

James P. Collins, President
 AURORA COMMUNITY GARDENERS INC.
 SBL# 175.00-2-27.2
 898 Main Street East Aurora, N.Y. 14052
 January 20, 2016

TO: Honorable members of the Erie County Legislature

RE: Request for Inclusion in an Agricultural District of Viable Agricultural Land
 at 619 South Street, East Aurora, N.Y. 14052 SBL# 175.00-2-27.2

I am writing this letter for the January 21, 2016 Legislative meeting, as the Erie County Department of Environment & Planning, and the E. C. Agricultural & Farmland Protection Board did not truly process my application for the 2015 Agricultural Districts Program, and I have been advised that I may appeal directly to the Legislature for your vote for my inclusion, based on the reality of my own farming operation. While an application and review was never supposed to be very complicated, I asked the Ag. & Markets Department in Albany, in reference to this situation, what are the guidelines for a Legislative representative to vote on an "inclusion" at this time with their perspective, and the guidelines are said to be, "that the Legislator would feel confident that the application fits the minimum standard." Simple as that, it does not involve: what color a farmer's Carhart over-halls are, 'who's on first,' or what the town's drama could be.

I have submitted documentation to some of you directly (letters 12/2/15 and 1/13/16), and I am asking that the others in the Legislature review that information for the Caucus meetings which I am asking to attend, and for an amendment from the floor to include this viable agricultural property, as it more than meets the 'minimum standard.' The land is zoned Agricultural, the Town has a "Right To Farm" Law, and this land has always been 'only cultivated' going back to the original Indians. My own yearly farming, which is separate from the community gardening, uses predominately, Viable Agricultural Land which has been highly suitable for a farm operation, produce production, and as a commercial farm operation, as I have been marketing produce. I do not want to seem cliché though I must state, "the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district." Others can also startup business. Again, this really is not that complicated.

This measure has come before you as I, James P. Collins, was applying for my personal farming operation, while the DEP and AFPB mistakenly believed that my separate operation was only that of a nonprofit community garden. When they "did not recommend inclusion" because "community gardens are not classified as a farming operation," they were not actually considering my actual application. I had included a cover letter to avoid that mistake, though they did not pursue the review. The DEP and AFPB furthermore deprived me of my right to know about and comment on their inaccuracy, at the public hearings on October 27 and the 'rehearing' on November 17, 2015. Now they know. Again, this is why I have to appeal directly to the Legislature now. Please review my information as you can. Thank you, James P. Collins