SUFFOLK COUNTY DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

100 Veterans Memorial Highway
Hauppauge, New York 11788

November 19, 2008
9:30 a.m.

MEMBERS PRESENT:

MICHAEL KAUFMAN, Vice Chairman
HON. JAY H. SCHNEIDERMAN
EVA GROWNEY
RICHARD MACHTAY
GLORIA G. RUSSO
MARY ANN SPENCER
DANIEL PICHNEY

ZEB YOUNGMAN
RICHARD MARTIN, Historic Society Representative

JAMES BAGG, Chief Environmental Analyst
THE CHAIRMAN: Good morning, everyone.

Today is Wednesday, November 19, 2008. This is the CEQ meeting. First off, I'd like to say that our dear leader, Larry Swanson, is currently unavailable. He's currently hiding in an undisclosed bunker avoiding SUNY budget cuts, so he could not be here today. I'll be running the meeting.

I wouldn't necessarily be following the agenda exactly. There are several reasons for that. If there are members of the public here, I ask that they sign in. And if you have an interest in the project that we're going to be talking about, let us go through our initial discussions, then raise your hands. I'll ask for public comment. We'll hear what you have to say. Then we will take votes.

For the record, I see Legislator Schneiderman has just arrived. Welcome. We're just literally beginning the meeting. First thing, we don't have any correspondence, as far as I know. We're going to do the SEQRA classifications of resos laid on the table for November 18th. Ask the members to take a quick look.

Anything in there of salient interest?

MR. BAGG: It's fairly straightforward; Type II actions and previously reviewed by the council...
and agreed to by the legislature.

THE CHAIRMAN: I agree with Jim. I have

looked through what is in here. I'll entertain a

motion.

MS. RUSSO: I make a motion.

MR. MACHTAY: Second.

THE CHAIRMAN: All in favor? Opposed?

Abstentions? Motion carries.

Is Mr. Ceglio around? Would you mind going

first? You have three projects over here. I want to

get the tough stuff out of the way. Which one do you

want to try and do first?

MR. CEGLIO: I will go in the order you have

them listed on your agenda, Holy Moses Cheesecake. Tony

Ceglio. This is a bakery at Gabreski Airport. The

first project we have is an application to lease a

building at Holy Moses Cheesecake at the airport. It's

been a tenant at the airport for approximately twenty

years. They're relocating from one building to another

at the airport. Actually, the relocation has been done

already.

The reason for the relocation was that the old

building was in an area that is going to be developed as

a Hampton Business and Technology Park. The building is
similar size and type located on the west side of the
airport, located near the tower and terminal building.
We consider this to be a Type II action, requesting your
review.

I can point it out on the map. I did include
a similar map to the one I have over on the stand. That
shows the exact location of where Holy Moses relocated
to. It's in your packet. If you like, I'll step up to
the map and point it out to you. This is our proposed
airport land use map. Holy Moses is located in that
area. They were located in the pink area, which is the
proposed Hampton Business and Technology Park. They
relocated in the yellow area, which is the existing
aviation development right behind the control tower in a
similar building about twenty-two hundred square feet.

They're not proposing a different use. They
baked cheesecakes for twenty years and they will be
continuing to do that.

THE CHAIRMAN: Had you had any problems in
terms of discharges or anything like that from the
factory?

MR. CEGLIO: They have minimal discharges.
They have to get a permit from the Health Department.
They are connected to the sewage plant.
THE CHAIRMAN: I have one question for Jim. We have got this listed as a Type II because it's a lease. Maybe my memory is wrong. Is it a Type II or unlisted because it's leased?

MR. BAGG: In the SEQRA regs it's a lease renewal. The people are in this building. They have a temporary lease that is being extended and they want to go for a long-term lease. The building is circa 1940's, old Air Force building that has been upgraded. It's connected to the sewage system. Therefore, I felt interior renovations and lease renewal qualified as a Type II action.

MR. SCHNEIDERMAN: If I could add to that. I have visited their operations; it's quite benign. It's excellent that they're providing this kind of economic activity. It's really quite a good product that they produce.

THE CHAIRMAN: In which case, I'll entertain a motion.

MR. MACHTAY: Motion.

MR. YOUNGMAN: Second.

THE CHAIRMAN: Okay, call the vote. All in favor? (Show of hands) Opposed? Abstain? Motion carries.
Let's see. The next one is Hampton Jitney.

MR. CEGLIO: Similar type of proposal for the airport. It's an application for Hampton Jitney to lease three acres, almost three acres on the south side of the airport. The current location, Hampton Jitney is in the Hampton Business and Technology Park. They had to be moved because of the proposed development of the park.

On the map, airport land use map, it's in an area where we indicated to be future non-aviation development. I just want to mention that also the Airport Conservation Assessment Panel also renewed this and also considered this to be an unlisted action that will have no significant impact on the environment. I'll point it out on the map to give you an idea where it is.

The Hampton Jitney is currently located in the Hampton Business and Technology Park. They're going to relocate on the south side of the area, kind of a teal color in here, five acres for non-aviation development. I believe it's two point eight acres; of which they're going to clear about a half acre to put in about twenty-five to thirty parking spots and a bus shelter.

THE CHAIRMAN: Any questions?
MR. BAGG: I have one question, Tony. The Airport Advisory Committee recommended, possible, they not use asphalt paving, that they use some type of pervious paving. Is that possible?

MR. CEGLIO: The reason why they that is because Hampton Jitney, at the Airport Conservation Assessment meeting, mentioned they're going to try to talk to the developer about the technology park. If they do move to the south side of the airport, maybe with a short-term lease and with the future of being in the park.

With that in mind, they didn't want to put an impervious surface down that might have to be ripped up in let's say a year. As we get closer to putting the lease together and in negotiations with the Rechler Associates for the park, Rechler will make that determination, whether it's going to be a long or short-term lease and will decide whether we want to them to put down gravel or paved surface.

MR. BAGG: Is a paved surface required, even if they were there for long-term? This is really a staging area, parking area for vehicles. Is it necessary that it has to be asphalt?

MR. CEGLIO: In the airport development
standards for all parking, we have requested paved
parking. And only because gravel tends to get dragged
out on to the main roads. It's a maintenance headache.
It's really for the long-term benefit of the airport
it's necessary.

THE CHAIRMAN: What about RCA, would that
have the same problem as gravel?

MR. CEGLIO: That is a recycled concrete
aggregate. That is the stuff I'm talking about. It
gets dragged out on to the main roads and becomes a
maintenance problem.

THE CHAIRMAN: I'm looking at the aerial
photograph. This is a somewhat wooded area now.

MR. CEGLIO: It's entirely wooded. Three
acres is what they're intending to use. They're
planning on clearing about a half acre.

THE CHAIRMAN: It looks as if there is a road
network area in the south.

MR. CEGLIO: Yes, there is a road immediately
south of that. Then you have the Long Island Railroad
tracks. It's the airport roadway. It's our perimeter
road and probably about a hundred feet south of that is
the railroad tracks and south of that is the concrete
plant.
MR. PICHNEY: Getting back to the parking lot again. I wish I knew the name of the type of material. They make like a grid lock type of material that is laid out so grass can throw through it that can handle heavier vehicles and so forth. Have you ever used that or considered using that?

MR. CEGLIO: We haven't used it on the airport. I'm thinking of maintenance. If grass can grow through it, somebody has to mow it. The parking lot doesn't require any maintenance. I have to check with Hampton Jitney.

THE CHAIRMAN: Is there an increased cost connected to that in the event that the lease may not be long-term? It's an interesting idea; in fact, I have seen the product you're talking about. It may not fit in with what the applicant needs or the long-term plans of the airport.

MS. GROWNEY: Sir, about that particular product, if it was going to be used you don't need to mow the lawn. That is not something that really happens. It's self-limiting.

MR. CEGLIO: It gets worn out by the cars and trucks.

MS. GROWNEY: Because there is so much
concrete. If it's applicable; just letting you know.

MR. SCHNEIDERMAN: There was some discussion
at the ACAP meeting regarding the amount of clearing
regarding the parking lot, and in we could configure
the parking lot, particularly since it's going to be a
temporary location, to cut down the least amount of
trees. Is there any update on that issue in terms of
how the buses will come in and out of the leasehold?

MR. CEGLIO: Hampton Jitney, as you know,
Legislator Schneiderman, gave us a preliminary sketch of
the area showing how the fifty cars are going to be laid
out. They're only going to clear about a half acre of
the three acres that they're going to use. I think it
was going to be minimal to begin with.

When we come up with a final design, we will
make sure they're not clearing more than they need to.

THE CHAIRMAN: Legislator Schneiderman, the
point you bring up is interesting. While we have to
make a SEQRA recommendation today, we can make a
recommendation to the legislature saying any plans that
are submitted should have a limit on the amount of trees
that are being cleared in the area, if possible. We
can always put that in as a recommendation to any
motion.
Any other questions? Anyone want to make a motion.

MR. YOUNGMAN: I'll make a motion.

THE CHAIRMAN: I recognize Mr. Youngman making a motion. This would be unlisted, I would guess, Neg Dec.

MR. YOUNGMAN: That's right.

THE CHAIRMAN: Do you want to put in any kind of recommendations or anything.

MR. YOUNGMAN: Recommend minimized clearing.

THE CHAIRMAN: Do I have a second? I have a second by Ms. Russo. Calling the question. All in favor? (Show of hands) Abstentions, no votes? Motion carries. Okay.

Mr. Ceglio, I think you're here again.

MR. CEGLIO: Yes, I am. My last project at Gabreski Airport is Ocean Aviation. Because we started so early, the gentlemen from Ocean Aviation was going to be here to answer questions.

THE CHAIRMAN: We can wait until he gets here.

MR. CEGLIO: The reason why he was going to be here was if you had any specific questions you might want to ask him.
THE CHAIRMAN: I'd rather not bifurcate the hearing. I'd rather wait until he gets here in case there are questions, if you don't mind.

MR. CEGLIO: No problem at all.

THE CHAIRMAN: I'd like to get hopefully an easier one out of the way. Sewer District Number 2, Tallmadge Woods. We have a letter here from Dan White, chief engineer and head of sanitation from DPW. Please come on up and identify yourself for the record.

MR. WARREN: Ronald Warren, Director of Operations and Maintenance, Division of Sanitation, 1-M. I'm here to answer any questions that you would have on this correspondence that we sent you.

THE CHAIRMAN: Do any of the members have any questions on this? I've got one or two on this. First off, for SEQRA, if we do judge this to be a Type II, I think it would be maintenance and repair, C-1 and replacement, rehab and construction. Interesting that there is a lot of repair and replacement going on.

How old is this particular sewer district?

MR. WARREN: I think it was completed in 2000, but it was operated by contractors who apparently didn't have enough money to do structural work that caused, not significant damage, but ongoing structural
problems that we have to address before they get worse.

THE CHAIRMAN: They ran it into the ground, in other words.

MR. WARREN: Not so bad. We don't want to have to pay for it later on down the road when it could be much more expensive than trying to address it before it gets any worse.

THE CHAIRMAN: Looking at it from a SEQRA sense, it does look as if it's Type II, in maintenance and replacement.

MR. MACHTAY: Motion.

THE CHAIRMAN: Any seconds?

MR. PICHNEY: Second.

THE CHAIRMAN: Calling the question. All in favor? (Show of hands) Opposed? Abstentions? Motion carries.

While we're waiting for the airport thing, I'd like to take Legislator Schneiderman's local law to reduce the use of fertilizer near surface waters in Suffolk County, basically place it on the agenda and do a SEQRA classification and take any comments on it.

Legislator Schneiderman, if you would like to describe the bill at all.

MR. SCHNEIDERMAN: Yes. I think it is
simple. I wish the bill were a stronger bill than it is, but I watered it down to try to assure its passage, although I'm still not sure it's going to pass. It tries to keep fertilizers out of our harbors and bays. Fertilizer contain nitrogen and phosphorus. It gets washed by rains into the harbors.

Just as it accelerates the growth of plants on your lawn, it accelerates the growth of algae. The algae blocks out the bottom plants, the whole ecology, brown tide, those types of things we have seen in the past which wiped out our shellfish populations.

We passed, not so long ago, a bill that limits or prohibits the use of fertilizers, residential fertilizers between April 1st and November 1st when the ground is frozen. This is a follow-up to this measure to try to pull the fertilizers away from our surface waters. The original bill was a hundred feet, which I thought was responsible. I ran into a lot of problems with that. This bill is a twenty foot setback, which is small, but I think it has a better chance of passing. It's better than zero feet.

There is an exception if someone has a ten foot natural buffer that would absorb the water, then they're exempt from the setbacks. That is basically
it.

THE CHAIRMAN: How do you define "continuous natural vegetative buffer;" are we talking trees, bushes, undisturbed?

MR. SCHNEIDERMAN: I don't have the bill in front of me. I think it might be unmowed, unpaved. There might be an exception for an access trail or something like that. Let's see. "It shall not apply to a continuous, natural vegetative buffer at least ten feet wide." Natural vegetative buffer. I suppose more language can be added defining what a natural vegetative buffer is.

THE CHAIRMAN: I'm thinking more in terms of the legalities of it. I'm an attorney, so I drafted a number of laws that relate to exactly this kind of stuff.

MR. SCHNEIDERMAN: That could be amended.

THE CHAIRMAN: You might want to define it a little bit better. There are codes out there wherein, for example, at state and village level or Long Island, wherein those concepts are defined a little bit better. Simply I know as an attorney, people will try and dodge around this language. To make this effective --

MR. SCHNEIDERMAN: (Interposing) If you have
some language that you can recommend, I will certainly amend the bill.

THE CHAIRMAN: The paragraph above talks about a Section 8. I'm talking at 289-9(a) -- (b). Just showing Jim this for a second. There is no Section 8. It goes up to Section 6 and that's it. Our legislative council will able to catch that.

Never mind, they have it backwards. Withdrawn on that particular comment. I guess you would need to add a description of the natural vegetative buffer to the Section 8 in your definition, if we can come up with something.

For whatever it's worth, I appreciate your efforts in trying to go to a hundred feet. In my village of Nissequogue, we have regulations talking about a hundred fifty feet setbacks and hundred foot setbacks, from one waterbody, such as marshes, et cetera, and we discourage any -- actually ban any removal of vegetation and try to discourage, as heavily as possible, the application of fertilizer, because we know it runs into there both as runoff and ground water.

There are some areas which would have appreciated the one hundred feet. The DEC limits are seventy-five but we understand the --
MR. SCHNEIDERMAN: (Interposing) Problem is, people love their homogenous lawns. We spend millions of dollars reseeding bays and harbors are plants, only to have homeowners pollute that resource with overloading it with nutrients with fertilizers. It's difficult to enforce. It sends a message. I hope that people, if they believe it's prohibited, wouldn't do it.

There is an enforcement mechanism, but it's largely based on complaints from neighbors or people that might be aware of the problem. We don't have the ability to go to every home to keep an eye and test, but I think it's good policy. I think it should be in place, and I hope that it helps to clean up the harbors a little bit.

THE CHAIRMAN: I agree with that.

MR. PICHNEY: I have a question. I just wanted to say for the record, I have a small gardening business. I have for many years. While I don't do lawns in any sort of capacity, I am sympathetic to the people who do.

In respect to the limits, when you're prohibited in applying fertilizer from November 1st to April 1st, the leaves have fallen completely from the trees only within the past week or two. The people that
do this are boxed in in terms of doing clean-ups and
putting down winter fertilizer. This really is a big
constraint on them to be able to do their business.

I would think, in terms of when the -- within
the spirit of the law, when the ground really becomes
frozen, you're really looking to December 1st. We have
some frost now, some light freezes, but nothing that
would make the grass impermeable that there is
substantial runoff.

THE CHAIRMAN: The problem is that ship has
sailed.

MR. SCHNEIDERMAN: A lot of people are using
these slow release fertilizers. They put them on in
October. They're actually being released all through
the winter. I think that was an important step, but it
certainly wasn't a cure all.

MR. KAUFMAN: Any other questions? Calling
the motion, it looks like an unlisted.

MR. BAGG: This is a very difficult bill. I
don't really know how to get a handle on what are the
environmental impacts because you're simply saying you
cannot apply fertilizer to this area. It's not like
you're saying you have to apply fertilizer; you're not
adding chemicals, you're simply allowing it to revert to
its natural state. I don't know what the impact is of saying you can't do something.

MR. MACHTAY: Never mind the impact, what is it classified? I'm thinking of how many acres it can possibly affect.

THE CHAIRMAN: That is what Jim and I were talking about yesterday. If it's a large area, it's Type I.

MR. MACHTAY: Environmentally, it would be a Neg Dec. That is the way I would see it, to be safe.

MR. BAGG: Basically the law says technically it deals with the acreage is the physical alteration.

Are you physically altering here?

THE CHAIRMAN: Or not physically altering, but we are impacting it, to be consistent.

MR. SCHNEIDERMAN: Look what we did with the November to April prohibition, which affected a much larger area.

THE CHAIRMAN: That was Type I. Again, I don't see this, given the fact that the surface area impacted is probably larger in terms of lineal length than actually acreage in the county, which is five hundred thirty-seven thousand. We have a fairly large area that we're talking about. You multiply the surface
area times twenty feet and you're going to get a very large number.

Were you talking about Type I and impacts?

MR. MACHTAY: I would make a motion that it's Type I, and Neg Dec.

MS. RUSSO: I would second that motion because I do agree it should be a Type I, but Neg Dec.

THE CHAIRMAN: Calling the motion. All in favor? (Show of hands) Anyone opposed? Abstentions? Hereby declare this to be a Type I action with Negative Declaration.

MR. SCHNEIDERMAN: Does that mean we haven't filled out the right EAF?

MR. BAGG: You will have to fill out a long EAF and attach it when it gets sent to the legislature.

MR. MACHTAY: Mr. Chairman, we didn't declare it anything; that was the recommendation for the legislature. They have to declare it; is that right?

THE CHAIRMAN: I'm not listening to him.

MR. BAGG: What was that?

MR. MACHTAY: He said we declare it.

THE CHAIRMAN: The vote was taken.

MR. MACHTAY: I said that was not a declaration, that it was a recommendation to the
legislature.

MS. GROWNEY: Yes.

THE CHAIRMAN: With the correction given by Mr. Machtay, who is now on a certain list of mine.

MR. MACTAY: Does it begin with S?

THE CHAIRMAN: It is a smiting list, not the word you were thinking of. With that particular correction, we shall move on. Mr. Ceglio, are you ready?

MR. CEGLIO: Okay, yes. Jim Reiher from Ocean Aviation just arrived. If you need to ask him any questions, he's here.

This project is an application to build two buildings that will house basically thirteen storage garages for aircraft on the north side of the airport. He's looking to lease about three acres of property. Because the property is contiguous to the pine barrens core, the recommendation from the Airport Conservation Assessment Panel was that it be a Type I action with a Negative Declaration on environmental impact.

Again, the map that I provided shows the location of Ocean Aviation on our proposed land use plan. It's in an area that has been designated for future aviation development, about twenty acres on the
north side of the airport. Currently, there are hangars in this area, about twenty-five, I believe, so it's compatible with the surrounding use of the airport development area.

Again Jim Reiher from Ocean Aviation is here. I'll point it out for you on the map. If you have any questions, feel free to ask. Airport land use plan, twenty acres shown on the north side of the airport is the proposed aviation development. Ocean Aviation is looking to build two buildings for thirteen hangars or storage garages for small aircraft. They will be located on the easternmost part of this area.

The yellow areas shown here are current existing airport housing aircraft, including the Suffolk County Air Force Medivac.

THE CHAIRMAN: How close is this to the pine barrens itself? From the map it looks that it's in the pine barrens area.

MR. CEGLIO: This yellow line is the border between the pine barrens core. Everything to the north of this is core, everything to the south is compatible growth area. The location of the hangars is probably a hundred to two hundred feet from the core property, but it is in compatible growth.
THE CHAIRMAN: When we looked at previous airport uses, we made a distinction, if you will, on how to define contiguous. If it is very close to the pine barrens areas, we always thought that it was a Type I, but if it was far enough away, a thousand, two thousand feet, we generally listed it as an unlisted action, even though the SEQRA rules say if the property is contiguous to parklands it's Type I.

We have had some issues with that as to what "contiguous" means. In my opinion, if it's a couple thousand feet away, even if the landowner is the same, it's not necessarily contiguous. That is a battle between ACAP and CEQ, it has no effect on the projects itself; it's just how we type it.

MR. SCHNEIDERMAN: A comment from the ACAP perspective, because we had a pretty lengthy discussion. When we talk about property contiguous to parklands, they're looking at the airport as the property. If you cut up leases within the property, I think in their mind, the property is still the airport. I think through their filter, everything that happens to the airport is going to be Type I because it's contiguous to the pine barrens core.

If you looked up ACAP in the Suffolk County
Charter to see what their authority is, you will not find them because they were not created by us; this group was by the legislature. They were created to advise CEQ and the legislature. To what degree, I think it's up to this group how it weighs those recommendations. The committee did feel fairly strongly that it should be Type I.

THE CHAIRMAN: I agree with that. The language in SEQRA is adjacent or substantially contiguous. That is where we had a bit of battle. I discussed it with Bob DeLuca extensively. It's a tempest in a tea cup. It's a Type I action, it's just how we classify.

MR. BAGG: The actual parcel that runs up against the airport circumference road and right across the street is actually the pine barrens parklands.

MR. CEGLIO: This proposed lease property runs up to the airport road.

MR. BAGG: In essence, it's just the width of the road until you hit the pine barrens, so it's very close. There is no separation of any other types of development between the parkland and this development and whatnot.

THE CHAIRMAN: Does anyone have any
questions? Mr. Machtay?

MR. MACHTAY: Thirteen more hangars, does that mean more air traffic at the airport or are these planes that are already there?

MR. CEGLIO: It's possible that the planes are already there. The way the Master Plan is being updated indicates that the airport will offer private developers at the airport, will build about eighty of these type of garages, if you want to call it that, or hangars.

MR. MACHTAY: It is addressed in the Master Plan?

MR. CEGLIO: Yes.

MR. MACHTAY: The SEQRA was done on the Master Plan?

MR. CEGLIO: SEQRA was done on the current Master Plan that was updated in the 1990's. The latest update is still ongoing. What I'm referring to is the current update that is still in progress.

MR. MACHTAY: SEQRA wasn't done on that yet.

MR. CEGLIO: Yes.

MR. MACHTAY: We're sort of jumping in ahead of it.

MR. CEGLIO: Yes, we are. The SEQRA that was
done on the 1990's Master Plan, it was done for a number
of hangars that would accommodate for, I believe two
hundred fifty operations.

THE CHAIRMAN: On the 1990 plan there are no
restrictions placed on future growth, aside from the
size of the airport. In the Master Plan now, there are
some limits, if you will, being contemplated, as I
understand it.

MR. CEGLIO: That is correct. The limits
that we're talking about are based on the land use plan
that you see to the left of me showing that we will
address land aviation use.

MR. MACHTAY: How does your committee, ACAP,
feel about more traffic at the airport, noise and that
sort of thing.

Second, this proposed airport land use plan,
the limited amount of growth is compatible with the
surrounding community noise and air traffic and it will
limit it to a point where they're comfortable with it?

MR. BAGG: Tony, could you please review --
the only Master Plan in force now is the 1990 Airport
Master Plan. This project is consistent with that.
That Master Plan reviewed the airport when it was
actually more active then it is today, and a Neg Dec was
issued relative to that Master Plan and based on the flights that were proposed for generation. You might go into that a little bit more.

CEQ did recommend that it was a Type I action with a Negative Declaration. Every other Master Plan that has been passed, the pine barrens plan, SGBA said this airport, we should be channeling development into this disturbed area and preserving the outlying space as open area.

MR. MACHTAY: I just needed to know that was in conformance with plans adopted pursuant to SEQRA and it was consistent with whatever those plans proposed. That is all.

MR. SCHNEIDERMAN: Your one assumption was that the Master Plan was done pursuant to SEQRA. I don't believe there was ever an EIS on the original Master Plan where there should have been, looking at the cumulative development. I believe, under the new Master Plan, there will be some kind of environmental impact statement on it; at least that is what I have been told. I don't know what the status of the Master Plan is. I don't want to be presumptive and say because it was part of the prior Master Plan that there has been proper environmental review done because I don't believe
it has.

MR. CEGLIO: Just a quick comment on the previous Master Plan done for the FAA and 1990 plan, the FAA does not require an EIS on Master Plans. County Executive Levy has indicated that we will, on this Master Plan update, do an EIS once it's complete. We're expecting it completed early next year. We vetted through our Community Advisory Board. This ACAP panel, a lot of them are members of the Community Advisory Board and have seen it and made comments on it. We don't think it will be much of a problem.

Based on the map to the left, we're reducing potential development from a hundred seventy-five acres down to forty-seven acres, so it's significantly reduced, again, with community input, with input from the Planning Department, and the airport.

THE CHAIRMAN: Any other questions from members?

MR. MACHTAY: The FAA approved the Master Plan?

MR. CEGLIO: The current approved FAA Master Plan is the 1980 Master Plan with the update the county did in 1990. They have reviewed the current update, including the map you see to your left, and have
approved it.

MS. RUSSO: I make a motion.

MR. SCHNEIDERMANN: I'll make a motion for it
to be a Type I action with Negative Declaration.

MS. RUSSO: I will second it.

THE CHAIRMAN: Second by Ms. Russo. Polling
the question, all in favor? (Show of hands) Opposed?
Abstentions? Motion carries.

We will move onto historic services now and
Historic Trust docket.

MR. MARTIN: Good morning. Just to give you
an update on the housing, at this point we have eight
vacancies within the Suffolk County Parks Housing
Program that we're still looking to fill. We have
rented two houses in the past two months; Robert Cushman
Murphy County Park and another one at the West
Sayville -- the gatehouse on Montauk Highway have
recently been rented. We still have the word out in the
county that the homes are available, but we are also
working to have them reappraised to possibly bring the
rents down, especially for the houses that have the
higher rents. That is still in the process.

The Isaac Mills House, we just completed the
installation of a new heating system there. We're
hoping to get the appraisal for that house done shortly and have it rented early in the year. The Housing Advisory Board meeting, which is newly established to review this program now as part of the resolution that is going forward to revise the rentals, we're having a meeting December 1st, one o'clock at West Sayville. I'll be sitting on that committee and I think Mary Ann has also been contacted to represent the CAC as Chairman of the Historic Trust Committee, to be sitting on the committee.

We will be reviewing all aspects of the rental program, especially if we have a problem renting one. We can go to the legislature as a hardship case to see if we can reduce the rent and occupy the building.

THE CHAIRMAN: Appraisals that might be done in the future, I know right now the appraisal industry is up in the air, how to value properties, and even methodology. Is that going to impact?

MR. MARTIN: We're working with the Suffolk County Division of Real Estate to do the appraisals. That is part of the committee's role, is that question of procedure and how it's going forward, and I'm sure we will be discussing it at the next meeting. They are taking a common sense approach now compared to the
original market rate that the original appraisal was
done at. They are taking a broader view of each
location and the situation of the building.

THE CHAIRMAN: Any questions from members?

MR. MACHTAY: These residences are still only
for county employees?

MR. MARTIN: Right now the existing
resolution, it's only county employees. The new
resolution going to the legislature shortly will include
Suffolk County residents, which we had in our prior
program we were able to do that. We will open that up
again. If we can't find someone employed by the county
we can open it up.

MR. MACHTAY: No incentive for someone
looking for affordable housing?

MR. MARTIN: Concept came up in the community
and I think it's part of the conversation, but I think
we're looking to give the commissioner as much of a role
in this as possible, to see what person or persons will
best benefit in the role in the building. We're really
looking more for a caretaker person to be in a historic
site.

MR. MACHTAY: Because someone is low income
doesn't mean they can't be a caretaker.
MR. MARTIN: The one that we're looking at now is not rents that will make it affordable housing but reasonable rents for the area. The goal of the program is not affordable housing.

THE CHAIRMAN: The angle of the program over the years has been basically to preserve the properties. We always found that having people on site in these properties is a critical element for their well being, and frankly for their survival. The county has set up a hierarchy of people, starting with police officers, parks employees, who would be more than dedicated to trying to keep these properties viable and alive.

The object is not to just set up a rental program, per se, if you will, with the discount because of the fact that it's a license, et cetera, there is an objective out there.

MR. MACHTAY: There are other objectives, also. That is affordable housing that we need.

THE CHAIRMAN: Right now the legislative decision has been made at this point in time.

MR. MACHTAY: I understand that. They make decisions and make other decisions all the time.

THE CHAIRMAN: It may end that way; I don't
know. People who are in need of housing at a lower rental than otherwise might be asked for by the county are not automatically foreclosed from that program. It's simply that the county has set up a hierarchy, that's all. Any other questions?

MR. MARTIN: Just to continue on the contracts with our historical societies, Babylon Town Historical, the site has be sent out for signature and waiting for its return, and the Farmingdale Historical Society, we're waiting for that to be signed and returned to the County Parks Department.

Also some updates on current events. We have our Big Duck lighting December 3rd at seven o'clock. It's become very popular. I'm expecting it to grow at its new location in the Town of Southampton Big Duck Park, which was just listed on the list of historical places, which will be good for the town to receive grants for the location, which includes a barn, gift shop that exists there.

I'm on the committee for the park which we're meeting now once a month to go over the planning for that. That is the original Martin Moore duck farm. The town has an extensive program that extends out to the Peconic Bay.
THE CHAIRMAN: To our members, I have been to the Big Duck lighting a couple times and it actually is a lot of fun.

MR. MARTIN: Hopefully it wouldn't be too cold. We will have hot chocolate.

THE CHAIRMAN: Mary Ann?

MS. SPENCER: Rich, I would like to respond, going back a minute to the housing program. The Housing Advisory Board is looking at all the plots that are owned by the county. Richard and I are on that board because of the historic properties. Now, every CEQ meeting he updates the CEQ on vacancies. These are vacancies on historic properties.

The reason that we bring it to the CEQ's attention is that there has been significant vandalism in historic properties. When the rents were established, they did not take into account the custodial needs in some of these obscure sites and some of the sites, because they're historic, their utilities are through the roof. That wasn't taken into account.

One of the things that the board is taking a look at are the variables that go into setting a rent for the property. Our particular concern are the vacancies in the historic properties. That doesn't mean
that the housing board can't look at all county owned properties and see if some of those might not be suitable for affordable housing.

I, off the top of my head, I'm not convinced that any of the historic properties would be suitable, simply because they're so expensive. Even if we reduced the rents from fair market, the utilities and so forth are almost prohibitive on some of these properties, and that is why some of them remain vacant.

MR. MACHTAY: It rings true, but I think there ought to be some way to factor in affordability for people. If you're wondering why I'm so concerned about this, I have two sons that are thinking of moving off Long Island. One is a professor with a Ph.D. at Stony Brook and the other is an engineer. They're both engineers, as a matter of fact. Both make fairly good salaries for a kid twenty-five and twenty-eight years old. They're telling me, Dad, we got friends in Virginia and North Carolina that have their own homes and they're not renting. You can't do that here.

So, if an opportunity is out there for my kids to be able to stay hear where I can be close to them, I look for it. I think it's important.

THE CHAIRMAN: That is one of the objectives
is to try and lower the rents because as a fair market
rental right now, they are a problem.

MR. MACHTAY: I understand. I'm just making
my point. It's a personal thing with me.

MR. SCHNEIDERMAN: We keep talking about
caretaker functions. These people are living in the
parks and are required to keep an eye on things. I
think that would be a significant reduction in rent. I
think in the past, we used to provide our park
superintendent and managers, I think, with free housing
years ago. Then we started charging. There ought to be
some happy medium here. It has to be recognized if
somebody has to live with in the park and has
responsibilities, either they get paid for those
responsibilities or they get paid in reduction of rent.

I guess my question is if either of you, in
these appraised values, which people don't want to pay
those rents, are we considering those be that factor?

MS. SPENCER: It was not considered in the
past. That is one of the issues that the housing board
is addressing. There is a caretaker function, there is
also tremendous loss of privacy if you're living in some
of these parks where people come up and knock on the
door and want to use the bathroom. That wasn't taken

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into account either. These are the issues that we're trying to look at, instead of drive-by fair market rent.

MR. SCHNEIDERMAN: The inconvenience, you're not living in a neighborhood, you're living in a commercial facility. You can't really compare it to a nice cul-de-sac.

MS. SPENCER: That has been our argument.

MR. BAGG: You have to point out that the legislature did pass a bill that required fair market rents for every county building. When that went into effect, when they started to have their rents reappraised and moving up, people vacated those properties. We are now trying to revise the policy to make a recommendation to the legislature about how it may be accommodated.

MR. SCHNEIDERMAN: I'm part of the legislature that created the problem. We did it to try to eliminate the appearance of any impropriety. It gets back to what is fair market value. If you consider the factors, you arrive at a much lower number. I would say, going to the other extreme, that we're establishing numbers that are not fair market. They're fair market for a house in the neighborhood, but not for a house in
the park with particular responsibilities.

THE CHAIRMAN: I agree with you a hundred percent. One of the things Mary Ann's committee has been talking were prompted from some letters from CEQ, which Larry started up, to the parks commissioner and to the legislature to look at these exact issues. Specifically what is a fair market rental, specifically what is the fair market rental situation doing to occupancy inside these historic buildings because we were, frankly, having problems filling these structures.

The specific direction that was adopted and is being developed right now by the committee that Rich and Mary Ann are on is looking at these exact factors; for example, it starts off with a difference between a lease and license cancellable upon thirty days notice. That in itself in an appraisal sense has an impact. It starts off with the fact that we have to have a body on the premises, custodial factor. It's not a full custodian such as a parks supervisor, but it's someone over there who can reach a telephone and call.

The committee is looking into a number of the factors and literally how the appraisals are determined. We are moving in the direction that you're talking about. Hopefully there will be some stuff
coming up to the legislature soon.

MR. SCHNEIDERMAN: Just want to say the most accurate measure of what something is worth is not the appraisal of what people are willing to pay for that. That is the true value. If you're saying through an appraisal process, and this is what it's worth, and no one is willing to pay it, then it's not fair market value.

THE CHAIRMAN: That is one of the factors that we're talking about.

MR. SCHNEIDERMAN: Appraising has never been an exact science. It's an opinion with various assumptions made concerning value.

MS. GROWNEY: I think one of the other factors in my mind you touched upon is there is more than a drive-by. These things are so complicated. I think carbon footprint is another factor. These units are expensive to operate. Paying for the utilities in my own, if we could bring the cost of utilities down, you get monies to pay for the unit that is servicable to the park itself.

I think there is some assessment that should be done how in a modest sense there might be some alteration done to the buildings to reduce the carbon
footprint when they're in operation so the money goes
back to the county rather than out the window,
literally.

THE CHAIRMAN: It's a good idea.

MS. GROWNEY: And very possible.

THE CHAIRMAN: This is something that CEQ has
looked at in the past. Stimpson House in West Hills,
which is basically a very thin wall. It really can't be
insulated without destroying the historic integrity.
That is something that Richard and his group have to
balance. It's not always easy to fix structural
problems to reduce the carbon footprint.

MR. MARTIN: Putting insulation in the
attics, installing storm doors, installing a more
efficient heating system. We are aware of that. It's a
matter of time with our crew, that we can accomplish all
this, and the funding that is available.

MS. GROWNEY: I will be happy to give some
recommendations or look at some buildings, if you want
me to do that.

MR. MARTIN: I appreciate that.

THE CHAIRMAN: Any other concerns? If not,
we will move on. We will now do some DPW projects.
Proposed CR 50, stormwater remediation, Champlin Creek.
State your name for the record.

MR. BERGERY: Good morning, Erik Bergery, civil engineer with the Department of Environmental and Energy, Division of Water Improvement. I would like to thank the council. I apologize for the timing. Typically, we try to bring our projects before the council in the beginning planning stages. In this case, it happened to slide until towards the end.

We're actually at the hundred percent design stage. At this time we have final plans, we have DEC permits. We are ready to put the project out to bid.

Quickly, I'll describe the project. I distributed plans, along with the EAF that you should all have in front of you. If not, I have extra copies.

THE CHAIRMAN: For the record, I never got any plans. I have an idea what is going on.

MR. BERGERY: I will pass those along now.

THE CHAIRMAN: Just to let you know, as two of the members here, including myself, we don't know what the drainage calculations are. They were not given to us. We don't know what the design of the vault is, we don't know where it's going. We can make estimations, but we don't have that estimation at this point in time. This is a high table water area. The
road runoff is obviously flowing into the creek. You're going to try and stop it wherever you can.

It's not hard to figure out, but we're supposed know what we're looking at.

MR. DEREGEY: The plans should clarify that it's essentially a small area of disturbance, existing thirty inch reinforced concrete pipe discharging runoff from approximately a two hundred foot stretch of County Road 50 into Knapps Lake, which is in the Champlin Creek corridor just south of Union Boulevard.

The watershed area is four point nine acres. I'm not sure if I have my full calculations in front of me. I can't tell you precisely what type of flow. Actually, I do have it in front of me. The water quality storm is expected to produce a flow of approximately four point seven four CFS. That is using the DEC recommended the hydrologic model, and that led us to the design that you see in front of you, which is for the sentry units going into it. That is designed and produced by Contech Stormwater Solutions. That is a DEC approved stormwater stream system for redevelopment projects.

THE CHAIRMAN: Mr. Machtay?

MR. MACHTAY: A question. I spoke to Dan on
this earlier. It seems a permit was issued by the state
DEC, a wet water --

MR. BAGG: (Interposing) That's correct.

MR. MACHTAY: Did they do SEQRA?

MR. BAGG: I did call the regional permit
office at DEC and they got back to me and said it was a
Type II action under SEQRA before they issue the
permit.

MR. MACHTAY: Did they do a coordinated or
uncoordinated review?

MR. BAGG: They issue the permit and did it
as an uncoordinated review, pursuant to SEQRA. If it's
a Type II action on the list, SEQRA Is complete. It
doesn't require coordination or anything else.

MR. MACHTAY: In your opinion, is it on the
list?

MR. BAGG: In my opinion, it is on the list.
It's taking an existing drainage system and putting this
system at the end of it, in order to eliminate sediment
and floatable loads into the creek. That was a county
and council policy, a longstanding council policy to
eliminate direct discharge.

MR. MACHTAY: Then we can cut this
conversation short by saying I'll make a motion that
it's a Type II action.

MR. BAGG: I could recommend that.

MR. MACHTAY: I know Michael doesn't like short conversations.

THE CHAIRMAN: You are on my second list now, Mr. Machtay.

MS. SPENCER: I'll second that motion.

THE CHAIRMAN: Is there going to be discussion? Again, I would like to dot all the I's and cross the T's. You're going to be sticking this how close to the water body and how long after that does the water go into the water body?

MR. BAGG: The distance between the last catch basin and water body itself is approximately twenty-five feet and unit itself has an eight foot outside diameter. If you do the math on that, we're taking out that twenty-five foot pipe and putting in an eight foot unit, so we are only replacing and actually redoing a portion of the existing pipe too.

THE CHAIRMAN: Let me cut you short on this for Mr. Machtay's benefit. Is this going to be within sixteen, seventeen feet of the water body? Will the positive drainage in the area come down a piping system into a vortex system, which will be about seventeen or...
eighteen feet away, whatever the map is, and that is where the vortex will be. Is it twenty feet?

MR. BERGER: Yes. There is the curb for the road. Then beyond that curb, directly south you go about twenty feet, you hit the water and the unit is fully going to be placed in that area. There will be, most likely there will be water involved due to the high water. The contractor will be made aware of that. The contractor is required to get a permit from DEC at the time of construction, which we will make sure they do.

THE CHAIRMAN: With apologies to Mr. Machtay, it is always useful to find out where these things are going. I have a map here, and until a second ago I had no idea where the project was going to go.

MR. PICHNEY: Is there a maintenance schedule for the unit, and historically other units throughout the county, are the schedules adhered to pretty well?

MR. BERGER: I can't speak to the history going back too far. I've only been with the county a few years. We only installed our first unit. Jeff Dawson was involved in that installation. I would say that was going on four years now.

MR. DAWSON: Seven years.
MR. WARREN: That has been maintained. It varies greatly. You have to assign a range to it. It's based on past experience. We will know and we will begin setting up a database to track the maintenance of these. We will look at okay, we maintained this a year and a half ago and it's full again, so we will look at what the maintenance cycle looks like going forward.

DPW highway maintenance recently purchased some new backhoe equipment, which is good for cleaning these out, which is basically a giant vacuum cleaner. It can suck out all the debris.

THE CHAIRMAN: Any other questions? In deference to Mr. Machtay, we will call a vote. All in favor? (Show of hands) Opposed? Abstentions? Motion carries.

Next is the Pulaski Road project in Smithtown and Huntington.

MR. DAWSON: Good morning. My name is Jeff Dawson, Senior Civil Engineer with the Suffolk County Department of Public Works. I'm the manager for this project, project manager.

We are going to construct this project in three phases; they're going to provide improvements for approximately three point seven miles of Pulaski Road.
Phase 1 is going to incorporate improvements between Old Bridge Road and Townline Road. Phase 2 is going to be Larkfield to Old Bridge Road; that is the western portion of the project. Phase 3 will be Townline Road to New York State Route 25A. That is the eastern portion of the project.

Phase 1 is scheduled to begin construction sometime in the summer of 2010. The other two phases have yet to be determined on their construction schedule. The Phase 1 is fifty percent complete and whereas the other two phases are still in preliminary design, I would like to introduce Rich Geiger, who is the consultant manager from Sidney Bowman & Son.

MR. GEIGER: The project as being done is three point seven miles extending from Larkfield Road in East Northport within the Town of Huntington, proceeds down to 25A in Kings Park within the Town of Smithtown. Three point seven miles; it's predominantly a two lane highway, two lane collector. It has many entrances from subdivisions on both the north and south sides. As such, one of the main problems that the county trying to alleviate is vehicular and pedestrian safety.

Many times with the two lane road, when vehicles want to make a left turn, they actually stop in
the travel lane. What this results in either cars have
to go around them, which is a danger.

MS. RUSSO: Given the fact there are no
sidewalks in most of the areas and you do have
pedestrians, at times school children walking along the
edge of pavement. It poses a dangerous condition that
the county is trying to resolve. Sidewalks are
intermittent throughout the project, on both the north
and south sides. That is something we want to improve
also.

The county's project is to convert a two lane
road into a three lane highway. It will provide one
lane in each direction and a common left-hand shared
lane. Where there is no left turn, they will stripe it
for no passing as it is now. When we drop the project
from a two to three lane road, the county will provide
curbing and sidewalk on both sides. Now that we put in
curbs, we collect water and we have to store the water
in some existing recharge basin. We have spoken with
the Town of Huntington, Bill Naughton about utilizing
some of the existing basins, and they're on board with
that.

We have talked. The county has a twenty-five
area in front of the recharge basin, so that basin could
be widened and provide extra storage volume. That, in itself, will not provide for the discharge that the Town of Huntington requires. They require discharge for a six inch rainfall plus a hundred fifty percent. If there is no positive outflow, which there is not, the recharge basins are the final stopping point for all runoff within this project area. We met with them. They provided us with the opportunity to utilize two or three existing recharge basins on the south side of Pulaski Road that was built for residential subdivisions in that area. We have the means to store the required runoff that will be generated by increasing the pavement width from thirty-two to thirty-five feet and collecting more runoff, whereas right now, a lot of the runoff goes to the side of the road and is not collected anywhere.

Basically in the notes, we also met with the Town of Smithtown. I spoke with Ted Sanford and was provided with the drainage maps and existing recharge basins in the Town of Smithtown. We have the ability to utilize some of their facilities now. We're not contributing more area, but increasing the coefficient of runoff by curbing the roads and collecting more runoff than is there now.

As far as realignment, the widening is minor.
We're looking for thirty-five foot minimum. In some areas where there is more than that right now, the lane widths are about thirty-eight feet now, we will leave it like it is.

The one major realignment is Phase 1, which is down by Deposit Road down by the bridge over the LIRR. The county wants to alleviate a dangerous situation. Deposit Road approaches CR 11 by a hundred thirty-five degrees. You have the town animal shelter at the bottom of Deposit Road. I have seen the eighteen wheelers coming up Deposit Road and basically making that turn to the right. The cab actually traverses across the road and makes a jackknife turn, which is a dangerous situation, exacerbated by the fact that the sight distance approaching the bridge from east to west is limited.

The county is going to change the intersection from a hundred thirty-five degrees and make the approach at a ninety degree turn. We ran the computerized models in the area. The turning radius that we provided is sufficient for an eighteen wheeler. That increases the safety very much. We also have to try to decrease the grade as it approaches CR 11. We will hold Deposit at McFadden and hold it at a hundred five percent. It kind
of levels off the approach for vehicles stopped at the
light there to prevent anything from rolling back.

Those are the major concepts and changes that
we're providing. As far as the drainage, there is no
real effect to freshwater wetlands. The closest was
seven thousand feet to the north. There is no discharge
to surface waters.

THE CHAIRMAN: Any questions?

MR. MACHTAY: East of Larkfield Road, before
you come to Old Bridge, there are medians on either side
of the road and there are marginal roads. How would all
that be affected?

MR. GEIGER: If we curb both roads, the grass
medians will be cut back to some degree. It looks like
a two or three foot widening on both sides. The county
will put in sidewalks on both sides. In some areas it
will be on the grass medians.

MR. MACHTAY: Marginal roads will still be
intact?

MR. GEIGER: We would put a radius in and
meet the number on the north side of the marginal roads.

MR. MACHTAY: In the area between Deposit
and Townline, it's a fairly rural valley in there. Sort
of undisturbed except for LIPA. When they put their gas
pipe in, what is going to happen in there, is it going
to be widened.

MR. GEIGER: We're looking for thirty-five
foot minimum. I think right now you probably have
thirty to thirty-two.

MR. MACHTAY: It will be a couple of feet on
either side.

MR. GEIGER: In that area we would like to
keep it on the north side.

MR. MACHTAY: Would sidewalks be put in that
area?

THE CHAIRMAN: I've never seen anyone walking
over there.

MR. GEIGER: In many areas, there is no place
to walk to or from, I think, east of the bridge,
especially since the slopes come up quite quickly now.
To widen the road would necessitate cutting into the
slopes. I think on one side a sidewalk would be more
than sufficient inasmuch as there is never anyone
walking there.

MR. MACHTAY: When you leave the Town of
Huntington and go from Townline to 25A, that becomes
mostly commercial-industrial. That will get the same
treatment. I'm going to ask a question. What
accommodations are you making for bicycles?

MR. GEIGER: None. Basically in Huntington, the right of way is predominantly fifty feet. If we are talking about forty-nine and a half feet there, with the widening of the road and sidewalk, there is no accommodations there for bicycles.

MR. MACHTAY: What about the Smithtown portion?

MR. GEIGER: That is Phase 3. We haven't gotten into design yet. If we put in bicycle lanes that length is rather small where would they bicycle to and from in that area.

MR. MACHTAY: It would be someone bicycling from their home to a commercial area on Larkfield Road or from their home to a job.

MR. GEIGER: We're concerned with vehicular and pedestrian safety first, the reason that we put in sidewalks on both sides. To increase that to a five foot bicycle lane on each side would require acquisitions. That is something at this time that the county is not considering for this project.

THE CHAIRMAN: A question regarding bicycles. Are there any plans in the Town of Huntington or Smithtown regarding establishment of bicycle access
corridors or bicycle access in any general way in these areas?

MR. GEIGER: I don't know that answer right now.

MR. MACHTAY: There are in Huntington, not this particular corridor, but there are other corridors.

THE CHAIRMAN: This is not identified as one of those corridors?

MR. MACHTAY: Mostly not for recreation but for access to commercial areas, jobs.

THE CHAIRMAN: Is the Town of Smithtown or the Town of Huntington right now adding bicycle lanes for bicycle access to any of the roads that they're constructing or reconstructing?

MR. GEIGER: On a townwide basis, I don't know.

THE CHAIRMAN: Rich, do you know?

MR. MACHTAY: I don't know. I think they may be considering it in Melville in the rehabilitation, if you will, on Old Walt Whitman Road.

MR. GEIGER: I can tell you Sidney Bowman is working on a section of Woodbury Road. On that stretch, which is two point two miles, there is no provision for
bicycles. They're looking to improve the road and create sidewalks.

THE CHAIRMAN: The Town of Huntington has not approached you on that job either.

MS. SPENCER: I have a question. You're putting sidewalks on both sides. How many feet do you need?

MR. GEIGER: Sidewalk requirement is five feet and the strip between the curb and sidewalk is usually two feet between telephone poles and lighting.

MS. SPENCER: In theory, if you were to forgo a sidewalk on one side you could provide a bicycle lane.

THE CHAIRMAN: Or the bicyclists ride on the sidewalk.

MS. GROWNEY: It's only one lane, Mary Ann.

MS. SPENCER: I understand.

MR. GEIGER: Which side do you put it. Since bicycles are supposed to travel with traffic, what happens to the people going the other way? I think the answer is you need bicycles on both sides or no sides.

MS. GROWNEY: There are the normal curb cuts.

MR. GEIGER: For any access. For any houses that front on CR 11, there would be curb cuts.

MS. GROWNEY: For sidewalks.
MR. GEIGER: For handicapped ramps, yes. They are all ADA approved.

THE CHAIRMAN: Is this going to be continuous or discontinuous?

MR. GEIGER: In an area where there is no turn, they would put a stripe for no lane either direction.

THE CHAIRMAN: That stripe would be for traffic separation. I was going to say from an aesthetic standpoint, parts of Pulaski are quite pleasing. I travel there many times. I don't see a need many times for a third lane.

MR. GEIGER: That is where you put the striping; there wouldn't be a third lane there.

MR. PICHNEY: What is with this letter from the DEC about this rare form of crabgrass?

MR. GEIGER: Part of our requirement, we sent that in. I got a kick out of that too. I think the last time they inspected was sometime before 1979. When you look at the actual definition of crabgrass, I think it has a date of 1926. They sent me the information on file. Obviously, they haven't been out there lately.

To widen the road three or four feet we will be clearing grass beyond the edge of basement that has
been worn down. There really is no tree removal of any
significance, with the exception of Deposit Road. There
is a little triangle piece that obviously will be
cleared away. After we put the road in, we would
recommend putting some low plantings in.

THE CHAIRMAN: Maybe you should put in that
crabgrass. Don, do you have any opinions on planting
crabgrass?

MR. PICHNEY: No, I don't. Now you're on my
list.

THE CHAIRMAN: Any other questions? Okay.
Calling a motion then. Anyone want to make a motion?

MS. RUSSO: I'll make the motion, Unlisted
Action, Negative Declaration.

MR. PICHNEY: Second.

THE CHAIRMAN: Taking the vote. All in
favor? (Show of hands) Abstentions? No votes? Motion
carries.

That ends the stuff that is listed on the
agenda. I did want to, before we adjourn, I want to
bring up one interesting piece of information. has
been so centrally involved with the vector control
program. A decision was just rendered by Federal
District Court Judge Spatt, who is an excellent judge,
regarding several challenges to the vector control
program regarding how pesticides are applied, et cetera.
The county's position was found to be proper,
and conducted in accordance with all permits. And the
Peconic Bay Keepers case was dismissed in its entirety.
Not a single claim was found to be valid. Wetland
ditching that the county undertakes in its techniques
were found to be legal. The pesticide applications were
found to be legal and not polluting. The point source
issues with ditching that were challenged were found to
be legal and the central point was that the Clear Water
Act was found to be -- not to be applicable to vector
control activities.

The county was sustained on all charges and
all of the charges that were brought were dismissed. I
think that is very, very interesting, if nothing else,
after several years of work -- we were progenitors back
in 2002. A Positive Dec in asking the county to
undertake an EIS and review vector control activities in
the county, and it is a culmination or validation in
many ways of what the county has undertaken.

I'm sure there will be an appeal. There
always is. I've seen the decision. We will let the
appellate court deal with those aspects. It's
gratifying to see that what the CAC developed was found to be legal in accordance with all standards of the federal and state government.

Any CAC concerns? Our CAC member took off, so I don't think he's concerned, in which case I'll entertain a motion to adjourn.

MR. SCHNEIDERMAN: Motion.

MS. GROWNEY: Second.

THE CHAIRMAN: The meeting is adjourned.

(Time noted: 11:15 a.m.)
CERTIFICATION

STATE OF NEW YORK

) ss:

COUNTY OF SUFFOLK

I, JUDI GALLOP, a Stenotype Reporter and Notary Public for the State of New York, do hereby certify:

THAT this is a true and accurate transcription of the Suffolk County Council on Environmental Quality meeting held on November 19, 2008.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of December, 2008.

JUDI GALLOP

JUDI GALLOP

Five Star Reporting, Inc.
***** Suites in all Boroughs *****
(631) 224-5054
Five Star Reporting, Inc.

***** Suites in all Boroughs *****

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surrounding [n] 22:3 26:18

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