

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

GLORIA RUSSO  
CHAIRPERSON  
CEQ

MICHAEL MULÉ  
ENVIRONMENTAL PROJECTS  
COORDINATOR

## SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: October 17, 2012

TIME: 9:35 am – 11:10 am

LOCATION: Arthur Kunz Library  
H. Lee Dennison Bldg. – 4<sup>th</sup> Floor  
Veterans Memorial Highway, Hauppauge, New York

### PRESENT:

Eva Growney  
Hon. Kara Hahn  
Michael Kaufman  
Richard Machtay  
Dan Pichney  
Gloria Russo, Chair  
Larry Swanson  
Mary Ann Spencer

### ABSENT:

James Bagg, Vice-Chair  
Thomas Gulbransen

### CAC REPRESENTATIVES:

None

### STAFF:

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

### GUESTS:

Richard Martin, Director of Historic Services, Suffolk County Dept. of Parks, Recreation & Conservation  
Nick Gibbons, Principal Env'tl. Analyst, Suffolk County Dept. of Parks, Recreation & Conservation  
Chris Lubicich, Assoc. Public Health Engineer, Suffolk County Department of Health Services  
Dominick Ninivaggi, Superintendent, Department of Public Works Office of Vector Control  
Janet Longo, Acquisition Supervisor, Suffolk County Division of Real Estate

Lauretta Fischer, Principal Environmental Analyst, Suffolk County Dept. of Eco. Dev. & Planning  
Michael Pitcher, Director of Communications, Suffolk County Legislature  
Hon. Jay Schneiderman, Legislator, 2<sup>nd</sup> Legislative District  
Thomas Ryan, Legislative Aide, 5<sup>th</sup> Legislative District  
Jeffrey Katz, Ph.D  
Sean Tuelia, Board Member, Montauk Observatory  
Susan Harder, Board Member, Montauk Observatory

MINUTES:

Members indicated that they had not had an opportunity to review the August 2012 minutes. As such, the Chair postponed the vote until the November 2012 meeting.

A motion was made by Mr. Machtay to approve the September 19<sup>th</sup>, 2012 minutes. The motion was seconded by Ms. Growney. Mr. Swanson abstained. Motion carried.

CORRESPONDENCE:

None

PUBLIC PORTION:

No comments were presented at this time.

HISTORIC TRUST DOCKET:

Mr. Martin updated the Council on the following:

Housing Program:

- A new tenant is moving into the studio apartment in the Baymen's Cottage at the West Sayville Maritime Museum. The rental income will be helpful to the Museum as it goes directly to them. A tenant also helps protect the site by having someone living there.
- All other buildings available for rent have been filled at this time.

Custodial Agreements:

- The Deepwells contract amendment is going to the County Attorney's office for review.
- The Sagtikos Manor contract has been updated and has gone to the Historic Society for their signature.
- Work has begun on the new contract for Old Field Farm. It has been agreed and approved that she would be a custodian of the historic site and not simply a concessioner which is in-line with other similar County historic sites.
- The West Sayville Maritime Museum contract is still under negotiation. Mr. Martin was unaware at this time of what all the issues are that maybe holding it up.

Homan House:

The stabilization and the beginning of the restoration have begun at the Homan House in Yaphank. There is a very good working relationship between the contractor and the Yaphank Historical Society. The building is being stabilized and there is enough money to reconstruct the back wing that has fallen away. The Historic Society Pavilion will be safe for them to come and start doing additional work and bring contractors in to continue the restoration.

PROJECT REVIEW:

*Recommended Unlisted Actions:*

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the 6 Pierrepont, LLC Property, Town of Southampton

A presentation was given by Ms. Fischer concerning the acquisition of 29.21± acres of land by Suffolk County for open space preservation purposes. She informed the Council that this acquisition is a 50/50 match with the Town of Southampton. Ms. Fischer noted that a Phase I and Phase II Environment Site Assessment were conducted and there were no environmental concerns with the property.

Mr. Machtay made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Ms. Growney. Motion carried.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Beaverdam Creek County Wetlands Addition – Bodkin Property, Geula Property and Geula & Bodkin Property, Town of Brookhaven

A presentation was given by Ms. Fischer concerning three separate acquisitions of land by Suffolk County for open space preservation purposes in the vicinity of Beaverdam Creek County Park. Ms. Fischer noted that this is an area that has been targeted for acquisition by the County and it is trying to complete and consolidate their holdings in this area.

Ms. Russo requested that all three acquisitions be presented together and that due to their similarity and proximity the Council will record the same vote for all three actions.

Mr. Machtay made a motion to recommend classification of the proposed projects as an Unlisted Action with a Negative Declaration. The motion was seconded by Ms. Growney. Motion carried.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the North Fork Preserve, Janet W. Krudop & Myron Kaplan Property, Town of Riverhead

A presentation was given by Ms. Fischer concerning the acquisition of 3.0± acres of land by Suffolk County for open space preservation purposes in the vicinity of the North Fork Preserve in the Town of Riverhead. Ms. Fischer noted that there are three buildings on the property; a residential home, two barns and a garage structure. The buildings will be utilized by the Parks Department for maintenance equipment as well as a caretaker's cottage and check in station for the entire North Fork Preserve. It was noted that a Phase I and Phase II Environment Site Assessment was completed and that there are no environmental concerns with the property.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Ms. Growney. Motion carried.

*Recommended Type II Actions:*

Ratification of Recommendations for Legislative Resolutions Laid on the Table October 9, 2012

Mr. Mulé, knowing related issues came up in the past, informed the Council that introductory resolution 1939 prohibits the use of hydraulic fracturing brine on County property or roadways.

Mr. Mulé went on to bring the Council's attention to introductory resolution 1948 which is the official County SEQRA determination for the Bergen Point Outfall project that came out of last month's meeting.

Mr. Swanson noted that in addition to IR 1939, Legislator Hahn introduced legislation prohibiting County sewage treatment plants from accepting hydraulic fracturing waste.

Mr. Machtay made a motion to accept staff recommendations for the October 9, 2012 Legislative Resolutions. The motion was seconded by Ms. Growney. Motion carried.

#### Vector Control 2013 Annual Plan of Work

Mr. Ninivaggi informed the Council that the County charter requires that the Office of Vector Control submit an annual plan of work to the Legislature for approval. He went on to make a presentation regarding the 2013 annual plan for the County's ongoing mosquito control program based on the County's Vector Control and Wetland's Management Long Term Plan and generic EIS that was passed in 2007. This proposed plan of work conforms to the Wetland's Management Long Term Plan and the GEIS. As such, no further action is required under SEQRA. A short Environmental Assessment Form has been prepared and submitted outlining the proposed action. It was noted that the Office of Vector Control is waiting for the Wetlands Stewardship Committee to come up with a Wetland Stewardship Plan that will outline best management practices for water management. Mr. Ninivaggi stated that at the present the County is continuing as it has in the past with just doing maintenance-type activities. It was noted that the suite of pesticides being utilized are the same as in previous years and that the County is following all protocols for the control of larval and adult mosquitos.

Mr. Ninivaggi went on to inform the Council that due to County layoffs and early retirements, public outreach has suffered but they are trying to educate people with the resources available.

It was noted that the County has added a "Code Red" automated calling system to provide public notice for adulticiding in all designated areas of treatment.

Also, a new species called the Asian tiger mosquito was discovered in our area. It is a problem species as it is very aggressive, has a long season and the larva are found in a variety of containers in and around populated areas.

Mr. Ninivaggi stated that overall, 2012 was a below average year for pesticide use within the County. However, this is the second highest year nationwide for human infections of West Nile Virus which was mostly focused in the central portion of the Country.

Mr. Swanson asked if any of the products used by the County were implicated in the reports from Connecticut showing lobsters with elevated levels of mosquito pesticides in their systems. Mr. Ninivaggi stated that the referenced study had only a limited amount of samples and that he felt it wasn't possible for the levels of Methoprene identified to have been the cause of death for the lobsters and if that were the case you would expect to see more near-shore crustaceans effected. He noted that if you are going to be doing this type of technically difficult testing you don't want to do it "on the quick." You want to do with substantial resources and time so that you can do a thorough and complete job.

Mr. Machtay made a motion to recommend classification of the proposed project as a Type II Action. The motion was seconded by Ms. Growney. Motion carried.

Legislator Schneiderman asked Mr. Ninivaggi about the changes between the 2013 plan and the 2012 plan. He highlighted that fact that there is mention of moving from a focus on Resmethrin to allowing more use of Malathion. Mr. Ninivaggi stated that the language referenced was straight out of the long

term plan which identifies Malathion as the material to use if the other pesticides somehow didn't work or there was some sort of an emergency. He went on to point out that the County hasn't used Malathion since 2004 or possibly even earlier and that they don't stock Malathion or the equipment necessary for its application.

Legislator Schneiderman and Mr. Ninivaggi continued a debate over Methoprene and its potential effects on the lobster population and how it relates to the Connecticut study. Legislator Schneiderman noted that he represents one of the largest legislative districts with an important marine component and that the lobster industry is very important to him and warrants taking a closer look.

*Other Business:*

Montauk County Park Observatory

Mr. Gibbons gave a brief overview of the project as it dates back several years. The original proposal was for an expansion to an existing cabin at the Third House complex at Montauk County Park for the placement of a telescope observatory. The expansion was going to be in keeping with the overall architectural integrity of the site. However, it was in the immediate vicinity of Third House itself and certainly altered a historic structure within that area of the park.

This current proposal is for this observatory to be installed at the GATR facility which dates back to the post-World War II cold war era. It was a military installation that has now been incorporated into the overall park. The Council has previously approved the installation of radio communication on the site. The Montauk Observatory group has taken a look at the GATR site and they are interested in having the facility installed there as it provides additional benefits to them that the Third House site did.

The Parks Department likes the overall concept as it moves away from the most historically significant portion of the property. The project is to be contained entirely on an existing paved area of the site. A new structure will be installed on this previously disturbed area. The Parks Department brought the project before the Council for informational purposes only and to give them the opportunity to comment in terms of the design and site sensitivity. There will be a formal application at a subsequent CEQ meeting.

Ms. Growney informed the Council that she is recusing herself from the process as she is working with the Montauk Observatory on the building that is being put forward.

Mr. Tuelia gave a brief overview of the project and its origination. He informed the group that the mission of the Montauk Observatory is to provide free scientific education to the Long Island public. The plan is to produce an observatory that could be operated remotely. The community would be able to access the research-grade telescope through the internet.

The current structure is a prefabricated design. It is a fiberglass dome that is already in our possession and would house the 20 inch RCX telescope just north of the maintenance facility on the GATR site.

Mr. Katz spoke to the design of the observatory itself. Ms. Spencer asked what are the dimensions of the cement slab on which it will be placed and if it is sufficient to house the dome? Mr. Tuelia said it was 14 feet 7 inches rectangular and 30 feet long and would require them to extend the width of the slab a bit or find a different location on site.

It was noted that there was a master plan completed for the park which did specifically state that astronomy would be an acceptable use, particularly as it ties in with environmental education.

Mr. Machtay made it clear that this was a designated park and the public use of the observatory would not raise the issue of alienation of parkland.

Ms. Russo explained that project will require the submission of an Environmental Assessment Form once a concept plan is finalized.

Legislator Schneiderman supported the project and fielded questions from the group regarding siting issues and how they relate to historic concerns.

*CAC Concerns:*

Ms. Russo noted that there were no CAC members present.

Ms. Russo noted that November's meeting is the day before Thanksgiving which could present a conflict with people's travel plans. She proposed that the November meeting be canceled. Ms. Spencer recommended that if a project comes up and we needed to meet in November could we make it for November 14.

Mr. Machtay made a motion to close the meeting. The motion was seconded by Ms. Spencer. Motion carried.