

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a report from the Westchester County Agriculture and Farmland Protection Board, dated May 16, 2023, stating its recommendations concerning five requests for the inclusion of viable agricultural land within Westchester County Agricultural District No. 1.

Your Committee is also aware that the Westchester County Agriculture and Farmland Protection Board also recommends the reinstatement of two additional farms back into Westchester County Agricultural District No. 1.

Your Committee has carefully reviewed the above-referenced report and is aware that this Honorable Board is charged with the duty, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, of scheduling a Public Hearing concerning requests to add parcels to an existing Westchester County Agricultural District and the recommendations of the Westchester County Agriculture and Farmland Protection Board concerning those requests.

Your Committee recommends that this Honorable Board carry out the foregoing statutory duty by adopting a Resolution scheduling a Public Hearing upon the proposed additions to Westchester County Agricultural District No. 1 as soon as possible.

Your Committee would further advise, based upon its careful review of the report of the Westchester County Agriculture and Farmland Protection Board and barring the emergence of any adverse information during the course of the scheduled Public Hearing, that this Honorable Board, by Resolution, approve the inclusion in Westchester County Agricultural District No. 1 of

so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The Department of Planning has advised that this proposed Resolution is classified as an Unlisted Action under SEQRA regulations that requires the adoption of the attached Negative Declaration. Your Committee concurs in this conclusion.

As this project is an "Unlisted" action under SEQRA, your Committee is also in receipt of an Environmental Assessment Form prepared by the Department of Planning to assist this Honorable Board in making a determination as required by SEQRA, which is necessary if this Honorable Board is to approve the attached Resolution.

Your Committee has carefully considered the proposed legislation. It has reviewed the attached Environmental Assessment Form and the criteria contained in Section 617.7 of 6 NYCRR Part 617, the SEQRA regulations, to identify the relevant areas of environmental concern.

Your Committee has thoroughly analyzed the identified relevant areas of concern to determine if the proposed action may have a significant impact on the environment. For reasons set forth in the attached proposed Negative Declaration, your Committee believes that the proposed action will not have any significant impact on the environment and accordingly recommends passage of the annexed Resolution.

Your Committee has carefully considered the proposed legislation and recommends that your Honorable Board adopt a Resolution scheduling a public hearing concerning pending

requests to add additional parcels to Westchester County Agricultural District No. 1 as well as a further Resolution, barring the emergence of any adverse information during the course of the scheduled Public Hearing, approving the inclusion in Westchester County Agricultural District No. 1 of so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Your Committee requests that the Clerk of the Board notify each community in which the additional parcels are located of the date and time of the Public Hearing.

Dated: October 23, 2023
White Plains, New York


and on
Anthony Bull Jones -

COMMITTEE ON Environment, Energy and Climate

Dated: October 10th, 2023

White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Environment, Energy and Climate

A handwritten signature in black ink, appearing to read "Jeff Rein". The signature is written in a cursive, flowing style.

RESOLUTION NO. _____ - 2023

RESOLVED, THAT THIS Board hold a public hearing pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017 upon the proposed inclusion of additional parcels of land within Westchester County Agricultural District No. 1. The public hearing will be held at 7:30 p.m. on the ____ day of _____, 2023 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of this hearing, in the form annexed hereto, to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose and shall further provide written notice, in the form annexed hereto, to each municipality with territory that would be encompassed within the proposed district and to the New York State Commissioner of Agriculture and Markets.

NOTICE

NOTICE IS HEREBY GIVEN that, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, the Westchester County Board of Legislators has received requests for the inclusion of additional parcels of predominantly viable agricultural land within Westchester County Agricultural District No. 1.

Those additional parcels are described as follows:

Application	Farm Name	SBL	Acres	Street Address	Municipality
<u>2023-01</u>	<u>Harring Brook Farm</u>	<u>38.-1709-4</u>	<u>6.97</u>	<u>732 Titicus Rd</u>	<u>North Salem</u>
2023-02	Cipriano Farm	77.11-2-5	16.14	371 Smith Ridge Rd	Lewisboro
		77.11-2-11	0.55	387 Smith Ridge Rd	Lewisboro
		77.04-3-61	3.13	469 Smith Ridge Rd	Lewisboro
		77.04-3-59	1.96	475 Smith Ridge Rd	Lewisboro
		77.04-3-58	0.71	5 East St	Lewisboro
2023-03	Boniello Farm	26.16-1-3.1	36.14	81 Mahopac Ave	Somers
2023-04	Capoccia/Pegues	48.17-1-7	7.93	78 Moseman Ave	Somers
		48.18-1-1	4.89	84 Moseman Ave	Somers
2023-05	Indian Hollow Farm	74.17-1-25	79.16	27 Jingle Rd	Bedford
<u>2023-RE-01</u>	<u>Birdstone Farm</u>	<u>53.1-3-20</u>	<u>43.75</u>	<u>20 Boutonville Rd S</u>	<u>Lewisboro</u>
		<u>10526-4.9-2</u>	<u>18.14</u>	<u>20 Boutonville Rd S</u>	<u>Pound Ridge</u>
<u>2023-RE-02</u>	<u>Whipstick Farm</u>	<u>55.4-1-11</u>	<u>46.18</u>	<u>77 Elmwood Rd</u>	<u>Lewisboro</u>
		<u>55.4-1-12</u>	<u>18.34</u>	<u>77 Elmwood Rd</u>	<u>Lewisboro</u>
		<u>55.4-1-13</u>	<u>4.47</u>	<u>77 Elmwood Rd</u>	<u>Lewisboro</u>
		<u>55.4-1-14</u>	<u>8.15</u>	<u>77 Elmwood Rd</u>	<u>Lewisboro</u>

The Westchester County Board of Legislators, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, shall hold a public hearing to consider the proposed inclusion of these additional parcels of land in Westchester County Agricultural District No. 1 and the recommendations of the Westchester County Agriculture and Farmland Protection Board. The public hearing will be held at 7:30 p.m. on the _____ day of _____, 2023 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York.

FISCAL IMPACT STATEMENT

SUBJECT: 2023 Additions to Ag District

☒ 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: Processing of applications is performed by Planning Department staff.

Next Four Years: Annual application period is required by New York State Agricultural Districts Law.

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Department of Planning

Date: June 20, 2023

Reviewed By: 

Budget Director

Date: 6/21/23