



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 4, 2023

Richard Ball, Commissioner
New York State Department of Agriculture & Markets
10B Airline Drive
Albany, NY 12235

Dear Mr. Kehoe,

Erie County is pleased to announce the completion of the 2022 annual request for additions to existing Agricultural Districts pursuant to Section 303b of Agriculture and Markets Law. The enclosed report details the 2022 applications and respectfully request that the Commissioner certify the recommended additions.

Should you have any questions, please feel free to contact me at (716) 858-6014 or by email at sarah.gatti@erie.gov.

Regards,

A handwritten signature in blue ink that reads "Sarah E. Gatti". The signature is written in a cursive style.

Sarah Gatti
Principal Planner

Enc: Report



ERIE COUNTY AGRICULTURAL DISTRICTS INCLUSION OF VIABLE AGRICULTURAL LAND

2022 REPORT

PREPARED BY: ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND
PLANNING ON BEHALF OF THE ERIE COUNTY
AGRICULTURAL & FARMLAND PROTECTION BOARD
AND THE ERIE COUNTY LEGISLATURE

TO: NEW YORK STATE DEPARTMENT OF AGRICULTURE
AND MARKETS

PURSUANT TO: SECTION 303-B OF THE AGRICULTURE AND
MARKETS LAW

OVERVIEW

Per section 303-b of New York Agriculture and Markets Law, the Erie County Legislature set the month of September as the annual 30-day period to consider property owner requests for predominately viable agricultural land to be added to an agricultural district.

Section 303-b requires the Erie County Agricultural and Farmland Protection Board (AFPB) to report to the Erie County Legislature with its recommendations as to whether the land requested to be included in an agricultural district:

- consists of viable agricultural land as defined in 301(7) of New York Agriculture and Markets Law; and
- would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

PROPERTY OWNER REQUESTS

During the 2022 open enrollment period, the AFPB received applications for the inclusion of seven total parcels into Erie County's existing Agricultural Districts. The AFPB considered the requests and based their recommendations upon Agricultural District Law, which states that parcels to be included in agricultural districts must be "land highly suitable for agricultural production" and which continue to be feasible for farming if conditions remain the same. The following table lists each parcel, states the AFPB's recommendation, and states the action taken by the Erie County Legislature:

SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT	AFPB REC.	LEG. ACTION
213.00-6-18.11	50.7	8463 Knapp Rd.	Colden	Dziulko	Southeast 15	Include	Include
157.00-6-5.2	19.5	11965 Liberia Rd.	Marilla	Albers, Shevlin	Central 5	Include	Include
237.00-1-23.1	24.4	2073 New Jerusalem Rd.	Eden	Skrzynski	Southwest 8	Include	Include
195.00-1-65.21	9.32	2945 S. Creek Rd.	Hamburg	Mol	Southwest 8	Include	Include
200.00-1-19.11	10.7	1698 Boies Rd.	Aurora	Natalzia	Central 5	Include	Include
215.00-1-5.11	100	10166 Darien Rd.	Colden	Mamon	Central 5	Include	Include
215.00-2-10.1	94.5	10969 Darien Rd.	Colden	Tatko	Central 5	Include	Include

Each parcel requested for inclusion was analyzed in detail by the AFPB. Erie County staff identified soil types and suitability for agriculture, type of operation, whether the parcel is owner-operated or rented, gross sales, surrounding land use, eligibility for agricultural assessment, consistency with zoning, local and regional planning documents, proximity to existing agricultural districts, and eligibility for inclusion pursuant to Article 25AA of Agriculture & Markets Law. This data is provided in the matrix included as part of Attachment 4.

PUBLIC HEARING

The Erie County Legislature gave the required public notice and set a public hearing for November 3, 2022 at 2:15 PM.

STATE ENVIRONMENTAL QUALITY REVIEW

The modification of Agricultural Districts is within the scope of a Cooperative Agreement between the Erie County Legislature and the NYS Department of Agriculture and Markets. Pursuant to the Agreement, the Legislature acted as State Environmental Quality Review Act (SEQR) Lead Agency and conducted a coordinated review. It was determined that the modification of the District would not result in any significant adverse environmental impacts and a Negative Declaration was issued. The completed Short Environmental Assessment Form is included as Attachment 5.

LIST OF ATTACHMENTS

- 1) 30-Day Review Notice
- 2) Public Hearing Notice
- 3) Public Hearing Transcript
- 4) AFPB Report
- 5) SEQR
- 6) Adopting Resolution

ATTACHMENT 1

30-Day Review Notice

PUBLIC NOTICE

30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/agenrollment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Sarah Gatti, Principal Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Fax: (716) 858-7248
Email: agriculture@erie.gov

ATTACHMENT 2

Public Hearing Notice

ERIE COUNTY LEGISLATURE



92 Franklin St., 4th Floor - Buffalo, NY 14202

NOTICE OF PUBLIC HEARING

PROPOSED MODIFICATION TO AGRICULTURAL DISTRICTS

PLEASE TAKE NOTICE at the direction of Erie County Legislative Chair, April N.M. Baskin, Notice is hereby given that a public hearing will be held by the Legislature of the County of Erie, on the 3rd of November 2022 at 2:15 PM at the Chambers of the Erie County Legislature, 4th Floor, Old County Hall, 92 Franklin St., Buffalo, NY 14202, to consider the following requests for the inclusion of predominantly viable agricultural lands within existing agricultural districts that have been submitted in accordance with sec. 303-b of NYS Agricultural and Markets Law.

- 1 parcel in the Town of Aurora totaling 10.7 acres
- 3 parcels in the Town of Colden totaling 243.2 acres
- 1 parcel in the Town of Eden totaling 24.4 acres
- 1 parcel in the Town of Hamburg totaling 9.32 acres
- 1 parcel in the Town of Marilla totaling 19.03 acres

The hearing shall consider the requests and recommendations of the County Agricultural and Farmland Protection Board (AFPB). All applications submitted and the Erie County AFBP report to the Legislature on recommended parcel inclusions are available at: erie.gov/agriculture. Questions may be directed to Sarah Gatti, Principal Planner at sarah.gatti@erie.gov.

Dated: Buffalo, New York, October 18, 2022

**BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF ERIE, NEW YORK**

By ROBERT M. GRABER, Clerk, Erie County Legislature

ATTACHMENT 3

Public Hearing Transcript

PUBLIC HEARING ON PROPOSED
MODIFICATION TO AGRICULTURAL DISTRICTS

92 Franklin St., 4th Floor - Buffalo, NY 14202
November 3, 2022 – 2:15 PM

MINUTES

The Public Hearing was called to order at 2:25 PM by Robert Graber, Clerk of the Erie County Legislature.

The Clerk read the Notice of Public Hearing:

PLEASE TAKE NOTICE at the direction of Erie County Legislative Chair, April N.M. Baskin, Notice is hereby given that a public hearing will be held by the Legislature of the County of Erie, on the 3rd of November 2022 at 2:15 PM at the Chambers of the Erie County Legislature, 4th Floor, Old County Hall, 92 Franklin St., Buffalo, NY 14202, to consider the following requests for the inclusion of predominantly viable agricultural lands within existing agricultural districts that have been submitted in accordance with sec. 303-b of NYS Agricultural and Markets Law.

1 parcel in the Town of Aurora totaling 10.7 acres
3 parcels in the Town of Colden totaling 243.2 acres
1 parcel in the Town of Eden totaling 24.4 acres
1 parcel in the Town of Hamburg totaling 9.32 acres
1 parcel in the Town of Marilla totaling 19.03 acres

The hearing shall consider the requests and recommendations of the County Agricultural and Farmland Protection Board (AFPB). All applications submitted and the Erie County AFBP report to the Legislature on recommended parcel inclusions are available at: erie.gov/agriculture. Questions may be directed to Sarah Gatti, Principal Planner at sarah.gatti@erie.gov.

Dated: Buffalo, New York, October 18, 2022

**BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF ERIE, NEW YORK**

By ROBERT M. GRABER, Clerk, Erie County Legislature

The Clerk then opened the floor to public comment.

Sarah Gatti, Principal Planner at the Erie County Department of Environment and Planning, stated that seven requests to add land to Agricultural Districts had been received. The Erie County Agriculture and Farmland Protection Board recommends adding all seven parcels to the Agricultural Districts. These recommendations were based upon Agricultural District Law, which states that parcels to be included in the Districts must be “land highly suitable for

agricultural production” and which continue to be feasible for farming if conditions remain the same.

Deborah Tatko, a landowner that had applied to enroll in the Agricultural Districts, questioned whether foresting operations were considered agricultural. Ms. Gatti explained that New York State Agriculture and Markets Law includes “timber operations” in the definition of a farm operation.

With no others speakers wishing to speak, the public hearing was adjourned at 2:31 PM.

Respectfully Submitted,



Sarah E. Gatti
Principal Planner

ATTACHMENT 4

AFPB Report



ERIE COUNTY AGRICULTURAL DISTRICTS INCLUSION OF VIABLE AGRICULTURAL LAND

2022 REPORT

FROM: ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND
PLANNING
TO: ERIE COUNTY AGRICULTURAL & FARMLAND
PROTECTION BOARD
PURSUANT TO: SECTION 303-B OF THE AGRICULTURE AND
MARKETS LAW

OVERVIEW

Per section 303-b of New York Agriculture and Markets Law, the Erie County Legislature set the month of September as the annual 30-day period to consider property owner requests for predominately viable agricultural land to be added to an agricultural district.

Section 303-b requires the Erie County Agricultural and Farmland Protection Board (AFPB) to report to the Erie County Legislature with its recommendations as to whether the land requested to be included in an agricultural district:

- consists of viable agricultural land as defined in 301(7) of New York Agriculture and Markets Law; and
- would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

PROPERTY OWNER REQUESTS

During the 2022 open enrollment period, the AFPB received applications for the inclusion of seven total parcels into Erie County's existing Agricultural Districts. The AFPB must consider the below requests and base their recommendations upon Agricultural District Law, which states that parcels to be included in agricultural districts must be "land highly suitable for agricultural production" and which continue to be feasible for farming if conditions remain the same.

Each parcel requested for inclusion should be analyzed in detail by the active members of the AFPB. Erie County staff has identified soil types and suitability for agriculture, type of operation, whether the parcel is owner-operated or rented, gross sales, surrounding land use, eligibility for agricultural assessment, consistency with zoning, local and regional planning documents, proximity to existing agricultural districts, and eligibility for inclusion pursuant to Article 25AA of Agriculture & Markets Law. This data is provided in the matrix included as Attachment 8.

During the 2022 open enrollment period, the AFPB received the following applications for the potential inclusion of seven parcels:

#	SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
1	213.00-6-18.11	50.7	8463 Knapp Road	Colden	Thomas P. Dziulko	Southeast #15
2	157.00-6-5.2	19.5	11965 Liberia Road	Marilla	William Albers & Deborah Shevlin	Central #5
3	237.00-1-23.1	24.4	2073 New Jerusalem Road	Eden	Thomas J. Skrzynski	Southwest #8
4	195.00-1-65.21	9.32	2945 South Creek Road	Hamburg	Mark Mol	Southwest #8
5	200.00-1-19.11	10.7	1698 Boies Road	Aurora	Richard Natalzia	Central #5
6	215.00-1-5.11	100	10166 Darien Road	Colden	Bob Mamon	Central #5
7	215.00-2-10.1	94.54	10969 Darien Road	Colden	Deborah Tatko	Central #5

LIST OF ATTACHMENTS

- 1) Thomas P. Dziulko Applications & Maps
- 2) William Albers & Deborah Shevlin Applications & Maps
- 3) Thomas J. Skrzynski Applications & Maps
- 4) Mark Mol Applications & Maps
- 5) Richard Natalzia Applications & Maps
- 6) Bob Mamon Applications & Maps
- 7) Deborah Tatko Applications & Maps
- 8) Matrix

1) Thomas P. Dziulko Applications & Maps

Agricultural District Open Enrollment Form: Submission #1

 www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2261/table

**Are you requesting
land be included into
an existing Erie
County Agricultural
District?**

Yes

Owner Name Thomas P. Dziulko

Address 8463 Knapp road
West Falls, New York. 14170

Phone Number 7165987330

Email Address rockhead995@yahoo.com

Renter Name

Renter Address

Phone Number

Email Address

**Total Number of
Acres Owned** 50.7

**Total Number of
Acres
Farmed/Cropped** 24

**Total Number of
Acres Rented** 0

**Did you file a
Schedule F - Form
1040 (Profit or Loss
from Farming) with
last year's Federal
taxes?** No

**Annual gross income
from agricultural
operation** \$5100.00

Capital investment in agricultural operation over past 5 years \$10,000 - \$50,000

SBL (Tax Parcel ID): 213.00-6-18.11
Street Address: 8463 Knapp road
Town: West Falls
Acres: 50.7
Agricultural Assessment (Y/N): No

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

I currently have a small scale maple syrup process in place. This consist of 300-350 taps, all on tubing to a gravity mainline to my sugar house. Additionally I sell 10-14 face cord of fire wood to help forest rejuvenation by removing cull trees. Also I am raising 6-9 hogs annually, and plan on adding a few beef steers. There are always 25-35 hens for egg production. I would also like to look into some form of mushroom cultivation in the forest.

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

Cash Crop (Grain)

Cash Crop (Vegetable)

Orchard/Vineyard

Livestock (other than dairy) 7

Poultry 1

Sugarbush/Maple 4

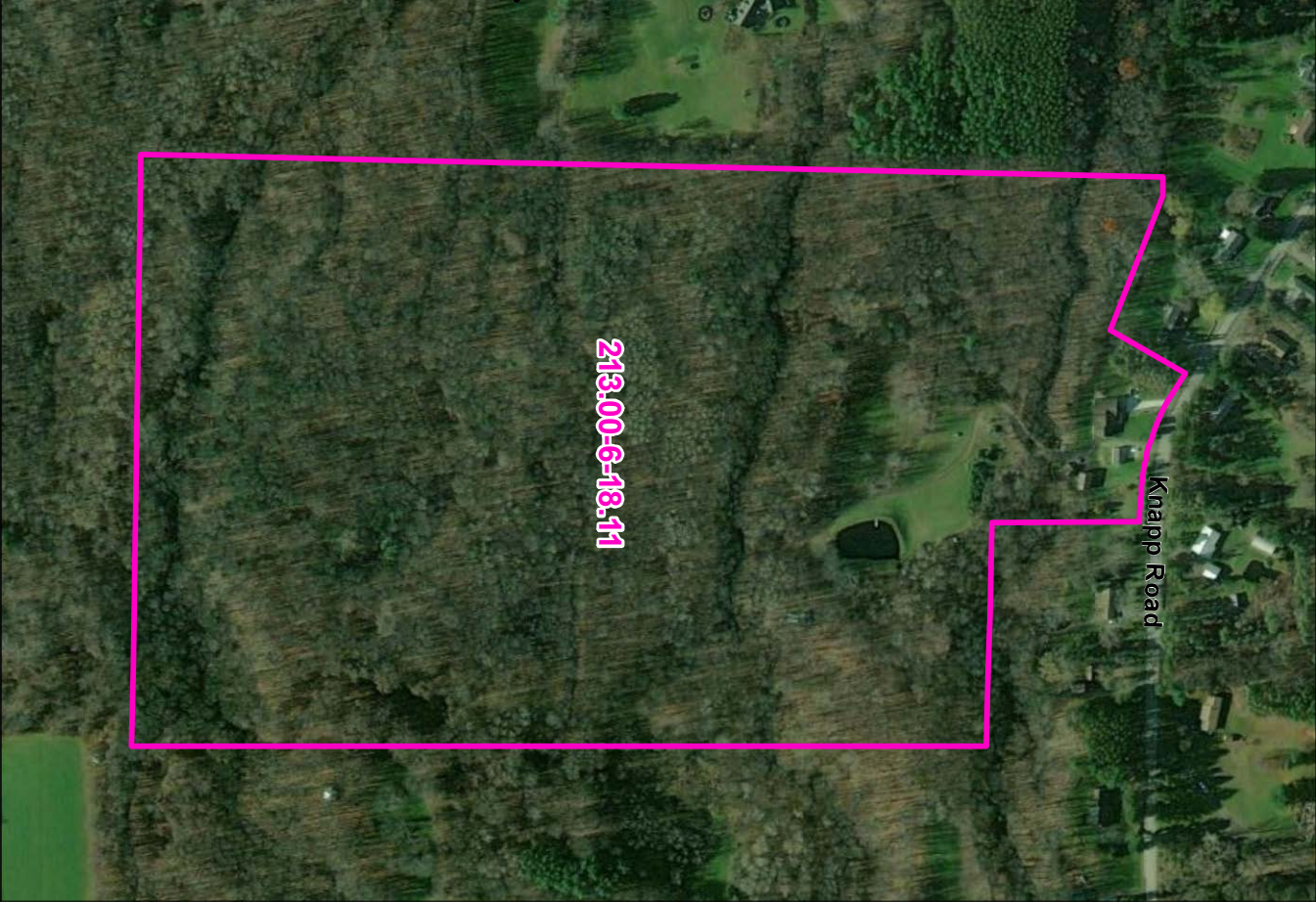
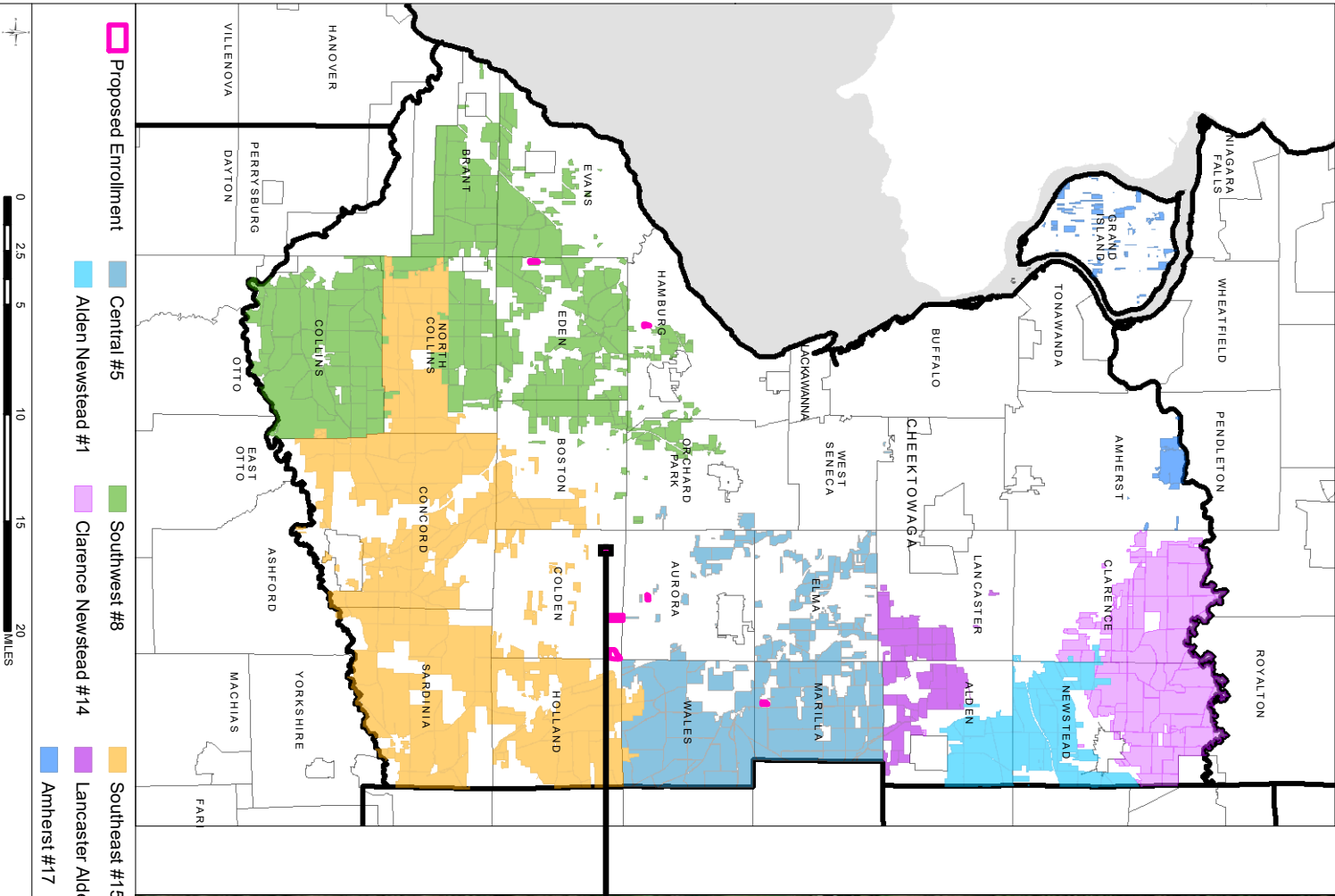
Horticultural Specialties/Christmas Tree

Aquaculture

Other Forest rejuvenation thru cutting if cull trees. 10-17 acres

Property Owner Signature





APPLICATION 1: THOMAS P. DZIULKO
COLDEN

AGRICULTURAL DISTRICTS: 303-B-PROPOSED ENROLLMENTS (2022)

APPLICATION 1: THOMAS P. DZIULKO



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2) William Albers & Deborah Shevlin Applications & Maps

Agricultural District Open Enrollment Form: Submission #2

 www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2266/table

Are you requesting land be included into an existing Erie County Agricultural District? Yes

Owner Name	William Joseph Albers and Deborah Shevlin
Address	11965 Liberia Rd East Aurora, New York. 14052
Phone Number	<u>7165106333</u>
Email Address	<u>audiocontr@gmail.com</u>
Renter Name	
Renter Address	
Phone Number	
Email Address	
Total Number of Acres Owned	19.5
Total Number of Acres Farmed/Cropped	12
Total Number of Acres Rented	0
Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?	Yes
Annual gross income from agricultural operation	12000
Capital investment in agricultural operation over past 5 years	Greater than \$50,000

SBL (Tax Parcel ID): 157.00-6-5.2
Street Address: 11965 Liberia Rd
Town: East Aurora
Acres: 19.5
Agricultural Assessment (Y/N): Y

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Tree Farm
Water Fowl and Poultry Farm
Vegetable Production
Farm Services (Consulting, machinery, grading, tilling, brush hogging, etc)

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

Cash Crop (Grain)

Cash Crop (Vegetable)

2

Orchard/Vineyard

Livestock (other than dairy)

4.25

Poultry

4.5

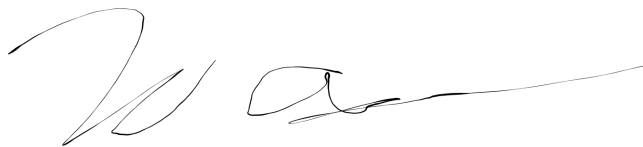
Sugarbush/Maple

Horticultural Specialties/Christmas Tree

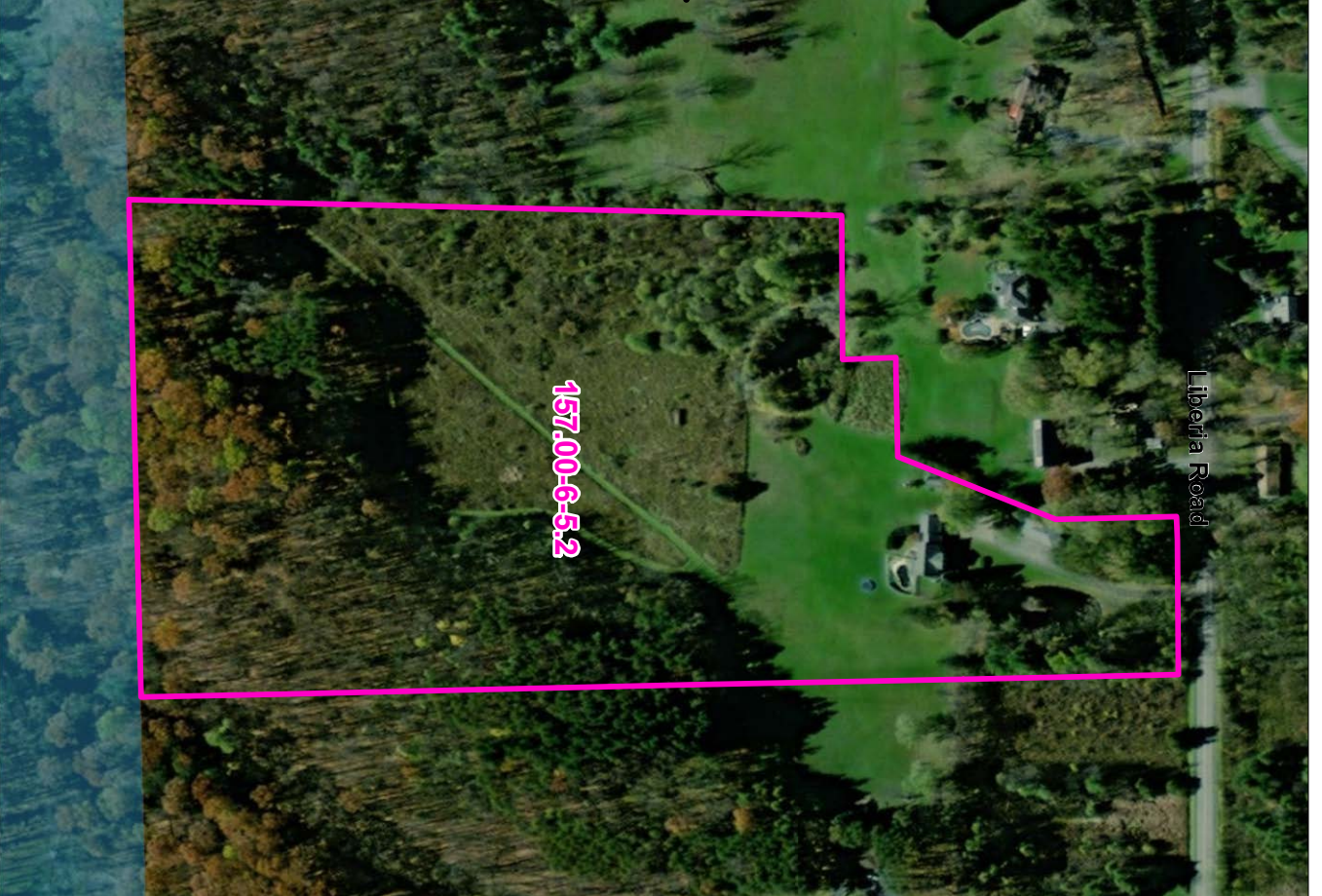
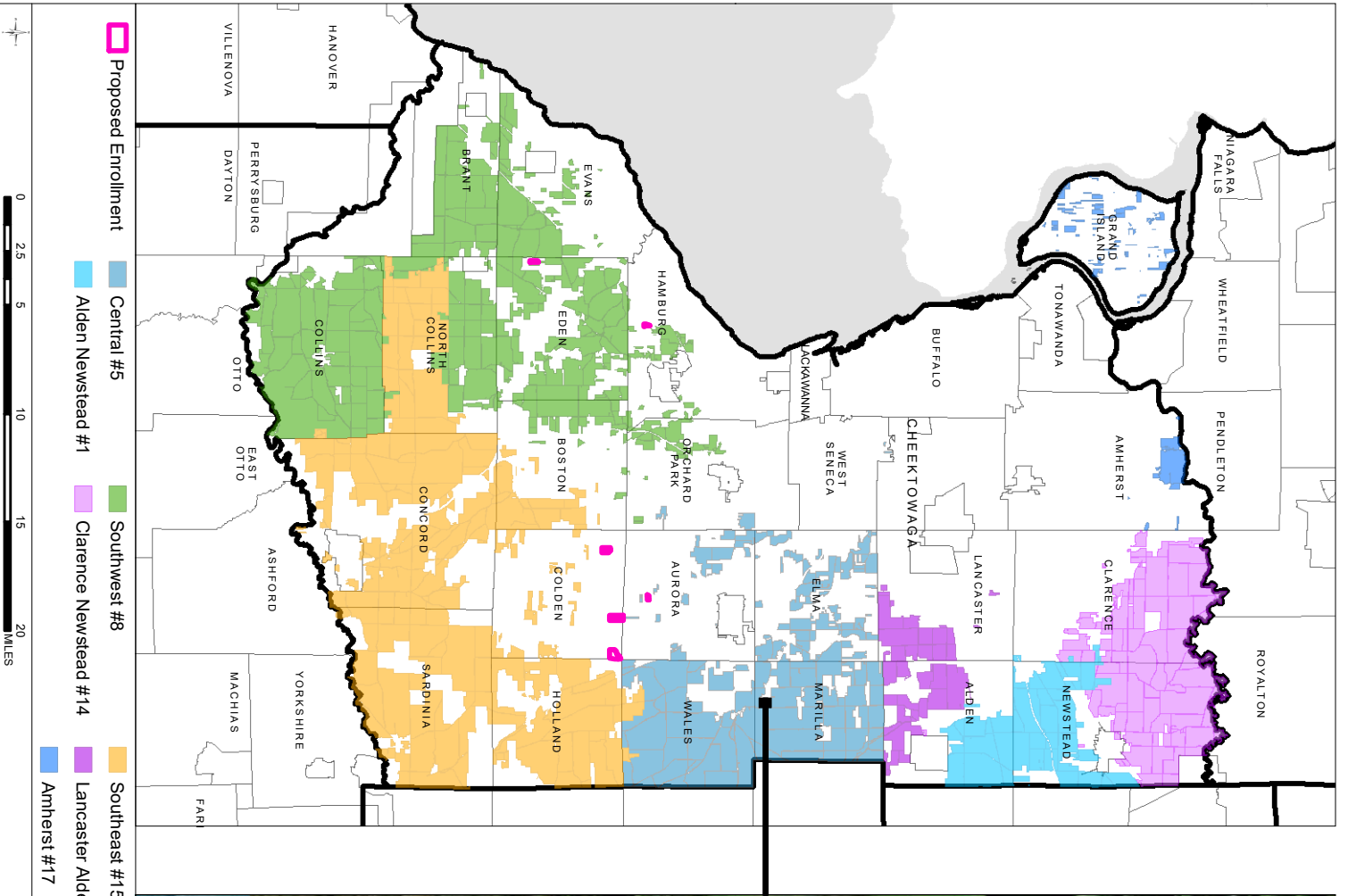
4

Aquaculture

Other



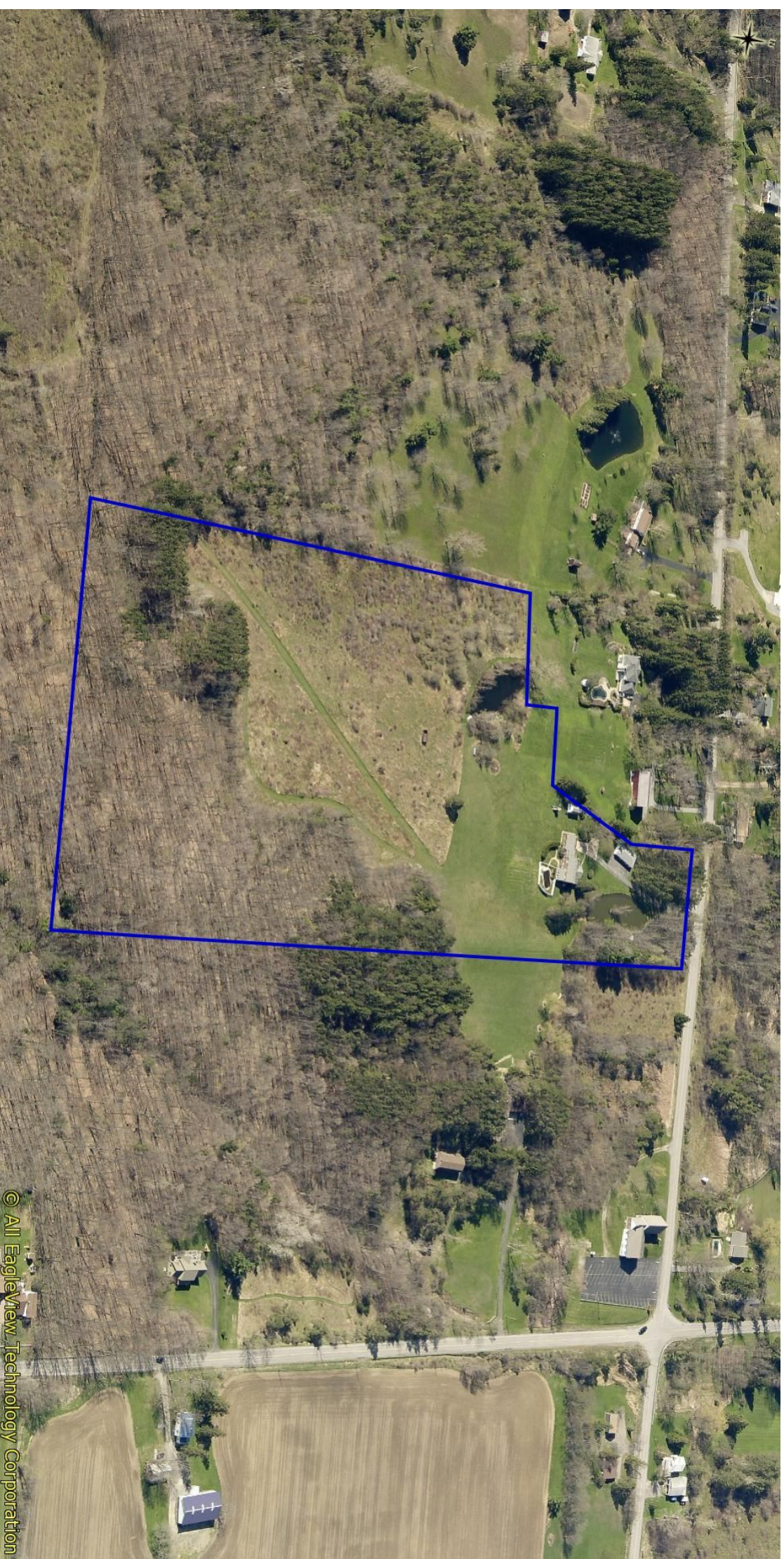
Property Owner Signature



**APPLICATION 2: WILLIAM ALBERS AND DEBROAH SHEVLIN
MARILLA**

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2022)

APPLICATION 2: WILLIAM ALBERS AND DEBORAH SHEVLIN



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04/27/2016

3) Thomas J. Skrzynski Applications & Maps

AGRICULTURAL DISTRICT OPEN ENROLLMENT FORM

3

This form is to be completed by agricultural landowners who wish to request inclusion in an existing agricultural district. The information obtained from this form will be used by the County and State to determine the significance and viability of agriculture. (NYS Agriculture and Markets Law 25AA, §303-b)

REQUESTS WILL BE ACCEPTED FROM SEPTEMBER 1 TO SEPTEMBER 30.

APPLICANTS MUST FILL OUT ALL APPLICABLE SECTIONS.

UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED.

PART I: LANDOWNER INFORMATION	
OWNER NAME: THOMAS J SKRZYNSKI	PHONE: (716) 860-4383
ADDRESS: 2073 NEW JERUSALEM RD	ALT. PHONE: (716) 289-7094
CITY, ST, ZIP: EDEN NY, 14057	EMAIL: TJSKRZYNSKI@GMAIL.COM
RENTER CONTACT INFORMATION (IF APPLICABLE)	
RENTER NAME:	PHONE: ()
MAILING ADDRESS:	ALT. PHONE: ()
CITY, ST, ZIP:	EMAIL:

PART II: PROPERTY DESCRIPTION				
Please describe the property proposed to be added to the Agricultural District and list the SBL (tax identification) numbers and the Town in which they are located for all parcels that you wish to be included in the Agricultural District Program. If you are unsure of your SBL numbers or whether or not a parcel is currently receiving an Agricultural Assessment, please check with your local assessor.				
FARM DESCRIPTION				
Total number of acres owned	24.40			
Total number of acres farmed/cropped	8.70			
Total number of acres rented (from another landowner as part of the subject farm)	8.70			
Did you file a Schedule F - Form 1040 (Profit or Loss From Farming) with last year's Federal taxes?	Yes <input type="radio"/> / <input checked="" type="radio"/> No			
Annual gross income from agricultural operation	0			
Capital investment in agricultural operation over past 5 years: (please check one)				
<input checked="" type="checkbox"/> N/A (e.g. a proposed operation/start-up) <input type="checkbox"/> Below \$10,000 <input type="checkbox"/> \$10,000 - \$50,000 <input type="checkbox"/> Greater than \$50,000				
SBL Number (Tax ID)	Street Address	Town	Size (acres)	Agricultural Assessment (Y/N)
100.01-1-1.01	1 Sample Street	Anytown	10.2	No
237.00-1-23.1	2073 NEW JERUSALEM RD	EDEN	24.40	Yes

PART III:**AGRICULTURAL BUSINESS DESCRIPTION**

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Land is rented to a local agricultural operation
(dairy farmer) to harvest hay.

Identify the operating status of the farm operation on the subject land

☐ Proposed/Start-up (If yes, please attach a "5-year business plan" and a "5-year financial projections plan")

☒ Existing/Established

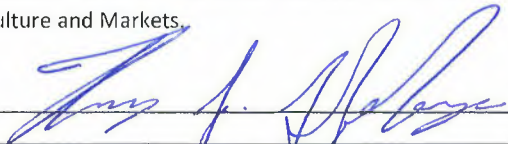
CURRENT USE OF SUBJECT PARCEL(S) Check all that apply

AGRICULTURAL USE	ACRES (estimated)
<input checked="" type="checkbox"/> Dairy	8.70
<input type="checkbox"/> Cash Crop (Grain)	
<input type="checkbox"/> Cash Crop (Vegetable)	
<input type="checkbox"/> Orchard/Vineyard	
<input type="checkbox"/> Livestock (other than dairy)	
<input type="checkbox"/> Poultry	
<input type="checkbox"/> Sugarbush/Maple	
<input type="checkbox"/> Horticultural Specialties/Christmas Tree	
<input type="checkbox"/> Aquaculture	
<input type="checkbox"/> Other	

PART IV:**SIGNATURE**

I attest that I am the legal owner of the above properties and that the above information is correct to the best of my knowledge and hereby officially request that my property, which is **predominantly viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District in which my land is placed. I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing; review by the Erie County Agriculture and Farmland Protection Board; action by the Erie County Legislature; and certification by the NYS Department of Agriculture and Markets.

Property Owner



Date

9-17-22

PLEASE SEND COMPLETED REQUEST FORM TO:

Elias Reden, Planner

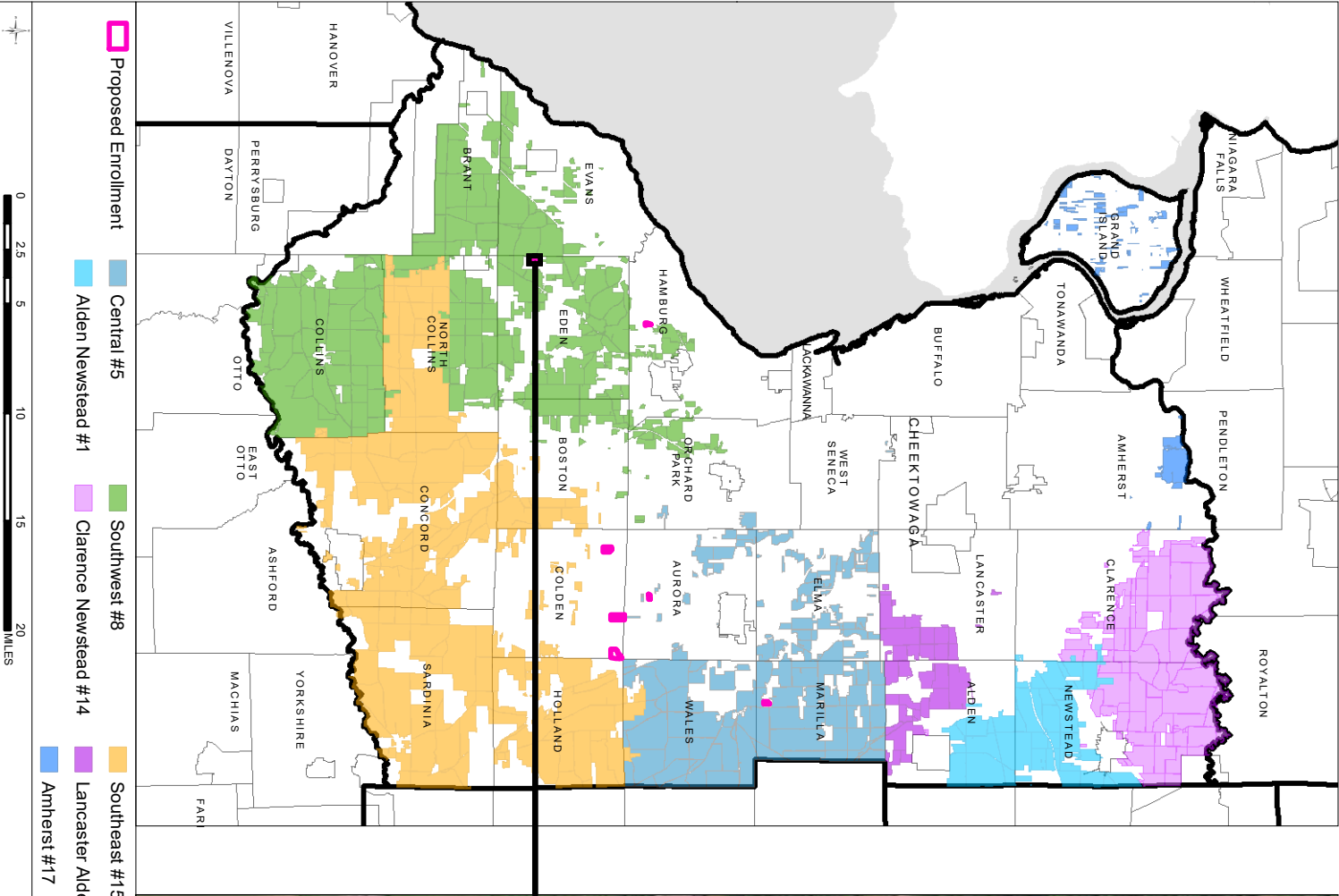
Erie County Department of Environment & Planning

95 Franklin Street, 10th Floor, Buffalo, NY 14202

OR

agriculture@erie.gov

Questions? Contact Planner Elias Reden at (716)858-1911 or elias.reden@erie.gov



APPLICATION 3: THOMAS P. SKRZYNSKI
EDEN

AGRICULTURAL DISTRICTS: 303-B-PROPOSED ENROLLMENTS (2022)

APPLICATION 3: THOMAS P. SKRYZNSKI



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4) Mark Mol Applications & Maps

Agricultural District Open Enrollment Form: Submission #4

 www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2286/table

Are you requesting land be included into an existing Erie County Agricultural District?	Yes
Owner Name	Mark Mol
Address	2945 South Creek Road Hamburg, New York. 14075
Phone Number	<u>7162390391</u>
Email Address	<u>mol0898@gmail.com</u>
Renter Name	
Renter Address	
Phone Number	
Email Address	
Total Number of Acres Owned	9.32
Total Number of Acres Farmed/Cropped	9.32
Total Number of Acres Rented	9.32
Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?	No
Annual gross income from agricultural operation	0
Capital investment in agricultural operation over past 5 years	Greater than \$50,000

SBL (Tax Parcel ID): 195.00-1-65.21
Street Address: 2945 South Creek Road
Town: Hamburg
Acres: 9.32
Agricultural Assessment (Y/N): N

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Poultry and livestock raising, some crop production for farm usage, egg production, composting of on-farm generated-waste.

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

0

Cash Crop (Grain)

0

Cash Crop (Vegetable)

0

Orchard/Vineyard

0

Livestock (other than dairy)

2

Poultry

7

Sugarbush/Maple

0

**Horticultural
Specialties/Christmas Tree**

0

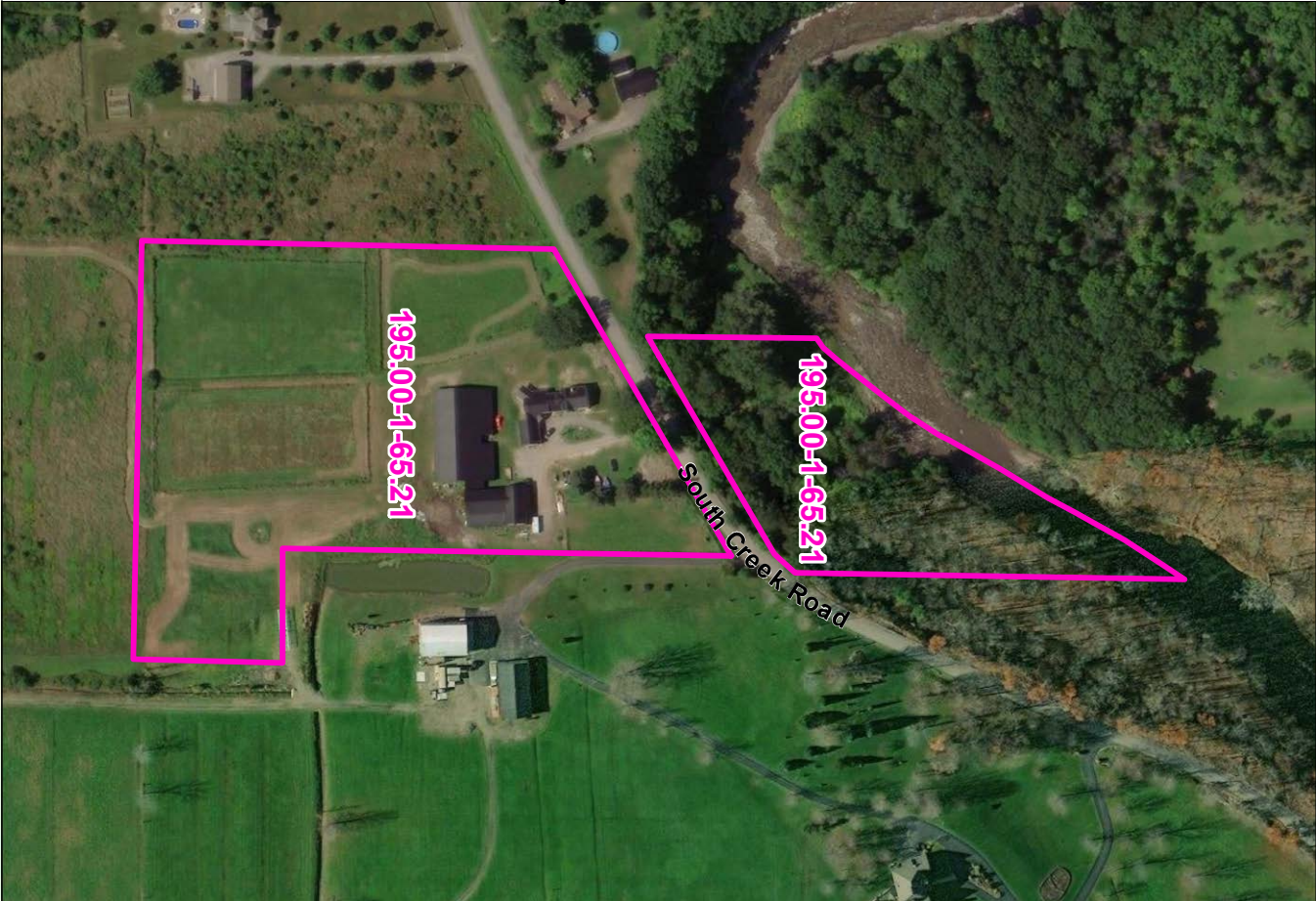
Aquaculture

0

Other



Property Owner Signature



APPLICATION 4: MARK MOL HAMBURG

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2022)

APPLICATION 4: MARK MOL



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5) Richard Natalzia Applications & Maps

AGRICULTURAL DISTRICT OPEN ENROLLMENT FORM

This form is to be completed by agricultural landowners who wish to request inclusion in an existing agricultural district. The information obtained from this form will be used by the County and State to determine the significance and viability of agriculture. (NYS Agriculture and Markets Law 25AA, §303-b)

REQUESTS WILL BE ACCEPTED FROM **SEPTEMBER 1** TO **SEPTEMBER 30**.

APPLICANTS MUST FILL OUT ALL APPLICABLE SECTIONS.

UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED.

PART I: LANDOWNER INFORMATION	
OWNER NAME: <i>Richard Natalzia</i>	PHONE: <i>(716) 949-7982</i>
ADDRESS: <i>1698 Boies Rd</i>	ALT. PHONE: ()
CITY, ST, ZIP: <i>East Aurora N.Y. 14052</i>	EMAIL: <i>ricknata1zia@gmail.com</i>
RENTER CONTACT INFORMATION (IF APPLICABLE)	
RENTER NAME:	PHONE: ()
MAILING ADDRESS:	ALT. PHONE: ()
CITY, ST, ZIP:	EMAIL:

PART II: PROPERTY DESCRIPTION				
Please describe the property proposed to be added to the Agricultural District and list the SBL (tax identification) numbers and the Town in which they are located for all parcels that you wish to be included in the Agricultural District Program. If you are unsure of your SBL numbers or whether or not a parcel is currently receiving an Agricultural Assessment, please check with your local assessor.				
FARM DESCRIPTION				
Total number of acres owned	<i>10.70</i>			
Total number of acres farmed/cropped	<i>10.70</i>			
Total number of acres rented (from another landowner as part of the subject farm)	<i>10.70</i>			
Did you file a Schedule F - Form 1040 (Profit or Loss From Farming) with last year's Federal taxes?	<i>Y / (N)</i>			
Annual gross income from agricultural operation	<i>0</i>			
Capital investment in agricultural operation over past 5 years: (please check one)				
<input checked="" type="checkbox"/> N/A (e.g. a proposed operation/start-up) <input type="checkbox"/> Below \$10,000 <input type="checkbox"/> \$10,000 - \$50,000 <input type="checkbox"/> Greater than \$50,000				
SBL Number (Tax ID)	Street Address	Town	Size (acres)	Agricultural Assessment (Y/N)
<i>200 100.01-1-1.01</i>	<i>1 Sample Street</i>	<i>Anytown</i>	<i>10.2</i>	<i>No</i>
<i>200.00-1-19.11</i>	<i>1698 Boies Rd</i>	<i>East Aurora</i>	<i>10.1</i>	<i>Yes</i>

PART III:**AGRICULTURAL BUSINESS DESCRIPTION**

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Hay

Identify the operating status of the farm operation on the subject land

- ☐ Proposed/Start-up (If yes, please attach a "5-year business plan" and a "5-year financial projections plan")
- ☐ Existing/Established

CURRENT USE OF SUBJECT PARCEL(S) Check all that apply

AGRICULTURAL USE	ACRES (estimated)
<input type="checkbox"/> Dairy	
<input type="checkbox"/> Cash Crop (Grain)	
<input type="checkbox"/> Cash Crop (Vegetable)	
<input checked="" type="checkbox"/> Orchard/Vineyard	
<input type="checkbox"/> Livestock (other than dairy)	
<input checked="" type="checkbox"/> Poultry	
<input type="checkbox"/> Sugarbush/Maple	
<input type="checkbox"/> Horticultural Specialties/Christmas Tree	
<input checked="" type="checkbox"/> Aquaculture	
<input type="checkbox"/> Other	

PART IV:**SIGNATURE**

I attest that I am the legal owner of the above properties and that the above information is correct to the best of my knowledge and hereby officially request that my property, which is **predominantly viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District in which my land is placed. I understand that this is not an application for an agricultural tax assessment. I also acknowledge that this request is subject to a public hearing; review by the Erie County Agriculture and Farmland Protection Board; action by the Erie County Legislature; and certification by the NYS Department of Agriculture and Markets.

Property Owner

Rd Natulic

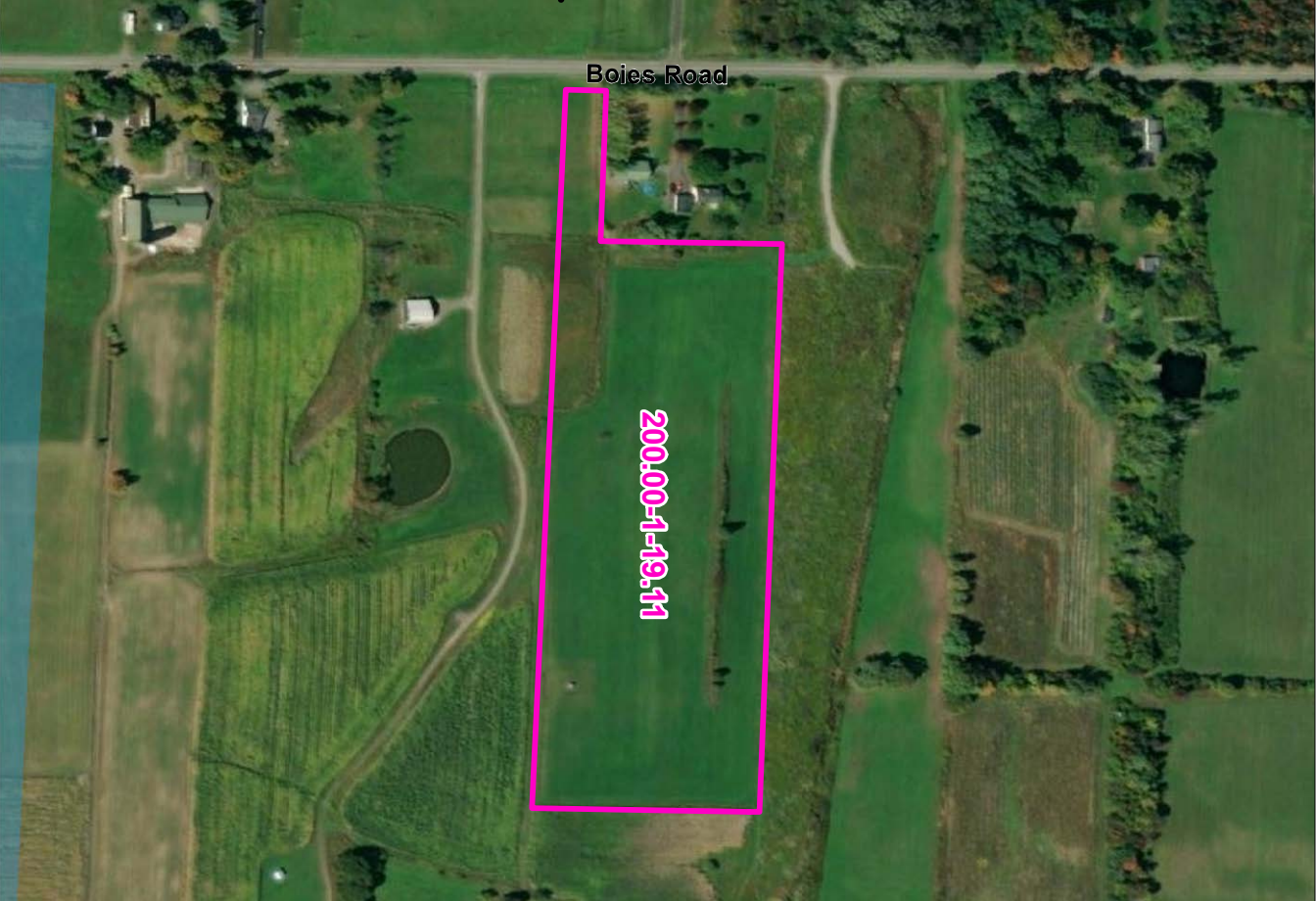
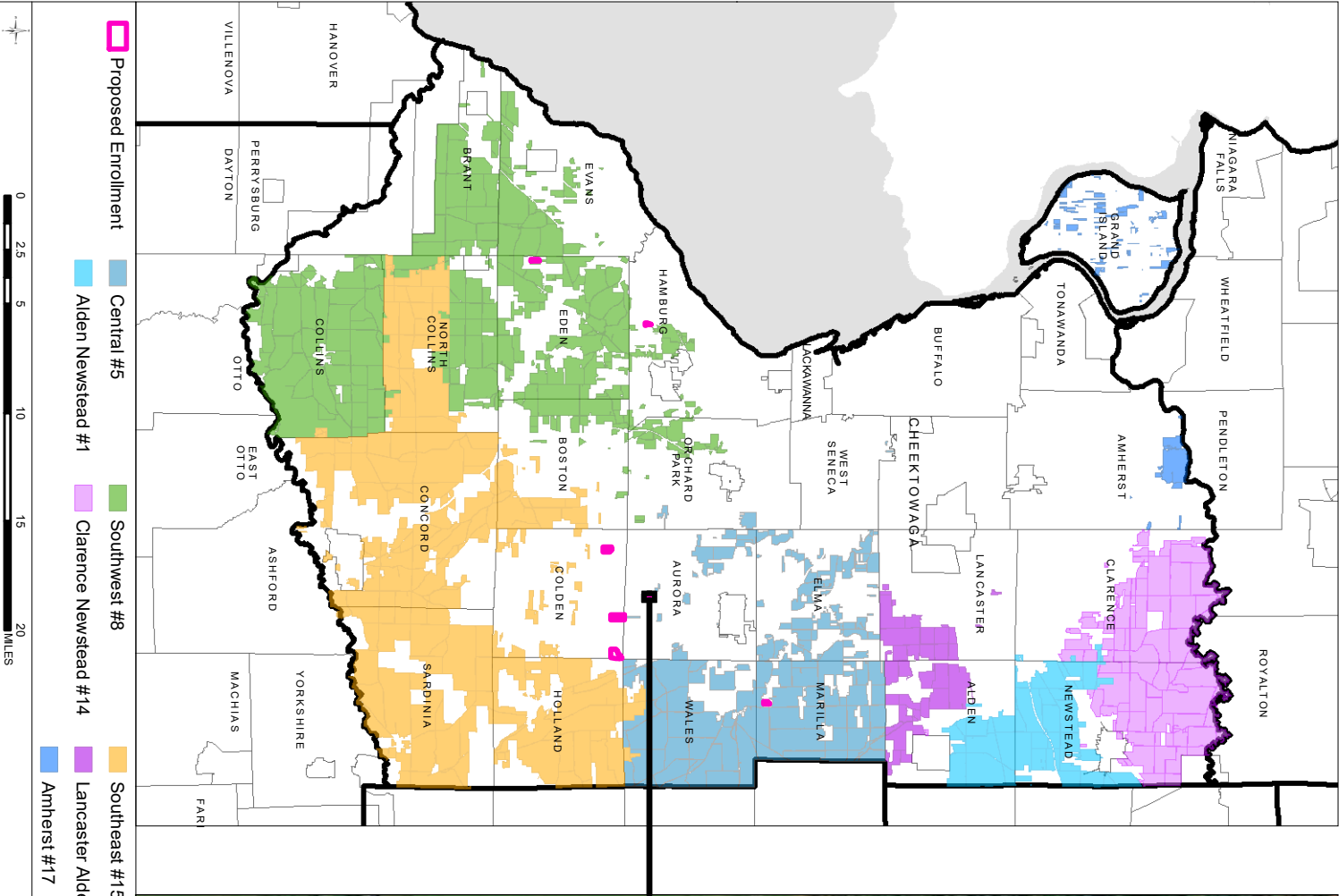
Date

9-23-22

PLEASE SEND COMPLETED REQUEST FORM TO:

Sarah Gatti, Senior Planner
Erie County Department of Environment & Planning
95 Franklin Street, 10th Floor, Buffalo, NY 14202
OR
agriculture@erie.gov

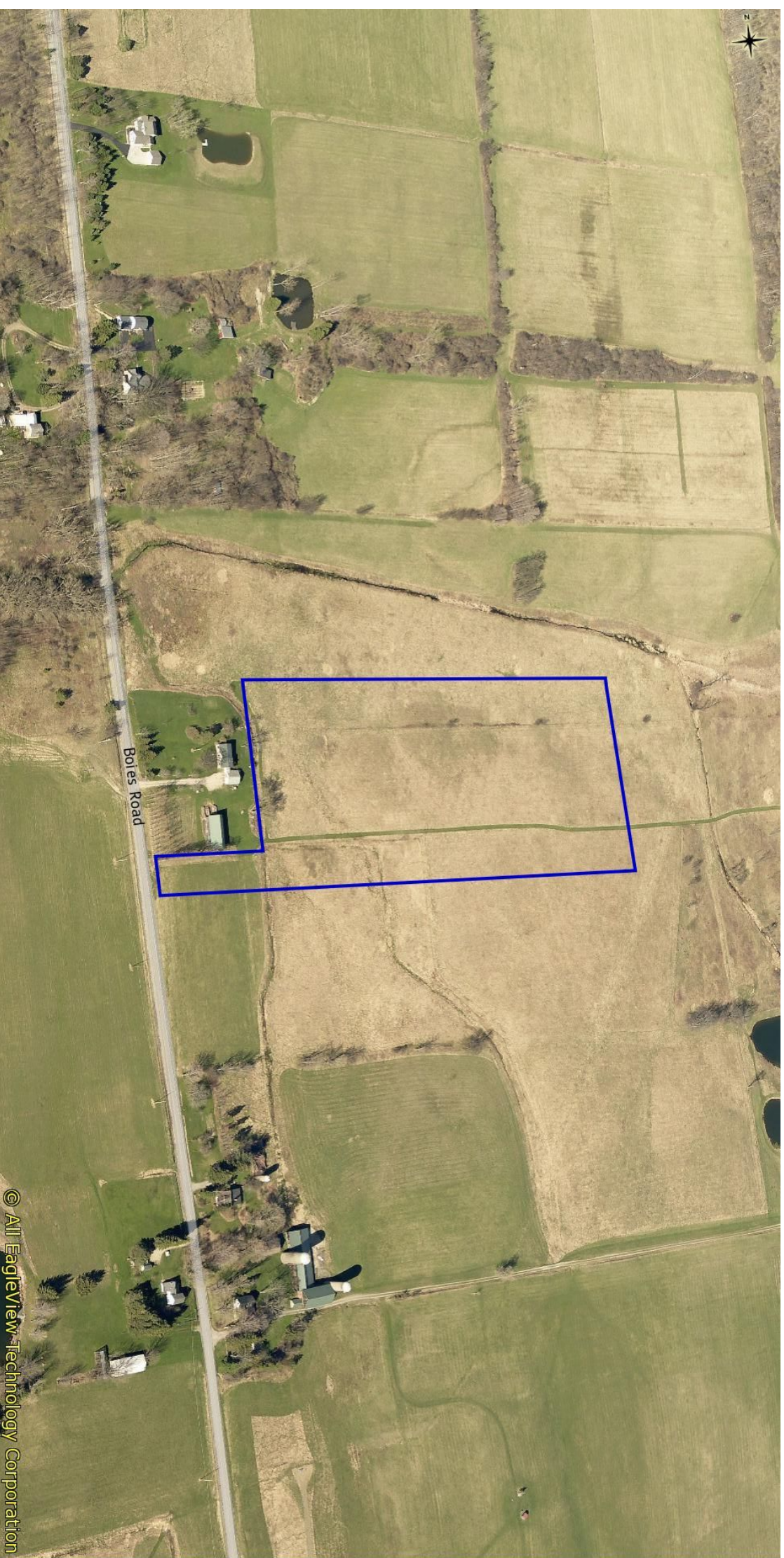
Questions? Contact Sarah Gatti at (716)858-6014 or sarah.gatti@erie.gov



APPLICATION 5: RICHARD NATALZIA
AURORA

AGRICULTURAL DISTRICTS: 303-B-PROPOSED ENROLLMENTS (2022)

APPLICATION 5: RICHARD NATALZIA



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04/20/2016

6) Bob Mamon Applications & Maps

Agricultural District Open Enrollment Form: Submission #6

 www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2296/table

Are you requesting land be included into an existing Erie County Agricultural District?

Yes

Owner Name

Bob Mamon

Address

10166 Darien Rd
Holland , New York. 14080

Phone Number

716 367 3357

Email Address

Browncece58@gmail.com

Renter Name

Renter Address

Phone Number

Email Address

Total Number of Acres Owned

100

Total Number of Acres Farmed/Cropped

98

Total Number of Acres Rented

0

Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?

Annual gross income from agricultural operation

Capital investment in agricultural operation over past 5 years

SBL (Tax Parcel ID): 215.00-1-5.11
Street Address: 10166 Darien Rd
Town: Colden
Acres: 98
Agricultural Assessment (Y/N): y

SBL

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

agra-tourism, petting/educational zoo, area for cattle raising, timber harvesting, cash crop of organic vegetables (various), hay crop for use and/or sale of surplus also sales of items of farm and farm related.

Identify the operating status of the farm operation on the subject land

Existing/Established

Dairy

Cash Crop (Grain)

Cash Crop (Vegetable)

Orchard/Vineyard

Livestock (other than dairy)

Poultry

Sugarbush/Maple

**Horticultural
Specialties/Christmas Tree**

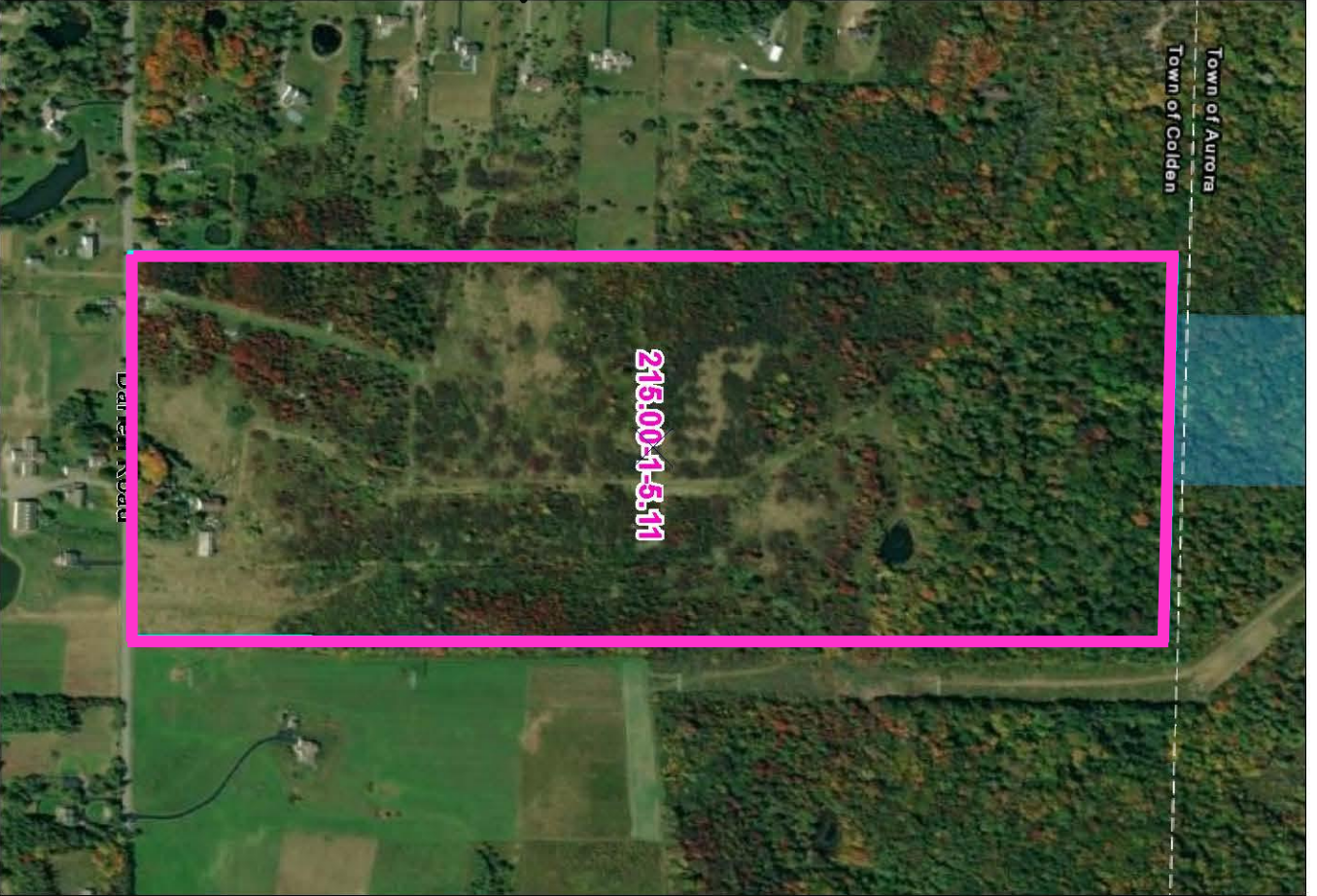
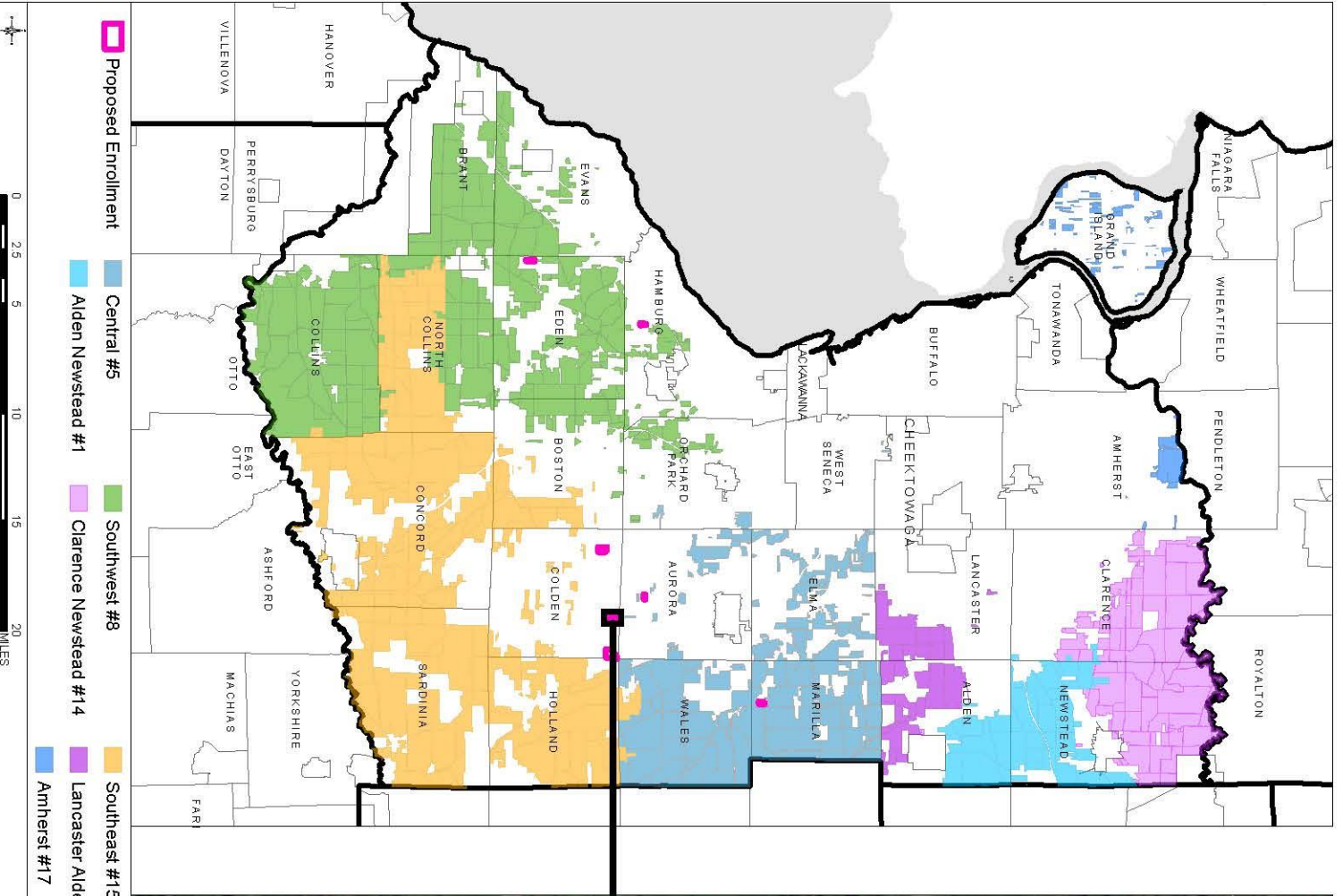
Aquaculture

Other

timber sales 24 acres



Property Owner Signature



APPLICATION 6: BOB MAMON



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7) Deborah Tatko Applications & Maps

Agricultural District Open Enrollment Form: Submission #7

 www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_open_enrol/submission/2306/table

Are you requesting land be included into an existing Erie County Agricultural District?	Yes
Owner Name	Deborah Tatko
Address	10969 Darien Rd HOLLAND, New York. 14080-9627
Phone Number	<u>8284236891</u>
Email Address	<u>deborah.tatko@gmail.com</u>
Renter Name	
Renter Address	
Phone Number	
Email Address	
Total Number of Acres Owned	94.54
Total Number of Acres Farmed/Cropped	70
Total Number of Acres Rented	0
Did you file a Schedule F - Form 1040 (Profit or Loss from Farming) with last year's Federal taxes?	No
Annual gross income from agricultural operation	5,000
Capital investment in agricultural operation over past 5 years	N/A (proposed operation/start-up)
SBL	SBL (Tax Parcel ID): 215.00-2-10.1 Street Address: 10969 Darien Rd Town: Holand Acres: 94.54 Agricultural Assessment (Y/N): N

Describe the business that is operated or will be operated on the parcel(s) proposed to be added to the Agricultural District.

Managed Forestry

Identify the operating status of the farm operation on the subject land

Proposed/Start-up

Dairy

Cash Crop (Grain)

Cash Crop (Vegetable)

Orchard/Vineyard

Livestock (other than dairy)

Poultry

Sugarbush/Maple

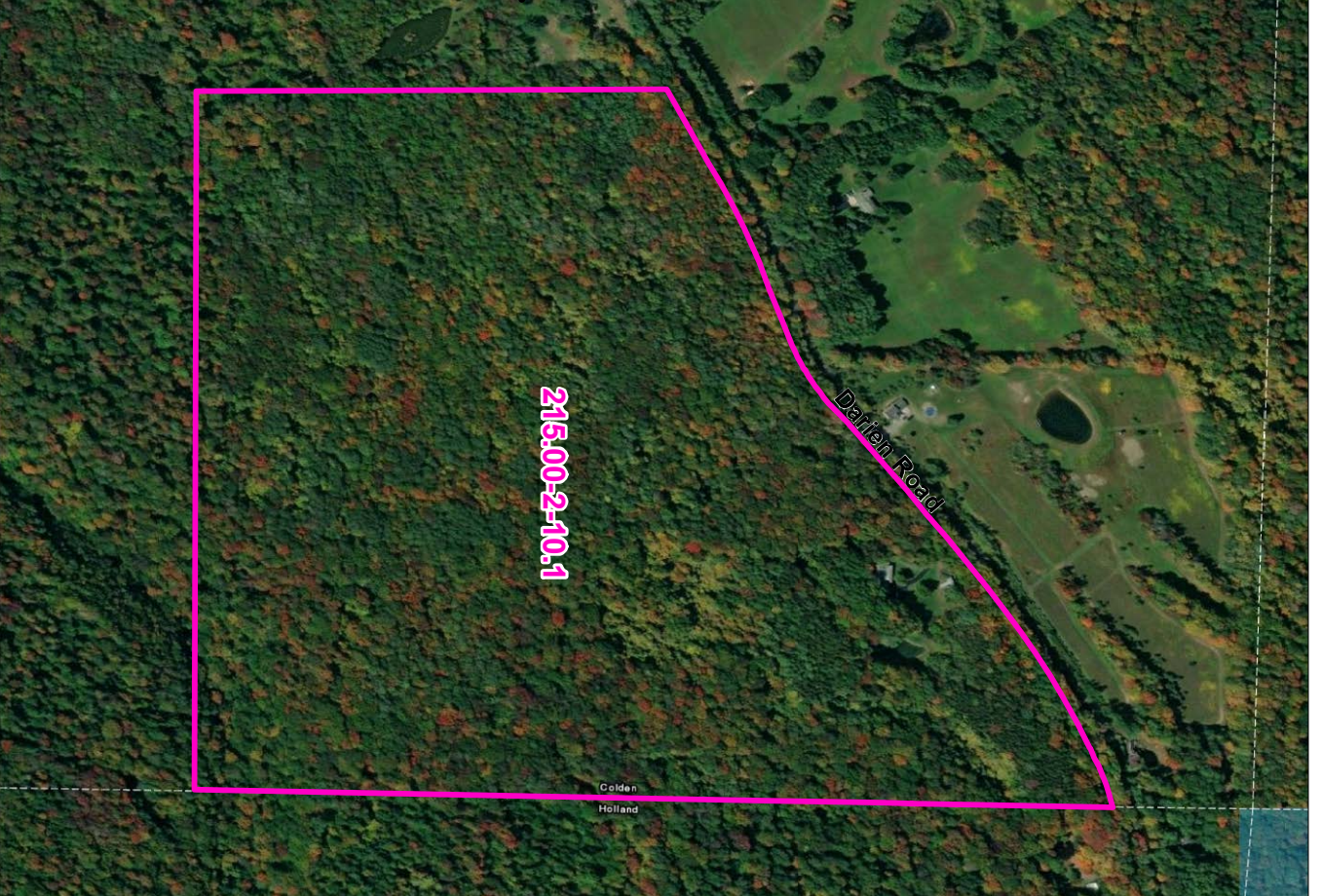
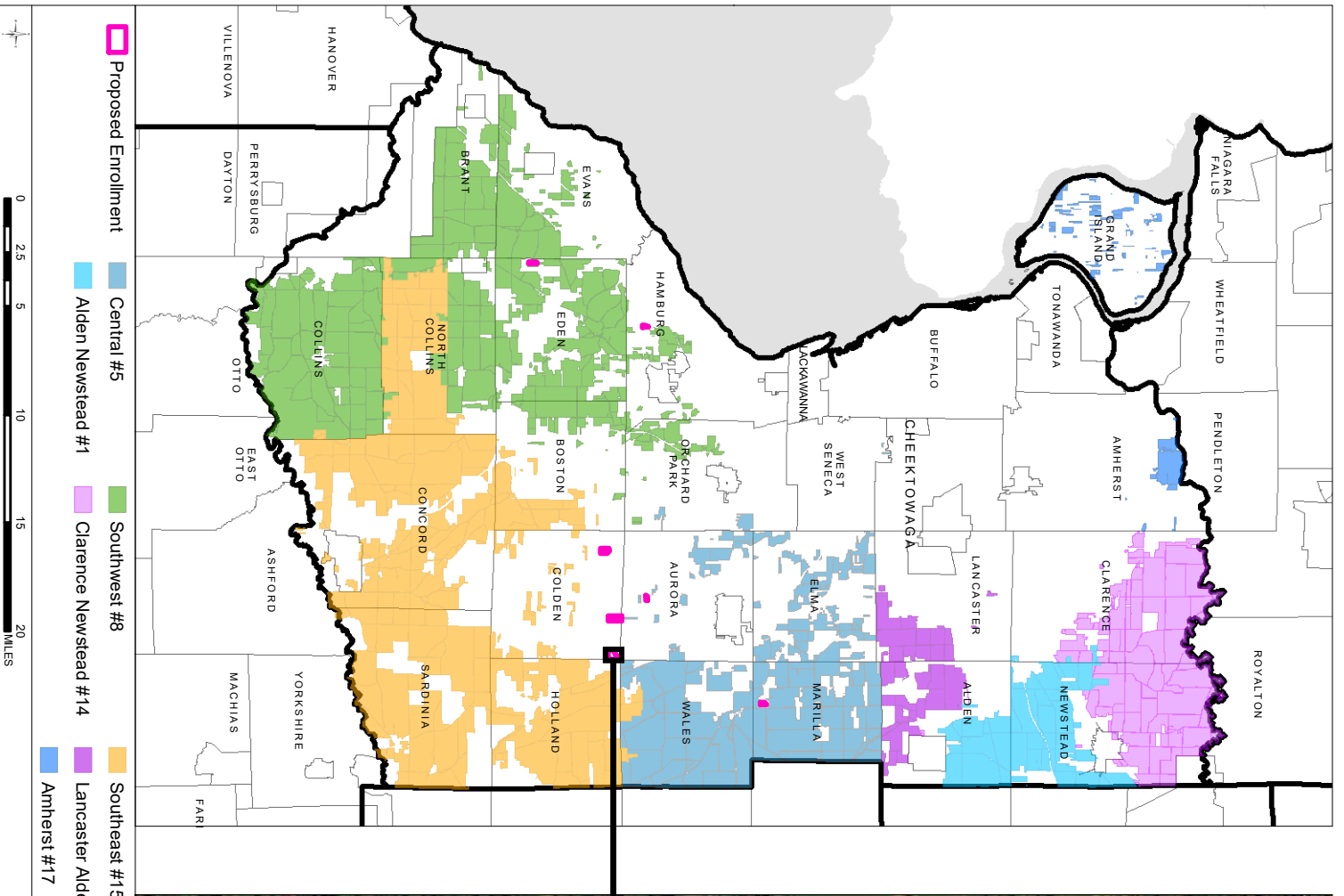
**Horticultural
Specialties/Christmas Tree**

Aquaculture

Other

Deborah Tatho

Property Owner Signature



**APPLICATION 7: DEBORAH TATKO
COLDEN**

AGRICULTURAL DISTRICTS: 303-B PROPOSED ENROLLMENTS (2022)

APPLICATION 7: DEBORAH TATKO



© All EagleView Technology Corporation

8) Matrix

ATTACHMENT 8: 2022 AGRICULTURAL DISTRICT OPEN ENROLLMENT MATRIX				
Application #	1	2	3	4
Owner Name	Thomas P. Dziulko	William Albers and Deborah Shevlin	Thomas. J. Skrzynski	Mark Mol
Operator	Owner	Owner	Renter	Owner
Renter Name	Not applicable	Not applicable	Not provided	Not applicable
AGI from Farming	\$5,100	\$12,000	No response	No response
Capital Investment - past 5 years	\$10,000 - \$ 50,000	Greater than \$50,000	No response	Greater than \$50,000
Type of Operation	Livestock; Poultry; Sugarbush/Maple; Timber	Cash Crop (Vegetable); Livestock; Poultry; Horticulture	Hay	Poultry; Livestock
Enrollment Address	8463 Knapp Road	11965 Liberia Road	2073 New Jerusalem Road	2945 South Creek Road
Enrollment Town	Colden	Marilla	Eden	Hamburg
Enrollment SBL	213.00-6-18.11	157.00-6-5.2	237.00-1-23.1	195.00-1-65.21
Enrollment Acres	50.7	19.03	24.4	9.32
Ag Assessment (Y/N)	No	Yes	Yes	No
District	Southeast #15	Central #5	Southwest #8	Southwest #8
NYS Soil Suitability	Poor; Good-Fair	Fair; Poor	Poor; Fair	Fair; Very Poor
Surrounding Land Use	Forest; residential; agriculture	Forest; residential	Forest; residential; agriculture	Residential; agriculture
Municipal Zoning	Agricultural	Residence	Suburban Residential	RA
Zoning on Agriculture	Agricultural, floricultural and horticultural pursuits and forest farming permitted; No manure or other dust-producing substances to be stored within 100 ft. of any lot line; Roadside stand or building permitted as accessory uses; Private wildlife reservations or conservation projects require a special use permit; 125,000 SF minimum lot size.	The keeping of chickens is a permitted use. No other agriculture permitted.	Commercial agriculture operations and accessory uses permitted by right. This includes: fields and garden crops, vineyard and orchard farming, nurseries, and commercial forestry.	Agricultural, floricultural and horticultural pursuits, including but not limited to general farms, greenhouses, plant nurseries, truck gardens, dairy husbandry, animal husbandry and the raising of bees, poultry and livestock, together with all customary buildings and other structures necessary for the production and storage of the products of such pursuits, provided that buildings, pens and runways for the confinement of livestock or poultry shall be at least 100 feet from any property line.
Comprehensive Plan	Colden considers itself more of a rural area than an agricultural area. Plan published in 1992. Update ongoing.	Land Use Goals and Policies: Maintain the viability of the town’s agricultural economy and protect prime agricultural production lands. Encourage renewal and sustaining of NYS Agricultural Districts.	Recommendations include: Directing development towards the hamlets and away from agricultural lands; Initiate water line restrictions to manage growth; Engage in extended dialogue with the community and Town officials on agriculture to ensure it remains prominent in the public eye.	General Recommendations: Take action to promote and preserve viable agricultural uses and lands in the Town to support farming and other agricultural pursuits as a part of the local economy.
Framework for Regional Growth	Rural Area: Discourage the conversion of rural and agricultural lands	Rural Area: Discourage the conversion of rural and agricultural lands	Rural Area: Discourage the conversion of rural and agricultural lands	Developing Area: Align policies and investments to encourage the conversion of agricultural and rural lands; Channel growth to areas with existing sewer and water service; Support local planning that designates areas appropriate for development and conversion and avoid "leap frog" patterns of development; Minimize conversion of designated rural and agricultural lands
EC AFPP	Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state-certified agricultural district with right-to-farm provisions.			

ATTACHMENT 8: 2022 AGRICULTURAL DISTRICT OPEN ENROLLMENT MATRIX

Application #	5	6	7
Owner Name	Richard Natalzia	Bob Mamon	Deborah Tatko
Operator	Owner	Owner	Owner
Renter Name	Not applicable	Not applicable	Not applicable
AGI from Farming	No response	No response	\$5,000
Capital Investment - past 5 years	No response	No response	N/A Proposed/Start-Up
Type of Operation	Hay	Cash Crop (Vegetable and Grain); Timber	Timber
Enrollment Address	1698 Boies Road	10166 Darien Road	10969 Darien Road
Enrollment Town	Aurora	Colden	Colden
Enrollment SBL	200.00-1-19.11	215.00-1-5.11	215.00-2-10.1
Enrollment Acres	10.7	98	94.54
Ag Assessment (Y/N)	Yes	Yes	No
District	Central #5	Central #5	Central #5
NYS Soil Suitability	Fair; Good-Fair	Fair-Poor; Fair	Fair-Poor; Good-Fair
Surrounding Land Use	Residential; agriculture	Residential; agriculture	Forest; residential
Municipal Zoning	Rural Residential/Agriculture	Agricultural	Agricultural
Zoning on Agriculture	<p>Agriculture: Agricultural, floricultural, and horticultural pursuits, including but not limited to dairies, general farms, horse farms, greenhouses, plant nurseries, produce farms, and the raising of bees, poultry and livestock, together with all customary buildings and structures necessary for the production and storage of the products of such pursuits.</p> <p>Rural Residential: Keeping of six chickens and not more than two of any other species of domestic animals. Five beehives permitted.</p>	<p>Agricultural, floricultural and horticultural pursuits and forest farming permitted; No manure or other dust-producing substances to be stored within 100 ft. of any lot line; Roadside stand or building permitted as accessory uses; Private wildlife reservations or conservation projects require a special use permit; 125,000 SF minimum lot size.</p>	<p>Agricultural, floricultural and horticultural pursuits and forest farming permitted; No manure or other dust-producing substances to be stored within 100 ft. of any lot line; Roadside stand or building permitted as accessory uses; Private wildlife reservations or conservation projects require a special use permit; 125,000 SF minimum lot size.</p>
Comprehensive Plan	<p>Regional Goals and Objectives: Maintain Community Character a)</p> <p>Protect important agricultural lands and open space. Protect the viability of well-established farming activities, and discourage non-agricultural uses on prime agricultural lands or forestry areas.</p>	<p>Colden considers itself more of a rural area than an agricultural area. Plan published in 1992. Update ongoing.</p>	<p>Colden considers itself more of a rural area than an agricultural area. Plan published in 1992. Update ongoing.</p>
Framework for Regional Growth	<p>Rural Area: Discourage the conversion of rural and agricultural lands</p>	<p>Rural Area: Discourage the conversion of rural and agricultural lands</p>	<p>Rural Area: Discourage the conversion of rural and agricultural lands</p>
EC AFPP	<p>Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state-certified agricultural district with right-to-farm provisions.</p>		

ATTACHMENT 5

SEQR



**STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS**

UNLISTED ACTIONS ONLY

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

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

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

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of Erie and the Town(s) of Aurora, Eden, Evans, Colden, and Marilla.

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of Erie County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

Robert Graber at robert.graber@erie.gov

92 Franklin Street, Buffalo, NY 14202

4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? ☒ Yes ☐ No

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

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

Southeast #15: 85,908.9
Central #5: 15,187.4
Southwest #8: 74,173.4

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

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

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

Southeast #15: 50.7

Central #5: 224.74

- If yes, how many acres are involved in the change? Southwest #8: 33.72 acres

- Does this represent ☒ an increase or ☐ a decrease?

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

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

If Other, please describe: _____

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

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

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

9. Information on Local Agricultural and Farmland Protection Plans

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

If Yes, date of Plan approval: 10/24/2012

If Yes, please cite the applicable language: Page 3: Keep land in agricultural production by protecting

farmland, helping a new generation to farm, and improving the viability of all farms in the County.

10. Comments from Municipalities within the County

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

If Yes, please briefly summarize the comments: _____

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

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

Name of Person
Authorized to Sign: Daniel Castle, AICP

Date: 10/19/22

Signature: 

Title: Commissioner, Erie County Env. & Planning

PART 1 – Project and Sponsor Information, Question 4 Narrative

INTENT

The intent of this action is to modify existing Agricultural Districts in Erie County, NY pursuant to New York State Agriculture and Markets Law Section 303-b. Section 303-b requires an annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

DESCRIPTION OF ACTION

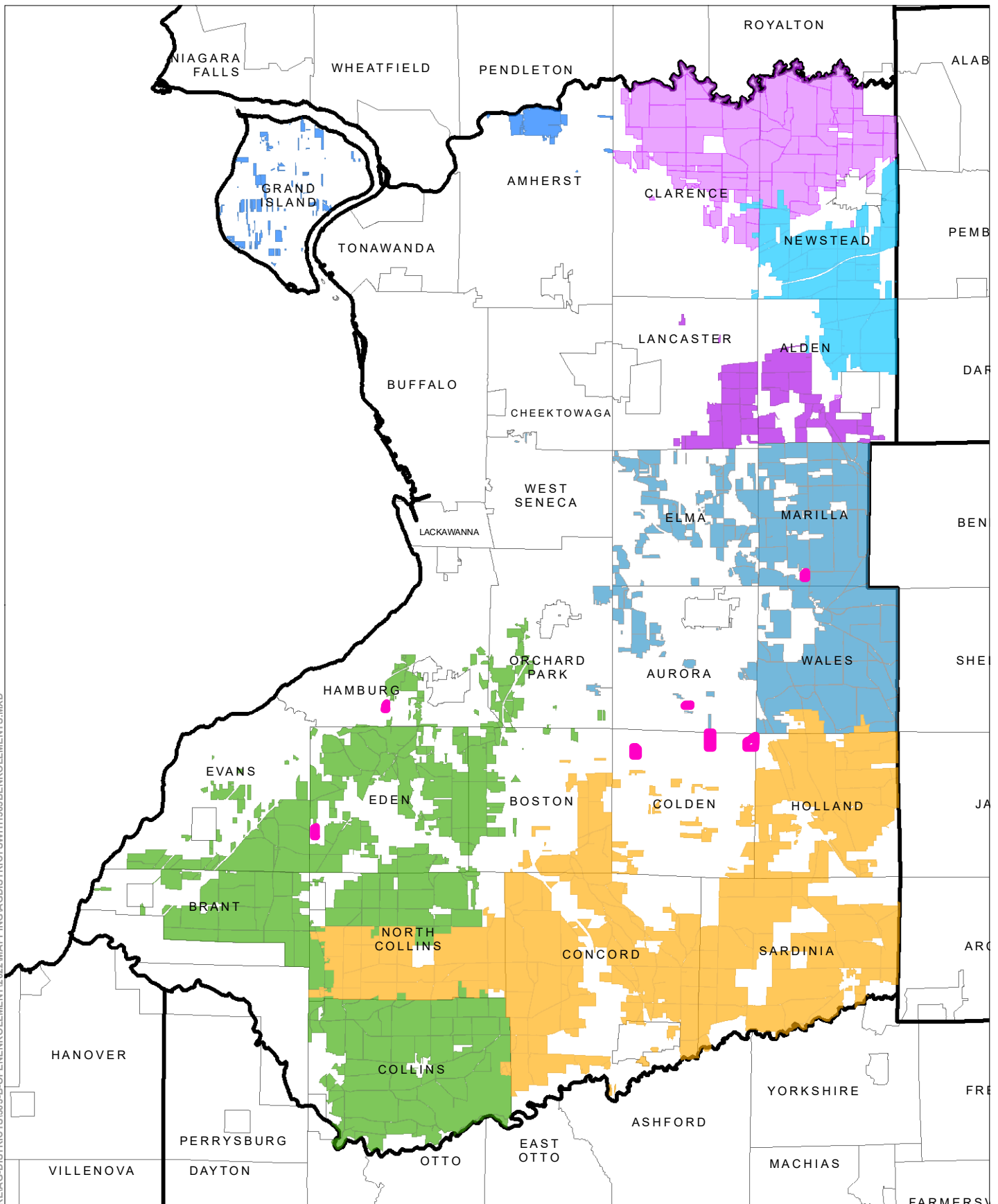
During the 2022 Open Enrollment Period, Erie County received seven applications requesting the addition of 50.7 acres to the Southeast #15 District, 224.74 acres to the Central #5 District, and 33.72 acres to the Southwest #8 District. This totals a request of 309.16 acres.

ENVIRONMENTAL RESOURCES

- *Land Use Plan or Zoning Regulations:* Each application was analyzed for consistency with local land use plans and zoning regulations, and in each case, was found to be consistent with such documents. Agriculture was identified in each community's comprehensive plan as an industry to support and protect, and some degree of agricultural uses were permitted in each community's zoning ordinance and in the zoning district of each proposed enrollment.
- *Intensity of Use of Land:* 2022 enrollments encompass land that is already being farmed and will not result in a change in the use or intensity of the land.
- *Community Character:* Each application's surrounding land uses were analyzed to ensure consistency with existing community character. In each case, enrollment into an agricultural district was found to be consistent with the rural, agricultural, and forested nature of the surrounding community.
- *Critical Environmental Area:* One application is within the 18 Mile Creek Critical Environmental Area (CEA). This application contains one parcel with environs on both the north and south side of South Creek Road. The agricultural activities are small-scale in nature and located on the south (inland) side of the road. Future expansion and/or development is inhibited by a wetland, floodplain, and steep cliff wall located on the north (waterside) side of South Creek Road. Enrollment of this parcel will not result in a significant adverse impact to the 18 Mile Creek CEA.
- *Transportation:* No impact on transportation infrastructure will occur as a result of these enrollments into an agricultural district.
- *Energy:* These parcels are currently being farmed and no additional impact on energy resources will occur as a result of their inclusion into an agricultural district.
- *Water and Wastewater Supplies:* These parcels are currently being farmed and no additional impact on public/private water supplies and/or wastewater treatment utilities will occur as a result of their inclusion into an agricultural district.
- *Historic, Archaeological, Architectural, or Aesthetic Resources:* These parcels are currently being farmed and no additional impact on historic, archaeological, architectural, or aesthetic resources of the community will occur as a result of their inclusion into an agricultural district.

- *Natural Resources:* These parcels are currently being farmed and no additional impact on natural resources will occur as a result of their inclusion into an agricultural district.
- *Erosion, Flooding, or Drainage:* These parcels are currently being farmed and no additional impact on erosion, flooding, or drainage will occur as a result of their inclusion into an agricultural district.
- *Environmental Resources and Human Health:* These parcels are currently being farmed and no additional impact on environmental resources and human health will occur as a result of their inclusion into an agricultural district.

V:\PLANNING\AGRICULTURE\AG-DISTRICTS\303-B-OPENENROLLMENT\2022-MAPPING\AG-DISTRICT-SWTH303-BENROLLMENTS.MXD



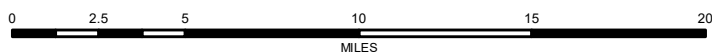
2022 PROPOSED ENROLLMENTS

ERIE COUNTY, NY

AGRICULTURAL DISTRICTS



MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF
ENVIRONMENT & PLANNING BY GATTIS2, 10/5/2022



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

Part 2: Impact Assessment

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

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

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

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

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

Part 3: Determination of Significance

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

The County Legislative Body (CLB) has examined potential impacts to land use plans or zoning regulations; and use intensity; community character; Critical Environmental Areas; energy use; public or private water supplies and wastewater utilities; historic, archaeological, architectural, or aesthetic resources; natural resources; erosion, flooding, or drainage; and environmental resources and human health. Given the context of this action (enrollment of currently farmed land to existing agricultural districts), the CLB determined there would not be any significant adverse impacts and no EIS is required.

☐ 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.

Erie County Legislature

Name of Lead Agency

12/29/2022

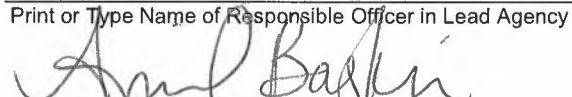
Date

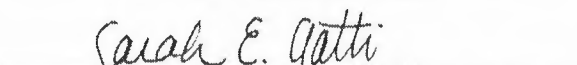
April Baskin

Print or Type Name of Responsible Officer in Lead Agency

Chairperson

Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from Responsible Officer)

ATTACHMENT 6

ADOPTING RESOLUTION

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., December 15, 2022

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, that at the 23rd Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the 15th day of December, 2022 A.D., a Resolution was adopted, of which the following is a true copy:

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR BASKIN

RE: Modification of Agricultural Districts

WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established eight-year review period; and

WHEREAS, during the 2022 thirty-day open enrollment period seven applicants requested that seven parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of seven parcels listed below in an existing agricultural district; and

SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
213.00-6-18.11	50.7	8463 Knapp Rd.	Colden	Thomas P. Dziulko	Southeast 15
157.00-6-5.2	19.5	11965 Liberia Rd.	Marilla	William Albers, Deborah Shevlin	Central 5
237.00-1-23.1	24.4	2073 New Jerusalem Rd.	Eden	Thomas J. Skrzynski	Southwest 8
195.00-1-65.21	9.32	2945 S. Creek Rd.	Hamburg	Mark Mol	Southwest 8
200.00-1-19.11	10.7	1698 Boies Rd.	Aurora	Richard Natalzia	Central 5
215.00-1-5.11	10.0	10166 Darien Rd.	Colden	Bob Mamon	Central 5
215.00-2-10.1	94.5	10969 Darien Rd.	Colden	Deborah Tatko	Central 5

ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., December 15, 2022

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, that at the 23rd Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the 15th day of December, 2022 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing for November 3, 2022; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 2:15 p.m. on November 3, 2022 a public hearing was held at the Erie County Legislative Chambers, 92 Franklin Street, Buffalo, New York to consider modification of the district; and

WHEREAS, the modification of the district is within the scope of a cooperative agreement between the Erie County Legislature and the New York State Department of Agriculture and Markets; and

WHEREAS, pursuant to the cooperative agreement, the Erie County Legislature is the State Environmental Quality Review Lead Agency and has conducted a coordinated review in accordance with 6 NYCRR Section 617.6 (b) (3).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature adopts the inclusion of the following seven parcels into an adjacent existing agricultural district; and be it further

SBL	ACRES	ADDRESS	TOWN	APPLICANT	DISTRICT
213.00-6-18.11	50.7	8463 Knapp Rd.	Colden	Thomas P. Dziulko	Southeast 15
157.00-6-5.2	19.5	11965 Liberia Rd.	Marilla	William Albers, Deborah Shevlin	Central 5
237.00-1-23.1	24.4	2073 New Jerusalem Rd.	Eden	Thomas J. Skrzynski	Southwest 8
195.00-1-65.21	9.32	2945 S. Creek Rd.	Hamburg	Mark Mol	Southwest 8
200.00-1-19.11	10.7	1698 Boies Rd.	Aurora	Richard Natalzia	Central 5
215.00-1-5.11	10.0	10166 Darien Rd.	Colden	Bob Mamon	Central 5
215.00-2-10.1	94.5	10969 Darien Rd.	Colden	Deborah Tatko	Central 5

RESOLVED, that the Erie County Legislature finds that the modification of the districts will not result in any significant adverse environmental impacts and therefore issues a Negative Declaration under the State Environmental Quality Review Act; and be it further

ATTEST



ROBERT M. GRABER
Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

CLERK'S OFFICE

BUFFALO, N.Y., December 15, 2022

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, that at the 23rd Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the 15th day of December, 2022 A.D., a Resolution was adopted, of which the following is a true copy:

RESOLVED, that the Chairperson of the Erie County Legislature is authorized to complete and sign Part 3 of the Short Environmental Assessment Form; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Aurora, Colden, Eden, Hamburg, and Marilla; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

REFERENCE: INTRO. 20-1 (2022)

ATTEST



ROBERT M. GRABER

Clerk of the Legislature of Erie County