

# PECONIC LAND TRUST



For immediate release

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## **AMBER WAVES FARM ACQUIRES ICONIC AMAGANSETT FARMERS MARKET AND FARMLAND FROM MAGGIE DE CUEVAS**

### **TRANSFER ALSO INCLUDES DONATION OF ADDITIONAL RESTRICTIONS ON THE PROTECTED FARMLAND TO PECONIC LAND TRUST**

**FEBRUARY 17, 2017. SOUTHAMPTON, NEW YORK.** The Peconic Land Trust announces the sale of the Amagansett Farmers Market and farmland, a total of 9.33 acres, by Maggie de Cuevas to Amber Waves Farm in Amagansett. Prior to the sale, Ms. de Cuevas donated Affirmative and Affordable Farming Covenants and Resale Restrictions to the Peconic Land Trust on 6.15 acres of the farmland which includes a provision that 80 percent of the farmland be restricted to growing food.

“Security through land ownership is critical to the long-term sustainability of any farming enterprise. We are ecstatic to reach this milestone and are honored to become a permanent a part of the fabric of the Amagansett community. We are grateful for years of immeasurable support from our farm’s board of directors, members, donors, and neighbors, as well as the de Cuevas family, Peconic Land Trust, and nearby Quail Hill Farm and Balsam Farms. The unwavering support we have received from our

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community underscores our continued commitment to our mission of food education. We are looking forward to continuing the pursuit of this mission through many future decades of stewardship of Amber Waves Farm while we welcome the community to enjoy the farm as it grows and evolves. The acquisition of our farm land is the culmination of years of effort, and also represents the start of a new and exciting chapter in the evolution of Amber Waves Farm. We're excited for the work ahead and the opportunity to serve the people of the east end," said Amanda Mellow, Amber Waves Farm.

"All of us at the Trust will be forever grateful to Maggie de Cuevas for her strong conservation ethic. In this case, she stepped up and acquired the Amagansett Farmers Market in 2008 to prevent the property from being developed. Now, she has turned the property over to young farmers and ensured a future of fresh, locally grown vegetables, fruits, herbs and more on this fertile land. Her gift of additional restrictions on protected farmland is the first of its kind in East Hampton Town. We are very pleased with this outcome, and wish Amber Waves tremendous success as they move forward with their innovative farm operation," said John v.H. Halsey, Peconic Land Trust.

Looking ahead, Amber Waves Farm will continue its commitment to the East End community through food education and land stewardship. The farm is also eager to lead the operation of the adjacent Amagansett Farmers Market for the first time, and looks forward to sharing more details about plans for the market as the season approaches.

### **History of Conservation**

In 2008, the Peconic Land Trust worked with Maggie de Cuevas, Pat Struk (the prior owner of the Amagansett Farmers Market), and the Town of East Hampton to conserve

the property. Simultaneous to the purchase of the property by Ms. De Cuevas, the Town of East Hampton purchased the development rights on 7.56 acres.

The conservation of the Amagansett Farmers Market and attendant farmland had been under discussion for several years. At the time, Trust President John v.H. Halsey said: “Conservation transactions are complex, and it is not unusual for these transactions to take years before they reach fruition. We are very grateful to Pat Struk for working with us to conserve the Market and cannot express fully our gratitude to Maggie de Cuevas for her on-going support of the Trust’s conservation work as exemplified by this important acquisition.” In addition to de Cuevas and Struk, Halsey noted the critical role that the Town of East Hampton played through the purchase of the development rights on the 7.56 acres of farmland included in the market property. “This transaction shows the power of public and private partnerships. It is a wonderful day for the Trust, the Town, and the Amagansett community. We look forward to a vibrant market in Amagansett that highlights the importance of our regional agricultural economy,” Halsey added.

### **Affirmative & Affordable Farming Covenants and Resale Restrictions**

In recent years, sales of protected farmland on Long Island’s South Fork to non-farmers have been as high as \$300,000/acre, raising the average value of protected farmland to over \$100,000/acre—values well beyond the reach of the vast majority of farmers who grow food. However, through the use Affirmative & Affordable Farming Covenants and Resale Restrictions, the value of the protected farmland can be lowered to its “true agricultural value” for food production. The Amagansett Farmers Market farmland parcels include the following restrictions:

- 80 percent of the farmland must be used for the production of food;
- equestrian use of the property is prohibited;
- vineyard use of the property is prohibited;
- horticultural products that result in the removal of soil from the property are prohibited;
- if the farmland is fallow for one year, it must be kept available for agricultural use and managed subject to a Natural Resource Conservation Plan;
- if the farmland is fallow for 2 years, the Trust has the right to lease it to another farmer to ensure that it remains in agricultural production.
- future sales of the additionally restricted farmland are limited to its value at the time the Affirmative & Affordable Farming Covenants were donated to the Trust (about \$25,000/acre) plus the value of any agricultural improvements added to the property by the farmer. The land's appreciation is limited to the lower of either the Area Median Income (AMI) or the Consumer Price Index (CPI) not to exceed 3.5% annually;
- the Trust reviews and approves all future sales to ensure that the restricted farmland is purchased by a qualified farmer;
- the Trust will be the purchaser of last resort if the owner is unable to find a farmer to purchase the restricted farmland in the future. When purchased under these circumstances, the protected farmland would be offered for sale to qualified farmers through a transparent selection process including a "request for proposals" and lottery, if necessary.

### **Why is this Important?**

Landmark efforts to protect farms and farming in Suffolk County that began in the 1970s are unraveling. In total, about 12,000 of 34,000 acres of farmland in Suffolk County have

been protected from residential or commercial development through development restrictions held by Suffolk County, Towns, and the Peconic Land Trust. For the most part, these restrictions protect the resource but do not assure that protected farmland will be farmed. This has led to the dramatic increase in the number of non-farmers purchasing protected farmland for lawns and other amenities to development as well as for equestrian purposes, especially on the South Fork. As a consequence, agriculture as we know it, including the production of local food, may very well disappear on Long Island, perhaps within a generation on the South Fork, unless aggressive actions are taken.

Not only has this new trend driven up the value of protected farmland to over \$100,000/acre on the South Fork, but also has additional consequences, including:

- a tremendous increase in federal and state inheritance tax liabilities for farmers, which will necessitate the sale of protected farmland at the highest possible price, primarily to non-farmers;
- an inability for most farmers who produce food to purchase protected farmland at \$100,000/acre or more (the maximum they can afford is \$20,000 - \$30,000/acre);
- without working farms that provide fresh, locally-produced food to residents and visitors alike, we will lose an extraordinary facet of our community character and an important component of our local economy.

### **About Farms for the Future Initiative**

The Peconic Land Trust's Farms for the Future Initiative includes farmland leases, incubator programs, and sales of protected farmland, some with additional restrictions that limit non-agricultural activities, designed to assure access and affordability for

farmers in the future. The majority of the lessees operate on protected farmland owned by the Trust either at our Agricultural Center at Charnews Farm in Southold or at the Deborah Light Preserve in Amagansett, home of the Trust's Quail Hill Farm.

Objectives of the Farms for the Future Initiative:

- Keep conserved agricultural land actively farmed
- Create opportunities for farmers to start-up and/or expand their agricultural operations
- Promote the diversity of farming and farmers on Long Island
- Encourage food production farming
- Ensure that farmland is available and affordable to farmers

To learn more about this program, please contact Melanie Cirillo, Director of Conservation Planning, at 631.283.3195 or [mcirillo@PeconicLandTrust.org](mailto:mcirillo@PeconicLandTrust.org).

### **About Amber Waves Farm**

Amber Waves Farm was founded in 2009 by Katie Baldwin and Amanda Merrow as a 501(c)(3) not-for-profit educational farm. The farm specializes in vegetables, flowers, and grains and operates a 150-member Community Supported Agriculture program (CSA). The farm pursues its educational work through on-farm and in-classroom lessons with local schools, after-school groups, and summer programs as well as collaborations with museums and other educational non-profits. Additionally, Amber Waves Farm manages an Apprenticeship Program that trains aspiring farmers through a season-long hands-on intensive course in farm work. Throughout eight seasons, the farm has opened its gates to thousands of children and trained more than 20 new farmers. The farm is open to the public every day from May through November. For more information visit [www.AmberWavesFarm.org](http://www.AmberWavesFarm.org).

### **About the Peconic Land Trust**

Founded in 1983, Peconic Land Trust conserves Long Island's working farms, natural lands, and heritage. Since its inception, the nonprofit Trust has worked conscientiously with landowners, communities, municipalities, partner organizations, and donors, to conserve approximately 12,000 acres of land on Long Island. The Trust's professional staff carries out the necessary research and planning to identify and implement alternatives to outright development. While working to conserve the productive farms, watersheds, woodlands, and beachfront of Long Island, the Trust is also protecting the unique rural heritage and natural resources of the region.

The Trust has Stewardship Centers in Cutchogue, Bridgehampton (Bridge Gardens), Southold (Agricultural Center at Charnews Farm and Shellfisher Preserve) and Amagansett (Quail Hill Farm) and its Main Office is in Southampton. *The Trust depends primarily upon private donations to support its conservation work. A common misperception, however, is that the Peconic Land Trust collects and distributes the monies raised through the Peconic Bay Region Community Preservation Fund (the CPF is also referred to as the 2% land transfer tax or the Peconic Land Tax). This is NOT the case. The CPF is a public program managed by each of the five East End Towns for the protection of farmland, open space, and community character.* For more information about the Peconic Land Trust visit [www.peconiclandtrust.org](http://www.peconiclandtrust.org) or call 631.283.3195.

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