

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: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Loughran, Maio, Roberts, and Wishnick)

Chairman of the Economic Development and Tourism Committee, James F. Maloney, and Deputy Chairman Peter Loughran 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, 12 requests were submitted to the Ulster County Legislature, consisting of 19 parcels with a total of 516 acres; and

WHEREAS, on June 14, 2013, the Chairman of the Ulster County Legislature transmitted the requests for inclusion to the Agricultural and Farmland Protection Board for their recommendations as required under §303(b) of the AML; and

WHEREAS, the Agricultural and Farmland Protection Board met and reviewed the requests on July 11, 2013, 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 and Farmland Protection Board has recommended the inclusion of eleven (11) of the requests seeking the addition of lands to agricultural districts and that one (1) request consisting of the lands of Valenti, a single parcel of approximately 13.4 acres in the Town of Ulster listed as Tax Map Section Block and Lot (SBL) 48.13-2-1, has not been recommended for inclusion; and

WHEREAS, the Agricultural and Farmland Protection Board has filed these recommendations and supporting documentation, including public comments received, with the Clerk of the Ulster County Legislature; and

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

WHEREAS, the addition of lands to agricultural districts is considered an Unlisted Action pursuant to Parts 617.2(ak), 617.4, and 617.5 (SEQRA), 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 and 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 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 approximately 503 acres of additional lands within existing agricultural districts in Ulster County, noting this action will result in the inclusion of all parcels of lands submitted to the County Legislature for inclusion with the exception of SBL 48.13-2-1, lands of Valenti in the Town of Ulster; 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 is feasible and in the public interest,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0

(Legislator Briggs left Chambers at 7:28 PM and returned at 7:38PM)

(Absent: Legislator Richard Parete)

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Passed Committee: Economic Development and Tourism on August 14, 2013

FINANCIAL IMPACT:
NONE

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 20th Day of August, 2013, 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 21st Day of August in the year Two Thousand and Thirteen.

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