

2022 Agricultural District Inclusions Report to the Ulster County Legislature

from the

Agricultural & Farmland Protection Board



Photo: Hoop House and Old Tractor at Romar Farms – Marlboro, NY

Prepared by:

The Ulster County Planning Dept.

June 3, 2022



Purpose

To provide the Ulster County Legislature with the requisite information to execute the legislative requirement concerning the inclusion of land into agricultural districts.

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Inclusion Applications and Presentation to AFPB
are filed with the Clerk of the Legislature

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ULSTER COUNTY

AGRICULTURAL AND FARMLAND PROTECTION BOARD

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Patrick K. Ryan
County Executive

May 24, 2022

Ulster County Legislature
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Dear Legislators:

Subject: Agriculture and Markets Law (AML) Section 303-b; Land Owner Requests for Inclusion of Predominately Viable Agricultural in an Existing Certified Agricultural District

In accordance with Section 303-b of the AML, the Ulster County Agriculture and Farmland Protection Board (AFPB) has reviewed 12 landowner requests in 2022 for inclusion of 19 land parcels into Agricultural Districts at the AFPB meeting on May 23, 2022.

It is the recommendation of the AFPB that the Legislature include 16 parcels noted "Include in District" in the attached report, into the specified agricultural district, as the AFPB has found that these parcels consist predominately of viable agricultural land and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry in these districts.

Respectfully submitted,

Robert Magnanini
Chair, Ulster County Agricultural and Farmland Protection Board

Enc. Details of AFPB Recommendation – 2022 Additions to UC Ag. Districts

Background

Addition of lands to certified agricultural districts is governed by NYS Agriculture & Markets Law (AML), Article 25 AA Section 303-b. It directs county legislative bodies to designate an annual thirty-day period during which landowners may request inclusion of predominantly viable agricultural land into an agricultural district. The Ulster County Legislature adopted Resolution 322 on December 4, 2003, designating March 1 through March 30 as the specified annual period. Since the Annual Inclusion program began in 2004, the County has added 304 parcels, or 9,296 acres, to its agricultural districts.

Procedure

A Notice of 30 Day Review was issued to all Town/Village/City Clerks in Ulster County on February 18, 2022 to be posted in their respective municipal halls or online. A press release for the Annual Additions was also issued on February 18, 2022 to 78 press contacts in Ulster County and the rest of the Hudson Valley. The 30 Day Notice of Review was also published on the Ulster County Planning Department website.

Applications were received from March 1 through 30, 2022. Applications from 12 individual landowners or groups of landowners were reviewed by the Ulster County Agricultural and Farmland Protection Board (AFPB). These applications request inclusion of 19 parcels, totaling approximately 580 acres, into all four of the existing certified agricultural districts in Ulster County. The 12 landowner requests represent both existing and planned agricultural operations at 11 locations. Staff from the Ulster County Planning Department reviewed the applications for completeness, current agricultural district status, conservation easements, deed restrictions and legal ownership.

Staff members from the Ulster County Planning Department and another from Cornell Cooperative Extension of Ulster County conducted visits on April 19, 20, 26 and 27. Town supervisors were then emailed on April 28, 2022 notifying them that their towns had tax parcels in the agricultural district inclusion process. Applications were formally transmitted by the Legislature to the AFPB by letter on May 9, 2022. The AFPB is required to evaluate the applications as to conformance with AML and make a recommendation to the Ulster County Legislature.

Procedure (continued)

The AFPB met on May 23, 2022, and after consideration of the information presented, voted to file the recommendation contained in this report for each property, including correspondence with the Clerk of the Legislature and the Ulster County Planning Department's presentation to the AFPB.

Summary of Recommendation

The AFPB recommends 16 parcels totaling approximately 463 acres, be included into the four certified agricultural districts in Ulster County (see Details of AFPB Recommendation on page 4). All the parcels recommended for inclusion have active agricultural operations and/or consist of predominately viable agricultural land. A site visit was not able to be scheduled for a property in Esopus, and the AFPB did not recommend its three parcels for inclusion into an agricultural district for lack of information.

Public Hearing Information

Pursuant to the AML and Resolution 251 of the Ulster County Legislature adopted on May 17, 2022, a Public Hearing will be held on Tuesday, June 21, 2022 at 7:30 PM. The notice of the Public Hearing will be published in the County's newspapers of record on June 8 and 9, 2022. Towns containing tax parcels recommended for inclusion were notified of the Public Hearing by e-mail on May 24, 2022.

Legislative Action Required

The Ulster County Legislature is required to adopt a resolution regarding the inclusion of additional lands into agricultural districts. In so doing, the Legislature is free to accept, reject or modify the recommendation of the Agricultural and Farmland Protection Board.

Upon the adoption of the resolution, the Ulster County Legislature shall submit the resolution, the report of the AFPB, tax map ID numbers and tax maps for each parcel of land to be included to the New York State Commissioner of Agriculture and Markets.

Within thirty days of receipt of the resolution, the Commissioner shall certify to the Ulster County Legislature whether the inclusion is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the district(s). If certified by the Commissioner, the land shall become part of the district(s) immediately.

Ulster County

2022 Agricultural District Inclusion Applicants

Details of AFPB Recommendation

<u>Municipality</u>	<u>AFPB Recommendation</u>	<u>Applicant</u>	<u>District</u>	<u>Parcel ID #</u>	<u>Acres</u>
ESOPUS	Do Not Include in District				
		Douglas Tyson	1	71.3-6-6.200	55.1
		(See Note* Below)	1	71.3-6-8	6
			1	71.3-3-34	56.2
LLOYD	Include in District				
		Lori and Daniel Halbert	1	87.3-2-13	31.3
LLOYD	Include in District				
		Edward M. O'Hara	1	79.2-1-31.100	56
MARBLETOWN	Include in District				
		Kaya Ottaviano Stuart Bellasis	4	61.1-3-39.100	32.3
MARLBOROUGH	Include in District				
		Romar Farms, LLC	1	109.1-4-70.341	14.7
NEW PALTZ (town)	Include in District				
(See Note** Below)		Frank and Margaret Seelmann	2	86.16-1-1	78.6
		Frank and Margaret Seelmann	2	86.16-1-4	21.34
OLIVE	Include in District				
		Dana McClure and Christopher N. Lanier	3	53.3-4-34	3.8
		Dana McClure and Christopher Lanier	3	60.2-1-34	11.8
PLATTEKILL	Include in District				
		201 Lewis LLC	1	102.3-5-21	60
ROCHESTER	Include in District				
		Kaustubh Wahal and Rumpna Bhattacharya	3	76.4-4-1	36.1
		Kaustubh Wahal and Rumpna Bhattacharya	3	76.4-4-2	5
SHANDAKEN	Include in District				
		Woodland Valley Farm, LLC	4	24.8-1-10	11.88
SHANDAKEN	Include in District				
		Woodland Valley Woods, LLC	4	24.8-1-1	25.3
		Woodland Valley Woods, LLC	4	24.8-1-7.100	33.56
		Woodland Valley Woods, LLC	4	24.8-1-8	10.93
WOODSTOCK	Include in District				
		Jason R King	4	27.9-4-43	29.8

Note*: Tax parcel 71.3-3-34 in Esopus has Equity Trust Co. Custodian FBO Douglas M. Tyson IRA BENE Ian B. Tyson DCD as the owner listed in RPS V4.

Note**: Tax parcel 86.16-1-1 in the Town of New Paltz is labelled as 86.16-1.1.00 on tax maps, but not in RPS V4.

Ulster County 2022 Agricultural District Inclusion Applicants

Additional Information

Address of Properties that are part of the 2022 Agricultural District Inclusion Process	Next to or across the street from a Parcel with an Active Farming Operation that is not part of the 2022 Agricultural District Inclusion Process	Straight-Line Distance between Property and Nearest Parcel in an Agricultural District	Prime and Important Soils
201 Lewis Ln - 1 parcel, Plattekill	No	2,282 feet	Yes
342 Pancake Hollow Rd - 1 parcel, Lloyd	No	523 feet	No
234 N. Etling Corners Rd - 1 parcel, Lloyd	No	579 feet	Yes
40 Pascale Ln - 1 parcel, Marlborough	Yes	Adjacent	Yes
70 Martin Sweedish Rd - 3 parcels, Esopus	No	4,470 feet	No
82 S. Putt Corners Rd - 2 parcels, New Paltz	Yes	Across the street	Yes
39 Ravenwood Rd - 2 parcels, Olive	No	2,846 feet	No
1819 Berme Rd - 2 parcels, Rochester	No	156 feet	Yes
220 Tinker St - 1 parcel, Woodstock	Yes	Adjacent	Yes
638 Buck Rd - 1 parcel, Marbletown	No	2,058 feet	No
624 Woodland Valley Rd - 4 parcels, Shandaken	No	1.22 miles	No

Ulster County

2022 Agricultural District Inclusions

Summary by Agricultural District

District	Current Data		2022 Applications		Recommend Inclusion		Prospective Total	
	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
1	771	14,826	7	279	4	162	775	14,988
2	719	28,063	2	100	2	100	721	28,163
3	539	16,722	2	41	2	41	541	16,763
4	368	11,345	8	160	8	160	376	11,505
Total	2,397	70,956	19	580	16	463	2,413	71,419

Summary by Municipality

Municipality	Current Data		2022 Applications		Recommend Inclusion		Total w/Inclusions	
	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
Esopus	37	1,151	3	117			37	1,151
Gardiner	245	7,829					245	7,829
Hardenburgh	2	580					2	580
Hurley	37	1,264					37	1,264
Kingston (C)	1	20					1	20
Kingston (T)	1	9					1	9
Lloyd	215	4,862	2	87	2	87	217	4,949
Marbletown	236	6,705	1	32	1	32	237	6,737
Marlborough	403	6,728	1	15	1	15	404	6,743
New Paltz (T)	91	4,817	2	100	2	100	93	4,917
New Paltz (V)	4	39					4	39
Olive	22	447	2	16	2	16	24	463
Plattekill	184	5,405	1	60	1	60	185	5,465
Rochester	284	7,607	2	41	2	41	286	7,648
Rosendale	18	890					18	890
Saugerties	150	4,116					150	4,116
Shandaken	15	477	4	82	4	82	19	559
Shawangunk	300	11,691					300	11,691
Ulster (T)	52	1,453					52	1,453
Wawarsing	85	4,639					85	4,639
Woodstock	15	227	1	30	1	30	16	257
Total	2,397	70,956	19	580	16	463	2,413	71,419

Ulster County Agricultural and Farmland Protection Board (AFPB)

2022 Agricultural District Inclusions Voting Results

Voting was conducted at the May 23, 2022 AFPB Meeting

AFPB Members present:

John Adams, James Amenta, Dennis Doyle, Phil Erner,
Chris Kelder, Robert Magnanini, Christian Malsatzki, Isabel Vinton, and
Tracey Williams

** ** ** **

Results of voting where motions were made for discussion purposes
about recommending whether an applicant’s parcel(s) should be
included into an agricultural district.

<u>Applicant</u>	<u>Yes</u>	<u>No</u>	<u>Abstentions</u>	<u>Motion</u>	<u>Second</u>
201 Lewis LLC	9	0	0	Doyle	Kelder
Halbert	9	0	0	Amenta	Erner
O’Hara	9	0	0	Kelder	Erner
Romar Farms, LLC	9	0	0	Amenta	Malsatzki
Tyson	0	9	0	Erner	Doyle
Seelmann	9	0	0	Kelder	Adams
McClure and Lanier	9	0	0	Amenta	Vinton
Wahal and Bhattacharya	9	0	0	Malsatzki	Adams
King	9	0	0	Erner	Vinton
Stuart	9	0	0	Malsatzki	Erner
Woodland Valley LLCs*	9	0	0	Amenta	Vinton

* Woodland Valley Farm, LLC and Woodland Valley Woods, LLC were two separate applications that had their tax parcels evaluated and voted on as one property.