

Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County And Requesting That The New York State Commissioner Of Agriculture Certify The Inclusion Of These Lands Is Feasible And In The Public Interest

The Economic Development, Housing, Planning and Transit Committee (Chairman Rodriguez and Legislators Bischoff, Loughran, Sheeley, Harris, Roberti and Terrizzi) offers the following:

WHEREAS, consistent with Agriculture and Markets Law (AML) Section 303b, Ulster County established an annual 30-day review period for inclusion of additional lands in Agricultural Districts within Ulster County, and

WHEREAS, during this period 9 requests were submitted to the Ulster County Legislature consisting of 20 parcels with a total of 833 acres, and

WHEREAS, on April 30, 2008, the Chairman of the Ulster County Legislature transmitted the requests for inclusion to the AFPB for their recommendations as required under AML 303b, and

WHEREAS, the Agricultural Farmland Protection Board met and reviewed the requests on May 13, 2008, with a majority of its members determining that the lands requested to be included in Agricultural Districts within Ulster County consist of predominately viable agricultural land, and 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 AFPB has filed its recommendations and supporting documentation, including public comments received with the Clerk of the Ulster County Legislature, and

WHEREAS, Ulster County along with the AFPB has met its responsibilities regarding notice, reporting, and holding of a public hearing, and

WHEREAS, the additions of lands to Agricultural Districts are considered an Unlisted Action pursuant to Part 617(4)(5) State Environmental Quality Review Act (SEQRA), and an Environmental Assessment form has been completed and filed with the Clerk of the Ulster County Legislature, and

WHEREAS, the Economic Development, Housing, Planning and Transit Committee has met and reviewed said request with a majority of the members voting approval.

Resolution No. 221 July 9, 2008

Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County And Requesting That The New York State Commissioner Of Agriculture Certify The Inclusion Of These Lands Is Feasible And In The Public Interest

RESOLVED, that the Ulster County Legislature finds, after review of the Environmental Assessment Form and the recommendations of the AFPB for the inclusion of lands within agricultural districts, filed with the Clerk of the Ulster County Legislature and as further amended by this resolution, that no significant adverse environmental impacts will occur as a result of this action and a Negative Declaration is adopted under Part 617(7) State Environmental Quality Review Act (SEQRA), and

FURTHER RESOLVED, that the Ulster County Legislature adopts the recommendations of the AFPB as filed with the Clerk of the Ulster County Legislature to place additional lands within existing agricultural districts in Ulster County with the exception of two parcels located in the Town of New Paltz included in the AFPB recommendations as tax map (section block and lot) 86.1-1-37.11 and 86.1-1-37.12 consisting 2.251 and 1.84 acres respectfully with "Wine" listed as the applicant, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to submit this resolution, a copy of the AFPB Report, noting that the parcels listed above are specifically omitted from the additions to be considered for inclusion in the agricultural district, and other material as required under Agriculture and Markets Law Article 25AA – Agricultural Districts, to the Commissioner of Agriculture, and request that the Commissioner certify that the inclusion of the lands in the AFPB Report with the omissions noted above, in agriculture districts within Ulster County is feasible and in the public interest,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 9
(1 Abstention: Legislators Zimet)
(NOES: Legislators Cummings, Fabiano,
Felicello, Gerentine, Hansut, Maloney, R.A.
Parete, Roberts and Shapiro)
(Absent: Legislators Briggs, Dart, Kraft and
Stoekeler)

Resolution No. 221 July 9, 2008

Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County And Requesting That The New York State Commissioner Of Agriculture Certify The Inclusion Of These Lands Is Feasible And In The Public Interest

Legislator Cummings motioned, seconded by Legislator Gerentine to amend the resolution to reflect the recommendations of the Agricultural Farmland Protection Board which would include the "Wine" parcels rather than exclude them in the additional lands in the Agricultural Districts within Ulster County.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 10 NOES: 18
(1 Abstention: Legislator Zimet)
(AYES: Legislators Cummings, Fabiano, Felicello,
Gerentine, Hansut, Harris, Maloney, R.A. Parete,
Roberts and Shapiro)
(Absent: Legislators Briggs, Dart, Kraft and Stoeckeler)

FINANCIAL IMPACT:
NONE

0725