

**Authorizing The Continuation Of Agricultural District No. 4 –
Esopus Creek – Towns Of Hurley, Kingston, Marbletown, Olive,
Saugerties, Shandaken, Woodstock and Ulster – Department Of
Planning**

Referred to: The Economic Development, Tourism, Housing, Planning, and Transit Committee (Chairman Briggs and Legislators Allen, Archer, Litts, Maio, Maloney, and Wishnick)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Thomas J. Briggs, and Deputy Chairman James F. Maloney 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, 12 or 20 years after their creation, the time period established upon its creation; and

WHEREAS, Agricultural District No. 4 was created on March 13, 1975 with an 8-year review schedule with its last anniversary date revised in 2007, requiring a 300-day review period that began May 17, 2014; and

WHEREAS, consistent with Agriculture and Markets Law Section 303-a, Ulster County published notice of 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. 4, 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 recommendations of the AFBP contained in its report to the Legislature dated September 15, 2014 as on file with the Clerk of the Legislature; and

WHEREAS, there were no comments received at the public hearing held on October 21, 2014; and

WHEREAS, the Legislature has received one (1) request from an individual whose property was recommended for removal from the District by the AFBP and has considered this request; and

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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. 4 in the Towns of Hurley, Kingston, Marbletown, Olive, Saugerties, Shandaken, Woodstock and Ulster in accordance with the recommendations of the AFPB as filed with the Clerk of Legislature, as Agricultural District No. 4 Esopus Creek, Ulster County, with the next anniversary date of March 13 2023, and the exception that the following property remains within the District:

Owner	Town	S/B/L	Address	Acreage
Jeannine Ricketson	Saugerties	18.1-1-33.200	3022 Route 32	4.8

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 in further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to 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: 23 NOES: 0

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Passed Committee: Economic Development, Tourism, Housing, Planning and
Transit on November 13, 2014

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18th Day of November, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of November in the year Two Thousand and Fourteen.

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

Submitted to the County Executive this
20th Day of November, 2014.

Approved by the County Executive this
24th Day of November, 2014.

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

|s| Michael P. Hein
Michael P. Hein, County Executive