JULY 5, 2022 - 6:50 PM

AGENDA
PUBLIC HEARING
PURSUANT TO RESOLUTION NO. 08-100, RULES I, II, AND III

I. COMMUNICATIONS

II. RESOLUTIONS, MOTIONS, AND NOTICES

1. Resolution calling for a public hearing relative to the 2021 Open Enrollment for inclusion of real property in existing Chemung County Agricultural District

III. OLD BUSINESS

IV. NEW BUSINESS

V. ADJOURNMENT

CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution calling for a public hearing relative to the 2021 Open Enrollment for inclusion of real property in existing Chemung County Agricultural District

Resolution #:	
Slip Type:	OTHER
SEQRA status	
State Mandated	False

Explain action needed or Position requested (justification):

Under the provisions of NYS Agriculture and Markets Law (AML) 303-b; Land Owner Requests for Inclusion of Predominantly Viable Agricultural Land in an Existing Certified District are to be reviewed by the County's Agricultural and Farmland Protection Board and approved by County Legislature. County Legislature has established an annual 30-day enrollment period during the to accept these requests. For the 2021 calendar year, Chemung County received one (1) request for inclusion to the Ag District.

Property owner Sherrill Collins is proposing to add 22 acres in the Town of Lowman. The requests have been reviewed and found consistent with NYS Ag and Markets, Section 303-b statute, and found to be viable ag farmland. The above-referenced request has been approved by the Chemung County Agricultural and Farmland Protection Board.

The action sends this recommendation to the County Legislature for public hearing and their approval and submission to the NYS Department of Ag and Markets.

CREATION:

Date/Time:	Department:
6/14/2022 3:12:04 PM	

APPROVALS:

Date/Time:	Approval:	Department:	
4/22/2022 4:13 PM	Approved	County Executive	
4/28/2022 12:39 PM	Approved	Budget and Research	
5/10/2022 11:29 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
CHEMUNG_COUNTY_LEGISLATURE_NOTICE_OF_HEARING_ON_ANNUAL_REVIEW_PERIOD_FOR_INCLUSION_OF_REAL_PROPERTY_IN_EXISTING_CHEMUNG_COUNTY_AGRICULTURAL_DISTRICTS.pdf	Notice of Public Hearing	Cover Memo
Chemung_County_Agricultural_and_Farmland_Protection_Board_Notice_to_Chemung_County_Legislature.pdf	Chemung County Ag & Farmland Protection Notice	Cover Memo
Sherrill_Collins_Application.pdf	Sherrill Collins Application	Cover Memo
Short_EAF_Pt_1.pdf	Short EAF Pt 1	Cover Memo
Resolution_for_Ag_District_Inclusion.pdf	Resolution	Cover Memo

STAMP_ITEMNUMB

CHEMUNG COUNTY LEGISLATURE NOTICE OF HEARING ON ANNUAL REVIEW PERIOD FOR INCLUSION OF REAL PROPERTY IN EXISTING CHEMUNG COUNTY AGRICULTURAL DISTRICTS

NOTICE is hereby given that a public hearing will be held pursuant to Section 303-b of the Agriculture and Markets Law by the County Legislature of the County of Chemung, State of New York, in the Chambers of the Chemung County Legislature located at 203 Lake Street, Elmira, New York, on the 5th day of July, 2022 at 6:50 p.m. to consider the requests and recommendations of the Chemung County Agricultural and Farmland Protection Board and the Chemung County Planning Board relative to the proposed modification of the Chemung County Agricultural District to include the following real properties: Town of Baldwin tax parcels 82.00-1-44.0, 82.00-1-45-1, 82.00-1-44-2. A description and map of the proposed modifications to the Chemung County Agricultural District and the recommendation of the Chemung County Agricultural and Farmland Protection Board and the Chemung County Planning Board may be examined in the Office of the Clerk of the Chemung County Legislature, 203 Lake Street, Elmira, New York during normal business hours, 8:30 a.m. to 4:30 p.m. prevailing time, Monday through Friday. All parties in interest and citizens will be heard by the Chemung County Legislature at the public hearing.

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Chemung County Agricultural and Farmland Protection Board

400 East Church Street

P.O. Box 588 Elmira, NY 14901

(607) 737-5510

Chemung County Agricultural and Farmland Protection Board Report

"Agricultural District Open Enrollment 2021"

Under the provisions of NYS Agriculture and Markets Law (AML) 303-b; Land Owner Requests for Inclusion of Predominantly Viable Agricultural Land in an Existing Certified District are to be reviewed by the County's Agricultural and Farmland Protection Board and approved by County Legislature. The Chemung County Legislature has established an annual 30-day enrollment period during the month of November of each year of each year to accept these requests. For the 2020 calendar year, Chemung County received one request for inclusion to the Chemung County Agricultural District.

The property owner is Sherrill Collins. Ms. Collins is proposing to add 22 acres of land in the Town of Lowman (tax parcels 82.00-1-44.0, 82.00-1-45-1, and 82.00-1-44-2). The primary use of land is for timber and pasture.

The request has been reviewed and found consistent with NYS Agriculture and Markets, Section 303-b statute, and found to be viable agricultural farmland. The above-reference request has been unanimously approved by the Chemung County Agricultural and Farmland Protection Board. The action sends this recommendation to the Chemung County Legislature for public hearing and their approval and submission to the New York State Department of Agriculture and Markets.

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RA 113 (1 -16)

Agricultural District Review Worksheet

This form is to be completed by agricultural or non-agricultural land owners whose lands are within an agricultural district which is the subject to a review or landowners who wish to be included in the district. The information obtained from this form will be utilized by the County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

PART I. LANDOWNER INFORMATION

Name: Sherrill H Collins Telephone No. 602-733-6820

Address: 784 Breesport N. Chemung Rd State NY Zip Code 14861

Email Address Sherry C784@hughes.net

Please Check One:

☐ Farmer ☐ Non-Farmer but Rent Land to Farmer ☒ Non-Farmer

PART II. FARM DESCRIPTION (IF NON-FARMER, SKIP THIS SECTION AND COMPLETE PART III)

No. of Acres Owned: 22

No. of Acres Rented (from another landowner as part of the farm): —

Total # of Acres Cropped/Used for Agriculture: 17

List the primary use of farmland (ex. dairy, Christmas tree, sugar bush, orchard, cash crop, vegetable, horticultural specialty, aquaculture, etc.): timber, pasture

PART III. BOUNDARY DESCRIPTION - please fill out the table below

Tax Parcel ID # (ex 123.4-5-67.8)	Check One Per Tax Parcel ID #			
	Owned and Farmed	Rented and Farmed	Rented to a Farmer	Not Farmed
82.00-1-44.1	X			
82.00-1-45-1	X			
82-00-1-44-2	house/barn			X

Attach another sheet if necessary

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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:		
Project Location (describe, and attach a location map):		
Brief Description of Proposed Action:		
Name of Applicant or Sponsor:	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

	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 government Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

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

4. Check all land uses that occur on, are adjoining or near the proposed action:

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):

☐ Parkland

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	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☐	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐

	NO	YES
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: _____ _____	☐	☐

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____ _____	☐	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ _____	☐	☐

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☐	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐

	NO	YES
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: _____ _____ _____		

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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 plan?	☐	☐
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?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☐	☐
If Yes, explain the purpose and size of the impoundment:_____ _____		
~~1~~9. 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: _____ _____		
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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: _____ Date:_____

Signature: _____Title:_____

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Chemung County Tax Parcels Web App

Chemung County Orthoimagery - Spring 2018

82.00-1-44.1

Show search results for 82.00-...

807

764

776

774

768

758

755

200ft

-76.697 42.108 Degrees

STAMP_ITEMNUMBER

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POWERED BY esri

Chemung County Tax Parcels Web App

Chemung County Orthoimagery - Spring 2018

82.00-1-44.2

Show search results for **82.00-**...

784

776

774

STAMP_ITEMNUMBER

60ft

-76.694 42.110 Degrees

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POWERED BY esri

Chemung County Tax Parcels Web App

Chemung County Orthoimagery - Spring 2018

82.00-1-45.1

Show search results for 82.00-...

807

STAMP_ITEMNUMBER

60ft

-76.696 42.110 Degrees

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RESOLUTION CALLING FOR A PUBLIC HEARING RELATIVE TO THE 2020 ANNUAL ENROLLMENT FOR INCLUSION OF REAL PROPERTY IN EXSISTING CHEMUNG COUNTY AGRICULTURAL DISTRICT

WHEREAS, pursuant to Section 303-b of the Agricultural and Markets Law, a thirty-day comment period was held to determine if any landowner desired to submit prior to the established review period of that district a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, those requests to the County of Chemung were referred to the Chemung County Agricultural and Farmland Protection Board for its review and recommendation pursuant to Agricultural and Markets Law Section 303-b subdivision 2(a); and

WHEREAS, the Chemung County Agricultural and Farmland Protection Board and the Chemung County Planning Board have heretofore submitted reports recommending certain land be included the Chemung County Agricultural District, that land having been determined to be predominantly viable agricultural land and the inclusion of such land will serve the public interest by assisting in maintaining a viable agricultural industry within the District; now, therefore be it

RESOLVED, that a public hearing be held pursuant to Section 303-b, subdivision 3 of the Agriculture and Markets Law, and that at the public hearing the Legislature shall receive any public comment pertaining to any requests for inclusion of land within a certified agricultural district as well as the reports of the Chemung County Agricultural and Farmland Protection Board and the Chemung County Planning Board recommending the inclusion of certain land in a certified agricultural district; and be it further

RESOLVED, that the Clerk of the Chemung County Legislature be and hereby is authorized to publish and post as required by law the following notice of public hearing to wit: