

# COUNTY OF SUFFOLK



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

Department of Economic Development and Planning  
Joanne Minieri – Deputy County Executive and Commissioner

## **SUFFOLK COUNTY FARMLAND COMMITTEE**

SARAH LANSDALE, AICP  
CHAIRPERSON

SARAH LANSDALE, AICP  
DIRECTOR-PLANNING AND  
ENVIRONMENT

### **NOTICE OF PUBLIC MEETING**

Notice is hereby given that the Suffolk County Farmland Committee will convene a regular public meeting at 6:00 PM on Tuesday, November 17, 2015 at the Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, Suite 100, 423 Griffing Avenue, Riverhead, 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:

**Sarah Lansdale, Director**  
**Division of Planning and Environment**  
**P.O. Box 6100**  
**Hauppauge, N.Y. 11788**

**Suffolk County Farmland Committee-Chair**  
**Sarah Lansdale**

LOCATION  
H. LEE DENNISON BLDG. - 4TH FLOOR  
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS  
P. O. BOX 6100  
HAUPPAUGE, NY 11788-0099

PHONE (631) 853-5191  
FAX (631) 853-4044

# COUNTY OF SUFFOLK



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
**Department of**  
**Economic Development and Planning**

**Joanne Minieri**  
**Deputy County Executive and Commissioner**

**Division of Planning and Environment**

## SUFFOLK COUNTY FARMLAND COMMITTEE

### AGENDA

Regular Meeting

Tuesday, November 17, 2015

6:00 PM

Kermit W. Graf Cornell Cooperative Extension Building  
1<sup>st</sup> Floor Conference Room  
423 Griffing Avenue, Suite 100, Riverhead, NY 11901-3071

#### I. ORDER OF BUSINESS

- A. Call to Order by Chairwoman Lansdale
- B. Approval of October 1, 2015 meeting minutes
- C. Approval of 2016 Schedule of Meetings
- D. Review of general correspondence sent/received since last meeting
- E. Draft List of Minor and Routine Practices

#### II. PUBLIC COMMENTS: Each speaker shall be limited to three minutes

#### III. TABLED PERMIT APPLICATIONS

- A. BRANDYWINE TRUST COMPANY, TRUSTEE FOR THE FONSECA 2010 FAMILY TRUST AND THE FONSECA QTIP TRUST  
(f/k/a TRUSTEE FOR THE RICHARD CORNUELLE 2010 MARITAL TRUST)  
149 Long Lane, East Hampton North, Town of East Hampton  
Tax Map #: 0300-157.00-03.00-011.004 (28.7 ± acres)  
The applicant seeks a Special Use Permit for the installation and maintenance of a drainage structure, in association with a commercial agricultural operation. The land has been excavated and soil has been removed from the premises prior to submission of this application. (Application No. 2012025)

#### IV. ENFORCEMENT

- A. RUTH POLLIO REVOCABLE TRUST  
10765 Middle Road (CR 48), Mattituck, Town of Southold  
Tax Map #: 1000-108.00-01.00-001.001 (19.7± acres)  
Status Update

V. OTHER BUSINESS

VI. ADJOURNMENT

**NEXT SCHEDULED REGULAR MEETING:**

January 21, 2016 @ 12:30 PM  
H. Lee Dennison Building, 2<sup>nd</sup> Floor Conference Room  
100 Veterans Memorial Highway, Hauppauge, NY 11788

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT

## SUFFOLK COUNTY FARMLAND COMMITTEE

JOANNE MINIERI  
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

SARAH LANSDALE  
CHAIRPERSON, SCFC

### MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE (Adopted by SCFC Res. No. FC-01-2016)

DATE: November 17, 2015

#### MEMBERS PRESENT:

Alexander Balsam (East Hampton)  
Vincent Biondo (Babylon)  
Ronald Bush (At-Large)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Dale D. Moyer (At-Large)  
Eugene Murphy (Islip)  
Jeffrey Rottkamp, Sr. (Riverhead)  
August Ruckdeschel (Ex-Officio, SC Dept. of EDP)  
Albert Schmitt (At-Large)  
Mark Zaweski (At-Large)

#### MEMBERS ABSENT:

Russell K. Barnett (Smithtown)  
Howard Johnson (Huntington)  
Alfred J. Kilb, Jr. (Shelter Island)  
Joseph Krukowski (Southold)  
Sarah Lansdale (SC Director of Planning/Chair)  
Bob Nolan (Brookhaven)  
Charles F. Scheer, Jr. (At-Large)

#### ADVISORS PRESENT:

William Sanok, Cornell Cooperative Extension (Retired)

#### COUNTY STAFF PRESENT:

Andrew Amakawa, Research Technician, SC Division of Planning and Environment  
(Committee Staff)  
Colleen Badolato, Secretarial Assistant, SC Division of Planning and Environment

(Committee Staff)  
Robert Braun, Deputy Bureau Chief, SC Dept. of Law (Committee Counsel)  
Lauretta R. Fischer, Chief Environmental Analyst, SC Division of Planning and  
Environment (Committee Staff)

GUESTS:

<u>NAME</u>	<u>ORGANIZATION</u>
Charles Cuddy	Attorney rep. Casmo Carucci (Ap.#2012025)
Pat Libutti	Contract vendee (Ap.#2012025)
Marcos Ribiero	Contract vendee (Ap.#2012025)
Herb Strobel	Farmer

I. ORDER OF BUSINESS

*Call to Order*

Lauretta Fischer, the designated Chairwoman on behalf of Sarah Lansdale who was absent, called the meeting of the Suffolk County Farmland Committee (“Committee”) to order at 6:10 pm at the Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, New York 11901.

*Approval of Minutes – October 1, 2015*

A motion was put forth by August Ruckdeschel, and seconded by Mark Zaweski, to approve the minutes of the October 1, 2015 meeting of the Committee, as outlined in Committee Resolution FC-35-2015. Motion carried: 11-0-0 [See Exhibit “A” for Committee Resolution FC-35-2015]

*2016 Suffolk County Farmland Committee Meeting Schedule*

A motion was put forth by Mark Zaweski, and seconded by Jeff Rottkamp, to approve the 2015 Committee Meeting Schedule, as outlined in Committee Resolution FC-36-2015. Motion carried: 11-0-0 [See Exhibit “B” for Committee Resolution FC-36-2015]

*Correspondence –*  
None.

*List of Minor and Routine Agricultural Practices to delegate to the Division of Planning and Environment Staff for permitting review and determination*

A motion was put forth by August Ruckdeschel, and seconded by Nate Corwin, to adopt a List of Minor and Routine Agricultural Practices, as outlined in Committee Resolution FC-37-2015. Motion carried: 12-0-0 [See Exhibit “C” for Committee Resolution FC-37-2015]

II. PUBLIC COMMENTS

None.

III. TABLED PERMIT APPLICATIONS

A. BRANDYWINE TRUST COMPANY, TRUSTEE FOR THE FONSECA 2010 FAMILY TRUST AND THE FONSECA QTIP TRUST, (f/k/a TRUSTEE FOR THE RICHARD CORNUELLE 2010 MARITAL TRUST)

149 Long Lane, East Hampton North, Town of East Hampton

Tax Map #: 0300-157.00-03.00-011.004 (28.7 ± acres)

The applicant seeks a Special Use Permit for the installation and maintenance of a drainage structure, in association with a commercial agricultural operation. The land has

been excavated and soil was removed from the premises prior to submission of this application. (Application No. 2012025)

Lauretta Fischer advised that the County has not heard from the Attorney for the Town of East Hampton or the Attorney for the Foncescas. Ms. Fischer advised that the County Attorney would be reaching out to them and that the Committee would be updated accordingly.

#### IV. ENFORCEMENT

##### A. RUTH POLLIO REVOCABLE TRUST

10765 Middle Road (CR 48), Mattituck, Town of Southold

Tax Map #: 1000-108.00-01.00-001.001 (19.7± acres)

Status Update

An updated Work Plan entitled “Compost Remediation Project,” revised and dated October 30, 2015, was received by the County for the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001).

The Committee discussed this updated Work Plan.

This updated Work Plan, as attached to the Order on Consent (File # R1-20110420-51), entered into between the Owner and the DEC will provide for the removal of the large organic materials (large tree stumps and branches), inorganic materials (plastics, beverage containers, C&D debris, and other MSW), and the compost material from the Pollio parcel. The finely graded compost material will remain on the Pollio parcel and the coarsely graded compost material will be moved from the Premises to the Carucci parcel.

The prospective buyers of the property, Pat Libutti and Marcos Ribiero, who are conducting remediation of the property, provided the Committee with an update on the progress made. Mr. Libutti and Mr. Ribiero intend to establish a hops operation on the property.

A motion was put forth by August Ruckdeschel, and seconded by Jeffrey Rottkamp to accept the updated Work Plan entitled “Compost Remediation Project,” as revised and dated October 30, 2015, subject to approval by DEC, along with the signed Order on Consent (File # R1-20110420-51), and subject to the following requirements:

- 1) that the remediation steps outlined in the updated work plan dated October 30, 2015 will be completed by December 31, 2015; and be it further
- 2) that upon completion of the remediation steps outlined in the updated work plan dated October 30, 2015, the County will receive notification from the landowner and/or designated representative that the work has been completed and will inspect the property to determine whether all required materials have been removed; and be it further
- 3) that any trees, shrubs, saplings and other volunteer weed growth that has grown on any portion of the Premises will also be removed in addition to the removal of materials described in the updated work plan dated October 30, 2015; and be it further

- 4) that by December 31, 2015 the entire PDR property will be plowed under and seeded with a cover crop planting of rye or similar crop at the rate of 2 ½ bushels of rye or similar crop seed per acre; and be it further
- 5) that in the event that the entire updated work plan, dated October 30, 2015, has not been completed, inspected to the satisfaction of the County of Suffolk, and the cover crop planted by December 31, 2015, a fine of \$10,000 will be imposed and paid by the Owner, and thereafter a \$1,000 fine per month will be imposed and paid by the Owner until the updated work plan, its satisfactory inspection by the County, and the installation of the cover crop are completed; and be it further
- 6) that the Owner will thereafter comply in all respects with the requirements of Chapter 8 of the Suffolk County Code, as amended, and keep the Premises in agricultural production.

Motion Carried: 12-0-0 [See Exhibit “D” for Committee Resolution FC-38-2015].

## V. OTHER BUSINESS

### *Pending Appointment of Herb Strobel to SC Farmland Committee*

Ms. Fischer advised members that Herb Strobel’s appointment to the SC Farmland Committee was approved by the Suffolk County Legislature and is pending the County Executive’s signature.

### *Draft Suffolk County Agricultural and Farmland Protection Plan Update – 2015*

Ms. Fischer advised members that a Public Hearing on the “Draft Suffolk County Agricultural and Farmland Protection Plan Update – 2015” is scheduled for November 18, 2015 from 3:00 – 5:30 p.m. at the Riverhead Legislative Auditorium. Ms. Fischer further advised that comments would be accepted for another week.

### *Loss of Farmer John Kennedy*

Member Ron Bush recognized and shared with the Committee that a member of the farming community, John Kennedy, had recently passed away.

## VI. ADJOURNMENT

A motion was put forth by Dale Moyer, and seconded by August Ruckdeschel to adjourn the meeting at 7:02 PM. Motion carried: 12-0-0. [See Exhibit “E” for Committee Resolution FC-39-2015]

### **NEXT SCHEDULED REGULAR MEETING**

The next meeting of the Committee is scheduled for 12:30 p.m., Thursday, January 21, 2016, at the H. Lee Dennison Building, 1<sup>st</sup> Floor Media Room number 184, 100 Veterans Memorial Highway, Hauppauge, NY 11788

"Exhibit A"

**RESOLUTION NO. FC-35-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE OCTOBER 1, 2015 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, the Suffolk County Farmland Committee ("Committee") convened a regular meeting on October 1, 2015; and

**WHEREAS**, the minutes of said meeting were considered by the Committee at its meeting on November 17, 2015; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Committee hereby adopts the October 1, 2015 meeting minutes.

Motion by: August Ruckdeschel    Seconded by: Mark Zaweski  
 Committee Vote:    Ayes            11  
                              Nays             0  
                              Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton				✓
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington				✓
KILB, Alfred J., Jr.	Town of Shelter Island				✓
KRUKOWSKI, Joseph	Town of Southold				✓
FISCHER, Laurretta R. for LANSDALE, Sarah	S.C. Chief Env. Analyst S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large				✓
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		11			7

Date: November 17, 2015

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY



"Exhibit B"

**RESOLUTION NO. FC-36-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE 2016 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING SCHEDULE**

**WHEREAS**, the 2016 Suffolk County Farmland Committee Meeting Schedule was considered by the Committee at its meeting on November 17, 2015; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Committee hereby adopts the 2016 Suffolk County Farmland Committee Meeting Schedule.

Motion by: Mark Zaweski                      Seconded by: Jeff Rottkamp

Committee Vote:        Ayes            11  
                                  Nays            0  
                                  Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton				✓
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington				✓
KILB, Alfred J., Jr.	Town of Shelter Island				✓
KRUKOWSKI, Joseph	Town of Southold				✓
FISCHER, Laretta R. for LANSDALE, Sarah	S.C. Chief Env. Analyst S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large				✓
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		11			7

Date: November 17, 2015

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY

# Suffolk County Farmland Committee

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

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## 2016 SCHEDULE OF MEETINGS

<i>Date</i>	<i>Time</i>	<i>Location</i>
<b>Thursday, January 21, 2016</b>	12:30 p.m.	H. Lee Dennison Building – 1 <sup>st</sup> Floor Media Room number 184 100 Veterans Memorial Highway, Hauppauge, NY
<b>Thursday, March 17, 2016</b>	6:00 p.m.	Kermit W. Graf Cornell Cooperative Extension Building- 1 <sup>st</sup> Floor Conference Room 423 Griffing Ave., Riverhead, NY
<b>Thursday, May 19, 2016</b>	7:00 p.m.	Kermit W. Graf Cornell Cooperative Extension Building- 1 <sup>st</sup> Floor Conference Room 423 Griffing Ave., Suite 100, Riverhead, NY
<b>Thursday, July 21, 2016</b>	7:00 p.m.	Kermit W. Graf Cornell Cooperative Extension Building- 1 <sup>st</sup> Floor Conference Room 423 Griffing Ave., Suite 100, Riverhead, NY
<b>Thursday, September 15, 2016</b>	7:00 p.m.	Kermit W. Graf Cornell Cooperative Extension Building- 1 <sup>st</sup> Floor Conference Room 423 Griffing Ave., Suite 100, Riverhead, NY
<b>Thursday, November 17, 2016</b>	6:00 p.m.	Kermit W. Graf Cornell Cooperative Extension Building- 1 <sup>st</sup> Floor Conference Room 423 Griffing Ave., Suite 100, Riverhead, NY

*Please be advised that the deadline to file an application with the Department is two weeks before the scheduled Committee meeting date. However, it is recommended that all applications be filed with the Department at least four weeks before the scheduled meeting to allow for processing and to provide the applicant with the sufficient time to submit any additional material that may be necessary to review the application.*

## "Exhibit C"

**RESOLUTION NO. FC-37-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING A LIST OF MINOR AND ROUTINE AGRICULTURAL PRACTICES AND THEIR PERMITTING STANDARDS FOR REVIEW AND DETERMINATION BY DIVISION OF PLANNING AND ENVIRONMENT STAFF**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), the Suffolk County Farmland Committee ("Committee") convened a regular meeting on November 17, 2015; and

**WHEREAS**, pursuant to Chapter 8, Section 8-4.G.(5), the Committee may introduce a list of minor and routine agricultural practices whose permitting review and determination shall be delegated to the Division of Planning and Environment Staff ("Division"); and

**WHEREAS**, a Subcommittee was formed to draft a list of minor and routine agricultural practices; and

**WHEREAS**, the Committee reviewed and considered a final list of minor and routine agricultural practices for review and determination by Division Staff at its meeting on November 17, 2015; now, therefore, be it

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

**2<sup>nd</sup> RESOLVED**, that the Committee hereby adopts and delegates the following list of minor and routine agricultural practices and their permitting standards for review and determination by Division Staff for two years from the date of adoption:

**1. Deer Fencing for the purposes of deer control, as specified by NRCS-NY FOTG CTA Construction Specification 382A – Fence – Woven Wire Deer Control (revised 10/07/2009)**

Staff will review and issue a preliminary permit that will be effective for one year with the condition that final approval be obtained from the Suffolk County Soil and Water Conservation District (SWCD) office and/or Natural Resources Conservation Service (NRCS) office in Riverhead. Prior to the preliminary permit's expiration date, a letter of approval from SWCD and/or NRCS will be provided to the Suffolk County Division of Planning and Environment confirming that the deer fence structures have been built according to the most up-to-date NRCS Deer Fencing Specifications. At that time, a final permit will be issued by staff of the Division of Planning and Environment.

Please note: If a landowner wishes to install deer fencing that does not meet the most up-to-date NRCS Deer Fencing Specifications, they will need to file an Agricultural Development/Special Use Permit Application for review and approval by the Suffolk County Farmland Committee.

**2. Demolition of an existing structure, under the condition that all demolition debris must be removed off-site**

Staff will review and issue a permit and require that the applicant obtain a permit from the Town or Village for such demolition activities. If there are stormwater and erosion control issues, staff may refer the applicant to the Suffolk County Soil and Water Conservation District and/or Natural Resources Conservation Service for further review prior to permit issuance.

"Exhibit C," Cont'd.

- Modification of permits that have been previously approved by the Committee, and have not expired, to re-locate a proposed improvement(s) by not greater than a total of 25 feet in any direction**

Staff will review and issue a permit.

- Wooden split-rail fencing (2-rail; maximum of 4 feet in height) that does not obscure views of the subject property, for the purposes of restricting trespassing**

Staff will review and issue a permit.

- A Special Event that is the same as one previously reviewed and issued a permit by the Suffolk County Farmland Committee or County staff. A Special Event that is scaled back in size or intensity of use would also be considered.**

Staff will review and issue a permit.

Motion by: August Ruckdeschel      Seconded by: Nate Corwin

Committee Vote:      Ayes            12  
                              Nays            0  
                              Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington				✓
KILB, Alfred J., Jr.	Town of Shelter Island				✓
KRUKOWSKI, Joseph	Town of Southold				✓
FISCHER, Laretta R. for LANSDALE, Sarah	S.C. Chief Env. Analyst S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large				✓
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		12			6

Date: November 17, 2015

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY

## "Exhibit D"

### **RESOLUTION NO. FC-38-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ACCEPTING THE UPDATED WORK PLAN, DATED OCTOBER 30, 2015, FOR THE COMPOST REMEDIATION PROJECT SUBJECT TO CERTAIN CONDITIONS ON PROPERTY OWNED BY RUTH POLLIO REVOCABLE TRUST**

**WHEREAS**, the property owned by the Ruth Pollio Revocable Trust, ("the Owner") is located on the north side of Middle Country Road (C.R. 48), in the Town of Southold, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 1000-108.00-01.00-001.001 ("Premises"), and consisting of approximately 19.7 acres; and

**WHEREAS**, unauthorized debris and other material had been deposited on the premises in violation of the applicable County Farmland rules, and of the Environmental Conservation Law; and

**WHEREAS**, the owner of the premises has reached a remediation agreement ("work plan") with the New York State Department of Environmental Conservation ("DEC") to clean up the premises and restore it to an appropriate condition;

**WHEREAS**, The Suffolk County Farmland Committee ("Committee"), at its February 10, 2015 meeting, accepted the Work Plan entitled "Compost Remediation Project," revised and dated February 9, 2015, with certain conditions to remove all material off-site pursuant to Committee Resolution number FC-10-2015; and

**WHEREAS**, the applicant did not meet the deadline of October 1, 2015 set by the Committee for remediating the property pursuant to Committee Resolution number FC-10-2015; now therefore, be it

**1<sup>st</sup> RESOLVED**, an updated Work Plan entitled "Compost Remediation Project," revised and dated October 30, 2015, was received by the County for the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001); and be it further

**2<sup>nd</sup> RESOLVED**, the updated Work Plan entitled "Compost Remediation Project," revised and dated October 30, 2015, as attached to the Order on Consent (File # R1-20110420-51), for the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001) entered into between the Owner and the DEC will provide for the removal of the large organic materials (large tree stumps and branches), inorganic materials (plastics, beverage containers, C&D debris, and other MSW), and the compost material from the Pollio parcel. The finely graded compost material will remain on the Pollio parcel and the coarsely graded compost material will be moved from the Premises to the Carucci parcel; and be it further

**3<sup>rd</sup> RESOLVED**, the Committee, at its November 17, 2015 meeting, accepts the updated work plan, as revised and dated October 30, 2015, subject to approval by DEC, along with the signed Order on Consent (File # R1-20110420-51); and be it further

**4<sup>th</sup> RESOLVED**, that the remediation steps outlined in the updated work plan dated October 30, 2015 will be completed by December 31, 2015; and be it further

**5<sup>th</sup> RESOLVED**, that upon completion of the remediation steps outlined in the updated work plan dated October 30, 2015, the County will receive notification from the landowner and/or designated representative that the work has been completed and will inspect the property to determine whether all required materials have been removed; and be it further

**6<sup>th</sup> RESOLVED**, that any trees, shrubs, saplings and other volunteer weed growth that has grown on any portion of the Premises will also be removed in addition to the removal of materials described in the updated work plan dated October 30, 2015; and be it further

"Exhibit D," Cont'd.

**7<sup>th</sup> RESOLVED**, that by December 31, 2015 the entire PDR property will be plowed under and seeded with a cover crop planting of rye or similar crop at the rate of 2 ½ bushels of rye or similar crop seed per acre; and be it further

**8<sup>th</sup> RESOLVED**, that in the event that the entire updated work plan, dated October 30, 2015, has not been completed, inspected to the satisfaction of the County of Suffolk, and the cover crop planted by December 31, 2015, a fine of \$10,000 will be imposed and paid by the Owner, and thereafter a \$1,000 fine per month will be imposed and paid by the Owner until the updated work plan, its satisfactory inspection by the County, and the installation of the cover crop are completed; and be it further

**9<sup>th</sup> RESOLVED**, that the Owner will thereafter comply in all respects with the requirements of Chapter 8 of the Suffolk County Code, as amended, and keep the Premises in agricultural production.

Motion by: August Ruckdeschel      Seconded by: Jeffrey Rottkamp

Committee Vote:      Ayes            12  
                              Nays            0  
                              Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington				✓
KILB, Alfred J., Jr.	Town of Shelter Island				✓
KRUKOWSKI, Joseph	Town of Southold				✓
FISCHER, Laurreta R. for LANSDALE, Sarah	S.C. Chief Env. Analyst S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large				✓
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		12			6

Date: November 17, 2015

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY

"Exhibit E"

**RESOLUTION NO. FC-39-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE NOVEMBER 17, 2015 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, the Suffolk County Farmland Committee (“Committee”) convened a regular meeting on November 17, 2015; and

**WHEREAS**, the Committee heard all items on the meeting agenda; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Committee hereby adjourns the November 17, 2015 meeting.

Motion by: Dale Moyer                      Seconded by: August Ruckdeschel  
 Committee Vote:     Ayes            12  
                              Nays            0  
                              Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington				✓
KILB, Alfred J., Jr.	Town of Shelter Island				✓
KRUKOWSKI, Joseph	Town of Southold				✓
FISCHER, Laurretta R. for LANSDALE, Sarah	S.C. Chief Env. Analyst S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large				✓
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		12			6

Date: November 17, 2015

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1<sup>st</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY