

**Adopting With Exceptions The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County Agricultural and Farmland Protection Board**

The Economic Development and Tourism Committee (Chairman Maloney and Legislators Frey, Hayes, Petit, Sweeney, Terrizzi, Donaldson, Loughran and Rodriguez) and Co-Sponsor: Legislator Shapiro offers the following:

WHEREAS, consistent with Agriculture and Markets Law (AML) Section 303b, 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, 10 requests were submitted to the Ulster County Legislature consisting of 16 parcels with a total of 695 acres, and

WHEREAS, on May 7, 2010, the Chairman of the Ulster County Legislature transmitted the requests for inclusion to the Agricultural Farmland Protection Board (AFPB) for their recommendations as required under AML 303b, and

WHEREAS, the AFBP met and reviewed the requests on May 12, 2010, and took the necessary actions by a majority of its members, as required under Agriculture and Markets law, 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 AFBP has filed these recommendations and supporting documentation, including public comments received during its review, with the Clerk of the Ulster County Legislature, and

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

WHEREAS, the Legislature has considered the comments that were received during the course of the public hearing from individuals and municipalities concerning the advisability and impacts that are likely to be associated with the inclusion of parcels in agricultural districts, and

WHEREAS, the additions of lands to Agricultural Districts are 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

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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 AFPB 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 finds that little or no concerns were expressed for the inclusion of a majority of lands recommended by the AFPB for inclusion as supported by the record of the AFPB recommendations as filed with the Clerk of the Legislature as well as the record of the public hearing held by the Legislature

RESOLVED, that Legislature adopts for inclusion those lands recommended by the AFPB with the exception of the following lands:

| <b>New Paltz</b>  | <b>Parcel ID #</b> | <b>Acres</b> |
|-------------------|--------------------|--------------|
| Wine              | 86.1-1-37.12       | 2            |
| Wine              | 86.1-1-37.11       | 2            |
| <b>Plattekill</b> |                    |              |
| MBK Associates    | 101.1-1-27         | 98.4         |
| <b>Shawangunk</b> |                    |              |
| Adelman           | 98.3-3-15.100      | 2.7          |
| Adelman           | 98.1-1-26.100      | 2.7          |

and be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to submit this resolution, a copy of the AFPB Report and other material as required under Agriculture and Markets Law Article 25AA – Agricultural Districts, to the Commissioner of Agriculture, and request that the Commissioner certify that 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: 27 NOES: 1  
(NOES: Legislator Maloney)  
(1 Abstention: Legislator Zimet)  
(Absent: Legislators Frey, Richard Parete and  
Provenzano)  
(Legislator Petit left at 8:00 PM)

FINANCIAL IMPACT:  
NONE

0701

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 20<sup>th</sup> day of July, 2010, 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 22<sup>nd</sup> Day of July in the year Two Thousand and Ten.

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