

# INTRO 15-8

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

Re: Notice of Public Comment Period and Request for a Report on the Modification of  
Clarence-Newstead Agricultural District No. 14

WHEREAS, Clarence-Newstead Agricultural District No. 14 (the "district") was initially created on April 9, 1980 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, on June 1, 2011, the Erie County Legislature (the "Legislature") received notification from the New York State Department of Agriculture and Markets that the next eight year anniversary date of the district is April 9, 2012; and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-a(2) the notification directs the Legislature to prepare a review schedule for the district and publish a public notice to inform municipalities and land owners within the district that they may propose a modification of the district by filing a proposal with the County Clerk of the Erie County Legislature within thirty days after the publication of such notice; and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-a(2), the notification directs the Legislature to request that the Erie County Agricultural and Farmland Protection Board prepare a report on the district; and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-a(2) the notification directs the Legislature to hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary; and

NOW, THEREFORE, BE IT

RESOLVED, that Clerk of the Legislature publish in a newspaper having general circulation a public notice to notify municipalities and land owners within the district that they may propose a modification of the district by filing a proposal with the Clerk of the Erie County Legislature within thirty days after the publication of such notice and that notice also be sent to the affected municipalities and that the notice of proposal be posted in five places within the district; and be it further

RESOLVED, that the Legislature requests that the Erie County Agricultural and Farmland Protection Board prepare a report on the district; and be it further

RESOLVED, that the Legislature hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Clarence Town Supervisor and the Newstead Town Supervisor.