

Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County Agricultural And Farmland Protection Board – Department Of Planning

The Economic Development and Tourism Committee (Chairman Maloney and Legislators Aiello, Frey, Hayes, Sweeney, Terrizzi, Donaldson, Loughran and Rodriguez) offers the following:

WHEREAS, consistent with §303(b) of New York Agriculture and Markets Law (AML), Ulster County established an annual 30-day review period for farmers to request the inclusion of additional lands in Agricultural Districts within Ulster County, and

WHEREAS, during this period, 13 requests were submitted to the Ulster County Legislature, consisting of 26 parcels with a total of 847 acres, and

WHEREAS, on May 4, 2011, the Chairman of the Ulster County Legislature transmitted the requests for inclusion to the Agricultural Farmland Protection Board for their recommendations as required under §303(b) of the AML, and

WHEREAS, the Agricultural Farmland Protection Board met and reviewed the requests on May 11, 2011, and took the necessary actions by a majority of its members as required under the AML, to recommend the inclusion of lands in Agricultural Districts within Ulster County that consist of predominately viable agricultural land, and determined that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and

WHEREAS, the Agricultural Farmland Protection Board recommends that all of the requests seeking the addition of lands to the agricultural districts be granted with two exceptions as follows: (1) the lands of Letersky/Clark, consisting of one parcel of 18.60 acres in the Town of Hurley, which was not recommended for inclusion, and (2) the lands of Wine/Ransom, consisting of two parcels containing 4 total acres in the Town of New Paltz, which the Agricultural Farmland Protection Board was unable to achieve a majority and therefore unable to make a recommendation for either inclusion or exclusion, and

WHEREAS, the Agricultural Farmland Protection Board has filed these recommendations/results and supporting documentation, including public comments received, with the Clerk of the Ulster County Legislature, and

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WHEREAS, Ulster County, along with the Agricultural Farmland Protection Board, has met its responsibilities regarding notice, reporting, and holding of a public hearing, and

WHEREAS, the addition of lands to Agricultural Districts is considered an Unlisted Action pursuant to Parts 617.2(ak), 617.4, and 617.5 (SEQRA), and an Environmental Assessment Form has been completed and filed with the Clerk of the Legislature, and

WHEREAS, the Economic Development and Tourism Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Ulster County Legislature finds, after review of the Environmental Assessment Form and the recommendations of the Agricultural Farmland Protection Board, for the inclusion of lands within agricultural districts, as filed with the Clerk of the Legislature, that no significant adverse environmental impacts will occur as a result of this action and a Negative Declaration is adopted under Part 617.7 (SEQRA), and be it further

RESOLVED, that the Ulster County Legislature adopts the recommendations of the Agricultural Farmland Protection Board, as filed with the Clerk of the Ulster County Legislature, which includes the placement of additional lands within existing agricultural districts in Ulster County, noting this action will result in the inclusion of all lands submitted to the County Legislature for inclusion with the exceptions of SBL 55.12-4-1, lands of Letersky/Clark in the Town of Hurley and SBLs 86.1-1-37.110 and 86.1-1-37.120, lands of Wine/Ransom in the Town of New Paltz, and be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to submit this resolution, a copy of the Agricultural Farmland Protection Board report and other material as required under Agriculture and Markets Law Article 25-AA – Agricultural Districts, to the Commissioner of Agriculture, and request that the Commissioner certify the inclusion of these lands in an agriculture district if feasible and in the public interest,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(1 Abstention: Legislator Zimet)
(Absent: Legislators Felicello and Hansut)

FINANCIAL IMPACT:
NONE

0706

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 19th day of July, 2011, 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 21st Day of July in the year Two Thousand and Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature