

**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**

Referred to: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Maio, Roberts, Loughran, and Wishnick)

Chairman of the Economic Development and Tourism Committee James F. Maloney and Deputy Chairman Peter M. Loughran offer 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, 10 requests were submitted to the Ulster County Legislature, consisting of 12 parcels with a total of 652 acres; and

WHEREAS, on May 10, 2012, 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 16, 2012, 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 with the exception of the lands of Preston, consisting of one parcel of approximately 11 acres in the Town of Rosendale, which was not recommended for inclusion, all of the requests seeking the addition of lands to the agricultural districts be granted; 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

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

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WHEREAS, the additions of lands to Agricultural Districts are considered an Unlisted Action pursuant to the State Environmental Quality Review Act (Part 617 NYCRR) and an Environmental Assessment Form has been completed and filed with the Clerk of the Legislature; 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 exception of SBL 70.2-1-37.1, lands of Preston in the Town of Rosendale; 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;

and, moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:  
AYES: NOES:

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Passed Committee: Economic Development and Tourism on \_\_\_\_\_.

FINANCIAL IMPACT:  
NONE