

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

Theresa Elkkowitz
CHAIRPERSON

James Bagg
CHIEF ENVIRONMENTAL ANALYST

**SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY
DEPARTMENT OF PLANNING CONFERENCE ROOM
MINUTES**

DATE: Wednesday, November 16th, 2005

TIME: 9:37 a.m. – 11:35 a.m.

PRESENT: Voting Members - Theresa Elkkowitz, Chairperson, Presiding; Larry Swanson, Vice Chairman; Tom Cramer, J. Lee Snead, John Matthew Wagner, Lance Mallamo, Michael Kaufman and John E. Potente

ABSENT: Jay Schneiderman

Staff:

James Bagg, Chief Environmental Analyst
Christine Einemann, Secretary

Departmental Staff:

Suffolk County Legislator's Office

Kevin LaValle, Legislator Aide

Suffolk County Department of Planning

Lauretta Fischer, Principal Environmental Analyst

Suffolk County Department of Parks, Recreation and Conservation

Richard Martin, Director of Historic Services

Nick Gibbons, Environmental Analyst

Kelly Roper, Environmental Analyst

Suffolk County Department of Public Works

Ralph Borkowski, Landscape Architect

Paul M. McMahan, Sr. Civil Engineer

Ted Godek, Architect

Russ Mackay, Civil Engineer

Dominick Ninivaggi, Vector Superintendent

Suffolk County Department of Health

Kim Shaw, Princ. Environmental Analyst

Conservation Advisory Councils:

Steve Brown, Town of Brookhaven

Guests:

Sean Trelia, Montauk Observatory

Eva Growney, Architect, Montauk Observatory

Chairperson Elkowitz opened the meeting at approximately 9:37 a.m.

MINUTES:

Minutes of May 18, 2005 were tabled since the members did not receive them.

Because it is a Legislative Committee week, the Legislature's court stenographer was not available to take a verbatim transcript of the CEQ meeting. The stenographic service is only available in the legislative auditorium when there is no legislative business scheduled. It was noted that Suffolk County Planning Department would be taking the CEQ minutes pursuant to Roberts Rules of Order as set forth in the Council's by-laws. The meeting was tape-recorded which will be kept in the Council's files for future reference, if necessary. Ms. Elkowitz asked that all members and attendees identify themselves before speaking.

PROJECT REVIEW:

1. *Ratification of Staff Recommendations for Legislative Resolutions laid on the Table – November 9, 2005.*

The members reviewed the recommendations of the CEQ staff regarding the November 9, 2005 Legislative introductory resolutions.

A motion was made by Mr. Kaufman to accept staff recommendations, seconded by Mr. Potente. The motion passed unanimously.

2. *Proposed Agreement with Montauk Observatory, Inc., and Accepting a Donation of a Telescope, Town of East Hampton.*

A letter concerning the proposed action was read into the record by Ms. Elkowitz. Legislature Schneiderman said the building is less than 4,000 square feet. An overview regarding the proposal was given at the meeting by Mr. Richard Martin, Director of Historic Services and Ms. Eva Growney, Architect with the Montauk Observatory. The project will provide for an observatory addition to an existing cabin building which will provide classrooms comprising less than 2,000 square feet. The SC Historic Trust has determined that the proposed project will not negatively impact the historic integrity of Third House or Roosevelt County Parks.

A motion was made by Mr. Cramer to recommend that the project is a Type II action, seconded by Mr. Snead. Unanimously approved.

3. *Proposed Upgrade of Air Control Units in Computer Room at Police HQ, CP #3507, Yaphank, Town of Brookhaven.*

A letter concerning the proposed action was read by Ms. Elkowitz. Mr. Ralph Borkowski of the Department of Public Works clarified there will be purchases and installation of equipment. The project provides for installation of air control units in the computer rooms at the Police Headquarters.

A motion was made by Mr. Cramer to recommend that the project is a Type II action pursuant to 6 NYCRR Part 617.5(c) (1) (2) and (25), seconded by Mr. Kaufman. Unanimously approved including Mr. Steve Brown, CAC of Brookhaven.

4. *Proposed Improvements to Board of Elections, CP #1459, Yaphank, Town of Brookhaven.*

A letter concerning the project was read into the record by Ms. Elkowitz. An overview regarding the proposal was given at the meeting by Mr. Ralph Borkowski, RLA, Landscape Architect with the Suffolk County Department of Public Works. The project provides for the replacement of doors, windows, ceilings, lighting, floor and wall finishes, improvements to mechanical systems and the installation of a fire alarm and sprinkler system.

A motion was made by Mr. Cramer that this project be a Type II pursuant to 6 NYCRR Part 617.5(c) (1) (2) and (25), seconded by Mr. Kaufman. Unanimously approved including Mr. Steve Brown, CAC of Brookhaven.

5. *Proposed Renovations to Surrogate's Court in the Riverhead County Center, CP #1133, Town of Southampton.*

A letter concerning the proposed project was read by Ms. Elkowitz. An overview regarding this proposal was given by Mr. Ralph Borkowski RLA, Landscape Architect, with the Suffolk County Department of Public Works. No action was take as SEQRA was previously completed by the Central Pine Barrens Joint Planning and Policy Commission, who as SEQRA lead agency, reviewed the Riverhead County Center Master Plan, of which the Surrogate's Court was a part, and a negative declaration issued.

6. *Proposed Improvements to the Suffolk County Farm, CP #1796, Yaphank, Town of Brookhaven.*

Letter regarding this project was read by Ms. Elkowitz. An overview of this proposal was given at the meeting by Mr. Ralph Borkowski, RLA, Landscape Architect with the Suffolk County Department of Public Works. The project provides for infrastructure improvements for public safety and public health which includes the renovation of one public restroom facility and also includes the installation of 18,420 linear feet of cattle fencing along with a cattle trough watering system.

A motion was made by Mr. Kaufman that this project be a Type II pursuant to 6 NYCRR Part 617.5(c) (3) and (25), seconded by Mr. Cramer. Unanimously approved including Mr. Steve Brown, CAC of Brookhaven.

7. *Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Wildwood Lane Wetlands - Sacco Property, Town of Smithtown.*

A presentation regarding the project was given at the meeting by Ms. Laretta Fischer, Principal Environmental Analyst with the Suffolk County Department of Planning. The project involves the acquisition of 0.229 acres of land for passive park purposes by Suffolk County under the Save Open Space Program - Open Space Component. Mr. Swanson said \$200,000 for 1/4 acre is too high.

A motion was made by Mr. Cramer that this project be an Unlisted Action; Negative Declaration, seconded by Mr. Kaufman. Mr. Swanson opposed, otherwise unanimously approved.

8. *Proposed Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park - Karine Bird Property in the Town of Brookhaven.*

Overview of this project was given by Ms. Laretta Fischer, Principal Environmental Analyst. The project involves acquisition of 3.07 acres of land for passive park purposes by Suffolk County under the Multifaceted Land Preservation Program - Open Space. Mr. Snead recused himself.

A motion was made by Mr. Cramer, seconded by Mr. Kaufman to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

9. *Proposed Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park - Central School District #4 Property in the Town of Brookhaven.*

An overview of this project was given by Ms. Laretta Fischer, Principal Environmental Analyst with the SC Planning Department. The project involves the acquisition of 16.53 acres at the headwaters of Mud Creek. The county is trying to acquire the remaining undeveloped portion of the watershed in which they already have significant holdings.

A motion was made by Mr. Cramer, seconded by Mr. Kaufman to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

10. *Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic-Shirley Conservation Area - Wetzel Property in the Town of Brookhaven.*

Ms. Laretta Fischer gave an overview of this project. The project involves the acquisition of 0.60 acres of wetland. The site in conformance with the Narrow Bay Floodplain Protection and Hazard Mitigation Plan which identifies the undeveloped areas within the 100-year tidal floodplain for preservation. The plan was adopted by the Suffolk County Legislature and the County has significant holding in the area.

A motion was made by Mr. Kaufman, seconded by Mr. Cramer to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

11. Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic-Shirley Conservation Area - Fabrizio Property in the Town of Brookhaven.

Ms. Lauretta Fischer gave an overview of this project. The project involves the acquisition of 0.14 acres of land which is also within the area proposed for preservation in the Narrow Bay Floodplain Protection and Hazard Mitigation Plan..

A motion was made by Mr. Kaufman, seconded by Mr. Mallamo to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

12. Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic-Shirley Conservation Area - Castellano Property in the Town of Brookhaven.

Ms. Lauretta Fischer gave an overview of this project. The project involves the acquisition of 0.32 acres of land also within in the Narrow Bay Floodplain Protection area.

A motion was made by Mr. Cramer, seconded by Mr. Wagner to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

13. Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic-Shirley Conservation Area - Lydel Holding Co. Property in the Town of Brookhaven.

Ms. Lauretta Fischer gave an overview of this project. The project involves the acquisition of 0.41 acres of land within the Narrow Bay Protection area.

A motion was made by Mr. Cramer, seconded by Mr. Mallamo to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved including Mr. Brown.

14. Proposed Reconstruction of CR 58, Old Country Rd., @ Pulaski Rd., CP #5543, Ph II, Town of Riverhead.

Mr. Wagner recused himself.

An overview of this project was given by Mr. Paul McMahon, Sr. Civil Engineer with the Suffolk County Department of Public Works. The intersection serves 22,000 vehicles/day and there are alignment problems causing a high accident location. DPW wants to reconstruct the intersection to improve flow and safety. Pulaski will be closed and the four way intersection at Mill Street will be realigned with a traffic light. All drainage will be channeled into existing recharge basins. The area will be landscaped with indigenous species. All DEC permits will be obtained. All drainage will be improved and connected to a vortex system.

Mr. Cramer mentioned the drainage of existing roads goes into the wetlands. Mr. McMahon pointed out that all runoff will go into the County's recharge basin and the road will be curbed to prevent runoff into the wetland. It will accommodate 10 year

storms. Curbing on Pulaski will prevent runoff from entering the wetlands and all runoff will be channeled into the County recharge basin and vortex systems. Existing runoff to the wetland will be eliminated. DEC must approve the project. The existing pipe to wetland area will be removed.

Mr. Cramer wants to see more information concerning the existing system depth to the water table and storage capacity. Mr. McMahon said a drainage study is available and will submit more detailed design plans and capacity calculations. Mr. Mallamo wanted to know what is the landscape plan and lighting plan (No lighting is planned). Mr. Swanson wanted to know how the proposed vortex system will work.

A motion was made by Mr. Cramer, seconded by Mr. Snead to recommend that the project be Tabled. Unanimously approved.

15. Proposed Construction of a Parking Area at Gardiner County Park, CP #7079, Bay Shore, Town of Islip.

An overview of this project was given by Mr. Nick Gibbons of the SC Dept. of Parks. Two existing dirt parking areas will be reconstructed and expanded on an already cleared area, which will include 33 parking stalls. Drainage will be through leaching rings - 21,875 square feet. Mr. Mallamo wanted to know what is the need for the lot; photos don't show it full. There is a high park usage by dog owners as well as overflow for activities at Sagtikos Manor across the street. Mr. Mallamo was worried about the impact on the Montauk Highway scenic corridor. Gravel is not desirable from a maintenance point of view so paving the existing parking area is desirable. It was pointed out that there is no Historic Trust authority here. Only review of paving an already cleared area used for parking. Mr. Mallamo mentioned that one environmental benefit is preventing a parking area at Sagtikos Manor. The CEQ members asked if the project could be modified by reducing the parking lot width to 64 feet and landscaping the increased buffer area between Montauk Highway with indigenous species to shield it from view along the highway. Mr. Gibbons agreed to the project modifications.

A motion was made by Mr. Cramer, seconded by Mr. Kaufman to recommend that the project is an Unlisted action with a Negative Declaration. Unanimously approved.

DEIS on the Proposed Suffolk County Correction Facility Expansion, Yaphank, NY

It was noted that no oral or written comments were received at the November 1, 2005 public hearing nor during the comment period which remained open until November 14, 2005.

Chairperson Elkkowitz asked if anyone present at the meeting wished to comment on the proposed project and no one was forthcoming.

Since no comments were received, Chairperson Elkkowitz said that the CEQ could consider one of two courses of action:

1. If the CEQ members themselves had further concerns or needed additional information not covered in the DEIS, they could recommend to the Legislature and County Executive that a final EIS (FEIS) be prepared.
2. Pursuant to Title 6 NYCRR Part 617.9(a)(5)(i)(b), a recommendation that "no

final EIS need be prepared if:"

- a. On the basis of the draft EIS, and comments made thereon, the lead agency has determined that the action will not have a significant adverse impact on the environment. A negative declaration must then be prepared, filed and published in accordance section 617.12 of this Part."

Mr. Snead and Ms. Elkowitz discussed the interpretation of the SEQRA regulations concerning the procedural requirements. A DEIS cannot be accepted as a FEIS. A FEIS must contain substantive comments received on the DEIS and a response to those comments.

Motion by Mr. Cramer, seconded by Mr. Mallamo that based on the voluntary DEIS and no comments being received, a Negative Declaration on the Type I action is recommended. The Negative Declaration should include all of the points in the DEIS that show that significant adverse impacts to the environment have been mitigated to the maximum extent possible as set forth in the document, therefore, the proposed action will not have significant adverse impacts on the environment. The motion was unanimously approved including Mr. Brown.

OTHER BUSINESS:

Suffolk County Department of Health Services overview concerning the preliminary DGEIS on the Suffolk County Vector Control and Wetlands Management Long Plan (DGEIS previously sent out to CEQ members under separate cover).

A special CEQ meeting should be held on the afternoon of Dec. 8th @ 1 p.m. in the Leg. Auditorium on the DGEIS. Mr. Cramer, Mr. Swanson, Ms. Elkowitz, Mr. Wagner, Mallamo, Mr. Potente, Mr. Kaufman and Mr. Brown can attend. CEQ will come with questions and answers.

Mr. Kaufman, Mr. Potente, Mr. Swanson and Mr. Cramer want to tour the Wertheim Estate pilot project. Mr. Ninivaggi will arrange the field trip.

HISTORIC SERVICES – Director’s Report

The Blydenburg Mill has an emergency problem. The spillway was scured out by recent rains and the area beneath the mill has severe structural problems. Because of the emerging nature of the project, it is a Type II action. This is a parks project.

Hawkins & Davis House is having an award ceremony.

CAC Concerns

NONE

There being no further business, meeting was adjourned at approximately 11:35 a.m.