

MINUTES OF FARMLAND COMMITTEE

Suffolk County Planning Department

Date: January 29, 2002

Members Bennett Orłowski, Jr. (At-Large), Chairman

Present: Charlie Scheer (At-Large)
Elmer Zeh (Brookhaven)
Olney M. Gardiner (East Hampton)
Nate Corwin (At-Large)
Jacob Rottkamp (Riverhead)
Albert Kilb, Jr. (Shelter Island)
Anthony Brand, Jr., (Huntington)
Lee Foster (Southampton)
Eugene Murphy (Islip)

County Staff Thomas A. Isles, Suffolk County Dept. of Planning, Director
James Burke, Suffolk County Div. of Real Estate, Acting Director

Present: Jenny Kohn, Esq., Suffolk County Attorney's Office, Counsel
Roy Fedelem, S.C. Dept. of Planning
Claire Chorny, Suffolk County Dept. of Planning

Guests: John Sipala, Whitman Nurseries
Joe Gergela, L.I. Farm Bureau
Bill Sanok, CCE
Bud Koehler, Osprey's Dominion
Bob Schlecht
Becky Wiseman, L.I. Farm Bureau
Bob Zaher, S.C. Div. of Real Estate
Chris Wrede, S.C. Div. Real Estate
Lauren Jarrett, Eco Farm
Annie Bliss, Eco Farm
Rick DeLea

Members Albert Schmitt (At-Large)

Absent: Joseph Krukowski (Southold)
Brian Zitani (Babylon)
Dan Fricke (Riverhead)
Mark Zaweski (At-Large)
Russell Barnett (Smithtown)

The meeting of the Farmland Committee was called to order by the Chairman, Bennett Orłowski, at 3:13 p.m. at the Arthur Kunz Memorial Library, H. Lee Dennison Bldg, Hauppauge, NY. **Only 9 members were present.**

Approval of Minutes

Minutes of Meeting were reviewed. **Insufficient members for quorum. No vote taken.**

Paulette Satur - Status

Nothing has been done to move the greenhouses. Elmer Zeh commented that the greenhouses are right on the road. Staff will inspect before the next meeting.

Farmstand Permit-Eeco Farm-Farmstand, hoophouses, deer fencing (electric)-Long Lane, Marion Schwenk parcel, East Hampton

Annie Bliss, representing Eeco Farm, spoke. She requested approval for a moveable farmstand on Long Lane in East Hampton. In addition, she requested permission to put up “low profile” hoophouses hidden from sight by a tree farm. They would also like to amend their request to include erection of an electric deer fencing on 3-acre lots. They will submit an “as built” plan at a future date. Lauren Jarrett questioned the Committee as to whether or not deer fencing was considered a structure.

Tenth Committee Member arrived constituting a quorum.

A motion for approval was made by Albert Kilb and seconded by Elmer Zeh pending an “as built” plan showing locations of farmstand, greenhouses and fences. Motion carried 10-0-0.

Joe Gergela discussed the issue of siting standards for greenhouses. Tom Isles suggested that if the Committee was in agreement, the Planning Department could work on creating some form of guidelines.

A motion for approval of the October 23 minutes was made by Charles Scheer and seconded by Jacob Rottkamp. Motion carried 10-0-0.

A motion was made by Charles Sheer to approve the November 4 minutes. It was seconded by Bennett Orłowski. Motion carried 10-0-0.

Bob Schlecht

Mr. Schlecht requested approval for a deer fence in compliance with the town code, a power driven well (with the proper permits), a submersible electric well, a 10' X 10' utility shed over the well and electric service to the shed and well. **A motion to approve Mr. Schlecht’s requests subject to an “as built” drawing and subject to local ordinance and County Health Department requirements was made by Elmer Zeh and seconded by Charles Scheer. Motion carried 10-0-0.**

David Zuhoski - Two (2) 24' x 196' greenhouses - Oregon Road, Cutchogue

Bennett Orłowski excused himself because the applicant is a relative. Mr. Zuhoski requested permission for two (2) greenhouses (24' x 196') which would straddle the PDR parcel and a parcel with the development rights intact. **Tabled until the next meeting because without Mr. Orłowski's vote there was not a quorum.**

Jenny Kahn stated that business could not be conducted without Bennett Orłowski's vote. A majority of the member of the board was necessary to pass a vote.

Osprey's Dominion - 80' x 100' barn for equipment storage and wine storage (Bud Koehler)- Main Road, Southold

Bud Koehler told the Committee that approximately one-third (1/3) of the barn would be used for storage, including wine bottles. The Committee informed the Mr. Koehler that the Town of Southold considers this warehousing. Grapes are agricultural products, wine is a finished product. Mr. Koehler amended this request to delete wine storage. **Elmer Zeh made a motion to approve as an agricultural building subject to the Town ordinance. Seconded by Lee Foster. Motion carried.**

Henry Kraszewski - A 48' x 120' Morten Building for machinery storage-Head of the Pond- Scuttle Hole Road, Water Mill

Mr. Kraszewski has 56 acres on PDR land. He requested a 48' x 120' Morten building for machinery storage. A motion for approval was made by Elmer Zeh and seconded by Nate Corwin. Motion carried. **A motion was made by Elmer Zeh to approve subject to a better site plan. It was seconded by Nate Corwin. Motion carried 10-0-0.**

John Sipala, Whitman Nurseries - Status and permission for a fence

Mr. Sipala requested permission for a picket fence that has been previously erected. Mr. Sipala assured the Committee that more than 90%-95% of products sold are grown on site and non-farm products account for 1-2% of sales. Only a small percentage comes from the Manor Lane site. Because of ongoing litigation, Mr. Sipala cannot move the farmstand to the lot with development rights intact because he lacks the Town's approval. There are signs posted at the greenhouses barring the public.

Charles Scheer stated that he felt a farmer should be allowed to transport crops to his farmstand from other property he owns.

Joe Gergela felt that it was questionable as to whether or not Mr. Sipala was actually in violation of anything or was it merely complaints from people who do not want competition. He also feels that the law should be looked at more closely to see where it should be tweaked.

The Committee asked John Sipala to submit documents and put everything on one map to

be reviewed at the next meeting. Issues tabled until the next meeting. Gene Murphy interjected that this is a farmstand and not a garden center.

Fred Lee - Barn

Fred Lee asked permission to build a barn (60' x 120' maximum) in the same location, but larger than that previously approved by the Committee. **A motion for approval was made by Jacob Rottkamp and seconded by Nate Corwin. Motion carried 10-0-0.**

Lustgarten (Fisher) (DeLea)-Permission for irrigation wells.

Rick DeLea requested permission for two (2) irrigation wells for a sod farm on the former Lustgarten property. **Motion for approval of two (2) wells, with the location to be determined later and subject to Health Department regulations, was made by Charles Scheer and seconded by Nate Corwin. Motion carried 10-0-0.**

New parcels to be considered for PDR

Kobylenski-Middle Road, Calverton Located south of the Riverhead Town landfill. This parcel scored 9 by the Committee and Roy Fedelem recommended against its purchase. **A motion for disapproval was made by Lee Foster and seconded by Gene Murphy. Motion carried 10-0-0.**

John C. White - Montauk Highway, Sagaponack Located south of Montauk Highway. Four (4) to six (6) acres of the parcel are cleared. Roy Fedelem recommended against purchase. **A motion was to table was made by Albert Kilb and seconded by Lee Foster. Motion carried 10-0-0.**

Tuccio-Roanoke Avenue, Riverhead A landlocked parcel which scored 17 by the Committee. There is no road frontage, but it is adjacent to existing PDR land. **A motion for approval was made by Charles Scheer and seconded by Nate Corwin. Motion carried.**

Zilnicki - South of Reeves Avenue, Riverhead A 13.4 acre landlocked piece that is adjacent to existing PDR land. **A motion for approval was made by Nate Corwin and seconded by Albert Kilb. Motion carried 10-0-0.**

Lewis Oliver Dairy- Bunt Avenue, Northport 1.9 acres in the Village of Northport scored 6 by the Committee. **Motion for disapproval was made by Tony Brand and seconded by Lee Foster. Motion carried 10-0-0.**

Russell Weiss-Center Moriches Previously tabled from the October 23, 2001 meeting. The parcel is totally covered by greenhouses. **A motion for disapproval was made by Nate Corwin and seconded by Tony Brand. Motion carried 10-0-0.**

Detmer Farm-Setauket James Burke, Suffolk County Div. of Real Estate, requested that the Committee look at this piece because he is now in negotiations with the owners. It scored 11 on

the Committee's scale. It is a 30 acre piece in Setauket. **A motion for approval was made by Charles Scheer and seconded by Albert Kilb. Motion carried 10-0-0.**

Wind Turbines

The issue of whether wind turbines could be allowed on development rights land in the future was discussed. Use of wind turbines may not fit the definition of ag production unless the power is used only on the farm or is used to pump water. Jenny Kohn will check into this further.

Other Business

The Riverhead Ag Committee has stated that there are areas that they do not want to purchase development rights in. It was felt that it would be advantageous for the County Farmland Committee to meet with the Riverhead Farmland Committee to discuss areas to concentrate on and areas to avoid.

Next Meeting: March 26th at 6:30 in Riverhead with the Riverhead Ag Committee.

A motion to adjourn was made at 5:36 P.M. by Elmer Zeh and seconded by Jacob Rottkamp. Motion carried 10-0-0.