


February 5, 2025

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: Kenneth W. Jenkins 
County Executive

RE: Message Requesting Immediate Consideration: **RES – Westchester
County Agricultural District No. 1 – Review.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 10, 2025 Agenda.

Transmitted herewith for your consideration is a Resolution, which if adopted, would authorize the County of Westchester (the "County") to schedule a public hearing (the "Public Hearing") to consider the review of Westchester County Agricultural District No. 1 (the "District").

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 10, 2025 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



Kenneth W. Jenkins
County Executive

February 4, 2025

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your consideration is a Resolution, which if adopted, would authorize the County of Westchester (the "County") to schedule a public hearing (the "Public Hearing") to consider the review of Westchester County Agricultural District No. 1 (the "District"), any proposed modifications and recommendations to the District submitted by the Westchester County Agricultural and Farmland Protection Board ("AFPB") and any other proposed modifications to the District filed in writing with the clerk of your Honorable Board during the public comment notice period.

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 District and designate a review period every eight 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.

I have 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, including (1) publishing notice that such a review is underway, which advises where public comments on the review may be directed (the "Public Comment Notice"), (2) directing the Westchester County Agricultural and Farmland Protection Board to prepare a report and recommendation on the agricultural review within forty-five (45) days, and (3) scheduling a Public Hearing a (the "Public Hearing Notice") not less than thirty (30) days after the publication of the Public Comment Notice. The publication, circulation and posting of the Public Comment Notice was previously authorized by your Honorable Board by Resolution 2025-13.

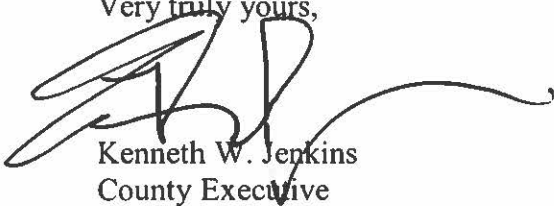
Your Honorable Board is advised that adoption of the proposed Resolution will authorize the County to schedule a Public Hearing to consider the review of the District, any proposed modifications and recommendations to the District submitted by the AFPB as

described in a report prepared by the AFPB and any other proposed modifications to the District filed in writing with the clerk of your Honorable Board during the Public Comment Notice period.

Following the successful completion of the three (3) enumerated actions described above, your Honorable Board, pursuant to Section 303-a of the New York State Agriculture and Markets Law, is required to make a recommendation to the NYS Commissioner to terminate, continue or modify the District. If the finding is that the District should be continued or modified, your Honorable Board must submit a District Review Plan to the NYS Commissioner. If the finding is that the District should be terminated, your Honorable Board must file a Notice of Termination with the County Clerk and the NYS Commissioner.

I most respectfully recommend the adoption of the proposed Resolution in order to schedule a Public Hearing to consider the review of the District.

Very truly yours,

A handwritten signature in black ink, appearing to read 'KWJ', with a long, sweeping horizontal flourish extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/BL/mcz

**BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of a Resolution, pursuant to Section 303-a of the New York Agriculture and Markets Law, scheduling a Public Hearing (the “Public Hearing”) to consider the review of Westchester County Agricultural District No. 1 (the “District”), any proposed modifications and recommendations to the District submitted by the Westchester County Agricultural and Farmland Protection Board (“AFPB”) and any other proposed modifications to the District filed in writing with the clerk of your Honorable Board during the public comment notice period.

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 “Commissioner”) to establish the District and designate a review period every eight years. The 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 is advised that pursuant to Section 303-a of the Agriculture and Markets Law, your Honorable Board is required to take certain enumerated actions in recertifying the District, including (1) publishing notice that such a review is underway, which advises where public comments on the review may be directed (the “Public Comment Notice”), (2) directing the Westchester County Agricultural and Farmland Protection Board to prepare a report and recommendation on the agricultural review within forty-five (45) days, and (3) scheduling a Public Hearing (the “Public Hearing Notice”) not less than thirty (30) days after the publication of the Public Comment

Notice. The publication, circulation and posting of the Public Comment Notice was previously authorized by your Honorable Board by Resolution 2025-13.

Your Honorable Board is advised that adoption of the attached Resolution will authorize the County to schedule a Public Hearing to consider the review of the District, any proposed modifications and recommendations to the District submitted by the AFPB as described in a report prepared by the AFPB and any other proposed modifications to the District filed in writing with the clerk of your Honorable Board during the Public Comment Notice period.

Following the successful completion of the three (3) enumerated actions described above, your Honorable Board, pursuant to Section 303-a of the New York State Agriculture and Markets Law, is required to make a recommendation to the NYS Commissioner to terminate, continue or modify the District. If the finding is that the District should be continued or modified, your Honorable Board must submit a District Review Plan to the NYS Commissioner. If the finding is that the District should be terminated, your Honorable Board must file a Notice of Termination with the County Clerk and the Commissioner.

The Department of Planning has advised that, based on its review, the proposed public hearing does not meet the definition of an "action" under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQRA"). Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQRA documentations and concurs with this recommendation.

Based upon the foregoing, your Committee recommends the adoption of the attached Resolution to schedule a Public Hearing to consider the review of the District.

Dated: _____, ____ 2025
White Plains, New York

COMMITTEE ON

c: mcz 2.4.25

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.

Prepared by: Matthew Castro

Title: Principal Environmental Planner

Department: Department of Planning


Date: January 29, 2025

Reviewed By: 

Budget Director

Date: 1/30/25

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

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

DATE: February 3, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
SCHEDULING A PUBLIC HEARING IN ASSOCIATION WITH THE 2025
AGRICULTURAL DISTRICT RECERTIFICATION**

The Planning Department has reviewed the above referenced action and has determined that no environmental review is necessary.

The action involves the scheduling a public hearing to consider the review of Westchester County Agricultural District No. 1, any proposed modifications and recommendations to the District submitted by the Westchester County Agricultural and Farmland Protection Board and any other proposed modifications to the District filed in writing with the clerk of your Honorable Board during the public comment notice period.

The public hearing is a component of the recertification process that was authorized by Resolution 2025-13 which was classified as a Type II action.

The setting of a public hearing in and of itself does not "change the use, appearance or condition of any natural resource or structure," or otherwise affect the environment, with respect to the State Environmental Quality Review (SEQR) Act. As such, it does not constitute an action as defined in section 617.2(b) of 6NYCRR Part 617 and no environmental review is required at this time.

Please contact me if you need any additional information on this matter.

DSK/oav

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

RESOLUTION NO. – 2025

WHEREAS, this Board, by Resolution 2025-13, authorized (i) the publication of notice commencing the Westchester County Agricultural District No. 1 (the “District”) review (the “Public Comment Notice”) in a newspaper of general circulation within the District, (ii) the circulation of the Public Comment Notice by first class mail to the municipalities whose territory encompasses the District, and (iii) the posting of the Public Comment Notice on the Westchester County website and in at least five (5) conspicuous places within the District; and

WHEREAS, as the proposed action, at this time, is limited to scheduling a public hearing to consider the review of the District, any proposed modifications and recommendations to the District submitted by the Westchester County Agricultural and Farmland Protection Board (“AFPB”) and any other proposed modifications to the District filed in writing with the clerk of the Board during the public comment notice period; and

WHEREAS, Section 303-a of the New York State Agricultural and Markets Law requires that this Board take certain enumerated actions in relation to the review of Westchester County Agricultural District No. 1; and

NOW THEREFORE BE IT

RESOLVED, that the Clerk of the Board is hereby directed to publish, in a newspaper of general circulation within the District, a notice in the form annexed hereto; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to post upon the home page of the County of Westchester website a notice in the form annexed hereto; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to provide notice in the form annexed hereto by first class mail to those municipalities whose territory encompasses the District; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to provide, in writing, any proposed modifications to the District; to persons, as listed on the most recent assessment roll, whose land is the subject of a proposed modification; and to the Commissioner.

Dated: _____, ____ 2025
White Plains, New York

******* LEGAL NOTICE *******

PUBLIC HEARING

**REVIEW OF WESTCHESTER AGRICULTURAL DISTRICT
NUMBER ONE**

The Westchester County Board of Legislators, pursuant to Section 303-a of the New York State Agriculture and Markets Law shall hold a public hearing to consider the review of Westchester County Agricultural District No. 1, the proposed modifications as recommended by the Westchester County Agricultural and Farmland Protection Board ("AFPB") as described in a report adopted by the AFPB, and any other proposed modifications submitted in writing to the Westchester County Board of Legislators during the comment period. The public hearing will be held at 7:00 p.m. on the 24th day of March, 2025 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. Please contact the Board of Legislators at (914) 995-2800 if you require special arrangements for access to the public hearing. After the close of the public hearing, no additional comments will be received.

The Westchester County Agricultural District No. 1 consists of a total of 9,254 acres of land within the following municipalities (listed in order of the amount of farmland in each): Town of North Salem (3,832 acres), Town of Bedford (1,255 acres), Town of Somers (2,065 acres), Town of Yorktown (715 acres), Town of Mount Pleasant (384 acres), Town of Cortlandt (353 acres), Village of Sleepy Hollow (222 acres), Town of Lewisboro (428 acres).

Modifications to the agricultural district proposed by the AFPB consists of the re-inclusion of the towns of New Castle, North Castle, Ossining and Pound Ridge as eligible municipalities as described in the AFPB report.

Copies of the AFPB report, a list and map of farms proposed to be included in the district and modifications proposed by the public are available on the County website at www.westchestercountyny.gov and at the Department of Planning, Room 432 of the Michaelian Office Building, located at 148 Martine Avenue in White Plains and the Office of the County Clerk. For more information, visit the County website or contact Matt Castro, Principal Environmental Planner, at (914) 995 4423 or mvcl1@westchestercountyny.gov.