SUFFOLK COUNTY DEPT. OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

9:35 A.M.
May 16, 2007

Legislative Auditorium
725 Veterans Memorial Highway
Hauppauge, N.Y.

APPEARANCES

MICHAEL KAUFMAN, Vice Chair
RICHARD MARTIN
DANIEL PICKNEY
GLORIA G. RUSSO
JAMES BAGG
VIVIAN VILORIA-FISHER
RICHARD MURRAY
MARY ANN SPENCER
STEVE BROWN
JOY SQUIRES
MARGE ACEVEDO
CHRISTINE DE SALVO

ACCURATE COURT REPORTING (631) 331-3753
THE CHAIRMAN: All right, everyone, I will just remind all the members that you have to speak into the mike.

Okay, my name is Michael Kaufman. I am the Vice Chairman of the Commission. I'm calling the CEQ to order at this point and time.

We have a quorum. I count five full voting members. Part of that particular list of voting members is a little bit of an addition which makes no grammatical sense what I just said.

We have five members. We are fine with a quorum. We have a new member here today who has properly signed the book and is officially recognized as the newest member of the Council on Environmental Quality.

He is sitting to my right. His name is Richard Murray. He is former Director with the Town of Huntington.

He is very much of a professional. I have encountered him several times at the Town of Huntington and have nothing but the greatest respect for him.
Some of the other members over here at the Council and some of our staffers have known him also and speak very highly of him. And I just basically would like to welcome him to the Commission at this point and time.

MR. MURRAY: Thank you.

THE CHAIRMAN: Has anyone read the minutes? I hear deafening silence. Okay, I would remind the members that eventually we all do really need to read the minutes.

I know that they can be a little bit hard to find. But Jim unfortunately places the website on the agenda so that we can't find them.

I guess we will defer the minutes that we have not read until the next meeting. So please let’s read them.

By the way, Larry Swanson, the Chairman, will not be here to govern over the meeting. So that’s why I’m running things.

I’m going to defer the public portion of the meeting until the end of the meeting. In case I forget, someone remind me. Let’s see.
Correspondence. We have no correspondence at this point and time.

Getting into the main part of the meeting, we are going to flip the agenda, today's agenda around a little bit.

We are going to do the land acquisitions first so that one of our members can review them quickly. So, Loretta. Excuse me.

MS. FISHER: Loretta Fisher. Principal, Environmental Analyst for the Suffolk County Department of Planning.

I have a number of acquisitions before you today. The first one is the Beekman property in our Forge River Watershed area.

This is a very small sliver of properties north of Sunrise Highway in an area that we are just starting to acquire parcels in.

This is near just south of the Forge River wetlands and stream corridor and north of Sunrise.

MS. SQUIRES: How much land?

MS. FISHER: It's .0274 acres. And this is a small piece of parcel in an area that we
identified our master list to acquire this old subdivision area just south of the Forge River north of Sunrise Highway.

So we are in the process of acquiring a number of parcels adjacent to that as part of our acquisition area.

THE CHAIRMAN: And these acquisitions are part of the County's overall effort to try and preserve the Forge River?

MS. FISHER: Yes. As I said, this was on our master list two area, Forge River Watershed.

THE CHAIRMAN: Do you have any idea what the point scale is on this one?

MS. FISHER: As I said, on master lists we did not rank them. It would obviously be a very important acquisition because it's in the watershed of the Forge River.

And therefore we are looking to acquire this whole area both south and north of Sunrise Highway to protect this watershed.

THE CHAIRMAN: I will also note for the record that it is near a fairly extensive fresh water wetlands. Mr. Brown, do you have
a question?

MR. BROWN: Actually I would like to make a motion.

MS. RUSSO: Second.

THE CHAIRMAN: Seconded by Ms. Russo.

All in favor?

(Unanimous aye.)

THE CHAIRMAN: Opposed?

(None.)

THE CHAIRMAN: Motion carried.

MS. FISHER: The next one is, it's an acquisition of land. It's not a donation as indicated on your agenda.

However, it is in the Overton Preserve, this parcel. It's a 12.25 acre parcel lot.

And we are doing a 50-50 match with the Town of Brookhaven to acquire this parcel.

It is in an area of over 400 acres that both the County and the Town of Brookhaven have been partnering and acquiring parcels including other pieces within this area called Overton Preserve in Coram, Town of Brookhaven.

THE CHAIRMAN: Loretta, are you sure
that this is an acquisition as opposed to a
donation?

MS. FISHER: Yes.

THE CHAIRMAN: Double checking on that.

MS. FISHER: As I said.

THE CHAIRMAN: I'll take your word for
it.

MR. BROWN: Motion unlisted.

THE CHAIRMAN: Thank you very much,
Mr. Brown. Any second?

MS. RUSSO: Second.

THE CHAIRMAN: Seconded by Ms. Russo.

All in favor?

(Unanimous aye.)

THE CHAIRMAN: Motion carried.

MS. FISHER: Thank you. The next one
is a Mastic-Shirley Conservation Area
acquisition, the Algieri property. This is
another small lot but again in a very
important area that the County has been
earmarking for protection in Mastic-Shirley
down in Mastic Beach, a low lying area very
close to the barrier beach in Brookhaven.

THE CHAIRMAN: I'll note for the record,
the County has an extensive program of trying to acquire properties and also deal with tax arrears in the Mastic-Shirley area. It’s a very low lying area. It’s subject to possible hurricane damage and things like that.

And the County has placed a lot of these properties on its acquisition map listing, naturalist one, naturalist two and some of the other lists that have come out subsequently to try and reduce population and reduce development in the area.

We have generally been trying to acquire the more environmentally sensitive parcels in the area. And I think that the map shows that.

MR. MURRAY: This property adjoins other land?

MS. FISHER: Yes, this is an area that we are trying to consolidate our holdings and identify all these lots within that area to acquire.

So this is a part of the larger acquisition area that we focused on to
acquire low lying title and freshwater wetlands, flood plain management, all those concerns that we have in this area.

MR. MURRAY: So it's not a single lot?

MS. FISHER: No. If you look at the map you can see how we have identified all the properties, master list two on the diagonal, other County properties in the green, the proposed acquisitions showing in red.

And the State of New York obviously has a large wetland, title wetland area to the west. And we are trying to consolidate this, our holdings here.

MR. MURRAY: Thank you.

THE CHAIRMAN: I'll take a motion unlisted.

MR. MURRAY: Neg dec.

THE CHAIRMAN: Second?

MS. RUSSO: Second.

THE CHAIRMAN: All those in favor?

(Unanimous aye.)

THE CHAIRMAN: Opposed?
THE CHAIRMAN: Motion carried.

MS. FISHER: Thank you.

THE CHAIRMAN: By the way, members, please use the microphone.

MS. FISHER: The next acquisition again in the Mastic-Shirley area, the same situation, same environmental issues.

This is on the peninsula that is extremely low lying. Actually it's inundated on a high tide cycle on a daily basis.

THE CHAIRMAN: Which one is this?

MS. FISHER: This is the Casto property.

THE CHAIRMAN: Yes. For the members' edification, looking at the map, it's located near a creek which apparently has some docks on it. And it also looks as if there is dune fields. It doesn't look like it's heavily vegetated. Are there any questions by the members?

MR. PICKNEY: Yes, I have a question.

THE CHAIRMAN: Mr. Pickney.

MR. PICKNEY: Just out of curiosity.

If there are homes or other buildings on the
property, does the County come in and
demolish them?

MS. FISHER: Not necessarily. We
generally avoid acquiring property with
improvements or structures on them.
It’s an unusual situation.

If we do do that, there have been cases
where we have demolished homes in certain
area where the house is structurally
insufficient.

MR. PICKNEY: Right.

MS. FISHER: And it would be better
for the environment to actually demolish
the home rather than retain it.

MR. PICKNEY: Right.

MS. FISHER: But we don’t generally
go after properties.

MR. PICKNEY: Thank you.

THE CHAIRMAN: I guess we don’t want
to put them into a rental situation
or anything like that.

MS. FISHER: You know, there are a
number of reasons why we don’t want to go
there.
THE CHAIRMAN: Okay.

MR. MURRAY: I make a motion unlisted dec.

MS. RUSSO: Second.

THE CHAIRMAN: All in favor?

(Unanimous aye.)

THE CHAIRMAN: Opposed?

(None.)

THE CHAIRMAN: Motion carried.

MS. FISHER: Thank you. The third Mastic-Shirley property, the Graham estate property. Again in our Mastic-Shirley area.

THE CHAIRMAN: It looks like a very exposed piece of property to any kind of a waste situation. Are there any questions from the members?

(None.)

THE CHAIRMAN: In which case I will entertain a motion.

MR. MURRAY: Motion unlisted neg dec.

MS. RUSSO: Second.

THE CHAIRMAN: Seconded by Ms. Russo.
All in favor?

(Unanimous aye.)

MS. FISHER: Thank you. The next one is the Ross School property.

THE CHAIRMAN: Loretta, could you hold up for a second?

MS. FISHER: Sure.

THE CHAIRMAN: Could we do number 12, the Bay Avenue property in the Town of Brookhaven? Jumping out of order a little bit.

MR. BROWN: Because I have to leave. Thank you.

MF. FISHER: I'm trying very hard to get through this very quickly.

THE CHAIRMAN: We are making the motions as quickly as we can.

MS. FISHER: I know. Bay Avenue property. This is Carrols River on the east side of Carrols River. We are acquiring half of the property.

The other half separately is being acquired by the Town of Brookhaven. This is on the Carrols River. It was a former
duck pond site.

And we own the Carrols River County Park, a 300 or 400 acre County park land on the west side of Carrols River in East Moriches in the Town of Brookhaven. Center Moriches I should say.

THE CHAIRMAN: Loretta, this is a former duck farm you said?

MS. FISHER: Yes.

THE CHAIRMAN: What's the condition of the property at this point and time?

MS. FISHER: The condition of the property has, obviously there's remnants of the duck farm and certain structures that still exist there.

The structures are going to be taken down as far as I understand it. The Town of Brookhaven will be managing this property, not only theirs but ours as well.

THE CHAIRMAN: Steve, do you have any comments on this at all?

MR. BROWN: I think that what we are looking at is we are looking at cleaning up an area that is contaminated by duck
farms in the past.

And what has happened is that we are trying to acquire these properties for preservation purposes rather than have a developer pick them up and vote on them. Basically we are looking at our waterways and protecting that.

THE CHAIRMAN: Do you think that this is a good acquisition?

MR. BROWN: Obviously.

THE CHAIRMAN: We are trying to preserve water for our property.

MS. VILORIA-FISHER: May I?


MS. VILORIA-FISHER: I have a question for either Steve or for Loretta because I am on the soil water district.

And I know that there had been some grants for remediation of duck farms. Is that one of them, Steve, do you know?

MR. BROWN: I'm not familiar with this one in particular. But we have gone out and looked to obtain that to alleviate
problems.

MS. VILORIA-FISHER: Do you know if any of the federal grants or applications have been made?

MS. FISHER: I'm not sure on this one particularly. I know that we are doing other wetland restoration on duck ponds on Mutt Creek and Robinson Duck Pond and other County properties. But I could look into that and find out.

MS. VILORIA-FISHER: I'll check at my next soil meeting and I will report back and let you know if we see any grants there.

MS. FISHER: All right.

MS. VILORIA-FISHER: Thank you.

THE CHAIRMAN: Basically that will ensure that this doesn't slip through the cracks or anything. Are there any other questions?

MS. FISHER: It definitely is a very important site for wetland restoration obviously for any reason.

MR. BROWN: I make a motion unlisted neg dec.
MR. MURRAY: Second.

THE CHAIRMAN: Calling the vote. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Opposed?

(None.)

THE CHAIRMAN: Motion carried. Any others that you need out of order?

MR. BROWN: No. Thank you very much.

THE CHAIRMAN: I'll let the record reflect that Mr. Brown will be leaving the meeting. Going back to the Ross School. This is the Airport County Nature Preserve addition in the Town of East Hampton, the Ross School property.

It is a 71 acre parcel just north of the East Hampton Airport in an area that the County and the Town of East Hampton has been earmarking for preservation.

This is in the South Fork SGPA area. And we have acquired a number of parcels primarily as partner with the Town of East Hampton. This will be a 50-50 acquisition.
THE CHAIRMAN: Plus it's also you said on the SGPA?

MS. FISHER: It is in the South Fork in the SGPA area. And it is an area that we highlighted also in our master list too for acquisition.

THE CHAIRMAN: Basically it's a priority acquisition. Are there any questions from the members?

(None.)

THE CHAIRMAN: Seeing none, I will ask for a vote.

MR. MURRAY: I move for unlisted neg dec.

THE CHAIRMAN: Second?

MS. RUSSO: Second.

THE CHAIRMAN: Seconded by Ms. Russo.

Calling the vote. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Opposed?

(None.)

THE CHAIRMAN: Motion carried.

MS. FISHER: Thank you. Number 8 is the Emerald Estates addition, the Coscia
property. It is a one acre lot that is part of about a 20 acre acquisition area that is located in the Greenlawn Hamlet of the Town of Huntington.

We have worked with the Town of Huntington to acquire these parcels and I believe that this is our last acquisition to fulfill our completed acquisition project here in this area.

It will be a trail for recreational use. The Town of Huntington will be actively involved in maintaining and providing that access as a partner in that respect with us within the entire area as well as this site.

THE CHAIRMAN: I'm noticing on here that there is listed in green proposed acquisitions in progress. And I also know that --

MS. FISHER: Most of these actually have been completed.

THE CHAIRMAN: That answers the question.

MS. FISHER: In progress. It should have been updated but we're sorry.
MR. MURRAY: Mr. Chairman?

THE CHAIRMAN: Yes.

MR. MURRAY: When I was Director of Planning, I was involved in the subdivision.

THE CHAIRMAN: You have to do it close.

MR. MURRAY: I was involved with the subdivision of this property as Director of the Department of Planning and Environment when I was in the Town.

And my staff was involved with the acquisitions and the requisitions for acquisitions.

So I am really not certain that I have a conflict of interest. But I think that I would recuse myself from this.

THE CHAIRMAN: I think that that's a wise decision. Okay. Nonetheless we may ask you if you have any other information on this. Do the members have any questions on any of this? Ms. Russo.

MS. RUSSO: Loretta, could you just explain the dashed white lines on the red and green, what that means?

MS. FISHER: Yes, the dashed red line
is the portion of the property that we are not acquiring. That is the developed portion. We are taking the one acre to the east outlined mostly in red.

So in order to identify what portions are what, that's how we delineate it. It should be actually in the legend to show that.

THE CHAIRMAN: In other words, Loretta, the people here are subdividing the property keeping part of it and selling part of it to the County?

MS. FISHER: Correct. One acre of it, yes.

THE CHAIRMAN: So it's a subdivision process?

MS. FISHER: Correct.

THE CHAIRMAN: Ms. Viloria-Fisher.

MS. VILORIA-FISHER: Where is the access?

MS. FISHER: The access will be through the other pieces, Vivian. There is also before you no road. There is an access point there as well.
Most of the actual formal access will be up north, I think it’s Cuba Hill Road if I’m not mistaken. I’m sorry, Clay Pitts. It will be access from Clay Pitts.

MS. VILORIA-FISHER: On the northern end.

MS. FISHER: On the north end.

MS. SQUIRES: But eventually you will be able to walk from Clay Pitts to Cuba Hill.

MS. VILORIA-FISHER: Where?

MS. SQUIRES: Along the trail.

MS. FISHER: Unfortunately this map doesn’t show the portion of the property.

MS. SQUIRES: It looks like a long string. And the portion that we acquired first, Emerald Estates is kind of a strange thing to call it.

At one point it was like the subdivision was called back. So it’s just hung onto the whole thing.

MS. VILORIA-FISHER: I have seen many of these acquisitions.

MS. SQUIRES: Although this portion was never really called Emerald Estates.
But the portion that we acquired first has parking, you know, can have parking, has walking trails that go through.

And this is just a completion of the County, what they are doing with that original acquisition.

MS. VILORIA-FISHER: Thank you.

THE CHAIRMAN: Mr. Pickney.

MR. PICKNEY: I just have a question. Does this property have any environmental significance other than to provide recreation or green space for that surrounding residential area?

MS. FISHER: There is no wetlands. It's not within an SGPA. There isn't any of those big tickets, environmental items on here.

But it is just basically for woodlands, you know, the woodland and habitat protection in that regard.

THE CHAIRMAN: But the Town of Huntington in the past has expressed great interest about establishing or concerning establishing a sort of trail system in the
area. And this is part and parcel of what
they are trying to do.

MR. PICKNEY: Right.

THE CHAIRMAN: I mean, they do have
objectives in this particular corridor.
So it's open space, trail, recreation, things
like that.

MS. FISHER: It's going to be passive
recreation and trails as I had mentioned.

THE CHAIRMAN: Ms. Spencer.

MS. SPENCER: I have a question. The
other parcels seem to have a more extensive
taking. This particular parcel has reference
into the --

MS. FISHER: Yes, that's because there's
a structure. You can't see it very well but
there is a structure in that particular area.

MS. SPENCER: Okay. And that's why?

MS. FISHER: Yes.

MS. SPENCER: Thank you.

MS. FISHER: You're welcome.

THE CHAIRMAN: Any other questions from
the members?

(None.)
THE CHAIRMAN: In which case I'll entertain a motion. Recognizing Ms. Squires.

MS. SQUIRES: Unlisted neg dec.

THE CHAIRMAN: Second?

MS. VILORIA-FISHER: Second.

THE CHAIRMAN: I'll calling the vote.

All in favor?

(Unanimous aye.)

THE CHAIRMAN: Motion passes. And we will just note for the record that Richard Murray has recused himself on this one.

The next one.

MS. FISHER: Number 9 is the Doxsee's Creek, the Drago property.

This is almost two-thirds of an acre of an property over on Doxsee's Creek.

This is one of a number of creeks that flow into the Great South Bay in the Town of Islip. This is in the hamlet of Islip.

Both the Town and the County have been acquiring parcels along this stream corridor for a number of years. And we are trying to pick up those that are outstanding that are left vacant undeveloped and not owned by a
municipality at this point along here.

We have identified a number of lots on
master list II. And a number we have
acquired.

The Town has also acquired property
which is immediately adjacent to it to the
west. And to the south there's County owned
property.

We are also pending acquisition of a
property south of there in the orange. And
we are trying to pick up these pieces to
consolidate our holdings.

THE CHAIRMAN: Just for members'
edification, the County has a program to try
and preserve these smaller streams in other
townships.

I know, for example, Santapogue Creek
which I could not spell to save my life and
several other creeks, we are just dealing
with Carrols River also. The County has
active programs dealing with all of this.

MS. FISHER: There are all areas that
are identified in your master list. So if
you don't have copies, you know, let me know
and I can certainly give them to you to see where our interests county wide are so that you could get yourself up to speed if you need to.

THE CHAIRMAN: Any other questions by the members?

(None.)

THE CHAIRMAN: Seeing none, I will ask for a vote or a motion rather.

MR. MURRAY: Unlisted neg dec.

THE CHAIRMAN: Second?

MS. RUSSO: Second.

THE CHAIRMAN: I'll call the vote. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Motion carries.

MS. FISHER: Number 10 is the Fresh Pond/Dickerson Creek acquisition, Lawnsdale.

This is a 1.2 acre parcel in the Town of Shelter Island.

This is an important watershed along Dickerson Creek that flows into Peconic Bay.

We have acquired other pieces with the Town.

We are buying this one on our own,
however. But there are other ones that the Town has picked up on their own as well in this area.

We have identified a number of parcels on master list II. Those were some listed on master list I that we have already acquired in green.

And we are continuing to acquire parcels within this watershed for watershed protection.

THE CHAIRMAN: Any other questions from the members?

(None.)

THE CHAIRMAN: Hearing none, I will ask for a motion.

MS. VILORIA-FISHER: Motion unlisted neg dec.

THE CHAIRMAN: Second?

MS. RUSSO: Second.

THE CHAIRMAN: I’ll call the vote.

All in favor?

(Unanimous aye.)

THE CHAIRMAN: Any no votes?

(None.)
MS. FISHER: Thank you. And the last one for today, number 11, is Mills Pond, the Arthur H. Cotins property. This is a two acre lot in St. James, Town of Smithtown, within the Mills Pond area.

The Town of Smithtown owns adjacent property to the west and to the south. The Mills Pond actually, this property bisects the Mills Pond itself area.

This is just south of 25A across from the farm field and extensive farm field for this area in St. James.

It's historic. It's a historic building. We are acquiring this under SOS Hamlet Park component. We are looking to retain the structure.

The house is a historic structure as far as I am aware. And it is also adjacent to other town historic structures just as I said on the town properties to the west.

So we would like to protect and preserve this historic area intact as it is known.

And this is the type of acquisition.
THE CHAIRMAN: Mary Ann.

MS. SPENCER: This structure is listed on the State and National Historic Register.

MS. FISHER: Very good.

THE CHAIRMAN: It’s adjacent to the Mills Pond property. I believe it’s Greek revival if I’m not mistaken as to the structure.

MR. MARTIN: Just to give you a little background. The original part of the structure dates back to 1720. And it was one of the Mill family homes actually within a 200 acre historic district.

That was listed on the National Register in 1973. And there were different additions and changes up until 1910 to the house.

We actually have what can look like a Queen Anne style home. But the original section dates back to 1720.

MR. MURRAY: Is this the acquisition of a historic structure on a historic landmark parcel, designated landmark parcel?

MR. MARTIN: I’m sorry. Is it?

MR. MURRAY: Yes.
MR. MARTIN: Yes.

MR. MURRAY: It is?

MR. MARTIN: I'm not clear what the question is.

THE CHAIRMAN: I won't put words in your mouth.

MR. MURRAY: Pursuant to the SEQRA regulations anything having to do with a historic structure is a type one action. Even the acquisition I would say.

That doesn't mean that an impact statement has to be done. It can still be a neg deck. But at least a full environmental assessment form would have to be filled out. And I would just bring that to your attention. I wouldn't want to stumble or I wouldn't want the Committee to stumble over their own feet on something that is as important as everybody seems to think it is.

THE CHAIRMAN: I would address this question to Richard and to Loretta. If we have to hold off for a month on this particular document, is there going to be any crisis caused by that in terms of
acquisition? There may be another way to handle this. I'm just asking.

MS. FISHER: I haven't heard that there is a problem with the timing per se. But I would like to defer and get back to you on that.

THE CHAIRMAN: Okay.

MR. BAGG: If you look at the rules and regulations, type one says that any unlisted action, unless the action is designed for the preservation of the facility or the site.

MR. MURRAY: I stand corrected.

MR. BAGG: So this is designed for the preservation of this particular site. So therefore it could still be deemed as an unlisted action.

MR. MURRAY: I stand corrected. Thank you.

THE CHAIRMAN: You would still need to do an EAF? That is the question.

MR. BAGG: There is a short EAF that was handed out on the paperwork to you.

THE CHAIRMAN: I never read that stuff.
MR. BAGG: I don't want to confuse you with facts.

MS. SPENCER: I have another question.

THE CHAIRMAN: Yes, I am confused by the facts. But Jim is correct. There is an EAF attached to the form.

MS. FISHER: You work so hard. How can you not look at all our words.

THE CHAIRMAN: I'm sorry I even doubted you.

MS. SPENCER: And Loretta also gets it in.

THE CHAIRMAN: Thank you. Mary Ann.

MS. SPENCER: I have a question.

Would you explain the revocable trust? Why is the work revocable here?

MS. FISHER: The trust, I can't tell you any more than that. It's something that I don't have expertise in. But it's the type of trust that I have heard of that --

MS. SPENCER: My question is, will this have an implication whatsoever?

THE CHAIRMAN: None whatsoever.

MS. FISHER: We are buying it fromACCURATE COURT REPORTING (631) 331-3753
the trust.

THE CHAIRMAN: The trust itself as a real estate attorney who does this kind of stuff, the trust itself is just a form of title ownership.

And the revocable aspect is only to the owners as they exist right now.

MS. SPENCER: That's what I wanted to know.

THE CHAIRMAN: Once the County buys it, the owners of the trust have to sign the deed. It no longer becomes revocable.

MS. SPENCER: Okay.

THE CHAIRMAN: So it's not as if it's a fee simple or anything like that.

MS. SPENCER: That's what I wanted to know.

THE CHAIRMAN: Legislator Fisher.

MS. VILORIA-FISHER: I'm not sure whether Loretta or Richard could answer this question. But when I went to look at this house, it's a wonderful house, there were representatives from a local volunteer group there.
Do you know if we are going to have an official partnership with them? Are they going to be licensees? Are they going to be caretakers?

I just want to know what kind of position we have there. Because we don’t have the kind of personnel that we need for the County to take on another historic building that is old and will require maintenance operation costs.

MR. MARTIN: Do you know which group the volunteers are from?

MS. VILORIA-FISHER: I can’t.

MS. FISHER: I think it was the local historic society.

MR. MARTIN: From the Smithtown Historical Society?

MS. FISHER: yes. But I haven’t heard anything formal presented. So I don’t have that information.

MS. VILORIA-FISHER: Something like that?

MS. FISHER: We would hope to, yes.

And we asked Legislator Noweck to reach out
to them. And we haven’t heard anything
definitive at this point yet.

THE CHAIRMAN: As a resident of the
Town of Smithtown and knowing some of the
parties involved, I am sure that the
Historical Society will show some interest.
They have managed a number of historic
buildings on the Jericho Turnpike corridor.

And they have an interest in this
particular building in the past. It may be
and I would address this also to Richard.

It may be that we can combine the
interest with what’s going on at Deepwells
right now.

MR. MARTIN: The Deepwells Farm
Historical Society were also asked if they
were interested and they did get a tour of
the property.

But they feel at this point that they
really need to concentrate their efforts at
Deepwells to make that successful.

I did not know if the Smithtown
Historical Society took a tour. So I will
need to contact them and see what their
interests are.

MS. VILORIA-FISHER: I'm sorry I can't be more specific. There were several people that walked through with us because there was such a great interest in the preservation.

MR. MARTIN: Right.

MS. FISHER: I would contact Legislator Noweck. She would have the most information. She's the one that put in the planning steps resolution.

And we kind of take the sponsor's lead in acquisitions of this kind. We hope that we will have a partner very much so.

THE CHAIRMAN: Mary Ann, I would ask that you look into this at your Historic Trust Committee also and just sort of take note of the fact that this property is going to be acquired.

MS. SPENCER: Obviously. This is just a land acquisition. And the County does acquire it and it automatically goes on the agenda.

THE CHAIRMAN: It would have to go onto the heritage trail.
MS. SPENCER: I don’t know about. This is just a land acquisition.

THE CHAIRMAN: I’m just saying.

MS. SPENCER: Normally when the County purchases a property, if it is of this significance, they can file simultaneously dedicated to the Historical Trust. That’s not what is before us.

THE CHAIRMAN: Right.

MS. SPENCER: If they acquired this land, then Richard will look at it and the Trust Committee will look at it and bring it forward. I would assume that it’s on the State and National Register.

THE CHAIRMAN: Yes.

MS. SPENCER: And we will recommend it for dedication.

THE CHAIRMAN: That’s where I was going to go. If we are buying a historical building of this significance, obviously it needs to be probably dedicated into the Historic Trust. That’s the only way to really manage things.

MS. SPENCER: I’m just saying take it
one step at a time.

THE CHAIRMAN: Loretta, just out of curiosity for my own edification. It comes up on the map Suffolk County development, right?

MS. FISHER: Farmland development, right.

THE CHAIRMAN: How many acres were preserved up there? Do you have any idea?

MS. FISHER: No.

THE CHAIRMAN: I know that Larry Swanson called me up last night and said that if he was here he would have voted in favor of this.

Again he and I both know the property. I’ll entertain a motion if there is no other questions.

MS. SPENCER: Yes.

THE CHAIRMAN: Motion by Mary Ann Spencer.

MR. MURRAY: Second.

THE CHAIRMAN: The motion would be an unlisted neg dec seconded by Richard Murray.

I’m calling the question. All in favor?
(Unanimous aye.)

THE CHAIRMAN: Unanimous. Motion carried.

MS. FISHER: Thank you very much.

MR. MURRAY: Mr. Chairman, can I say something?

THE CHAIRMAN: Yes.

MR. MURRAY: I would like to qualify my voting today.

THE CHAIRMAN: Yes.

MR. MURRAY: I have presented material on every project and Ms. Fisher's recitation on each one.

It gave me enough information to be able to qualify me to vote. Even though this is my first visit and my first sitting at this Board.

THE CHAIRMAN: Okay.

MR. MURRAY: Thank you.

THE CHAIRMAN: I found your participation to be quite effective. Now we jumped around a little bit on the agenda.

So we have to go back now a little bit. We did not do the legislative packet, SEQRA
resolutions laid on the table for April 24th
and May 15th, legislative pleadings.

I'll ask Jim to point out anything of
interest to the council. Just to remind
everyone at this point and time what is
required to complete SEQRA.

The handwriting that you see to the left
is I believe Jim's. And it describes what we
need to do to finish SEQRA and it tells us
the state of all these particular projects
and resolutions.

MR. BAGG: Okay. Most of the
resolutions are straightforward type two
actions or they have already been reviewed
and SEQRA is complete. There are a number of
SEQRA resolutions in the packet which do
complete the SEQRA.

One thing that I want to point out.
Those are laid on the table. On 4-4-07 is
introductory resolution number 1359.

It's amending the 2007 capital budget
and program and appropriating funds in
connection with the storm water system
discharge remediation and stream water silt
removal and remediation of the Nissequogue tributary headquarters north of CI76, Town Line Road, to Millers Pond, Smithtown Lake, Ronkonkoma, Old Nichols Road corridor and the surrounding areas.

That resolution says that it's a type two action. But it appropriates $100,000 to do work in the Nissequogue River to try to help alleviate flooding.

And those are all wetland areas. And it would be physical alteration of the land.

So technically it probably would either be most likely a type one action or an unlisted action requiring an EAF. I would like to point that out.

THE CHAIRMAN: Jim, I agree with you. I don't like the designation as a type two. Frankly I'm also unhappy that it did not come to CEQ.

I have a lot of issues with this particular project. But I'm not going to go into this at this point and time. But I think that it's a type one personally.

MR. BAGG: Right. Also resolutions that
were laid on the table yesterday. There were a number of water qualify protection resolutions. Number 1484 through 1489.

And they are also earmarked as type two actions because they are involved in planning. What I understand that monies in those resolutions are also earmarked for construction.

And that also involves physical alteration of land. And it basically should require an EAF.

THE CHAIRMAN: We don't have the EAF at this time.

MR. BAGG: All we have is the resolutions that were laid on the table.

THE CHAIRMAN: This problem can start snowballing if we are not careful. And I just want to make sure that we don't end up in any kind of legal problem.

Planning is usually a type two activity when the County appropriates money. When they do actual construction of these projects, it's generally unlisted.

And I agree with you on your analysis.
And we probably do need an EAF to look at all of this stuff.

These projects are going to start coming more and more. I have a problem with the County mixing them if you will and mixing the construction and the planning aspects of them.

Maybe they should be separated or maybe the County should be told that properly under SEQRA if they are going to go this way they will need an EAF.

Again I don't want to have a legal situation where we haven't had the appropriate hard look. Even though most of these water quality projects are presumptively intended to have a positive environmental impact in terms of storm water remediation, et cetera.

MS. VILORIA-FISHER: Well they would be positive impact environmentally. If there is an EAF, would it have to come before CEQ?

MR. BAGG: Technically everything is supposed to come before CEQ. That's why we review the packet.
MS. VILORIA-FISHER: Right.

MR. BAGG: But through the packet indirectly we review it. That's where to some extent the Council flags certain projects that may need further review in this particular instance.

I know that the Water Quality Committee when they approve those projects, then the resolutions are automatically submitted.

And what is being submitted is that they are being submitted as designed, you know, planning and design.

But yet construction is also included in that. And they are not getting the necessary SEQRA review that they need.

MS. VILORIA-FISHER: I don't believe that they have gone before the Water Quality Review yet.

MR. BAGG: I believe they have, yes. And I think that's one of the problems.

MS. VILORIA-FISHER: This group that you just mentioned has gone through that?

MR. BAGG: I believe so, yes.

MS. VILORIA-FISHER: Okay.
THE CHAIRMAN: What I would suggest is these are probably coming through DPW.

MS. VILORIA-FISHER: That's another thing that's become a little bit confusing. We have a piece of legislation that we are considering wherein these water quality projects come under the auspices of the Department of Environment and Energy.

And Commissioner Gallagher will then coordinate with DPW. But the teams working on the water quality project I think will be working under Commissioner Gallagher.

So when we have or when we consider these in CEQ, I think that we need to reach out to both Commissioner Gallagher and Anderson to see which one of them would have the purview to come here before CEQ to speak on these.

THE CHAIRMAN: Yes.

MS. VILORIA-FISHER: Jim, I'm certain that you aware of that legislation that puts the Chair of the Water Quality under the DEE.

MR. BAGG: Yes.
MS. VILORIA-FISHER: Rather than DPW.

MR. BAGG: Yes.

MS. VILORIA-FISHER: And most of those teams working on that have been moved to DEE now, I believe. And so I believe that should be clarified when we look at CEQ and who would be comparing the EAF.

MR. BAGG: That's correct. I did notify by email yesterday. I sent an email to the effect of what I just stated to Commissioner Gallagher as well as to DPW as well as to the Health Department for clarification on the project saying that there was money in there for actual construction and improvement.

And that was not a design aspect of the project. And they probably wanted further review under SEQRA.

THE CHAIRMAN: Right. So basically if I understand what's going. Jim, you'll be trying to make sure that if there is construction involved we'll get an EAF out of this.

And you'll be telling I guess the two
Commissioners that mixing apples and oranges can create a problem under SEQRA. And we’ll try to work that out one way or the other.

MR. BAGG: Right. I mean, I’m not saying that these projects have an adverse impact and it will probably be beneficial. However, the classification is incorrect. And technically you are not supposed to spend or fund a project until SEQRA is complete.

And if some aspect of the project requires EAF’s, they should be formally submitted. CEQ should make a recommendation to the Commission and the legislation should make a final determination.

THE CHAIRMAN: In terms of actions since we normally do an up and down both on the packet itself, do you think that it’s wise to pull these particular ones out and not vote on them or list them as unlisted and just say we need to have supplementary EAF’s?

MR. BAGG: I think that what I give you in the packet does note that. These are not type two’s. These are either unlisted or
type one's and they do require an EAF to be submitted to the Council and then an ultimate decision by the legislature.

You don't want to eliminate them. If you adopt what I have said here and concur with it, this goes before the legislature's environmental committee which is chaired by Legislator Fisher and duly noted.

THE CHAIRMAN: So we will just reclassify these particular ones, I think 1359 and also 1484 to 1489.

We will reclassify them as unlisted requiring EAF's which is what Jim basically has noted down here.

And the EAF's will be required to be submitted to CEQ and to the legislature, the proper committees. Are these any other issues?

MR. BAGG: No.

THE CHAIRMAN: The Nissequogue River gives me still a little bit of a pause. If we are going to be classifying it as a type one, because I think it is a type one, I think that there are certain designations
on there at State level which would require
us to place it as a type one.

Do you think that there is any further
action that we should recommend at this
point and time?

MR. BAGG: Well I do know that
Legislator Kennedy is working on this
as well as the negotiated DEC on
implementation of this project. So it is
getting reviewed.

But the question really comes down to is
the Department of Public Works or the
legislature can designate DEC or Smithtown as
the lead agency.

But you are not supposed to fund until
SEQRA is complete. So I would assume that
one of those agencies would have to
appropriate the money before a designation is
allocated.

THE CHAIRMAN: I definitely think that
we should put it as a type one EAF required
if nothing else and leave it to the
legislature.

MR. MURRAY: Do you know where it is
on the type one list?

MR. BAGG: Pardon?

MR. MURRAY: You want to designate it as a type one. I'm asking where it is on the type one list.

MR. BAGG: Well basically I think that it's going to involve clearing silt and mud out of wetlands in the eastern branch of the Nissequogue River which will probably involve more than ten acres, physical alteration of ten acres.

MR. MURRAY: Designated wetland?

MR. BAGG: Yes.

THE CHAIRMAN: Designated wetland. I live in the Nissequogue area and I am familiar with the area. It's a State designated wetland.

Also portions of this are within wild rivers recreational program. It's also designated on several Smithtown lists as being environmentally sensitive land.

So I think that it kind of hits the triggers. I think that it may end up as over ten acres and it also is about the
most sensitive land that you can have
which is why I have some reservations about
what is going to be going on.

But those reservations are better held
in my opinion for a later time. Okay, are
there any other issues, Jim?

MR. BAGG: No.

THE CHAIRMAN: Then we'll do a motion.
I'll take a motion to accept staff
recommendations.

MS. VILORIA-FISHER: I'll make the
motion.

THE CHAIRMAN: Do I have a second?

MS. SPENCER: Second.

THE CHAIRMAN: Seconded by Mary Ann
Spencer. Calling the vote. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Okay. Let the record
reflect that Mr. Murray has recused himself
on these particular motions.

I'm trying to figure out the agenda.
Where are we? I'm going to go back to
number three.

Sewer District number three, Southwest,
Bergen Point storage building. Is there anyone here to present on that particular project?

MR. GROH: I'm not here to present. I want to introduce myself.

THE CHAIRMAN: Come up. You have to go in front of the microphone.

MR. GROH: Okay. I'm Richard Groh, Chief Environmental Analyst.

THE CHAIRMAN: For who?

MR. GROH: Of Babylon.

THE CHAIRMAN: Okay.

MR. GROH: I'm just here to observe. There has been a heightened awareness on the sewer plant because of a previous proposal.

And Town Supervisor Steve Malone wanted me to come down to attend the meeting. We recognize that it's only a Butler building.

But irregardless, they wanted somebody here. And I am just observing. Thank you.

THE CHAIRMAN: Not a problem. Thank you very much for coming down.
MR. GROH: Okay.

THE CHAIRMAN: Do you have any objections to this, any comments on this particular construction project?

MR. GROH: No. We have no comments. We have no objections. We recognize that it's a storage structure and we will leave it at that.

THE CHAIRMAN: Okay. I have discussed this particular project with several of the members earlier today. It's my opinion that this is an unlisted project. It's right at 4,000 square feet.

And as one member pointed out, the regulations I believe say less than 4,000 square feet is a type two. 4,000 is according to the legal semantics of the document in the unlisted category.

So I think that it's going to be an unlisted. If members want to look at the plans at all.

Just to refresh everybody's memory on this Berger point. It's an extensive industrial complex. It sits near title

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wetlands.

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
levels on the slight during normal working hours.

And again it's described as a short term construction impact. The Department of Public Works has stated that they do not believe it will have an adverse impact on the environment.

Looking at the map, it looks like it's in an already disturbed area. And I'll turn it over to the members for any analysis that they want to do.

It doesn't look like it's in the title wetlands at all. And I will note for the record that it is near an existing building.

MS. RUSSO: Are we to assume that the entire area has already been paved over?

THE CHAIRMAN: No but there is very little preservation in this particular area. We are talking about spring vegetation. That's from personal knowledge.

If you also look at the EAF itself, I believe they said that they were going to be taking out a little bit of vegetation if I'm not mistaken.
But we are not talking about a forest or anything like that. They are talking about .06 acres of vegetation. And it's basically shrub and stuff like that.

MR. MURRAY: This is strictly for storage?

THE CHAIRMAN: This is what it is stated to be.

MS. RUSSO: Mr. Groh, would you be able to answer if the local residents have any objection to the new building?

MR. GROH: We haven't received any phone calls or anything like that.

MS. VILORIA-FISHER: Would you come back to the microphone, please.

MR. GROH: To the best of my knowledge we haven't received any phone calls in opposition to the project.

MS. ROSEN: I was curious because on the EAF form they asked a question about disturbing scenic views. And they checked off yet.

MR. GROH: I believe, I printed out a map. I don't know if you want that for the
record. I believe that it's a fairly disturbed area where that structure is going.

THE CHAIRMAN: Reviewing the EAF, I don't see anything that comes out at me.

MR. RUSSO: Mr. Groh, do you know what they are currently using for storage of their materials right now?

MR. GROH: I couldn't really comment. I know that these are materials on the aerial photograph that are outside perhaps. I don't want to speculate.

(Discussion off the record.)

THE CHAIRMAN: Are there any other questions from the members? We have all looked at the map. We have an idea of where it's going to be going.

I will entertain a motion. That would most likely be an unlisted.

MS. RUSSO: I make a motion unlisted action neg dec.

THE CHAIRMAN: Okay. I have a motion.

MR. MURRAY: Second.

THE CHAIRMAN: I have a second by Richard Murray. Let me ask the question
first. Calling the question. All members in favor?

(Unanimous aye.)

THE CHAIRMAN: Unanimous. Motion carried. Nick, about how long is your Blydenburgh Dog Run presentation going to be?

MR. GIBBONS: As long as you make it.

THE CHAIRMAN: In which case it's approved. We'll do you first then. Then we'll hold the Veterans Park complex and the Scully situation until afterwards.

I'm recognizing Nick Gibbons, principal environmental analyst for the Department of Parks.

MR. GIBBONS: Senior.

THE CHAIRMAN: Senior.

MR. GIBBONS: If you are offering a principal, I'm interested.

THE CHAIRMAN: Well we do have the authority to bump up your grade in civil service if you are really nice.

MR. GIBBONS: I'll start by apologizing that you didn't have that ahead of time.
THE CHAIRMAN: Not a problem. This will be at Blydenburgh County Park.

MR. GIBBONS: Correct.

THE CHAIRMAN: As many of us are familiar with. The critical question for me is whether there is going to be inside the historic trust area.

MR. GIBBONS: The answer to that is no.

THE CHAIRMAN: Is there any other designator regarding this particular dog run in terms of preservation or anything like that?

MR. GIBBONS: Only in the sense that the park was the subject of a comprehensive plan that dates back to 1977. It's a little bit before my time.

But after reviewing the document you might understand that it didn't anticipate or discuss dog runs in this use. It outlined the park.

I am going to pass the critical crux of that plan of this map that identifies conservation and preservation areas.
I'll just call your attention to the fact that the activity field that we intend on using at least partially for this project is not even reflected in this base map that came with the plan.

So I am assuming that the plan was essentially ignored for the construction of that activity field which I couldn't get a date on.

I also want to give to you for your review a couple of aerials here that show the existing conditions of the field.

And that's a little more pulled back. It will give you some variance in the sense of where this is actually located.

THE CHAIRMAN: I know the park and the ground where you are talking about.

(Discussion off the record.)

MR. GIBBONS: And just back to that apology earlier was that this plan was only finalized yesterday.

And although it can be debated whether or not I have to be here at all to present this, I wanted to bring it to the Council's
attention given their interest in the park
and in particular Blydenburgh. Questions
regarding any of these items?

MS. VILORIA-FISHER: Nick, I have a
question.

THE CHAIRMAN: Legislator Fisher.

MS. VILORIA-FISHER: Nick, I'm
looking at the large schematic here that
you gave us.

MR. GIBBONS: Right.

MS. VILORIA-FISHER: Now as you know,
dog parks have become a great issue of
discussion in the legislature.

MR. GIBBONS: I'm getting that feeling,
yes.

MS. VILORIA-FISHER: And there has
been, Nick, some of the people who are
advocates for the dog park have explained
this concept of a holding area or an
unleashed area.

Now I am looking at this four inch bank
up on the upper left of this page.

MR. GIBBONS: Yes. Fence detail.

MS. RUSSO: I'm sorry, I misspoke.
Withdrawn. Where you show just below the wooded area, it shows small dog area and then holding area.

Then south of that is another holding area. And then at the bottom of that there seems to be another double gated area.

MR. GIBBONS: Yes.

MS. VILORIA-FISHER: Are there three holding areas?

MR. GIBBONS: Yes, that’s correct.

THE CHAIRMAN: Is this a dog run or a prison?

MR. GIBBONS: Evidently it’s important for the dogs to have a small area for a transition from being on leash before they are released into the dog run. So that has to be in place at every entrance to the dog run.

MS. VILORIA-FISHER: Okay. I just wanted to understand that there are three of them.

MR. GIBBONS: Yes. And the other thing that compounds us a little bit is that there are separate areas for smaller dogs which is
an ambiguous definition as far as I can tell and a large dog area. Each one of those will need that same area.

MS. VILORIA-FISHER: And, Nick, in one of the discussions, I have looked at some dog parks in other states. And they have receptacles where people can get doggie bags cleaned up.

MR. GIBBONS: Yes.

MS. VILORIA-FISHER: Where will they be?

MR. GIBBONS: We use them in parks now with mixed success. They will be available here. The details of this haven’t really been defined.

There are receptacles in that area already. So it doesn’t really or at least that aspect of this property doesn’t affect park operations.

MS. VILORIA-FISHER: And there will be dispensers for the doggie bags?

MR. GIBBONS: Yes, we have those in place. Not at this site in particular but we do have them in the other areas in the park.
MS. SQUIRES: The Town of East Hampton has very nice receptacles for picking up. I mean, they are clean looking and neat looking. They are on the beach.

MR. GIBBONS: Everybody pretty much uses the same one.

THE CHAIRMAN: Other questions before we get into a technical issue. Okay. I'm glad to see that this is outside of the historic area.

Just to remind everyone. About two or three years ago I looked into this particular issue of dog runs in the Historic Trust areas.

And I contacted some of the authorities in Washington, D.C., the National Park Service and some of the historic societies there.

And I also contacted Shipo in Albany. And no one had ever come up with the idea of State parks or no one had ever come up with the idea of a dog run in a historic area.

MR. GIBBONS: One of the earlier ideas was to have those fields show up on the base
map in the northeast corner of the park.

Near the district anyway.

Those fields have since reverted back to essentially woodland. So while they appear as open fields on the base map and I’m sure that they were thirty years ago, the condition of the property is not that way anymore.

THE CHAIRMAN: Now here is the technical issue. You presented us with a plan, a rather extensive one.

I’m noting the legend that it is a plan prepared by a Citizens Advisory Committee, the County Planning Department, et cetera.

Is this an adopted, duly adopted master plan?

MR. GIBBONS: Yes, it has been adopted.

THE CHAIRMAN: Okay.

MR. GIBBONS: Whether or not the term "master plan" was invoked at the time, evidently not. It’s referred to as a comprehensive plan for the park.

THE CHAIRMAN: That’s a critical thing. Because we are going to be dealing with this in another context in a while.
Now looking at the map, I am the only one here who has this at this point and time. I also happen to know the park. I've been there many times.

There are legends as to conservation areas and preservation areas. And the legend itself states that preservation and conservation areas are clearly designated.

Reservation implies limited access plus control while conservation implies slightly more intensive use while still controlled.

The dog run area according to the aerial photographs that I have been given and according to the schematic design looks to be in the conservation area.

MR. GIBBONS: That's correct.

THE CHAIRMAN: It's not a construction use as we would normally classify a construction use. Basically it looks like a fencing for all intents and purposes and shall we say pick up stations.

So looking at the legend and knowing how the County works it, my guess is that this is, this type of conservation area is capable
of having slightly more incentive uses.

MR. GIBBONS: I want to read into the record two more lines that are contained within the body of the documents that speak to the definition of a conservation area.

THE CHAIRMAN: That's exactly where I was going to go.

MR. GIBBONS: The intent of the conservation designation is to maintain the area in its natural condition as much as possible while permitting certain recreational uses.

Any part of the plan such as trails or camp sites which become subject to extensive damage shall be reclaimed and the use shifted to a nearby area on a suitable site.

I just want to remind you that the activity field itself was constructed after the plan was adopted as evidenced by the note showing up on that base map.

However, the definition anyway or their interpretation of the conservation area permitted such use in clearing.

We are not proposing that with the
exception of, and I want to call your
attention to this as well.

There will be by necessity an eight foot
path that will destroy any major trees for
the perimeter fence that extends into the
woodland.

That is the southern, well it's half of
the southern portion of the dog run area.

THE CHAIRMAN: Basically you are going
to avoid trees and avoid creating any
stabilization of soils that might be runoff.

MR. GIBBONS: Well trees can't entirely
be avoided. There is an intact area. Trees
will be removed.

However, the fence is going to be
installed through the path of least
resistance in an effort to avoid any major
trees.

THE CHAIRMAN: I'm confused a little bit
then. Again I'm the only one with the map
over here at aerials.

You handed us an aerial a couple of
minutes ago with white marks on it outlining
a 40 by 250 by 400 foot section.
It looks from the aerial as if it's mostly clear at this point and time.

MR. GIBBONS: That's only the dimensions of the existing activity field. Our proposal is only to take over half of that for this purpose.

THE CHAIRMAN: So is the area that you are going to be using mostly clear at this point and time or not?

MR. GIBBONS: An acre of that will be the southern half of that field. And if you look more closely at the design, you will see that the second, the entire area is two and-a-half acres.

The north portion, the northern most acre is cleared. It's the existing activity field or a portion thereof. The other acre and-a-half to the south is all wooded.

THE CHAIRMAN: So that's going to be taken out.

MR. GIBBONS: The perimeter of that is roughly eight feet around.

THE CHAIRMAN: So you are not going to be knocking down the entire forest?
MR. GIBBONS: Not at all. In fact, this
seems to address an interest by the dog folks
off an area that's more naturalized but
however does not require on leash.

The entire park is available for people
to walk their dogs on a leash. This area is
to give the dogs and owners an opportunity
off leash but in a wooded setting.

MS. SQUIRES: Nick, there are two
arrows. But I don't think, what separates
large dogs from small dogs?

MR. GIBBONS: There's actually a fence.

MS. SQUIRES: This is a fence? The
arrows indicate a fence?

MR. GIBBONS: Those are arrows, the
139 foot and the 172 feet.

MS. SQUIRES: Yes.

MR. GIBBONS: Those are only the width.

MS. SQUIRES: How do you separate the
dogs?

MR. GIBBONS: Small dog area is
identified with an area that points down to
what would be the southeast corner. It's 63
foot.
There's actually a perimeter fence around the small dog area which is a rectangle. I'll come up and explain that.

THE CHAIRMAN: Off the record.

(Discussion off the record.)

MS. SQUIRES: What we were asking about is the small dog area which it was. And it's a small rectangle that Nick just identified for us.

MR. BAGG: If I might say something.

THE CHAIRMAN: Yes.

MR. BAGG: Basically a master plan is a guide for future growth. It is nothing more than that. It is not a site plan. It is not a laid in concrete development proposal.

It is a guide for future development. Usually master plans are revised every ten years pursuant to planning law.

This plan was developed in 1977 and has served as a rough guide for the Parks Department since that time.

So it should not be used as a hard and fast rule for judging proposed facilities.
That master plan originally, when an environmental impact statement went through CEQ, it was passed out by the legislature. So technically this facility would not fall under that original EIS and findings statement. However, you know, it should undergo the appropriate SEQRA review with a recommendation.

I would also like to ask Nick too that this proposed project, the final decision maker I believe is the Commissioner of Parks here. This does not go back into the legislature for approval.

MR. GIBBONS: That's correct.

MR. BAGG: It's going to be done within the Department of Parks. And technically Parks did not have to bring this into the Council because it doesn't go before the legislature.

But Neck wanted to inform you of what was taking place and get your recommendation for the Department.

THE CHAIRMAN: Personally I don't have a problem with this. I think it conforms with
the language from 1977, the language that we have been given by Nick, et cetera.

I think that this is in the conversation area as designated on that map an appropriate use. I don’t think that it’s highly intensive.

I do disagree with you though, Jim, in one respect. I give plans a little bit more credence and a little bit more long term effective impact.

And we do have a very detailed controlled map here. And again knowing the site, this is a pretty extensive plan that I think that is a little bit more finding impact than you might give it regardless.

My personal opinion right now prior to any discussion among the members, and it can always change, is it’s probably a compatible use.

Do the other members have any comments?

Again I am the only one with the green map. I am showing you all the green map.

MS. VILORIA-FISHER: Actually I wanted to ask Jim. What we are doing is either
accepting this or are we making a SEQRA determination on this?

MR. BAGG: Basically I believe that Nick brought it in here for the CEQ's recommendation. But that recommendation we go back to the Commissioner of Parks in terms of SEQRA. Because he will make the final decision.

I think that the legislature already passed legislation in terms of placing dog runs in parks.

MS. VILORIA-FISHER: Yes. And that it would be the Parks Commissioner and its staff that would site the location.

MR. BAGG: So your recommendation would be to go back to the Parks Department for them to act on the SEQRA. Because technically it is still a SEQRA action.

MS. VILORIA-FISHER: Do I make a motion of unlisted neg dec?

THE CHAIRMAN: Everyone is finished with their questioning? Are there any other questions?

(None.)
THE CHAIRMAN: In which case I'll entertain a motion.

MS. VILORIA-FISHER: Motion neg dec.

THE CHAIRMAN: Second?

MR. MURRAY: Second.

THE CHAIRMAN: I'll call the vote. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Unanimous.

MS. VILORIA-FISHER: And, Nick, I think it's a great plan. I'm looking forward to seeing one in my district.

MR. GIBBONS: Thank you.

THE CHAIRMAN: I'm also very glad just for the record that it is in conformance with my opinion and in conformance with the master plan.

MR. GIBBONS: Okay.

THE CHAIRMAN: Let's take a five-minute break. Then we will deal with some other stuff here.

(Recess.)

(After recess continuing.)

THE CHAIRMAN: Members, we are going to
start up again. I'm calling the meeting back to order.

The next item on the agenda is the proposed Veterans Park complex development in the Town of Huntington. And we have several Town of Huntington residents here. So I will recognize Margo Myles from the Town of Huntington.

MS. MYLES: Margo Myles, Town of Huntington, Department of Planning and Environment.

MR. MCKAY: I'm Don McKay, Director of Parks for the Town of Huntington.

MS. MYLES: We are really excited to be back here today. This is actually the third time that we have come before CEQ for what was formerly known as the Benjamin property. We call it Knolls Park now.

This is a site that was 82 acres that was acquired cooperatively between the Town and the County using three programs of County funding and two Town funding programs. So actually five separate funding programs went into this property.
The property was acquired in December 2000, 82 and-a-half acres. The County funding programs were 20 acres under the green and was an active recreation area, 32 acres under drinking water protection and 30 acres co-owned by Town and County under land preservation partnership.

We have been working diligently since this property was acquired to come up with a plan for the active recreation component. And that’s most of what we are going to talk to you about today.

We have coordinated our SEQRA review. This is a type one action. And we have or we are trying to establish lead agency status for this project.

We have forwarded this to the Department of Parks and Recreation for the Commissioner’s input. It’s my understanding that this does not require an action before CEQ.

We are bringing this to you for informational purposes at the recommendation of the Commissioner of Parks and also to
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
property, Albert Benjamin, did not receive
$3 million of the $8 million payment for the
property until we were assured that the
property was cleaned to the satisfaction of
the Health Department and the New York State
DEQ.

There was a proposed remediation program
that had been worked through with the State
and the County while this action was pending
consideration for a rezoning by the Town
Board in Huntington.

The exact same remediation program was
required of the owner before we would turn
over the final escrow payment.

So in the start of 2001 Albert Benjamin
was required to complete this cleanup.

What I have given you as an attachment
to the EAF is the final investigation report
that was prepared by H2M which identifies
exactly everything that they encountered
during that cleanup.

That cleanup spans a five month time
period. Over I believe 250 cubic yards of
material were removed from the site.
There were a great many lagoons that had been filled. It was essentially a fill site. For the most part construction debris from old buildings at the V.A. were used when they closed that sewerage treatment facility.

A great deal of the structural, the concrete, the piping and whatnot were also removed at the same time.

We followed up on the heels of the cleanup with a Citizens Advisory Committee. That was appointed by the Town Board.

There were three members that were County representatives on that Committee. One representing the local legislator, one representing Suffolk County Park Trustees and one representing the Parks Department for the County.

So we had a great deal of County input as we developed what really were policy recommendations for the four part complex.

Although the 82 and-a-half acres comprise what we call Knolls Park, there were three other parks that adjoined it, all three 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
linger will be moved out.

We posted the entire property. We have
two extremely well community input sessions
to design this park.

The first one was attended by almost 300
people. The second one we just had about
150. So we have gotten a great deal of input
on what people would like to see at the park
and an opportunity to talk through the
changes that are proposed.

This is an EAF that we have given you
that involves three owners. The properties
that are owned by the Town, co-owned by the
Town as well as the property owned by the
County and a small portion that’s actually
held by the Northport School District which
we have requested for transfer.

So our environmental review that is
proposed will be looking at all of the
ownerships, all of the elements here.

When we last came before CEQ, it was for
maintenance of the fire lanes in the complex
at the request of the East Northport Fire
Department.
There has been some trimming but they have not done the full opening in certain areas that they would like to do.

They have been holding off until we finish the SEQRA review really for the entire project. So there has been some basic maintenance but not as far as they might like to go.

THE CHAIRMAN: Margo, once the full review is finished, does the Fire Department intend to cut the fire lanes?

MS. MYLES: Yes. And those fire lanes for the most part are in place. They are just going to be widened slightly and they have got to do some topping in a few areas so that they have full clearance for their brush trucks if they need to get in.

THE CHAIRMAN: Okay.

MS. MYLES: But that’s already been --

THE CHAIRMAN: We reviewed that in CEQ as you said.

MS. MYLES: Absolutely. Our Director of Parks and Recreation is going to talk about improvements here. There are a couple
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
less than a half acre area. It's actually three blips.

We moved one so that it covered the two. Where we have to go across the line in order to grade to set a softer one on the grade. Otherwise we have to put in a hard structure, a wall right along the line.

The area that we are looking to regrade through here would be an area that we would fully restore with landscaping.

It's not going to have trails or any other improvements in that particular area. But it really is to save us from having to build a large structure in that place.

I would like to turn it over to Don to talk about what is proposed here.

MR. MCKAY: Do I need the microphone?

THE CHAIRMAN: Yes.

MR. MCKAY: I'll use the mike. Very quickly. The main phase one of development in looking down here at the bottom just for a note.

There is an existing down here at the very bottom on Burroughs Avenue, there is an
existing recreational facility, handball court, basketball court.

Up here is a lighted turf soccer field. Down below is a lighted field. It used to be softball. It’s now primarily soccer. Both of these fields are in poor condition.

Phase one what we are proposing here is two lighted synthetic athletic fields. I’m sure that other towns across Long Island and wherever else, it’s the in thing now.

School districts are doing it. They are bonding and so forth. Everyone is going towards these synthetic fields.

If you are at all familiar with them, when you see the old days of the Giants playing at Giant Stadium, it’s not like the old astro turf.

THE CHAIRMAN: It’s not going to hurt the kids’ knees?

MR. MCKAY: No. The last three weeks I have been across Long Island looking at fields in North Hempstead and Syosset. These companies are now becoming very competitive nationwide.
These new fields are unbelievable. It's a plastic fiber. It's inlaid with rubber and sand mix.

MS. VILORIA-FISHER: But it has permeability too, doesn't it?

MR. MCKAY: Yes. That's most important. The average price right now for one synthetic lighted field, it's a separate charge, we are strictly putting in one field.

It's roughly about a million dollars or a little bit more. And the bulk of the expense is drainage. These fields are, when it rains, storm water, it comes through the turf.

And it's an extremely elaborate drainage system that the water is charged and fed into catch basins and so forth.

THE CHAIRMAN: Just out of curiosity. The cleats aren't catching in the turf?

MR. MCKAY: Cleats are not permitted. You have to wear like a natural footed shoe.

THE CHAIRMAN: Someone who has an old knee injury from football, years ago, I'm just curious about it.
MR. MCKAY: They have done study after study about sharp turns. So the good thing is that they have already put these fields across Long Island and we are getting the benefit of getting the best product out there.

So phase one is primarily going to be these two lighted synthetic fields for our use.

Our use of sports is absolutely booming to meet demand. And we feel that with the synthetic field lighted, it will be able to help meet demand.

We have seen a tremendous interest in football, soccer, lacrosse, both boys and girls. It's everybody.

Phase one also being on Bellrose Avenue, some common measures. A new entrance would come in. Coming off the side is a school building, coming off the edge of our property into the back. Also phase one will be the traffic enhancements along Bellrose.

Phase two, we are going to go into or down below here. The grade will drop down.
Right now it's a lighted, basically a dirt field.

That will be transformed into the primary, it would be a construction of a ballast playground. Ballast playground is an especially designed playground where able bodied kids can play alongside children with disabilities.

There was a fantastic program on Rich Prendergast. He lives in Stony Brook. I highly encourage you to look him up and read about him.

He is the most amazing person that I have ever met. He was a school teacher in Northport several years ago. We are going to be naming that playground in his honor.

It's where able bodied, again it's for children with disabilities that can play alongside. Children who are fortunate to be able bodied.

Also we are doing a splash park as well for the kids. And also phrase three will be a new skate park. We received a state grant already, a blank state grant. So we are
hoping to do that as well.

And then phase three also would be up and above to the north will be construction of new little league fields and what is called Keyball field for the little kids. Those would be the regular turf fields.

And also in phase four I guess we would say is way up here off Middleville Road. We will be putting in a new parking lot and also just to help with the trails and so forth in the park, hiking trails and also I believe equestrian as well.

MS. MYLES: There's an aerial if you want to put up the schematic.

MR. MCKAY: If you are not familiar, it's quite a park and area. This is the V.A. Hospital. Over here there is a nine hole golf course. And we have property over here which kind of feeds into our park over here.

THE CHAIRMAN: Don, where is north on that aerial?

MR. MCKAY: Up here. The Long Island Sound would be way up. And then south.
Again this is Bellrose Avenue. Lark Hill would be over here to the west.

And then Smithtown would be fairly close over here to the east. So that’s really, again phase one, really the primary construction is going to be the synthetic lighted turf field or synthetic turf field.

And also in phase two we are going to have up here, this is an existing lighted grass field which we are going to redo and enhance the irrigation. Basically rip up the entire field and replace the turf as well. That’s natural grass. Are there any questions at all?

THE CHAIRMAN: I’ve got one or two questions and then Jim will hit them. First off I appreciate the presentation. It’s very professional.

I don’t think that there is anything that you forgot or that you did not consider. With the bulldozing down at the bottom of the map that you were talking about to create the slopes, there was mention a moment or two ago about re-stabilization. What is that going
to consist of? I’m just curious.

MS. MYLES: In terms of the grading, the stabilization?

THE CHAIRMAN: The re-stabilization of that particular slope. Will it be landscaping?

MS. MYLES: There will be final landscaping. We will be planning an erosion control program as part of our design specifications.

So it’s likely to involve other measures as well. I’m really not sure. They may do some hydro seeding immediately to stabilize before they do the final plans.

THE CHAIRMAN: You answered the question. You are basically going to be doing some re-stabilization over there as part of the plan.

MS. MYLES: Absolutely. And one thing that I didn’t mention. We are not utilizing the actual 20 acres.

Although it is our understanding that those 20 acres might be available for active recreation. We are holding between three and
four in passive condition, the northern most component of that parcel.

It's nicer woodland right there and it's nicer, more mature oak woodland that has been less disturbed than the rest of the property.

Most of this site has been disturbed in the past by the federal government activity.

THE CHAIRMAN: Jim.

MR. MCKAY: Just one more note on that too. As far as drainage, the water does come down. It's channeled into an elaborate system. It will not be dumped onto the property to the east or to the west.

THE CHAIRMAN: It will be contained on site.

MR. MCKAY: Yes. It will be into the ground water. That's the way they are designed. And these fields are designed where you can have a two inch rainfall.

And half an hour later when the skies clear, you could actually play ball. That's how they are designed.

THE CHAIRMAN: Jim.

MR. BAGG: If I might point out. I
believe that this project does not go to the legislature. It is up to the Parks Commissioner to work with the Town in terms of an agreement in the development of these facilities. So any CEQ recommendation would go to the Commissioner of Parks.

In addition, I understand that the Town of Huntington has sought SEQRA lead agency. So in that particular instance whatever their final determination is, the County would be bound by it.

And then thirdly, the Town has a policy of only using indigenous species for landscaping. And dark skies lighting would be required.

MS. MYLES: We have a dark skies ordinance. We have a very strict ordinance that was just updated last year.

THE CHAIRMAN: So basically by making that statement you will be following dark skies as part of this application?

MS. MYLES: Absolutely.

MR. BAGG: How about the landscaping?

MS. MYLES: I don’t think that would be
a problem. We can specify that.

MR. MCKAY: Also these will be two
lighted synthetic fields. Today’s lighting
for athletic fields has taken leaps and
bounds as far as containment on the field.

You can actually now with these new
lighting systems, you can stand roughly
fifteen or twenty feet away off the playing
surface and you will be in the shadows.
There will be no leaking of the lights onto
other properties.

MR. BAGG: Also as was pointed out, the
Town did review this proposed recreation
facility or a facsimile thereof when the
property was purchased. They made a
recommendation at that point and time for a
negative declaration.

Really that’s why it’s come back in here
for the re-stabilization of that half acre
park to the west for the fields. And I
understand as Margo said that the northern
portion of the active property would be kept
in its natural state.

So to some extent we are talking about a
half acre as trade off as opposed to three or four acres to the northern portion of the property.

THE CHAIRMAN: Any other questions by the members?

MS. SQUIRES: I just wanted to make a comment. This represents the best of cooperation between the County and the Town.

In terms of as this was a shared acquisition that Margo stated, there were responsibilities placed on the Town of Huntington to develop this portion as active recreation.

There have been countless hours and many, many expenses that are associated with this and such an extraordinary professional job by the Town of Huntington personnel.

And I simply wanted to say what an excellent job the Town has done with assistance from the County. Nick has been involved in this planning.

So it very much is the best proceeding of what is required of a town when the County makes a purchase.
THE CHAIRMAN: For whatever it's worth, I second what you are saying. I was very impressed with the presentations that the Town of Huntington has been making on this property. It’s been very well thought out and presented to us. I don’t think that they forgot to say anything that was needed. I wish that other towns would come in with plans like this. I have seen one or two but those are the exceptions rather than the norm. Are there any other comments from the members?

(None.)

THE CHAIRMAN: All right, we have to make some recommendations on this to the Parks Department. We have already gotten a statement here that dark skies will be followed so that we don’t have to follow that into any of our recommendations. There was a comment made about indigenous trees. And Legislator Fisher is not here right now but I know that she would be very appreciative of that.
She sits on the task force and is very much in favor of enhancing indigenous species. So that would be the only recommendation that I think we should throw into my motion that we make.

Does anyone else have any ideas that they want to throw in regarding anything?

Recognizing Mr. Murray.

MR. MURRAY: Mr. Chairman, having been involved with this proposed development and during the proposed acquisition and the proposed development of the parks, while I was Director of the Department of Planning and Environment for the Town, I would have to recuse myself from action on this.

THE CHAIRMAN: So recognized. All right, Jim, basically we are making recommendation to the County Parks Department at this point and time.

Can we put it in terms of a SEQRA motion. I don't think, I mean we are taking a hard look.

MR. BAGG: Well basically it's before Parks. So I mean, the Town has sought SEQRA
lead agency designation. You can make a recommendation to the Parks Commissioner as to whether or not you feel that the Town of Huntington should be designated the SEQRA lead agency and possibly a recommendation as to how you think that the proposed disruption of the half acre of property and what the best of the facilities should proceed in terms of SEQRA. You can make that recommendation.

THE CHAIRMAN: Can we go off the record, please, for one second?

(Discussion off the record.)

THE CHAIRMAN: We’ll go back on the record then. What you basically stated, I would appreciate it if we could put it back onto the record.

MR. GIBBONS: Nick Gibbons, Parks Department.

MS. SQUIRES: I have a right to vote on this.

MS. SPENCER: We have five full members.

THE CHAIRMAN: We have one less present 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
that opinion.

It would helpful for the Parks Department and it would at that point and time, we would be happy to concede lead agency status to the Town.

THE CHAIRMAN: I think that we have pretty much taken a hard look at this project. And I think that we are okay on going forward with what you are talking about.

I would say then that any motion that we make should basically be phrased as follows. That the Council on Environment Quality has taken a hard look at the proposed land disturbance and also the overall plan.

We find that the proposed disturbance is counter balanced by other planning elements and other construction elements of this plan.

We don't feel that any SEQRA threshold has been exceeded. And we would find that this would be a negative declaration.

We would make a recommendation that any disturbance be stabilized by addition of species for replanting as part of our
landscaping plan that is submitted in the future.

And we note that the Town has stated that it will be giving a landscaping plan in the future.

And I also think that we should include as part of the motion that the Council is fine with having the Town of Huntington serve as lead agency if that’s okay with the County Parks Department. And that’s the way I think any motion should be capped.

MS. SQUIRES: I’ll make that motion. Before we vote, I’d like a point of clarification.

THE CHAIRMAN: Yes.

MS. SQUIRES: I understand that we are extraordinarily careful in terms of people recusing themselves. I would like a clarification as to why Mr. Murray recused himself.

Because he was acting as a professional in the Town of Huntington. So he has knowledge of the process. He has 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 CEQ.

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
part of valor and also an abundance of caution. That's been the basic philosophical attitude.

As to working as a staffer on something as opposed to working in a determinative position, that's something else. I'll turn that over to Mr. Murray.

MR. MURRAY: I think that it's more a matter of perception than anything else, rather than being a full conflict of interest.

Conflict of interest you have to recuse yourself if you don't think you can be objective. And that's when you are supposed to do it.

But also if there may be a perception that there is something unethical or incorrect or that you were not or could not be subjective. So that's the difference.

THE CHAIRMAN: There is one other aspect and that applies to the attorneys who sit on this Board. Attorneys are governed by the rules that Richard was just saying.

We also have conflicts of interest rules
and ethical rules as attorneys. So sometimes I am governed by that and will recuse myself because of that. That just sort of adds to what Richard just said.

MS. SQUIRES: But on the other hand with this I am obviously in favor of this project. And as a volunteer I have been involved in it.

I would have no intention of recusing myself from a decision on this. And in fact I sit on CEQ as a member of the Town of Huntington Conservation Board.

THE CHAIRMAN: The way I would look at it would be if you had line authority to make a decision on this particular project.

MS. SQUIRES: I have not.

THE CHAIRMAN: If you have not had that, I don't see the conflict of interest. Merely because you had interest in something or worked at something doesn't necessarily knock you out.

Sometimes though and this is getting into the theoretical, if you have worked on a project, sometimes theoretical conflicts can
arise. I don't think frankly that it rises
in this particular situation. But again
that's personal to you as to how you want to
handle that.

MS. SQUIRES: I made the motion.

THE CHAIRMAN: Do I have a second? She
said what I said.

MS. SQUIRES: It was a very long motion
which I am not sure I could repeat.

MR. BAGG: That's all right. It's for
clarification.

THE CHAIRMAN: Do we have a second?

MS. RUSSO: Second.

THE CHAIRMAN: I will call the vote.

I'll note that Mr. Murray has recused
himself. All in favor?

(Unanimous aye.)

THE CHAIRMAN: Unanimous. The vote
passes. Congratulations.

MS. MYLES: Thank you very much.

THE CHAIRMAN: Okay, going on with the
agenda. We have got the Scully estate
to deal with. Who is presenting on the
Scully estate?
MR. MARTIN: What we are doing today is to formally dedicate the Scully estate to a Historic Trust.

The property was reviewed by the Historic Trust Committee at their meeting on site on May 11, 2005.

They did vote to approve the inclusion of the total acreage which is 69.5 acres of the original estate and all the original buildings to the Suffolk County Historic Trust.

And also propose the use and building of the property to the Setuck Association which since that time the Suffolk County Parks has gone to contract with that organization to run natural programs, natural history programs at that site.

THE CHAIRMAN: Just to let you know and I’ll let the public know. One of the CEQ members, Enrico Nardone, is the Director of Setuck if I’m not mistaken.

MR. MARTIN: Yes. Since then we had our meeting on site. We also prepared the National Register notation which you have at
the back of your handout here that has been reviewed by the State.

The property is now formally listed on the State Historic Register and the National is listed in January 2007.

But we would like to have the property formally dedicated to the Suffolk County Historic Trust. It’s very important that we have that type of designation and supervision on the property from the County.

I can go through some of the paperwork here and explain the background.

THE CHAIRMAN: Haven’t we gone through some of this in the past?

MR. MARTIN: You people might be aware of this property because the County legislature has designated it as the Greenways Nature Interpretive Center.

So it has been discussed quite a bit. But I can go through it. If I can answer any questions.

(Discussion off the record.)

MS. SPENCER: I think what is important here is that there are a number of buildings
that have been through the Historic Trust Committee but have not come through the CEQ to pass onto the legislature.

The CEQ needs to recommend for dedication to the Trust. And this is the first of those that Richard is bringing forward.

We would like these as they come forward from the Trust Committee to be placed on the agenda. I think that it’s a matter of opening it up to people that questions about it.

I mean, some of these properties will be familiar to members of the CEQ and some won’t.

But bear in mind that these are parcels that the Trust Committee is recommending to CEQ to recommend to the legislature to place on the Trust to dedicate.

THE CHAIRMAN: We need to do one quick thing by the way. We need to drop out of the CEQ meeting for a second.

MS. SPENCER: No, the CEQ is the Historic Trust.
THE CHAIRMAN: I know that.

MS. SPENCER: We don’t have to go out. We are.

THE CHAIRMAN: Okay.

MS. SPENCER: Right, Jim?

MR. BAGG: That’s correct. Also with the recommendation you should also make a SEQRA recommendation that the designation is really administrative and a type two action to the legislature as well as the recommendations for a dedication.

THE CHAIRMAN: Are there any questions from members?

MR. BAGG: One question, Richard. The entire property is to be dedicated?

MR. MARTIN: Yes. I’ll just briefly explain. On page 5 you have an aerial view of the property. What you are looking at is on the west side of Bayview Avenue in the hamlet of Islip.

You can see a large lake that is actually manmade on the property. And this is the 69.5 acres that has been listed on the National Register.
And that will all be used by the County as part of the nature center. And the buildings are on the top half of this piece of property.

If you flip back to page 4, just the previous page, you can see where the residence is located.

And this is a large french provincial style home that was built by Architect Glovner Atterbe for the Weeks family in 1917. So this highlights the architecture of this site and also the environment. The family that built the property was very much interested as the County is now in preserving the natural terrain of the building at that site. At this point I will entertain any questions.

THE CHAIRMAN: Seeing no questions, I will call the motion. Does anyone want to make a motion?

MR. MURRAY: I’ll make a motion.

THE CHAIRMAN: I have a motion for a type two action by Mr. Murray. Any conditions that we want to throw in there or
any Historic Trust aspect that we want to throw in there or need accompany it?

Jim.

MR. BAGG: There would be two recommendations. The first recommendation would be SEQRA. That designation is a type two action.

And the second designation is to have the legislature designate the property to the Historic Trust.

THE CHAIRMAN: Well Mr. Murray made that motion. We will follow up on what Jim just said. Do I have a second?

MS. SPENCER: Second.

THE CHAIRMAN: I have a second by Ms. Spencer. All in favor?

(Unanimous aye.)

THE CHAIRMAN: The motion carries unanimously.

MS. SPENCER: Michael, just for the record, we will be having more of these and we would like them on the agenda.

And you can ask Jim for more clarification.

But my understanding is that the CEQ itself
THE CHAIRMAN: We are the Historic Trust. At least in my memory we have always done motions as to the Historic Trust, not necessarily as to the CEQ.

MS. SPENCER: I don’t know that you have.

THE CHAIRMAN: Jim says that it’s okay. It’s okay for me.

MR. BAGG: The Historic Trust on the members of Council and the Environmental Quality. It’s difficult to differentiate what role you are speaking of. I think that it’s very clear by the motion.

THE CHAIRMAN: It sounds good to me. In fact, it’s almost noon and I’m getting punchy. Let’s do Historic Services Report.

MR. MARTIN: Just to announce that our next Committee meeting will be June 19th and this will take place at the Suffolk County Police Annex at the Yaphank garage at the corner of Main Street and Yaphank Avenue. And that will be at 9:30.

THE CHAIRMAN: Okay. Rich, a quick
question. I see a bunch of notices over at Deepwells. What’s going on with that?

MR. MARTIN: That’s a craft fair that’s going to be held this weekend, Saturday and Sunday. This was a promotor that had done craft fairs at Flower Field for a number of years.

And he approached the Historical Society, I think his arrangement at that site was not the same. And the historic site was a good fund raiser. So it’s an actual fund raiser.

THE CHAIRMAN: Because there’s a lot of traffic in and it will expose the mansion over there to the public quite nicely.

MR. MARTIN: Right.

THE CHAIRMAN: That’s it for Historic Committee. CAC concerns.

MS. SQUIRES: I have just one comment and a request. The New York State Association of Environmental Management Council which CBQ is a member of, this is a County organization as I am President of the municipality, the CAC Conservation Board
Association.

They are having a DEC update in Albany on June 11th on Monday. Jim will get or receive a final agenda of that meeting.

It typically runs from 9:30 to about 3 o'clock in the DEC building which is an interesting green building. It's a very valuable meeting. I go every year.

So if anybody is in Albany on that day, I would request that if Jim could send that email of the agenda when you get it.

MR. BAGG: Okay.

MS. SQUIRES: To the members. I think that you might enjoy participation. It's a good way to grill DEC on anything that you might want.

THE CHAIRMAN: Any other concerns on your end?

MS. SQUIRES: No.

THE CHAIRMAN: Okay. I will get to the public portion of the meeting now. Seeing that the public has fled, I doubt that there is going to be a public portion. Are there any concerns from CEQ members?
MR. GROH: Richard Groh, Town of Babylon Environmental. I just want to thank you for having us attend. I'm very impressed with the way that you are handling SEQRA regulations. It's very professional and very impressive.

THE CHAIRMAN: Well thank you very much.

MS. VILORIA-FISHER: I think that I have one more thing. Have you talked about the new people that we have approved in the legislature to join us at CEQ?

Yesterday we voted on Laneer Brown and all my constituents. You should be getting those details. So we will have two members.

MR. BAGG: Well Mr. McKay was also voted in.

MS. VILORIA-FISHER: He's here today.

THE CHAIRMAN: He's legal.

MR. BAGG: And as soon as we get notified from the legislature with respect to the other two members, we will send them a little packet.

We will also send Rich a welcome packet and notify them of the year's schedule as
well as all the information for the next meeting.

MS. VILORIA-FISHER: And I think they will be terrific members. They are very well qualified and everybody seems to be very aware of SEQRA's regulations.

THE CHAIRMAN: Okay. Are there any other concerns?

(None.)

THE CHAIRMAN: The time is now noon. I will definitely entertain a motion to adjourn.

MR. MURRAY: Motion.

THE CHAIRMAN: No one seconds it?

MS. SPENCER: Second.

THE CHAIRMAN: I'm not even going to call the vote. We are out of here.

(Whereupon the meeting was concluded at 12:00 p.m.)
RE: Suffolk County Department of Planning
Council on Environmental Quality

AT: Legislative Auditorium
725 Veterans Memorial Highway
Hauppauge, N.Y.

ON: May 16, 2007

CERTIFICATE

I, JAMES F. GILL, a Shorthand Reporter and
notary public within and for the State of New
York, do hereby certify;

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

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 1st day of JUNE, 2007.

[Signature]

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