

Agenda

Planning & Economic Development Committee

March 16, 2022, 6:00 p.m., Legislative Chambers

Livestreamed on Facebook

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (2/16/22)
- C. Privilege of the Floor
- 1. Proposed Resolution – Confirm Re-Appointments – Chautauqua County Soil and Water Conservation District Board of Directors
- 2. Proposed Resolution – Confirm Appointment and Re-Appointments – Chautauqua County Food Policy Council
- 3. Proposed Resolution – Confirm Appointment - Chautauqua County Industrial Development Agency Board
- 4. Proposed Resolution – Appointing a Chautauqua County Director to the Western Regional Off-Track Betting Corporation
- 5. Proposed Resolution – Amend 2022 Occupancy Tax Budget to Implement the Soil & Water Conservation District Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan
- 6. Proposed Resolution – Authorizing Public Hearing Regarding a Potential Application for 2022 CDBG-CV Funding
- 7. Proposed Resolution – Authorizing the Adoption of a Fair Housing Plan in Connection with Community Development Block Grant (CDBG) Funding
- 8. Proposed Resolution – Accept State Environmental Quality Review (SEQR) of Agricultural District Review
- 9. Proposed Resolution – Proposed Agricultural District Modifications and Consolidation Determination

10. Proposed Resolution – Accept State Environmental Quality Review (SEQR) of Proposed 2022 Agricultural District Inclusions
11. Proposed Resolution – 2022 Agricultural District Inclusions Determination
12. Proposed Resolution – Designate Chautauqua County Legislature as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trails Modifications for 2022
13. Other

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

PMW 3/9/22

TITLE: Confirm Re-Appointments – Chautauqua County Soil and Water Conservation District Board of Directors

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Soil and Water Conservation District Board of Directors.

Legislator Frank J. Gould
70 Hoag Road
Ashville, NY 14710
Term Expires: 12/31/22
(Re-Appointment)

Legislator Lisa Vanstrom
55 Plummer Avenue
Jamestown, NY 14701
Term Expires: 12/31/22
(Re-Appointment)

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**



TITLE Appointing a Chautauqua County Director to the Western Regional Off-Track Betting Corporation

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: Chairman Pierre E. Chagnon:

WHEREAS, the position of Chautauqua County Director for the Western Regional Off-Track Betting Corporation is vacant due to the unfortunate passing of Allan Hendrickson, Jamestown, N.Y. effective February 13, 2022, and

WHEREAS, it is in the best interest of Chautauqua County to appoint a new member to replace Mr. Hendrickson to continue the effective representation of our County on this important corporation, therefore be it

RESOLVED, The Chautauqua County Legislature hereby appoints Legislator Tom Harmon, 72 Lake Avenue Ext., Silver Creek, N.Y. 14136 as the Chautauqua County Director to the Western Regional Off-Track Betting Corporation and that his term shall begin March 23, 2022.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2022 Occupancy Tax Budget to Implement the Soil & Water Conservation District Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

BY: Planning and Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of \$24,600,000 in ARPA funding, of which \$18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining \$6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Soil & Water Conservation District project, identified as one of the priority projects recommended in Resolution 202-21, and is ready to proceed; and

WHEREAS, the Environmental Review was completed for the project which was determined to be a Type II Action in accordance with 6 NYCRR Part 617.5 (c)(a); and

WHEREAS, budget amendments are necessary to authorize spending for the project(s); therefore be it

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Soil & Water Conservation District project:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning, Watershed Administration \$250,000

INCREASE REVENUE ACCOUNT:

A.8020.WTRS.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds \$250,000

; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO	YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO	YES
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	NO	YES	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p>	<p>YES</p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p>	<p>YES</p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p>	<p>YES</p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

Project:

Date:

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or 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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

Short Environmental Assessment Form 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.

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.

Name of Lead Agency

Date

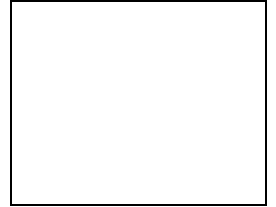
Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**



TITLE: Authorizing Public Hearing Regarding a Potential Application for 2022 CDBG-CV Funding

BY: Planning and Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the NYS Homes and Community Renewal’s Office of Community Renewal (“OCR”) administers Community Development Block Grant (“CDBG”) funding to support communities throughout the state by providing funding for decent housing and suitable living environments for low-and moderate-income persons; and

WHEREAS, The 2020 Coronavirus Aid, Relief, and Economic Security Act, or commonly referred to as the CARES Act, allows CDBG-CV funds to be used to prepare, prevent, and/or respond to the COVID-19 pandemic; and

WHEREAS, the County wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for a grant to implement small business assistance program(s); and

WHEREAS, the County is required prior to submitting an application for CDBG funding to hold a public hearing pursuant to 24 CFR §§ 570.431 and 570.486 to provide information to the public on the CDBG program and the proposed project, and to accept public comments regarding community needs; now therefore be it

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 27, 2022, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed CDBG funding application; and be it further

RESOLVED, That at least eight (8) days’ notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County’s website, and by publishing such notice at least once in the official newspaper of the County.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorizing the Adoption of a Fair Housing Plan in Connection with Community Development Block Grant (CDBG) Funding

BY: Planning and Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County (the “County”) has been awarded several grants from the New York State Housing Trust Fund Corporation (hereinafter the “HTFC”) represented by the New York State Office of Community Renewal (hereinafter the “OCR”) through the Community Development Block Grant (hereinafter “CDBG”) Program; and

WHEREAS, OCR requires that a municipality receiving a grant of CDBG funds adopt a Fair Housing Plan and appoint a Fair Housing Officer; and

WHEREAS, the County wishes to adopt a Fair Housing Plan in order to meet OCR requirements and facilitate disbursement of the CDBG funding; now therefore be it

RESOLVED, That the County Legislature hereby adopts the Fair Housing Plan, as presented to the Legislature; and be it further

RESOLVED, That the Director of the Department of Planning & Development, or his/her designee, is appointed as the County’s Fair Housing Officer.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

FAIR HOUSING PLAN
CHAUTAUQUA COUNTY

I. Introduction

Chautauqua County understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the City has developed this Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

II. Availability Of Information

The County of Chautauqua's Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the County of Chautauqua has taken, or will take the following actions:

A. *Appoint a Fair Housing Officer*

The Fair Housing Officer, the Director of the Department of Planning & Development or his/her designee, appointed by the Chautauqua County Legislature, has the following responsibilities:

1. Maintain Federal and State fair housing information in the Community Development Department including brochures issued by the U. S. Department of Housing and Urban Development (HUD) and the New York State Division of Human Rights.
2. Record initial information regarding housing discrimination complaints on a standard form.
3. Forward copies of all complaints to and, as appropriate, consult with the Fair Housing/Equal Opportunity Division of the applicable HUD Office.

B. *Provide Information*

The County of Chautauqua will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968,

Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York.

C. *Promote Fair Housing Activities and Available Resources*

The County of Chautauqua will annually designate the month of April as *Fair Housing Month* and will promote said designation through legislative proclamation.

The County of Chautauqua will further promote fair housing and housing resources by posting Fair Housing posters in visible locations within all Municipal buildings.

III. Discrimination Complaints

The County of Chautauqua will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing.

A. *Discriminatory Housing Practices*

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, handicap or familial status.

B. *Receiving Complaints*

The Fair Housing Officer will record information on a standard form to ensure that a complete file is established. Following this, the Fair Housing Officer will then contact the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method. Copies of all complaints will also be forwarded to the Fair Housing and Equal Opportunity Division of the HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to Federal Court, the County of Chautauqua will refer the complainant to the local Bar Associations for information on the appropriate procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate-income.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Agricultural District 8-Year Review and Consolidation - Chautauqua County Agricultural and Farmland Protection Board			
Name of Action or Project: Agricultural District 8-Year Review and Consolidation			
Project Location (describe, and attach a location map): All Agricultural District (1, 2, 6, 7, 8, 10, 11, 12, and 13) within Chautauqua County (see attached maps)			
Brief Description of Proposed Action: In accordance with New York State Agriculture and Markets Law (AML), Article 25AA Section 303-a, the Chautauqua County Agricultural and Farmland Protection Board (AFPB) reviewed the proposals regarding modifications to the Chautauqua County's agricultural districts in April 2021. In accordance with the AML Article 25AA Section 303-c, AFPB has also reviewed the Chautauqua County agricultural district consolidation plan passed by the Chautauqua County Legislature in 2015 (resolution no. 208-15). The Chautauqua County Department of Planning and Development (CCDPD) prepared a report, reviewing the current state of agriculture and described the results of the 8-year review process. The following modifications were approved by AFPB: Parcels to be added to District 2: 130.02-2-3, 130.02-2-4, and 131.00-1-5; parcels to be removed from District 1: 193.09-1-14 and 193.00-1-41; and according to the District Consolidation Plan enacted by the County Legislature in 2015, the remaining 9 districts will be consolidated into 4 districts, this is only an administrative change, and will not affect the status of land, the new 8-year review anniversary dates are as follows: District 1(Districts 1 & 2 merged) - 1/5/2029, District 7 (Districts 6 & 7 merged) - 9/13/2023, District 8 (Districts 8, 11 & 12 merged) - 2/24/2025 and District 10 (Districts 10 & 13 merged) - 2/6/2027. AFPB recommended the County to accept the modifications and consolidations listed above.			
Name of Applicant or Sponsor: Chautauqua County Agricultural and Farmland Protection Board		Telephone: 716-661-8245 E-Mail: sharp1@chqgov.com	
Address: 201 West Third Street			
City/PO: Jamestown		State: New York	Zip Code: 14701
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ul style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Lauren Sharp</u> Date: <u>2/24/2022</u></p> <p>Signature: _____ Title: <u>Planning Technician</u></p>		

Legend

Parcels



Ag. Districts



2



10



130.02-2-3
130.02-2-4
131.00-1-5



Chautauqua County
Department of Planning
& Development

Agricultural District 8-Year Review & Consolidation
District 2 Additions
Parcels: 130.02-2-3, 130.02-2-4, & 131.00-1-5

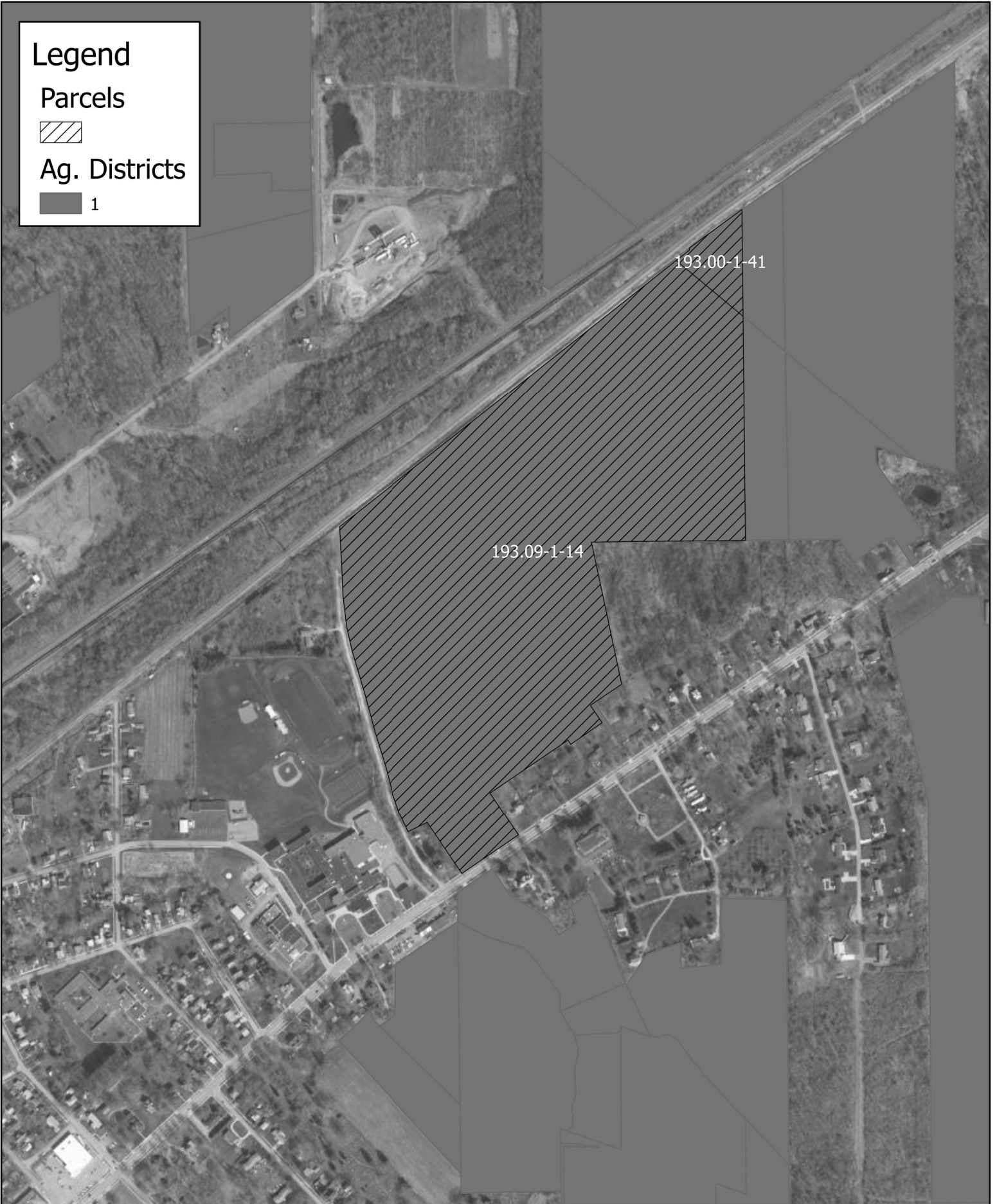


Legend

Parcels



Ag. Districts



193.00-1-41

193.09-1-14



Chautauqua County
Department of Planning
& Development

Agricultural District 8-Year Review & Consolidation
District 2 Additions
Parcels: 193.09-1-14 & 193.00-1-41



Legend

Ag. Districts

- 1
- 2
- 6
- 7
- 8
- 10
- 11
- 12
- 13







Chautauqua County
Department of Planning
& Development

Agricultural District 8-Year Review & Consolidation
Existing 9 Districts
Prior to Consolidation



Legend

Ag. Districts

-  1
-  7
-  8
-  10



Chautauqua County
Department of Planning
& Development

Agricultural District 8-Year Review & Consolidation
Consolidated 4 Districts
After Consolidation



Part 1 Question 1 Narrative

The following is a list of the modifications approved by AFPB. Modifications to add or remove parcels from the agricultural district is at the request of the landowner.

1. Parcels to be **added** to District 2: 130.02-2-3, 130.02-2-4, and 131.00-1-5
2. Parcels to be **removed** from District 1: 193.09-1-14 and 193.00-1-41
3. According to the District Consolidation Plan enacted by the County Legislature in 2015, the remaining 9 districts will be consolidated into 4 districts. This is only an administrative change, and will not affect the status of land. The new 8-year review anniversary dates are as follows:
 - a. District 1 (Districts 1 & 2 merged) – 1/5/2029
 - b. District 7 (Districts 6 & 7 merged) – 9/13/2023
 - c. District 8 (Districts 8, 11 & 12 merged) – 2/24/2025
 - d. District 10 (Districts 10 & 13 merged) – 2/6/2027

AFPB recommended the County to accept the modifications and consolidations listed above.

Consolidated District 1 covers the Towns of Dunkirk, Hanover (Village of Silver Creek), Pomfret (Village of Fredonia), Portland (Village of Brocton), Ripley, Sheridan, and Westfield (Village of Westfield), and the City of Dunkirk. Within the City of Dunkirk and the Village of Silver Creek there are no parcels in the District. The City of Dunkirk, Towns of Dunkirk, Hanover, Pomfret, Portland, Sheridan, Westfield, and Ripley and Villages of Silver Creek and Westfield have coastal areas on Lake Erie and currently the some of the municipalities are working on establishing a Local Waterfront Revitalization Program. The present land uses that occur on adjoining or near the proposed action includes residential, industrial, commercial, agriculture and park/forest/open space within the Consolidated District 1.

The current total number of acres in District 1 prior to modification is 53,630 and in District 2 is 59,942. The proposed additions to District 1 add 7.25 acres and the proposed removals to District 2 remove 76 acres. The new total acres within the Consolidated District 1 will be 113,503.25.

Consolidated District 7 covers the Towns of Clymer, French Creek, Harmony (Village of Panama), North Harmony, Mina, and Sherman (Village of Sherman). Only the Town of North Harmony has coastal areas on Chautauqua Lake and Chautauqua Lake has an approved Local Waterfront Revitalization Program. The present land used that occur on adjoining or near the proposed action includes residential, industrial, commercial, agriculture and park/forest/open space within the Consolidated District 7.

The current total number of acres in District 6 prior to modifications is 40,143 and in District 7 is 54,334. The new total acres within the Consolidated District 7 will be 94,477.

Consolidated District 8 covers the Towns of Busti (Village of Lakewood), Carrol, Chautauqua (Village of Mayville), Ellery (Village of Bemus Point), Ellicott (Villages of

Celoron and Falconer), Kiantone, Poland, and Stockton (Village of Cassadaga) and City of Jamestown. Within the City of Jamestown and Villages of Bemus Point, Cassadaga, Celoron, Falconer, Lakewood, and Mayville there are no parcels in the District. The Towns of Busti, Chautauqua, Ellery and Ellicott including the Villages of Bemus Point, Celoron, Lakewood and Mayville have coastal areas on Chautauqua Lake and Chautauqua Lake has an approved Local Waterfront Revitalization Program. The present land used that occur on adjoining or near the proposed action includes residential, industrial, commercial, agriculture and park/forest/open space within the Consolidated District 8.

The current total number of acres in District 8 prior to modifications is 52,423, in District 11 is 21,313 and in District 12 is 25,356. The new total acres within the Consolidated District 8 will be 99,092.

Consolidated District 10 covers the Towns of Arkwright, Charlotte (Village of Sinclairville), Cherry Creek, Ellington, Gerry (Village of Sinclairville) and Villenova. There is no coastal areas within these municipalities. The present land used that occur on adjoining or near the proposed action includes residential, industrial, commercial, agriculture and park/forest/open space within the Consolidated District 10.

The current total number of acres in District 10 prior to modifications is 60,595 and in District 13 is 24,219. The new total acres within the Consolidated District will be 84,814.

This action only involves the modification and consolidation of a county-adopted State-certified agricultural district pursuant to NYS Agriculture and Markets Law (AML) Article 25AA section 303-a and 303-c.

This action is compatible with the Chautauqua County's Agricultural and Farmland Protection Plan from September 2000. "Strategy: Reaffirm the Importance of Agriculture and It's Attributes in Chautauqua County... Actions: Suggested and Existing... Agricultural Districts: Continue legislative and community support for inclusion of currently non-agricultural district farmland into current agricultural districts and for the renewal of current Agricultural Districts." (page 39)

The Clerk of the Legislature contact information:

Olivia Lee, Clerk of the Legislature
Gerace Office Building
3 North Erie Street
Mayville, New York 14757
Email: LeeO@chqgov.com
Phone: 716-753-4541

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or 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 it fails 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"/>

Project:

Date:

Short Environmental Assessment Form 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 proposed modifications and consolidations are to the existing agricultural districts in Chautauqua County. The modifications to add or remove parcels from the agricultural district is at the request of the landowner. The parcels being added are adjoining to the existing boundaries of agricultural district #2. According to the District Consolidation Plan enacted by the County Legislature in 2015, the remaining nine districts will be consolidated into 4 districts. This is an only administrative change, and will not affect the status of land. The current use of the land is not anticipated to change because of this action. The proposed action will result in no significant environmental impact.

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.

Chautauqua County

3/23/2022

Name of Lead Agency

Date

Paul M. Wendel, Jr.

Chautauqua County Executive

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 3/7/22

TITLE: Proposed Agricultural District Modifications and Consolidation Determination

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to perform an eight-year review of each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, a comprehensive eight-year review of Chautauqua County's agricultural districts was conducted in 2021; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-c, consolidations of agricultural districts are considered modifications to the district boundaries; and

WHEREAS, pursuant to Resolution No. 208-15, Chautauqua County accepted a plan to consolidate the agricultural districts into districts No. 1, 7, 8, and 10; and

WHEREAS, the Chautauqua County Agricultural and Farmland Protection Board reviewed submitted proposals to modify and consolidate the agricultural district boundaries, and recommended to the Chautauqua County Legislature that the modification of the agricultural district boundaries serves the public interest; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act (SEQR) have been considered, processed, and completed by Chautauqua County, and the Chautauqua County Agricultural and Farmland Protection Board report has been filed with the County Legislature; and

WHEREAS, the required public hearing was held on March 23, 2022, in order to gather input from landowners in the districts; now therefore be it

RESOLVED, That it is the determination of the Chautauqua County Legislature to modify and consolidate the Chautauqua County agricultural districts into Districts No. 1, 7, 8, and 10, in accordance with the recommendations of the Chautauqua County Agricultural and Farmland Protection Board and input gathered from the public hearing:

- 1) Consolidate Chautauqua County Agricultural District No. 1, which includes the Towns of Portland, Ripley and Westfield, with Chautauqua County Agricultural District No. 2, which includes the Towns of Dunkirk, Hanover, Pomfret and Sheridan and the City of Dunkirk, with Chautauqua County Agricultural District No. 1 serving as the parent district and to be known as Consolidated District No. 1 with a new anniversary date of 1/2/2029;

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

- 2) Consolidate Chautauqua County Agricultural District No. 6, which includes the Towns of Harmony, North Harmony and Sherman, with Chautauqua County Agricultural District No. 7, which includes the Towns of Clymer, French Creek and Mina, with Chautauqua County Agricultural District No. 7 serving as the parent district and to be known as Consolidated District No.7 with a new anniversary date of 9/23/2023;
- 3) Consolidate Chautauqua County Agricultural District No. 8, which includes the Towns of Chautauqua, Ellery and Stockton, with Chautauqua County Agricultural District No. 11, which includes the Towns of Ellicott and Poland and the City of Jamestown, and with Chautauqua County Agricultural District No. 12, which includes the Towns of Busti, Carrol and Kiantone, with Chautauqua County Agricultural District No. 8 serving as the parent district and to be known as Consolidated District No. 8 with a new anniversary date of 2/24/2025;
- 4) Consolidate Chautauqua County Agricultural District No. 10, which includes the Towns of Arkwright, Cherry Creek and Ellington, with Chautauqua County Agricultural District No. 13, which includes the Towns of Charlotte and Gerry, with Chautauqua County Agricultural District No. 10 serving as the parent district and to be known as Consolidated District No. 2 with a new anniversary date of 2/6/2027;

and it is further

RESOLVED, That the Clerk of the County Legislature be and hereby is directed to file this resolution, the Chautauqua County Agricultural and Farmland Protection Board report, and tax maps with the tax map identification numbers for each parcel, and all things necessary to be filed with the Commissioner of Agriculture and Markets for final certification.

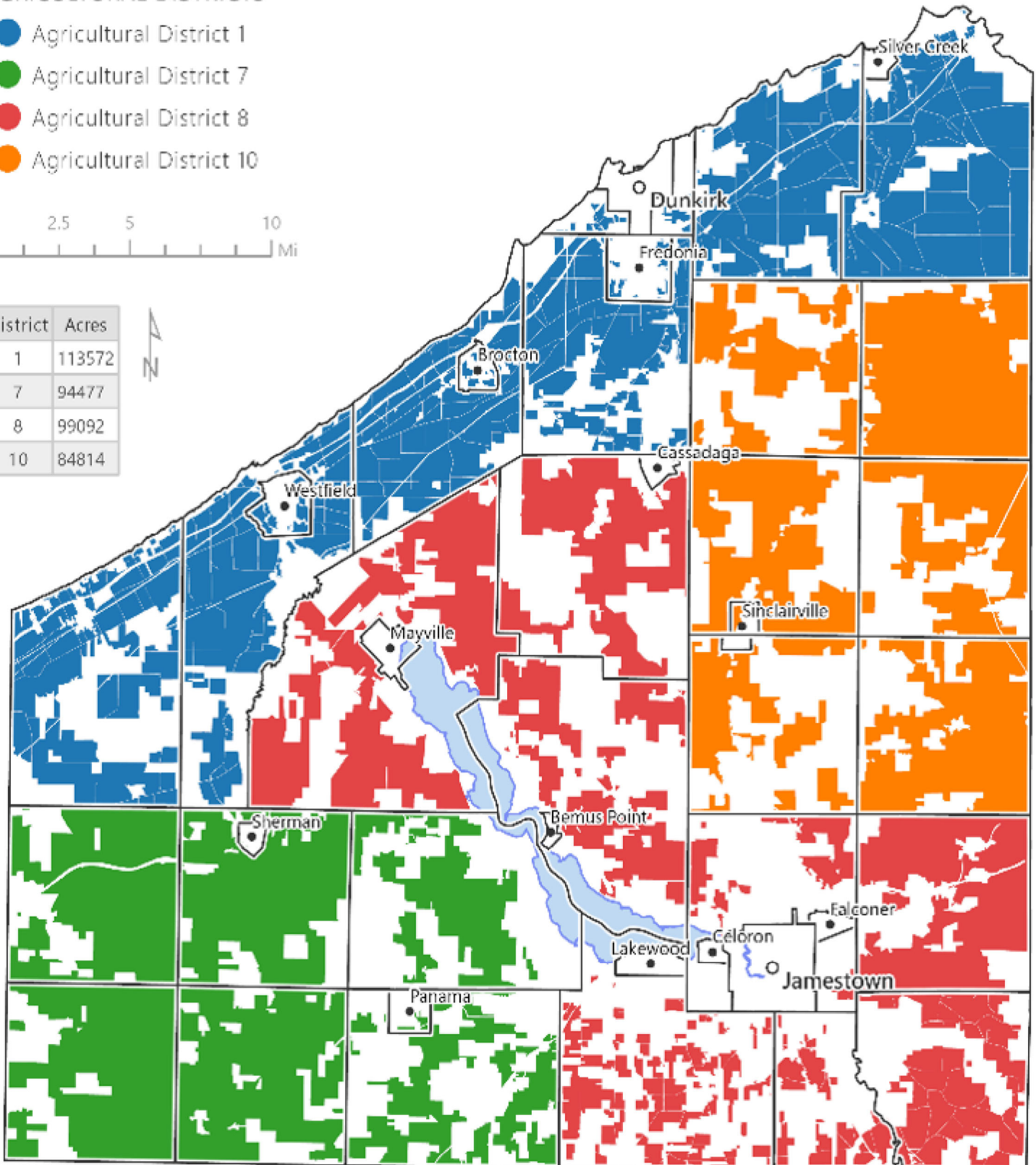
AGRICULTURAL DISTRICTS

AGRICULTURAL DISTRICTS

- Agricultural District 1
- Agricultural District 7
- Agricultural District 8
- Agricultural District 10



District	Acres
1	113572
7	94477
8	99092
10	84814



CHAUTAUQUA COUNTY
RESOLUTION NO. _____

PMW 3/7/22

TITLE: Accept State Environmental Quality Review (SEQR) of Proposed 2022
Agricultural District Inclusions

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 7, 8 and 10; and

WHEREAS, pursuant to 6 NYCRR 617 of the implementing regulations pertaining to the New York State Environmental Quality Review Act (SEQR) of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying the Chautauqua County's agricultural district boundaries; and

WHEREAS, the modification of an agricultural district's boundaries is considered an unlisted action and as such the criteria of 6 NYCRR 617.7 must be used to determine the degree of environmental impact; and

WHEREAS, the Chautauqua County Department of Planning and Development has prepared a short Environmental Assessment Form (EAF) for consideration by the Chautauqua County Legislature with said EAF indicating that the probability of any adverse impact of proposed modifications to the agricultural districts is very low; and

WHEREAS, the Chautauqua County Legislature has reviewed the EAF and supporting documentation, copies of which are attached; now therefore be it

RESOLVED, That the Chautauqua County Legislature has determined that the modification of the agricultural district boundaries into Chautauqua County Agricultural Districts No. 8 will not have a significant impact and the County Executive is hereby authorized to execute a "Negative Declaration" for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

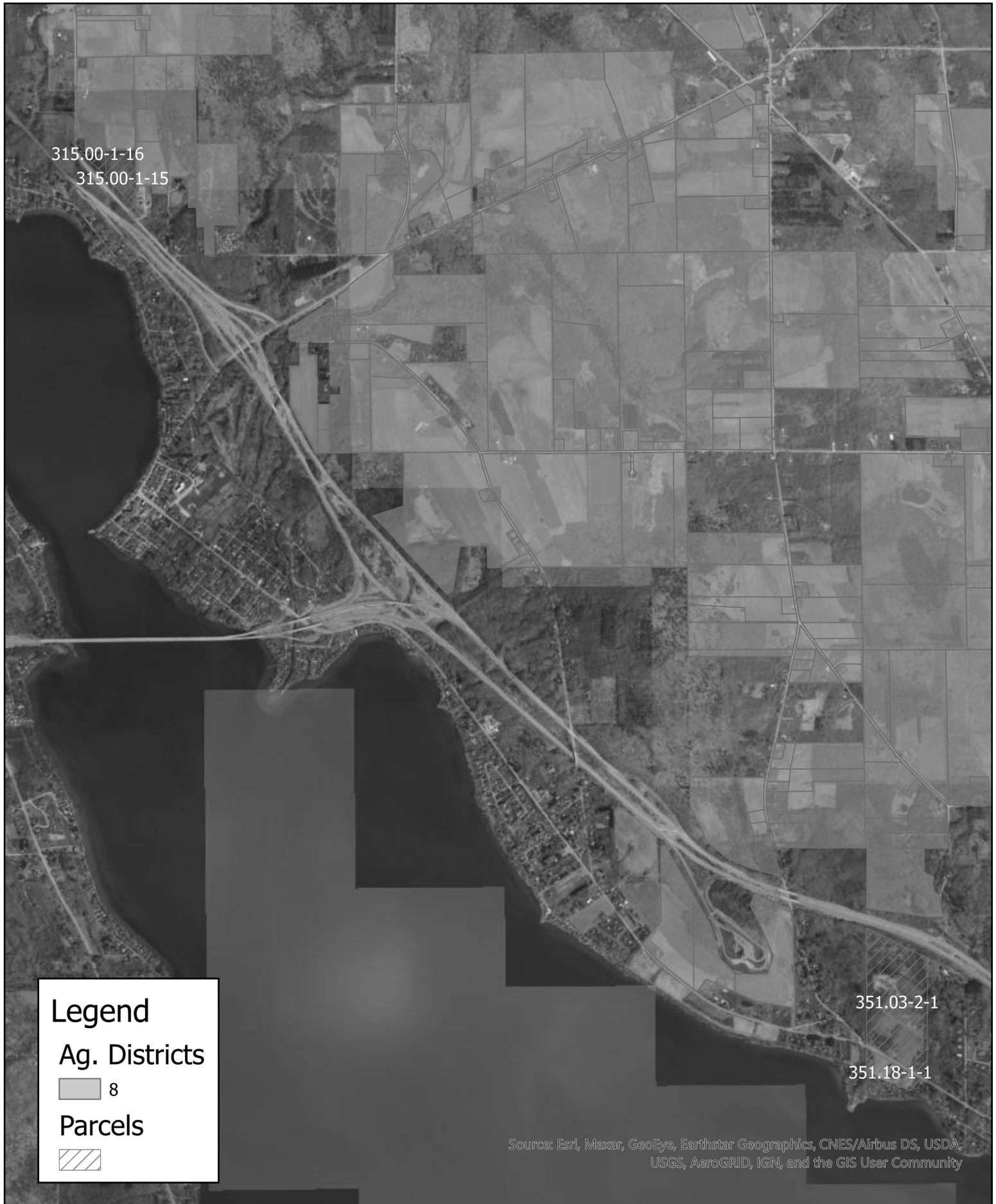
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
2022 Agricultural District Inclusions - Chautauqua County Agricultural and Farmland Protection Board			
Name of Action or Project: 2022 Agricultural District Inclusion			
Project Location (describe, and attach a location map): Agricultural District #8 within the Town of Ellery (see attached map for specific parcels)			
Brief Description of Proposed Action: In accordance with Chautauqua County Legislature Resolution no. 280-3, designated January 2 through January 31 as Chautauqua County's annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District, requests were received by the Chautauqua County Department of Planning and Development (CCDPD). In accordance with New York State Agriculture and Markets Law, Article 25AA Section 303-b, the Chautauqua County Agricultural and Farmland Protection Board (AFPB) reviewed the proposals regarding inclusions to the Chautauqua County's agricultural districts on February 3, 2022. CCDPD prepared a report summarizing all inclusion requests for the AFPB's review. The requests for inclusion of lands into the existing agricultural district were considered on the basis of the land being predominately viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural district. The following parcels were approved for inclusion by AFPB: 315.00-1-15, 315.00-1-16, 351.03-2-1, and 351.18-1-1. AFPB recommended to the County to accept the requests listed above into existing agricultural district #8.			
Name of Applicant or Sponsor: Chautauqua County Agricultural and Farmland Protection Board		Telephone: 716-661-8245 E-Mail: sharp1@chqgov.com	
Address: 201 West Third Street			
City/PO: Jamestown		State: New York	Zip Code: 14701
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Lauren Sharp</u> Date: <u>2/24/2022</u> Signature: _____ Title: <u>Planning Technician</u>		




315.00-1-16
315.00-1-15


351.03-2-1
351.18-1-1

Legend

Ag. Districts

 8

Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Chautauqua County
Department of Planning
& Development

State Environmental Quality Review
Agricultural District 2022 Inclusion Period
Requested Parcels



Part 1 Question 1 Narrative

The following is a list of the requests approved for inclusion by AFPB.

1. A request from M. Erickson for the inclusion of two (2) parcels to be added to the Agricultural District #8. Both parcels are located in the Town of Ellery. The parcels are identified as 351.03-2-1 which is 66.5 acres and 351.18-1-1 which is 10 acres. The parcels are rented to a livestock and produce producer in Chautauqua County and currently used for corn and hay production.
2. A request from K. Sparn, Jr. for the inclusion of two (2) parcels to be added to the Agricultural District #8. Both parcel are located in the Town of Ellery. The parcels are identified as 315.00-1-15 which is 11.1 acres and 315.00-1-16 which is 3.7 acres. The parcels are currently used for tree production.

AFPB recommended the County to accept the requests listed above into Agricultural District #8.

The proposed inclusion requests are located in the County of Chautauqua and within the Town of Ellery. The Town of Ellery does have coastal areas on Chautauqua Lake and Chautauqua Lake has an approved Local Waterfront Revitalization Program. The present land uses that occur on adjoining or near the proposed inclusion parcels includes residential, agriculture and park/forest/open space. This action only involves the modification of a county-adopted State-certified agricultural district pursuant to NYS Agriculture and Markets Law (AML) Article 25AA section 303-b.

The current total number of acres in the existing agricultural district prior to modification is 99,092 acres. This proposed action, will result in a change in the size of the agricultural district by an increase of 91.3 acres. The new total acres within existing agricultural district #8 will be 99,183.3.

This action is compatible with the Chautauqua County's Agricultural and Farmland Protection Plan from September 2000. "Strategy: Reaffirm the Importance of Agriculture and It's Attributes in Chautauqua County... Actions: Suggested and Existing... Agricultural Districts: Continue legislative and community support for inclusion of currently non-agricultural district farmland into current agricultural districts and for the renewal of current Agricultural Districts." (page 39)

The Clerk of the Legislature contact information:

Olivia Lee, Clerk of the Legislature
Gerace Office Building
3 North Erie Street
Mayville, New York 14757
Email: LeeO@chqgov.com
Phone: 716-753-4541

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or 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 it fails 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"/>

Project:

Date:

Short Environmental Assessment Form 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 proposed inclusion request to the existing agricultural districts in Chautauqua County were at the request of the landowners. The proposed parcels are adjoining to the existing boundaries of agricultural district #8 barring existing roadways. The current use of the land is not anticipated to change because of this action. The proposed action will result in no significant environmental impact.

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.

Chautauqua County

3/23/2022

Name of Lead Agency

Date

Paul M. Wendel, Jr.

Chautauqua County Executive

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 3/7/22

TITLE: 2022 Agricultural District Inclusions Determination

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 7, 8 and 10; and

WHEREAS, Article 25AA of the Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03, the Chautauqua County Legislature designated January 2 through January 31 as Chautauqua County's annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, in accordance with NYS Agriculture and Markets Law Section 303-b, an inclusion of viable agricultural land in Chautauqua County's agricultural districts was conducted in 2022; and

WHEREAS, the Chautauqua County Legislature received a request to include the proposed inclusion parcels listed below into an existing agricultural district; and

Ag. District	Parcel #	Landowner	Acres
8	351.03-2-1	M. Erickson	66.5
8	351.18-1-1	M. Erickson	10
8	315.00-1-15	K. Sparn, Jr.	11.1
8	315.00-1-16	K. Sparn, Jr.	3.7

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted inclusion requests and recommended to the Chautauqua County Legislature that the modification of the agricultural district boundaries serves the public interest; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act (SEQR) have been considered and processes have been completed by Chautauqua County; and

WHEREAS, the required public hearing was held on March 23, 2022, in order to gather input from landowners in the districts; now therefore be it

RESOLVED, That is it the determination of the Chautauqua County Legislature to modify Chautauqua County Agricultural District No. 8 to include the proposed inclusion parcels listed above in accordance with the recommendations of the Chautauqua County Agriculture and Farmland Protection Board and input gathered from the public hearing; and it is further

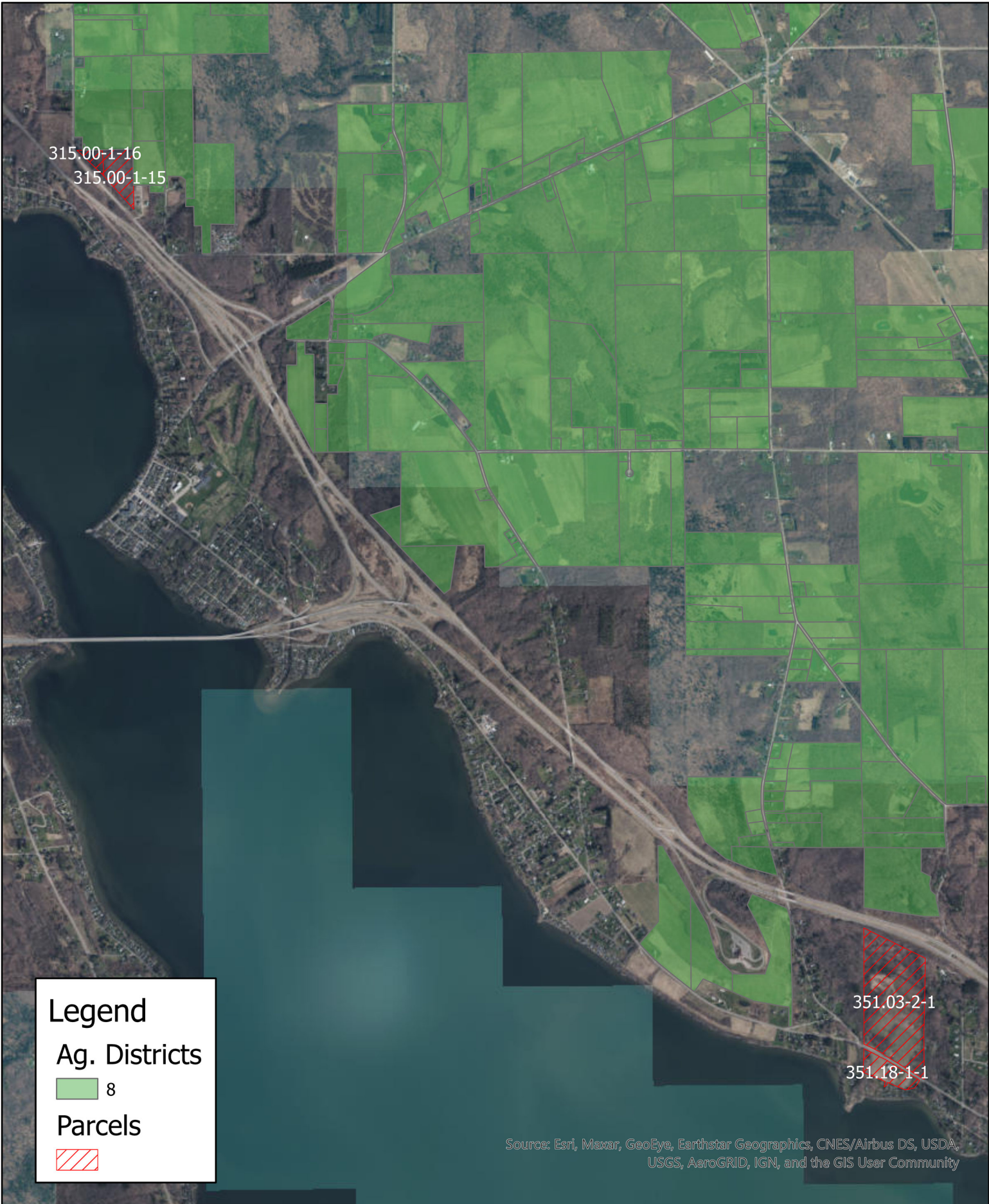
RESOLVED, That the Clerk of the County Legislature be and hereby is directed to file this resolution, the Chautauqua County Agriculture and Farmland Protection Board recommendation, and tax maps with the tax map identification numbers for each parcel, and all things necessary to be filed with the Commissioner of Agriculture and Markets for final certification.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date



315.00-1-16
315.00-1-15

351.03-2-1
351.18-1-1

Legend

Ag. Districts

 8

Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Chautauqua County
Department of Planning
& Development

Agricultural District 2022 Inclusion Period
Requested Parcels
Reference Map



CHAUTAUQUA COUNTY
RESOLUTION NO. _____

PMW 3/7/22

TITLE: Designate Chautauqua County Legislature as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trails Modifications for 2022

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservations (NYS OPRHP) New York State Snowmobile Trails Grant-in-Aid Program (Program); and

WHEREAS, the Program requires individual participating snowmobile clubs to GPS their trails at a minimum of every three years; and

WHEREAS, the Program recommends snowmobile clubs stagger their Global Positioning System (GPS) data collection efforts resulting in reroutes/changes in trails every year to be processed by the Department of Planning and Development (DPD); and

WHEREAS, the State Environmental Quality Review (SEQR) requires reroutes or expansions of the existing trail system to have an environmental assessment; and

WHEREAS, NYS OPRHP recommends obtaining a SEQR determination prior to receiving approval for trails submitted as part of Phase I of the Program which is recommended to avoid delays or rejection; and

WHEREAS, the DPD anticipates completing one or more SEQR processes each year for the state funded snowmobile trails; and

WHEREAS, the environmental assessment is the responsibility of an agency which undertakes an action to be the lead agency in the SEQR process; and

WHEREAS, final SEQR determination(s) would be required to be reviewed by the Chautauqua County Legislature prior to authorization by the County Executive for specific proposed action; now therefore be it

RESOLVED, That Chautauqua County does hereby agree to act as the SEQR Lead Agency for the 2022-2023 Program year, and as such is authorized to comply with all SEQR requirements for all new snowmobile trails within Chautauqua County applying for State funding and any reroutes or changes to an existing trail receiving State funding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date