

**PUBLIC HEARING – AGRICULTURAL DISTRICT
& SEQRA SHORT FORM**

Monday, April 10, 2023 - 9:00 AM

Shaun Gilliland, Chairman
James Monty, Vice-Chairman

Chairman Gilliland called this Public Hearing to order at 9:00 am with the following Supervisors in attendance: Robin DeLoria, Derek Doty, Shaun Gilliland, Roy Holzer, Noel Merrihew, James Monty, Davina Winemiller and Margaret Wood. Steve McNally, Matt Stanley, Ike Tyler and Joe Pete Wilson were excused.

Department Heads present: James Dougan, Judy Garrison and Anna Reynolds.

GILLILLAND: I will call the public hearing to order and start with the reading of the public notice please.

GARRISON: *Essex County Public Hearing Notice Agricultural Districts and SEQRA Short Form. Please take notice, that the Essex County Board of Supervisors will hold and conduct a public hearing at the Supervisors' Chambers in the Essex County Government Center, 7551 Court Street, Elizabethtown, New York on Monday April 10, 2023, 9:00 a.m., on Agricultural District and State Environmental Quality Review Act (SEQRA) Short Form. Please take further notice, New York State Agriculture and Markets has adopted a Short Environmental Assessment Form (EAF) intended to be used in actions designated as Unlisted Actions pursuant to the State Environmental Quality Review Act (SEQRA) which involves modification of an Agricultural District. The County plans to adopt a Resolution agreeing to use the New Short Environmental Assessment Form and enter into a Cooperative Agreement with Agriculture and Markets.*

Please take further notice, the purpose of this action is to streamline the annual State Environmental Quality Review Act (SEQRA) process for modifying an Agricultural District. The Historical EAF is going to be obsolete and non-compliant. The public hearing will discuss the traditional SEQRA approach to Agricultural Districting and how the adoption of the AGM Short EAF & Cooperative Agreement will commence SEQRA.

Please take further notice, that copies of the SEQRA Short EAF form may be obtained upon request from the Clerk of the Board's Office at the contact information below.

Please take further notice that at said public hearing to be held at the time and place set forth above, the Essex County Board of Supervisors will hear all persons interested therein concerning the same.

*Judith A. Garrison, Clerk
Essex County Board of Supervisors
P.O. Box 217, 7551 Court Street
Elizabethtown, NY 12932
(518) 873-3353
Date: March 27, 2023*

GILLILLAND: Thank you. We'll have our Director of Community Resources come up

and explain what this is all about.

REYNOLDS: So when the county adopts a modification to the Ag District annually the county is supposed to do the SEQRA process and it's identified as an unlisted action. When it is an unlisted action declaration you have to do a notice of intent to the lead agency, a resolution, you have to fill out a long form, it's like a ten page document, you sign it, you send it to involved agencies across the region, you come back and you declare no effect and again, the action is modifying the district has nothing to do with the land use itself or the impacts to the land other than what the farmers are feeling it's just modifying the map. So, Ag and Markets has adopted a new form, it's a four page checklist form, it's easier to use, it reduces our need to do the intent to request the agency resolution so they have asked us to adopt this new form and then we will develop a cooperative agreement with the State in order to use the form. So, once we adopt the new form and get a cooperative agreement settled then we don't have to do the five step SEQRA process which has been done in the past. That's all I have.

GILLILLAND: Any questions for Anna?

HOLZER: So this action we're taking or going to be taking, is that all grants now or just for this particular one?

REYNOLDS: Great question. This is for Ag District only, you're correct so this is specifically for the county to use for Ag Districts.

DOTY: Anna, before we can proceed does this Board of Supervisors have to accept the ten page long form to have that notice?

REYNOLDS: No.

DOTY: Why?

REYNOLDS: Because the ten page form is an option so like when you go through the SEQRA process the board makes a determination or the lead agency makes a determination of what the action is and then there is a little chart that says, when it's unlisted it's a long form or short form depending on how, the decision that's being made what you think the impact triggers so essentially, we never have to do that again. We can just say, okay, here's the form, we're filling it out, we're filling it out to the State.

MONTY: I'm a little confused which isn't a surprise but has that form been developed yet?

REYNOLDS: Yes the form is completed. It's been adopted by the State.

MONTY: So, it has been adopted?

REYNOLDS: Correct.

MONTY: So we then have to agree that we're going to use it as soon as we have the negotiation?

REYNOLDS: There's no negotiation. We just adopt it and sign a two-page agreement with them that we're going to use it.

MONTY: Not that we would do it because it sounds cumbersome but we could still use the ten page if we wanted to?

REYNOLDS: Yes but it sounded like it was going to be obsolete because apparently the existing form didn't really have a Ag District modification in the writing so they modified it in 2022, so this has been going on for almost two years.

MONTY: Thank you.

GILLILLAND: Any further questions? Any members of the public like to speak on this action? Alright, thank you very much. We are adjourned.

As there was no further discussion to come before this public hearing, it was adjourned at 9:07 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors