

# 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 6:00 p.m. on Tuesday, September 23<sup>rd</sup>, 2008 at the L.I. Horticultural Research and Extension Center, 3059 Sound 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:**

**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

---

## *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  
Claire J. Chorny

## **AGENDA**

Long Island Horticultural Research & Extension Center

3059 Sound Ave., Riverhead, N.Y. 11901

Tuesday, September 23, 2008

6:00 P.M.

---

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

- A. Chairman Orlowski calls the Suffolk County Farmland Committee meeting to order
- B. Approval of July 22, 2008 Suffolk County Farmland Committee Meeting Minutes
- C. Review of general correspondences received since the July 22, 2008 meeting

### **2. POLICY MATTERS:**

- A. Suffolk County Agricultural Districts (status of 2008 Open Enrollment Period)
- B. Farmland Working Group update (status of proposed amendments to Chapter 8)
- C. Agricultural property rating system

### **3. STATUS UPDATE:**

- A. Quintal, Brightwaters Farms & Nursery (0500 22300 0100 021001)
- B. WM Investments, LLC; former Heilbut property (0900 06700 0100 006003)
- C. Vitti (1000 05900 0300 027000)

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

- A. Steele (1000 08300 0200 010018)

### **5. SUBDIVISION:**

- A. Corwith (0900 11500 0200 022015)

### **6. PERMITS:**

- A. F.R.E.E. (0200 31800 0200 001003, 001004, 00300)
- B. 353 Manor Lane, LLC (0600 04700 0100 003007)
- C. Shoreline Development Corp. (0600 05800 0200 013001)
- D. K & E Land Corp., East Coast Nurseries (0600 06300 0300 005004)
- E. Schlecht, Schlecht Nursery (0600 07900 0200 007006)
- F. Tooker, Abbess Farm (0600 11700 0200 012008)
- G. Conklin, Breeze Hill Farms (0900 04900 0100 008006, 008007)
- H. Mezynieski (1000 01900 0100 018003)

7. NEW PARCELS:
  - A. 0600 11700 0200 011000 – Bagatele Associates
8. MEETING OPEN FOR PUBLIC COMMENTS
9. OTHER BUSINESS
10. ADJOURNMENT

NEXT MEETING: Tuesday, November 25, 2008, 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:** September 23, 2008

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

**Present:** Ronald Bush (At-Large)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Olney M. Gardiner (East Hampton)  
Thomas A. Isles (At-Large)  
Howard Johnson (Huntington) (Came late; before 353 Manor Lane vote)  
Alfred J. Kilb, Jr. (Shelter Island)  
Joseph Krukowski (Southold)  
Dale D. Moyer (At-Large)  
Jeffrey Rottkamp (Riverhead)  
Charles Scheer (At-Large)  
Albert Schmitt (At-Large)  
John Turner (Brookhaven)  
Mark Zaweski (At-Large) (Came late; after approval of minutes, before next vote)

**County Staff** Jessica L. Kalmbacher, Planner, SC Planning Department (SCFC Staff)

Janet Longo, Acquisition Supervisor, SC Real Property Acquisition & Mgmt. Div.

**Present:** Linda A. Spahr, Assistant County Attorney, SC Law Department (SCFC Counsel)  
Robert J. Zaher, Land Management Specialist, SC Real Property Acquisition & Mgmt. Div.

**Guests** Wendy Butler, Long Island Horse Properties

**Present** Mark Corwith  
Janine Campeau-Ewald, Long Island Horse Properties  
Charles Falkner, F.R.E.E.  
Sharyn Guzzi, Long Island Horse Properties  
John Herchenroder, F.R.E.E.  
Dave Klenawicus  
Gretchen Mezynieski, Driftwood Farms  
Steven Mezynieski, Driftwood Farms  
Greg Van Ostrand, Shoreline Development Corp.  
Charles Schembri, Shoreline Development Corp.  
Peter Schembri, Shoreline Development Corp.  
Robert Schlecht, Schlecht Nursery  
Melissa Spiro, Town of Southold  
Emily Stevens, Shoreline Development Corp.  
Jeffrey P. Vollmuth, F.R.E.E.  
Christina A. Werner, F.R.E.E.

**Members** Russell Barnett (Smithtown)

**Absent:** Daniel Fricke (At-Large)  
Ann Marie Jones, (Babylon)  
Eugene Murphy (Islip)

**Advisors** Allan S. Connell, USDA Natural Resources Conservation Service  
**Absent:** Joseph M. Gergela, III, Long Island Farm Bureau  
William Sanok, Cornell Cooperative Extension (Retired)

## ORDER OF BUSINESS

### *Call to Order*

Chairman Orlowski called the meeting of the SC Farmland Committee (Committee) to order at 6:06 p.m. at the Long Island Horticultural Research and Extension Center.

### *Approval of Minutes*

**A motion was put forth by Alfred J. Kilb, Jr. and seconded by Charles Scheer to approve the minutes of the July 22, 2008 meeting. Motion carried: 13-0-0. (Member H. Johnson and Member M. Zaweski were not present for the vote.)**

### *Correspondences*

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

## POLICY MATTERS

### *Suffolk County Agricultural Districts – (Status of 2008 Open Enrollment Period)*

During the 2008 Suffolk County Agricultural Districts Program Open Enrollment Period, 362 parcels totaling 9,051 acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold were certified by the state and added to existing agricultural districts. Currently there are parcels within Agricultural Districts one, three, four, five, six and seven. The consolidation of several agricultural districts, although authorized by the Suffolk County Legislature, was never certified by the state. Therefore, consolidation of Agricultural Districts four and five and six and seven must be completed.

### *Farmland Working Group Update – (Status of Proposed Amendments to Chapter 8)*

The interdepartmental farmland working group continues to work on proposed amendments to Chapter 8 of the Suffolk County Administrative Local Law, "Development Rights to Agricultural Lands." Staff from both the Suffolk County Planning Department and the Suffolk County Law Department are working to iron out the language. Once the proposed amendments have been approved by the County Executive, they will be distributed to stakeholders and other interested parties for comments; this includes the Committee. This ongoing effort is an important step in improving the code going forward.

### *Agricultural Property Rating System*

Legislation has been passed modifying the rating system used to evaluate properties being considered for inclusion in the Suffolk County Purchase of Development Rights Program (Program) as well as properties being considered for acquisition for natural resources preservation. In addition to criteria such as contiguity, vistas, soils, and approximate value, farmland parcels will be evaluated on the population density of the area. Thus, properties within census designated places with populations greater than 1,000 persons per square mile (Western Suffolk) will receive three extra points. Consequently, the rating scale has been changed from zero to 22 to zero to 25. A map displaying communities with population densities greater than 1,000 persons per square miles was presented to the Committee.

***Suffolk County Purchase of Development Rights Program Map***

Suffolk County Planning Department staff prepared a map identifying each Suffolk County development rights acquisition since the inception of the Program. The map will be used as a tool to gauge the Program's progress and to help identify unprotected farmland that may be targeted for preservation efforts. The map did not include town development rights acquisitions of which the county was not a partner because staff did not have such information.

STATUS UPDATE

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

The subject parcel consists of approximately 11 acres located in the Town of Islip, hamlet of North Bay Shore. Staff was notified that violations may have occurred or may be occurring on the property. The matter was referred to the Suffolk County Law Department. No new information is available at this time.

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

The subject parcel consists of approximately 40 acres located in the Town of Southampton, hamlet of Water Mill. There have been repeated complaints by neighbors indicating that the dirt farm road, which intersects Cooks Lane, is being used by construction vehicles to access the adjacent residential lot. Staff conducted a site inspection on September 11, 2008 and believes such access is continuing.

***Vitti (1000 05900 0300 027000)***

The subject parcel consists of approximately 21 acres located in the Town of Southold, hamlet of Southold. The property was previously approved by the Committee for recommendation to the Suffolk County Legislature for a possible development rights acquisition. The current plan proposes the exclusion of four building lots that were not identified at the time the Committee reviewed property for inclusion in the program. Staff is concerned about the fragmentation of farmland and the lack of vistas under the proposed conservation subdivision configuration. The Town of Southold is not satisfied with the proposed configuration either and has requested the landowner develop an alternative configuration.

**A motion was put forth by Charles Scheer and seconded by Lee Foster to recommend the Division of Real Property Acquisition and Management contact the landowner and seek an alternative configuration to be reviewed by the Committee at its next meeting or, if the landowner will not consider any alternative configurations, recommend to the Suffolk Count Legislature that the county should not acquire the development rights to this land given the current configuration because it diminishes the property's viability and eliminates the vista. Motion carried: 14-0-0. (Member H. Johnson was not present for the vote). ["Exhibit A"]**

COMPLAINTS/POTENTIAL VIOLATIONS

***Steele (1000 08300 0200 010018)***

The subject property consists of approximately 11 acres located in the Town of Southold, hamlet of Peconic. Staff had previously received complaints of excess composting. Following the last meeting of the Committee, staff from the Suffolk County Division of Real Property Acquisition and Management (SCRPAAM) conducted a site inspection. This inspection on July 28, 2008 revealed a site cleaner than it had been during prior inspections and one with less material stockpiled than during prior inspections. Therefore, staff believes there is no basis for the claims and will not be pursuing the matter any further.

SUBDIVISION REQUEST

*Corwith (0900 11500 0200 022015)*

The subject property is located in the Town of Southampton, hamlet of Water Mill. The applicant seeks permission to subdivide the 34-acre parcel into two lots, each consisting of 17 acres. According to the applicant, the purpose of the proposed subdivision would be to create two parcels in separate ownership, with separate liability, as opposed to the current tenant-in-common arrangement. The applicant, Mr. Mark Corwith, was in attendance to present his case. The Committee members were concerned about the viability of the agricultural parcel if it were to be divided as proposed. The Chairman acknowledged that such request would require a demonstration that all other alternatives had been deemed unfeasible to achieve the intended goal. Since no such demonstration had been made, the applicant was directed to explore available alternatives, possibly under the guidance of a private attorney, and to present said findings to the Committee at a subsequent meeting if the applicant desired to continue the pursuit of said subdivision.

**A motion was put forth by Jeffrey Rottkamp and seconded by John Turner to table the item. (The Committee recommended that the applicant research legal remedies that will address his concerns about partnerships and liability, as an alternative to subdividing.)**

**Motion carried: 14-0-0. (Member H. Johnson was not present for the vote).**

PERMITS

*Family Residences Essential Enterprises, Inc. (F.R.E.E.)*

*(0200 31800 0200 001003, 0200 31800 0200 001004, 0200 31800 0200 003000)*

*Underground Utilities Infrastructure*

The subject property consists of three parcels, totaling approximately 11 acres, in the Town of Brookhaven, hamlet of Middle Island. The applicant seeks permission to install a fiberglass water equipment enclosure and underground electric, gas, and water utilities infrastructure on the subject property but to service an adjacent lot. The fiberglass structure is proposed to have the following dimensions: 57" by 38" by 40". The installation of the proposed electric, gas, and water utilities infrastructure would disturb a corridor of the subject property approximately 25' wide by 650' long. Several persons were in attendance to represent the application. The Committee was concerned about the disruption to soils for the purposes of providing utilities to an adjacent lot because only improvements necessary for the agricultural operation may be permitted. The applicant explained that the adjacent lot is essential to the horse farm operation on the subject parcel, that such improvements would be necessary to ensure that the existing operation could continue, and that all other means by which the infrastructure could be connected to the adjacent lot had been explored and found impractical.

**A motion was put forth by Bennett S. Orlowski, Jr. and seconded by Charles Scheer finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR § 617.5 (c) (11), which completes the SEQRA review. Motion carried: 14-0-0. (Member Johnson was not present for the vote.)**

**A motion was put forth by Ronald Bush and seconded by Olney M. Gardiner to issue a permit for a fiberglass water equipment enclosure structure, not to exceed 57' by 38' by 40' (including the concrete slab), situated in the northwest segment of Suffolk County Real Property Tax Map (SCRPTM) lot 0200-318.00-02.00-003.000 and for underground electric, gas, and water service infrastructure within a corridor, not to exceed 25' by 650', that will extend from Mill Lot Road northeasterly across SCRPTM lot 0200-318.00-02.00-003.000, continue north-northeasterly to SCRPTM lot 0200-318.00-02.00-001.004, then continue northeasterly over SCRPTM lot 0200-318.00-02.00-001.004 to SCRPTM lot 0200-318.00-02.00-001.002, as delineated on the survey titled "Saddle Rock Ranch: Proposed Water Service and Utility Service Plan" and dated August 18, 2007,**

**subject to the condition that soil disturbance is minimized to the greatest extent practicable and that the disturbed area is revegetated upon completion of installed activities. Motion carried: 14-0-0. (Member Johnson was not present for the vote). [“Exhibit B”]**

*353 Manor Lane, LLC*

*(0600 04700 0100 003007)*

***Horse Barn, Fence, Underground Utilities Infrastructure***

The subject property is approximately 38 acres located in the Town of Riverhead, hamlet of Jamesport. The applicant seeks permission to locate a horse barn, install fencing, and install underground electric and water utilities infrastructure. The applicant was in attendance to present the proposal. The horse barn is the 50’ by 60’ Lester Building that previously housed the carousel in the Village of Greenport. The proposed fencing will be used to create paddocks, and the proposed underground utilities infrastructure will be used to service the horse barn. Member Zaweski informed the Committee that the application was also being reviewed by the Town of Riverhead Farmland Preservation Board and suggested that the Committee wait for the town’s findings before proceeding with its review.

**A motion was put forth by Mark Zaweski and seconded by Charles Scheer to table the item. Motion carried: 15-0-0.**

*Shoreline Development Corp., former Finn Farm*

*(0600 05800 0200 013001)*

***Possible Violation/Fence, Parking***

The subject property consists of approximately six acres in the Town of Riverhead, hamlet of Calverton. Staff had previously received complaints of topsoil removal associated with the installation of an unapproved parking structure. Currently, the applicant seeks permission to relocate and expand existing post and rail fencing and to create a parking area no greater than 75’ by 120’. Several persons were present representing the application. The Committee questioned the need for such a parking structure. A discussion regarding the proposed improvements and the nursery operation, which includes adjacent parcels that are also in the Program, ensued.

**A motion was put forth by Thomas A. Isles and seconded by Alfred J. Kilb, Jr. to table the item. (The committee requested that the applicant submit a site plan detailing the use of the property and the proposed location of the parking structure). Motion carried: 15-0-0.**

*K & E Land Corp., East Coast Nurseries*

*(0600 06300 0300 005004)*

***Drainage Basins***

The subject parcel consists of approximately 165 acres in the Town of Riverhead, hamlet of Riverhead. The applicant seeks permission to install five vertical drain basins. No one was present to represent the application.

**A motion was put forth by Charles Scheer and seconded by Mark Zaweski to table the item. (More information was required.) Motion carried: 15-0-0.**

***Schlecht, Schlecht Nursery***  
***(0600 07900 0200 007006)***

***Possible Violation/Underground Water Main***

The subject parcel is approximately 29 acres located in the Town of Riverhead, hamlet of Riverhead. Staff received a complaint that illegal dumping had occurred on the northern segment of the subject parcel. The site inspection conducted by staff on September 19, 2008 did not support the claim and no further action will be taken. Concurrently, the applicant submitted a proposal requesting permission to install an underground water main. The landowner, Robert Schlecht, was present to represent the application.

**A motion was put forth by Bennett S. Orlowski, Jr. and seconded by Charles Scheer finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR § 617.5 (c) (3), which completes the SEQRA review.**

**A motion was put forth by Thomas A. Isles and seconded by Nate Corwin to issue a permit for the installation of an underground water main from Youngs Avenue south to the northern border of SCRPTM lot 0600-079.00-02.00-007.002 and to continue eastward along SCRPTM lots 0600-079.00-02.00-007.003, 0600-079.00-02.00-007.004, and 0600-079.00-02.00-007.005 to an existing well within the wooded segment of SCRPTM lot 0600-079.00-02.00-007.006 subject to the condition that the applicant submit a Natural Resources Conservation Service approved site plan prior to site disturbance. Motion carried: 15-0-0. [“Exhibit C”]**

***Tooker, Abbess Farm***  
***(0600 11700 0200 012008)***

***Horse Training Track***

The subject property consist of approximately 86 acres in the Town of Riverhead, hamlet of Calverton. A proposal was submitted during the April 22, 2008 Committee meeting to request permission to install a horse training track, which involved extensive regrading of the site. The Committee previously requested additional information from the applicant; however, nothing was received. Since no one was present to represent the mater and supply the Committee with the requested material, staff was directed to contact the applicant. The Committee designated October 15, 2008 as the deadline for which all requested information must be received.

***Conklin, Breeze Hill Farms***  
***(0900 04900 0100 008006, 0900 04900 0100 08007)***

***Deer Fence***

The subject property consists of two parcels totaling 44 acres, in the Town of Southampton, hamlet of Water Mill. The applicant has requested permission to erect deer fencing around the perimeter of the farm.

**A motion was put forth by Lee Foster and seconded by Nate Corwin to issue a permit for three (3) deer fence structures: structure one shall be approximately 142’ along the eastern boundary of SCRPTM lot 0900-049.00-01.00-008.007, structure two shall be approximately 4016’ along the northern boundary of SCRPTM lot 0900-049.00-01.00-008.007, and structure three shall be approximately 418’ along the western boundaries of SCRPTM lots 0900-049.00-01.00-008.006 and 0900-049.00-01.00-008.007. Motion carried: 15-0-0. [“Exhibit D”]**

***Mezynieski, Driftwood Farms  
(1000 01900 0100 018003)***

***Residential Structure***

The subject parcel is approximately 77 acres, located in the Town of Southold, hamlet of Orient. The applicant is seeking permission to construct a residential dwelling associated with the agricultural operation within the footprint of the former residential dwelling. Several persons representing the application were present. A discussion about the location of the proposed structure and the need for the proposed structure ensued.

**A motion was put forth by Charles Scheer and seconded by Albert Schmitt finding and determining that this proposal constitutes a Type II action pursuant to 6 NYCRR § 617.5 (c) (3), which completes the SEQRA review.**

**A motion was put forth by Charles Scheer and seconded by Albert Schmidt to rescind all prior approvals and to issue a permit for one (1) residential structure that shall not exceed 45' by 45' and that shall be sited within the footprint of the former residential structure, as identified by "Remains of Residence" on the survey titled "Survey of Property, Property Located at Orient, Town of Southold, Suffolk County, New York, S.C.T.M. # 1000-019-01-18.3" and dated April 17, 2008. Motion carried 15-0-0. ["Exhibit E"]**

NEW PARCELS ["Exhibit F"]

***Bagatele Associates (0600 11700 0200 011000 p/o)***

94.7 acres (excludes wooded southwestern portion of the parcel) located in Calverton of the Town of Riverhead scored 12.5 by the Committee.

**A motion was put forth by Lee Foster and seconded by Albert Schmitt to recommend the non-wooded segment of the parcel, having no other identified "cut-outs," to the Suffolk County Legislature for possible inclusion in the Suffolk County Purchase of Development Rights Program. Motion carried: 15-0-0. ["Exhibit G"]**

PUBLIC COMMENTS

Chairman Orlowski opened the meeting for public comments. There being, none, the Committee moved to the next item on the agenda.

OTHER BUSINESS

***Wind Power Systems***

Most agricultural properties throughout the county, which are not part of the Program, are permitted to install wind turbines for the purpose of electricity generation. Prohibiting parcels in the Program from installing such equipment may diminish their competitive advantage. Member Scheer requested that the Committee revisit the topic of operating wind turbines on parcels within the Program. A discussion about wind turbines, and their ability to meet on-site electricity demand, ensued. Member Isles indicated that counsel should be consulted and suggested that the interdepartmental farmland working group consider the matter during discussions of the proposed amendments to Chapter 8.

***Suffolk County Purchase of Development Rights Program Acquisition Update***

SCRIPAM staff provided the Committee with an update on the status of recent and pending development rights acquisitions. Since the July 22, 2008 meeting, the county closed on one development rights acquisition: a 58-acre property in the Town of Riverhead. There are roughly 300 acres of farmland either with accepted offers by the landowners or in contract at present.

**ADJOURNMENT**

**A motion to adjourn was made by Bennett S. Orlowski, Jr. and seconded by Thomas A. Isles.  
Motion carried: 15-0-0.**

**NEXT MEETING**

**Tuesday, November 25, 2008 at 6:00 P.M. at the Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY. 11901**

**EXHIBIT A**

**RESOLUTION NO. DR-18-2008, DISAPPROVING RECOMMENDATION TO THE SUFFOLK COUNTY LEGISLATURE THE LANDS FROM WHICH FARMLAND DEVELOPMENT RIGHTS MAY BE ACQUIRED – IRENE C. VITTI – (SCRPTM NO. 1000-059.00-03.00-027.000 p/o) – TOWN OF SOUTHOLD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Sections 8-5 to 7 of the Suffolk County Administrative Local Laws, a request to purchase farmland development rights was received by the Suffolk County Farmland Committee, with respect to the farm of Irene C. Vitti on 21.1 acres of land north of County Route 48 (Middle Road) and west of Horton Lane in the hamlet of Southold; and

**WHEREAS**, pursuant to the Suffolk County Farmland Rating System for the Purchase of Development Rights, said farm received a score of 12 at the October 29, 2002 Suffolk County Farmland Committee meeting and a score of 17 at the February 11, 2004 Suffolk County Farmland Committee meeting; and

**WHEREAS**, a significantly revised version of said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby disapproves said application for recommendation to the Suffolk County Legislature for consideration as a development rights acquisition because the proposed configuration diminishes the agricultural viability of the land and eliminates the vistas; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby recommends the Real Property Acquisition and Management Division contact the landowner and seek an alternative configuration to be reviewed at the next Suffolk County Farmland Committee meeting.

**Motion by:** Charles Scheer                      **Seconded by:** Lee Foster

Committee Vote:            **Ayes            13**  
   **Nays             0**  
   **Abstentions 0**

Present: 13 members

Absent: Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Howard Johnson  
Eugene Murphy  
Mark Zaweski

**Dated: September 23, 2008**

L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

**EXHIBIT B**

**RESOLUTION NO. FC-11-2008, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – “SADDLE ROCK RANCH” – (SCRPTM NO. 0200-318.00-02.00-001.003, 0200-318.00-02.00-001.004, AND 0200-318.00-02.00-003.000) – TOWN OF BROOKHAVEN – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a proposed modification was received by the Suffolk County Farmland Committee, with respect to the farm of “Saddle Rock Ranch,” for the issuance of a permit for a fiberglass water equipment enclosure structure, not to exceed 57” x 38” x 40” (including the concrete slab), situated in the northwest segment of Suffolk County Real Property Tax Map (SCRPTM) lot 0200-318.00-02.00-003.000 and for underground water, gas, and electric service infrastructure within a corridor, not to exceed 25’ x 650’, that will extend from Mill Lot Road northeasterly across SCRPTM lot 0200-318.00-02.00-003.000, continue north-northeasterly to SCRPTM lot 0200-318.00-02.00-001.004, and then continue northeasterly over SCRPTM lot 0200-318.00-02.00-001.004 to SCRPTM lot 0200-318.00-02.00-001.002, as delineated on the survey titled “Saddle Rock Ranch: Proposed Water Service and Utility Service Plan” and dated August 8, 2007; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; and

**WHEREAS**, the Suffolk County Farmland Committee noted that the proposed improvements will service SCRPTM lot 0200-318.00-02.00-001.002, a parcel that is essential to the commercial agricultural operation but has its development rights intact; 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)(11)(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 subject to the conditions:

1. that soil disturbance is minimized to the greatest extent practicable and
2. that the disturbed area is revegetated upon completion of installation activities.

**Motion by:** Ronald Bush                      **Seconded by:** Olney M. Gardiner

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

Present: 14 members

Absent: Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Howard Johnson  
Eugene Murphy

**Dated: September 23, 2008**

L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

**EXHIBIT C**

**RESOLUTION NO. FC-12-2008, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – “SCHLECHT NURSERY” – (SCRPTM NO. 0600-079.00-02.00-007.006) – 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, a proposed modification was received by the Suffolk County Farmland Committee, with respect to the farm of “Schlecht Nursery,” for the issuance of a permit for the installation of an underground water main from Youngs Avenue south to the northern border of Suffolk County Real Property Tax Map (SCRPTM) lot 0600-079.00-02.00-007.002 and to continue eastward along SCRPTM lots 0600-079.00-02.00-007.003, 0600-079.00-02.00-007.004, and 0600-079.00-02.00-007.005 to an existing well within the wooded segment of SCRPTM lot 0600-079.00-02.00-007.006; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; 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)(11)(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 subject to the following condition:

1. that the applicant submit a Natural Resources Conservation Service approved site plan to the Suffolk County Planning Department prior to any site preparation and/or any site disturbance.

**Motion by:** Thomas A. Isles      **Seconded by:** Nate Corwin

**Committee Vote:**      **Ayes**      **15**  
                                 **Nays**      **0**  
                                 **Abstentions** **0**

**Present:** 15 members

**Absent:** Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Eugene Murphy

**Dated: September 23, 2008**  
L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

**EXHIBIT D**

**RESOLUTION NO. FC-13-2008, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – “BREEZE HILL FARMS” – (SCRPTM NO. 0900-049.00-01.00-008.006 AND 0900-049.00-01.00-008.007) – TOWN OF SOUTHAMPTON – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a proposed modification was received by the Suffolk County Farmland Committee with respect to the farm of “Breeze Hill Farms” for the issuance of a permit for three (3) deer fence structures: structure one shall be approximately 142’ in length along the southeastern boundary of Suffolk County Real Property Tax Map (SCRPTM) lot 0900-049.00-01.00-008.007, structure two shall be approximately 4016’ in length along the northeastern boundary of SCRPTM lot 0900-049.00-01.00-008.007, and structure three shall be approximately 418’ in length along the western boundaries of SCRPTM lots 0900-049.00-01.00-008.006 and 0900-049.00-01.00-008.007; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; 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.

<b>Motion by:</b>	Lee Foster	<b>Seconded by:</b>	Nate Corwin
<b>Committee Vote:</b>	<b>Ayes</b> <b>15</b>		
	<b>Nays</b> <b>0</b>		
	<b>Abstentions</b> <b>0</b>		

Present: 15 members

Absent: Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Eugene Murphy

**Dated: September 23, 2008**  
L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

**EXHIBIT E**

**RESOLUTION NO. FC-14-2008, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – “DRIFTWOOD FARMS” – (SCRPTM NO. 1000-019.00-01.00-018.003) – TOWN OF SOUTHOLD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a proposed modification was received by the Suffolk County Farmland Committee, with respect to the farm of “Driftwood Farms,” for the issuance of a permit for one (1) residential structure that shall not exceed 45’ x 45’ and that shall be sited within the footprint of the former residential structure, as identified by “Remains of Residence” on the survey titled “Survey of Property, Property Located at Orient, Town of Southold, Suffolk County, New York, S.C.T.M. # 1000-019-01-18.3” and dated April 17, 2008; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; 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 all prior Suffolk County Farmland Committee approvals for residential structures on the property are null and void; and be it further

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

1. that the residential structure shall not extend exceed a footprint of 45’ by 45’;
2. that the residential structure shall be sited in the location of the former residential structure;
3. that the residential structure shall be owner-occupied or, in the case of a corporation, it shall be occupied by the farm operator and his direct family member(s);
4. that the residential structure shall in no case be occupied by or rented to the general public;
5. that the landowner, whether present or future, shall make no additional requests for residential structures on the property;
6. that the landowner shall submit the as-built survey to the Committee;
7. that the landowner shall execute a deed of covenant, pursuant to the satisfaction of the County of Suffolk that may be modified only upon permission from the County of Suffolk, indicating that the residential structure is necessary for the purposes of conducting agricultural production on the property, that the residential structure shall be owner-occupied or, in the case of a corporation, it shall be occupied by the farm operator and his direct family member(s), that the residential structure shall in no case be occupied by or rented to the general public, and that there shall be no additional requests for residential structures on the property; and
8. that the landowner, and the agricultural land lessee(s) where applicable, shall agree to the terms herein and are subject to all local, state, and federal ordinances.

**Motion by:** Charles Scheer                      **Seconded by:** Albert Schmitt

Committee Vote:            **Ayes**            **15**  
   **Nays**            **0**  
   **Abstentions** **0**

Present: 15 members

Absent: Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Eugene Murphy

**Dated: September 23, 2008**

L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

**EXHIBIT F**

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
12.5	Bagatele Associates	Riverhead	Calverton	0600 11700 0200 011000 p/o		No	RdA, HAA, PIA	94.7	Sod

**EXHIBIT G**

**RESOLUTION NO. DR-19-2008, RECOMMENDING TO THE SUFFOLK COUNTY LEGISLATURE THE LANDS FROM WHICH DEVELOPMENT RIGHTS MAY BE ACQUIRED – BAGATELE ASSOCIATES (SCRPTM NO. 0600-117.00-02.00-011.000 p/o) – TOWN OF RIVERHEAD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Sections 8-5 to 7 of the Suffolk County Administrative Local Laws, a request to purchase farmland development rights was received by the Suffolk County Farmland Committee, with respect to the farm of Bagatele Associates on 116.7 acres of land south of State Route 25 (Middle Country Road), north of Interstate Route 495 (Long Island Expressway), and west of Manor Road in the hamlet of Calverton; and

**WHEREAS**, pursuant to the Suffolk County Farmland Rating System for the Purchase of Development Rights, said farm received a score of 12.5; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on September 23, 2008; now, therefore, be it

**1<sup>st</sup> RESOLVED** that the Suffolk County Farmland Committee hereby approves said application for recommendation subject to the following condition:

1. that only the non-wooded segment of the parcel, approximately 94.7 acres, be considered for a development rights acquisition.

**Motion by:** Lee Foster                      **Seconded by:** Albert Schmitt

Committee Vote:        **Ayes**        **15**  
                                 **Nays**        **0**  
                                 **Abstentions** **0**

Present: 15 members

Absent: Russell K. Barnett  
Daniel Fricke  
Ann Marie Jones  
Eugene Murphy

**Dated: September 23, 2008**

L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee