

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 528 -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK - 2014 (SCTM NOS. 0400-203.00-02.00-051.001) – GUIDO F. FOGLIA TRUST & DINAH L. FOGLIA TRUST AND 0400-203.00-02.00-051.003 – LAWRENCE P. FOGLIA AND HEATHER FOREST)**

**WHEREAS**, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

**WHEREAS**, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

**WHEREAS**, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows County legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

**WHEREAS**, Suffolk County does contain agricultural districts; and

**WHEREAS**, Resolution No. 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

**WHEREAS**, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

**WHEREAS**, the Foglia Trusts and Lawrence P. Foglia and Heather Forest, the applicant, submitted two parcels for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

**WHEREAS**, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A", the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

**4<sup>th</sup>** **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and be it further

**5<sup>th</sup>** **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and be it further

**6<sup>th</sup>** **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution.

DATED: June 17, 2014

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: July 3, 2014

**Exhibit “ A”**

Parcel(s) Approved for Inclusion in Existing Certified  
Agricultural District(s)

<b>Tax Map Number</b>	<b>Name</b>	<b>Acres</b>	<b>Agricultural District Number</b>
0400-203.00-02.00-051.001	Guido F. Foglia Trust & Dinah L. Foglia Trust	6.3	3
0400-203.00-02.00-051.003	Lawrence P. Foglia & Heather Forest	4.0	3
	<b>TOTAL ACRES</b>	<b>10.3</b>	