

Parks & Environment Meeting Agenda



800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Committee Chair: David Tubiolo

Wednesday, January 22, 2025

11:00 AM

Committee Room

Joint with HP

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2025-8](#) **RES-Westchester County Agricultural District No. 1**

A RESOLUTION authorizing the County of Westchester to commence a review of Westchester County Agricultural District No. 1 pursuant to Section 303-a of the New York Agriculture and Markets Law.

COMMITTEE REFERRAL: COMMITTEES ON PARKS & ENVIRONMENT AND HOUSING & PLANNING

Guests: Planning Department
Commissioner Blanca Lopez
Assistant Commissioner David Kvinge
Principal Environmental Planner Matthew Castro
Assistant Chief Deputy County Attorney Tami Altschiller-LAW
Junior Assistant County Attorney Maximilian Zorn-LAW


II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

January 3, 2025

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

FROM: Richard G. Wishnie 
Acting County Executive

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

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators January 6, 2025 Agenda.

Transmitted herewith for your review and approval is a Resolution, as referenced above.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for January 6, 2025 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

Westchester County

Richard Wishnie
Acting County Executive

January 3, 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 commence a review of Westchester County Agricultural District No. 1 (the "District") pursuant to Section 303-a of the New York Agriculture and Markets Law.

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 an eight-year review period. 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.

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 on the agricultural review within forty-five (45) days, and (3) scheduling a Public Hearing and providing notice of the Public Hearing (the "Public Hearing Notice") not less than thirty (30) days after the publication of the Public Comment Notice.

After the Public Hearing, your Honorable Board is required to make a recommendation to the Commissioner to terminate, continue or modify the District. If the finding is that the District should be continued or modified, a District Review Plan must be submitted to the Commissioner.

Your Honorable Board is advised that adoption of the Resolution will provide the requisite direction to the Agricultural and Farmland Protection Board as well as Public Comment Notice that a review of the District is in progress and that a Public Hearing will be scheduled at an appropriate time.

I most respectfully recommend the adoption of the proposed Resolution in order to commence the review of Agricultural District No. 1 required by Section 303-a of the Agriculture and Markets Law.

Very truly yours,

A handwritten signature in blue ink that reads "Richard G. Wishnie". The signature is written in a cursive style with a large initial 'R'.

Richard G. Wishnie
Acting County Executive

RW/BL/mcz

**BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the Acting County Executive recommending approval of a Resolution, pursuant to Section 303-a of the New York Agriculture and Markets Law, commencing a review of Westchester County Agricultural District No. 1 (the “District”).

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 an eight-year review period. 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 relation to the review of the District, including (1) publishing notice that such a review is underway, which advises where 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 on the agricultural review within forty-five (45) days, and (3) scheduling a Public Hearing and providing notice of the Public Hearing (the “Public Hearing Notice”) not less than thirty (30) days after the publication of the Public Comment Notice. After the Public Hearing, your Honorable Board is required to make a recommendation to the Commissioner to terminate, continue or modify the District. If the finding is that the District should be continued or modified, a District Review Plan must be submitted to the Commissioner.

Notice that a review of the District is in progress and that a Public Hearing will be scheduled at an appropriate time.

The Department of Planning has advised that based on its review, the proposed Resolution may be classified as a “Type II” action pursuant to 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 documentation and concurs with this recommendation.


Based upon the foregoing, your Committee recommends the adoption of the attached Resolution in order to commence the review of the District required by Section 303-a of the Agriculture and Markets Law.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

c: mcz 1.3.25

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

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

DATE: January 3, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
COMMENCEMENT OF AGRICULTURAL DISTRICT REVIEW**

PROJECT/ACTION: The proposed actions consist of publication by the Board of Legislators (BOL) of a notice to commence the required public comment period for Westchester County Agricultural District No. 1, pursuant to New York State Agricultural Districts Law, and direction to the County Agriculture and Farmland Protection Board (AFPB) to collect the necessary data and develop a recommendation concerning the recertification of the district.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required because the project/action may be classified as a TYPE II action pursuant to section(s):

- **617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action

COMMENTS: At this time, the action consists solely of commencement of the public review period and initiation of the preparation of a report by the AFPB. Further environmental review and documentation will be undertaken when recommendations considering the district are proposed for action by the BOL.

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

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: David Kvinge

Title: Assistant Commissioner

Department: Department of Planning

Date: November 26, 2024

Reviewed By: 

Budget Director

Date: 11/26/24

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

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



DATE: January 3, 2024

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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 is charged with the responsibility, pursuant to Section 303-a of the New York State Agriculture and Markets Law, of conducting a review of existing Agricultural Districts located within the County of Westchester; and

WHEREAS, this Board, by Resolution No. 223-2000 submitted a proposal to the New York State Commissioner of Agriculture and Markets to establish Westchester County Agricultural District No. 1 and also established an eight-year review period; and

WHEREAS, the certification of Westchester County Agricultural District No. 1 by the New York State Commissioner of Agriculture and Markets became effective on July 19, 2001; and

WHEREAS, pursuant to Section 303-a of the Agriculture and Markets Law, the County of Westchester adopted Resolution 161-2010, which authorized the first recertification of the Westchester County Agricultural District No. 1 and became effective on November 5, 2010 and Resolution 70-2017, which authorized the second recertification of the Westchester County Agricultural District No. 1 and became effective on May 15, 2017; and

WHEREAS, the recertification of Westchester County Agricultural District No. 1 is again necessary and due to be completed on or before July 19, 2025; 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;

NOW THEREFORE BE IT

RESOLVED, that the Clerk of the Board is hereby directed to publish, in a newspaper of general circulation within Westchester County Agricultural District No. 1, 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 post a notice in the form annexed hereto in at least five conspicuous places within the Westchester County Agricultural District; 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 Westchester County Agricultural District; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to instruct the Westchester County Agricultural and Farmland Protection Board to prepare a report within forty-five (45) days in relation to Westchester County Agricultural District No. 1 concerning:

- (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; and
- (5) recommendations to continue, terminate or modify such district.

Dated: _____, ____ 2025
White Plains, New York

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

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
RECERTIFICATION OF WESTCHESTER COUNTY
AGRICULTURAL DISTRICT NUMBER ONE**

The Westchester County Board of Legislators hereby notices the commencement of the **recertification of Westchester County Agricultural District Number One**. The Westchester County Agricultural District 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). The District was originally created county-wide and was restricted during the first recertification to those municipalities listed above. During this recertification the County is considering the re-inclusion of the towns of Pound Ridge, North Castle, New Castle and Ossining as eligible municipalities.

Municipal officials, land owners and others may submit comments concerning the continuation, modification or termination of the district within thirty days of the publication and posting and mailing of this notice. After the close of the public comment period, the Westchester County Agriculture and Farmland Protection Board will prepare a report with recommendations to the County Board of Legislators to either continue the district as-is, modify the district, or terminate the district.

A list and map of farms currently in the district are available at the office of the County Clerk located at 110 Dr. Martin Luther King Jr. Blvd. in White Plains as well as on the County website at <https://planning.westchestergov.com/agriculture-and-farmland> and at the Department of Planning, Room 432 of the Michaelian Office Building, located at 148 Martine Avenue in White Plains. For more information, visit the County website or contact Matt Castro, Principal Environmental Planner, at (914) 995-4423 or mvcl@WestchesterCountyNY.gov.

Pursuant to New York State Agriculture and Markets Law, the recertification process includes a period, ending a minimum of 30 calendar days from the date this notice is published, in which municipalities, farm owners and the public may propose modifications to the district. All proposals must be submitted in writing to the following address and will be accepted until 4:00 P.M. on March 21, 2025:

Clerk of the Board of Legislators
8th Floor, Michaelian Office Building
148 Martine Avenue, White Plains, NY 10601
FAX _____
EMAIL _____

A PUBLIC HEARING will also be held at a regularly scheduled meeting of the Westchester County Board of Legislators at a subsequent date and time with notice of the same provided as set forth in Section 303-a(2)(c) of the Agriculture and Markets Law.