

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT

## SUFFOLK COUNTY FARMLAND COMMITTEE

THERESA WARD  
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

SARAH LANSDALE  
CHAIRPERSON, SCFC

### MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE (Adopted by SCFC Res. No. FC-29-2017)

DATE: July 20, 2017

#### MEMBERS PRESENT:

Vincent Biondo (Babylon)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Alfred J. Kilb, Jr. (Shelter Island)  
Dale D. Moyer (At-Large)  
Stephen Mudd (Southold)  
Eugene Murphy (Islip)  
Jeffrey Rottkamp, Sr. (Riverhead)  
August Ruckdeschel (Ex-Officio, SC Dept. of EDP)  
Charles F. Scheer, Jr. (At-Large)  
Albert Schmitt (At-Large)  
Herb Strobel (At-Large)  
Theresa Ward (Commissioner, SC Dept. of EDP) for Sarah Lansdale (SC Director of Planning/Chair)  
Mark Zaweski (At-Large)

#### MEMBERS ABSENT:

Alexander Balsam (East Hampton)  
Russell K. Barnett (Smithtown)  
Ronald Bush (At-Large)  
Howard Johnson (Huntington)  
Bob Nolan (Brookhaven)

#### ADVISORS PRESENT:

Rob Carpenter, Long Island Farm Bureau  
Corey Humphrey, SC Soil and Water Conservation District  
William Sanok, Cornell Cooperative Extension (Retired)

COUNTY STAFF PRESENT:

Andrew Amakawa, Research Technician, 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)  
Fred Ford, Senior Appraisal Reviewer, SC Division of Real Property Acquisition and Management  
Michael Petre, Assistant County Attorney, SC Dept. of Law  
Jason Smagin, Director, SC Division of Real Property Acquisition and Management

GUESTS:

<u>NAME</u>	<u>ORGANIZATION</u>
David Fink	Fink's Country Farm
Michelle Fink	Fink's Country Farm
Joan Guyder-Shwonik	Estate of Peter Guyder
Therese Guyder-Southworth	Estate of Peter Guyder
Daryl Holzman	Farm to Bottle, LLC
Lisa Kombrink	Special Counsel for Litigation
Al Krupski	Suffolk County Legislator, 1 <sup>st</sup> District
Catherine Stark	Aide to Legislator Al Krupski
Audrey J. Sweeney	Farm to Bottle, LLC
Dorothy-Dean Thomas	Lenz Winery

I. ORDER OF BUSINESS

*Call to Order*

Theresa Ward called the meeting of the Suffolk County Farmland Committee ("Committee") to order at 7:03 pm at the Kermit W. Graf Cornell Cooperative Extension Building 2<sup>nd</sup> Floor Conference Room 423 Griffing Ave., Riverhead, NY 11901.

*Approval of Minutes – May 18, 2017*

A motion was put forth by Charlie Scheer, and seconded by Augie Ruckdeschel, to approve the minutes of the May 18, 2017 meeting of the Committee, as outlined in Committee Resolution FC-24-2017. Motion carried: 12-0-1 [See Exhibit "A" for Committee Resolution FC-24-2017]

*Committee Member Mark Zaweksi arrived after the approval of the minutes.*

*Correspondence –*

There were none.

*Chapter 8 Appeal Update*

A motion was put forth by Lee Foster, and seconded by Al Kilb to go into executive session. Motion carried 14-0-0.

A motion was put forth by Theresa Ward, and seconded by Lee Foster to close executive session. Motion carried 14-0-0.

*Discussion of Appraisal Process*

Fred Ford, Senior Appraisal Reviewer, SC Division of Real Property Acquisition and Management, made a presentation on the appraisal process and value of development rights evaluation. Fred Ford discussed the four criteria of a highest and best use appraisal: legal permissibility, physical possibilities, financial considerations and maximally productive use of a property.

II. PUBLIC COMMENTS

There were 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

SC 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)

Bob Braun stated that the exchange of discovery has been completed. The County Law Department has sent the court a letter requesting a conference to set a date for depositions. It is anticipated that a conference will take place in September or October.

IV. PROPOSED FARMLAND PDR ACQUISITION PARCELS

A. PETER GUYDER / "FINK'S COUNTRY FARM"

1127 Wading River Manor Road, Wading River, Town of Riverhead

Tax Map #: 0600-115.00-01.00-009.000 (21.5 ± acres)

The applicant requests that the above referenced parcel be considered for inclusion in the Suffolk County Farmland Purchase of Development Rights Program. (Application No. FPDRP-2017-05)

Lauretta Fischer presented the application.

The Committee discussed the Central Pine Barrens Joint Planning and Policy Commission's approval, which granted a Compatible Growth Area Hardship Waiver and allowed the property to be cleared to 90% for agricultural use.

Al Krupski suggested that the property receive more points on the rating sheet for "historical significance" and "community benefit." Lauretta Fischer stated two points would be added to the rating sheet for the Peter Guyder property, giving it a total of 13.25 points.

Dale Moyer stated that the approval should include the condition that prior to closing the property shall be cleared to 90% or 19.35 acres in accordance with the Pine Barrens Joint Planning and Policy Commission's approved resolution.

A motion was put forth by Dale Moyer, and seconded by Augie Ruckdeschel, to recommend SCTM No. 0600-115.00-01.00-009.000, consisting of 21.5 acres in size, for consideration by the Suffolk County Legislature for the Purchase of Development Rights as outlined in Committee Resolution FC-25-2017. Motion Carried: 13-0-1 [See Exhibit "B" for Committee Resolution FC-25-2017]

## V. REQUEST FOR PROPOSED SPECIAL EVENT

### A. DORSET FARMS, INC. / "THE LENZ WINERY"

38355 Main Road, Peconic, Town of Southold

Tax Map #: 1000-085.00-02.00-017.002 (25.1 ± acres)

The applicant requests to conduct a special event designed to promote and educate the public on local agricultural products and Lenz wine. (SE-2017001)

Lauretta Fischer presented the special event request.

A motion was put forth by Charlie Scheer, and seconded by Stephen Mudd, to adopt the Staff Report for the special event request (SE-2017001), and to determine the proposal is consistent with the Suffolk County Farmland Preservation Program and constitutes a standard agricultural practice and agricultural education, as outlined in Committee Resolution FC-26-2017. Motion Carried: 13-0-1 [See Exhibit "C" for Committee Resolution FC-26-2017]

## VI. OTHER BUSINESS

### A. DRAFT GUIDANCE DOCUMENT FOR IMPROVEMENT APPLICATIONS

Al Kilb asked what would happen with the Guidance Document if the 2010 and 2013 Chapter 8 Updates were reinstated.

Bob Braun stated that the Guidance Document could still be used if the 2010 and 2013 Chapter 8 Updates were reinstated and could be updated to be consistent with a reinstated Chapter 8.

A motion was put forth by Augie Ruckdeschel, and seconded by Al Kilb, to adopt the “Draft Guidance Document for Improvement Applications,” as outlined in Committee Resolution FC-27-2017. Motion Carried: 13-0-1 [See Exhibit “D” for Committee Resolution FC-26-2017]

- B. Augie Ruckdeschel announced that the County will be releasing a new request for proposals (RFP) at the Suffolk County Farm to utilize the meat processing facility. In addition, there is also 123 acres at the farm available on the RFP.

## VII. ADJOURNMENT

A motion was put forth by Augie Ruckdeschel, and seconded by Nate Corwin to adjourn the meeting at 8:30 PM. Motion carried: 14-0-0. [See Exhibit “E” for Committee Resolution FC-28-2017]

### **NEXT SCHEDULED REGULAR MEETING**

The next meeting of the Committee is scheduled for 6:30 p.m., Thursday, September 28, 2017, at the Kermit W. Graf Cornell Cooperative Extension Building, 2<sup>nd</sup> Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, New York.

**RESOLUTION NO. FC-24-2017 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MAY 18, 2017 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 May 18, 2017; and

**WHEREAS**, the minutes of said meeting were considered by the Board at its meeting on July 20, 2017; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Committee hereby adopts the May 18, 2017 meeting minutes.

Motion by: Charlie Scheer

Seconded by: Augie Ruckdeschel

Committee Vote:      Ayes            12  
                              Nays             0  
                              Abstentions 1

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	✓			
WARD, Theresa for LANSDALE, Sarah	S.C. Deputy County Exec. and Commissioner S.C. Dir. of Planning			✓	
MOYER, Dale D.	At-Large	✓			
MUDD, Stephen	Town of Southold	✓			
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	✓			
STROBEL, Herb	At-Large	✓			
ZAWESKI, Mark	At-Large				✓
Totals		12	0	1	6

Date: July 20, 2017

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

**RESOLUTION NO. FC-25-2017 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, RECOMMENDING THE LANDS FROM WHICH FARMLAND DEVELOPMENT RIGHTS MAY BE ACQUIRED – PETER GUYDER / “FINK’S COUNTRY FARM” (0600-115.00-01.00-009.000) – TOWN OF RIVERHEAD**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws (“Chapter 8”), an application for inclusion in the Suffolk County Farmland Purchase of Development Rights Program (“Program”) was received by the Suffolk County Farmland Committee (“Committee”); and

**WHEREAS**, the application includes property owned by Peter Guyder and known as “Fink’s Country Farm”; and

**WHEREAS**, the Peter Guyder / “Fink’s Country Farm” property is located on land situated north of Middle Country Road (S.R. 25) and east of Wading River Manor Road in the hamlet of Wading River, Town of Riverhead, identified by Suffolk County Tax Map (“SCTM”) No. 0600-115.00-01.00-009.000; and

**WHEREAS**, Approximately 21.5 acres are being considered for inclusion in the Suffolk County Farmland PDR Program; and

**WHEREAS**, pursuant to the Suffolk County Farmland Rating System, said property received a score of 13.25 points out of 25 possible points; and

**WHEREAS**, the Committee reviewed and determined, at its July 20, 2017 meeting, that said application meets Chapter 8 requirements for Program consideration; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Committee hereby recommends SCRPTM number 0600-115.00-01.00-009.000 consisting of approximately 21.5 acres, as indicated on the attached map, to the Suffolk County Legislature for inclusion in the Suffolk County Farmland Purchase of Development Rights Program, subject to the following conditions:

1. Prior to closing, the property shall be cleared to 90% or 19.35 acres in accordance with the Central Pine Barrens Joint Planning and Policy Commission’s Approved Resolution dated June 21, 2017.
2. Prior to closing, the landowner shall remove the existing old vacant house and dispose of associated materials and other debris in accordance with all applicable federal, state, county, and town regulations, rules and statutes.

Motion by: Dale Moyer

Seconded by: Augie Ruckdeschel

Committee Vote:     Ayes        13  
                          Nays         0  
                          Abstentions 1

"Exhibit B," Cont'd.

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	✓			
WARD, Theresa for	S.C. Deputy County Exec. and Commissioner			✓	
LANSDALE, Sarah	S.C. Dir. of Planning				
MOYER, Dale D.	At-Large	✓			
MUDD, Stephen	Town of Southold	✓			
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	✓			
STROBEL, Herb	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
Totals		13	0	1	5

Date: July 20, 2017

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



**RESOLUTION NO. FC-26-2017 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, DETERMINING A STANDARD AGRICULTURAL PRACTICE ON THE DORSET FARMS INC. / "THE LENZ WINERY" PROPERTY (SCTM# 1000-085.00-02.00-017.002), TO WHICH THE COUNTY OF SUFFOLK OWNS THE FARMLAND DEVELOPMENT RIGHTS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), a request to conduct a proposed special event on property owned by Dorset Farm Inc. has been received by the Suffolk County Farmland Committee ("Committee"), where such proposal is known by request number SE-2017001; and

**WHEREAS**, the property is located on land situated on the north side of Main Road (S.R. 25), south of Middle Road, east of Bridge Lane, and west of Mill Road in the hamlet of Peconic, Town of Southold, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 1000-085.00-02.00-017.002 ("premises"); and

**WHEREAS**, the applicant requests to conduct a special event, known as Dinner in the Vines, designed to promote and educate the public on the abundance of local agricultural products available on the East End of Long Island; and

**WHEREAS**, the event is scheduled for Saturday, August 19, 2017 from 5:00 p.m. to 8:30 p.m., with a rain date of September 30, 2017; and

**WHEREAS**, the applicant states that approximately 135 attendees are expected. Ingress and egress to and from the event will be via separate access-ways off of Main Road (S.R. 25), and event parking is proposed to be located on a neighbor's 251' X 175' field, adjacent to the premises, as is depicted on the Applicant's event access and parking plan received by Suffolk County on July 12, 2017 and attached as Attachment 1; and

**WHEREAS**, there will be a small temporary cook tent, and there may be an additional tent to cover the dining area only in the case of slight rain or excessive heat. The cook tent will consist of a few 6' tables, a portable sink, a grill, and a propane oven/stove. All will be located as is depicted on the Applicant's site layout maps received by Suffolk County on July 12, 2017 and attached as Attachment 2; and

**WHEREAS**, the Committee, at its July 20, 2017 meeting, reviewed and considered whether the aforementioned proposal is consistent with the Suffolk County Farmland Preservation Program and constitutes a standard agricultural practice and agricultural education; 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 determines the aforementioned proposal is consistent with the Suffolk County Farmland Preservation Program and constitutes a standard agricultural practice and agricultural education.

Motion by: Charlie Scheer

Seconded by: Stephen Mudd

Committee Vote:     Ayes       13  
                          Nays        0  
                          Abstentions 1

"Exhibit C," Cont'd.

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	✓			
WARD, Theresa for LANSDALE, Sarah (absent)	S.C. Deputy County Exec. and Commissioner S.C. Dir. of Planning			✓	
MOYER, Dale D.	At-Large	✓			
MUDD, Stephen	Town of Southold	✓			
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	✓			
STROBEL, Herb	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
Totals		13	0	1	5

Date: July 20, 2017

Location: Kermit W. Graf Cornell Cooperative Extension Building, 423 Griffing Avenue, Suite 100,  
Riverhead, NY 11901

ATTACHMENT 1



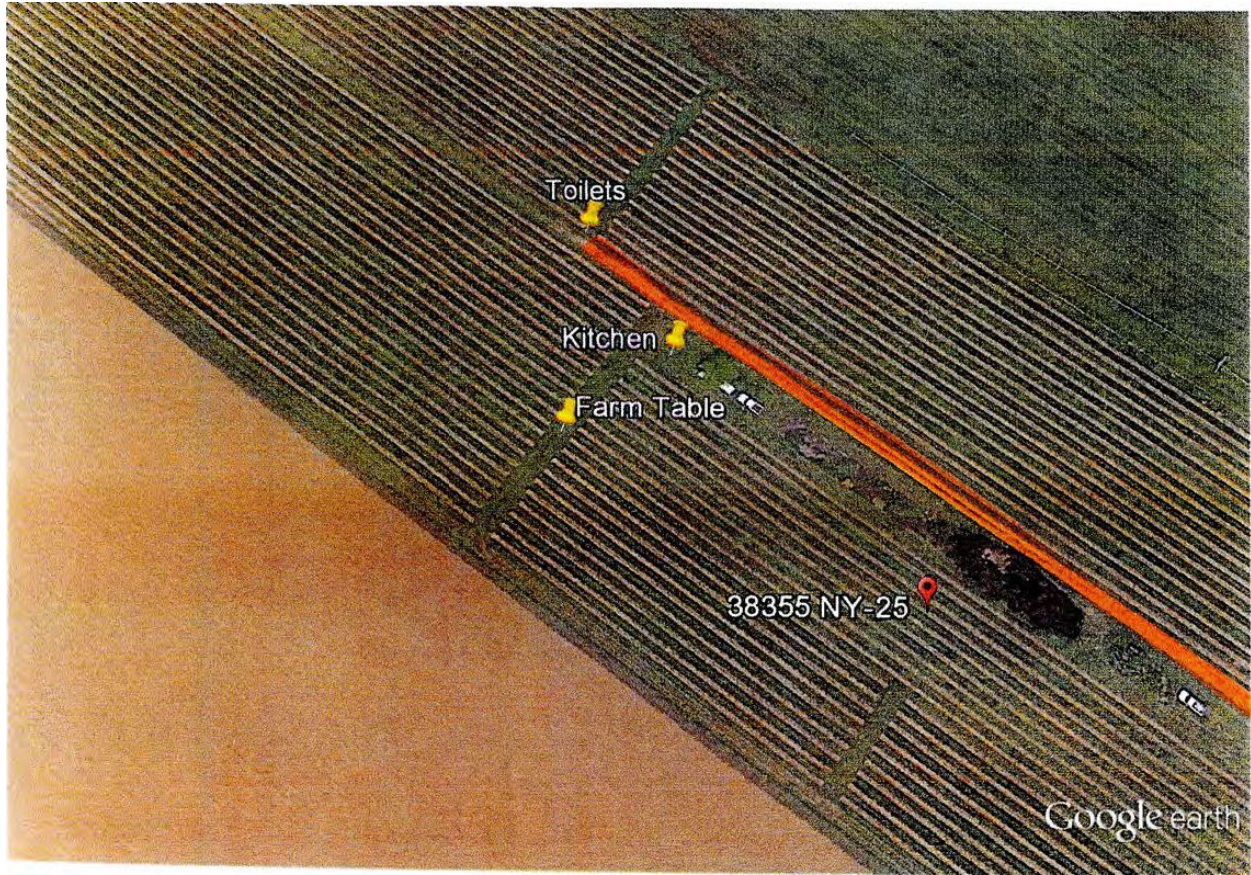
Google earth



ATTACHMENT 2



ATTACHMENT 2 (Cont'd)



Google earth



**RESOLUTION NO. FC-27-2017 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING A "DRAFT GUIDANCE DOCUMENT FOR IMPROVEMENT APPLICATIONS"**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), the Suffolk County Farmland Committee ("Committee") convened a meeting on July 20, 2017; and

**WHEREAS**, the Committee reviewed and considered a "Draft Guidance Document for Improvement Applications"; 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 a "Draft Guidance Document for Improvement Applications."

Motion by: Augie Ruckdeschel                      Seconded by: Al Kilb

Committee Vote:        Ayes        13  
                               Nays        0  
                               Abstentions 1

Committee Member	Appointment	Yes	No	Abstained	Not Present
BARNETT, Russell K.	Town of Smithtown				✓
BALSAM, Alex	Town of East Hampton				✓
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	✓			
WARD, Theresa for	S.C. Deputy County Exec. and Commissioner			✓	
LANSDALE, Sarah	S.C. Dir. of Planning				
MOYER, Dale D.	At-Large	✓			
MUDD, Stephen	Town of Southold	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, ROBERT	Town of Brookhaven				✓
ROTTKAMP, Jeffrey	Town of Riverhead	✓			
RUCKDESCHEL, August	Ex-officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large	✓			
SCHMITT, Albert	At-Large	✓			
STROBEL, Herb	At Large	✓			
ZAWESKI, Mark	At-Large	✓			
Totals		13	0	1	5

Date: July 20, 2017

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

# COUNTY OF SUFFOLK



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

**Theresa Ward**  
Deputy County Executive and Commissioner

Division of Planning and Environment

## SUFFOLK COUNTY FARMLAND COMMITTEE

### GUIDANCE DOCUMENT FOR IMPROVEMENT APPLICATIONS

*(Adopted on July 20, 2017 by SCFC Res. No. FC-27-2017)*

#### A. Improvement Applications

Prior to engaging in improvements to preserved agricultural lands, an agricultural landowner shall submit an application to the Suffolk County Department of Economic Development and Planning, Division of Planning and Environment (“Division”) staff, requesting that such improvement be allowed. Applications will be submitted to the Division staff, which will review the application and prepare a report to be presented to the Suffolk County Farmland Committee (“Committee”). The Division, in consultation with the Department of Law, will first determine if such improvement is in concurrence with the property’s deed of development rights and contract of sale. Then, the Committee will make a determination as to whether the proposed improvement constitutes a standard agricultural practice that maintains or enhances agricultural lands.

All applicants will receive a written response as to the decision of the Committee and/or the Division as to whether or not the application request has been determined to be in concurrence with the property’s deed of development rights and contract of sale and whether or not the proposed improvement constitutes a standard agricultural practice that maintains or enhances agricultural lands. Decisions will be rendered within two weeks of the Committee meeting or earlier, if possible.

At each regularly scheduled Committee meeting, the Division will provide the status of any applications that were received, but are not listed on the Committee meeting agenda.

1. Improvement applications subject to Farmland Committee and Division Staff review include, but are not limited to:
  - the construction and operation of a farm stand;
  - the installation of livestock fencing, deer fencing, and irrigation systems;
  - the construction of structures, including, but not limited to, barns, sheds and greenhouses;
  - the installation of utilities, including overhead, surface or underground equipment such as transmission lines, poles, wires, pipes, wells, drainage systems or sanitary systems; and
  - the construction of permeable parking surfaces.
2. Improvement applications subject to review by Staff only\*:
  - New deer fencing which complies with the most up-to-date NRCS specifications

and is accompanied by an NRCS or Suffolk County Soil and Water Conservation district final approval document;

- Demolition of an existing structure;
- Relocation of a previously approved structure not more than 25 feet in any direction; and
- Wooden split rail fencing, (2-rail; max four feet high) for purposes of restricting trespassing that does not obscure views.

3. Improvements not subject to review\*:

- Maintenance and replacement of existing and approved fencing or irrigation systems, including wells;
- Maintenance and repair of existing buildings; and
- Erection of temporary hoop houses, which are not permanently affixed to the ground, are covered by removable, translucent membranes, and contain no impervious floor surfaces.

\*Please note that the Division staff has the discretion to bring any application to the Farmland Committee for its review.

**B. Improvement Application Submission and Review Procedures.**

1. Application Submission. All improvement application forms submitted to the Division shall be in a format prescribed by the Division and the Committee jointly. Improvement application forms shall be made available at the offices of the Division and can also be found on the County's website:

<http://www.suffolkcountyny.gov/PDRPrograms>

Applications shall be submitted to the Division at least four weeks before the regularly scheduled Committee meeting at which the application will be presented. A later filing, up to two weeks before the regularly scheduled Committee meeting, may be allowed or the application may be required to go to the next meeting, based upon the completeness of information provided, time to adequately review the application and the complexity of the proposed improvements. A nonrefundable application fee in the amount of \$100.00 will be submitted with each application. A schedule of the Suffolk County Farmland Committee meetings can be found on the County's website:

<http://www.suffolkcountyny.gov/SCFCSchedule>

2. Division Review. Upon receipt of an application, Division staff shall determine if all material required has been submitted and, if so, shall determine that the application is complete. Criteria to be used by the Division in evaluating applications shall include, but not be limited to, the following factors:
- a. compliance with the terms of the agricultural landowner's deed of development rights and contract of sale with the County. This shall be done in consultation with the Department of Law;
  - b. compliance with the improvement guidelines in subdivision **C** below, if applicable; and
  - c. completeness of the application.



3. Division Report. After review of a complete application, the Division staff will prepare a report regarding the application which addresses the factors enumerated in subdivision (B)(2)(a)-(c) of this guidance document, as appropriate, as well as any other factors or notes that the Division Staff may deem necessary in order to provide the most informative report to the Committee.
4. Committee Review and Determination. The Division report, will be presented to the Committee for determination of whether the improvement application constitutes a standard agricultural practice that maintains or enhances agricultural lands.
5. Final Determination Notice. If the Committee determines that the proposed improvement constitutes a standard agricultural practice that maintains or enhances agricultural lands, and the Division determines that the proposed use is in concurrence with the property's deed of development rights and contract of sale, then the Division will issue a Letter of Concurrence to the applicant notifying the applicant of the Committee's and the Division's determination.
6. "As-Built" Plans.

Where surveys are required by the municipality in which the property is located, which will issue permits, certificates of occupancy or other municipal approvals for the improvement, a copy of each such survey shall be provided to the Division.

The agricultural landowner shall be responsible for compliance with all conditions of its deed of development rights and contract of sale and all applicable federal, state, county and town regulations, rules and statutes including, but not limited to, zoning ordinances and health and safety codes.

### **C. Improvement Guidelines.**

1. Farm Stands. The allowance of farm stands on County Farm PDR lands is described in Chapter 8 of the SUFFOLK COUNTY CODE, along with the Deed of Development Rights and Contract of Sale. Applications must comply with the following restrictions:
  - a. With the exception below, fruits, vegetables and ornamental plants sold at the farm stand shall be grown on the premises covered by the development rights program.
  - b. With the exception below, wine sold at the farm stand shall be made from grapes grown on the premises covered by the development rights program.
  - c. Supporting products grown or made off the premises may be sold in an amount not to exceed 20% of the total sales for the sales outlet.
  - d. Gravel or dirt parking facilities for the farm stand may be permitted as necessary.
  - e. The size of the farm stand structure, excluding parking, shall be approved by the Farmland Committee and shall not exceed 500 square feet.
  - f. The farm stand structure shall be semi-permanent and shall be designed for use in growing seasons only.
  - g. The farm stand shall be constructed and operated in compliance with all applicable federal, state, and local legal requirements, including but not limited to zoning restrictions.

**RESOLUTION NO. FC-28-2017 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE JULY 20, 2017 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 July 20, 2017; 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 July 20, 2017 meeting.

Motion by: Augie Ruckdeschel                      Seconded by: Nate Corwin

Committee Vote:        Ayes            14  
                               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	✓			
WARD, Theresa for	S.C. Deputy County Exec. and Commissioner	✓			
LANSDALE, Sarah	S.C. Dir. of Planning				
MOYER, Dale D.	At-Large	✓			
MUDD, Stephen	Town of Southold	✓			
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	✓			
STROBEL, Herb	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
Totals		14	0	0	5

Date:            July 20, 2017

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