



MINUTES OF MEETING
Public Hearing
July 5, 2022
6:50 PM

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

PUBLIC HEARING – July 5, 2022

LEGISLATIVE CHAMBERS, 5TH FLOOR, HAZLETT BUILDING, ELMIRA, NY

6:50 P.M. - Public Hearing pursuant to Section 303-b of the Agriculture and Markets Law by the County Legislature of the County of Chemung, State of New York, 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.

Legislature was called to order by the Chairman of the Chemung County Legislature. The following members were present when the Clerk called roll:

Pastrick _x__	Manchester _x__	Sweet _x__	Brennan _x__
Margeson _x__	Hyland _x__	Sonsire _x__	Woodard _x__
Burin _x__	Chalk _x__	Briggs ____	McCarthy _x__
Drake _x__	Smith _x__	Strange _x__	

A public hearing was held by the Chemung County Legislature relative to hearing any and all public comment for the above-referenced purpose. The hearing was held in the Legislative Chambers. The hearing was called to order by the Chair of the Legislature, who turned the hearing over to the Attorney for the Legislature who served as the Hearing Officer.

The Hearing Officer read the Notice of Public Hearing, and advised the public of the rules governing a public hearing. The Hearing Officer asked if there was anyone who wished to speak.

He requested that the record show no one appeared for this matter.

Having determined that everyone who wished to be heard had there and then been heard, the public hearing was adjourned at 6:52 p.m.

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:
<input type="checkbox"/> 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
<input type="checkbox"/> Chemung County Agricultural and Farmland Protection Board Notice to Chemung County Legislature.pdf	Chemung County Ag & Farmland Protection Notice	Cover Memo
<input type="checkbox"/> Sherrill Collins Application.pdf	Sherrill Collins Application	Cover Memo
<input type="checkbox"/> Short EAF Pt 1.pdf	Short EAF Pt 1	Cover Memo
<input type="checkbox"/> Resolution for Ag District Inclusion.pdf	Resolution	Cover Memo

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.

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.

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@784@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
<u>82.00-1-44.1</u>	<u>X</u>			
<u>82.00-1-45-1</u>	<u>X</u>			
<u>82-00-1-44-2</u>	<u>house/barn</u>			<u>X</u>

Attach another sheet if necessary

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:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
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.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
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 _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): </div> <div style="margin-top: 5px;"><input type="checkbox"/> Parkland</div>				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
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 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
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 <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
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 <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
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: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <div><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional Wetland <input type="checkbox"/> Urban Suburban</div>		
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?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature:  Title: _____		

Map navigation and search controls.

82.00-1-44.1

Show search results for 82.00-....



Map navigation controls including zoom in (+), zoom out (-), home, and full screen icons. A search bar contains the text "82.00-1-44.2" and a button "Show search results for 82.00-...".



Map navigation and search controls.

82.00-1-45.1

Show search results for 82.00-...



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: