

2024 Agricultural District Inclusions Report to the Ulster County Legislature

from the

Agricultural & Farmland Protection Board



Photo: Henhouse at Muddy Farm in Stone Ridge, NY

Prepared by:

The Ulster County Planning Dept.

June 10, 2024



Purpose

To provide the Ulster County Legislature with the requisite information to execute the legislative requirement concerning the inclusion of land into agricultural districts.

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are filed with the Clerk of the Legislature

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ULSTER COUNTY

AGRICULTURAL AND FARMLAND PROTECTION BOARD

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244 Fair St.
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Robert Magnanini, Chair

May 30, 2024

Ulster County Legislature
244 Fair Street
P.O. Box 1800
Kingston, NY 12402

Dear Legislators:

Subject: Agriculture and Markets Law (AML) Section 303-b; Land Owner Requests for Inclusion of Predominately Viable Agricultural in an Existing Certified Agricultural District

In accordance with Section 303-b of the AML, the Ulster County Agriculture and Farmland Protection Board (AFPB) has reviewed 11 landowner requests in 2024 for inclusion of 20 land parcels into Agricultural Districts at the AFPB meeting on May 30, 2024.

It is the recommendation of the AFPB that the Legislature include 11 parcels noted "Include in District" in the attached report, into the specified agricultural district, as the AFPB has found that these parcels consist predominately of viable agricultural land and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry in these districts.

Respectfully submitted,

Robert Magnanini
Chair, Ulster County Agricultural and Farmland Protection Board

Enc. Details of AFPB Recommendation – 2024 Additions to UC Ag. Districts

Background

Addition of lands to certified agricultural districts is governed by NYS Agriculture & Markets Law (AML), Article 25 AA Section 303-b. It directs county legislative bodies to designate an annual thirty-day period during which landowners may request inclusion of predominantly viable agricultural land in an agricultural district. The Ulster County Legislature adopted Resolution 322 on December 4, 2003, designating March 1 through March 30 as the specified annual period. Since the Annual Inclusion program began in 2004, the County has added 339 parcels, or 10,177 acres, to its agricultural districts.

Procedure

A Notice of 30 Day Review was issued to all Town/Village/City Clerks in Ulster County on February 20, 2024 to be posted in their respective municipal halls or online. A press release for the Annual Additions was also issued on February 20, 2024 to 118 press contacts in Ulster County and the rest of the Hudson Valley. The 30 Day Notice of Review was also published on the Ulster County Planning Department website.

Applications were received from March 1 through 30, 2024. Applications from 11 individual landowners or groups of landowners were reviewed by the Ulster County Agricultural and Farmland Protection Board (AFPB). These applications request inclusion of 20 parcels, totaling approximately 614 acres, into all four of the existing certified agricultural districts in Ulster County. The 11 landowner requests represent both existing and planned agricultural operations. Staff from the Ulster County Planning Department reviewed the applications for completeness, current agricultural district status, conservation easements, deed restrictions, and legal ownership.

Staff members from the Ulster County Planning Department and Cornell Cooperative Extension of Ulster County conducted visits on April 22, 23, and 24. Town supervisors were then emailed on April 26, 2024 notifying them that their towns had tax parcels in the agricultural district inclusion process. Applications were formally transmitted by the Legislature to the AFPB by letter on May 15, 2024. The AFPB is required to evaluate the applications as to conformance with AML and make a recommendation to the Ulster County Legislature.

Procedure (continued)

The AFPB met on May 30, 2024, and after consideration of the information presented, voted to file the recommendation contained in this report for each property, including correspondence with the Clerk of the Legislature and the Ulster County Planning Department's presentation to the AFPB.

Summary of Recommendation

The AFPB recommends 11 parcels totaling approximately 490 acres, be included in the four certified agricultural districts in Ulster County (see Details of AFPB Recommendation on page 4). All the parcels recommended for inclusion have active agricultural operations and/or consist of predominately viable agricultural land.

Public Hearing Information

Pursuant to the AML and Resolution 210 of the Ulster County Legislature adopted on May 14, 2024, a Public Hearing will be held on Tuesday, June 18, 2024 at 7:10 PM or as soon thereafter as the public can be heard. The notice of the Public Hearing was published in the County's newspapers of record on June 5 and 6, 2024. Towns containing tax parcels recommended for inclusion were notified of the Public Hearing by e-mail on June 3, 2024.

Legislative Action Required

The Ulster County Legislature is required to adopt a resolution regarding the inclusion of additional lands into agricultural districts. In so doing, the Legislature is free to accept, reject or modify the recommendation of the Agricultural and Farmland Protection Board.

Upon the adoption of the resolution, the Ulster County Legislature shall submit the resolution, the report of the AFPB, tax map ID numbers and tax maps for each parcel of land to be included to the New York State Commissioner of Agriculture and Markets.

Within thirty days of receipt of the resolution, the Commissioner shall certify to the Ulster County Legislature whether the inclusion is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the district(s). If certified by the Commissioner, the land shall become part of the district(s) immediately.

Ulster County

2024 Agricultural District Inclusion Applicants

Details of AFPB Recommendation

2024 Inclusions to New York State Certified Agricultural Districts in Ulster County: Details of AFPB Recommendation

<u>Municipality</u>	<u>AFPB Recommendation</u>	<u>Applicant</u>	<u>District</u>	<u>Parcel ID #</u>	<u>Acres</u>
GARDINER					
	Include in District	Basil G. Tsimoyianis and Diana	2	93.1-1-30	24.27
	Include in District	Manesiotis-Tsimoyianis	2	93.1-1-31	28.6
	Include in District	Dennis P. and Ann Delaney Chillemi	2	93.4-1-14	10.6
HURLEY					
	Include in District	James L. Wedemeyer	4	37.2-4-49	0.49
NEW PALTZ (town)					
	Do Not Include in District	Michael and Meagan Zoreno	2	78.3-3-40.200	17.6
OLIVE					
	Do Not Include in District	Debra Ann Romano	4	54.1-1-5	3
PLATTEKILL					
	Include in District	Daniel and Cheryl Tomasetti	1	95.3-4-36.1	166.2
	Include in District		1	95.3-7-1.1	27.3
ROCHESTER					
	Include in District	David M. Siegel	3	69.3-2-5	5.3
SAUGERTIES (town)					
	Do not Include in District		4	27.2-6-37	13.67
	Do not Include in District		4	28.1-5-34	31.59
	Do not Include in District		4	28.1-5-35.110	16.7
	Do not Include in District	Rian and Kristin Bradley	4	28.1-5-35.121	2.1
	Do not Include in District		4	28.1-5-35.122	4.1
	Do not Include in District		4	28.1-5-35.131	2.3
	Do not Include in District		4	28.1-6-17.131	32.2
SHAWANGUNK					
	Include in District	Joseph Yuknevich	2	106.2-5-16	7.3
	Include in District		2	106.2-5-21	60.4
	Include in District	Old Par Three LLC	2	107.1-1-4	69.2
WOODSTOCK					
	Include in District	Mink Hollow Properties LLC	4	15.-2-38.100	91.05

Ulster County 2024 Agricultural District Inclusion Applicants

Additional Information

Address of Properties that are part of the 2024 Agricultural District Inclusion Process	Next to or across the street from a Parcel with an Active Farming Operation that is not part of the 2024 Agricultural District Inclusion Process	Straight-Line Distance between Property and Nearest Parcel in an Agricultural District	Prime and Important Soils
177 Tuckers Corners Rd - 1 parcel, Plattekill ¹	No	1,061 feet	Yes
251 Tuckers Corners Rd - 1 parcel, Plattekill ¹	No	3,255 feet	Yes
888 Plains Rd - 1 parcel, Shawangunk	Yes	Adjacent	Yes
6 Justus Banks Ln - 2 parcels, Shawangunk	No	1,228 feet	Yes
105 Tuthilltown Rd - 1 parcel, Gardiner	Yes	1,573 feet	Yes
729 & 747 Noth Mountain Rd - 2 parcels, Gardiner	No	964 feet	Yes
49 Dug Rd - 1 parcel, New Paltz (town)	No	Adjacent	Yes
45 Winfield Corners Rd - 1 parcel, Rochester	No	192 feet	Yes
5155 Route 213 - 1 parcel, Olive	No	1,718 feet	Yes
56 Smith Rd - 7 parcels, Saugerties ²	Yes	Adjacent	Yes
522 Mink Hollow Rd - 1 parcel, Woodstock	No	1.61 miles	No
87 Glenford-Wittenberg Rd - 1 parcel, Hurley	Yes	Adjacent	Yes

1 - The same application has both tax parcels. They are not contiguous, and are differing distances from existing agricultural district parcels.

2 - The northern most tax parcel - 28.1-5-34 - is the only one bordering the adjacent agricultural district parcel that also receives an agricultural tax assessment.

Ulster County

2024 Agricultural District Inclusions

Summary by Agricultural District

District	Current Data		2024 Applications		Recommend Inclusion		Prospective Total	
	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
1	776	15,007	2	193	2	193	778	15,200
2	698	28,310	7	218	6	200	704	28,510
3	545	16,814	1	5	1	5	546	16,819
4	409	11,439	10	198	2	92	411	11,531
Total	2,428	71,570	20	614	11	490	2,439	72,060

Summary by Municipality

Municipality	Current Data		2024 Applications		Recommend Inclusion		Total w/Inclusions	
	Parcels	Acres	Parcels	Acres	Parcels	Acres	Parcels	Acres
Esopus	37	1,151					37	1,151
Gardiner	247	7,855	3	63	3	63	250	7,918
Hardenburgh	2	580					2	580
Hurley	37	1,122	1	1	1	1	38	1,123
Kingston (C)	1	20					1	20
Kingston (T)	1	9					1	9
Lloyd	217	4,949					217	4,949
Marbletown	252	6,667					252	6,667
Marlborough	405	6,762					405	6,762
New Paltz (T)	93	5,052	1	18			93	5,052
New Paltz (V)	4	39					4	39
Olive	25	566	1	3			25	566
Plattekill	184	5,480	2	193	2	193	186	5,673
Rochester	289	7,660	1	5	1	5	290	7,665
Rosendale	18	890					18	890
Saugerties	160	4,075	7	103			160	4,075
Shandaken	20	561					20	561
Shawangunk	276	11,663	3	137	3	137	279	11,800
Ulster (T)	54	1,473					54	1,473
Wawarsing	86	4,641					86	4,641
Woodstock	20	355	1	91	1	91	21	446
Total	2,428	71,570	20	614	11	490	2,439	72,060

Ulster County Agricultural and Farmland Protection Board (AFPB)

2024 Agricultural District Inclusions Voting Results

Voting was conducted at the May 30, 2024 AFPB Meeting

AFPB Members present:

John A. Adams, Dennis Doyle, Chris Kelder, Isabel Vinton
Christian Malsatzki, Len Tantillo, and Tracey Williams

* * * * *

Results of voting where motions were made for discussion purposes about recommending whether an applicant’s parcel(s) should be included in an agricultural district.

<u>Applicant</u>	<u>Yes</u>	<u>No</u>	<u>Abstentions</u>	<u>Motion</u>	<u>Second</u>
Tomasetti	7	0	0	Doyle	Malsatzki
Old Par Three LLC	7	0	0	Doyle	Kelder
Yuknevich	7	0	0	Kelder	Tantillo
Chillemi	7	0	0	Vinton	Williams
Tsimoyianis	7	0	0	Malsatzki	Tantillo
Zoreno	2	4	1	Adams	Williams
Siegel	7	0	0	Kelder	Vinton
Romano	0	7	0	Doyle	Tantillo
Bradley	1	6	0	Vinton	Doyle
Mink Hollow Properties LLC	7	0	0	Vinton	Malsatzki
Wedemeyer	7	0	0	Tantillo	Malsatzki

Notes:

- Both tax parcels in Tomasetti application were voted on together.
- Two voted in favor of Zoreno tax parcel (Adams and Williams) and one abstention (Vinton).
- One voted in favor of Bradley tax parcels (Kelder).