

Authorizing The Continuation Of Agricultural District No. 2 – Walkill River – Towns Of Esopus, Gardiner, New Paltz, Plattekill, Rosendale, Shawangunk, And The Village Of New Paltz – Department Of Planning

Referred to: The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairman Cahill and Legislators Corcoran, Criswell, Hewitt, Litts, Maloney and Sperry)

Chairman of the Economic Development, Planning, Education, Employment, Arts and Agriculture Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

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. 2 was created on September 10, 1973, with an 8 year review schedule with its last anniversary date in 2015; and

WHEREAS, the New York State Department of Agriculture and Markets notified Ulster County that the required a 300 day review period began on September 24, 2022; 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 (AFPB) met to consider the continuation of Agricultural District No. 2 and adopted the required report that recommends the continuation of the District with minor modifications; and

WHEREAS, the Ulster County Legislature has considered the recommendation of the AFPB contained in its report to the Legislature dated March 1, 2023, as on file with the Clerk of the Legislature; and

WHEREAS, one formal request to remove a tax parcel from Agricultural District No. 2 was made by its landowner and is on file with the Clerk of the Legislature; and

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

Resolution No. 329 June 13, 2023

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WHEREAS, there were no comments received at the public hearing held on April 18, 2023; and

WHEREAS, no new lands are proposed to be added to the District and lands recommended for removal represent 0.38% of the total lands in the District; now therefore, be it

RESOLVED, 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; 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 Ulster County Legislature hereby approves the continuation with modifications of Agricultural District No. 2 in the Towns of Esopus, Gardiner, New Paltz, Plattekill, Rosendale, Shawangunk and the Village of New Paltz in accordance with the recommendation of the AFPB and with the removal of lands associated with the written landowner request each of which is filed with the Clerk of Legislature, such continuation shall be known as Agricultural District No. 2 Wallkill River, Ulster County, with the next anniversary date of July 13, 2031; 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.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Lopez left at 9:01 PM)

