



SUPPORT

A. 7845-A/S. 6231-A (Thiele/LaValle)

AN ACT in relation to certain agricultural lands

The New York League of Conservation Voters supports A. 7845-A/S. 6231-A (Thiele/LaValle), which would clarify that owners of farmland preserved under Section 247 of the General Municipal Law (GML) have the right to construct buildings and structures for bona fide agricultural production pursuant to permits granted by the local government that acquired the development rights.

Section 247 of the GML permits local governments to purchase the development rights to open space and agricultural land, paying the difference in price between a land's value as is and its value if developed to its most profitable end as a residential or commercial development. The land is then permanently maintained, in private hands, as open space or agricultural land. Recent litigation has revealed disagreements over whether or not owners of protected farmland may construct buildings and structures that are necessary to maintain a working farm. However, an interpretation of the GML that does not allow for construction of new farm-related structures is not supported by those responsible for creating the preservation programs and is contrary to how Section 247 has been administered for decades.

A. 7845-A/S. 6231-A would clarify that permits for uses, buildings, and structures that are accessory to bona fide agricultural production are allowable under GML Section 247 unless explicitly forbidden by the language of development rights acquisition.

For these reasons, the New York League of Conservation Voters urges passage of A. 7845-A/S. 6231-A

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