

Authorizing The Continuation Of Agricultural District No. 4 – Esopus Creek – Towns Of Hurley, Kingston, Marbletown, Olive, Saugerties, Shandaken, Ulster, Woodstock, And The City Of Kingston – 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, this resolution has been submitted at the request of the Acting 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. 4 was created on March 13, 1975 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 May 31, 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 (AFBP) has met to consider the continuation of Agricultural District No. 4 and adopted the required report that recommends the continuation of the District with minor 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 AFBP contained in its report to the Legislature dated October 6, 2022 as on file with the Clerk of the Legislature; and

WHEREAS, there were no comments received at the public hearing held on October 18, 2022; and

Resolution No. 622 December 19, 2022

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WHEREAS, no new lands are proposed to be added to the District and lands recommended for removal represent 0.4% of the total lands in the District; now therefore, be it and

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. 4 in the Towns of Hurley, Kingston, Marbletown, Olive, Saugerties, Shandaken, Ulster, Woodstock, and the City of Kingston in accordance with the recommendation of the AFPB as filed with the Clerk of Legislature, as Agricultural District No. 4 Hudson River, Ulster County, with the next anniversary date of March 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:

NOES:

Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on _____.

FINANCIAL IMPACT:
NONE