

# Suffolk County Farmland Committee

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

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## *Chairman*

Bennett S. Orlowski, Jr.

## *Members*

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

## *Counsel*

Thomas Young

## *Advisors*

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

## *Staff*

Andrew Amakawa  
Jessica L. Kalmbacher  
Karen Timlin

## **TENTATIVE AGENDA**

Long Island Horticultural Research and Extension Center

3059 Sound Avenue, Riverhead, NY 11901

Tuesday, July 27, 2010

6:00 P.M.

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### 1. ORDER OF BUSINESS:

- A. Chairman Orlowski calls the Suffolk County Farmland Committee meeting to order
- B. Approval of April 6, 2010 Suffolk County Farmland Committee Meeting Minutes
- C. Approval of May 25, 2010 Suffolk County Farmland Committee Meeting Minutes
- D. Review of general correspondences sent/received since the May 25, 2010 meeting

### 2. MEETING OPEN FOR PUBLIC COMMENTS

### 3. POLICY MATTERS:

- A. Suffolk County Agricultural Districts (status of 2010 Open Enrollment Period)
- B. Proposed amendments to Chapter 8, "Development Rights to Agricultural Lands"
- C. Suffolk County Aquaculture Lease Program

### 4. POTENTIAL VIOLATIONS:

- A. Shoreline Development Corp. (0600 05800 0200 013001 and 0600 05800 0200 014002)
- B. Wild Horses Farms, LLC (0900 0500 0100 005000 and 0900 06800 0100 001009)
- C. SGDP, LLC (Mezynieski)/Driftwood Farms (1000 01900 0200 010001)
- D. Jeanne F. and Timothy T. Steele/Tandy Farm (1000 08300 0200 010018)

### 5. PERMITS:

- A. Peconic Land Trust/Stonyhill Nursery Inc. (0300 14900 0400 001000 and 0300 15000 0300 003000)
- B. Sefbro Properties (0600 04600 0300 003001)
- C. Terry Girl's Realty, Inc. (Bocksel) (0600 06600 0200 017002)
- D. Wild Horses Farms, LLC (0900 0500 0100 005000)

### 6. NEW PARCELS:

- A. 0200 87600 0300 002005 – Francis & Louis Pettrignani/Terraservice Landscaping, Inc.
- B. 0400 25100 0400 005000 – Commack Union Free School District/Marian Carll Farm

### 7. OTHER BUSINESS

### 8. ADJOURNMENT

**NEXT MEETING:** Tuesday, September 28, 2010, at 6:00 P.M., at the Long Island Horticultural Research & Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901

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- B. Proposed amendments to Chapter 8, "Development Rights to Agricultural Lands"
- C. Suffolk County Aquaculture Lease Program

### 4. POTENTIAL VIOLATIONS:

- A. Friar's Head Farm, LP and Traditional Links, LLC/Friar's Head Farm (0600 04100 0200 005005 and 0600 04100 0200 005006)
- B. Sefbro Properties (0600 04600 0300 003001)
- C. Shoreline Development Corp. (0600 05800 0200 013001 and 0600 05800 0200 014002)
- D. Wild Horses Farms, LLC (0900 05000 0100 005000 and 0900 06800 0100 001009)
- E. SGDP, LLC (Mezynieski)/Driftwood Farms (1000 01900 0200 010001)
- F. Jeanne F. and Timothy T. Steele/Tandy Farm (1000 08300 0200 010018)

### 5. PERMITS:

- A. Peconic Land Trust/Stonyhill Nursery Inc. (0300 14900 0400 001000 and 0300 15000 0300 003000)
- B. Sefbro Properties (0600 04600 0300 003001)
- C. Terry Girl's Realty, Inc. (Bocksel) (0600 06600 0200 017002)
- D. Wild Horses Farms, LLC (0900 0500 0100 005000)

### 6. NEW PARCELS:

- A. 0400 25100 0400 005000 – Commack Union Free School District/Marion Carll Farm
- B. 1000 10800 0300 007000 – Elmer G. & Beatrice E. Tuthill/Tuthill Property

### 7. OTHER BUSINESS

### 8. ADJOURNMENT

**NEXT MEETING:** Tuesday, September 28, 2010, 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:** July 27, 2010

**Members Present:**

Bennett S. Orlowski, Jr., Chairman (At-Large)  
Russell K. Barnett (Smithtown)  
Ronald Bush (At-Large)  
Nate Corwin (At-Large)  
Lee Foster (Southampton)  
Daniel Fricke (At-Large)  
Thomas A. Isles (At-Large)  
Howard Johnson (Huntington)  
Alfred J. Kilb, Jr. (Shelter Island)  
Joseph Krukowski (Southold)  
Dale D. Moyer (At-Large)  
Jeffrey Rottkamp (Riverhead)  
Charles F. Scheer, Jr. (At-Large)  
Albert Schmitt (At-Large)

**Members Absent:**

Olney M. Gardiner (East Hampton)  
Ann Marie Jones (Babylon)  
Eugene Murphy (Islip)  
John Turner (Brookhaven)  
Mark Zaweski (At-Large)

**Advisors Present:**

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

**County Staff Present:**

Andrew Amakawa, Research Technician, SC Planning Department (Committee Staff)  
Janet M. Longo, Acquisition Supervisor, SC Real Property Acquisition & Mgmt. Division  
Karen Timlin, Clerk Typist, SC Planning Department (Committee Staff)  
Thomas Young, Assistant County Attorney, SC Law Department (Committee Counsel)  
Robert J. Zaher, Land Management Specialist, SC Real Property Acquisition & Mgmt. Division

**Guests:**

Denise Andrews	R & M Andrews Farms
Robert Andrews, Jr.	R & M Andrews Farms
Dana Belcorf	Wild Horses Farms, LLC

Frank J. Blangiardo	Blangiardo Property
Robert K. Bocksel	Terry Girls Realty, Inc.
Charles Cuddy	Tuthill Property Representative
Pete Danowski	Terry Girls Realty, Inc. Attorney
Bruce Ettenberg	Commack Community Association
Larry Foglia	Peconic Land Trust
Shari Goldschmidt	Wild Horses Farms, LLC Representative
John M. Kennedy, Jr.	Suffolk County Legislator (District 12)
Leslie Kennedy	Suffolk County Legislative Aide (District 12)
Frank Murphy	Sefbro Properties Representative
Larry H. Schatz	Wild Horses Farms, LLC Attorney
Stephen Searl	Peconic Land Trust
Pete Schembri	Shoreline Development Corp.
Melissa Spiro	Town of Southold
Herbert J. Strobel	Hallockville Museum Farm
Cathleen Sullivan	Commack Community Association
Jerry Tuthill	Tuthill Property
Ed Zabolotny	Landowner on Hulse Landing Road, Calverton
Mary Zabolotny	Landowner on Hulse Landing Road, Calverton

## ORDER OF BUSINESS

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

Chairman Orlowski called the meeting of the Suffolk County Farmland Committee (“Committee”) to order at 6:07 P.M. at the Long Island Horticultural Research and Extension Center in Riverhead, New York.

### ***Approval of Minutes – April 6, 2010***

**A motion was put forth by Charles F. Scheer, Jr. and seconded by Howard Johnson to approve the minutes of the April 6, 2010 meeting of the Suffolk County Farmland Committee. Motion carried: 14-0-0**

### ***Approval of Minutes – May 25, 2010***

**A motion was put forth by Howard Johnson and seconded by Ronald Bush to approve the minutes of the May 25, 2010 meeting of the Suffolk County Farmland Committee. Motion carried: 14-0-0**

### ***Letter from Marie Andrews***

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

Planning Department staff received a letter from Marie Andrews commenting on structures and alleged activities conducted on the property owned by Shoreline Development Corp. Planning Department staff responded to Ms. Andrews in a letter which was also shared with the Committee.

### ***Letter to State Conservationist***

*Federal Farm and Ranch Lands Protection Program (“FRPP”)*

In accordance with Committee resolution FC-7-2007, a letter has been prepared and will be sent to the State Conservationist adopting a position against funding limitations placed on the FRPP which would make sod and horticultural operations no longer eligible for grant funding.

PUBLIC COMMENTS

***Union Free School District #10 (Commack)/ “Marion Carll Farm” Property (0400 25100 0400 005000)***

Several comments were made by individuals in support of preserving and restoring the Marion Carll Farm property. (See New Parcels Section)

POLICY MATTERS

***Suffolk County Agricultural Districts (Status of 2010 Open Enrollment Period)***

The introductory resolution authorizing the inclusion of 137 parcels (approximately 2,300 acres) into existing certified agricultural districts, as per the recommendation of the Suffolk County Agricultural and Farmland Protection Board, was laid on the table of the Suffolk County Legislature (“Legislature”) on June 22, 2010. The public hearing regarding said matter is anticipated to be held on August 17, 2010, and it is anticipated that said introductory resolution will be eligible for vote by the Legislature on September 16, 2010.

***Proposed Amendments to Chapter 8, “Development Rights to Agricultural Lands”***

On June 22, 2010, the public hearing for the proposed local law amending Chapter 8 of the Suffolk County Code (Introductory Resolution 1174-2010) was reconvened and subsequently recessed. The comments received were reviewed and additional changes, addressing lot coverage limitations and variance criteria, were made to the draft document. Since Introductory Resolution 1174-2010 will expire on August 2, 2010, a new introductory resolution to adopt a local law amending Chapter 8 of the Suffolk County Code is being prepared and is anticipated to be laid on the table by the Legislature on August 3, 2010.

***Suffolk County Aquaculture Lease Program***

Member Isles advised the Committee that the Planning Department is currently progressing towards the execution of leases for the temporary-marine-area-use-assignment holders who applied during Lease Application Cycle #1. The 60-day public comment period associated with Lease Application Cycle #2, which includes only lease applications submitted by private oyster grant owners, will commence in September.

COMPLAINTS/POTENTIAL VIOLATIONS

***Friar’s Head Farm, LP and Traditional Links, LLC/ “Friar’s Head Farm”***

*(0600 04100 0200 005005 and 0600 04100 0200 005006)*

***Aircraft Usage***

The subject property consists of approximately 131 acres in the hamlet of Riverhead, Town of Riverhead. A complaint was received regarding the landing of helicopters on the subject property. The County is currently investigating the complaint.

***Sefbro Properties***

*(0600 04600 0300 003001)*

***Unauthorized Installation of Deer Fence Structures and Greenhouse Structures***

The subject parcel consists of approximately 86.6 acres in the hamlet of Northville, Town of Riverhead. Planning Department staff received a complaint about unauthorized deer fence structures being installed on the subject property without required County permission. The County issued a cease and desist order directing the landowner to cease and desist immediately the unauthorized installation of deer fence and other structures. (See Permit Section)

\* *The Union Free School District #10 (Commack)/“Marion Carll Farm” Property (0400 25100 0400 005000) was taken out of order, discussed, and tabled. (See New Parcels Section)*

***Shoreline Development Corp.***

*(0600 05800 0200 013001 and 0600 05800 0200 014002)*

***Unauthorized Storage of Non-Agricultural Debris and Other Potential Violations***

The subject property consists of approximately 33.0 acres in the hamlet of Calverton, Town of Riverhead. In accordance with Committee resolution FC-8-2010, County and Town staff along with several Committee members conducted a follow-up site inspection of the subject premises. A cease and desist order was issued to the landowner by the County and an investigation is pending.

***Wild Horses Farms, LLC***

*(0900 05000 0100 005000 and 0900 06800 0100 001009)*

***Unauthorized Installation of Fence Structures***

The subject property consists of approximately 23.8 acres in the hamlet of Bridgehampton, Town of Southampton. Planning Department staff was informed of a potential violation regarding the unauthorized installation of fence structures on the subject property without required permission from either the Town or County. The County issued a cease and desist order directing the landowner to cease and desist immediately the unauthorized installation of said structures. (See Permit Section)

***SGDP, LLC (Mezynieski)/ "Driftwood Farms"***

*(1000 01900 0200 010001)*

***Unauthorized Non-Agricultural Activities***

The subject parcel consists of approximately 31.9 acres in the hamlet of Orient, Town of Southold. Planning Department staff was informed that unauthorized catered events such as weddings were being conducted on the premises, which is in violation of the contract of sale, the deed of development rights, and the Suffolk County Code. The County issued a cease and desist order directing the landowner to cease and desist immediately any and all unauthorized activities.

***Jeanne F. and Timothy T. Steele/ "Tandy Farm"***

*(1000 08300 0200 010018)*

***Unauthorized Recreational All-Terrain Vehicle Usage***

The subject parcel consists of approximately 10.8 acres in the hamlet of Cutchogue, Town of Southold. The County Attorney is preparing an argument to appeal the Court's denial of a preliminary injunction against the above-listed landowners for unauthorized recreational all-terrain vehicle usage.

**PERMITS**

***Peconic Land Trust (Stony Hill Nursery, Inc.)***

*(0300 14900 0400 001000 and 0300 15000 0300 003000)*

***Development Permit: Deer Fence Structures***

The subject property is approximately 63.0 acres and is located in the hamlet of Amagansett, Town of East Hampton.

**A motion was put forth by Howard Johnson and seconded by Dale D. Moyer. Motion carried: 14-0-0 [See Exhibit "A" for Committee Resolution FC-12-2010]**

***Sefbro Properties***

*(0600 04600 0300 003001)*

***Development Permit: Deer Fence Structures, Greenhouse Structures***

The subject parcel is approximately 86.6 acres and is located in the hamlet of Northville, Town of Riverhead.

**A motion was put forth Howard Johnson and seconded by Charles F. Scheer, Jr. Motion carried: 14-0-0 [See Exhibit "B" for Committee Resolution FC-13-2010]**

***Terry Girls Realty, Inc. (Bocksel)***

*(0600 06600 0200 017002)*

*Development Permit: Barn Structure*

The subject parcel is approximately 14.3 acres and is located in the hamlet of Aquebogue, Town of Riverhead.

**A motion was put forth by Mark Zaweski and seconded by Dale D. Moyer. Motion carried: 14-0-0 [See Exhibit “C” for Committee Resolution FC-14-2010]**

***Wild Horses Farms, LLC***

*(0900 05000 0100 005000 and 0900 06800 0100 001009)*

*Development Permit: Horse Fence Structures*

The subject property consists of approximately 23.8 acres in the hamlet of Bridgehampton, Town of Southampton.

**A motion was put forth by Lee Foster and seconded by Howard Johnson. Motion carried: 14-0-0 [See Exhibit “D” for Committee Resolution FC-15-2010]**

NEW PARCELS

***Union Free School District #10 (Commack)/ “Marion Carll Farm” Property***

*(0400 25100 0400 005000)*

The subject parcel consists of approximately 8.7 acres in the hamlet of Commack, Town of Huntington. Legislator John M. Kennedy, Jr. was present and spoke in support of the application.

**A motion was put forth by Alfred J. Kilb, Jr. and seconded by Howard Johnson. Motion carried: 14-0-0 [See Exhibit “E” for Committee Resolution DR-4-2010]**

***Elmer G. and Beatrice E. Tuthill***

*(1000 10800 0300 007000)*

The subject parcel consists of 56.0 acres in the hamlet of Cutchogue, Town of Southold. The portion of the subject property being considered totals 44.0 acres and received a score of 11.25 out of 25 by the Committee.

**A motion was put forth by Charles F. Scheer, Jr. and seconded by Alfred J. Kilb, Jr. Motion carried: 14-0-0 [See Exhibit “F” for Committee Resolution DR-5-2010]**

ADJOURNMENT

**A motion to adjourn was made by Thomas A. Isles and seconded by Bennett S. Orłowski, Jr. Motion carried: 14-0-0**

NEXT MEETING

The next meeting of the Committee is scheduled for 6:00 P.M. on Tuesday, September 28<sup>th</sup>, at the Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY 11901.

EXHIBIT A

**SUFFOLK COUNTY FARMLAND COMMITTEE RESOLUTION NO. FC-12-2010, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – “STONYHILL NURSERY, INC.” (SCRPTM NO. 0300-149.00-04.00-001.000 AND 0300-150.00-03.00-003.000) – TOWN OF EAST HAMPTON – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a proposal to modify the property known as “Stonyhill Nursery, Inc.” and owned by Peconic Land Trust, Inc. has been received by the Suffolk County Farmland Committee; and

**WHEREAS**, the property known as “Stonyhill Nursery, Inc.” is located on land situated south of Town Lane, east of Windmill Lane, and west of Deep Lane, identified by Suffolk County Real Property Tax Map (SCRPTM) numbers 0300-149.00-04.00-001.000 and 0300-150.00-03.00-003.000; and

**WHEREAS**, the applicant is seeking a permit authorizing the installation and maintenance of deer fence structures on the subject property; and

**WHEREAS**, the deer fence structures shall not exceed a height of eight feet and shall consist of wooden and steel posts and galvanized steel mesh; and

**WHEREAS**, the deer fence structures proposed on SCRPTM lot 0300-149.00-04.00-001.000 shall enclose a portion of the property along its eastern boundary, which shall not exceed a total linear length of 2,760 feet, and the deer fence structures proposed on SCRPTM lot 0300-150.00-03.00-003.000 shall enclose a portion of the property along the northern boundary, which shall not exceed a total linear length of 2,398 feet, as delineated in the site plan and Natural Resources Conservation Service specifications submitted by the applicant, copies of which are held on record in the Office of the Planning Department of Suffolk County, and subject to the conditions herein; and

**WHEREAS**, the applicant has applied for a United States Department of Agriculture grant to assist in covering the costs for the proposed deer fencing; and

**WHEREAS**, this proposed modification to the property is intended to protect agricultural crops that have and will continue to be destroyed by an increasing deer population; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on July 27, 2010; now, therefore, be it

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

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

**Motion by:** Howard Johnson      **Seconded by:** Dale D. Moyer

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

**Members Present:**      14      (Russell K. Barnett, Ronald Bush, Nate Corwin, Lee Foster, Daniel Fricke, Thomas A. Isles, Howard Johnson, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Bennett S. Orlowski, Jr., Jeffrey Rottkamp, Charles F. Scheer, Jr., Albert Schmitt)

**Members Absent:**      5      (Olney M. Gardiner, Ann Marie Jones, Eugene Murphy, John Turner, Mark Zaweski)

**Dated: July 27, 2010**  
L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee

EXHIBIT B

**SUFFOLK COUNTY FARMLAND COMMITTEE RESOLUTION NO. FC-13-2010, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – SEFBRO PROPERTIES (SCRPTM NO. 0600-046.00-03.00-003.001) – TOWN OF RIVERHEAD – PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

**WHEREAS**, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a proposal to modify the property owned by Sefbro Properties has been received by the Suffolk County Farmland Committee (“Committee”); and

**WHEREAS**, the subject property is located on land situated on the east side of Tuthills Lane and the south side of Sound Avenue, in the hamlet of Northville, Town of Riverhead; and

**WHEREAS**, the subject property is identified by Suffolk County Real Property Tax Map (“SCRPTM”) lot number 0600-046.00-03.00-003.001; and

**WHEREAS**, in a correspondence dated May 6, 2010, the landowner’s representative submitted an incomplete application requesting permission to install and maintain structures on the subject property; and

**WHEREAS**, in a correspondence dated May 26, 2010, the landowner’s representative submitted a revised but still incomplete application requesting permission to install and maintain structures on the subject property; and

**WHEREAS**, the County of Suffolk (“County”) requested additional information from the landowner in a letter dated June 4, 2010; and

**WHEREAS**, in a correspondence dated July 26, 2010, the landowner’s representative submitted some of the information requested in the letter dated June 4, 2010; and

**WHEREAS**, the revised application only includes a request for permission to install and maintain the following deer fence and greenhouse structures; and

**WHEREAS**, by reviewing the revised application, the County is neither evaluating the status or granting default approval for any other structures on the subject property that were not included in this revised application; and

**WHEREAS**, a decision related to this application shall not prevent the County from pursuing any future enforcement action as may be necessary to ensure compliance with the Suffolk County Purchase of Development Rights Program; and

**WHEREAS**, the applicant is seeking a permit authorizing the installation and maintenance of 16 greenhouse structures and the installation and maintenance of noncontiguous deer fence structures; and

**WHEREAS**, the 16 greenhouse structures shall be sited on the subject property in an area that is between 600 feet and 1,800 feet south-southeasterly of the southern boundary of SCRPTM lot number 0600-021.00-02.00-004.002 and between 20 feet and 200 feet east-northeasterly of the eastern boundary of SCRPTM lot number 0600-021.00-02.00-006.004, as delineated on the survey submitted by the applicant; and

**WHEREAS**, the greenhouse structures shall not exceed a height of eight feet; shall consist of metal poles with plastic coverings, which shall remain on the poles throughout the year; shall not have concrete foundations; and shall not have electrical heating systems; and

**WHEREAS**, greenhouse structures number one through ten shall not exceed a footprint of 26 feet by 300 feet each as delineated in said survey; and

**WHEREAS**, greenhouse structure number 11 shall not exceed an approximate footprint of 25 feet by 175 feet, greenhouse structure number 12 shall not exceed an approximate footprint of 16 feet by 63 feet, greenhouse structure number 13 shall not exceed an approximate footprint of 25 feet by 94 feet, greenhouse structure number 14 shall not exceed an approximate footprint of 25 feet by 144 feet (irregular footprint with an area that shall not exceed 3,870 square feet), greenhouse structure number 15 shall not exceed an approximate footprint of 28 feet by 88 feet, and greenhouse structure number 16 shall not exceed an approximate footprint of 13 feet by 44 feet, as delineated on said survey; and

**WHEREAS**, the noncontiguous deer fence structures shall not exceed a total linear length of 10,300 feet and shall not encroach on any adjacent properties despite such depiction in the survey; and

**WHEREAS**, the greenhouse structures are intended to extend the growing season for the cultivation of oriental vegetables and the proposed deer fence structures are intended to curb potential crop damage caused by a growing deer population; and

**WHEREAS**, the Committee recommends that standard deer fence materials such as traditional wooden posts and metal woven wire be utilized as materials for said deer fence structures; and

**WHEREAS**, said application was considered by the Committee at its meeting on July 27, 2010; 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)(1995), which completes the SEQRA review; and be it further

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

- 1) The installation and maintenance of the greenhouse structures shall comply with *Greenhouse Structures: Guidelines for Parcels with County Purchased Development Rights*, which was adopted by the Committee on January 22, 2008; and
- 2) The landowner shall implement a Natural-Resources-Conservation-Service-approved plan consistent with the recommendations outlined in the July 22, 2010 correspondence from the District Conservationist designed to mitigate run-off and erosion problems related to the greenhouse structures.

**Motion by:** Howard Johnson                      **Seconded by:** Mark Zaweski

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

Members Present:                      14                      (Russell K. Barnett, Ronald Bush, Nate Corwin, Lee Foster, Daniel Fricke, Thomas A. Isles, Howard Johnson, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Bennett S. Orłowski, Jr., Jeffrey Rottkamp, Charles F. Scheer, Jr., Albert Schmitt)

Members Absent:                      5                      (Olney M. Gardiner, Ann Marie Jones, Eugene Murphy, John Turner, Mark Zaweski)

**Dated: July 27, 2010**

H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, N.Y. 11788  
Suffolk County Farmland Committee



EXHIBIT D

**SUFFOLK COUNTY FARMLAND COMMITTEE RESOLUTION NO. FC-15-2010, AUTHORIZING MODIFICATION TO THE PROPERTY OF WHICH SUFFOLK COUNTY OWNS THE DEVELOPMENT RIGHTS – WILD HORSES FARMS, LLC (SCRPTM NO. 0900-050.00-01.00-005.000 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 proposal to modify the property owned by Wild Horses Farms, LLC has been received by the Suffolk County Farmland Committee; and

**WHEREAS**, the property owned by Wild Horses Farms, LLC is located on land situated south of Mitchells Lane, east of Scuttle Hole Road, and west of Long Pond Lane, identified by Suffolk County Real Property Tax Map (SCRPTM) number 0900-050.00-01.00-005.000; and

**WHEREAS**, the subject property is currently fallow land not in active commercial agricultural use and/or production; and

**WHEREAS**, the applicant is seeking a permit authorizing the installation and maintenance of horse fence structures for a proposed commercial horse boarding operation; and

**WHEREAS**, this proposed modification to the property is related to a proposed commercial horse boarding operation and these proposed structures are intended to create the boundaries for the pasture where the horses may roam and graze freely; and

**WHEREAS**, said application was considered by the Suffolk County Farmland Committee at its meeting on July 27, 2010; 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 subject to the following conditions:

- 1) Prior to the installation of the above referenced proposed horse fence structures, the landowner and/or designated representative shall first establish a pasture sufficient for horse grazing as would be necessary for a commercial horse boarding operation and shall thereafter notify the County of Suffolk by contacting the Suffolk County Department of Planning whereupon a site inspection will be scheduled to confirm establishment of said pasture; and
- 2) The installation of the proposed horse fence structures shall only be permitted after the above referenced pasture has been established to the satisfaction of the County of Suffolk; and
- 3) The landowner and/or designated representative shall demonstrate proof, to the satisfaction of the Suffolk County Farmland Committee, that a bona fide commercial horse boarding operation as defined by New York State Agricultural and Markets Law §301(13), has been established within nine (9) months from the permit issuance date of August 27, 2010; and
- 4) The proposed horse fence structures shall consist of white polyvinyl chloride (PVC) rails and posts; and
- 5) The proposed horse fence structures shall consist of three rails between each post, each rail shall not exceed eight feet in length and two by six inches in thickness, and posts shall not exceed four feet in height and five by five inches in thickness; and
- 6) The proposed horse fence structures shall not exceed a total linear length of 3,500 feet on the subject parcel, no more than 452 feet of which shall be sited along the eastern boundary, no more than 1,650 feet of which shall be sited along the western boundary, no

more than 916 feet of which shall be sited along the northern boundary, and no more than 416 feet of which shall be sited on the southern boundary, as delineated by a site plan submitted by the applicant to the Suffolk County Planning Department, copies of which are held on record in the Office of the Planning Department of Suffolk County, and subject to the conditions herein.

**Motion by:** Lee Foster                      **Seconded by:** Howard Johnson

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

Members Present:        14        (Russell K. Barnett, Ronald Bush, Nate Corwin, Lee Foster, Daniel Fricke, Thomas A. Isles, Howard Johnson, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Bennett S. Orłowski, Jr., Jeffrey Rottkamp, Charles F. Scheer, Jr., Albert Schmitt)

Members Absent:        5        (Olney M. Gardiner, Ann Marie Jones, Eugene Murphy, John Turner, Mark Zaweski)

**Dated: July 27, 2010**  
L.I. Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, N.Y. 11901  
Suffolk County Farmland Committee



EXHIBIT F

**SUFFOLK COUNTY FARMLAND COMMITTEE RESOLUTION NO. DR-5-2010  
RECOMMENDING TO THE SUFFOLK COUNTY LEGISLATURE THE LANDS  
FROM WHICH DEVELOPMENT RIGHTS MAY BE ACQUIRED – “TUTHILL  
PROPERTY” (SCRPTM NO. 1000-108.00-03.00-007.000) – 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, an application to sell development rights was received by the Suffolk County Farmland Committee (“Committee”) with respect to the farm owned by Elmer G. Tuthill and Beatrice E. Tuthill on 56.0 ± acres of land south of Middle Road (C.R. 48), west of Alvah's Lane, and east of Elijah's Lane in the hamlet of Cutchogue, Town of Southold; and

**WHEREAS**, the subject property is identified by Suffolk County Real Property Tax Map (“SCRPTM”) lot 1000-108.00-03.00-007.000; and

**WHEREAS**, on April 25, 2000 the Committee approved the subject property, consisting of 56.0 ± acres and having no identified exclusions, for recommendation to the Suffolk County Legislature (“Legislature”) for inclusion in the Suffolk County Purchase of Development Rights Program (“Program”); and

**WHEREAS**, the Legislature approved a preliminary review (“planning steps”) of the subject (See Resolution 576-2000); and

**WHEREAS**, the landowner of the subject property at the time failed to confirm interest in selling the development rights to the County of Suffolk (“County”); and

**WHEREAS**, the funding program authorizing planning steps expired; and

**WHEREAS**, on October 29, 2002 the Committee approved the subject property, consisting of 56.0 ± acres and having no identified exclusions, for recommendation to the Legislature for inclusion in the Program; and

**WHEREAS**, the Legislature approved planning steps of the subject property on May 6, 2003 (See Resolution 283-2003); and

**WHEREAS**, the landowner of the subject property at the time failed to confirm interest in selling the development rights to the County; and

**WHEREAS**, on October 25, 2005 the Committee approved the subject property, consisting of 56.0 ± acres and having no identified exclusions, for recommendation to the Legislature for inclusion in the Program; and

**WHEREAS**, the current landowner of the subject property expressed interest in selling development rights to the County in a correspondence dated April 26, 2010; and

**WHEREAS**, the Committee typically considers only lands in active commercial agricultural production but in the very least may consider lands in active commercial agricultural use preparing for production; and

**WHEREAS**, on June 9, 2010 a site inspection of the premises was conducted by Suffolk County Staff, Committee Members, and a viticulture expert to confirm that the subject property consists of land in active agricultural use being prepared for production; and

**WHEREAS**, the current landowner of the subject property submitted a site plan configuration that identified exclusions necessary for a proposed winery; and

**WHEREAS**, said proposal was significantly different from that which had originally been approved by the Committee, therefore requiring a new review by the Committee; and

**WHEREAS**, the current landowner now offers the development rights to 44.0 ± acres of active agricultural land to the County, while proposing to retain the development rights to 12.0 ± acres in the form of one 6.0-acre exclusion along the southern boundary of the subject parcel, one 4.0-acre exclusion along the southern boundary of the subject parcel, and one 2.0-acre exclusion for a proposed driveway along the western and northern boundaries of the subject parcel; and

**WHEREAS**, pursuant to the Suffolk County Farmland Rating System for the Purchase of Development Rights, said farm received a score of 11.25 points out of 25 possible points; and

**WHEREAS**, said application was considered by the Committee at its meeting on July 27, 2010; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Farmland Committee hereby recommends 44.0 ± acres of Suffolk County Real Property Tax Map lot 1000-108.00-03.00-007.000 for consideration by the Suffolk County Legislature for inclusion in the Suffolk County Purchase of Development Rights Program subject to the following conditions:

- 1) Prior to closing, the landowner shall demonstrate proof of legal access to the property; and
- 2) Prior to closing, the landowner shall demonstrate proof that the property is in active commercial agricultural production.

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

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

Members Present:    14    (Russell K. Barnett, Ronald Bush, Nate Corwin, Lee Foster, Daniel Fricke, Thomas A. Isles, Howard Johnson, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Bennett S. Orlovski, Jr., Jeffrey Rottkamp, Charles F. Scheer, Jr., Albert Schmitt)

Members Absent:    5    (Olney M. Gardiner, Ann Marie Jones, Eugene Murphy, John Turner, Mark Zaweski)

**Dated: July 27, 2010**

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