

MEETING MINUTES**GENESEE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD****Tuesday, September 30, 2025**

A meeting of the Genesee County Agricultural and Farmland Protection Board was held on Tuesday, September 30, 2025 at 11:00 AM in the Small Conference Room of Genesee County Building 2 at 3837 W. Main Street Rd. in Batavia.

Members in attendance: Donn Branton, Steve Boldt, LuAnne McKenzie, Janette Veazey-Post, Dennis Phelps, Christian Yunker and Felipe Oltramari. Also in attendance were Greg Post and Steve Mountain of the Town of Batavia, Matt Halladay and Taylor Wilkie of Genesee Valley Conservancy, and Julie Boasi of the Genesee County Planning Dept.

The meeting was called to order at 11:04 AM.

1. Approval of Minutes

A Motion for approval of the minutes of the June 17, 2025 meeting was made by Mr. Boldt, seconded by Mr. Yunker, and carried.

2. Smart Growth Plan 2025 Review

Mr. Oltramari explained that there was only one request from a municipality to make a change to the Smart Growth Plan 2025. There has been discussion between the Town of Batavia and Genesee County Planning and Planning received a modified request from the Town in a letter dated September 18, 2025. The modified request was reviewed by Mr. Oltramari and is shown in "Map 6" at the end of this document.

The request is to remove the red areas along Route 98 and in places where the smart growth boundary should follow parcel lines, add the green areas including the large parcel between West Main Street Road and the Thruway, and in places where the smart growth boundary should follow parcel lines, and to leave the northern parcel along Oak Orchard Road as a Reserved Development Area.

Mr. Oltramari stated these changes result in an overall reduction of 6 acres in the Priority Development Areas, but is an increase in the amount of agricultural district land (232 acres), currently farmed land (268 acres), and strategic farmland (143 acres) included in the Priority Development Areas.

Mr. Yunker asked for clarification on the definition of a Reserved Area. Mr. Oltramari responded that it is land the municipalities have set aside to use for larger-scale, dense development. Mr. Yunker asked if there municipalities other than the Town of Batavia

that have these areas and Mr. Oltramari responded that there are Reserved Development Areas in Oakfield and Alabama.

Ms. McKenzie asked if Smart Growth could be used to restrict solar development within the Priority Development Areas. Mr. Oltramari answered that it could support restriction on local-scale solar development permitted by the municipalities but not large-scale development permitted by New York State. Solar does not require a water hookup, so there is little applicability.

Mr. Mountain stated that the Town of Batavia has zoning in place to restrict piecemeal development on the northern parcel that will remain in a Reserved Development Area. The Town wants to move the parcel between West Main Street Road and the Thruway to a Priority Development Area and look at an overall development plan for the whole parcel. This will allow for coordinated planning of transportation and utilities, and result in the highest and best use of the land. Mr. Post also mentioned that the Town of Batavia is interested in developing this particular area because it is close to the existing density in the Town and the City of Batavia.

Ms. McKenzie asked if the Town of Batavia are proposing a road on that parcel and if they expect houses to be built there. Mr. Post said yes, they expect a developer to build a road and that they anticipate a multi-use development, including housing.

Ms. McKenzie asked if water supply to the site would be an issue. Mr. Mountain replied that development of the site would be 5 to 8 years out, so most likely there would be water available by that time.

A Motion for approval of the changes to the Town of Batavia Smart Growth areas was made by Ms. McKenzie, seconded by Mr. Boldt, and carried.

Mr. Oltramari explained that the next steps in this process would be to present this modified Smart Growth proposal to the Water Resources Agency in October, hold a public meeting in November, and present it to the Legislature in December.

3. Other Business

a. PDR Update and Revised Regional Farmland Protection Pre-Application

Mr. Halladay gave an update on PDR applications, explaining that they are preparing to close on the Stein Farm this year and will protect approximately 1,000 acres in LeRoy. In the first or second quarter of 2026 they should close on two additional farms, protecting approximately 2,500 acres in total in Genesee County.

GVC is currently waiting for Ag & Markets to announce the next RFP and are ready to

move forward with Ken Barniak's farm in Bethany, which would protect over 1,000 acres. There is at least one other farm interested.

In preparation of the next round of applicants, GVC has begun to revise their Pre-Application to align with available tools and the minimum criteria required by this and other grant programs. Please see the "Summary of Revisions for the Draft Regional Pre-Application" at the end of this document for GVC's suggested changes to collect all required information and to make the process more equitable for smaller farms.

Mr. Yunker asked for clarification on the last noted change, "Removed criteria regarding 10 agricultural businesses they support as cash crop and produce operations require fewer services than a dairy would, and we don't want to incentivize certain types of farms to apply to this program over any others." Mr. Halladay responded that this referred to outside business and affected that qualitative analysis by the reviewer. Some types of farming require more interaction with outside businesses (i.e. dairy farming) and GVC does not want certain types of farming to score higher due to outside business interaction.

Ms. McKenzie asked why there is a preference for farms to be diversified. Ms. Wilkie explained that NYS believes this signals long-term viability and that the farmland will continue to be used and not lay fallow. Ms. McKenzie stated that smaller, 100 to 250 acre farms, that do not have a next generation to take over, should be protected. These farms do not have a succession plan. Mr. Halladay stated that smaller farms could still be protected under other grant programs, such as the USDA program.

Mr. Yunker stated that we should market these programs to landowners, not just farmers. We should also encourage farm operators (renters) to apply jointly with the landowners. Ms. Veasy-Post agreed, and Mr. Halladay stated that these joint applications are desired by GVC.

Ms. Wilkie mentioned that GVC is creating a one-page summary sheet explaining the PRD process to distribute ahead of the grant workshop planned for Spring 2026. Mr. Halladay requested the Genesee County Planning work with GVC using the list of parcels previously identified as susceptible to development to do targeted outreach for the spring workshop. Mr. Oltramari agreed to assist GVC.

Ms. Wilike mentioned that GVC will be presenting on the farmland protection program at the Decision-Maker's Agriculture Forum in October. Mr. Halladay said GVC will give the AFPB another update at the December meeting.

b. Solar Resolution

Mr. Branton stated that he would like the AFBP to voice an opinion on solar. Members agreed and Mr. Yunker asked if the Board wanted to issue a resolution and base it on Genesee County's resolution. Mr. Oltramari explained that the County's resolution covered both the conversion of farmland and the loss of control over the conversion. Mr. Oltramari offered to draft a resolution and circulate it to the group via email. Please see the draft "Genesee County Agricultural and Farmland Protection Board Resolution 01 -2025" at the end of this document.

c. Water Supply and Delivery

Ms. McKenzie asked if the goal of the water project is to get water distributed to more individuals or to more businesses. Mr. Yunker responded that it is both; however, it also matters how much water volume we have coming in not just where water lines are installed. Mr. Oltramari noted that most of the water district planning happens at the town level. Mr. Yunker mentioned that the County's consultant, Arcadis, is putting a great deal of effort into projected usage and future requirements. It is currently a top priority for the County.

4. Next Meeting

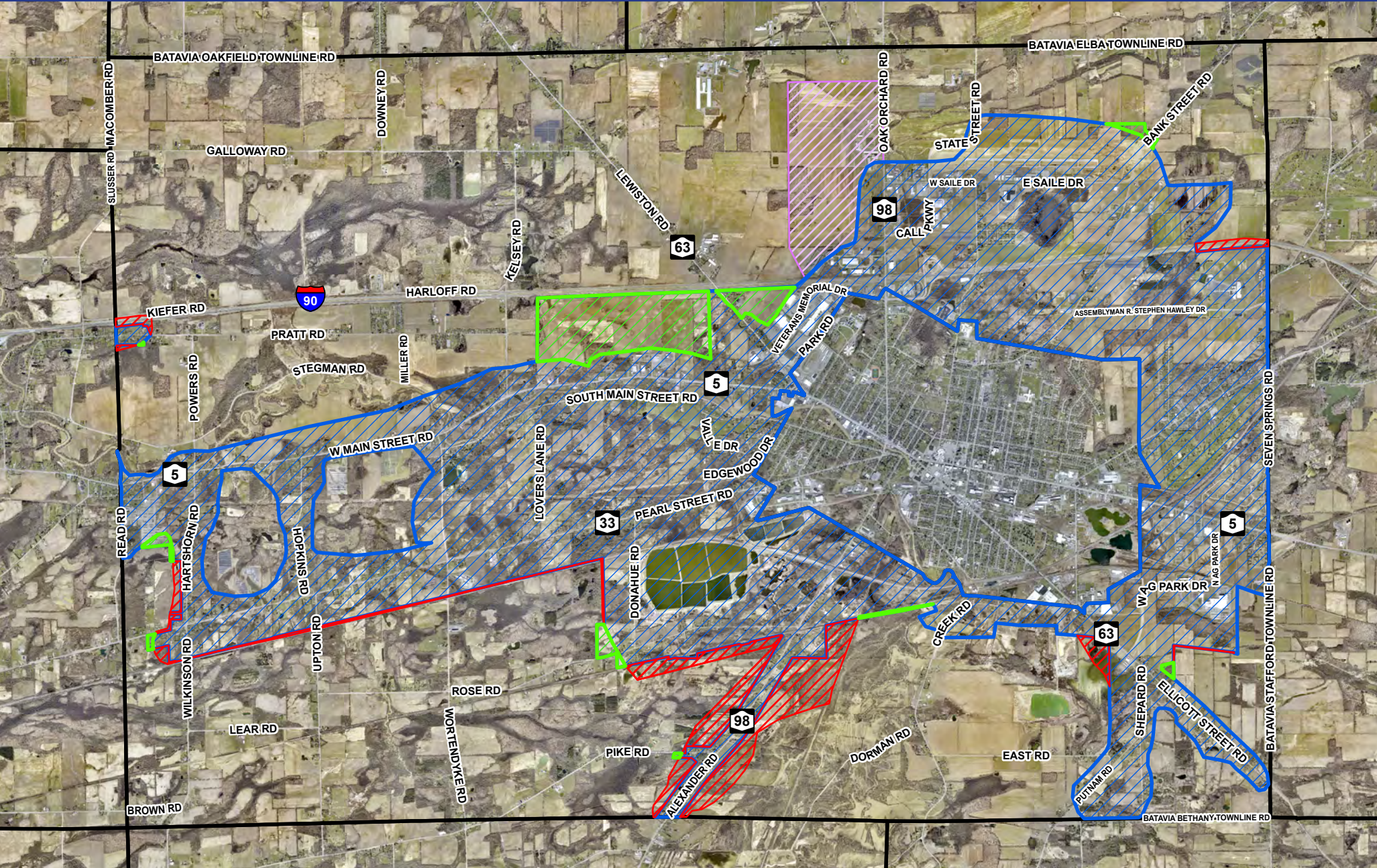
The next meeting of the Board is scheduled for Tuesday, December 16, 2025 at 11 AM.

5. Adjournment

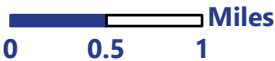
A motion to adjourn was made by Mr. Oltramari, seconded by Mr. Boldt. Meeting adjourned at 12:05 PM.

Map 6 - Town of Batavia Revised Proposal by the Town

GENESEE COUNTY SMART GROWTH PLAN 2025 Review Report



- Priority Development Areas
- Proposed Deletions
- Proposed Expansions
- Reserved Development Areas



Genesee County
Department of Planning
County Building 2

3837 West Main Street Road
Batavia, New York 14020
(585) 815-7901
GeneseeNY.gov/SmartGrowth

Summary of Revisions for the Draft Regional Pre-Application

Eligibility Criteria

- Added 50% Prime/Statewide Important Soils as gatekeeping criteria because it is a State grant requirement
- Increased 50% to 60% of Land in Agricultural Production because it is a State grant requirement
- Added Tier 3 AEM plan because it is required by the State for the conservation easement

Farm Characteristics

- Combined Prime and Statewide Important Soils in one category because the State considers them together, rather than requires a certain percentage of each. The State does not consider Prime if Drained soils, so that language was removed from the application
- Added 5 points for 250-acre project because 250 acres is near the average farm size in the County per the USDA Census of Agriculture and this allows us to make the best use of public funding and protect more farmland with finite resources

Location Factors

- We moved this off the application as we feel that the Applicant doesn't have access to all the information necessary, so GVC will work with the Planning Department to address those same criteria

Farm Viability (Narratives)

- Combined/clarified wording of the questions to help get more of the specific information that is asked in the State grant application and help responses be more to-the-point
- Removed criteria regarding involvement in the agricultural community and local community as this program is intended to benefit landowners, but the ranking should be based as much as possible on the quality of the land resource we're protecting due to the competitive nature of the grant
- Added criteria that incentivizes good conservation practices on the land as strong management practices improve the land resource for an agricultural operation
- Removed criteria regarding 10 agricultural businesses they support as cash crop and produce operations require fewer services than a dairy would, and we don't want to incentivize certain types of farms to apply to this program over any others

**GENESEE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD
RESOLUTION 01 –2025**

**HALT THE PROLIFERATION OF UTILITY-SCALE SOLAR PROJECTS BY
THE OFFICE OF RENEWABLE ENERGY SITING (ORES) WHICH OVERRIDES
LOCAL LAND USE POLICY, CAUSES LOSS OF FARMLAND AND THE COLLAPSE
OF THE GENESEE COUNTY AGRICULTURAL ECONOMY – APPROVAL OF**

WHEREAS, New York State’s clean energy goals must not come at the expense of New York State’s strategic prime farmland that feeds our people, sustains state and rural economies, and anchors the State’s investments in agriculture and food processing; and

WHEREAS, Genesee County is the State’s fourth-largest agricultural producer, long recognized for its highly productive soils, known as the New York State’s “breadbasket,” which supports generations of family farms, high-yield vegetable crops, and high quality, local milk; and

WHEREAS, over 8,400 acres in Genesee County are under construction or proposed for large-scale solar development, including 6,262 acres of strategic prime soil (soil classes 1–4), directly contradicting New York State Department of Agriculture & Markets policy, which discourages such siting; and

WHEREAS, over 4,100 acres of farmland identified as priority to be protected in the Genesee County Agricultural and Farmland Protection Plan that was funded and approved by the NYS Department of Agriculture and Markets are being lost a result of State incentivized solar development; and

WHEREAS, this cumulative conversion of farmland to industrial solar facilities at, an unsustainable rate of loss that threatens farm viability, dairy expansion, agricultural processing capacity, to New York State’s number one industry and economic engine in which the State has invested millions of economic development dollars in facilities such as Great Lakes Cheese, Chobani, and Fairlife, LLC; and

WHEREAS, for three decades, Genesee County’s Smart Growth Plan has been followed, to guide development toward designated growth areas by protecting prime farmland to sustain the County’s agricultural economy; and

WHEREAS, Genesee County is the one county in New York State with a Smart Growth Plan and is widely recognized by the New York State Department of Agriculture and Markets as a model for all agricultural land use planning across the state; and

WHEREAS, Genesee County is home to New York State’s two largest utility-scale solar projects, Excelsior Energy and Cider Solar and the County now faces additional applications from EDP Renewables in the Towns of Batavia, Oakfield, Alabama, and Pembroke, further, another application from Nextera Energy for the Brusselville Energy Battery Storage project in the Town of Byron, along with numerous other small community solar projects around Genesee County. This compounds the disproportionate burden placed on the prime agricultural farmland of this County; and

WHEREAS, on August 13, 2025, EDP advised the Towns and Genesee County that it would seek numerous waivers from the State of New York to bypass duly adopted local laws, comprehensive plans, and zoning regulations, which would override the authority of municipalities and residents in direct conflict with the principle of “home rule” guaranteed under Article IX of the New York State Constitution; and

WHEREAS, the proposed EDP Alabama Solar Project and similar projects would irreversibly convert productive agricultural lands, erode the agricultural base, threaten food security, and undermine both the productive agricultural assets and long-term economic stability of Genesee County; and

WHEREAS, the Office of Renewable Energy Siting (ORES) has routinely approved projects that contradict farmland protection principles and override New York State Department of Agriculture & Markets policy, accelerating farmland loss instead of preventing it, thereby placing the future of the agricultural economy in jeopardy.

NOW, THEREFORE, BE IT RESOLVED, that the Genesee County Agricultural and Farmland Protection board, formally opposes the siting of large-scale industrial solar projects on New York State strategic prime farmland, and specifically opposes the proposed EDP Alabama Solar Project; and

BE IT FURTHER RESOLVED, that this opposition is based on the project’s clear and irreversible harm to agriculture, food production, and rural economies; its violation of local land use law; and its broader threat to the constitutional principle of home rule; and

BE IT FURTHER RESOLVED, the state’s economic development investment in dairy processing capacity is in direct conflict in the loss of farmland to support dairy production in New York State. The Governor has invested in Chobani at 1.2 Billion, Fairlife, \$650 Million and Great Lakes Cheese at \$518 Million these investments demonstrate New York State’s commitment to supporting its dairy sector and fostering economic growth; and

BE IT FURTHER RESOLVED, that the Genesee County Agricultural and Farmland Protection urges the Governor and the State of New York to revise solar siting policies to protect strategic prime farmland, honor local zoning and planning authority, **support the Genesee County Agricultural and Farmland Protection Plan**, and ensure that renewable energy development advances in balance with the agricultural foundation of the State’s economy and food supply.