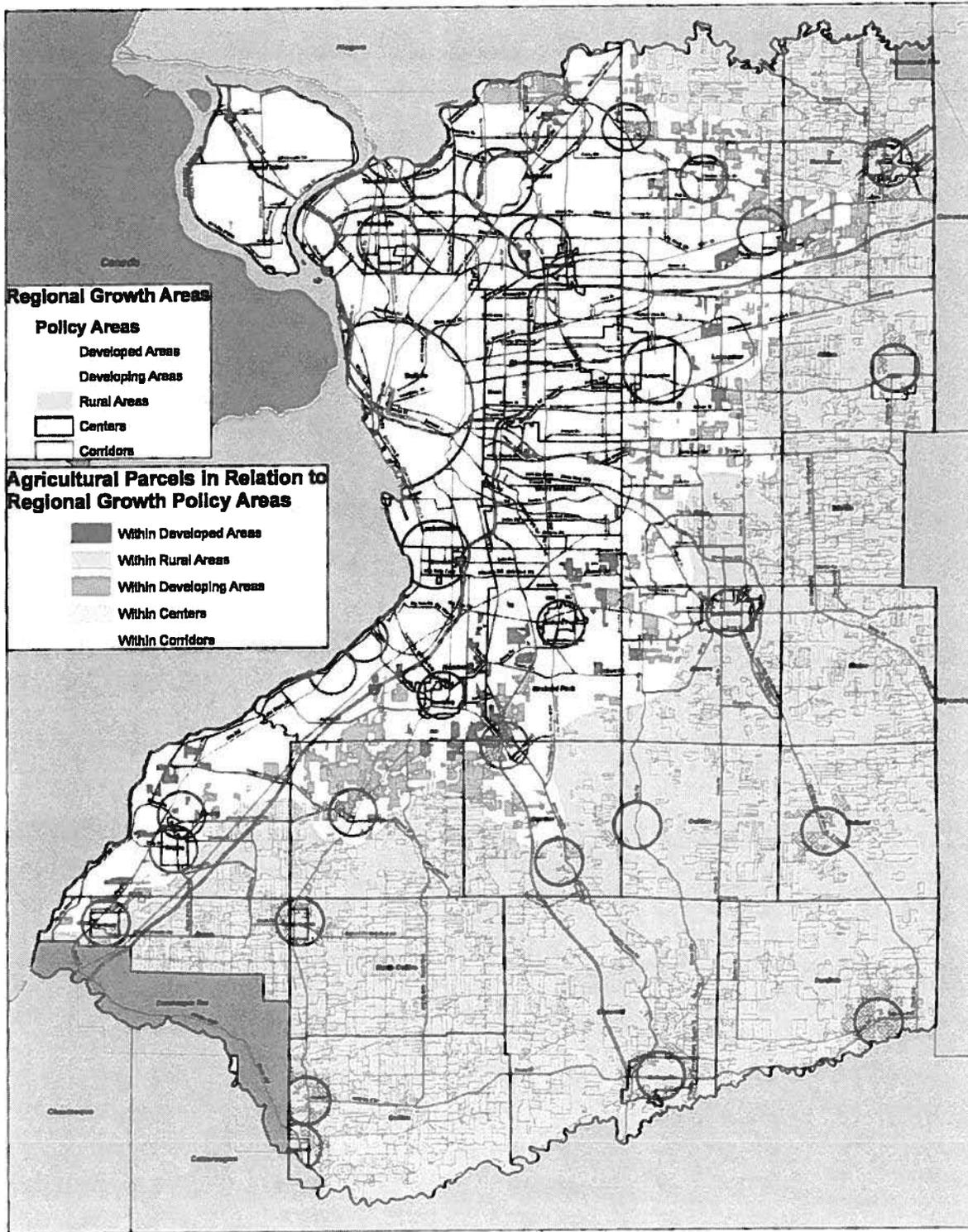
Cows	1,487	Hogs	6	Horses	31	Products:	1,223 gallons maple syrup
Heifers/Calves	1,282	Poultry	378	Other	45		218 cords wood
Beef	65	Sheep/Goats	10				35,153,139 lbs milk

*The results of this survey are limited to the responses received by the Department of Environment and Planning*

**ATTACHMENT 6**

*Framework For Regional Growth – Policy Areas Map*

Erie County, NY Agricultural & Farmland Protection Plan  
**Regional Growth Policy Areas**



CREATED December 20, 2011  
 REVISED January 30, 2012



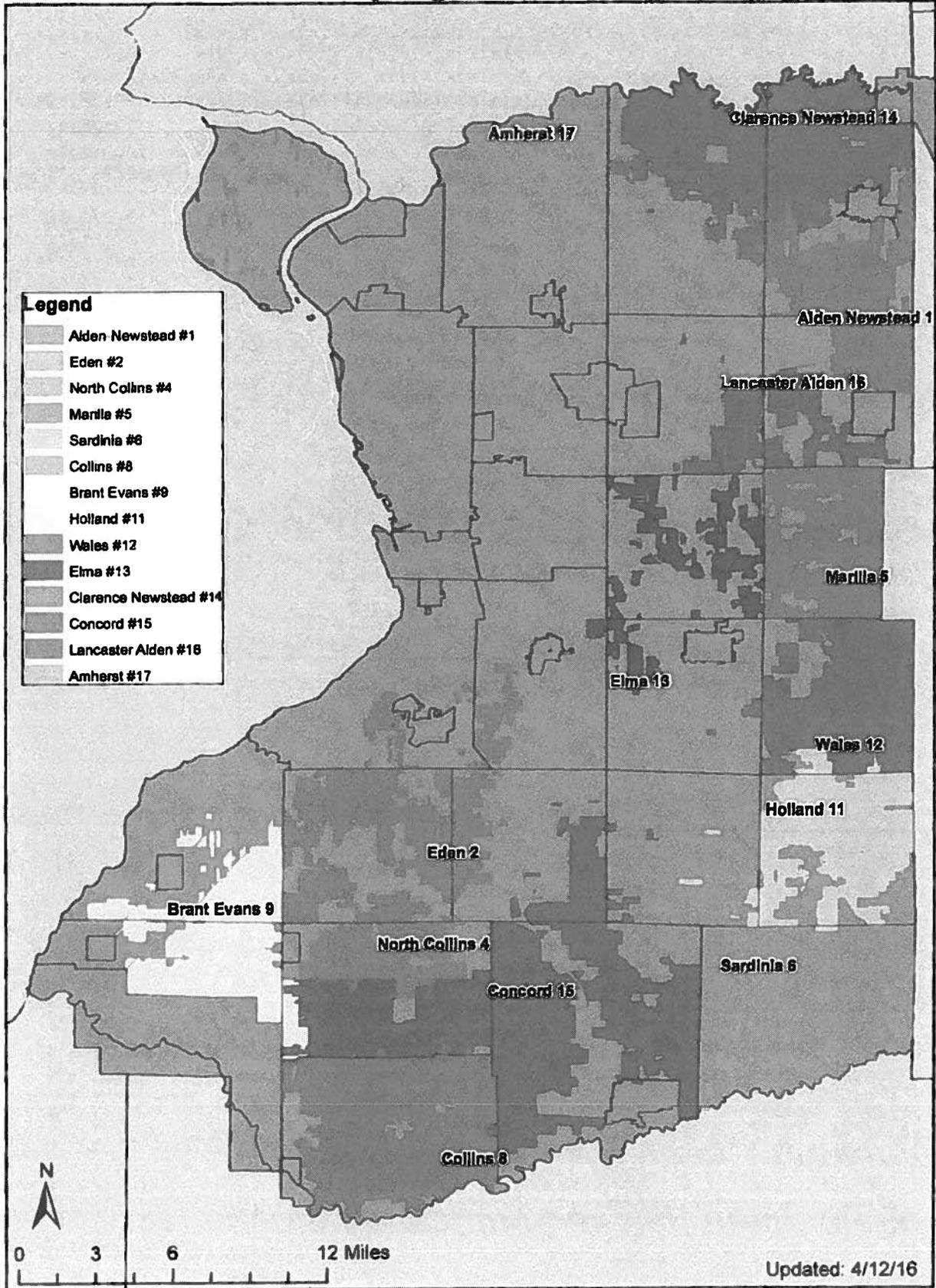
SOURCE: Parcel shapes and Regional Growth Policy Area boundaries provided by Erie County Department of Environment & Planning  
 Agricultural Parcels determined by the presence of crop/land  
 Cropland coverage (not shown) provided by Erie County Soil & Water Conservation District

**Stuart Brown** -4  
 CONSULTING ENGINEERS

**ATTACHMENT 7**

**Map – Existing Erie County Agricultural Districts**

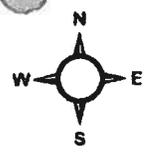
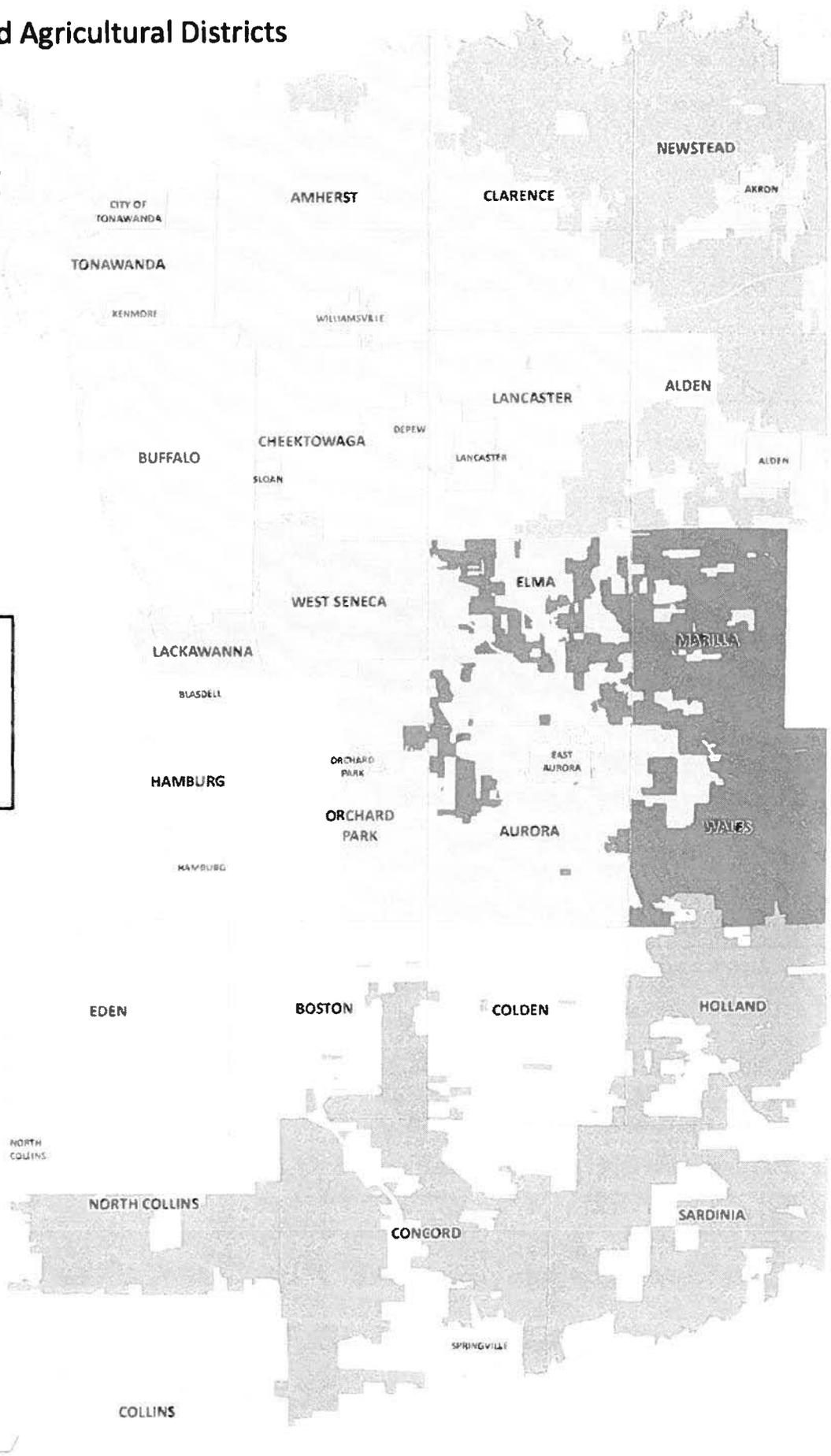
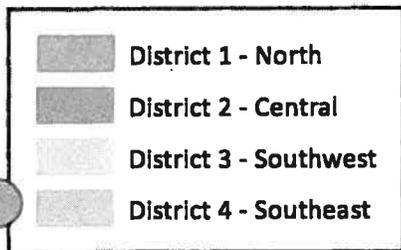
# Erie County Agricultural Districts



**ATTACHMENT 8**

**Agricultural District Consolidation Plan Map**

# Proposed Consolidated Agricultural Districts



**ATTACHMENT 9**

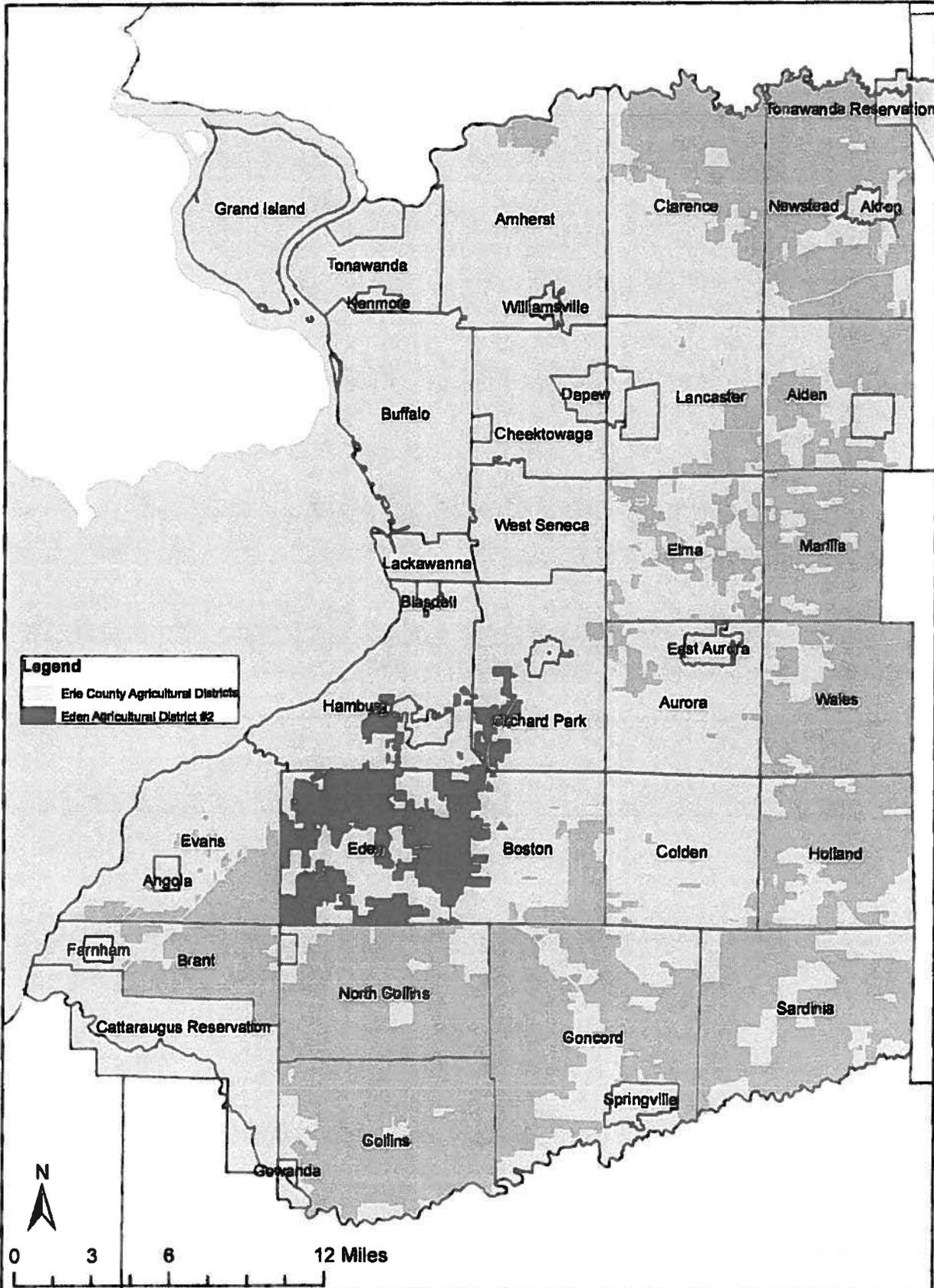
**Agricultural District Consolidation Plan Grid**

District	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
North	1 Alden-Newstead Due 11/18/12				Current				Due 11/18/20			Consolidate 04/28/23								
	14 Carver-Newstead Due 04/09/12				Current				Due 04/09/20			Consolidate 04/28/23								
	16 Lancaster-Alden											Due 04/28/23								
17 Ambient				Due 04/28/15								Due 04/28/23								
Central	5 Merrill											Due 12/04/21								
	12 Wales											Consolidate 12/04/21								
	13 Elma											Consolidate 12/04/21								
Southwest	2 Eden																			
	4 North Collins																			
	8 Collins																			
9 Grant-Edna																				
Southeast	6 Sardinia																			
	11 Holland																			
	15 Concord																			

**ATTACHMENT 10**

**Map – Eden Agricultural District No. 2 Context Within County**

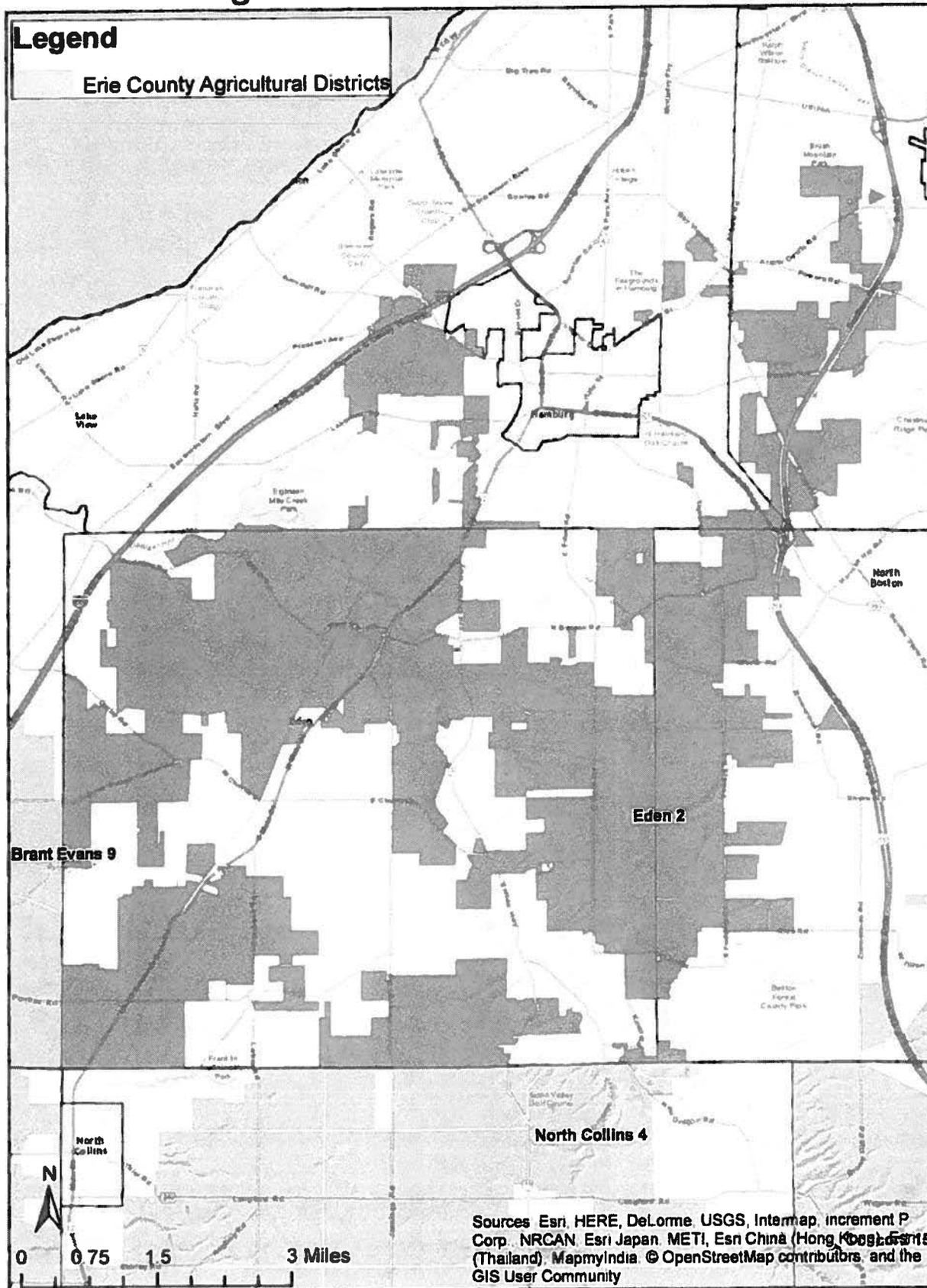
# EDEN AGRICULTURAL DISTRICT #2



**ATTACHMENT 11**

**Map – Eden Agricultural District No. 2**

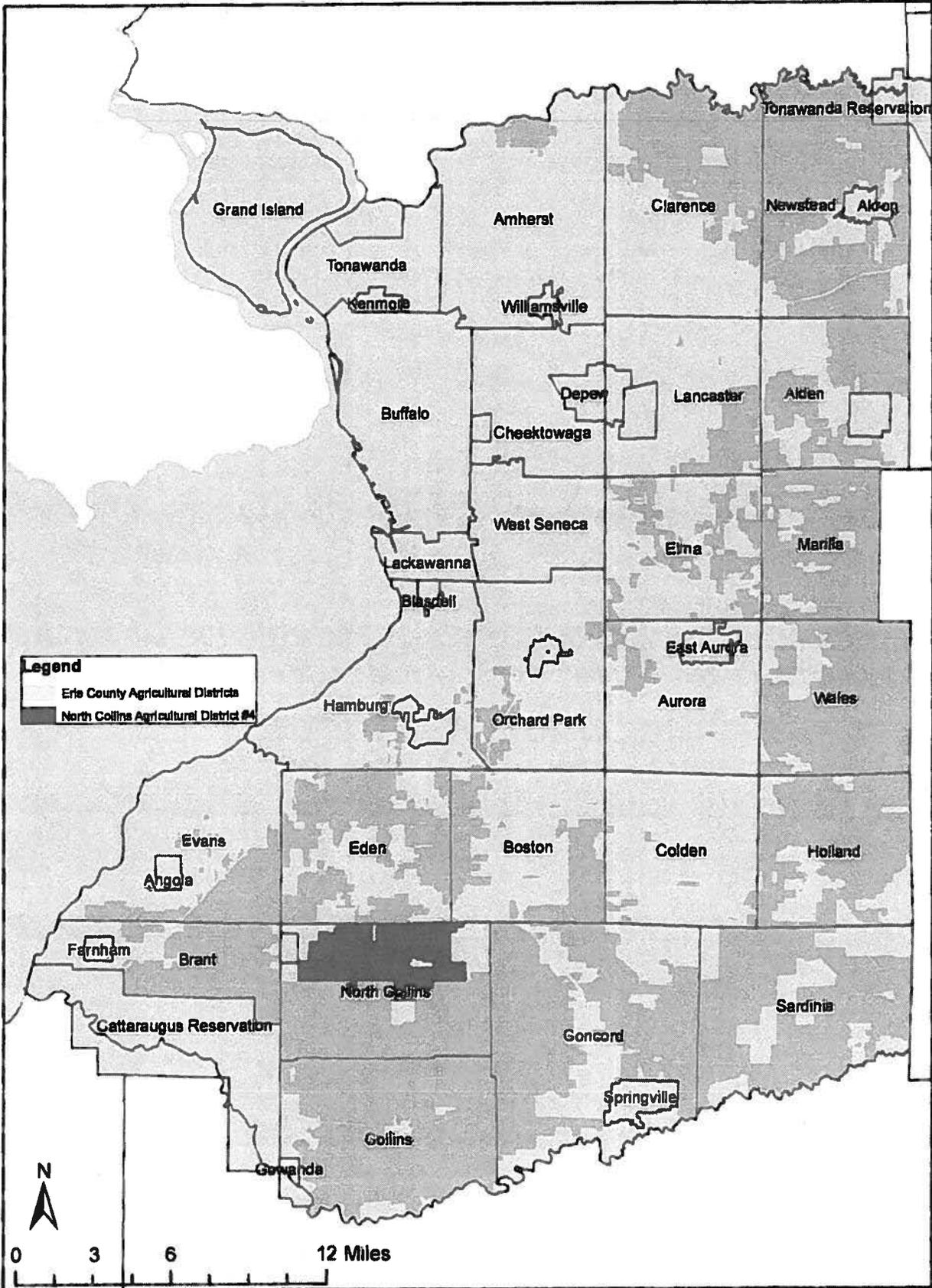
# Agricultural District #2 - Eden



**ATTACHMENT 12**

**Map – North Collins Agricultural District No. 4 Context Within County**

# NORTH COLLINS AGRICULTURAL DISTRICT #4



**ATTACHMENT 13**

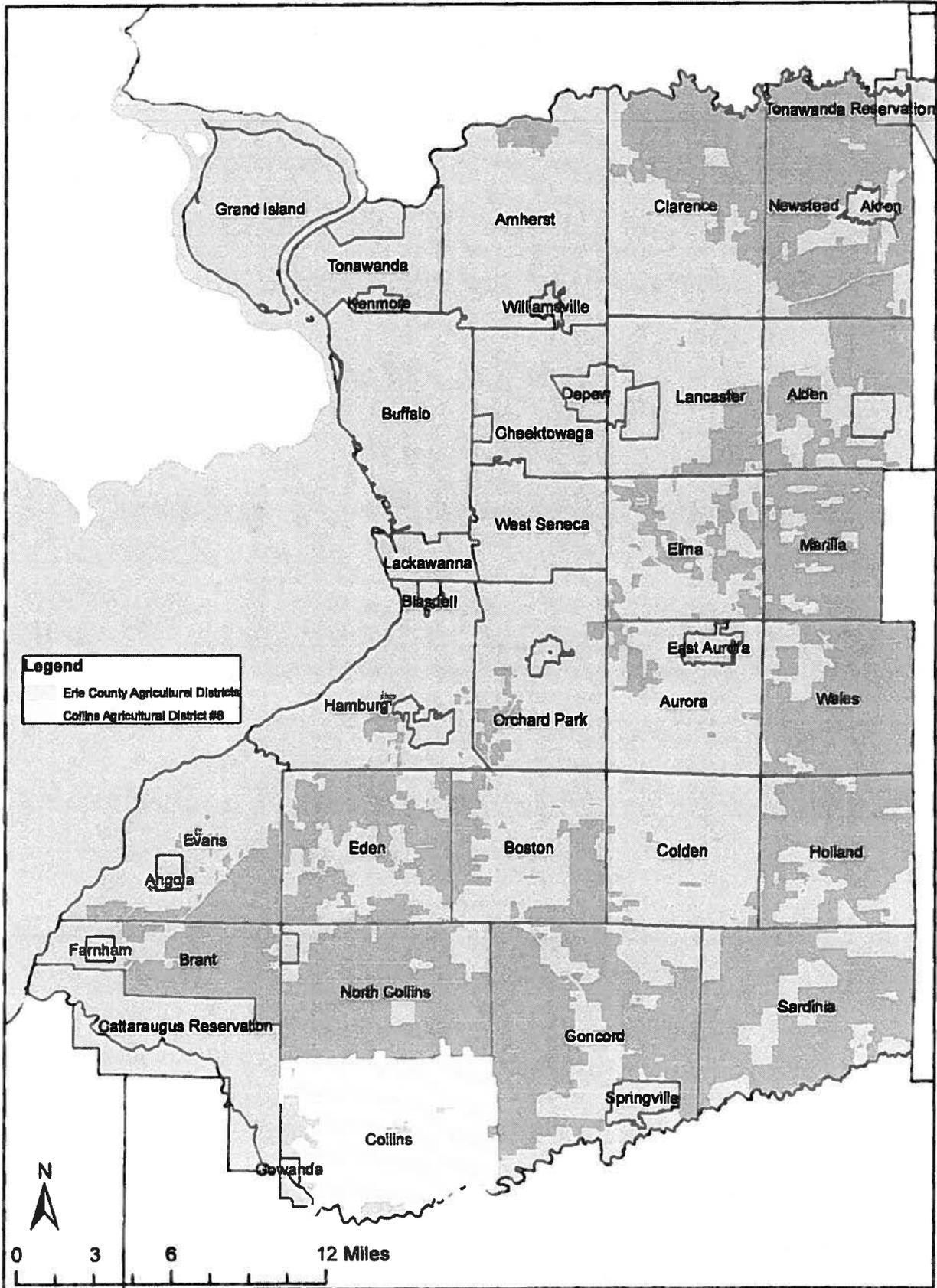
**Map – North Collins Agricultural District No. 4**



**ATTACHMENT 14**

**Map – Collins Agricultural District No. 8 Context Within County**

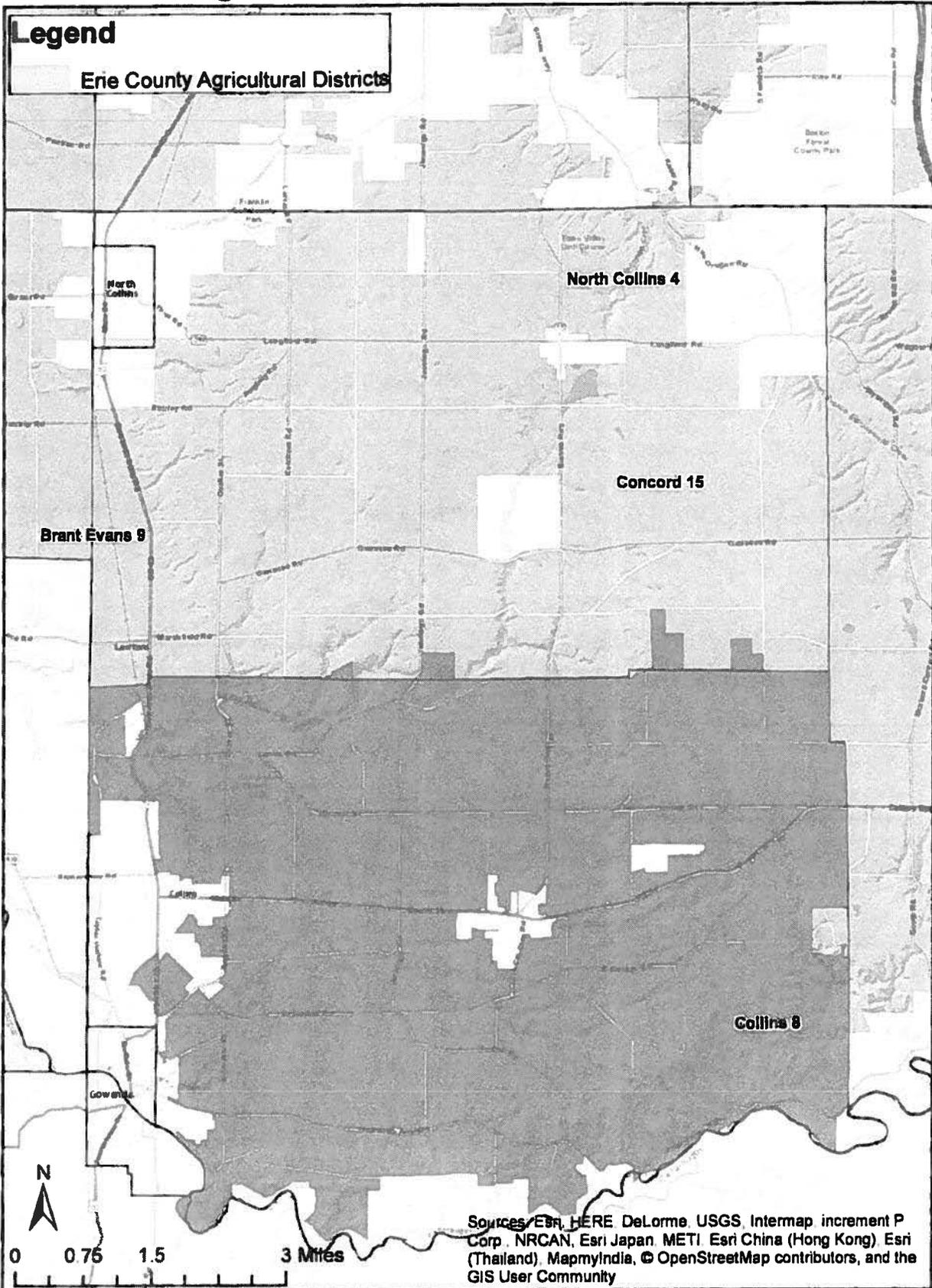
# COLLINS AGRICULTURAL DISTRICT #8



**ATTACHMENT 15**

**Map – Collins Agricultural District No. 8**

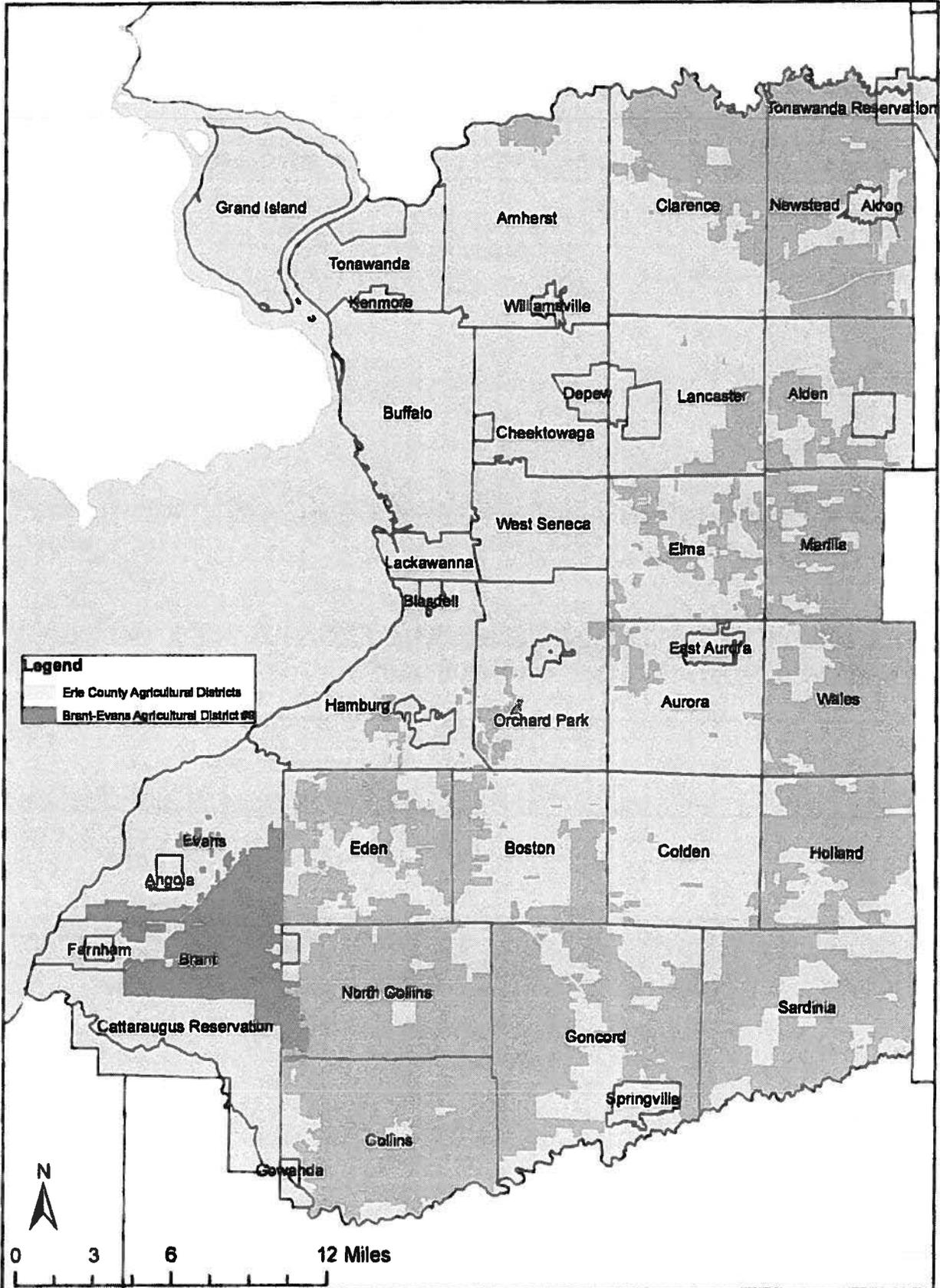
# Agricultural District #8 - Collins



**ATTACHMENT 16**

**Map – Brant-Evans Agricultural District No. 9 Context Within County**

# BRANT-EVANS AGRICULTURAL DISTRICT #9



**ATTACHMENT 17**

**Map – Brant-Evans Agricultural District No. 9**

# Agricultural District #9 - Brant-Evans

