

Agenda

Planning & Economic Development Committee

February 16, 2022, 6:00 p.m., Legislative Chambers

Livestreamed on Facebook

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (1/19/22)
- C. Privilege of the Floor
- 1. Proposed Resolution – Amend 2021 Budget for Year End Reconciliations – Planning and Economic Development
- 2. Proposed Resolution – Designate Chautauqua County Legislature as Lead Agency Responsible for State Environmental Quality Review (SEQR) of Proposed 2022 Agricultural District Inclusions
- 3. Proposed Resolution – Authorizing Public Hearing Regarding 2022 Agricultural District Inclusions
- 4. Proposed Resolution – Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts 8-Year Review and Consolidation
- 5. Other

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2021 Budget for Year End Reconciliations –
Planning and Economic Development

BY: Planning and Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, some Planning and Economic Development departmental expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.8020.----.8	Employee Benefits - Planning		\$7,198
	Employee Benefits – Planning, Watershed		
A.8020.WTRS.8	Administration		<u>\$403</u>
		Total	\$7,601

DECREASE APPROPRIATION ACCOUNTS:

A.8020.----.4	Contractual - Planning		\$7,198
	Contractual – Planning, Watershed		
A.8020.WTRS.4	Administration		<u>\$403</u>
		Total	\$7,601

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

PMW 2/4/22

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Designate Chautauqua County Legislature as Lead Agency Responsible for State Environmental Quality Review (SEQR) of Proposed 2022 Agricultural District Inclusions

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 7, 8 and 10; and

WHEREAS, Article 25AA section 303-b of the New York State Agricultural and Markets Law authorizes the inclusion of viable agricultural lands into existing agricultural districts within the County of Chautauqua in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03, the Chautauqua County Legislature designated January 2 through January 31 as Chautauqua County’s annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed the submitted proposals on February 3, 2022, and voted to accept the proposed inclusion parcels listed below into an existing agricultural district; and

Ag. District	Parcel #	Landowner	Acres
8	351.03-2-1	M. Erickson	66.5
8	351.18-1-1	M. Erickson	10
8	315.00-1-15	K. Sparn, Jr.	11.1
8	315.00-1-16	K. Sparn, Jr.	3.7

WHEREAS, pursuant to Article 8 of the New York State Environmental Conservation Law, modifications to an agricultural district are subject to the provisions of the State Environmental Quality Review (SEQR); and

WHEREAS, the proposed action is an Unlisted Action and shall require a lead agency to conduct an environmental review in accordance with SEQR; and

WHEREAS, The Chautauqua County Legislature is the sole agency with the authority to approve and adopt by resolutions modifications to the Chautauqua County Agricultural Districts; and

WHEREAS, it is the responsibility of the sole agency which undertakes such an action to be the lead agency in the SEQR process; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby agree to act as the SEQR Lead Agency and as such is authorized to comply with all SEQR requirements for the proposed inclusions to Chautauqua County Agricultural District for the 2022 inclusion period.

CHAUTAUQUA COUNTY
RESOLUTION NO. _____



TITLE: Authorizing Public Hearing Regarding 2022 Agricultural District Inclusions

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 7, 8, and 10; and

WHEREAS, Article 25AA section 303-b of the New York State Agriculture and Markets Law authorizes the inclusion of viable agricultural lands into an existing agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03 the Chautauqua County Legislature designated January 2 through January 31 as Chautauqua County's annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, an inclusion of viable agricultural land in Chautauqua County's agricultural districts is being conducted in 2022, and a Public Notice to accept proposals for inclusions to the districts was posted and distributed in accordance with the procedures set forth therein; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed the submitted proposals on February 3, 2022, and voted to accept the proposed inclusion parcels listed below into an existing agricultural district; and

Ag. District	Parcel #	Landowner	Acres
8	351.03-2-1	M. Erickson	66.5
8	351.18-1-1	M. Erickson	10
8	315.00-1-15	K. Sparn, Jr.	11.1
8	315.00-1-16	K. Sparn, Jr.	3.7

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, the County must hold a Public Hearing prior to accepting proposed inclusion requests to an existing agricultural district; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby set a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on March 23, 2022 at 6:35p.m., in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed inclusion requests for modifications to Chautauqua County's Agricultural Districts; and it be further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County's website, and by publishing such notices in the official newspaper of the County.

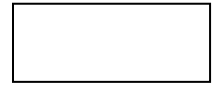
APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____



TITLE: Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts 8-Year Review and Consolidation

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, Article 25AA section 303-a of the New York State Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to perform an eight-year review of each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, a comprehensive eight-year review of Chautauqua County's agricultural districts was conducted in 2021, and a Notice of Review to accept proposals for modifications to the districts was posted and distributed in accordance with the procedures set forth therein, for the period of March 1, 2021 through April 1, 2021; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-c, consolidations of agricultural districts are considered modifications to the district boundaries; and

WHEREAS, pursuant to Resolution No. 208-15, Chautauqua County accepted a plan to consolidate the agricultural districts into districts No. 1, 7, 8, and 10; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted proposals on April 28, 2021, and unanimously voted to accept all proposed modifications and consolidations; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, the County must hold a Public Hearing prior to accepting proposed modifications to an agricultural district; and

WHEREAS, pursuant to Resolution No. 112-21, a public hearing was held during the regular meeting of the Chautauqua County Legislature on June 23, 2021 at 6:35 p.m., in the Legislative Chambers, Gerace Office Building, Mayville, New York; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-c, all persons, as listed on the most recent assessment roll, whose land is the subject of a proposed consolidation is to receive written notice by first class mail with the new anniversary date for the consolidated district; and

WHEREAS, the written notice for the public hearing did not include the new anniversary dates for the consolidated districts; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, New York State Agriculture and Markets Law Section 303-a (5) allows the New York State Commissioner of Agriculture to approve, for good cause shown, the correction of any errors in materials filed; and

WHEREAS, the New York State Commissioner of Agriculture has concluded that the Chautauqua County Legislature has shown “good cause” to correct the errors; and

WHEREAS, in order to complete the correction of errors process, the Chautauqua County Legislature must hold another public hearing with a corrected written notice; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposed during the regular meeting of the Chautauqua County Legislature on March 23, 2022 at 6:35 p.m. in the Legislative Chambers, Gerace Office building, Mayville, New York, where all interested parties shall be heard regarding the proposed 8-year review modifications and consolidation to Chautauqua County’s Agricultural Districts; and be it further

RESOLVED, That at least eight (8) days’ notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County’s website, and by publishing such notices at in the official newspapers of the County.