By Legislators DiFlorio and Boyce

2.1

Intro. No. _____

MOTION NO. _____ OF 2016

PROVIDING THAT RESOLUTION (INTRO. NO. 335 OF 2016), ENTITLED "EIGHT-YEAR REVIEW OF MONROE COUNTY WESTERN AGRICULTURAL DISTRICT #5," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 335 of 2016), entitled "EIGHT-YEAR REVIEW OF MONROE COUNTY WESTERN AGRICULTURAL DISTRICT #5," be adopted.

File No. 16-0300

ADOPTION: Date: _____ Vote: _____

2.2

By Legislators DiFlorio and Boyce

Intro. No. 335

RESOLUTION NO. _____ OF 2016

EIGHT-YEAR REVIEW OF MONROE COUNTY WESTERN AGRICULTURAL DISTRICT #5

WHEREAS, the Monroe County Planning Board and the Monroe County Agricultural and Farmland Protection Board have submitted a joint report on the eight-year review of the Monroe County Western Agricultural District #5 (the "District"); and

WHEREAS, the joint report recommends the continuation of this District, in the Towns of Chili, Clarkson, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden and Wheatland, with the following modifications:

a. Add five parcels (approximately 77 acres) to the Western Agricultural District #5: tax account number 143.02-1-20.1, at 6037 Buffalo Road, Town of Riga, consisting of approximately .7 acres; tax account number 103.14-1-15, at 4254 Lyell Road, Town of Gates, consisting of approximately 15.3 acres; tax account number 044.02-1-7.3, at 3456 Latta Road, Town of Greece, consisting of approximately 2.3 acres; tax account number 158.04-1-5.22, at 124 Stryker Road, Town of Chili, consisting of approximately 3.9 acres, and tax account number 087.04-1-13, at 2185 Manitou Road, Town of Ogden, consisting of approximately 54.6 acres.

b. Remove one parcel from the Western Agricultural District #5: tax account number 183.01-1-1.2 at 850 Bovee Road, Town of Riga, consisting of approximately 110 acres.

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

Section 1. The Legislature hereby approves the continuation of the Monroe County Western Agricultural District #5, with the addition of the foregoing parcels of land in the Towns of Riga, Gates, Greece, Chili, and Ogden; and the removal of the foregoing parcel in the Town of Riga, as recommended above.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Planning and Economic Development Committee; October 24, 2016 – CV: 5-0
File No. 16-0300

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

October 7, 2016

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

Subject: Eight-Year Review of the Monroe County Western Agricultural District #5

Honorable Legislators:

I recommend that Your Honorable Body approve the continuation and modification of the Monroe County Western Agricultural District #5 ("District"). Pursuant to Article 25AA of the NYS Agriculture and Markets Law, a report has been prepared by the Monroe County Agricultural and Farmland Protection Board on the eight-year review of the District.

The report recommends continuation of the present District, which is located in the Towns of Chili, Clarkson, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden, and Wheatland and modification of the District by adding approximately 77 acres and removing approximately 110 acres. These modifications result in a loss of 33 acres from the Western Agricultural District.

In accordance with Article 25AA, the Agricultural and Farmland Protection Board report and recommendation should be the subject of a public hearing held by the Legislature's Planning & Economic Development Committee at a place within the District, in its present form, or otherwise readily accessible to it. The Legislature has the option to continue the District in its present form; continue and modify the District; or terminate the District. I am recommending the continuation and modification of the District.

The specific legislative actions required are:

1. Hold a public hearing on the continuation and modification of the Monroe County Western Agricultural District #5 as set forth in the report prepared by the Monroe County Agricultural and Farmland Protection Board within the District, in its present form, or a place readily accessible to the District.

2. Consider the recommendations and facts presented at the hearing relative to the continuation of the Monroe County Western Agricultural District #5 with the following modifications:

   a. Add five parcels (approximately 77 acres) to the Western Agricultural District #5:

      - tax account number 143.02-1-20.1, 6037 Buffalo Road, Town of Riga, consisting of approximately .7 acres;

      - tax account number 103.14-1-15, 4254 Lyell Road, Town of Gates, consisting of approximately 15.3 acres;

- tax account number 044.02-1-7.3, 3456 Latta Road, Town of Greece, consisting of approximately 2.3 acres;

- tax account number 158.04-1-5.22, 124 Stryker Road, Town of Chili, consisting of approximately 3.9 acres and

- tax account number 087.04-1-13, 2185 Manitou Road, Town of Ogden, consisting of approximately 54.6 acres.

b. Remove one (1) parcel from the Western Agricultural District #5:

- tax account number 183.01-1-1.2, 850 Bovee Road, Town of Riga, consisting of approximately 110 acres.

An environmental review will be completed prior to Your Honorable Body taking final action on this matter.

Continuation and modification of the Monroe County Western Agricultural District 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,

Cheryl Dinolfo
Monroe County Executive

CD:db

Western Agricultural District #5

Monroe County, New York
2016 Agricultural District Review

DRAFT

Prepared for:
The Monroe County Legislature

Prepared by:
The Monroe County Agricultural and Farmland Protection Board

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For information concerning this report, contact
Robert King, Monroe Community College, Agriculture and Life Science Institute, (585) 290-2065

1.0 INTRODUCTION

Article 25AA, "Agricultural Districts," of the New York State Agriculture and Markets Law (AML) provides counties with the opportunity to create agricultural districts for the purpose of protecting and promoting the agriculture industry. Section 303-a(1) of the AML provides for a county legislature body to review an agricultural district 8, 12 or 20 years after its creation and every 8, 12, or 20 years thereafter, and recommend continuation, termination or modification of the district. Monroe County Agricultural Districts are reviewed on an eight-year basis to determine consistency with their intended purposes.

The Midwestern District formed in 1975, the Southwestern District formed in 1974, and the Northwestern District formed in 1976, are being consolidated to form Monroe County Western Agricultural District Number 5 with an anniversary date of December 19th.

This report describes the Monroe County Western Agricultural District #5, located in the Towns of Chili, Clarkson, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden, and Wheatland. A list of parcels comprising the existing district is included as *Appendix A*. This report also contains an overview of the review process, a listing of proposed modifications to the Western Agricultural District, a discussion of the review factors that are required in Article 25AA for district reviews, and a recommendation to continue the District with modifications.

2.0 REVIEW PROCESS

The agricultural district review process is documented in Sections 303-a of Article 25AA. The process calls for the county agricultural and farmland protection board to prepare a report concerning various factors and make a recommendation to the county legislative body regarding the district. The review is a participatory process that also includes citizens within and adjacent to the district and encourages landowners to review and to provide direct input in the final makeup of the district. During the review process a landowner may request to add land to or remove land from a district. Adding land to and/or removing land from a district results in a modified district. Finally, input is also solicited from municipal officials, core farmers, and local agribusiness.

Agricultural and farmland protection boards are established pursuant to Section 302 of Article 25AA. A responsibility of the board is to ensure that agricultural interests are considered during the review process. The knowledge of this board on the review factors enables them to inform the county legislative body on the benefits and value associated with agriculture, both as a land use and as an integral part of the county's economy.

The process for this renewal is as follows:

After receiving notification from the state that the review should be undertaken, the county legislative body publishes a legal notice announcing that the review is underway and that the municipalities in the district and the public have 30 days to submit requests for district modification to the county legislative body. The review considers the needs of the farmers in this area and the development goals and objectives of the municipalities within the agricultural district, and the County's development goals and objectives for the area of the County in which the district is located.

At the end of the 30-day period, the requests received by the county legislative body are forwarded to the agricultural and farmland protection board for review. The Board uses these communications along with other pertinent information to develop a recommendation on the district. This recommendation is then forwarded to the county legislative body for action.

The county legislative body holds a public hearing at a location readily accessible to the district to present the recommendation and to obtain any final comments. If necessary, the legislative body revises the recommendation following the public hearing and typically acts to continue and/or modify

the district. This recommendation is then forwarded to the New York State Department of Agriculture and Markets (NYSDAM) for district certification. The review process ends when the county receives a district certification notice from NYSDAM.

3.0 DISTRICT REVIEW

After receiving notification from NYSDAM that the review of the Northwestern Agricultural District #5 should be undertaken, the Monroe County Legislature published a legal notice announcing that Monroe County's Midwestern District No.1, Southwestern District No. 2, and Northwestern District No. 5 are proposed to be consolidated to form Western Agricultural District No. 5, that the review is underway and that the municipalities in the Districts and the public have 30 days to submit requests for District modification to the county legislative body (see affidavits of the 30-day review period and public hearing notices in *Appendix B*).

Staff from the Monroe County Agricultural and Farmland Protection Board (AFPB) gathered information about agriculture in the District per Section 303-a of Article 25AA of the NYS AML, discussed below. AFPB members considered the proposed District boundary modifications and the factors in Section 303-a that are required to be included in the review process and recommended modifying and continuing the Western District.

3.1 Proposed District Boundary Modifications

The proposed district boundary modifications are based on landowner requests to have parcels added to or removed from the District. A list of requests is included as Appendix C and proposed modifications are shown on Map 2. Modifications to the Western Agricultural District are summarized in Table 1. **Requests to add land to the District total approximately 77 acres; proposals to remove land from the District total approximately 110 acres. The modifications would result in a net decrease of approximately 33 acres from the Western Agricultural District.**

Inclusions

Town	Acres	
Riga	.736	Owner owns over 4 acres of adjacent land already in the district.
Gates	15.3	Old farmland that will be farmed.
Greece	2.33	Retail and growing operation adjacent to farmland already in district.
Chili	3.96	Pasture and woodlands adjacent to farmland already in the district.
Ogden	54.6	Existing farmland currently being farmed.
Total	77	

All five parcels (76.93 acres) are considered supportive of the intent of the District. Hence, the Monroe County Agricultural and Farmland Protection Board recommend the addition of these five parcels to the Western Agricultural District #5.

There are an additional 7 parcels with 333 acres that were added to the Western District during the 2016 303-b annual review process.

Town	Acres	
Clarkson	1.9	Single Family Residence adjacent to farmland.
Hamlin	81.8	Vacant Farmland
Hamlin	46.5	Vacant Farmland
Hamlin	5.9	Vacant land, will be part of a newly created parcel already in the district
Hamlin	58.6	Existing Farmland
Hamlin	89.88	Existing Farmland
Riga	48.25	Vacant land
Total	333	

Exclusions

Town	Acres	
Riga	110	Existing landfill will be expanded on this site.

The Monroe County Agricultural and Farmland Protection Board recommends the removal of this parcel from the Western Agricultural District #5 since this land is no longer intended for agricultural use or supportive of farming activities within the District.

Current available data from Monroe County Real Property Service (February 2016) indicates there are 93,777 acres in the Western District. Approximately 333 acres were added in 2016 as part of the annual addition process described in Section 303-b of Article 25AA. Therefore, the size of the Western Agricultural District under consideration for 2016 is 94,077 acres.

Table 1 Proposed Agricultural District Modifications Summarized

Town	Add		Remove	
	Parcels	Acres	Parcels	Acres
Chili	1	3.96		
Gates	1	15.3		
Greece	1	2.33		
Ogden	1	54.6		
Riga	1	.736	1	110
Total to add or remove	5	77	1	110
District acreage (February 2016)	93,777			
Acres added 303-b process (September 2016)	333			
Net change from modifications (acres)	(33)			
Proposed 2016 total (acres)	**94,077**			

3.2 Consideration of Review Factors

Section 303-a of Article 25AA lists the factors that the AFPB are to consider in reviewing an agricultural district. The following text represents the results of the consideration of these factors as they relate to the review of the Western Agricultural District.

1. The nature and status of farming and farm resources within the Western Agricultural District, including the total number of acres of land and the total number of acres of land in farm operations in the District

The crops that comprise the largest acreage in the district are corn, wheat, soybeans, dry beans, and hay. Tree fruits, cabbage, sweet corn, winter squash and peas are grown primarily as processing and fresh market vegetables comprise the second largest acreage of crops produced. Several dairy farms are in the district. Competitive pressures, retirement of operators, shortages of skilled labor and the costs of equipment associated with replacement and updating continue to influence farm management decisions and succession planning. Several large farm parcels have been sold to nonresident farm based operations. A recent trend has been the proposal and establishment of several new farm wineries, farm breweries and farm distilleries within the district.

Farm operations continue to be a significant land use within the district; the district review profile is included in Appendix D. Pressure on commodity prices and rising opportunity costs of a non-farm economy are presenting challenges and incentives to the district's farmers to convert their land into development. Since the last review, commodity prices have fluctuated but at the time of this review have remained relatively stable. Operating expenses have continued to increase, causing profit margins to be squeezed. Historically, capital replacement (facilities and equipment) tend to be tied to commodity prices. Some farm operations continue to borrow on their equity or sell assets (land) to generate cash flow for operating expenses and capital. Increasing equipment and other fixed costs have forced some farmers to spread fixed costs over a larger number of acres in order to achieve a larger scale economy.

Discussions with farmers have indicated that given recent commodity prices both mid and large size farms are willing to make replacement and upgrade capital investments that will enable them to remain competitive in the local, national and international marketplace. Recent upswings in commodity and vegetable prices have helped offset the rising opportunity costs of a non-farm economy on agricultural lands. New York State (Finger Lakes Regional Economic Development Council) policy emphasizes food and agriculture as a key economic growth pillar that resulted in more flexibility in zoning codes for agricultural use, additional marketing and funding opportunities for existing and beginning farmers, and visibility to locally based agriculture. All of these factors provide an impetus and incentive for landowners to consider lands in an agricultural use.

2. The Extent to which the Western Agricultural District has achieved its original objectives.

The majority of the land in the district is farmed with a slight decline in total farm numbers. Many farm operators rent farmland and have stabilized or slightly reduced the amount of farmed acreage. As shown in Table 1, acreage in the district has expanded; this is because most farm landowners want to own farmland and enjoy certain rights and privileges provided by the district. Discussions with farmers have indicated that nuisance issues have declined but continue to be a major concern with non-farm neighbors and code officers. Both farmers and municipal officials indicate that the agricultural district has helped them manage and mitigate complaints concerning agricultural practices through better planning and a venue for addressing complaints. The legal protections, review and planning processes, provided by the agricultural district law, have had a favorable impact on reducing complaints and incidents of conflicting land use.

Agricultural land continues to be subdivided and converted to non-farm uses in all towns. Nearly all development has been low-density residential development. Agricultural assessment values and protection from nuisance ordinances and lawsuits have enabled producers to operate in a favorable socio-economic climate. Almost 50% of farmers rent acreage from aging landowners who are passively involved in production agriculture. These landowners indicate a desire to own farmland and are able to do so by receiving agricultural assessment values. Without agricultural assessments many producers and landowners would be under severe economic pressure to convert their land to non-farm uses.

3. Extent to which Monroe County and local municipal comprehensive plans, policies and objectives are consistent with and support the Western Agricultural District.

The Monroe County Agricultural and Farmland Protection Plan includes an inventory, analysis and recommendations concerning the disposition of agricultural lands throughout the County as well as within all agricultural districts. Sweden has implemented a right to farm law, while the towns of Chili, Wheatland, Parma, and Ogden have adopted farmland protection plans as part of their comprehensive plans. Overall these town farmland protection plans are consistent with the County-

wide plan. Upon participatory assistance from the County, every town except Gates has either updated or included language within their comprehensive plans to further protect and promote agriculture and implement conservation easements within their jurisdictions. The town of Parma has a permanent conservation easement for agricultural use within its jurisdiction.

Grow Monroe, a buy local program, has been created and administered by Monroe Community College (MCC). An award winning documentary Locally Grown by MCC was created and airs during July and August to create awareness of agriculture. MCC also created an Agriculture and Food Studies Certificate program to encourage and foster a trained workforce for local agriculture. Several workshops on succession planning, farmland protection and zoning updates have been provided to municipalities, farmers, and landowners by MCC and the Monroe County Department of Planning and Development. The Monroe County Fair is now based in Ogden. Generally, all municipalities have been involved in promoting agriculture through participation in farm markets, agricultural education, agricultural awareness, discussions with local farmers, and consultations with agricultural subject matter experts regarding interpretations and implementation of zoning and building codes.

Monroe County Comprehensive Plan

The conceptual plan for Monroe County's development pattern is contained in the Land Use Element of the adopted Monroe County Comprehensive Development Plan (1975). The Plan recommends that a limited portion of the district would be needed for urban development through the year 2000. The population increase projected for this area has yet to be realized, hence there should be ample land for development needs outside the district. Areas that have water, sewers, and a good transportation system should be targeted to receive the development that accompanies development expansion in this area. Areas that cannot readily support the various conditions required for development without significant outlays of public monies to provide improvements should be isolated from development and targeted for other non-intensive uses such as agriculture. The Western Agricultural District has had a positive influence on the County's comprehensive plan in that it reinforces the plan's land use recommendations for this portion of the County.

Monroe County Capital Improvements in the Western Agricultural District

When public road, sewer, and water projects traverse farmland, the agricultural district regulations place limitations and conditions on these projects that help minimize their impact on the land. Thus, in this context and from an agricultural perspective, the Western Agricultural District has a positive influence on the capital improvement projects.

Monroe County Department of Environmental Services (MCDES)

Monroe County DES did a review of project activities in the Western Agricultural District between 2006 and 2016 and the following projects were undertaken during that time:

The Village of Scottsville sponsored a project installing sanitary forcemain in a portion of SW#2 in 2013. The forcemain was dedicated to the Irondequoit Bay South Central Pure Waters District in 2015.

Sewers were expanded to include these subdivisions:
Vistas at Coldwaters section 3 through 5 – Town of Gates
West Whittier Estates section 8 – Town of Ogden
West Whittier Patio Homes section 2 – Town of Ogden
Clarkson Commons – Town of Clarkson
Ogden Heights – Town of Ogden

The Gates Chili Ogden Sewer District Extension will incorporate the proposed Rose Hill Subdivision in the Town of Chili whereby new sewers and a Category 3 pump station will be dedicated to the GCOSD. There is a second GCOSD Ext. where the district will be extended into the Town of Riga and will encompass the Churchville-Chili Central School District and the new Embling Heights Subdivision.

Within the next 8 years there will be the replacement of the West Creek culvert that supports the 30" Hilton-Brockport Interceptor, located in the Town of Clarkson.

Monroe County Department of Transportation (MCDOT)
Monroe County DOT did a review of project activities for roads, bridges and culverts that were constructed in the Western Agricultural District between 2006 and 2016 and the following projects were undertaken during that time:

Year	Town	Location
2008	Riga	Attridge Road Bridge, replacement
2008	Clarkson	Lawton Road Culvert, replacement
2008	Clarkson	Redman Road Culverts (2), replacement
2009	Parma	Wilder Road Bridge, preventive maintenance
2009	Parma	Clarkson Parma Town Line Road Culvert, replacement
2009	Sweden	Gordon Road Culvert, replacement
2011	Wheatland	Union Street Bridge, replacement
2011	Clarkson	Lawrence Road Bridge, replacement
2011	Chili	Union Street Bridge, replacement
2011	Chili	Stottle Road Culvert, replacement
2012	Riga	Burnt Mill Road Bridge, preventive maintenance
2012	Clarkson	Redman Road Culvert, replacement
2014	Parma	Parma Center Road Bridge, preventive maintenance
2014	Chili	Morgan Road Culvert, preventive maintenance
2014	Chili	Stottle Road Culvert, preventive maintenance
2015	Ogden	Hubbel Road Culvert, preventive maintenance
2015	Clarkson	Clarkson Hamlin Town Line Road Culvert, replacement
2015	Wheatland	North Road Culvert, replacement
2016	Chili	Wheatland Center Road Culvert, replacement
2016	Chili	Wheatland Center Road Culvert, replacement

In addition, the following projects are currently planned within the Western District as per the proposed 2017-2022 Monroe County Capital Improvement Program:

Year	Town	Location
2017	Ogden	Stony Point Road Culvert, replacement
2017	Wheatland	Bowerman Road Bridge, rehabilitation
2018	Parma	Burritt Road Culvert, replacement
2018	Clarkson	Ireland Road Culvert, replacement
2019	Riga	Griffin Road Culvert, replacement
2019	Hamlin	Morton Road Culvert, replacement

Monroe County Water Authority (MCWA)

The Monroe County Water Authority provided a review of newly installed water main facilities located partially or wholly in the Western Agricultural District. The MCWA does not extend water mains for new customers -- the installation of new facilities is the responsibility of the municipalities. The MCWA reviewed and approved the following projects and took them into the water system once completed:

Year	Town	Location
2005	Ogden	Boulder Dr
2005	Ogden	Ogden Parma TL Rd
2005	Riga	Johnson Rd, Malloch Rd
2007	Ogden	Shenandoah East, Blackstone Dr, Tall Ridge Pass
2007	Ogden	Whittier Rd
2007	Wheatland	Scottsville Mumford Rd
2008	Wheatland	Union St @ Oatka Creek
2009	Ogden	Boulder Dr
2009	Ogden	Ivydale Pl, Kingsford Ln, Woodseer Dr
2009	Riga	Savage Rd
2010	Ogden	2330 Union St
2010	Riga	Kendall Rd, Mcintosh Rd, Bangs Rd, Liebeck Rd, Westside Dr
2010	Riga	Churchville Riga Rd, Riga Mumford Rd
2011	Hamlin	Redman Rd, Cook Rd
2011	Ogden	Blackburn Knoll
2011	Riga	Griffin Rd, Palmer Rd, Jenkins Rd, Stearns Rd , Hosmer Rd, Robertson Rd, Chili Ave Ext, Parish Rd, Buffalo Rd, Gough Rd, Sanford Rd N, Sheridan Rd, Merriman Rd, Bromley Rd, Savage Rd, Atttidge Rd, Davis Rd, Bunny Run
2012	Clarkson	2071 West Ridge Rd
2013	Riga	Allfair Dr, Spotts Cir
2015	Riga	Spotts Cir
2016	Parma	Blue Mountain Dr
2016	Wheatland	Oatka Creek, Armstrong Rd

Currently, there are no new construction projects proposed to be under taken by the MCWA within the Western Agricultural District. Projects proposed to be completed by municipalities/developers include a water main at Sweden Walker Road between East Ave and Ridge Road West in Clarkson.

Effect of District on County and Local Comprehensive Plans, Policies and Objectives

Agriculture is a recommended land use and the intent of the district is both complimentary and consistent in the municipal comprehensive plans of all towns. The district renewal process provides citizens, the agriculture community and local officials the opportunity to discuss and strengthen the impact that the district offers to each municipality. Agricultural district regulations require municipal planning to be reviewed and consistent with the intent of the agricultural districts program. The villages of Brockport, Churchville, Hilton, Scottsville, and Spencerport were not extensively reviewed in this report as villages do not contain significant agricultural land use. However, villages have been a strong advocate and very supportive of local agricultural use

especially during site plan review, establishment of farmers markets, and promoting agricultural awareness.

Municipal Comprehensive Plans

The comprehensive plans for the Towns of, Chili, Greece, Gates, Wheatland, Parma, Hamlin, Clarkson, Ogden, Riga and Sweden have been periodically reviewed regarding their consistency with the purpose and intent of the district and recognize agriculture as a land use. All but the Town of Gates has large tracts of land devoted to cropland.

Generally, all municipalities;
1. Encourage the renewal of agricultural districts and support provisions of the Agricultural District Law.
2. Discourage the placement of public sanitary sewers and other utilities and services that would encourage growth in those areas of the towns designated as agriculture on land use plans.
3. Limit residential development proposed for agricultural areas to low density, single family units and located so as to minimize potential loss of agricultural soils or the disruption of agricultural operations.
4. Encourage development in rural and agricultural areas to occur on lands either unsuitable for farming or on lands where conflicts would be minimal.
5. Prevent enactment of nuisance laws that would interfere with normal agricultural activities.
6. Encourage citizen understanding of the economics of agricultural production and land use.

All town supervisors indicate an understanding of agriculture and that low commodity prices, increasing equipment costs, shortages of labor and increasing land costs due to urban expansion continue to entice farmers to sell land for non-agricultural uses. All town officials appear to advocate landowner participation in the agricultural district program and indicate that the continued implementation of the previously mentioned policies will enable a slowdown of the rate and level of land being converted to non-agricultural uses and further the objectives of comprehensive plans.

Several comprehensive plans have specified innovative planning techniques to preserve farmland. Ogden, Parma, and Sweden favor the use of conservation easements and to develop a purchase of development rights program.

Over time, all comprehensive plans have been reviewed regarding their consistency with the purpose and intent of the District. All plans except Gates and Greece recommend that the vast majority of land included in the District as well as the proposed additions, remain rural with agriculture and low density residential as the preferred land uses and contain policies designed to retain and support agriculture as the principal land use in the District.

The Towns of Chili, Ogden, Parma and Wheatland have adopted farmland protection plans that are considered part of their Comprehensive Plan. These farmland protection plans recognize the importance of and seek to preserve and promote agriculture as a use and provide reference information and serve as a guide to local actions that can be taken to support agriculture and retain farmland. The plan is intended to be used as a guide by the Town Planning Board and Zoning Board of Appeals in the review of development proposals that may affect farmland and conservation of land resources in the Town, and by the Town Board as a guide to financial and regulatory actions.

Although several town comprehensive plans recommend the continuation of farming and maintenance of the rural character throughout the vast majority of the District located in a town, these plans also take into account the possibility of development within the District and suggest that if it were to occur, that it would be a business/industrial mix.

The Western Agricultural District has had a positive and mitigating influence on municipal and county comprehensive plans, regulations, ordinances and laws as they relate to land use recommendations and implementation of municipal policy.

When public road, sewer, and water projects traverse farmland, the District's regulations encourage oversight and tend to place limitations and conditions on these projects that help mitigate adverse impacts on affected agricultural lands. Thus, in this context and from an agricultural perspective, the District has had a significant and positive influence on capital improvement projects.

Although public water projects continue in the District, historically, the presence of public water has not had a significant impetus of development in the County and this District. However, sanitary sewer is much more likely to attract and influence the nature of development, especially if the sewer line is a gravity line versus a force main line. Thus, the expansion and nature of sewer lines within the Town of Chili is likely to have an adverse impact on nearby farmlands. However, nearby farms may be able to capture the potential demand for locally grown agricultural products associated with these developed uses.

The presence of the District and active farm operations has resulted in agriculture being a recommended land use in municipal comprehensive plans and in this context the District has also had a positive influence. Although agricultural district regulations call for municipal planning to be consistent with the intent of the agricultural districts program, at times, municipalities plan and zone land for nonagricultural uses in districts.

Impacts of Nonagricultural Development on District

In all towns, the prevailing non-farm development pattern in the District appears to be mostly single family homes along road frontage. This pattern is associated with an increased likelihood of nonfarm neighbor complaints about farming practices. As noted previously, most complaints have been resolved based on mediation and reference to agricultural districts law and opinions. Municipalities require a disclosure notice which helps to provide early notification to nonfarm neighbors that they are likely to experience effects from farming operations, thereby, helping to minimize complaints.

Several large tracts of farmland within several municipalities are for sale at the time of this report with intentions for development.

The Towns of Wheatland and Hamlin anticipate additional single-family residents, however, the rate and level of development has been well below that of adjacent towns and counties. The Town of Wheatland is exploring extending sewer lines from the Village of Scottsville sanitary system. Scottsville has merged its wastewater treatment facility with Monroe County Department of Environmental Services.

4. Degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in Western Agricultural District and their influence on farming.

All towns have laws and policies regarding agriculture within their municipalities. The Towns of Ogden, Parma and Sweden have a right-to-farm ordinance. Several municipalities without farmland protection plans are highlighted below with respect to zoning laws. All municipalities provide laws that generally protect and promote farming within the district. Most zoning codes (mostly residential zoning), do not prohibit agriculture. However, several conflicts (i.e. Parma, Hamlin, Sweden, and Greece) have arisen regarding farm operations and have been interpreted as in conflict with local zoning and/or ordinances.

Although farmland protection planning often recommends the creation of agricultural zoning for agricultural areas to encourage farming, only Parma and Chili, have considered a comprehensive agricultural zoning code. Historically, farmers, large lot landowners and public and appointed officials generally do not support the creation of a comprehensive agricultural zoning code within respective municipalities.

Historically, all municipalities in the District use the Agriculture Data Statement (ADS) to assess and communicate the impacts of potential non-farm development proposed on land that is part of an active farm in the district or is proposed for land which is within 500 feet of an active farm in the district. The municipal board reviewing the proposed non-farm development must determine, based on information provided in the ADS and by adjacent farmers, whether the proposed development will conflict with present and future farming operations and if so, determine appropriate mitigation measures.

The following information, although not exhaustive, highlights potential conflicts with municipal codes requiring minimum lot size, limitations on the sale of farm products, limitations on noise and types of agricultural activities. Hence, this section emphasizes the importance of all municipalities to review and modify their existing code in the interests of protecting and promoting agriculture as a land use and being consistent with Agriculture and Markets Law. Only municipalities having land within the Western Agricultural District were reviewed.

Town of Clarkson: Generally, municipal codes appear to be consistent with agricultural districts law; however, farm labor housing may pose unreasonable restrictions. Setting minimum dimensions, lot size exceeding 10,000 square feet or more, screening, and/or immediate removal of farm labor housing if unoccupied may be considered unreasonable.

Town of Greece: The Town's definition of a farm is: "A lot or any combination of contiguous lots, either owned or leased, which comprises not less than ten acres in area and which is principally used for agricultural purposes, including but not limited to horticulture; plant nurseries; apiaries; fish hatcheries; animal or poultry husbandry; dairying; pasturing; and the customary accessory structures necessary for the storage or sale of the agricultural goods produced on said lot. This definition shall not include stables, as defined by this chapter, or stockyards or commercial feedlots."

Establishing a minimum lot size for farm operation within a zoning district that includes land within a certified agricultural district may be unreasonably restrictive. The definition of a farm operation as described in AML 301 subd. 11 do not include an acreage threshold. Also, the definition on a farm in the code may be problematic as it excludes the raising of fur-bearing animals, riding academies and livery or boarding stables. The town definition of junk is "Any manufactured good, appliance, fixture, furniture, machinery, motor vehicle, recreational vehicle, trailer or similar object which is abandoned, demolished, discarded, dismantled or so worn, deteriorated or in such a condition as to be generally unusable in its existing state. This definition shall include but shall not be limited to scrap metal, scrap material, waste bottles, cans, paper, rubble, boxes, crates, rags, used construction materials, motor vehicle parts and used tires." Some of these "junk" items are commonly found on farms and may or may not be considered junk to the farm operation. For example, tires may be used to keep coverings in place and items such as used metal, waste paper, rags, plastic and discarded materials are collected and piled on the farm to be taken to the local waste transfer station. Junked vehicles, particularly trucks and farm equipment may be kept for spare parts to repair functional trucks and equipment. Generally, requiring farmers to obtain a junkyard license or permit to keep items used on the farm in an amount and scope directly related to a the agricultural operation is unreasonably restrictive.

Town of Hamlin: Extensive areas in the town contain soil types well suited for agriculture crops and tree fruits and influence the town's development plan, policies and jurisdictional matters. Generally, the code is consistent with agricultural districts law; however, under the noise ordinance only farm machinery is exempt. Consequently, other farming activities, animal agriculture and other specialized processes may be unreasonably restricted.

The town code requires a ten-acre minimum lot size. Establishing a minimum lot size for a farm market and/or farm operation within a zoning district that includes land within a certified agricultural district may be unreasonably restrictive. The definition of a farm operation, as provided in AML §301 subd. 11, does not include an acreage threshold.

The Town of Hamlin's definition of junk follows: "...includes but is not limited to any manufactured good, appliance, fixture, furniture, machinery, motor vehicle, recreational vehicle, trailer or similar object which is abandoned, demolished, discarded, dismantled or so worn, deteriorated or in such a condition as to be generally unusable in its existing state. This definition shall include but shall not be limited to scrap metal, scrap material, waste bottles, cans, paper, rubble, boxes, crates, rags, used construction materials, motor vehicle parts and used tires."

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5. Recommendations to Continue, Terminate or Modify District

Based on the viability of agriculture as both an industry and land use within the proposed district and the continued development pressure, it remains prudent to promote an economic climate that minimizes and mitigates land speculation and accounts for any adverse impact of development. Therefore, the AFPB strongly recommends the renewal and modification of the Western Agricultural District.

The Western District continues to provide benefits to member farmers and agricultural landowners that wish to keep their land in farming. This fact is evidenced by continued landowners requesting acreage to be added to the district. Thus, in order to preserve and support the continuation of agriculture in the western portion of the county, the Monroe County Agricultural and Farmland Protection Board recommend the renewal and modification of the Western Agricultural District.

4.0 MONROE COUNTY LEGISLATURE RECOMMENDATION

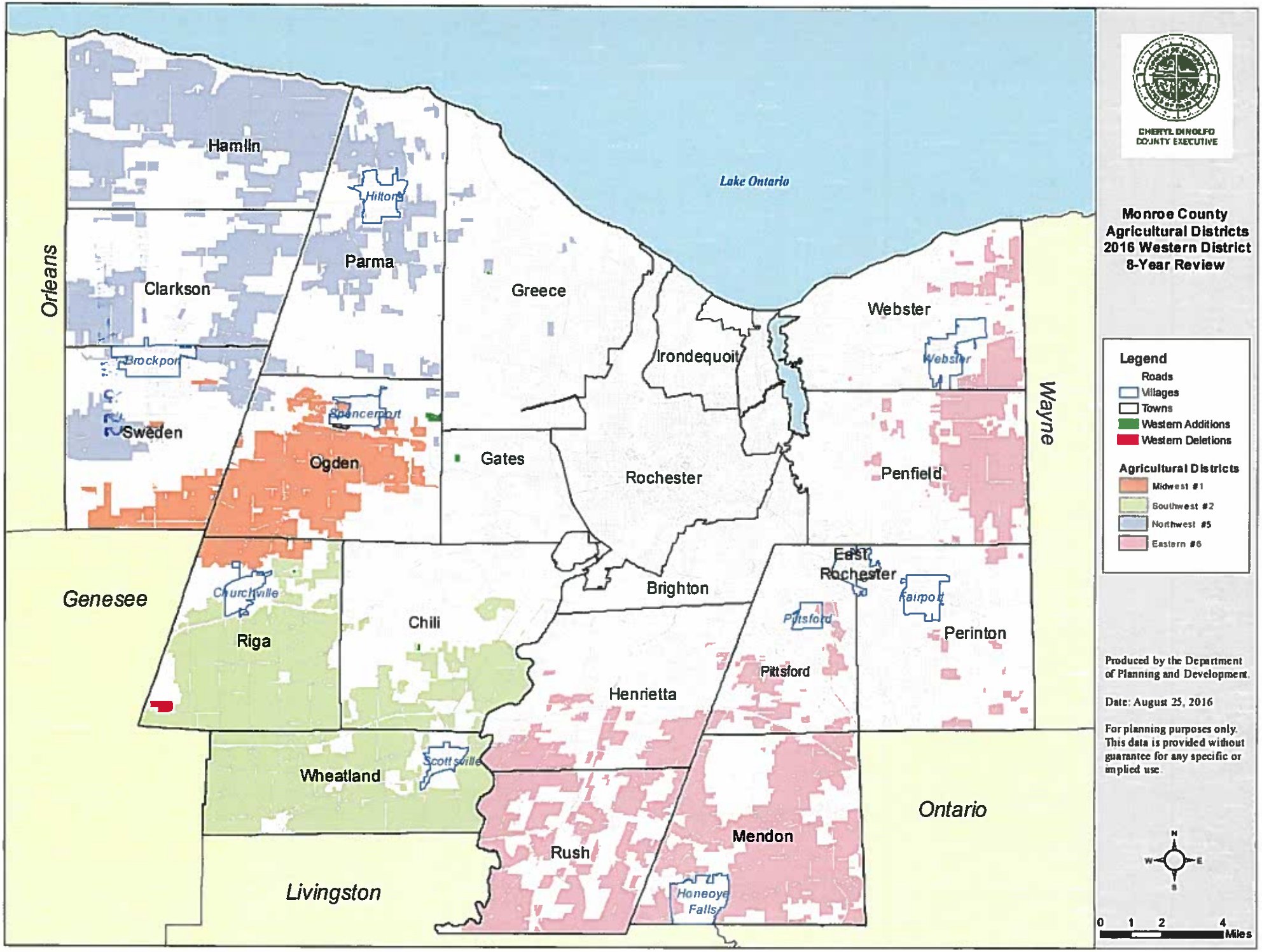
A public information meeting, a 30-day review and comment period and a public hearing were held to discuss the District with landowners (see supporting documentation in Appendix B). An environmental review for this action is included as Appendix E and indicates there are no significant adverse environmental impacts associated with the District. District boundary modifications -- based on public input -- and the review factors discussed in Section 3.2 were reviewed by the Agricultural and Farmland Protection Board, which recommends the District be renewed with modifications (see Appendix F). The Monroe County Legislature will review the information and the Board's recommendations to continue the Monroe County Western Agricultural District for another eight years with the following modifications:

- Five (5) parcels containing approximately 77 acres to be added to the existing District as follows: one (1) parcel containing .736 of an acre in the Town of Riga; one parcel containing 15.3 acres in the Town of Gates; one parcel containing 2.33 acres in the Town of Greece; one parcel containing 3.96 acres in the Town of Chili, and one parcel containing 54.6 acres in the Town of Ogden.

- One (1) parcel containing 110 acres in the Town of Riga is removed from the existing District.

- Seven (7) parcels containing approximately 333 acres that were added to the District through the 2016 annual addition process include: one (1) parcel containing 1.9 acres in the Town of Clarkson; one (1) parcel containing 48.25 acres in the Town of Riga; and four (5) parcels containing 283 acres in the Town of Hamlin.

The modifications results in a net decrease of 33 acres for a total of approximately 94,077 acres in Monroe County's Western Agricultural District #5. The Monroe County Legislature Resolution will be included as Appendix G in the report to NYS Department of Agriculture and Markets.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Webster
Webster
Sweden
Spencerport
Ogden
Gates
Rochester
Penfield
East Rochester
Fairport
Brighton
Churchville
Riga
Chili
Pittsford
Perinton
Pittsford
Henrietta
Scottsville
Wheatland
Rush
Mendon
Honeoye Falls
CHERYL DINOLFO
COUNTY EXECUTIVE
Monroe County
Agricultural Districts
2016 Western District
8-Year Review
Legend
Roads
Villages
Towns
Western Additions
Western Deletions
Agricultural Districts
Midwest #1
Southwest #2
Northwest #5
Eastern #6
Produced by the Department of Planning and Development.
Date: August 25, 2016
For planning purposes only. This data is provided without guarantee for any specific or implied use.
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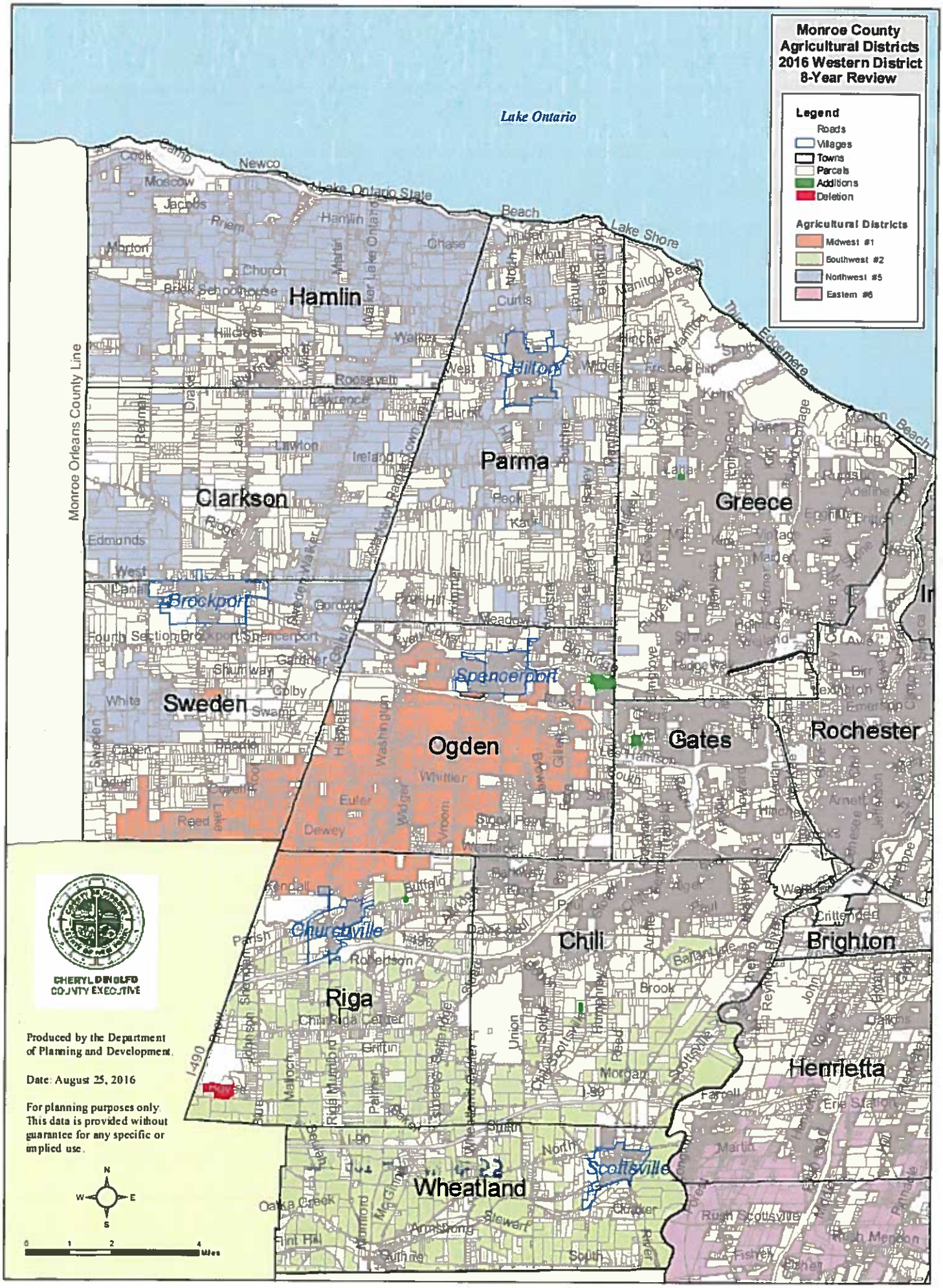
Monroe County
Agricultural Districts
2016 Western District
8-Year Review
Legend
Roads
Villages
Towns
Parcels
Additions
Deletion
Agricultural Districts
Midwest #1
Southwest #2
Northwest #5
Eastern #6
Lake Ontario
Monroe Orleans County Line
Hamlin
Parma
Clarkson
Greece
Brockport
Spencerport
Sweden
Ogden
Gates
Rochester
Churchville
Chili
Brighton
Riga
Henrietta
Scottsville
Wheatland
CHERYL DINOLFO
COUNTY EXECUTIVE
Produced by the Department of Planning and Development.
Date: August 25, 2016
For planning purposes only. This data is provided without guarantee for any specific or implied use.
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APPENDIX A

List of Parcels Comprising Existing Monroe County Western Agricultural District #5

Available Upon Request

APPENDIX B

Affidavits of Publication

30 –Day Review Period Legal Notice
and
Public Hearing Notice – (to be inserted November 2016)

ROCHESTER BUSINESS JOURNAL
45 East Avenue, Suite 500, Rochester, New York 14604

AFFIDAVIT

Susan R. Holliday, being duly sworn, says that she is the President of the Rochester Business Journal, a weekly newspaper published in the City of Rochester, County of Monroe, State of New York, and the notice hereto annexed was published in said paper on time to wit the 18th day of March, 2016.

Susan R. Holliday

Susan R. Holliday

Sworn to before me this
18th day of March, 2016.

Joanne M. Gligora

JOANNE M. GLIGORA
Notary Public, State of N.Y.
Monroe County
Commission Expires Feb. 8, 2018

RE: Public Legal Notice of 30 Day Period for Public Review of Agricultural Districts

LEGAL NOTICE

NOTICE OF A 30-DAY PERIOD FOR PUBLIC REVIEW OF THE MONROE COUNTY WESTERN AGRICULTURAL DISTRICTS
No. 1, No. 2
and No. 5

PLEASE TAKE NOTICE, that Monroe County's Midwestern District No.1, Southwestern District No. 2, and Northwestern District No. 5 are proposed to be consolidated to form Western Agricultural District No. 5 (the "District"), encompassing 92,123 acres in portions of the Towns of Wheatland, Chili, Riga, Ogden, Parma, Sweden, Clarkson, and Hamlin. The districts were originally established between 1973 and 1976 pursuant to Article 25-AA of the New York State Agriculture and Markets Law.

PLEASE TAKE FURTHER NOTICE, that Monroe County is required to conduct a review of a district eight years after its creation and every eight years thereafter.

PLEASE TAKE FURTHER NOTICE, that a map of the Districts is on file and open to public inspection in the office of the Clerk of the Monroe County Legislature and online at the Monroe County Planning Division website: www.monroecounty.gov/farmland.

PLEASE TAKE FURTHER NOTICE, that there is hereby established a 30-day period for public review of the above-mentioned Districts, which period commences on March 23, 2016 and terminates on April 21, 2016. During this period, any municipalities and landowners within the Districts may propose modifications by adding land to or removing land from the Districts.

PLEASE TAKE FURTHER NOTICE, that any proposed modifications to the Districts must be submitted in writing to the Clerk of the Monroe County Legislature within this 30-day period for public review.

PLEASE TAKE FURTHER NOTICE, that the Monroe County Agricultural and Farmland Protection Board will hold a Public Information Meeting regarding the Districts at the Town of Ogden Community Center, 269 Ogden Center Road, Spencerport, New York, 14559, on Tuesday, March 22, 2016 at 7:00 p.m.

PLEASE TAKE FURTHER NOTICE, that at the termination of the 30-day period for public review, the Districts, as currently configured, and any proposed modifications will be submitted to the Monroe County Agricultural and Farmland Protection Board for review and recommendation to the Monroe County Legislature whether to continue, modify or terminate the Districts.

DATED: March 8, 2016

Jamie L. Slocum
Clerk of the Monroe County Legislature
407 County Office Building
39 W. Main Street
Rochester, NY 14614-1476
(585) 753-1950

3/18/16

8: 22

THE DAILY RECORD

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
County of Monroe, ss.:

The undersigned is the authorized designee of Suzanne F. Huettner/Publisher of The Daily Record, a daily newspaper published in Rochester, New York. A notice was published in said newspaper one times, commencing on 3/18/2016 and ending on 3/18/2016. The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose.

Sworn to before me on this 18th day of March, 2016

Patrick Pitoni
Authorized Signer

Notary Public, State of New York

LAVON N BROWN
NOTARY PUBLIC in the State of New York
Qualified in Monroe County
Registration No. 01BR6133534
My Commission Expires September 19, 20 17

LEGAL NOTICE

-

NOTICE OF A 30-DAY PERIOD FOR PUBLIC REVIEW OF THE MONROE COUNTY WESTERN AGRICULTURAL DISTRICTS No.1, No. 2 and No. 5

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DATED: March 8, 2016

Jamie L. Slocum
Clerk of the Monroe County Legislature
407 County Office Building
39 W. Main Street
Rochester, NY 14614-1476
(585) 753-1950
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APPENDIX C

Proposed Modifications to
Monroe County Western Agriculture District #5
2016

SUMMARY OF 2016 MODIFICATIONS TO THE MONROE COUNTY WESTERN AGRICULTURAL DISTRICT #5

	Acres
Requests to be added to District (+)	77
Requests to be remove from District (-)	-110
Total District modifications (+/-):	-33
Size of District before 2016 eight-year review*	94,110
Additions as a result of requested modifications (+/-):	-33
Size of District as a result of modifications:	94,077

* Based on Monroe County February 2016 Real Property Service data (93,777 acres) plus acreage added as part of 2016, 303-b annual addition process (333 acres).

2016 Modification Requests to Western Monroe County Agricultural Districe 8-year Review

District	Owner	Parcel Address	Town	Tax Lot No.	Addition or Removal	Acres	Notes
SW	Waste Management of NY, LLC	850 Bovee Road	Riga	183.01-1-1.2	Removal	110	
SW	Ryan Platte	6037 Buffalo Road	Riga	143.02-1-20.1	Addition	0.736	Own 4.33 adjacent acres
MW	Hieu Luong and Hien Luong	4254 Lyell Road	Gates	103.14-1-15	Addition	15.3	Old Farmland
NW	Jack and Millie Edmond	3456 Latta Road	Greece	044.02-1-7.3	Addition	2.33	retail and growing operation for Green Acre Farm & Nursery.
SW	Carole Thoms	124 Stryker Road	Chili	158.04-1-5.22	Addition	3.96	Pasture & Woodland
MW	Robert and Ann Brongo	2185 Manitou Road	Ogden	087.04-1-13	Addition	54.6	Located N & S of CSX RR w/2000 ft of canal front

Total 2016 Addition Requests	**76.926**
Total 2016 Removal Requests	**110**

4/27/2016

APPENDIX D

Monroe County Western Agriculture District #5
Review Profile (RA-114)

Western Agricultural District #5
Monroe County, New York
2016 Agricultural District Review

RA-114 (rev. 1-08)

New York State
Department of Agriculture and Markets

AGRICULTURAL DISTRICT REVIEW PROFILE

DISTRICT IDENTIFICATION

County:				District No.:
Monroe				#5
Town(s) in District: Chili, Clarkson, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden, Wheatland				
No. acres in district: 94,077	No. acres in farms:[1] 77210.94	No. acres cropped: 61922.47	No. acres owned by farmers: 47439.64	No. acres rented by farmers: 29771.3

AGRICULTURAL DATA ANALYSIS

A. Since last review, number of acres in District — Added: 2607 — Deleted: 110

B. Since last review, number of acres in farms — Increased: 3081 — Decreased: 110

[1] Number of acres in farms represents the sum of acres owned by farmers and rented by farmers.

(Attach additional sheets if necessary)

APPENDIX E

Short Environmental Assessment Form

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Review of Monroe County Western Agricultural District

Project Location (describe, and attach a location map):
Towns of Chili, Clarkson, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden, and Wheatland. See Attached map.

Brief Description of Proposed Action:
Add 5 parcels to three agricultural districts in Monroe County as follows:
Northwest District: Greece, 3456 Latta Road
Southwest District: Chili, 124 Stryker Road; Riga, 6037 Buffalo Road
Midwest District: Gates, 4254 Lyell Road; Ogden, 2185 Manitou Road

Remove 1 parcel in the Southwest District: Riga, 850 Bovee Road

Name of Applicant or Sponsor:	Telephone: 585-753-2037
Monroe County	E-Mail: rfinnerty@monroecounty.gov

Address:
39 West Main Street

City/PO:	State:	Zip Code:
Rochester	NY	14614

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: The Commissioner of the NYS Department of Agriculture and Markets certifies the addition of parcels to agricultural districts.	☐	☑

3.a. Total acreage of the site of the proposed action? 94.077 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☑ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☑
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: 850 Bovee Road - Hotel Creek, Reason: Trout habitat & may be spawning ground, Agency: Riga, Town of, Date: 3-17-90	☐	☑	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☑	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	☐	☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water:	☑	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:	☑	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐	
b. Is the proposed action located in an archeological sensitive area?	☐	☑	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	☑	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☑ Forest ☑ Agricultural/grasslands ☑ Early mid-successional
☑ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☐	☑
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: 2185 Manitou Road - municipal c&d	☐	☑
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

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

Applicant/sponsor name: Monroe County Date: _____

Signature: _____

PRINT FORM

Agency Use Only [If applicable]

Project:	2016 Western Ag. District Review
Date:	8/31/2016

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or 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 it fails 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?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
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.

EXPLAIN YES's

The modification of an agricultural district is classified as an Unlisted action as defined under Part 617.2 (ak). Monroe County completed a Short Environmental Assessment Form and no moderate to large impacts to the environment were identified therein. This action is consistent with goals and objectives of the affected towns and Monroe County. Some of the parcels have state and/or federal wetlands, floodplains, may contain an archeological sensitive or Critical Environmental area or have a confirmed waste site but this action does not impact those resources. The action of adding or removing property to an Agricultural District will not result in physical disturbances to any of these sites.

850 Bovee Road: May contain wetlands, located in an archeological site, located in 100 year flood plain, located in a critical environmental area.
6037 Buffalo Road: May contain wetlands and located in an archeological site
4254 Lyell Road: May contain wetlands, located in 100 year flood plain
3456 Latta Road: May contain wetlands
124 Stryker Road: May contain wetlands, located in an archeological site, located in 100 year flood plain
2185 Manitou Road: May contain wetlands, located in 100 year flood plain, confirmed waste site

☐ 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	Date
Cheryl Dinolfo	County Executive
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

8: 29

PRINT FORM

APPENDIX F

Agricultural and Farmland Protection Board Recommendation

Agricultural and Farmland Protection Board

Monroe County, New York

Cheryl Dinolfo
County Executive

Board Appointees
Four Active Farmers; County Legislator; Agribusiness; Agricultural Land Preservation Organization; Chairperson, Soil & Water Conservation District Board of Directors; Director, Real Property Tax Service; County Cooperative Extension Agent; Director, Department of Planning & Development.

April 28, 2016

Present: R. Colby, M. DeMeyer, R. Finnerty, M. Greene, R. King, A. Lista, J. Moore, T. Murphy, R. Pickering, M. Rockow

The meeting called to order at 7:30 PM by R. Colby, Chair

Public forum: None

Matters for preliminary and final approval:

- R. King forwarded and discussed state assistance funding proposals (Farmland Protection Implementation Grant) being prepared by Genesee Land Trust on behalf of farm landowners, Bill Steimer and Ron Zarpentine. If awarded, the state assistance monies would be used in purchasing development rights on each property. All proposals are due by June 13, 2016. King noted that each preliminary proposal was consistent with town and county farmland protection plans. M. Greene moved to provide a letter of approval by AFPB for the Bill Steimer and Ron Zarpentine applications as well as any future applications as long as the proposals are consistent with the county FPP and the respective town's FPP and/or comprehensive plan, seconded by R. Pickering, motion carried. Moore abstained. The board will be given an opportunity to review the final letter before being submitted to the applicant.

- R. Rollin moved to provide a letter of support/approval for a concept proposal for Farmland Protection Plan by the Town of Henrietta and any other towns that may also have an interest, seconded by T. Murphy, motion carried. Moore abstained. The board will be given an opportunity to review any letters of support/approval for FPP proposals.

- R. King presented the 2016 Annual Ag district addition report for approval. The report suggests acceptance of all landowner requests to be added. J. Moore moved to accept both the written and detailed narrative provided by R. King, seconded by M. DeMeyer, motion carried. The board will be given an opportunity to review the final report.

- R. King, T. Murphy, and R. Finnerty presented a draft report that included an overview of parcels to be added and removed from the Western Agricultural District. DeMeyer moved to approve the removal and addition of all requested parcels as presented, seconded by Moore, motion carried. The board will be given an opportunity to review the final report.

Informational matters:

- R. King provided an update on the proposed RGE gas line extension in the Town of Chili.
- R. King provided an update of MCDOT and MCWA project on Phillips Road.

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- R. King discussed the results of preliminary meetings with NYSDOT and MCDOT regarding Tourist Oriented Directional signs for agricultural areas.

- R. King highlighted the written monthly FPP Highlights reports provided by ALSI which detail action items regarding municipal issues, economic development, awareness, training, and education. These monthly highlights are on file at MCC and located at the office of ALSI.

- R. Finnerty gave an update on the Western Ag District review process.

- R. Finnerty and A. Lista were introduced to the Board.

New Business:

M. Greene suggested the board may want to meet more often to discuss issues of importance regardless whether or not an action or quorum may be necessary. Several board members suggested that when a meeting is going to be cancelled due to a lack of quorum or due to a lack of items for approval, if any board member has a matter of importance to discuss, they should contact the Secretary of the Board requesting the meeting should be held.

Correspondence:

- To: B. Somers, NYSDAM, from A Ziki, MCWA Basket Road NOI, (4/7/15)
- To K. Bush NYSDOT from B. Somers NYSDAM, NOI Rt 531 project (4/9/15)
- To: B.Colby, AFPB from B. Somers NYSDAM, NOI Rt 531 project (4/13/15)
- To: R. King, AFPB from Town of Chili, resolution SEQRA (5/14/15)
- To J. Moffitt, Mendon from M.Latham NYSDAM, Town Code review (6/15/15)
- To J. Slocum, MC Clerk, from R.Ball NYSDAM, Eastern Ag District(9/15/15)
- To: Linda Dobson Wheatland, from R.Ball NYSDAM, FPP approval (1/6/16)
- To: David Dunning Chili, from R.Ball NYSDAM, FPP approval (1/16/16)
- To: MCWA from R.Ball NYSDAM, NOI Phillips Road, (2/5/16)
- To: R.King, AFPB from J.Slocum MC Clerk of Leg, Leg appointments (2/11/16)
- Daily Record, Kristy O'Malley, Public Notice 30 day add (2/9/16)
- Rochester Business Journal, Public Notice 30 day add (2/8/16)
- To: County Legislature from County Executive, initiate 30 annual add (2/15/16)
- To: J.Slocum, Clerk of Leg, from NYSDAM, Ag District Review (2/23/16)
- To: MCWA, from B.Somers, NYSDAM NOI Phillips Road (2/29/16)
- To: J. Slocum, Clerk of Leg, from NYSDAM, Eastern Ag District (3/10/16)
- To: County Legislature from County Executive, Western Ag District Review (3/18/16)
- To: Municipalities from J. Slocum, Notice of Western Ag District review (3/16/16)
- Rochester Business Journal, Public Notice Ag District (3/8/16)
- Daily Record, Public Notice Western Ag District (3/8/16)

Meeting ended at 8:45 PM, moved by M. DeMeyer, seconded by T. Murphy, motion carried.

Respectfully submitted,

Robert N. King, Ph.D.
Senior Agriculture Specialist
Agriculture and Life Sciences Institute - MCC