

MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE
Suffolk County Planning Department

DATE: March 13, 2012

MEMBERS PRESENT:

Russell K. Barnett (Smithtown)
Ronald Bush (At-Large)
Nate Corwin (At-Large)
Howard Johnson (Huntington)
Ann Marie Jones (Babylon)
Alfred J. Kilb, Jr. (Shelter Island)
Joseph Krukowski (Southold)
Sarah Lansdale (S.C. Plng. Dept. Dir./Chair)
Eugene Murphy (Islip)
Bennett S. Orłowski, Jr., (At-Large)
Jeffrey Rottkamp (Riverhead)
Albert Schmitt (At-Large)
Mark Zaweski (At-Large)

MEMBERS ABSENT:

Lee Foster (Southampton)
Olney M. Gardiner (East Hampton)
Dale D. Moyer (At-Large)
Charles F. Scheer, Jr. (At-Large)
John Turner (Brookhaven)

ADVISORS PRESENT:

Joseph M. Gergela, III, Long Island Farm Bureau
Paul TeNyenhuis, SC Soil & Water Conservation District Office

ADVISOR ABSENT:

William Sanok, Cornell Cooperative Extension (Retired)

COUNTY STAFF PRESENT:

John H. Corral, Planner, SC Planning Department (Committee Staff)
Lauretta R. Fischer, Chief Environmental Analyst, SC Planning Dept. (Committee Staff)
Karen Timlin, Clerk Typist, SC Planning Department (Committee Staff)
Thomas Young, Assistant County Attorney, SC Law Department (Committee Counsel)

GUESTS:

Baldwin, Cliff	Affiliation Not Provided
Bennett, Leslie R.	Representative – Ruth Pollio Revocable Trust
Detmer, Irene	Detmer Farms
Fink, David	Fink Farms
Pike, James	Pike Farms

I. ORDER OF BUSINESS

Call to Order

Chairwoman Lansdale called the meeting of the Suffolk County Farmland Committee (“Committee”) to order at 6:00 pm at the Kermit W. Graf Cornell Cooperative Extension Building, 1st Floor Conference Room, 423 Griffing Avenue, Riverhead, New York.

After calling the meeting to order Chairwoman Lansdale made an announcement regarding Suffolk County’s application process for landowners of viable agricultural lands to apply for inclusion in a certified agricultural district as part of the New York State Agricultural Districts Program.

Approval of Minutes – January 24, 2012

A motion was put forth by Howard Johnson and seconded by Albert Schmitt to approve the minutes of the January 24, 2012 meeting of the Committee, as outlined in Committee Resolution FC-20-2012. Motion carried: 11-0-0 [See Exhibit “A” for Committee Resolution FC-20-2012]

Correspondences

One general correspondence letter was received by the Planning Department on behalf of the Committee. This letter was sent to the Committee by Kenneth J. Kaufold and was in regards to Mr. Kaufold’s application for a commercial horse boarding operation on the Shoreline Development Corporation property. The Committee was provided a copy of the letter as well as the Planning Department’s response letter to Mr. Kaufold.

As a follow up to the Committee’s discussion of Mr. Kaufold’s letter Committee Advisor, Joseph Gergela discussed the possibility of the Farmland Committee sending a letter to the New York State Veterinarian requesting statewide standards in regards to the appropriate number of horses per acre for different types of horse operations. Chairwoman Lansdale said that the Planning Department will investigate this issue and prepare a draft letter for the Committee’s review and consideration.

II. PUBLIC COMMENTS

David Fink requested that the Committee consider a Permit application to construct three greenhouses on Suffolk County development rights owned land. Mr. Fink stated that he had not submitted this application to the Planning Department but that he had copies of the application that he could provide to the Committee. Mr. Fink agreed, after a discussion with the Committee and County Staff, to withdraw his request to have his application considered at tonight’s Committee meeting and to instead submit the application to the Planning Department to be considered at the next Committee meeting on May 22, 2012.

Committee Advisor Joesph Gergela discussed a resolution introduced by Legislator Hahn at the Suffolk County Legislature regarding open space and farmland development rights property acquisitions. Mr. Gergella stated that at this time the Long Island Farm Bureau has not taken a position on this proposed legislation but stated the importance of insuring the continuation of Suffolk County acquisitions of farmland development rights land.

Chairwoman Lansdale closed the public comment portion of the meeting.

III. PERMITS

a. PECONIC LAND TRUST

No town # Town Lane, Hamlet of Amagansett, Town of East Hampton

Tax Map #:0300-149-03.00-003.004 (92.0 ± acres)

The applicant seeks an Agricultural Development Permit for both the removal and the installation and maintenance of deer fencing in association with a commercial agricultural operation.

A motion was put forth by Howard Johnson and seconded by Joseph Krukowski to approve the Agricultural Development Permit as outlined in Committee Resolution FC-21-2012. Motion carried: 13-0-0 [See Exhibit “B” for Committee Resolution FC-21-2012]

b. PIKE FARMS

82 Sagg Main Street, Village of Sagaponack, Town of Southampton

Tax Map #: 0908-001.00-04.00-011.000 (7.4 ± acres)

The applicant seeks an Agricultural Development Permit for the installation and maintenance of one storage building, one hoop house structure, and the removal of one small storage structure, and the relocation of one small storage structure in association with a commercial agricultural operation.

A motion was put forth by Jeffrey Rottkamp and seconded by Eugene Murphy to approve the Agricultural Development Permit as outlined in Committee Resolution FC-22-2012. Motion carried: 13-0-0 [See Exhibit “C” for Committee Resolution FC-22-2012]

c. DETMER FARM, LLC

No # Route 25A, East Setauket, Town of Brookhaven

Tax Map #: 0200-132.00-02.00-001.001, 0200-132.00-02.00-001.002 (30.2 ± acres)

The applicant seeks an Agricultural Development Permit for the installation and maintenance of two hot house structures in association with a commercial agricultural operation.

A motion was put forth by Albert Schmitt and seconded by Ronald Bush to approve the Agricultural Development Permit as outlined in Committee Resolution FC-23-2012. Motion carried: 13-0-0 [See Exhibit “D” for Committee Resolution FC-23-2012]

d. 1546 SOUND AVENUE, LLC

401 Main Road, Aquebogue, Town of Riverhead

Tax Map #: 0600-085.00-03.00-072.104 (56.9 ± acres)

The applicant seeks Permit Modifications for the installation and maintenance of one farm stand and underground utilities and an Agricultural Development Permit for the installation and maintenance of deer fencing in association with a commercial agricultural operation. The Applicant also seeks an Agricultural Development Permit Extension for one parking area.

A motion was put forth by Albert Schmitt and seconded by Ronald Bush to approve the Agricultural Development Permit modification, the Special Use Permit modification, and the Agricultural Development Permit as outlined in Committee Resolution FC-24-2012. Motion carried: 13-0-0 [See Exhibit “E” for Committee Resolution FC-24-2012]

A motion was put forth by Eugene Murphy and seconded by Howard Johnson to approve the Agricultural Development Permit extension as outlined in Committee Resolution FC-25-2012. Motion carried: 13-0-0 [See Exhibit “F” for Committee Resolution FC-25-2012]

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 a Revised Plan that the Applicant submitted on January 17, 2012 to replace the Plan that had been reviewed by the Committee on November 22, 2011.

A motion was put forth by Russell K. Barnett and seconded by Bennett S. Orlowski, Jr. to adopt the Suffolk County Planning Department's recommendations for modifications to the Revised Plan.

A motion was put forth by Sarah Lansdale and seconded by Mark Zaweski to enter into Executive Session to discuss the related Suffolk County litigation. Motion carried: 13-0-0

A motion was put forth by Sarah Landale and seconded by Russell K. Barnett to end the Executive Session. Motion carried: 13-0-0

A motion was put forth by Russell K. Barnett and seconded by Bennett S. Orlowski, Jr. to withdraw the previous motion to adopt the Suffolk County Planning Department's recommendations for modifications to the Revised Plan. Motion carried: 13-0-0

A motion was put forth by Russell K. Barnett and seconded by Nate Corwin to reject the Applicant's Revised Plan and direct the property owner to remove the dumped material from the premises in accordance with Committee Resolution FC-07-2011 as outlined in Committee Resolution FC-26-2012. Motion carried: 13-0-0 [See Exhibit "G" for Committee Resolution FC-26-2012]

VI. OTHER BUSINESS

V. ADJOURNMENT

A motion to adjourn was made by Howard Johnson and seconded by Jeffrey Rottkamp. Motion carried: 13-0-0 [See Exhibit "H" for Committee Resolution FC-27-2011]

NEXT SCHEDULED REGULAR MEETING

The next meeting of the Committee is scheduled for 6:00 p.m., Tuesday, May 22, 2012, at the Kermit W. Graf Cornell Cooperative Extension Building – 1st Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, New York.

EXHIBIT A

RESOLUTION NO. FC-20-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE JANUARY 24, 2012 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 January 24, 2012; and

WHEREAS, the minutes of said meeting were considered by the Committee at its meeting on March 13, 2012; now, therefore, be it

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

Motion by: Howard Johnson Seconded by: Albert Schmitt
 Committee Vote: Ayes 11
 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	S.C. Planning Dept. Dir.	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>11</i>	<i>0</i>	<i>0</i>	<i>7</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue,
 Suite 100 – Riverhead, New York

EXHIBIT B

RESOLUTION NO. FC-21-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING MODIFICATION TO THE PROPERTY CURRENTLY OWNED BY PECONIC LAND TRUST (0300-149.00-03.00-003.004), 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 currently owned by Peconic Land Trust has been received by the Suffolk County Farmland Committee (“Committee”); and

WHEREAS, the property owned by Peconic Land Trust is located north of Town Lane and East of Abrahams Path in the Hamlet of Amagansett and Town of East Hampton, identified by Suffolk County Real Property Tax Map (“SCRPTM”) number 0300-149.00-03.00-003.004 (“premises”); and

WHEREAS, the applicant seeks an Agricultural Development Permit for both the removal of 1,475 feet of existing deer fencing and the installation and maintenance of 4,770 feet of deer fencing; and

WHEREAS, said application was considered by the Committee at its meeting on March 13, 2012 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), which completes the SEQRA review; and

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 request for the installation and maintenance of deer fencing and for the removal of existing deer fencing, subject to the following conditions:

1. The removal of the 1,475 feet of existing deer fencing shall take place in the location depicted in the Applicant’s diagram which was received by Suffolk County on February 27, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012002;
2. The installation of 4,770 feet of deer fencing and two gates shall be located as depicted in the Applicant’s diagram which was received by Suffolk County on February 27, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012002;
3. The deer fencing and gates shall not exceed a height of 8 feet;
4. The construction of the deer fencing and gates shall be consistent with the “8 Ft. Deer Fence Specifications:” submitted to the Suffolk County Planning Department on March 2, 2012;
5. Any soil disturbance associated with the removal and installation of fencing shall be minimized to the greatest extent possible;
6. The soil disturbed in conjunction with the removal and installation of fencing shall be upon completion restored and revegetated to the greatest extent possible;
7. 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:	Joseph Krukowski
Committee Vote:	Ayes	13	
	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	S.C. Planning Dept. Dir.	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>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue, Suite 100 – Riverhead, New York

EXHIBIT C

RESOLUTION NO. FC-22-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING MODIFICATION TO THE PROPERTY CURRENTLY OWNED BY JAMES AND JENNIFER PIKE (0908-001.00-04.00-011.000), 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 currently owned by James and Jennifer Pike has been received by the Suffolk County Farmland Committee (“Committee”); and

WHEREAS, the property owned by James and Jennifer Pike is located south of Montauk Highway (S.R. 27), west of Sagaponack Main St., and north of Sagaponack Road in the Village of Sagaponack, Town of Southampton, identified by Suffolk County Real Property Tax Map (“SCRPTM”) number 0908-001.00-04.00-011.000 (“premises”); and

WHEREAS, the applicant seeks an Agricultural Development Permit for the installation and maintenance of one 24 by 32 foot storage building, one 14 by 96 foot hoop house, the removal of one existing storage shed, and the relocation of one existing storage shed; and

WHEREAS, said application was considered by the Committee at its meeting on March 13, 2012 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), which completes the SEQRA review; and

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 request for the installation and maintenance of one 24 by 32 foot storage building, one 14 by 96 foot hoop house, the removal of one existing storage shed, and the relocation of one existing storage shed, subject to the following conditions:

1. The use of the storage building, hoop house, and the relocated storage shed, shall be limited to that necessary for Agricultural Production as defined by Chapter 8 of the Suffolk County Administrative Code;
2. The storage building shall be located approximately 85 feet south of the northern property boundary and 25 feet west of the western property boundary as depicted in the Applicant’s diagram which was received by the Suffolk County Planning Department on February 23, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012003;
3. The storage building shall not exceed a footprint of 24 feet by 32 feet;
4. The storage building shall not exceed a height of 10 feet;
5. The storage building shall have a concrete floor and metal siding;
6. The storage building shall not be connected to underground utilities;
7. The hoop house shall be located approximately 125 feet south of the northern property boundary and 35 feet west of the western property boundary as depicted in the Applicant’s diagram which was received by the Suffolk County Planning Department on February 23, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012003;
8. The hoop house shall not exceed a footprint of 14 feet by 96 feet;
9. The hoop house shall not exceed a height of 10 feet;
10. The hoop house shall not be connected to underground utilities;
11. The hoop house shall not have a permanent foundation and shall be constructed with metal piping and plastic covering;

RESOLUTION NO. FC-23-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING MODIFICATION TO THE PROPERTY CURRENTLY OWNED BY IRENE J DETMER REVOCABLE TRUST (0200-132.00-02.00-001.001, 0200-132.00-02.00-001.002), 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 currently owned by Irene J Detmer Revocable Trust has been received by the Suffolk County Farmland Committee (“Committee”); and

WHEREAS, the property owned by Irene J Detmer Revocable Trust southwest corner Route 25A and Ridgeway Ave in the Town of Brookhaven, identified by Suffolk County Real Property Tax Map (“SCRPTM”) numbers 0200-132.00-02.00-001.001, 0200-132.00-02.00-001.002 (“premises”); and

WHEREAS, the applicant seeks an Agricultural Development Permit for the installation and maintenance of one 27 by 90 foot hot house structure and one 27 by 95 foot hot house structure; and

WHEREAS, said application was considered by the Committee at its meeting on March 13, 2012 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), which completes the SEQRA review; and

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 request for the installation and maintenance of one 27 by 90 foot hot house structure and one 27 by 95 foot hot house structure subject to the following conditions:

1. The use of the two hot house structures shall be limited to that necessary for Agricultural Production as defined by Chapter 8 of the Suffolk County Administrative Code;
2. The 27 by 90 foot hot house shall be located approximately 289 feet south of the northern property boundary and approximately 25 feet west of the western property boundary as depicted in the Applicant’s diagram which was received by the Suffolk County Planning Department on February 28, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012004;
3. The 27 by 90 foot hot house shall not exceed a footprint of 27 feet by 90 feet;
4. The 27 by 95 foot hot house shall be located approximately 400 feet south of the northern property boundary and approximately 25 feet west of the western property boundary as depicted in the Applicant’s diagram which was received by the Suffolk County Planning Department on February 28, 2012 and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012004;
5. The 27 by 95 foot hot house shall not exceed a footprint of 27 feet by 95 feet;
6. The two hot house structures shall not exceed a height of 15 feet;
7. The two hot house structures shall not be connected to utilities;
8. The hot house structures shall be constructed with metal piping installed directly into the ground that is covered with plastic;
9. The hot house structures shall not have permanent foundations;
10. The landowner shall prepare and implement a stormwater mitigation plan in consultation with Suffolk County Soil and Water Conservation District and/or Natural Resources Conservation Service to address any and all stormwater runoff issues associated with the aforementioned improvements;

11. The landowner shall submit to the Suffolk County Planning Department prior to the commencement of construction the Suffolk County Soil and Water Conservation District- and/or Natural Resources Conservation Service-approved stormwater mitigation plan;
12. 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: Albert Schmitt Seconded by: Ronald Bush

Committee Vote: Ayes 13
 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	S.C. Planning Dept. Dir.	X			
MOYER, Dale D.	At-Large				X
MURPHY, Eugene	Town of Islip	X			
ORLOWSKI, Bennett S., Jr.	At-Large	X			
ROTKAMP, 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>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue,
 Suite 100 – Riverhead, New York

EXHIBIT E

RESOLUTION NO. FC-24-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY

**ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING
MODIFICATION TO THE PROPERTY CURRENTLY OWNED BY 1546 SOUND
AVENUE, LLC (0600-085.00-03.00-072.104), 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 currently owned by 1546 Sound Avenue, LLC has been received by the Suffolk County Farmland Committee (“Committee”); and

WHEREAS, the property owned by 1546 Sound Avenue, LLC 401 Main Road in the hamlet of Aquebogue, Town of Riverhead, identified by Suffolk County Real Property Tax Map (“SCRPTM”) number 0600-085.00-03.00-072.104 (“premises”); and

WHEREAS, the applicant seeks a Agricultural Development Permit modification and a Special Use Permit modification for the proposed Farm Stand and associated underground utilities and a Agricultural Development Permit for deer fencing; and

WHEREAS, said application was considered by the Committee at its meeting on March 13, 2012 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

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 modification and Special Use Permit modification for the proposed Farm Stand and associated underground utilities and an Agricultural Development Permit for deer fencing subject to the following conditions:

1. Agricultural Development Permit PFC 2011007 and Special Use Permit PFC 2011009 approved by Committee Resolution FC-19-2011 are null and void and shall be replaced with the Agricultural Development Permit and Special Use Permit approved by the Committee on March 13, 2012 via Committee Resolution FC-24-2012;
2. The Farm Stand structure shall be located as is shown on the application site plan received by the Suffolk County Department of Planning on February 27, 2012 and entitled “1546 Sound Ave LLC, (Farm Stand Curb Cut)” and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012005;
3. The Farm Stand width shall not exceed a maximum width of 18 feet 8 inches and a length of 43 feet;
4. The Farm Stand shall not exceed a footprint of 493 square feet;
5. The Farm Stand shall not exceed a height of 22 feet;
6. The Farm Stand shall be constructed with wood;
7. The Farm Stand shall be constructed on a 4 inch thick concrete slab;
8. The construction of the Farm Stand shall be consistent with the construction details received by the applicant on February 2, 2012 and February 27, 2012;
9. The Farm Stand shall be semi-permanent and shall be designed for use in the growing season only;
10. The Farm Stand shall have water and electricity and be connected to underground utility infrastructure;
11. The location of the underground utility infrastructure shall be located as is shown on the application site plan received by the Suffolk County Department of Planning on February 27, 2012 and entitled “1546 Sound Ave LLC, (Farm Stand Curb Cut)” and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012005;
12. The operation of the Farm Stand shall comply with all conditions for Farm Stands listed in Chapter 8 of the Suffolk County Code;

13. The Farm Stand shall not be used for any non-commercial agricultural purposes;
14. The installed deer fencing shall be located as is shown on the application site plan received by the Suffolk County Department of Planning on February 27, 2012 and entitled "1546 Sound Ave LLC, (Farm Stand Curb Cut)" and attached as Exhibit A to the Department of Planning Staff Report Application No. 2012005;
15. The deer fencing shall not exceed a height of 8 feet;
16. The construction of the deer fencing shall be consistent with the construction details received by the applicant on February 27, 2012;
17. The landowner shall submit to the Suffolk County Planning Department within one year of permit issuance the as-built survey depicting the aforementioned improvements; and
18. 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: Bennett S. Orlowski, Jr. Seconded by: Eugene Murphy

Committee Vote: Ayes 13
 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	S.C. Planning Dept. Dir.	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>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue, Suite 100 – Riverhead, New York

EXHIBIT F

RESOLUTION NO. FC-25-2012 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING

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>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue,
Suite 100 – Riverhead, New York

EXHIBIT G

**RESOLUTION NO. FC-26-2012 OF THE SUFFOLK COUNTY FARMLAND
COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY
ADMINISTRATIVE LOCAL LAWS**

WHEREAS, on March 22, 2011 the Suffolk County Farmland Committee (“Committee”) determined that the dumped material on the premises, designated as the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001), did not constitute standard agricultural practice and directed the landowner to immediately remove said material from the premises in accordance with Committee Resolution FC-7-2011; and

WHEREAS, on November 22, 2011 the Suffolk County Farmland Committee (“Committee”) reviewed a Plan submitted by the Applicant to attempt to remediate the condition created by the Applicant at the premises; and

WHEREAS, on November 22, 2011, pursuant to Committee Resolution FC-49-2011, the Committee consented to the Applicant attempting said Plan; and

WHEREAS, on January 17, 2012 the Applicant submitted a Revised Plan, a copy of which is annexed hereto, to replace the Plan reviewed, and consented to, by the Committee on November 22, 2011 and to be considered by the Committee at its January 24, 2012 scheduled meeting; and

WHEREAS, on January 24, 2012 the Committee tabled said Revised Plan until the next scheduled Committee meeting on March 13, 2012; and

WHEREAS, said Revised Plan was considered by the Committee at its meeting on March 13, 2012 now, therefore, be it **1st RESOLVED**, that the Committee rejects said Revised Plan and directs the property owner to remove the dumped material from the premises in accordance with Committee Resolution FC-7-2011.

Motion by: Russell K. Barnett Seconded by: Nate Corwin

Committee Vote: Ayes 13
 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	S.C. Planning Dept. Dir.	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>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue,

EXHIBIT H

**RESOLUTION NO. FC-27-2012 OF THE SUFFOLK COUNTY FARMLAND
COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY
ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE JANUARY 24, 2012
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 March 13, 2012; and

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

1st RESOLVED, that the Committee hereby adjourns the March 13, 2012 meeting.

Motion by: Howard Johnson Seconded by: Jeffrey Rottkamp

Committee Vote: Ayes 13
 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	S.C. Planning Dept. Dir.	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			X
TURNER, John	Town of Brookhaven				
ZAWESKI, Mark	At-Large	X			
VACANT					
<i>Totals</i>		<i>13</i>	<i>0</i>	<i>0</i>	<i>5</i>

Dated: March 13, 2012

Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Fl. Conf. Room, 423 Griffing Avenue,
 Suite 100 – Riverhead, New York