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SEQRA PUBLIC SCOPING HEARING

210 Center Drive
Southampton, New York

March 16, 2010
7:00 p.m.

RECEIVED
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PANEL MEMBERS:

THOMAS A. ISLES, Director of Planning
Suffolk County Planning Commission

LAWRENCE SWANSON, Chair, Council on
Environmental Quality

MICHAEL KAUFMAN, Vice Chair, Council on
Environmental Quality

RICHARD MACHTAY, Member, Council on
Environmental Quality

JAMES BAGG, Chief Environmental Analyst
Suffolk County Planning Department

OFFICIALLY REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

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A L S O P R E S E N T :

- TIM LAUBE, Legislative Clerk
- CHRISTINE DESALVO, Planning Department
- CHRISSY EINEMANN, Planning Department
- MICHAEL MULE, Planning Department
- ALAN J. KING, JR., P.E.
- JANICE JIJINA, P.E., AICP
Cameron Engineering & Associates LLP

H O N O R E D G U E S T S :

- LEGISLATOR KATE BROWNING
- LEGISLATOR EDWARD ROMAINE

2 (WHEREUPON, this hearing convened
3 at 7:00 p.m. Off-the-record discussions
4 ensued, after which the following
5 transpired:)

6 (Time noted: 7:09 p.m.)

7 DIRECTOR ISLES: Good evening,
8 ladies and gentlemen.

9 I'd like to open this hearing, and
10 I'd like to begin with the Pledge of
11 Allegiance lead by Dr. Lawrence Swanson.

12 (Pledge of Allegiance.)

13 DIRECTOR ISLES: Okay. Thank you
14 very much. And thank you all for coming
15 tonight to this meeting, which is a
16 public hearing regarding the Scoping of
17 the Draft Generic Environmental Impact
18 Statement for an action that is pending
19 before the Suffolk County Legislature,
20 which will be described in a little bit
21 of greater detail in a moment.

22 Let me just begin by way of several
23 introductions.

24 My name is Tom Isles. I'm the
25 Director of Planning for Suffolk County.

2 The Suffolk County Planning Department
3 is administering the SEQRA process
4 that's part of this action.

5 I'm also joined tonight by several
6 members of the Suffolk County Council on
7 Environmental Quality. They are here
8 tonight in that CEQ will be reviewing
9 this action. They began this with the
10 original review back in December, and
11 will continue as the process goes
12 forward.

13 We have with us tonight the chair
14 of that council, Dr. Lawrence Swanson;
15 to my right, your left.

16 We also have Mike Kaufman, Vice
17 Chair of the CEQ.

18 And, also, Richard Machtay, to --
19 to your right, my left; also a member of
20 CEQ.

21 In addition, I'll introduce Jim
22 Bagg who is the Chief Environmental
23 Analyst with the Suffolk County Planning
24 Department. He's also assisting in this
25 department.

2 In addition to the department and
3 the council itself, the Suffolk County
4 Legislature is the lead agency in this
5 action. And, whereas, the department
6 administers, CEQ reviews, the
7 legislature decides. The legislature
8 and the county executive will ultimately
9 have to take action if this matter goes
10 forward.

11 So we do have tonight at present --
12 at the present time two members of the
13 County Legislature.

14 From the 1st Legislative District
15 we have Legislator Edward Romaine in the
16 audience;

17 We also have Legislator Kate
18 Browning.

19 In terms of the meeting tonight, I
20 will just make note for the record that
21 notice has been served on -- in
22 connection with this hearing tonight,
23 including in the two official papers of
24 Suffolk County, as well as a local paper
25 of circulation within the vicinity of

2 Yaphank. In addition, notice has been
3 published in the Environmental Notice
4 Bulletin. And then further, all -- in
5 all known involved agencies have been --
6 received direct notification, and all
7 interested agencies has also been
8 notified of this hearing, as well as the
9 Positive Declaration that s has been
10 issued and so forth.

11 Let me point out that we are
12 maintaining a list of interested
13 parties. So when we asked you to sign
14 in today, we will keep your name on
15 record and we'll do our best to keep you
16 informed as actions proceed.

17 Let me also point out that we have
18 established a Web site off of the County
19 Planning Department Web site for all of
20 the SEQRA materials that are part of
21 this process. So the Draft Scope, the
22 Positive Declaration and so forth, all
23 of that is listed on our Web site, and,
24 certainly, you can feel free to refer to
25 that if you have any questions along the

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way.

Let me begin with the project description, briefly. What I'd also then like to talk about is the process for this scoping hearing tonight, and just some of the -- the procedures we'll be looking to follow tonight.

The project is one that is -- as I indicated, is a -- a matter that involves property located in the hamlet of Yaphank in the Town of Brookhaven on county properties. We do have two maps up just for reference purposes (indicating). The maps indicate the areas in question that are in the kind of magenta color.

The county owns about 900 acres in Yaphank. It's one of the Yaphank County -- one of the county centers. And the county executive has put forward a proposal to consider a Declaration of Surplus on these lands, as well as the authorization of a contract to transfer these lands.

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This was reviewed, here again, as part of an action that was presented -- a resolution that was presented to the legislature in the fall.

It was then referred to CEQ, this council, which is partially represented tonight by the members I introduced. And CEQ made a determination that they felt the action before the legislature was an action that would call for a Positive Declaration. And under SEQRA, that then implies that there may be significant impacts to the environment, and, therefore, cause were recommended that an Environmental Impact Statement be prepared.

That recommendation was adopted by the legislature in February of this year. And, in addition, the legislature also adopted status as the lead agency. So the legislature and the county will be administering, here again, the SEQRA process.

By way of a brief description of

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the project, as I indicated, the properties in question are located at the Yaphank County Center. There are four areas that can be referred to for general purposes.

Area A is the portion of the county property that's along the east side of County Road 21, Yaphank Avenue, and the south side of the Long Island Expressway Service Road. It's an area of approximately 34 acres that is proposed for development for an arena, a sports entertainment-type arena, with a capacity maximum of 5,500 seats. It is also proposed for mixed-use development that would consist of about 100,000 square feet of retail and 72 dwelling units limited to one bedroom; here again, in a mixed-use configuration.

Obviously, I am summarizing the proposal at this point. Further details are contained within the Positive Declaration.

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The second area is Area B, which is along the west side of Yaphank Avenue. This is an area that's west of police headquarters and west of the soccer fields that are located behind police headquarters. It's an area of approximately 118 to 120 acres. This area is proposed primarily for residential uses consisting of a maximum of 1,000 dwelling units, 215 of which would include accessory apartments. It is also proposed to include a daycare center, an ancillary club, and recreational-type uses for the residents.

Area C is to the direct south of Area B, and this is a location that's on the far west side of the county property. It's approximately 29 acres, and that is proposed to remain in county ownership; however, it's also proposed to be developed for active recreational uses including ball fields and walking trails.

2 And the final area is Area D, which
3 is the south part of the property.
4 This is an area that is approximately
5 95 acres. It is an area that is
6 proposed for light industrial
7 development. That area extends down to
8 Horseblock Road.

9 So those are the four areas that
10 are the subject of the resolution and
11 the subject of the -- the consideration
12 tonight.

13 Let me point out that the action
14 does not include the county farm, so no
15 portion of the county farm is proposed
16 to be developed. The county farm is in
17 a protective status by virtue of a
18 resolution of the legislature in
19 December of 2003. Nor does it include
20 the soccer fields that I mentioned
21 behind police headquarters.

22 In terms of the matter before --
23 under consideration, as I indicated,
24 involves a surplus land designation as
25 well as a contract of sale.

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Let me make a point as well that this matter would also be subject ultimately to review by a number of other agencies. If this matter goes forward, it is -- the plan as proposed would require certain zoning approvals from the Town of Brookhaven in addition to other land use approvals, including site plan, subdivision and so forth.

Other agencies are also involved, including the Suffolk County Health Department, the Suffolk County Department of Public Works, the New York State Department of Transportation, here again, among the other agencies.

That completes the description of the action in general. As I indicated, that legislature has adopted the Positive Declaration and we are moving forward with the scoping process.

The purpose of the hearing tonight is that the county has issued a draft scope for this project, and I believe the date was March 1st that that scope

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was advertised, and then notice was given. This hearing is being held in conjunction with that process.

The draft scope will be open for public comment for a period extending up to and including March 30th of this year, 2010. So it's still another two weeks beyond tonight.

Tonight's hearing is yet another opportunity to inform the public in terms of the actions that are under consideration, and more importantly, we drafted a draft scope that we think, as a -- as a first shot, takes in the issues that we heard and we understand to be the issues of concern. But this is just the beginning, and so we want to give and provide the opportunity to make sure we're shaping this draft impact statement as appropriately as possible and as detailed as possible to address all the needs of both CEQ and ultimately the Suffolk County Legislature.

So the purpose of tonight is to

2 identify the relevant issues that should
3 be in the Environmental Impact
4 Statement. I will point out it's not
5 the purpose of tonight to debate whether
6 this action should go forward or not.
7 There certainly will be time for that in
8 the future.

9 As I mentioned, there is the
10 opportunity for written comments as well
11 extending up until March 30th. That can
12 be provided to the Suffolk County
13 Planning Department as the administrator
14 of this process.

15 As far as the format for this
16 evening and proceeding, what we do is --
17 as I indicated, we have several elected
18 officials present. I would like to give
19 them the opportunity to speak first
20 since they represent a greater
21 constituency of the public. I'd then
22 like to open it up for public comments.
23 We indicated that we would be limiting
24 speakers to five minutes. We will try
25 to honor that as much as we can on both

2 sides, and I'm not going to cut somebody
3 off mid-sentence, but just try to be as
4 close to that as you can. And, here
5 again, to encourage any written comments
6 to be submitted either tonight or
7 following that later on.

8 So, with that, if we have no
9 further questions from any of the
10 members here, I'd like to start the
11 hearing at this time.

12 I would ask speakers to -- when
13 you -- please come up to the podium to
14 speak, and to spell your last name when
15 you do so.

16 So to begin the hearing then,
17 I would like to provide
18 Legislator Browning, in whose district
19 this property is located, an opportunity
20 to appear to speak for us, followed by
21 Legislator Romaine.

22 LEGISLATOR BROWNING: Good evening.

23 First of all, I want to say thank
24 you for giving me the opportunity. I do
25 have a veterans event in my district

2 that I'm trying to get back to. But I
3 do want to say, I -- I'm looking at a
4 panel of experts and I know -- that will
5 do the right thing by the Yaphank
6 community. Who knows better than you
7 about our environment, and I -- I have
8 the utmost respect for everything that
9 you do.

10 However, I think -- I feel it's
11 important to make sure that the -- the
12 issues that are important to the
13 community and to the environment in the
14 Yaphank area is seriously considered.
15 You know, there are some -- many issues
16 going on right now.

17 Brookhaven Town has a Watershed
18 Management Plan by the Carmans River. I
19 think they -- the town has just begun
20 their study, which will be completed at
21 some point. Before making any decisions
22 to develop, I think that's something
23 that needs to be taken into
24 consideration, and I request that you --
25 you take that into consideration, what

2 the Town of Brookhaven is currently
3 doing.

4 There are some other issues going
5 on. You know, any -- I think that any
6 kind of development that's being
7 proposed in this area should certainly
8 be considered, and working with the
9 Town of Brookhaven. Look at what kind
10 of permits have been submitted in the
11 Town of Brookhaven in the Yaphank
12 community, I think, is important.

13 I recently met with ABR. There is
14 a proposed development. Permit
15 application has not yet been submitted,
16 but they are -- they have met with the
17 community, they've met with the school
18 district, they've met with the civic
19 leaders, with the Yaphank Fire
20 Department. It's over here -- I don't
21 know if you can see, but it's up here
22 (indicating).

23 It's up in the -- were the old
24 Parr Meadows Racetrack is.

25 DIRECTOR ISLES: (Indicating with

2 laser pointer.)

3 LEGISLATOR BROWNING: Yeah, you
4 have it.

5 Where the old Parr Meadows
6 Racetrack is.

7 They have a proposal, it's called
8 the Meadows at Yaphank. And it's the
9 northern portion of the Carmans River
10 Watershed.

11 Applications will be submitted to
12 the Town of Brookhaven.

13 There is a sewage treatment plant.
14 They are planning to upgrade the sewage
15 treatment plant at that area.

16 There's an estimated, I think,
17 about a million square feet of
18 commercial space, 800 units of housing,
19 and athletic fields.

20 So while the permit is not yet
21 submitted, I think this will have
22 definitely an effect on -- on everything
23 else that's going on in Yaphank.

24 You know, it's saying that the plan
25 is -- you know, this -- the plan is site

2 specific. The contract, I believe,
3 calls for specific details for the
4 development. Whether it's a conceptual
5 plan or not, I don't know.

6 Section A: I -- I look at that
7 area and it's right in the Carmans River
8 Watershed. It's within feet of the
9 Carmans River. So I do believe it's
10 environmentally sensitive land, and that
11 any development there is -- is
12 definitely not -- it's not acceptable.

13 The contract requires 1,000 square
14 feet of sports and wellness, four
15 restaurants, 87,000 square feet of --
16 between hotels and arena. And I -- and,
17 again, I say the -- the plan is subject
18 to change with the town's approval;
19 however, I believe there are covenants
20 that, you know, are requiring that --
21 the agreement with the county that it
22 requires this specific development.

23 This is -- this is their plan in
24 the agreement with the developers at
25 this time. So I think when you are

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doing your Environmental Impact Study,
you take into consideration exactly as
it stands. I know the plans may change
with the Town of Brookhaven, but we
don't know that yet.

SEQRA law: This is not something
I'm an expert on, and I certainly turn
to some of our great environmentalists
in the county to get advice from them on
issues. However, I do understand that
it requires the EIS to take into
consideration the impact in the
surrounding community. That whether the
character of the community will be
affected by this development, and I
think that's very important.

This historic district lies within
miles of -- within a mile -- I'm
sorry -- of the 1,000 units of proposed
housing, and it will double the amount
of housing in that hamlet.

So, again, I thank you for your
time. And, again, I -- I do believe
that you will do your diligence and take

2 into consideration the entire community,
3 the Carmans River Watershed.

4 And, again, you know, we're looking
5 at many polluted rivers in my community.
6 We have the Beaver Dam Creek. We have
7 the Forge River.

8 Let's be smart about this and make
9 sure that we do what's right by Yaphank.

10 Thank you.

11 DIRECTOR ISLES: Thank you,
12 Legislator Browning.

13 (Applause)

14 DIRECTOR ISLES: I'd like at this
15 point to ask Legislator Romaine -- to
16 the podium.

17 Thank you.

18 LEGISLATOR ROMAINE: First of all,
19 I'd like to thank the CEQ for issuing a
20 Positive Declaration. I had a lot of
21 fear that this was just going to be
22 pushed through. Thank you for your
23 courage, for standing up so this project
24 gets a review.

25 (Applause)

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LEGISLATOR ROMAINE: The first thing I'd like you to do is delay -- when you start an environmental review, look at the legal basis for this.

This land, some of it, was required -- acquired by the county over 125 years ago, and the rest of it was acquired by eminent domain for public purpose in the 1960s. I don't know if the county has the legal authority to sell something acquired by eminent domain fit for a public purpose.

(Applause)

LEGISLATOR ROMAINE: I also don't know -- and I will ask you to examine the legal basis of this -- we've had hundreds of thousands of dollars of county money spent to develop this plan. We've had countless employees involved in developing this plan. All without the vote of the legislature.

We've had an expression of interest accepted from developers. All without the approval of the legislature.

2 We've had a contract signed with
3 the developer. All without the
4 legislature.

5 The first step in this process
6 should have been a declaration of
7 surplus property before we even spent
8 one additional penny of county money.

9 I believe that the county executive
10 has acted ultra vires, without the
11 protection of law in pursuing this
12 thing.

13 So the first thing I'd ask you to
14 examine is the legal basis for this.

15 (Applause)

16 LEGISLATOR ROMAINE: I'd ask you to
17 examine the traffic impact on this area.

18 You're talking about a major
19 industrial park. You're talking about a
20 major arena that lies within the
21 watershed of the Carmans River. You're
22 talking about a thousand housing units.
23 And in any EIS, you have to offer an
24 alternative.

25 Why? Why would this county spend

2 its affordable housing money building in
3 the middle of Yaphank where there is no
4 transit development, this is not a
5 transit-oriented development where every
6 planning report that has been issued
7 said if you're going to build housing,
8 build it in downtown areas with
9 transp- -- public transportation.

10 You want to spend affordable
11 housing money in an intelligent way? Go
12 to the banks. Offer to buy up the
13 thousands of foreclosures in this county
14 at deep discounts. Rehab them and make
15 them available to first-time home
16 buyers, veterans, seniors, and others.
17 Because you can do that instead of
18 building new construction and adding to
19 the footprint.

20 We should not add new footprints
21 for housing when we have so much vacant
22 housing stock in this county.

23 (Applause)

24 LEGISLATOR ROMAINE: I'd ask you to
25 take a look at the impact to the school

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district, for which this executive has not proposed any relief. The Longwood School District is one of the property-poor school districts of Suffolk County, and yet we anticipate adding enough children that we will have to build a new elementary school and probably put additions onto the high school and the middle school at a tremendous cost to this district.

This should not be done, and there has been no relief offered for the district.

You're asking the county legislature, in fact, there's a resolution, for us to pay \$411,000 for an environmental impact statement. That is usually the expense of the developer.

Why is the county legislature paying that impact fee?

And then I look at things.

What's the impact of 1,000 units, and a 5,000-seat arena which is in the watershed, all the commercial

1 SEQRA Public Scoping Hearing 3/16/10 26

2 development -- what's the impact on

3 traffic?

4 What's the impact on noise?

5 What's the impact for light

6 pollution?

7 What's the impact on the hard

8 surfaces for the parking lots and the

9 roads that will be built?

10 And how are we going to control the

11 stormwater that runs off those roads; do

12 we have a stormwater management plan?

13 What about the sewage plan?

14 The sewage treatment plan that the

15 county has there now is inadequate.

16 Obviously, you're going to be building

17 another one.

18 What type of plant is that going to

19 be?

20 How many gallons per day are we

21 going to be treated?

22 How is that going to be discharged?

23 What impact is that going to have

24 on the Carmans River Watershed?

25 What about the demand for

2 utilities?

3 What is this going to do to the
4 demand for utilities on Long Island?

5 Where's that power going to come
6 from?

7 I'm also concerned about public
8 transportation. Nowhere in the county
9 executive's plan, for this proposed plan
10 development, is there a plan to provide
11 public transportation.

12 Is this going to be bus
13 transportation?

14 It's certainly not going to be
15 rail, because the Long Island Railroad
16 announced they're cutting off the middle
17 line east of Ronkonkoma except for
18 weekends during the summer. So how are
19 we going to provide public
20 transportation?

21 This is -- we're going to build a
22 development in the middle of -- where
23 there is no develop now (sic), where the
24 only way to get there or to get about is
25 by car.

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That's not smart development. By any definition of smart development, this is not smart development.

We look at so many of the things that are happening. The impact on Yaphank -- Yaphank's a community of maybe 1,500 homes. You're almost going to double the size of that small community, which has remained rural and resisted that.

And what's even more absurd is that we're proceeding with a plan for which most of this, other than the industrial park, is not properly zoned.

I do not believe, as a resident of Brookhaven, for one moment that Brookhaven Town is going to lead the way in rezoning this property so the county can get a windfall so the county executive can balance his budget.

If it wasn't for financial and fiscal needs, many of the legislators won't even consider this project. It would be laughable. It is the absolute

2 anti-definition of smart development.

3 I'd ask you to consider all of
4 those factors and a lot more that I will
5 submit in a written proposal, and I
6 thank you for your time.

7 DIRECTOR ISLES: Thank you very
8 much.

9 (Applause)

10 DIRECTOR ISLES: Do we have any
11 other elected officials present from the
12 town or the county?

13 (WHEREUPON, there was no response.)

14 DIRECTOR ISLES: Okay.

15 With that then, I'd like to go to
16 the speaker cards. And we do have cards
17 out front, it would be a convenience to
18 fill them out. If you haven't, that's
19 fine, we'll recognize people by name
20 after we go through the cards.

21 Let me begin with the order that
22 the cards were received, and the first
23 speaker is Chad Trus- --

24 MR. TRUSNOVEC: Trusnovec.

25 DIRECTOR ISLES: Okay. If you

2 could just spell your name --

3 MR. TRUSNOVEC: Certainly.

4 DIRECTOR ISLES: -- at the podium,
5 please.

6 Thank you.

7 MR. TRUSNOVEC: Good evening. My
8 name is Chad Trusnovec; last name is
9 T-R-U-S-N-O-V-E-C.

10 I'm a lifelong resident of Yaphank,
11 I am also the President of the Yaphank
12 Civic Association. I speak tonight on
13 behalf of the civic association as well
14 as myself.

15 My family has lived, worked,
16 played, run businesses, and raised
17 families in Yaphank for over 200 years.
18 I'm here to voice my opposition to this
19 project. I believe it is wrong on every
20 level, but I want to speak about one
21 particular aspect, as I'm sure many
22 speakers tonight will cover many issues.

23 Yaphank, as I'm sure that you are
24 aware, is a small historical hamlet of a
25 couple thousand people. The sheer size

2 of this project is enormous and will
3 devastate my town.

4 The county executive has stated
5 that these homes are slated for young
6 people who would otherwise leave
7 Long Island.

8 Almost 1,300 homes occupied by just
9 one young couple is 2,600 people. This
10 will more than double the area of
11 population overnight.

12 Now add in children to these young
13 couples and the once small quaint
14 historic hamlet is not so small any
15 more. The area simply can't handle it.

16 Now add in all the other proposed
17 infrastructure; 5,500-seat arena,
18 hotels, businesses. I'm afraid my -- my
19 town will never ever be the same again.

20 I would also like to take this time
21 to respectfully request that if there
22 are any more similar meetings, that they
23 could possibly be held at a local venue
24 nearer or in Yaphank. Many of the
25 people that this will affect, most are

2 unable or unwilling to come this far at
3 night.

4 Thank you.

5 DIRECTOR ISLES: Thank you.

6 Okay. The next --

7 (Applause)

8 DIRECTOR ISLES: The next speaker
9 is Charlotte Jacob.

10 MS. JACOB: My name is Charlotte
11 Jacob. I live on Middle Island Road in
12 Yaphank, and I'm submitting a statement
13 (handing).

14 DIRECTOR ISLES: Thank you very
15 much, Ms. Jacob.

16 Would you like me to read this into
17 the record?

18 MS. JACOB: Well, if you want to.

19 DIRECTOR ISLES: Okay.

20 "I'm writing this letter in
21 opposition to 'Levy World,' which I call
22 it, in Yaphank. Yaphank is a quaint and
23 quiet community and historic district
24 running down Main Street. The massive
25 development, Mr. Levy, is not

2 appropriate in this neighborhood.

3 Carmans River runs through the community
4 of Yaphank, which also has two lakes and
5 flows into the Great South Bay.

6 "In the 1970s, the area in question
7 was stated that it was in a deep
8 recharge area for Carmans River. Now,
9 all of a sudden, the land is to be used
10 for 'Levy World,' as I call it.

11 "The land really belongs to the
12 taxpayers, and they should have the say
13 with what is done with it. Most of the
14 residents in and around Yaphank say it
15 should stay as it is. Why ruin
16 remaining good drinking water that is
17 left on this Island? It's up to you,
18 the entire legislature, to stop this
19 infringement on the beauty and character
20 of the area.

21 "There are so many houses and
22 foreclosures that can be purchased and
23 refurbished for the younger generation.
24 The taxes are what keeps the younger
25 generations **from** staying here.

2 "Thank you for reading this e-mail,
3 and looking forward to keeping this land
4 open for future generations."

5 Okay. Thank you.

6 The next --

7 (Applause)

8 DIRECTOR ISLES: Okay. We move on
9 to the next speaker, which is John
10 Palaser.

11 And if I'm misspelling -- if I'm
12 mispronouncing anyone's name, I
13 apologize.

14 If you could spell your name when
15 you get to the podium, sir.

16 MR. PALASEK: Apology accepted.
17 It's Palasek.

18 DIRECTOR ISLES: Thank you.

19 MR. PALASEK: P-A-L-A-S-E-K.

20 DIRECTOR ISLES: Thank you. I
21 didn't see the K.

22 MR. PALASEK: It probably looks
23 more like an R. I write that way.

24 DIRECTOR ISLES: Okay.

25 MR. PALASEK: I actually --

2 everything that I wanted to say was said
3 by Legislator Romaine, almost verbatim.

4 My biggest issue with this is the
5 idea of how it's all being structured.

6 It's always been my understanding
7 that any surplus land has to be first
8 declared surplus, then has to be valued
9 in some way, and that value then has to
10 be presented to any interested buyers
11 at -- at whatever value it is. And --
12 and, just like buying a home or anything
13 else, you know, bids are put in based on
14 that value, and then plans are submitted
15 and then contracts are written.

16 The idea of putting this together,
17 a -- a declaration of surplus and a
18 contract, to me, is -- is too -- too
19 much of a package deal. I -- I don't
20 believe that it should be a package deal
21 like that.

22 I think something like this,
23 especially something on this scale,
24 needs to be done in a very, very
25 circumspect and very, very step-by-step

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manner. It can't be done just as a one-size-fits-all or act now or before the offer runs out or that kind of thing. We're not selling cars here. We're actually changing lives. And -- and to do that in a way that -- that seems a bit -- you're just running a -- a sale at a mall, is a little ridiculous in my opinion. Not to mention the project itself, which I believe is way over the top.

I've lived on Long Island all my life, and I've lived in Yaphank for 20 years. I, for one, have never run into a single person who would lean back in a chair and say, "Gee, you know what Long Island needs? We need an amateur hockey team, and a 5,500-seat stadium to put them in."

I've never heard that. No one's ever asked for that. Why do we need that?

And why does it have to be so close to a protective watershed? One of the

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few that are still not completely
polluted on Long Island.

I -- I see it merely as a -- a
place to put a giant-sized wall so
Steve Levy can put his name on it,
because I think that's what this is all
about. It's been properly named as
"Legacy Village" because it's his
legacy, that's what he wants it for. He
wants it for his political reasons, he
wants to run for governor, he wants to
be seen as some visionary and -- and
somebody who's thinking in terms of
progressive development and that sort of
thing.

But -- but as Mr. Romaine pointed
out, there is plenty of available
housing all over Long Island that needs
renovation, that needs the same kind of
care and -- and the same kind of
interest and be put back on the market.

I mean, countless people in not
just the legislature but in other
meetings about this over the last year

2 or so have pointed out that for a
3 nominal amount of money invested in many
4 of these foreclosed houses and short
5 sale houses, you could produce something
6 that is viable and really affordable.
7 Something that is under \$200,000.
8 Sometimes under \$150,000. That's
9 affordable housing.

10 280,000 and up is not affordable.
11 At least not for the people who will be
12 working here. When this is built --
13 when the retail's built, who's going to
14 live in these houses; the people who
15 work as the cashiers at the -- at the
16 stationary store? Nobody's going to be
17 able to afford that. So you're either
18 going to have people who own businesses
19 living here, or people from elsewhere
20 who have the money to afford it. That's
21 not affordable housing.

22 I think this whole project is being
23 done in a backwards manner. It needs to
24 go step-by-step. And the very first
25 thing that needs to be done is first

2 declare the land as surplus, then put a
3 value on it, then put it out for sale
4 and see what happens from that.

5 Thank you.

6 DIRECTOR ISLES: Thank you, sir.

7 (Applause)

8 DIRECTOR ISLES: Next speaker is
9 Richard Amper.

10 MR. AMPER: My name is Richard
11 Amper. It's A-, M- like Mary, P- like
12 Peter, E-R. I'm executive director of
13 the Long Island Pine Barrens Society.

14 I, too, would like to, at the
15 outset, thank the CEQ for the work that
16 you have done to this point. It has
17 been, A, political, it has been
18 professional, it has been in the public
19 interest. I think it's going to be a
20 challenge for you to continue that role,
21 because I think you're up against a -- a
22 lot of other forces. But it looks to me
23 for all the world like you're ready for
24 the challenge, and to the extent that
25 the community can be helpful to you in

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executing your function, I think all of us stand ready to do that.

We at the Pine Barrens Society believe that the county executive is trying to railroad an ill-considered project that few people like through a process that is designed to protect the public and the environment, and we don't like it one bit.

This project and its review is way premature. I want the CEQ to look at it. I want the legislature to look at it. Because the county executive has been calling his own plays and advancing this program in an unprecedented way, and it's not serving the public interest at all. I am asking the planning department and CEQ to require that we play by the rules and we do this in the right sequence.

First of all, we need to determine whether the county may legally transfer this land. If it can't, the rest of this is an exercise in futility, and an

2 extensive one I might add.

3 The second thing is, does the
4 legislature mean to transfer this
5 property, or are there other needs that
6 needs to be established and the
7 legislature has not taken that action.

8 Third, once the legislature takes
9 that action, after it finds if it can,
10 that it is a legal transfer, then and
11 only then will the proposed developer be
12 in a position to execute the contract.
13 They entered the contract, they have to
14 close on the property, they have to buy
15 the property to do this. That hasn't
16 happened yet. Then the Town of
17 Brookhaven has to consider whether or
18 not it will permit the rezoning
19 necessary to do that, and that hasn't
20 happened yet.

21 So my question here is, while we
22 welcome public input, I don't understand
23 why the county's spending five minutes
24 of additional time developing and
25 refining a scoping document, hiring a

2 consultant to do a \$411,000
3 environmental impact statement, when no
4 one knows whether this project is real
5 or not real, and when it cannot move
6 forward until a whole bunch of other
7 things happen.

8 We should not be investing the
9 public's money and the time of dedicated
10 public employees to the exploration of
11 the wisdom and the environmental impacts
12 of a project that I don't think has a
13 snowball's chance in hell of ever going
14 anywhere.

15 It is usually the procedure --
16 (Applause)

17 MR. AMPER: It is usually the
18 procedure for a developer to come to the
19 town where the action is going to occur
20 and make a proposal. The town then
21 evaluates that, conducts an
22 environmental impact statement that is
23 paid for or actually conducted by the
24 developer who stands to make the money
25 on the process.

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This is a completely convoluted process unilaterally engineered by the county executive. And I think we should stop spending the public's money and the -- the county's time doing it until there is an application in front of Brookhaven, a man with a signed contract -- an executed contract to purchase the land for a very specific project, and I have never in my 20 years of looking at this seen anybody charging out the 1st of March, we've got 30 days to make a decision on the scope of this where I've already issued an RFP, and we've chosen the person who is going to do -- or the firm that is going to do the environmental impact statement, and there's not an application in front of the town that has to approve the zoning, there is no confirmation that the town may legally part with the property, or that the legislature is disposed to doing so.

Let's stop wasting the public's

2 money until we get to the point where
3 there's a real project, with a real
4 developer who is made to sign a
5 commitment to move ahead with the
6 project and made an application with the
7 town that has to approve it in the end.

8 This is way premature. Let's slow
9 down. First, we find out whether the
10 project's real and can move ahead, and
11 then we evaluate its environmental
12 impacts. Let's do it in order.

13 DIRECTOR ISLES: Thank you,
14 Mr. Amper.

15 (Applause)

16 DIRECTOR ISLES: I'm just noting
17 for the purpose of the public here
18 tonight that CEQ has been -- this
19 application or this matter has been
20 referred to CEQ. The original
21 resolution to the legislature in the
22 fall was to do two things that I
23 mentioned, declare the property surplus
24 and to authorize a contract of sale.
25 That contract of sale would have given

2 the developer the status to make an
3 application to the Town of Brookhaven.

4 That action has been deemed by the
5 legislature and by recommendation of CEQ
6 to be a SEQRA-able action, potentially
7 has a significant impact to the
8 environment. Which is why we're now
9 taking this course, because the
10 legislature has said they don't want to
11 consider that until this environmental
12 analysis is done.

13 So that's the reason why we're here
14 tonight, is to -- the action to the
15 contract was put aside pending the
16 environmental review.

17 And this isn't a debate, but --

18 MR. AMPER: Well, you just --

19 DIRECTOR ISLES: -- certainly, if
20 you want to --

21 MR. AMPER: No, but you --

22 DIRECTOR ISLES: -- that's fine.

23 MR. AMPER: You took the time to
24 express why we're here, and I'm saying
25 both the county -- the executive branch

2 and the legislature needs to revisit the
3 process because we believe it's flawed.

4 DIRECTOR ISLES: Okay.

5 MR. AMPER: That this is not -- it
6 is something that they may choose to do,
7 but if they do so, they're doing it at
8 the public's expense.

9 DIRECTOR ISLES: Okay. Understood.
10 Thank you.

11 Okay. The next speaker is Mary Ann
12 Johnston.

13 MS. JOHNSTON: Good evening. And I
14 thank you, members of the CEQ, for the
15 courage --

16 Do I need to hit something?

17 DIRECTOR ISLES: Just spell your
18 name, please.

19 MS. JOHNSTON: J-O-H-N-S-T-O-N.

20 DIRECTOR ISLES: Thank you.

21 MS. JOHNSTON: Johnston.

22 DIRECTOR ISLES: Yes.

23 MS. JOHNSTON: I'm President of the
24 Affiliated Brookhaven Civic
25 Organization, and I thank the CEQ for

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the opportunity to act as a conscience of the residents.

This is pristine land adjacent to the Carmans River. The jewel of Long Island. Not to be exploited easily for short-term profit, and certainly not to be exploited at taxpayer expense for private profit. That's a concern I have.

Beyond that, I have to echo the same issues echoed by Mr. Amper and Mr. Romaine. We need to play by the rules.

The Glover family fought long and hard over an eight- or nine-year period to keep possession of its land. The county took it for a public purpose. If that public purpose no longer exists, the county needs to declare that so. It may not use the land for whatever purpose it deems appropriate. It took the land out of eminent domain, and I think that needs to be resolved.

Beyond that, this is the -- this is

2 the living, walking, breathing, in color
3 example of dumb growth. Building a
4 village where there is no village.

5 (Applause)

6 MS. JOHNSTON: No shopping center,
7 no supermarket, no bus routes, no rail;
8 nothing but get in your car and come to
9 Legacy Village. My God, the developer
10 could think of a better idea.

11 This amphitheater is to be located
12 on the banks of the wild and scenic
13 section of the Carmans River.

14 We have two rivers on Long Island
15 that are wild and scenic that I know of.
16 Perhaps, three. Maybe the Nissequogue.
17 You would know that better. But we know
18 the Carmans is Brookhaven's jewel. It's
19 ours. We treasure it, we care for it.
20 I camped at Southaven Park the first
21 time it was open. The very first time.
22 I've sat under the Cathedral Pines in
23 Yaphank, and I have loved to bike along
24 its Main Street. You will put an end to
25 that if you allow this project to go

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forward because nobody can bike on a road where there are 3,000 cars trying to get in and out. To say nothing of the business, the 5,000 people sitting in amphitheater, or anything else.

We have a right to determine our future, and we really object to this process.

This next thing is that it's vital. It's next to a vital and wonderful historic district that you can just walk in and step back in time. Where can you do that on Long Island anymore, I ask you?

This is what the county is about, preserving our past, present -- keeping our present, and planning for our future. This is not a plan. This is a real estate agent's dream, not a county executive.

This is waters and area that empties into the Wertheim Wildlife Preserve, and into the Narrow Bay and -- and Bellport Bay. It is critical that

2 we look at the major cumulative impact
3 of polluting this watershed.

4 This area, if I may point
5 (indicating), is within three years of
6 what you put in the ground ends up in
7 that river.

8 Three years, folks. Not 25,
9 not 50, not 100; three years.

10 So if you're planning sewer
11 treatment, let's plan something that
12 isn't groundwater discharge.

13 I want to know what you're going to
14 do with stormwater runoff from hard
15 surfaces.

16 My God, the Forge is dead. We have
17 millions of dollars coming, and all we
18 can think about is a word called
19 "dredge." They don't even have a word
20 called "environmental restoration."

21 When you kill it, it stays pretty
22 much dead.

23 The area to the south is not
24 zoned -- it's zoned A-1.

25 A-1.

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Those people who live in that residence area of Brookhaven in Yaphank are zoned A-1. They are not even serviced by public water.

The impact on Southaven Park has to be measured. The ability of people to step into a wilderness amidst a high-density-populated area like Brookhaven Town is unique. You have a duty to see to it that we maintain that for generations going forward. This is not your quick-buck scheme, this is not snake oil. This is the Carmans River, and this is Brookhaven's jewel.

We need to look at the nitrogen levels in this river. We've been measuring it, and they're coming up in almost levels that make it not a Pine Barrens River.

This is a Pine Barrens River. What do we do when we don't have that anymore?

I can tell you what we can do. Pretty soon, we keep this up, we walk

2 across the Carmans River.

3 I want you to measure the impact on
4 the wildlife. Not only within the area
5 of the project that you're planning, but
6 in the outlying areas. Because we know,
7 if you build it, they will die. That's
8 just the way it is. We've seen it from
9 one end of the Island to the other.

10 I know the traffic cannot be
11 measured. When I used to travel
12 east/west on the Long Island Expressway,
13 I used to have to get to Nichols Road
14 before I sat in bumper-to-bumper. Now I
15 get on at Exit 69 and I can sit in
16 bumper-to-bumper. And if we build
17 The Meadows, where I might add there
18 will be very few meadows, we will have
19 even more traffic. More than 2,000,
20 3,000 people getting on at that exit.

21 DIRECTOR ISLES: Ms. Johnston,
22 you've gone over the five minutes. So
23 if you just want to --

24 MS. JOHNSTON: I just have --

25 I want to complain about this

2 process. I feel that is it flawed, that
3 it is unacceptable. I believe that when
4 you want to be making an investment in
5 real estate, you buy the land.

6 Why is it the job of taxpayers to
7 subsidize this adventure? I just don't
8 get it.

9 We have 12,000 homes in foreclosure
10 in Suffolk County.

11 12,000.

12 We have no need for affordable
13 housing in this vicinity because you can
14 buy a house in Mastic Beach for less
15 than \$130,000.

16 That's affordable, folks.

17 Change your focus. Do a paradigm
18 shift, and bring back the areas that
19 you've marginalized. We don't need to
20 build new. We need to redevelop what we
21 already have.

22 And the last thing I would ask is
23 that this land be added to preservation.

24 Mr. Levy spoke a week or so ago at
25 the "Save the EPF Fund Rally" in

2 Bethpage. And he said, "The one thing
3 they're not making more of is land. We
4 have to hold onto the land we have for
5 future generations."

6 And you know what? There's no
7 higher calling for you right now.

8 I thank you very much.

9 (Applause)

10 DIRECTOR ISLES: Thank you very
11 much, Ms. Johnston.

12 Okay. The next speaker is John
13 McConnell.

14 MR. MCCONNELL: Hi, good evening.
15 John McConnel, M-C-C-O-N-N-E-L-L.

16 I have a letter here from Johan
17 (handing). She's the head of the civic,
18 she couldn't make it tonight. She's at
19 another meeting.

20 There's a lot that's been said
21 tonight that I agree with, of course,
22 and it's been said before, like many
23 times. This is some definition of, you
24 know, do something over and over and
25 over again. You know who said that --

2 what the -- the definition of --
3 Einstein's definition of -- I'll skip
4 that part.

5 But, anyway, we've heard quite a
6 bit.

7 As you all know -- I'll make it
8 real quick -- there's -- not only the
9 Yaphank Taxpayers Civic but South
10 Yaphank strongly opposes this. And
11 other civic groups, environmental groups
12 are all -- there's like nobody onboard
13 for this here except the developers and
14 the workers and the unions and so forth.

15 I agree with Regina Seltzer
16 (phonetic) and -- and also
17 Legislator Romaine that the legality of
18 this here, selling it, doesn't seem to
19 be legal. I'm not a lawyer, but it
20 seems like it is totally wrong.

21 It's -- one correction, and it has
22 been already stated tonight so I don't
23 have to correct it, but in the paper it
24 said it's near the Carmans River
25 Watershed, it's in the Carmans River

2 Watershed. This is a very protected and
3 historic river. Let's try to keep it
4 that way, not -- this is -- this would
5 destroy --

6 Johan and I moved to Yaphank about
7 10 years ago because it's rural and we
8 like the area. This would totally
9 change it unbelievable in terms of
10 population, traffic, and environment.
11 There's probably not -- not enough clean
12 water, and this would add to the
13 pollution and -- and so on.

14 This stuff about the jobs, if this
15 thing ever gets going -- hopefully it
16 doesn't -- that's years and years away,
17 although the county executive says we
18 have to have this going because men are
19 out of -- people are out of work.

20 That's -- that's fear-mongering.
21 Okay. We have to have this here
22 because, you know, the environment --
23 the -- the -- you know, the job
24 situation is bad. That's -- you know,
25 that's a long way off on this.

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I also agree with Richard Amper, what he said tonight, also what he said in the paper. Some conflict of interest, the -- what was it here? Hold on.

The --

Okay. The engineering firm that was a consultant -- they mentioned in the paper there yesterday -- that does seem to be a conflict of interest, but that doesn't bother the county executive. He feels he can basically do anything.

As Legislator Romaine said, he kept the county legislature in the dark for three years, nobody knew anything about this here, and it's totally ridiculous. And I commend the committee up there for looking into it. I hope you look at it real strongly, because the county legislature didn't know anything about the plan -- they heard rumors, they heard this -- that's -- that's not a way to run, you know, the government.

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I was at that meeting that Mary Ann just spoke to, down at Bethpage State Park. And, yes, Steve Levy did say, "Let's preserve the land." But yet, he wants to do this here.

This -- this totally doesn't make any -- any sense. The purpose of last week was to save the parks and the EPF fund and so on. And here we have land -- I've been -- you people --

I don't know if you've been there. You should go there, walk it, ride a bike. I live right down a block from it. I've been in and out many times. You should see how pristine it is and so on. And to put this here is totally, totally wrong off this here.

I would ask the -- not the committee here, but the environment -- the committee that voted on this to not even table it for 30 days, table it forever.

Thank you.

(Applause)

2 DIRECTOR ISLES: Thank you,
3 Mr. McConnell.

4 Okay. The next speaker card we
5 have is from Martin Vanlith, I believe.

6 And, here again, I apologize if I'm
7 mispronouncing it.

8 Okay. Thank you.
9 Spell your name, please.

10 MR. VANLITH: Yes.

11 Vanlith, V-A-N-L-I-T-H.

12 I'm here on behalf of the Open
13 Space Council, and I'd like to read what
14 we have. It's less than five minutes.

15 DIRECTOR ISLES: Thank you.

16 MR. VANLITH: Okay.

17 "The Open Space Council's primary
18 concern is that the Carmans River be
19 reestablished as a productive Pine
20 Barrens River with low acidity, low
21 nitrate concentrations, and a variety of
22 native flora and fauna that would
23 naturally be found in such an
24 environment. In OSC's opinion, the
25 highest and best use for any lands

2 currently owned by a county in the
3 watershed is to protect the Carmans from
4 the current and additional onslaught of
5 contamination.

6 "The proposed Legacy Village is out
7 of step with that concept. The DGEIS
8 needs to address impacts to the entire
9 Carmans River Watershed in order to
10 assess the true nature of cumulative
11 effects to the river.

12 "A Legacy Village concept is also
13 at odds with the smart growth
14 initiatives enacted by the county. It
15 creates a destination where none existed
16 before; it is not well served by
17 existing infrastructure; it will bring
18 additional people and vehicles into an
19 area that is relatively lightly
20 populated; and it will not be readily
21 walkable as the car will still be the
22 dominant feature on the landscape.

23 "In terms of Suffolk County's
24 infrastructure, the DGEIS must also look
25 at the cumulative short-term and

2 long-term plans for all of the
3 intersections along the Long Island Rail
4 Road, including access to EPCAL, and
5 along the Long Island Expressway,
6 including at Exit 68 with BNL and the
7 expanding industrial park, as well as
8 along Sunrise Highway.

9 "With millions of dollars being
10 spent by federal, state, county, and
11 town governments to protect the Carmans
12 River Watershed by acquiring and
13 preserving land in the watershed, it
14 makes no sense to be declaring this very
15 same land as surplus for the purpose of
16 high density development.

17 "The Open Space Council urges the
18 planning department to consider the
19 alternatives with no action."

20 Thank you very much.

21 (Applause)

22 DIRECTOR ISLES: Thank you.

23 MR. VANLITH: I have -- you know,
24 what I read will be supplemented by the
25 president, Marilyn England.

1 SEQRA Public Scoping Hearing 3/16/10 62

2 DIRECTOR ISLES: Okay.

3 MR. VANLITH: Should I hand this in
4 any way?

5 DIRECTOR ISLES: Well, essentially
6 it's up to you --

7 MR. VANLITH: Yeah, because --

8 DIRECTOR ISLES: -- but we'll put
9 it on the record.

10 MR. VANLITH: Yeah.

11 DIRECTOR ISLES: If your
12 supplemental comments are made before
13 the 30th --

14 MR. VANLITH: Yeah.

15 DIRECTOR ISLES: -- certainly,
16 those will be welcome, too.

17 MR. VANLITH: She's going to expand
18 on that. That was just for --

19 Thank you.

20 DIRECTOR ISLES: Thank you.

21 MR. VANLITH: Thank you very much,
22 everybody.

23 DIRECTOR ISLES: Thank you.
24 I'm going to go back to John
25 McConnell.

2 John, are you here?

3 MR. MCCONNELL: Yeah.

4 DIRECTOR ISLES: John, did you want
5 me to read the letter from Johan
6 McConnell or --

7 MR. MCCONNELL: Well, I --

8 DIRECTOR ISLES: -- put it into the
9 record?

10 MR. MCCONNELL: She didn't say. I
11 think -- I don't know how long it is.

12 DIRECTOR ISLES: It's not that
13 long. Let me just read it so it's on
14 the record --

15 MR. MCCONNELL: Yeah, read it.
16 That's good. Thank you.

17 DIRECTOR ISLES: Since she wasn't
18 able to make it tonight.

19 The letter is written as follows:

20 "The South Yaphank Civic
21 Association would like to express our
22 concerns about the Draft Generic
23 Environmental Impact Statement for the
24 sale of 255 acres of county property
25 located in Yaphank.

2 "Number one, geology soils and
3 topography subsurface environmental
4 conditions.

5 "Will the soil be tested to see if
6 there are VOCs from the toxic plumes
7 located on the property?

8 "Number two, water resources and
9 stormwater management.

10 "The proposed project is located in
11 the Carmans River Watershed. The Pine
12 Barrens Commission and the Town of
13 Brookhaven are working on a management
14 plan for the watershed.

15 "Will this plan be looked at and
16 included in the impact statement?

17 "Number three, terrestrial and
18 aquatic ecology.

19 "The Town of Brookhaven has
20 recently discovered the rare and
21 endangered gray fox on property located
22 across from police headquarters just
23 east of the Schmidt farm. It is
24 entirely possible that the gray fox is
25 also located on the 255 acres.

2 "Number four, transportation.

3 "Please include the intersection of
4 Park Street and Yaphank Avenue in the
5 study. At the present time, residents
6 from Crescent and Park can make left and
7 right turns onto Yaphank Avenue. Cars
8 leaving police headquarters parking lot
9 at the intersection are supposed to make
10 right turns only. However, numerous
11 times during the day, cars make left
12 turns. The intersection is located at
13 the bottom of the railroad overpass, and
14 cars traveling south on Yaphank Avenue
15 do not have a direct sight line until
16 they are on top of the overpass.

17 "Five, air quality.

18 "The Suffolk County Health
19 Department conducted air quality
20 assessments at several sites along
21 Yaphank Avenue. Because of the Long
22 Island Compost, there were problems
23 discovered with the air. The Caithness
24 Power Plant had to purchase clean air
25 credits in order to build the power

2 plant, and now there is talk of a second
3 plant.

4 "Six, utilities, community
5 facilities, and services.

6 "The property's located within two
7 different school districts and two fire
8 departments.

9 "How will the taxes on the property
10 be divided?

11 "The South Country Ambulance
12 District has responsibility for
13 95 percent of the property, as their
14 northern boundary is Park Street.

15 "Will new facilities be provided
16 because of the increase in population
17 for both the Brookhaven Fire District
18 and the South County Ambulance District?

19 "The last comment, historic and
20 archeological resources.

21 "A historical building, the
22 original 'Doctor's Cabin,' is located in
23 Area A.

24 "Will this building remain in its
25 present location or will it be moved."

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And it's just signed by Johan
McConnell, the president of the civic
association.

Okay. Our next speaker card is
from Kevin McAllister.

MR. MCALLISTER: Good evening. My
name is Kevin McAllister. I'm honored
to be your Peconic Baykeeper.

THE REPORTER: Would you spell your
last name, please.

MR. MCALLISTER:
M-C-A-L-L-I-S-T-E-R.

THE REPORTER: Thank you.

MR MCALLISTER: I guess I'll point
out what I don't know and what I -- I
believe I do know. I'm not going to
speak to traffic, quality of life
issues, impacts on, you know, the local
economy, et cetera; but I will speak to
water. So, again, I -- I'd like to
believe that I do know a thing or two
about that.

If you consider the entire
watershed and -- and relative to these

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tributaries, you know, it's -- it's a very sad legacy with respect to the impaired waters. In fact, New York DEC is posed to come out with a revised 303D list, comparing waters list, which is going to be very sweeping.

They're going to include basically and virtually all the Great South Bay into Shinnicock Bay, I believe, and feeding tributaries. And that's due in -- in a large part to chronic algal blooms associated with nutrient or nitrogen loading.

And I would argue that, you know, ultimately, really where the buck stops is -- is these feeding tributaries, the arteries of our bay. And I -- I think over time, you know, as we obviously develop Long Island, particularly with sanitary waste, lawn fertilizers, we're seeing more and more impaired waters.

If you look at that list, it's alarming. Virtually every stream on Long Island has some form of impairment.

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It's failing to meet water quality standards and best uses. The ability to catch fish and to use these water resources for recreational uses, and more and more. Now, what we're seeing is, ultimately, we are connecting the dots to the nutrient loading.

So with respect to, obviously, the Carmans River, and this goes to my point -- and I don't have the answers, and I applaud CEQ for proceeding with this process, but I do ask that you ultimately seek these answers through, you know, the study and the consulting firm that's assigned to this study, but we really need to define the nutrient loads relative to, you know, this expanded development.

And I want to make this point, I've made it before, the county's sanitary waste code is grossly deficient with respect to protecting our surface waters. It's designed to protect drinking water quality, and that's a far

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cry -- a tenfold difference in protecting the entirety of these streams and the life they support versus the ability to turn on the faucet to drink tap water and to know it's safe.

So, again, this nexus has to be connected. And I -- I hope over time -- and I know it's a side issue, but, you know, ultimately, I hope that Suffolk County and, you know, the elected officials, CEQ, will ultimately start to turn their sights on, again, the sanitary waste code as it relates to protecting surface waters.

The Carmans River, one of three, is an esteemed stream. You know, as you know, it supports brook trout in that particular area. And, again, that requires high water quality. So what does this mean with respect to, again, water quality degradation?

And a very smart man said not too long ago that ultimately he felt that we've reached kind of a tipping point

2 with sanitary waste as it relates to
3 effecting our groundwater and ultimately
4 our streams. And I fully concur. I
5 think we're there.

6 So I think we have to take a
7 hardline to really take a -- again, a
8 very critical view of these projects as
9 they are forthcoming. And this, based
10 on its magnitude, is significant. So I
11 ask you to do due diligence with respect
12 to ensuring that. There's a
13 comprehensive review of the groundwater
14 enrichment and as it will effect or
15 negatively impact the integrity of
16 Carmans River.

17 And I'm going to be critical, if I
18 may, for a moment.

19 Let me start by saying Suffolk
20 County has -- has shown leadership for
21 many years on many fronts relative to
22 environmental protection. And I hope, I
23 implore you, please select the right
24 consultant and then back off and allow
25 that -- you know, that firm to really

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provide good science for, you know,
ultimately -- you know, good judgment on
your part, on the legislature's part.

We don't want to connect the dots
here ultimately where -- whereas it's
perceived that this is really what we
want. So let's -- let's find a way to
shoehorn it in and tell us it's all
good, because we've been there before.

I know the panel sitting there is
aware, obviously, of my critique in
prior EISs. You know, I hold firm
that -- you know, in a -- certainly a
prior process, it -- it's, quiet
frankly, has been an embarrassment, and
I don't want to see this repeated.

Do the right thing. Protect this
jewel. We have very few of them left.
This is one that Suffolk County should
be very proud of. You have a strong
legacy of land protection, obviously,
with, you know, the lower portion being
federal land. Southaven Park, Suffolk
County Cathedral Pines. You know,

1 SEQRA Public Scoping Hearing 3/16/10 73
2 it's -- it's --
3 Let's not give this away from --
4 because of just irresponsible
5 development.
6 Thank you.
7 (Applause)
8 DIRECTOR ISLES: Thank you,
9 Mr. McAllister.
10 Okay. The next speaker is Don
11 Seubert.
12 Don?
13 There you are.
14 MR. SEUBERT: I hope I didn't go
15 ahead of anybody or anything, I just
16 came.
17 DIRECTOR ISLES: This is your card,
18 you're next.
19 Right up at the podium, Don,
20 please.
21 MR. SEUBERT: Okay.
22 DIRECTOR ISLES: And just spell
23 your last name for the record, please.
24 MR. SEUBERT: It's Don, D-O-N,
25 S-E-U-B-E-R-T. And good evening and

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thank you for your time.

DIRECTOR ISLES: Good evening.

MR. SEUBERT: The impact of a public purchase of land, open space and public money for a private purpose, the can of worms this piece of county land presents deeply concerns the public. Gridlocked, over taxed, bankrupted, over developed Long Island cannot build and should not attempt to build its way out of its 2010 dilemmas. It's yet another pongid scheme to save Long Island in which we will all dearly pay.

Leave untouched this space of Brookhaven as a living historic community representing our area's historic past. Its values will only grow. Let's not screw up a living historic community with a quaint plastic village -- a quaint village attached to an ugly miniature round cement Nassau Coliseum when a real historic Yaphank exists for everyone's benefit.

Let's keep the Carmans River live

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and protect habitat and water quality.

Please recall about 40 years ago --
I'm sorry now for being sarcastic -- why
this plan has forced out, displaced the
hardworking, revenue-producing, positive
tax-paying farmers all along Horseblock
Road, Sills, and Yaphank Avenue.

Farmlands net income benefit to the
taxpayer is just an addition to a farm's
unique aesthetic community environmental
benefits that are found in this area.

Isolated islands of our rural past will
not sell to Suffolk's tourism for long.

Our existing large vacation,
restaurant, day-tourist, and beach-going
industries will evaporate like Coney
Island's hay days, and our farms.

All successful world cities have a
progression of development from the
teaming cities to the suburban rural
vacation countryside. All should be
within 50 miles of that major city. We
are at that limit. A feather will kill
the valence.

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We are interrelated and interdependent. Our view to the world is the LIE, especially in Medford. People must feel that decompression for an area to be sustainable relief and an attraction. It starts at the Medford/Yaphank line.

Keep Long Island pristine and desirable for its present and long-time residents. Don't push older tax-positive Long Islanders off Long Island for the -- a Long Island quality of life. Simultaneously ask your taxpayers for open space protection, land purchase dollars, while we give up our land that may be critical to Suffolk County's future. And land more costly in the future does not make common sense. It must be evaluated for impacting future bonds, community preservation surcharges, historic preservation, and maintenance cost of our open space.

The cumulative impacts of Legacy

2 Village, traffic and impacts of a
3 perpetuating further development and,
4 slash, traffic to the area all about the
5 proposal, especially to Medford and the
6 already populated areas to the west,
7 must be considered. The body of traffic
8 impacts along the LIE, the Long Island
9 Ave- -- the LIE Service Road, North and
10 South, 63 to 64, -5, and -6 in Medford
11 need be evaluated.

12 Air quality, noise, the light
13 pollution, existing visual eyesores. I
14 heard people talking about the Caithness
15 Power Plant a bit, and -- and all the --
16 we understand so much about the leakage
17 from the -- from the landfill and so
18 forth. Now, to be even more visible,
19 the health and safety of existing
20 residents together with the existing
21 impacts of polluting dangerous
22 industries, zoning in proximity need be
23 part of any scope.

24 A huge visual impact on Medford
25 area roads today is litter. That

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existing heavy industry -- existing heavy industry, major commercial centers, and tremendous traffic numbers bring. We do not need one more potential impact on our Medford community. Traffic will go east through Medford and west back home to find their shortcuts.

Impacts of new development to the small local businesses, attraction of high-end business to our area and its downtowns, for example, Sills Road and Route 112 and Horseblock, need be evaluated.

Hamlet studies are currently being done in North Bellport, Medford, Gordon Heights, Coram, Middle Island, and East Patchogue. Revitalization to Patchogue and impact to Bellport Village. All of these plans need to be scoped for immediate and long-term impacts. Community goals may be in conflict.

Nearby existing recreational zoning in Medford at Country Fair, Boomers, the

2 movie theater, et cetera, need be
3 evaluated, too.

4 Shortcuts through remaining Medford
5 semi and rural roads as Granny, Country,
6 Long Island Avenue, and Mill, will be
7 routes found. Roads residents use to
8 decompress. Past rural roads will be
9 lastingly effected by perpetuation of
10 development.

11 A short five- to ten-minute bike
12 ride, a two-minute car ride along Long
13 Island Avenue can take you to a Yaphank
14 farm, the lakes, the Carmans River,
15 Cathedral Pines. A different world.
16 Purely the environment and our
17 desirability of Yaphank and surrounding
18 communities becomes a product of
19 development we allow.

20 Townhouses with apartments must be
21 sustainable on their own. Owners must
22 not qualify based on the necessary
23 income from tenants.

24 Who will control this and this
25 effect on new building throughout

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Brookhaven and in older neighborhoods that are already impacted by overcrowded legal and illegal apartments?

I'll just end it there, and just say my own personal -- I grew up and had taken a lot of bike rides with kids -- kids at school and field trips in that area in a safe way through the back roads. I don't see this happening anymore, and I think we're going to lose that.

I think that the area is overwhelmed by heavy industrial and everything else. I don't know how suitable it is.

I guess you knew about the data -- a plan to Connecticut that did.

I'm sure you also realize the hundreds of thousands of plus gallons of -- Caithness.

I don't know if you're all aware of the -- the amount of liquid nitrogen on TruGreen Chemlawn, just a neighbor there.

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Of course you know Grucci's there.

There's so many in- -- unbelievable things in that area that -- you know, I think the feather -- you know, the feather is on the camel's back, and I think that you should really consider that. And all the impacts to what our other communities are doing along the way, trying to revitalize ourselves and make it a good place to live.

It's just nice to get a breath of fresh air, you know. I was shoot- -- coming out on the expressway, but, you know, once you pass William Floyd or get into the road right to here to the jail, I just saw cars. You know, you need that in life. And I think we all need that and Long Island will not be sustainable if that's not maintained.

Thank you very **much**.

DIRECTOR ISLES: Thank you,
Mr. Seubert.

(Discussion held off the record)

DIRECTOR ISLES: Okay. I'm going

2 to note that I did receive a statement
3 from someone who wanted to submit it in
4 writing. Apparently, they -- they just
5 wanted to have it acknowledged that they
6 did submit a statement. It's rather
7 lengthy. But, here again, that will be
8 part of the record as well. And it's
9 from a Jennifer Clement.

10 Is there anyone else who would like
11 to speak tonight?

12 MR. TOMASZEWSKI: (Indicating)

13 DIRECTOR ISLES: Sir, go right
14 ahead.

15 Just state your name and spell your
16 last name.

17 MR. TOMASZEWSKI: Thank you,
18 Mr. Isles.

19 My name is Dan Tomaszewski,
20 T-O-M-A-S-Z-E-W-S-K-I. And I'm sorry I
21 didn't fill out a yellow card --

22 DIRECTOR ISLES: It's okay.

23 MR. TOMASZEWSKI: -- I originally
24 didn't plan to speak, but I have a few
25 things I would like to say.

2 Most of the people in the room know
3 me as my official day job role. I am
4 vice president of the Longwood School
5 Board, and, of course, this is very --
6 very much a concern to the Longwood
7 School District.

8 Now, we're not here tonight to talk
9 about impact of school taxes, although
10 it is an offshoot of this, and, as you
11 know, we are very, very concerned. If
12 you read Newsday and watch the TV
13 everyday, you'll see that the funding of
14 education in this state is a serious,
15 serious problem.

16 And the school district is not in
17 complete agreement with the people
18 representing the -- county people that
19 are advocates for this plan, but we're
20 not going to get into that because I've
21 spoken at length about that. Let it
22 suffice to say that we take issue
23 with -- with many of the predictions and
24 projections.

25 But I'd like to speak tonight on

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behalf of myself and my family.

I was born in Yaphank. Grew up there. And the lake was a big part of my life, my brothers and all of my friends and neighbors. I can remember as a young kid swimming in the lake. It was crystal clear. You could throw a quarter in the lake, swim down, find it. The lake's not that way anymore.

We fished in the lake and we could eat the fish. You could fish in the lake, but you can't eat the fish anymore.

We canoed in the lake. Now, if you could get by the cabomba weed, maybe you could canoe, I don't know.

Certainly, it's not what it was and it's going downhill.

I don't believe the lake is dead, but if we continue the trend, the lake will be dead. All right. And as Mary Ann so eloquently stated, once it's dead, it's not going to come back. All right.

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As a representative of the school board, we can't play games with the way education is funded, we have to be right with our decisions.

You can't play games with the environment. You have to be right. If -- if you're not absolutely sure 100 percent that what is proposed here is going to have absolutely no impact on it, then you can't be -- you can't be in favor. You've got to be sure. You absolutely got to be sure. Because once it's dead, it's dead, it's never coming back.

And, you know what? Local government, as opposed to state government and federal government, is all about quality of life of the people who live here. You are our champions of quality of life.

(Applause)

MR. TOMASZEWSKI: And if we can't depend on our elected officials at the county and town level to represent us

2 for quality of life, then this whole
3 thing might as well be packed in.

4 This is a critical decision, and --
5 and you have a lot of -- you have a big
6 responsibility. And I'm sure that you
7 will take this very seriously and -- and
8 consider the people who live here and
9 the generations who hope to live here
10 for many years to come.

11 So thank you very much for your
12 time.

13 (Applause)

14 DIRECTOR ISLES: Thank you,
15 Mr. Tomaszewski.

16 And, Dr. Strobel, please.

17 DR. STROBEL: Herb Strobel.
18 S-T-R-O-B-E-L, first name Herb.

19 First of all, thank you to the CEQ
20 for holding this public hearing and for
21 taking these comments.

22 I'm a member of the Town of
23 Brookhaven Open Space Committee, as well
24 as the Suffolk County Farm Advisory
25 Committee, and I would just like to

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offer a few comments and perspectives with relations to the Suffolk County Farm in Yaphank.

As some of you might know, the Suffolk County Farm was actually purchased by the county nearly 140 years ago, and it's been an active agricultural production more or less since -- for that entire period of time.

As Mr. Isles indicated, in December of 2003, over 200 acres of the farm was put into permanent protective status by the legislature in recognition of the fact that the farm's a valuable resource for all Suffolk County residents.

Simply stated, I think it's safe to say that the proposed development is incompatible with the present and future activities of the farm.

As I indicated, the farm is an active agricultural production and there are operations including plowing, cultivating, which generate -- or it can generate considerable amount of dust,

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spreading of manure, which can generate odors that some people find offensive, and then irrigation as well, which can generate noise.

With nearly 3,000 residents potentially located relatively nearby, there will be conflicts -- neighbor/farmer conflicts generated by the simple fact that 3,000 residents will be literally located right next to the farm.

In addition to that, those 3,000 residents create the potential for conflicts that include issues related to trespass, related to vandalism of the farm -- farm operations.

And so, basically, as I indicated, this proposed development, as it is currently scoped out, is incompatible with future farm -- present and future farm operations.

And so I would just paraphrase Legislator Romaine and suggest that the proposed development basically flies in

2 the face of smart growth principles. A
3 number of individuals have already
4 indicated that, and I would support
5 that.

6 So that's all I really have to
7 offer this evening, and, again, I
8 appreciate the opportunity to present
9 those comments.

10 Thank you.

11 DIRECTOR ISLES: Thank you very
12 much.

13 (Applause)

14 DIRECTOR ISLES: Okay. Is there
15 anyone else who would like to present
16 any comments tonight?

17 MS. JOHNSTON: (Indicating)

18 DIRECTOR ISLES: Anyone else who
19 has- -- I'll recognize you, Mary Ann, in
20 just a second, just --

21 No other first shots?

22 (WHEREUPON, there was no response.)

23 DIRECTOR ISLES: Okay. Mary Ann,
24 you're up for again -- just for maybe
25 three minutes.

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MS. JOHNSTON: Oh, I won't need that much.

DIRECTOR ISLES: Okay.
Restate your name.

MS. JOHNSTON: Mary Ann Johnston, ABCO.

I left out an important aspect of any major development in -- in the impact. And that is that every major development is growth inducing. Not just in the area that you're planning to build something, but in the surrounding area.

The surrounding area to the east is Suffolk County's Southaven Park. To the north is a historical zone. To the south is the Wertheim Wildlife Preserve. And to the west we have major high density development.

Growth-inducing aspects cannot be ignored and need to be measured in terms of the impact on every single surrounding community.

I represent a coalition that has

2 more than 40 civic groups signed on in
3 opposition to that very growth-inducing
4 aspect.

5 So, again, I thank you for your
6 time.

7 DIRECTOR ISLES: Thank you,
8 Ms. Johnston.

9 (Applause)

10 DIRECTOR ISLES: Is there anyone
11 else that would like to address the CEQ?

12 MR. MCCONNELL: (Indicating)

13 DIRECTOR ISLES: John, you'll get
14 three minutes at your secondary shot.

15 MR. MCCONNELL: One minute.

16 DIRECTOR ISLES: Okay.

17 MR. MCCONNELL: I just left out
18 something.

19 DIRECTOR ISLES: John McConnell.

20 MR. MCCONNELL: John McConnell,
21 M-C-C-O-N-N-E-L-L.

22 One of the things I was talking
23 about before is that the -- the
24 legisla- -- not the legislature, the
25 legislature was basically in the dark

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about this. They didn't know about these plans until that meeting last -- whenever it was. But this is kind of typical of our county executive. I don't want to bash him too much, but this is how he operates. Okay. And he thinks he can do -- you know, bypass any -- any, you know, procedures, rules and laws, whatever. And we've seen that down in our neighborhood with the shooting range.

But, again, I just want to reiterate that the -- the Suffolk County Legislature was basically kept in the dark about this, and that's not right. That's not the right way to do things.

Thank you very much for your time.

DIRECTOR ISLES: Thank you, Mr. McConnell.

(Applause)

DIRECTOR ISLES: Any other questions or statements?

(WHEREUPON, there was no response.)

DIRECTOR ISLES: Let me just

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make the point in reference to
Mr. McConnell's comment.

I'm not going to comment in terms
of the past. What I will comment on is,
we are in a SEQRA process right now.
The county is the lead agency. These
steps along the process will require the
review by CEQ and decisions by the
county legislature. So they will be
involved. They have been involved in
the SEQRA process. They issued the
Positive Declaration. They will be
involved in scoping the DGIS and the
FGEIS.

Okay. Any other questions or any
other comments tonight?

(WHEREUPON, there was no response.)

DIRECTOR ISLES: Seeing none, that
completes the hearing this evening.

As I indicated, the public comment
period extends until March 30th. So
written comments can continue to be
provided in that format. This matter
will then be put into a final scope,

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which, here again, is subject to review of the Council on Environmental Quality and the Suffolk County Legislature.

I thank you for coming down tonight, and adjoin the meeting at this point.

Thank you.

(WHEREUPON, this SEQRA Public Scoping Hearing was adjourned at 8:28 p.m.)

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C E R T I F I C A T E

I, THERESA PAPE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That the foregoing is a true and accurate transcription of the stenographic notes taken herein.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of March 2010.


THERESA PAPE