

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

## FARMLAND COMMITTEE

Bennett S. Orlowski, Jr.  
CHAIRMAN

Thomas A. Isles, A.I.C.P.  
DIRECTOR OF PLANNING

## **NOTICE OF PUBLIC MEETING**

Notice is hereby given that the Suffolk County Farmland Committee will convene a regular public meeting at 12:00 noon on Tuesday, January 27<sup>th</sup>, 2009 in the Planning Conference Room at the H. Lee Dennison Building, 4<sup>th</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, N.Y. Pursuant to the Citizens Public Participation Act, all citizens are invited to submit testimony, either orally or in writing at the meeting. Written comments can also be submitted prior to the meeting to the attention of:

**Thomas A. Isles, Director  
Suffolk County Planning Department  
P.O. Box 6100  
Hauppauge, N.Y. 11788**

**Suffolk County Farmland Committee  
Bennett S. Orlowski, Jr.**

# Suffolk County Farmland Committee

c/o Suffolk County Planning Department  
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099  
T: (631) 853-5191 F: (631) 853-4044

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## *Chairman*

Bennett S. Orlowski, Jr.

## *Members*

Bennett S. Orlowski, Jr.  
Russell K. Barnett  
Ronald Bush  
Nate Corwin  
Lee Foster  
Daniel Fricke  
Olney M. Gardiner  
Thomas A. Isles  
Howard Johnson  
Ann Marie Jones  
Alfred Kilb, Jr.  
Joseph Krukowski  
Dale D. Moyer  
Eugene Murphy  
Jeffrey Rottkamp  
Charles Scheer  
Albert Schmitt  
John Turner  
Mark Zaweski

## *Counsel*

Linda Spahr

## *Advisors*

Allan S. Connell  
Joseph M. Gergela, III  
William Sanok

## *Staff*

Jessica L. Kalmbacher

## **AGENDA**

H. Lee Dennison Building – 4<sup>th</sup> Floor Conference Room  
100 Veterans Memorial Highway, Hauppauge, NY 11788

Tuesday, January 27, 2009

12:00 noon

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### **1. ORDER OF BUSINESS:**

- A. Chairman Orlowski calls the Suffolk County Farmland Committee meeting to order
- B. Review of general correspondences received since the November 25, 2008 meeting

### **2. MEETING OPEN FOR PUBLIC COMMENTS**

### **3. POLICY MATTERS:**

- A. Distribution of approved SC Farmland Committee Guidelines for Greenhouse Structures
- B. Discussion of proposed amendments to Chapter 8
- C. Suffolk County Agricultural Districts (status of 2009 Open Enrollment Period)

### **4. STATUS UPDATE:**

- A. Quintal, Brightwaters Farms & Nursery (0500 22300 0100 021001)
- B. YMCA facility proposed within a Suffolk County Agricultural District
- C. K & E Land Corp., East Coast Nurseries (0600 06300 0300 005004)
- D. WM Investments, LLC; former Heilbut property (0900 06700 0100 006003)
- E. Corwith (0900 11500 0200 022015)

### **5. COMPLAINTS/POTENTIAL VIOLATIONS:**

- A. Irene J. Detmer Revocable Trust, Detmer Farm (0200 13200 0200 001001, 001002)

### **6. PERMITS:**

- A. Block, Block's Nursery, Inc. (0200 50700 0400 012000)
- B. Blangiardo, fka 353 Manor Lane, LLC (0600 04700 0100 003007): Tabled (11/25/2008)
- C. Shoreline Development Corp. (0600 05800 0200 013001, 014002): Tabled (11/25/2008)

### **7. NEW PARCELS:**

- A. fka 0600 08500 0300 072004 – Harriman Estates at Aquebogue LLC

### **8. OTHER BUSINESS**

### **9. ADJOURNMENT**

**NEXT MEETING:** Tuesday, March 24, 2009, at 6:00 P.M., at the Long Island Horticultural Research & Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901

**MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE**  
**Suffolk County Planning Department**

**Date:** January 27, 2009

**Members Present:**

Bennett S. Orłowski, Jr., Chairman (At-Large)  
Ronald Bush (At-Large)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Thomas A. Isles  
Ann Marie Jones (Babylon)  
Alfred J. Kilb, Jr. (Shelter Island)  
Joseph Krukowski (Southold)  
Dale D.Moyer (At-Large)  
Eugene Murphy (Islip)  
Jeffrey Rottkamp (Riverhead)  
Charles Scheer (At-Large)  
John Turner (Brookhaven)  
Mark Zaweski (At-Large)

**Members Absent:**

Russell K. Barnett (Smithtown)  
Daniel Fricke (At-Large)  
Olney M. Gardiner (East Hampton)  
Howard Johnson (Huntington)  
Albert Schmitt (At-Large)

**Advisors Present:**

William Sanok, Cornell Cooperative Ext. (Retired)

**Advisors Absent:**

Allan S. Connell, Natural Resources Conservation Service  
Joseph M. Gergela, III, Long Island Farm Bureau

**County Staff Present:**

Andrew Amakawa, Research Technician, SC Planning Department (Committee Staff)  
Phyllis Benincasa, Assistant Real Estate Agent, SC Real Property Acquisition & Mgmt. Div.  
Jessica L. Kalmbacher, Planner, SC Planning Department (Committee Staff)  
Christopher E. Kent, Director, SC Real Property Acquisition & Mgmt. Div.  
Janet M. Longo, Acquisition Supervisor, SC Real Property Acquisition & Mgmt. Div.  
Carrie Meek Gallagher, Commissioner, SC Environment & Energy Department  
Debra Wilson, Appraisal Reviewer, SC Real Property Acquisition and Mgmt. Div.  
Robert J. Zaher, Land Management Specialist, SC Real Property Acquisition & Mgmt. Div.

## **Guests:**

Frank J. Blangiardo, Blangiardo Farm  
Charles Cuddy, Shoreline Development Corp.  
Vito (Rocky) DiVello, Long Island Farm Bureau  
Kathryn Nickles Jacobs, Blangiardo Farm (presented but did not sign in)  
Dave Klenawicus  
Joe Mirabella (commented on Block's Nursery application)  
Richard M. O'Dea, Town of Riverhead Planning Board  
Anne Marie Prudenti, Town of Riverhead  
Anthony Schembri, Shoreline Development Corp.  
Stephen Searl, Peconic Land Trust  
Melissa Spiro, Town of Southold  
Emily Stevens, Shoreline Development Corp.  
Herb Strobel  
Catherine Van Ostrand, Shoreline Development Corp.  
Gregory Van Ostrand, Shoreline Development Corp.

## **ORDER OF BUSINESS**

### ***Call to Order***

Chairman Orlowski called the meeting of the Suffolk County Farmland Committee (Committee) to order at 12:15 P.M. in the Arthur Kunz Memorial Library on the fourth floor of the H. Lee Dennison Building in Hauppauge, New York.

### ***Correspondences***

The Committee was not in receipt of any correspondences unrelated to items on the agenda.

## **PUBLIC COMMENTS**

Chairman Orlowski opened the meeting for public comments. None were made; therefore, Chairman Orlowski closed the public comment portion of the meeting.

## **POLICY MATTERS**

### ***Suffolk County Farmland Committee Guidelines for Greenhouse Structures***

Copies of the guidelines approved by the Committee at the January 22, 2008 meeting, titled *Greenhouse Structures: Guidelines for Parcels with County Purchased Development Rights*, were distributed.

### ***Draft Proposed Amendments to Chapter 8, "Development Rights to Agricultural Lands"***

Chapter 8 of the Suffolk County Administrative Local Laws governs the Suffolk County Purchase of Development Rights Program (PDR Program). Difficulties associated with the enforcement of the PDR Program effectuated the review of Chapter 8 and the drafting of proposed amendments to Chapter 8. Copies of both the existing language of and the draft proposed amendments to Chapter 8 were distributed. Member Isles summarized the draft proposed amendments. A dialogue ensued, primarily about the Committee's composition and about the frequency of reviews of requests for inclusion in the PDR Program. Member Zaweski, among others, applauded the Committee's success thus far, attributing much of that success to the Committee's current composition. Concern was expressed over the proposed composition, which would mandate that only two members have expertise in agriculture but in no way prohibit the other seventeen members from having such expertise. The point was made that the existing code does not require that any member of the Committee be an agricultural expert, or even familiar with agriculture; thus, the proposed requirement would ensure that the agricultural industry continue to be represented. Member Murphy recognized the proposed annual review period as a method to improve the farmland preservation planning, while other members suggested that such infrequent review might

discourage, if not prohibit, agricultural landowners from including their properties in the program. A quarterly review was suggested, similar to the practice of recent years. It was then clarified that the existing code authorizes a Dutch action process inconsistent with recently enacted legislation and current review practices. Subsequent to discussion, members were directed to submit their comments in writing to Suffolk County Department of Planning (Planning Department) staff member Jessica Kalmbacher by February 15, 2009.

*Member Jones arrived during the discussion of the draft proposed amendments.*

***Agricultural Districts - 2009 Open Enrollment Period (pursuant to NYS AML §303-b)***

The Suffolk County Legislature designated the month of January as the annual period during which time landowners of active viable agricultural lands within the County of Suffolk (County) may voluntarily petition to have their properties included in existing certified agricultural districts. Landowners were directed to submit their completed applications to the Planning Department no later than January 30, 2009 for consideration if interested in the voluntary program.

**STATUS UPDATE**

***Quintal, Brightwaters Farms & Nursery (0500 22300 0100 021001)***

The subject parcel is approximately 11 acres and is located in the hamlet of North Bay Shore, Town of Islip. Violations may have occurred and may be continuing to occur on the premises. On January 22, 2009, Planning Department staff and Suffolk County Real Property Acquisition and Management Division staff conducted a site inspection with the landowner, Anthony Quintal, Jr. The agricultural operation, according to Mr. Quintal, includes not only the subject parcel and adjacent lot but also approximately 235 acres (85 owned, 150 rented) of land in the County of Delaware, New York. The site inspection revealed the following information about the premises and the operation. On the subject parcel there are, in no particular order, mums, raspberries, pumpkins, evergreens, livestock, compost, mulch, firewood, sand, stone pavers, dump trucks, greenhouses, one butler barn, nonagricultural equipment, and one very large hole, among other items. The crops are grown and/or matured both onsite and upstate. Those crops are then offered for sale both on the premises and at the retail outlet on the adjacent lot. The livestock (goats, pigs, and llamas) has been offered for sale from the premises, and Mr. Quintal intends to start breeding and selling the livestock again in the near future. The compost and mulch are used onsite, upstate, and offered for sale. The firewood and stone pavers are stored onsite and some is offered for sale. The sand, its source not specified, is used for an associated plowing operation according to Mr. Quintal. Approximately seven dump trucks were being stored on the premises at the time of the inspection. The dump trucks are used to transport the crops and compost between the subject parcel and the property upstate. There are several greenhouses on the premises. At the time of the inspection, the greenhouses were being used for storage, but Mr. Quintal said that they are used to extend the growing season of the mums. Roughly two-thirds of the butler barn is used to repair the dump trucks and other agricultural equipment, while the remaining third is finished with offices. Nonagricultural equipment like snow plow blades and one boat were being stored on the premises at the time of the inspection. A hole, about the size of a dump truck, has been dug near the southern portion of the property. Mr. Quintal told staff members that its purpose is to catch runoff from Pine Acres Boulevard, the Town of Islip right-of-way contiguous with the western boundary of the subject parcel. The permanent playground structures previously presented to the Committee have been relocated to an area where development rights are still intact; however, the "Little Farmers Playground" is still located in an area from where the development rights have been sold. The staff members' findings have been forwarded to the Suffolk County Law Department for further review.

***YMCA Facility proposed within a Suffolk County Agricultural District (0600 04600 0300 005000)***

A YMCA facility is proposed on an actively farmed 27-acre parcel of property owned by the Riverhead Central School District. The subject property is located within a 500-acre block of predominately preserved farmland, most of which is within Suffolk County Agricultural District number seven. Concerned about the impacts of possible land-use conflicts on agricultural production, the Committee passed a motion during the November 25, 2008 meeting directing the Planning Department to prepare a letter stating the Committee's position against the proposal and to send said letter to the YMCA of Long Island, the Riverhead Central School District, and the New York State Education Department. The letter was prepared and sent to the aforementioned recipients on January 16, 2009. No responses were received.

***K & E Land Corp., East Coast Nurseries (0900 06300 0300 005004)***

The subject parcel is approximately 165 acres and is located in the hamlet of Riverhead, Town of Riverhead. The applicant seeks a permit to install five vertical drainage basins. Since the applicant was not present at the September 23, 2008 and November 25, 2008 meetings to represent the proposal, the Committee passed a motion during the November 25, 2008 meeting tabling the proposal and directing Planning Department staff to contact the applicant to determine if the applicant wished to pursue the submitted application. Planning Department staff contacted the applicant, who requested the proposal be considered by the Committee during the March 24, 2009 meeting.

***WM Investments, LLC; former Heilbut property (0900 06700 0100 006003)***

The subject parcel is approximately 39 acres and is located in the hamlet of Water Mill, Town of Southampton. There has been a continuing violation on the premises: the dirt farm road that traverses the subject parcel has been used regularly for nonagricultural purposes, primarily as a means by which construction and other nonagricultural vehicles may gain access to the adjacent residential lot from Cooks Lane. On January 23, 2009, Planning Department staff conducted a site inspection. The "JC Construction Management Corp., 81 Newtown Lane, East Hampton, New York 11937" sign which was previously used to mark the entrance on Cooks Lane to the dirt farm road and subsequent residence had been removed, and the gate at the entrance of the dirt farm road had been locked. Tire tracks in the snow indicated that vehicles continue to utilize the dirt farm road; however, it was unclear whether or not those vehicles were conducting farm business. The County continues to monitor the matter.

***Corwith (0900 11500 0200 022015)***

The subject parcel is approximately 34 acres and is located in the hamlet of Water Mill, Town of Southampton. The landowner was present at the September 23, 2008 meeting, and he sought permission to subdivide the subject parcel into two 17-acre lots. The Committee requested that the landowner research alternatives that would achieve his goal to reduce liability in the land and that he present them to the Committee at a subsequent meeting. The landowner was not present at the November 25, 2008 meeting. Thus, the Committee directed Planning Department staff to contact the landowner to determine if he wished to pursue the proposal. Planning Department staff contacted the landowner, who indicated that he was withdrawing his request and would be submitting said withdrawal in writing. No correspondence has been received.

**COMPLAINTS/POTENTIAL VIOLATIONS**

***Irene J. Detmer Revocable Trust, Detmer Farm (0200 13200 0200 001001, 001002)***

The subject property is approximately 30.2 acres and is in the hamlet of East Setauket, Town of Brookhaven. A complaint received alleged that landscaping material was being accepted onto the premises. On January 23, 2009, Planning Department staff conducted a site inspection. Planning Department staff was unable to determine the validity of the complaint due to snow cover. A subsequent site inspection will be conducted once the snow melts.

PERMITS

***Block, Block's Nursery, Inc. (0200 50700 0400 012000)***

***Barn***

The subject parcel is approximately 19.9 acres and is located in the hamlet of Manorville, Town of Brookhaven. On April 24, 2007, the Committee granted the applicant permission to construct one 13,000 square-foot barn, which included a lunchroom, a bathroom, and an office. The barn has not been constructed. The applicant now seeks a permit to construct a smaller barn (7,200 square feet), in a location that is approximately 250 feet southeast of the originally proposed location; to install one well pump; and to install associated underground electric and water service infrastructure. Although the applicant was not in attendance, his letter cited financial hardship and a neighbor's request as reasons to erect a smaller structure in a different location. The applicant's neighbor, Joe Mirabella, was present. Mr. Mirabella, who owns the lot directly west of the subject parcel, demonstrated no objections to the new proposed location of the barn structure.

**A motion was put forth by Mark Zaweski and seconded by Dale D. Moyer finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR §§ 617.5 (c) (3) and (11), which completes the SEQRA review. Motion carried: 14-0-0.**

**A motion was put forth by Mark Zaweski and seconded by Dale D. Moyer to rescind the April 24, 2007 Suffolk County Farmland Committee approval for one barn structure and to issue a permit for 1) one (1) barn structure, which shall not exceed a footprint of 60 feet by 120 feet and which may include one (1) lunch room, one (1) bathroom, and one (1) office, on Suffolk County Real Property Tax Map lot 0200-507.00-04.00-012.000, situated 460 feet north of South Street and 120 feet west of the eastern property line, as delineated on the submitted survey titled "Map of Described Property Situated at Manorville, Town of Brookhaven, Suffolk County, N.Y." and dated November 8, 2008; 2) one (1) electric pump, as delineated on the aforementioned survey, associated with the well house approved by the Suffolk County Farmland Committee on April 24, 2007; and 3) underground electric and water service infrastructure associated with the aforementioned approved improvements. Motion carried: 14-0-0. ["Exhibit A"]**

***Blangiardo, fka 353 Manor Lane, LLC (0600 04700 0100 03007)***

***Horse Barn, Horse Fencing, Underground Utilities Infrastructure***

The subject parcel is approximately 37.7 acres and is located in the hamlet of Jamesport, Town of Riverhead. The existing commercial agricultural operation on the premises is a nursery operation; however, a commercial horse boarding operation is proposed. The applicant seeks a permit to relocate one Lester Building structure onto the premises intended to be used as a horse barn for the proposed commercial horse boarding operation, to erect horse fencing structures on the premises intended to create paddocks for the proposed commercial horse boarding operation, and to disturb the soil to install electric and water utilities infrastructure intended to service the proposed horse barn. The proposed horse barn is 3,000 square feet (50 feet by 60 feet). The proposed paddock area to be created by the proposed horse fencing is approximately six acres. Lastly, the proposed soil disturbance for the installation of the proposed utilities infrastructure is approximately 600 feet, from Manor Lane to the proposed horse barn. The application was before the Committee and tabled at both the September 23, 2008 and November 25, 2008 meetings (see those meetings' minutes for further information). The applicant, Frank J. Blangiardo, and Kathryn Nickles Jacobs were in attendance to present the proposal. A discussion ensued. Member Isles summarized the Committee's remaining concerns as follows: 1) whether or not the proposed activities constitute a commercial horse boarding operation pursuant to New York State Agriculture and Markets Law Section 301 (NYS AML §301), 2) whether or not the Committee is authorized under Chapter 8 of the Suffolk County Administrative Local Laws to grant approvals for structures unassociated with the existing commercial agricultural operation but associated with a proposed commercial agricultural operation, 3) the appropriate stocking rate to protect the County's interest in the agricultural resource (i.e., the soil), and 4) a reasonable timeframe within which a commercial horse boarding operation could be established on the subject parcel. Mr. Blangiardo assured the Committee that the proposed activities constitute a commercial horse boarding operation pursuant to NYS AML §301, that the proposed activities are not recreational and/or accessory to the residential use on the adjacent lot, and that the proposed improvements are necessary for the implementation and continuation of the commercial

horse boarding operation. Concerned about possible overstocking, member Foster inquired about the proposed pasture ration plan and horse fencing. Mr. Blangiardo informed the Committee that mobile horse fencing would be utilized to achieve the pasture rotation plan presented by Ms. Jacobs and that no perimeter fencing would be installed. After further discussion, the Committee determined that nine months would be a reasonable timeframe within which the applicant could establish the proposed commercial horse boarding operation on the premises.

**A motion was put forth by Mark Zaweski and seconded by Nate Corwin finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR §§ 617.5 (c) (3) and (11), which completes the SEQRA review. Motion carried: 14-0-0.**

**A motion was put forth by Alfred Kilb, Jr. and seconded by Charles Scheer to issue a permit to site one (1) horse barn, which shall not exceed a footprint of 50' by 60', on SCRPTM lot 0600-47.00-01.00-003.007, as delineated on the submitted survey titled "Survey of Property Situated at Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-47-01-3.2" and dated September 17, 2007; to construct two (2) paddocks, each approximately 50' by 60' and both adjacent to the horse barn, as delineated on the submitted survey titled "Survey of Property Situated at Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-47-01-3.2" and dated September 17, 2007; to install horse fencing around the horse barn, encompassing an area approximately 350' by 600', as delineated on the submitted survey titled "Survey of Property Situated at Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-47-01-3.2" and dated September 17, 2007; and to install underground electric and water infrastructure extending approximately 300' southeasterly from the proposed driveway on the adjacent lot, SCRPTM lot 0600-047.00-01.00-003.006, to the abovementioned horse barn, as delineated on the submitted survey titled "Survey of Property Situated at Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-47-01-3.2" and dated September 17, 2007 but excluding the segment extending west-southwesterly from Manor Lane subject to the following conditions: 1) no construction activities associated with the above listed improvements shall be made prior to issuance of the permit; 2) a grazing management plan shall be prepared to the satisfaction of the Natural Resources Conservation Service (NRCS) and shall be submitted to the Committee for review and approval within nine (9) months of permit issuance; 3) rotational grazing may be implemented by means of temporary fencing structures, and the rotation schedule and the amount of pastureland at any given time shall be in accordance with NRCS recommendations; 4) any soil disturbance shall be minimized to the greatest extent practicable; 5) soil disturbed in conjunction with the installation of the aforementioned electric and water infrastructure shall be revegetated upon completion of installation activities; 6) the landowner shall submit an "as-built" survey identifying the location of the horse barn, paddocks, horse fencing, and underground electric and water service infrastructure to the Committee within nine (9) months of permit issuance; 7) the landowner shall demonstrate proof, to the satisfaction of the Committee, that a bona fide commercial horse boarding operation as defined by New York State Agricultural and Markets Law §301(13) has been established within nine (9) months of permit issuance; 8) the County of Suffolk and/or its agents reserve the right to inspect the subject property; 9) the landowner shall submit a copy of the abovementioned permit to the Town of Riverhead; 10) the landowner and/or the farm operator shall comply with all federal, state, county, and town regulations, rules, and statutes; and 11) failure to establish a commercial horse boarding operation, on the subject property, as determined by the Committee may result in the revocation of all applicable approvals and permits for the horse barn, paddocks, horse fencing, and underground electric and water service infrastructure, and the landowner agrees to remove all of the aforementioned improvements as requested by the Committee within ninety (90) days of notification of permit revocation. Motion carried: 14-0-0. ["Exhibit B"]**



*Shoreline Development Corp. (0600 05800 0200 013001, 014002)*

***Fencing, Parking, Farm Stand, Nursery Storage Structure, Equipment Storage Structure***

The subject property is approximately 33.0 acres and is located in the hamlet of Calverton, Town of Riverhead. During the November 25, 2008 meeting, the Committee requested that Planning Department staff conduct a site inspection of the subject property to verify that the “Sales & Construction Office” sign had been removed from the existing office building structure. On January 23, 2009, Planning Department staff conducted a site inspection and confirmed that said sign had been removed from the premises. That matter being closed, the Committee moved on to the review of the applicant’s proposal. The applicant seeks ex post facto permission to relocate two post-and-rail fence structures and a permit to install new post-and-rail fence structures, to create a gravel parking area, to construct a farm stand structure intended to be used to market directly nursery stock, to construct a nursery stock storage structure, and to construct a farm equipment storage structure. The post-and-rail fence structures are proposed to encompass the northwestern field. The proposed gravel parking area is approximately 9,000 square feet. The proposed farm stand structure, identified as a “nursery sales” structure on the submitted plans, is approximately 500 square feet. The proposed nursery stock storage structure is approximately 315 square feet. Lastly, the proposed farm equipment storage structure is approximately 890 square feet. The application was before the Committee and tabled at both the September 23, 2008 and November 25, 2008 meetings (see those meetings’ minutes for further information). Several persons were in attendance to present the proposal. A dialogue ensued.

**A motion was put forth by Nate Corwin and seconded by Mark Zaweski finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR § 617.5 (c) (3), which completes the SEQRA review. Motion carried: 14-0-0.**

**A motion was put forth by Nate Corwin and seconded by Mark Zaweski to issue a permit for one (1) farm stand structure, which shall not exceed 20’ by 25’, situated on SCRPTM lot 0600-058.00-02.00-013.001, approximately 175’ east-northeasterly of Hulse Landing Road (CR 54) and approximately 100’ south-southeasterly of Sound Avenue, as delineated on the submitted site plan titled “1039 Sound Avenue, Town of Riverhead, NY” and dated January 2009, for the purpose of selling agricultural products such as nursery stock; one (1) agricultural storage structure, which shall not exceed 12.5’ by 25’, situated approximately 80’ south-southeasterly of Sound Avenue, in the footprint of the concrete slab delineated on the survey titled “Map of Property to be Acquired by Suffolk County for Suffolk County Multifaceted Land Preservation Program, Situated at Wading River, Town of Riverhead, Suffolk County, N.Y.” and dated August 15, 2007, for the purpose of storing agricultural equipment; one (1) agricultural storage structure, which shall not exceed 25’ by 37.5’, situated approximately 13’ south-southeasterly from Sound Avenue, in the footprint of the block foundation delineated on the survey titled “Map of Property to be Acquired by Suffolk County for Suffolk County Multifaceted Land Preservation Program, Situated at Wading River, Town of Riverhead, Suffolk County, N.Y.” and dated August 15, 2007, for the purpose of storing agricultural equipment; one (1) gravel parking area, which shall not exceed 60’ by 123’, situated approximately 250’ east-northeasterly from the intersection between Hulse Landing Road (CR 54) and Sound Avenue, as delineated on the site plan titled “1039 Sound Avenue, Town of Riverhead, NY” and dated January 2009; post-and-rail fencing around the gravel parking area, as delineated on the submitted site plan titled “1039 Sound Avenue, Town of Riverhead, NY” and dated January 2009; and post-and-rail fencing around the northwestern field, encompassing an area approximately 140’ by 250’, as delineated in the site plan titled “1039 Sound Avenue, Town of Riverhead, NY” and dated January 2009. Motion carried: 14-0-0. [“Exhibit C”]**

NEW PARCELS [“Exhibit D”]

*Harriman Estates at Aquebogue LLC (fka 0600 08500 0300 072004)*

56.9 acres located in Aquebogue of the Town of Riverhead scored 15.5 by the Committee.

**A motion was put forth by Dale D. Moyer and seconded by Charles Scheer to recommend approximately 57 acres, subdivided into 86 residential lots, one (1) commercial lot, one (1) recreational lot, seven (7) proposed right-of-ways, and one (1) open space area with associated drainage basin, having no identified exclusions, and contingent upon subdivision abandonment prior to development rights acquisition, to the Suffolk County Legislature for possible inclusion in the Suffolk County Purchase of Development Rights Program. Motion carried: 14-0-0. [“Exhibit E”]**

OTHER BUSINESS

*Additional Discussion about the Draft Proposed Amendments to Chapter 8*

During the roundtable session, the Committee members resumed their prior conversation about the draft proposed amendments to Chapter 8. The discussion focused on the Committee’s role, its Composition, and the Long Island agricultural industry’s network. Member Isles articulated the Committee’s two main functions as a continuing agency of the Suffolk County Government: 1) to review parcels to determine their appropriateness for inclusion in the PDR Program and 2) to oversee the activities conducted on included lands to ensure that those lands remain viable, productive farmlands. Since the inception of the PDR Program, the program has matured and the Committee’s focus has shifted from the former to the latter function. The Committee now acts more as an administrative, regulatory body. Thus, some members agreed that a diverse Committee might be better suited to consider the broader public interest but that it should not come at the expense of agricultural expertise. The dialogue then shifted to the regulation of farm stands. The existing code limits the type and amount of products that may be offered for sale at a farm stand sited on agricultural lands in the program. Member Rottkamp, and others, explained the intricate agricultural network that exists on Long Island. They further explained the importance of marketing crops both grown on and grown off the premises at the farm stands. Subsequently the members were again encouraged to submit their comments in writing to the Planning Department by February 15, 2009. The Committee was then informed that the Planning Department intends to apply for a New York State Grant that would facilitate the completion of an update to the existing 1996 Suffolk County Agricultural and Farmland Protection Plan. The intent of the update is to address agricultural issues not covered by the draft proposed amendments to Chapter 8.

ADJOURNMENT

**A motion to adjourn was put forth by Lee Foster and seconded by Nate Corwin. Motion carried: 14-0-0.**

NEXT MEETING

**Tuesday, March 24, 2009 at 6:00 P.M. at the Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY 11901.**

**EXHIBIT A**

**RESOLUTION NO. FC-1-2009, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS –“BLOCK’S NURSERY” (SCRPTM NO. 0200-507.00-04.00-012.000) – TOWN OF BROOKHAVEN – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, the Suffolk County Farmland Committee at its meeting on April 24, 2007 approved thirty (30) temporary poly cover winter greenhouses, one (1) well house, a materials storage area, deer fence structures, and one (1) barn with one (1) lunch room, one (1) office, and one (1) bathroom, subject to the landowner securing all necessary Town of Brookhaven approvals; and

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, an application for a proposed modification was received by the Suffolk County Farmland Committee with respect to the farm of “Block’s Nursery” for the issuance of a permit to construct one (1) barn structure, which shall not exceed a footprint of 60’ by 120’, on Suffolk County Real Property Tax Map lot 0200-507.00-04.00-012.000, situated 460’ north of South Street and 120’ west of the eastern property line, as delineated on the submitted survey titled “Map of Described Property Situated at Manorville, Town of Brookhaven, Suffolk County, N.Y.” and dated November 8, 2009 (hereinafter referred to as the “SURVEY”); to install one (1) well, as delineated on the survey; to install one (1) electric pump, as delineated on the survey; and to install underground electric and water utilities infrastructure to service the aforementioned improvements; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on January 27, 2009; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §§617.5(c)(3) and (11), which completes the SEQRA review; and be it further

**2<sup>nd</sup> RESOLVED**, that the April 24, 2007 approval for one (1) barn structure with one (1) lunch room, one (1) office, and one (1) bathroom is null and void; and be it further

**3<sup>rd</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby approves said application.

**Motion by:** Mark Zaweski                      **Seconded by:** Dale D. Moyer

Committee Vote:            **Ayes            14**  
   **Nays             0**  
   **Abstentions 0**

Members Present:        14        (Ronald Bush, Nate Corwin, Lee Foster, Thomas A. Isles, Ann Marie Jones, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Eugene Murphy, Bennett S. Orlowski, Jr., Jeffrey Rottkamp, Charles Scheer, John Turner, Mark Zaweski)

Members Absent:        5        (Russell K. Barnett, Daniel Fricke, Olney M. Gardiner, Howard Johnson, Albert Schmitt)

**Dated: January 27, 2009**  
H. Lee Dennison Building – 4<sup>th</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, NY 11788  
Suffolk County Farmland Committee

## **EXHIBIT B**

### **RESOLUTION NO. FC-2-2009, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – FRANK J. BLANGIARDO (SCRPTM NO. 0600-047.00-01.00-003.007) –TOWN OF RIVERHEAD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, an application for a proposed modification was received by the Suffolk County Farmland Committee with respect to the farm owned by Frank J. Blangiardo for the issuance of a permit to site one (1) horse barn, which shall not exceed a footprint of 50' by 60', on Suffolk County Real Property Tax Map (SCRPTM) lot 0600-47.00-01.00-003.007 (hereinafter referred to as the "PREMISES"), as delineated on the submitted survey titled "Survey of Property Situated at Jamesport, Town of Riverhead, Suffolk County, New York, S.C. Tax No. 600-47-01-3.2" and dated September 17, 2007 (hereinafter referred to as the "SURVEY"); to construct two (2) paddocks, each approximately 50' by 60' and both adjacent to the horse barn, as delineated on the survey; to install horse fencing around the horse barn, encompassing an area approximately 350' by 600', as delineated on the survey; and to install underground electric and water infrastructure extending approximately 300' southeasterly from the proposed driveway on the adjacent lot, SCRPTM lot 0600-047.00-01.00-003.006, to the abovementioned horse barn, as delineated on the survey but excluding the segment on the survey extending west-southwesterly from Manor Lane; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on January 27, 2009; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §§617.5(c)(3) and (11), which completes the SEQRA review; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby approves said application subject to the following conditions:

1. that no construction activities associated with the above listed improvements shall be made prior to issuance of the permit;
2. that a grazing management plan shall be prepared to the satisfaction of the Natural Resources Conservation Service (NRCS) and shall be submitted to the Suffolk County Farmland Committee for review and approval within nine (9) months of permit issuance;
3. that rotational grazing may be implemented by means of temporary fencing structures, and the rotation schedule and the amount of pastureland at any given time shall be in accordance with NRCS recommendations;
4. that any soil disturbance shall be minimized to the greatest extent practicable;
5. that soil disturbed in conjunction with the installation of the aforementioned electric and water infrastructure shall be revegetated upon completion of installation activities;
6. that the landowner shall submit an "as-built" survey identifying the location of the horse barn, paddocks, horse fencing, and underground electric and water service infrastructure to the Suffolk County Farmland Committee within nine (9) months of permit issuance;
7. that the landowner shall demonstrate proof, to the satisfaction of the Suffolk County Farmland Committee, that a bona fide commercial horse boarding operation as defined by New York State Agricultural and Markets Law §301(13) has been established within nine (9) months of permit issuance;
8. that the County of Suffolk and/or its agents reserve the right to inspect the premises;
9. that the landowner shall submit a copy of the abovementioned permit to the Town of Riverhead;

10. that the landowner and/or the farm operator shall comply with all federal, state, county, and town regulations, rules, and statutes; and
11. that failure to establish a commercial horse boarding operation, on the premises, as determined by the Suffolk County Farmland Committee may result in the revocation of all applicable approvals and permits for the horse barn, paddocks, horse fencing, and underground electric and water service infrastructure, and the landowner agrees to remove all of the aforementioned improvements as requested by the Suffolk County Farmland Committee within ninety (90) days of notification of permit revocation.

**Motion by:** Alfred J. Kilb, Jr.      **Seconded by:** Charles Scheer

Committee Vote:      **Ayes      14**  
                                 **Nays      0**  
                                 **Abstentions 0**

Members Present:      14      (Ronald Bush, Nate Corwin, Lee Foster, Thomas A. Isles, Ann Marie Jones, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Eugene Murphy, Bennett S. Orlovski, Jr., Jeffrey Rottkamp, Charles Scheer, John Turner, Mark Zaweski)

Members Absent:      5      (Russell K. Barnett, Daniel Fricke, Olney M. Gardiner, Howard Johnson, Albert Schmitt)

**Dated: January 27, 2009**

H. Lee Dennison Building – 4<sup>th</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, NY 11788  
Suffolk County Farmland Committee

**EXHIBIT C**

**RESOLUTION NO. FC-3-2009, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – SHORELINE DEVELOPMENT CORP. (SCTM NO. 0600-058.00-02.00-013.001) – TOWN OF RIVERHEAD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, an application for a proposed modification was received by the Suffolk County Farmland Committee with respect to the farm owned by Shoreline Development Corp. for the issuance of a permit to construct one (1) farm stand structure, which shall not exceed 20’ by 25’, situated on Suffolk County Real Property Tax Map (SCRPTM) lot 0600-058.00-02.00-013.001, approximately 175’ east-northeasterly of Hulse Landing Road (CR 54) and approximately 100’ south-southeasterly of Sound Avenue, as delineated on the submitted site plan titled “1039 Sound Avenue, Town of Riverhead, NY” and dated January 2009 (hereinafter referred to as the “SITE PLAN”), for the purpose of selling agricultural products such as nursery stock; to construct one (1) agricultural storage structure, which shall not exceed 12.5’ by 25’, situated approximately 80’ south-southeasterly of Sound Avenue, in the footprint of the concrete slab delineated on the survey titled “Map of Property to be Acquired by Suffolk County for Suffolk County Multifaceted Land Preservation Program, Situated at Wading River, Town of Riverhead, Suffolk County, N.Y.” and dated August 15, 2007 (hereinafter referred to as the “SURVEY”), for the purpose of storing agricultural equipment; to construct one (1) agricultural storage structure, which shall not exceed 25’ by 37.5’, situated approximately 13’ south-southeasterly from Sound Avenue, in the footprint of the block foundation delineated on the survey, for the purpose of storing agricultural equipment; to construct one (1) gravel parking area, which shall not exceed 60’ by 123’, situated approximately 250’ east-northeasterly from the intersection between Hulse Landing Road (CR 54) and Sound Avenue, as delineated on the site plan; to relocate post-and-rail fencing around the gravel parking area, as delineated on the site plan; and to install post-and-rail fencing around the northwestern field, encompassing an area approximately 140’ by 250’, as delineated on the site plan; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on January 27, 2009; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby finds and determines that this proposal constitutes a Type II action pursuant to 6 NYCRR §617.5(c)(3)(1995), which completes the SEQRA review; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby approves said application.

**Motion by:** Nate Corwin                      **Seconded by:** Mark Zaweski

**Committee Vote:**            **Ayes**            **14**  
   **Nays**            **0**  
   **Abstentions** **0**

**Members Present:**        14        (Ronald Bush, Nate Corwin, Lee Foster, Thomas A. Isles, Ann Marie Jones, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Eugene Murphy, Bennett S. Orlowski, Jr., Jeffrey Rottkamp, Charles Scheer, John Turner, Mark Zaweski)

**Members Absent:**        5        (Russell K. Barnett, Daniel Fricke, Olney M. Gardiner, Howard Johnson, Albert Schmitt)

**Dated: January 27, 2009**  
H. Lee Dennison Building – 4<sup>th</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, NY 11788  
Suffolk County Farmland Committee

**EXHIBIT D**

PARCELS OFFERED FOR THE SUFFOLK COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM									
Score	Name	Town	Place	DSBL	Additional Lots	In. Ag. Dist.	Soil 3Class	Total Acres Considered	Ag. Use
15.5	Harriman Estates at Aquebogue LLC	Riverhead	Aquebogue	0600 08500 0300 072008	072.009 thru 072.103	7	RdA, PIB, RdB,	56.9	Pumpkins, corn, other vegetables

Approved at the 1/27/09 Farmland Committee Meeting

**EXHIBIT E**

**RESOLUTION NO. DR-1-2009, RECOMMENDING TO THE SUFFOLK COUNTY LEGISLATURE THE LANDS FROM WHICH DEVELOPMENT RIGHTS MAY BE ACQUIRED – HARRIMAN ESTATES AT AQUEBOGUE, LLC (SCRPTM NO. 0600-085.00-03.00-072.008 THRU 0600-085.00-03.00-072.103) – TOWN OF RIVERHEAD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, an application to sell development rights was received by the Suffolk County Farmland Committee with respect to the farm owned by Harriman Estates at Aquebogue, LLC on 56.9 ± acres of land south of State Route 25 (Main Road), west of Edgar Avenue, and east of Shade Tree Lane in the hamlet of Aquebogue; and

**WHEREAS**, the landowner now offers the development rights to 56.9 ± acres of active agricultural land to the County of Suffolk, while proposing to retain the development rights to 0 ± acres of the subject parcel; and

**WHEREAS**, the 56.9 ± acres of active agricultural land being considered has been subdivided into 86 residential lots, one commercial lot, one recreational lot, seven proposed right-of-ways, and one open space area; and

**WHEREAS**, pursuant to the Suffolk County Farmland Rating System for the Purchase of Development Rights, said farm received 15.5 points out of 25 possible points; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on January 27, 2009; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby recommends the subject parcel for consideration by the Suffolk County Legislature for inclusion in the Suffolk County Purchase of Development Rights Program subject to the condition that the 96-lot subdivision be abandoned.

**Motion by:** Dale D. Moyer                      **Seconded by:** Charles Scheer

Committee Vote:            **Ayes            14**  
   **Nays             0**  
   **Abstentions 0**

Members Present:        14        (Ronald Bush, Nate Corwin, Lee Foster, Thomas A. Isles, Ann Marie Jones, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Eugene Murphy, Bennett S. Orlowski, Jr., Jeffrey Rottkamp, Charles Scheer, John Turner, Mark Zaweski)

Members Absent:         5         (Russell K. Barnett, Daniel Fricke, Olney M. Gardiner, Howard Johnson, Albert Schmitt)

**Dated: January 27, 2009**  
H. Lee Dennison Building – 4<sup>th</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, NY 11788  
Suffolk County Farmland Committee