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 EXECUTE AND COMMISSIONER

SARAH LANSDALE
CHAIRPERSON, SCFC

MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE
(*Adopted by SCFC Res. No. FC-13-2015*)

DATE: February 10, 2015

MEMBERS PRESENT:

Alexander Balsam (East Hampton)
Russell K. Barnett (Smithtown)
Ronald Bush (At-Large)
Nate Corwin (At-Large)
Lee Foster (Southampton)
Howard Johnson (Huntington)
Alfred J. Kilb, Jr. (Shelter Island)
Sarah Lansdale (SC Director of Planning/Chair)
Dale D. Moyer (At-Large)
Eugene Murphy (Islip)
Bob Nolan (Brookhaven)
Jeffrey Rottkamp, Sr. (Riverhead)
August Ruckdeschel (Ex-Offico, SC Dept. of EDP)
Charles F. Scheer, Jr. (At-Large)
Albert Schmitt (At-Large)
Mark Zaweski (At-Large)

MEMBERS ABSENT**:**

Ann Marie Jones (Babylon)
Joseph Krukowski (Southold)

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)
Jason Smagin, Assistant County Attorney, SC Dept. of Law

GUESTS:

NAME	ORGANIZATION
Vinny Biondo	Town of Babylon
Xiaoyu Chen	Anri Development Group, LLC (Ap.#2015003)
Charles Cuddy	Attorney, Anri Development Group, LLC (Ap.#2015003)
Richard Lin	Owner, Anri Development Group, LLC (Ap.#2015003)
Al Krupski	Suffolk County Legislator, 1st District
Catherine Stark	Suffolk County Legislative Aide to Al Krupski

I. ORDER OF BUSINESS

Call to Order
Sarah Lansdale called the meeting of the Suffolk County Farmland Committee ("Committee") to order at 6:10 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 – November 25, 2014
A motion was put forth by Howard Johnson, and seconded by Albert Schmitt, to approve the minutes of the November 25, 2014 meeting of the Committee, as outlined in Committee Resolution FC-3-2015. Motion carried: 16-0-0 [See Exhibit "A" for Committee Resolution FC-3-2015]

Approval of Minutes – January 20, 2015
A motion was put forth by Howard Johnson, and seconded by Albert Schmitt, to approve the minutes of the January 20, 2015 meeting of the Committee, as outlined in Committee Resolution FC-4-2015. Motion carried: 16-0-0 [See Exhibit "B" for Committee Resolution FC-4-2015]

Introduction of Jason Smagin of the Suffolk County Department of Law
Robert Braun introduced Jason Smagin, Assistant County Attorney for the Suffolk County Department of Law, as a new County staff member who will be attending Committee meetings.

Correspondence –
Lauretta Fischer read a letter from Chairman Sarah Lansdale appointing Ms. Fischer to serve as the Chairperson of the Committee and voting member on those occasions that Ms. Lansdale is unable to attend a Committee meeting, as permitted under SC Code Chapter 8, Section 8-4D(3).

Lauretta Fischer read a letter from Jeffrey L. Bragman, Attorney for the Fonseca family, in which he requested the Farmland Committee to refrain from recommending the initiation of litigation, and provided background to reassure the Committee that the Fonseca family has acted diligently and in good faith to resolve the matter through settlement rather than litigation.

2015 Suffolk County Farmland Committee Meeting Schedule
A motion was put forth by Howard Johnson, and seconded by Nate Corwin, to approve the 2015 Committee Meeting Schedule, as outlined in Committee Resolution FC-5-2015. Motion carried:

16-0-0 [See Exhibit "C" for Committee Resolution FC-5-2015]

II. PUBLIC COMMENTS

There were none.

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)

Ms. Fischer advised the Committee of staff's recommendation for the Committee to put forth a resolution stating a deadline of March 3, 2015 for receiving an application and remediation plan, or the Committee is granting permission by this resolution for the County to move forward with litigation.

Bob Braun advised the Committee that it is the intent of staff's recommendation to receive an application and remediation plan by March 3rd. Further, if a good faith effort is made at submitting an application and remediation plan, the Law Department can be instructed to wait on commencing litigation. If on the other hand, the County does not receive an application and remediation plan, the Law Department can move forward on the recommendation of staff. A discussion ensued.

A motion was put forth by August Ruckdeschel and seconded by Howard Johnson, to approve and issue a resolution in accordance with staff's recommendation stating that there will be no more postponements for submitting an application and remediation plan to the County and the deadline for receiving an application and remediation plan will be March 3, 2015, or the Committee is granting permission by this resolution for the County to move forward with litigation. Motion carried: 16-0-0 [See Exhibit "D" for Committee Resolution FC-6-2015]

IV. PERMIT APPLICATIONS

A. RALPH AND CATHERINE CASELNOVA
Main Road (S.R. 25), Orient, Town of Southold
Tax Map #: 1000-018.00-03.00-009.009 (11.3 ± acres)
The applicant seeks an Agricultural Development Permit for the installation and maintenance of an agricultural storage shed, concrete pad and deer fencing, in association with an agricultural operation. (Application No. 2015001)

Ms. Fischer presented the Staff Report.

Committee members commented that a considerable portion of the property did not appear to be in commercial agricultural production based on the 2013 aerial photo provided by staff. Staff advised the Committee that a letter would be sent to the landowner advising that the property must be in commercial agricultural production and not lay fallow for more than two consecutive years pursuant to Chapter 8 requirements. Further, a Committee member noted

that there appeared to be ATV tracks on the property. Staff advised that a comment could be added to the aforementioned letter regarding potential ATV usage, which is strictly prohibited on County PDR land.

A motion was put forth by Alfred J. Kilb, Jr., and seconded by Charles F. Scheer, Jr., to adopt the Staff Report for Application No. 2015001, as amended, and to approve the Agricultural Development requests, as outlined in Committee Resolution FC-7-2015. Motion Carried: 16-0-0 [See Exhibit "E" for Committee Resolution FC-7-2015].

B. PAULETTE SATUR AND EBERHARD MUELLER / "SATUR FARMS"
3705 Alvahs Lane, Cutchogue, Town of Southold
Tax Map # 1000-101.00-02.00-024.006 (16.1 ± acres)
The applicant seeks an Agricultural Development Permit for the installation and maintenance of deer fencing, in association with a commercial agricultural operation. (Application No. 2015002)

Ms. Fischer presented the Staff Report.

A motion was put forth by Charles F. Scheer, Jr., and seconded by Howard Johnson, to adopt the Staff Report for Application No. 2015002, as amended, and to approve the Agricultural Development request, as outlined in Committee Resolution FC-8-2015. Motion Carried: 16-0-0 [See Exhibit "F" for Committee Resolution FC-8-2015].

C. ANRI DEVELOPMENT GROUP, LLC
Barnes Road, Moriches, Town of Brookhaven
Tax Map # 0200-751.00-02.00-005.000 and 0200-781.00-01.00-001.006 (36.5 ± acres)
The applicant seeks an Agricultural Development Permit for the installation and maintenance of greenhouse infrastructure, in association with a proposed change of use to a commercial mushroom farm. (Application No. 2015003)

Ms. Fischer presented the Staff Report.

Robert Braun advised the Committee that in 2007 when the County and Town of Brookhaven purchased the development rights to the four former Jurgielewicz Duck Farm parcels (SCTM#s 0200-751.00-02.00-005.000, 0200-788.00-01.00-001.006, 0200-750.00-07.00-001.000 and 0200-788.00-01.00-001.005) there was 105,000 square feet of lot coverage over the four parcels, as described in the Deed of Development Rights. A stipulation in the Deed of Development Rights allowed for a maximum lot coverage of 205,000 square feet or 10.32% on all four lots.

The current application proposes 11.125% lot coverage for existing and proposed structures on the two lots owned by Anri Development Group, LLC (SCTM #s 0200-751.00-02.00-005.000 and 0200-788.00-01.00-001.006) and would thus exceed the 10.32% maximum lot coverage allowed by the Deed.

According to Chapter 8 of the Suffolk County Code, a maximum lot coverage of 12.5% would be allowed for the two lots owned by Anri Development Group, LLC.

If the Town of Brookhaven accepts the requirements of Chapter 8 of the Suffolk County Code, as it now exists, and may be amended, in the future, to all four former Jurgielewicz Duck Farm properties, and in so doing, abandons the specific requirement in the Deed of Development Rights that restricts the four former Jurgielewicz Duck Farm parcels to a maximum lot coverage of 205,000 square feet for existing and proposed structures, then the following recommendation is presented to the Committee:

An Agricultural Development Permit will be issued if the following conditions have been met:

1) The Town of Brookhaven shall accept and approve, by letter or resolution, the requirements of Chapter 8 of the Suffolk County Code, as it now exists and may be amended in the future, to the four former Jurgielewicz Duck Farm properties including the property of which Anri Development Group LLC owns two parcels, and to abandon the specific requirement in the Deed of Development Rights that restricts the four former Jurgielewicz Duck Farm parcels to a maximum lot coverage of 205,000 square feet for existing and proposed structures; and

2) Letters shall be provided from all three current owners of the four former Jurgielewicz Duck Farm properties of which Anri Development Group LLC owns two parcels, consenting to all requirements of Chapter 8 of the Suffolk County Code, as it now exists and may be amended in the future, and abandoning the specific requirement in the Deed of Development Rights that restricts the four former Jurgielewicz Duck Farm parcels to a maximum lot coverage of 205,000 square feet; and

3) The landowner of the two Anri Development Group LLC parcels consents that neither parcel shall be sold to another owner without prior Suffolk County Farmland Committee approval.

A motion was put forth by Howard Johnson., and seconded by Rob Nolan, to adopt the Staff Report for Application No. 2015002, as amended, and to approve the Agricultural Development Permit request subject to meeting certain conditions, as outlined in Committee Resolution FC-9-2015. Motion Carried: 15-0-1 [See Exhibit "G" for Committee Resolution FC-9-2015].

V. OTHER BUSINESS

Introduction of Vincent Biondo, a potential new Committee Member

Sarah Lansdale introduced Vincent Biondo of the Town of Babylon who is anticipated to be appointed as a Committee Member to replace sitting Committee Member Ann Marie Jones. (Mr. Biondo would be officially appointed once a resolution is received from the Babylon Town Board confirming his appointment.)

VI. EXECUTIVE SESSION

A motion was put forth by Howard Johnson and seconded by Sarah Lansdale to move into Executive Session to discuss the Ruth Pollio Revocable Trust property. Motion Carried: 16-0-0.

-Ruth Pollio Revocable trust property was discussed in Executive Session-

A motion was put forth by Sarah Lansdale and seconded by Howard Johnson to move out of Executive Session. Motion Carried 16-0-0.

VII. OTHER BUSINESS (Continued)

Ruth Pollio Revocable Trust property
(Tax Map # 1000-108.00-01.00-001.001)
Committee members discussed the work plan for the compost remediation project on the subject property, as attached to the Order on Consent (File # R1-20110420-51).

The Committee recommended accepting the work plan, as approved by NYS DEC, as revised and dated February 9, 2015, along with the signed Order on Consent (File # R1-20110420-51). Upon completion of the remediation steps outlined in the work plan, the County must receive notification that the work has been completed and will inspect the property to determine whether all materials have been removed, and if not removed, may be subject to further fines and remediation as determined by the Committee. Further, the Committee recommended that any trees, shrubs, saplings and other volunteer weed growth that has grown on any portion of the PDR property must be removed in addition to the removal of materials described in the work plan. By October 1, 2015 the entire PDR property must be plowed under with a cover crop planting of rye or similar crop at 2 ½ bushels of rye or similar crop per acre. If this has not been completed as of October 1, 2015 a fine of $10,000 will be imposed and thereafter a $1,000 fine per month will be imposed until this requirement is completed.

A motion was put forth by Howard Johnson, and seconded by Nate Corwin to accept the aforementioned work plan and additional requirements, as outlined in Committee Resolution FC-10-2015. Motion Carried: 16-0-0 [See Exhibit "H" for Committee Resolution FC-10-2015].

Committee affirmed existing permit application deadline
The Committee affirmed that all complete applications must be received by the Suffolk County Division of Planning and Environment by no later than two (2) weeks before the scheduled Suffolk County Farmland Committee Meeting dates.

A motion was put forth by Howard Johnson, and seconded by Russell K. Barnett to affirm the Committee application deadline, as outlined in Committee Resolution FC-11-2015. Motion Carried: 16-0-0 [See Exhibit "I" for Committee Resolution FC-11-2015].

Applicant Proposal to construct a barn on PDR
John Kennedy introduced Vito Strippoli who is proposing to construct a barn on his PDR property. Bob Braun instructed Mr. Strippoli to contact Lauretta Fischer to fill out an application for consideration at the next meeting.

VIII. ADJOURNMENT

A motion was put forth by Howard Johnson, and seconded by August Ruckdeschel to adjourn the meeting at 7:53 PM. Motion carried: 16-0-0. [See Exhibit "J" for Committee Resolution FC-12-2015]

NEXT SCHEDULED REGULAR MEETING

The next meeting of the Committee is scheduled for 6:00 p.m., Tuesday, March 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-3-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE NOVEMBER 25, 2014 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 November 25, 2014; and

WHEREAS, the minutes of said meeting were considered by the Committee at its meeting on February 10, 2015; now, therefore, be it

1st RESOLVED, that the Committee hereby adopts the November 25, 2014 meeting minutes.

Motion by: Howard Johnson Seconded by: Albert Schmitt

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		16			2

Date: February 10, 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-4-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE MINUTES OF THE JANUARY 20, 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 meeting on January 20, 2015; and

WHEREAS, the minutes of said meeting were considered by the Committee at its meeting on February 10, 2015; now, therefore, be it

1st RESOLVED, that the Committee hereby adopts the January 20, 2015 meeting minutes.

Motion by: Howard Johnson Seconded by: Albert Schmitt

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		16			2

Date: February 10, 2015

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

"Exhibit C"

RESOLUTION NO. FC-05-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADOPTING THE 2015 SUFFOLK COUNTY FARMLAND COMMITTEE MEETING SCHEDULE

WHEREAS, the 2015 Suffolk County Farmland Committee Meeting Schedule was considered by the Committee at its meeting on February 10, 2015; now, therefore, be it

1st RESOLVED, that the Committee hereby adopts the 2015 Suffolk County Farmland Committee Meeting Schedule.

Motion by: Howard Johnson Seconded by: Nate Corwin

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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	16			2

Date: February 10, 2015

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

"Exhibit D"

RESOLUTION NO. FC-6-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, SETTING A MARCH 3, 2015 DEADLINE FOR RECEIVING AN APPLICATION AND REMEDIATION PLAN IN REGARD TO PROPERTY OWNED BY BRANDYWINE TRUST CO., TRUSTEE FOR THE FONSECA 2010 FAMILY TRUST & THE FONSECA QTIP TRUST

WHEREAS, the property owned by Brandywine Trust Company, Trustee for the Fonseca 2010 Family Trust and the Fonseca QTip Trust), is located at 149 Long Lane, East Hampton North, in the Town of East Hampton, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 0300-157.00-03.00-011.004 ("premises"), and consisting of approximately 28.7 acres; now, therefore, be it

1st RESOLVED, the Suffolk County Farmland Committee ("Committee") at its February 10, 2015 meeting states that there will be no more postponements for submitting an application and remediation plan to the County and the deadline for receiving an application and remediation plan will be March 3, 2015, or the Committee is granting permission by this resolution for the County to move forward with litigation.

Motion by: August Ruckdeschel Seconded by: Howard Johnson

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		16			2

Date: February 10, 2015

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

"Exhibit E"

RESOLUTION NO. FC-7-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING MODIFICATION TO THE RALPH AND CATHERINE CASELNOVA PROPERTY (1000-018.00-03.00-009.009), TO 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 Ralph and Catherine Caselnova has been received by the Suffolk County Farmland Committee ("Committee"), where such proposal is known by application number 2015001; and

WHEREAS, the property owned by Ralph and Catherine Caselnova is located on land situated north of Main Road (S.R. 25) and east of Hales Road, in the hamlet of Orient, Town of Southold, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 1000-018.00-03.00-009.009 ("premises"); and

WHEREAS, the applicants seeks Agricultural Development Permits for the installation and maintenance of existing structures including a 12.3 foot by 8.3 foot wide by 8 foot high agricultural storage shed, 18 foot long by 12 foot wide concrete pad, and 1,242 linear feet of deer fencing, in association with a fruit tree, grape and vegetable operation; and

WHEREAS, said application was considered by the Committee at its meeting on February 10, 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 deer fence structures totaling 1,242 linear feet and enclosing three areas of the property where agricultural products are being grown shall be sited as is shown on the survey plan received by the County and entitled "Survey of Property At Orient: Town of Southold, Suffolk County, New York (1000-18-03-9.9)" with the latest revision date of November 18, 2014 and attached as Exhibit A to the Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2015001; and
2. The first plastic deer fence structure located on the eastern portion of the property shall not exceed a total length of 635 feet and a maximum height of 8 feet; and
3. The second wire deer fence structure located on the northern portion of the property shall not exceed a total length of 297 feet and a maximum height of 8 feet; and
4. The third wire deer fence structure located on the northern portion of the property shall not exceed a total length 310 feet and a maximum height of 8 feet; and
5. One (1) 12.3 foot long by 8.3 foot wide by 8 foot high agricultural storage shed and one (1) 18 foot long by 12 foot wide concrete pad shall be sited as is shown on the survey plan received by the County and entitled "Survey of Property At Orient: Town of Southold, Suffolk County, New York (1000-18-03-9.9)" with the latest revision date of November 18, 2014 and attached as Exhibit A to the Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2015001; and

6. The agricultural storage shed shall be constructed from wood-pine; and
7. A site visit of the property (tax map lot number 1000-018.00-03.00-009.009) was conducted on September 26, 2014 wherein it was noted that the property was not engaged in commercial agricultural production. In accordance with Chapter 8 of the County Code which was amended on November 19, 2013 by Local Law No. 44-2013, no owner shall leave agricultural land uncultivated and not engage in commercial agricultural production for more than two consecutive years; and
8. The landowner shall be responsible for compliance with all conditions of Farmland Committee Resolution # FC-07-2015, the deed of development rights, the contract of sale, and all applicable federal state, county, and town regulations, rules and statutes.

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

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		16			2

Date: February 10, 2015

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

"Exhibit F"

RESOLUTION NO. FC-8-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING MODIFICATION TO THE PAULETTE SATUR AND EBERHARD MUELLER / "SATUR FARMS" PROPERTY (1000-101.00-02.00-024.006), TO 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 Paulette Satur and Eberhard Mueller / "Satur Farms" has been received by the Suffolk County Farmland Committee ("Committee"), where such proposal is known by application number 2015002; and

WHEREAS, the property owned by Paulette Satur and Eberhard Mueller / "Satur Farms" is located on land situated west of Alvah's Lane and south of Middle Road (C.R. 48), in the hamlet of Cutchogue, Town of Southold, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 1000-101.00-02.00-024.006 ("premises"); and

WHEREAS, the applicant seeks an Agricultural Development Permit for the installation and maintenance of 1,943 linear feet of deer fencing, in association with a salad crop, leafy greens, and specialty vegetable operation; and

WHEREAS, said application was considered by the Committee at its meeting on February 10, 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 deer fence structures shall be sited as is shown on the survey plan received by the County on December 23, 2014 and entitled "Map of Property At Cutchogue: Town of Southold, NY (1001-101-02-24.5 & 24.6) dated July 17, 1997" and attached as Exhibit A to the Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2015002; and
2. The deer fence structures shall be no more than 1,943 linear feet and 8 feet in height; and
3. The deer fence structures shall be constructed with 5-6 inch diameter southern pine posts and hi-tensile galvanized wire; and
4. The landowner shall submit to the Department of Economic Development and Planning, Division of Planning and Environment, within one year of permit issuance, the as-built survey depicting the aforementioned improvements; and
5. The landowner shall be responsible for compliance with all conditions of Farmland Committee Resolution # FC-08-2015, the deed of development rights, the contract of sale, and all applicable federal state, county, and town regulations, rules and statutes.

Motion by: Charles F. Scheer, Jr. Seconded by: Howard Johnson

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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	16			2

Date: February 10, 2015

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

"Exhibit G"

RESOLUTION NO. FC-9-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, APPROVING MODIFICATION TO THE ANRI DEVELOPMENT GROUP, LLC PROPERTY (0200-751.00-02.00-005.000 AND 0200-788.00-01.00-001.006), TO WHICH THE COUNTY AND TOWN OF BROOKHAVEN OWN 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 Anri Development Group, LLC has been received by the Suffolk County Farmland Committee ("Committee"), where such proposal is known by application number 2015003; and

WHEREAS, the property owned by Anri Development Group, LLC is located on land situated west of Barnes Road and south of Sunrise Highway, in the hamlet of Moriches, Town of Brookhaven, identified by Suffolk County Real Property Tax Map ("SCRPTM") numbers 0200-751.00-02.00-005.000 and 0200-788.00-01.00-001.006 ("premises"); and

WHEREAS, the applicant seeks an Agricultural Development Permit for the installation and maintenance of twenty (20) greenhouses totaling approximately 73,440 square feet (1.686 acres), in association with a proposed commercial mushroom farm operation; and

WHEREAS, said application was considered by the Committee at its meeting on February 10, 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. An Agricultural Development Permit will be issued if the following conditions have been met:

    a. The Town of Brookhaven shall accept and approve, by letter or resolution, the requirements of Chapter 8 of the Suffolk County Code, as it now exists and may be amended in the future, to the four former Jurgielewicz Duck Farm properties including the property of which Anri Development Group LLC owns two parcels, and to abandon the specific requirement in the Deed of Development Rights that restricts the four former Jurgielewicz Duck Farm parcels to a maximum lot coverage of 205,000 square feet for existing and proposed structures; and

    b. Letters shall be provided from all three current owners of the four former Jurgielewicz Duck Farm properties of which Anri Development Group LLC owns two parcels, consenting to all requirements of Chapter 8 of the Suffolk County Code, as it now exists and may be amended in the future, and abandoning the specific requirement in the Deed of Development Rights that restricts the four former Jurgielewicz Duck Farm parcels to a maximum lot coverage of 205,000 square feet; and

    c. The landowner of the two Anri Development Group LLC parcels consents that neither parcel shall be sold to another owner without prior Suffolk County Farmland Committee approval.

2. The proposed twenty (20) greenhouses shall be shall be sited as is shown on the site plan survey received by the County and entitled "Survey of Property Situated at Moriches, Town of Brookhaven, Suffolk County New York (SC Tax No. 0200-751-02-05, 0200-788-1-1.5, and 0200-751-02-1.6) with the latest revision date of January 29, 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. 2015003; and

3. Each greenhouse shall measure approximately 136 feet in length, 27 feet in width, and 10 feet in height; and

4. The greenhouses shall consist of steel racks and plastic film; and

5. The greenhouses shall not have footings or foundations and shall be served by aboveground existing electric poles; and

6. 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; and

7. The landowner shall submit to the Suffolk County Economic Development and Planning Department, Division of Planning and Environment within one (1) year of permit issuance the Suffolk County Soil and Water Conservation District- and/or Natural Resources Conservation Service- approved stormwater mitigation plan; and

8. The landowner shall be responsible for compliance with all conditions of Resolution #FC-09-2015, the deed of development rights, the contract of sale, and all applicable federal, state, county, and town regulations, rules and guidelines.

Motion by: Howard Johnson Seconded by: Rob Nolan

Committee Vote: Ayes 15
Nays 0
Abstentions 1

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large			✓	
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		15		1	2

Date: February 10, 2015

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

"Exhibit H"

RESOLUTION NO. FC-10-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ACCEPTING THE WORK PLAN FOR THE COMPOST REMEDIATION PROJECT SUBJECT TO CERTAIN CONDITIONS ON PROPERTY OWNED BY RUTH POLLIO REVOCABLE TRUST

WHEREAS, the property owned by the Ruth Pollio Revocable Trust, is located on the north side of Middle Country Road (C.R. 48), in the Town of Southold, identified by Suffolk County Real Property Tax Map ("SCRPTM") number 1000-108.00-01.00-001.001 ("premises"), and consisting of approximately 19.7 acres; and, now, therefore, be it

1st RESOLVED, the work plan for the compost remediation project, as attached to the Order on Consent (File # R1-20110420-51), on the Ruth Pollio Revocable Trust property (SCTM # 1000-108.00-01.00-001.001) will provide for the removal of all large organic materials (large tree stumps & branches), inorganic materials (plastics, beverage containers, C&D debris, and other MSW), and the compost material from the Ruth Pollio Revocable Trust property; and be it

2nd RESOLVED, the Suffolk County Farmland Committee ("Committee") at its February 10, 2015 accepts the work plan, as approved by NYS DEC, as revised and dated February 9, 2015, along with the signed Order on Consent (File # R1-20110420-51); and be it

3rd RESOLVED, that upon completion of the remediation steps outlined in the work plan, the County will receive notification that the work has been completed and will inspect the property to determine whether all materials have been removed, and if not removed, may be subject to further fines and remediation as determined by the Committee. Any trees, shrubs, saplings and other volunteer weed growth that has grown on any portion of the PDR property (tax map number 1000-108.00-01.00-001.001) shall be removed in addition to the removal of materials described in the work plan. By October 1, 2015 the entire PDR property shall be plowed under with a cover crop planting of rye or similar crop at 2 ½ bushels of rye or similar crop per acre. If this has not been completed as of October 1, 2015 a fine of $10,000 will be imposed and thereafter a $1,000 fine per month will be imposed until this requirement is completed.

Motion by: Howard Johnson Seconded by: Nate Corwin

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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		16			2

Date: February 10, 2015
Location: Kermit W. Graf Cornell Cooperative Extension Building, 1st Floor Conference Room, 423 Griffing Avenue, Suite 100, Riverhead, NY

"Exhibit I"

RESOLUTION NO. FC-11-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, AFFIRMING THE TWO WEEK DEADLINE FOR FARMLAND COMMITTEE APPLICATIONS

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, the Suffolk County Farmland Committee ("Committee") convened a regular meeting on February 10, 2015; now, therefore, be it

1st RESOLVED, the Committee affirmed that all complete applications must be received by the Suffolk County Division of Planning and Environment by no later than two (2) weeks before the scheduled Suffolk County Farmland Committee Meeting dates.

Motion by: Howard Johnson Seconded by: Russell Barnett

Committee Vote: Ayes 16
Nays 0
Abstentions 0

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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	16			2

Date: February 10, 2015

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

"Exhibit J"

RESOLUTION NO. FC-12-2015 OF THE SUFFOLK COUNTY FARMLAND COMMITTEE, PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, ADJOURNING THE FEBRUARY 10, 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 February 10, 2015; and

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

1st RESOLVED, that the Committee hereby adjourns the February 10, 2015 meeting.

Motion by: Mark Zaweski Seconded by: Lee Foster

Committee Vote: Ayes
Nays
Abstentions

Committee Member	Appointment	Yes	No	Abstained	Not Present
BALSAM, Alex	Town of East Hampton	✓			
BARNETT, Russell K.	Town of Smithtown	✓			
BUSH, Ronald	At-Large	✓			
CORWIN, Nate	At-Large	✓			
FOSTER, Lee	Town of Southampton	✓			
JOHNSON, Howard	Town of Huntington	✓			
JONES, Ann Marie	Town of Babylon				✓
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	16			2

Date: February 10, 2015

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