

# Balancing Agricultural Land Conservation & Affordable Housing Development

Kevin Haggerty, Bryton Moeller, Jenifer Morgan-Davie, Alexis  
Yamashita

# Overview

1. Framing
2. Vermont Context
3. Maine Case Study
4. New York Case Study
5. Closing Discussion



Image courtesy of Butch Lombardi

# Framing



VS.



AGRICULTURAL LAND  
CONSERVATION

AFFORDABLE HOUSING  
DEVELOPMENT

# Framing



&



AGRICULTURAL LAND  
CONSERVATION

AFFORDABLE HOUSING  
DEVELOPMENT



# Vermont Context: Affordable Housing Crisis & Farmland Loss

- From 2021-23, share of renters with income for a median-priced VT home dropped from 32% to 6%.<sup>1</sup>
- VT Dept of Housing and Community Development: Targets of 41,000 new residences by 2030 and 172,000 by 2050.<sup>2</sup>
- 62% of VT farmland lost (1969-2017).<sup>3</sup>



Image Courtesy of Vermont Youth Conservation Corps

# Vermont Agricultural Land Conservation



Act 250:  
State-level environmental  
review of proposed  
development.<sup>4</sup>



Current Use Program:  
Tax incentives for keeping land  
in agriculture and forest, and a  
Land Use Change Tax.<sup>5</sup>

# Vermont Affordable Housing & Addressing Issues in Tandem

- HOME Act – Housing targets and Act 250 exemptions for affordable housing.<sup>6</sup>
- Act 181 – Future land use mapping process, towns may apply for Act 250 exemptions.<sup>7</sup>
- Vermont Housing & Conservation Board – grants and loans for affordable housing, and conservation easement funding.<sup>8</sup>
- Champlain Housing Trust – farmworker housing loan program.<sup>9</sup>





# Second Homes

- 17% of Vermont's housing is seasonal second homes.<sup>10</sup>
- In 2/3 towns, second homes and commercial land are taxed at higher rates than primary residences.<sup>11</sup>
- Second home buyers in VT pay a higher property transfer tax.<sup>12</sup>





# Proposed Changes & Program Interactions

- H134: Affordable housing exemption for the Current Use Program Land Use Change Tax in planned development areas.<sup>13</sup>
- H273: Lowers the Land Use Change Tax from 10% to 6%, while loosening the requirements for agricultural land to enter the Current Use program.<sup>14</sup>







# Maine

Image courtesy of [mainesmidcoast.com](http://mainesmidcoast.com)



# Agricultural Land Conservation: Maine

- Current Use Program: At least 5 contiguous acres of farmland and \$2,000 annual agriculture sales. Penalty if land is developed.<sup>1</sup>
- Voluntary Municipal Farm Support Program Enables municipalities to decrease property taxes (lower rates than current use) for farmland through temporary easements that can be up to 20 years.<sup>2</sup>



Image courtesy of Acadia National Park





# Affordable Housing: Maine

## Rural Affordable Housing Rental Program

Incentivizes developers by offering tax credits to projects constructing 5-18 affordable housing units in rural areas.<sup>3</sup>

# Second Homes: Maine

Bill H.P. 988<sup>4</sup>

- Proposed supporting affordable housing through impact fee on vacant, secondary residences.
- Proposed fee distribution to the Housing Opportunities for Maine Fund for affordable housing initiatives.
- Did not pass vote in 2022.<sup>5</sup>
- Maine resident owned vacation properties impact and violations to private property rights were cited as issues.<sup>5</sup>





# New York



Image courtesy of [tripadvisor.com](https://www.tripadvisor.com)



# Agricultural Land Conservation: New York

## Agricultural Assessment Program<sup>20</sup>

- Agricultural assessment based on soil types.
- \$10,000 annual gross agricultural revenue
- Must remain in agricultural production for 5 years
- Penalty for non-agricultural land conversion



# Agricultural Land Conservation: New York cont.



Agricultural Districts:  
Grouping of tax parcels in  
which agriculture is primary  
land use.<sup>21</sup>



Farmland Protection Program:  
Financial support for farmland  
protection planning and  
agricultural easements.<sup>22</sup>

# Affordable Housing: New York

---

## New York Housing Compact

- Prioritizes infill development through rezoning and tax exemptions.<sup>23</sup>

## Farmworker Housing Program

- \$200,000 loans to purchase, improve, or construct affordable farmworker housing.<sup>24</sup>



Image courtesy of "Niagara Falls USA"



# Second Homes: New York

## Assembly Bill A1044

- Proposed progressive tax of 0.5-4% on second homes and 10-13.5% on condominiums.<sup>25</sup>

Preceding versions of this bill have been rejected citing real estate impacts



# Conclusion

- All three states are addressing the interplay of farmland conservation and affordable housing.
- Current Use Programs are different state to state, NY has a separate program for agriculture.
- ME and NY have unique programs engaging municipalities in conservation.
- All three states address affordable housing using different financial mechanisms.
- ME and NY bills disincentivizing second home ownership have failed.

# Questions & Discussion



# References

- <sup>1</sup> Agency of Commerce and Community Development. (2025). Vermont Housing Needs Assessment. <https://accd.vermont.gov/housing/plans-data-rules/needs-assessment>
- <sup>2</sup> Agency of Commerce and Community Development. (2025). *New Regional Housing Targets and Housing Data Dashboard Help Set Roadmap for Addressing Vermont's Housing Shortage*. <https://accd.vermont.gov/press-releases/new-regional-housing-targets-and-housing-data-dashboardhelpset-roadmap-addressing>.
- <sup>3</sup> Daniels, T. L., McCarthy, K., & Lapping, M. B. (2023). The Fragmenting Countryside and the Challenge of Retaining Agricultural Land: The Vermont Case. *Society & Natural Resources*. <https://www.tandfonline.com/doi/full/10.1080/08941920.2022.2132438>
- <sup>4</sup> State of Vermont. (2025). *Act 250 Program & History*. <https://act250.vermont.gov/act250-program>
- <sup>5</sup> VT Department of Taxes. (2025). *Current Use*. <https://tax.vermont.gov/property/current-use>
- <sup>6</sup> VT Agency of Commerce and Community Development. (2025). *Vermont HOME Act of 2023*. <https://accd.vermont.gov/community-development/resources-rules/planning/HOME>
- <sup>7</sup> McCarthy, K., & Balassa, M. (2025, February 19). *Act 181*. <https://www.richmondvt.gov/calendar/meeting/planning-commission-2-19-25>
- <sup>8</sup> VHCB. VHCB Invests \$3.6M in Support of Affordable Housing and Conservation Projects throughout Vermont | Vermont Housing & Conservation Board. 2025. <https://vhcb.org/news/news/march-21-2025>
- <sup>9</sup> Agency of Agriculture Food and Markets. (n.d.). Farmworker Housing Applications Open. Retrieved April 8, 2025, from <https://agriculture.vermont.gov/farmworker-housing-applications-open>
- <sup>10</sup> Allen, A. W. (2019, August 5). Study: Vermont is No. 2 nationwide for second home ownership. VTDigger. <http://vtdigger.org/2019/08/05/study-vermont-is-no-2-nationwide-for-second-home-ownership/>
- <sup>11</sup> Weinstein, E. (2023, January 13). Many second homeowners pay a lower tax rate than residents. Will the Legislature change that? VTDigger. <http://vtdigger.org/2023/01/13/many-second-home-owners-pay-a-lower-tax-rate-than-residents-will-the-legislature-change-that/>
- <sup>12</sup> Vermont Real Estate Company. (2024). What to Know About Vermont's Property Transfer Tax Changes. <https://www.vermontrealestatecompany.com/posts/what-to-know-about-vermont-s-property-transfer-tax-changes>
- <sup>13</sup> Vermont General Assembly. (2025a). *Bill Status H.134*. <https://legislature.vermont.gov/bill/status/2026/H.134>
- <sup>14</sup> Vermont General Assembly. (2025b). *Bill Status H.273*. <https://legislature.vermont.gov/bill/status/2024/H.273>
- <sup>15</sup> Current Land Use Programs. (n.d.). Department of Administrative and Financial Services Maine Revenue Services. Retrieved March 21, 2025, from <https://www.maine.gov/revenue/taxes/tax-relief-credits-programs/property-tax-relief-programs/land-use-programs>
- <sup>16</sup> Voluntary Municipal Farm Support Program. (n.d.). Grow Smart Maine. Retrieved March 31, 2025, from <https://growsmartmaine.org/voluntary-municipal-farm-support-program/>
- <sup>17</sup> Rural Affordable Housing Rental Program. (n.d.). Maine State Housing Authority. Retrieved April 8, 2025, from <https://www.mainehousing.org/programs-services/housing-development/developmentdetails/rural-affordable-housing-rental-program>
- <sup>18</sup> H.P. 988 An Act to Increase Affordable Housing and Reduce Property Taxes through an Impact Fee on Vacant Residences. (2021, March 30). Mainelegislature.org. [https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0988&item=1&snum=130#:~:text=\\$4962](https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0988&item=1&snum=130#:~:text=$4962).
- <sup>19</sup> Billings, Randy. (2022, March 9). *Maine House Slams Door on Fees for Vacant Second Homes*. Portland Press Herald. <https://www.pressherald.com/2022/03/09/maine-house-slams-door-on-vacant-home-fees/>
- <sup>20</sup> Department of Taxation and Finance (n.d.) Agriculture Assessment Program: an overview. Property Tax and Assessment Administration. Retrieved March 30, 2025. [https://www.tax.ny.gov/research/property/assess/valuation/ag\\_overview.htm](https://www.tax.ny.gov/research/property/assess/valuation/ag_overview.htm).
- <sup>21</sup> Department of Agriculture and Markets (n.d. c) Agricultural Districts Law: A Current Summary. Retrieved March 31, 2025. <https://agriculture.ny.gov/system/files/documents/2020/01/summary-agrdistrict-law.pdf>.
- <sup>22</sup> Department of Agriculture and Markets (n.d. a) Farmland Protection. Retrieved March 30, 2025. <https://agriculture.ny.gov/land-and-water/farmland-protection>
- <sup>23</sup> Governor Kathy Hochul. (n.d.). The New York Housing Compact. Retrieved April 5, 2025. <https://www.governor.ny.gov/programs/new-york-housing-compact>
- <sup>24</sup> Homes and Community Renewal (n.d.) Farmworker Housing Program. Retrieved April 4, 2025. <https://hcr.ny.gov/farmworker-housing-program-fwh>
- <sup>25</sup> Assembly Bill A1044 (January 8,2025). The New York State Senate. <https://legislation.nysenate.gov/pdf/bills/2025/A1044>

- Photos

<https://butch-lombardi.pixels.com/featured/spring-brook-farm-vermont-butch-lombardi.html>

<https://notoriousrob.com/2016/04/in-which-i-propose-an-affordable-housing-solution/>

<https://vtfishandwildlife.com/conserve/vermont-conservation-design>

[https://www.acadianationalpark.com/bar\\_harbor\\_maine\\_attractions/maine\\_blueberries.php](https://www.acadianationalpark.com/bar_harbor_maine_attractions/maine_blueberries.php)

<https://www.vermonter.com/sleepy-hollow-vermont-farm/>

<https://www.maine tourism.com/>

<https://evergreene.com/projects/maine-state-capitol/>

<https://www.google.com/url?sa=i&url=https%3A%2F%2Fwww.niagarafallsusa.com%2F&psig=AOvVaw2iDaZ5gvVBzLwFJUuR3rl&ust=1744229242075000&source=images&cd=vfe&opi=89978449&ved=0CBoQ3YkBahcKEwjp6ty9nsmMAxUAAAAAHQAAAAAQBA>

<https://www.iloveny.com/listing/new-york-state-capitol/2895/>

<https://www.deccicoandsons.com/6-local-dairy-day-trips/>

<https://www.iloveny.com/things-to-do/tours-excursions/farm-tours/>

<https://www.vecteezy.com/free-vector/forest-trees>