

# MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE

## Suffolk County Planning Department

**Date:** January 28, 2003

**Members Present:** Bennett Orłowski, Jr. (At-Large), Chairman  
Thomas A. Isles, Suffolk County Dept. of Planning Director (At-Large)  
Anthony Brand, Jr., (Huntington)  
Russell Barnett (Smithtown)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Dan Fricke (Riverhead)  
Reed W. Jarvis, Jr. (At-Large)  
Alfred J. Kilb, Jr. (Shelter Island)  
Joseph Krukowski (Southold)  
Eugene Murphy (Islip)  
Jacob Rottkamp (Riverhead)  
Charlie Scheer (At-Large)  
Mark Zaweski (At-Large)  
Elmer Zeh (Brookhaven)

**County Staff Present:** James Burke, Suffolk County Div. of Real Estate, Acting Director  
Robert Zaher, Suffolk County Div. of Real Estate  
Jenny Kohn, Esq., Suffolk County Attorney's Office, Counsel  
Chris Wrede  
Roy Fedelem, S.C. Dept. of Planning

**Guests:** Bill Sanok, CCE  
Joseph Gergela, L.I. Farm Bureau  
Hoot Sherman, Peconic Land Trust  
Thomas Williams, Cooperative Extension

**Members Absent:** Olney M. Gardiner (East Hampton)  
Brian Zitani (Babylon)  
Albert Schmitt (At-Large)  
Ronald Bush (At-Large)

The meeting of the Suffolk County Farmland Committee was called to order by the Chairman, Bennett Orłowski, at 3:10 p.m. at the Arthur Kunz Memorial Library, H. Lee Dennison Bldg., Hauppauge, N.Y.

### Approval of Minutes

**A motion was put forth by Elmer Zeh and seconded by Charles Scheer to approve the minutes of the October 29, 2002 meeting of the Farmland Committee. Motion carried. 15-0-0.**

### **Keith Morton Property (formerly approved as Van Nostrand) - Orient**

Jim Burke spoke and there was a discussion between Committee members regarding the acquisition of all but one parcel. Mr. Burke will make an offer to purchase development rights excluding the one lot. **A motion for approval with one lot taken out was made by Elmer Zeh and seconded by Mark Zaweski. Motion carried. 15-0-0.**

### **Warren's Nursery-Approval for Barn Built by Former Owners**

**A motion was made by Chairman Orłowski to do a SEQR determination on this application making it a Type II Action stating that the Committee has no further responsibility under SEQR. Motion seconded by. Motion carried. 15-0-0.**

A request for approval of pre-existing barn to be used for conversion to lavatory, office and storage. Jenny Kohn suggested approval subject to Section 301 of the N.Y.S. Ag & Markets Law and Chapter 8 of the Suffolk County Law as long as use is related to ag production. Farmland Committee to send a letter approving ag use of the building subject to all applicable permits and requirements of the Town and Suffolk County Department of Health and pending submission of as built survey. **A motion was made and seconded. Motion carried. 15-0-0.**

### **Scott Sipala-Town Violations for Clearing Property**

Brookhaven issued Mr. Sipala violations for clearing his property (formerly Lustgarten Nursery) to return it back into farming. **Elmer Zeh made a motion that the Committee send a letter to the Town of Brookhaven explaining that, within the limits of the pre-existing nursery, they had no objection to the clearing of the property and that it is the role of the Committee to promote agriculture. Motion seconded. Motion carried. 15-0-0.**

### **Roufanis-(former Fleming Farm in Orient) Permission to Rebuild the House**

**A motion was made by Chairman Orłowski to do a SEQR determination on this application making it a Type II Action stating that the Committee has no further responsibility under SEQR. Motion seconded. Motion carried. 15-0-0**

**A motion was made granting permission to rebuild the house in its existing footprint, subject to applicable local ordinances. Motion seconded. Motion carried. 15-0-0.**

### **Discussion of Ernst Property**

There is a request to subdivide approximately 6 lots of the Ernst Property. He does not have a formal application with the Town but he wants to subdivide the farm into 3 smaller farms (farmettes). The Committee members felt that property should be offered to the Committee in its final state not what it will be after it has been changed. **Tony Brand made a motion that property should be subdivided previous to asking for the Committee's approval and subject to the Planning Board's approval. Motion seconded by Elmer Zeh. Motion carried. 15-0-0.** If the property remains in its 63 acres it is approved for purchase, but if it is subdivided it must come back to the Committee for consideration.

## **Tabled Parcels from Last Meeting**

Carman - Rejected  
Berguath- Approved  
Keil- Approved

## **Parcels Reviewed for Acquisition**

All parcels were approved. The Binger parcel, which was rejected at the last meeting, was reconsidered and approved.

Joe Gergela discussed the problems of wineries being allowed to have lavatories and the problem with nitrogen loading.

## **Other Business**

Joe Gergela told the Committee that we have about 6,000 acres of subdivisions and that we need to put in a database and create a presentation to ask for matching funds. He also suggested returning to the original way the program was set up which asked farmers what they would accept for their development rights. He stated that we cannot wait any longer. The money must be spent and lobbying must be done to receive more funding. **Chairman Orłowski made a motion to send a letter to Real Estate asking them to use the original law to move purchases. This was seconded by Tony Brand. Motion carried. 15-0-0.**

**Next Meeting: April 29, 2003 at 6:00 P.M. in the H. Lee Dennison Bldg, 4th fl., Hauppauge, N.Y.**

**A motion to adjourn was made at 5:40 P.M. by Elmer Zeh and seconded by Jacob Rottkamp. Motion carried. 15-0-0**