

PUBLIC HEARING ON REQUESTS FOR AGRICULTURAL DISTRICT MODIFICATION  
PURSUANT TO THE EIGHT YEAR REVIEW AND CONSOLIDATION OF  
AGRICULTURAL DISTRICTS 5 (MARILLA), 12 (WALES), AND 13 (ELMA)

Dard-Hunter Hall  
40 South Grove Street – East Aurora, NY 14052  
July 15, 2021 – 6 pm

PUBLIC HEARING TRANSCRIPT

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IN ATTENDANCE:

Tim German

Robert Graber

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***Robert Graber***

Per New York State Agriculture and Markets Law Section 303-a, the Erie County Legislature is required to review Agricultural Districts eight years after their creation and every eight years thereafter. A comment period was held from April 7 – May 7 2021, during which any municipality whose territory encompasses Districts 5, 12, and 13, and any State Agency, or any landowner within or adjacent to the District, may propose a modification to the District.

Two requests for additions were proposed for District 12 and two requests for removals were proposed for District 13.

The Erie County Legislature is holding a public hearing to consider the abovementioned modification requests and district reviews, as well as the recommendations of the Erie County Agricultural and Farmland Protection Board. The hearing is scheduled for 6:00 p.m. on Thursday, July 15, 2021 at Dard Hunter Hall, 40 S. Grove Street, East Aurora NY, 14052.

I will now open the public hearing. Our first speaker is Tim German from the Erie County Department of Environment and Planning.

***Tim German***

As Robert stated, Erie County received two requests for the inclusion of property and two requests for the removal of property during the Consolidated Central Agricultural District review period. I will quickly summarize the requests received, followed by a brief indication of the Board's recommendation.

1. There was one application from the Town of Wales requesting the inclusion of one parcel encompassing approximately 32.48 acres in to the Wales Agricultural District #12. The Board recommended this parcel be included.

2. There was one application from the Town of Wales requesting the inclusion of one parcel encompassing approximately 5 acres in to the Wales Agricultural District #12. The Board recommended this parcel be included.
3. There was one application from the Towns of Elma and Aurora requesting the removal of two parcels encompassing approximately 30.92 acres from the Elma Agricultural District #13. The Board recommended this request be denied and the parcel remain enrolled in the District.
4. There was one application from the Towns of Elma requesting the removal of one parcel encompassing approximately 0.62 acres from the Elma Agricultural District #13. The Board recommended this parcel be removed from the District.

These recommendations were based upon Agricultural District Law, which states that parcels to be included in the districts must be “land highly suitable for agricultural production” and which continue to be feasible for farming if conditions remain the same.

Regarding the review of the Marilla Agricultural District #5, the Elma Agricultural District #13, and the Wales Agricultural District #12, the Erie County Department of Environment and Planning proposed one modification:

1. In accordance with the Erie County Agricultural District Consolidation Plan, DEP proposed the consolidation of Agricultural Districts 5, 12, and 13 into the Marilla Agricultural District #5. The New York State Department of Agriculture and Markets advised the County that the District consolidation would be treated as a modification of one District during the eight-year review period – the Consolidated Central Agricultural District. This will help to streamline the Agricultural District program.

The Agriculture and Farmland Protection Board reviewed the Marilla Agricultural District #5, the Elma Agricultural District #13, and the Wales Agricultural District #12, and has recommended that the Consolidated District be continued for another eight years with the request modifications.

A full copy of the review and consolidation report is available through at [erie.gov/afpbreport](http://erie.gov/afpbreport) and through the Erie County Legislature.

### ***Public Comment***

The floor was then opened for public comment. There being none, the public hearing was closed.

Respectfully Submitted,



Timothy P. German  
Planner