

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

As your Honorable Board may know, by Resolution No. 223-2000, a proposal was submitted to the New York State Commissioner of Agriculture and Markets (the “NYS Commissioner”) to establish the Westchester County Agricultural District No. 1 (the “District”) and designate a review period every eight (8) years. The NYS Commissioner certified the lands designated in Resolution No. 223-2000 for districting effective July 19, 2001. Recertification of the District is once again necessary and is due to be completed on or before July 19, 2025.

Your Committee has been advised that pursuant to Section 303-a of the New York State Agriculture and Markets Law, your Honorable Board is required to take certain enumerated actions in recertifying the District. First is to publish a notice that a review is underway, second is to direct the Westchester County Agricultural and Farmland Protection Board (“AFPB”) to prepare a report and recommendations, and third is to schedule a public hearing.

The first two steps were previously authorized by your Honorable Board by Resolution 2025-13. The third step, the scheduling of the public hearing, was previously authorized by your Honorable Board by Resolution 2025-61 and an initial public hearing was duly held on March 24, 2025. A second public hearing was duly held on June 16, 2025 to consider the AFBP’s amended report and recommendations dated April 15, 2025 (the “April 15th Revised Report”), which the AFBP prepared and submitted for District recertification.

Your Honorable Board is in receipt of the April 15th Revised Report that the District be recertified in accordance with certain modifications as described in the revised report and recommendations. Such modifications include the addition of nine (9) parcels of land totaling

approximately seventy-seven and seven tenths (± 77.7) acres and the re-inclusion of the Towns of New Castle, North Castle, Ossining and Pound Ridge as eligible municipalities.

Accordingly, transmitted herewith for your consideration is a Resolution, which if adopted, would authorize your Honorable Board to make the finding recommending to the NYS Commissioner that the District be recertified in accordance with the proposed modifications identified in the April 15th Revised Report.

If your Honorable Board finds that the District should be recertified, then a certified copy of the adopted Resolution, along with the April 15th Revised Report, must be sent to the NYS Commissioner.

The Department of Planning has advised that, based on its review, the proposed Resolution finding that the District should be recertified in accordance with the proposed modifications, has been classified as an “Unlisted action” under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQRA”). A Resolution, and proposed Negative Declaration, along with a Short Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQRA. Upon review, your Committee concludes that the proposed action will not have any significant adverse impact on the environment and recommends the adoption of the Resolution adopting the Negative Declaration.

Based upon the foregoing, your Committee recommends the adoption of the attached Resolution in order for the County to adopt the April 15th Revised Report.

Dated: _____, ____ 2025
White Plains, New York

COMMITTEE ON

c: mecz 5.21.25

FISCAL IMPACT STATEMENT

SUBJECT: 2025 Ag District Recertification

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses:

Annual Amount 0

Describe: No impact.

Potential Related Operating Budget Revenues:

Annual Amount 0

Describe: No impact.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: Recertification of the District is required by NYS Ag and Markets Law every
eight years and is performed by Planning Department staff.

Next Four Years: Annual application period is required by New York State Agricultural Districts
Law and performed by Planning Department staff and the members of the County Agriculture and
Farmland Protection Board. A report will be provided to the BOL for recommendation to New York State.

Prepared by: Matthew Castro

Title: Principal Environmental Planner

Department: Department of Planning


Date: May 28, 2025

Reviewed By: 

Budget Director

Date: 5/28/25

TO: Maximillian Zorn, Junior Assistant County Attorney
Department of Law

FROM: David Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: March 27, 2025

SUBJECT: **SEQR DOCUMENTATION FOR 2025 RECERTIFICATION OF THE
WESTCHESTER COUNTY AGRICULTURAL DISTRICT WITH
MODIFICATIONS**

In response to a request by the Board of Legislators for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

This project has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for the action for consideration by the Board of Legislators.

Please contact my office if you require any additional information regarding these documents.

DSK/oav
Att.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner of Planning
Matthew Castro, Principal Environmental Planner/District Manager, SWCD
Claudia Maxwell, Principal Environmental Planner

RESOLUTION NO. ____-2025

WHEREAS, there is pending before this Honorable Board a Resolution to authorize the County of Westchester to make the finding that the Westchester County Agricultural District No. 1 (“District”) be recertified in accordance with the proposed modifications identified in the report of the Westchester County Agricultural and Farmland Protection Board. Such modifications include the addition of nine (9) parcels of land totaling approximately seventy-seven and seven tenths (± 77.7) acres and the re-inclusion of the Towns of New Castle, North Castle, Ossining and Pound Ridge as eligible municipalities (“District Recertification”); and

WHEREAS, this Honorable Board has determined that the proposed District Recertification would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this District Recertification is classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is conducting uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form (“EAF”) has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed District Recertification and has reviewed the attached EAF and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached EAF, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the EAF and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the District Recertification; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the EAF, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of 6 NYCRR Part 617; and be it further

RESOLVED, that the Resolution shall take effect immediately.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) <input type="checkbox"/> Forest Agriculture Aquatic Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

Assistant Commissioner, Department of Planning

STATE ENVIRONMENTAL QUALITY REVIEW

ADDENDUM TO EAF

The Proposed Action is the recommendation by the Westchester County Board of Legislators to the New York State Commissioner of Agriculture concerning the recertification of the Westchester County Agricultural District, as provided for under Section 303-a of Article 25-AA of New York State Agriculture and Markets Law. Continuation or modification, including the addition of parcels of land within an agricultural district does not, in and of itself, supersede or modify existing land use ordinances or regulations. Consequently, the proposed action will not result in the physical alteration of the environment or otherwise have a negative impact on the environment. Rather, the continuation and modification of an existing agricultural district promotes the preservation of viable agricultural land and has other environmental benefits as described below.

The New York State Department of Agriculture and Markets has determined that modifications to an agricultural district are an Unlisted action with respect to SEQR. The County Board of Legislators is conducting uncoordinated review as permitted for Unlisted actions.

The Westchester County Agriculture and Farmland Protection Board (AFPB) reviewed the Westchester County Agricultural District, including the following items enumerated in Section 303-a.2.b. of Agricultural Districts Law:

- (1) the nature and status of farming and farm resources within such district, including the total number of acres of land and the total number of acres of land in farm operations in the district;
- (2) the extent to which the district has achieved its original objectives;
- (3) the extent to which county and local comprehensive plans, policies and objectives are consistent with and support the district;
- (4) the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district and their influence on farming.

The AFBP received five applications in 2025 to add land to the district.

App #	Farm Name	SBL	Acres	Street Address	Municipality
2025-01	Turn and Bolt Farm	27.-1765-9	18.5	100-126 Wallace Rd	North Salem
2025-02	Clear Vision Farm	3.-1735-34	17.9	110 Hardscrabble Road	North Salem
2025-02	Clear Vision Farm	5.-1746-2	6.0	201 June Road	North Salem
2025-02	Clear Vision Farm	5.-1746-1	2.7	207 June Road	North Salem
2025-02	Clear Vision Farm	5-1746-3	2.7	6 Starr Ridge Road	North Salem
2025-02	Clear Vision Farm	5.-1746-12	7.0	12 Starr Ridge Road	North Salem
2025-03	Hunter Brook Tree Nursery	36.13-1-2	8.1	2145 Hunter Brook Road	Yorktown
2025-04	Stewart Watson Farm	9.-1767-7	1.6	223 Vail Lane	North Salem
2025-04	Stewart Watson Farm	9.-1767-3	1.9	225 Vail Lane	North Salem
2025-05	Heritage Farm	27.15-1-27.6	19.3	14 Lalli Drive	Somers

The AFPB, in its report, recommended continuation and modification of the district with the following modifications:

- (1) reinstatement of the towns of Ossining, New Castle, North Castle, and Pound Ridge as eligible municipalities for the purposes of including additional land within the district, subject to the provisions of Agriculture and Markets Law and the procedures determined by the Westchester County Board of Legislators.
- (2) Inclusion of the parcels associated with applications 2025-01, 2025-02, 2025-04, and 2025-05.

Agricultural land and the agricultural industry in Westchester County continue to be under considerable pressure to convert to other land uses, typically residential subdivision. Agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to cultural history, vegetative and wildlife habitat, and a local source of fresh food. The protection and enhancement of agricultural land is in furtherance of the County's goals, as Inclusion of Additional Parcels within the Westchester County Agricultural District described in the County Planning Board's long-range planning document, *Patterns for Westchester: the Land and the People*, and the County Agriculture and Farmland Protection Plan to protect natural and cultural resources, preserve open space and community character and reduce environmental impacts associated with development. The Westchester County Board of Legislators created the Agriculture and Farmland Protection Board and the Westchester County Agricultural District to protect agricultural land and enhance the agricultural industry in furtherance of these goals. New York State Agriculture and Markets Law requires that counties that have a certified agricultural district conduct an annual review of applications received for the inclusion of additional parcels of land within the agricultural district and submit recommendations, if warranted, to the New York State Commissioner of Agriculture.

Inclusion of additional agricultural parcels within the Agricultural District does not have a physical impact on the environment. Inclusion of land within the agricultural district furthers the goals and objectives of the County to:

- Preserve and protect the county's natural resources, including the drinking water supply;
- Assure a diverse and interconnected system of open space, supporting a variety of flora and fauna and providing contrast in the texture of the landscape;
- Enhance a broad economic base and economic opportunity within the county; and
- Protect the county's educational, cultural, historic and aesthetic resources for future generations.

