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2	SUFFOLK COUNTY DEPT. OF PLANNING COUNCIL ON ENVIRONMENTAL QUALITY
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5	9:35 A.M. May 16, 2007
6	Legislative Auditorium 725 Veterans Memorial Highway
7	Hauppauge, N.Y.
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10	A P P E A R A N C E S
11	MICHAEL KAUFMAN, Vice Chair
12	RICHARD MARTIN
13	DANIEL PICKNEY
14	GLORIA G. RUSSO
15	JAMES BAGG
16	VIVIAN VILORIA-FISHER
17	RICHARD MURRAY
18	MARY ANN SPENCER
19	STEVE BROWN
20	JOY SQUIRES
21	MARGE ACEVEDO
22	CHRISTINE DE SALVO
23	
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2	THE CHAIRMAN: All right, everyone, I
3	will just remind all the members that you
4	have to speak into the mike.
5	Okay, my name is Michael Kaufman. I am
6	the Vice Chairman of the Commission. I'm
7	calling the CEQ to order at this point and
8	time.
9	We have a quorum. I count five full
LO	voting members. Part of that particular list
11	of voting members is a little bit of an
L2	addition which makes no grammatical sense
13	what I just said.
L4	We have five members. We are fine with
L5	a quorum. We have a new member here today
16	who has properly signed the book and is
L7	officially recognized as the newest member of
18	the Council on Environmental Quality.
19	He is sitting to my right. His name is
20	Richard Murray. He is former Director with
21	the Town of Huntington.
22	He is very much of a professional. I
23	have encountered him several times at the
24	Town of Huntington and have nothing but the

greatest respect for him.

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2	Some of the other members over here at
3	the Council and some of our staffers have
4	known him also and speak very highly of him.
5	And I just basically would like to
6	welcome him to the Commission at this point
7	and time.
8	MR. MURRAY: Thank you.
9	THE CHAIRMAN: Has anyone read the
10	minutes? I hear deafening silence. Okay,
11	I would remind the members that eventually we
12	all do really need to read the minutes.
13	I know that they can be a little bit
14	hard to find. But Jim unfortunately places
15	the website on the agenda so that we can't
16	find them.
17	I guess we will defer the minutes that
18	we have not read until the next meeting. So
19	please let's read them.
20	By the way, Larry Swanson, the Chairman,
21	will not be here to govern over the meeting.
22	So that's why I'm running things.
23	I'm going to defer the public portion of
24	the meeting until the end of the meeting. In
25	case I forget, someone remind me. Let's see.

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case I forget, someone remind me. Let's see.

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2	identified our master list to acquire this
3	old subdivision area just south of the Forge
4	River north of Sunrise Highway.
5	So we are in the process of acquiring a
6	number of parcels adjacent to that as part of
7	our acquisition area.
8	THE CHAIRMAN: And these acquisitions
9	are part of the County's overall effort to
LO	try and preserve the Forge River?
L1	MS. FISHER: Yes. As I said, this was
12	on our master list two area, Forge River
13	Watershed.
14	THE CHAIRMAN: Do you have any idea
15	what the point scale is on this one?
16	MS. FISHER: As I said, on master lists
17	we did not rank them. It would obviously be
18	a very important acquisition because it's
19	in the watershed of the Forge River.
20	And therefore we are looking to acquire
21	this whole area both south and north of
22	Sunrise Highway to protect this watershed.
23	THE CHAIRMAN: I will also note for the
24	record that it is near a fairly extensive
25	fresh water wetlands. Mr. Brown, do you have

1 2 a question? MR. BROWN: Actually I would like to 3 4 make a motion. 5 MS. RUSSO: Second. 6 THE CHAIRMAN: Seconded by Ms. Russo. 7 All in favor? 8 (Unanimous aye.) 9 THE CHAIRMAN: Opposed? 10 (None.) 11 THE CHAIRMAN: Motion carried. 12 MS. FISHER: The next one is, it's an 13 acquisition of land. It's not a donation as 14 indicated on your agenda. 15 However, it is in the Overton Preserve, 16 this parcel. It's a 12.25 acre parcel lot. 17 And we are doing a 50-50 match with the 18 Town of Brookhaven to acquire this parcel. 19 It is in an area of over 400 acres that 20 both the County and the Town of Brookhaven 21 have been partnering and acquiring parcels 22 including other pieces within this area 23 called Overton Preserve in Coram, Town of 24 Brookhaven. 25

ACCURATE COURT REPORTING

THE CHAIRMAN: Loretta, are you sure

(631) 331-3753

THE CHAIRMAN: I'll note for the record,

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1	
2	the County has an extensive program of trying
3	to acquire properties and also deal with tax
4	arrears in the Mastic-Shirley area.
5	It's a very low lying area. It's
6	subject to possible hurricane damage and
7	things like that.
8	And the County has placed a lot of these
9	properties on its acquisition map listing,
10	naturalist one, naturalist two and some of
11	the other lists that have come out
12	subsequently to try and reduce population and
13	reduce development in the area.
14	We have generally been trying to acquire
15	the more environmentally sensitive parcels in
16	the area. And I think that the map shows
17	that.
18	MR. MURRAY: This property adjoins other
19	land?
20	MS. FISHER: Yes, this is an area that
21	we are trying to consolidate our holdings and
22	identify all these lots within that area to
23	acquire.
24	So this is a part of the larger
25	acquisition area that we focused on to

2	acquire low lying title and freshwater
3	wetlands, flood plain management, all those
4	concerns that we have in this area.
5	MR. MURRAY: So it's not a single
6	lot?
7	MS. FISHER: No. If you look at the
8	map you can see how we have identified all
9	the properties, master list two on the
10	diagonal, other County properties in the
11	green, the proposed acquisitions showing in
12	red.
13	And the State of New York obviously has
14	a large wetland, title wetland area to the
15	west. And we are trying to consolidate this,
16	our holdings here.
17	MR. MURRAY: Thank you.
18	THE CHAIRMAN: I'll take a motion
19	unlisted.
20	MR. MURRAY: Neg dec.
21	THE CHAIRMAN: Second?
22	MS. RUSSO: Second.
23	THE CHAIRMAN: All those in favor?
24	(Unanimous aye.)
25	THE CHAIRMAN: Opposed?

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2	(None.)
3	THE CHAIRMAN: Motion carried.
4	MS. FISHER: Thank you.
5	THE CHAIRMAN: By the way, members,
6	please use the microphone.
7	MS. FISHER: The next acquisition
8	again in the Mastic-Shirley area, the
9	same situation, same environmental issues.
10	This is on the peninsula that is
11	extremely low lying. Actually it's inundated
12	on a high tide cycle on a daily basis.
13	THE CHAIRMAN: Which one is this?
14	MS. FISHER: This is the Casto property.
15	THE CHAIRMAN: Yes. For the members'
16	edification, looking at the map, it's located
17	near a creek which apparently has some docks
18	on it. And it also looks as if there is dune
19	fields. It doesn't look like it's heavily
20	vegetated. Are there any questions by the
21	members?
22	MR. PICKNEY: Yes, I have a question.
23	THE CHAIRMAN: Mr. Pickney.
24	MR. PICKNEY: Just out of curiosity.
25	If there are homes or other buildings on the

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2	property, does the County come in and	
3	demolish them?	
4	MS. FISHER: Not necessarily. We	
5	generally avoid acquiring property with	
6	improvements or structures on them.	
7	It's an unusual situation.	
8	If we do do that, there have been cases	
9	where we have demolished homes in certain	
10	area where the house is structurally	
11	insufficient.	
12	MR. PICKNEY: Right.	
13	MS. FISHER: And it would be better	
14	for the environment to actually demolish	
15	the home rather than retain it.	
16	MR. PICKNEY: Right.	
17	MS. FISHER: But we don't generally	
18	go after properties.	
19	MR. PICKNEY: Thank you.	
20	THE CHAIRMAN: I guess we don't want	
21	to put them into a rental situation	
22	or anything like that.	
23	MS. FISHER: You know, there are a	
24	number of reasons why we don't want to go	
25	there.	

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2	THE CHAIRMAN: Okay.
3	MR. MURRAY: I make a motion unlisted
4	dec.
5	MS. RUSSO: Second.
6	THE CHAIRMAN: All in favor?
7	(Unanimous aye.)
8	THE CHAIRMAN: Opposed?
9	(None.)
10	THE CHAIRMAN: Motion carried.
11	MS. FISHER: Thank you. The third
12	Mastic-Shirley property, the Graham estate
13	property. Again in our Mastic-Shirley
14	area.
15	THE CHAIRMAN: It looks like a very
16	exposed piece of property to any kind of a
17	waste situation. Are there any questions
18	from the members?
19	(None.)
20	THE CHAIRMAN: In which case I will
21	entertain a motion.
22	MR. MURRAY: Motion unlisted neg
23	dec.
24	MS. RUSSO: Second.
25	THE CHAIRMAN: Seconded by Ms. Russo.

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2	All in favor?
3	(Unanimous aye.)
4	MS. FISHER: Thank you. The next one
5	is the Ross School property.
6	THE CHAIRMAN: Loretta, could you
7	hold up for a second?
8	MS. FISHER: Sure.
9	THE CHAIRMAN: Could we do number 12,
10	the Bay Avenue property in the Town of
11	Brookhaven? Jumping out of order a little
12	bit.
13	MR. BROWN: Because I have to leave.
14	Thank you.
15	MF. FISHER: I'm trying very hard
16	to get through this very quickly.
17	THE CHAIRMAN: We are making the
18	motions as quickly as we can.
19	MS. FISHER: I know. Bay Avenue
20	property. This is Carrols River on the
21	east side of Carrols River. We are acquiring
22	half of the property.
23	The other half separately is being
24	acquired by the Town of Brookhaven. This
25	is on the Carrols River. It was a former

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2	duck pond site.
3	And we own the Carrols River County
4	Park, a 300 or 400 acre County park land
5	on the west side of Carrols River in
6	East Moriches in the Town of Brookhaven.
7	Center Moriches I should say.
8	THE CHAIRMAN: Loretta, this is a
9	former duck farm you said?
10	MS. FISHER: Yes.
11	THE CHAIRMAN: What's the condition
12	of the property at this point and time?
13	MS. FISHER: The condition of the
14	property has, obviously there's remnants
15	of the duck farm and certain structures
16	that still exist there.
17	The structures are going to be taken
18	down as far as I understand it. The Town
19	of Brookhaven will be managing this
20	property, not only theirs but ours as well.
21	THE CHAIRMAN: Steve, do you have any
22	comments on this at all?
23	MR. BROWN: I think that what we are
24	looking at is we are looking at cleaning
25	up an area that is contaminated by duck

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2	farms in the past.
3	And what has happened is that we are
4	trying to acquire these properties for
5	preservation purposes rather than have a
6	developer pick them up and vote on them.
7	Basically we are looking at our waterways and
8	protecting that.
9	THE CHAIRMAN: Do you think that this
10	is a good acquisition?
11	MR. BROWN: Obviously.
12	THE CHAIRMAN: We are trying to preserve
13	water for our property.
14	MS. VILORIA-FISHER: May I?
15	THE CHAIRMAN: Yes. Recognizing
16	Legislature Viloria-Fisher.
17	MS. VILORIA-FISHER: I have a
18	question for either Steve or for Loretta
19	because I am on the soil water district.
20	And I know that there had been some
21	grants for remediation of duck farms. Is
22	that one of them, Steve, do you know?
23	MR. BROWN: I'm not familiar with
24	this one in particular. But we have gone
25	out and looked to obtain that to alleviate

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2	problems.
3	MS. VILORIA-FISHER: Do you know if
4	any of the federal grants or applications
5	have been made?
6	MS. FISHER: I'm not sure on this one
7	particularly. I know that we are doing other
8	wetland restoration on duck ponds on Mutt
9	Creek and Robinson Duck Pond and other County
10	properties. But I could look into that and
11	find out.
12	MS. VILORIA-FISHER: I'll check at my
13	next soil meeting and I will report back and
14	let you know if we see any grants there.
15	MS. FISHER: All right.
16	MS. VILORIA-FISHER: Thank you.
17	THE CHAIRMAN: Basically that will
18	ensure that this doesn't slip through the
19	cracks or anything. Are there any other
20	questions?
21	MS. FISHER: It definitely is a very
22	important site for wetland restoration
23	obviously for any reason.
24	MR. BROWN: I make a motion unlisted
25	neg dec.

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2	MR. MURRAY: Second.
3	THE CHAIRMAN: Calling the vote. All
4	in favor?
5	(Unanimous aye.)
6	THE CHAIRMAN: Opposed?
7	(None.)
8	THE CHAIRMAN: Motion carried. Any
9	others that you need out of order?
10	MR. BROWN: No. Thank you very
11	much.
12	THE CHAIRMAN: I'll let the record
13	reflect that Mr. Brown will be leaving the
14	meeting. Going back to the Ross School.
15	This is the Airport County Nature Preserve
16	addition in the Town of East Hampton, the
17	Ross School property.
18	It is a 71 acre parcel just north of the
19	East Hampton Airport in an area that the
20	County and the Town of East Hampton has been
21	earmarking for preservation.
22	This is in the South Fork SGPA area.
23	And we have acquired a number of parcels
24	primarily as partner with the Town of East
25	Hampton. This will be a 50-50 acquisition.

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2	THE CHAIRMAN: Plus it's also you said	
3	on the SGPA?	
4	MS. FISHER: It is in the South Fork	
5	in the SGPA area. And it is an area that	
6	we highlighted also in our master list too	
7	for acquisition.	
8	THE CHAIRMAN: Basically it's a priority	
9	acquisition. Are there any questions from	
10	the members?	
11	(None.)	
12	THE CHAIRMAN: Seeing none, I will ask	
13	for a vote.	
14	MR. MURRAY: I move for unlisted neg	
15	dec.	
16	THE CHAIRMAN: Second?	
17	MS. RUSSO: Second.	
18	THE CHAIRMAN: Seconded by Ms. Russo.	
19	Calling the vote. All in favor?	
20	(Unanimous aye.)	
21	THE CHAIRMAN: Opposed?	
22	(None.)	
23	THE CHAIRMAN: Motion carried.	
24	MS. FISHER: Thank you. Number 8 is the	
25	Emerald Estates addition, the Coscia	

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2	property. It is a one acre lot that is part
3	of about a 20 acre acquisition area that is
4	located in the Greenlawn Hamlet of the Town
5	of Huntington.
6	We have worked with the Town of
7	Huntington to acquire these parcels and I
8	believe that this is our last acquisition to
9	fulfill our completed acquisition project
10	here in this area.
11	It will be a trail for recreational use.
12	The Town of Huntington will be actively
13	involved in maintaining and providing that
14	access as a partner in that respect with us
15	within the entire area as well as this site.
16	THE CHAIRMAN: I'm noticing on here that
17	there is listed in green proposed
18	acquisitions in progress. And I also know
19	that
20	MS. FISHER: Most of these actually
21	have been completed.
22	THE CHAIRMAN: That answers the
23	question.
24	MS. FISHER: In progress. It should

have been updated but we're sorry.

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2	MR. MURRAY: Mr. Chairman?
3	THE CHAIRMAN: Yes.
4	MR. MURRAY: When I was Director of
5	Planning, I was involved in the subdivision.
6	THE CHAIRMAN: You have to do it close.
7	MR. MURRAY: I was involved with the
8	subdivision of this property as Director of
. 9	the Department of Planning and Environment
10	when I was in the Town.
11	And my staff was involved with the
12	acquisitions and the requisitions for
13	acquisitions.
14	So I am really not certain that I have a
15	conflict of interest. But I think that I
16	would recuse myself from this.
17	THE CHAIRMAN: I think that that's a
18	wise decision. Okay. Nonetheless we may ask
19	you if you have any other information on
20	this. Do the members have any questions on
21	any of this? Ms. Russo.
22	MS. RUSSO: Loretta, could you just
23	explain the dashed white lines on the red and
24	green, what that means?
25	MS. FISHER: Yes, the dashed red line

2	is the portion of the property that we are
3	not acquiring. That is the developed
4	portion. We are taking the one acre to the
5	east outlined mostly in red.
6	So in order to identify what portions
7	are what, that's how we delineate it. It
8	should be actually in the legend to show
9	that.
10	THE CHAIRMAN: In other words, Loretta,
11	the people here are subdividing the property
12	keeping part of it and selling part of it to
13	the County?
14	MS. FISHER: Correct. One acre of it,
15	yes.
16	THE CHAIRMAN: So it's a subdivision
17	process?
18	MS. FISHER: Correct.
19	THE CHAIRMAN: Ms. Viloria-Fisher.
20	MS. VILORIA-FISHER: Where is the
21	access?
22	MS. FISHER: The access will be
23	through the other pieces, Vivian. There is
24	also before you no road. There is an access
25	point there as well.

2	Most of the actual formal access will be
3	up north, I think it's Cuba Hill Road if I'm
4	not mistaken. I'm sorry, Clay Pitts. It
5	will be access from Clay Pitts.
6	MS. VILORIA-FISHER: On the northern
7	end.
8	MS. FISHER: On the north end.
9	MS. SQUIRES: But eventually you will
10	be able to walk from Clay Pitts to Cuba Hill.
11	MS. VILORIA-FISHER: Where?
12	MS. SQUIRES: Along the trail.
13	MS. FISHER: Unfortunately this map
14	doesn't show the portion of the property.
15	MS. SQUIRES: It looks like a long
16	string. And the portion that we acquired
17	first, Emerald Estates is kind of a strange
18	thing to call it.
19	At one point it was like the subdivision
20	was called back. So it's just hung onto the
21	whole thing.
22	MS. VILORIA-FISHER: I have seen many
23	of these acquisitions.
24	MS. SQUIRES: Although this portion
25	was never really called Emerald Estates.

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2	But the portion that we acquired first has
3	parking, you know, can have parking, has
4	walking trails that go through.
5	And this is just a completion of the
6	County, what they are doing with that
7	original acquisition.
8	MS. VILORIA-FISHER: Thank you.
9	THE CHAIRMAN: Mr. Pickney.
10	MR. PICKNEY: I just have a question.
11	Does this property have any environmental
12	significance other than to provide recreation
13	or green space for that surrounding
14	residential area?
15	MS. FISHER: There is no wetlands.
16	It's not within an SGPA. There isn't any of
17	those big tickets, environmental items on
18	here.
19	But it is just basically for woodlands,
20	you know, the woodland and habitat protection
21	in that regard.
22	THE CHAIRMAN: But the Town of
23	Huntington in the past has expressed great
24	interest about establishing or concerning
25	establishing a sort of trail system in the

2	area. And this is part and parcel of what
3	they are trying to do.
4	MR. PICKNEY: Right.
5	THE CHAIRMAN: I mean, they do have
6	objectives in this particular corridor.
7	So it's open space, trail, recreation, things
8	like that.
9	MS. FISHER: It's going to be passive
10	recreation and trails as I had mentioned.
11	THE CHAIRMAN: Ms. Spencer.
12	MS. SPENCER: I have a question. The
13	other parcels seem to have a more extensive
14	taking. This particular parcel has reference
15	into the
16	MS. FISHER: Yes, that's because there's
17	a structure. You can't see it very well but
18	there is a structure in that particular area.
19	MS. SPENCER: Okay. And that's why?
20	MS. FISHER: Yes.
21	MS. SPENCER: Thank you.
22	MS. FISHER: You're welcome.
23	THE CHAIRMAN: Any other questions from
24	the members?
25	(None.)

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2	THE CHAIRMAN: In which case I'll
3	entertain a motion. Recognizing Ms. Squires.
4	MS. SQUIRES: Unlisted neg dec.
5	THE CHAIRMAN: Second?
6	MS. VILORIA-FISHER: Second.
7	THE CHAIRMAN: I'll calling the vote.
8	All in favor?
9	(Unanimous aye.)
10	THE CHAIRMAN: Motion passes. And we
11	will just note for the record that Richard
12	Murray has recused himself on this one.
13	The next one.
14	MS. FISHER: Number 9 is the Doxsee's
15	Creek, the Drago property.
16	This is almost two-thirds of an acre
17	of an property over on Doxsee's Creek.
18	This is one of a number of creeks that
19	flow into the Great South Bay in the Town
20	of Islip. This is in the hamlet of Islip.
21	Both the Town and the County have been
22	acquiring parcels along this stream corridor
23	for a number of years. And we are trying to
24	pick up those that are outstanding that are
25	left vacant undeveloped and not owned by a

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2	municipality at this point along here.
3	We have identified a number of lots on
4	master list II. And a number we have
5	acquired.
6	The Town has also acquired property
7	which is immediately adjacent to it to the
8	west. And to the south there's County owned
9	property.
10	We are also pending acquisition of a
11	property south of there in the orange. And
12	we are trying to pick up these pieces to
13	consolidate our holdings.
14	THE CHAIRMAN: Just for members'
15	edification, the County has a program to try
16	and preserve these smaller streams in other
17	townships.
18	I know, for example, Santapogue Creek
19	which I could not spell to save my life and
20	several other creeks, we are just dealing
21	with Carrols River also. The County has
22	active programs dealing with all of this.
23	MS. FISHER: There are all areas that
24	are identified in your master list. So if
25	you don't have copies, you know, let me know

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2	and I can certainly give them to you to see
3	where our interests county wide are so that
4	you could get yourself up to speed if you
5	need to.
6	THE CHAIRMAN: Any other questions by
7	the members?
8	(None.)
9	THE CHAIRMAN: Seeing none, I will ask
10	for a vote or a motion rather.
11	MR. MURRAY: Unlisted neg dec.
12	THE CHAIRMAN: Second?
13	MS. RUSSO: Second.
14	THE CHAIRMAN: I'll call the vote. All
15	in favor?
16	(Unanimous aye.)
17	THE CHAIRMAN: Motion carries.
18	MS. FISHER: Number 10 is the Fresh
19	Pond/Dickerson Creek acquisition, Lawnsdale.
20	This is a 1.2 acre parcel in the Town of
21	Shelter Island.
22	This is an important watershed along
23	Dickerson Creek that flows into Peconic Bay.
24	We have acquired other pieces with the Town.
25	We are buying this one on our own,

2	however. But there are other ones that the
3	Town has picked up on their own as well in
4	this area.
5	We have identified a number of parcels
6	on master list II. Those were some listed on
7	master list I that we have already acquired
8	in green.
9	And we are continuing to acquire parcels
10	within this watershed for watershed
11	protection.
12	THE CHAIRMAN: Any other questions from
13	the members?
14	(None.)
15	THE CHAIRMAN: Hearing none, I will ask
16	for a motion.
17	MS. VILORIA-FISHER: Motion unlisted
18	neg dec.
19	THE CHAIRMAN: Second?
20	MS. RUSSO: Second.
21	THE CHAIRMAN: I'll call the vote.
22	All in favor?
23	(Unanimous aye.)
24	THE CHAIRMAN: Any no votes?
25	(None)

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2	THE CHAIRMAN: Motion carried.
3	MS. FISHER: Thank you. And the last
4	one for today, number 11, is Mills Pond,
5	the Arthur H. Cotins property. This is a
6	two acre lot in St. James, Town of Smithtown,
7	within the Mills Pond area.
8	The Town of Smithtown owns adjacent
9	property to the west and to the south. The
10	Mills Pond actually, this property bisects
11	the Mills Pond itself area.
12	This is just south of 25A across from
13	the farm field and extensive farm field for
14	this area in St. James.
15	It's historic. It's a historic
16	building. We are acquiring this under SOS
17	Hamlet Park component. We are looking to
18	retain the structure.
19	The house is a historic structure as far
20	as I am aware. And it is also adjacent to
21	other town historic structures just as I said
22	on the town properties to the west.
23	So we would like to protect and preserve
24	this historic area intact as it is known.
25	And this is the type of acquisition.

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2	THE CHAIRMAN: Mary Ann.
3	MS. SPENCER: This structure is listed
4	on the State and National Historic Register.
5	MS. FISHER: Very good.
6	THE CHAIRMAN: It's adjacent to the
7	Mills Pond property. I believe it's Greek
8	revival if I'm not mistaken as to the
9	structure.
10	MR. MARTIN: Just to give you a little
11	background. The original part of the
12	structure dates back to 1720. And it was one
13	of the Mill family homes actually within a
14	200 acre historic district.
15	That was listed on the National Register
16	in 1973. And there were different additions
17	and changes up until 1910 to the house.
18	We actually have what can look like a
19	Queen Anne style home. But the original
20	section dates back to 1720.
21	MR. MURRAY: Is this the acquisition
22	of a historic structure on a historic
23	landmark parcel, designated landmark parcel?
24	MR. MARTIN: I'm sorry. Is it?
25	MR. MURRAY: Yes.

1	
2	MR. MARTIN: Yes.
3	MR. MURRAY: It is?
4	MR. MARTIN: I'm not clear what the
5	question is.
6	THE CHAIRMAN: I won't put words in your
7	mouth.
8	MR. MURRAY: Pursuant to the SEQRA
9	regulations anything having to do with a
10	historic structure is a type one action.
11	Even the acquisition I would say.
12	That doesn't mean that an impact
13	statement has to be done. It can still be a
14	neg deck. But at least a full environmental
15	assessment form would have to be filled out.
16	And I would just bring that to your
17	attention. I wouldn't want to stumble or I
18	wouldn't want the Committee to stumble over
19	their own feet on something that is as
20	important as everybody seems to think it is.
21	THE CHAIRMAN: I would address this
22	question to Richard and to Loretta. If we
23	have to hold off for a month on this
24	particular document, is there going to be any
25	crisis caused by that in terms of

1	
2	acquisition? There may be another way to
3	handle this. I'm just asking.
4	MS. FISHER: I haven't heard that
5	there is a problem with the timing per se.
6	But I would like to defer and get back to you
7	on that.
8	THE CHAIRMAN: Okay.
9	MR. BAGG: If you look at the rules
10	and regulations, type one says that any
11	unlisted action, unless the action is
12	designed for the preservation of the facility
13	or the site.
14	MR. MURRAY: I stand corrected.
15	MR. BAGG: So this is designed for the
16	preservation of this particular site. So
17	therefore it could still be deemed as an
18	unlisted action.
19	MR. MURRAY: I stand corrected. Thank
20	you.
21	THE CHAIRMAN: You would still need to
22	do an EAF? That is the question.
23	MR. BAGG: There is a short EAF that
24	was handed out on the paperwork to you.
25	THE CHAIRMAN: I never read that stuff.

1	
2	MR. BAGG: I don't want to confuse
3	you with facts.
4	MS. SPENCER: I have another question.
5	THE CHAIRMAN: Yes, I am confused by
6	the facts. But Jim is correct. There is an
7	EAF attached to the form.
8	MS. FISHER: You work so hard. How
9	can you not look at all our words.
10	THE CHAIRMAN: I'm sorry I even doubted
11	you.
12	MS. SPENCER: And Loretta also gets
13	it in.
14	THE CHAIRMAN: Thank you. Mary Ann.
15	MS. SPENCER: I have a question.
16	Would you explain the revocable trust? Why
17	is the work revocable here?
18	MS. FISHER: The trust, I can't tell
19	you any more than that. It's something that
20	I don't have expertise in. But it's the
21	type of trust that I have heard of that
22	MS. SPENCER: My question is, will
23	this have an implication whatsoever?
24	THE CHAIRMAN: None whatsoever.
25	MS. FISHER: We are buying it from

1	
2	the trust.
3	THE CHAIRMAN: The trust itself as a
4	real estate attorney who does this kind of
5	stuff, the trust itself is just a form of
6	title ownership.
7	And the revocable aspect is only to
8	the owners as they exist right now.
9	MS. SPENCER: That's what I wanted to
10	know.
11	THE CHAIRMAN: Once the County buys
12	it, the owners of the trust have to sign
13	the deed. It no longer becomes revocable.
14	MS. SPENCER: Okay.
15	THE CHAIRMAN: So it's not as if it's
16	a fee simple or anything like that.
17	MS. SPENCER: That's what I wanted to
18	know.
19	THE CHAIRMAN: Legislator Fisher.
20	MS. VILORIA-FISHER: I'm not sure
21	whether Loretta or Richard could answer this
22	question. But when I went to look at this
23	house, it's a wonderful house, there were
24	representatives from a local volunteer group

there.

2	Do you know if we are going to have an
3	official partnership with them? Are they
4	going to be licensees? Are they going to be
5	caretakers?
6	I just want to know what kind of
7	position we have there. Because we don't
8	have the kind of personnel that we need for
9	the County to take on another historic
10	building that is old and will require
11	maintenance operation costs.
12	MR. MARTIN: Do you know which group the
13	volunteers are from?
14	MS. VILORIA-FISHER: I can't.
15	MS. FISHER: I think it was the local
16	historic society.
17	MR. MARTIN: From the Smithtown
18	Historical Society?
19	MS. FISHER: yes. But I haven't heard
20	anything formal presented. So I don't
21	have that information.
22	MS. VILORIA-FISHER: Something like
23	that?
24	MS. FISHER: We would hope to, yes.
25	And we asked Legislator Noweck to reach out

1	
2	to them. And we haven't heard anything
3	definitive at this point yet.
4	THE CHAIRMAN: As a resident of the
5	Town of Smithtown and knowing some of the
6	parties involved, I am sure that the
7	Historical Society will show some interest.
8	They have managed a number of historic
9	buildings on the Jericho Turnpike corridor.
10	And they have an interest in this
11	particular building in the past. It may be
12	and I would address this also to Richard.
13	It may be that we can combine the
14	interest with what's going on at Deepwells
15	right now.
16	MR. MARTIN: The Deepwells Farm
17	Historical Society were also asked if they
18	were interested and they did get a tour of
19	the property.
20	But they feel at this point that they
21	really need to concentrate their efforts at
22	Deepwells to make that successful.
23	I did not know if the Smithtown
24	Historical Society took a tour. So I will
25	need to contact them and see what their

1	
2	interests are.
3	MS. VILORIA-FISHER: I'm sorry I can't
4	be more specific. There were several people
5	that walked through with us because there was
6	such a great interest in the preservation.
7	MR. MARTIN: Right.
8	MS. FISHER: I would contact Legislator
9	Noweck. She would have the most information.
10	She's the one that put in the planning steps
11	resolution.
12	And we kind of take the sponsor's lead
13	in acquisitions of this kind. We hope that
14	we will have a partner very much so.
15	THE CHAIRMAN: Mary Ann, I would ask
16	that you look into this at your Historic
17	Trust Committee also and just sort of take
18	note of the fact that this property is going
19	to be acquired.
20	MS. SPENCER: Obviously. This is just a
21	land acquisition. And the County does
22	acquire it and it automatically goes on the
23	agenda.
24	THE CHAIRMAN: It would have to go
25	onto the heritage trail.

1	
2	MS. SPENCER: I don't know about. This
3	is just a land acquisition.
4	THE CHAIRMAN: I'm just saying.
5	MS. SPENCER: Normally when the County
6	purchases a property, if it is of this
7	significance, they can file simultaneously
8	dedicated to the Historical Trust. That's
9	not what is before us.
10	THE CHAIRMAN: Right.
11	MS. SPENCER: If they acquired this
12	land, then Richard will look at it and the
13	Trust Committee will look at it and bring it
14	forward. I would assume that it's on the
15	State and National Register.
16	THE CHAIRMAN: Yes.
17	MS. SPENCER: And we will recommend it
18	for dedication.
19	THE CHAIRMAN: That's where I was going
20	to go. If we are buying a historical
21	building of this significance, obviously it
22	needs to be probably dedicated into the
23	Historic Trust. That's the only way to
24	really manage things.
25	MS SPENCER. I'm just saving take it

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2	one step at a time.
3	THE CHAIRMAN: Loretta, just out of
4	curiosity for my own edification. It comes
5	up on the map Suffolk County development,
6	right?
7	MS. FISHER: Farmland development,
8	right.
9	THE CHAIRMAN: How many acres were
10	preserved up there? Do you have any idea?
11	MS. FISHER: No.
12	THE CHAIRMAN: I know that Larry Swanson
13	called me up last night and said that if he
14	was here he would have voted in favor of
15	this.
16	Again he and I both know the property.
17	I'll entertain a motion if there is no other
18	questions.
19	MS. SPENCER: Yes.
20	THE CHAIRMAN: Motion by Mary Ann
21	Spencer.
22	MR. MURRAY: Second.
23	THE CHAIRMAN: The motion would be an
24	unlisted neg dec seconded by Richard Murray.
25	I'm calling the question. All in favor?

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2	(Unanimous aye.)
3	THE CHAIRMAN: Unanimous. Motion
4	carried.
5	MS. FISHER: Thank you very much.
6	MR. MURRAY: Mr. Chairman, can I say
7	something?
8	THE CHAIRMAN: Yes.
9	MR. MURRAY: I would like to qualify
10	my voting today.
11	THE CHAIRMAN: Yes.
12	MR. MURRAY: I have presented material
13	on every project and Ms. Fisher's recitation
14	on each one.
15	It gave me enough information to be able
16	to qualify me to vote. Even though this is
17	my first visit and my first sitting at this
18	Board.
19	THE CHAIRMAN: Okay.
20	MR. MURRAY: Thank you.
21	THE CHAIRMAN: I found your
22	participation to be quite effective. Now we
23	jumped around a little bit on the agenda.
24	So we have to go back now a little bit.
25	We did not do the legislative packet, SEQRA

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2	resolutions laid on the table for April 24th
3	and May 15th, legislative pleadings.
4	I'll ask Jim to point out anything of
5	interest to the council. Just to remind
6	everyone at this point and time what is
7	required to complete SEQRA.
8	The handwriting that you see to the left
9	is I believe Jim's. And it describes what we
10	need to do to finish SEQRA and it tells us
11	the state of all these particular projects
12	and resolutions.
13	MR. BAGG: Okay. Most of the
14	resolutions are straightforward type two
15	actions or they have already been reviewed
16	and SEQRA is complete. There are a number of
17	SEQRA resolutions in the packet which do
18	complete the SEQRA.
19	One thing that I want to point out.
20	Those are laid on the table. On 4-4-07 is
21	introductory resolution number 1359.
22	It's amending the 2007 capital budget
23	and program and appropriating funds in
24	connection with the storm water system
25	discharge remediation and stream water silt

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2	removal and remediation of the Nissequogue
3	tributary headquarters north of CI76, Town
4	Line Road, to Millers Pond, Smithtown Lake,
5	Ronkonkoma, Old Nichols Road corridor and the
6	surrounding areas.
7	That resolution says that it's a type
8	two action. But it appropriates \$100,000 to
9	do work in the Nissequogue River to try to
10	help alleviate flooding.
11	And those are all wetland areas. And it
12	would be physical alteration of the land.
13	So technically it probably would either
14	be most likely a type one action or an
15	unlisted action requiring an EAF. I would
16	like to point that out.
17	THE CHAIRMAN: Jim, I agree with you.
18	I don't like the designation as a type two.
19	Frankly I'm also unhappy that it did not
20	come to CEQ.
21	I have a lot of issues with this
22	particular project. But I'm not going to go
23	into this at this point and time. But I
24	think that it's a type one personally.
25	MR. BAGG: Right. Also resolutions that

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2	were laid on the table yesterday. There were
3	a number of water qualify protection
4	resolutions. Number 1484 through 1489.
5	And they are also earmarked as type two
6	actions because they are involved in
7	planning. What I understand that monies in
8	those resolutions are also earmarked for
9	construction.
10	And that also involves physical
11	alteration of land. And it basically should
12	require an EAF.
13	THE CHAIRMAN: We don't have the EAF
14	at this time.
15	MR. BAGG: All we have is the
16	resolutions that were laid on the table.
17	THE CHAIRMAN: This problem can start
18	snowballing if we are not careful. And I
19	just want to make sure that we don't end up
20	in any kind of legal problem.
21	Planning is usually a type two activity
22	when the County appropriates money. When
23	they do actual construction of these
24	projects, it's generally unlisted.
25	And I agree with you on your analysis.

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2	And we probably do need an EAF to look at all
3	of this stuff.
4	These projects are going to start coming
5	more and more. I have a problem with the
6	County mixing them if you will and mixing the
7	construction and the planning aspects of
8	them.
9	Maybe they should be separated or maybe
10	the County should be told that properly under
11	SEQRA if they are going to go this way they
12	will need an EAF.
13	Again I don't want to have a legal
14	situation where we haven't had the
15	appropriate hard look. Even though most of
16	these water quality projects are
17	presumptively intended to have a positive
18	environmental impact in terms of storm water
19	remediation, et cetera.
20	MS. VILORIA-FISHER: Well they would be
21	positive impact environmentally. If there is
22	an EAF, would it have to come before CEQ?
23	MR. BAGG: Technically everything is
24	supposed to come before CEQ. That's why we
25	

review the packet.

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2	MS. VILORIA-FISHER: Right.
3	MR. BAGG: But through the packet
4	indirectly we review it. That's where to
5	some extent the Council flags certain
6	projects that may need further review in this
7	particular instance.
8	I know that the Water Quality Committee
9	when they approve those projects, then the
10	resolutions are automatically submitted.
11	And what is being submitted is that they
12	are being submitted as designed, you know,
13	planning and design.
14	But yet construction is also included in
15	that. And they are not getting the necessary
16	SEQRA review that they need.
17	MS. VILORIA-FISHER: I don't believe
18	that they have gone before the Water Quality
19	Review yet.
20	MR. BAGG: I believe they have, yes.
21	And I think that's one of the problems.
22	MS. VILORIA-FISHER: This group that
23	you just mentioned has gone through that?
24	MR. BAGG: I believe so, yes.
25	MS. VILORIA-FISHER: Okay.

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2	THE CHAIRMAN: What I would suggest
3	is these are probably coming through DPW.
4	MS. VILORIA-FISHER: That's another
5	thing that's become a little bit confusing.
6	We have a piece of legislation that we are
7	considering wherein these water quality
8	projects come under the auspices of the
9	Department of Environment and Energy.
10	And Commissioner Gallagher will then
11	coordinate with DPW. But the teams working
12	on the water quality project I think will
13	be working under Commissioner Gallagher.
14	So when we have or when we consider
15	these in CEQ, I think that we need to reach
16	out to both Commissioner Gallagher and
17	Anderson to see which one of them would have
18	the purview to come here before CEQ to speak
19	on these.
20	THE CHAIRMAN: Yes.
21	MS. VILORIA-FISHER: Jim, I'm certain
22	that you aware of that legislation that puts
23	the Chair of the Water Quality under the
24	DEE

MR. BAGG: Yes.

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2	MS. VILORIA-FISHER: Rather than DPW.
3	MR. BAGG: Yes.
4	MS. VILORIA-FISHER: And most of those
5	teams working on that have been moved to DEE
6	now, I believe. And so I believe that should
7	be clarified when we look at CEQ and who
8	would be comparing the EAF.
9	MR. BAGG: That's correct. I did notify
10	by email yesterday. I sent an email to the
11	effect of what I just stated to Commissioner
12	Gallagher as well as to DPW as well as to
13	the Health Department for clarification on
14	the project saying that there was money in
15	there for actual construction and
16	improvement.
17	And that was not a design aspect of the
18	project. And they probably wanted further
19	review under SEQRA.
20	THE CHAIRMAN: Right. So basically
21	if I understand what's going. Jim, you'll be
22	trying to make sure that if there is
23	construction involved we'll get an EAF out of
24	this.
25	And you'll be telling I guess the two

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2	Commissioners that mixing apples and oranges
3	can create a problem under SEQRA. And we'll
4	try to work that out one way or the other.
5	MR. BAGG: Right. I mean, I'm not
6	saying that these projects have an adverse
7	impact and it will probably be beneficial.
8	However, the classification is
9	incorrect. And technically you are not
10	supposed to spend or fund a project until
11	SEQRA is complete.
12	And if some aspect of the project
13	requires EAF's, they should be formally
14	submitted. CEQ should make a recommendation
15	to the Commission and the legislation should
16	make a final determination.
17	THE CHAIRMAN: In terms of actions since
18	we normally do an up and down both on the
19	packet itself, do you think that it's wise to
20	pull these particular ones out and not vote
21	on them or list them as unlisted and just say
22	we need to have supplementary EAF's?
23	MR. BAGG: I think that what I give you
24	in the packet does note that. These are not
25	type two's. These are either unlisted or

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2	type one's and they do require an EAF to be
3	submitted to the Council and then an ultimate
4	decision by the legislature.
5	You don't want to eliminate them. If
6	you adopt what I have said here and concur
7	with it, this goes before the legislature's
8	environmental committee which is chaired by
9	Legislator Fisher and duly noted.
10	THE CHAIRMAN: So we will just
11	reclassify these particular ones, I think
12	1359 and also 1484 to 1489.
13	We will reclassify them as unlisted
14	requiring EAF's which is what Jim basically
15	has noted down here.
16	And the EAF's will be required to be
17	submitted to CEQ and to the legislature,
18	the proper committees. Are these any other
19	issues?
20	MR. BAGG: No.
21	THE CHAIRMAN: The Nissequogue River
22	gives me still a little bit of a pause.
23	If we are going to be classifying it as a
24	type one, because I think it is a type one,
25	I think that there are certain designations

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2	on there at State level which would require
3	us to place it as a type one.
4	Do you think that there is any further
5	action that we should recommend at this
6	point and time?
7	MR. BAGG: Well I do know that
8	Legislator Kennedy is working on this
9	as well as the negotiated DEC on
10	implementation of this project. So it is
11	getting reviewed.
12	But the question really comes down to is
13	the Department of Public Works or the
14	legislature can designate DEC or Smithtown as
15	the lead agency.
16	But you are not supposed to fund until
17	SEQRA is complete. So I would assume that
18	one of those agencies would have to
19	appropriate the money before a designation is
20	allocated.
21	THE CHAIRMAN: I definitely think that
22	we should put it as a type one EAF required
23	if nothing else and leave it to the
24	legislature.
25	MR. MURRAY: Do you know where it is

1	
2	on the type one list?
3	MR. BAGG: Pardon?
4	MR. MURRAY: You want to designate it
5	as a type one. I'm asking where it is on the
6	type one list.
7	MR. BAGG: Well basically I think that
8	it's going to involve clearing silt and
9	mud out of wetlands in the eastern branch
10	of the Nissequogue River which will probably
11	involve more than ten acres, physical
12	alteration of ten acres.
13	MR. MURRAY: Designated wetland?
14	MR. BAGG: Yes.
15	THE CHAIRMAN: Designated wetland.
16	I live in the Nissequogue area and I am
17	familiar with the area. It's a State
18	designated wetland.
19	Also portions of this are within
20	wild rivers recreational program. It's also
21	designated on several Smithtown lists as
22	being environmentally sensitive land.
23	So I think that it kind of hits the
24	triggers. I think that it may end up as
25	over ten acres and it also is about the

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2	most sensitive land that you can have	
3	which is why I have some reservations about	
4	what is going to be going on.	
5	But those reservations are better held	
6	in my opinion for a later time. Okay, are	
7	there any other issues, Jim?	
8	MR. BAGG: No.	
9	THE CHAIRMAN: Then we'll do a motion.	
10	I'll take a motion to accept staff	
11	recommendations.	
12	MS. VILORIA-FISHER: I'll make the	
13	motion.	
14	THE CHAIRMAN: Do I have a second?	
15	MS. SPENCER: Second.	
16	THE CHAIRMAN: Seconded by Mary Ann	
17	Spencer. Calling the vote. All in favor?	
18	(Unanimous aye.)	
19	THE CHAIRMAN: Okay. Let the record	
20	reflect that Mr. Murray has recused himself	
21	on these particular motions.	
22	I'm trying to figure out the agenda.	
23	Where are we? I'm going to go back to	
24	number three.	
25	Sewer District number three, Southwest,	

1	5
2	Bergen Point storage building. Is there
3	anyone here to present on that particular
4	project?
5	MR. GROH: I'm not here to present.
6	I want to introduce myself.
7	THE CHAIRMAN: Come up. You have to
8	go in front of the microphone.
9	MR. GROH: Okay. I'm Richard Groh,
10	Chief Environmental Analyst.
11	THE CHAIRMAN: For who?
12	MR. GROH: Of Babylon.
13	THE CHAIRMAN: Okay.
14	MR. GROH: I'm just here to observe.
15	There has been a heightened awareness on
16	the sewer plant because of a previous
17	proposal.
18	And Town Supervisor Steve Malone
19	wanted me to come down to attend the
20	meeting. We recognize that it's only
21	a Butler building.
22	But irregardless, they wanted somebody
23	here. And I am just observing. Thank you.
24	THE CHAIRMAN: Not a problem. Thank
25	you very much for coming down.

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2	MR. GROH: Okay.
3	THE CHAIRMAN: Do you have any
4	objections to this, any comments on this
5	particular construction project?
6	MR. GROH: No. We have no comments.
7	We have no objections. We recognize that
8	it's a storage structure and we will leave
9	it at that.
10	THE CHAIRMAN: Okay. I have discussed
11	this particular project with several of the
12	members earlier today. It's my opinion that
13	this is an unlisted project. It's right at
14	4,000 square feet.
15	And as one member pointed out, the
16	regulations I believe say less than 4,000
17	square feet is a type two. 4,000 is
18	according to the legal semantics of the
19	document in the unlisted category.
20	So I think that it's going to be an
21	unlisted. If members want to look at the
22	plans at all.
23	Just to refresh everybody's memory
24	on this Berger point. It's an extensive

industrial complex. It sits near title

2	wetlands
᠘	MCCTAHOS

The projects previously have been
constructed to try and limit the impact upon
the title wetlands. There has also been
associated impact with the general plant in
terms of smell and construction noise and
also trucks bringing effluences into the
plant for treatment.

So there are issues that come up with this plant. We have reviewed many of the things or many of the projects that have come up before us in the past regarding this particular plant.

This particular project is described as a temporary storage building. The specs are attached to it.

It's going to be an all steel building apparently weighing 17,700 pounds approximately. And it's described to us as having a short material construction cycle with piles for supporting foundation and a rather large concrete slab.

The possible impacts are described as having a number of days of increased noise

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2	levels on the slight during normal working
3	hours.
4	And again it's described as a short term
5	construction impact. The Department of
6	Public Works has stated that they do not
7	believe it will have an adverse impact on the
8	environment.
9	Looking at the map, it looks like it's
10	in an already disturbed area. And I'll turn
11	it over to the members for any analysis that
12	they want to do.
13	It doesn't look like it's in the title
14	wetlands at all. And I will note for the
15	record that it is near an existing building.
16	MS. RUSSO: Are we to assume that the
17	entire area has already been paved over?
18	THE CHAIRMAN: No but there is very
19	little preservation in this particular area.
20	We are talking about spring vegetation.
21	That's from personal knowledge.
22	If you also look at the EAF itself, I
23	believe they said that they were going to
24	be taking out a little bit of vegetation
25	if I'm not mistaken.

2	But we are not talking about a forest
3	or anything like that. They are talking
4	about .06 acres of vegetation. And it's
5	basically shrub and stuff like that.
6	MR. MURRAY: This is strictly for
7	storage?
8	THE CHAIRMAN: This is what it is
9	stated to be.
10	MS. RUSSO: Mr. Groh, would you be
11	able to answer if the local residents have
12	any objection to the new building?
13	MR. GROH: We haven't received any
14	phone calls or anything like that.
15	MS. VILORIA-FISHER: Would you come
16	back to the microphone, please.
17	MR. GROH: To the best of my
18	knowledge we haven't received any phone
19	calls in opposition to the project.
20	MS. ROSEN: I was curious because
21	on the EAF form they asked a question about
22	disturbing scenic views. And they checked
23	off yet.
24	MR. GROH: I believe, I printed out a
25	map. I don't know if you want that for the

1	
2	record. I believe that it's a fairly
3	disturbed area where that structure is going.
4	THE CHAIRMAN: Reviewing the EAF, I
5	don't see anything that comes out at me.
6	MR. RUSSO: Mr. Groh, do you know what
7	they are currently using for storage of their
8	materials right now?
9	MR. GROH: I couldn't really comment.
10	I know that these are materials on the aerial
11	photograph that are outside perhaps. I don't
12	want to speculate.
13	(Discussion off the record.)
14	THE CHAIRMAN: Are there any other
15	questions from the members? We have all
16	looked at the map. We have an idea of where
17	it's going to be going.
18	I will entertain a motion. That would
19	most likely be an unlisted.
20	MS. RUSSO: I make a motion unlisted
21	action neg dec.
22	THE CHAIRMAN: Okay. I have a motion.
23	MR. MURRAY: Second.
24	THE CHAIRMAN: I have a second by
25	Richard Murray. Let me ask the question

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2	first. Calling the question. All members
3	in favor?
4	(Unanimous aye.)
5	THE CHAIRMAN: Unanimous. Motion
6	carried. Nick, about how long is your
7	Blydenburgh Dog Run presentation going to
8	be?
9	MR. GIBBONS: As long as you make it.
10	THE CHAIRMAN: In which case it's
11	approved. We'll do you first then. Then
12	we'll hold the Veterans Park complex and
13	the Scully situation until afterwards.
14	I'm recognizing Nick Gibbons, principal
15	environmental analyst for the Department of
16	Parks.
17	MR. GIBBONS: Senior.
18	THE CHAIRMAN: Senior.
19	MR. GIBBONS: If you are offering a
20	principal, I'm interested.
21	THE CHAIRMAN: Well we do have the
22	authority to bump up your grade in civil
23	service if you are really nice.
24	MR. GIBBONS: I'll start by apologizing
25	that you didn't have that ahead of time.

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2	THE CHAIRMAN: Not a problem. This
3	will be at Blydenburgh County Park.
4	MR. GIBBONS: Correct.
5	THE CHAIRMAN: As many of us are
6	familiar with. The critical question for
7	me is whether there is going to be
8	inside the historic trust area.
9	MR. GIBBONS: The answer to that is
10	no.
11	THE CHAIRMAN: Is there any other
12	designator regarding this particular
13	dog run in terms of preservation or anything
14	like that?
15	MR. GIBBONS: Only in the sense that
16	the park was the subject of a comprehensive
17	plan that dates back to 1977. It's a little
18	bit before my time.
19	But after reviewing the document you
20	might understand that it didn't anticipate
21	or discuss dog runs in this use. It outlined
22	the park.
23	I am going to pass the critical crux
24	of that plan of this map that identifies
25	conservation and preservation areas

1	
2	I'll just call your attention to the
3	fact that the activity field that we intend
4	on using at least partially for this project
5	is not even reflected in this base map that
6	came with the plan.
7	So I am assuming that the plan was
8	essentially ignored for the construction of
9	that activity field which I couldn't get a
10	date on.
11	I also want to give to you for your
12	review a couple of aerials here that show the
13	existing conditions of the field.
14	And that's a little more pulled back.
15	It will give you some variance in the sense
16	of where this is actually located.
17	THE CHAIRMAN: I know the park and the
18	ground where you are talking about.
19	(Discussion off the record.)
20	MR. GIBBONS: And just back to that
21	apology earlier was that this plan was only
22	finalized yesterday.
23	And although it can be debated whether
24	or not I have to be here at all to present

this, I wanted to bring it to the Council's

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2	attention given their interest in the park
3	and in particular Blydenburgh. Questions
4	regarding any of these items?
5	MS. VILORIA-FISHER: Nick, I have a
6	question.
7	THE CHAIRMAN: Legislator Fisher.
8	MS. VILORIA-FISHER: Nick, I'm
9	looking at the large schematic here that
10	you gave us.
11	MR. GIBBONS: Right.
12	MS. VILORIA-FISHER: Now as you know,
13	dog parks have become a great issue of
14	discussion in the legislature.
15	MR. GIBBONS: I'm getting that feeling,
16	yes.
17	MS. VILORIA-FISHER: And there has
18	been, Nick, some of the people who are
19	advocates for the dog park have explained
20	this concept of a holding area or an
21	unleashed area.
22	Now I am looking at this four inch bank
23	up on the upper left of this page.
24	MR. GIBBONS: Yes. Fence detail.
25	MS. RUSSO: I'm sorry, I misspoke.

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2	Withdrawn. Where you show just below the
3	wooded area, it shows small dog area and then
4	holding area.
5	Then south of that is another holding
6	area. And then at the bottom of that there
7	seems to be another double gated area.
8	MR. GIBBONS: Yes.
9	MS. VILORIA-FISHER: Are there three
10	holding areas?
11	MR. GIBBONS: Yes, that's correct.
12	THE CHAIRMAN: Is this a dog run or a
13	prison?
14	MR. GIBBONS: Evidently it's important
15	for the dogs to have a small area for a
16	transition from being on leash before they
17	are released into the dog run. So that has
18	to be in place at every entrance to the dog
19	run.
20	MS. VILORIA-FISHER: Okay. I just
21	wanted to understand that there are three
22	of them.
23	MR. GIBBONS: Yes. And the other thing
24	that compounds us a little bit is that there
25	are separate areas for smaller dogs which is

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2	MS. SQUIRES: The Town of East Hampton
3	has very nice receptacles for picking up.
4	I mean, they are clean looking and neat
5	looking. They are on the beach.
6	MR. GIBBONS: Everybody pretty much
7	uses the same one.
8	THE CHAIRMAN: Other questions before
9	we get into a technical issue. Okay.
10	I'm glad to see that this is outside of the
11	historic area.
12	Just to remind everyone. About two or
13	three years ago I looked into this particular
14	issue of dog runs in the Historic Trust
15	areas.
16	And I contacted some of the authorities
17	in Washington, D.C., the National Park
18	Service and some of the historic societies
19	there.
20	And I also contacted Shipo in Albany.
21	And no one had ever come up with the idea of
22	State parks or no one had ever come up with
23	the idea of a dog run in a historic area.
24	MR. GIBBONS: One of the earlier ideas
25	was to have those fields show up on the hase

1	
2	map in the northeast corner of the park.
3	Near the district anyway.
4	Those fields have since reverted back to
5	essentially woodland. So while they appear
6	as open fields on the base map and I'm sure
7	that they were thirty years ago, the
8	condition of the property is not that way
9	anymore.
10	THE CHAIRMAN: Now here is the technical
11	issue. You presented us with a plan, a
12	rather extensive one.
13	I'm noting the legend that it is a plan
14	prepared by a Citizens Advisory Committee,
15	the County Planning Department, et cetera.
16	Is this an adopted, duly adopted master plan?
17	MR. GIBBONS: Yes, it has been adopted.
18	THE CHAIRMAN: Okay.
19	MR. GIBBONS: Whether or not the term
20	"master plan" was invoked at the time,
21	evidently not. It's referred to as a
22	comprehensive plan for the park.
23	THE CHAIRMAN: That's a critical thing.
24	Because we are going to be dealing with this
25	in another context in a while.

1	
2	Now looking at the map, I am the only
3	one here who has this at this point and time.
4	I also happen to know the park. I've been
5	there many times.
6	There are legends as to conservation
7	areas and preservation areas. And the legend
8	itself states that preservation and
9	conservation areas are clearly designated.
10	Reservation implies limited access plus
11	control while conservation implies slightly
12	more intensive use while still controlled.
13	The dog run area according to the aerial
14	photographs that I have been given and
15	according to the schematic design looks to be
16	in the conservation area.
17	MR. GIBBONS: That's correct.
18	THE CHAIRMAN: It's not a construction
19	use as we would normally classify a
20	construction use. Basically it looks like a
21	fencing for all intents and purposes and
22	shall we say pick up stations.
23	So looking at the legend and knowing how
24	the County works it, my guess is that this
25	is, this type of conservation area is capable

1	
2	of having slightly more incentive uses.
3	MR. GIBBONS: I want to read into the
4	record two more lines that are contained
5	within the body of the documents that speak
6	to the definition of a conservation area.
7	THE CHAIRMAN: That's exactly where I
8	was going to go.
9	MR. GIBBONS: The intent of the
10	conservation designation is to maintain the
11	area in its natural condition as much as
12	possible while permitting certain
13	recreational uses.
14	Any part of the plan such as trails or
15	camp sites which become subject to extensive
16	damage shall be reclaimed and the use shifted
17	to a nearby area on a suitable site.
18	I just want to remind you that the
19	activity field itself was constructed after
20	the plan was adopted as evidenced by the note
21	showing up on that base map.
22	However, the definition anyway or their
23	interpretation of the conservation area
24	permitted such use in clearing.
25	We are not proposing that with the

1	
2	exception of, and I want to call your
3	attention to this as well.
4	There will be by necessity an eight foot
5	path that will destroy any major trees for
6	the perimeter fence that extends into the
7	woodland.
8	That is the southern, well it's half of
9	the southern portion of the dog run area.
10	THE CHAIRMAN: Basically you are going
11	to avoid trees and avoid creating any
12	stabilization of soils that might be runoff.
13	MR. GIBBONS: Well trees can't entirely
14	be avoided. There is an intact area. Trees
15	will be removed.
16	However, the fence is going to be
17	installed through the path of least
18	resistance in an effort to avoid any major
19	trees.
20	THE CHAIRMAN: I'm confused a little bit
21	then. Again I'm the only one with the map
22	over here at aerials.
23	You handed us an aerial a couple of
24	minutes ago with white marks on it outlining
25	a 40 by 250 by 400 foot section

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2	It looks from the aerial as if it's
3	mostly clear at this point and time.
4	MR. GIBBONS: That's only the dimensions
5	of the existing activity field. Our proposal
6	is only to take over half of that for this
7	purpose.
8	THE CHAIRMAN: So is the area that you
9	are going to be using mostly clear at this
10	point and time or not?
11	MR. GIBBONS: An acre of that will be
12	the southern half of that field. And if you
13	look more closely at the design, you will see
14	that the second, the entire area is two and-
15	a-half acres.
16	The north portion, the northern most
17	acre is cleared. It's the existing activity
18	field or a portion thereof. The other acre
19	and-a-half to the south is all wooded.
20	THE CHAIRMAN: So that's going to be
21	taken out.
22	MR. GIBBONS: The perimeter of that is
23	roughly eight feet around.
24	THE CHAIRMAN: So you are not going to
25	be knocking down the entire forest?

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2	MR. GIBBONS: Not at all. In fact, this
3	seems to address an interest by the dog folks
4	off an area that's more naturalized but
5	however does not require on leash.
6	The entire park is available for people
7	to walk their dogs on a leash. This area is
8	to give the dogs and owners an opportunity
9	off leash but in a wooded setting.
10	MS. SQUIRES: Nick, there are two
11	arrows. But I don't think, what separates
12	large dogs from small dogs?
13	MR. GIBBONS: There's actually a fence.
14	MS. SQUIRES: This is a fence? The
15	arrows indicate a fence?
16	MR. GIBBONS: Those are arrows, the
17	139 foot and the 172 feet.
18	MS. SQUIRES: Yes.
19	MR. GIBBONS: Those are only the width.
20	MS. SQUIRES: How do you separate the
21	dogs?
22	MR. GIBBONS: Small dog area is
23	identified with an area that points down to
24	what would be the southeast corner. It's 63
25	foot.

Τ	
2	There's actually a perimeter fence
3	around the small dog area which is a
4	rectangle. I'll come up and explain that.
5	THE CHAIRMAN: Off the record.
6	(Discussion off the record.)
7	MS. SQUIRES: What we were asking
8	about is the small dog area which it was.
9	And it's a small rectangle that Nick just
10	identified for us.
11	MR. BAGG: If I might say something.
12	THE CHAIRMAN: Yes.
13	MR. BAGG: Basically a master plan
14	is a guide for future growth. It is nothing
15	more than that. It is not a site plan. It
16	is not a laid in concrete development
17	proposal.
18	It is a guide for future development.
19	Usually master plans are revised every ten
20	years pursuant to planning law.
21	This plan was developed in 1977 and has
22	served as a rough guide for the Parks
23	Department since that time.
24	So it should not be used as a hard and
25	fast rule for judging proposed facilities.

That master plan originally, when an 2 environmental impact statement went through 3 CEQ, it was passed out by the legislature. 4 5 So technically this facility would not 6 fall under that original EIS and findings 7 statement. However, you know, it should 8 undergo the appropriate SEQRA review with a 9 recommendation. 10 I would also like to ask Nick too that 11 this proposed project, the final decision 12 maker I believe is the Commissioner of Parks 13 here. This does not go back into the 14 legislature for approval. 15 MR. GIBBONS: That's correct. 16 MR. BAGG: It's going to be done within 17 the Department of Parks. And technically 18 Parks did not have to bring this into the 19 Council because it doesn't go before the 20 legislature. 21 But Neck wanted to inform you of what 22 was taking place and get your recommendation 23 for the Department. 24 THE CHAIRMAN: Personally I don't have a 25 problem with this. I think it conforms with

1	
2	the language from 1977, the language that we
3	have been given by Nick, et cetera.
4	I think that this is in the conversation
5	area as designated on that map an appropriate
6	use. I don't think that it's highly
7	intensive.
8	I do disagree with you though, Jim, in
9	one respect. I give plans a little bit more
10	credence and a little bit more long term
11	effective impact.
12	And we do have a very detailed
13	controlled map here. And again knowing the
14	site, this is a pretty extensive plan that I
15	think that is a little bit more finding
16	impact than you might give it regardless.
17	My personal opinion right now prior to
18	any discussion among the members, and it can
19	always change, is it's probably a compatible
20	use.
21	Do the other members have any comments?
22	Again I am the only one with the green map.
23	I am showing you all the green map.
24	MS. VILORIA-FISHER: Actually I wanted
25	to ask Jim. What we are doing is either

1	
2	accepting this or are we making a SEQRA
3	determination on this?
4	MR. BAGG: Basically I believe that
5	Nick brought it in here for the CEQ's
6	recommendation. But that recommendation we
7	go back to the Commissioner of Parks in terms
8	of SEQRA. Because he will make the final
9	decision.
10	I think that the legislature already
11	passed legislation in terms of placing dog
12	runs in parks.
13	MS. VILORIA-FISHER: Yes. And that it
14	would be the Parks Commissioner and its staff
15	that would site the location.
16	MR. BAGG: So your recommendation would
17	be to go back to the Parks Department for
18	them to act on the SEQRA. Because
19	technically it is still a SEQRA action.
20	MS. VILORIA-FISHER: Do I make a motion
21	of unlisted neg dec?
22	THE CHAIRMAN: Everyone is finished
23	with their questioning? Are there any other
24	questions?
25	(None.)

1	
2	THE CHAIRMAN: In which case I'll
3	entertain a motion.
4	MS. VILORIA-FISHER: Motion neg dec.
5	THE CHAIRMAN: Second?
6	MR. MURRAY: Second.
7	THE CHAIRMAN: I'll call the vote. All
8	in favor?
9	(Unanimous aye.)
10	THE CHAIRMAN: Unanimous.
11	MS. VILORIA-FISHER: And, Nick, I think
12	it's a great plan. I'm looking forward to
13	seeing one in my district.
14	MR. GIBBONS: Thank you.
15	THE CHAIRMAN: I'm also very glad just
16	for the record that it is in conformance with
17	my opinion and in conformance with the master
18	plan.
19	MR. GIBBONS: Okay.
20	THE CHAIRMAN: Let's take a five-minute
21	break. Then we will deal with some other
22	stuff here.
23	(Recess.)
24	(After recess continuing.)
25	THE CHAIRMAN: Members, we are going to

, « -, <i>J</i>	2	start up again. I'm calling the meeting back
	3	to order.
	4	The next item on the agenda is the
	5	proposed Veterans Park complex development in
	6	the Town of Huntington. And we have several
	7	Town of Huntington residents here. So I will
	8	recognize Margo Myles from the Town of
	9	Huntington.
	10	MS. MYLES: Margo Myles, Town of
	11	Huntington, Department of Planning and
	12	Environment.
	13	MR. MCKAY: I'm Don McKay, Director of
× /	14	Parks for the Town of Huntington.
	15	MS. MYLES: We are really excited to be
	16	back here today. This is actually the third
	17	time that we have come before CEQ for what
	18	was formerly known as the Benjamin property.
	19	We call it Knolls Park now.
	20	This is a site that was 82 acres that
	21	was acquired cooperatively between the Town
	22	and the County using three programs of County
	23	funding and two Town funding programs. So
,	24	actually five separate funding programs went
	25	into this property

into this property.

2	The property was acquired in December
3	2000, 82 and-a-half acres. The County
4	funding programs were 20 acres under the
5	green and was an active recreation area, 32
6	acres under drinking water protection and 30
7	acres co-owned by Town and County under land
8	preservation partnership.
9	We have been working diligently since
10	this property was acquired to come up with a
11	plan for the active recreation component.
12	And that's most of what we are going to talk
13	to you about today.
14	We have coordinated our SEQRA review.
15	This is a type one action. And we have or we
16	are trying to establish lead agency status
17	for this project.
18	We have forwarded this to the Department
19	of Parks and Recreation for the
20	Commissioner's input. It's my understanding
21	that this does not require an action before
22	CEQ.
23	We are bringing this to you for
24	informational purposes at the recommendation

of the Commissioner of Parks and also to

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follow through on what we had told you the last time that we came before you that should there be any changes to our plan that we would bring them back to CEQ.

And we have made some modifications to our plan. But the plan that we are going to discuss today is a plan that was approved unanimously by the County Park Trustees last summer when Don and I spoke before them.

I would just like to give you a little bit of history on the site. This is a property that at one time was held by the federal government as part of the Veterans Administration Medical Center. It was sold in the early '80s into the private ownership.

And as I said, it was acquired by the Town in 2000. It contains the former sewerage treatment works for the V.A. Hospital, the area that is to be proposed to be developed for active recreation.

When the Town was working on acquiring this property with the County, an escrow agreement was put in place.

And the developer who had owned the

1	
2	property, Albert Benjamin, did not receive
3	\$3 million of the \$8 million payment for the
4	property until we were assured that the
5	property was cleaned to the satisfaction of
6	the Health Department and the New York State
7	DEQ.
8	There was a proposed remediation program
9	that had been worked through with the State
10	and the County while this action was pending
11	consideration for a rezoning by the Town
12	Board in Huntington.
13	The exact same remediation program was
14	required of the owner before we would turn
15	over the final escrow payment.
16	So in the start of 2001 Albert Benjamin
17	was required to complete this cleanup.
18	What I have given you as an attachment
19	to the EAF is the final investigation report
20	that was prepared by H2M which identifies
21	exactly everything that they encountered
22	during that cleanup.
23	

That cleanup spans a five month time period. Over I believe 250 cubic yards of material were removed from the site.

24

2	There were a great many lagoons that had
3	been filled. It was essentially a fill site.
4	For the most part construction debris
5	from old buildings at the V.A. were used when
6	they closed that sewerage treatment facility.
7	A great deal of the structural, the
8	concrete, the piping and whatnot were also
9	removed at the same time.
10	We followed up on the heels of the
11	cleanup with a Citizens Advisory Committee.
12	That was appointed by the Town Board.
13	There were three members that were
14	County representatives on that Committee.
15	One representing the local legislator, one
16	representing Suffolk County Park Trustees and
17	one representing the Parks Department for the
18	County.
19	So we had a great deal of County input
20	as we developed what really were policy
21	recommendations for the four part complex.
22	Although the 82 and-a-half acres
23	comprise what we call Knolls Park, there were
24	three other parks that adjoined it, all three
25	of which were at one time part of the V.A.

Medical Center holding.

And when we worked through the master

plan process, we looked at the entire

complex. Because we knew that going forward

with our improvement plan we would be looking

at improvements in the other part components

as well.

A security task force was put together right after the CAC tended their final report. We had representatives from County Park Trustees, County Police, County Parks Police.

We had Town Public Safety, the School
District Security as well as V.A. Security.
We inherited a few problems when we acquired
this property in terms of ongoing A.T.V. use
that we felt needed to be stemmed right away.

And we have had a good deal of success with that. We feel that the development of the park is really going to be the final step in getting a full handle on that one.

We have good wise use of the park and a great deal more security in the park. We feel that a lot of those problems that still

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	2	linger will be moved out.
	3	We posted the entire property. We have
	4	two extremely well community input sessions
	5	to design this park.
	6	The first one was attended by almost 300
	7	people. The second one we just had about
	8	150. So we have gotten a great deal of input
	9	on what people would like to see at the park
	10	and an opportunity to talk through the
	11	changes that are proposed.
	12	This is an EAF that we have given you
(·)	13	that involves three owners. The properties
	14	that are owned by the Town, co-owned by the
	15	Town as well as the property owned by the
	16	County and a small portion that's actually
	17	held by the Northport School District which
	18	we have requested for transfer.
	19	So our environmental review that is
	20	proposed will be looking at all of the
	21	ownerships, all of the elements here.
	22	When we last came before CEQ, it was for
	23	maintenance of the fire lanes in the complex
	24	at the request of the East Northport Fire
N	25	Donartmont

 ${\tt Department}.$

2	There has been some trimming but they
3	have not done the full opening in certain
4	areas that they would like to do.
5	They have been holding off until we
6	finish the SEQRA review really for the entire
7	project. So there has been some basic
8	maintenance but not as far as they might like
9	to go.
10	THE CHAIRMAN: Margo, once the full
11	review is finished, does the Fire Department
12	intend to cut the fire lanes?
13	MS. MYLES: Yes. And those fire lanes
14	for the most part are in place. They are
15	just going to be widened slightly and they
16	have got to do some topping in a few areas so
17	that they have full clearance for their brush
18	trucks if they need to get in.
19	THE CHAIRMAN: Okay.
20	MS. MYLES: But that's already been
21	THE CHAIRMAN: We reviewed that in CEQ
22	as you said.
23	MS. MYLES: Absolutely. Our Director
24	of Parks and Recreation is going to talk
25	about improvements here. There are a couple

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of very minor changes that I would like to bring to your attention.

And one in particular is the main reason that we are here today. And that is that our park improvements, in order to implement what we are proposing in terms of the two largest new elements which will be two synthetic turf fields to orient them properly in a north-south configuration, we need to grade slightly across the line of the land preservation partnership parcel.

When the Town funded that parcel, our resolution clearly talks to that park being used for park land purposes.

The County resolution actually talks about the land being acquired in district ownership. But the land actually transferred the County's deed and was prepared with tenants in common.

So the Town doesn't own a district parcel and the County only one. We own the property together.

There is a small, and I'll show you on the map, less than a half acre. There is

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2	less than a half acre area. It's actually
3	three blips.
4	We moved one so that it covered the two.
5	Where we have to go across the line in order
6	to grade to set a softer one on the grade.
7	Otherwise we have to put in a hard structure,
8	a wall right along the line.
9	The area that we are looking to regrade
10	through here would be an area that we would
11	fully restore with landscaping.
12	It's not going to have trails or any
13	other improvements in that particular area.
14	But it really is to save us from having to
15	build a large structure in that place.
16	I would like to turn it over to Don to
17	talk about what is proposed here.
18	MR. MCKAY: Do I need the microphone?
19	THE CHAIRMAN: Yes.
20	MR. MCKAY: I'll use the mike. Very
21	quickly. The main phase one of development
22	in looking down here at the bottom just for a
23	note.
24	There is an existing down here at the
25	very bottom on Burroughs Avenue, there is an

1	
2	existing recreational facility, handball
3	court, basketball court.
4	Up here is a lighted turf soccer field.
5	Down below is a lighted field. It used to be
6	softball. It's now primarily soccer. Both
7	of these fields are in poor condition.
8	Phase one what we are proposing here is
9	two lighted synthetic athletic fields. I'm
10	sure that other towns across Long Island and
11	wherever else, it's the in thing now.
12	School districts are doing it. They are
13	bonding and so forth. Everyone is going
14	towards these synthetic fields.
15	If you are at all familiar with them,
16	when you see the old days of the Giants
17	playing at Giant Stadium, it's not like the
18	old astro turf.
19	THE CHAIRMAN: It's not going to hurt
20	the kids' knees?
21	MR. MCKAY: No. The last three weeks I
22	have been across Long Island looking at
23	fields in North Hempstead and Syosset. These
24	companies are now becoming very competitive
25	nationwide.

	1	
2 " " . 1	2	These new fields are unbelievable. It's
	3	a plastic fiber. It's inlaid with rubber and
	4	sand mix.
	5	MS. VILORIA-FISHER: But it has
	6	permeability too, doesn't it?
	7	MR. MCKAY: Yes. That's most important.
	8	The average price right now for one synthetic
	9	lighted field, it's a separate charge, we are
	10	strictly putting in one field.
	11	It's roughly about a million dollars or
	12	a little bit more. And the bulk of the
, de	13	expense is drainage. These fields are, when
	14	it rains, storm water, it comes through the
	15	turf.
	16	And it's an extremely elaborate drainage
	17	system that the water is charged and fed into
	18	catch basins and so forth.
	19	THE CHAIRMAN: Just out of curiosity.
	20	The cleats aren't catching in the turf?
	21	MR. MCKAY: Cleats are not permitted.
	22	You have to wear like a natural footed shoe.
	23	THE CHAIRMAN: Someone who has an old
7	24	knee injury from football, years ago, I'm
× .	25	dough good one about the

just curious about it.

2	MR. MCKAY: They have done study after
3	study about sharp turns. So the good thing
4	is that they have already put these fields
5	across Long Island and we are getting the
6	benefit of getting the best product out
7	there.
8	So phase one is primarily going to be
9	these two lighted synthetic fields for our
10	use.
11	Our use of sports is absolutely booming
12	to meet demand. And we feel that with the
13	synthetic field lighted, it will be able to
14	help meet demand.
15	We have seen a tremendous interest in
16	football, soccer, lacrosse, both boys and
17	girls. It's everybody.
18	Phase one also being on Bellrose Avenue,
19	some common measures. A new entrance would
20	come in. Coming off the side is a school
21	building, coming off the edge of our property
22	into the back. Also phase one will be the
23	traffic enhancements along Bellrose.
24	Phase two, we are going to go into or

down below here. The grade will drop down.

1	
2	Right now it's a lighted, basically a dirt
3	field.
4	That will be transformed into the
5	primary, it would be a construction of a
6	ballast playground. Ballast playground is ar
7	especially designed playground where able
8	bodied kids can play alongside children with
9	disabilities.
10	There was a fantastic program on Rich
11	Prendergast. He lives in Stony Brook. I
12	highly encourage you to look him up and read
13	about him.
14	He is the most amazing person that I
15	have ever met. He was a school teacher in
16	Northport several years ago. We are going to
17	be naming that playground in his honor.
18	It's where able bodied, again it's for
19	children with disabilities that can play
20	alongside. Children who are fortunate to be
21	able bodied.
22	Also we are doing a splash park as well
23	for the kids. And also phrase three will be
24	a new skate park. We received a state grant
25	already, a blank state grant. So we are

1	
2	hoping to do that as well.
3	And then phase three also would be up
4	and above to the north will be construction
5	of new little league fields and what is
6	called Keyball field for the little kids.
7	Those would be the regular turf fields.
8	And also in phase four I guess we would
9	say is way up here off Middleville Road. We
10	will be putting in a new parking lot and also
11	just to help with the trails and so forth in
12	the park, hiking trails and also I believe
13	equestrian as well.
14	MS. MYLES: There's an aerial if you
15	want to put up the schematic.
16	MR. MCKAY: If you are not familiar,
17	it's quite a park and area. This is the V.A.
18	Hospital. Over here there is a nine hole
19	golf course. And we have property over
20	here which kind of feeds into our park over
21	here.
22	THE CHAIRMAN: Don, where is north on
23	that aerial?
24	MD MCVAV. In hore The Long Island

MR. MCKAY: Up here. The Long Island

Sound would be way up. And then south.

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2	Again this is Bellrose Avenue. Lark Hill
3	would be over here to the west.
4	And then Smithtown would be fairly close
5	over here to the east. So that's really,
6	again phase one, really the primary
7	construction is going to be the synthetic
8	lighted turf field or synthetic turf field.
9	And also in phase two we are going to
LO	have up here, this is an existing lighted
11	grass field which we are going to redo and
L2	enhance the irrigation. Basically rip up the
13	entire field and replace the turf as well.
L4	That's natural grass. Are there any
L5	questions at all?
L6	THE CHAIRMAN: I've got one or two
17	questions and then Jim will hit them. First
18	off I appreciate the presentation. It's very
19	professional.
20	I don't think that there is anything
21	that you forgot or that you did not consider.
22	With the bulldozing down at the bottom of the
23	map that you were talking about to create the
24	slopes, there was mention a moment or two ago
25	about re-stabilization. What is that going

1	
2	to consist of? I'm just curious.
3	MS. MYLES: In terms of the grading, the
4	stabilization?
5	THE CHAIRMAN: The re-stabilization of
6	that particular slope. Will it be
7	landscaping?
8	MS. MYLES: There will be final
9	landscaping. We will be planning an erosion
10	control program as part of our design
11	specifications.
12	So it's likely to involve other measures
13	as well. I'm really not sure. They may do
14	some hydro seeding immediately to stabilize
15	before they do the final plans.
16	THE CHAIRMAN: You answered the
17	question. You are basically going to be
18	doing some re-stabilization over there as
19	part of the plan.
20	MS. MYLES: Absolutely. And one thing
21	that I didn't mention. We are not utilizing
22	the actual 20 acres.
23	Although it is our understanding that
24	those 20 acres might be available for active
25	recreation. We are holding between three and

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2	four in passive condition, the northern most
3	component of that parcel.
4	It's nicer woodland right there and it's
5	nicer, more mature oak woodland that has been
6	less disturbed than the rest of the property.
7	Most of this site has been disturbed in
8	the past by the federal government activity.
9	THE CHAIRMAN: Jim.
LO	MR. MCKAY: Just one more note on that
L1	too. As far as drainage, the water does come
L2	down. It's channeled into an elaborate
L3	system. It will not be dumped onto the
L4	property to the east or to the west.
L5	THE CHAIRMAN: It will be contained on
L6	site.
L7	MR. MCKAY: Yes. It will be into the
L8	ground water. That's the way they are
19	designed. And these fields are designed
20	where you can have a two inch rainfall.
21	And half an hour later when the skies
22	clear, you could actually play ball. That's
23	how they are designed.
24	THE CHAIRMAN: Jim.
25	MR. BAGG: If I might point out. \$\frac{1}{2}\$
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2	believe that this project does not go to the
3	legislature. It is up to the Parks
4	Commissioner to work with the Town in terms
5	of an agreement in the development of these
6	facilities. So any CEQ recommendation would
7	go to the Commissioner of Parks.
8	In addition, I understand that the Town
9	of Huntington has sought SEQRA lead agency.
10	So in that particular instance whatever their
11	final determination is, the County would be
12	bound by it.
13	And then thirdly, the Town has a policy
14	of only using indigenous species for
15	landscaping. And dark skies lighting would
16	be required.
17	MS. MYLES: We have a dark skies
18	ordinance. We have a very strict ordinance
19	that was just updated last year.
20	THE CHAIRMAN: So basically by making
21	that statement you will be following dark
22	skies as part of this application?
23	MS. MYLES: Absolutely.
24	MR. BAGG: How about the landscaping?
25	MS. MYLES: I don't think that would be

1	
2	a problem. We can specify that.
3	MR. MCKAY: Also these will be two
4	lighted synthetic fields. Today's lighting
5	for athletic fields has taken leaps and
6	bounds as far as containment on the field.
7	You can actually now with these new
8	lighting systems, you can stand roughly
9	fifteen or twenty feet away off the playing
10	surface and you will be in the shadows.
11	There will be no leaking of the lights onto
12	other properties.
13	MR. BAGG: Also as was pointed out, the
14	Town did review this proposed recreation
15	facility or a facsimile thereof when the
16	property was purchased. They made a
17	recommendation at that point and time for a
18	negative declaration.
19	Really that's why it's come back in here
20	for the re-stabilization of that half acre
21	park to the west for the fields. And I
22	understand as Margo said that the northern

So to some extent we are talking about a

portion of the active property would be kept

in its natural state.

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2	half acre as trade off as opposed to three or
3	four acres to the northern portion of the
4	property.
5	THE CHAIRMAN: Any other questions by
6	the members?
7	MS. SQUIRES: I just wanted to make a
8	comment. This represents the best of
9	cooperation between the County and the Town.
10	In terms of as this was a shared
11	acquisition that Margo stated, there were
12	responsibilities placed on the Town of
13	Huntington to develop this portion as active
14	recreation.
15	There have been countless hours and
16	many, many expenses that are associated with
17	this and such an extraordinary professional
18	job by the Town of Huntington personnel.
19	And I simply wanted to say what an
20	excellent job the Town has done with
21	assistance from the County. Nick has been
22	involved in this planning.
23	So it very much is the best proceeding
24	of what is required of a town when the County
25	makes a purchase.

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2	THE CHAIRMAN: For whatever it's worth,
3	I second what you are saying. I was very
4	impressed with the presentations that the
5	Town of Huntington has been making on this
6	property.
7	It's been very well thought out and
8	presented to us. I don't think that they
9	forgot to say anything that was needed.
LO	I wish that other towns would come in
L1	with plans like this. I have seen one or two
12	but those are the exceptions rather than the
13	norm. Are there any other comments from the
14	members?
15	(None.)
16	THE CHAIRMAN: All right, we have to
17	make some recommendations on this to the
18	Parks Department. We have already gotten a
19	statement here that dark skies will be
20	followed so that we don't have to follow that
21	into any of our recommendations.
22	There was a comment made about
23	indigenous trees. And Legislator Fisher is
24	not here right now but I know that she would

be very appreciative of that.

2	She sits on the task force and is very
3	much in favor of enhancing indigenous
4	species. So that would be the only
5	recommendation that I think we should throw
6	into my motion that we make.
7	Does anyone else have any ideas that
8	they want to throw in regarding anything?
9	Recognizing Mr. Murray.
10	MR. MURRAY: Mr. Chairman, having been
11	involved with this proposed development and
12	during the proposed acquisition and the
13	proposed development of the parks, while I
14	was Director of the Department of Planning
15	and Environment for the Town, I would have to
16	recuse myself from action on this.
17	THE CHAIRMAN: So recognized. All
18	right, Jim, basically we are making
19	recommendation to the County Parks Department
20	at this point and time.
21	Can we put it in terms of a SEQRA
22	motion. I don't think, I mean we are taking
23	a hard look.
24	MR. BAGG: Well basically it's before
25	Parks So I mean the Town has sought SEORA

2	lead agency designation. You can make a
3	recommendation to the Parks Commissioner as
4	to whether or not you feel that the Town of
5	Huntington should be designated the SEQRA
6	lead agency and possibly a recommendation as
7	to how you think that the proposed disruption
8	of the half acre of property and what the
9	best of the facilities should proceed in
10	terms of SEQRA. You can make that
11	recommendation.
12	THE CHAIRMAN: Can we go off the record,
13	please, for one second?
14	(Discussion off the record.)
15	THE CHAIRMAN: We'll go back on the
16	record then. What you basically stated, I
17	would appreciate it if we could put it back
18	onto the record.
19	MR. GIBBONS: Nick Gibbons, Parks
20	Department.
21	MS. SQUIRES: I have a right to vote
22	on this.
23	MS. SPENCER: We have five full members.
24	THE CHAIRMAN: We have one less present
25	at the meeting really because one person

recused himself to hold the meeting.

MS. SQUIRES: I also have a point of

clarification. So Nick should finish what

he's saying. Then maybe if I could make a

comment.

THE CHAIRMAN: Nick, if you could repeat what you stated as to some of the Park Department's fees. I believe that they related to our review under SEQRA of the half acre of land that is disturbed. And one or two other issues.

MR. GIBBONS: That's right. The

Parks Department wholly supports the concept

that is presented today. We worked with them

for a year on this.

What it boils down to is the Parks

Department encouraged them to come back today
to get confirmation from Council that Parks'
determination with respect to SEQRA and in
relation to that half acre incurring onto the
land preservation park parcel that is
directly west of the greenways parcel in and
of itself does not exceed any of the
thresholds in SEQRA and that it concurs with

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	2	that opinion.
	3	It would helpful for the Parks
	4	Department and it would at that point and
	5	time, we would be happy to concede lead
	6	agency status to the Town.
	7	THE CHAIRMAN: I think that we have
	8	pretty much taken a hard look at this
	9	project. And I think that we are okay on
	10	going forward with what you are talking
	11	about.
	12	I would say then that any motion that we
· · · · · ·	13	make should basically be phrased as follows.
	14	That the Council on Environment Quality has
	15	taken a hard look at the proposed land
	16	disturbance and also the overall plan.
	17	We find that the proposed disturbance is
	18	counter balanced by other planning elements
	19	and other construction elements of this plan.
	20	We don't feel that any SEQRA threshold
	21	has been exceeded. And we would find that
	22	this would be a negative declaration.
	23	We would make a recommendation that any
	24	disturbance be stabilized by addition of
	25	

species for replanting as part of our

2	landscaping plan that is submitted in the
3	future.
4	And we note that the Town has stated
5	that it will be giving a landscaping plan in
6	the future.
7	And I also think that we should include
8	as part of the motion that the Council is
9	fine with having the Town of Huntington serve
10	as lead agency if that's okay with the County
11	Parks Department. And that's the way I think
12	any motion should be capped.
13	MS. SQUIRES: I'll make that motion.
14	Before we vote, I'd like a point of
15	clarification.
16	THE CHAIRMAN: Yes.
17	MS. SQUIRES: I understand that we are
18	extraordinarily careful in terms of people
19	recusing themselves. I would like a
20	clarification as to why Mr. Murray recused
21	himself.
22	Because he was acting as a professional
23	in the Town of Huntington. So he has
24	knowledge of the process. He has
25	participated in the process.

But it would be as if Jim were to
participate in something that the County was
doing or Nick was participating in something
that the County was doing. Could you explain
to me why he can't?

THE CHAIRMAN: A little point first and then I'll turn it over to Mr. Murray for a second. Recusal is personal to each person at CEO.

There is no hard and fast rule at CEQ on any of this. We have never demanded that a member recuse themselves.

It is again, sometimes we suggest that if we see a conflict of interest or anything like that. It more shaves towards conflict of interest more than anything else.

But again there is no hard and fast rule. Nonetheless though it has been a historical fact in CEQ that whenever a project or an issue has come up where one of us generally feels that there is any type of a conflict or anything like that, the members have recused themselves as necessary.

It's called the discretion is the better

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2	part of valor and also an abundance of
3	caution. That's been the basic philosophical
4	attitude.
5	As to working as a staffer on something
6	as opposed to working in a determinative
7	position, that's something else. I'll turn
8	that over to Mr. Murray.
9	MR. MURRAY: I think that it's more a
10	matter of perception than anything else,
11	rather than being a full conflict of
12	interest.
13	Conflict of interest you have to recuse
14	yourself if you don't think you can be
15	objective. And that's when you are supposed
16	to do it.
17	But also if there may be a perception
18	that there is something unethical or
19	incorrect or that you were not or could not
20	be subjective. So that's the difference.
21	THE CHAIRMAN: There is one other aspect
22	and that applies to the attorneys who sit
23	on this Board. Attorneys are governed by the
24	rules that Richard was just saying.
25	

We also have conflicts of interest rules

106 1 and ethical rules as attorneys. So sometimes 2 3 I am governed by that and will recuse myself because of that. That just sort of adds to 4 5 what Richard just said. 6 MS. SOUIRES: But on the other hand 7 with this I am obviously in favor of this 8 project. And as a volunteer I have been 9 involved in it. 10 I would have no intention of recusing 11 myself from a decision on this. And in fact 12 I sit on CEQ as a member of the Town of 13 Huntington Conservation Board. 14 THE CHAIRMAN: The way I would look 15 at it would be if you had line authority to 16 make a decision on this particular project. 17 MS. SOUIRES: I have not. 18 THE CHAIRMAN: If you have not had that, 19 I don't see the conflict of interest. Merely 20 because you had interest in something or 21 worked at something doesn't necessarily knock 22 you out. 23 Sometimes though and this is getting 24 into the theoretical, if you have worked on a

project, sometimes theoretical conflicts can

2	arise. I don't think frankly that it rises
3	in this particular situation. But again
4	that's personal to you as to how you want to
5	handle that.
6	MS. SQUIRES: I made the motion.
7	THE CHAIRMAN: Do I have a second? She
8	said what I said.
9	MS. SQUIRES: It was a very long motion
10	which I am not sure I could repeat.
11	MR. BAGG: That's all right. It's for
12	clarification.
13	THE CHAIRMAN: Do we have a second?
14	MS. RUSSO: Second.
15	THE CHAIRMAN: I will call the vote.
16	I'll note that Mr. Murray has recused
17	himself. All in favor?
18	(Unanimous aye.)
19	THE CHAIRMAN: Unanimous. The vote
20	passes. Congratulations.
21	MS. MYLES: Thank you very much.
22	THE CHAIRMAN: Okay, going on with the
23	agenda. We have got the Scully estate
24	to deal with. Who is presenting on the
25	Scully estate?

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2	MR. MARTIN: What we are doing today
3	is to formally dedicate the Scully estate
4	to a Historic Trust.
5	The property was reviewed by the
6	Historic Trust Committee at their meeting
7	on site on May 11, 2005.
8	They did vote to approve the inclusion
9	of the total acreage which is 69.5 acres of
10	the original estate and all the original
11	buildings to the Suffolk County Historic
12	Trust.
13	And also propose the use and building of
14	the property to the Setuck Association which
15	since that time the Suffolk County Parks has
16	gone to contract with that organization to
17	run natural programs, natural history
18	programs at that site.
19	THE CHAIRMAN: Just to let you know
20	and I'll let the public know. One of the CEQ
21	members, Enrico Nardone, is the Director of
22	Setuck if I'm not mistaken.
23	MR. MARTIN: Yes. Since then we had our
24	meeting on site. We also prepared the
25	National Register notation which you have at

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2	the back of your handout here that has been	
3	reviewed by the State.	
4	The property is now formally listed on	
5	the State Historic Register and the National	
6	is listed in January 2007.	
7	But we would like to have the property	
8	formally dedicated to the Suffolk County	
9	Historic Trust. It's very important that we	
10	have that type of designation and supervision	
11	on the property from the County.	
12	I can go through some of the paperwork	
13	here and explain the background.	
14	THE CHAIRMAN: Haven't we gone through	
15	some of this in the past?	
16	MR. MARTIN: You people might be aware	
17	of this property because the County	
18	legislature has designated it as the	
19	Greenways Nature Interpretive Center.	
20	So it has been discussed quite a bit.	
21	But I can go through it. If I can answer any	
22	questions.	
23	(Discussion off the record.)	
24	MS. SPENCER: I think what is important	
25	here is that there are a number of buildings	

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2	that have been through the Historic Trust
3	Committee but have not come through the CEQ
4	to pass onto the legislature.
5	The CEQ needs to recommend for
6	dedication to the Trust. And this is the
7	first of those that Richard is bringing
8	forward.
9	We would like these as they come forward
10	from the Trust Committee to be placed on the
11	agenda. I think that it's a matter of
12	opening it up to people that questions about
13	it.
14	I mean, some of these properties will be
15	familiar to members of the CEQ and some
16	won't.
17	But bear in mind that these are parcels
18	that the Trust Committee is recommending to
19	CEQ to recommend to the legislature to place
20	on the Trust to dedicate.
21	THE CHAIRMAN: We need to do one quick
22	thing by the way. We need to drop out of the
23	CEQ meeting for a second.
24	MS. SPENCER: No, the CEQ is the
25	Historic Trust.

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2 3 3 2	2	THE CHAIRMAN: I know that.
	3	MS. SPENCER: We don't have to go out.
	4	We are.
	5	THE CHAIRMAN: Okay.
	6	MS. SPENCER: Right, Jim?
	7	MR. BAGG: That's correct. Also with
	8	the recommendation you should also make a
	9	SEQRA recommendation that the designation is
	10	really administrative and a type two action
	11	to the legislature as well as the
	12	recommendations for a dedication.
	13	THE CHAIRMAN: Are there any questions
	14	from members?
	15	MR. BAGG: One question, Richard. The
	16	entire property is to be dedicated?
	17	MR. MARTIN: Yes. I'll just briefly
	18	explain. On page 5 you have an aerial view
	19	of the property. What you are looking at is
	20	on the west side of Bayview Avenue in the
	21	hamlet of Islip.
	22	You can see a large lake that is
	23	actually manmade on the property. And this
7 · 3	24	is the 69.5 acres that has been listed on the
	25	National Register.

2	And that will all be used by the County
3	as part of the nature center. And the
4	buildings are on the top half of this piece
5	of property.
6	If you flip back to page 4, just the
7	previous page, you can see where the
8	residence is located.
9	And this is a large french provincial
10	style home that was built by Architect
11	Glovner Atterbe for the Weeks family in 1917.
12	So this highlights the architecture of
13	this site and also the environment. The
14	family that built the property was very much
15	interested as the County is now in preserving
16	the natural terrain of the building at that
17	site. At this point I will entertain any
18	questions.
19	THE CHAIRMAN: Seeing no questions,
20	I will call the motion. Does anyone want
21	to make a motion?
22	MR. MURRAY: I'll make a motion.
23	THE CHAIRMAN: I have a motion for a
24	type two action by Mr. Murray. Any
25	conditions that we want to throw in there or

2	any Historic Trust aspect that we want to
3	throw in there or need accompany it?
4	Jim.
5	MR. BAGG: There would be two
6	recommendations. The first recommendation
7	would be SEQRA. That designation is a type
8	two action.
9	And the second designation is to have
10	the legislature designate the property to the
11	Historic Trust.
12	THE CHAIRMAN: Well Mr. Murray made
13	that motion. We will follow up on what Jim
14	just said. Do I have a second?
15	MS. SPENCER: Second.
16	THE CHAIRMAN: I have a second by
17	Ms. Spencer. All in favor?
18	(Unanimous aye.)
19	THE CHAIRMAN: The motion carries
20	unanimously.
21	MS. SPENCER: Michael, just for the
22	record, we will be having more of these
23	and we would like them on the agenda.
24	And you can ask Jim for more clarification.
25	But my understanding is that the CEQ itself

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	2	is the trust.
	3	THE CHAIRMAN: We are the Historic
	4	Trust. At least in my memory we have always
	5	done motions as to the Historic Trust, not
	6	necessarily as to the CEQ.
	7	MS. SPENCER: I don't know that you
	8	have.
	9	THE CHAIRMAN: Jim says that it's okay.
	10	It's okay for me.
	11	MR. BAGG: The Historic Trust on the
	12	members of Council and the Environmental
· ()	13	Quality. It's difficult to differentiate
\\/	14	what role you are speaking of. I think that
	15	it's very clear by the motion.
	16	THE CHAIRMAN: It sounds good to me.
	17	In fact, it's almost noon and I'm getting
	18	punchy. Let's do Historic Services Report.
	19	MR. MARTIN: Just to announce that our
	20	next Committee meeting will be June 19th
	21	and this will take place at the Suffolk
	22	County Police Annex at the Yaphank garage
	23	at the corner of Main Street and Yaphank
/ N	24	Avenue. And that will be at 9:30.
	25	THE CHAIDMAN. Obey, Digh a guidle

THE CHAIRMAN: Okay. Rich, a quick

1		ТТ:
2	question. I see a bunch of notices over	
3	at Deepwells. What's going on with that?	
4	MR. MARTIN: That's a craft fair that's	
5	going to be held this weekend, Saturday and	
6	Sunday. This was a promotor that had done	
7	craft fairs at Flower Field for a number of	
8	years.	
9	And he approached the Historical	
10	Society, I think his arrangement at that site	
11	was not the same. And the historic site was	
12	a good fund raiser. So it's an actual fund	
13	raiser.	
14	THE CHAIRMAN: Because there's a lot of	
15	traffic in and it will expose the mansion	
16	over there to the public quite nicely.	
17	MR. MARTIN: Right.	
18	THE CHAIRMAN: That's it for Historic	
19	Committee. CAC concerns.	
20	MS. SQUIRES: I have just one comment	
21	and a request. The New York State	
22	Association of Environmental Management	
23	Council which CEQ is a member of, this is a	
24	County organization as I am President of the	
25	municipality, the CAC Conservation Board	

2	Association.
3	They are having a DEC update in Albany
4	on June 11th on Monday. Jim will get or
5	receive a final agenda of that meeting.
6	It typically runs from 9:30 to about
7	3 o'clock in the DEC building which is an
8	interesting green building. It's a very
9	valuable meeting. I go every year.
10	So if anybody is in Albany on that day,
11	I would request that if Jim could send that
12	email of the agenda when you get it.
13	MR. BAGG: Okay.
14	MS. SQUIRES: To the members. I think
15	that you might enjoy participation. It's a
16	good way to grill DEC on anything that you
17	might want.
18	THE CHAIRMAN: Any other concerns on
19	your end?
20	MS. SQUIRES: No.
21	THE CHAIRMAN: Okay. I will get to the
22	public portion of the meeting now. Seeing
23	that the public has fled, I doubt that there
24	is going to be a public portion. Are there
25	any concerns from CEQ members?

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2	MR. GROH: Richard Groh, Town of
3	Babylon Environmental. I just want to thank
4	you for having us attend. I'm very impressed
5	with the way that you are handling SEQRA
6	regulations. It's very professional and very
7	impressive.
8	THE CHAIRMAN: Well thank you very much.
9	MS. VILORIA-FISHER: I think that I have
10	one more thing. Have you talked about the
11	new people that we have approved in the
12	legislature to join us at CEQ?
13	Yesterday we voted on Laneer Brown and
14	all my constituents. You should be getting
15	those details. So we will have two members.
16	MR. BAGG: Well Mr. McKay was also voted
17	in.
18	MS. VILORIA-FISHER: He's here today.
19	THE CHAIRMAN: He's legal.
20	MR. BAGG: And as soon as we get
21	notified from the legislature with respect
22	to the other two members, we will send them
23	a little packet.
24	We will also send Rich a welcome packet

and notify them of the year's schedule as

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2	well as all the information for the next
3	meeting.
4	MS. VILORIA-FISHER: And I think they
5	will be terrific members. They are very
6	well qualified and everybody seems to be
7	very aware of SEQRA's regulations.
8	THE CHAIRMAN: Okay. Are there any
9	other concerns?
10	(None.)
11	THE CHAIRMAN: The time is now noon.
12	I will definitely entertain a motion to
13	adjourn.
14	MR. MURRAY: Motion.
15	THE CHAIRMAN: No one seconds it?
16	MS. SPENCER: Second.
17	THE CHAIRMAN: I'm not even going to
18	call the vote. We are out of here.
19	(Whereupon the meeting was concluded
20	at 12:00 p.m.)
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2	RE: Suffolk County Department of Planning Council on Environmental Quality
3	AT: Legislative Auditorium
4	725 Veterans Memorial Highway Hauppauge, N.Y.
5	ON: May 16, 2007
6	CERTIFICATE
7	I, JAMES F. GILL, a Shorthand Reporter and
8	notary public within and for the State of New
9	York, do hereby certify;
10	That I reported the proceedings in the
11	within-entitled matter, and that the within
12	transcript is a true and accurate record of such
13	proceedings.
14	I further certify that I am not related by
15	blood or marriage to any of the parties; and that
16	I am in no way interested in the outcome of this
17	matter.
18	IN WITNESS WHEREOF, I have hereunto set my
19	hand this $/$ day of $/$, 2007.
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21	Janes & Fill
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