

# **County of Albany**

Harold L. Joyce  
Albany County Office Building  
112 State Street - Albany, NY 12207



## **Meeting Agenda**

**Tuesday, April 27, 2021**

**6:15 PM**

**Remote**

### **Conservation, Sustainability and Green Initiatives** **Committee**

**PREVIOUS BUSINESS:**

1. APPROVING PREVIOUS MEETING MINUTES

**CURRENT BUSINESS:**

2. PUBLIC HEARING ON PROPOSED MODIFICATIONS TO  
AGRICULTURAL DISTRICT NOS. 1 AND 3

# County of Albany

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112 State Street - Albany, NY 12207*



## Meeting Minutes

Tuesday, March 23, 2021

6:15 PM

Held Remotely

### Conservation, Sustainability and Green Initiatives Committee

**PREVIOUS BUSINESS:**

**Present:** William Reinhardt, Beroro T. Efekoro, Matthew J. Miller, Victoria Plotsky, Samuel I. Fein, Patrice Lockart and Peter B. Tunny

**Excused:** Merton D. Simpson and Frank J. Commisso

**1. APPROVING PREVIOUS MEETING MINUTES**

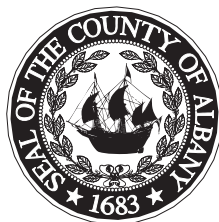
A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

**CURRENT BUSINESS:**

**2. AUTHORIZING THE PLANNING DEPARTMENT TO TAKE INITIAL REVIEW ACTIONS TO DETERMINE SEQR LEAD AGENCY STATUS REGARDING THE SOLAR INSTALLATION PROJECT (RADAR TOWER SITE)**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

DANIEL P. MCCOY  
COUNTY EXECUTIVE



COUNTY OF ALBANY  
ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING  
112 STATE STREET ROOM 810  
ALBANY, NEW YORK 12207-2021  
(518) 447-5670 - FAX (518) 447-5662

March 18, 2021

Hon. Andrew Joyce, Chairman  
Albany County Legislature  
112 State St., Rm. 710  
Albany, NY 12207

Dear Chairman Joyce:

Please find enclosed a Request for Legislative Action to be considered at the April 2021 Conservation, Sustainability and Green Initiatives Committee meeting.

In accordance with NYS Agriculture and Markets Law, a public hearing on the proposed annual additions to Albany County Agricultural Districts must be held in order to receive comments on the recommended modifications.

If you have any questions, please feel free to contact me at 447-5670.

Sincerely,

Laura DeGaetano  
Sr. Natural Resource Planner

cc: Dennis Feeney, Majority Leader  
Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel



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NY 12207

## Legislation Text

**File #:** TMP-2376, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Request public hearing on annual Agricultural District Review

Date: 03/18/21  
 Submitted By: Laura DeGaetano  
 Department: Economic Development, Conservation and Planning  
 Title: Sr. Natural Resource Planner  
 Phone: 518-447-5670  
 Department Rep.  
 Attending Meeting: Laura DeGaetano

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Set public hearing

### CONCERNING BUDGET AMENDMENTS

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.  
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes  No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 209

Date of Adoption: 5/13/2019

**Justification:** (state briefly why legislative action is requested)

The Albany County Legislature has established an annual thirty-day period beginning February 1, during which, landowners can request inclusion of lands in an Agricultural District. In accordance with NYS Agriculture and Markets Law, a public hearing on proposed annual additions to a District must be held to receive comment.





# Albany County Agricultural and Farmland Protection Board

## Recommendations of the Albany County Agricultural and Farmland Protection Board Annual Agricultural District Review 2021

*Prepared by Laura DeGaetano – Albany County Department of Economic Development, Conservation and Planning March 2021*

Pursuant to Article 25-AA section 303-b of NYS Agricultural and Markets Law, the Albany County Legislature established an annual review period beginning on February 1 during which property owners may apply to add land to any of the County’s three Agricultural Districts. On behalf of the County Legislature, the County Office of Natural Resource Conservation conducted a review of all landowner applications for inclusion in a District. The findings of this review, which relied on information provided by the landowner, analysis of aerial photos, and in some cases, a field assessment of the subject parcels, have been reviewed by the Agricultural and Farmland Protection Board. Based on this review, the following report and recommendations are submitted for consideration by the County Legislature.

A total of three (3) parcels were submitted for consideration to be included in Albany County Agricultural Districts during the 30-day annual review period beginning February 1, 2021. Of the parcels submitted, all were found to be consistent with the intent of agricultural districting and are recommended for inclusion in the appropriate Agricultural District.

<b>TOWN</b>	<b>PARCEL</b>	<b># OF ACRES</b>	<b>AG DISTRICT</b>	<b>Recommendation Of AFPB</b>	<b>Principal Enterprise</b>
Guilderland	62.00-2-65.1 62.00-2-65.2	4.10 7.80	3	ADD RA3	Vegetables
New Scotland	84.-1-15.2	5	3	ADD Commercial	Vegetables/ Greenhouse
Knox	35.-2-7	3.9	1	ADD Agricultural District	Garlic/vegetables
<b>Total Acres Added</b>		<b>20.8</b>			

Tom DellaRocco – Chairman / Michael McGuire / Laura DeGaetano / Harold E. Hahn / Tom Gallagher / Gary Kleppel / John O’Pezio / Chris Smith / Mark Stanton / Michael Zakens

**NEW YORK STATE  
DEPARTMENT OF AGRICULTURE AND MARKETS**

**State Environmental Quality Review  
SHORT ENVIRONMENTAL ASSESSMENT FORM  
For UNLISTED ACTIONS Only**

**PART I – PROJECT INFORMATION**

1. The proposed action is located in the County of Albany  
and the Town(s) of Knox, Guilderland, New Scotland
  
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the County Legislative Body of Albany County.
  
3. The name and address for the Clerk of the above named County is Hon. Bruce A. Hidley – Albany County Court House Room 128, 16 Eagle Street, Albany NY 12207-1077
  
4. Is this an application to modify an existing agricultural district? Yes No
  - If yes, what is the total number of acres comprising the district as it exists prior to modification?  
N/A acres
  
5. If this application involves a modification, will such modification result in a change in the size of the district?  Yes No
  - If yes, how many acres are involved in the change? **20.8** acres
  - Does this represent an  increase or  decrease?
  
6. Zoning and Planning Information
  - Does the agricultural district correspond with a town(s) zoning district(s)?  
 Yes  No  
  
If Yes, please cite the applicable zoning district(s):  
Guilderland – Residential/Agriculture (RA 3)  
New Scotland – Commercial  
Knox- Agricultural District
  - Is/are the zoned district(s) within the modified agricultural district compatible with the goals and objectives of the Agricultural Districts Law, as set forth in Article 25-AA of the Agriculture and Markets Law?  Yes  No
  - If Yes, please cite the applicable language: Agriculture allowed by right.
  
7. What is present land use in the vicinity of the proposed modification?  
 Residential  Industrial  Commercial  Agriculture  Park/Forest/Open Space  Other

Describe: \_\_\_\_\_  
\_\_\_\_\_

8. Is there a public controversy related to this district proposal?  Yes  No If yes, describe below:

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(Attach additional sheets if necessary.)

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

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

Authorized signature: \_\_\_\_\_

Date: \_\_\_\_\_

## PART II- ENVIRONMENTAL ASSESSMENT

### General Information

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

A. Does action exceed any Type I threshold in 6 NYCRR, Part 617.4 ?  Yes  No

If Yes, coordinate the review process and use the FULL EAF.

B. Will action receive coordinated review as provided for Unlisted actions in 6 NYCRR, Part 617.5 ?

Yes  No

If No, a negative declaration may be superseded by another involved agency.

C. Could action result in any adverse effects associated with the following:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems?

Explain briefly:

NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
NO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA? Yes No

E. Is there, or is there likely to be, controversy related to potential adverse environmental impacts?  
Yes No If Yes, explain briefly:  
\_\_\_\_\_  
\_\_\_\_\_

**PART III– DESIGNATION OF LEAD AGENCY**

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

Since the proposed action will be undertaken by this County Legislative Body and since any adverse environmental impacts will be primarily of local significance, it is hereby recommended that this County Legislative Body serve as lead agency to ensure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.

The County Legislative Body does not choose to nominate itself to serve as lead agency.

**PART IV - DETERMINATION OF SIGNIFICANCE**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 **AND** provide on attachments as necessary, the reasons supporting this determination:

Albany County Legislature

Name of Lead Agency

Hon. Andrew Joyce

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from Responsible Officer)

Date

RESOLUTION NO. 209

PUBLIC HEARING ON PROPOSED MODIFICATIONS TO  
AGRICULTURAL DISTRICT NOS. 1, 2 AND 3

Introduced: 5/13/19

By Mr. A. Joyce:

WHEREAS, Section 303-b of the Agriculture and Markets Law mandates an annual thirty-day review period, when landowners can request inclusion of land in an agricultural district prior to the County established review period, and

WHEREAS, Such review has been conducted and modifications are proposed regarding the inclusion of actively viable farm land into the agricultural districts located in the Towns of Bethlehem, Guilderland, Knox, New Scotland, and Rensselaerville, and

WHEREAS, In connection with such review, a proposal for the modification of Albany County Agricultural Districts has been submitted, and

WHEREAS, In conducting such review, Section 303-b of the Agriculture and Markets Law requires this Honorable Body to hold a public hearing on the additions to Agricultural Districts upon notice as prescribed therein, now, therefore be it

RESOLVED, By the Albany County Legislature, that a public hearing be held in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, May 28, 2019, for the purpose of receiving the comments of any interested persons regarding the proposed modifications to Agricultural District Nos. 1, 2 and 3 within Albany County, and, be it further

RESOLVED, That notice of said public hearing be given in accordance with the requirements of the Agriculture and Markets Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.