

# Greenhouse Structures: Guidelines for Parcels with County Purchased Development Rights

*November 2008*



**SUFFOLK COUNTY FARMLAND COMMITTEE**  
Suffolk County ■ New York

**Cover photo -**

Suffolk County Department of Planning photo

Greenhouse located on the south side of Reeves Avenue in the Town of Riverhead c. 2008

**Suffolk County Farmland Committee**

**Greenhouse Structures:  
Guidelines for Parcels with County-Purchased  
Development Rights (“PDR”)**

**November 2008**



**Steve Levy**  
SUFFOLK COUNTY EXECUTIVE

**Suffolk County Farmland Committee**  
c/o Suffolk County Department of Planning  
H. Lee Dennison Building – 4<sup>th</sup> Floor  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, New York 11788

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This publication is on the Internet at  
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**Cover photo -**

Suffolk County Department of Planning photo

Greenhouse located on the south side of Reeves Avenue in the Town of Riverhead c. 2008

Steve Levy  
SUFFOLK COUNTY EXECUTIVE

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**SUFFOLK COUNTY DEPARTMENT OF PLANNING**

Thomas A. Isles, AICP  
*Director of Planning*

**Report Preparation**

Jessica L. Kalmbacher  
*Research Technician*

**Cartography**

Carl Lind  
*Cartographer*  
Kate Oheim  
*Assistant Cartographer*

**Suffolk County Department of Law**

Jennifer B. Kohn  
*Assistant County Attorney*

Suffolk County Farmland Committee  
Hauppauge, New York  
November 2008





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# **EXISTING PDR**

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**EXISTING PDR**

(For PDR acquisitions before July 1, 2008)

**I. Policy**

- A. Policy Intent – It is the declared public policies of both New York State and Suffolk County to conserve, protect, and encourage the improvement of agricultural lands both for the production of food and the preservation of such lands for their soils, scenic value as open space, and natural and ecological resources. Pursuant to Suffolk County Charter § C1-9, the Farmland Committee is the steward of lands dedicated by the County to agricultural conservation. These guidelines are intended to properly balance the desire to preserve scenic vistas associated with open farmland, and to preserve soil, while promoting the economic viability of Suffolk County’s agricultural community.
- B. These Guidelines are in no way intended to change or alter the rights of Suffolk County in the enforcement of Suffolk County Code, Chapter 8 or in its enforcement of any contractual or deeded rights.

**II. Definitions**

- A. Accessory Greenhouse – Specialized agricultural equipment which is specifically designed, constructed, and used for the culture and propagation of horticultural commodities, and may include such structures as greenhouses, hoop houses, high tunnels, winter-over houses, and the like. An accessory greenhouse may include, but is not limited to, the use of heating devices, water and electric utilities and supporting poles embedded in a non-continuous concrete foundation. Accessory Greenhouses shall be operated in conjunction with an outdoor agricultural activity that shall constitute the principal use (at least 50%) of the property. Accessory greenhouses shall not be used more than a total of six months a year and the covering shall be removed or substantially opened for at least six months.
- B. Principal Greenhouse – Specialized agricultural equipment which is specifically designed, constructed, and used for the culture and propagation of horticultural commodities and may include such structures as greenhouses, hoop houses, high tunnels, winter-over houses, and the like. A principal greenhouse may include, but is not limited to, the use of heating devices, water and electric utilities and supporting poles embedded in non-continuous concrete foundation. Principal Greenhouses shall be operated in conjunction with an outdoor agricultural activity that shall constitute the principal use (at least 50%) of the property. A principal greenhouse use is intended to function more than six months a year.
- C. Lot Coverage – The percentage of the total lot area covered with a greenhouse(s). The total lot area shall only include the Purchase of Development Rights area.
- D. Exception – Temporary structures, such as hoop layers, that do not exceed a height of three feet and six inches (3’6”) and do not require or result in the alteration of the property grade shall not be regulated by these guidelines.

### III. Guidelines

- A. Construction of a greenhouse shall not be commenced without prior approval of the Farmland Committee. Construction of a greenhouse includes the land clearing, grading, excavation, and other types of work necessary for the preparation of actual construction of a greenhouse.
- B. Prior to consideration of an application to the Farmland Committee for a greenhouse(s) or an addition to an existing greenhouse, the applicant shall submit plans for the proposal to the Natural Resources Conservation Service (NRCS) Suffolk County office in Riverhead and/ or the Suffolk County Soil and Water Conservation District office in Riverhead. The applicant shall provide adequate plans (drawn to scale and indicating setbacks, location, lot coverage, and topographic information with minimum two foot contours) for the facility as needed by NRCS to evaluate the proposal. The plans should follow the NRCS Standards and Specifications for Precision Land Forming. Any design changes and improvements recommended by NRCS shall be incorporated into the plan to be submitted to the Farmland Committee. Design of the components of the runoff management system should follow the Standards and Specifications for each individual component in Section IV of the NRCS Field Office Technical Guide. These standards can be accessed at the following web site: <http://www.nrcs.usda.gov/technical/efotg/>.
- C. The use of greenhouses for retail sales of any type is prohibited.
- D. For principal greenhouses, the permitted lot coverage shall not exceed 25% of the total lot area of the PDR parcel. The Farmland Committee may approve coverage greater than 25% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- E. For accessory greenhouses, the permitted lot coverage shall not exceed 40% of the total lot area of the PDR parcel. The Farmland Committee may approve coverage greater than 40% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- F. The total lot coverage for all greenhouses, whether accessory or principal, shall not exceed 40%. The Farmland Committee may approve coverage greater than 40% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning. In no event shall coverage exceed 50%.

- G. In considering applications for the placement of greenhouses, the Farmland Committee shall consider the agricultural production needs of the applicant, the impact to the soil, the impact to drainage and storm water management, and the overall impact to the farm. In addition, the Committee may consider the impact to adjacent properties and scenic vistas, and may require reasonable changes to the applicant's proposal.
- H. The minimum front yard setback from a primary public road (a road owned by a municipal, county, or state government) shall be 150 feet. The minimum setback along secondary public roads shall be 50 feet. The Committee shall determine primary and secondary road designations based on traffic volume estimates that are estimated by the Committee or by a municipal/ county/ state traffic source. Actual volume counts shall not be required. The minimum setback from side and rear property lines shall be 20 feet. The Farmland Committee may reduce the setbacks only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- I. The use of paved or concrete surfaces, including floors, walkways, driveways, and similar hard surfaces shall be limited. Any such surfaces that are proposed shall only be constructed with the prior approval of the Farmland Committee and only for the minimum area necessary for the agricultural production.
- J. *Nonconforming* – Greenhouses that exist at the time of adoption of these requirements shall be deemed to be nonconforming and may remain. Any expansion or replacement shall be in accordance with these requirements.



**NEW PDR**

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**NEW PDR**

*(For PDR acquisitions on or after July 1, 2008)*

**I. Policy**

- A. Policy Intent – It is the declared public policies of both New York State and Suffolk County to conserve, protect, and encourage the improvement of agricultural lands both for the production of food and the preservation of such lands for their soils, scenic value as open space, and natural and ecological resources. Pursuant to Suffolk County Charter § C1-9, the Farmland Committee is the steward of lands dedicated by the County to agricultural conservation. These guidelines are intended to properly balance the desire to preserve scenic vistas associated with open farmland, and to preserve soil, while promoting the economic viability of Suffolk County’s agricultural community.
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- B. Principal Greenhouse – Specialized agricultural equipment which is specifically designed, constructed, and used for the culture and propagation of horticultural commodities and may include such structures as greenhouses, hoop houses, high tunnels, winter-over houses, and the like. A principal greenhouse may include, but is not limited to, the use of heating devices, water and electric utilities and supporting poles embedded in non-continuous concrete foundation. Principal Greenhouses shall be operated in conjunction with an outdoor agricultural activity that shall constitute the principal use (at least 50%) of the property. A principal greenhouse use is intended to function more than six months a year.
- C. Lot Coverage – The percentage of the total lot area covered with a greenhouse(s). The total lot area shall only include the Purchase of Development Rights area.
- D. Exception – Temporary structures, such as hoop layers, that do not exceed a height of three feet and six inches (3’6”) and do not require or result in the alteration of the property grade shall not be regulated by these guidelines.

### III. Guidelines

- A. Construction of a greenhouse shall not be commenced without prior approval of the Farmland Committee. Construction of a greenhouse includes the land clearing, grading, excavation, and other types of work necessary for the preparation of actual construction of a greenhouse.
- B. Prior to consideration of an application to the Farmland Committee for a greenhouse(s) or an addition to an existing greenhouse, the applicant shall submit plans for the proposal to the Natural Resources Conservation Service (NRCS) Suffolk County office in Riverhead and/ or the Suffolk County Soil and Water Conservation District office in Riverhead. The applicant shall provide adequate plans (drawn to scale and indicating setbacks, location, lot coverage, and topographic information with minimum two foot contours) for the facility as needed by NRCS to evaluate the proposal. The plans should follow the NRCS Standards and Specifications for Precision Land Forming. Any design changes and improvements recommended by NRCS shall be incorporated into the plan to be submitted to the Farmland Committee. Design of the components of the runoff management system should follow the Standards and Specifications for each individual component in Section IV of the NRCS Field Office Technical Guide. These standards can be accessed at the following web site: <http://www.nrcs.usda.gov/technical/efotg/>.
- C. The use of greenhouses for retail sales of any type is prohibited.
- D. For principal greenhouses, the permitted lot coverage shall not exceed 10% of the total lot area of the PDR parcel. The Farmland Committee may approve coverage greater than 10% but not more than 20% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- E. For accessory greenhouses, the permitted lot coverage shall not exceed 15% of the total lot area of the PDR parcel. The Farmland Committee may approve coverage greater than 15% but not more than 30% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- F. The total lot coverage for all greenhouses, whether accessory or principal, shall not exceed 15%. The Farmland Committee may approve coverage greater than 15% but not more than 30% only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.

- G. In considering applications for the placement of greenhouses, the Farmland Committee shall consider the agricultural production needs of the applicant, the impact to the soil, the impact to drainage and storm water management, and the overall impact to the farm. In addition, the Committee may consider the impact to adjacent properties and scenic vistas, and may require reasonable changes to the applicant's proposal.
- H. The minimum front yard setback from a primary public road (a road owned by a municipal, county, or state government) shall be 150 feet. The minimum setback along secondary public roads shall be 50 feet. The Committee shall determine primary and secondary road designations based on traffic volume estimates that are estimated by the Committee or by a municipal/ county/ state traffic source. Actual volume counts shall not be required. The minimum setback from side and rear property lines shall be 20 feet. The Farmland Committee may reduce the setbacks only after a public hearing with a demonstration of hardship as defined by New York State Town Law, Article 16, § 267-b with notice provided to the local municipality and to all property owners within 500 feet of the subject parcel. The notice shall be conducted by the applicant in accordance with the requirements of the Suffolk County Department of Planning.
- I. The use of paved or concrete surfaces, including floors, walkways, driveways, and similar hard surfaces shall be limited to the minimum amount required to accomplish the agricultural purpose. Any such surfaces that are proposed shall only be constructed with the prior approval of the Farmland Committee and only for the minimum area necessary for the agricultural production.
- J. *Nonconforming* – Greenhouses that exist at the time of purchase of the development rights shall be deemed to be nonconforming and may remain. Any expansion or replacement shall be in accordance with these requirements.



# APPENDIX

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## GUIDELINE SUMMARY

### Greenhouse Structure Coverage Limit Guidelines for SCPDR

**EXISTING PDR** (*For SCPDR parcels acquired before July 1, 2008*)

LOT COVERAGE			REQUIREMENT(S)
Accessory Greenhouse	Principal Greenhouse	Total	
≤ 40%	≤ 25%	≤ 40%	<i>Permit only</i>
> 40%, < 50%	> 25%, < 50%	> 40%, < 50%	<i>Permit and Public Hearing</i>
Lot coverage above 50% shall not be permitted.			

**NEW PDR** (*For SCPDR parcels acquired on or after July 1, 2008*)

LOT COVERAGE			REQUIREMENT(S)
Accessory Greenhouse	Principal Greenhouse	Total	
≤ 15%	≤ 10%	≤ 15%	<i>Permit only</i>
> 15%, < 30%	> 10%, < 20%	> 15%, < 30%	<i>Permit and Public Hearing</i>
Lot coverage above 30% shall not be permitted.			

Please contact the SC Planning Department prior to modifying, expanding, or demolishing any greenhouse structure on land to which the county has purchased the development rights, in whole or in part.

Greenhouse structures are subject to all local, county, and state ordinances, including, but not limited to, the Long Island Pine Barrens standards.



## **Suffolk County Department of Planning as of December 2008**

Thomas A. Isles, AICP  
DIRECTOR

Daniel J. Gulizio, AICP  
ASSISTANT DIRECTOR

### **ADMINISTRATION**

Lynne Chieffo  
Chrissy Einemann

### **ENVIRONMENTAL ANALYSIS**

DeWitt Davies, Ph.D.  
Lauretta Fischer  
Michael Mulé  
Susan Filipowich  
Barbara DelGiudice

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Theodore Klein  
John Corral  
Dorothy Sonnichsen

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Carl Lind  
Kate Oheim  
Thomas Frisenda  
Vincent Leogrande

### **LONG ISLAND REGIONAL PLANNING BOARD**

Seth Forman, Ph.D., AICP



Steve  
**LEVY**  
SUFFOLK COUNTY EXECUTIVE