



## VILLAGE OF SAGAPONACK

PO Box 600  
3175 Montauk Highway  
Sagaponack, NY 11962  
www.sagaponackvillage.org  
631-537-0017 631-537-0612 (FAX)

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### APPLICATION FOR A FARM STAND PERMIT

Be advised that the items listed below are required for compliance with the farm stand law for your application. Please submit your application along with the items below so we may process your application in a timely manner.

1. Completed Farm Stand Application
2. An informal site plan, sketch or survey of the lot on which the farm stand is to be located, depicting the location and setbacks of all buildings and other structures, displays, signs, off-street parking areas, driveways and other significant natural or man-made features within 100 feet of the farm stand.

#### PART I – OWNER INFORMATION:

1. Owner of Farm Stand: \_\_\_\_\_
2. Owner's Mailing Address: \_\_\_\_\_
3. Owner's E-Mail Address: \_\_\_\_\_
4. Owner's Telephone Number: \_\_\_\_\_

#### PART II –PROPERTY INFORMATION FOR LOCATION OF FARM STAND:

1. Property Address: \_\_\_\_\_
2. TM# 473615- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_.
3. Property Size: \_\_\_\_\_

#### PART III – PROPERTY INFORMATION FOR PRODUCTION OF CROPS

(If different than land used for location of farm stand)

1. Property Address: \_\_\_\_\_
2. TM# 473615- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_.
3. Property Size: \_\_\_\_\_

#### PART IV – FARM STAND DETAILS:

1. Square footage of display area: \_\_\_\_\_
2. Date Farm Stand will open: \_\_\_\_\_
3. Date Farm Stand will close: \_\_\_\_\_

4. Crops to be grown on the farm to be sold at the farm stand: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. Crops not grown on the farm to be sold at the farm stand and percentage of display area occupied:

\_\_\_\_\_  
\_\_\_\_\_

6. Other products to be sold at the farm stand other than crops and percentage of display area occupied:

\_\_\_\_\_  
\_\_\_\_\_

**By signing this application I affirm that I have read the attached Village Code §245-36 entitled Farm Stands:**

\_\_\_\_\_  
Signature

\*\*\*\*\*

For Administrative Use Only

Application/Receipt # \_\_\_\_\_

Date Received: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Date Issued: \_\_\_\_\_

\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Date



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### § 245-36. Farm stands.

- A. It shall be unlawful to sell at retail crops and other farm-related products at a farm stand exceeding 30 square feet in area unless the farmer-operator shall apply for and receive a permit from the Building Inspector.
- B. The application for a farm stand permit shall contain:
- (1) A written statement describing and listing all crops grown by the farmer applicant which will be eligible for sale at the farm stand and a list of all products intended for sale at the farm stand; and
  - (2) An informal site plan, sketch or survey of the lot on which the farm stand is to be located, depicting the location and setbacks of all buildings and other structures, displays, signs, off-street parking areas, driveways and other significant natural or man-made features within 100 feet of the farm stand.
- C. The Building Inspector may issue a permit for the retail sale of crops and other farm-related products for a maximum period of nine successive months in any twelve-month period; the permit shall state its expiration date.
- D. A farm stand shall only be an accessory use to the growing of crops by the farmer applicant consisting of field crops, fruits, vegetables and cut flowers on a lot or lots located in the Village aggregating no less than 10 acres where all of the lots are part of a single agricultural operation under the control of the farmer applicant.
- E. A farmer applicant may sell supporting farm products and farm products not grown by the farmer applicant from a farm stand, provided that the total area of the farm stand devoted to the sale of such products does at no time exceed 20% of the combined area of such products and the area devoted to the sale of products grown by the farmer, and the portion of the farm on which the farm stand is located shall be no less than three acres. Supporting farm products include baked goods, eggs, cheese and milk, preserves, syrup, salad dressing, juice, tropical fruits, prepackaged snacks, chips and cookies. Supporting farm products shall not include prepackaged grocery items, other dairy products, meats or other perishable items, the sale of which is expressly prohibited at a farm stand. In the event of an unanticipated crop failure arising solely by reason of force majeure, substitute products otherwise the same as those customarily grown by the farmer but purchased elsewhere may be sold from a farm stand.
- F. Farm stands shall comply with the following requirements:
- (1) All farm stand buildings, structures and displays shall be set back no less than 10 feet from the edge of pavement. In no case shall any part of the farm stand buildings, structures and displays encroach on the public right-of-way. Such farm stands shall be an open walled structure not exceeding 600 square feet of display area.
  - (2) An area shall be provided for informal parking of at least five vehicles no less than 10 feet from the edge of the pavement.
  - (3) A vehicle not exceeding 6,000 pounds' net weight or a typical farm wagon may be utilized as a permitted farm stand but not any part of a vehicle customarily known as an "over-the-road tractor-trailer."

- (4) A farm stand may have no more than two temporary ground identification signs for the term of its permit. Such signs shall:
  - (a) Not exceed 12 square feet in area and six feet in height from the ground;
  - (b) Be located on the same lot as the farm stand not more than 150 feet from the intersection point of the front property line and a line perpendicular thereto to the farm stand;
  - (c) Not be illuminated or create a hazard to traffic; and
  - (d) Be removed when the farm stand closes for the season or when the permit expires if requested by the Village Board.
- (5) Nothing herein shall preclude the temporary use of a legally existing agricultural accessory building on a farm for the retail sale of crops and other farm-related products, provided that said building is set back no less than 10 feet from the edge of pavement. The farm stand shall only be permitted in a preexisting agricultural accessory structure that has been duly issued a certificate of occupancy or a certificate of compliance for an agricultural-related use prior to January 1, 2005, or a duly issued certificate of occupancy for said use by virtue of preexisting status.
- (6) A farm stand shall only be for the use of the farmer applicant and his immediate family. In the event that such farm stand is used by any other person, company, corporation, business or commercial entity, whether rented, leased or permitted in any other way by the farmer applicant, such a use shall not be deemed an accessory use and shall be deemed a violation of this article.
- (7) The farmer applicant shall remove all temporary buildings, structures and signs erected under the farm stand permit within 10 days of the closing of the farm stand or expiration of the permit. The farmer applicant's failure to remove the farm stand and temporary ground identification signs after the expiration of the temporary permit shall be deemed a violation of this article.
- (8) A farmer-operator may apply for the renewal of a farm stand permit, provided that such renewal will only be granted following a determination by the Building Inspector that the farmer applicant has operated the farm stand during the prior permit period in compliance with the requirements of this article and all other standards, codes, rules and regulations applicable to a farm stand.