

**Authorizing The Continuation Of Agricultural District No. 1 – Hudson River – Towns Of Esopus, Lloyd, New Paltz, Plattekill, And Marlborough – Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Cahill and Legislators Archer, Corcoran, Delaune, Litts, Maio, and Uchitelle)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

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

WHEREAS, NYS Department of Agriculture and Markets Law Section 303-a provides for the review of agricultural districts every 8 years after their creation, the time period established upon its creation; and

WHEREAS, Agricultural District No. 1 was created on February 18, 1973 with an 8-year review schedule with its last anniversary date in 2013; and

WHEREAS, the Ulster County Legislature passed Resolution #187-2012, which moved the review date from February 18, 2013 to July 21, 2013 and the New York State Department of Agriculture and Markets approved of this change; and

WHEREAS, the New York State Department of Agriculture and Markets started the required a 300 day review period on September 24, 2020; and

WHEREAS, consistent with Agriculture and Markets Law Section 303-a, Ulster County published notice of a 30-day period for modifications of the District; and

WHEREAS, the Ulster County Agricultural and Farmland Protection Board (AFBP) has met to consider and adopt the required report that recommends the continuation of Agricultural District No. 1, with modifications; and

WHEREAS, Ulster County has met its responsibilities under Agriculture and Markets Law regarding notice, reporting and holding of a public hearing; and

WHEREAS, the Ulster County Legislature has considered the recommendation of the AFPB contained in its report to the Legislature dated February 23, 2021 as on file with the Clerk of the Legislature; and

WHEREAS, there were no comments received at the public hearing held on March 16, 2021; and

**Resolution No. 172      April 20, 2021**

**Authorizing The Continuation Of Agricultural District No. 1 – Hudson River – Towns Of Esopus, Lloyd, New Paltz, Plattekill, And Marlborough – Department Of Planning**

WHEREAS, the Legislature has received one (1) written request to keep lands within the District from individuals whose properties were recommended for removal from the District by the AFPB and has considered this request; and

WHEREAS, no new lands are proposed to be added to the District and lands recommended for removal represent less than 0.6% of the total lands in the District; and

WHEREAS, in accordance with both the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA), and the County of Ulster’s SEQRA Type II List, adopted by Resolution No. 118 on April 20, 2010, the Ulster County Legislature has examined the proposed continuation of the District with proposed modifications and determined it to be an unlisted action; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby approves the continuation, with modifications, of Agricultural District No. 1 in the Towns of Esopus, Lloyd, New Paltz, Plattekill and Marlborough in accordance with the recommendations of the AFPB as filed with the Clerk of Legislature, as Agricultural District No. 1 Hudson River, Ulster County, with the next anniversary date of July 21, 2029 and the exception that the following properties remain within the District:

Owner	Town	S/B/L	Address	Acreage
MVC-RC Mount Zion LLC	Marlborough	108.1-1-2.110	199 Mt. Zion Rd	42.2

and, be it further

RESOLVED, that the Ulster County Legislature finds the continuation of the District with modifications, will result in no significant adverse environmental impacts and that a Negative Declaration is hereby adopted under State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA), and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall submit this resolution, maps and reports as required to the Commissioner of New York State Department of Agriculture and Markets for consideration to determine if it is consistent with New York State environmental plan, policies and objectives and requesting certification of the modified District,

and move its adoption.

**Resolution No. 172      April 20, 2021**

**Authorizing The Continuation Of Agricultural District No. 1 –  
Hudson River – Towns Of Esopus, Lloyd, New Paltz, Plattekill, And  
Marlborough – Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES:    22                      NOES:    0  
(Absent: Legislator Maio)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit  
on April 6, 2021

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 20<sup>th</sup> Day of April in the year Two Thousand Twenty-One, 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 22<sup>nd</sup> Day of April in the year Two Thousand Twenty-One.

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