

21.1

By Legislators Dondorfer and Wilt

Intro. No. ____

RESOLUTION NO. ____ OF 2021

CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR ADDITIONS TO WESTERN MONROE COUNTY AGRICULTURAL DISTRICT #5

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Legislature determines that the additions of the referenced properties to the Western Monroe County Agricultural District #5 is an Unlisted Action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form for Agricultural Districts dated May 7, 2021 and has considered the potential environmental impacts of the additions of the referenced properties to the Western Monroe County Agricultural District #5 pursuant to the requirements of State Environmental Quality Review Act and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution, and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Committee of the Whole; July 1, 2021 - CV: 23-0
File No. 21-0233

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Agriculture and Markets

STATE ENVIRONMENTAL QUALITY REVIEW SHORT ENVIRONMENTAL ASSESSMENT FORM FOR AGRICULTURAL DISTRICTS

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

☐ The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body ("CLB") and the Department of Agriculture and Markets ("Department"), the only other agency required to undertake an action in this case. Therefore, the undersigned CLB will serve as lead agency for the proposed action to ensure compliance with the requirements of the State Environmental Quality Review Act, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

☒ The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of Monroe and the Town(s) of Greece and Parma
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of Monroe County.
3. The name, address, and e-mail address for the Clerk of the above named CLB is:
Jack Moffitt, Clerk of the Legislature
39 W. Main Street, Rochester, NY 14614
email: jmoffitt@monroecounty.gov
4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? ☒ Yes ☐ No

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

5. Is this an action proposed to modify an existing agricultural district? ☒ Yes ☐ No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: 94,878 acres.

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? ☒ Yes ☐ No

- If yes, how many acres are involved in the change? 90 acres
- Does this represent ☒ an increase or ☐ a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

☐ Residential ☐ Industrial ☐ Commercial ☒ Agriculture ☒ Park/Forest/Open Space ☐ Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No
- A Coastal Erosion Hazard Area? ☐ Yes ☒ No
- A community with an approved Local Waterfront Revitalization Program? ☐ Yes ☒ No

If Yes, please identify the affected community or communities: _____

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? ☒ Yes ☐ No

If Yes, date of Plan approval: 1999

If Yes, please cite the applicable language: _____

"The plan's goals are to preserve farmland and promote the agriculture industry."

10. Comments from Municipalities within the County

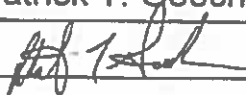
- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? ☐ Yes ☒ No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE

Name of Person Authorized to Sign: Patrick T. Gooch Date: 05/07/2021

Signature:  Title: Senior Planner

21.4

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body ("CLB") as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s). The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

21.5

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 3: Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur," or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

The addition of 90 acres to the Western Monroe County Agriculture District through the addition of two parcels of 45 acres each will not result in any significant adverse environmental impacts. Each parcel is currently a mixture of forested and agricultural scrub land with over 60% prime farmland soils. The parcels are adjacent to residential and agricultural land. Future use of the land will be consistent with typical agricultural uses and purposes as defined by the New York State Agricultural and Markets. The addition of 90 additional acres to the Western Monroe County Agriculture District is a net benefit and will not result in any significant adverse environmental impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Monroe County

Name of Lead Agency

05/05/2021

Date

Adam J. Bello

Print or Type Name of Responsible Officer in Lead Agency

County Executive

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

Supplemental Narrative for Question 4:

Two parcels are being recommended as additions to the Monroe County Western Agricultural District #5. The first is located at 64 Payne Beach Road in the Town of Greece, Parcel Number 017.01-2-1 (image below). The existing 45 acre parcel has approximately 10 acres of pasture and 5 acres of crops and the remaining is forested, hosts a residence, and contains wetlands along the southern and eastern border of approximately 1.8 and 2 acres, respectively. The intended use of the parcel is to remain agricultural with a mix of cropland and pasture land for animals. Although wetlands exist on the site they are below the threshold to require permits for state regulated wetlands. Additionally, normal agricultural practices, within limits, are exempt from regulation and do not require a permit even for regulated wetlands. No significant adverse environmental impacts are expected from the addition of 64 Payne Beach Road.

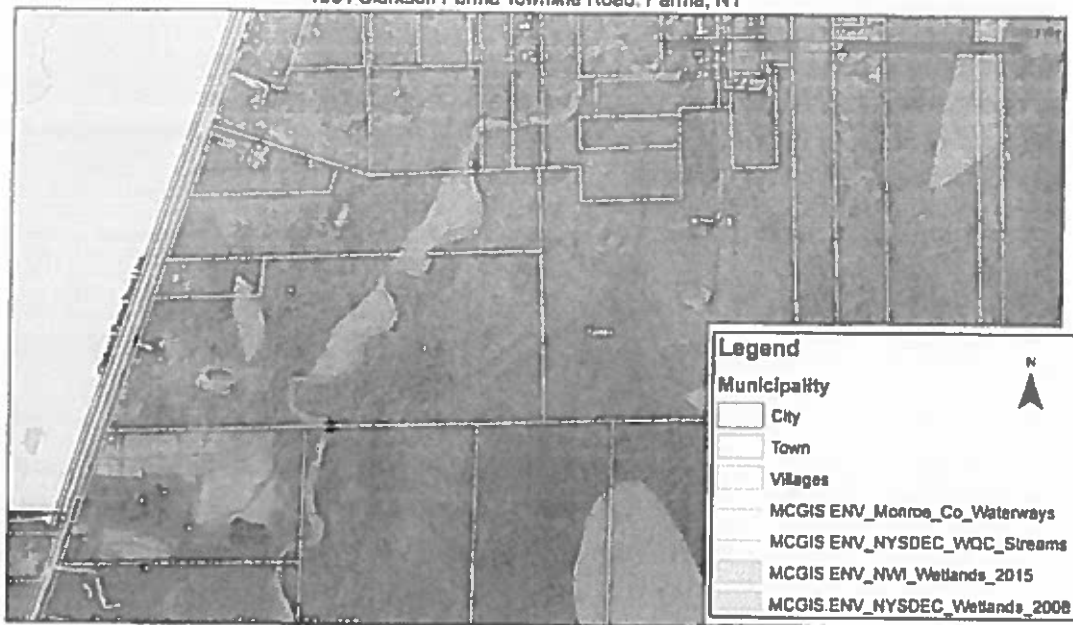


Data Source: National Wetlands Inventory, 2015; NYSD DEC Freshwater Wetlands Map 2006; Monroe County Office of Real Property Services

Map prepared by Monroe County Department of Planning & Development. This map is for GENERAL PLANNING PURPOSE ONLY and is provided without guarantee for any specific or implied use.

The second is located at 1604 Clarkson Parma Townline Road in the Town of Parma, Parcel Number 055.02-2-6 (image below). The existing 45 acre parcel is a mix of cropland and forest with wetlands of 1.22, .39, and 1.94 acres running down the middle of the property. The intended use of the parcel is to remain agricultural with a mix of cropland and pasture land for animals. Although wetlands exist on the site they are below the threshold for state regulated wetlands. Additionally, normal agricultural practices are exempt from regulation and do not require a permit even for regulated wetlands. No significant adverse environmental impacts are expected from the addition of 1604 Clarkson Parma Townline Road.

1604 Clarkson Parma Townline Road, Parma, NY



Data Source: National Wetlands Inventory, 2015; NYS DEC Freshwater Wetlands Map 2008; Monroe County Office of Real Property Services
Map prepared by Monroe County Department of Planning & Development. This map is for GENERAL PLANNING PURPOSE ONLY and is provided without guarantee for any specific or implied use.



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

June 4, 2021

OFFICIAL FILE COPY
No. <u>210233</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
ENV. & PUB. WORKS-L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Classification of Action, Designation of Lead Agency, and Determination of Significance Pursuant to State Environmental Quality Review Act ("SEQRA") for Additions to the Western Monroe County Agricultural District #5

Honorable Legislators:

I recommend that Your Honorable Body designate Monroe County as Lead Agency to authorize additions to the Western Monroe County Agricultural District #5 and to determine whether the action may have a significant adverse impact on the environment pursuant to SEQRA.

Pursuant to Article 25AA, Section 303-b of the Agriculture and Markets Law, a report has been prepared by the Monroe County Agricultural and Farmland Protection Board recommending the proposed addition to the Western Monroe County Agricultural District #5 of two parcels:

- 64 Payne Beach Road, Town of Greece (Hilton mailing address), consisting of approximately 45.00 acres, tax account number 017.01-2-1, owned by Ryan A. Perry.
- 1604 Clarkson Parma Town Line Road, Town of Parma, New York, consisting of approximately 42.35 acres, tax account number 055.02-2-6, owned by Brandon Kelley and Elena Kelley.

The additions to the Western Monroe County Agricultural District #5 have been preliminarily classified as an Unlisted action pursuant to 6 NYCRR § 617.4. The State Environmental Quality Review Act regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

The specific legislative actions required are:

1. Determine that the additions to the Western Monroe County Agricultural District #5 is an Unlisted Action.
2. Designate Monroe County as Lead Agency for a coordinated review of the additions to the Western Monroe County Agricultural District #5.

3. Make a determination of significance for the additions to the Western Monroe County Agricultural District #5 pursuant to 6 NYCRR § 617.7.
4. Authorize the County Executive, or his designee, to take such actions to comply with the requirements of SEQRA, including without limitation, the execution of documents and the filing, distribution and publication of the documents required under SEQRA, and any other actions to implement the intent of this resolution.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely


Adam J. Bello
Monroe County Executive

AJB:db



Agriculture and Markets

STATE ENVIRONMENTAL QUALITY REVIEW SHORT ENVIRONMENTAL ASSESSMENT FORM FOR AGRICULTURAL DISTRICTS

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Short Environmental Assessment Form
New York State Department of Agriculture and Markets

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? ☒ Yes ☐ No 18-0-00 5-100-000
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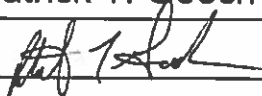
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I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE

Name of Person Authorized to Sign: Patrick T. Gooch Date: 05/07/2021

Signature:  Title: Senior Planner

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

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a. public / private water supplies?	☒	☐
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9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
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Part 3: Determination of Significance

The addition of 90 acres to the Western Monroe County Agriculture District through the addition of two parcels of 45 acres each will not result in any significant adverse environmental impacts. Each parcel is currently a mixture of forested and agricultural scrub land with over 60% prime farmland soils. The parcels are adjacent to residential and agricultural land. Future use of the land will be consistent with typical agricultural uses and purposes as defined by the New York State Agricultural and Markets. The addition of 90 additional acres to the Western Monroe County Agriculture District is a net benefit and will not result in any significant adverse environmental impacts.

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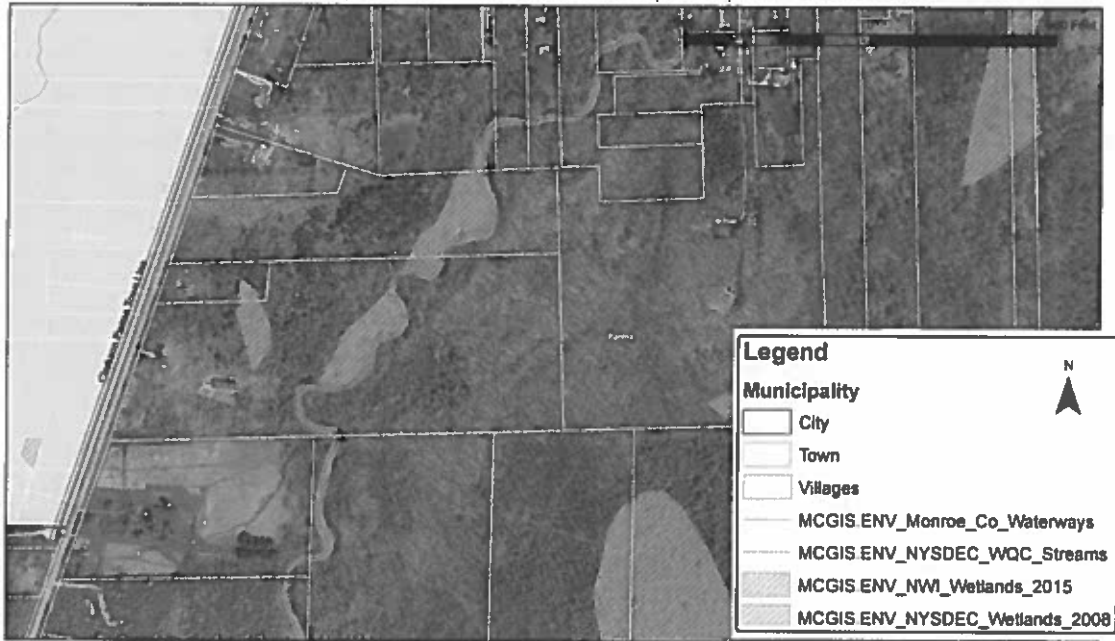


Data Source : National Wetlands Inventory, 2015, NYS DEC Freshwater Wetlands Map 2008, Monroe County Office of Real Property Services.

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The second is located at 1604 Clarkson Parma Townline Road in the Town of Parma, Parcel Number 055.02-2-6 (image below). The existing 45 acre parcel is a mix of cropland and forest with wetlands of 1.22, .39, and 1.94 acres running down the middle of the property. The intended use of the parcel is to remain agricultural with a mix of cropland and pasture land for animals. Although wetlands exist on the site they are below the threshold for state regulated wetlands. Additionally, normal agricultural practices are exempt from regulation and do not require a permit even for regulated wetlands. No significant adverse environmental impacts are expected from the addition of 1604 Clarkson Parma Townline Road.

1604 Clarkson Parma Townline Road, Parma, NY



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