

N.Y. Farm Bureau Files 'Friend Of The Court' Brief In Farm Housing Case

GLENMONT, N.Y. — In an effort to ensure that the Agricultural Districts Law is interpreted in a fair and just manner and farmers are not subject to unnecessary restrictions that interfere with their agricultural operations, New York Farm Bureau recently filed an amicus curiae brief with the Court of Appeals. The brief was filed to support Paul Hafner, Jr., an Onondaga County crop farmer in his legal dispute with the Town of Lysander.

The controversy centers on the interpretation of a 1997 amendment to the Agriculture Districts Law. The Town of Lysander's zoning laws require all single-story, residential dwellings to have a minimum floor area of 1,100 square feet, a size that is commercially unavailable for mobile homes. Therefore, the

town's zoning laws effectively prohibit Mr. Hafner from placing mobile homes on his property for migrant worker housing that is needed to operate his crop farm.

The Agricultural Districts Law prohibits local governments from enacting local laws or regulations that unreasonably restrict farm operations within agricultural districts. However, because of a 1997 amendment to the Agricultural District Law, the Town of Lysander contends that the law does not protect on-farm residential buildings.

"This case is precedent setting," stated Elizabeth Corron Dribusch, general counsel for New York Farm Bureau. "We are happy that the Court of Appeals has decided to hear this case. Preventing farms from using this form of affordable farm housing could have devastat-

ing consequences for New York farmers."

Many New York farmers rely heavily on a seasonal workforce. Many seasonal workers travel here for the numerous benefits of working on New York farms, including the free or low-cost housing farmers provide in exchange for this vital service. The farmer must often provide these housing facilities on site, since rental

units in rural areas are often not accessible.

In this case, it is the contention of New York Farm Bureau and other supporters, that the town's restrictions on the use of mobile homes for farm labor housing are unreasonably limiting and in violation of the Agricultural Districts Law.

"For a town to arbitrarily oppose one farmer's affordable and

acceptable means of providing housing for season workers is unreasonable," added Dribusch. "This farmer's entire season is at risk if he cannot provide this benefit for his workers. Without housing, he will not be able to remain competitive and hire the necessary employees. If the Court of Appeals agrees with the Town of Lysander, farms across the state are in jeopardy."

New York Assembly Passes Bill Creating Council On Sustainable Agriculture

ALBANY, N.Y. — The Assembly recently passed legislation sponsored by Agriculture Committee Chairman Bill Magee that would create and establish a Council on Sustainable Agriculture within the Department of Agriculture and Markets.

"I have said over and over that we must look at agriculture in its totality — what can we do to assist every facet of farming — from lowering costs and increasing efficiency and productivity to marketing products and increasing revenue," Magee said.

This bill would establish a Council on Sustainable Agriculture comprised of the commissioners of three New York State

Agencies and 12 appointees to integrate rural/urban issues by providing the farmer and the consumer with information addressing the economic concerns of the farmer and the consumer's concern with a safe, sustainable food supply.

"There is a tremendous partnership to be had between rural and urban New York and this Council is the first step to fully realizing it," Magee commented.

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Corn	3 to 5 leaf collar	10 to 15 days before tassel	3 to 6 gals/A
Alfalfa	4 to 6 days after each cutting		3 to 6 gals/A

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