NEW YORK STATE | Department of Agriculture and Markets

KATHY HOCHUL
Governor

RICHARD A. BALL
Commissioner

June 22, 2025

Kenneth Rose, Director
Montgomery County Business Development Center
113 Park Drive
Fultonville, NY 12072

RE: Notice of Intent to Undertake an Action within an Agricultural District, Proposed Office and Warehouse/Fabrication Project, Town of Florida, Montgomery County Agricultural District No. 3

Dear Mr. Rose,

Pursuant to Agriculture and Markets Law (AML) §305(4), the Department of Agriculture and Markets has completed its review of the Notice of Intent submitted by the Montgomery County Industrial Development Agency (MCIDA), for the development of 12.7 acres of parcel SBL 54-2-2.31 for the construction of a proposed Office and Warehouse/Fabrication Project, in the Town of Florida, located in Montgomery County Agricultural District No. 3. The MCIDA will retain a leasehold interest in the property.

The Final Notice of Intent was sent to the Commissioner of Environmental Conservation (DEC), the Advisory Council on Agriculture (ACA) and the Montgomery County Agricultural and Farmland Protection Board (AFPB) for their review of the proposed action. The DEC, ACA and AFPB did not submit any comments.

Based on all relevant information before me, I have determined that the proposed action would not have an unreasonably adverse effect on the continuing viability of farm enterprises within the district or State environmental plans, policies and objectives. This determination is due, in part, to the minimal adverse effect on the continuing viability of agriculture in Montgomery County Agricultural District No. 3.

Please be advised that in order to complete its filing obligations under §305(4), the MCIDA must certify to me at least ten days prior to advancing the funds for the construction of the project, that it has made an explicit finding that the requirements of §305(4) have been met, and to the maximum extent practicable, adverse agricultural impacts revealed in the Notice of Intent process will be minimized or avoided. The certification shall set the reasons in support of the finding and is more fully set forth in AML §305(4)(f).

Sincerely,

Richard A. Ball
Commissioner

cc: NYS Department of Environmental Conservation
Advisory Council on Agriculture
Martin Kelly, Montgomery County AFPB

File: AP 25/046-NOI