

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
SUFFOLK COUNTY FARMLAND
COMMITTEE

BENNETT S. ORLOWSKI, JR.
CHAIRPERSON

SARAH LANSDALE, AICP
DIRECTOR

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Suffolk County Farmland Committee will convene a regular public meeting at 6:00 PM on Tuesday, November 22, 2011 at the Long Island 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:

**Sarah Lansdale, Director
Suffolk County Planning Department
P.O. Box 6100
Hauppauge, N.Y. 11788**

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

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MEETING NOTIFICATION

Regular Meeting
Tuesday, November 22, 2011
6:00 PM
Long Island Horticultural Research and Extension Center
3059 Sound Avenue, Riverhead, NY 11901

AGENDA

I. ORDER OF BUSINESS

- A. Call to Order by Chairman Orłowski
- B. Approval of September 27, 2011 meeting minutes
- C. Approval of 2012 Schedule of Meetings
- D. Review of general correspondences sent/received since last meeting

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

III. POLICY MATTERS

- A. 2011 Agricultural Districts Open Enrollment Period
- B. Suffolk County Aquaculture Lease Program
- C. Suffolk County Purchase of Development Rights Program Annual Review Period

IV. STANDARD AGRICULTURAL PRACTICES DETERMINATIONS

- A. RUTH POLLIO REVOCABLE TRUST
10765 Middle Road (CR 48), Mattituck, Town of Southold
Tax Map #: 1000-108.00-01.00-001.001 (19.7± acres)
The Committee shall review a Plan submitted by the landowner regarding dumped material on the above referenced property.

V. PERMITS

- A. CROSSROADS ATLANTIC, LLC
124 East Hampton-Sag Harbor Turnpike (S.R. 114), Town of East Hampton
Tax Map #: 0300-185.00-01.00-020.005 (20.2 ± acres)
The applicant seeks an Agricultural Development Permit for the installation and maintenance of an agricultural building, underground utility infrastructure, a driveway,

and the removal of two existing concrete foundations and also seeks a Special Use Permit for the installation and maintenance of the aforementioned underground infrastructure in association with a commercial agricultural operation. (Application No. 2011019)

VI. NEW PARCELS

A. ANNUAL REVIEW PERIOD DRAFT PRESREVAATION PRIORTY LIST

The Committee shall consider the Draft Preservation Priority List which is the result of a preliminary review of the 16 received applications for this year's Suffolk County Purchase of Development Rights Program's Annual Review Period.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

NEXT SCHEDULED REGULAR MEETING:

Tuesday, January 24, 2012 at 12:00 pm
H. Lee Dennison Building, 4th Floor Planning Dept. Conference Room
100 Veterans Memorial Highway, Hauppauge, NY 11788-0099

MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE
Suffolk County Planning Department

DATE: November 22, 2011

MEMBERS PRESENT:

Bennett S. Orłowski, Jr., Chairman (At-Large)
Russell K. Barnett (Smithtown)
Ronald Bush (At-Large)
Nate Corwin (At-Large)
Howard Johnson (Huntington)
Alfred J. Kilb, Jr. (Shelter Island)
Joseph Krukowski (Southold)
Sarah Lansdale (S.C. Planning Dept. Dir.)
Dale D. Moyer (At-Large)
Eugene Murphy (Islip)
Jeffrey Rottkamp (Riverhead)
Charles F. Scheer, Jr. (At-Large)
Albert Schmitt (At-Large)
Mark Zaweski (At-Large)

MEMBERS ABSENT:

Lee Foster (Southampton)
Olney M. Gardiner (East Hampton)
Ann Marie Jones (Babylon)
John Turner (Brookhaven)

ADVISORS PRESENT:

Joseph M. Gergela, III, Long Island Farm Bureau
William Sanok, Cornell Cooperative Extension (Retired)
Paul TeNyenhuis, SC Soil & Water Conservation District Office

COUNTY STAFF PRESENT:

John H. Corral, Planner, SC Planning Department (Committee Staff)
Lauretta R. Fischer, Chief Environmental Analyst, SC Planning Dept. (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)

GUESTS:

Bennett, Leslie R.	Representative – Ruth Pollio Revocable Trust
Carucci, Cosmo	Ruth Pollio Revocable Trust
Cuddy, Charles R.	Attorney, Ruth Pollio Revocable Trust
Hammer, Richard A.	Biondo & Hammer
Roth, Paul M.	L.K. McLean Associates

Searl, Stephen	Peconic Land Trust
Soloviev, Hayden	Cross Roads Atlantic
Soloviev, Stefan	Cross Roads Atlantic
Spiro, Melissa	Peconic Land Trust
Strobel, Herb	Hallockville Museum Farm
Terry, Mark	Town of Southold
Vitti, Irene	Vitti Farm
Williams, Thomas B.	Post Morrow Foundation

I. ORDER OF BUSINESS

Call to Order

Chairman Orlowski called the meeting of the Suffolk County Farmland Committee (“Committee”) to order at 6:17 PM at the Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, New York.

Approval of Minutes – September 27, 2011

A motion was put forth by Howard Johnson and seconded by Mark Zaweski to approve the minutes of the September 27, 2011 meeting of the Committee, as outlined in Committee Resolution FC-44-2011. Motion carried: 14-0-0 [See Exhibit “A” for Committee Resolution FC-44-2011]

Approval of 2012 Schedule of Meetings

It was discussed that the first Committee meeting of the year is scheduled for January 24, 2012 at noon at the Suffolk County Planning Department office in Hauppauge, NY. It was also discussed that the dates for the remainder of the 2012 Committee meetings will be established after the Suffolk County Legislatures Environment Planning and Agriculture Committee’s 2012 meeting dates are known.

Correspondences

One general correspondence letter was received by the Planning Department on behalf of the Committee. This letter was sent to the Committee by Marie Andrews and was in regards to the Shoreline Development Corp. property. The Committee was provided with a copy of the letter and informed that the Planning Department would be providing a response back to Marie Andrews.

II. PUBLIC COMMENTS

Chairman Orlowski announced that after this Committee meeting he will be stepping down as Chairman of the Committee and that pursuant to Chapter 8 of the Suffolk County Administrative Code the Director of the Planning Department, Sarah Lansdale, will be the new Committee Chairwoman. Mr. Orlowski stated that he will continue to be a member of the Farmland Committee. Mr. Orlowski thanked the members of the Farmland Committee for working with him during his ten years as Chairman. Director Lansdale presented Mr. Orolowski with a certificate of appreciation on behalf of the Committee and Suffolk County for serving on the Committee with dedication and honor since 1981 and for the last ten years as Committee Chairman.

Chairman Orlowski closed the public comment portion of the meeting.

III. POLICY MATTERS

2012 Agricultural Districts Open Enrollment (pursuant to NYS AML §303-b)

Planning Department Staff provided the Committee with an update which is summarized below.

The month of January is the annual Agricultural Districts Open Enrollment Period when landowners of viable

agricultural lands may apply to have their properties considered for inclusion in certified agricultural districts. The Suffolk County Agricultural and Farmland Protection Board will review the applications received and make its recommendations to the Suffolk County Legislature, which will in turn make its recommendations to the New York State Department of Agriculture and Markets Commissioner for his review and final decision. An informational brochure is currently posted on the Planning Department website and the Agricultural Districts Open Enrollment Period application will also be posted on the Department's website.

Suffolk County Aquaculture Lease Program

Planning Department Staff provided the Committee with an update which is summarized below.

There are three application cycles that make up the Aquaculture Lease Program. In Cycle #1 there are 19 applicants moving forward of which: 13 leases have been executed, and six applicants are pending lease execution. In Cycle #2, the County is working with 3 applicants on 5 different lease sites. In Lease Cycle #3, the Random Selection Process was conducted on Oct 12, 2011 and 12 applicant were selected to move forward with the execution of the leases. In preparation of the 2012 Lease Application Cycle, Planning Department Staff held an Informational Meeting for potential lease applicants on November 17, 2011. The Department will begin accepting applications on Jan. 3, 2012 until February 10, 2012. For more information people may contact the Planning Department or the Planning Department website.

Joseph M. Gergela discussed a letter that was sent from Suffolk County Executive Steve Levy to the New York State Department of Conservation regarding the Suffolk County Aquaculture Lease Program.

Suffolk County Purchase of Development Rights Program Annual Review Period

Planning Department Staff provided the Committee with an update which is summarized below.

The annual review period process was developed as part of the amendments to Chapter 8 which were enacted in 2010. Tonight the Committee will conduct a preliminary review of a draft Preservation Priority List comprised of the sixteen applications that have been received in the annual review period's open enrollment period. Any questions the Committee has will be researched by the Planning Department for the next Committee meeting on January 24, 2012. At the January 24, 2012 Committee meeting the Committee will adopt and then recommend the Final Preservation Priority List to the Suffolk County Legislature. It is estimated that the Legislator will review and adopt the Final Preservation Priority List in March, 2012. The County will then work to contact the individual applicants that have been recommended for inclusion in the Purchase of Development Rights Program regarding the next steps in the acquisition process.

It was also discussed how pursuant to Chapter 8 of the Suffolk County Code a property may be considered outside of the annual review period process.

IV. STANDARD AGRICULTURAL PRACTICES DETERMINATIONS

a. RUTH POLLIO REVOCABLE TRUST

10765 Middle Road (CR 48), Mattituck, Town of Southold
Tax Map #: 1000-108.00-01.00-001.001 (19.7± acres)

The Committee reviewed and commented on a Plan submitted by the Applicant. Said Plan is an attempt by the Applicant to remediate dumped material on the above referenced property.

The Committee temporarily adjourned the review of the Plan and continued with the meeting agenda while the Applicant considered amendments to the Plan.

The applicant submitted to the Committee written amendments to the Plan. The Committee again

convened to consider the Plan as had been amended by the Applicant.

A motion was put forth by Chairman Orlowski and seconded by Charles Scheer to approve the Suffolk County Farmland Committee Resolution FC-49-2011 as it was read into the record by Chairman Orlowski. Motion carried: 14-0-0 [See Exhibit "B" for Committee Resolution FC-49-2011]

V. PERMITS

CROSSROADS ATLANTIC, LLC

124 East Hampton-Sag Harbor Turnpike (S.R. 114) Town of East Hampton
Tax Map #: 0300-185.00-01.00-020.005 (20.2 ± acres)

The Applicant seeks an Agricultural Development Permit for the installation and maintenance of an agricultural building, underground utility infrastructure, a driveway, and the removal of one existing concrete foundation and also seeks a Special Use Permit for the installation and maintenance of the aforementioned infrastructure in association with a commercial agricultural operation. (Application No. 2011019)

A motion was put forth by Howard Johnson and seconded by Ronald Bush to approve the Agricultural Development Permit and Special Use Permit as outlined in Committee Resolution FC-45-2011. Motion carried: 14-0-0 [See Exhibit "C" for Committee Resolution FC-45-2011]

VI. NEW PARCELS

The Committee conducted a preliminary review of the Draft Preservation Priority List and the 16 received applications for this year's Suffolk County Purchase of Development Rights Program's annual review period.

The Committee made no final decisions but did raise questions regarding some of the applications for the Planning Department to investigate prior to the January 24, 2012 scheduled Committee meeting. The Committee will review and adopt the Final Preservation Priority List at the scheduled January 24, 2012 meeting.

VI. OTHER BUSINESS

Suffolk County Planning Department Director, Sarah Lansdale, discussed an adopted Suffolk County Legislature resolution that amended the required financial disclosure form that is required to be submitted by Suffolk County Farmland Committee members.

The Suffolk County Farmland Committee members discussed properties that have possible Suffolk County Purchase of Development Rights Program violations that should be investigated.

The Suffolk County Farmland Committee discussed issues with the Suffolk County Purchase of Development Rights Program's annual review period and possible changes to Chapter 8 to address the issues that have come up related to Chapter 8 of the Suffolk County Administrative Code.

VII. ADJOURNMENT

A motion to adjourn was made by Dale Moyer and seconded by Mark Zaweski. Motion carried: 14-0-0 [See Exhibit "D" for Committee Resolution FC-46-2011]

NEXT SCHEDULED REGULAR MEETING

The next meeting of the Committee is scheduled for 12:00 p.m., Tuesday, January 24, 2012, at the H. Lee Dennison Building in Hauppauge, NY.

EXHIBIT A

**RESOLUTION NO. FC-44-2011 OF THE SUFFOLK COUNTY FARMLAND
COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY**

**ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE
SEPTEMBER 27, 2011 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 September 27, 2011, and

WHEREAS, the minutes of said meeting were considered by the Committee at its meeting on November 22, 2011; now, therefore, be it

1st RESOLVED, that the Committee hereby approves said minutes.

Motion by: Howard Johnson Seconded by: Mark Zaweski
Committee Vote: Ayes 14
 Nays 0
 Abstentions 0

<i>Committee Member</i>	<i>Appointment</i>	<i>Yay</i>	<i>Nay</i>	<i>Abstention</i>	<i>Not Present</i>
BARNETT, Russell K.	Town of Smithtown	X			
BUSH, Ronald	At-Large	X			
CORWIN, Nate	At-Large	X			
FOSTER, Lee	Town of Southampton				X
GARDINER, Olney M.	Town of East Hampton				X
JOHNSON, Howard	Town of Huntington	X			
JONES, Ann Marie	Town of Babylon				X
KILB, Alfred J., Jr.	Town of Shelter Island	X			
KRUKOWSKI, Joseph	Town of Southold	X			
LANSDALE, Sarah	At-Large	X			
MOYER, Dale D.	At-Large	X			
MURPHY, Eugene	Town of Islip	X			
ORLOWSKI, Bennett S., Jr.	At-Large	X			
ROTTKAMP, Jeffrey	Town of Riverhead	X			
SCHEER, Charles F., Jr.	At-Large	X			
SCHMITT, Albert	At-Large	X			
TURNER, John	Town of Brookhaven				X
ZAWESKI, Mark	At-Large	X			
VACANT					
<i>Totals</i>		<i>14</i>	<i>0</i>	<i>0</i>	<i>4</i>

Dated: November 22, 2011

Location: Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY

EXHIBIT B

**RESOLUTION NO. FC-49-2011 OF THE SUFFOLK COUNTY FARMLAND
COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY
ADMINISTRATIVE LOCAL LAWS**

WHEREAS, the Applicant has requested permission to attempt to remediate the condition created by the Applicant at the premises designated as the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001) now, therefore, be it

1st RESOLVED, that the Farmland Committee has reviewed the plan submitted by the Applicant, a copy of which is annexed hereto, and consents to the Applicant attempting the proposed compost plan; and be it further

2nd RESOLVED, that the Applicants time to submit an answer only in the pending action is extended up to and including December 12, 2011; and be it further

3rd RESOLVED, that the Applicant shall appear at the January 24, 2012 meeting of the Committee for further review of the matter by the Farmland Committee; and be it further

4th RESOLVED, that nothing herein shall be deemed as an approval of the plan by the Committee or an acknowledgement by the Committee that the actions of the applicant are Normal Farm Practices; and be it further

5th RESOLVED, that the Farmland Committee reserves the right to terminate the implementation of the compost plan at any time.

Motion by: Bennett S. Orlowski, Jr. Seconded by: Charles F. Scheer, Jr.

Committee Vote: Ayes 14
 Nays 0
 Abstentions 0

<i>Committee Member</i>	<i>Appointment</i>	<i>Yay</i>	<i>Nay</i>	<i>Abstention</i>	<i>Not Present</i>
BARNETT, Russell K.	Town of Smithtown	X			
BUSH, Ronald	At-Large	X			
CORWIN, Nate	At-Large	X			
FOSTER, Lee	Town of Southampton				X
GARDINER, Olney M.	Town of East Hampton				X
JOHNSON, Howard	Town of Huntington	X			
JONES, Ann Marie	Town of Babylon				X
KILB, Alfred J., Jr.	Town of Shelter Island	X			
KRUKOWSKI, Joseph	Town of Southold	X			
LANSDALE, Sarah	At-Large	X			
MOYER, Dale D.	At-Large	X			
MURPHY, Eugene	Town of Islip	X			
ORLOWSKI, Bennett S., Jr.	At-Large	X			
ROTTKAMP, Jeffrey	Town of Riverhead	X			
SCHEER, Charles F., Jr.	At-Large	X			
SCHMITT, Albert	At-Large	X			
TURNER, John	Town of Brookhaven				X
ZAWESKI, Mark	At-Large	X			
VACANT					
<i>Totals</i>		<i>14</i>	<i>0</i>	<i>0</i>	<i>4</i>

Dated: November 22, 2011

Location: Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY

EXHIBIT C

RESOLUTION NO. FC-45-2011 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING

MODIFICATION TO THE TOWN OF EAST HAMPTON PROPERTY (0300-185.00-01.00-020.005), OF WHICH THE COUNTY OF SUFFOLK OWNS THE DEVELOPMENT RIGHTS

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

WHEREAS, the property owned by Crossroads Atlantic, LLC is located north of East Hampton-Sag Harbor Turnpike in the hamlet of East Hampton, Town of East Hampton (i.e., 124 East Hampton-Sag Harbor Turnpike, NY), identified by Suffolk County Real Property Tax Map (“SCRPTM”) number 0300-185.00-01.00-020.005 (“premises”);

WHEREAS, the applicant seeks an Agricultural Development Permit and a Special Use Permit for the removal of the 30 by 50 foot Foundation, and the construction and maintenance of a Driveway, Agricultural Building and associated Underground Utility Infrastructure; and

WHEREAS, said application was considered by the Committee at its meeting on November 22, 2011 now, therefore, be it

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

2nd RESOLVED, that the Committee hereby approves and adopts the report of its staff, as may be amended; and be it further

3rd RESOLVED, that the Committee hereby approves the Agricultural Development Permit and Special Use Permit for the removal of the 30 by 50 foot Foundation, and the construction and maintenance of a Driveway, Agricultural Building and associated Underground Utility Infrastructure subject to the following conditions:

1. The Agricultural Building and Driveway shall only be used for the needs of Agricultural Production as defined by Chapter 8 of the Suffolk County Administrative Code;
2. The Agricultural Building, the Cover Walkway, and the Driveway shall be located as is shown on the application site plan received by the Department of Planning on November 9, 2011 and entitled “Proposed Partial Site Plan” dated 02-22-2008 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2011019;
3. The Agricultural Building shall not exceed a footprint of 60 feet by 120 feet;
4. The Agricultural Building shall not exceed a height of 30 feet;
5. The Agricultural Building shall be constructed on the existing foundation;
6. The Agricultural Building shall have electricity, water, and a bathroom;
7. The Agricultural Building and covered walkway shall be constructed as described in the application materials received by Suffolk County Planning Department on November 9, 2011;
8. The Driveway shall be constructed with crushed bluestone over an RCA base;
9. The location of the Underground Utility Infrastructure shall be located as indicated on the application site plan received by the Department of Planning on November 9, 2011 and entitled “Proposed Partial Site Plan” dated 02-22-2008 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2011019;
10. The removal of the 30 by 50 foot structure’s existing Foundation as indicated on the application site plan received by the Department of Planning on November 9, 2011 and entitled “Proposed Partial Site Plan” dated 02-22-2008 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2011019 shall be completed using a bulldozer that digs up the concrete and then places the concrete in a dumpster for offsite removal with the existing hole then backfilled with clean fill;
11. The landowner shall be responsible for compliance with all conditions of this approval, the deed of development rights, the contract of sale, and all applicable federal, state, county, and town regulations, rules and statutes.

Motion by: Howard Johnson Seconded by: Ronald Bush

Committee Vote: Ayes 14
 Nays 0
 Abstentions 0

<i>Committee Member</i>	<i>Appointment</i>	<i>Yay</i>	<i>Nay</i>	<i>Abstention</i>	<i>Not Present</i>
BARNETT, Russell K.	Town of Smithtown	X			
BUSH, Ronald	At-Large	X			
CORWIN, Nate	At-Large	X			
FOSTER, Lee	Town of Southampton				X
GARDINER, Olney M.	Town of East Hampton				X
JOHNSON, Howard	Town of Huntington	X			
JONES, Ann Marie	Town of Babylon				X
KILB, Alfred J., Jr.	Town of Shelter Island	X			
KRUKOWSKI, Joseph	Town of Southold	X			
LANSDALE, Sarah	At-Large	X			
MOYER, Dale D.	At-Large	X			
MURPHY, Eugene	Town of Islip	X			
ORLOWSKI, Bennett S., Jr.	At-Large	X			
ROTTKAMP, Jeffrey	Town of Riverhead	X			
SCHEER, Charles F., Jr.	At-Large	X			
SCHMITT, Albert	At-Large	X			
TURNER, John	Town of Brookhaven				X
ZAWESKI, Mark	At-Large	X			
VACANT					
<i>Totals</i>		<i>14</i>	<i>0</i>	<i>0</i>	<i>4</i>

Dated: November 22, 2011

Location: Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY

EXHIBIT D

RESOLUTION NO. FC-46-2011 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE SEPTEMBER 27, 2011 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING

