

## **FACT SHEET: Addition of New Parcels to Westchester County's Agricultural District Number 1**

### **Changes to New York State Agricultural Law**

Westchester County's Agricultural District was certified in April 2001 and went into effect in July 2001. The New York State Agriculture & Markets Law 303, the law pertaining to agricultural districts, requires that agricultural districts be reviewed every eight-years. Westchester's first eight-year review will be conducted by July 2009. This review was historically the only time that new parcels could be added to the District. In December 2002, this law was amended to allow parcels of agricultural land to be added to an existing Agricultural District prior to the established 8-year review date.

In September 2003 the State adopted another amendment to Agriculture & Markets Law 303 outlining procedures to help make this process run more smoothly. This amendment requires each county to offer a 30-day window annually in which new parcels can be submitted for consideration to be added to the existing Agricultural District.

### **When is the 30-day application window?**

In Westchester County the application window will be February 1 to March 2 each year.

### **What do landowners applying to join the Agricultural District need to do?**

- Make a formal request to the Westchester County Board of Legislators (BOL) asking to join the District.
- Send a duplicate request to the Chair of the Westchester County Agricultural & Farmland Protection Board (AFPB).
- The request must include:
  - A. a filled out and signed worksheet titled "*Application for Addition of Land to an Existing Agricultural District*". The information collected on the worksheet will help with the review process and includes:
    - Contact information
    - A description of the land and its boundaries
    - Identification (Section, Block, & Lot) of the tax parcel(s)
    - Description current agricultural activities for each parcel
    - Description of future plans
  - B. A tax parcel map showing all parcels must also be included. Copies of tax parcel maps can be obtained from the local assessors' office.

### **What will we the AFPB do when we receive your request?**

When we the AFPB receive your worksheet we will review your request. We may contact you to arrange for a visit to your property. We may request your presence at an AFPB meeting to discuss your request in person. We will then vote on whether to recommend your proposal to the Westchester County BOL.

### **What does the Westchester County Board of Legislators (BOL) do after they receive your request?**

- The Westchester County BOL records each application and reviews the recommendations of the AFPB. They will also set the date for a public hearing.
- At the public hearing the Westchester County BOL will listen to public comment and adopts or rejects the proposals.
- If the applications are adopted they are sent to the Commissioner of New York State Department of Agriculture & Markets for certification. As soon as the Commissioner has certified the additions they are considered part of the existing Agricultural District.

**How long will the process take?**

The State has outlined a process that will take 180 days with day one being the first day of the 30-day submission period. With the application window of February 1 to March 3, the completion of this process is anticipated to be July 30, but will be dependent on Board meeting and public hearing dates.

**How will Landowners be informed throughout the process?**

You will receive:

- Notice of application receipt. If anything is missing from you application it will be requested at this time (who does this; should be included in role of appropriate Board; how long does applicant have to provide correct info).
- Notice of the Public Hearing date.
- Notice of approval or disapproval of your application upon certification by the Commissioner of New York State Department of Agriculture and Markets.

**When is Westchester County’s Agricultural District scheduled for review?**

Westchester County’s Agricultural District was set up in 2001 and is scheduled for review in 2009. At that time parcels wishing to remain in the District must re-apply. A reminder will be sent out to Agricultural District members. The Agriculture and Farmland Protection Board is responsible for reviewing each parcel and recommending re-certification.

**Timeline as Outlined in the Law**

<b>DAY</b>	<b>ACTION</b>
1 to 30	Open period for new requests to join Westchester County's Agricultural District Number 1. Landowners will send completed submission forms to the Westchester County Board of Legislators (BOL) with a copy sent to the Chair of the Westchester County Ag & Farmland Protection Board (AFPB).
31 to 60	All requests will be reviewed by the AFPB. A report with the AFPB’s recommendations will be made to the Westchester County Board of Legislators. The date for the Public Hearing will be published.
61 to 150	The Public Hearing will be held and the Board of Legislators will either adopt or reject the proposed parcels. After adoption, the BOL will submit their resolution, the AFPB's report, the Tax Parcel (Section, Block, & Lot(s)) ID's and Tax Maps for each parcel to the Commissioner of New York State Department of Agriculture and Markets.
151 to 180	The Commissioner of New York State Department of Agriculture and Markets will certify the new parcels and on that day these parcels become part of Westchester County's Agricultural District Number 1.

**Important Contact Information**

<b>Agricultural &amp; Farmland Protection Board</b> c/o Westchester County Department of Planning 148 Martine Ave., Room 432 White Plains, NY 10601	<b>Westchester County Board of Legislators</b> 148 Martine Ave, 8 <sup>th</sup> Floor White Plains, NY 10601
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Forms and information are available by calling (914) 995-4400 or visiting [www.westchestergov.com](http://www.westchestergov.com). Please send copy of completed submission materials to both the BOL and the AFPB.