

**Adopting The Ulster County Open Space Plan As An Element Of Ulster County's Comprehensive Plan Pursuant To Article 12-b Of General Municipal Law – Planning**

The Economic Development, Housing, Planning and Transit Committee (Chairman Rodriguez and Legislators Berardi, Gregorius, Loughran, Sheeley, Alfonso and Roberti), the Environmental Committee (Chairman Shapiro and Legislators Bartels, Distel, R.A. Parete, Rodriguez, Fabiano and McAfee) and Legislators Bischoff, Cahill, Dart, Donaldson, Kraft, Liepmann, Lomita, R.S. Parete, Provenzano, Stoeckeler, Terpening and Zimet offer the following:

WHEREAS, the Ulster County Legislature finds that preserving open space, creating new recreational opportunities and accommodating growth in appropriate areas is essential to protecting the environment, preserving community character, and strengthening the economy so that present and future generations can enjoy and benefit from the County's scenic, recreational and natural resources, and

WHEREAS, pursuant to Resolution No. 84, dated February 12, 2004, the Ulster County Environmental Management Council and the Ulster County Planning Board have completed a proposed Ulster County Open Space Plan and have recommended its adoption to the Ulster County Legislature, and

WHEREAS, pursuant to Resolution No. 259, dated July 12, 2006, the Ulster County Legislature determined that the adoption of the Ulster County Open Space Plan was a Type I Action under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA), established that it was the only involved agency, declared itself lead agency for the purposes of conducting the necessary environmental review, provided for notices to be circulated consistent with both SEQRA and Article 12-b of General Municipal Law, and directed that public informational sessions on the Ulster County Open Space Plan be conducted around the County, and

WHEREAS, the Ulster County Legislature has conducted the necessary public hearing prior to considering the Ulster County Open Space Plan for adoption, and

WHEREAS, appropriate referrals of the Ulster County Open Space Plan were made to the Ulster County Planning Board, municipal planning boards and officials, and

WHEREAS, the Ulster County Planning Board has recommended that the Ulster County Open Space Plan as modified with respect to public comments and filed with the Clerk of the Ulster County Legislature be adopted, and

WHEREAS, the Ulster County Legislature has conducted the necessary environmental review of the proposed plan under SEQRA, and issued a negative declaration concerning the adoption of the Ulster County Open Space Plan, and

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WHEREAS, the Economic Development, Housing, Planning and Transit Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Environmental Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Ulster County Legislature hereby adopts the Ulster County Open Space Plan as an element to Ulster County's Comprehensive Plan pursuant to Article 12-b of General Municipal Law Section 239-d, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature is directed to file a copy of the Ulster County Open Space Plan with the Ulster County Planning Board, the New York State Secretary of State, and with the Clerk of each municipality in the County, and

FURTHER RESOLVED, that the Ulster County Open Space Plan shall be updated every five years in accordance with the responsibilities and procedures set forth in the Ulster County Charter for the development and update of a Comprehensive Plan, and

FURTHER RESOLVED, that the Ulster County Open Space Plan shall be updated every five years,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20                      NOES: 7  
(NOES: Legislators Alfonso, Busick, Cummings,  
Gerentine, Harris, McAfee and Noonan)  
(Absent: Legislators Aiello, Every, Fabiano,  
Felicello, Roberti and Stoeckeler)

FINANCIAL IMPACT:

NONE

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