



ERIE COUNTY AGRICULTURAL & FARMLAND PROTECTION BOARD MEETING MINUTES

June 29, 2023 | 6:00 PM

Roycroft Power House | 39 South Grove Street | East Aurora, NY 14052

Board Members in Attendance: Dan Castle, Diane Held, Bryant Zilke, Mark Gaston, Rachel Chrostowski, Scott Bylewski

Staff in Attendance: Sarah Gatti

Guests in Attendance: None

1. Consideration of the January 2023 Meeting Minutes

Mark Gaston (MG) made a motion for APPROVAL, seconded by Dan Castle (DC), and carried by all voting members.

2. Department of Environment and Planning Updates

A. Agricultural Districts

Sarah Gatti (SG) provided an update on the 303-A Agricultural District review period, noting the 30-day public comment period is underway and will be closing on June 30, 2023. SG will provide a full report to the Board ahead of the August meeting.

B. Agriculture and Farmland Protection Plan

The Board provided feedback on the draft Scope of Services, including a request to add language on electric transmission lines and BIPOC farmers.

C. Miscellaneous Updates

DC provided updates on the Municipal and Agricultural Planning grants, noting funding announcements will be made soon. DC also updated the Board on the November Storm fund which will provide grants to agricultural businesses to assist with damages related to the November 2022 winter storm. DC then updated the Board on the Genesee Road Solar Project, noting that the acreage of the project has decreased to approximately 2,200 acres. The Project is still located in one of six

area of high value agricultural land, as identified in the Erie County Agriculture and Farmland Protection Plan, and now surrounds many of the County's Forest Lots.

3. Notices of Intent

A. Procedure

SG briefed the Board on the proposed Notice of Intent (NOI) procedure. The Board generally supported the proposal, proposing minor modifications as follows:

- Enabling SG to draft response letters using a series of approved comments.
- Enabling Chairperson Brett Kreher (BK) to sign off on response letters without full Board approval.

SG will work with the Board to draft standard comments and will place the topic on the August meeting agenda.

In the interim, MG made a motion for APPROVAL of the procedure as currently drafted, seconded by Rachel Chrostowski (RC), and carried by all voting members.

B. Projects

○ 12274 Gowanda State Road, North Collins

RC made a motion for APPROVAL of a response letter, with the comments noted below, seconded by DH, and carried by all voting members:

- The project will result in fragmentation of agricultural lands resulting in smaller, separated farm fields creating farm management challenges.
- If rented by a farmer, the conversion to non-farm use will result in the loss of land available to the renter and may have significant impacts on their farm operation.
- Most impacted soils on the project site are classified as prime, prime if drained, and belong to Mineral Soil Groups 3 and 4. The loss of these productive farm soils represents a significant impact to agricultural resources in the County and conflicts with the Town of North Collins zoning ordinance.
- The cumulative impact of this and the adjacent solar development represent a significant farmland conversion, which may have direct impacts on farm operations and agricultural resources as approximately 116 acres of farmland are removed from production. Furthermore, these cumulative impacts should be considered during Environmental Review, to avoid segmentation of the process.
- The facility should be sited in such a way that minimize impacts to agricultural resources and preserves farmland.

○ 12276 Gowanda State Road, North Collins

RC made a motion for APPROVAL of a response letter, with the comments noted below, seconded by Diane Held (DH), and carried by all voting members:

- The project will result in fragmentation of agricultural lands resulting in smaller, separated farm fields creating farm management challenges.
- If rented by a farmer, the conversion to non-farm use will result in the loss of land available to the renter and may have significant impacts on their farm operation.
- Most impacted soils on the project site are classified as prime if drained and belong to Mineral Soil Group 4. The loss of these productive farm soils represents a significant impact to agricultural resources in the County and conflicts with the Town of North Collins zoning ordinance.
- The cumulative impact of this and the adjacent solar development represent a significant farmland conversion, which may have direct impacts on farm operations and agricultural resources as approximately 116 acres of farmland are removed from production. Furthermore, these cumulative impacts should be considered during Environmental Review, to avoid segmentation of the process.
- The facility should be sited in such a way that minimize impacts to agricultural resources and preserves farmland.

○ **11130 Stolle Road, Marilla**

MG made a motion for APPROVAL of a response letter, with the comments noted below, seconded by RC, and carried by all voting members:

- The project will result in fragmentation of agricultural lands resulting in smaller, separated farm fields creating farm management challenges.
- If rented by a farmer, the conversion to non-farm use will result in the loss of land available to the renter and may have significant impacts on their farm operation.
- Most impacted soils on the project site are classified as prime, prime if drained, and of statewide importance, and belong to Mineral Soil Groups 2, 3 and 4. The loss of these productive farm soils represents a significant impact to agricultural resources in the County.
- The cumulative impact of this and other solar developments in the Town and County represent significant farmland conversion, which may have direct impacts on farm operations and agricultural resources as approximately 37 acres of farmland are removed from production.
- The facility should be sited in such a way that minimize impacts to agricultural resources and preserves farmland.

○ **803 Two Rod Road, Marilla**

RC made a motion for APPROVAL of a response letter, with the comments noted below, seconded by DC, and carried by all voting members:

- The project will result in fragmentation of agricultural lands resulting in smaller, separated farm fields creating farm management challenges.
- If rented by a farmer, the conversion to non-farm use will result in the loss of land available to the renter and may have significant impacts on their farm operation.

- Most impacted soils on the project site farmland of statewide importance and approximately four impacted acres belong to Mineral Soil Group 4. The loss of these productive farm soils represents a significant impact to agricultural resources in the County.
- The cumulative impact of this and other solar developments in the Town and County represent significant farmland conversion, which may have direct impacts on farm operations and agricultural resources as approximately 25 acres of farmland are removed from production.
- The facility should be sited in such a way that minimize impacts to agricultural resources and preserves farmland.

4. Letters of Support (Vote)

SG explained that RC required Letters of Support for two Farmland Protection Implementation Grants. RC recused herself from the discussion and left the meeting area. SG provided a brief overview of the Vacinek Farm project and the Stefan Hay project.

SG explained that if the Board wanted to amend the Bylaws allowing BK to sign Letters of Support, that could be addressed at the next meeting.

MG made a motion for APPROVAL a Letter of Support for the Vacinek Farm project and the Stefan Hay project, seconded by Scott Bylewski (SB), and carried by all voting members (RC recused from vote).

5. Sky Lanterns

The Board discussed the issues related to sky lanterns. DC and SB will include a memo from the Board with weekly reports to the County Executive's office. MG will forward the Board's concerns to Legislator John Mills.

6. Other Business

No other business was discussed.

7. Adjournment

SB made a motion to ADJOURN at 7:18PM, seconded by DC, and carried by all voting members.

NEXT MEETING AUGUST 24, 2023