









TOWN OF NEWSTEAD

Agricultural & Farmland Protection Plan

FINAL DRAFT October 2026

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Common abbreviations

AEM – Agriculture Environmental Management
AFT – American Farmland Trust
AMA – Agricultural Management Assistance
AML – Agriculture and Markets Law
CCE – Cornell Cooperative Extension of Chautauqua County
CSD – Central School District
EQIP – Environmental Quality Incentive Program
FFA – Future Farmers of America
LWRP – Local Waterfront Revitalization Program
MW - Megawatt
NRCS – Natural Resources Conservation Service
NYS – New York State
NYSDAM – New York State Department of Agriculture and Markets
NYSDEC – New York State Department of Environmental Conservation
NYSERDA – New York State Energy Research and Development Agency
ORES – Office of Renewable Energy Siting and Electric Transmission (NYS)
PDR – Purchase of Development Rights
REDC – Regional Economic Development Council
SARE – Sustainable Agricultural Research and Education
TDR – Transfer of Development Rights
USDA – US Department of Agriculture

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Section 1 Introduction

I. Background

The development of an *Agricultural Farmland and Protection Plan* (Ag Plan) is an important planning tool to establish strategies that will result in the enhancement, management, and continued sustainability of a key economic component of the Town of Newstead. Funded by a grant from Erie County Department of Environment and Planning, this plan acts as a type of "comprehensive plan" that is dedicated solely to the agricultural community that includes direct input from local farmers and agricultural landowners in the Town.

This Plan is intended to support and complement the Town's Comprehensive Plan as well as incorporate and implement more specific land use recommendations regarding farming operations in the community. Together, Ag Plan and Comprehensive Plan documents will strengthen the vision for agricultural protection, and in turn the rural character of the Town of Newstead to better manage any future growth and development. While this Ag Plan will outline avenues for agricultural protection, it will also identify opportunities for innovative technologies, business ventures, supporting operations, and activities that can help to foster new and bolster existing agricultural activity.

The development of the Ag Plan will follow the structure of similar plans funded by the NYS Department of Agriculture and Markets (NYS DAM), which is one of the key entities involved with the protection of agriculture in the state. According to NYS DAM, the term protection when pertaining to agriculture is defined as…

> *The preservation, conservation, management and improvement of lands which are part of viable farming operations, for the purpose of encouraging such lands to remain in agricultural production.* ~NYS Agriculture and Markets Law, Article 25AAA

By adhering to the NYSDAM guidelines, the Town would be better aligned with the programmatic requirements of the State and eligible for future funding and support from the agency. The key elements of the Ag Plan include:

A. Public input, including direct input from the local farming community;

B. An analysis of factors concerning areas and lands to be protected, including the value of the agricultural economy, value of open space, consequences of potential conversion of farmland to non-agricultural uses, and conversion pressure on areas to be protected;

C. The location of farmland and/or other areas proposed to be protected; and

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D. Description of activities, programs and strategies intended to be used to promote continued agricultural use in the Town.

II. Planning Process

Like any community planning project, the process undertaken involves three basic steps:

1. **What do we have to work with?** An assessment of how existing conditions, natural and man-made, influence and impact future conditions.
2. **What do we want to do?** Establish a vision for the future with goals and objectives to meet that further clarify and support the vision.
3. **How do we get there?** Achieving success identifying recommendations/actions and strategies for implementing the project.

As noted, this Ag Plan is created for the agricultural community in the Town of Newstead with direct input from farmers and other stakeholders. Community input was included on a general level for agricultural activities related to open space and community character; that feedback was incorporated into this plan where pertinent. Since this plan is focused on the agricultural community, outreach included a survey questionnaire and interview(s) with local stakeholders. Details of these endeavors are outlined below.

Advisory Committee

An Advisory Committee was charged with providing guidance and oversight on the development of this Ag Plan and included representatives from the Town of Newstead, Erie County, and the agricultural community. This committee held several meetings to review draft documents provided by the project consultants, provide insight and feedback, and serve as a conduit for the farming community, ensuring that the concerns of local stakeholders were taken into consideration.

Farmer Survey

A farmer survey questionnaire was developed to gain insight from not only farmers with active agricultural operations (buildings, equipment, land, crops, animals, etc.), but also landowners that rent land out to farmers in the area. The latter group, while not directly involved in farming, are a crucial element in ensuring the availability of additional land for crops. Involving landowners in this outreach effort not only provides their input but also provides a level of information/education into their role within the agricultural community.

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Using data acquired from the Town assessor, the survey was distributed to those that registered for the *Agricultural Tax Credit*, either for land or building(s), as this credit requires annual application and provides the best view of those actively engaged in farming activities in Newstead. Approximately 330 residents were identified and sent surveys directly with around 41 returned back to the Town.

The survey responses reveal a story of a community that has a strong cultural heritage in agriculture, and wishes to assure that this culture remains intact, while also looking towards future endeavors that strengthen the community and culture. There were concerns about land development and solar farms, new policies, and the lack of resources in the Town. Most respondents indicated that the Town has average to above-average "farm friendly" zoning and other land use regulations, and that over 2/3 assured that they intended to remain in business at least for the next 10-30 years.

Complete survey results are found in Appendix B.

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Section 2 State of Agriculture

I. Newstead Background

Agriculture has been a defining land use and economic activity in the Town of Newstead since its initial settlement and remains a cornerstone of the Town's rural character. Prior to European settlement, the area was part of the homeland of the Seneca Nation, whose use of the land included hunting, gathering, and small-scale agricultural practices concentrated along Tonawanda Creek and other natural features.

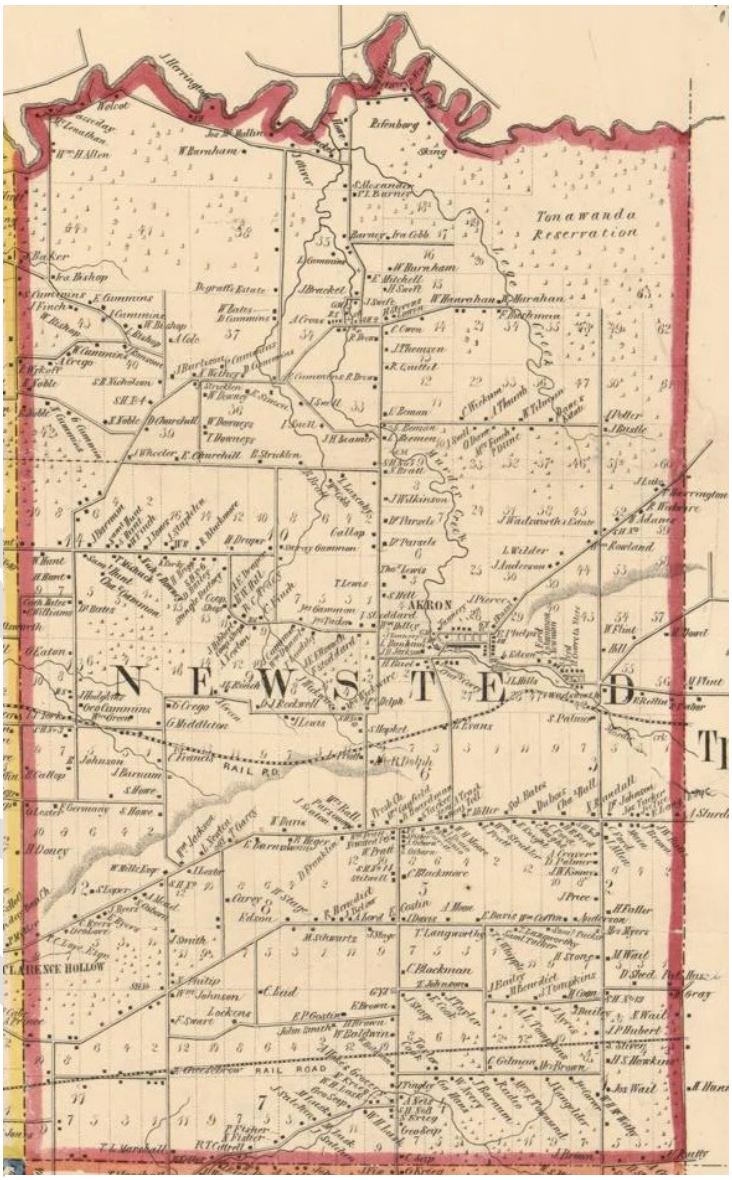


Figure 1 - Historic map of Newstead (Robert Pearsall Smith, published 1854). Source: NewYorkGeneology.org

Following the opening of Western New York lands by the Holland Land Company in the late 18th century, settlers began clearing forested areas to establish farms. Early agricultural activity was largely subsistence-based, transitioning quickly into surplus production due to favorable conditions, including fertile sandy and clay loam soils, relatively level topography, and abundant water resources. Primary early crops included wheat, corn, oats, and hay, along with livestock raising.

Among the earliest agricultural pioneers in the area were T. S. Hopkins and Otis Ingalls, who are credited with raising the first recorded wheat crop in Newstead.

Due to the absence of local mills at the time, wheat was hauled by ox-drawn wagons to mills as far away as Chippewa (present-day Canada), illustrating both the productivity of the land and the logistical challenges faced by early farmers. Other key farmers that played an

important role in establishing agriculture in Newstead include Asa Ransom, the Hill and Deshay families, and Peter Vandeventer. By the early 19th century, Newstead farms were producing for regional markets, despite limited infrastructure and long travel distances to mills and ports.

Later in the 19th century, agriculture expanded and diversified alongside improvements in transportation and the development of Akron as a center of economic activity. Farming operations became more diversified, combining grain production, dairy farming, livestock, and orchards. Agriculture remained the dominant economic activity during this period, shaping settlement patterns and land division across the Town.

Despite regional industrialization and suburban growth in Erie County during the 20th century, Newstead retained a predominantly rural land-use pattern. Today, more than 40 percent of the Town's land area remains devoted to agriculture, including dairy operations, row crops, pastureland, and smaller specialty farms. This continued agricultural presence plays a significant role in local land-use planning, open space preservation, and the Town's overall quality of life.

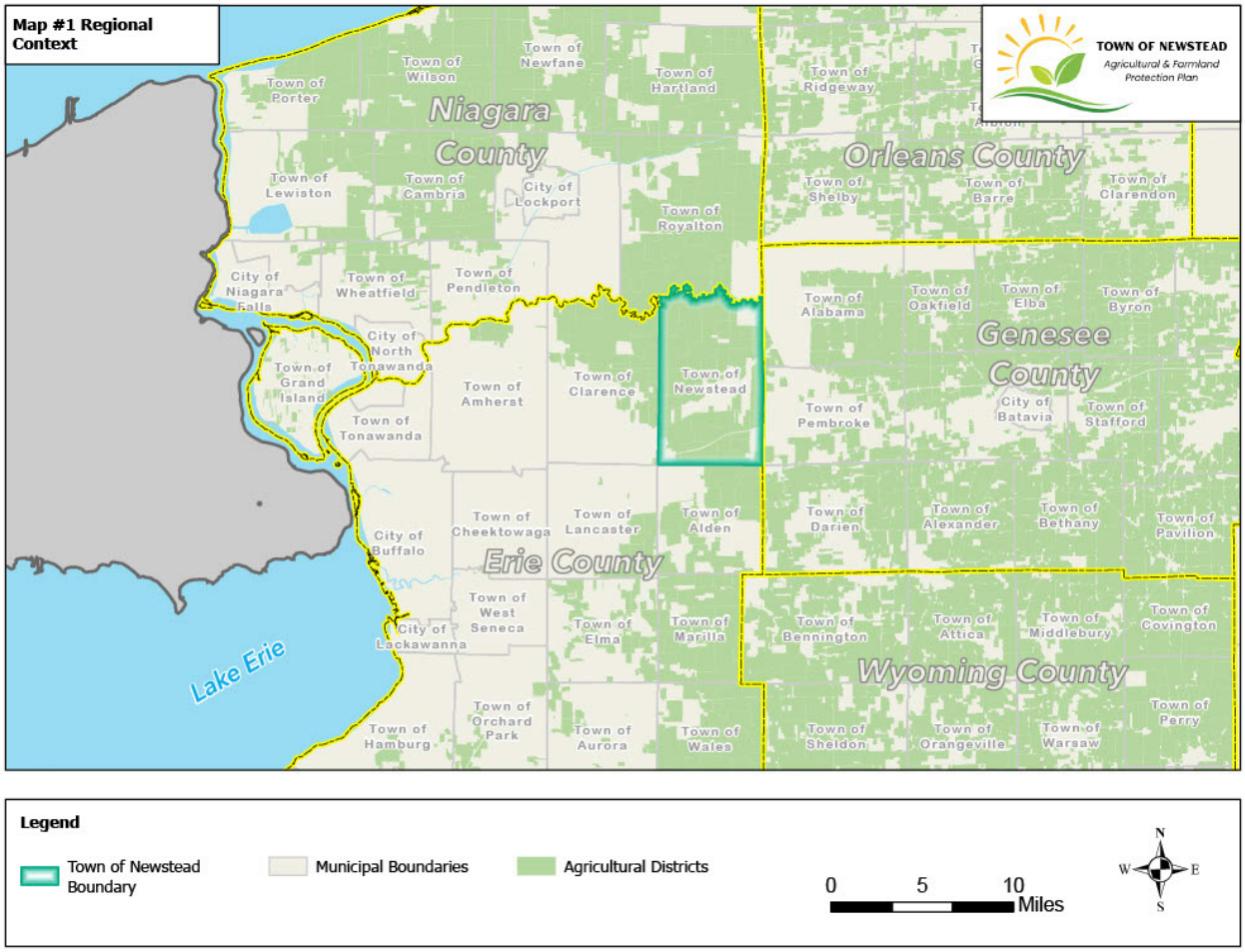
II. Newstead Today

Newstead is a town in the northeastern corner of Erie County with an area of land of 50.8 square miles or 32,512 acres, bound by the Town of Clarence to the west, the Town of Alden to the south, Genesee County to the east, and the Town of Royalton to the north (see Map 1). Due to the state's vast number of towns, they are either categorized as towns of the first class (increasingly suburban communities with a population above 10,000) or towns of the second class (rural with a population below 10,000). Newstead sits in the second category, being classified as a small, rural community. Nearly half (40%) of its land is used for agricultural activities, highlighting the importance of agriculture in this part of Erie County. The Village of Akron is located in the eastern central part of Town, serving as its central business district and home to many attractions, as well as the location of the Town governmental headquarters and facilities.

In addition, a portion of the Tonawanda Indian Reservation is located in the northeastern corner of the Town. The Town is physically split into two by the Onondaga Escarpment, which is located just outside of the Village of Akron. It is a unique geographic feature similar to the Niagara Escarpment, which is responsible for the formation of Niagara Falls.

Editors note: Map references in text correspond to larger version maps found in Appendix A.

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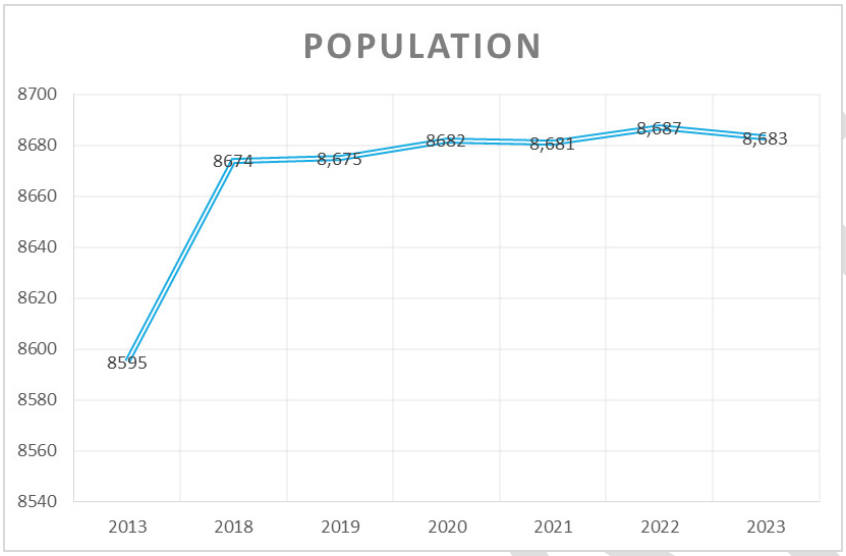


Demographics

Based on the 2023 American Community Survey (5-year estimates) utilized to collect demographic data between 2013 and 2023, the Town of Newstead's 2023 population is estimated to be about 8,683, a slight increase (1%) from its 2013 estimated population of 8,595. The Town experienced a more modest increase in population in the five-year period from 2013-2018, as shown below, with 2017 being the peak at just over 8,700 people. After that, the population dropped slightly and the number has remained relatively stable up (2024 estimates are 8,681). This helps to provide some insight into development pressure and overall population trends that could impact community character and agricultural activity.

A deeper look into the population of Newstead indicates that it is an older, aging community with seniors (60 and 84 years old) accounting for approximately 20% of Town's population. Just behind that are those between the ages of 50 and 59, accounting for 17% of the population; these groups account for the consistent rise of the median age from 2013 to 2023.

Those in the "young family" cohort, typically the 25 to 34 age range, have remained relatively stable while the "college age" group of 15 to 24 has decreased, indicating a larger younger generation from 2013 that has since grown up, but may have left the Town. This is typical given the 10-year difference, but a promising indicator is the increase in the under 5 age group, which helps to sustain the Newstead population moving forward.



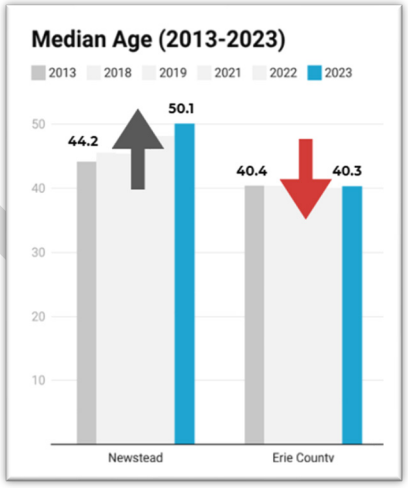


Figure 2 - Population trends (left), Figure 3 - Median age trends (right). Source: 2023 Census ACS

While there is no direct correlation between the population change and impacts on the agricultural community, it does support the fact that like farmers in Newstead, the population is predominantly older and aging. Another inference from this is that the increase in a younger, dependent population could lead to a desire for an increase in residential development, larger housing units to accommodate growing families or younger families available to take over multi-generational family farms.

Housing & Economic Profile

The Town of Newstead community contains 4,296 housing units as of the 2023 American Community Survey with the vast majority (3,813 total) being occupied, indicating a low vacancy rate and potentially a higher demand for housing. The predominant household type in the Town is family households (62%), which only decreased about 0.2% between 2013 and 2023, indicating a relatively stable group. Following an uptick in housing construction between 1980 and 1989, the number of new homes constructed every decade thereafter has slowly decreased. Between 2020 and 2024, US Census data indicate that around 50 housing units had been constructed in Newstead. The vast majority of housing units (21%) were built prior to 1940. Building permits are another metric that can be used to evaluate housing, but these only indicate authorized construction, not necessarily completion, and can also include renovations, additions, and minor alterations.

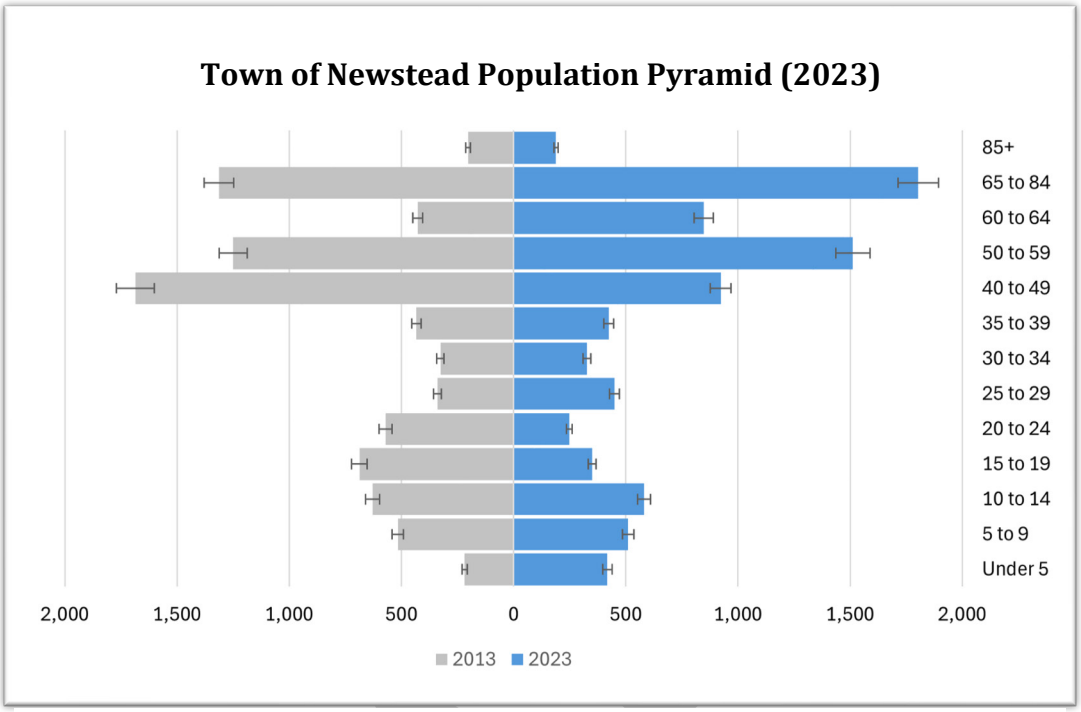


Figure 4 – Age breakdown. Source: 2023 Census ACS

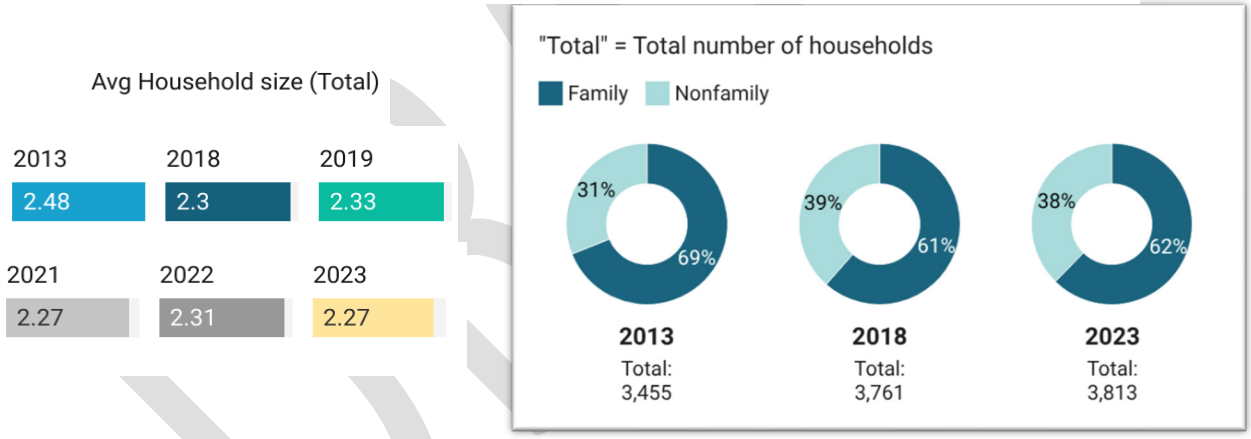


Figure 5 – Household size trends (left), Figure 6 – Number of households over time. Source: 2023 Census ACS

In contrast, nonfamily households and those living alone have increased approximately 33 percent between 2013 and 2023, further demonstrating the aging population and increase in "empty nester households." The increase in the number of nonfamily or single-person households is explained by the slight rise in population, which encouraged the formation of new households, as well as an increase in more people living alone. Single-person households increase the total number of households more rapidly than households occupied by multiple people (e.g., families). Subsequently, the trend towards smaller households has contributed to a decline in the average household size town-wide.

Poverty in Newstead is most concentrated among people aged 65 and over, followed by those aged 18-64, with the lowest rate observed among those under 18 (2.6 percent). In comparison to New York State (14.0 percent) and Erie County (12.6 percent), the overall poverty rate for Newstead is significantly lower at only 6.2 percent, which has decreased since 2013. While the median household income in the community has increased from approximately $69,000 (inflation adjusted to 2023) to $70,991 or a modest 2.9 percent, it reflects an increasing median household income nonetheless. This indicates that community's economic situation is improving, and less households are living below the poverty level and possibly earning more.

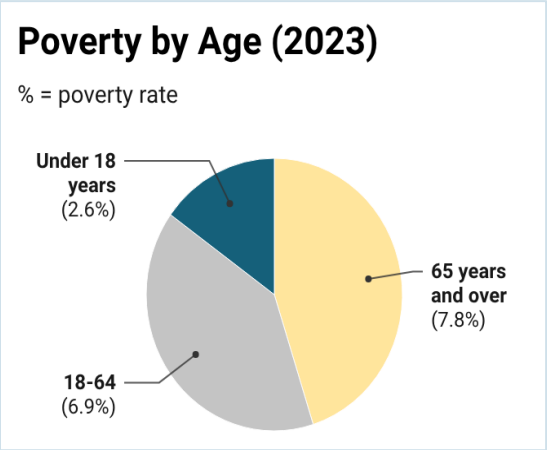


Figure 7 – Local poverty rate. Source: 2023 Census ACS

Land use and Zoning (*see Maps 2- 4 in Appendix A)*

The Town of Newstead is predominantly rural, with land use patterns reflecting agriculture, low-density housing, and natural resources. Agricultural and vacant lands already represent the dominant land use, and a substantial portion of these lands are currently productive and not merely reserved or undeveloped, which underscores Newstead's rural character. Residential land uses are present throughout the Town but are mostly concentrated near the Village of Akron and along major roadways such as Main Street, Maple Road, and Clarence Center Road, where development access and services are readily available (See Map 2).

Commercial and industrial uses are comparatively limited and tend to cluster along state and county roads, supporting local employment and services without extensive sprawl. Newstead also contains notable areas of recreation, forested land, conservation areas, and public parks, often aligned with creek corridors (e.g., Tonawanda Creek and Murder Creek), which help preserve environmental quality and open space.

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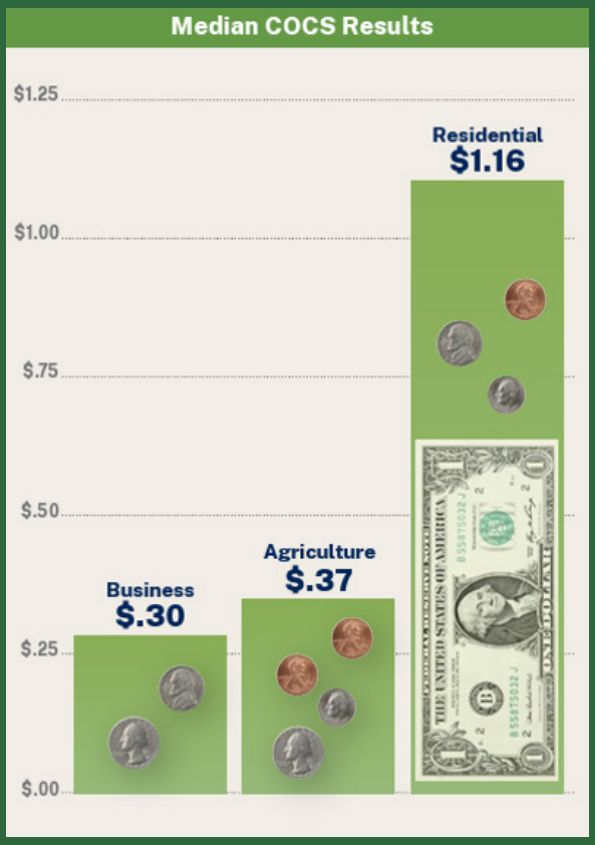
From a land development standpoint, zoning in Newstead largely reinforces existing rural land use patterns with the dominant zoning designation being Rural Agricultural (RA District. This zoning district covers much of the Town supporting a mix of farming, low-density residential development, and conservation uses (See Map 3). Mirroring the land use breakdown, higher-density residential zoning districts (R1, R2, and R3) are primarily located near the Village of Akron and along key transportation corridors, while commercial and industrial zoning is limited and strategically placed.

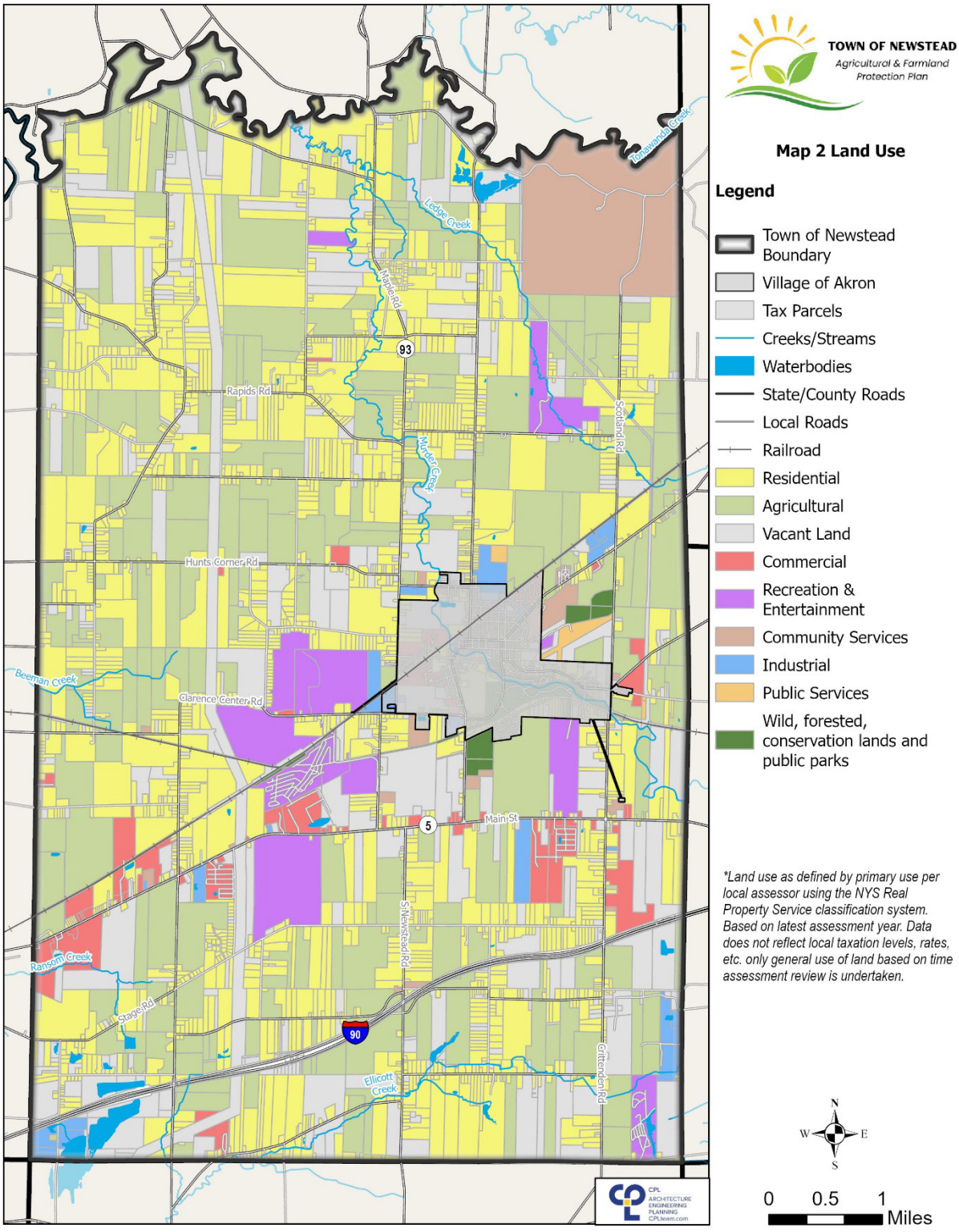
Land use and fiscal impacts – Cost of Community Services

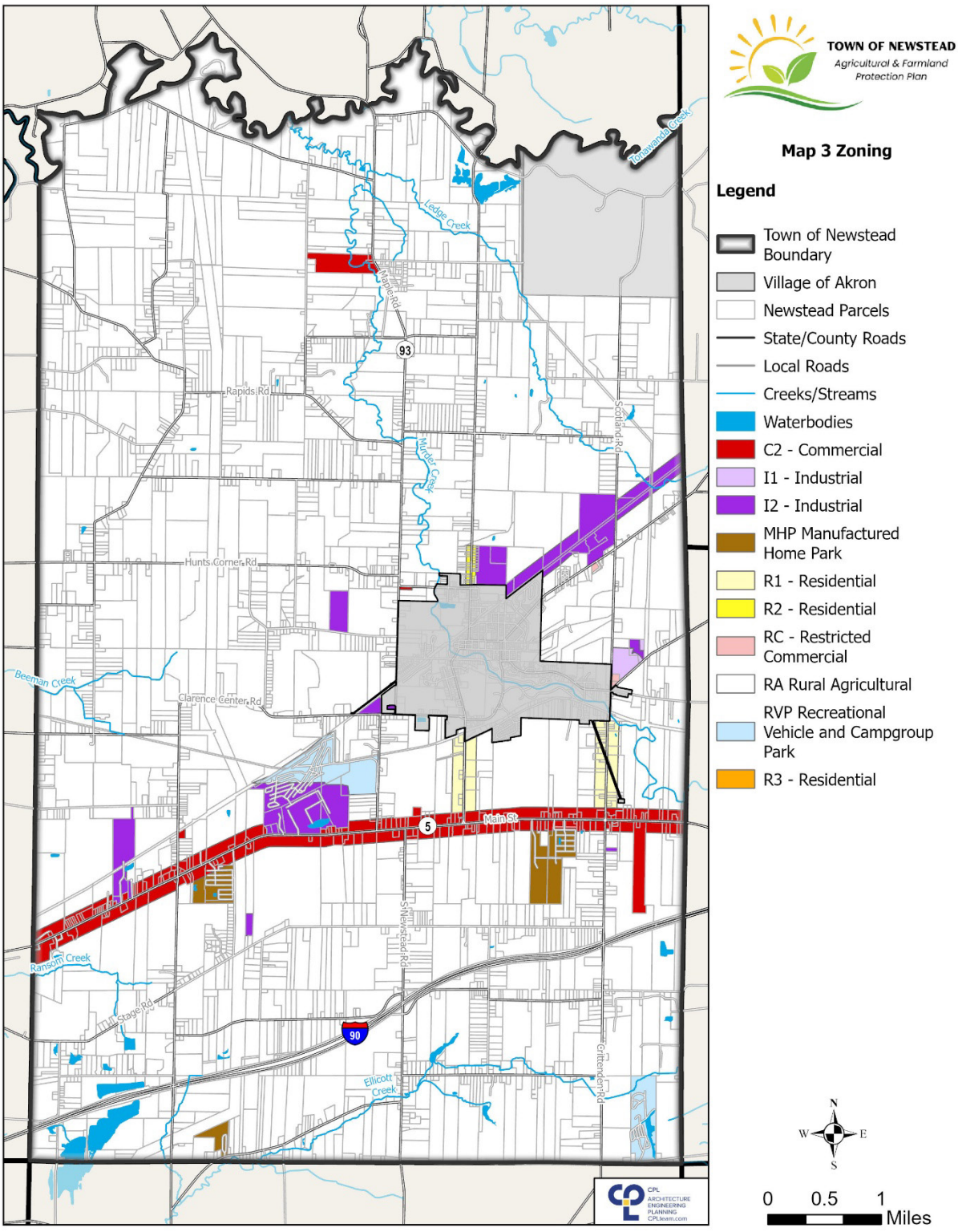
Local governments make decisions every day about land use, infrastructure, and public services – a balance between growth and development that will continue to provide local tax revenues to support these services, as well as public improvements and maintaining the character of the community. American Farmland Trust has researched this over time as a "Cost of Community Services Study" that provides a clearer perspective on these impacts by comparing the revenues generated by residential, commercial/industrial, and agricultural land uses with the cost of providing public services to each.

Rather than suggesting that one type of development is "good" or "bad," the analysis gives elected officials a clearer understanding of the fiscal relationships among land uses and helps inform decisions about growth, development, and the long-term financial sustainability of the community.

Analysis throughout the country has generally shown time and again that residential development is a net fiscal loss as they require more in public services against what they provide in tax revenue, with the opposite observed in commercial and agricultural uses. A balance between these uses can help to balance local budgets.




TOWN OF NEWSTEAD
Agricultural & Farmland Protection Plan
Map 2 Land Use
Legend
Town of Newstead Boundary
Village of Akron
Tax Parcels
Creeks/Streams
Waterbodies
State/County Roads
Local Roads
Railroad
Residential
Agricultural
Vacant Land
Commercial
Recreation & Entertainment
Community Services
Industrial
Public Services
Wild, forested, conservation lands and public parks
*Land use as defined by primary use per local assessor using the NYS Real Property Service classification system. Based on latest assessment year. Data does not reflect local taxation levels, rates, etc. only general use of land based on time assessment review is undertaken.
Tonawanda Creek
Ledge Creek
Maple Rd
93
Rapids Rd
Murder Creek
Scotland Rd
Hunts Corner Rd
Beeman Creek
Clarence Center Rd
5
Main St
S Newstead Rd
Ransom Creek
Stage Rd
90
Ellicott Creek
Gritten Rd
CPL ARCHITECTURE ENGINEERING PLANNING CPLteam.com
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1
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TOWN OF NEWSTEAD
Agricultural & Farmland Protection Plan
Map 3 Zoning
Legend
Town of Newstead Boundary
Village of Akron
Newstead Parcels
State/County Roads
Local Roads
Creeks/Streams
Waterbodies
C2 - Commercial
I1 - Industrial
I2 - Industrial
MHP Manufactured Home Park
R1 - Residential
R2 - Residential
RC - Restricted Commercial
RA Rural Agricultural
RVP Recreational Vehicle and Campgroup Park
R3 - Residential
Tonawanda Creek
Ledge Creek
Murder Creek
Beeman Creek
Ransom Creek
Ellicott Creek
Rapids Rd
Hunts Corners Rd
Clarence Center Rd
Main St
Scotland Rd
Gittenden Rd
93
5
90
N
W
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0
0.5
1
Miles

Infrastructure (*see Map 5 in Appendix A)*

Newstead's transportation network is structured around a system of state and county roads, providing regional access and connecting the Town to surrounding municipalities and employment centers. Local roads branch from these corridors, serving residential neighborhoods, farms, and rural properties. A former rail line is currently utilized as a multi-use recreational trail (part of the Town of Clarence trail system), extending from the western portion of the Town up to Cedar Street in the Village of Akron; further east the corridor remains vacant and unutilized.

Public water service in Newstead is provided through the Erie County Water Authority (ECWA) with nearly all residents connected; those that are not continue to rely on private wells for potable water. The availability of public water is a benefit to farmers for irrigation and processing purposes, especially for large quantity users like Kreher Family Farms, but it also can spur residential development and remove valuable farmland from production. Regardless, water availability can contribute substantially to agricultural business expansion. Sanitary sewers are found within the Village of Akron and a few outlying locations in the Town with most residents utilizing septic systems. The absence of public sanitary sewer service helps to preserve agricultural land and minimize the density of residential development.

Electrical infrastructure within the Town of Newstead includes high-voltage and three-phase power transmission lines, as well as substations. These facilities run north-south along the edges of the Town with the line on the eastern side running through the Town center and into the Village of Akron. These lines are an important component in supporting various agricultural systems by supplying energy for irrigation, farming equipment, agricultural-related economic development, and more. However, Newstead should also continue to be aware that these facilities, especially when near large tracts of open or working lands, are prime areas for solar farm development and/or battery storage systems. Future demand for these two elements overlaps with the protection of prime farming soils, increasing the risks of potentially losing valuable agricultural lands. This highlights the greater need to balance agricultural protection with farmer finances/long-term investments.

Natural Features (*see Maps 6-8 in Appendix A*)

In addition to the demographic makeup, physical features also have a significant impact on the Town and the continued viability of agriculture in Newstead. These features include various surface water resources, topography, and wetlands, that can all have impacts on the different processes and land use patterns required for viable agriculture such as soil erosion, water drainage, crop selection, and machinery operations.

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The Town of Newstead's relatively flat topography has made it well suited for agricultural operations. Furthermore, the prevalence of wetlands (riverine, lakes, ponds), all equally important features throughout Town, have also enhanced and sustained farming practices in Newstead. Once considered insignificant and therefore readily lost to development, wetlands' benefits to agriculture and many other systems have gradually been recognized, demanding their protection. Wetlands can serve as a source of water for crops and livestock, supporting a farm's economic sustainability and productivity.

In addition to wetlands, Newstead contains seven watersheds: Beeman Creek, Black Creek-Tonawanda Creek, Hamlet of Peters Corners-Ellicott Creek, Headwaters of Ransom Creek, Lower Murder Creek, and Saint Stephens Church-Tonawanda Creek. Lower Murder Creek is the largest creek, flowing through Akron and extending north to the edge of the Town. Having an awareness of these various water resources allows farmers to address and plan for possible drainage needs, as well as potential restrictions for expanding or maintaining their operations. This also helps identify water bodies that are vulnerable to the impacts of nutrient runoff, allowing for swift coordination with the Erie County Soil and Water Conservation District for water quality protection. This entity provides resource management assistance for erosion control, agricultural environmental management, water conservation, and more.

III. Agricultural Lands and Resources

The soil classifications in the Town of Newstead primarily consist of "prime farmland, "or "prime farmland if drained", with a minimal mix of soils identified under the "Farmland of statewide importance" category (**see Map 9 on page 2-16 and in Appendix A**). These classifications are organized by the USDA Natural Resources Conservation Services (USDA NRCS) and are based on rating factors that account for the physical and chemical characteristics of the soils. However, NYSDAM utilizes the Mineral Soil Group (MSG) classification for determining soil health and productivity, especially when it comes to assessing tax exemptions, inclusion in a County Agricultural District, and support for farmland protection. The Mineral Soil (MSG) Group Classifications are broken down into ten groups with groups 1-4 consisting of soils with the best conditions and of the highest quality which benefit agricultural use.

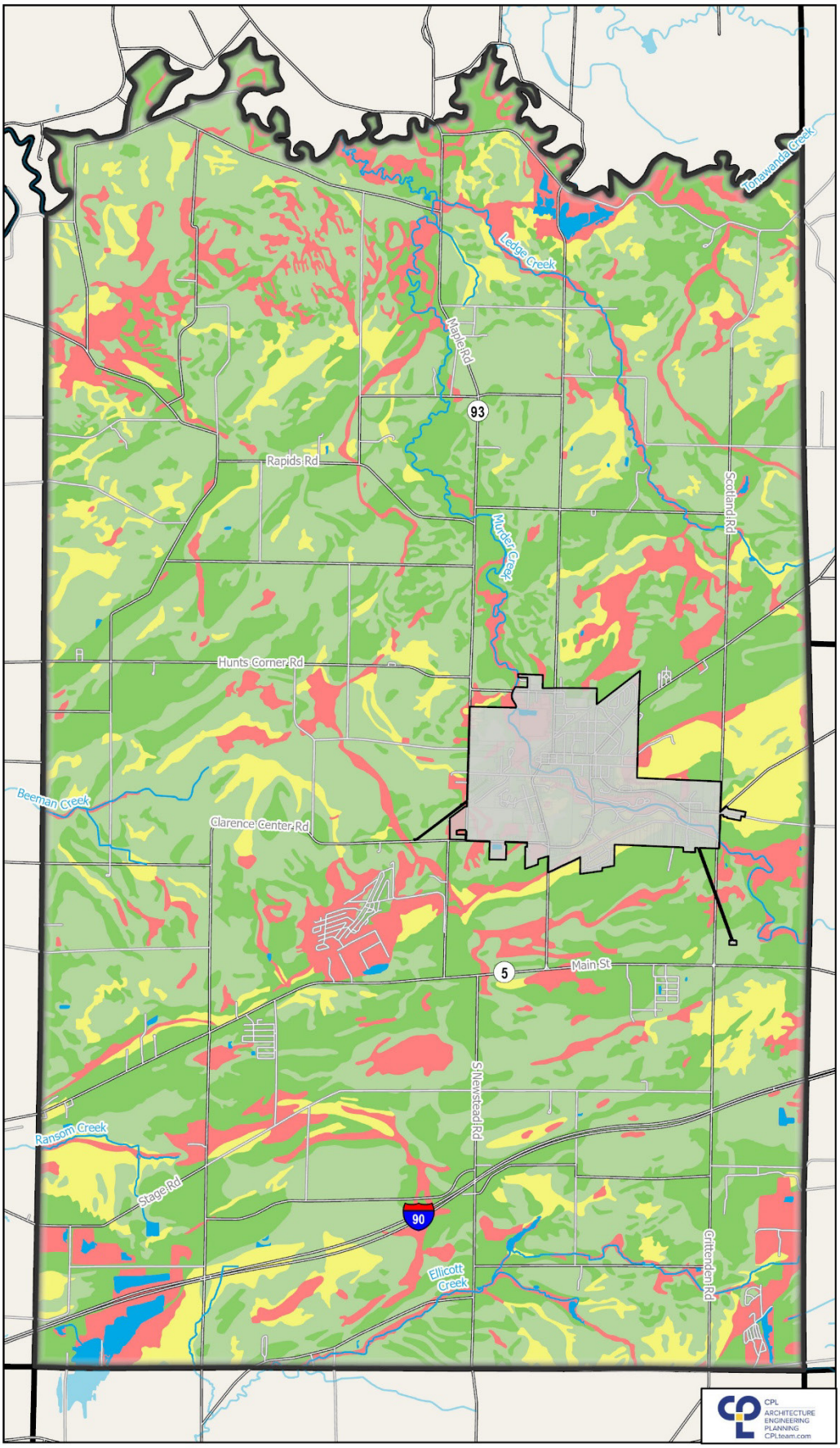
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What makes "good soils" for farming?

"Prime" soils are classified by the US Department of Agriculture (USDA) for suitability for agricultural production. These soils consist of "…the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses...It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods."

In New York, soils are classified by the State Department of Agriculture and Markets (NYAGM or DAM) into Mineral Soil Groups (MSG) from 1-10 based on quality and agricultural production capability for the agricultural tax assessment system. Those in groups 1-4 are the most productive (1 & 2 is considered "highly" while 3 & 4 is "moderate") with 5-10 having some limitations for production; MSG 1-4 also correlates to soils classified as "statewide important" by the USDA.

As these soils are typically are on lands that are easily accessible and expansive, they're also susceptible to development and conversion to non-agricultural uses. Over 363,000 acres have been lost between 2017 and 2022. Maintaining a viable amount of farm soils is a critical element to sustaining agriculture.



TOWN OF NEWSTEAD
Agricultural & Farmland Protection Plan

Map 9
Farmland Soil Types

Legend

- Town of Newstead Boundary
- Village of Akron
- Tax Parcels
- Creeks/Streams
- Waterbodies
- State/County Roads
- Local Roads
- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained

N
W E
S

0 0.5 1 Miles

CPL ARCHITECTURE ENGINEERING PLANNING CPLteam.com

The Town of Newstead's most productive farmland (primarily soils classified in Group 1 and 2) is located in the southern portion of Town, in areas just outside the Village of Akron. Most soils in Newstead are categorized as group 4. However, when compared to the Land Use map, the lands with the most productive soils are utilized in ways that are not predominantly agricultural, if at all. These areas are comprised of commercial, agricultural, residential, and recreation and entertainment use, highlighting the realities of how important it is to steer development toward hamlets, villages, and town centers. It also indicates that possessing high-quality soil does not necessarily lead to productive agricultural operations. The few lands that are classified as vacant as well as those that contain valuable soils that have not been disturbed provide opportunities for future agricultural use, and potential protection, as a means of sustaining agriculture in Newstead. (***See Map 10 in Appendix A***)

The most common types of agricultural uses and operations on productive farmlands in the Town are field crops. Field crops consist of potatoes, wheat, hay, dry beans, corn, oats, and more. In addition, when it comes to local agricultural resources, Newstead has a few local farms, greenhouses and nurseries, and farm equipment suppliers. However, as noted in Figure 8 on the following page, a vast majority of their resources are found well outside of town in nearby communities like the Towns of Clarence and Alden as well as throughout Genesee County.

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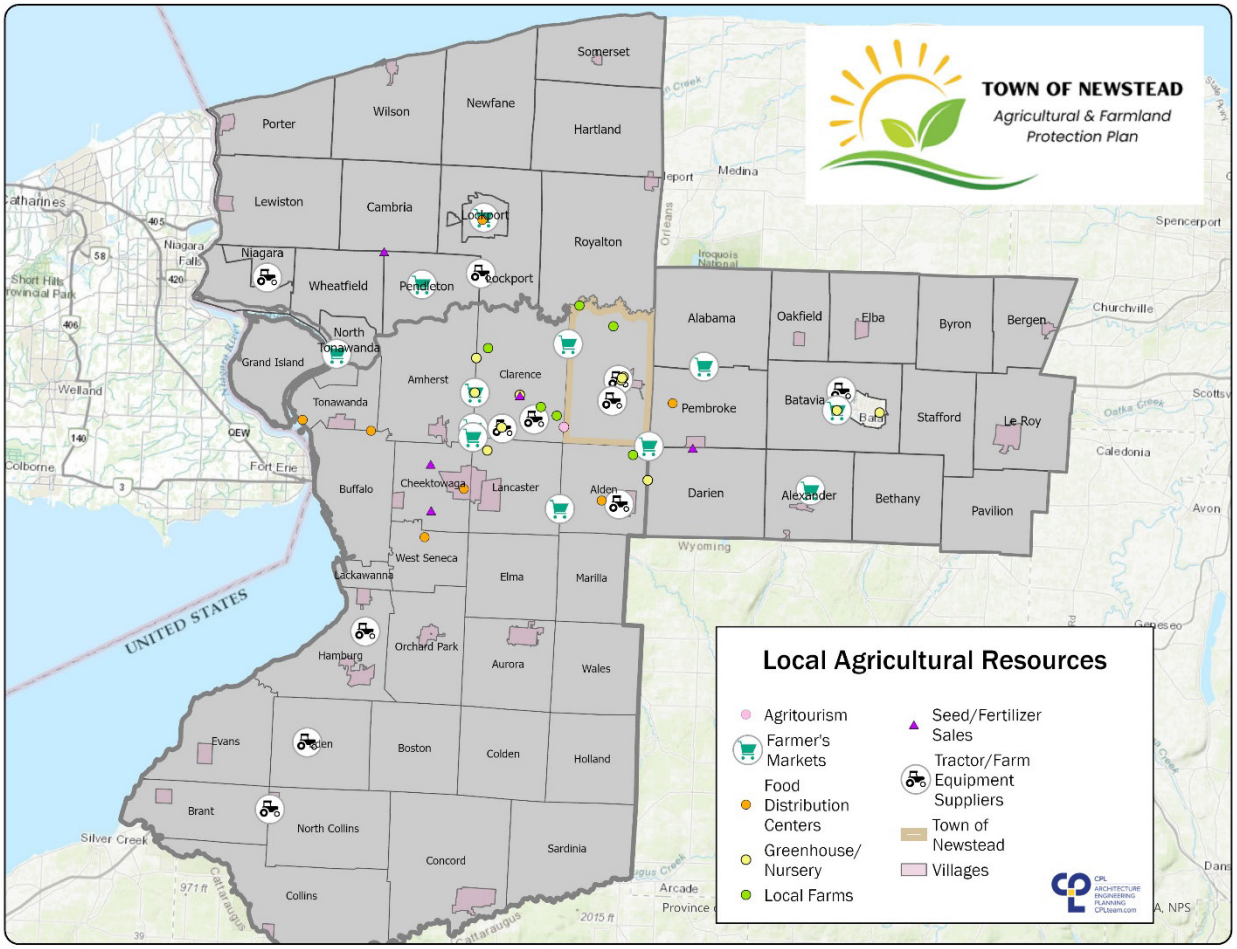


Figure 8 – General location of agricultural resources used by farmers in Newstead

IV. VALUE OF AGRICULTURE IN NEWSTEAD

Agricultural Lands

The information on the following pages has been acquired from the Census of Agriculture under the **2017 US Department of Agriculture (USDA)**, which provides agricultural data (including count of farms, ranches, agricultural operations) for every county in the nation. For areas not organized at the county level, such as the Town of Newstead, alternative methods such as using zip code data are useful to compile relevant information as this is the smallest geographic area available in the USDA Census.

Data provided in this report was gathered using the Town's primary zip code of 14001 and reflects values from the year 2022, the most recent year available (See Figure 9). While this doesn't provide a 100% accurate picture for the Town as portions of the ZIP code extend into the Towns of Clarence and Alden and some communities in Genesee County, it does provide a general picture on the types and extent of agricultural activity in Newstead.

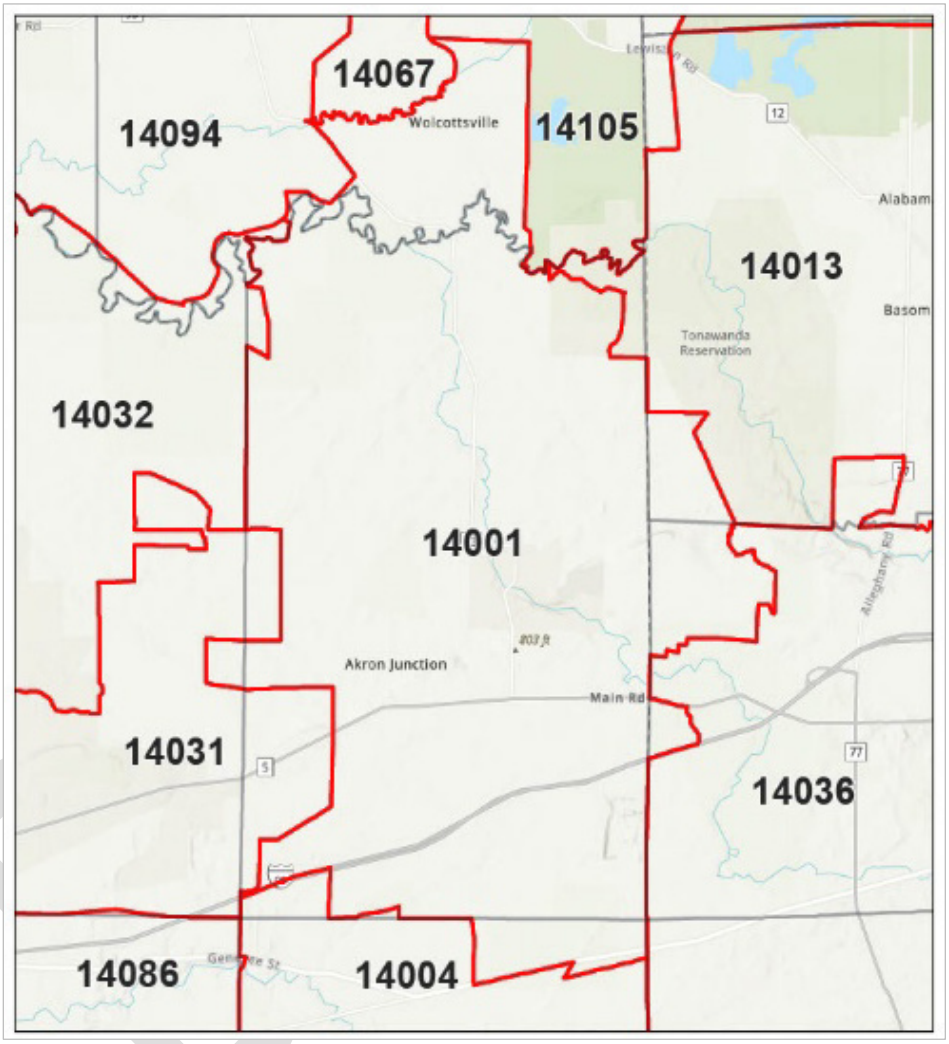


Figure 9 – ZIP codes that make up the Town of Newstead and used to amass information from the USDA census.

Additionally, not all farmers take part in the US Agricultural Census as it is a voluntary effort, so the data only provides a snapshot of agricultural activity in the Town. Regardless, when coupled with other information provided in subsequent sections of this report, a more robust picture of the state and extent of farming activities in the Town of Newstead can be developed.

General findings of the census data include the following:

- **It was reported that Newstead has 127 producers (people overseeing the farm operations)**
    - *73 people reported it as their primary occupation*
    - *111 reported their residence existing on the same land as their operation (lives on the farm)*
    - *There are 58 male producers, and 39 female producers*
- **According to the Census of Agriculture, there are 51 total agricultural operations on land classified as cropland, pastureland, and woodland within the Town. It is also reported that 56 total operations on cropland specifically were successfully harvested, most of those lands are 50 to 499 acres in size.**
    - *The acreage of cropland harvested includes the following: field crops, hay and forage crops, Christmas trees, vegetables, etc.*



- **Many of the areas conducting farm operations are operated by full owners**
    - *There are 74 farming operations in the Town of Newstead*
    - *The majority of the operations occur on land 50 to 999 acres in size*
- **The Census of Agriculture reported that 61 operations have access to the internet primarily via mobile or broadband service.**
- **There are 52 crop operations with sales, most making less than $50,000. Only one of those operations has sales that exceed than $250,000.**
- **There are 24 grain operations**
    - *16 of those operations were reported to be making sales of $50,000 or more*
- **There are five horticulture operations with sales**
    - *Cut trees, vegetable seeds and transplants are excluded from this number*

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- **There are six orchards operations**
    - *These operations include both bearing and non-bearing, all situated in areas 0.1 to 99.9 acres in size*
- **There are 33 animal operations with sales**
    - *Majority make less than $50,000 in sales*
- **Nine operations receive assistance from the federal government**
    - *Eight receive less than $50,000 in assistance*
    - *One receives more than $50,000 in assistance*

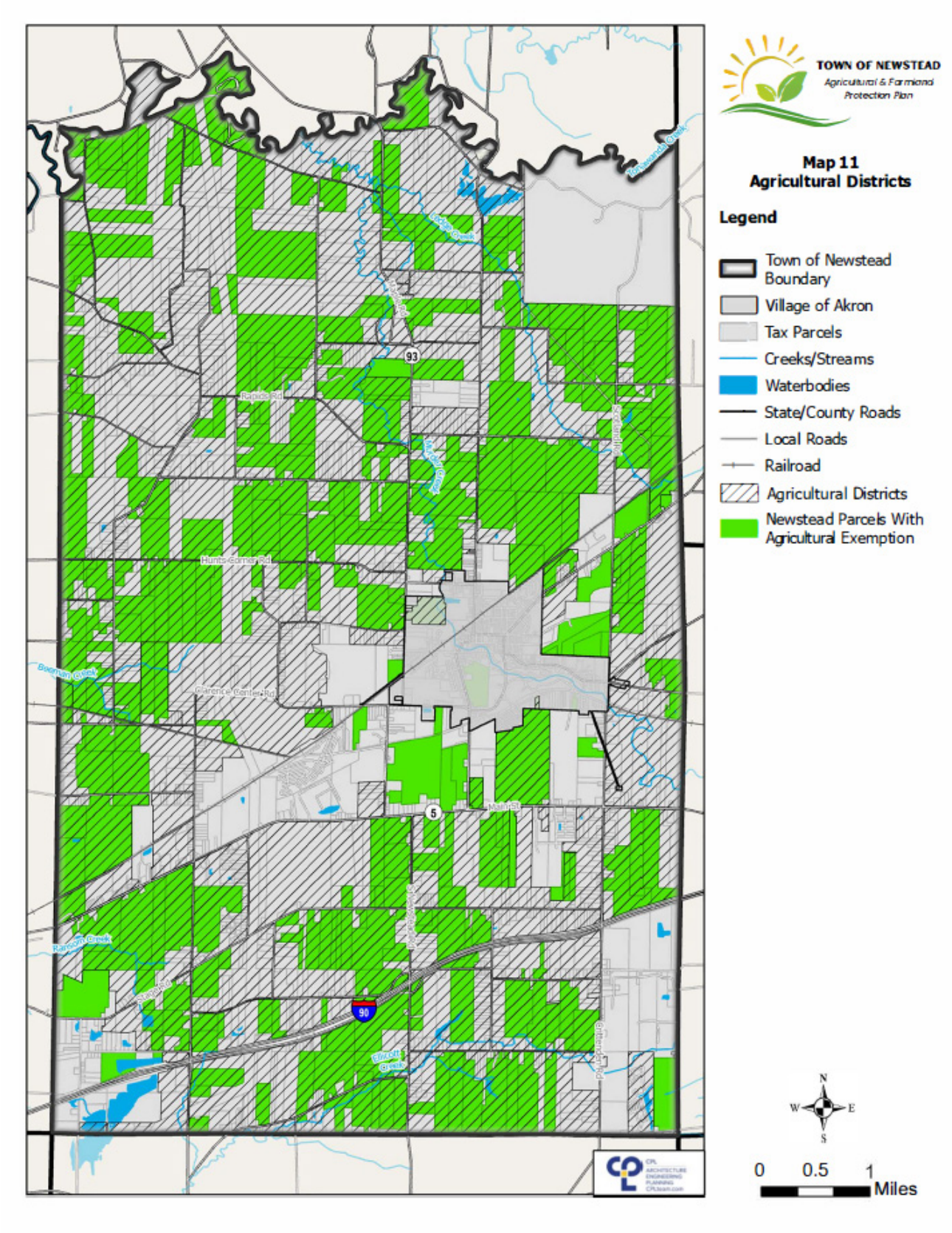
Agricultural Value

County agricultural districts provide additional protection to the farming community with the intent to keep agricultural lands agricultural. Lands included in an agricultural district currently make up a large portion of parcels in the Town of Newstead, which demonstrates the significance of agriculture in the community.

During the 8-year review cycle for County-certified State Agricultural Districts, District 14 was consolidated with neighboring districts (including Alden Newstead #1, Lancaster Alden #16, and Amherst #17) under the broader designation of the **North (#1) Agricultural District.** Previously, there were two districts in Newstead including Alden/Newstead District #1 and Clarence/ Newstead District #14. Within Newstead, a total of 311 parcels in Newstead received a property tax exemption (agriculture exemption) in 2023 for agriculture use or structures. Many of those tax-exempt parcels are located within the agricultural districts, indicating that more agricultural activity is occurring in the northern parts of Town than in the southern areas near the Village of Akron. (***See Map 11 on following page and in Appendix A***)

The tax-exempt parcels include those that are subject to a 10-year exemption under NYS Real Property Tax Law Section 483 for new or reconstructed facilities, and those with a lifetime exemption for more substantial structures such as, but not limited to, silos, manure storage and handling facilities, farm feed and grain storage bins, and commodity sheds. According to NYSDAM, land must be farmed by an operator who earns a minimum of $10,000 per year from agricultural production, and it only applies to land that is eligible for the assessment based on the State Soil Group classification. This exemption must be applied for each year, and it is available to owner-occupied and landowners who rent land.

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TOWN OF NEWSTEAD
Agricultural & Farmland Protection Plan
Map 11
Agricultural Districts
Legend
Town of Newstead Boundary
Village of Akron
Tax Parcels
Creeks/Streams
Waterbodies
State/County Roads
Local Roads
Railroad
Agricultural Districts
Newstead Parcels With Agricultural Exemption
N
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0.5
1
Miles

Another fiscal impact of agriculture in the Town Newstead is the amount of residentially zoned land that is rented or leased to farmers living in Town and elsewhere. The existing land use **(*see Map 2*)** shows an extensive amount of dedicated agricultural lands, but also a large number of large residential parcels. In many instances, these larger residential parcels rent out land to farmers to raise corn, soybean, and other crops. This provides a small, supplemental income to these landowners, and it also allows many of them to take advantage of reduced tax burdens through an agricultural tax assessment.

The many layers of farmland protection!

State/County Agricultural Districts



New York State Agriculture and Market Law (AML) provides a mechanism for the conservation, protection, and growth of agriculture through County-adopted and administered agricultural districts. Through a County Agricultural and Farmland Protection Board (AFPB), lands can be reviewed and added to the district provided it "viable agricultural land" as defined in AML §301(7) and "feasible for farming if conditions remain the same."

Benefits include limits to unreasonable local regulation, discourage private nuisance lawsuits, limit publicly funded construction and eminent domain projects, and provide tax assessment reductions for farm dwellings & structures.

Local Zoning

Though similar in name, they are different in nature. Agricultural zoning districts are enacted and administered at the local level and specifically control land use (setbacks, lot sizes, permitted uses, etc.) Local zoning may allow for non-agricultural uses to be developed in or adjacent to agricultural areas/lands and provide farmers with other opportunities to use their land should they choose; farmers are still subject to local zoning regulations. However, when they are also within a County Agricultural District, they have the ability to raise valid concerns if regulations negatively impact defined "farm operations."

Agricultural Exemptions

These are designed to reduce the financial burden on those involved in agricultural operations. They are legal mechanisms that exempts certain taxes and/or other general requirements on farmers to preserve agricultural activity and land.

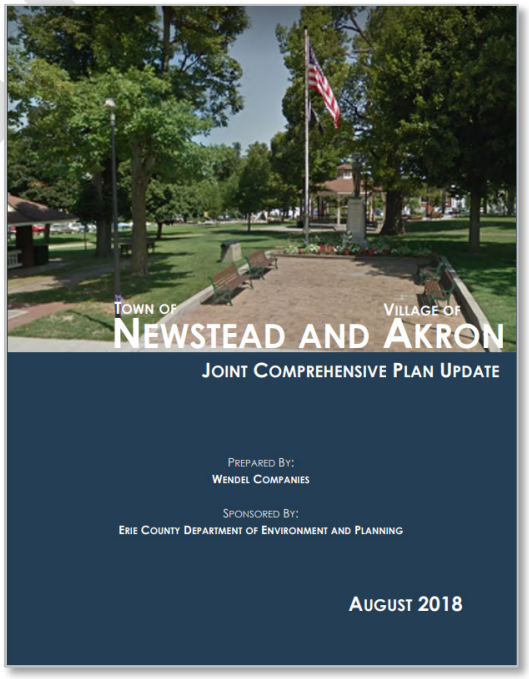
These factors can be the difference in a landowner maintaining their property as is or selling off lots for future residential development. The relative abundance of landowners in Town that rent their land is also beneficial for the farmers, since accessing nearby land reduces the amount of fuel and equipment costs needed for farming, rather than having to travel outside of the Town or to other parts of the county or state to operate.

V. Existing Plans and Programs

The following is an overview of the existing plans and programs that promote the protection and enhancement of agriculture in and around the Town of Newstead, including at the County, regional, and State levels. While not all of these plans may have a direct impact on agricultural activity in the Town of Newstead, they do include policies, recommendations, and general goals that influence the agricultural community and may be beneficial in continuing to support and promote related activities.

Local Plans

Town of Newstead and Village of Akron Join Comprehensive Plan Update (2018)



The Town of Newstead and the Village of Akron collaborated to update their 2001 Comprehensive Plan (Town of Newstead and Village of Akron: Combined Comprehensive Plan), building on their consistent joint planning relationship while focusing on goals and objectives unique to each individual community. Regarding agriculture, the plan aims to ***preserve, protect, and enhance the viability of agriculture*** in the community.

Objectives:

1. Establish an agricultural preservation strategy at the municipal level to maintain the viability of local farming operations that acknowledges the changing conditions, trends, and operations occurring in the community and region.
2. Strengthen the economic viability of farming within the Town and Village.
3. Help to promote sustainable management systems for agriculture.

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4. Maintain the existing agricultural districts and help implement the Erie County Agricultural Protection Plan.
5. Promote education of agriculture and its importance in the community, the region, and the country.
6. Strengthen the collective food system of the Town and the Village by implementing applicable recommendations included in One Region Forward's *Growing Together: Ensuring Healthy Food, Strong Farms, and Prosperous Buffalo Niagara.*

The following recommendations (actions) were developed to achieve the goals and objectives above:

1. The Town should apply to the NYS Agriculture and Markets for a grant to complete an agricultural protection plan.
2. Help with the identification of the tools needed to successfully help protect agricultural lands and operations (Purchase of Development Rights, Purchase of Agricultural Easements, Transfer of Development Rights).
3. Assist farmers with marketing and planning necessary to keep their lands in active use.
4. Investigate zoning revisions that would allow commercial activities compatible with agricultural uses by special use permit and site plan review within the Rural Agricultural Zoning district (Agricultural tourism).
5. Develop an Agricultural Protection Overlay District to protect agriculture for incompatible adjoining uses.
6. Town and County could investigate grant programs opportunities for farmers.

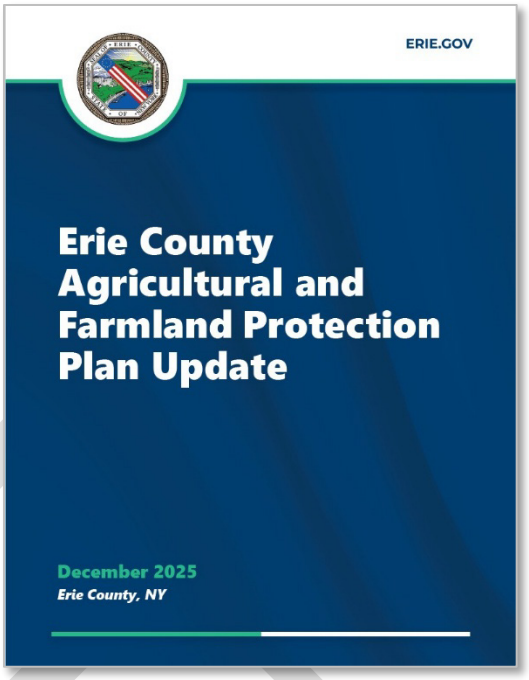
Regional Plans

Erie County Agricultural and Farmland Protection Plan Update (2025)

In 2025, the County updated its 2012 Agricultural and Farmland Protection Plan to address changing conditions in the region over the past decade including resources, viability, economy and markets, climate impacts, community connections, among other things. The plan notes that there has been an 8.4% decrease County-wide in cropland associated with farms between 2017 and 2022 and a greater reduction in pastureland (16.8%) with approximately 168,336 acres in the County still associated with agricultural pursuits (25% of the total land area).

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Most of the operating farms are still considered "family farms" encompassing 50 acres or less. Larger farms (1,000 or more acres in size) represent only 3% of the total farmland in the County but work 39% of all the land associated with farming operations. Dairy operations remain the top category within agriculture in terms of sales value followed by other animals/related products and nursery/greenhouse operations. Development pressure associated with residential uses remains one of the top threats to farmland conversion with developed land cover extending further outward from inner ring suburbs over the past 20 years. More recently, large-scale solar projects have contributed to the conversion pressure, due in part to State-level initiatives and the need to supplement/diversify energy sources.



Despite challenges, the County sees numerous opportunities to build up and expand the agricultural industry based on conversations with local farmers and stakeholders. Identified goals within the County Plan include:

1. Keep high quality farmland in agricultural production (Farmland Resources)
2. Maintain and enhance the economic viability of Erie County farms (Farmland Viability)
3. Support agricultural economic development countywide (Integrated Agricultural Economy)
4. Protect water and environmental quality and ensure climate resilience (Water Resources, Environmental Protection, and Climate Resiliency)
5. Increase public appreciation of farming and support for agriculture and related businesses among local decision-makers (Public Appreciation of Agriculture)
6. Expand opportunities for urban agriculture, including commercial growers, community and school gardens, and home gardening (Urban Agriculture)

These goals also include a mix of recommendations and actions that can be undertaken at a County level to further support local communities such as the Town of Newstead in their agricultural protection initiatives such as:

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A. Continuing to provide technical resources for conservation, resource mapping, management planning, regulation review, etc.

B. Advocate for responsible siting of large-scale solar facilities.

C. Continue to allocate funds for local planning efforts.

D. Build and expand on partnerships between the County, local communities, and public and private entities involved in agriculture and working lands.

E. Advocate at the State level for local farms, especially financial impacts.

F. Support educational and workforce development programs.

G. Continue to develop and support the Erie County Agribusiness Park as another key economic avenue for farmers and agricultural industries.

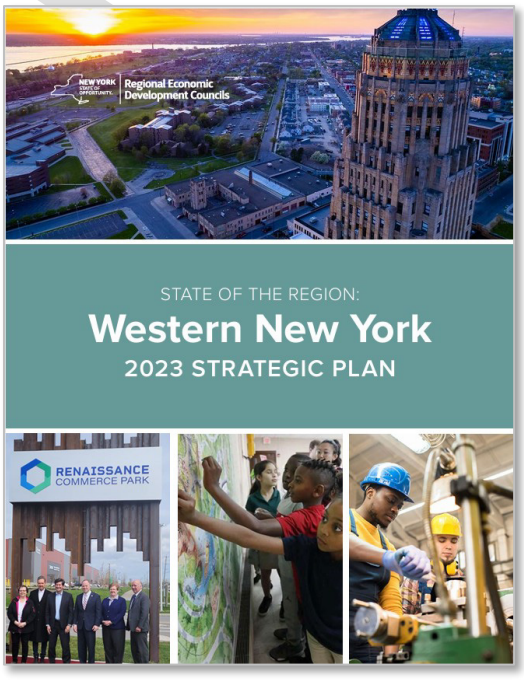
H. Build and expand use of local farm products within County.

I. Maintain and improve County infrastructure that impacts agriculture, especially roadways and drainage systems.

J. Encourage farming in urban/suburban areas on a smaller, niche scale.

State of the Region: Western New York Strategic Plan (WNY REDC, 2023)

New York State has ten Regional Economic Development Councils that are intended to support the State's economic development goals. The Town of Newstead falls within the Western New York Region and is supported by the Western New York Regional Economic Development Council (WNY REDC). In an effort to guide local economic development efforts and funding priorities, the WNY REDC originally developed a strategic plan in 2011 and has released annual reports to convey what progress has been made on the priorities outlined within the 2011 strategic plan and its regional priorities; an update to that plan was prepared in 2023.



The 2011 plan, "A Strategy for Prosperity in Western New York," aimed to make fundamental improvement in the WNY economy, to ensure sustainable growth in jobs and income across the five counties (Erie, Niagara, Chautauqua, Cattaraugus, & Allegany) in the region and to contribute to the resurgence of the broader

economy of New York State. While the 2023 update notes several declining or stagnant metrics in the labor force, outmigration, and jobs, there were an equal number of positive metrics in terms of wage growth, exports, gross regional product, young adult population, and visitor spending, among others.

The key industry sectors within WNY from 2011 were adapted slightly over time to account for changing conditions regionally and beyond and include:

1. Professional services
2. Health Care (*formerly Health and Life sciences*)
3. Retail
4. Tourism
5. Manufacturing (*formerly Advanced Manufacturing*)

Previously, additional sectors included agriculture, bi-national logistics, energy, and higher education. These sectors were not lost or overlooked in updated materials, rather they were incorporated into the industry sectors where applicable or where emerging themes exist that further influence and guide each of the five sectors listed above. As the Strategic Plan notes, "Certain themes that cut across our economic drivers emerged in recent years… These themes build on existing principles, but [also] reflect on lessons learned over the past decade… These overarching themes reflect a region with greater understanding of the challenges we face and better, more coordinated solutions." The 2023 Strategic Plan looks at agriculture through the lens of *Smart Growth* and *climate resiliency*.

The Plan continues to recognize that the production of food and agricultural products is a leading industry in the region, as well as New York State, despite an identified loss of farmland over time. The Plan recognizes that the agricultural industry's full potential remains unrealized, and that local food systems and other economic needs can provide new opportunities, evident through more "non-traditional" or innovation operations being created over the last decade including urban farms, community gardens, and indoor cultivators.

Relevant goals and recommendations that can be interpolated include:

- Use **smart growth principles** to steer development away from agricultural land, concentrating new growth in existing urban centers, village cores, and previously developed sites to reduce development pressure on farms. This can be used to preserve critical natural resources tied to agriculture, including soil, watersheds, and open space, as part of a broader environmental and land-use strategy.

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- Integrate agriculture into **regional sustainability and climate strategies**, ensuring that farming systems contribute to environmental resilience and align with state climate goals. This includes a delicate balance between the preservation of farmland with emerging land uses such as solar installations.
- Strengthen agriculture as part of a broader **regional "food economy"**, linking farming with industrial growth in terms of food processing, markets, distribution, and entrepreneurship opportunities.
- Leverage **workforce development systems** to fill labor gaps in agriculture, integrating farming into broader job training and economic development programs. This would include expanding training and career pathways into agriculture and food-related industries, especially for younger workers and underrepresented populations.
- Expand **urban and innovative agriculture**, including community gardens, indoor growing, and small-scale operations that complement traditional farming, as well as markets that increase the availability of locally produced foods.
- Invest in **infrastructure** and commercial corridors that support local food distribution, small businesses, and farm-related enterprises.
- Coordinate agricultural priorities with **regional and local planning efforts**, ensuring farmland protection and food system development are integrated with economic development strategies.

Western New York Regional Food System Initiative (2021)

Amid the COVID-19 pandemic, the Western New York Regional Food Systems Initiative (WNYRFSI) was launched to seek out ways to improve the viability, resilience, and wealth-creating opportunities via a strong food system for communities throughout the nine-county region (Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara, Orleans, and Wyoming counties), in rural and urban communities alike. This vast planning effort articulates a vision for a regional food system that can achieve resilience, equity, strong economic performance, and reduced food insecurity.

Though the study area spans a large region, recommendations relevant to the challenges and opportunities facing Ripley's agricultural community have been noted.

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Recommendations that are relevant to the Town of Newstead include:

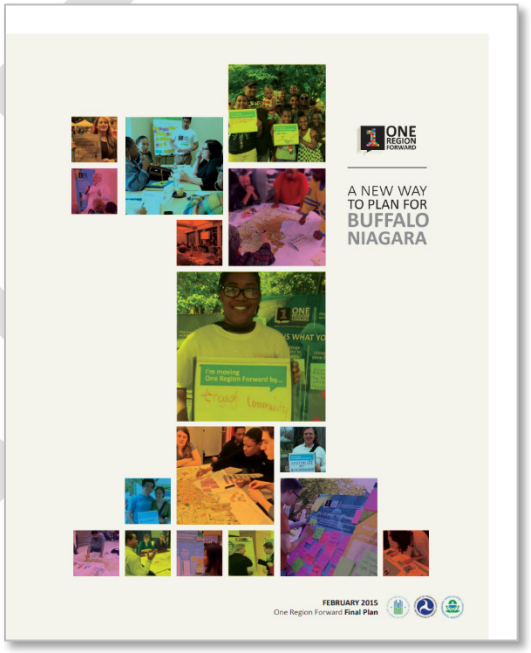


- Identify ways to increase control of and ownership of land for low-wealth communities and individuals, whether through individual or shared ownership.
- Increase the viability of WNY farmers, particularly newer, limited resource, or BIPOC (*Black, Indigenous, or People of Color*) farms, through systematic efforts to:
    - Increase demand for local foods
    - Improve access to well-paying markets
- Increase access to quality, affordable farmland.
- Help cultivate and support the next generation of farmers through investment in farm and food apprenticeships, farmer networks, and programs to link new and aspiring farmers with retiring farmers.
- Dedicate a stream of funds for investment in critical on-farm infrastructure, particularly for newer, limited resource, and BIPOC farmers.
- Identify local, regional, and state level policies that hamper values-based procurement by institutions and the policies that would enhance values-based food procurement. Leadership of Food Futures WNY should work in partnership with regional and state level organizations to secure the needed policy changes.
- Increase community food sovereignty and equitable access to fresh and healthy locally produced foods through alternative retail options, such as cooperatives, farm stops, e-commerce, and other models.
- Expand meat processing capacity throughout Western New York through strategic investments in local, farmer-driven models.
- Increase market access for small to midsize farmers and increase consumer access to local food by pilot testing a network of "sub-hubs" that link producers with food hubs, food distributors, e-commerce platforms and end buyers.

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- Increase access to commercial kitchen processing opportunities for aspiring food entrepreneurs and for groups focused on food sovereignty by partnering with and expanding the capacity of existing commercial and shared-use kitchens.
- Expand processing and value adding options for dairy farmers, potentially including through investment in small processing facilities – micro-dairies or creameries – that add value and enable direct sales of local milk.

One Region Forward (2015)



The 2015 One Region Forward Plan, a three-year effort, launched in 2012 is intended to encourage communities to think more about serious issues (issues threatening equity, environment and economy) they may be facing locally and as a region. It described as a new way to plan for the Buffalo-Niagara region. The Plan names several relevant resources, including the New York State Research and Development Authority (NYSERDA) for future action. NYSERDA's Cleaner, Greener Communities (CGC) program offers funding for projects that support regional sustainability.

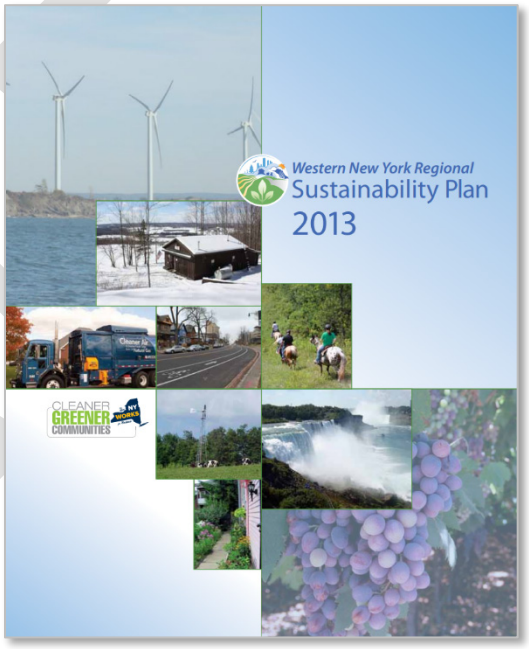
As part of the process, five primary values were identified along with dozens of strategies and actions to achieve sustainability. While not all of these pertained exclusively to agriculture, due to the wide geographic expanse that the plan covered, agriculture was embedded across broader themes including land use, food systems, and open space protection. The following highlights within the Plan support local agricultural protection efforts, pertinent to the Town of Newstead:

- **Protect Farmland, Parks, and Natural Areas** - The Plan repeatedly notes the need to protect farmland and open space from development pressures, including direct citizen comments, scenario mapping, and preferred future land use exercises.
- **Strengthen Regional Food Systems** – A regional food system should be a policy priority not just at the local level. This would include supporting a variety of farming operations (small to large), strengthening farm-to-table links to provide more direct distribution channels to users, and improve access to healthy foods, especially for disadvantaged populations.

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- **Promote Land Use Patterns That Support Agriculture** - Agriculture emerges as part of a broader land-use strategy that seeks to limit sprawl and grow where urban centers already exist, promote compact development, and manage development through smart infrastructure expansion
- **Food System as Part of Regional Sustainability** – The Plan treats agriculture as a pillar of sustainability with emphasis on links between food, land use, transportation, energy and environmental quality. In addition, farming is seen as a key economic sector with both health and ecological benefits.

Western New York Regional Sustainability Plan (2013)



The WNY Regional Sustainability Plan resulted from a region-wide planning effort among private, public, not-for-profit organizations, and stakeholders involving discussions around the strengths of the region and developing goals that ensure sustainable growth in the future.

Sustainability goals for each of the following sustainability focus areas are identified along with strategies to achieve them and barriers to implementation:

1. Energy
2. Land Use and Livable Communities
3. Transportation
4. Agriculture and Forestry
5. Water Management
6. Waste Management

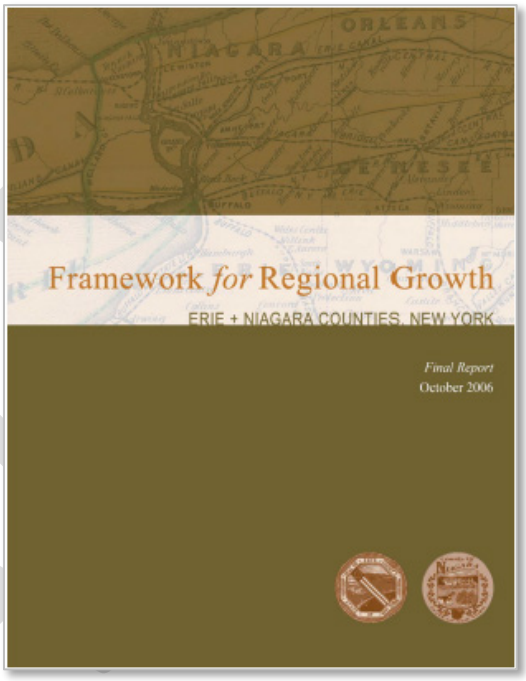
Within the Agriculture and Forestry goals the following actions/recommendations were identified that would be *pertinent to the Town of Newstead* in this effort:

1. Strengthen the economic viability of agriculture and forestry enterprises.
2. Achieve more efficient uses of energy inputs and maximize use of agriculture and forestry by-products for energy production.

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3. Increase support from government officials and the public for the protection of farmland, continued use of farmland for agricultural purposes and for strengthening the business climate for agriculture and forestry in the region.
4. Promote environmentally sustainable management systems for the agriculture and forestry sector.

Framework for Regional Growth (2006)



This Plan addresses the absence of a region-wide vision for conservation, development, and public investment. It recognized that all-important planning decisions have been made without thinking of how local actions influence the Region's livability and economic vitality. Because of this, Erie and Niagara Counties (Buffalo-Niagara region) partnered to develop this Plan to help both counties make decisions concerning future growth and development on a coordinated and consistent basis.

The Framework provides:

1. A vision for how the region desired to grow and redevelop over the next 15 years;
2. Direction regarding growth and redevelopment matters to county decision-makers and other regional organizations linked to the two counties via funding, membership, or other relationships;
3. Information on the ways local governments, private sector, and non-profit actions and initiatives can reinforce the overall regional vision; and
4. Mechanisms to ensure that the goals, concepts, and recommendations of the Framework for Regional Growth are implemented in an efficient and accountable manner.

Relevant to agriculture, the Framework for Regional Growth Plan focuses on the development of policies and strategies to strengthen rural economies, conserve agricultural and rural lands, and revitalize rural centers. Furthermore, it addresses expanded agricultural conservation efforts and discusses the loss of agricultural lands across the region.

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VI. Farm Friendly Zoning Analysis

An analysis of the Town of Newstead's laws and regulations was conducted to assess the level of "farm friendliness" and determine how supportive land use requirements are for protecting and promoting farming and agricultural operations in the community. Section 305-a of Chapter 69, Article 25-AA of the NYS Agriculture and Markets Law, which regulates Agricultural Districts, states that:

> *Local governments, when exercising their powers to enact and administer comprehensive plans and local laws, ordinances, rules, or regulations, shall not unreasonably restrict or regulate farm operations within agricultural districts in contravention of the purposes of this article unless it can be shown that the public health or safety is threatened.*

Furthermore, Section 305-a allows the New York State Department of Agriculture and Markets (NYSDAM) to review local laws upon request to determine if they are unreasonably restrictive of farming activities and operations in such districts. Unreasonable regulations may address minimum lot sizes, setbacks unrelated to health and safety, excessive permitting requirements, and restrictions on the types of agricultural activities allowed under zoning regulations. Therefore, a "farm friendly" Code analysis provides an assessment of the Town's regulations and offers suggestions for revising certain provisions that are found to be overly restrictive or lacking sufficient oversight to better support farming and agriculture in the community.

Most of the Town of Newstead, aside from commercial corridors along major roads and lands adjacent to the Village of Akron, is zoned Rural-Agricultural (R-A), which allows farming and agricultural land uses. Most of the land situated within the R-A zoning district is also located within the Erie County-certified North Agricultural District (see Map 11 in the Appendix) , although some farms and lands in these agricultural districts may be located in other zoning districts. Certain actions undertaken on lands located in County-certified agricultural districts require submission of an Agricultural Data Statement.

Land use regulations that were reviewed as a part of this analysis, which affect farmland and agricultural uses in the Town, include:

1. Chapter 180, Article 1 – Solar Energy Systems
2. Chapter 186 – Farming
3. Chapter 360 – Subdivision of Land
4. Chapter 422 – Windmills

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5. Chapter 450 – Zoning

The review and analysis of these land use regulations provides an evaluation based on the following:

1. Do local land use regulations unreasonably restrict standard farming practices?
2. Do land use regulations accommodate "value added" or other agricultural-related business on farms?
3. Do land use regulations accommodate non-agricultural secondary businesses on farms?
4. Do land use regulations include consideration of the impacts of agricultural activity as part of the development review process?
5. How well do land use regulations direct development away from high-quality farmland?
6. Do subdivision regulations include provisions to minimize impacts on farming operations?

Outside of this independent analysis, Erie County undertook a similar effort as part of their *2025 Agricultural and Farmland Protection Plan* update, the results of which are incorporated into this report and noted where applicable. In general, the Town of Newstead's regulations are moderately farm friendly. While certain provisions that were reviewed were found to be supportive in protecting and promoting agricultural activity, there are certain areas within the Code that can be strengthened to lend focus on farming and agricultural protection or be less restrictive. These includes the following:

1. The Town should establish an Agricultural Advisory Board to assist with implementation of the Agricultural and Farmland Protection Plan and to assist the Town Board with the resolution of potential disputes between property owners, as needed.
2. The Right to Farm Law (Chapter 186 – Farming) should be revised to more closely follow and reference the NYS Department of Agriculture and Markets Right to Farm Law. The current law is insufficient.
3. Agriculture and farming operations are not explicitly recognized in the subdivision regulations (Chapter 360) or the fact that Section 305-a of the NYS Agricultural and Markets Law requires the submittal of an Agricultural Data Statement by an applicant to the municipality if a subdivision action is proposed to occur on property located

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within a County-certified agricultural district that contains a farm operation or is located within 500 feet of a farm operation located within an agricultural district.

4. NYS Agricultural and Markets Law also requires the submission of an Agricultural Data Statement for a rezoning, special use permit, site plan approval, or use variance for actions proposed on property located within a County-certified agricultural district that contains a farm operation or on property within 500 feet of an active farm operation located in an agricultural district. Appropriate sections of the Zoning Law (Chapter 450) should be updated to reflect this requirement. Similarly, the ***Erie County Agriculture and Farmland Protection Plan*** includes the following - *Incorporate the requirement for submitting an Agricultural Data Statement into the sections that specify procedures applying for Site Plan Review, Special Use Permit, Use Variance and Subdivision approval.*

5. The Definitions section of the Zoning Law (§450-5) should be updated to include more relevant definitions to support the provisions in the Law and agricultural uses in the Town, and more specifically the Rural Agricultural zoning district regulations. Having clear definitions for various uses helps to clarify the use and its application. Similarly, ***Erie County Agricultural and Farmland Protection Plan*** includes the following – *While the definition of "farm" is broad, the zoning district regulations do not use the term "farm;" the term "agricultural land uses" is not defined.*

6. Various revisions should be made to the R-A Rural-agricultural zoning district (§450-15) to expand the list of allowable uses, strengthen support for farming and agriculture, reduce the number of uses that require a special use permit, and improve general language, as needed, to make this section of the Zoning Law more farm friendly. ***Erie County Agriculture and Farmland Protection Plan*** includes the following – *Ensure that setbacks are appropriate to address public health and safety concerns, especially manure facilities, but are not overly restrictive for other structures.*

7. A provision should be added to the R-A zoning district narrative that acknowledges the need for submittal of an Agricultural Data statement for any rezoning, special use permit, site plan approval, use variance or subdivision of land action occurring on property within an Erie County-certified agricultural district that contains a farm operation or within 500 feet of same.

8. The regulations in the Zoning Law for seasonal roadside stands (§450-30) should be revised to permit the sale of some products that are produced offsite and include provisions that explain the intent of this use and additional use controls. The name should also be changed to Roadside "Farm" Stands (drop "seasonal", which can be

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recognized in the language in the law). Similarly, the ***Erie County Agriculture and Farmland Protection Plan*** includes the following – The requirement that products must be "grown on the premise" may be unreasonable as applied to farm operations within certified Agricultural Districts. In addition, guidance prepared by the NYS Department of Agriculture and Markets states that farm stands should be able to sell some products not grown by the farm.

9. Cluster Development regulations in the Zoning Law (§450-52) should recognize the value of using such site design to protect agricultural land and uses.

10. Why are special use permits required for agribusiness and agritourism uses (§450-76.2)? Site plan review with proper conditioning, which treats the review as if the project was a commercial use, should suffice and eliminate extra, unreasonable review and process burdens. Similarly, the ***Erie County Agriculture and Farmland Protection Plan*** includes the following – *Allow some agribusinesses and agritourism businesses to be permitted as an accessory use to a farm. Establish a threshold for requiring a special use permit, such as expected number of visitors, size of proposed building, or other suitable metrics.*

11. Why does Forest Farming, which is not defined (tree farming?), require a special use permit? Site plan review with proper conditioning should be sufficient to eliminate unreasonable review and process burdens.

Certain revisions should be made to the Site Plan Review regulation (§450-83) to improve the explanatory language, remove redundancy, and recognize the need for site plan review for agribusiness and agritourism uses (which should not require special use permits). As previously noted, the submittal of a required agricultural data statement per NYS Law should also be included in these regulations.



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Section 3 Findings & Recommendations

I. Agricultural Issues and Opportunities

Farmland has and will continue to play an important role in supporting the local economy, as well as helping to maintain the rural character in the Town of Newstead and contributing to long-term food security. However, agricultural lands face increasing pressure from development, changing markets, infrastructure expansion, and evolving environmental conditions. Understanding the challenges confronting farmland today—as well as the opportunities available to address them—is essential for developing an effective and durable farmland protection strategy. By examining the issues and opportunities, this analysis provides a foundation for informed decision-making and helps align farmland protection efforts with broader community goals.

A ***SWOT*** (strengths, weaknesses, opportunities, and threats) Analysis was implemented to investigate the current state of agriculture in the Town of Newstead. *Strengths* and *weaknesses* tend to be those that are internal or influenced from within the Town while *opportunities* and *threats* are typically external factors that affect the community.

Strengths (Internal Assets to Build Upon)

- **Strong agricultural land base and soil quality**
  Nearly 40% of the Town's land area is actively used for agriculture, with a high proportion of soils classified as prime farmland or prime farmland if drained, particularly around the Village of Akron and in contiguous blocks suitable for agricultural production .
- **Deep-rooted agricultural heritage and stewardship ethic**
  Many farms and landholdings are multigenerational, some exceeding 50–100 years, with landowners expressing a strong desire to keep land in agricultural use and rent their lands to responsible local farmers.
- **Broad participation in agricultural districts and tax programs**
  A high number of parcels receive agricultural tax exemptions, and participation in Erie County Agricultural Districts remains strong, helping limit regulatory burden and preserve farmland in production.
- **Generally supportive zoning framework**
  The majority of the Town is zoned Rural-Agricultural (R-A), and survey respondents rated farm friendliness as average to above average, with the Town's Right-to-Farm recognition frequently cited as a positive.

- **Diversified agricultural operations**
  Farmers engage in a range of activities including grains, hay/straw production, horticulture, apiary practices, animal feed production, and niche enterprises, helping buffer against market volatility.

Weaknesses (Internal Challenges and Gaps)

- **Aging farmer population and limited succession planning**
  Current farmers are getting older and many report having no formal succession plan in place, creating vulnerability to land conversion should ownership change in the future.
- **Economic fragility of farm operations**
  Many farms generate modest annual sales (often under $50,000), and a majority do not rely on agriculture as their primary source of household income, limiting reinvestment capacity.
- **Limited market diversification and underutilized business models**
  Very few farms currently engage in agricultural tourism, community supported agriculture (CSAs), or direct-to-consumer value-added enterprises, despite expressed interest in diversification, relying on traditional agricultural practices.
- **Dependence on rented land with informal agreements**
  A significant amount of farmland is rented or leased—often under verbal agreements—creating uncertainty for farmers and limiting long-term land stewardship investments.
- **Regulatory friction in practice**
  While generally supportive, zoning and land use regulations present barriers with respect to permitting complexity, subdivision review and approval, parcel size requirements, and farm building approvals.

Opportunities (External or Emerging Positive Trends to Leverage)

- **High community support for farmland protection tools**
  There is community support for establishing conservation easements, pursuing a purchase of development rights (PDR) program, green space acquisition, and land grant programs as a means to permanently protect farmland.
- **Policy and funding alignment at county, regional, and state levels**
  Existing plans (Erie County, WNY REDC, One Region Forward, NYSDAM) prioritize agriculture, farmland protection, local food systems, and climate resilience—creating opportunities to leverage grants and partnerships.

- **Growing interest in education, outreach, and youth engagement**
  Survey respondents emphasize the need for agricultural education, school-based career pathways, apprenticeships, and beginning farmer support to strengthen and rebuild the local farm workforce.
- **Innovative farming practices and compatible energy solutions**
  Farmers expressed interest in other agricultural-related ventures, new crop types, conservation practices, and alternative energy projects that complement—not replace—farming operations, i.e., poor soils or low-producing lands.
- **Improved coordination and governance**
  Establishing an Agricultural Advisory Board and strengthening farm-friendly zoning provisions present opportunities to better integrate agriculture into local decision-making.

Threats (External Pressures and Risks)

- **Residential development and subdivision pressure**
  Both small and large-scale residential subdivisions are consistently identified as the most significant threat to farmland, contributing to fragmentation and loss of farmland, and conflicts between farmers and neighboring land owners.
- **Large-scale commercial solar development**
  Solar farms are widely viewed as a critical threat when sited on prime agricultural soils, particularly given proximity to transmission infrastructure.
- **Rising land values and property taxes**
  Increasing land prices and ongoing tax pressures incentivize conversion of farmland to non-agricultural uses, especially when farms lack successors.
- **Infrastructure expansion and sprawl**
  Extensions of water, sewer, and utility services —while beneficial for farming in some cases, such actions increase development pressure and can accelerate conversion of farmland for non-agricultural use and development.
- **Declining public understanding of farming realities**
  Moderate to low levels of public awareness about agriculture contribute to complaints, opposition to farming practices, and resistance to protective land use policies.

II. KEY FINDINGS

The development of this Ag Plan is based not only on an analysis of geographic, demographic, and natural resource conditions and trends, but also on farmer, landowner, and stakeholder feedback, as well as general community input. The feedback received from these groups provided the foundation for a development of agricultural protection strategies moving forward. Several notable findings were identified, as highlighted below (in no particular order).

- Most respondents consider farmland loss a key problem in the Town of Newstead, with strong support for land protection.
- Residential subdivisions, and utility expansions that encourage them, as well as solar farm (utility-scale) development, are noted as the key threats to agriculture.
- Education, information, and increased awareness remain key for farmers, landowners, and neighbors alike.
- Local regulations, while supportive, should be reviewed and modified where appropriate to ensure that they encourage commercial agricultural operations, including value-added or supportive operations.
- Generational farms are prevalent in Newstead, indicating a long family heritage and long relationships within the Town.
- Lack of markets nearby or closure of some continue to impact farm operations.
- While there is some use of mechanisms for land conservation, it is minimal due to a gap in knowledge, awareness, or resources for it.

Farmland Protection Tools: What's the Difference?

Conservation Easements

A voluntary legal agreement placed on a property that permanently restricts development to protect agricultural use. The land remains privately owned and farmed, but future non-agricultural development is limited or prohibited as the easement is permanent and runs with the land. Easements may be donated or purchased and are typically held by a land trust or government entity.

Purchase of Development Rights (PDR)

A voluntary program in which a landowner is compensated for selling the right to develop their land. After the sale, a conservation easement is placed on the farmland, ensuring it remains available for agricultural use in perpetuity while the owner retains ownership and can continue farming. Funding to support PDR programs can come from grant programs, dedicated local revenue streams, or private/nonprofit entities, among other sources.

Transfer of Development Rights (TDR)

A market-based tool that allows development potential to be shifted from farmland or other desired preservation areas ("sending areas") to locations designated for higher density development ("receiving areas"). A municipality designates sending and receiving areas along with establishing limitations on density, but the transaction itself is between a landowner and a developer. The farmland is protected through easements or other legal means, while growth is redirected to more suitable locations where infrastructure exists to support it. This is setup and administered through local laws, though a County may provide some assistance.

III. Vision & Goals for Newstead

Agriculture has been and remains a foundational land use and cultural asset in the Town of Newstead. Through the establishment of implementable goals as part of this Ag Plan, the Town can work towards encouraging new agricultural ventures, promoting existing farming operations, and helping to establish pathways for land conservation. Likewise, farmers and property owners can utilize this document to learn and become more aware of resources and opportunities that may exist. This section outlines the long-term vision and subsequent goals to be implemented to achieve agricultural protection as it specifically relates to the Newstead agricultural community.

The Town of Newstead is committed to the preservation, conservation, and continued improvement of agricultural lands and operations that support both the local and regional economy. Through coordinated land use planning, farm-friendly regulations, incentive programs, and strategic farmland protection tools, the Town will encourage agricultural lands to remain in active production while accommodating appropriate growth. This vision recognizes agriculture as a foundational land use and economic asset, supporting working farms, protecting productive soils, reducing land use conflicts, and ensuring that farming remains economically viable and environmentally sustainable for current and future generations.

Goals

#1 - Protect working farmland and limit incompatible development

Strengthen land use policies that prioritize the long-term protection of active farmland, particularly prime soils, by: limiting residential subdivision and large-scale commercial solar development in agricultural areas; reinforcing Right-to-Farm protections; and expanding voluntary tools such as conservation easements and purchase of development rights that farmers and landowners strongly support.

#2 - Reduce financial pressure on farms to sustain multigenerational operations

Advocate for and promote agricultural tax relief programs, expand awareness of existing tax exemptions and credits, and explore local policy tools that reduce property tax burdens, recognizing that tax pressure is one of the most consistent barriers to keeping land in agricultural use.

#3 - Support farm viability through diversification and innovation

Update zoning and other land use regulations and policies to allow and encourage on-farm diversification, such as agritourism, value-added processing, farm stands, silvopasture, and alternative energy uses that complement farming, to address the underutilized opportunities identified in the survey and help farms adapt to changing market conditions.

#4 - Address land access, succession, and an aging farm population

Develop strategies to support land succession, encourage landowners to continue leasing to local farmers, and make it easier for new and young farmers to enter into agriculture through education, mentorship, and partnerships with extension services, responding to widespread concerns about aging farm operators and the shrinking farm workforce.

#5 - Improve infrastructure, services, and regulatory clarity for farmers

Coordinate with county and regional partners to maintain rural roads and drainage, and to strengthen broadband service, which are all important for farming, while simplifying zoning and permitting processes that farmers identified as cumbersome, including rules related to farm buildings, parcel size, and home-based agricultural businesses.

#6 - Promote agriculture as a core part of the Town of Newstead's identity and economy

Increase public understanding and support for agriculture through community outreach, school-based agricultural programs, and promotion of local farm products, recognizing that stronger awareness can reduce conflicts and reinforce farming as a defining feature of the Town's character. Recent investments in anchor institutions, such as Kreher Family Farms, highlight the economic importance of agriculture in Newstead and the region.

Together, these goals reflect what farmers and landowners in the Town of Newstead explicitly asked for - protecting land, easing financial strain, limiting incompatible development, and ensuring that agriculture remains viable, visible, and valued well into the future.

IV. Priority Agriculture Analysis

In order to focus agricultural preservation and protection efforts, those lands that are considered to be of "higher value" should be identified in order to support continued farming operations and retain a more expansive "critical mass" of working lands in Newstead. Development pressure and/or land conversion fluctuates with the market, especially with respect to residential development and renewable energy, but may likely result in other forms of development, such as battery storage. Identifying those agricultural lands that are of higher value in the Town of Newstead provides a foundation upon which the community, both at-large and the farmers themselves, can point back to as being a valuable resource.

From here, incentive zoning, regulated development, conservation easements, or other measures could be targeted to these areas. However, not all agricultural lands are created equal with some being better suited for crops or livestock or having physical attributes restricting their use, i.e. wetlands or steep slopes.

A rating system was developed as part of this Ag Plan to assist the Town and local farmers in determining where these "higher value" lands are found, since it is an important goal to preserve lands that have the highest chance of being agriculturally productive long into the future. Using the criteria shown in **Figure 10**, parcels were rated using a GIS-based mapping application.

Rating Category	Criteria	Rating Points
Property Size	More than 200 acres	10
	151-200 acres	8
	101-150 acres	6
	51-100 acres	4
	Up to 50 acres	2
Property Class	Property Class codes 100-100 (agricultural), 321 (abandoned agricultural lands), 240 (rural residential with acreage), & 241 (rural residential also used in agricultural production)	10
Soils	Prime, Prime if Drained or Statewide and Mineral Soil Groups 1-4	10
	Prime, Prime if Drained or Statewide only	6
	Mineral Soil Groups 1-4 only	4
Farm Incentive	Agricultural exemption received **and** located within a County Agricultural District	10
	Agricultural exemption received **or** located within a County Agricultural District	5

Figure 10 – Agricultural Priority rating system for the Town of Newstead

Map 12 on page 3-10 highlights the lands within the Town that are considered to have a "higher value" based on the above criteria, current (2025) parcel data and resource information. This analysis should be viewed as a steppingstone to further assess farmland as needed and on a case-by-case basis for future farmland protection/preservation actions. In a tandem effort as part of the 2025 Erie County Agricultural and Farmland Protection Plan update, Erie County undertook a similar rating exercise that identified higher value farmlands that could be considered for future protection or conservation, as shown in **Figure 11** on the following page.

While the County's rating system varied slightly from the one outlined above, only taking into account active farmland and the percentage of soils classified as prime or of Statewide importance, the outcome generally identifies the same areas of higher value land within the Town of Newstead.

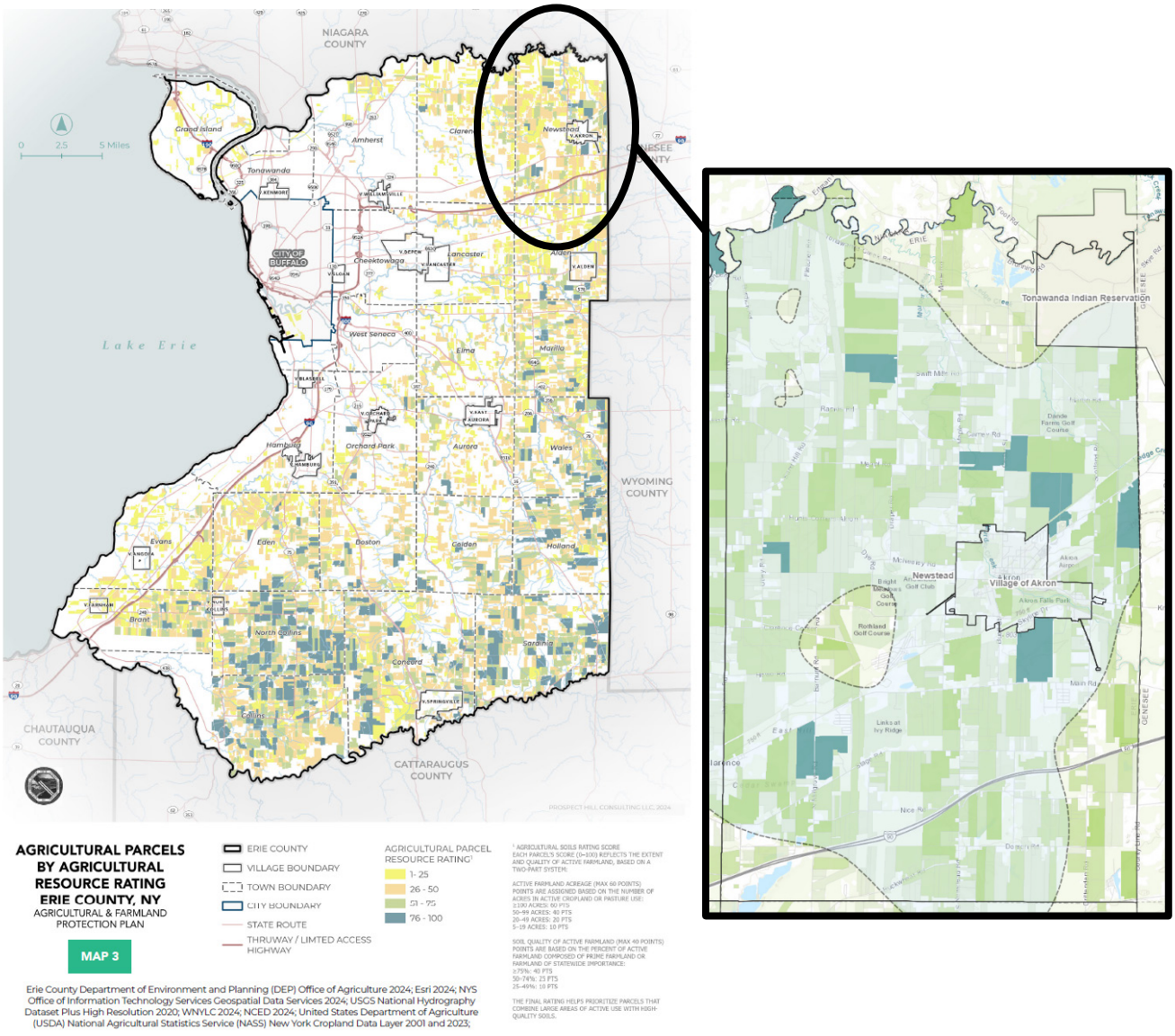
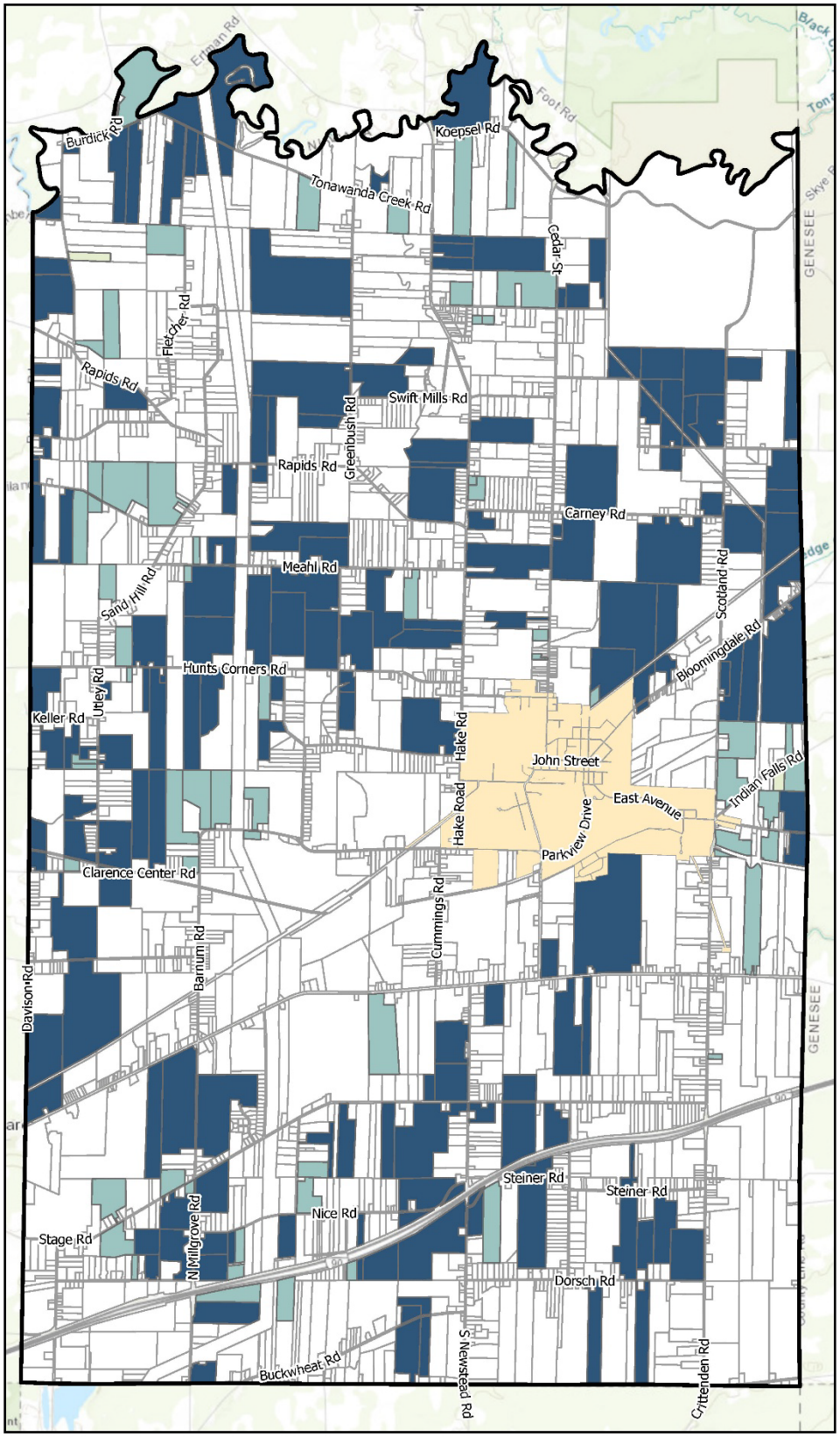


Figure 11 - The excerpt above is from the County's Plan and shows the extent countywide of high value agricultural lands. The detail at right is from the online mapper that mirrors the Plan, zoomed in on the Town of Newstead. Higher value lands are shown in darker colors with higher density cluster areas more generally identified in the dotted portion.



TOWN OF NEWSTEAD
Agricultural & Farmland Protection Plan

Map 12
Vision Map/
Farmland Protection Areas

Legend

Agricultural Rating

- 0 - 25
- 25 - 30
- 30 - 40

Rating Category	Criteria	Rating Points
Property Size	More than 200 acres	10
	151-200 acres	8
	101-150 acres	6
	51-100 acres	4
	Up to 50 acres	2
Property Class	Property Class codes 100-100 (agricultural), 321 (abandoned agricultural lands), 240 (rural residential with acreage), & 241 (rural residential also used in agricultural production)	10
Soils	Prime, Prime if Drained or Statewide and Mineral Soil Groups 1-4	10
	Prime, Prime if Drained or Statewide only	6
	Mineral Soil Groups 1-4 only	4
Farm Incentive	Agricultural exemption received **and** located within a County Agricultural District	10
	Agricultural exemption received **or** located within a County Agricultural District	5

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V. RECOMMENDATIONS AND STRATEGIES

The following farmland protection recommendations were created based on the data analysis and findings, as well as the input received from local farmers and the Advisory Committee during development of this Ag Plan. These recommendations cover various avenues for implementation, whether they are regulatory, policy-driven, marketing/tourism based, educational, etc. While they provide a broad range of options for preserving and promoting agriculture in the Town of Newstead, true success will depend on committed stakeholders (farmers and landowners alike), an informed community, partnerships, and continued support from elected officials. These recommendations and their letter/numbering designations are consolidated and further prioritized in Section 4.

A. Strengthen Farmland Protection Tools

To address the primary threats facing agriculture in Newstead, particularly residential development and the siting of large-scale solar facilities on agricultural lands, the Town should pursue a combination of regulatory and financial strategies to protect farmland and agricultural resources. Some of these strategies can be implemented through zoning and land use policy revisions, while others will require financial investment and coordination with external partners.

Financial preservation efforts could include working with local land trusts and conservation organizations to secure conservation easements or purchase development rights on agricultural properties; state, federal, or private funding may be pursued to support these initiatives. The development of this Agricultural and Farmland Protection Plan may also strengthen future funding applications, as many grant programs require documentation demonstrating local agricultural conditions, identified threats, and community-supported preservation goals.

In addition, the Town may wish to explore establishing a dedicated farmland preservation fund, subject to consultation with the Town Attorney. Such a fund could help support the acquisition of conservation easements or development rights, thereby reducing the conversion of productive agricultural land to non-agricultural uses and helping to ensure the long-term viability of farming in Newstead. Such a program was developed in the neighboring Town of Clarence (Greenprint Program) subject to local support and a referendum.

Another such mechanism that differs slightly from the above is “Transfer of Development Rights” or TDR. This method of land conservation involves a private transaction between a landowner and developer and does not involve public funds. It on local zoning regulations that set up the “sending” and “receiving” areas within the Town, as well as a formula or

standards that outline how the development rights are determined and allocated. A traditional TDR program involves the negotiation and purchase of lands to be conserved (typically through deed restrictions/easements) based on market valuation for allowing increased development rights elsewhere (density). Another version involves establishing an intermediate fund where fees associated with development rights in the receiving area are held to be used to purchase development rights in sending areas, thereby acting as a "broker" providing more flexibility within the Town. Each program has advantages and disadvantages, but remain voluntary for all parties involved. A few communities have active TDR programs, including the Towns of Southhampton and Riverhead (Suffolk County), though several others have explored this program or have a framework in place. The Town of Canandaigua (Ontario County) is a more local example of this.

Farmland protection actions include:

I. Establishment of a local Farmland Protection Program utilizing the information in this document as a primary guide.

II. Research and consider the development of a Purchase of Development Rights (PDR) program, partnering with the County and State for logistics and financial support.



Protected farmland in Livingston County (Town of Leicester) is actively marketed and highlighted. Copyright: North Street Studios

III. Promote and facilitate Conservation Easements through local outreach and technical assistance, which may be available through entities such as Cornell Cooperative Extension or the Erie County Soil and Water District).

IV. Explore a Transfer of Development Rights program (TDR) through the identification of "sending areas" (farmland to be preserved) and "receiving areas" (the Village of Akron, hamlets and adjacent corridors with infrastructure where higher density development would be permitted).

V. Evaluate the potential for a local protection program similar to the *Clarence Greenprint Program*, funded through a municipal bond, as part development mitigation through SEQRA, or other mechanism(s) to proactively purchase development rights and preserve high-quality farmland in Newstead. In the two examples provided, financing through a bond would require additional financial analysis, including local tax impacts, and be subject to a local referendum, while development mitigation would be on a case-by-case basis and be narrowly focused. With any program, rating criteria that builds off the information provided in this Ag Plan would need to be developed.

B. Update Zoning and Other Land Use Regulations to Be More Farm-Friendly

As noted, an analysis of the Town's current zoning regulations was conducted to determine the level of "farm friendliness" or how supportive these regulations are for promoting and protecting continued agricultural operations. Changes in zoning will not guarantee that farmers will not sell or develop their land, but they can ease the burden on residential or commercial encroachment and help to ensure that valuable agricultural land is conserved. While Section 305-A of NYS Agriculture and Market Law, which regulates Agricultural Districts, allows the State Department of Agriculture and Markets to review local laws on request to determine if they are unreasonably restrictive of farms operating in agricultural districts, this process is often unintentionally overlooked or underutilized by local municipalities and/or members of the farming community. As such, the Town of Newstead should seek review assistance from the NYSDAM and revise the zoning provisions to ensure greater flexibility in accommodating the needs of farmers and agricultural businesses.

Zoning recommendations should consider the following:

I. Amend Zoning Code to allow "non-traditional" agriculture, such as agribusiness, agritourism, and value-added uses by right, including applicable standards.

II. Replace the need for special use permits with site plan review only for most agricultural uses.

III. Specifically add Agricultural Data Statement requirements to the regulations for subdivision, rezoning, site plan review, special permit actions.

IV. Expand cluster subdivision regulations to require conservation subdivision design in areas with valuable farmland.

V. Reduce restrictive provisions including lot size requirements that are tied to farming or overly burdensome permitting requirements.

C. Manage Development Pressure and Land Use Conflicts



Building off of the protection tools, avenues for managing development pressure and potential land use conflicts from non-agricultural conversions is equally important. One of the key threats to farmland in Newstead, and many other communities adjacent to urban centers, is residential encroachment. Large-scale solar development has also been a prevalent and growing threat as well with other utility-supporting facilities on the horizon, i.e., battery storage, and other large land uses such as data centers. Land use regulations are the key mechanism for proper siting and development of any non-agricultural use while balancing the land-holding/financial interests of the farmer.

Actions include:

I. Considering the adoption of a dedicated Farmland Protection Overlay District
II. Limiting subdivision density on prime farm soils
III. Implementing conservation subdivision standards, such as requiring clustering away from active farmland
IV. Establishing a non-agricultural siting policy that prohibits or strongly limits utility-scale facilities (solar or battery storage) or data centers in priority agricultural areas in Newstead
V. Encourage solar development on marginal lands, brownfields, etc.
VI. Require agricultural buffers and disclosure statements for new residential near farms

Farmland Development Pressure

One of the most significant issues impacting farmland today is the conversion of lands from active operations (e.g., pasture, commodity/cash crops, specialty crops) to large solar facilities, commonly referred to as "solar farms." These facilities typically encompass 25-30 acres for systems that generate 5 MW (DC) of power which are commonly connected to and feed into the larger utility grid. Facilities of this size up to 25 MW are regulated at the local level, though projects between 20-25MW have the option to utilize the State siting and regulations set forth in Executive Law Section 94c (25 MW and up are required).

While this continues to be a hot topic in rural communities such as Newstead today, other land-intensive uses are on the horizon including battery storage systems and data centers. The former is slightly less land intensive compared to solar systems as they are more compact depending on the overall size of the system proposed. Additionally, they are not exclusive to solar systems but rather buffer and balance the electricity that is generated and supplied to the electric grid from various sources to make it available during lower production periods that accompany renewable energy. State fire and electric codes (Uniform Code) cover most of the critical aspects of these systems while local regulations should address location, setbacks, visual impacts, emergency response protocols, and decommissioning in a similar vein to solar systems.

Data centers are still in their infancy in New York as of the development of this Plan, but Newstead should be proactive in addressing the need to protect and preserve open, working lands. At a minimum, the Town should specifically define this land use, require detailed environmental review of proposed actions to evaluate potential water and electrical use requirements among other potential impacts, determine the level of permissibility (require special use approval with conditions at a minimum) and location, ensure adequate setbacks/heights, and outline buffering standards .

Achieving a balance between protecting farmland, preserving local community character, providing farmers with the ability to diversify their operations, and gain a return on their largest investment (land) can be a challenge. For the above uses and any others, local regulations should focus on proper siting techniques that retain active agricultural operations and utilize lower quality soils, use construction best practices to protect soil health, and develop and maintain comprehensive decommissioning plans.

Farmland Development Pressure, cont'd

Mitigation measures resulting from the removal of agricultural lands should be identified early on and maintained throughout; agrivoltaics or dual-use facilities should be encouraged (or required) as a means to continue farming pursuits. Resources such as American Farmland Trust's Smart Solar SM principles, among others, should be reviewed as local regulations are updated.



Sheep graze under a tracking solar panel system at J&R Pierce Family Farm in West Chazy, NY in Clinton County.

Full story here: https://www.northcountrypublicradio.org/news/story/52898/20260312/how-solar-grazing-was-the-path-to-sustainability-for-these-west-chazy-farmers

Photo source: North Country Public Radio, Amy Feiereisel (03/12/26); J&R Pierce Family Farm, Rebekah Pierce

D. Reduce Financial Pressure on Farms

A farmer's land is their largest investment and potential source of retirement funds. Reducing financial pressure on farms and farmers includes a mix of local and upper level (County and/or State) actions that can help to strengthen profitability, stabilize income, and lower both operating and regulatory costs. Key strategies include improving access to agricultural tax exemptions and credits, exploring options to reduce property tax burdens on active farmland, and easing local permitting for farm-related structures and uses. Together, these tools can help ensure that farms remain economically viable while continuing to contribute to the local economy and rural character.

Financial actions include:

I. Expanding awareness of agricultural assessment programs, farm building exemptions, and NYS tax credits.

II. Advocate for lower assessment rates for farmland and expanded local exemptions.

III. Restructure permit fees or review timeframes for farm-related uses.

IV. Help develop model lease templates to reduce reliance on verbal leases.

E. Support Farm Viability and Diversification

Supporting farm viability and encouraging diversification requires targeted actions that can help farmers strengthen revenue streams, reduce reliance on single commodities, and tap into underutilized and emerging market opportunities. This includes expanding access to value-added production, direct-to-consumer sales, and niche markets such as specialty crops, local food systems, and agritourism. Encouraging partnerships between farmers, local businesses, processors, and institutions can open new supply chains and distribution channels, while technical assistance and marketing support can help farms adapt to changing consumer demand. By fostering innovation, collaboration, and market development, these efforts enable farms to remain competitive, resilient, and economically sustainable over the long term.

Actions include:

I. Promote underutilized and other agricultural operations and opportunities that build off "traditional" practices including agritourism, direct-to-consumer sales, and value-added processing.

II. Consider the development of a local agriculture marketing program (e.g., "Buy Newstead" branding) that ties into WNY regional branding goals.

III. Support and encourage the use of farm stands.

IV. Partner with Cornell Cooperative Extension (CCE) for technical assistance with new crop and agricultural innovation programs.

F. Expand Awareness of Resources

There are numerous agricultural resources and programs that is readily available to farmers, much of which exists outside of the Town. While the Town does not have to be sole caretaker of this information, it can help to ensure that this information is easily available for local farmers, new, young and old alike, by posting it along with this Ag Plan on their website and utilizing other means (such as the local press and the Advisory Committee) for promotion and awareness. A compiled list of the various resources, programs and agencies is found in Appendix D. This list provides general sources of information on estate and transition planning, farm operations and planning, finances and tax relief, Agricultural Environmental Management (AEM) planning and climate resiliency, programs for new and young farmers, organic farming, and urban farming, among other things.

Resource recommendations for expanding awareness of available resources include:

I. Consider the creation of an online "resource hub" with links or contacts to various agriculturally related support programs, ensuring that local farmers are aware of it and can readily access it.

II. Utilize educational resources that are available (see Appendix) to provide information for homeowners about farming, the right to farm in the Town, and how to be a "good neighbor" in an effort to reduce potential conflicts. See also recommendation II under section I on page 3-20.

III. Work with entities such as the American Farmland Trust, Erie County, Cornell Cooperative Extension, NY Farm Bureau and others to help distribute and educate farmers on successional planning.

IV. Build off the data that was gathered as part of this Ag Plan to compile a database of various resources (see Appendix) that are available in the area for farmers, especially new and young farmers, to help them with farm activities and other aspects of their operations.

G. Improve Infrastructure Supporting Agriculture

Individual farmers are responsible for their own facilities and infrastructure to maintain their operations, but there are various public entities and services that can impact their business operations including public water, sewer, fiber optic/broadband, and roadways, among other things. While these services are typically viewed as encouraging or supportive of development and conversion of farmland, they are also necessary resources for viable farming operations, such as, but not limited to:

- Water for processing, irrigation, or livestock hydration;
- Roadways with sufficient shoulder width to accommodate larger tractors and implements;
- Telecommunications for online sales or ordering of supplies;
- Operation of automation equipment; and
- Natural gas for crop drying and other farming needs.

It is important to note that not all infrastructure is under the jurisdiction of the Town, as the County and State have authority over various roadways, services and lands, as well as private companies for utilities. Coordinating efforts among the different agencies and entities is critical for assisting local farmers with marketing, processing, storage, and other related needs and activities. This is important to ensure that can more effectively conduct day-to-day operations and kept aware of issues and opportunities.

Actions for improving infrastructure include:

I. Ensure that local roads have adequate shoulder width to provide space for larger farm equipment and other slow-moving vehicles to safely travel on to avoid conflicts with other vehicles. The Town should also communicate this need to County and State agencies when road improvements are undertaken on roads under their jurisdication.

II. Identify and maintain drainage corridors, especially those that are adjacent to active farm fields.

III. Manage infrastructure expansion and strategically plan future endeavors in accordance with the policies and recommendations of this Ag Plan to avoid inducing sprawl in prime agricultural areas.

IV. Expand and/or advocate for improved broadband access to help improve local farm operations and businesses.

V. Continue to coordinate with Erie County and other stakeholders on expanding opportunities for local processing facilities, as well as cold storage.

H. Strengthen Governance and Coordination

Implementation of these strategies requires a long-term commitment from dedicated and knowledgeable members of the community; a highly recommended strategy is the creation of an Agricultural Advisory Board or Committee to assist with this action. Created by the Town Board, members of this Committee would be appointed to serve a select number of years and tasked with implementing the recommendations outlined in this Ag Plan. In addition, this Advisory Board would be responsible for advising the Town Board, Planning Board, and Zoning Board of Appeals on agricultural-related matters. This may include proposed land use regulations, infrastructure projects (e.g., water and sewer services, etc.), and proposed developments. While the Committee would provide the necessary commitment and continuity, additional support and/or partnership opportunities for the Agricultural Advisory Committee should include Erie County, Cornell Cooperative Extension, Farm Bureau, American Farmland Trust, and others.

Actions include:

I. Establish a dedicated Agricultural Advisory Board/Committee to aid in the implementation of this Ag Plan, as well as to provide a conduit between the farming community and the Town.

II. Ensure that farmers are adequately represented on this Committee and other local boards and committees.

III. Conduct an annual review of implementation and other Committee actions and prepare an annual Agricultural Plan progress report.

I. Expand Education and Public Outreach

This entails various avenues for education both farmers and non-farmers, ensuring that there is a good understanding of what farming entails and its contribution to the community. Farm operations and activities happen at various times of the day or season and are not subject to a typical "9 to 5" business day. As such, the Town can provide educational resources or connections to other entities that provide such resources, so that farmers and non-farmers can remain good neighbors and be supportive of each other. This also includes connections to local businesses and schools for opportunities to create or expand the use or sale of locally grown products.

Additionally, while Planning and Zoning Board members are required to obtain a minimum number of hours each year on land use issues (per NYS Town Law), it is recommended that a portion of those hours be related to agriculture and related topics to ensure adequate knowledge and awareness exists. Though other Boards do not have the same requirements, it is encouraged that other board or committee members attend these training sessions as well, many of which are offered online and free/low-cost.

Actions include:

I. Post the Ag Plan on the Town website and distribute it to relevant Boards and committees to ensure members are adequately exposed to, aware of, and can assist with implementation measures.
II. Develop a webpage on the Town's website devoted to agriculture in the Town. This page could include a link to the Ag Plan along with other resources and information helpful to local farmers, residents and others. This webpage should be maintained by the Agricultural Advisory Committee to make sure it is kept up to date.
III. Ensure that notice requirements contained within the NYS Agricultural Districts Law (i.e., agricultural data statements) are included within planning review procedures and other land use regulations.
IV. Work with local realtors to make sure that they are informing prospective homebuyers about active farm operations and the right to farm policies in Newstead and the Town's position on farmland protection, utilizing resources noted above.
V. Ensure that "Right to Farm Community" signs are visibly posted in the Town for additional community awareness.
VI. Use the Agricultural Advisory Board/Committee to help mitigate conflicts and disputes between farmers and non-farm residents (conflict resolution board).

VII. Encourage all Board and Committee members, especially non-farmers, to become better educated on agricultural land use issues through available webinars, conferences, seminars, etc.

VIII. Encourage youth interest in agriculture through 4-H activities, fairs, school programs, community events, etc.

IX. Work with the Akron Central School District to introduce farming related and climate resiliency programs as part of their curriculum to educate and spur interest among students.

X. Work with Erie County and other regional entities to maintain listings of active farms open to the public.

Section 4 Implementation Overview

I. Recommendation Matrix

This implementation overview provides a "one stop shop" of the recommendations outlined in Section 3 to help prioritize, schedule, and identify potential actions and partners to help with implementation. The **timeframes** noted (short, long, ongoing) are not intended to outline when an action needs to be started or finished, but rather to give an idea as to when each action should be carried out and the level of effort it might take to be accomplished. Depending on funding, human capital, time, partnerships, and other variables, some actions may take longer to carry out.

The **partner entities** for implementation of the Ag Plan include Town boards and committees, local organizations, state and county agencies, and stakeholder groups and organizations that have the potential to influence an action through funding, review, permitting, technical assistance, etc. The following list may not include all those that could be involved but gives an idea to who should initially be "invited to the table" to coordinate efforts:

Town Board (TB)	Planning Board (PB)	Agricultural Advisory Cmte. (AAC)
Other local Boards and Committees (LBC)	NYS Agricultural and Markets (AGM)	Erie County Dept. of Environment and Planning (ECDEP)
Cornell Cooperative Extension (CCE)	Erie County Soil and Water Conservation District (ECSW)	WNY Land Conservancy (WNYLC)
NYS Taxation and Finance (NYS TF)	WNY Stormwater Coalition (WNYSC)	Natural Resources Conservation Service (NRCS)
Erie County Farm Bureau (FB)	US Dept. of Agriculture (USDA)	American Farmland Trust (AFT)
NYS Department of Transportation (NYSDOT)	Erie County Department of Public Works (ECDPW)	Akron Central School District (ACSD)
Cornell University Small Farms Program (CUSFP)		

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
1. Establish a local Farmland Protection Program utilizing the information in this document as a primary guide. (A.I)	X			TB, AAC, ECDEP

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
2. Research and consider the development of a Purchase of Development Rights (PDR) program, partnering with the County and State for logistics and financial support. (A.II)		X		TB, AAC, LBC, AGM, ECDEP
3. Promote and facilitate Conservation Easements through local outreach and technical assistance (may be available through entities such as Cornell Cooperative Extension or the County Soil and Water District). (A.III)		X	X	TB, WNYLC, AFT, CCE, ECSW
4. Explore a Transfer of Development Rights (TDR) program through the identification of "sending areas" (open farmland) and "receiving areas" (Village of Akron, hamlets, and adjacent corridors with available infrastructure, etc.). (A.IV)		X		TB, AAC, LBC, AGM, ECDEP
5. Evaluate the potential for a local protection program to proactively purchase development rights and preserve high-quality farmland in Newstead. (A.V)		X		TB, AGM, ECDEP, NYS TF

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
6. Amend the Zoning Code to allow "non-traditional" agriculture practices, such as agribusiness, agritourism, and value-added uses by right, including applicable standards. (B.I)	X			TB, PB
7. Replace the need for special use permits with site plan review only for most agricultural uses. (B.II)	X			TB
8. Specifically add requirements for completion of Agricultural Data Statement to the regulations for subdivision, rezoning, site plan, special permits. (B.III)	X			TB, PB
9. Expand the cluster subdivision regulations to require conservation subdivision design in areas with valuable farmland. (B.IV)	X			TB
10. Reduce restrictive provisions including lot size requirements tied to farming or overly burdensome permitting (B.V)	X			TB
11. Consider the adoption of a dedicated Farmland Protection Zoning Overlay District (C.I)		X		TB, PB, LBC

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
12. Limit the density subdivision development on prime farm soils and other areas with valuable farmland. (C.II)	X			TB
13. Implement conservation subdivision standards that require the clustering of homes away from active farmland. (C.III)		X		TB
14. Establish a non-agricultural siting policy that prohibits or strongly limits utility-scale energy facilities (solar or battery storage) or data centers in priority agricultural areas in Newstead. (C.IV)	X			TB, PB
15. Encourage solar development on marginal lands, brownfields, etc. to protect areas of valuable farmland. (C.V)	X			TB, PB, LBC, AAC
16. Require agricultural buffers and disclosure statements for new residential development near farms. (C.VI)		X		TB, PB
17. Expand awareness of agricultural assessment programs, farm building exemptions, and NYS tax credits. (D.I)		X	X	TB, AAC, LBC, ECSW, FB

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
18. Advocate for lower assessment rates for farmland and expanded local exemptions. (D.II)		X		TB, FB, AFT
19. Restructure permit fees or review the timeframes for the review and approval of farm-related uses. (D.III)		X		TB
20. Help develop model lease agreement templates for rented farmland to reduce reliance on verbal lease agreements. (D.IV)		X	X	TB, PB, AAC, LBC
21. Promote underutilized and other agricultural operations that build off "traditional" farm practices including agritourism, direct-to-consumer sales, and value-added processing. (E.I)		X	X	AAC, LBC, ECDEP, CCE, FB
22. Consider the development of a local agriculture marketing program (e.g., "Buy Newstead" branding) that ties into WNY regional branding goals. (E.II)		X		LBC, ECDEP, CCE, FB, AAC
23. Support and encourage the use of farm stands for the sale of local farm products. (E.III)	X		X	TB, PB, AAC, ECDEP

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
24. Partner with Cornell Cooperative Extension (CCE) to help farmers with new crop and innovation programs. (E.IV)		X	X	AAC, TB, CCE, USDA, NRCS, FB, CUSFP
25. Consider the creation of an online "resource hub" that provides links or contacts to various agriculturally-related support services, ensuring that local farmers are aware of these services. (F.I)		X	X	TB, LBC, CCE, ECDEP, FB, AFT, WNYSC, ECSW
26. Utilize available educational resources to provide information to homeowners about farming, the right to farm in the Town, and how to be a "good neighbor." (F.II)		X	X	ECSW, CCE, AAC, WNYSC
27. Work with entities such as the American Farmland Trust, Erie County, Cornell Cooperative Extension, the NY Farm Bureau and others to help distribute and educate farmers on estate and successional planning. (F.III)		X	X	TB, LBC, CCE, ECDEP, FB, AFT, WNYSC, ECSW, CUSFP

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
28. Build off data that was collected as part of this Ag Plan to compile a database for various services that are available in the area for farmers, especially new and young farmers that might not be aware of such information and resources. (F.IV)		X	X	TB, LBC, CCE, ECDEP, FB, AFT, WNYSC, ECSW, CUSFP
29. Ensure that local roads have adequate shoulder width to provide space sufficient for larger farm equipment and other slow-moving vehicles to safely travel on to avoid conflicts with other vehicles. The Town should also communicate this need to County and State agencies when road improvements are planned and undertaken. (G.I)		X		TB, ECDPW, NYSDOT
30. Identify and maintain drainage corridors especially those that are adjacent to farm fields. (G.II)		X	X	TB, ECDPW, ECSW, NYSDOT
31. Coordinate infrastructure expansion in accordance with the policies and recommendations of this Ag Plan to strategically avoid inducing sprawl in prime agricultural areas. (G.III)		X	X	TB, ECDPW, NYSDOT

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
32. Expand and/or advocate for broadband access to support farm businesses and operations. (G.IV)		X		TB, FB, AFT, ECDEP
33. Continue to coordinate with Erie County and other stakeholders on expanding opportunities for local processing facilities, as well as cold storage (G.V)		X		TB, ECDEP, CCE, AAC
34. Establish a dedicated Agricultural Advisory Board/Committee to aid in the implementation of this Ag Plan as well as to provide a conduit between the farming community and the Town. (H.I)	X			TB
35. Ensure that farmers are adequately represented on other local boards (H.II)	X		X	TB
36. Create an annual review process for the Agricultural Protection Plan and prepare a summary report. (H.III)			X	AAC
37. Post this Ag Plan on the Town's website and distribute copies of the Ag Plan to municipal boards and committees to ensure members are adequately exposed to, aware of, and can assist with implementation measures. (I.I)	X		X	TB

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
38. Develop a webpage on the Town's website devoted to agriculture in the Town. (I.II)	X		X	AAC
39. Ensure that notice requirements contained within the NYS Agricultural Districts Law (i.e., agricultural data statements) are included within development review procedures and other applicable land use regulations. (I.II)			X	PB, LBC
40. Work with local realtors to make sure that they are informing prospective homebuyers about active farm operations and the right to farm policies in Newstead, utilizing resources noted above. (I.III)		X	X	TB, AAC, ECDEP
41. Ensure that "Right to Farm Community" signs are visibly posted in the Town for additional community awareness. (I.IV)	X			TB
42. Use the Agricultural Advisory Board/Committee to help mitigate conflicts and disputes between farmers and non-farm residents (conflict resolution board). (I.V)			X	TB, AAC

Recommended Actions	Short-Term *0-2 years*	Long-Term *3-8 years*	Ongoing Action	Partner Entities
43. Encourage all Board and Committee members, especially non-farmers, to become educated on agricultural land use issues through available webinars, conferences, seminars, and other training resources. (I.VI)			X	TB, AAC, LBC, PB
44. Encourage youth interest in agriculture through 4-H activities, fairs, school programs, community events, etc. (I.VII)		X		TB, AAC, FB, AFT, WNYLC, ECSW, CCE, ACSD
45. Work with the Akron Central School District to introduce farming related and climate resiliency programs into the curriculum. (I.VIII)	X			ACSD, TB, AAC, ECDEP
46. Work with Erie County and other regional entities to maintain listings of active farms open to the public. (I.IX)			X	TB, AAC, FB, AFT, CCE, ECDEP

II. Implementation Strategies

There is no "silver bullet" for protecting farmland, enhancing or diversifying existing farms, or promoting new agricultural operations. Agriculture and the agricultural economy are complex, and influenced by a host of factors, many of which are outside the control of the Town or an individual farmer. The recommendations contained within this Ag Plan were developed based on input received from local farmers and property owners that rent out their lands to support them, and include a broad mix of actions that can be undertaken at various levels.

In order to fully capitalize on this Ag Plan and move from written actions to actual implementation, the following actions and strategies are recommended.

1. Formal adoption/acceptance of the Agricultural and Farmland Protection Plan.
2. Creation of the Agricultural Advisory Committee to aid in implementation of the Ag Plan and to provide a commitment for the local agricultural community.
3. Establish a Town Board liaison to work with the Committee to assist in organization and operation.
4. Share the Ag Plan with the County and other key stakeholders so they are aware of the Town's strategy and can lend assistance where appropriate and needed.
5. Review and revise zoning and other land development regulations based on the recommendations offered within the Ag Plan.
6. Share the resources available within this Ag Plan with the local farming community via the Town website and hard copies located at Town Hall and the local branch library.
7. Notify local realtors and other real estate interests in the community to make them aware of the Town's right to farm program and the preparation of this Ag Plan (advise them of where they can view the Plan). This is important to ensure that real estate agents inform their clientele of the Town's position on agricultural practices, protection and farmland preservation when marketing local homes or vacant lands.
8. Identify future funding opportunities that may be necessary and/or available for implementing the recommendations within the Ag Plan, including land conservation or regulatory updates.
9. Schedule and hold annual progress meetings and prepare reports on achievements that have been accomplished or work related to Ag Plan implementation.