

Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County Agricultural And Farmland Protection Board – Department Of Planning

Referred to: Economic Development, Tourism, Housing, Planning, and Transit Committee (Chairman Briggs and Legislators Allen, Archer, Litts, Maio, Maloney and Wishnick)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Thomas J. Briggs, and Deputy Chairman James F. Maloney offer the following:

WHEREAS, consistent with §303(b) of New York Agriculture and Markets Law (AML), Ulster County established an annual 30-day review period for farmers to request the inclusion of additional lands in Agricultural Districts within Ulster County; and

WHEREAS, during this period, 5 requests were submitted to the Ulster County Legislature, consisting of 6 parcels with a total of approximately 48 acres; and

WHEREAS, on May 8, 2014, the Chairman of the Ulster County Legislature transmitted the requests for inclusion to the Agricultural Farmland Protection Board for their recommendations as required under §303(b) of the AML; and

WHEREAS, the Agricultural Farmland Protection Board met and reviewed the requests on May 14, 2014, and took the necessary actions by a majority of its members as required under the AML, to recommend the inclusion of lands in Agricultural Districts within Ulster County that consist of predominately viable agricultural land, and determined that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, the Agricultural Farmland Protection Board has filed these recommendations/results and supporting documentation with the Clerk of the Ulster County Legislature; and

WHEREAS, The Ulster County Legislature held the required public hearing on June 17, 2014 with no adverse public comments received; and

WHEREAS, Ulster County, along with the Agricultural Farmland Protection Board, has met its responsibilities regarding notice, reporting, and holding a public hearing; and

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WHEREAS, the addition of lands to Agricultural Districts with respect to the State Environmental Quality Review Act (Part 617 NYCRR) is considered an Unlisted Action and an Environmental Assessment Form has been completed and filed with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Ulster County Legislature finds, after review of the Environmental Assessment Form and the recommendations of the Agricultural Farmland Protection Board, for the inclusion of lands within agricultural districts, as filed with the Clerk of the Legislature, that no significant adverse environmental impacts will occur as a result of this action and a Negative Declaration is adopted under NYCRR Part 617.7 (SEQRA); and, be it further

RESOLVED, that the Ulster County Legislature adopts the recommendations of the Agricultural and Farmland Protection Board, as filed with the Clerk of the Ulster County Legislature, which includes the placement of additional lands within existing agricultural districts in Ulster County, noting this action will result in the inclusion of all lands submitted to the County Legislature for inclusion; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to submit this resolution, a copy of the Agricultural and Farmland Protection Board report and other material as required under Agriculture and Markets Law Article 25-AA – Agricultural Districts, to the Commissioner of Agriculture, and request that the Commissioner certify the inclusion of these lands in an agriculture district if feasible and in the public interest,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Loughran and Roberts)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on July 1, 2014

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 15th Day of July, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 16th Day of July in the year Two Thousand and Fourteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature