

RESOLUTION NO. 638 -2015, AUTHORIZING THE INCLUSION OF THREE NEW PARCELS – SYLVESTER MANOR EDUCATIONAL FARM, INC. (SCTM NOS. 0700-008.00-01.00-005.005, 0700-008.00-01.00-005.007, 0700-008.00-01.00-005.008) AND THE DISAPPROVAL OF ONE PARCEL – SYLVESTER MANOR EDUCATIONAL FARM, INC. (SCTM NO. 0700-008.00-01.00-005.010) INTO AN EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2015

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, eight (8) applications totaling 23 parcels of land were received from land owners during the 2015 annual enrollment period; and

WHEREAS, Sylvester Manor Educational Farm, Inc., the applicant, submitted four (4) parcels for inclusion into an existing certified Agricultural District, as listed in Exhibits "A" and "B"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board, at its meeting held on April 29, 2015, found that the three (3) parcels 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 No. 1; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the one (1) parcel identified in "Exhibit B" does not consist of predominantly viable agricultural land and that inclusion of such land would not serve the public interest; now, therefore be it

1st **RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the three (3) parcels identified by Exhibit "A" into the existing certified Agricultural District No. 1, as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd **RESOLVED**, that the inclusion of the three (3) parcels identified in Exhibit "A" in existing certified Agricultural District No. 1 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

3rd **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

4th **RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk not to include the one (1) parcel identified in Exhibit "B" into the existing certified Agricultural District(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

5th **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

6th **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

7th **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: July 28, 2015

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: July 29, 2015

Exhibit " A "

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

Tax Map Number	Name	Acres	Agricultural District Number
0700-008.00-01.00-005.005	Sylvester Manor Educational Farm, Inc.	26.3	1
0700-008.00-01.00-005.007	Sylvester Manor Educational Farm, Inc.	1.8	1
0700-008.00-01.00-005.008	Sylvester Manor Educational Farm, Inc.	57.2	1
	TOTAL ACRES	85.3	

Exhibit " B"

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

Tax Map Number	Name	Acres
0700-008.00-01.00-005.010	Sylvester Manor Educational Farm, Inc.	138.7
	TOTAL ACRES	138.7