COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON
CEQ

Michael P. Mulé
ENVIRONMENTAL PROJECTS
COORDINATOR

SUFFOLK COUNTY
COUNCIL ON ENVIRONMENTAL QUALITY
MINUTES

DATE: January 18, 2012
TIME: 9:35 am to 11:45 pm
LOCATION: Arthur Kunz Library
H. Lee Dennison Bldg. – 4th Floor
Veterans Memorial Highway, Hauppauge, New York

PRESENT:
Larry Swanson, Chair; Gloria Russo, Vice-Chair; James Bagg; Hon. Kara Hahn; Eva Growney; Michael Kaufman; Richard Machtay; MaryAnn Spencer

ABSENT:
Tom Gulbransen
Dan Pichney

CAC REPRESENTATIVES:
Joy Squires, Town of Huntington

STAFF:
Michael Mulé, Environmental Projects Coordinator
Christine DeSalvo, Senior Clerk Typist

GUESTS:
Sarah Lansdale, Director
Suffolk County Department of Planning
Lauretta Fischer, Chief Environmental Analyst
Suffolk County Department of Planning
Richard Martin, Director, Historic Services
Suffolk County Department of Parks, Recreation & Conservation
Nick Gibbons, Principal Environmental Analyst
Suffolk County Department of Parks, Recreation and Conservation

Janet Longo, Acquisition Supervisor
Suffolk County Department of Planning
Division of Real Property Acquisition and Management
Gil Anderson, Commissioner
Suffolk County Department of Public Works
Ben Wright, Principal Engineer
Suffolk County Department of Public Works
John Donovan, Engineer
Suffolk County Department of Public Works
Christopher Poelker, Engineer
Suffolk County Department of Public Works
Boris Rukovets, PE, Special Projects Supervisor
Suffolk County Department of Public Works
Hon. John M. Kennedy, Jr.
Suffolk County Legislature
Michael Pitcher, Director of Communications
Suffolk County Legislature
Thomas Young, Assistant County Attorney
Suffolk County Department of Law
Paul LaRocco, Reporter
Newsday
Andy Freleng, Chief Planner
Suffolk County Department of Planning
Jill Rosen-Nikoloff Thompson, Director of Affordable Housing
Suffolk County Department of Planning

MINUTES:

November Minutes Tabled for further review

CORRESPONDENCE:

Memo to Gil Anderson and Sarah Lansdale

Mr. Mulé informed the Council that a memo was sent on behalf of Mr. Swanson to Mr. Anderson and Ms. Lansdale requesting a variety of baseline sewer infrastructure information necessary for the CEQ to evaluate cumulative impacts of future projects. Mr. Donovan indicated that the Department of Public Works is currently compiling the data and will be able to make it available by the end of February. Mr. Swanson asked if the Department of Public Works could also address in their response how they will react to the Southwest Sewer District being named as a potential recipient of "fracking" wastewater from upstate drilling operations. Mr. Anderson requested a meeting to discuss the reasoning behind the request.

Suffolk County, A National Leader in Environmental Initiatives. Why? (Swanson 2011)

Mr. Swanson introduced and discussed his recent report on the history of Suffolk County environmental initiatives.

PUBLIC PORTION:
None

HISTORIC TRUST DOCKET:
Richard Martin, Director, Historic Services, Suffolk County Department of Parks, Recreation & Conservation updated the Council on the following:

Housing:

- All houses that are able to be rented have been filled. There are additional buildings that need work before they can be rented.
- Work on a new roof and interior repairs for the farm house at Robinson Duck Farm County Park are currently underway
- Update on IR1018-2012 and 918-2011
    - The Trihy House at Bay Village Park in Amityville has been added to the historic structure pilot program
    - The property was purchased under the Greenways Program with the Village of Amityville responsible for maintenance
    - Office of Historic Services has requested that the proposal be tabled until such time as the property can be properly reviewed by the Office of Historic Services for inclusion in the Suffolk County Historic Trust. Mr. Martin would also like to speak with the Village of Amityville to ascertain their intentions with regard to future plans and maintenance for the property.
    - Mr. Mulé will adjust the Council's Laid on Table recommendations to reflect the CEQ's opinion that IR1018-2012 be tabled until such time as the Office of Historic Services can properly review the site.

Custodial Agreements:

- The County is working on the custodial agreement for The L.I. Maritime Museum and Old Field Farm.

Mr. Martin distributed for review, copies of the 2011 Status and Condition Report on Suffolk County-Owned Historic Properties prepared by the Society for the Preservation of Long Island Antiquities (SPLIA Report)

PROJECT REVIEW:
Recommended Type II Actions:

Proposed IR 1016-2012 Authorizing Execution of a lease with the Town of Smithtown for the construction of a Suffolk County Motor Carrier Inspection Station, Town of Smithtown.

Legislator Kennedy presented the proposed project explaining that Suffolk County intends to lease a parcel of land from the Town of Smithtown for the purposes of constructing a motor carrier inspection station on Crooked Hill Road just north of the Long Island Expressway. Legislator Kennedy indicated that the Suffolk County Police

Department has been doing heavy truck inspections in the parking lots of nearby retail establishments whose owners have been complaining about interference with patrons. He went on to inform the Council that any drainage will be kept on site and the area will be curbed to prevent drainage overflow onto adjacent properties.

Mr. Kaufman made a motion to recommend classification as an unlisted action with a negative declaration. Ms. Growney seconded the motion. Motion carried.

Ratification of Recommendations for Legislative Resolutions Laid on the Table January 3, 2012

Mr. Kaufman made a motion to accept staff recommendations noting that IR 1016 should reflect the Council's recent action and that IR 1018 should be tabled until the Office of Historic Services can evaluate the property. The motion was seconded by Ms. Growney. Motion carried.

Proposed Suffolk County Sewer District #3 – Southwest, Truck Scale at Bergen Point WWTP (CP 8180), Town of Babylon.

Mr. Wright presented the proposed construction of a truck scale at the Bergen Point Sewage Treatment Plant indicating its need for efficiency purposes as well as to track various materials coming into and out of the site. All necessary permits will be obtained from the NYSDEC prior to any construction. Mr. Wright also noted that there will be no encroachment into the 75 foot tidal wetland regulatory setback and that any stockpiling of soil will be surrounded by a silt fence or hay bales in addition to those being placed around the entire project area. After a brief discussion, Mr. Kaufman made a motion to recommend classification as an unlisted action with a negative declaration. Ms. Growney seconded the motion. Motion carried.

Proposed Acquisition for Open Space Preservation Purposes Known as the Mud Creek County Park Addition – Estate of Frieda Langman Property, Town of Brookhaven.

A presentation was given by Ms. Fischer concerning the acquisition for open space preservation purposes of approximately 5,000 square feet of land in the area of Mud Creek County Park.

Mr. Kaufman made a motion to recommend classification as an unlisted action with a negative declaration. Ms. Russo seconded the motion. Motion carried.

Proposed Acquisition for Open Space Preservation Purposes Known as the Lake Montauk County Greenbelt Addition – Rams Head Reality LLC Property, Town of East Hampton.

A presentation was given by Ms. Fischer concerning the acquisition for open space preservation purposes of approximately of 0.78 acres of land in the area of the Lake Montauk County Greenbelt.

Mr. Kaufman made a motion to recommend classification as an unlisted action with a negative declaration. Ms. Growney seconded the motion. Motion carried.

OTHER BUSINESS:

Update and Information on Comprehensive Plan and Workforce Housing Program

After a brief introduction and departmental overview from Ms. Lansdale went on to discuss the components of the 2035 Comprehensive Plan. She went on to explain the process of plan development and stakeholder engagement. In response to the Council's inquiry at their November 2011 meeting Ms. Lansdale discussed how the Comprehensive Plan will incorporate an analysis of the County's wastewater infrastructure. After reviewing how other municipalities have tackled this issue Ms. Lansdale gave a brief outline of report components consisting of existing conditions as they relate to land use, land planning, demographics, anticipated population growth as well as the forecast of flow and existing facilities evaluation and future improvements.

Mr. Freleng then introduced the workforce housing program. He explained the transfer of development rights process and the County's Save Open Space (SOS) program associated with it. Program components consist of calculation of the development rights, warehousing the credits for tracking purposes and dispensation of those credits. To date, the "old" SOS program has generated approximately 69 development rights. Since the inception of the program one of such credits has been requested for use. The "new" SOS program currently houses 236 available for use with an additional 250 pending credits awaiting the closing of various acquisitions.

Ms. Rosen-Nikoloff Thompson then explained the credit redemption process. Based on County policy, the use of such credits for development of workforce housing are in fact free. Despite the availability, demand for these credits remains low. This could be attributed to the limited market for the smaller single-family detached developments. Those building affordable housing are looking for higher density than the credits can give them and are building in areas where sewer systems are in place or are proposed and there is no need for the additional sanitary credits associated with the program. Ms. Rosen-Nikoloff Thompson went on to explain that those units constructed with these credits are to remain "affordable" in perpetuity. According to the County program, to meet the definition of affordable, occupants may earn up to 120% of the HUD area median income and half of the units have to be made available to those making up to 80% of the HUD area median income.

Mr. Freleng mentioned that the Department of Planning just received a $300,000 HUD grant for the development of a regional TDR study to analyze and inventory all of the TDR programs within Suffolk County and make recommendations on how to make a regional TDR program work. Mr. Freleng explained that currently the County's TDR program is in competition with 17 other similar programs throughout the County.

Ms. Lansdale notified the Council that a kickoff meeting for the TDR study will be held at 7:00pm on the evening of Tuesday January 31, 2012 in the media room of the H. Lee Dennison Building.

CEQ Meeting Schedule for 2012

The 2012 CEQ Meeting Schedule was presented to the Council.

Ms. Russo made a motion to adopt the proposed 2012 meeting schedule. Mr. Kaufman seconded the motion. Motion carried.

Election of Officers

Ms. Spencer made a motion to elect Ms. Russo as Chair and Mr. Bagg as Vice-Chair. After hearing no second on the motion Mr. Kaufman made a different motion to elect Ms. Russo as Chair. Ms. Growney seconded the motion. Motion carried.

Ms. Spencer made a motion to nominate Mr. Bagg as Vice-Chair. After hearing no second on the motion Ms. Growney made a motion to nominate Mr. Kaufman as Vice-Chair. Mr. Machtay seconded the motion. Motion failed.

Ms. Spencer than made a motion to nominate Mr. Bagg as Vice-Chair. Mr. Machtay seconded the motion. Motion carried.

CAC CONCERNS:

None