PUBLIC HEARING – ANNUAL REVIEW OF THE AGRICULTURAL DISTRICT #1

Monday, July 13, 2026 @ 11:30 a.m.

Stephen McNally, Chairperson
Matthew Brassard, Vice-Chairperson

Chairman McNally called this Public Hearing to order at 11:30 am with the following Supervisors in attendance: Clayton Barber, Matthew Brassard, Kenneth Hughes, Mary Lamphear, Tracie McGill, Stephen McNally, Clayton Menser, James O'Bryan, Timothy Pierce, Richard Preston, Cathleen Reusser, Matthew Stanley, Michael Tyler and Joe Pete Wilson. Chris Clark, Timothy Follos and Meg Wood were absent. Davina Thurston was excused.

Department Heads present: James Dougan, Judy Garrison and Mike Mascarenas.

Also present: Cole Trager and Elizabeth Lee.

MCNALLY: I will call this meeting to order at 11:30 a.m. Please proceed Judith.

GARRISON: *Notice of public hearing annual review of the Agricultural District #1.*
Please take notice that the Essex County Board of Supervisors will hold and conduct a Public Hearing at the Supervisors' Chambers at the Essex County Government Center, 7551 Court Street, Elizabethtown, New York on the 13th of July, 2026 at 11:30 a.m., on the purpose of the Agriculture and Farmland Protection Board's recommendations of the annual review of Agricultural District #1.
Please take further notice that at said public hearing to be held at the time and place set forth above, the public will be given the opportunity to comment on the Agriculture and Farmland Protection Board's recommendations to the Essex County Board of Supervisors on the requested modifications.
Judith A. Garrison, Clerk
Essex County Board of Supervisors
7551 Court Street, Elizabethtown, NY 12932
(518) 873-3353
Dated: June 10, 2026

MCNALLY: Anybody like to speak? Guests –

TRAGER: Good morning thanks for having us. As you probably know the agriculture and farmland protection board met last month to review the parcels that are outlined in the packet that you should all have in front of you. These parcels should look very familiar they were submitted in our previous letter. Just a quick reminder, there's actually only two new applications on this parcel list. It looks a little intimidating upfront but Jason Gerhardt in Westport and Janice Stainken in Willsboro are the only two new applications. The majority of the parcels on this list are the result of the record keeping discrepancy so those are all parcels that were previously included in the Ag District and there was just a discrepancy between county records and state record due to splits, combinations or other modifications between the parcels so, again we are essentially cleaning that data up but at this point if anyone has any questions about the parcels included in this list please let me know happy to provide the additional insight.

STANLEY: Cole this isn't a question about the parcels but this is a change in schedule from when it used to done to this time of year now correct?

TRAGER; Exactly, so we previously approved a resolution that would change the open enrollment period from October 20th to November 19th to May 1st to May 30th so this is the first year where we are operating on that May 30th cycle again, it was ideal for us because we are supposed to be conducting farm visits to determine agricultural viability last year there was 24 to 30 inches of snow on most of the fields that we were visiting so it wasn't such a great representation on what was going on with the properties and this is the first year where we conducting those visits during the growing season and really get a better look at what's going on so the next steps in this process would be to submit resolution requests for the environmental assessment forms related to the inclusion of these parcels so we will presumably be reviewing those in the next round of committee meetings but otherwise we wouldn't be engaging with the new open enrollment period until April is the first time you'll be hearing about the 2027 open enrollment period for next year.

STANLEY: Thank you so much for that.

TYLER: Just refresh my memory because I need a lot of refreshing lately, there's no tax exemption for this and/or potentially down the road for tax exemptions?

TRAGER: Yeah, so the agricultural district is a separate and distinct process from the Agricultural Assessment application that the farmers would apply for at the town level. The primary purpose of the agriculture district is to typically provide a base layer of legal insulation for farmers that are participating in best practices so for example, you know, this is a pretty rural area so it doesn't come up too often but if you can image other parts of the state where this is more framer land that maybe abuts directly with maybe suburban areas or development there's perhaps people that don't have agricultural back ground who don't enjoy the smell of manure or fertilizer kind of normal practices in farmland and what the agricultural district does it essentially farmers from kind of basic complaints about the day to day operations of the farmland. There is a little, tiny bit of overlap between the Ag District and the Ag assessment process where when farms go at the town level to apply for their agricultural assessment there is a section in their paperwork where they would have to indicate whether the property is in the Ag District or not. They can still apply there are lots of farms that apply for agricultural assessment without being in the Ag District but if you are in Ag District it does streamline that process a little bit because you don't have as much, there isn't much proof required on the farmer to sort of prove that they are a farm, if they are applying for Ag assessment they would still presumably have tax returns and other financial information.

TYLER: So is that yes or no?

TRAGER: Not really there's no direct financial implications that –

TYLER: So the issue is does it take away the building lots out of these properties?

TRAGER: It doesn't compete with the broader APA zoning but there are structures that are related to the production on the site that are not included in their sort of normal, like if you were putting up a green house for example that's not a or wouldn't compete with your APA zoning depending on which part of the APA. The farm buildings there that for production would be viewed differently if they were not in the Ag District.

TYLER: Okay my concern is we've had some come in Westport several years ago called CATS that has taken over building rights in the Town of Westport and it's strangling where we can build out in our town and I'm just concerned that this property that you are talking about in Westport if that is another thing that is going to strangle building rights in the Town of Westport? Which we have very little of anymore because of places like CATS trails.

TRAGER: Yeah this property is just off Stevenson Road before –

TYLER: I know exactly where it is. It's right on the village/town line.

TRAGER: Yes but no the Ag district is not technically like a piece of zoning per say so it doesn't really impact any building lots at the town level.

TYLER: So if they wanted they could put other houses on that property? If it meets the regulations?

TRAGER: They can certainly put other structures that are related.

TYLER: Structures but not houses or anything so it does take away the building rights as far as houses go?

TRAGER: Not necessarily because if they were putting up a wash/tack station or a greenhouse that wouldn't compete at all with their zoning for other residential buildings. If they were going to put up other, if they did have another building lot on their property and they were going to put up another structure that was residential or wasn't related to – for example if they wanted to put in a building for an Airbnb or short term rental or something like that it would be essentially at the discretion of the town and APA on what kind of zoning they already have but the Ag District wouldn't really have any impact on whether they were going to take advantage of other building lots.

TYLER: Thank you.

MCNALLY: Anybody else?

TRAGER: Great, if there's no other questions I just wanted to remind everybody that next year is the five-year reporting period for the 2022 Farmland Protection Food System Plan. We've made tremendous progress since that plan was approved by this body in 2022, along with their partners Soil and Water, Adirondack Land Trust, ROOST and many more so next year when we revisit this process I will also be taking that opportunity to share a little bit of those deliverables to the group so thank you again for approving that document regarding our work and we look forward to sharing with you the progress we've made on that end.

MCNALLY: Anybody else? If not, the hearing is closed. Thank you.

As there was no further discussion this public hearing was adjourned at 11:28 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors