

**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, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez)

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

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

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 23 parcels with a total of approximately 367 acres; and

WHEREAS, on May 6, 2016, 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 12, 2016, 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 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 21, 2016 with no public comments received; and

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WHEREAS, Ulster County, and the Agricultural Farmland Protection Board, has met its responsibilities regarding the annual inclusion of lands in an Agricultural District including: notice, reporting, and holding of a public hearing; and

WHEREAS, the addition of lands to Agricultural Districts with respect to the State Environmental Quality Review Act (Part 617 NYCRR) are 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 totaling 23 parcels and approximately 367 acres; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall 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: 20                      NOES: 0  
(Absent: Legislators Fabiano, R. Parete and  
Roberts)

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Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on July 5, 2016

FINANCIAL IMPACT:  
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19<sup>th</sup> Day of July in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20<sup>th</sup> Day of July in the year Two Thousand and Sixteen.

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