

INTRO 15-7

**A Resolution to be Submitted by
Legislator Miller-Williams**

Re: Modification of Agricultural District Elma No. 13

WHEREAS, Elma Agricultural District No. 13 (the "district") was initially created on June 20, 1979 pursuant to New York State Agriculture and Markets Law ("Agriculture and Markets Law") Section 303; and

WHEREAS, the district has been recertified every eight years thereafter pursuant to Agriculture and Markets Law Section 303-a(1); and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-a(2) the Erie County Legislature adopted Intro 3-3 (2011) on February 3, 2011 to give the required public notice, direct the Erie County Agricultural and Farmland Protection Board to prepare report on the district and set a public hearing for February 17, 2011; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2)(a) the Erie County Legislature published a public notice and hearing notice in a newspaper having a general circulation within the district; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2)(c) on February 17, 2010 at 7:30pm a public hearing was held at the Cornell Cooperative Extension Offices in East Aurora, New York to consider recertification of the district; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2)(b) the Erie County Agricultural and Farmland Protection Board reviewed the district, prepared a report to the Erie County Legislature and voted unanimously on February 17, 2010 to recommended that the County Legislature make the following modifications to the district; and

Owner	SBL No.	Parcel Address	Town	Acres
Leonard and Mabel Janiga	156.00-2-28.1	Jamison Road	Elma	31.2
Leonard and Mabel Janiga	156.00-2-32.1	Jamison Road	Elma	30.2

WHEREAS, the district has been reviewed in accordance with the New York State Environmental Quality Review Act of 1975 and adopted review procedures and the criteria set forth in Part 617; and

WHEREAS, it has been determined that the modified district will not have a significant impact on the environment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature finds that Elma Agricultural District No. 13 should be modified as proposed by the Erie County Agricultural and Farmland Protection Board; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, and the Elma Town Supervisor; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board district review plan to the Commissioner of New York State Department of Agriculture and Markets for certification.