



Town of Riverhead Building Department

201 Howell Avenue, Riverhead, New York 11901

(631) 727-3200 Ext. 213

Fax: 631-208-8039

www.townofriverheadny.gov

AGRICULTURAL WORKER HOUSING PERMIT REQUIREMENTS

Please review, complete, sign, and notarize the attached permit documents (2 pages)

1. Agricultural Worker Permit Application (signed and notarized);
 2. Disclosure Affidavit (signed and notarized);
 3. Two (2) sets of building plans, in accordance with §217-6, for the proposed addition, alteration, or new building
- or**
- 3a. One (1) floor plan if for an existing building;
 4. Three (3) surveys, one with Health Department Approval with existing and/or proposed sanitary facilities, showing location of project with setbacks and suitable screening from adjoining properties or public ways;
 5. \$100.00 Application fee [nonrefundable per Town of Riverhead Code §217-12 D(17)].
 6. Additional fee as required for work associated with the establishment of the Ag Worker Housing (eg if a manufactured home is to be erected, the requisite building permit fee will be required). This fee will be calculated in accordance with §217-12 and must be remitted prior to building permit issuance for the associated work.

Please note that prior to the issuance of a permit the Town Board must approve the plan by resolution

Town of Riverhead
Suffolk County, New York

TM# _____ - _____ - _____

Application No. _____ Date: _____ Permit No. _____ Date: _____

Zoning: _____ Approved By: _____ Receipt: _____

Application for Agricultural Worker Housing Permit

The Owner Of The Property Is:

(NAME) (PO – ADDRESS)

Name and Address of Managing Agent - The Person Appointed to Assume Responsibility for Day-To-Day Operations, Maintenance and Conduct of *Agricultural Workers* according to written agreement filed with the Town Clerk and Police Department.: (Attach Written Agreement according to Chapter 108.64.4 of the Building Code)

(NAME) (PO – ADDRESS)

(Phone Contact) (Fax Number) (Cell Number)

Street Name: _____ Hamlet: _____

The approval shall require that the *Agricultural Worker Housing* consist of a structure which shall include bedrooms, kitchen, dining and living room, bathroom and utility room. The *Agricultural Worker Housing* shall have a separate bedroom for every two persons, and the building shall conform to the New York State Fire Prevention and Building Code. All electrical and plumbing work shall comply with the New York State Fire Prevention and Building Code; prefabricated buildings with HUD certification shall be allowed. Plans and specifications for the *Agricultural Worker Housing* shall be subject to the approval of the Building Inspector. All buildings must obtain and maintain New York State, Suffolk County and OSHA permits.

Type of Agricultural Production	
Proposed No. of Bedrooms	
Proposed No. of Baths	
Proposed No. of Agricultural Workers	

AFFIDAVIT

Town of Riverhead)
County of Suffolk) s.s.
State of New York)

I swear that to the best of my knowledge and belief the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed work to be done on the described premises and that all provisions of the BUILDING CODE, THE ZONING ORDINANCE, and all other laws pertaining to the proposed work shall be complied with, whether specified or not, and that such work and inspections are authorized by the owner.

Signature _____

Sworn to before me this _____ day

(Owner, Owner's Agent)

of _____, 20 _____.

(Notary Public, Suffolk County, New York)

**READ THIS DOCUMENT CAREFULLY
YOU MAY CONSULT YOUR ATTORNEY BEFORE COMPLETING.
DISCLOSURE AFFIDAVIT**

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, _____ an

applicant for the following relief: **Agricultural Worker Housing** and being duly sworn, deposes and

says: That I make and complete this affidavit under the penalty of perjury and swear to the truth thereof.

That I understand that this affidavit is required by Section 809 of the GENERAL MUNICIPAL LAW

and that a knowing failure to provide true information is punishable as a misdemeanor. Being so warned,

I state: That _____, is a

State Officer, is an (if a relative is employed by the Town of Riverhead please state their name, if none please state "No one")

officer or employee of Riverhead Town, and:

That this person has an interest in the person, partnership or association requesting the above stated relief.

That for the purpose of this section, an officer or employee shall be deemed to have an interest in the applicant where he, his spouse, or their brothers, sisters, parents, children, grandchildren or the spouse of any of them

1. Is an applicant,
2. Is an officer, director, partner or employee of the applicant,
3. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association, applicant, or
4. Is a party to an agreement with such an application, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
5. That ownership of less than five (5) per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchange shall not constitute an interest for the purpose of this section.

(Signature)

Sworn to before me this _____ day

of _____, _____

Notary Public

Agricultural Worker Housing permit requirements § 301-239

§ 301-239 Agricultural worker housing permit requirements. [Added 4-3-1990; amended 7-1-2003 by L.L. No. 9-2003]

A. The permit shall require that occupancy of agricultural worker housing shall be limited to persons employed on the farms of the applicant. Occupancy shall be by employees while they are employed in agricultural production. There shall be no rentals of this building. The building shall be subject to an annual inspection pursuant to Chapter 236 of the Riverhead Town Code by the Building Department of the Town of Riverhead. Said building shall, at all times, comply with all conditions of applicable laws, ordinances and rules governing its use and occupancy.

B. The permit shall require that construction of the camp commence and be completed within one year of the date of the granting of site plan approval.

C. The owner of the premises shall be actively and primarily engaged in commercial agricultural production in the Town of Riverhead.

D. The approval shall require that the camp buildings consist of a structure which shall include bedrooms, kitchen, dining and living room, bathroom and utility room. The camp building shall have a separate bedroom for every two persons, and the building shall conform to the New York State Fire Prevention and Building Code. All electrical and plumbing work shall comply with the New York State Fire Prevention and Building Code; prefabricated buildings with HUD certification shall be allowed. Plans and specifications for the camp building shall be subject to the approval of the Building Inspector. All buildings must obtain and maintain New York State, Suffolk County and OSHA permits. In no event shall the subject building be occupied by more than 20 persons without a further public hearing before the Town Board.

E. The permit shall require a plan to be approved by resolution of the Town Board of the Town of Riverhead which shall include a property survey prepared by a licensed surveyor, the location of the proposed buildings, the depiction of yard setbacks, and the depiction of suitable screening and buffering buildings from neighboring properties and public highways.

F. The permit shall require that an agent shall be appointed annually by the owner to maintain order, assume responsibility for the day-to-day operations, maintenance of the camp and the conduct of camp employees. Such agent shall be a resident of Riverhead Town and shall be appointed by written agreement with name, address and phone number filed with the Town Clerk and Police Department. Such agent shall be responsible for the daily orderly operation of the camp and shall have the authority to correct immediately any comments or complaints made.

G. The permit shall require that the subject premises shall be operated in accordance with the following conditions:

(1) Compliance with all relevant Town of Riverhead ordinance and County Sanitary Code requirements.

(2) No labor contractors shall be permitted on the premises.

(3) Compliance with all state laws, including operation free from a pattern of violations of the Penal Law by camp residents, i.e., three or more violations of the Town Code or New York State Penal Law in 18 months shall construe patterns of violations.

(4) Access to subject premises shall be permitted at all reasonable times to Town officials and representatives.

(5) The agricultural worker housing shall be abandoned and the real property conform to all Town of Riverhead zoning requirements upon the conversion of the principal agricultural use.

H. A permit to operate agricultural worker housing shall be submitted to the Building Department by the property owner or his designated representative, which shall affirmatively state that the agricultural worker housing unit(s) are in compliance with this section. The Building Inspector, upon an inspection of the subject premises and a finding of compliance, shall issue a permit to operate agricultural worker housing.

I. Failure of the applicant to comply with any of the stipulations enumerated herein shall be cause for revocation of the special permit after duly noticed hearing before the Town Board.

AGRICULTURAL WORKER HOUSING (Defined) -- Any area of land and all buildings or other structures pertaining thereto, any part of which may be occupied by persons employed as laborers in farm activities in the Town of Riverhead who are provided with sleeping facilities, in whole or in part, by the owner without a stipulated agreement as to the duration of their stay or whether or not they are supplied with meals, but who are supplied with such services or facilities as are necessary for agricultural production on the owner's property. [Added 7-19-2005 by L.L. No. 28-2005]