

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

Referred to: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Maio, Roberts, Loughran and Wishnick) and The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Donaldson, Fabiano, Loughran, Maio, Robert Parete and Ronk)

Chairman of the Economic Development and Tourism Committee, James F. Maloney, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, New York State Agriculture and Markets Law Section 303-a provides for the review of agricultural districts every 8, 12 or 20 years after their creation; and

WHEREAS, Agricultural District No. 1 was created on February 18, 1973, with an 8 year review schedule and its anniversary date was revised in 2012, thus requiring review in 2013; and

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

WHEREAS, the Ulster County Agricultural and Farmland Protection Board (AFBP) has met and produced the required report recommending 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 the 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 March 14, 2013, and the comments received at the public hearing held on March 19, 2013; and

WHEREAS, the Legislature has received four (4) requests for continued inclusion in the District from individuals whose properties were recommended for removal from the District by the AFBP, and has considered those requests; 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. 1 in the Towns of Esopus, Lloyd, Marlborough, New Paltz and Plattekill in accordance with the recommendations of the AFPB as filed with the Clerk Ulster County Legislature, as Agricultural District No. 1 Hudson River, Ulster County, anniversary to July 21, 2021 with the exception that the following properties are to remain within the District:

Owner	Town	S/B/L	Address	Acreage
Brune, Kenneth, M.	Plattekill	101.2-2-1.4	849 Plattekill Ardonia Rd.	1.62
Conti, Ralph	Lloyd	95.4-2-22.532	301 Perkinsville Rd.	3.74
Poulin, Timothy J.	Marlborough	108.3-4-67	387 Plattekill Rd.	9.76
<b>Ferris, William</b>	<b>Marlborough</b>	<b>108.3-1- 18.200</b>	<b>5 Burma Rd.</b>	<b>2.20</b>

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 is hereby directed to submit this resolution, maps and reports as required, to the Commissioner of the 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 request certification of the modified District,

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and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES:    20                      NOES:    0  
(Absent: Legislators Aiello, Briggs and Richard Parete)

Passed Committee: Economic Development and Tourism on April 3, 2013

Passed Committee: Laws and Rules, Governmental Services on April 15, 2013.

FINANCIAL IMPACT:  
NONE

0221

Legislator Gerentine motioned, seconded by Legislator Maio, to have an additional property added to the list of properties that shall remain included in Agricultural District No. 1, as indicated above in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES:    20                      NOES:    0  
(Absent: Legislators Aiello, Briggs and Richard Parete)

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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 16<sup>th</sup> Day of April, 2013, 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 19<sup>th</sup> Day of April in the year Two Thousand and Thirteen.

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

Submitted to the County Executive this  
19<sup>th</sup> Day of April, 2013.

Approved by the County Executive this  
24<sup>th</sup> Day of April, 2013.

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

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