



Recommendations of the Albany County Agricultural and Farmland Protection Board Annual Agricultural District Review 2026

Prepared by Michael McGuire – Albany County Real Property Tax Service Agency March 2026

Pursuant to Article 25-AA section 303-b of NYS Agricultural and Markets law, the Albany County Legislature established an annual review period beginning on February 1 during which property owners may apply to add land to any of the County's three Agricultural Districts. On behalf of the County Legislature, the County Soil and Water Conservation District conducted a review of all landowner applications for inclusion in a District. The findings of this review, which relied on information provided by the landowner, analysis of aerial photos, and in some cases, a field assessment of the subject parcels, have been reviewed by the Agricultural and Farmland Protection Board. Based on this review the following report and recommendations are submitted for consideration by the County Legislature.

A total of fourteen (14) parcels were submitted for consideration to be included in the Albany County Agricultural Districts during the 30-day annual review period beginning February 1, 2026. Of the parcels submitted, eleven (11) parcels were found to be consistent with the intent of agricultural districting and are recommended for inclusion in the appropriate Agricultural District.

Town	Parcel	# of Acres	Ag District	Recommendation of AFPB	Principal Enterprise
Berne	103.-1-24.3	53.4	1	ADD	Livestock (other than dairy)
Berne	103.-1-9.100	50.08	1	ADD	Livestock (other than dairy)
Bethlehem	84.00-3-9	1.6	3	DENY	Apiary Products
Bethlehem	85.17-3-31	1.51	3	DENY	Apiary Products
Bethlehem	87.03-2-9	5.9	3	DENY	Horticulture Specialties
Bethlehem	120.00-2-29	33.1	3	ADD	Hay
Coeymans	142.-1-44.1	48	3	ADD	Hay
Coeymans	142.-1-44.2	0.63	3	ADD	Hay
New Scotland	95.-3-1.1	14.4	3	ADD	Livestock (other than dairy)
Rensselaerville	159.-1-39	125.3	2	ADD	Hay
Westerlo	127.-1-3.10	83.4	2	ADD	Livestock (other than dairy)
Westerlo	127.-1-3.30	21.11	2	ADD	Livestock (other than dairy)
Westerlo	127.1-1-14.1	14.9	2	ADD	Livestock (other than dairy)
Westerlo	149.-2-12.1	93.7	2	ADD	Hay
Total Acres Added		538.02			

Tom Della Rocco – Chairman / Mike Zakens / Michael McGuire / Harold E. Hahn / Tom Gallagher / Gary Kleppel /
John O'Pezio / Matthew Miller / Erin Bradt / Edward Kleinke

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Annual review of proposed additions to Albany County Agricultural Districts							
Project Location (describe, and attach a location map): Albany County Agricultural Districts #1, #2, #3							
Brief Description of Proposed Action: Pursuant to Article 25-AA section 303-b of NYS Agricultural and Markets law, the Albany County Legislature established an annual review period beginning on February 1 during which property owners may apply to add land to any of the County's three Agricultural Districts. A total of eleven (11) parcels totaling 538.02 acres are recommended for inclusion in the appropriate Agricultural District. This action would modify the Albany County Agricultural District boundaries to include the subject parcels (see attached narrative and map).							
Name of Applicant or Sponsor: Albany County Legislature		Telephone: 518-447-7163					
		E-Mail:					
Address: 112 State St, Room 710							
City/PO: Albany		State: NY	Zip Code: 12207				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☐	☐
NO	YES						
☐	☐						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☐ ☐	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☐ ☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☐ ☐	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☐ ☐	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Hon. Joanne Cunningham</u> Date: _____ Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed modification to Albany County Agricultural Districts will result in an additional 538.02 acres included within the district boundary. The findings of this review relied on information provided by the landowner, analysis of aerial photos, and in some cases, a field assessment of the subject parcels and review by the Albany County Agricultural and Farmland Protection Board. The recommended additions below were found to be consistent with the intent of agricultural districting as described in NYS Agriculture and Markets Law 25AA and compatible with the goals and objectives of the Agricultural Districts Law. Based on the information and analysis conducted, the modification of the agricultural district boundary was found not to have any significant adverse environmental impacts.

Berne	103.-1-24.3
Berne	103.-1-9.100
Bethlehem	120.00-2-29
Coeymans	142.-1-44.1
Coeymans	142.-1-44.2
New Scotland	95.-3-1.1
Rensselaerville	159.-1-39
Westerlo	127.-1-3.10
Westerlo	127.-1-3.30
Westerlo	127.1-1-14.1
Westerlo	149.-2-12.1

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☒	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Albany County Legislature	6/10/2026
Name of Lead Agency	Date
Hon. Joanne Cunningham	Chairwoman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Albany County SWCD - Ag District Review
Joseph Martin - Town of Berne
103.-1-24.3



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83

Microsoft Vantor



Albany County
Soil and Water
Conservation District

0 0.05 0.1 0.2 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Review
Joseph Martin - Town of Berne
103.-1-9.100



Legend
■ Albany County Tax Parcels_2024
Agricultural_Districts_2024
Roads_2009_NAD83



Albany County
Soil and Water
Conservation District

0 0.04 0.08 0.16 Miles

Tax Parcels - Albany County Real property, Albany County
2023

Note: GIS data are approximate according to their scale
and resolution. They may be subject to error and are not
a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Review
Bell Crossing LLC - Town of Bethlehem
120.00-2-29



Albany County
Soil and Water
Conservation District

0 0.05 0.1 0.2 Miles

Tax Parcels - Albany County Real property, Albany County
2023

Note: GIS data are approximate according to their scale
and resolution. They may be subject to error and are not
a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Request
James Gilmer - Coeymans
142.-1-44.2



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83



Albany County
Soil and Water
Conservation District

0 0.04 0.07 0.14 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Request
James Gilmer - Coeymans
142.-1-44.2



Albany County
Soil and Water
Conservation District

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Agricultural District Request
Barbara Wright - Delmar
Parcel Id : 95.-3-1.1



Albany County
Soil and Water
Conservation District

0 0.03 0.05 0.1 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Agricultural District Request
Alberto Caputo - Rensselaerville
Parcel Id : 159.-1-39



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83



Albany County
Soil and Water
Conservation District

0 0.1 0.2 0.4 Miles

Tax Parcels - Albany County Real property, Albany County 2023

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Albany County SWCD - Ag District Review
Joseph McFadden - Town of Westerlo
127-1-3.10



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83

Microsoft Vantor



Albany County
Soil and Water
Conservation District

0 0.04 0.08 0.16 Miles

Tax Parcels - Albany County Real property, Albany County
2023

Note: GIS data are approximate according to their scale
and resolution. They may be subject to error and are not
a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Review
Joseph McFadden - Town of Westerlo
127-1-3.30



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83



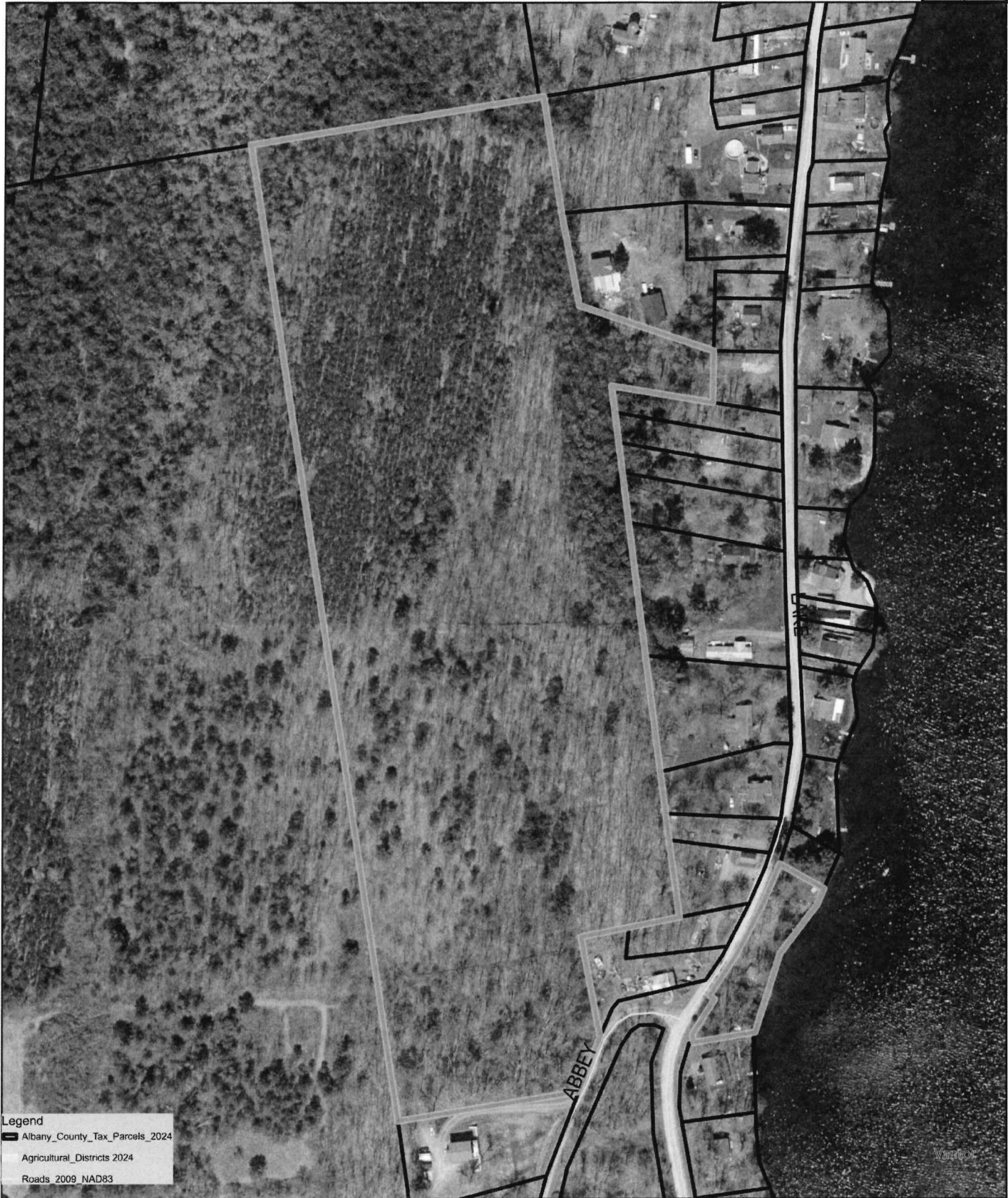
Albany County
Soil and Water
Conservation District

0 0.02 0.04 0.07 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Ag District Review
Joseph McFadden - Town of Westerlo
127-1-14.1



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83



Albany County
Soil and Water
Conservation District

0 0.02 0.04 0.09 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

Albany County SWCD - Agricultural District Request
Lorie Flaks - Westerlo
Parcel Id : 149.-2-12.1



Legend
Albany County Tax Parcels 2024
Agricultural Districts 2024
Roads 2009 NAD83



Albany County
Soil and Water
Conservation District

0 0.05 0.1 0.2 Miles

Tax Parcels - Albany County Real property, Albany County 2023

Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection or survey.

RESOLUTION NO. 294

**ADOPTING THE PROPOSED MODIFICATIONS TO ALBANY COUNTY
AGRICULTURAL DISTRICT NOS. 1, 2, AND 3**

Introduced: 8/11/25

By Conservation, Sustainability, and Green Initiatives Committee, Reinhardt,
Simpson, Cleary, Efekoro, Miller, Rosano, Smith, Whalen and Perlee:

WHEREAS, § 303-b of the New York State Agriculture and Markets Law mandates an annual review of agricultural districts, and

WHEREAS, In connection with such review, a proposal for the modification of Agricultural District Nos. 1, 2, and 3 has been submitted by the Agricultural and Farmland Protection Board, and

WHEREAS, The modifications include adding 572.92 acres of actively viable farm land in the Towns of Berne, Bethlehem, and Rensselaerville, and

WHEREAS, In conducting such review, § 303-b of the Agriculture and Markets Law requires this Honorable Body to hold a public hearing, which was held on May 27, 2025, for the purpose of receiving the comments of any interested persons regarding the proposed modifications, now, therefore, be it

RESOLVED, By the Albany County Legislature that the following proposed modifications to the Albany County Agricultural Districts submitted by the Agricultural and Farmland Protection Board and filed with the Albany County Clerk are hereby approved and adopted:

Town	Tax Map No.	Acres	Ag District
Berne	81.-1-22.100	71.77	1
Rensselaerville	180.-1-10	137.7	2
Bethlehem	121.04-1-16.1	68.09	3
Bethlehem	122.00-1-2.11	22.3	3
Bethlehem	121.00-3-8.1	122	3
Bethlehem	122.00-1-1.11	8.27	3
Bethlehem	109.00-3-9	59.4	3
Bethlehem	109.00-1-33.1	11.5	3
Bethlehem	109.00-3-10	32.9	3
Bethlehem	109.00-1-31	11.5	3
Bethlehem	109.00-3-4.1	37.69	3

and, be it further

RESOLVED, That a copy of the modifications shall be submitted to the New York State Commissioner of Agriculture and Markets along with a certified copy of this resolution, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 8/11/25