

# Suffolk County Farmland Committee

## Farmland Purchase of Development Rights Acquisition Application

*This form is to be completed by the landowner(s) **expressing interest in the Suffolk County Farmland Purchase of Development Rights (PDR) Program.** The information obtained from this form will be used by the Suffolk County Farmland Committee (Committee) to evaluate the request as part of the review process as described in Chapter 8 of the Suffolk County Administrative Local Laws. A recommendation by the Committee does not guarantee or imply that the Suffolk County Legislature will authorize Appraisal Steps / Planning Steps or that the parcel(s) will be acquired. Submission of this form to the Committee grants the Committee and/or its designee, permission to enter and inspect the entire parcel(s).*

**PART I: PROPERTY DETAILS**

FOR INTERNAL USE ONLY  
SCFC Meeting Date:

Town: \_\_\_\_\_

Hamlet / Village: \_\_\_\_\_

Physical Location: \_\_\_\_\_

District: \_\_\_\_\_ Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Acreage: \_\_\_\_\_

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The property is located within:

Zoning District(s) \_\_\_\_\_

Overlay District(s)     Yes  No    If yes, which zone(s)? \_\_\_\_\_

Agricultural District     Yes  No

Are there any easements, covenants, and restrictions filed with the property?     Yes  No

If yes, please explain: \_\_\_\_\_

The property contains:

Woodlands                             Yes  No    If yes, please specify acreage: \_\_\_\_\_

Wetlands                               Yes  No    If yes, please specify acreage: \_\_\_\_\_

Slopes greater than 15%         Yes  No    If yes, please specify acreage: \_\_\_\_\_

The property is improved with:

(Check all that apply. Identify the number of structures and improvements and their corresponding dimensions and square footages)

House     Barn     Shed     Greenhouse     Irrigation Pond     Irrigation Equipment     Other

Details: \_\_\_\_\_

*\*Please attach a survey of the property depicting the existing structures and improvements and their corresponding dimensions and square footages.*

Has a "SC Soil and Water Conservation District Agricultural Environmental Management (AEM) Plan" or "Natural Resources Conservation Plan" been completed for this property?     Yes  No

If yes, please check the Tier Level(s) completed: Tier 1  Tier 2  Tier 3  Tier 4

Exclusions/cut-out areas:

*Please be advised that non-agricultural structures/improvements (e.g., a residence, driveway, and garage) will not be considered for the SC PDR Program and must be excluded in the form of a cut-out. The cut-out should be in conformance with local zoning requirements.*

Is there an exclusion/cut-out area proposed for this property?  Yes  No *If yes, please attach a copy of the property survey depicting the cut-out(s) and their corresponding dimensions and square footages on a copy of the survey.*

Total Acreage of Subject Parcel(s): \_\_\_\_\_ Total Acreage Offered for Acquisition: \_\_\_\_\_ Total Acreage of Cut-Out: \_\_\_\_\_

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**PART II: COMMERCIAL AGRICULTURAL OPERATION DETAILS**

Farm Name: \_\_\_\_\_ Website: \_\_\_\_\_

Current Crop(s): \_\_\_\_\_

Is the subject property commercially farmed by someone other than the landowner (i.e., agricultural lessee)?  Yes  No *If yes, please attach a copy of a current lease agreement.*

**Please answer questions to one of the following three types of commercial agricultural operations below, whichever applies to your property:**

**1. For a commercial agricultural operation:**

*Refer to Attachment A for the definitions of "agricultural production" and "gross sales value," as defined by Chapter 8 of the Suffolk County Code and Section 301 of the NYS Agriculture and Markets Law.*

- a. Are all development rights to the subject property intact?  Yes  No
- b. Have any development rights or SC Department of Health Service development density credits of the property been transferred?  Yes  No *If yes, please explain:* \_\_\_\_\_
- c. Is the property receiving an agricultural assessment?  Yes  No *If yes, please attach documentation.*
- d. Is the subject property actively used in agricultural production?  Yes  No
- e. How many acres of the subject property are actively being used in agricultural production? \_\_\_\_\_
- f. How many years has the subject property been in active agricultural production? \_\_\_\_\_
- g. Does the subject property's farm operation generate an average annual gross sales value of at least ten thousand dollars (\$10,000)?  Yes  No
- h. Does the subject property's farm operation generate an average annual gross sales value of at least fifty thousand dollars (\$50,000)?  Yes  No

**2. For a commercial horse boarding operation:**

*Refer to Attachment B for the definition of "commercial horse boarding operation," as defined by Chapter 8 of the Suffolk County Code and Section 301 of the NYS Agriculture and Markets Law.*

- a. Are all development rights to the subject property intact?  Yes  No
- b. Have any development rights or SC Department of Health Service development density credits of the property been transferred?  Yes  No *If yes, please explain:* \_\_\_\_\_
- c. Is the property receiving an agricultural assessment?  Yes  No *If yes, please attach documentation.*
- d. Is the subject property actively used in support of a commercial horse boarding operation?  Yes  No *If yes, how many horses are boarded?* \_\_\_\_\_
- e. How many acres of the subject property are actively being used in support of a commercial horse boarding operation? \_\_\_\_\_
- f. How many years has the subject property been used in support of a commercial horse boarding operation? \_\_\_\_\_

g. Does the subject property's farm operation generate an average annual gross sales value of at least ten thousand dollars (\$10,000)?  Yes  No

**3. For a commercial equine operation:**

*Refer to Attachment B for the definition of "commercial equine operation," as defined by Chapter 8 of the Suffolk County Code and Section 301 of the NYS Agriculture and Markets Law.*

- a. Are all development rights to the subject property intact?  Yes  No
- b. Have any development rights or SC Department of Health Service development density credits of the property been transferred?  Yes  No If yes, please explain: \_\_\_\_\_
- c. Is the property receiving an agricultural assessment?  Yes  No *If yes, please attach documentation.*
- d. Is the subject property actively used in support of a commercial equine operation?  Yes  No  
If yes, how many horses are stabled? \_\_\_\_\_
- e. How many acres of the subject property are actively being used in support of a commercial equine operation? \_\_\_\_\_
- f. How many years has the property been used in support of a commercial equine operation? \_\_\_\_\_
- g. Does the subject property's farm operation generate an average annual gross sales value of at least ten thousand dollars (\$10,000)?  Yes  No

Please provide any additional relevant information or plans about the property and its agricultural operation or, if the property is not currently farmed, indicate what the future commercial farm use(s) will be (e.g., historical farming activities, business plan, current and future plans for farming the property, etc.):

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**PART III: CONTACT INFORMATION**

**LANDOWNER(S) - for a property with more than one landowner, all landowners must be identified:**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**ATTORNEY** (if applicable)

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**AGENT** (if applicable)

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

*If an agent, other than the landowner's attorney, will be representing the landowner, please submit a letter or other written permission signed by the landowner (1) confirming that the landowner is familiar with this application and (2) authorizing the submission of the application.*

**LESSEE** (if applicable)

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

*Please provide a copy of the current lease agreement.*

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**PART IV: LANDOWNER(S) CERTIFICATION OF APPLICATION - for a property with more than one landowner, all landowner names and signatures must be provided:**

I, \_\_\_\_\_ (print full name), the undersigned, certify that I am the owner of the land identified in this application and that this application form including any attached documentation constitutes a true statement of facts to the best of my knowledge.

Landowner Signature \_\_\_\_\_ Date \_\_\_\_\_

*If more than one owner, please attach a written statement from all owners with respective names and signatures stating that they authorize the submission and representation of this application by the above individual.*

*For a business entity (e.g., LLC), please attach a written statement from all members with respective names and signatures stating that they authorize the submission and representation of this application by the above managing member.*

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**PART V: SUPPORTING DOCUMENTATION**

Please submit the following documentation in addition to this application:

- Survey (existing survey is sufficient), and if applicable, identified exclusions/cutouts on a copy of survey
- Written permission authorizing an agent to represent the application on behalf of the landowner (if applicable)
- Lease agreement (if applicable)
- Business plan (if applicable)

Please note that additional information may be required and requested to complete your application.

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**PART VI: APPLICATION SUBMISSION**

Please submit this application with supporting documentation to:

**Andrew Amakawa, Senior Planner**  
**Suffolk County Division of Planning & Environment**  
**P.O. Box 6100, Hauppauge, NY 11788-0099**

**Questions?** Contact the Suffolk County Division of Planning & Environment at (631) 853-4863.

**Attachment A**  
**Definitions of “Agricultural Production” and “Gross Sales Value”**

- 1) *Agricultural Production is defined by Section 8-2 of the Suffolk County Administrative Code as “The production for commercial purposes of agricultural products defined herein. Agricultural production shall not include the processing of agricultural products.”*

*Agricultural Products are defined by Section 8-2 of the Suffolk County Administrative Code as “The crops, livestock and livestock products as defined in Section 301 of the New York State Agriculture and Markets Law, as may be amended.”*

*For reference Section 301 of the New York State Agriculture and Markets Law definition (as of January 1, 2021) for “Crops, livestock and livestock products” is attached below:*

§ 301. Definitions. When used in this article:

2. "Crops, livestock and livestock products" shall include but not be limited to the following:

- a. Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.
- b. Fruits, including apples, peaches, grapes, cherries and berries.
- c. Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
- d. Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
- e. Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, ratites, such as ostriches, emus, rheas and kiwis, farmed deer, farmed buffalo, fur bearing animals, wool bearing animals, such as alpacas and llamas, milk, eggs and furs.
- f. Maple sap.
- g. Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump.
- h. Aquaculture products, including fish, fish products, water plants and shellfish.
- i. Woody biomass, which means short rotation woody crops raised for bioenergy, and shall not include farm woodland.
- j. Apiary products, including honey, beeswax, royal jelly, bee pollen, propolis, package bees, nucs and queens. For the purposes of this paragraph, "nucs" shall mean small honey bee colonies created from larger colonies including the nuc box, which is a smaller version of a beehive, designed to hold up to five frames from an existing colony.
- k. Actively managed log-grown woodland mushrooms.
- l. Industrial hemp as defined in section five hundred five of this chapter.

- 2) *Gross Sales Value is defined by Section 8-2 of the Suffolk County Administrative Code as “The proceeds from the sale of agricultural products and processed agricultural products. For the purposes of this chapter, receipts collected in the operation of a commercial horse boarding and/or in the operation of a commercial equine operation may be included in the gross sales value.”*

**Attachment B**  
**Definitions of “Commercial Horse Boarding Operation” and**  
**“Commercial Equine Operation”**

- 1) *“Commercial Horse Boarding Operation” and “Commercial Equine Operation” are defined by Section 8-2 of the Suffolk County Administrative Code as “a commercial horse boarding operation and a commercial equine operation, as defined in Section 301 of the New York State Agriculture and Markets Law.”*

*For reference, Section 301 of the New York State Agriculture and Markets Law definitions (as of January 1, 2021) for “Commercial Horse Boarding Operation” and “Commercial Equine Operation,” is attached below:*

§ 301. Definitions. When used in this article:

13. "Commercial horse boarding operation" means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, a commercial horse boarding operation that is proposed or in its first or second year of operation may qualify as a farm operation if it is an agricultural enterprise, consisting of at least seven acres, and boarding at least ten horses, regardless of ownership, by the end of the first year of operation.

18. "Commercial equine operation" means an agricultural enterprise, consisting of at least seven acres and stabling at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated through the provision of commercial equine activities including, but not limited to riding lessons, trail riding activities or training of horses or through the production for sale of crops, livestock, and livestock products, or through both the provision of such commercial equine activities and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing notwithstanding any other provision of this subdivision, an agricultural enterprise that is proposed or in its first or second year of operation may qualify as a commercial equine operation if it consists of at least seven acres and stables at least ten horses, regardless of ownership, by the end of the first year of operation.