



Town of Riverhead Agricultural Data Statement

When to use this form: This form must be completed by the applicant for any use variance, Special Use Permit, site plan approval, or subdivision approval on property within an Agricultural District containing a farm operation **OR** on property with boundaries within 500 ft. of a farm operation located in an Agricultural District. Applications requiring an Agricultural Data Statement require referral to the Suffolk County Planning Commission unless exempt in accordance with the inter-municipal agreement regarding zoning referrals.

- 1) Name of Applicant: _____
- 2) Address of Applicant: _____
- 3) Name of Land Owner (if other than the applicant): _____
- 4) Address of Land Owner: _____
- 5) Description of Proposed Project: _____

- 6) Location of property (street address): _____
- 7) Project site tax map number: _____
- 8) Is the project located on property within an Agricultural District containing a farm operation? ____ (yes or no)
- 9) Is the project located on property outside an Agricultural District, but with a boundary or boundaries within 500 ft. of a farm operation located in an Agricultural District? _____ (yes or no).
- 10) Tax map # and name and address of any owner(s) of parcels of land within the Agricultural District containing farm operation(s) located within 500 ft. of the boundaries of the parcel subject to the pending application.

<u>Tax Map #</u>	<u>Name & Address</u>
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____
6.	_____
7.	_____

(Use the back side of the page if more than seven properties are identified.)

Tax map numbers within 500 ft. may be obtained when requested in advance from the Planning Department at 631-727-3200 x267. Information regarding property/ mailing addresses and whether a property is an active farm operation is available by contacting the Assessor's office in advance at 631-727-3200 x255.

- 11) Submit a copy of the current tax map page(s) labeling the site of the proposed project and highlighting the farm operation parcels identified in item 10 above.
- 12) Submit pre-addressed legal size envelopes, pre-addressed to each of the landowners identified in item 10 above with pre-paid certified mail postage, together with pre-addressed green, return receipt cards for each mailing. The return address on the return receipt card must read "Riverhead Town Planning Department, 200 Howell Ave., Riverhead, NY 11901."

Signature of Applicant _____ Date _____

Note: 1. The Planning Department will solicit comments via mail from the owners of land identified above in order for the applicable Board to consider the effect of the proposed action on their farm operation. This will include a copy of this statement. 2. Comments returned will be taken into consideration by the applicable Board as part of the overall review of an application. 3. Failure to provide a complete Agricultural Data Statement means the application cannot be acted upon by the applicable Board.

§ 283-a. Coordination with agricultural districts program.

*Policy of local governments
Amended by Chapter 331 of the
Laws of 2002*

*Agricultural data statements to be
submitted by applicants for certain
approvals*

*Consideration of data statement in
review of proposed projects*

Mailing of notice

*Content of agricultural data
statement*

*Referral under General Municipal
Law §239-m*

1. Policy of local governments. Local governments shall exercise their powers to enact local laws, ordinances, rules or regulations that apply to farm operations in an agricultural district in a manner which does not unreasonably restrict or regulate farm operations in contravention of the purposes of article twenty-five-AA of the agriculture and markets law, unless it can be shown that the public health or safety is threatened.
2. Agricultural data statement; submission, evaluation. Any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval by the town board, planning board, or zoning board of appeals pursuant to this article, that would occur on property within an agricultural district containing a farm operation or on property with boundaries within five hundred feet of a farm operation located in an agricultural district, shall include an agricultural data statement. The town board, planning board, or zoning board of appeals shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district. The information required by an agricultural data statement may be included as part of any other application form required by local law, ordinance or regulation.
3. Agricultural data statement; notice provision. Upon the receipt of such application by the planning board, zoning board of appeals, or town board, the clerk of such board shall mail written notice of such application to the owners of land as identified by the applicant in the agricultural data statement. Such notice shall include a description of the proposed project and its location, and may be sent in conjunction with any other notice required by state or local law, ordinance, rule or regulation for the said project. The cost of mailing said notice shall be borne by the applicant.
4. Agricultural data statement; content. An agricultural data statement shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within five hundred feet of the boundary of the property upon which the project is proposed; and a tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the agricultural data statement.
5. Notice to county planning board or agency or regional planning council. The clerk of the town board, planning board, or zoning board of appeals shall refer all applications requiring an agricultural data statement to the county planning board or agency or regional planning council as required by sections two hundred thirty-nine-m and two hundred thirty-nine-n of the general municipal law.

§ 284. Intermunicipal cooperation in comprehensive planning and land use regulation.

*Legislative intent, promotion of
intergovernmental cooperation*

1. Legislative intent. This section is intended to illustrate the statutory authority that any municipal corporation has under article five-G of the general municipal law and place within land use law express statutory authority for cities, towns and villages to enter into agreements to undertake comprehensive planning and land use regulation with each other or one for the other, and to provide that any city, town or village may contract with a county to carry out all or a portion of the ministerial functions related to the land use of such city, town or village as may be agreed upon. By the enactment of this section the legislature seeks to promote intergovernmental cooperation that could result in increased coordination and effectiveness of comprehensive planning and land use regulation, more efficient use of infrastructure and municipal revenues, as well as the enhanced protection of community resources, especially where such resources span municipal boundaries.