



**SULLIVAN COUNTY LEGISLATURE**  
**Planning, Environmental Management and Real Property Committee**  
**Thursday, July 12, 2012 ~ 11:00 AM**

**Committee Members: Alan Sorensen (Chair); Cindy Kurpil Gieger (Vice Chair);  
Kathy LaBuda; Cora Edwards; and Ira Steingart**

**AGENDA**

**PRESENTATIONS: None**

**RESOLUTIONS:**

**COUNTY ATTORNEY - None**

**COUNTY TREASURER - None**

**PLANNING**

- 1. To issue a Negative Declaration pursuant to the New York State Environmental Quality Review Act regarding the addition of parcels of Real Property to existing Certified Agricultural Districts within Sullivan County.**
- 2. To include viable Agricultural Land in existing Certified Agricultural District within Sullivan County.**

**REAL PROPERTY –**

- 1. To accept an offer from the Jewish General Aid Association of Sullivan County to purchase a strip of land.**

**DEPARTMENT/PROGRAM UPDATES AND REPORTS:**

County Attorney: - None  
County Treasurer: - Update on Current Issues  
Real Property: - Monthly Deed and Subdivision Report

**DIVISION DISCUSSION ITEMS: None**

**PUBLIC COMMENTS:**



**COUNTY OF SULLIVAN  
LEGISLATIVE MEMORANDUM**

**TO:** County Legislature

**FROM:** Luiz C. Aragon

**Title:** Commissioner

**Department:** Planning & Environmental Management

**COMMITTEE WITH JURISDICTION**

- |   |  |                                       |
|---|--|---------------------------------------|
| <input type="checkbox"/> Community & Economic Development | <input type="checkbox"/> Management & Budget   | <input type="checkbox"/> Public Works |
| <input type="checkbox"/> Executive                        | <input type="checkbox"/> Personnel   | <input type="checkbox"/> Veterans     |
| <input type="checkbox"/> Government Services              | <input checked="" type="checkbox"/> Planning, Environmental Management & Real Property |                                       |
| <input type="checkbox"/> Health & Family Services         | <input type="checkbox"/> Public Safety   |                                       |
- Check all that apply

**SUBJECT OF RESOLUTION:** Negative Declaration for Agricultural District Inclusions

**PURPOSE OF RESOLUTION:** Adopt a negative declaration pursuant to SEQRA, regarding the inclusion of parcels into Agricultural Districts No. 1 and 4

**DATE OF FIRST SUBMISSION:** July 12, 2012

**BRIEF DESCRIPTION:** Authorizes the Legislature to adopt a negative declaration pursuant to SEQRA, regarding the inclusion of parcels into Agricultural Districts No. 1 and 4

**COSTS TO OTHER COUNTY PROGRAMS:** None

Mandated     Budgeted     Budget Revision Necessary

Projection:	Balance of			
	YR1	YR2	YR3	YR4
County Cost	\$	\$	\$	\$
State Funds	\$	\$	\$	\$
Federal Funds	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total	\$	\$	\$	\$

**If NONE check here:**

**RESOLUTION NO. INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE ADDITION OF PARCELS OF REAL PROPERTY TO EXISTING CERTIFIED AGRICULTURAL DISTRICTS WITHIN SULLIVAN COUNTY**

**WHEREAS**, The Sullivan County Legislature has the authority under New York State Agriculture and Markets Law to include additional parcels in the existing certified Agricultural District No. 1 and Agricultural District No. 4 on a yearly basis; and

**WHEREAS**, the New York State Department of Agriculture and Markets has consented to the Sullivan County Legislature being declared lead agency with respect to the environmental review of the proposal to add the subject parcels (described in Schedule A, attached hereto) to Sullivan County Agricultural District No. 1 and Sullivan Agricultural District No. 4; and

**WHEREAS**, a short form Environmental Assessment (attached hereto) has been prepared which concludes that the proposal to add parcels to Sullivan County Agricultural Districts No. 1 and No. 4 will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Environmental Assessment Form (attached hereto); and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the New York State Environmental Quality Review Act, with respect to the proposal to add the subject parcels (described in Schedule A, attached hereto) to Sullivan County Agricultural District No. 1 and Sullivan County Agricultural District No. 4; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature authorizes the Chairman of the Legislature to execute the Environmental Assessment Form.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, put to a vote with \_\_\_\_\_ and declared duly adopted on motion \_\_\_\_\_.

**Schedule A**

**Agricultural District No. 1**

Town of Liberty	32.-3-14
Town of Liberty	32.-3-15
Town of Tusten	7.B-1-15
Town of Tusten	22.-1-18.1
Town of Tusten	22.-1-18.11

**Agricultural District No. 4**

Town of Fallsburg	3.-1-6.22
Town of Neversink	9.-1-14

As portrayed on the Sullivan County Tax Maps on May 3, 2012.

**ENVIRONMENTAL ASSESSMENT FORM**

**PART I**

1. The proposed action is located in the County of Sullivan and the Town(s) of Fallsburg, Liberty, Neversink and Tusten.
2. The agency responsible for preparing this Environmental Assessment Form and determining environmental significance is the County Legislative Body of Sullivan County.
3. The name and address for the Clerk of the above named County is Daniel L. Briggs, 100 North Street, PO Box 5012, Monticello NY 12701.
4. Is this an application for the formation of a new agricultural district?  Yes  No If yes, what is the total number of acres to be included in this district? \_\_\_\_\_ acres
5. Is this an application to modify an existing district?  Yes  No If yes, what is the total number of acres comprising the district as it exists prior to modification? 161,216.80 acres
6. 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? 200.98
7. Is there a public controversy related to this district proposal?  Yes  No If yes, describe in space below:

During the June 21, 2012 public hearing, no negative public comments were received regarding any of the parcels recommended for inclusion.

However, written comments were received regarding Neversink #9.-1-14, and incorporated into the written record of the public hearing. With respect to this parcel, there is public concern regarding the use of a residential dwelling for farm vacation rentals, and the use of a barn as a restaurant/ banquet hall. Neither of these uses are permitted within the parcel's zoning district. In addition, there is concern that the applicant has not obtained the proper permits and fire safety equipment, as required by the NYS Building Code. Finally, there is concern because it is unknown whether the applicant has met the NYS Department of Health requirements regarding food preparation, public water supply and sewage disposal.

Also, with respect to Liberty #32.-1-14 and 32.-1-15, residents and a public official have expressed concern due to the fact that the farm is within a residential area. Potential impacts cited by neighbors include odors from compost, an increase in rat population, livestock escapes, and a general decline in the visual quality of the neighborhood which could lead to declining property values. No oral or written comments were received for incorporation into the written record of public hearing. The above concerns were expressed to SC Ag and Farmland Protection Board members and staff before and after the public hearing.

The Department of Agriculture and Markets, as lead agency for the Agricultural Districts Program, has conducted a programmatic review of the environmental effects of agricultural districting and has concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts. It is, however, the responsibility of the agency preparing this form to review the site-specific proposal under consideration to determine if unique circumstances exist which increase the likelihood of environmental significance. If any such circumstances exist, please describe them on the space provided below and explain how the resulting impact will be mitigated. (Refer to the criteria contained in 6NYCRR§ 617.11 for aid in determining the likelihood of significance and whether or not it is material, substantial, large or important.)

### PART III

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

- Since the proposed action will be undertaken by the 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 insure 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

The County Legislative Body of Sullivan County has determined that: (check one)

- The proposed action will not have a significant adverse environmental impact and therefore an Environmental Impact Statement is not required.
- Although unique circumstances beyond those anticipated by the Department of Agriculture and Markets in its programmatic environmental assessment will result from the proposed action, it has been determined that the proposed action will not have a significant adverse environmental impact.
- Due to unique circumstances detailed in Part II, significant environmental impact will result from the proposed action. Therefore, an Environmental Impact Statement will be required and will be prepared or approved by this County Legislative Body prior to undertaking any action.

This Environmental Assessment Form was prepared for the County of Sullivan by Sullivan County Legislature.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Chairman of Legislature



**COUNTY OF SULLIVAN  
LEGISLATIVE MEMORANDUM**

**TO:** County Legislature

**FROM:** Luiz C. Aragon

**Title:** Commissioner

**Department:** Planning & Environmental Management

**COMMITTEE WITH JURISDICTION**

- |   |  |                                       |
|---|--|---------------------------------------|
| <input type="checkbox"/> Community & Economic Development | <input type="checkbox"/> Management & Budget   | <input type="checkbox"/> Public Works |
| <input type="checkbox"/> Executive                        | <input type="checkbox"/> Personnel   | <input type="checkbox"/> Veterans     |
| <input type="checkbox"/> Government Services              | <input checked="" type="checkbox"/> Planning, Environmental Management & Real Property |                                       |
| <input type="checkbox"/> Health & Family Services         | <input type="checkbox"/> Public Safety   |                                       |

Check all that apply

**SUBJECT OF RESOLUTION:** Include viable agricultural land into the Agricultural Districts

**PURPOSE OF RESOLUTION:** Include viable agricultural land into the Agricultural Districts

**DATE OF FIRST SUBMISSION:** July 12, 2012

**BRIEF DESCRIPTION:** Authorize the inclusion of parcels containing predominantly viable agricultural land into Agricultural Districts No. 1 and 4

**COSTS TO OTHER COUNTY PROGRAMS:** None

Mandated     Budgeted     Budget Revision Necessary

**FINANCIAL IMPACT:**

Balance of

**Proiection:**

	YR1	YR2	YR3	YR4
County Cost	\$	\$	\$	\$
State Funds	\$	\$	\$	\$
Federal Funds	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total	\$	\$	\$	\$

**If NONE check here:**

**RESOLUTION NO. INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO INCLUDE VIABLE AGRICULTURAL LAND IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT WITHIN SULLIVAN COUNTY**

**WHEREAS**, Section 303-b of the Agriculture and Markets Law authorizes the inclusion of viable agricultural land into certified agricultural districts; and

**WHEREAS**, the County of Sullivan's Agricultural & Farmland Protection Board has recommended the subject parcels (described in Schedule A, attached) to be added to the existing certified Agricultural District No. 1 and Agricultural District No. 4 within Sullivan County; and

**WHEREAS**, a public hearing was held on the inclusion of these parcels into the existing certified Agricultural District No. 1 and Agricultural District No. 4 on June 21<sup>st</sup>, 2012 at which time all comments were heard by the Sullivan County Legislature; and

**WHEREAS**, all comments and considerations brought to the attention of the Sullivan County Legislature and the Sullivan County Division of Planning and Environmental Management were considered during all phases of the inclusion process, including but not limited to the environmental review process, in determining whether or not the following parcels were to be included in the existing certified Agricultural District No. 1 and Agricultural District No. 4.

**NOW, THEREFORE, BE IT RESOLVED**, that the subject parcels (described in Schedule A, attached) are to be included in the existing certified Agricultural District No. 1 and Agricultural District No. 4.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, put to a vote with \_\_\_\_\_ and declared duly adopted on motion \_\_\_\_\_.



**Schedule A**

**Agricultural District No. 1**

Town of Liberty	32.-3-14
Town of Liberty	32.-3-15
Town of Tusten	7.B-1-15
Town of Tusten	22.-1-18.1
Town of Tusten	22.-1-18.11

**Agricultural District No. 4**

Town of Fallsburg	3.-1-6.22
Town of Neversink	9.-1-14

As portrayed on the Sullivan County Tax Maps on May 3, 2012.



**COUNTY OF SULLIVAN  
LEGISLATIVE MEMORANDUM**

**TO:** County Legislature

**FROM:** Lynda Levine

**Title:** Director

**Department:** Real Property Tax Services

**COMMITTEE WITH JURISDICTION**

- |   |  |                                       |
|---|--|---------------------------------------|
| <input type="checkbox"/> Community & Economic Development | <input type="checkbox"/> Management & Budget   | <input type="checkbox"/> Public Works |
| <input type="checkbox"/> Executive                        | <input type="checkbox"/> Personnel   | <input type="checkbox"/> Veterans     |
| <input type="checkbox"/> Government Services              | <input checked="" type="checkbox"/> Planning, Environmental Management & Real Property |                                       |
| <input type="checkbox"/> Health & Family Services         | <input type="checkbox"/> Public Safety   |                                       |

Check all that apply

**SUBJECT OF RESOLUTION:** **Accept offer from Jewish General Aid Association of Sullivan County**

**PURPOSE OF RESOLUTION:** **Accept offer to transfer property to Jewish General Aid Association of Sullivan County**

**DATE OF FIRST SUBMISSION:** **July 12, 2012**

**BRIEF DESCRIPTION:** accept offer from Jewish General Aid Association of Sullivan County, commonly referred to as the Landfield Ave. Synagogue, to transfer a strip of County owned property currently encumbered by the Landfield Ave. Synagogue. Authorized Chairman of Sullivan County Legislature to execute the necessary documents to convey said strip of land.

**COSTS TO OTHER COUNTY PROGRAMS:** NONE

Mandated     Budgeted     Budget Revision Necessary

**FINANCIAL IMPACT:**

<b>Projection:</b>	<b>YR1</b>	<b>YR2</b>	<b>YR3</b>	<b>YR4</b>
County Cost	\$	\$	\$	\$
State Funds	\$	\$	\$	\$
Federal Funds	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total	\$	\$	\$	\$

**If NONE check here:**

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO ACCEPT AN OFFER FROM THE JEWISH GENERAL AID  
ASSOCIATION OF SULLIVAN COUNTY TO PURCHASE A STRIP OF LAND**

**WHEREAS**, the County of Sullivan owns property in the Village of Monticello designated on the Sullivan County Real Property Tax Map as Town of Thompson 112.-1-12, for purposes of jury parking; and

**WHEREAS**, the Jewish General Aid Association of Sullivan County, commonly referred to as the Landfield Avenue Synagogue (“Synagogue”), owns property adjacent to the County property (THO 112.-1-13) where they inadvertently placed two propane tanks on the County of Sullivan property; and

**WHEREAS**, the Synagogue has offered to purchase a portion of the property consisting of eight feet by thirty-nine feet containing 312 square feet which encompasses the propane tanks, and

**WHEREAS**, a fair market analysis was conducted by County officials and the sum of One Hundred Fifty and 00/100 (\$150.00) Dollars was determined to be fair market price; and

**WHEREAS**, the Real Property Advisory Board and the Sullivan County Division of Public Works discussed this matter and both concur that it is in the best interest of the County of Sullivan to convey the strip of land; and

**WHEREAS**, the Synagogue is responsible to prepare all documents for the conveyance, and pay all necessary fees; and

**WHEREAS**, subsequent to this sale, the Synagogue must request the Village to combine this parcel with the parcel owned by them.

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the above described portion of property to the Synagogue at the agreed upon price of One Hundred Fifty and 00/100 (\$150.00) Dollars.

**BE IT FURTHER RESOLVED**, the purchaser will be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes and water and sewer charges, if any.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012

## S.C.R.P.T.S. DEED/SUBDIVISION REPORT

MONTH OF			June		2012			
			DEEDS			SUBDIVISION LOTS		
SUBDIVISION LOTS	DEEDS	TOWN	MONTH	2011	2012	2011	2012	
	31	BETHEL	JANUARY	198	220	0	6	
	8	CALLICOON	FEBRUARY	194	195	4	4	
	6	COCHECTON	MARCH	188	179	20	16	
	12	DELAWARE	APRIL	199	181	8	8	
3	58	FALLSBURG	MAY	153	205	31	56	
	6	FORESTBURGH	JUNE	262	292	2	22	
	4	FREMONT	JULY	264		6		
	6	HIGHLAND	AUGUST	400		410		
	26	LIBERTY	SEPTEMBER	244		2		
3	11	LUMBERLAND	OCTOBER	198		8		
	25	MAMAKATING	NOVEMBER	239		7		
	11	NEVERSINK	DECEMBER	198		6		
	12	ROCKLAND	TOTAL	2737	1272	504	112	
16	66	THOMPSON						
	10	TUSTEN						
22	292							
			1272 NEW DEEDS FILED IN 2012					
			112 NEW SUBDIVISION LOTS FILED IN 2012					

This report reflects the number of deeds recorded in the County Clerks office for June 2012.

70 County Auction Deed were included in the total deeds for the month of June 2012.

12 units of the 22 Subdivision lots total for June 2012 were Condos.