

SUFFOLK COUNTY DEPT. OF PLANNING
COUNCIL OF ENVIRONMENTAL QUALITY

 ORIGINAL

9:30 A.M.

August 15, 2007

H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, N.Y.

A P P E A R A N C E S :

R. LAWRENCE SWANSON, Chairperson

RICHARD MARTIN

DANIEL PICHNEY

GLORIA G. RUSSO

JIM BAGG

MICHAEL KAUFMAN

VIVIAN VILORIA-FISHER

MARY ANN SPENCER

RICHARD MACHTAY

THOMAS C. GULBRANSEN

CHRISTINE DE SALVO

SEP 17 11 22 AM
SUFFOLK COUNTY DEPT. OF PLANNING

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THE CHAIRPERSON: All right.

4

Let's begin. I'd like to review the

5

minutes, and we have minutes from two

6

meetings; right?

7

MR. BAGG: Right.

8

THE CHAIRPERSON: One is June

9

20th. That was the one on the website,

10

and then we have one from July 18.

11

Anybody want to make any comments on the

12

June 20th one?

13

MR. MARTIN: I've handed

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Mr. Bagg some comments after reading all

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212 pages. I would defer, however, to

16

anyone who has expertise in building

17

bulkheads. I do believe it's a "whale" or

18

a "whaler" not a "while," that Mr. Mathers

19

was talking about in building the

20

bulkhead.

21

MR. KAUFMAN: You are correct,

22

it is called a whaler.

23

MR. MARTIN: The minutes said

24

"while," W-H-I-L-E. Other than that, it's

25

just a series of really understandable

2 mistakes that were in there. You know,
3 exchanges of words or a word that sounded
4 the same. A statement or two that were --
5 for instance: Page 74 line 20 and 21,
6 they talk about "the unincorporated,
7 unincorporated," should be the
8 "incorporated."

9 Ms. Myles was talking about "the
10 Village of Northport, tropicana." I don't
11 know what that is all about -- on page 79
12 line 10, and other than -- Molenhoff was
13 misspelled a few times. And I think it's
14 the Pine Barrens "Core," not "court."

15 MR. BAGG: Correct.

16 MR. MARTIN: Or corps,
17 C-O-R-P-S.

18 THE CHAIRPERSON: Yes.

19 MR. MARTIN: On page 123 line 22
20 we talked about the "counter space" not
21 the "county space." The car rental is
22 okay and then there's just a few other
23 minor corrections. I would, with these
24 amendments, move the minutes for June 20th.

25 THE CHAIRPERSON: Thank you.

2 So, we have a motion.

3 Let me, before we move on, I
4 neglected to say, in order to help our
5 stenographer, let's identify ourselves.
6 I'll probably be the first one to forget.
7 My name is Swanson.

8 So, we have a motion. Do we
9 have a second? Do we have a second?

10 MS. RUSSO: I second.

11 THE CHAIRPERSON: I have a
12 second. I have one other correction on
13 page -- I don't even know -- oh, page 2,
14 where I was talking about the words "Long
15 Island Sound concert." Those words should
16 actually be "Long Island Sound
17 Conference."

18 So, we have a motion to second.
19 Does anybody else want to make any
20 additions or corrections?

21 All in favor?

22 (Aye.)

23 THE CHAIRPERSON: Opposed?

24 (None.)

25 THE CHAIRPERSON: Motion

2 carries.

3 THE CHAIRPERSON: Now, moving on
4 to July 18th. These minutes were a
5 pleasure to read.

6 MR. MARTIN: I think Mr. Bagg
7 should be applauded for that.

8 THE CHAIRPERSON: Do we have any
9 additions, comments?

10 Do we have a motion?

11 MR. MARTIN: I make a motion.

12 THE CHAIRPERSON: I have a
13 motion and second --

14 MS. VILORIA-FISHER: I have just
15 one nitpick on page 234, where we're
16 talking about historic trust manual --
17 third line down, and the paragraph that
18 begins with Mr. Martin. It should read
19 "Ms. Brown explained that the parks"
20 instead of "he parks."

21 THE CHAIRPERSON: Any other
22 additions, corrections?

23 THE CHAIRPERSON: All in favor?

24 (Unanimous aye.)

25

2 THE CHAIRPERSON: Opposed?

3 (None.)

4 THE CHAIRPERSON: Motion

5 carries.

6 MR. KAUFMAN: I abstain.

7 THE CHAIRPERSON: Abstention by

8 Mr. Kaufman.

9 All right. Any correspondence
10 you want to call to our attention, Jim?

11 MR. BAGG: It's on your agenda,
12 basically. We received a letter from
13 Larry Penny in reference to proposed
14 acquisition Town of East Hampton. He's in
15 favor of the acquisition. It's in the
16 folder.

17 THE CHAIRPERSON: Okay.

18 I would just like to make a note
19 that I've asked Jim for our September
20 meeting to lead a half hour to an hour
21 discussion longer on the intricacies of
22 SEQRA. I think we have -- we have some new
23 members.

24 It's always good for the older
25 members to get refreshed with what SEQRA

2 is about, and how we go about implementing
3 it in this body. So, hopefully you'll be
4 able to attend in later stages, the
5 meetings, so we can learn a little bit more
6 about the SEQRA process.

7 So, if you'll put that in the
8 agenda next month, I'd appreciate it.

9 Historic services directories
10 report.

11 MR. MACHTAY: We have a few
12 motions today that we

13 THE CHAIRPERSON: Identify
14 yourself.

15 MR. MACHTAY: Richard Machtay.
16 We have a few motions that we'd like to
17 bring forward today. I'm going to bring
18 some background to them.

19 The first relates to we're
20 working towards the final contract. The
21 County Attorney's office has delivered a
22 final version of the contract of the parks
23 department. And the Historic Society part
24 of that contract is to approve their
25 custodianship of the park.

2 MS. SPENCER: I would like to
3 make the Deep Wells Farm Historical
4 Society to act as the custodian of Deep
5 Wells Farm County Park.

6 THE CHAIRPERSON: We have a
7 motion? A second?

8 MR. KAUFMAN: I'll second that.

9 MS. VILORIA-FISHER: I just have
10 a couple. As you know, we have the history
11 with friends and many activities that were
12 held there.

13 What kind of plan is there with
14 this group and how active will they be and
15 what kind of financial stability do they
16 have?

17 MS. SPENCER: They're just
18 forming, but it's actually -- Richard, you
19 should speak to it.

20 MR. MARTIN: Their programs --
21 they're ready to -- is established.
22 They're just getting tax exempt status at
23 this point.

24 MS. VILORIA-FISHER: Are they
25 running acoustic?

2 MR. MARTIN: Yes.

3 MS. VILORIA-FISHER: Which by
4 the way, they had some very good acts
5 there. They've been very successful.

6 THE CHAIRPERSON: I went last
7 weekend, it was wonderful. I've heard
8 some very good things.

9 MS. VILORIA-FISHER: I haven't
10 gone.

11 THE CHAIRPERSON: You ought to
12 go.

13 (Whereupon, a brief recess was
14 taken.)

15 MS. VILORIA-FISHER: Okay, maybe
16 we can start now.

17 MS. SPENCER: So, the focus was
18 a letter that was written to the CEQ and it was
19 on the table, and Gordon Hall was here, and
20 there was someone from the attorney's
21 office.

22 So, what has happened since the
23 last CEQ meeting, after three years of
24 nothing, a draft contract appeared. I
25 mean this is real movement. What Jim --

2 Larry appointed a committee with Dan and I
3 and Jim -- to pursue this with the County
4 Attorney's office to get this -- to get a
5 boilerplate contract in place that these
6 groups -- that are coming forward, in
7 fact, live with and Jim is still on that.

8 This group now has a draft to
9 look at. What's a little bit different is
10 that this is a custodial arrangement. So,
11 the contract is not straight forward. It
12 isn't simple.

13 MS. VILORIA-FISHER: So it would
14 be different -- I guess it would differ
15 from a contract-vendee kind of
16 arrangement.

17 MR. MARTIN: Yes, it differs
18 from that, but this is similar to our
19 existing contracts that we have.

20 MS. VILORIA-FISHER: I meant
21 concessionaire, not contracting.

22 MR. MARTIN: Yes.

23 MS. VILORIA-FISHER: A
24 concessionaire's agreement or a licensee.

25 MS. SPENCER: Right, right.

2 MR. MARTIN: Well, there are
3 similarities, but it is changed a bit for
4 the Historical Society but I think that's
5 the point of the CEQ -- that maybe it
6 needs some additional changes.

7 MS. VILORIA-FISHER: Does it
8 require revenue to the County the way a
9 licensee or a --

10 MR. MARTIN: No.

11 MS. VILORIA-FISHER: Okay.

12 MR. MARTIN: No.

13 MS. SPENCER: No, and you see
14 while it was Deepwells that came on the
15 table, there are other groups who are
16 trying to form for other properties who
17 are having the same contractual problem
18 with the County.

19 MS. VILORIA-FISHER: What about
20 Audubon with the -- is their contract
21 completed?

22 MR. MARTIN: No. We're
23 actually -- they had a simpler contract --
24 a stewardship agreement for the park.

25 MS. VILORIA-FISHER: Right.

2 MR. MARTIN: But now that
3 they're in the building on the site, we
4 need to do -- also, a custodial agreement.

5 I'm going to be discussing that
6 today. We also need to do a motion on
7 that.

8 MS. VILORIA-FISHER: Okay.

9 MR. MARTIN: We are starting to
10 work on that contract now.

11 MS. VILORIA-FISHER: That's been
12 a long time in the works.

13 MR. MARTIN: Yes. Well, many of
14 these --

15 MS. SPENCER: Well, yeah.

16 MR. MARTIN: That's the
17 problem -- the time limits of this
18 contract.

19 THE CHAIRPERSON: Mr. Kaufmann?

20 MR. KAUFMAN: One quick
21 question, Richard. As I remember most of
22 these contracts -- and the way the County
23 does things -- certain financial
24 requirements of stability are required of
25 these particular groups -- they are

2 supposed to have a certain amount of money
3 and --

4 MR. MARTIN: Well, it's not a
5 definite requirement for a certain amount of
6 money. There's a requirement that the
7 County is able to supervise their fund
8 raisers and their accounts, but they're
9 not required to have a certain amount.

10 The basic requirement for these
11 contracts is to open the buildings up to
12 the public. There's a minimum amount of
13 tours and time during the summer season
14 that's required of these groups, but other
15 than that -- they're just asked to, in
16 good faith, raise funds toward the
17 restoration and the upkeep of the
18 property, but the majority of the
19 maintenance is still the County's
20 responsibility.

21 MS. VILORIA-FISHER: There was a
22 different kind of contract, for example,
23 when we had Greenways Active Parkland
24 contract with community groups, there was
25 that requirement of economic status.

2 You know, if you remember, with
3 the wedge -- the Mount Sinai Heritage
4 Group had to show that they had "X" amount
5 of money, but because there was an
6 infrastructure development involved --

7 MR. MARTIN: Right.

8 MS. VILORIA-FISHER: (Continuing)--
9 they had to build fields, etcetera. So
10 they had to show that they were
11 economically prepared to do that.

12 MR. KAUFMAN: I was also,
13 frankly, thinking about insurance and
14 things like that.

15 MS. VILORIA-FISHER: Well,
16 insurance is a separate issue.

17 MR. MARTIN: Well, they all have
18 to have insurance, there's no question on
19 that.

20 So, yes, then you at least have
21 the financial stability to pay for the
22 annual insurance.

23 MR. KAUFMAN: The other thing is
24 regarding Deepwells. There is a community
25 support in the area aside from the

2 chamber, etcetera.

3 So, the people who are part of
4 that particular group, have long standing
5 roots in the area, shall we say. And it's
6 my anticipation that there will be a lot
7 of community support for them.

8 THE CHAIRPERSON: Mr. Machtay?

9 MR. MACHTAY: As I recall, when
10 we were discussing this with Ms. Bellone
11 and people from the County Attorney's
12 office and others at the -- what was the
13 last meeting -- everybody was sort of
14 pointing in opposite directions, and one
15 of the things that came out of that
16 meeting was -- I think Jim or somebody --
17 was going to look into what the standard
18 operating procedure was, so that when you
19 come to loggerheads you could say "well
20 it's -- it's here in the process," or
21 "it's there in the process," and we really
22 don't know -- "well, it's in the County
23 Attorney's office." Well, I don't know --
24 maybe it's gone back and forth two or
25 three times.

2 And I wonder if, Jim, you could
3 enlighten us? Have you figured out what
4 the process is? You and I discussed it
5 afterwards, after the meeting.

6 MR. BAGG: Well, basically I
7 called up the County Attorney's office --
8 Dennis Brown, and he's going to forward me
9 what the boilerplate contract is, as well
10 as, if they'll release the default
11 contract.

12 We're going to go over the
13 contract, and identify what are the issues
14 and the sticking points -- and then once
15 we do that -- and possibly how they might be
16 rectified.

17 We're going to have a meeting
18 with the Parks Department and the County
19 Attorney's office. We're going to
20 identify the process and try to
21 streamline -- I think one of the problems
22 with the County Attorney's office -- I may
23 not be correct in the statement -- is that
24 when a contract comes in, it gets assigned
25 to a new attorney who probably doesn't

2 have the background with respect to
3 historic services, and starts from scratch
4 every time they turn around.

5 It may be good for the County
6 Attorney's office to have one attorney, or
7 couple of attorneys to be assigned to
8 these types of contracts that understands
9 the background, and then we can get the
10 Parks Department to outline the process --
11 so that we can come up with
12 recommendations back to CEQ -- how to
13 expedite the process.

14 From what I understand, at this
15 point in time, a lot of these contracts --
16 there are issues with them, because the
17 boilerplate that has been submitted in
18 the past, has certain requirements that
19 the Historic Societies feel they can't
20 live with for one thing or another. And
21 we have to find out what those issues are.

22 We have to find out really what
23 the boilerplate contract is and then what
24 the process is and then make the
25 recommendations to expedite and we're not

2 at that point. I have to receive these
3 contracts and then we have to go through
4 them to really find out what the key
5 issues are, and the stick points and then
6 we'll hold a meeting with the Parks and
7 the County Attorney's office.

8 MR. PICHNEY: I would also add
9 that if we had an attorney assigned to us,
10 that attorney should be sympathetic
11 towards historic preservation. I think
12 that's quite critical.

13 They would be less likely then
14 to put that contract on the bottom of the
15 pile when they're going through their pile
16 of work.

17 MR. BAGG: I think that's
18 important. I think once we understand the
19 process and maybe we can come into
20 agreement with what that process is, then
21 basically CEQ can know what step it's in
22 and the County Attorney's office will
23 understand that people are looking at the
24 process and want some type of action
25 given. All those contracts -- that they

2 just don't come in and sit at the bottom
3 of the pile for years.

4 THE CHAIRPERSON: Mary Ann?

5 MS. SPENCER: Yes.

6 THE CHAIRPERSON: Just for
7 clarification --

8 MS. SPENCER: Yes.

9 THE CHAIRPERSON: From my
10 understanding, now -- is there movement in
11 the Deepwells Contract, but it is not yet
12 finalized?

13 MS. SPENCER: That is correct.

14 THE CHAIRPERSON: And Gordon is
15 aware of the progress?

16 MS. SPENCER: Yes. He has a
17 37-page document that's stamped "final
18 draft," that was delivered to him last
19 week, and he's working on it.

20 He's also going to forward all
21 of his comments to Jim and Richard and to
22 me, so that we can bring them into this
23 boilerplate exploration.

24 THE CHAIRPERSON: Okay. Vivian,
25 just for your clarification, you should

2 know that Mr. Hall wrote an e-mail to the
3 CEQ -- probably two months ago, now,
4 stating that he was concerned about the
5 lack of progress and the procedure and the
6 potential harm it was doing to his
7 organization. So, that's why this all
8 came to the table.

9 MS. VILORIA-FISHER: If I may,
10 you're not asking us to vote on anything
11 today, are you?

12 MR. MARTIN: Yes.

13 MS. VILORIA-FISHER: Why don't
14 we vote -- this is what's confusing me.
15 If we don't have a contract yet, then what
16 are we voting --

17 MR. MARTIN: Part of the
18 contract.

19 MS. SPENCER: One of the
20 stipulations of this contract is that we
21 recommend to the legislature that this --
22 that this group be considered for
23 custodianship because evident -- legally
24 the legislature must pass on each of these
25 groups.

2 THE CHAIRPERSON: When you say
3 this "group," you're talking about Gordon
4 Hall's group?

5 MS. SPENCER: That's right.
6 That's how my motion was to approve the
7 Deepwells Farm Historical Society -- to
8 act as the custodian of Deepwells Farm
9 County Park. There will be other motions
10 to that effect, so, hopefully, some of these
11 other contracts come forth.

12 In the draft that Gordon
13 received, that was one of the first
14 stipulations and Richard has also seen
15 that final draft, and that's why we're
16 putting it today. What we're trying to do
17 is deal with that part of the proposed
18 contract.

19 THE CHAIRPERSON: So, we have a
20 motion on the table. Do we have a second?

21 MR. KAUFMAN: Second.

22 MR. BAGG: Mr. Kaufman seconds
23 that.

24 THE CHAIRPERSON: Okay, Mr.
25 Kaufman already did. Do we have any

2 further discussion?

3 MR. MARTIN: I would just like
4 to -- with a clarification. Within the
5 Suffolk County's Historic Trust manual it
6 stipulates that the Historic Trust is to
7 approve the organizations that are to be
8 the custodians of these historic sites.
9 So, it is our role --

10 MS. VILORIA-FISHER: Before they
11 move on to sign a contract?

12 MR. MARTIN: Yes. We need --
13 the County Attorney has asked us for a
14 formal resolution so they can proceed with
15 the signing of the contract. That is part
16 of the procedure.

17 THE CHAIRPERSON: For further
18 point of clarification, it is the
19 recommendation of the subcommittee that
20 was appointed last month, that we go ahead
21 with this? You have seen the contract,
22 Jim has seen the contract, and you're --

23 MR. PICHNEY: No.

24 MS. SPENCER: No. The
25 subcommittee has not seen it.

2 MR. MARTIN: This is just to
3 approve the organization -- to be on the
4 site -- to run that site for us. It's not
5 approving the contract.

6 THE CHAIRPERSON: Right, I
7 understand that. But on what basis are we
8 making the determination that they are the
9 appropriate organization to run it?

10 MS. SPENCER: I'm making it as a
11 member of CEQ.

12 MR. MARTIN: I can give a little
13 more background on staff. This group
14 approached us -- like I said -- three
15 years ago. They consist of a lot of the
16 volunteers that ran the house for us when
17 it was run by the French Long Island
18 Heritage. They wanted to continue that
19 tradition and the programs that we have
20 there.

21 Also members of the Saint James
22 Chamber of Commerce have come forward and
23 joined these people, and again they would
24 like to open this up to the community.
25 They have been doing this for three years

2 under a permit basis. They have been
3 given a permit for a day when we have the
4 acoustic events. They are given a permit
5 for that day, but they do not have the
6 right to set up an office there, or do the
7 fundraising for the site until they have
8 a contract in place.

9 So, it's really hindering them
10 in moving forward and occupying the site
11 on a full-time basis. We are working well
12 with them. They are ambitious, they have
13 a lot of ideas that they would like to do
14 with that site, and I appreciate the
15 historic integrity of that site.

16 THE CHAIRPERSON: So, we have
17 the blessing of the Parks Department?

18 MR. MARTIN: Yes.

19 THE CHAIRPERSON: Tom?

20 MR. GULBRANSEN: My question was
21 similar to yours. Does the manual provide
22 for the parameters that we've used to
23 judge the appropriateness of a custodian?
24 But you asked that question already.

25 I guess my next question

2 becomes: Do we define clearly the
3 leadership that they can provide as
4 custodians? If they're ambitious, that's
5 fine -- and they've had years to do this
6 contract thing and that's been kind of
7 bumpy. Where can they go, and how do we
8 make sure that they sort of check with us,
9 or check with somebody -- to have a
10 custodian role that complies with the
11 vision?

12 MR. MARTIN: That's all covered
13 in the contract. They are to cover all
14 the guidelines under the Historic Trust
15 manual and, of course, the commissioner
16 has to approve any of the programs or the
17 work that they do there. So, they're not
18 given a -- they have to get approvals for
19 everything they do there.

20 MR. GULBRANSEN: Understood,
21 thank you.

22 MR. BAGG: Richard, how long
23 does the contract run for?

24 MR. MARTIN: It's a five-year
25 contract. I think three renewables, after

2 that two -- I'm sorry, five-year options.

3 THE CHAIRPERSON: Richard, just
4 for the protection of the CEQ, in the
5 future, I think it would be helpful if we
6 could get a letter from the Parks
7 Department saying that you are -- Parks
8 Department is supportive of such-and-such
9 a group, overseeing such-and-such a
10 property.

11 MS. SPENCER: We can also bring
12 it through the committee, Larry -- you
13 know. This is all just sort of --

14 MR. MARTIN: We can definitely
15 do the letter. So everyone understands,
16 this is at the request of the Parks
17 Commissioner that we're bringing this
18 forward.

19 THE CHAIRPERSON: Mike?

20 MR. KAUFMAN: No.

21 MS. SPENCER: The other thing
22 that is really crucial on all of this is
23 that here's a group that's been working at
24 this for three years. They have a long
25 history with this property and they want

2 to do -- they would like to bring in
3 artifacts and start a museum. As Michael
4 pointed out, this is really a longstanding
5 group. They can't get a 501C3 without a
6 contract.

7 MS. VILORIA-FISHER: They can't?

8 MS. SPENCER: No, and they can't
9 apply for grants without 501C3. I mean
10 this really becomes a catch-22 for them,
11 but I think we're back to procedures again
12 and, Richard, you and I should make sure
13 that we follow procedures in the future
14 when we come forward and ask that someone
15 be appointed custodian -- that it have a
16 letter from Parks and it has been through
17 the trust. Okay?

18 MR. BAGG: Also the letter
19 should state the supporting reasons as to
20 why they need the criteria or good --
21 would be good custodian.

22 MS. SPENCER: Okay.

23 THE CHAIRPERSON: We have a
24 motion on the table. It's been seconded.

25 THE CHAIRPERSON: All in favor?

2 (Unanimous aye.)

3 THE CHAIRPERSON: Opposed?

4 (None.)

5 THE CHAIRPERSON: The motion
6 carries unanimously.

7 All right, our next --

8 MR. MARTIN: The next thing I'd
9 like to bring forward, our Historic Trust
10 Committee has requested that we start
11 bringing forward for final dedication the
12 historic sites that have gone through the
13 committee, but not have come forward to
14 the Historic Trust. So, we're going to
15 plan to do that to bring one forward every
16 meeting.

17 The information will be sent in
18 earlier next time to be on the agenda in
19 your packet, but today I thought we could
20 take a look at the Brookside County Park --
21 pretty straight forward.

22 We met there, actually, in the
23 year 2000 when the County purchased the
24 property, and I can just go through the
25 fact sheets here and explain the site to

2 you. First, I'll just give a broad
3 background to the Park. The property is
4 six acres on Brook Street on the border
5 between Sayville and West Sayville, and
6 it's a six-acre parcel that was part of
7 the original 88 acre Isaac Green Estate
8 and he was the architect from Sayville.

9 He built a lot of the summer
10 estates along the south shore of Long
11 Island and, actually, throughout Long
12 Island. He was the architect for Meadow
13 Croft, the Roosevelt Estate in Sayville,
14 and is already dedicated to the Suffolk
15 County Historic Trust.

16 Also did the major additions to
17 Sagtikos Manor in West Bay Shore, which
18 again, is a County Historic site now.
19 Also built the Hart Estate which is the
20 headquarters of the Suffolk County Parks
21 Department. So, this is actually the
22 fourth property of his work, but the
23 County now owns it's historic program.

24 The work of Isaac Green, as a
25 body of work, has been approved by the New

2 York State Office of Historic Preservation
3 as being eligible to the National
4 Register. Each site would have to be
5 reviewed separately and brought forward,
6 but his work as a body of work -- as a
7 group of architectural work, has been
8 declared eligible to the National
9 Register. They have not visited the site
10 yet, that still remains to be done. Take
11 a serious look at this one to be
12 classified to be eligible to the national
13 register center.

14 The next page with the map, you
15 can see on Brook Street and you'll see
16 "I.H. Green." There are two bodies of
17 water -- two ponds there. Essentially the
18 parkland that's within those two ponds, a
19 bit north, and these ponds were manmade
20 and the creeks that connect it were
21 dredged and manmade. The main house is on
22 the left side of the map. That building
23 is no longer standing. That is now a
24 residential -- a subdivision. In the
25 center you see a small building -- the

2 gatehouse -- that remains standing, and
3 that's part of the dedication here and
4 that is also proposed to be the
5 headquarters of the Great South Bay
6 Audubon Society.

7 To the next page is a site map.
8 This is the taking-map of the property
9 surveyed in 1999. Again, you can see the
10 center -- the gatehouse behind it -- an
11 early 1897 shed. There's an entrance
12 bridge at the bottom of the map that goes
13 over the creeks that were designed by
14 Isaac Green, and also a larger bridge on
15 the left side. It looks like it's a bit
16 cut off here over the west pond, and these
17 were two concrete bridges with stucco
18 finish that were designed by Isaac Green
19 as part of his landscape design here.

20 And basically what we're looking
21 at is a 19th century estate water-park
22 that was laid out by the architect and
23 similar in design to Meadow Croft --
24 another water-park estate that was
25 designed by Isaac Green.

2 This approach to the estates on
3 the south shore of Long Island was very
4 popular. Of course, we didn't have PC at
5 that time so they were allowed to dredge
6 these wetlands -- create islands -- create
7 streams.

8 MS. VILORIA-FISHER: Don't say
9 ponds here.

10 MR. MARTIN: Don't say ponds?

11 MS. VILORIA-FISHER: Manmade
12 ponds.

13 MR. MARTIN: Okay.

14 MS. VILORIA-FISHER: I'm
15 kidding.

16 MR. MARTIN: Now, of course,
17 this is obviously considered a wetland.
18 So, we are under all the DEC guidelines for
19 anything we do here, but historically they
20 weren't.

21 On the next page you'll see an
22 early view of the gatehouse. I presume
23 that's one of his children or relatives
24 you see hanging off the tree.

25 MS. VILORIA-FISHER: Defying

2 gravity, I may say.

3 MR. MARTIN: The picture below
4 is the gatehouse as it looks today. The
5 Audubon Society is very interested in
6 working with the Parks Department to
7 restore the structure. It basically
8 retains it's original exterior
9 configuration.

10 The big change has been the
11 enclosure of the front porch, which we do
12 have capital funds in place now to restore
13 that porch and bring it back to the early
14 shingles style that it had, which you'll
15 see in the next page. So we plan to
16 restore the gatehouse to that original
17 look, and we are starting to do so. We
18 replaced the wood roof on the building,
19 and we do have funds to restore the front
20 porch.

21 The next two pages is a sign
22 there that was put up by the Audubon
23 Society. Historic photographs of the dams
24 on site that Isaac Green installed to
25 create the ponds. The next page shows --

2 THE CHAIRPERSON: Richard, if I
3 may interrupt?

4 MR. MARTIN: Yes.

5 THE CHAIRPERSON: This is one of
6 the dams that we talked about some time
7 ago that was deteriorating and what needed
8 to be done to preserve it?

9 MR. MARTIN: Well, it's not that
10 it's deteriorating -- it's not capable of
11 taking care of all the runoff when we have
12 extreme storm runoff at this site. So,
13 there's a plan -- a capital plan now, to
14 do an additional spillway to the east of
15 this dam here. This is East Pond Dam, and
16 there is a capital project we're working
17 with DEC for approval to do an additional
18 spillway next to this to accommodate the
19 storm runoff. The dam itself will remain
20 in place and in -- intact.

21 THE CHAIRPERSON: And
22 functional?

23 MR. MARTIN: And functional.
24 There's a private property to the east of
25 this pond that the waters overflow onto

2 their property during storms that we're
3 trying to alleviate. There's complaints
4 from the residents.

5 The next page, again, is a sign
6 that's up at the park. The photograph on
7 this sign shows the main residence was a
8 Tudor revival style that was on the west
9 bank of the west pond, and that's no
10 longer standing. That property burnt down
11 in 1970.

12 This side of the pond is
13 actually owned by the Town of Islip as
14 part of the Greenbelt -- in a sense along
15 this Green's Creek head waters of the
16 Green's Creek in West Sayville. So, the
17 town and the county have been buying
18 parcels along Green's Creek to protect the
19 waterways.

20 And the last page shows the West
21 Pond. This is the larger of the two. The
22 top is a vintage view from about 1915,
23 showing the decorative concrete bridge on
24 top and the dam down below -- which is
25 still in place.

2 And basically the County
3 property line runs through the middle of
4 the dam and the middle of the bridge. We
5 are looking to dedicate those structures
6 to the County Historic Trust, and below is
7 the current view of the concrete bridge at
8 that location.

9 The importance of the site is
10 showing the landscape design, and the
11 location of a prominent Long Island
12 architect who is becoming more important
13 to the sense of showing the summer
14 architecture that was built on Long
15 Island, especially the shingle style.

16 Out east he did a lot of the
17 early homes in East Hampton in the shingle
18 style, including the Maidstone -- the
19 country club that was built there -- and
20 so its influence on the architecture and
21 the design on Long Island is great. And
22 also especially the landscape design that
23 we see on our south shore estates.

24 This is a great tool to educate
25 the public as to his work, and also the

2 Audubon Society is presently giving tours
3 of the nature trails through this
4 property. So, it's a great benefit to the
5 community to have this park in place, and
6 we'd like to have the protection of the
7 Historic Trust on this parcel.

8 THE CHAIRPERSON: Thank you.

9 MR. MACHTAY: I want to -- just
10 get a little nitpicky here.

11 MR. MARTIN: Sure.

12 MR. MACHTAY: I know Mr. Mallamo
13 made the motion and I know Ms.
14 Manfredonia seconded the motion. I know
15 ten people voted on it, but I don't know
16 who they are. The resolution should
17 probably list everybody that was present.

18 MR. MARTIN: Okay.

19 MR. MACHTAY: Just to keep us
20 informed.

21 MR. MARTIN: I can make that
22 correction and submit it again.

23 MR. MACHTAY: No, I'll take it
24 the way it is, and I'll even make a motion
25 to approve it. In the future, it should

2 list who's who.

3 MR. MARTIN: Okay.

4 THE CHAIRPERSON: So, a motion
5 has been made to include this property in
6 the Historic Trust?

7 MR. MARTIN: Well, I think -- by
8 the committee: The committee has made a
9 motion and approved it, and now it's
10 coming forward to the Historic Trust.

11 MR. BAGG: Someone has to make a
12 motion here.

13 THE CHAIRPERSON: Didn't he just
14 do that?

15 MR. MARTIN: I think I just did.

16 MS. SPENCER: May I -- this
17 motion according to the manual has to
18 include -- put it in a category, and so
19 forth. May I just read this into the --

20 MR. MARTIN: You certainly may.

21 MS. SPENCER: All right.

22 THE CHAIRPERSON: Let's second
23 it and then amend the motion.

24 MS. SPENCER: Okay.

25 THE CHAIRPERSON: Do we have a

2 second?

3 MS. RUSSO: I second.

4 THE CHAIRPERSON: Ms. Russo
5 seconded it. Now, you wish to amend the
6 motion?

7 MS. SPENCER: Yes. That the
8 Brookside County Park be dedicated under
9 the following preservation categories:
10 Number one: Architectural, and that it
11 include the following buildings and or
12 structures:

13 A. c. 1897 Gatehouse.

14 B. c. 1897 shed

15 C. c. 1897 entrance bridge

16 D. c. 1897 pond bridge

17 E. c. 1897 east pond dam, and

18 F. c. 1897 west pond dam.

19 That's the first condition. The second
20 category would be "T" in parentheses -- capital "T"
21 which is: The Preservation of Trees and Shrubs. The
22 third in parenthesis, capital "T", capital "N" is:
23 Terrain, and the fourth is capital "E", or exceptional.

24 MS. VILORIA-FISHER: Wait a
25 minute, the fourth was not --

2 MS. SPENCER: I'm making a
3 correction.

4 MS. VILORIA-FISHER: Oh, I see.

5 MS. SPENCER: In addition -- so
6 those are the Preservation Categories.
7 There is "Functional use category," and
8 the initial recommendation of the Historic
9 Trust committee is for museum or cultural
10 organizational use. Under the manual, you
11 have "preservation," but also use
12 categories.

13 THE CHAIRPERSON: Everybody okay
14 with that amendment?

15 MR. GULBRANSEN: Can I raise a
16 question at this time to Richard's earlier
17 point?

18 THE CHAIRPERSON: Yes.

19 MR. GULBRANSEN: You mentioned
20 that the neighbors had been complaining
21 that runoff or flooding was occurring.

22 MR. MARTIN: Yes.

23 MR. GULBRANSEN: Could you
24 connect that concern with the terrain and
25 preservation that will occur? Is there

2 something that the county is now
3 understanding how to take care -- to
4 mediate that problem, or are we becoming
5 the owners of that problem? How does the
6 runoff situation relate to what we're
7 taking?

8 MR. MARTIN: We are trying to
9 accommodate the concerns of the residents,
10 and we have a DEC review on this for the
11 design to put in additional spillway to
12 the west of the existing East Pond Dam,
13 and that would just be used for overflow
14 for storm runoff.

15 MR. GULBRANSEN: So, we're going
16 to redirect?

17 MR. MARTIN: Well, the existing
18 dam will still function, but because we're
19 viewing it as a historic property we don't
20 want to rebuild that. We rather just add
21 a smaller run-off next to it, and that
22 should alleviate the problems that we're
23 having with the resident to the east of
24 the pond.

25 MR. GULBRANSEN: Okay. Thank

2 you.

3 THE CHAIRPERSON: Just to follow
4 up on that. I think, Tom, sort of asked
5 the question does this involve any
6 liability issue that puts the County or
7 the Historic Trust at further risk than it
8 already is?

9 MR. GULBRANSEN: Or opportunity?
10 There are things called bioengineering
11 systems, where you actually put certain
12 kinds of plantings in and they're a great
13 thing. They absorb nutrients, and they
14 help the runoff that we have to struggle
15 with in a lot of places.

16 MR. KAUFMAN: They may not be
17 appropriate in a historic sense for this
18 particular park. For example, there's A
19 tree from Australia which sucks up water
20 quite nicely and they use it for flood
21 control in many places. I forget the name
22 of it -- I want to say "Acacias," but I will
23 not swear that that's the proper
24 name.

25 MR. PICHNEY: Is that the one

2 they have in Florida, the "Maleleuca?"

3 MR. KAUFMAN: No, different
4 tree.

5 MR. PICHNEY: Different tree.

6 MR. KAUFMAN: That's often used,
7 but that is not historically compatible
8 with what we have here. It's not native
9 and things like that. These particular
10 properties have a certain ambience to them
11 in terms of the water park aspect of it.

12 MR. GULBRANSEN: So, that's off
13 the table with regard to how this
14 property --

15 MR. MARTIN: I don't know what
16 DEC approves. I know they've been on site
17 and reviewed this in detail, and this is
18 their recommendation.

19 MR. BAGG: Basically, what's
20 before the CEQ today is the recommendation
21 for dedication to the Historic Trust. I
22 believe the entire site plus the
23 structures as dually noted in here.

24 The site currently has a runoff
25 problem which is being looked into and

2 some type of recommendation to handle that
3 back before the CEQ, I assume and if the
4 property is dedicated to the Historic
5 Trust, then I assume the council will have
6 to review the proposed runoff mitigation
7 project, and its impact on the historic
8 integrity of the site.

9 MR. GULBRANSEN: Thank you.

10 MS. VILORIA-FISHER: I thought
11 we did look at this.

12 MR. MARTIN: I think we did.

13 MS. VILORIA-FISHER: I believe I
14 remember looking at this, because we
15 already do own the property and we have
16 looked at this a number of months ago
17 because of the problem with the mitigation
18 of overflowing into the neighbor's
19 property. We looked at it a while ago.

20 MR. KAUFMAN: In other words,
21 we're not buying into a situation. We
22 already own the property as a county. So,
23 this is just a dedication aspect of it.
24 If this was a purchase of the property,
25 that issue might come up, but this is a

2 separate situation.

3 THE CHAIRPERSON: Okay. Is the
4 mitigation done in the context of the
5 historic site?

6 MR. MARTIN: Yes, and it was
7 reviewed that way. I mean -- it was known
8 when it came to the committee that the
9 Historic Committee had reviewed it for
10 historic status. That was part of the
11 review.

12 THE CHAIRPERSON: Okay. Any
13 other comments? Call a motion as amended.

14 THE CHAIRPERSON: All in favor?
15 (Aye.)

16 THE CHAIRPERSON: Opposed?
17 (None.)

18 THE CHAIRPERSON: Motion
19 carries, unanimously.

20

21 THE CHAIRPERSON: Anything else?

22 MR. MACHTAY: Does designating
23 this to the Historic Trust, in any way,
24 affect any mitigation that might come
25 about later on? For instance, if the DEC

2 comes in and says put a sluiceway in --
3 diverting the water to go over here as a
4 site that's on a Historic Trust -- maybe
5 we don't want to see that.

6 MS. SPENCER: By dedicating it
7 to the Historic Trust -- we are the
8 Historic Trust, the CEQ is the Historic
9 Trust. Once a property is dedicated, then
10 that means that any changes will come
11 through Richard's office, the Trust
12 Committee and the CEQ for review.

13 MR. MACHTAY: Did not somehow
14 inhibit or effect what the outcome --

15 MR. MARTIN: I think to respond
16 to that -- just the design of it. If
17 there was a problem there I think we try
18 to accommodate it but just how it was
19 designed and the materials used we would
20 have a voice on it and that would be our
21 number one concern.

22 THE CHAIRPERSON: It's my
23 understanding what Vivian Vilorio-Fisher
24 recalls, and what Richard recalls is that
25 we actually did that before it came before

2 us sometime ago.

3 MR. MARTIN: So, it usually
4 prohibits this kind of work or taking care
5 of problems at the site, but just the
6 design of it we would have an input on the
7 design.

8 MR. KAUFMAN: To put it another
9 way, Richard. Any projects or
10 mitigation -- as you were saying -- that
11 come up would have to have a certain --
12 reviewed under the Historic Trust manual
13 procedures as Mary Ann was saying, and
14 there would have to be a consideration of
15 retention of the historic -- again,
16 ambience -- or the historic aspects over
17 here as part of any decision we would be
18 making.

19 In other words, we would have to
20 review it from the historic perspective.
21 We also have to review it from the
22 environmental perspective. Sometimes we
23 can accommodate both of those. Most of
24 the time we've even been able to. I'm not
25 going to say it always happens that we are

2 able to accommodate, but those interests
3 are supposed to be part of the discussion.
4 It will not necessarily limit us.

5 Say DEC wants to put in some
6 bypass systems or something like that --
7 as you were saying. We, obviously, have
8 to do work with DEC -- they have their
9 regulatory authority. We can make,
10 obviously our concerns known to them and
11 try to impact the process that way.

12 We would basically have to look
13 at it from the historical perspective.
14 That shifts things a little bit.

15 MR. MACHTAY: A designated
16 site -- historically a designated site.
17 It rises to a certain level, certain
18 threshold in secret, okay -- and that puts
19 another burden on trying to mitigate.

20 THE CHAIRPERSON: Anything else,
21 Richard?

22 MR. MARTIN: Just on this
23 property -- I was looking to bring forward
24 the motion to approve the Great South Bay
25 Audubon Society, but if you would like to

2 wait until you get the letter and
3 supporting information that would be fine.
4 We're just starting the process now --

5 MS. VILORIA-FISHER: On the
6 Scully House?

7 MR. MARTIN: On the Brookside
8 House. So, that would be a problem. I
9 can come back next month with that
10 supporting information for you.

11 THE CHAIRPERSON: I think that
12 would be best. Jim, you had a comment?

13 MR. BAGG: Yes. Just to give
14 the Council a little background. The
15 Historic Trust Committee is a committee of
16 the CEQ, all right. So the people
17 understand that. And I would like to ask,
18 Richard, to please prepare a list of the
19 current members on the committee and their
20 backgrounds so we can send it to all the
21 council members who know who these
22 individuals are.

23 In addition, anybody in the CEQ
24 can make recommendations for new members
25 for the Historic Trust Committee. So,

2 just so you know.

3 MR. MARTIN: I just would like
4 to announce that September 11 is our next
5 Historic Trust Committee meeting. This
6 will take place at the Suffolk Lodge at
7 the Southaven County Park, and that's to
8 be at 9:30 at that location.

9 At the last meeting, Larry, you
10 mentioned that you'd like to see a CEQ
11 meeting at one of our historic sites as we
12 did years ago. I just would like to
13 recommend at this point that we maybe look
14 to meet at the Scully Estate. There's
15 work going on there now to create the
16 County Environmental Center and also it's
17 a LEED project.

18 So, I think it would be
19 interesting and educational for all of us
20 to take a tour of that site. I could have
21 the architects give us a tour and Enrico
22 Nardone from Seatuck that is planning to
23 do the programs there -- that also chose
24 to do the programs there.

25 THE CHAIRPERSON: Are you

2 recommending this for September?

3 MR. MARTIN: I'm leaving that to
4 the CEQ. I'm just recommending that site.

5 THE CHAIRPERSON: I think that
6 would be a good idea. My only concern is
7 that we have a requirement that we have a
8 stenographer at the meetings, but if we
9 hold a meeting at a remote location can we
10 waive that?

11 MS. VILORIA-FISHER: I don't
12 know, you have to ask counsel.

13 THE CHAIRPERSON: Jim, could you
14 check up on that? Because I think it's as
15 important to have us understand what these
16 properties are as it is to have verbatim
17 minutes. That's my personal point of
18 view.

19 MS. VILORIA-FISHER: Every now
20 and then committees of the legislature are
21 held at remote locations, and I believe a
22 stenographer just comes to the location.

23 THE CHAIRPERSON: Okay.

24 MR. MARTIN: We do have a key to
25 the site, so we have time to decide.

2 THE CHAIRPERSON: I remember one
3 of our meetings at Deepwells, when we wore
4 gloves.

5 MR. KAUFMAN: One quick
6 question -- I may have missed something
7 just here. Didn't we have a motion on the
8 floor dedicating the county park to the
9 Historic Trust? We had a first and we had
10 a motion --

11 MR. BAGG: We voted on it,
12 unanimously.

13 MS. VILORIA-FISHER: Yes, we
14 voted on it.

15 MR. KAUFMAN: Never mind.

16 MS. VILORIA-FISHER: I just
17 wanted to clarify something. Because
18 there are new members, and Richard
19 mentioned "LEED" and that's Leadership
20 Environmental and Energy Design. I always
21 get the acronym wrong, but it is LEED.

22 I sponsored legislation that
23 county buildings -- new buildings or
24 renovations that exceed over a million
25 dollars have to be done according to

2 LEED's criteria. So, that's what Richard
3 was referring to.

4 THE CHAIRPERSON: Are you --

5 MR. MARTIN: That's all I have.
6 Mary, do you have anything else?

7 MS. SPENCER: That's it.

8 THE CHAIRPERSON: I just want to
9 remind everybody that this is a public
10 meeting, and if you have any comments, that
11 you're certainly free to make them. We
12 usually have the public make the comments
13 as we move through the agenda rather than
14 to have them all at the end or any -- or
15 at the beginning or anything else. So,
16 feel free to raise your hand and
17 participate.

18 MR. BRADY: Is it possible for
19 me to get a copy of that site on Brook
20 Street?

21 MR. KAUFMAN: Yes.

22 MR. BRADY: I have a personal
23 interest -- live over there and I grew up
24 in that area, and I spent a lot of time in
25 that pond area as a child -- so I'm just

2 interested in it.

3 THE CHAIRPERSON: Recommended
4 Type II Actions. Jim, what do you have?

5 MR. BAGG: We're expecting a
6 packet -- laid on the table on August 7,
7 2007 which is before you the list of all
8 the resolutions. I've gone through them,
9 and basically everything in the packet is
10 Type II Actions or SEQRA has been
11 completed. It was in the process of being
12 completed on them so there's really
13 nothing to point out of interest in the
14 packet.

15 THE CHAIRPERSON: Do we have a
16 motion?

17 MR. KAUFMAN: I will make a
18 motion to accept staff recommendations.

19 MR. MARTIN: I second that.

20 MS. RUSSO: I second that
21 motion.

22 THE CHAIRPERSON: Seconded by
23 Ms. Russo. Any comments, questions?

24 THE CHAIRPERSON: All in favor
25 of the motion?

2 (Unanimous Aye.)

3 THE CHAIRPERSON: Opposed?

4 (None.)

5 THE CHAIRPERSON: Motion carries
6 unanimously.

7 Sewer District number 7, Pump
8 Station number 2, Renovation/Upgrade. Do
9 you have a presentation?

10 MR. BRADY: I have a --

11 THE CHAIRPERSON: Please
12 identify yourself for the record.

13 MR. BRADY: Bill Brady, Suffolk
14 County DPW.

15 I have a couple of aerial
16 photographs of the two sites that are in
17 question. The plan is to replace existing
18 equipment at those two sites. Each place
19 has two pumps for lifting wastewater to
20 the treatment facility, and our plan is to
21 replace both pumps at both locations and
22 the controls for that. They're just old
23 and they're in need of replacement --
24 pretty standard.

25 THE CHAIRPERSON: Anybody have

2 any questions?

3 MR. KAUFMAN: I'll make a
4 motion, Type II Action.

5 THE CHAIRPERSON: A motion; you
6 second?

7 MS. RUSSO: I second that.

8 THE CHAIRPERSON: All in favor?
9 (Aye.)

10 THE CHAIRPERSON: Opposed?
11 (None.)

12 THE CHAIRPERSON: Motion
13 carries.

14 Sewer District number 11, Pump
15 Station number one, Renovation and
16 Upgrade.

17 MR. BRADY: Same situation.
18 That place we're putting a building in
19 also. The pumps will be a slightly
20 different design. The lift for those
21 pumps is such that we're able to use them,
22 and then we'll put pumps inside of the
23 building. The site is the largest so we
24 have room for a building. So, that's why
25 we elected to put a structure up so the

2 pumping equipment will be located in the
3 building.

4 THE CHAIRPERSON: So the
5 building, in fact, is new -- it's not
6 replacement?

7 MR. BRADY: That's correct.

8 THE CHAIRPERSON: But the
9 building is only 225 square feet?

10 MR. BRADY: Yes, it's relatively
11 small.

12 MR. MACHTAY: Type II.

13 THE CHAIRPERSON: We have a
14 motion by Mr. Machtay. We have a second
15 by Legislator Vilorina-Fisher.

16 THE CHAIRPERSON: All in favor?
17 (Aye.)

18 THE CHAIRPERSON: Opposed?
19 (None.)

20 THE CHAIRPERSON: Motion
21 carries.

22 Improvements to County Road 83,
23 Patchogue-Mt. Sinai Road.

24 MR. MACKEY: My name is Russ
25 Mackey, M-A-C-K-E-Y. Engineer with the

2 Suffolk County DPW.

3 This is just overall area of the
4 area in question. Basically, what we're
5 doing for this project is we're
6 resurfacing County Road 83 from the LIE to
7 New York State 25, Middle Country Road.

8 Basically, we're also going to
9 be doing some spot fill -- depth pavement
10 repairs in areas where the pavement is --
11 existing pavement has failed. We're also
12 adding a left-turn lane from the
13 southbound 83 going eastbound onto Route
14 25.

15 Basically, just to increase
16 safety in the area, because right now the
17 Q-length goes from the turn-lane into the
18 travel-through lane, and there have been
19 accidents caused by that. There's also
20 going to be some minor drainage
21 modifications along the way. Probably
22 just putting a leaching basin to alleviate
23 spot drainage flooding.

24 All work will be done within the
25 existing right-of-way, and the addition of

2 the left-turn lane -- I believe, is less
3 than 3500 square feet.

4 THE CHAIRPERSON: That was one
5 of my questions. On your form -- in the
6 Environmental Assessment form, you say
7 that "the amount of land affected is 37
8 and-a-half acres," and your cover letter
9 it says, "it will not exceed 4000 square
10 feet." So, which is it?

11 MR. MACKEY: The acreage I
12 believe, is the resurfacing area from the
13 lanes, but the new addition -- left-turn
14 lane is the approximate 3500 square feet.

15 MR. MACHTAY: So you're taking
16 it from the median --

17 MR. MACKEY: Yes.

18 MR. MACHTAY: (Continuing) -- in
19 the middle to make the left-turn lane?

20 MR. MACKEY: Yes.

21 MR. MACHTAY: Jim, would that be
22 considered --

23 MR. BAGG: I think if we look at
24 the list --

25 MR. MACHTAY: (Continuing) --

2 adding new lanes?

3 MR. BAGG: Well --

4 MS. VILORIA-FISHER: They're
5 travel lanes. They said travel lanes?

6 MR. BAGG: Repaving of an
7 existing highway -- not long -- in addition
8 to a travel lane is considered Type II.
9 It says here, "construction or expansion
10 of a primary or excess rate of
11 non-residential structure facility
12 involving less than 4000 square feet."
13 And then also "traffic -- installation of
14 traffic control devices on existing
15 streets are also considered Type II."

16 So, one of those two things -- I
17 think this qualifies for Type II actions,
18 because technically the left-hand turn
19 lane could be considered a traffic control
20 device.

21 MR. MACHTAY: And also, it's
22 pertinent, too.

23 MR. BAGG: Yes, and it's less
24 than 4000 square feet.

25 THE CHAIRPERSON: Can you locate

2 where your leaching facilities are going
3 to be?

4 MR. MACKEY: Right now, it's in
5 the beginning phase. There's going to be
6 isolated areas where there's probably
7 isolated things, but approximately -- if I
8 had to assume here (indicating) it
9 probably would be maybe -- somewhere in
10 the median as far as -- because the slope
11 of the road is angled toward the median as
12 it is right now.

13 THE CHAIRPERSON: Leaching pools
14 will not be damaging wetland areas?

15 MR. MACKEY: There are no
16 wetland areas located in this area here.

17 THE CHAIRPERSON: Legislator
18 Viloria-Fisher?

19 MS. VILORIA-FISHER: I was
20 making a motion of Type II Action.

21 THE CHAIRPERSON: We have a
22 motion.

23 MR. MACHTAY: I'll second that.

24 THE CHAIRPERSON: We have a
25 second by Mr. Machtay. Any further

2 discussion?

3 MR. GULBRANSEN: In the
4 construction process in paving, is there
5 anything that's more careful or necessary
6 to request with regard to protections in
7 the road? It's an honest question. I
8 actually have no idea.

9 MS. RUSSO: It's construction,
10 basically. They got to do stormwater
11 protections more than one acre.

12 MR. GULBRANSEN: That's just
13 always --

14 MS. RUSSO: Five acres based on
15 stormwater protection with construction
16 activities.

17 MR. MACKEY: With this kind
18 of -- with mostly the overlay areas they
19 do take -- it's written in the contract
20 plans that they protect the existing
21 leaching basins and drainage structures so
22 that no asphalt or any of the other
23 chemicals -- not chemicals, or materials
24 that they use get into the leaching areas.

25 As far the construction areas

2 there's -- they have to do basically --
3 you know protect the runoffs so that again
4 none of the soil disturbed goes into
5 these -- runs off the site.

6 MR. GULBRANSEN: Thank you.

7 THE CHAIRPERSON: Thank you.

8 We have a motion. We have a
9 second.

10 THE CHAIRPERSON: All in favor?

11 (Aye.)

12 THE CHAIRPERSON: Opposed?

13 (None.)

14 THE CHAIRPERSON: Motion
15 carries. Thank you very much.

16 Proposed Acquisition of Land for
17 Open Space. Please identify yourself for
18 the --

19 MS. FISCHER: Laretta Fischer,
20 Principal Environmental Analyst for the
21 Suffolk County Planning Board.

22 The first acquisition before you
23 today is the Carlls River County Park
24 Addition -- Red Enterprises is the owner.
25 This is a small, approximately one-tenth

2 of an acre parcel in the watershed of
3 Carlls River that we've been trying to
4 obtain a numerous -- parcels within. It's
5 a low-lying wetland area. This is just
6 north -- this property is north of the
7 tributary to Carlls River in Babylon --
8 the Wyandanch hamlet area.

9 All properties within -- all
10 vacant properties within this area have
11 been highlighted to be acquired. In the
12 green are those properties that we already
13 own. So we're continuing to amass our
14 holdings to protect this watershed.

15 MR. MACHTAY: You seem to be a
16 little bit more fortunate than myself,
17 that they got the aerials and I don't.

18 MS. FISCHER: Oh, I thought I
19 gave you one (handing).

20 MR. MACHTAY: I believe you.

21 THE CHAIRPERSON: Laretta, I
22 had a question that -- probably not
23 really. It looks like the DEC freshwater
24 wetlands line boundary goes through a
25 lake. How can that be?

2 MS. FISCHER: Yes. Actually,
3 because of the fact that New York State
4 DEC wetland maps are mapped at one inch
5 equals a thousand feet, the accuracy of
6 those lines is very questionable when you
7 get down to a parcel specific level.

8 So, we do our best to
9 approximate where those lines are,
10 obviously, New York State DEC -- their
11 final evaluation of any wetland boundary
12 is going out in the field and verifying
13 it, but we're trying to give you just as
14 best information as we can from a graphic
15 point of view. You have to understand
16 that that's -- you know, the best we can
17 provide for you with what we get from here
18 New York State DEC.

19 THE CHAIRPERSON: I thought Mike
20 Kaufman mapped this.

21 MR. BAGG: Larry, if I might
22 point out -- a GIS system is a computer
23 based system, and they are given
24 coordinates.

25 THE CHAIRPERSON: Okay.

2 MR. BAGG: Each layer is mapped
3 out separately, and then try to be brought
4 into the GIS coordinate system and
5 overlay. So, some -- the aerials, the tax
6 parcels to some extent are fairly
7 accurate, but when you bring in another
8 layer such as the DEC Wetlands, they don't
9 overlay exactly the way they're supposed
10 to in the existing maps.

11 So, you see to some extent
12 wetland boundaries where you would
13 determine -- would not find them.

14 THE CHAIRPERSON: Okay. So, we
15 have a motion?

16 MR. KAUFMAN: I'll make a
17 motion.

18 THE CHAIRPERSON: We have a
19 motion by Mr. Kauffman.

20 MS. RUSSO: Second.

21 MR. MACHTAY: Second.

22 THE CHAIRPERSON: Second by Mr.
23 Machtay. Any further discussion?

24 THE CHAIRPERSON: All in favor?

25 (Aye.)

2 THE CHAIRPERSON: Opposed?

3 (None.)

4 THE CHAIRPERSON: Motion

5 carries.

6 MS. FISCHER: Thank you.

7 The next proposed acquisition is
8 another Carlls River County Park Addition.

9 The Swiss Asset Recovery Service LTD
10 Property. Again, same area, same issues.

11 This is another master list due
12 property that we've identified -- two of
13 them, actually -- that we've identified
14 just north of the one that you've just
15 previously approved.

16 THE CHAIRPERSON: Okay.

17 MS. VILORIA-FISHER: Same
18 motion.

19 THE CHAIRPERSON: Same motion by
20 legislator Viloria-Fisher. A second by
21 Mr. Machtay.

22 THE CHAIRPERSON: All in favor?
23 (Unanimous Aye.)

24 THE CHAIRPERSON: Motion
25 carries, unanimously.

2 MS. FISCHER: Thank you.

3 The third one is the Beaverdam
4 Creek County Wetlands Addition, the Rose
5 Giambalvo property. This involves overlay
6 parcels on top of other parcels that are
7 owned by -- I mean, overlay parcels on top
8 of County owned parcels.

9 So, we're trying to kind of
10 clean this area up with regard to
11 ownership, and we're acquiring these --
12 they have been determined as having
13 superior interest in the property over our
14 interest. So, our interest came secondary
15 to the Giambalvo's interest, therefore,
16 we're acquiring their interest in this
17 overlay area.

18 THE CHAIRPERSON: Laretta?

19 MS. FISCHER: Does that make
20 sense?

21 MR. GULBRANSEN: No.

22 MS. FISCHER: Or did I confuse
23 you all?

24 MS. RUSSO: I don't understand.

25 MS. VILORIA-FISHER: Just

2 explain "overlay."

3 MS. FISCHER: An overlay
4 district is an area where there's
5 competing ownership issues with
6 properties. In other words, there are two
7 people, or two interests, that are
8 competing with the same property or a near
9 or similar property. There's some overlay
10 either directly -- parcel-for-parcel or
11 one parcel can be a part of one parcel and
12 part of another parcel.

13 It gets very confusing as to
14 ownership. What ultimately decides who
15 has superior ownership is a court
16 decision. Wherein, the individual who has
17 the best title to the property, is
18 determined to have superior interest.

19 MS. VILORIA-FISHER: Is this tax
20 default -- involved in this?

21 MS. FISCHER: Yes. In this we
22 took some tax default on our portion. We
23 were -- did not have clear title and,
24 therefore, the individual who is also
25 saying they own it were given superior

2 interests, and they are being given the
3 right to say that they own the property.

4 So, legally they own the
5 property and we are absolving our interest
6 in it and we will then be merging these
7 parcels together creating one, and we will
8 no longer have these overlay issues that
9 has been determined.

10 MR. KAUFMAN: Just to let
11 everyone know, this is not an unusual
12 problem in undeveloped areas. This
13 actually happened quite a lot in the
14 1800s. You often had badly drawn deeds
15 and when people started to draw deeds
16 better, they would find these kinds of
17 problems.

18 It used to be deeds were drawn
19 "go to this tree, go to that tree." If
20 the tree fell down, nobody knew where it
21 was, and they just started putting the
22 lines on maps and things like that. You
23 also had maps -- subdivision maps wich
24 often would overlap with each other.

25 You also, frankly, had people

2 sometimes squatting on claims, and trying
3 to acquire property that they had no
4 ownership rights to and you would end up
5 with problems with titles. So, in
6 undeveloped areas like this you will see
7 this. Especially, in the central areas of
8 Long Island.

9 You used to see this in parts of
10 Smithtown and Babylon. That was again in
11 the 1800s. So, it's not unusual to have
12 these kind of things pop up and have
13 these, as I call them "dancing deeds" --
14 Where you're not sure who has first
15 position; who has second position, and
16 essentially need to tear everything apart
17 and possibly sometimes have a court action
18 or a RPAPL15 Action to acquire title.
19 It's not unusual, it happens Upstate,
20 also.

21 THE CHAIRPERSON: Jim, you had a
22 comment?

23 MR. BAGG: I was just going to
24 say that these overlay -- what they're
25 called tax default overlays are in the

2 past -- you know, the deeds were confusing,
3 and then they plotted the tax maps and
4 they found out they overlaid each other
5 conflicting with each other. So,
6 therefore, the true owner is in question.

7 THE CHAIRPERSON: Laretta, on
8 the map -- the dark purple "pending
9 actions," those are the ones that we voted
10 last month or the month before?

11 MS. FISCHER: Yes, exactly.

12 THE CHAIRPERSON: Very good. Do
13 we --

14 MR. GULBRANSEN: I have a
15 two-part question. The yellow areas shown
16 here are tax map basin. Am I interpreting
17 them properly to be essentially -- these
18 are virtual roads, with virtual
19 developable plots; is what they are?

20 MS. FISCHER: Actually it's two
21 maps in one, and you've got -- what we
22 tried to do in this aerial is to merge the
23 two maps onto an aerial. Quite honestly,
24 you're seeing two maps. One overlay map
25 over the base map over an aerial. So,

2 calling it virtual, I don't know what --

3 MS. VILORIA-FISHER: Are they
4 paper streets, maybe?

5 MS. FISCHER: They are paper
6 streets, obviously, but they do exist on
7 one map, but you have another map that
8 overlays that map and, therefore, there's a
9 question of title.

10 MR. KAUFMAN: But Tom's question
11 was I think more directly oriented towards
12 what do these yellow things show?

13 MS. FISCHER: They are one
14 map --

15 MR. KAUFMAN: Yes, I
16 understand --

17 MS. FISCHER: One base map and
18 then the overlay is the red and purple.

19 MR. KAUFMAN: To answer Tom's
20 question, the way I think he's trying to
21 ask you: These are paper streets and old
22 paper developments on an old tax map
23 concept -- someplace on there. So, you
24 are seeing paper streets -- the little
25 narrow things. So, my second question is:

2 If we were seeking to protect from
3 development an area or if we have a master
4 plan that really wants to take care of
5 headmans or headwaters -- trying to
6 surround with this little parcels that we
7 purchased or we could conceivably find
8 some way to obtain the rights or change
9 the rights --

10 MR. KAUFMAN: That's one way of
11 doing it.

12 MR. GULBRANSEN: Let me just
13 finish asking the question.

14 If we were to do that, someone
15 would object and say "you've devalued the
16 parcel that I own, now I can't develop
17 it," and they would take us to court or
18 something to that effect.

19 My real question is the reverse
20 of that: If we are purchasing
21 properties -- in some cases surrounding
22 existing homes with now undevelopable
23 land -- they become wonderful homes
24 surrounded by a park -- the opposite of
25 taking. We are now adding value to their

2 parcels.

3 Is there any consideration
4 about -- is there anything in the
5 evaluation process?

6 MS. VILORIA-FISHER: Can I just
7 answer that, because that's been a source
8 of debate.

9 MR. GULBRANSEN: Thank you.

10 MS. VILORIA-FISHER: We have
11 gone back and forth on that which is as
12 you acquire land, are you creating a
13 market which adds value to property
14 because of simple supply and demand and --
15 sometimes creating parkland around
16 existing properties -- and that's been a
17 great debate in the legislature for the
18 last couple of months as we're talking
19 about the extension of the quarter
20 percent -- Water Program and the Open
21 Space Program.

22 And to tell you the truth, we've
23 had economists come before us. In fact,
24 Pearl Camer was speaking yesterday at one
25 of our committees regarding this, and so

2 has Marty Canter. There doesn't seem to
3 be a consensus on this, because we have
4 such a robust land acquisition program --
5 not just our county -- governmental
6 acquisition program, but our housing
7 market is so robust that what the County
8 is in fact adding to that really
9 constitutes a small percentage.

10 So, the impact on the entire
11 market really doesn't rise to the level of
12 saying "As we continue with our Open Space
13 Program, we're creating a housing market
14 that's counter to affordable housing and
15 affordability and artificially raises the
16 value."

17 But that is a question that
18 we've been struggling with in the
19 legislature, and it's been a subject of
20 discussion.

21 MR. GULBRANSEN: Thank you.

22 MR. KAUFMAN: One other point
23 you should know is a lot of these paper
24 lots cannot be developed under the present
25 zoning. This is in Brookhaven they

2 have -- if I'm not mistaken -- they have
3 rezoned part of this area. You don't see
4 that on here. So, you may have some
5 sort of vested right under the tax map.

6 The town will often prevent you
7 from doing things. So, what you see with
8 these little yellows doesn't really mean
9 that we're stopping development -- that
10 we're promoting development, etcetera.
11 You just have to look at the entire
12 collection of laws, and what you're
13 allowed to do in the area.

14 For example, Stony Brook is a ton
15 of little tenth-of-an-acre properties, yet
16 the zoning will not allow most of those
17 properties to be developed. So, people
18 have Fifth Amendment issues and things
19 like that, but no development is allowed
20 in that area.

21 MR. BAGG: If I might point out
22 the issue before CEQ today is: What is
23 the environmental impact if you purchase
24 this property -- if you leave it open
25 space?

2 MR. KAUFMAN: Council does not
3 consider value -- does not consider
4 associated economic impacts -- considering
5 what is the environmental impact about
6 placing a piece of property in parks if
7 the County acquires it.

8 MS. FISCHER: If I can just add
9 one more thing, and it did not show up on
10 this map -- is that about 90 percent of
11 this area is owned by the County at the
12 present time.

13 So, we are -- you know, this
14 area is not developed to any great degree
15 and we've ear-marked this for years. This
16 is on our Green Ways Open Space list
17 about -- maybe five, seven years ago, and
18 we've been trying to consolidate our
19 holdings in this area.

20 Holdings that are in this area
21 are owned by the Post-Morrow Foundation.
22 So, there's very little left here that is
23 privately owned.

24 MS. SPENCER: There was a
25 question that in some of these yellow

2 lines that those were --

3 MS. VILORIA-FISHER: Paper
4 streets.

5 MS. SPENCER: (Continuing) --
6 paper streets. As we look -- the area in
7 red and purple, it looks to me like there
8 are two horizontal paper streets being
9 preserved.

10 MR. KAUFMAN: That's not
11 unusual.

12 MS. FISCHER: Again, the same
13 issue. Two maps going --

14 MS. SPENCER: Is that true?

15 MS. FISCHER: Yes.

16 MS. SPENCER: Those are
17 deliberately to be paper streets? That's
18 why there are so --

19 MS. FISCHER: It's just
20 conflicting maps, and obviously --

21 MS. SPENCER: But do you
22 understand my question, that it does
23 appear to the naive eye that you're trying
24 to preserve some kind of a paper street
25 between --

2 MS. FISCHER: Yes, yes.

3 MS. SPENCER: Okay. Okay.

4 THE CHAIRPERSON: We have a
5 motion? We have a motion by Mr. Machtay.

6 MR. BAGG: Second.

7 MR. KAUFMAN: Second.

8 THE CHAIRPERSON: Second by
9 Mr. Kaufman. All in favor?

10 (Aye.)

11 THE CHAIRPERSON: Opposed?

12 (None.)

13 THE CHAIRPERSON: Motion
14 carries.

15 MR. BAGG: I believe the motion
16 is unlisted action, negative declaration.

17 MS. FISCHER: Next proposed
18 acquisition is Mastic/Shirley Conservation
19 Area Addition, the Dittmer property.
20 Again, this is an area that we're trying
21 to amass our holdings.

22 MR. KAUFMAN: Motion unlisted in
23 that.

24 MS. SPENCER: Second.

25 THE CHAIRPERSON: All in favor?

2 (Aye.)

3 THE CHAIRPERSON: Opposed?

4 (None.)

5 MR. BAGG: Who was the second on
6 that?

7 MS. SPENCER: I was.

8 MR. BAGG: Okay.

9 MS. FISCHER: Thank you.

10 The next proposed acquisition is
11 the Montauk Downs State Park Acquisition.
12 The Edna Capurso Property. This one is
13 the last lot in our proposed acquisition
14 area in red. This is a very under-laying
15 low-lying, wet, marsh Montauk Downs
16 property and just north of the Montauk
17 Downs State Park Golf Course. It's an area
18 that is environmentally very sensitive,
19 and this is our last piece of the puzzle
20 that we wanted to acquire in this.

21 MR. KAUFMAN: I'll make a motion
22 unlisted --

23 MR. MACHTAY: Second.

24 THE CHAIRPERSON: That was
25 second by Mr. Machtay.

2 How close is this to the county
3 park out there?

4 MS. FISCHER: Which county park?

5 THE CHAIRPERSON: The Roosevelt
6 County Park.

7 MS. FISCHER: The Roosevelt is
8 on the other side of Lake Montauk.

9 THE CHAIRPERSON: All right,
10 thank you.

11 MS. FISCHER: If you look at the
12 detail -- area of detail, you can see that
13 the Montauk -- other holdings are on the
14 other side of the lake.

15 MR. GULBRANSEN: This is --

16 THE CHAIRPERSON: Thank you. I
17 have a motion and second. All in favor?
18 (Unanimous Aye.)

19 THE CHAIRPERSON: Opposed?
20 (None.)

21 THE CHAIRPERSON: Motion is
22 unanimous.

23 MR. GULBRANSEN: That depiction
24 of wetlands -- that's a pretty tough one
25 to accept as is.

2 MS. FISCHER: That's another
3 tough one, yes.

4 MR. KAUFMAN: Tom, the lesson I
5 have learned from these maps, etcetera
6 unless you learn the tax map
7 designation -- a tax map designation is
8 not necessarily contiguous with the
9 property line. The County is trying to
10 guess and sometimes they don't always pick
11 up things. It's, a general
12 representation.

13 MS. FISCHER: Quite honestly,
14 it's not rectified. So, therefore, we're
15 doing our best guess of putting that on an
16 aerial or a tax map --

17 MR. GULBRANSEN: I'm in the
18 environmental business that does a whole
19 lot of jazz -- there are just times when
20 you have to check, and I wouldn't put on
21 the record a depiction of title wetlands
22 like that last one --

23 MR. KAUFMAN: This is
24 Government.

25 MR. GULBRANSEN: Sometimes it's

2 worth it to peel that out to say, "it's
3 just a sensitive area," as you said.
4 "That's enough -- it's a sensitive area."

5 MS. VILORIA-FISHER: Tom, can
6 you just explain what you said.

7 MS. FISCHER: We do try to do
8 that, everyone always wants a little more.

9 MR. GULBRANSEN: The blue
10 delineations overlay from the state, which
11 is a different source.

12 MS. VILORIA-FISHER: But which
13 part of it defies by --

14 MR. GULBRANSEN: Take a look at
15 the blue circles. Particularly the one
16 that circles the home and the driveway.

17 MS. VILORIA-FISHER: The home,
18 yes.

19 MR. GULBRANSEN: That's
20 certainly a tough one to call fresh water
21 wetlands -- and the rest of the lines. It
22 raises more question than it's worth is my
23 point. Sometimes it's better not to have
24 a feature -- if it compounds the issue and
25 doesn't add to the statement.

2 MS. VILORIA-FISHER: The reason
3 I was asking you to explain that -- and
4 Laretta knows that I brought this up
5 Monday at the Environment Committee -- is
6 that sometimes we're actually buying
7 property that is DEC Wetland, and we're
8 also seeing property that is actually DEC
9 Wetland where homes have been built right
10 in the middle of them.

11 And my question is: We're using
12 taxpayer money to protect land that should
13 be protected by the designation of being
14 wetland and because of constitutional
15 property rights -- the taking of the
16 property and the compensation of the owner
17 puts the Town in the position -- I think
18 of allowing the development in DEC -- you
19 know it's very confusing.

20 MS. FISCHER: It's very
21 difficult.

22 MS. VILORIA-FISHER: I don't
23 necessarily believe that the demarcation
24 of that wetland is incorrect. I just
25 believe that the allowing of development

2 in a wetland is the problem, and I'm not
3 certain which is which in this.

4 So, that's been a real
5 frustration -- as I said in ETRB, the
6 Environmental Trust Review -- where we're
7 not looking at the environmental issue,
8 we're looking more at the economic
9 appraisal issue and I'm saying, "but why
10 are we buying wetland where we should be
11 allowing to build?" Unfortunately, it
12 happens.

13 THE CHAIRPERSON: I think you
14 both have good points, and probably what
15 you ought to do is try do a better job of
16 properly doing the overlays. If you --
17 the legislature --

18 MS. VILORIA-FISHER: I'm not
19 criticizing the job. I think it's a great
20 job.

21 MR. KAUFMAN: But look at this,
22 okay --

23 MS. VILORIA-FISHER: But I'm
24 talking about the map that we're looking
25 at. I really think they do a great job.

2 I think sometimes -- the question that
3 Tom raised is more the question of policy
4 that has allowed the building -- you know,
5 you have DEC wetlands marked out, and yet
6 development is allowed.

7 MR. KAUFMAN: There's a further
8 point, if I might -- one of the problems
9 has been in -- government around here is
10 frequently -- government is not aware of
11 the resources that are out there.

12 There are DEC maps and you have
13 to go to one source and you have to go to
14 another source to find the Federal maps
15 and you have to go to a local village to
16 find a setback map, etcetera.

17 Part of this overlay has been an
18 effort by County planning to basically
19 build a GIS system, a Geographic
20 Information System. It's all the rage of
21 the towns, it's all the rage of the
22 county -- to try to and put all this
23 information together in a layered way so
24 that people could see what they're looking
25 at in one source.

2 As a real estate attorney, I
3 know -- I know what I have to do to find
4 these things out prior to the GIS
5 systems -- but I haven't had to go to six
6 or seven systems -- and frequently
7 Government -- you ask them, they wouldn't
8 necessarily know.

9 I'm a local village official in
10 my home village, and I can tell you most
11 of my people do not know where the DEC
12 Wetlands are. If we had a GIS system
13 layered like this, we can identify things
14 a lot more quickly. Even if there are
15 some errors built-in -- because a lot of
16 the stuff is not a hundred percent
17 accurate you're going to see that in the
18 next map.

19 We look at Flanders, they have a
20 lake partly outside of a wetland. It's
21 still a very, very good resource to have
22 for people who are trying to make a quick
23 decision.

24 MR. GULBRANSEN: What we do
25 sometimes in industry -- I don't mean to

2 delay --

3 MR. KAUFMAN: I know, I have the
4 same problem.

5 MR. GULBRANSEN: A line is
6 drawn with a real tight font size.
7 Sometimes it's better to call it a zone --
8 to make it sort of a grayish area.

9 MR. KAUFMAN: It's like dealing
10 with a -- you have to know that it's a
11 little bit off.

12 MR. GULBRANSEN: Plus or minus a
13 lot and that's okay. Plus or minus a lot
14 is fine, as long as you remember that. In
15 that case, that's what we have here --
16 it's just some place in that area.

17 MR. BAGG: I think it has to be
18 pointed out, too, that the DEC Wetlands maps
19 are not necessarily that accurate, and in
20 order for you to really find out where the
21 wetlands are or are not present, you have
22 to combine it with a topographic map --
23 you have to combine with a soil. Soils
24 are more accurate than the DEC wetlands
25 map.

2 DEC has put a lot of effort into
3 surveying title wetlands and putting them
4 on a map, but they have not done a whole
5 lot of work with respect to the fresh
6 water wetlands. Those maps were really
7 done fairly quickly, inaccurately --

8 MS. FISCHER: At a scale that
9 was very difficult --

10 MR. BAGG: (Continuing) -- based
11 on account information to begin with that
12 have never been updated --

13 MS. FISCHER: (Continuing) -- on
14 a topographical map -- two thousand feet.

15 MR. BAGG: (Continuing) -- they
16 are on USGS quadrangles with your 1G
17 equals two thousand feet.

18 MS. FISCHER: And they were
19 trying to transpose that onto a map that
20 equals two hundred feet. You're going to
21 get inaccuracies -- that's why the caveat
22 with New York State DEC Wetlands is based
23 on field verification, and that's what I
24 had indicated in the beginning of the
25 discussion. This information is just --

2 you know, information available, but it is
3 not verified and it would have to be
4 verified in the field.

5 We don't have the time or the
6 staffing time to go out and actually
7 physically verify all of this information.
8 It's just for your information. It's a
9 very general, very difficult line that's
10 put on -- two different types of scales
11 and it's just for your information. We're
12 not reporting that this is, or is not, a
13 wetland specific to DEC information and
14 verification.

15 THE CHAIRPERSON: Let's move
16 ahead, Laretta.

17 MS. FISCHER: Okay. The next --

18 MR. BAGG: We didn't do a motion
19 on this.

20 MS. FISCHER: Did you? Yes.

21 MS. VILORIA-FISHER: On Montauk
22 Downs?

23 MR. GULBRANSEN: On Montauk --
24 completed. I think I held my comment
25 until after.

2 MS. FISCHER: Yes.

3 MR. GULBRANSEN: It was not a
4 question, it was a comment.

5 MS. FISCHER: Yes, I think it
6 was after.

7 The next one is the donation of
8 land in the Flanders County Nature
9 Preserve area. As you can see we're
10 continuing to pick up parcels in this
11 area -- old file map area as best we
12 can -- either through donation,
13 acquisition. The portion of this property
14 is actually in the core, Pine Barrens Core
15 area on the southern portion of it, and a
16 portion is a compatible growth area.

17 We've acquired a number of large
18 lots here and we're continuing to acquire
19 this wetland area here, there and
20 everywhere. The whole topography of this
21 area is interspersed with wetland ponds
22 and its underlying topography. So,
23 you've got a whole host of issues from a
24 development point of view, and we've
25 been trying to acquire all the remaining

2 open vacant land in this area. So, this
3 is a nice way for us to get a third of an
4 acre and two parcels -- and four parcels
5 actually.

6 THE CHAIRPERSON: We have a
7 motion? Motion by Legislator
8 Viloría-Fisher.

9 MR. MACHTAY: Second.

10 THE CHAIRPERSON: Second by Mr.
11 Machtay.

12 THE CHAIRPERSON: All in favor?
13 (Aye.)

14 THE CHAIRPERSON: Motion carries
15 unanimously.

16 MS. FISCHER: Thank you.

17 And the final one is a donation
18 of property as part of a Suffolk County
19 Department of Health Services Board of
20 review TDR. And the property that we are
21 looking to have donated to us is in our
22 Mastic/Shirley conservation area and,
23 obviously, is in line with what our
24 efforts are to acquire those parcels in
25 that area.

2 MR. KAUFMAN: Motion unlisted
3 make that.

4 THE CHAIRPERSON: Motion by
5 Mr. Kaufman.

6 MS. RUSSO: Second.

7 MS. VILORIA-FISHER: I have a
8 question for Jim.

9 THE CHAIRPERSON: Just second by
10 Ms. Russo. Go ahead.

11 MS. VILORIA-FISHER: Jim, we
12 don't need to consider here where we're
13 sending or where they're receiving this?

14 MR. BAGG: The Department of
15 Health Services -- when they review a
16 variance and an application in an area --
17 suppose -- an example, somebody wants to
18 expand a restaurant on their property.
19 So, therefore, a mitigation measure --
20 they require that the applicant go out and
21 purchase a piece of property -- donate it
22 to the county, and transfer that
23 development right to the project area for
24 expansion.

25 However, the Health Department

2 reviews that from a SEQRA point of view,
3 and they issue their own Neg. Declaration
4 based on their variance or sanitary
5 system. So, that has been previously
6 done. What is before the CEQ now is the
7 donation of this property to the County to
8 remain in this --

9 MS. VILORIA-FISHER: So, we
10 don't have to look at density increase?

11 MR. BAGG: No. Everything is
12 conforming -- zoning and the town also
13 looks at it.

14 MS. VILORIA-FISHER: Thank you.

15 THE CHAIRPERSON: We have a
16 motion? And a second.

17 THE CHAIRPERSON: All in favor?
18 (Aye.)

19 THE CHAIRPERSON: Opposed?
20 (None.)

21 THE CHAIRPERSON: Motion
22 carries. Thank you, Laretta.

23 Is there any other business?
24 Nobody from the CAC here today?

25 So, we're through the agenda.

2 We have a motion to adjourn?

3 MR. MACHTAY: Motion to adjourn.

4 THE CHAIRPERSON: We have a
5 motion from Mr. Machtay. Second?

6 MS. RUSSO: Second.

7 THE CHAIRPERSON: Second by
8 Mr. Russo. All in favor?

9 (Unanimous Aye.)

10 (Whereupon, the meeting was concluded at 11:07
11 a.m.)

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RE : Suffolk County Department of Planning
Council on Environmental Quality
AT: H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY
ON: August 15, 2007

C E R T I F I C A T E

I, Samaria Maldonado, a Shorthand Reporter and notary public within and for the State of New York, do hereby certify;

That I reported the proceedings in the within-entitled matter, and that the within transcript is a true and accurate record of such proceedings.

I further certify that I am not related by blood or marriage to any of the parties; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of August, 2007

Samaria Maldonado
Samaria Maldonado