



FACT SHEET **Addition of New Parcels to** **Westchester County's Agricultural District Number 1**

Changes to New York State Agricultural Law

Westchester County's Agricultural District was certified in April 2001 and went into effect in July 2001. Section 303 of New York State Agriculture & Markets Law, the law pertaining to agricultural districts, requires that agricultural districts be recertified every eight-years. This review was historically the only time that new parcels could be added to the District. In 2002, this law was amended to allow parcels of agricultural land to be added to an existing Agricultural District prior to the established 8-year review date. In 2003 the State adopted another amendment to Agriculture & Markets Law 303 outlining procedures to help make this process run more smoothly. This amendment requires each county to offer a 30-day window annually in which new parcels can be submitted for consideration to be added to the existing Agricultural District and sets out a procedure for review and certification by the state.

When is the 30-day application window?

In Westchester County the application window is the month of March each year.

What do landowners applying to be included in the Agricultural District need to do?

- Make a formal request to the Westchester County Board of Legislators (BOL) asking to join the District. Note that only parcels from the following municipalities are eligible to be included in the district, which was modified as part of the recertification in 2011: Cortlandt, Yorktown, Somers, North Salem, Lewisboro, Bedford, Sleepy Hollow, and the portion of Mount Pleasant west of the Taconic State Parkway.
- Send a copy of the request to the Chair of the Westchester County Agriculture & Farmland Protection Board (AFPB), courtesy of the Westchester County Department of Planning.
- The request must include:
 - A. A completed and signed current application form, available on the County website at www.westchestergov.com/agriculture.
 - B. A tax parcel map showing all parcels must also be included. Copies of tax parcel maps can be obtained from the local assessor's office.
 - C. Supporting information as may be needed (see application form)

What will the AFPB do when we receive your request?

The Board conducts its review beginning in March during the submission process. The Board may contact you to arrange for a visit to your property or for additional information concerning your application. You may be requested to attend an AFPB meeting to discuss your application in person. The Board will adopt recommendations concerning applications no sooner than its next regular meeting after the 30-day application period has ended but typically at its April or May meeting, depending on the number and complexity of applications received.

What does the Westchester County Board of Legislators (BOL) do after they receive your request?

- The Westchester County BOL reviews the recommendations of the AFPB and sets a date for a public hearing (typically in May or June). The applications will be discussed in Committee meetings prior to the public hearing.
- At the public hearing the Westchester County BOL will listen to public comments and will either accept or reject each application.
- Applications recommended for inclusion by the BOL are sent to the Commissioner of the New York State Department of Agriculture & Markets for certification.

How long will the process take?

The State has outlined a process that will take 180 days from the beginning of the 30-day submission period (March). With the application window beginning March 1, the completion of the entire process is anticipated to be September 1, but will be dependent on Board meeting and public hearing dates.

How will Landowners be informed throughout the process?

- Notice of application receipt. If anything is missing from your application or if the AFPB requires additional information, it will be requested in writing.
- Notice of the Public Hearing date.
- Notice of approval or disapproval of your application upon certification by the Commissioner of New York State Department of Agriculture and Markets.

Can Westchester County’s Agricultural District Change?

Westchester County’s Agricultural District was created in 2001 as a county-wide district with an eight-year review period. The district was recertified in 2011 with modifications including limiting the district to certain municipalities within the county (Cortlandt, Yorktown, Somers, North Salem, Lewisboro, Bedford, Sleepy Hollow, and the portion of Mount Pleasant west of the Taconic State Parkway) and creating evaluation categories for parcels to be located within the district. The district was recertified in 2017 without any changes from the prior recertification. The next scheduled review is 2025. A notice will be sent out to Agricultural District members during the recertification process.

Timeline as Outlined in Agricultural Districts Law

DAY	ACTION
1 to 30	Open period for new requests to join Westchester County's Agricultural District Number 1. Landowners send completed submission forms to the Westchester County Board of Legislators (BOL) with a copy sent to the Chair of the Westchester County Ag & Farmland Protection Board (AFPB).
31 to 61	All requests reviewed by the AFPB. A report with the AFPB’s recommendations submitted to the Westchester County Board of Legislators. The date for the Public Hearing will be published.
62 to 150	The Public Hearing is held and the Board of Legislators either adopts, rejects or amends the AFPB recommendations. After adoption, the BOL will submit their resolution, the AFPB's report, the Tax Parcel (Section, Block, & Lot(s)) ID's and maps to the Commissioner of the New York State Department of Agriculture and Markets.
151 to 180	The Commissioner of the New York State Department of Agriculture and Markets may certify the new parcels and on that day these parcels become part of Westchester County's Agricultural District Number 1.

Important Contact Information

Agriculture & Farmland Protection Board c/o Westchester County Department of Planning Room 432, 148 Martine Ave. White Plains, NY 10601	Westchester County Board of Legislators 148 Martine Ave, 8 th Floor White Plains, NY 10601
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Forms and information are available by calling (914) 995-4400 or visiting www.westchestergov.com/agriculture.

Please send copy of completed submission materials to both the BOL and the AFPB.

Application for Addition of Land to an Existing Agricultural District Westchester County, New York



This form is to be completed by agricultural landowners whose agricultural lands are proposed for inclusion within an agricultural district. The information obtained from this form will be utilized by the Westchester County Agriculture & Farmland Protection Board to make recommendations for approval in accordance with New York State Agriculture and Markets Law. Note that the board may require additional information such as site plans, business plans, tax forms or other documents to assist in the evaluation of the application.

Part 1: Contact Information

Landowner Name: _____

Mailing Address: _____

Phone: _____ E-Mail: _____

If landowner is applicant, check here and proceed to Part 2.

Applicant Name: _____

Mailing Address: _____

Phone: _____ E-Mail: _____

Part 2: Parcel Identification

IMPORTANT: Review the tax assessment rolls for your municipality (available online via your municipality's website or via the NYS Office of Real Property Services website) and enter the Section, Block and Lot and acreage for each parcel below. The property must be located within one of the following communities: Cortlandt, Yorktown, Somers, North Salem, Lewisboro, Bedford, Sleepy Hollow, or the portion of Mount Pleasant west of the Taconic State Parkway.

A. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels **owned by the farmer:**

Parcel ID #	Acreage

Parcel ID #	Acreage

B. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels **rented from another landowner:** (Note: an affidavit from the landowner is required to include parcels not owned by the applicant)

Parcel ID #	Acreage

Parcel ID #	Acreage

C. List tax parcel identification (Section, Block, & Lot) numbers and acreage for all parcels rented to a farmer(s):

Parcel ID #	Acreage

Parcel ID #	Acreage

Part 3: Farm Description

Farm Name: _____

Is farm location the same as mailing address? Yes No If yes, proceed to description of land.

Farm Street Address: _____

City/Town/Village of: _____

For the following, attach additional sheets if necessary.

Description of land and boundaries (wooded, open, steep slopes, streams, wetlands, etc.): _____

Description of current agricultural activities (also complete the table on the following page):

Description of future plans: _____

Number of acres currently farmed: _____ Total acres proposed to be farmed: _____

Participating in Agricultural Assessment Program (Property Assessment): Yes No

The farm will operate under a Whole Farm Plan, Nutrient Management Plan, or similar, to ensure any potential environmental impacts are minimized: Yes No

Are there any lease agreements, easements or restrictive covenants associated with the property or agricultural operation? Yes No

Only parcels on which the agricultural operation is located are eligible to be included in the Agricultural District (note that agricultural land may include woodland and fallow land). Parcels that include primarily non-agricultural commercial uses are not eligible for inclusion. For parcels on which are located both agricultural and non-agricultural commercial uses, please answer the following. The Agriculture and Farmland Protection Board may request additional information or documentation supporting your answers.

Does the agricultural operation make up a minimum of 51% of the actively used area of the parcel (exclude residential and unused portions)? Yes No

Does the agricultural operation account for at least 51% of the gross sales from any wholesale or retail activity located on the parcel? Yes No

Identify Farm Enterprise	Principal (choose only one)	Secondary (select as many as appropriate)	Existing	Start-Up	Approx. Acres
Fallow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Hay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Equine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Crops (Grain)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Crops (Vegetable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Orchard (Fruit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Vineyard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Eggs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Poultry (meat)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Dairy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Livestock (meat)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Livestock (other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Aquaculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Sugarbush	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Horticultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Christmas Trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Woodlot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other (<i>describe below</i>):					
a. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
b. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

Supporting Information. Attach the following information with the application.

- Documentation demonstrating Gross Sales Value, such as a copy of a completed, filed IRS Form G or NYS Sales Receipts form (with Tax ID deleted or blacked out).
- Business Plan describing the operation and realized or anticipated gross sales value for major elements of the operation.
- Whole Farm Plan or similar document describing sensitive environmental resources on or near the property and how potential impacts will be minimized and mitigated.
- Sketch of the property showing buildings and elements of the operation.
- Lease or other legal agreements, deed restrictions or conservations easements. N/A

Note: Information included in this application is public information and subject to access under the Freedom of Information Law.

I hereby swear that I am either the owner of record or am duly authorized by the owner of record to file an application to include additional land within the Westchester County Agricultural District for the subject property as described above, and I hereby swear that all information submitted as part of this application is, to the best of my knowledge, correct and complete.

Signature: _____ Date: _____

Print Name: _____ Are you the Landowner? Yes No

Note: If the applicant is not the landowner, the following affidavit from the landowner giving the applicant the authority to act on the landowner's behalf must be attached to the application.

RETURN TO: Westchester County Agriculture and Farmland Protection Board
Room 432, 148 Martine Avenue, White Plains, NY 10601
FAX: (914) 995-3780

**AFFIDAVIT OF PROPERTY OWNERSHIP
AND AUTHORIZED REPRESENTATIVES**

Complete this form only if the applicant is not the landowner. This affidavit grants the applicant, listed below as authorized representative, the authority to act on the landowner's behalf to submit an application to add the subject property, described below, to the Westchester Agricultural District. The Westchester County Agriculture and Farmland Protection Board may request additional information and perform a site visit as part of the application review process.

PROPERTY LOCATION

Farm Name: _____

Parcel Acreage: _____

Tax Parcel Identification (Section-Block-Lot): _____

Property Street Address: _____

Municipality: _____

PROPERTY OWNERSHIP

Landowner Name: _____

Mailing Address: _____

Phone Number(s): _____

Email: _____

AUTHORIZED REPRESENTATIVE(S)

Name: _____

Organization: _____

Mailing Address: _____

Phone Number(s): _____

I hereby swear that I am the owner of record of the subject property described above, and that I hereby authorize the representative(s) named above to file an application on my behalf to include the subject parcels of land within the Westchester County Agricultural District.

Landowner's Signature: _____ Date: _____

Print Name: _____

Notarized by: