

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT

SUFFOLK COUNTY FARMLAND COMMITTEE

JOANNE MINIERI
DEPUTY COUNTY EXECUTIVE AND COMMISSIONER

SARAH LANSDALE
CHAIRPERSON, SCFC

MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE (Adopted by SCFC Res. No. FC-35-2015)

DATE: October 1, 2015

MEMBERS PRESENT:

Alexander Balsam (East Hampton)
Vincent Biondo (Babylon)
Lee Foster (Southampton)
Howard Johnson (Huntington)
Alfred J. Kilb, Jr. (Shelter Island)
Joseph Krukowski (Southold)
Sarah Lansdale (SC Director of Planning/Chair)
Dale D. Moyer (At-Large)
Eugene Murphy (Islip)
Bob Nolan (Brookhaven)
August Ruckdeschel (Ex-Officio, SC Dept. of EDP)
Charles F. Scheer, Jr. (At-Large)
Albert Schmitt (At-Large)
Mark Zaweski (At-Large)

MEMBERS ABSENT:

Russell K. Barnett (Smithtown)
Ronald Bush (At-Large)
Nate Corwin (At-Large)
Jeffrey Rottkamp, Sr. (Riverhead)

ADVISORS PRESENT:

Robert Carpenter, Long Island Farm Bureau
William Sanok, Cornell Cooperative Extension (Retired)
Paul TeNyenhuis, SC Soil & Water Conservation District Office

COUNTY STAFF PRESENT:

Andrew Amakawa, Research Technician, SC Division of Planning and Environment
(Committee Staff)

Colleen Badolato, Secretarial Assistant, SC Division of Planning and Environment (Committee Staff)
Robert Braun, Deputy Bureau Chief, SC Dept. of Law (Committee Counsel)
Lauretta R. Fischer, Chief Environmental Analyst, SC Division of Planning and Environment (Committee Staff)

GUESTS:

<u>NAME</u>	<u>ORGANIZATION</u>
Melissa Anson	Long Island Farm Bureau
Charles Cuddy	Attorney rep. Casmo Carucci (Ap.#2012025)
Diane Kilb	
Herb Strobel	Farmer
Andrew Tilden	Tilden Realty, LLC (ARP-2015-03)
Bruce Tilden	Tilden Realty, LLC (ARP-2015-03)
Don Tilden	(present via conf. call) Tilden Realty, LLC (ARP-2015-03)
Lee Tilden	Tilden Realty, LLC (ARP-2015-03)

I. ORDER OF BUSINESS

Call to Order

Sarah Lansdale called the meeting of the Suffolk County Farmland Committee (“Committee”) to order at 6:13 pm at the Kermit W. Graf Cornell Cooperative Extension Building, 1st Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, New York 11901.

Approval of Minutes – July 21, 2015

A motion was put forth by Howard Johnson, and seconded by Dale Moyer, to approve the minutes of the July 21, 2015 meeting of the Committee, as outlined in Committee Resolution FC-31-2015. Motion carried: 12-0-0 [See Exhibit “A” for Committee Resolution FC-31-2015]

Correspondence –

Ten (10) correspondences were received from landowners in support of the Tilden Realty, LLC application (ARP-2015-03)

II. PUBLIC COMMENTS

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, at its February 10, 2015 meeting, issued a resolution (FC-10-2015) accepting a DEC work plan that required the landowner to remove all organic and inorganic materials from the property. The Committee also required that a cover crop be planted by October 1, 2015. The landowner did not meet the October 1, 2015 deadline. Instead, Casmo Carucci’s representative appeared at the October 1, 2015 Committee meeting to request an extension to the deadline to complete remediation of the property. The Committee did not grant an extension at said meeting, preferring to wait to see what progress would be made.

III. TABLED PERMIT APPLICATIONS

A. BRANDYWINE TRUST COMPANY, TRUSTEE FOR THE FONSECA 2010 FAMILY TRUST AND THE FONSECA QTIP TRUST, (f/k/a TRUSTEE FOR THE RICHARD CORNUELLE 2010 MARITAL TRUST)

149 Long Lane, East Hampton North, Town of East Hampton
Tax Map #: 0300-157.00-03.00-011.004 (28.7 ± acres)
The applicant seeks a Special Use Permit for the installation and maintenance of a drainage structure, in association with a commercial agricultural operation. The land has been excavated and soil was removed from the premises prior to submission of this application. (Application No. 2012025)

Lauretta Fischer advised that Chairman Lansdale had reached out to the attorney for the Fonsecas. The latest update is that the attorney for the Fonseca's has included the Town of East Hampton in its lawsuit.

IV. PERMIT APPLICATIONS

A. SYLVESTER MANOR EDUCATIONAL FARM, INC.

Manhasset Road, Shelter Island Heights, Town of Shelter Island

Tax Map #: 0700-008.00-01.00-005.005 (26.3 ± acres)

The applicant seeks a Special Use Permit to allow a temporary driveway and parking on PDR land for cars to access a one-day harvest festival occurring off-site, in association with a commercial agricultural operation. (Application No. 2015014)

Ms. Fischer presented the Staff Report.

A motion was put forth by Howard Johnson, and seconded by August Ruckdeschel, to adopt the Staff Report for Application No. 2015014, and to approve the Special Use Permit, as outlined in Committee Resolution FC-32-2015. Member Alfred J. Kilb, Jr. recused himself from the vote. Motion Carried: 13-0-0 [See Exhibit "B" for Committee Resolution FC-32-2015].

V. REVIEW OF NEW PARCELS PROPOSED FOR PDR ACQUISITION INSIDE THE BI-ANNUAL REVIEW PERIOD

A. TILDEN REALTY LLC

Wyckoff Street, Greenlawn, Town of Huntington

Tax Map #: 0400-107.00-03.00-006.001 p/o, 006.010, 008.000, and 0400-107.00-04.00-002.000 (13.7 out of 14.2 ± acres)

The applicant requests that the above referenced parcels be considered for inclusion in the Suffolk County Farmland Purchase of Development Rights Program inside the designated bi-annual review period. (Application No. ARP-2015-03)

The property received a rating score of 8 points out of a possible 25 points.

Ms. Fischer presented the proposed acquisition.

A motion was put forth by Howard Johnson, and seconded by Albert Schmitt, to recommend part of SCRPTM # 0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-006.010, 0400-107.00-03.00-008.000, and 0400-107.00-04.00-002.000, consisting of approximately 13.7 acres out of 14.2 acres, to the Suffolk County Legislature for inclusion in the Suffolk County Purchase of Farmland Development Rights Program, subject to the following conditions:

- 1) The approximate 0.5 acre onsite family cemetery will be cut out from the acquisition with access to a public road; and be it further

- 2) Prior to acquisition, the landowner shall remove all non-agricultural materials and debris on the property that were observed during a recent site inspection in addition to other items the landowner has stated will be removed (i.e., a truck body, an RV, a tractor covering, and a greenhouse frame); and be it further
- 3) Upon acquisition, the landowner shall merge three of the four contiguous lots (SCRPTM lot numbers 0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-008.000, and 0400-107.00-03.00-006.010) to create one large Farmland PDR parcel, in addition to the fourth parcel (SCRPTM lot number 0400-107.00-04.00-002.000); and be it further
- 4) The entire Farmland PDR property shall be engaged in commercial agricultural production and shall not lay fallow for more than two consecutive years in accordance with Chapter 8 of the Suffolk County Code, the Deed of Development Rights, and Contract of Sale; and be it further
- 5) The Farmland PDR acquisition is contingent upon securing a 50/50 partnership with the Town of Huntington for the funding of the acquisition of Farmland Development Rights.

Motion Carried: 13-1-0 [See Exhibit "C" for Committee Resolution FC-33-2015].

VI. OTHER BUSINESS

None.

VII. ADJOURNMENT

A motion was put forth by Sarah Lansdale, and seconded by Howard Johnson to adjourn the meeting at 7:28 PM. Motion carried: 14-0-0. [See Exhibit "D" for Committee Resolution FC-34-2015]

NEXT SCHEDULED REGULAR MEETING

The next meeting of the Committee is scheduled for 6:00 p.m., Tuesday, November 17, 2015, 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-31-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE JULY 21, 2015 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, the Suffolk County Farmland Committee (“Committee”) convened a regular meeting on July 21, 2015; and

WHEREAS, the minutes of said meeting were considered by the Committee at its meeting on October 1, 2015; now, therefore, be it

1st RESOLVED, that the Committee hereby adopts the July 21, 2015 meeting minutes.

Motion by: Howard Johnson Seconded by: Dale Moyer

Committee Vote: Ayes 12
 Nays 0
 Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton				✓
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large				✓
CORWIN, Nate	At-Large				✓
FOSTER, Lee	Town of Southampton				✓
JOHNSON, Howard	Town of Huntington	✓			
KILB, Alfred J., Jr.	Town of Shelter Island	✓			
KRUKOWSKI, Joseph	Town of Southold	✓			
LANSDALE, Sarah	S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven	✓			
ROTTKAMP, Jeffrey	Town of Riverhead				✓
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large	✓			
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		12	0		6

Date: October 1, 2015

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

"Exhibit B"

RESOLUTION NO. FC-32-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING AND AUTHORIZING MODIFICATION TO THE SYLVESTER MANOR EDUCATIONAL FARM, INC. PROPERTY (0700-008.00-01.00-005.005), TO WHICH THE COUNTY OF SUFFOLK OWNS THE FARMLAND DEVELOPMENT RIGHTS

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), a proposal to modify the property currently owned by Sylvester Manor Educational Farm, Inc. has been received by the Suffolk County Farmland Committee ("Committee"), where such proposal is known by application number 2015014; and

WHEREAS, the property owned by Sylvester Manor Educational Farm, Inc. is located on land situated west of Manhasset Road and north of North Ferry Road (S.R. 114), in the hamlet Shelter Island Heights, Town of Shelter Island, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 0700-008.00-01.00-005.005 ("premises"); and

WHEREAS, the Applicant seeks permission from the Suffolk County Farmland Committee ("Committee") to utilize a portion of the County Farm PDR premises for designated temporary vehicle parking and a temporary driveway for a one-day Special Event on October 11, 2015, known as the "Plant and Sing 2014 Annual Harvest Festival" to be held off the premises on adjacent tax map lot # 0700-008.00-01.00-005.006, which has intact development rights; and

WHEREAS, the applicant proposes to designate one temporary vehicle parking area totaling 91,000 square feet on County Farm PDR land as depicted on the Applicant's plan received by Suffolk County on August 31, 2015, and is attached as Exhibit A to this Staff Report; and

WHEREAS, a temporary driveway of approximately 800 feet on County Farm PDR land is proposed on an existing farm road and is to provide ingress and egress from Manhasset Road to the designated temporary parking areas as depicted in the Applicant's plan; and

WHEREAS, the Applicant states that all parking areas are on well-established border areas of the field and that all recently restored pasture areas are excluded and will be unmown and inaccessible during the event; and

WHEREAS, said application was considered by the Committee at its meeting on October 1, 2015; 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 said application, subject to the following conditions:

1. The special use permit shall be valid on October 11, 2015, only; and
2. The proposed temporary parking area and temporary driveway associated with the "Plant and Sing 2015 Annual Harvest Festival" shall be located as is depicted in the Applicant's site plan, which was received by Suffolk County on August 31, 2015, and attached as Exhibit A to the Suffolk County Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2015014; and
3. The proposed temporary parking area shall not exceed 91,000 square feet; and
4. The proposed temporary driveway of 800 feet shall use an existing farm road; and

"Exhibit B," Cont'd.

5. The proposed temporary parking area and temporary driveway shall not adversely impact the viability of the agricultural operation and/or the associated natural resources; and
6. The landowner shall be responsible for compliance with all conditions of Farmland Committee Resolution No. FC-32-2015, 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: August Ruckdeschel

Committee Vote: Ayes 13
 Nays 0
 Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Recused	Not Present
BALSAM, Alex	Town of East Hampton	✓				
BARNETT, Russell K.	Town of Smithtown					✓
BIONDO, Vincent	Town of Babylon	✓				
BUSH, Ronald	At-Large					✓
CORWIN, Nate	At-Large					✓
FOSTER, Lee	Town of Southampton	✓				
JOHNSON, Howard	Town of Huntington	✓				
KILB, Alfred J., Jr.	Town of Shelter Island				✓	
KRUKOWSKI, Joseph	Town of Southold	✓				
LANSDALE, Sarah	S.C. Dir. of Planning	✓				
MOYER, Dale D.	At-Large	✓				
MURPHY, Eugene	Town of Islip	✓				
NOLAN, Rob	Town of Brookhaven	✓				
ROTTKAMP, Jeffrey	Town of Riverhead					✓
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓				
SCHEER, Charles F., Jr.	At-Large	✓				
SCHMITT, Albert	At-Large	✓				
ZAWESKI, Mark	At-Large	✓				
VACANT						
	Totals	13			1	4

Date: October 1, 2015

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

"Exhibit C"

RESOLUTION NO. FC-33-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, RECOMMENDING THE LANDS FROM WHICH FARMLAND DEVELOPMENT RIGHTS MAY BE ACQUIRED – TILDEN REALTY LLC (0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-008.000, 0400-107.00-03.00-006.010, and 0400-107.00-04.00-002.000) – TOWN OF HUNTINGTON

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

WHEREAS, the application includes property owned by Tilden Realty LLC (“Applicant”); and

WHEREAS, the Tilden Realty LLC property is located on land situated east of Tilden Lane and north of Smith Street in the hamlet of Greenlawn, Town of Huntington, identified by Suffolk County Real Property Tax Map (“SCRPTM”) numbers 0400-107.00-03.00-006.001, 0400-107.00-03.00-008.000, 0400-107.00-03.00-006.010, and 0400-107.00-04.00-002.000; and

WHEREAS, Approximately 13.7 out of 14.2 acres are being considered for inclusion in the Farmland PDR Program with an approximate 0.5 acre cut out for an onsite family cemetery; and

WHEREAS, pursuant to the Suffolk County Farmland Rating System, said property received a score of 8.0 points out of 25 possible points; and

WHEREAS, the Committee determined, at its October 1, 2015 meeting, that said application meets Chapter 8 requirements for Program consideration; now, therefore, be it

1st RESOLVED, that the Committee hereby recommends SCRPTM numbers 0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-008.000, 0400-107.00-03.00-006.010, and 0400-107.00-04.00-002.000 consisting of approximately 13.7 acres out of 14.2 acres, as indicated on the attached map, to the Suffolk County Legislature for inclusion in the Suffolk County Farmland Purchase of Development Rights Program, subject to the following conditions; and

- 1) The approximate 0.5 acre onsite family cemetery will be cut out from the acquisition with access to a public road; and be it further
- 2) Prior to acquisition, the landowner shall remove all non-agricultural materials and debris on the property that were observed during a recent site inspection in addition to other items the landowner has stated will be removed (i.e., a truck body, an RV, a tractor covering, and a greenhouse frame); and be it further
- 3) Upon acquisition, the landowner shall merge three of the four contiguous lots (SCRPTM lot numbers 0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-008.000, and 0400-107.00-03.00-006.010) to create one large Farmland PDR parcel, in addition to the fourth parcel (SCRPTM lot number 0400-107.00-04.00-002.000); and be it further
- 4) The entire Farmland PDR property shall be engaged in commercial agricultural production and shall not lay fallow for more than two consecutive years in accordance with Chapter 8 of the Suffolk County Code, the Deed of Development Rights, and Contract of Sale; and be it further

"Exhibit C," Cont'd.

- 5) The Farmland PDR acquisition is contingent upon securing a 50/50 partnership with the Town of Huntington for the funding of the acquisition of Farmland Development Rights.

Motion by: Howard Johnson Seconded by: Albert Schmitt

Committee Vote: Ayes 13
 Nays 1
 Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Recused	Not Present
BALSAM, Alex	Town of East Hampton	✓				
BARNETT, Russell K.	Town of Smithtown					✓
BIONDO, Vincent	Town of Babylon	✓				
BUSH, Ronald	At-Large					✓
CORWIN, Nate	At-Large					✓
FOSTER, Lee	Town of Southampton	✓				
JOHNSON, Howard	Town of Huntington	✓				
KILB, Alfred J., Jr.	Town of Shelter Island	✓				
KRUKOWSKI, Joseph	Town of Southold	✓				
LANSDALE, Sarah	S.C. Dir. of Planning	✓				
MOYER, Dale D.	At-Large	✓				
MURPHY, Eugene	Town of Islip		✓			
NOLAN, Rob	Town of Brookhaven	✓				
ROTTKAMP, Jeffrey	Town of Riverhead					✓
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓				
SCHEER, Charles F., Jr.	At-Large	✓				
SCHMITT, Albert	At-Large	✓				
ZAWESKI, Mark	At-Large	✓				
VACANT						
	Totals	13	1			4

Dated: October 1, 2015

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

"Exhibit D"

RESOLUTION NO. FC-34-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE OCTOBER 1, 2015 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 October 1, 2015; and

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

1st RESOLVED, that the Committee hereby adjourns the October 1, 2015 meeting.

Motion by: Sarah Lansdale Seconded by: Howard Johnson

Committee Vote: Ayes 14
 Nays 0
 Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown				✓
BIONDO, Vincent	Town of Babylon	✓			
BUSH, Ronald	At-Large				✓
CORWIN, Nate	At-Large				✓
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
KILB, Alfred J., Jr.	Town of Shelter Island	✓			
KRUKOWSKI, Joseph	Town of Southold	✓			
LANSDALE, Sarah	S.C. Dir. of Planning	✓			
MOYER, Dale D.	At-Large	✓			
MURPHY, Eugene	Town of Islip	✓			
NOLAN, Rob	Town of Brookhaven	✓			
ROTTKAMP, Jeffrey	Town of Riverhead				✓
RUCKDESCHEL, August	Ex-Officio, SCEDP	✓			
SCHEER, Charles F., Jr.	At-Large	✓			
SCHMITT, Albert	At-Large	✓			
ZAWESKI, Mark	At-Large	✓			
VACANT					
Totals		14	0		4

Date: October 1, 2015

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