COUNCIL ON ENVIRONMENTAL QUALITY

Minutes

A regular meeting of the Council on Environmental Quality was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on May 21, 2003.

Members Present:
Theresa Elkowitz - Chairperson
Larry Swanson - Vice-Chair
Thomas Cramer
Michael Kaufman
Adrienne Esposito
Lance Mallamo
John Finkenberg

Members Not Present:
Legislator Ginny Fields
Nancy Manfredonia

Also in Attendance:
Alexandra Sullivan - Chief Deputy Clerk/SC Legislature
Roger Podd - Aide to Presiding Officer Postal
Thomas Isles - Director/Suffolk County Planning Department
James Bagg - Chief Environmental Anaylst/SC Planning Department
Penny Kohler - Suffolk County Planning Department
Peggy DeKarns - Suffolk County Planning Department
Richard Martin - Historic Services
Joy Squires - CAC of Huntington
Steve Brown - CAC of Brookhaven
Judith Gordon - Commissioner/Suffolk County Parks Department
Ralph Borkowski - Landscape Architect/Department of Public Works
Stephen Jones - Executive Director/Suffolk County Water Authority
Steven Colabufo - Suffolk County Water Authority
All Other Interested Parties

Minutes Taken By:
Alison Mahoney - Court Stenographer

*(*The meeting was called to order at 9:31 A.M.*)*

CHAIRPERSON ELKOWITZ:
Good morning. I'm going to call the meeting to order and ask that the members review -- I guess we'll take the minutes in order. *First the meeting minutes of the November 20th, 2002 meeting* and we'll take any corrections if there are for the stenographer? Are there any comments or corrections? If not, I'll entertain a motion.

MR. KAUFMAN:
Motion.

CHAIRPERSON ELKOWITZ:
I have a motion to accept the minutes. Do I have a second?

MR. CRAMER:
Second.

CHAIRPERSON ELKOWITZ:
I have a second by Mr. Cramer. All those in favor? Opposed? Abstentions? *Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).*

The next is the meeting -- the minutes of the meeting of January 15th, 2003; are there any corrections? Did we -- December 4th isn't on here, December isn't on here. I have my December also. January 15th, 2003; are there any corrections? I'll entertain a motion.

MR. CRAMER:
Motion.

CHAIRPERSON ELKOWITZ:
I have a motion by Mr. Cramer. Second? Second by Ms. Esposito. All those in favor? Opposed? Abstentions? *Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).*

Minutes of March 19th, 2003; are there any corrections? I'll entertain a motion.

MR. SWANSON:
Motion.

MR. KAUFMAN:
Second.

CHAIRPERSON ELKOWITZ:
I have a motion by Mr. Cramer, a second by Mike Kaufman. All those in favor? Opposed? Abstentions? *Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).*

Okay, *minutes of April 16th, 2003;* any corrections?

MS. ESPOSITO:
Did we get those?

CHAIRPERSON ELKOWITZ:
They were mailed to your home because I got mine yesterday.

MS. ESPOSITO:
I didn't get those.

CHAIRPERSON ELKOWITZ:
You didn't get them. Did everybody else get them?

MS. ESPOSITO:
I received March but not April.

CHAIRPERSON ELKOWITZ:
Everybody else got them? Okay, so I have a quorum voting. Do I have a motion? I have a motion by Mr. Swanson. Do I have a second by Mr. Cramer. All those in favor? Opposed? One abstention, Ms. Esposito, she didn't have them. ***Carried (Vote: 5-0-1-3 Abstention: Adrienne Esposito - Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).***

Okay, I also have -- my records show that we don't have a resolution on the meeting minutes of December 4th, 2002; does anybody have those meeting minutes except for Mr. Swanson and I?

MR. KAUFMAN:
I have them someplace, not here.

CHAIRPERSON ELKOWITZ:
I don't believe we've ever approved these minutes. So what we'll do is we'll just table it for next time, if everybody could just take a look at them and then we'll approve them or correct them for next time. Okay?

The next item on the agenda, ***Recommended Type II Actions. The first is, A, Ratification of staff recommendations for Legislative Resolutions laid on the table April 29th and May 13th.*** Jim, is there anything you would like to call to the Council's attention?

MR. BAGG:
No.

CHAIRPERSON ELKOWITZ:
Yes, Mr. Kaufman?

MR. KAUFMAN:
I'm going to have to abstain on 1352, I object to the bill but I will abstain to it.

CHAIRPERSON ELKOWITZ:
We didn't ask you that. That's not what we're here to talk about.

MS. ESPOSITO:
But thank you.

CHAIRPERSON ELKOWITZ:
Thanks for telling us.

MR. KAUFMAN:
Thank you for sharing.

CHAIRPERSON ELKOWITZ:
Does anybody else have any questions about any of the Legislative Resolutions or the staff recommendations?

MR. KAUFMAN:
I'll make a motion to accept the staff recommendations, except that I will be abstaining on 1352.

CHAIRPERSON ELKOWITZ:
Okay, for the resolutions laid on the table April 29th and May 13th, 2003.

MR. KAUFMAN:
Yes.

CHAIRPERSON ELKOWITZ:
Do I have a second?

MS. ESPOSITO:
Second.

CHAIRPERSON ELKOWITZ:
Ms. Esposito. All those in favor? Opposed? Abstentions? *Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).*

Item 1B is Tabled Resolution, Proposed Improvements to the Shraeder House, Building C831(CP3046) Town of Brookhaven. I have correspondence here from Ralph Borkowski; is Mr. Borkowski here? Hello, Ralph, how are you?

MR. BORKOWSKI:
Hello. Good morning, everyone.

CHAIRPERSON ELKOWITZ:
Good. We tabled this and we had some questions. Would you like to just explain to us what you've presented here?

MR. BORKOWSKI:
Well, I checked out the building and the building was built in 1987, so it is not obviously an historic building. I have plans here which show elevations which are typical colonial type of house, nothing really exciting about it.

CHAIRPERSON ELKOWITZ:
Okay. So then do we want to modify your letter? Because your letter to me says the building was constructed in the 1970's.

MR. BORKOWSKI:
So it's 1987?

MR. BORKOWSKI:
I have the plans right here; yes, 1987 that was a mistake by me.

CHAIRPERSON ELKOWITZ:
Okay. That's fine, we'll fix it.

MR. MALLAMO:
I do remember that in 1987 and I don't remember being here in the 70's. I do recall, though, that the house replaced a house that was of historic significance. It was burned down by the tenants, I think they were Youths in Need of Supervision and apparently they didn't get enough and burned the house down. And at the time that CEQ requested that the design scheme be more or less similar to what was there because of other nearby historic buildings, so that's why it had the hip roof, etcetera.

MR. BORKOWSKI:
Okay.

MR. MALLAMO:
I think it was always supposed to be painted white, I don't think it ever was painted but the original house was white. And there is another one on that property that --

MR. BORKOWSKI:
That's the {Volker} house I think.

MR. MALLAMO:
Right, the two were very similar, just so we have that on the record.

CHAIRPERSON ELKOWITZ:
Okay. So does anybody have any questions regarding the improvements that are proposed by DPW on this house? Okay. If not, I'll entertain a motion for a Type II Action.

MR. KAUFMAN:
Motion.

CHAIRPERSON ELKOWITZ:
I have a motion. Do I have a second --

MR. CRAMER:
Second.

CHAIRPERSON ELKOWITZ:
-- by Mr. Cramer. All those in favor? Opposed? Abstentions? *Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).* Thanks, Ralph. Have a good day.

Okay, *1C, Proposed Installation of Suffolk County Water Authority Test Well on Suffolk County Parklands in Springs, Town of East Hampton.*

MR. GIBBONS:
Nick Gibbons, Suffolk County Parks. Good morning.

CHAIRPERSON ELKOWITZ:
Good morning. How are you?

MR. GIBBONS:
Good, thanks.

MR. KAUFMAN:
Please identify yourself for the record, sir.

CHAIRPERSON ELKOWITZ:
He just did.

MR. GIBBONS:
Done already; thanks, Mike. I have Steve Jones and Steve Colabufo from the Water Authority here today, they're here to speak to this test well if there are any questions regarding it.

After several meetings with the Water Authority, we came to a mutual agreement as to the location of the test boring. The original location was off of Red Dirt Road and it's now off of {Acabonik} Road. The reason for that was the parcel is sort of irregular in shape and I wanted the test boring more concentrated towards the residential areas on {Acabonik} Road more than in the undeveloped area which is off of Red Dirt Road.

CHAIRPERSON ELKOWITZ:
Is any of the property disturbed currently?

MR. GIBBONS:
No, it's not, and the test boring is going to require clearing to accommodate the equipment.

CHAIRPERSON ELKOWITZ:
About a quarter of an acre, according to the information I have.

MR. GIBBONS:
Right. I'm not sure if -- I know this arrived late so I apologize for that, but do you have anything other than a letter for your review?

CHAIRPERSON ELKOWITZ:
I have nothing but a letter.

MR. GIBBONS:
Okay. We have plot plans and aerial photographs as well, we can distribute those. It's a Quarter Percent property, Drinking Water Protection managed as Nature Preserve but not dedicated to.

MR. BROWN:
(Inaudible).

MR. GIBBONS:
It was regular parkland, you know, general parkland property.

CHAIRPERSON ELKOWITZ:
Use a microphone.

MR. BROWN:
My question was how is it dedicated as parkland.

MR. GIBBONS:
This is the location of the test boring. {Acabonik} Road is sort of a north/south, Red Dirt Road forms the northern boundary of the property and the original location that the proposed test boring is in was in the area in general where those purple outlined parcels are.

MR. CRAMER:
The plot plan that you gave us, what does it show? It shows test boring location but then it shows other things also; why don't you explain that a little bit.

MR. GIBBONS:
Right. The Water Authority can speak to that more than I could, but this is the future. If the test boring proved to be the water quality was of acceptable -- within acceptable limits, this is the infrastructure required.

MR. COLABUFO:
Yes, we drew -- Steve Colabufo from Suffolk County Water Authority. In addition to the showing of the test boring location, we also wanted to show potential layout of a future well field in the event that the water quality is acceptable. But right now, obviously the first portion of the project is to do the test boring and determine geology and water quality on the site. If they're acceptable, we would then proceed at some future date with wells and a building pending the water quality results. And that's what's laid out right there.

MR. CRAMER:
At this point it's just the test boring being shown and you'll be back to us with everything else?

MR. COLABUFO:
Yes.

MR. CRAMER:
Okay.

MR. KAUFMAN:
Mr. Jones, do you have any idea what the depth of the groundwater is right now, I mean, just as a general idea?

MR. COLABUFO:
Off the top of my head, I'm not totally sure but I would imagine it's fairly deep on the order of 70 feet or so, the groundwater.

CHAIRPERSON ELKOWITZ:
Where's the landfill in relation to this property?

MR. COLABUFO:
The landfill is southwest, southwest of the area, a couple of miles I believe.

MR. JONES:
We have been working with I guess it's CDM on that landfill plume and looking at it and also characterizing our site, we don't believe that there's going to be a connection between the two at all.

CHAIRPERSON ELKOWITZ:
Or that you would cause any draw-down that would alter the direction. All right. Well, you're just here actually for the installation of a test well, so the rest of it is actually -- that's just a planning exercise, the rest of it would be deferred -- the rest of the review would be deferred, not that it would be improper segmentation, this is just a planning exercise. I don't have any questions regarding this. I mean, it seems to me that the location is suitable, it's right off the road, it would be the least disturbance. So if the test well was not satisfactory, you wouldn't have a major --

MR. KAUFMAN:
And even if the surrounding properties were connected up to wells themselves and there might have been a cone of influence, we're only looking at a test well right now.

CHAIRPERSON ELKOWITZ:
Exactly.

MR. KAUFMAN:
We're not looking at actual production.

CHAIRPERSON ELKOWITZ:
That's exactly right.

MR. GIBBONS:
Just as a point of information. From the Parks Department's perspective, we always look at these test borings in terms of this is just the first step in several steps. So we always asked the Water Authority to consider -- you know, to think about the entire site at once even though we will be coming back to you guys with the rest of --

CHAIRPERSON ELKOWITZ:
Well, that's sensible. But I would say if you're going down the segmentation road, that it's kind of speculative to do an analysis of the impact of this now because if the test well is not successful then they're not going to do anything else.

MR. GIBBONS:
Right, correct.

CHAIRPERSON ELKOWITZ:
So from a SEQRA perspective, I really don't believe that this is an impermissible segmentation.

MR. GIBBONS:
Right.

CHAIRPERSON ELKOWITZ:
But if somebody feels differently, now's the time. Okay. With that, I'll entertain a motion if no one has any questions.

MR. KAUFMAN:
Motion.

CHAIRPERSON ELKOWITZ:
Motion for Type II?

MR. CRAMER:
Motion, Type II.

MR. KAUFMAN:
Second.

CHAIRPERSON ELKOWITZ:
I have a motion, I have a second. All those in favor? Opposed? Abstentions? ***Carried (Vote: 6-0-0-3 Not Present: Legislator Ginny Fields, Nancy Manfredonia & John Finkenberg).*** Thank you.

MR. GIBBONS:
Thanks.

(*John Finkenberg entered the meeting at 9:43 A.M.*)

CHAIRPERSON ELKOWITZ:
Nick, do you want these back?

MR. GIBBONS:
No, you can keep those.

CHAIRPERSON ELKOWITZ:
1D, Proposed Surveillance, Control and Data Acquisition for Suffolk County Sewer Districts. Ron Warren from Public Works. Good morning.

MR. WARREN:
I'm representing Ben Wright from Public Works.

CHAIRPERSON ELKOWITZ:
Okay. I have a memorandum from Ben Wright dated May 15th, 2003 "We are in the process of initiating work on the referenced Capital Project which is the Surveillance, Control and Data Acquisition for Suffolk County Sewer District. The project entails purchase of equipment with installation in our various sewer districts and pump stations. I will have attached a summary that describes the system and how it will be utilized. Based on our review of the SEQRA documents, we have concluded that the project is a Type II Action covered under 617.525. We look for your concurrence in this matter and we are submitting resolutions in the near future to fund the project." Do you want to give just a brief description of what the project is, and identify yourself just for our purposes.

MR. WARREN:
I'm Ron Warren from Public Works.

CHAIRPERSON ELKOWITZ:
Uh-huh.

MR. WARREN:
We have a plan to install on all the pump stations and sewage treatment plants that are owned and operated by Suffolk County devices

that would allow us to utilize radio frequency to communicate with all these -- with pump stations and plans to ensure their dependability and operation.

CHAIRPERSON ELKOWITZ:
Okay. So it's a purchase of equipment and the citation, I just checked the citation, the citation is purchase or sale of furnishings, equipment to suppliers including surplus government property other than the following; land, radioactive materials, pesticides, herbicides or other hazardous materials."

MR. CRAMER:
Motion for a Type II.

CHAIRPERSON ELKOWITZ:
I have a motion for a Type II. Do I have a second?

MR. MALLAMO:
Second.

CHAIRPERSON ELKOWITZ:
I have a second by Mr. Mallamo. All those in favor? Opposed? Abstentions? ***Carried (Vote: 7-0-0-2 Not Present: Legislator Ginny Fields & Nancy Manfredonia).*** Thank you.

MR. WARREN:
Thank you.

CHAIRPERSON ELKOWITZ:
Okay. ***2, Proposed Donation of property by First Time Design, Inc., to Suffolk County within Mastic/Shirley Conservation Area, Suffolk County Tax Map No. 0200-982.10-03.00-022.000 - Town of Brookhaven.*** Is there someone here to speak on this; no? Jim, do you know anything about this?

MR. BAGG:
We're on the donation?

CHAIRPERSON ELKOWITZ:
Yes, Donation of Property to provide First Time Design to Suffolk County within the Mastic/Shirley Conservation Area.

MR. BAGG:
Basically, Terry, all these things are proposed donations to the County of small parcels of land within County Nature Preserves by various respective property owners, that's the next number of projects. Apparently the Health Department has transferred or allowed transfers of development rights to other parcels which predated this. These parcels have now been stripped of development rights and the owners want to donate them to Suffolk County because they're within Nature Preserve sites.

CHAIRPERSON ELKOWITZ:
Okay. And in Mastic/Shirley I know the Health Department has had an ongoing promise program regarding these small parcels.

MR. BAGG:
That's correct, and also the Planning Department.

CHAIRPERSON ELKOWITZ:
This is part of that ongoing program?

MR. BAGG:
Yes. All of these things have been reviewed by the Planning Department they do lie within existing Nature Preserve areas which we originally picked up properties through tax defaults and these are like fill-ins.

CHAIRPERSON ELKOWITZ:
Does anybody have any questions for Jim?

MR. SWANSON:
I do. Jim, I know we've seen this before but perhaps with all these additions it would be helpful if we could see how the whole area is filling in at some time.

CHAIRPERSON ELKOWITZ:
You mean just over all in the Nature Preserve area.

MR. SWANSON:
Over all.

MR. BAGG:
Yeah, that's fine. I'll be happy to have the Planning Department, you know, come in and give you an overview of those areas which are targeted for fill-in areas.

CHAIRPERSON ELKOWITZ:
Or even when we have donations like this, have the maps of what we already own available so we can just see -- I don't think it requires a grand presentation, but I think what Larry is saying is you could see this kind of in concert with everything we own and we're looking for.

MR. BAGG:
Okay.

CHAIRPERSON ELKOWITZ:
Okay?

MR. BAGG:
I mean, the map does show small parcels --

CHAIRPERSON ELKOWITZ:
I saw it.

MR. BAGG:
-- that are in Nature Preserve earmarked on the map.

CHAIRPERSON ELKOWITZ:
On the tax map.

MR. BAGG:
Yes.

MR. KAUFMAN:
Yeah, I think Lauretta already has some of those maps out there, she can generate them relative quickly because I've seen the stuff in the past.

MR. BROWN:
The Town of Brookhaven actually has an overall map of County-owned properties as well as the town and the Federal Government. Am I on?

MR. KAUFMAN:
Nope.

MR. BROWN:
The Town of Brookhaven --

CHAIRPERSON ELKOWITZ:
No, you were on before.

MR. BROWN:
I was on before; thanks, Mike.

MR. KAUFMAN:
Don't listen to me.

MR. BROWN:
The Town of Brookhaven actually has an overall map of the open space land with the County and the Town, Federal Government, whatever other properties that have been put in preserve. So I'm sure that we will be making that map available to you.

CHAIRPERSON ELKOWITZ:
But I think Larry is right, I think that when these come we should just see these parcels in relationship to all the rest. Any questions? If not, I'll entertain a motion.

MR. SWANSON:
Motion.

CHAIRPERSON ELKOWITZ:
Motion, Unlisted Neg Dec?

MR. SWANSON:
Yes.

CHAIRPERSON ELKOWITZ:
I have a motion. Do I have a second?

MR. KAUFMAN:
Second.

CHAIRPERSON ELKOWITZ:
Second by Mr. Kaufman. All those in favor? Opposed? Abstentions? Carried.

MR. CRAMER:
Terry, I'm --

CHAIRPERSON ELKOWITZ:
You're going to abstain?

MR. CRAMER:
Abstain, yeah, that's one of my clients.

CHAIRPERSON ELKOWITZ:
Okay. *Carried (Vote: 6-0-1-2 Abstention: Tom Cramer - Not Present: Legislator Ginny Fields & Nancy Manfredonia).*

All right, the next one is *3, Proposed Donation of Property by PG Builders, Inc., to Suffolk County within the Patchogue River County Nature Preserve, SCTM No. 0200-837.00-016.001, Town of Brookhaven.* Jim, anything you would like to tell us about this one?

MR. BAGG:
It's pretty much the same thing, Terry. They're within designated areas for acquiring property for Nature Preserve purposes.

CHAIRPERSON ELKOWITZ:
And it's about a quarter of an acre. Anybody have any questions? If not, I'll entertain a motion.

MR. SWANSON:
Motion.

MR. KAUFMAN:
Motion.

CHAIRPERSON ELKOWITZ:
Motion by Mr. Swanson, second by Ms. Esposito. All those in favor? Opposed? Abstentions? *Carried (Vote: 7-0-0-2 Not Present: Legislator Ginny Fields & Nancy Manfredonia).*

Next, *4, Proposed Donation of Property by Michael R. Strauss to Suffolk County within the Mastic/Shirley Conservation area, SCTM No. 0200-983.40-005.000, Town of Brookhaven.* It's the same --

MS. ESPOSITO:
It's the same thing.

CHAIRPERSON ELKOWITZ:
Same procedure.

MS. ESPOSITO:
I make a motion.

CHAIRPERSON ELKOWITZ:
I have a motion for an Unlisted Neg Deck.

MR. MALLAMO:
Second.

CHAIRPERSON ELKOWITZ:
I have a second by Mr. Mallamo. All those in favor? Opposed? Abstentions? *Carried (Vote: 7-0-0-2 Not Present: Legislator Ginny Fields & Nancy Manfredonia).*

Okay, *5, Proposed Iron Point Recreation Facility, Town of Southampton.*

MR. ISLES:
Good morning. My name is Tom Isles and joining me today for this presentation are representatives of the Town of Southampton including Marty Shea, Chief Environmental Analyst, as well as Mary Wilson Who is the head of the Open Space Acquisition Programs and Coordinator for the Town of Southampton. Also with us today regarding this matter is a representative of The Nature Conservancy, Kerry Pogue. The Nature Conservancy is the current owner of the property that the County is seeking to purchase. In addition, the Commissioner of the Department of Parks is here today, Judy Gordon, as well as the Director of Sports and Recreation, Greg Lauri. I would just like to provide a brief opening in context to this matter to you and then turn it over to the town for a further explanation of what's before you.

Essentially, the matter before you is a proposed acquisition, a resolution for acquisition of property known as Iron Point, and this is a matter that was before you last month for another segment of this acquisition. And Iron Point is located in the Flanders Bay/Reeve's Bay area of the Peconic Estuary. It is in the Town of Southhampton, quite obviously, and it's a parcel that totals about 141 acres directly opposite Indian Island County Park, so obviously it's connected or related to other County open space. It's a parcel that consists of almost two miles of shore line, so a very significant parcel.

The parcel was the subject of a subdivision application that was awaiting final approval for a total of 44 residential building lots. As will be described in further detail, the site also was the subject of dredge spoil deposition for many years which affects part of the site. It is a site that we consider to be extremely important and what's been crafted here is an acquisition that not only has a majority of participation by the Town of Southampton, they have invested substantially in this location, but also with the County and pooling different programs, both the Open Space Program as well as the Active Recreation Program, to come up with what we believe will be a balanced plan primarily for protection, environmental protection of the Peconic Estuary System, but also allowing in the disturbed area some public active uses so there's public access to this property as well.

Obviously, once again, the matter before you is the resolution before the Legislature to authorize this acquisition involving 13.1 acres of this overall property of 141 acres. And obviously, prior to any specific development of this site for the active recreational uses, it would be subject to more closer examination including by New York State DEC for title wetlands permits as well as by local Town of Southampton requirements. Further, the management agreement with the County of Suffolk County would require review back by the county at administrative level.

So that's an overview of the acquisition. This is 13.1 acres, it's part of a much larger site on a site that we consider to be key in terms of preservation. And at this point I'd like to turn it over to the town for perhaps a little bit more detailed itemization of the items proposed.

MR. SHEA:
Thank you, Tom, and good morning. Marty Shea, Chief Environmental Analyst for the Town of Southampton. What you're seeing before you is a conceptual plan for recreational improvements that was developed by the town in concert with the county. As Tom has indicated, this is a very significant piece, it's at the mouth of the Peconic River. It has both areas of pristine woodlands and wetlands areas that are critical as watershed lands or ecologically sensitive areas that are integral parts of the Peconic Estuary. It also has significant disturbed areas. As Tom has indicated, there is a history on this site in terms of significant dredge spoil placement in the center of the property. Many of those areas where dredge spoils are present are still bare, sandy, disturbed areas. There is some successional vegetation that has come into some of those areas. There also is an existing little league field on the site. The Flanders community has a small little league field that has been in operation for some time on this site.

The recreational improvements that are planned are focused within the existing disturbed area. Our plan is to provide for both active recreational uses and within the more ecologically sensitive areas of the property provide for passive uses. Those passive uses would include trails, there is an existing trail network on the property. There is a good opportunity for a title wetlands restoration on this site, the town has been working closely with Ducks Unlimited and the U.S. Fish and Wildlife Service to restore title flow into some of the impacted wetlands. The wetland areas, their plan is essentially to set those areas aside as a Nature Preserve and bird sanctuary area. Within that area there's an opportunity for water access, you'll see on there a conceptual plan, a proposal for a kayak launching site on the eastern portion of that property, that site as well as other sites on the property would provide opportunities for fishing as well.

Within the heavily disturbed portions of the property you see a variety of recreational uses that are planned. In addition to the existing little league field, a second softball field would be created. There is a plan right now for two soccer fields in that area, a volleyball court. There also is a real good opportunity because of the property's location to provide for interpretation with respect to the Peconic Estuary Program. What we're proposing at this time is to create an interpretive center where people -- where we'd have the opportunity to educate people and increase their awareness of the value of the Peconic Estuary System. That also would be within the existing disturbed area, that would be a starting point for environmental tours of the property and environmental education activities.

You also see in the conceptual plan a plan for some limited camping. The kind of camping activities that we're envisioning right now are tents on raised platform, this would be an opportunity both to work

with school groups as well as other groups and provide essential environmental education.

Part of the proposal also includes installing a public restroom facility. All those activities, again, would not only be situated in the existing disturbed areas but would be situated at significant setbacks, both from the title wetlands and fresh water wetlands on the site. Fresh water wetlands are minimal, they're within the existing Pine Oak Forest that covers western half of the property, no disturbants or active recreational uses are proposed in that area. But through the trail network there would be an opportunity to see the fresh water wetlands as well.

The plan, again, that you're seeing before you right now is conceptual. Obviously, as we go forward with working out the details of this plan, this plan, again, will be brought before the County. We also, as Tom indicated, would of course be filing for all necessary DEC permits including DEC Title Wetlands permits and that would give us all the opportunity to ensure that the eventual plan for this site is not going to have any adverse impacts on our Title Wetlands or the environment.

CHAIRPERSON ELKOWITZ:
Are you in the Wild Scenic and Recreational River Corridor here?

MR. SHEA:
The Wild Scenic Recreational Rivers Corridor actually ends at the damn, at the Riverhead traffic circle. This property is east of the traffic circle so we're outside of the Wild Scenic and Recreational River's Corridor.

At this time, if there are some questions regarding potential environmental impacts or regarding the nature of the proposal that is before you, I would be happy to answer that. Again, we also have in attendance here today Mary Wilson, she serves as the town's Community Preservation Director, as well as Kerry Pogue with The Nature Conservancy.

CHAIRPERSON ELKOWITZ:
Larry?

MR. SWANSON:
I think you've outlined a number of things that don't seem to be here in the material we have been presented with. You have outlined a number of very interesting things that you plan to do with the property that rarely seem to be indicated here in the material that you provided.

For example, you mention that there would be toilets and so forth, but yet it says one of the forms that sanitary sewage is not applicable, solid wastes are not applicable. So the form seems to be a little inconsistent with what you have discussed.

The other thing I would be interested in knowing is you're talking about using the dredged material area for recreational use, and from what I've heard about the Peconic River, that it's highly contaminated

by the sewage treatment plant. I'm wondering, have you done any tests on the soil in the dredged material area to see whether or not you should be putting ball fields on it?

MR. SHEA:
We haven't tested any of the dredge spoil materials so far, but certainly that's something we could do as part of this process.

CHAIRPERSON ELKOWITZ:
I have a concern because -- Jim, we're proposing to acquire this under Active Recreation under Greenways, the Active Recreation portion?

MR. BAGG:
Yeah, that's correct. The County is acquiring 13, roughly 13.1 acres for active recreation but this facility is much larger.

CHAIRPERSON ELKOWITZ:
Right.

MR. BAGG:
It will expand on to the property that the town currently owns.

CHAIRPERSON ELKOWITZ:
Right, but our procedure regarding that is to have a real plan before us with an EAF that. You know, we, I mean, historically --

MR. BAGG:
That's correct.

CHAIRPERSON ELKOWITZ:
-- do not segment the review that we're acquiring it now and not doing -- especially under active recreation.

MR. BAGG:
Well, yeah, that's what's been required in the past is to have an actual plan, not a schematic.

CHAIRPERSON ELKOWITZ:
Because I don't view this as proper segmentation when we're buying it for a purpose, we have a purpose of active recreation. You know, unless somebody feels differently, I believe that it's appropriate and proper, legally proper to do the environmental review at this juncture.

MR. ISLES:
Well, I think there was an environmental review done, and perhaps there's an error with it but there was a long form done on the acquisition.

CHAIRPERSON ELKOWITZ:
Right, the long form is done. But the point is, especially under active recreations, you have a purpose, you have an identified purpose for this acquisition. And under active recreation and under SEQRA, you're supposed to evaluate the environmental impacts of the action, the entire action which is not only the acquisition, it's the acquisition and the utilization for the intended purposes.

At least in my opinion, I kind of echo what Larry says, I don't believe there's enough information here for anybody to make a determination as to environmental significance of the ultimate utilization of this.

MR. ISLES:
We're quite a ways from that and I guess the -- and I appreciate the argument, we'll respect that, I'm just not sure if we can fulfill that. We're at the point now where we are compelled to either purchase or not purchase this property. I'm not going to speak for The Nature Conservancy, but the question then becomes do we then commission engineering studies and preparation of plans on land we don't own. It's a little bit of a chicken and egg. So I appreciate your point, we'll respect it and do what we can on it, I'm just not sure how we're going to tackle it if we're in this situation right now. And also, we did point out the plans are conceptual, so there's a whole process of design and community input and studies and so forth that would have to be done. And I guess the question is do we do all that now for the next whatever time that would take not knowing if we're going to buy the land or not and having that uncertainty over us, or do we, you know, kind of move forward where we can at least get that part resolved and then move into the more detailed part?

CHAIRPERSON ELKOWITZ:
Well, from a policy perspective -- you know, I'll keep my opinions to myself from a policy perspective. But from SEQRA perspective, I don't know how you defend the segmentation, especially on active greenways.

MR. KAUFMAN:
Yeah, all --

CHAIRPERSON ELKOWITZ:
And in the past, we've had this pressure in the past and what has happened is either the municipality or whomever the County is working with, the burden has been on that entity to come with real plans. And I think you know, certainly the Town of Huntington has been here in the same situation and they've been required to bring drainage plans and all sorts of things that one would require. And certainly, I didn't even think of what Larry raised regarding the dredge spoil, I mean, that's a real issue. Mike?

MR. KAUFMAN:
One of the things that we have done under the Greenways Program and one of the requirements of the Greenways Program has always been that you come in with the acquisition maps basically and you have more than a conceptual plan, you have a general plan that we try and fix in place. It doesn't include as builts, it does not include fully engineered studies, etcetera, but that's the way we've always done it in the past and I believe that is one of the requirements of the Greenways, that we know what we're looking at. And in terms of SEQRA, we may not, you know, fix a ball field within ten feet or something like that, there may be some leeway for where the ball field goes, but we are dealing with a ball field, for example, in one particular location, we know what we're looking at. And I think that's almost the requirement under SEQRA that we're faced with.

MR. ISLES:
Okay. I think what we would need to know then is more specifically a breakdown of what we need to do then and then we're going to have to talk to the town about how we're going to pay for that and then --

CHAIRPERSON ELKOWITZ:
Well, I think -- Jim, you know what we've required in the past and you can probably show the town plans that, you know, have gotten reviewed and have gone through this process, right?

MR. BAGG:
I mean, basically I think, as you know, Tom, that when the County goes in for an active recreation agreement with the towns, the towns have to produce -- they don't produce schematics, they produce some type of plan which is agreed upon between the County and the town as to that's what's going to get constructed, and there is a commitment by the municipality to construct those facilities as laid out. And at this point in time, I mean, this general study was done and whether or not the town is going to build it or not is really up in the air, we don't know or at what point in time it will be constructed.

So I think what the Council is looking at is maybe to take your conceptual plan as you have proposed on there, formalize it a little bit more, don't make it a conceptual plan, put in the report that you are definitely going to construct sanitary facilities which was not listed in the written report but is on the plan I can see, to some extent.

CHAIRPERSON ELKOWITZ:
Right. And there are buildings that are shown on the plan that aren't reflected in the EAF. There has to be some, you know, some assumption as to how many attendees would be there, what the traffic would be. I mean, it's like any other project.

MR. BAGG:
I mean, this is something that, you know, technically the County goes into an agreement with a municipality because the municipality says, "Yes, these are the facilities we want and we're going to build these," and the County puts a significant amount of money forward, you know, to purchase the property and the municipality builds the facilities.

CHAIRPERSON ELKOWITZ:
And given the point that Larry raised regarding the dredge spoil, it would be very interesting if the County put money in to active recreation for a ball field and then found out you couldn't use the property for a ball field.

MR. ISLES:
Well, prior to any acquisition, pre-closing, we do do a Phase I audit.

CHAIRPERSON ELKOWITZ:
I know that. Well, I know that but this is active recreational.

MR. ISLES:
Right.

CHAIRPERSON ELKOWITZ:
It's a little bit different.

MR. ISLES:
Right.

CHAIRPERSON ELKOWITZ:
Joy?

MS. SQUIRES:
I think that one of the things that has to be done is the municipality has to understand what CEQ is requiring. And a conceptual plan a municipality can do easily, but when it comes to the request for engineering drawings before we have purchased the land, that becomes difficult. So I think we have to have a set of guidelines as to what is required.

CHAIRPERSON ELKOWITZ:
Well, Joy, I think -- no one is going to ask them for engineered drawings, but what you do ask them for, for example, is to show us what you believe your stormwater run-off is and how you're going to be able to accommodate it, that's far different from a drainage plan.

MS. SQUIRES:
Right, because we --

CHAIRPERSON ELKOWITZ:
And, you know, I believe --

MS. SQUIRES:
With one property we got into a -- Marty, I'm from the Town of Huntington we got into that issue --

CHAIRPERSON ELKOWITZ:
Because there was a particular issue, environmental issue of concern relating to that, but I think that Marty has an idea of what we're asking for. I mean, Marty -- I know Marty pretty well and, you know, Marty has been through this game probably as many times as I have, so he knows what we're asking for.

MS. ESPOSITO:
I have one more thing under the category of what we're asking for.

CHAIRPERSON ELKOWITZ:
Sure.

MS. ESPOSITO:
The land obviously will have a number of soccer fields and ball fields and whatnot and it says in the plan that they'll be managed under organic maintenance plan, but I think we would need to see what that organic maintenance plan actually is because that term has come to mean a wide variety of things. So if you start reading organic maintenance plans, for instance, when I read Westchester County's for their parks, they've -- they considered organic maintenance, although they've exempted every single fungicide as well as a two page list of insecticides and herbicides. So I would need to know or I think we

would need to know is it an IPM program, will there be some exemptions, will there be caps if there are exemptions on the volume of pesticides used; what does that actually mean? Because the area is riddled with fresh and salt water wetlands, it even is that much more important. So I really would like to see a copy of that with the plan.

MR. KAUFMAN:
Adrienne, if you look at part of the application, I think it's -- the resolution itself from Suffolk, it talks about the, "The town will institute a maintenance plan for the park and adhere to the County's organic maintenance plan itself and organic meds of maintenance through asfields will be conducted to minimize loading, nitrogen loading into the estuary," etcetera. I think that answers part of your question, not all of it.

MS. ESPOSITO:
That doesn't answer the question, just so you know, because I've read it. I think this says it would have with it an organic maintenance plan so we should see what that means when we vote on it.

CHAIRPERSON ELKOWITZ:
To the extent that we need the information to determine whether the impact of using the herbicides --

MS. ESPOSITO:
Oh, absolutely.

CHAIRPERSON ELKOWITZ:
-- and pesticides would adversely affect groundwater or surface water; I agree with that. Go ahead, Marty.

MR. SHEA:
I'd be very happy to bring this request back to the Supervisor and the Town Board.

MS. ESPOSITO:
Thank you.

MR. SHEA:
I think we can provide additional details. We can describe the maintenance program that would be implemented, and then we can bring the matter back to the CEQ.

CHAIRPERSON ELKOWITZ:
And you'll modify the EAF to make it conform with whatever plan you come back with?

MR. SHEA:
Yes.

CHAIRPERSON ELKOWITZ:
Okay, great. Any other questions for Marty before we -- then I'll entertain a motion to table.

MR. CRAMER:
Motion to table.

CHAIRPERSON ELKOWITZ:
I have a motion to table. Do I have a second?

MR. KAUFMAN:
Second.

CHAIRPERSON ELKOWITZ:
I have a second. All those in favor? Opposed? Abstentions? *Carried (Vote: 7-0-0-2 Not Present: Legislator Ginny Fields & Nancy Manfredonia). Thank you.*

All right, I'm going to Tabled Matters, *6, Proposed Improvements to the Hauppauge Youth Organization Sports Complex Facility, Town of Islip.* We're back again.

MR. BORKOWSKI:
Yes.

CHAIRPERSON ELKOWITZ:
You know, I think we're going to keep a running tab to see who's been here more often.

MS. ESPOSITO:
I think he wins.

MR. BORKOWSKI:
You do like to see me here, don't you?

CHAIRPERSON ELKOWITZ:
Yeah, but not always on the same thing.

MR. KAUFMAN:
We love you, Ralph, don't worry about it.

MR. BORKOWSKI:
Okay. Last September the Hauppauge Youth Organization presented their proposed plan for their ball field site at Simeons Woods Road and Kings Road here in Hauppauge. There was a list of requirements they needed to come back to the CEQ for which they have done so. You have revised plans and a revised EAF in your packages.

The HYO has now obtained Suffolk County Health Department approval, has also obtained a Suffolk County building permit. All the plans conform to the proper building codes. They are proposing a berm at the perimeter of their ball field about 12 inches high to prevent any run-off into the wetland. They also have submitted a topo survey which shows the existing drainage flow, that's the last sheet of the drawings, it shows existing contours. They have reinstalled trees in the areas that they have removed trees according to the DEC requirement, so that has been done.

CHAIRPERSON ELKOWITZ:
DEC is happy now?

MR. BORKOWSKI:
I believe so. Is DEC happy?

MR. POLICASTRO:
Yes.

MR. BORKOWSKI:
They say yes.

MS. ESPOSITO:
They look very happy.

CHAIRPERSON ELKOWITZ:
But they're not the DEC.

MS. ESPOSITO:
Oh.

CHAIRPERSON ELKOWITZ:
They're the applicant.

MR. POLICASTRO:
We're happy that they're happy.

MR. BORKOWSKI:
The building has been scaled back to 1,120 square feet. It is bathrooms and a storage area for equipment and a small little office.

MR. FINKENBERG:
Jack Finkenberg. Wasn't there an issue with lights here, some kind of night -- it was encroaching into the neighborhood or something like that?

MR. BORKOWSKI:
Well, there's existing lights at the field now and they were installed several years ago, but not by HYO, that was done by Suffolk County.

MR. FINKENBERG:
Okay.

CHAIRPERSON ELKOWITZ:
So it's not part of this project, never was.

MR. BORKOWSKI:
That's not part of this project, they're existing.

CHAIRPERSON ELKOWITZ:
I don't have any more questions regarding this. Does anybody else have any more questions? Well, dare anybody make a motion?

MR. CRAMER:
Motion.

CHAIRPERSON ELKOWITZ:
For what?

MR. CRAMER:
Unlisted Neg Dec.

CHAIRPERSON ELKOWITZ:
I have a motion for Unlisted Neg Dec. Do I have a second?

MR. KAUFMAN:
I'll second that.

CHAIRPERSON ELKOWITZ:
All those in favor? Opposed? Abstentions? *Carried (Vote: 7-0-0-2 Not Present: Legislator Ginny Fields & Nancy Manfredonia).*

MR. BORKOWSKI:
Thank you very much.

CHAIRPERSON ELKOWITZ:
Bye.

MR. BORKOWSKI:
Have a nice day.

CHAIRPERSON ELKOWITZ:
You, too.

Okay, the last item on the agenda which we saw before, *7, Proposed Open Space Acquisition of Peat Hole Pond Site, Village of Bellport, Town of Brookhaven.*

MR. SNEAD:
Good morning, members of the board. My name is Lee Snead, I'm a Trustee of the Incorporated Village of Bellport and I'm here to address a few of the issues that I believe arose at the last CEQ meeting; unfortunately I was not able to attend that meeting and address them then.

As an initial matter, I have just a note sheet that I'd like to hand up to the board for them to consider as I go through this process as well as a letter is being copied for your review from the village indicating that parking will be available to residents and County residents for the area along Peat Hole Lane and we have committed that that will not change should this purchase go through and, therefore, access to the site will be guaranteed to all. I'm not sure what materials you might have in front of you right now; do you have a packet in front of you on this?

CHAIRPERSON ELKOWITZ:
I didn't bring my packet, did anybody bring theirs?

MS. ESPOSITO:
We did the last time.

MR. SWANSON:
I'd like to ask Jim if he could read from his notes what we asked for specifically last month.

CHAIRPERSON ELKOWITZ:
Larry is right; what are we buying was one of the questions.

MS. ESPOSITO:
Parking access.

MR. MALLAMO:
And how are we going to park there.

MS. ESPOSITO:
And access for the public.

MR. BAGG:
Okay, specifically -- the April 16th, 2003, minutes read;

> "MR. SWANSON: I would like to make a motion to table this until we see precise boundaries of what Suffolk County will be purchasing and that we get written confirmation from the Village of Bellport that residents of Suffolk County would be entitled to use that."

And then also the resolution was amended to include identification of potential parking.

MR. SNEAD:
Mr. Doyle here has the letter indicating that the issues of parking have been dealt with and we are committing to keep the parking open and available for all County residents. We are not adding new parking, it is simply the parking that is along the street in the cul-de-sac area, there's simply no room and I think from environmental standpoint, no ability to add parking on the site.

I do have a map here, a large schematic map that shows the precise boundary of the piece of property that's being purchased. There was some confusion apparently in the resolution as drafted. This plan is the purchase of one diamond-shaped lot, presently valued I think in the last appraisal I heard of at about $500,000. The landowner has agreed to sell it to the Village of Bellport and/or the County and town for the price of $450,000 which obviously is a bit less than the actual value as found.

What he is also willing to do, and I'm explaining and I'll explain further on this one map, unfortunately I only have one sheet here, that is the parcel marked in yellow on this map that I'm going to present.

CHAIRPERSON ELKOWITZ:
Lee, why don't you just come up and you can take my mike or somebody's mike and maybe we can just -- you can just come around here and we can look at it.

MR. SNEAD:
If I speak loudly will it pick me up?

CHAIRPERSON ELKOWITZ:
No.

MR. SNEAD:
Tom, could you help me?

MR. WILLIAMS:
Sure.

MR. SNEAD:
Okay, this is Tom Williams, Tom is Executive Director or Cornell Cooperative --

MS. ESPOSITO:
You're doing a great job.

MR. SNEAD:
Who is not involved in this actual purchase in that capacity, however he is also involved in the {Post Morrow} Foundation which may help us in creating a plan of managing this pond in the future.

What you're looking at is a north to south -- north being on the top, south on the bottom -- a vision of the area local to the Peat Hole Pond. You can see the pond outlined in kind of a light blue, it's probably the hardest thing to see on here; right here, right here, it's a very light print. What you're looking at is a roughly diamond-shaped lot at the end of Peat Hole Lane and there's a cul-de-sac there, it's marked in yellow, that is the lot which is here for purchase today. If you look on the resolution that's provided, there was a second lot and it says part-of, unfortunately that should never have been there because the part-of lot is the area marked in orange which is going to be a gift by the landowner who owns the yellow-shaped diamond lot, the yellow diamond-shaped lot and the parcel on the east. He's going to grant to the village the under water land on that pond on that half as well as an area around what's known as the {slues} way or {slues} gate. This is a drainage structure which connects the Peat Hole Pond with Great South Bay and there's literally about 35 feet of distance between this pond and the bay, so it's kind of a unique hydrogeologic format -- form.

If you look on this map as well you will see an area shaded in green, these are potential conservation easements which we've discussed with the land owners involved. On the very south edge is the underwater land for the Heart Property, and you'll see it in the notes there that I've given you. Immediately on the underwater land, on the pond on the north is another chunk of property owned by Mrs. {Wulk} who owns the lot to the north. And then running up through the drainage of the creek which feeds the pond, we've spoken to the land owners as well about the possibility of creating conservation easements there. So with regard to the specific question asked, the only purchase that's going on here is the diamond-shaped yellow lot here which is lot number seven, and I've got it identified there. The other properties are going to be a gift to the Village of Bellport.

The village has committed to the landowner as part of this gift that we will repair the slues gate, and we'll do that for two reasons. Number one, it's a benefit to the lot here, the park that's being created, and it's a benefit to the pond. This is a -- and that slues gate, by the way, is failing now, so we're hopeful to being able to

get there next year and put something in. Preliminary estimates are about $100,000 to engineer and construct that slues gate, a hundred to $150,000 actually.

This pond has been used traditionally by the village as a skating pond through the magnanimous use of other people's property. Both Mrs. Heart, Mr. Lee and Mr. Lee over here on this side have garnered access through years and their predecessors entitled it for literally a hundred years, there are pictures of people skating on this pond back around the turn, 19th Century -- 20th century, excuse me.

We further than that -- I want to get one other thing just for your consideration. I have a small aerial here of the pond and what you can see is the pond on the south again moving north, and you can see a general drainage way through there which feeds the pond. A second aerial I have is carved up into lots and I've identified on this second aerial the properties which probably will be sanitized if we get all of the gifts that we've talked to people about getting. So rather than looking at this as a simple purchase of one acre along a pond, which admittedly is expensive but real estate in the village is expensive. If we can perform this plan as we've talked with people, and we've got commitments from people to move forward with it, you end up protecting, in effect, six building lots or sanitizing six lots from further development.

And there's a final issue here. Right along Gerard, this is Gerard Street right here, the stream runs up and crosses Gerard right in this area, there is presently a storm water drain that discharges directly into this water way. This area, of course, is part of the south shore estuary, so that particular drain is problematic from the standpoint of South Shore Estuary, it's also problematic due to the Phase II storm water regulations that are coming in now. The owner of the property to the immediate north, Ms. Rossillini, has agreed to create a retention pond on the north side of Gerard Street to take in that storm water drainage, deflect it away from the pond and let it drain through that way. We think that's a benefit to the area. She is also going to grant walking easements over her pieces of property here so that we'll end up having a nice walking way down into the pond area. And we hope in the future to possibly see if we can add it to the estuary's Heritage Trails Program.

CHAIRPERSON ELKOWITZ:
Larry?

MR. SWANSON:
My question is will the County residents be only able to use the area outlined in yellow or is it your intention that they could use the orange and some of these other properties that you are saying are going to be part of the overall effort?

MR. SNEAD:
Again, the purchase here is the purchase of what's going to be a passive park. The only uses on this park are going to be for educational, it's presently used by schools to go down and take a look at the area, there were nesting herrings in there and such rails, things like that, and we were using it as skating pond in the winter.

There will be no access to the water by boat for anybody. It simply is a matter of liability for the village. And quite frankly, from an environmental standpoint, it's not the appropriate use of this pond. There's active nesting going on, there are turtles, eels in here. And finally, if we had that kind of a program we would likely have to put in a bathroom which would then have its own sanitary issues, environmental sanitary issues. We do not plan to do that at this time, we've committed that we will not do that. The only thing we intend for this piece of property is to put in a chipped-wood path down through this trace and possibly a bench or two for people to sit down and change their skates and sit and enjoy the deer.

MR. MALLAMO:
So you'd have to walk on water to get to the orange.

MR. SNEAD:
Yes.

MR. WILLIAMS:
When it's a skating pond, the entire pond is used as a skating pond.

MR. SNEAD:
Well, yeah, to that extent in the winter if you can get over to hear, the beach area from the water when it's frozen and hard, then you can use it. But the County resident will be granted the same access and same use of this pond as the village residents.

MS. SQUIRES:
What does this cost; I forgot?

MR. SNEAD:
The cost --

CHAIRPERSON ELKOWITZ:
Four fifty.

MR. SNEAD:
The purchase price of the property is 450,000, the resolution you have before you, or before the County Legislature I should say, is three hundred and thirty-seven five. The Town of Brookhaven has committed 75,000, we have private donations literally from the residents around here of 15,000 at this point, we have a private donation to the Village of $200,000 to bring up the cost of the purchase and to provide for the restoration of the slues gate and potentially some fragmites restoration.

CHAIRPERSON ELKOWITZ:
To me this was very helpful because at least I did not understand that that's what we were buying.

MR. SNEAD:
And I understand the problem and it came from the fact that in the original resolution the part of area which was to be gifted was included as part of the purchase.

CHAIRPERSON ELKOWITZ:
Right. I don't have any other questions.

MR. SWANSON:
I'm still curious if my recollection is correct, that the County did not give high marks to this purchase. And from what you have outlined here, it seems like the overall scheme of things is quite wonderful and I'm wondering what you know about why the County did not consider it so high.

MR. SNEAD:
Okay. Well, we like to do things quite wonderfully in the Village of Bellport. The reason I suspect -- and Tom, if Tom is still here, can probably address it maybe -- the precise action before the County is the purchase of one lot and it's the purchase of one lot on a pond; it does not include all of the other stuff. Everything else is gift but it's gift of residents who understand the value of this area and have committed to seriously look at. Do we have things written from them in writing saying they will? No, but we have people who are at least talking with us and have contributed to the purchase of the pond. So I suspect that because of the single lot size of this piece of property, that's probably why it as has a low rating; that's my supposition.

MR. KAUFMAN:
I believe in talking with Steve Brown that this is ranking very high on the Town of Brookhaven's acquisition --

MR. SNEAD:
Okay.

MR. KAUFMAN:
-- program.

MR. WILLIAMS:
That is right. I'm also a member of the town's Open Space Committee and we have reviewed it and gave it a very high ranking. Also for your information, we did a survey of the community, we have petitions of over several hundred people who are looking at positive. We had the fund-raiser that {Post Morrow} held and we had a lot of people come. So there is tremendous support in the Village and throughout the South Country School District area for the project.

CHAIRPERSON ELKOWITZ:
Anybody else have any questions or anything else they want to add?

MR. SNEAD:
Yeah, I've just been handed a copy of the corrected copy of this resolution which now takes -- it's only for the purchase of that one diamond-shaped lot. So I will leave these with your Clerk. Are there any other questions?

CHAIRPERSON ELKOWITZ:
I don't have any other questions. Anybody else have any other questions? If not, I'll entertain a motion.

MR. SNEAD:
I think this was a Type II, is it not?

CHAIRPERSON ELKOWITZ:
An acquisition should be unlisted.

MR. KAUFMAN:
Yeah, it's unlisted.

CHAIRPERSON ELKOWITZ:
Yeah, it's probably wrong in the resolution but it will get corrected. It's probably not right.

MR. KAUFMAN:
Well, assuming everything is okay, I will make a resolution that is an Unlisted Negative Declaration; an Unlisted Action with a Negative Declaration.

MS. ESPOSITO:
Second.

CHAIRPERSON ELKOWITZ:
I have motion, I have a second by Adrienne Esposito. All those in favor? Opposed? Abstentions? Carried.

MR. CRAMER:
Terry, I'm abstaining.

CHAIRPERSON ELKOWITZ:
Okay.

MR. CRAMER:
Mr. Lee is a client. And we did get wetlands permits on this piece of property, so it's buildable.

CHAIRPERSON ELKOWITZ:
Fine. All right, we have one abstention. Thank you. ***Carried (Vote: 6-0-1-2 Abstention: Thomas Cramer - Not Present: Legislator Ginny Fields & Nancy Manfredonia).*** And thank you for clarifying the questions, it made it a lot easier to review.

MR. SNEAD:
Thank you for allowing me to appear, it's been a pleasure.

CHAIRPERSON ELKOWITZ:
Our pleasure. All right. Is there any other business that I'm not aware of that I don't have information on? Okay, Historic Services.

MR. MARTIN:
Hello.

CHAIRPERSON ELKOWITZ:
Hello.

MR. MARTIN:
Today all I'm going to announce is we're planning to have our next

Historic Trust Committee meeting over at The Normandy Manor, the new purchase at the Vanderbilt Museum and we're going to be reviewing our youth plan for that property. And right now we've proposed the date to be July 10th, that we'd meet over there at 9:30.

CHAIRPERSON ELKOWITZ:
Anything else? Any CAC concerns? I will entertain --

MS. SQUIRES:
I just wanted to pass along a comment. I was not at the ELAP Committee meeting that Terry spoke at, but I understood from two people that she spoke quite eloquently on the role of CEQ and SEQRA and essentially what CEQ does.

CHAIRPERSON ELKOWITZ:
Well, I did go there, Mike Kaufman was there and Adrienne was there and Lance was there, and I just did a very brief overview about what we understand our role to be and asking ELAP for clarification if there was something different that they expected of us. And Jim had a very nice overview of what the Charter requires and we explained Type I, Type II, Unlisted Actions and how when something is a Type II by definition and law it doesn't have a significant adverse impact and that's the end of it. And, you know, we talked just a little bit about procedural issues and basically it went fine and that was the end of it.

MS. SQUIRES:
I just thought that was important for the record.

CHAIRPERSON ELKOWITZ:
Thank you.

MR. MALLAMO:
And I think it was very helpful for the committee, too, that Terry described it so magnificently.

CHAIRPERSON ELKOWITZ:
I'll entertain a motion to adjourn.

MR. CRAMER:
Motion.

MR. KAUFMAN:
Motion.

CHAIRPERSON ELKOWITZ:
One can have a motion, one can have a second; we'll give the motion to Mr. Cramer. All those in favor? I doubt if anybody's opposed.

*(*The meeting was adjourned at 10:32 A.M.*)*

Theresa Elkowitz, Chairperson
Council on Environmental Quality

{ } - Denotes spelled Phonetically

COUNTY OF SUFFOLK

ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

THERESA ELKOWITZ
CHAIRPERSON

JAMES BAGG
CHIEF ENVIRONMENTAL ANALYST

REVISED

MEETING NOTIFICATION
May 21st - 9:30 a.m.
Rose Y. Caracappa Legislative Auditorium
William H. Rogers Legislature Building
North Complex, County Center, Smithtown

Call to Order

Minutes of November 20, 2002, January 15, 2003, March 19, 2003 and April 16, 2003

Correspondence –

Project Review

1. Recommended TYPE II Actions

a. **Ratification of Staff Recommendations for Legislative Resolutions Laid on the Table April 29 and May 13, 2003.**

b. **TABLED:**
Proposed Improvements to the Shraeder House, Building C831, C.P. 3046, Town of Brookhaven.

c. Proposed Installation of SCWA test well on Suffolk County Parklands in Springs, Town of East Hampton. (To be submitted at meeting).

d. Proposed Surveillance, Control and Data Acquisition (SCADA) for Suffolk County Sewer Districts.

2. Proposed Donation of Property by First Time Design, Inc. to Suffolk County within Mastic/Shirley Conservation Area- SCTM#0200-982.10-03.00-022.000 – Town of Brookhaven.

3. Proposed Donation of Property by PG Builders Inc. to Suffolk County within the Patchogue River County Nature Preserve - SCTM#0200-837.00-01.00-016.001-Town of Brookhaven.

4. Proposed Donation of Property by Michael R. Strauss to Suffolk County within the Mastic/Shirley Conservation Area – SCTM#0200-983.40-05.00-050.000 – Town of Brookhaven.

5. Proposed Iron Point Recreation Facility, Town of Southampton.

TABLED:

6. Proposed Improvements to the Hauppauge Youth Organization Sports Complex Facility, Town of Islip. (Revised EAF to be submitted at meeting).

7. Proposed Open Space Acquisition of Peat Hole Pond Site, Village of Bellport and Town of Brookhaven.

-Other Business

Historic Services - Director's Report

-CAC Concerns

DATES TO REMEMBER:

MEMBERS - PLEASE NOTIFY THIS OFFICE AS SOON AS POSSIBLE IF YOU WILL BE UNABLE TO ATTEND.