

# Smart Growth Assessment Project

## Part 2

### Washington County

### Agriculture



Partners: Washington County;  
Glens Falls Hospital, Health Promotion Center; Genius Loci Planning

October 2015



*Funded by NYS Dept. of Health Creating  
Healthy Places to Live, Work and Play*



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## **Acknowledgements**

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## **Introduction**

This report provides a review of town land use regulations in Washington County, with an emphasis on the regulations' relationship to agriculture and farmland protection. The report concludes the second phase of a Smart Growth Assessment Project, and it offers recommendations for consideration in the process of the county's developing Agriculture and Farmland Protection Plan.

## **Project Background**

In 2014, the town of Fort Edward partnered with the Glens Falls Hospital Health Promotion Center (HPC) to undertake a Smart Growth Assessment Project. This project, which also included the town of Lake George, examined the town of Fort Edward's land use regulations, with specific reference to the town's position and capacity for undertaking smart growth practices.

The HPC is the regional contractor of the NYS Department of Health Creating Healthy Places to Live, Work and Play Program, as well as several related programs. The HPC partners with communities in Warren and Washington Counties and, within the land use context, has helped build strong alliances resulting in numerous municipal policy adoptions and capital improvements in the areas of Complete Streets and Smart Growth.

The project report<sup>1</sup> includes an audit of the town's land use regulations using a Smart Growth America audit tool, as well as a series of recommendations to improve smart growth practices and build healthier communities. In many ways, the report, although focused on one town in Washington County, is relevant to the entire county. Once the report was completed, the town of Fort Edward elected not to utilize additional funding (available to further findings of the report). Instead, Washington County engaged the use of the funding to conduct an assessment of all town land use regulations as a supporting component to the county's agriculture and farmland protection plan.

## **Process**

Copies of town land use regulations were provided by the county planning department, and a zoning review form focusing on agriculture was provided by the county's consultant. The review form included a planning component, with several questions pertaining to municipal comprehensive plans. Because this project focuses only on regulations and because the assessment of local planning efforts is part of the county's developing plan, the planning questions on the form were excluded in this report.

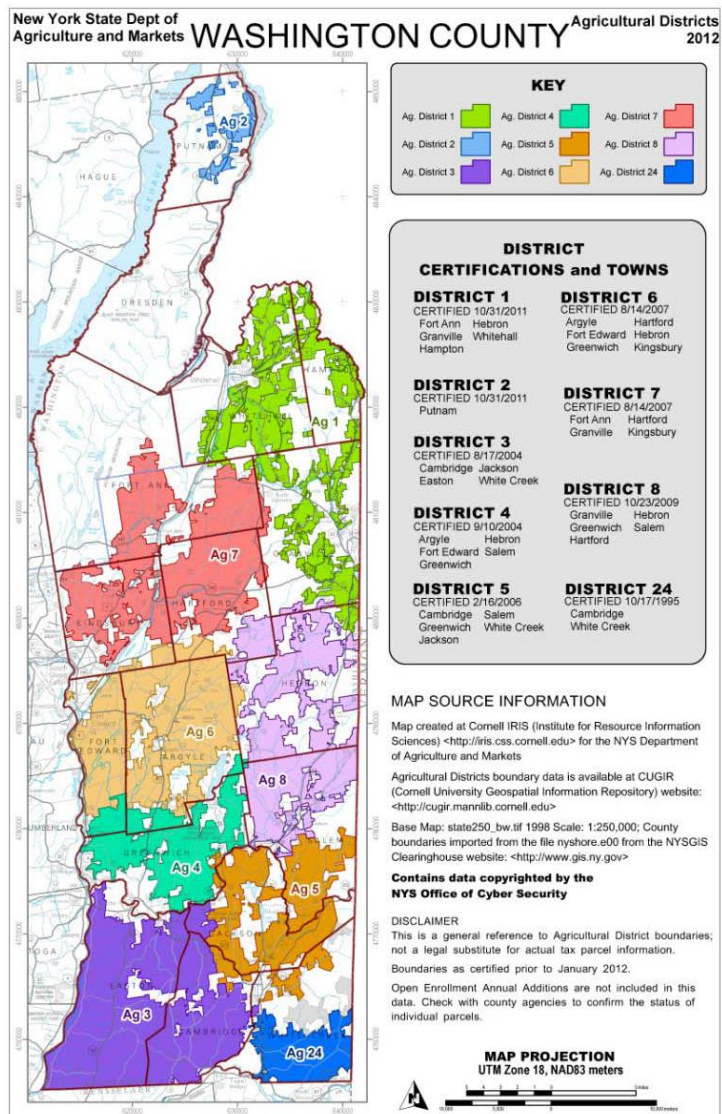
As the title of the form suggests, it is geared for towns with zoning. In Washington County, six of seventeen towns have adopted zoning, according to one survey.<sup>2</sup> Accordingly, several of the answers on the forms are noted "NA" (not applicable). However, the form is helpful in reviewing site plan review laws and subdivision regulation, both of which are numerous in the county. Nevertheless, the absence of zoning in several towns is an important factor that can limit county's ability to protect and promote agricultural resources while accommodating other types of economic development. The series of completed zoning review forms is included in Appendix 2.

## Findings

Building on both the earlier analysis of the Fort Edward regulations and the research conducted for the first assessment report, a few prominent and interrelated characteristics become evident. Washington County is rich in agricultural lands; areas of the county have experienced population growth and land development and this trend is likely to continue; and, there remains significant opportunity for the county's towns to improve land use regulatory tools, not only to guide growth and promote agriculture but in general.

Closely related to these findings are the levels of supporting capacity for municipal land use planning, practice, and education. Statistics demonstrate a lack of resources in this regard. For example, the Open Space Institute conducted a 2005 study, Open Space for Tomorrow: A Capital District Sprawl & Open Space Strategy. The study, which indicated that most local governments in the region do not have the necessary tools or resources to handle sprawl, also noted:

- Only 17 percent of responding communities identified specific open space areas they believe are important to protect
- 21 percent of communities identified important open space areas that have been lost to development since 1980
- Just 16 percent of communities have planners who handle long-range planning
- Over 40 communities lack either a comprehensive plan or zoning, and
- 28 percent of communities share open space planning initiatives with neighboring communities or land trusts



Even with sound planning, it remains extremely important that local officials understand the critical connections between the development of plans and the adoption of land use tools that help effectuate many of the goals and objectives envisioned in these plans. Regardless of what any adopted municipal plans may set forth, the land use regulations of the county's towns, in large part, are not as well equipped as they could be in guiding farmland protection or meeting the challenges of growth effectively. Although there are many factors contributing to the effectiveness of land use tools, such as turnover of elected officials or fears related to the loss of private property rights, these challenges are not particular to Washington County. As other locales have demonstrated, Washington County has significant opportunity to better protect farmland and use its agricultural resources to greater advantage.

As the zoning review forms indicate, the potentially greater role of zoning figures prominently into the process of protecting agriculture and guiding growth through land use tools. Given the minority of municipalities with zoning in the county, it would seem that a basic discussion about the primary features of zoning can benefit the county and its local governments. To be effective, the discussion should be an ongoing dialogue with local officials, perhaps dispelling misconceptions about the tool and citing examples where it has been employed to boost agriculture and promote efficient and orderly land development. The fundamental characteristics of zoning -- the regulation of land use, the organization of dimensional requirements (e.g. lot sizes, setbacks, height), and limitations on the intensity of the use (e.g. density) -- offer extensive utility to a municipality in carrying out its goals of growth and preservation. The ability to separate incompatible uses and integrate compatible ones would seem indispensable, as would the flexibility of cluster development (Town Law §278) which is grounded in a connection between subdivision and zoning. A reinforcement of the purposes and limits of subdivision regulations and site plan review would also contribute to progression of the dialogue.

### **Elements and Trends of the Review Forms**

Several of the questions on the zoning review forms serve as guides for ways to increase the effectiveness of land use tools. The importance of the **purpose statement** cannot be overstated. Why has the community adopted the regulations? It's surprising how many of the regulations reviewed do not include agriculture in the purpose statement. Also known as the declaration of policy or the intent, this section of a land use regulations is the place to make it clear to anyone who reads the document the reasons for adoption of the law and what it is intended to accomplish. This section can establish crucial links between the goals and objectives of a comprehensive plan and the project approval being considered by the reviewing board. The language should serve as a foundation to the legislative action that created it and reinforce the role of the reviewing board, leaving little or no question as to why the approval is not only necessary but beneficial.

Another question on the form is whether or not what can be termed **rural design guidelines** are present in the regulations. Such guidelines can positively influence the design of a single parcel of land, as in site plan review, or a larger development, as in

subdivision regulations. Building placement, street design, landscaping, lighting, signage, traffic circulation, site access, and preservation of natural features and agricultural soils are all examples of review elements that can be enhanced by design guidelines. However, such elements must first be included in the regulations. Many of the regulations reviewed have language that is generic and does not help articulate the review process and the role of the reviewing board in protecting and promoting agricultural or other resources. Communities in Washington County would do well to explore the use of design guidelines, rather than rely on open-ended discretion that is much less likely to influence quality design. Design guidelines is a broad topic, treated in more depth in the first Smart Growth Assessment Report, which integrates the design discussion with other topics and tools such as incentive zoning, cluster development, build-out scenarios, and the importance of local agriculture and open space protection planning efforts. In terms of additional resources for rural design guidelines, one comprehensive example is found in the town of Warwick, a community well known for its success in protecting and promoting a robust agricultural heritage:

[http://www.townofwarwick.org/departments/compplan\\_docs/design\\_guidelines.pdf](http://www.townofwarwick.org/departments/compplan_docs/design_guidelines.pdf)

One of the most flexible and effective land use tools in farmland protection is **cluster development**, which is included in the zoning review form and treated in some detail in the earlier report. It's important for municipalities to understand the strong connection between cluster development and zoning. Without zoning, the regulatory basis is extremely limited for a municipality to drive the preservation of farmland using cluster development. Such a development might be influenced by centralized water or sewer infrastructure requirements, or encouraged as a preferred method of land development but, in the absence of zoning, a cluster development really only becomes a reality if a developer chooses this method.

Some of the questions on the review sheet are centered on the use of zoning to encourage agriculture. This is often accomplished through the creation of an **agricultural zoning district**, where agriculturally oriented businesses are permitted and other less compatible land uses are prohibited. A zoning **overlay district** might also be used to supplement the protection of farmland. The foundations for such schemes would be based in the comprehensive plan, or a local agriculture and farmland protection plan, either of which would establish goals and objectives but would also likely include information about the location and extent of agricultural resources. Such baseline information is quite valuable in the review of site plans, subdivisions, and other land use permit applications. Much of this information is readily available through the county's GIS webmap (<http://gis.co.washington.ny.us/webmap/index.htm>) and is sometimes found in local planning documents; however – and this is a key point – do the local regulations require the submission of such information? This topic is treated in the review sheet questions, and the results show that there is much room for improvement. And of course if municipal regulations require that information on agricultural resources be included as part of a site plan or subdivision application, the effectiveness of this requirement will be enhanced dramatically if it is part of a system that integrates a foundation of policy (e.g. purpose statement) with articulate review authority (e.g. written or graphic design guidelines).



One of the form's questions, "Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?" speaks directly to a requirement in the NYS Agriculture and Markets Law (Article 25-AA §305-a.(a)) that local governments, in exercising their powers, do so "in such manner as may realize the policy and goals set forth in this article, and 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." And further:

Any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval by a planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law, that would occur on property within an agricultural district containing a farm operation or on property with boundaries within five hundred feet of a farm operation located in an agricultural district, shall include an agricultural data statement. The planning board, zoning board of appeals, town board, or village board of trustees shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district. The information required by an agricultural data statement may be included as part of any other application form required by local law, ordinance or regulation. (§305-a.2.; see also Town Law §283-a.)

Given this important linkage between local authority and the state's policy of protecting agriculture, as well as the fact that the vast majority of local laws reviewed did not contain any reference of this requirement, one can envision immediate avenues of improvement. The county is well positioned to provide education and guidance to its municipalities in such instances, but it should also consider what might comprise a comprehensive package of assistance for agricultural protection purposes.

While the Agriculture and Markets Law is clear in its purpose and in restrictions on local government authority, a local government should carefully consider the exemption of all farm or agricultural uses from local regulation. For example, the exemption of farm stands from site plan review does not provide local oversight of important site development considerations, including access to public roads, traffic circulation, and adequacy of parking and signage – all related to ensuring important aspects of public safety. The specific question of the zoning review sheet, which implies that exempting ag-related uses from site plan review is a positive feature of a local regulation, could be reconsidered. The review sheet could also include a question about whether or not the municipality has an **agricultural member on the planning board**. Specifically, Town Law §271. 11. (Planning board, creation, appointment) provides:

Appointment of agricultural member. Notwithstanding any provision of this chapter or of any general, special or local law or ordinance, a town board may, if an agricultural district created pursuant to section three hundred three of article twenty-five-AA of the agriculture and markets law exists wholly or partly within the boundaries of such town, include on the planning board one or more members each of whom derives ten thousand dollars or more annual gross income from agricultural pursuits in said town.

As used in this subdivision, the term "agricultural pursuits" means the production of crops, livestock and livestock products, aquacultural products, and woodland products as defined in section three hundred one of the agriculture and markets law.

This option enables a farmer's perspective to be integrated with the composition of the board, offering specialized insight that otherwise isn't often present. And in Washington County with its many agricultural districts, several of the towns could avail themselves of this provision, if they haven't already.

Several of the regulations reviewed included mention of the **official map** with the qualifier "if such exists." Indeed, very few municipalities have an official map as envisioned in the statutes (NYS Town Law §270, §273, (§280, §280-A, & §281)). An official map shows the layout of future streets, highways, drainage systems, and parks. Land reserved on the official map cannot be used for other purposes without the consent of the municipality, and in certain cases the board of appeals can grant relief to the requirements of the official map. The recommendation made in the first smart growth assessment report also applies here (emphasis added): Consider the adoption of an official map ***or a similar alternative means to express the desired pattern of development***. The first report offered variations on achieving this. Below we focus on a community that has not only developed a map of how it envisions its future but offers several examples of ways to support agriculture through land use tools, as discussed above. Certainly there are other illustrative examples in the county, although the town of Greenwich is perhaps the most comprehensive.



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## TOWN OF GREENWICH

### Comprehensive Plan

#### *Vision Statement*

*The Town of Greenwich aspires to be a vibrant 21st century rural community in southern Washington County. Greenwich will continue to be an agricultural center for Washington County and the region. It will offer an excellent quality of life for residents and visitors. The Town will encourage and manage its growth and preserve its historic, cultural and natural resources for this and future generations.*

#### *Future Land Use Plan*

*The Future Land Use Plan is a major element of the Town's Comprehensive Plan. The Plan, illustrated by Figure 14, Future Land Use Map, provides the physical recommendations for the future use of land within the Town and provides the foundation for what the Town will look like if the implementation strategies are successfully executed.*

*Includes an Open Space Map, Prime Farmland Map, and Agricultural Lands Map*

#### *Agricultural Goal*

*Concentrate intensive farming on the most productive soils to protect the best soils from development and avoid fragmentation of farmland into parcels too small to commercially farm.*

### Zoning Law

#### *Purpose*

*"... to ensure the optimum overall conservation, protection, development and use of the unique scenic, aesthetic, wildlife, recreational, agriculture, open space, historic, ecological and natural resources of the Town. The regulations, administrative procedures, enforcement mechanisms and penalties have been prescribed to implement the policies of the Comprehensive Land Use Plan of the Town of Greenwich."*

*Includes agricultural definitions*

#### *Local Agricultural District*

- covers most of the town*
- designated as a Critical Environmental Area ("CEAs are recognized and designated because a locality sees this as an avenue to protect or ensure consideration of the resource in land use decisions... potential impacts on the characteristics of that CEA become relevant areas of concern that warrant specific, articulated consideration in determining the significance of any Type I or Unlisted actions that may affect the CEA" – NYSDEC)*

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## TOWN OF GREENWICH

### *Zoning Law (continued)*

*Articulates a set of design standards applicable to all site plan review and special use permit applications; Special use permit 'considerations for decision' include "the development will be protective of agricultural and open space resources."*

#### *Cluster Development*

*- requires, in any district, submission of a clustered subdivision plan for proposed subdivisions of five or more lots located on prime agricultural soils.*

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While Greenwich illustrates a proactive and multi-pronged approach to balancing agricultural protection with growth, the specific tools employed to help achieve the community's vision evolved from a focused planning process particular to that community. Which is also to say, methods and tools that are borrowed or adapted from other sources often do not have the underpinning of an organic process that arrives at optimal results. Several of the regulations reviewed for this report exhibited considerable similarity and were likely the result of templates that circulated many years ago. This suggests that several communities could benefit from undertaking fresh comprehensive planning efforts and related revisions of land use regulations. While the prospect of engaging a community in planning and revision projects can be exciting, such programs require resources and time and are often not made priorities. However, the shortcomings of regulations that are in effect can serve as another impetus for considering such projects.

In addition to the opportunities for improving regulations, including integration of agricultural components, purpose statements, and design standards, the choice of replacing some local laws in their entirety cannot be discounted. And beyond assessing the adequacy of land use tools in preserving farmland and facing the challenges of growth, a host of other technical or "housekeeping" reasons could help catalyze amendment of existing tools. Among them are the following items.

- Several inconsistencies between local procedures and state statutes were found, most notably differences in time frames (e.g. 45 vs. 62 days).
- As noted above, there were numerous instances where an official map was mentioned in local laws. And even though the qualifier "if such exists" was often included, it comes across as something of a robotic reference if the community does not have an official map. But rather than just removing such mentions, the purpose of the tool as well as viable alternatives to achieving the purpose should be closely examined.

- In more than a few laws, provisions exist for the planning board or planning board chairman to make “a jurisdictional determination” as to whether or not the regulations apply in certain situations, e.g. when it is unclear. This job should belong to the individual charged with administration of the local law (usually the code enforcement officer or the zoning enforcement officer). Practically speaking, it’s a conflict for a board charged with applying a local law to the review of development applications to also have the role of deciding whether or not that law applies to a given situation. From a legal standpoint, such practices can increase the likelihood of a challenge to local laws that contain these provisions, despite supersession clauses that also may be included. In another example, an appeal of a planning board decision may be taken to the town board, instead of the Article 78 proceeding cited in the statutes.
- Another curious feature of some local laws is the “exempt subdivision,” meaning that local review procedures are waived in part or wholesale. Such a term and the associated practice may be considered contradictory, given the statutory definition of a subdivision and the considerations for sound planning at the local level. As one example, if a division of land occurs and is exempt from local regulation, what assurances are there for inclusion of infrastructure on the lot, e.g. water, sewer, or access – typical elements of local regulations – if there is no review to ensure these items are in place?
- Two instances were noted in which the planning board was authorized to adopt new regulations. This is a legislative action and falls under the authority of the town board.
- The question of when an application is complete can be confusing, and local regulations often do not clarify the matter. Fortunately, Town Law § 276. 5. (c) determines completeness for SEQR purposes. This standard can be incorporated into local regulations with positive effect, and § 276 can be referenced in local regulations, as it integrates SEQR and subdivision procedures.

Local laws should be reviewed by an attorney who is well versed in NYS land use statutes. And even though local practices have been in place for decades doesn’t mean they are legally defensible.

This report’s assessment of local regulations has provided a sampling of reasons to undertake regulatory revisions to better protect agriculture and accommodate growth. In addition to the raw data in the completed review forms, it highlights the tools of one forward looking community and cites points of possible technical and procedural improvements. But overall, the tremendous agricultural resources of Washington County deserve the best land use tools available, and while the choice of tools will be made by the communities engaged in planning for their future, the county can help lead these efforts. To the extent the developing agriculture and farmland protection plan

incorporates land use related strategies, several recommendations are offered for consideration, in addition to those discussed above.

## **Recommendations**

- With economic, tourism, and quality of life benefits in mind, the county legislative body should consider ways to increase the amount of planning resources and assistance to towns to support agriculture. The goals and objectives of the county's plan may be considered as milestones, or deliverables, that can only be achieved if they are backed by the needed resources. As one example, some counties have a town planning service in which a benefactor supports a 50-50 match program with municipalities. This type of program should be understood as an investment, not an additional cost.
- Related to the above, education for the protection and promotion of agriculture should be increased. The state-required training for planning boards, including the county planning board and zoning boards of appeal, presents one logical avenue for carrying out such efforts. Partners abound, from the Departments of State and Agriculture and Markets, to American Farmland Trust and Open Space Institute, to the Agricultural Stewardship Organization and Cornell Cooperative Extension. Currently, the Health Promotion Center at Glens Falls Hospital is engaged in the Healthy Schools New York Program, which has local agricultural components, although it is primarily based in schools, who are also important to success. In addition to planning board trainings, panels or day-long conferences can be held. Presenters and panelists could be from Washington County or from other regions of the state where explanation of the challenges and successes can serve to motivate local stakeholders. At one such conference held several years ago in Washington County, it was evident that a greater amount of education on land use tools would benefit the county's communities.
- Building further on the above, the development, or adaption, of a land use toolbox for agricultural resource protection to assist local governments would also be beneficial (if one does not exist already). Also consider the creation of an agriculture protection incentive program, perhaps modeled on the Hudson River Valley Greenway, in which the local adoption of a set of principles enables a municipality to become eligible for further assistance or micro grants. In the larger picture, state funding resources, e.g. Consolidated Funding Applications, in support of such efforts should be thoroughly explored and pursued.

It is hoped these recommendations, along with those of the earlier report, will assist the county and its communities as they work together to create and realize visions for healthy future.

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<sup>1</sup> Smart Growth Assessment Project, Towns of Fort Edward and Lake George. Genius Loci Planning. February 2015.

<sup>2</sup> New York Land Use Tools, A 2008 Survey of Land Use Planning & Regulations in NYS. NYS Legislative Commission on Rural Resources.

## Appendix 1 - Survey of Land Use Tools and Regulations Reviewed

| Town        | Comp Plan  | Zoning | Subdiv. | Site Plan  | Planning Brd. | eCode360 |
|-------------|------------|--------|---------|------------|---------------|----------|
| Argyle      | Yes        | No     | Yes     | No         | Yes           | No       |
| Cambridge   | In process | No     | Yes     | No         | Yes           | No       |
| Dresden     | No         | APA    | APA     | No         | No            | No       |
| Easton      | Yes        | No     | Yes     | In process | Yes           | No       |
| Fort Ann    | In process | No     | Yes     | Yes        | Yes           | No       |
| Fort Edward | Yes        | Yes    | Yes     | Yes        | Yes           | Yes      |
| Granville   | No         | No     | Yes     | No         | Yes           | No       |
| Greenwich   | Yes        | No*    | Yes     | Yes        | Yes           | No       |
| Hampton     | No         | No     | Yes     | Yes        | Yes           | No       |
| Hartford    | No         | No     | Yes     | Yes        | Yes           | Yes      |
| Hebron      | No         | No     | Yes     | In process | Yes           | No       |
| Jackson     | Yes        | No     | Yes     | No         | Yes           | No       |
| Kingsbury   | Yes        | Yes    | Yes     | Yes        | Yes           | Yes      |
| Putnam      | Yes        | Yes    | Yes     | Yes        | Yes           | No       |
| Salem       | Yes        | Yes    | Yes     | Yes        | Yes           | No       |
| White Creek | Yes        | Yes    | Yes     | Yes        | Yes           | No       |
| Whitehall   | Yes        | Yes    | Yes     | Yes        | Yes           | No       |

Adapted from New York Land Use Tools, A 2008 Survey of Land Use Planning & Regulations in NYS. NYS Legislative Commission on Rural Resources.

Notes: Greenwich has since adopted zoning; Granville and Hartford have local agriculture plans; Regulations for Dresden and Easton not provided or found online.

## Regulations Reviewed

|             |  |
|-------------|--|
| Argyle      | Subdivision Regulations – w/ amendments through 5/2/13   |
| Cambridge   | Subdivision Regulations – July 15, 1991.   |
| Fort Ann    | Site Plan Review, LL #3, 1990.<br>Subdivision Regulations “Effective July 10, 1999.” (definitions: 5/90)                                     |
| Fort Edward | Site Plan Review<br>Subdivision Regulations<br>Zoning  |
| Granville   | Subdivision Regulations  |
| Greenwich   | Site Plan Review “Approved January 2, 2001”<br>Subdivision Regulations “10-15-2007” paper copy same as online<br>Zoning “2013 Update” online |
| Hampton     | Site Plan Review<br>Subdivision Regulations “Local Law No. 2 of 1991”  |
| Hartford    | Site Plan Review – Amendment to LL #3, 2000 “Adopted as of 6/12/03<br>No State Filing”   |
| Hebron      | Site Plan Review “December 16, 2002 – Final Revision A”<br>Subdivision Regulations   |
| Jackson     | Subdivision Regulations “Jan 30, 1990”   |
| Kingsbury   | Zoning<br>Subdivision Regulations  |
| Putnam      | Site Plan Review, LL #3, 2003.<br>Subdivision Regulations “Adopted June 29, 1971”  |
| Salem       | Site Plan Review, 10/13/99 w/ amendments through LL #4, 2007.<br>Subdivision Regulations   |
| White Creek | Site Plan Review, LL #1, 1997.<br>Subdivision Regulations, LL #1, 1993.  |
| Whitehall   | Site Plan Review. LL #7, 1990<br>Subdivision Regulations, LL #6, 1990.   |

Notes: Most of the local laws reviewed were obtained through the county planning department in 2015 and provided as photocopies; those with adoption information are noted above. There is no guarantee that each of the local laws provided is the most current. Exceptions include those on ecode ([www.generalcode.com](http://www.generalcode.com)) (noted in the survey on the previous page), the Town of Hampton Site Plan Review Law, the Town of Greenwich Zoning Law, and the Town of Granville Subdivision Regulations.

## Appendix 2 - Municipal Zoning Review Forms

Note: instructions with the form call for using “1” for a “yes” answer and “2” for a “no” answer. Tallying was not undertaken.

Review for **Town of Argyle Subdivision Regulations**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of Argyle Subdivision Regulations</b>   |   |   |       |
| Does the regulation’s purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   | 2   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|--|--|---|---|
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?   |  | 2   |   |
| Are on-site signs allowed to attract and direct people to farm stands?   |  |   | NA  |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA  |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA  |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA  |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA  |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? | 1  |   | Asks for map of existing land uses 3x larger than proposed development area |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA  |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |   |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>              |
|--|--|---|---------------------------|
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?                                  |  |   | NA                        |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                        |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                           |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                        |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                        |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                        |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                        |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown |

Review for **Town of Cambridge Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Cambridge Subdivision Regulations</b>  |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>              |
|--|--|---|---------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                           |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                        |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                        |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                        |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                        |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown |

Review for **Town of Fort Ann Site Plan Review**, Washington County

| Review Criteria   | Yes, Includes or Uses This Criteria | No, Does not Use or Include Criteria | Notes |
|---|-------------------------------------|--------------------------------------|-------|
| <b>Town of Fort Ann Site Plan Review</b>  |                                     |                                      |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |                                     | 2                                    |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |                                     |                                      | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |                                     |                                      | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |                                     |                                      | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |                                     |                                      | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |                                     |                                      | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |                                     |                                      | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |                                     | 2                                    |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |                                     | 2                                    |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |                                     |                                      | NA    |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>               |
|--|--|---|----------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                            |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                            |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |                            |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                         |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                         |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                         |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                         |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown. |

Review for **Town of Fort Ann Subdivision Regulations**, Washington County ('89 with amendments '90)

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes   |
|---|---|---|---|
| <b>Town of Fort Ann Subdivision Regulations</b>   |   |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   | 2   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   |   | NA  |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   | Even without zoning, clustering is allowed as an option |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA  |

| <b>Review Criteria</b>   | <b>Yes, Includes or Uses This Criteria</b> | <b>No, Does not Use or Include Criteria</b> | <b>Notes</b>   |
|--|--|---|--|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA   |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA   |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA   |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA   |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA   |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |  |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA   |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   | Definitions of ag use and structure were adopted in '90 but relationship to body of regulations is unclear |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA   |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>           |
|--|--|---|------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                        |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                     |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                     |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | RTF law status unknown |

Review for **Town of Fort Edward Site Plan Review Law**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|---|--|---|---|
| <b>Review Criteria</b>  |  |   |   |
| <b>Town of Fort Edward Site Plan Review Law</b>   |  |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   | Buffers are mentioned as a review standard to be considered by the PB |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |   |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                            |
|--|--|---|---|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA                                      |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA                                      |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA                                      |
| Farm stands do not need a site plan review or special use permit?  | 1  | 2   | Some discrepancy b/t zoning and spr law |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA                                      |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |   |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA                                      |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |   |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |   |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA                                      |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                                      |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                           |
|--|--|---|--|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |  |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |  |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  | 2   | Depends on district and type of ag use |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                                     |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |  |



Review for **Town of Fort Edward Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                                      |
|---|--|---|---|
| <b>Review Criteria</b>  |  |   |   |
| <b>Town of Fort Edward Subdivision Regulations</b>  |  |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   | Defined, only.                                    |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      | 1  |   | Cluster is allowed. Not referenced in zoning law. |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA           |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA           |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA           |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA           |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Fort Edward Zoning**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Fort Edward Zoning</b>   |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  | 1  |   |              |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   | 1  |   |              |
| Special use permits for agriculture or ag-related uses are not required?  | 1  |   |              |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  | 2   |              |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    | 1  |   |              |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? | 1  |   |              |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  | 1  |   |              |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|--|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  | 1  |   |  |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | "Agricultural industries required by local agricultural production." |
| Zoning does not limit farm stands from selling just products from that one farm?   | 1  |   |  |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |  |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  | 1  |   |  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |  |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  | 2   |  |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |  |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA   |
| Are non-traditional or retail based farm businesses allowed at a farm location?  | 1  |   |  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |              |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |              |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  | 2   |              |
| Are silos and other farm structures exempt from height requirements?   |  | 2   |              |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  | 1  |   |              |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Granville Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|---|--|---|--|
| <b>Review Criteria</b>  |  |   |  |
| <b>Town of Granville Subdivision Regulations</b>  |  |   |  |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |  |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA   |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA   |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA   |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA   |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA   |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA   |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |  |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   | Consv. sub defined but no info in text of law, and no zoning |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA   |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                           |
|--|--|---|--|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA                                     |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA                                     |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA                                     |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA                                     |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA                                     |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? | 1  |   |  |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA – neither does the subdivision regs |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |  |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |  |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                                     |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? | 1  |   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA           |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA           |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA           |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA           |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Greenwich Site Plan Review Law**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of Greenwich Site Plan Review Law</b>   |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   |   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   |       |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   |       |
| Special use permits for agriculture or ag-related uses are not required?  |   |   |       |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   |       |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   |       |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   |       |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   |   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   |   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   |       |

|  | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|--|---|---|-------|
| <b>Review Criteria</b>   |   |   |       |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |   |   |       |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |   |   |       |
| Zoning does not limit farm stands from selling just products from that one farm?   |   |   |       |
| Farm stands do not need a site plan review or special use permit?  |   |   |       |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |   |   |       |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |   |   |       |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |   |   |       |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |   |   |       |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |   |   |       |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |   |   |       |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |   |   |       |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   |              |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  |   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   |              |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   |              |
| Are silos and other farm structures exempt from height requirements?   |  |   |              |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   |              |
| Zoning does not regulate farms by acreage or number of animals.  |  |   |              |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   |              |

Review for **Town of Greenwich Subdivision Regulations**, Washington County

| <b>Review Criteria</b>  | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|---|--|---|--|
| <b>Town of Greenwich Subdivision Regulations</b>  |  |   |  |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |  |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA (See Zoning Review)   |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA   |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA   |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA   |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA   |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA   |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |  |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   | Clustering is in the zoning law but not the subdivision regulations. Sub regs need updating. |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|--|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA   |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA   |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA   |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA   |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA   |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? | 1  |   | The ag data statement is a requirement of state law. |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA   |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  |   | NA   |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA   |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                       |
|--|--|---|------------------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA                                 |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                                    |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                                 |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                                 |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                                 |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                                 |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                                 |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of separate RTF law unknown |

Review for **Town of Greenwich Zoning Law**, Washington County



| <b>Review Criteria</b>  | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                                       |
|---|--|---|--|
| <b>Town of Greenwich Zoning Law</b>   |  |   |  |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1  |   | Agriculture is mentioned in a series               |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  | 1  |   |  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   | 1  |   |  |
| Special use permits for agriculture or ag-related uses are not required?  | 1  |   |  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  | 2   |  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    | 1  |   |  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? | 1  |   |  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   | Not required outright, but factored into decisions |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      | 1  |   |  |
| Are on-site signs allowed to attract and direct people to farm stands?  | 1  |   |  |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?                                 | 1  |   |  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|--|
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   | 1  |   | via SUP  |
| Zoning does not limit farm stands from selling just products from that one farm?   |  | 2   |  |
| Farm stands do not need a site plan review or special use permit?  |  | 2   | Exempting farm stands from SPR is not a recommended practice |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  | 1  |   |  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |  |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   | 1  |   |  |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   |  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |  |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |  |
| Are non-traditional or retail based farm businesses allowed at a farm location?  | 1  |   |  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|--|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |  |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |  |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | * Many are not; farm stands must get SPR   |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   | 1  |   |  |
| Are silos and other farm structures exempt from height requirements?   | 1  |   |  |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   | 1  |   | With SUP. Farm windmill might be interpreted as farm use rather than personal or private utility |
| Zoning does not regulate farms by acreage or number of animals.  | 1  |   | Generally no; Horse farms and game farms have lot percentage coverage limitations                |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Not in zoning; separate local law status unknown   |

Review for **Town of Hampton Site Plan Review Law**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|---|--|---|---|
| <b>Review Criteria</b>  |  |   |   |
| <b>Town of Hampton Site Plan Review Law</b>   |  |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1  |   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   | Buffer is mentioned under general review considerations |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are on-site signs allowed to attract and direct people to farm stands?   |  |   | NA           |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>           |
|--|--|---|------------------------|
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                     |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                        |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                     |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | RTF law status unknown |

Subdivision Review for **Town of Hampton Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|---|--|---|---|
| <b>Review Criteria</b>  |  |   |   |
| <b>Town of Hampton Subdivision Regulations</b>  |  |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   | Mentions in passing only/ lumps with other topics, e.g. historical, archaeological  |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |   |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      | 1  |   | Cluster is a voluntary option for the subdivider, as the town does not have zoning. |

| <b>Review Criteria</b>   | <b>Yes, Includes or Uses This Criteria</b> | <b>No, Does not Use or Include Criteria</b> | <b>Notes</b>  |
|--|--|---|---|
| Are on-site signs allowed to attract and direct people to farm stands?   |  |   | NA  |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA  |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA  |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA  |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA  |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   | Only mention of “viable agricultural soils” within a series of other considerations in the general requirements. (The Ag & Mrkts. question below could precede this one). |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  | 2   |   |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   | Cluster as an option, only  |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   | But does not use these terms in the sub regs (the terms seem more like they belong in a zoning law)   |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA  |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                  |
|--|--|---|-------------------------------|
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                            |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   | Subdivision                   |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                               |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                            |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                            |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                            |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                            |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                            |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Existence of RTF law unknown. |

Review for **Town of Hartford Site Plan Review Regulations**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes   |
|---|---|---|---|
| <b>Town of Hartford Site Plan Review</b>  |   |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1   |   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA. Ag uses, structures, and smaller mines on ag use parcels exempted |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |   |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   |   | NA  |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>               |
|--|--|---|----------------------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA                         |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA                         |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA                         |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |                            |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA                         |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  |   | Requires ag data statement |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA                         |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   |                            |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |                            |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |                            |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                         |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                | 1  |   |              |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |              |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA           |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA           |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA           |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Hartford Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Hartford Subdivision Regulations</b>   |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1  |   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA           |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA           |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA           |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA           |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Hebron Site Plan Review Law**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of Hebron Site Plan Review Law</b>  |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   | 2   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA    |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>               |
|--|--|---|----------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                | 1  |   |                            |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                            |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |                            |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  | 2   |                            |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                         |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                         |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                         |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown. |

Review for **Town of Hebron Subdivision Regulations**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of Hebron Subdivision Regulations</b>   |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   | 2   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA    |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|--|--|---|---|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA  |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA  |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA  |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA; however, subdivision for farm purposes only is exempt |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |   |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA  |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |   |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |   |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|--|--|---|---|
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA  |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   |   |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |   |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA; however, subdivision for farm purposes only is exempt |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA  |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA  |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA  |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA  |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown.                                |

Review for **Town of Jackson Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Jackson Subdivision Regulations</b>  |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|----------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA             |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA             |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA             |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA             |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA             |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status unknown |



Review for **Town of Kingsbury Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                 |
|---|--|---|------------------------------|
| <b>Review Criteria</b>  |  |   |                              |
| <b>Town of Kingsbury Subdivision Regulations</b>  |  |   |                              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |                              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA                           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA                           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA                           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA                           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA                           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA                           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |                              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      | 1  |   | Cluster development allowed. |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA                           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |              |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA           |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA           |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA           |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA           |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA           |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   | 1  |   |              |

Review for **Town of Kingsbury Zoning**, Washington County

|   | <b>Yes,<br/>Include<br/>s or<br/>Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>  |
|---|---|---|---|
| <b>Review Criteria</b>  |   |   |   |
| <b>Town of Kingsbury Zoning</b>   |   |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |   | 2   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  | 1   |   |   |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   | 1   |   |   |
| Special use permits for agriculture or ag-related uses are not required?  |   | 2   | Certain farm operations, e.g. hog farms, require "special permit" |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   | 1   |   |   |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    | 1   |   |   |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? | 1   |   |   |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |   |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      | 1   |   |   |

| <b>Review Criteria</b>   | <b>Yes, Include<br/>s or<br/>Uses<br/>This<br/>Criteria</b> | <b>No, Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|---|---|--|
| Are on-site signs allowed to attract and direct people to farm stands?   | 1   |   | A reg not allowing this would be easily brought into question; perhaps “off-premise” signs are intended here                         |
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  | 1   |   |  |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |   | 2   | This municipality uses the “any use not listed is prohibited” and none of these uses is listed                                       |
| Zoning does not limit farm stands from selling just products from that one farm?   |   | 2   |  |
| Farm stands do not need a site plan review or special use permit?  |   |   | NA – a search for “farm stand” and “farmstand” in the town’s zoning law on ecode yielded no results; ag use exemption also not found |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |   | 2   |  |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |   |   | Not found. The town has a right-to-farm law which treats this topic differently.   |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |   | 2   |  |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1   |   |  |

| <b>Review Criteria</b>  | <b>Yes, Include<br/>s or<br/>Uses<br/>This<br/>Criteria</b> | <b>No, Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                           |
|---|---|---|--|
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business? | 1   |   |  |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?   | 1   |   |  |
| Are non-traditional or retail based farm businesses allowed at a farm location?   |   |   | Perhaps if defined as an accessory use |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                                 |   | 2   |  |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district?                  |   | 2   |  |
| Ag-related uses are not required to get a special use permit or go through site plan review?  |   | 2   |  |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?  |   | 2   |  |
| Are silos and other farm structures exempt from height requirements?  | 1   |   |  |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?  |   |   | NA – reg is silent                     |
| Zoning does not regulate farms by acreage or number of animals.   | 1   |   |  |
| Is there a right to farm law or statement included in the zoning or as a separate local law?  | 1   |   |  |

Review for **Town of Putnam Site Plan Review Law**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Site Plan Review</b>   |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                        |
|--|--|---|-------------------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                                     |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                                     |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   | Temp structures/ sale of ag produce |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                                  |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                                  |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                                  |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                                  |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status unknown                      |

Review for **Town of Putnam Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>         |
|---|--|---|----------------------|
| <b>Review Criteria</b>  |  |   |                      |
| <b>Town of Putnam Subdivision Regulations</b>   |  |   |                      |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   | No purpose statement |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA                   |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA                   |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA                   |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA                   |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA                   |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA                   |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  |   | NA                   |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  |   | NA                   |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA                   |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>   |
|--|--|---|----------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA             |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA             |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA             |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA             |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA             |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status unknown |

Review for **Town of Salem Site Plan Review Law**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Salem Site Plan Review Law</b>   |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  | 2   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  | 2   |              |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>           |
|--|--|---|------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                        |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  | 2   |                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                     |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | RTF law status unknown |

Review for **Town of Salem Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|---|--|---|--------------|
| <b>Review Criteria</b>  |  |   |              |
| <b>Town of Salem Subdivision Regulations</b>  |  |   |              |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |              |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA           |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA           |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA           |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA           |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA           |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA           |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |              |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   |              |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA           |



| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>            |
|--|--|---|-------------------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA                      |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA                      |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA                      |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA                      |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA                      |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |                         |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA                      |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   | General and vague only. |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |                         |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA                      |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA                      |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>              |
|--|--|---|---------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  | 2   |                           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                           |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                        |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                        |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                        |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                        |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown |

Review for **Town of White Creek Site Plan Review Law**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of White Creek Site Plan Review Law</b>   |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1   |   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA    |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  | 1  |   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? | 1  |   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  | 1  |   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>           |
|--|--|---|------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                | 1  |   |                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                        |
| Ag-related uses are not required to get a special use permit or go through site plan review?   | 1  |   |                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                     |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | RTF law status unknown |

Review for **Town of White Creek Subdivision Regulations**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of White Creek Subdivision Regulations</b>  |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1   |   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA    |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  |  | 2   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  |  |   | NA           |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>              |
|--|--|---|---------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA                        |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                           |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                        |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  |   | NA                        |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                        |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                        |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                        |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | Status of RTF law unknown |



Review for **Town of Whitehall Site Plan Review**, Washington County

| Review Criteria   | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes |
|---|---|---|-------|
| <b>Town of Whitehall Subdivision Review</b>   |   |   |       |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               | 1   |   |       |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |   |   | NA    |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |   |   | NA    |
| Special use permits for agriculture or ag-related uses are not required?  |   |   | NA    |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |   |   | NA    |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |   |   | NA    |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |   |   | NA    |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |   | 2   |       |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |   | 2   |       |
| Are on-site signs allowed to attract and direct people to farm stands?  |   |   | NA    |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  | 2   |              |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

|  | Yes,<br>Includes<br>or Uses<br>This<br>Criteria | No,<br>Does<br>not<br>Use or<br>Include<br>Criteria | Notes                     |
|--|---|---|---------------------------|
| <b>Review Criteria</b>   |   |   |                           |
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |   | 2   |                           |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |   | 2   |                           |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |   | 2   |                           |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |   | 2   |                           |
| Are silos and other farm structures exempt from height requirements?   |   |   | NA                        |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |   |   | NA                        |
| Zoning does not regulate farms by acreage or number of animals.  |   |   | NA                        |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |   |   | Status of RTF law unknown |

Review for **Town of Whitehall Subdivision Regulations**, Washington County

|   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>                                |
|---|--|---|---|
| <b>Review Criteria</b>  |  |   |   |
| <b>Town of Whitehall Subdivision Regulations</b>  |  |   |   |
| Does the regulation's purpose statement include a discussion of agriculture and specifically promotes or seeks to preserve agriculture?                               |  | 2   |   |
| Does zoning allow agriculture as a permitted use by right in the major agricultural areas of the Town?  |  |   | NA  |
| Zoning does not prohibit specific types of agriculture in any district other than hamlet centers or commercial areas?   |  |   | NA  |
| Special use permits for agriculture or ag-related uses are not required?  |  |   | NA  |
| Zoning does not result in higher density or commercial growth in core farm areas or where a NYS Ag District exists?   |  |   | NA  |
| Does the zoning establish a local agricultural zoning district, ag overlay district, or special use district specifically designed to promote or help agriculture?    |  |   | NA  |
| Does the zoning allow farms to have more than one business on the farmed parcel or offer flexibility in some way to accommodate the needs of agricultural businesses? |  |   | NA  |
| Are buffer areas between farmland and non-farm uses required for new construction or subdivision?   |  | 2   |   |
| Are innovative development patterns that preserve farmland encouraged, allowed, or mandated (such as conservation subdivision, clustering, TDR)?                      |  | 2   | Cluster development included in definitions |
| Are on-site signs allowed to attract and direct people to farm stands?  |  |   | NA  |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b> |
|--|--|---|--------------|
| Are at least some farm-related businesses such as farm stands, farm retail markets, agri-tourist businesses, breweries, etc. allowed?  |  |   | NA           |
| Are farm processing facilities such as community kitchens, food distribution centers, or slaughterhouse allowed?   |  |   | NA           |
| Zoning does not limit farm stands from selling just products from that one farm?   |  |   | NA           |
| Farm stands do not need a site plan review or special use permit?  |  |   | NA           |
| Zoning allows for agricultural accessory uses such as greenhouses, barns, garages, equipment storage etc permitted as of right?  |  |   | NA           |
| Do application requirements include asking for submittal of information or maps about farming that might be taking place on or near the project parcel? Whether it is in an ag district? What farming activities take place on or near the site? Whether prime farmland soils are present? |  | 2   |              |
| Does zoning authorize or require a PB or ZBA to specifically evaluate impacts of a project on agriculture?   |  |   | NA           |
| Do any design standards exist to direct building envelopes to areas on a parcel in a manner that would still allow farming to take place on any preserved or remaining open spaces?  |  | 2   |              |
| Does the regulation define agriculture and farming, at least or other terms such as agricultural structure, farm worker housing, agri-tourism, and agri-business?  | 1  |   |              |
| Are farm-related definitions broad and flexible and not confined to a certain number of acres or income earned?  | 1  |   |              |
| Are non-traditional or retail based farm businesses allowed at a farm location?  |  |   | NA           |

| <b>Review Criteria</b>   | <b>Yes,<br/>Includes<br/>or Uses<br/>This<br/>Criteria</b> | <b>No,<br/>Does<br/>not<br/>Use or<br/>Include<br/>Criteria</b> | <b>Notes</b>           |
|--|--|---|------------------------|
| Is an agricultural data statement as per AML 25-aa required as part of an application for site plan, special use or other zoning?                |  |   | NA                     |
| Does the community require placement of an ag disclosure statement on plans or plats when development takes place in a NY certified ag district? |  | 2   |                        |
| Ag-related uses are not required to get a special use permit or go through site plan review?   |  |   | NA                     |
| Does the regulation define and allow for farm worker housing? Are mobile homes allowed as farm worker housing?                                   |  | 2   |                        |
| Are silos and other farm structures exempt from height requirements?   |  |   | NA                     |
| Are personal wind mills and solar panels allowed for farms? With permits or permitted as of right?   |  |   | NA                     |
| Zoning does not regulate farms by acreage or number of animals.  |  |   | NA                     |
| Is there a right to farm law or statement included in the zoning or as a separate local law?   |  |   | RTF law status unknown |