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COUNCIL ON ENVIRONMENTAL QUALITY

Arthur Kunz Library
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4th Floor
100 Veterans Memorial Highway
Hauppauge, New York

December 10, 2008
9:30 a.m.

BEFORE:

R. LAWRENCE SWANSON, Chairperson

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

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APPEARANCES:

THOMAS GULBRANSEN
RICHARD MACHTAY
GLORIA G. RUSSO
MARY ANN SPENCER

HISTORIC SOCIETY MEMBERS:

RICHARD MARTIN

ALSO PRESENT:

JAMES BAGG, Chief Environmental Analyst
CHRISTINA DELISI, Legislative Aide to Legislator Jay H. Schneiderman
MICHAEL PITCHER, Legislative Aide to Presiding Officer Lindsey
NICK GIBBONS, Parks
KENNETH PHALEN, Department of Public Works
CHRISTINE DESALVO, CEQ Staff
CHAIRPERSON SWANSON: Okay. We'll call the meeting to order, and then -- let me just call to your attention that the staff has been very kind and put a proposed schedule of meeting dates for 2009 in your packet. We'll have to decide next month on whether these are okay. Basically, the third Wednesday with the exception of --

MR. BAGG: December.

CHAIRPERSON SWANSON: -- December.

MR. BAGG: In addition to that, Larry, the next meeting will be held here. It's in the Planning Conference Room because we have no idea what the schedule is of the Legislature at this point in time, so we're just going to say the meeting's here.

CHAIRPERSON SWANSON: Okay. Well, that's always -- makes me feel good.

The other thing is that the staff also put in the news release concerning a judge's decision on the Vector Control Program. This is very interesting
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because -- for those of us that lived
through that experience.

Any other correspondence that
you're aware of?

MR. BAGG: No, that's all.

CHAIRPERSON SWANSON: Okay. How

about minutes, anybody check the

minutes?

MR. MACHTAY: (Indicating)

CHAIRPERSON SWANSON: Yes.

MR. MACHTAY: I e-mailed Christine

some changes --

CHAIRPERSON SWANSON: For which --

which set of minutes?

MR. MACHTAY: For --

MS. DESALVO: October.

MACHTAY: -- October.

MS. SPENCER: It was October.

Yeah, because November didn't --

CHAIRPERSON SWANSON: Anybody else,

comments?

MR. MACHTAY: And I think the only

thing I really found was, in two places,
someone else was credited with Jim's
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comments. So --

CHAIRPERSON SWANSON: Very good.

Do we have a motion to accept the

minutes?

MR. MACHTAY: I'll make the motion.

CHAIRPERSON SWANSON: A motion

to --

MS. RUSSO: Second.

CHAIRPERSON SWANSON: -- second.

A second by Gloria.

All in favor?

(WHEREUPON, the Members voted.)

CHAIRPERSON SWANSON: Motion

passes.

Historic Trust.

Mary Ann?

MS. SPENCER: We had a meeting of

the new -- what's the name of it?

MR. MARTIN: Housing Committee.

MS. SPENCER: Housing Committee.

We had a meeting of the Housing

Committee to start following the new

legislation and reviewing the

county-owned sites and their grants.
And that is ongoing. We will continue to meet until we have looked at all of the sites that have been requested. In other words, if a tenant or a member of parks wants us to -- or a member of the committee wants us to look at a house, we will look at it. And I think, my own personal opinion, that it's going very well.

Richard?

MR. MARTIN: Yes. There's a formula worked out. We've been taking a look at the properties, and there's different issues -- there are locations, conditions of the building, utility expenses that the committee can recommend a reduction in the rent. And we went through a number of the sites -- the problem sites, actually, at the last meeting, and I think it did work very well. I think the county's come up with a way to deal with our historic sites and keep them occupied.

CHAIRPERSON SWANSON: Good.
Anything else?

MR. MARTIN: I would just like to add as part of that, that we now have ten vacancies within the program. Two new vacancies from last time and, of course, we have tenants that move out and things change over time. There's just a 30-day license agreement, so within every -- within a month we can have changes there. And we've asked from the last committee meeting for the appraiser to look at two vacant historic structures that we're concerned that they should be occupied as soon as possible, which is the Isaac Mills house in St. James, which we've met with the appraiser already, we'll be waiting for his report, and also the Simpson house in West Hills. That's been vacant through this whole process, and we're hoping to get it so we can settle that.

CHAIRPERSON SWANSON: I thought the Mills house was going to be occupied by the Smithtown Township Arts Council.
MR. MARTIN: There was some interest from the Arts Council, but we do not use the building for public assembly, at this point, until we upgrade the building. According to public works inspection for code review, they will only allow us to continue to use it for the existing uses, which is the residential. So we're actually looking -- we came up with different options. It's a large home that we could have -- instead of the duplex setup where the tenant will get the use of the kitchen and the living space on the second floor, and still retain for public use the other half of the building once we get that working for you.

CHAIRPERSON SWANSON: Just another question out of curiosity: That house has a pond in front of it, and it is used most every winter for ice hockey. What's our liability?

MR. MARTIN: Nick Gibbons is here
and I -- he has been over to the site; can you comment on that?

MR. GIBBONS: Not really.

Is that something you want to see continue, Larry?

CHAIRPERSON SWANSON: It's all right with me if they play ice hockey. I'm just concerned with -- one day there's going to be an accident and then we're liable, and I was wondering what the county's going to do about it.

MR. MARTIN: Well, I don't think --

MR. GIBBONS: Well, I'm sure we'll hang a sign up at our earliest convenience. Aside from that, parks does not allow ice skating --

MR. MARTIN: We don't.

MR. GIBBONS: No. No. Obviously, there's no supervision at the site. A tenant could bring such supervision, so we can --

CHAIRPERSON SWANSON: I'd hate to see the kids deprived, it's a great little pond for ice hockey there.
MR. MARTIN: Right. But parks --

MR. GIBBONS: Then don't ask.

MR. MARTIN: -- parks rules

prohibit ice skating.

CHAIRPERSON SWANSON: I had

another -- Mary Ann, I got a call asking

me if it was all right with me if you

serve on some sort of committee. And my

response and sort of applaud was it's

all right with me if it's all right with

you. What was that about?

MS. SPENCER: That's a quanda

(sic) call --

MR. MARTIN: Request for proposals.

MS. SPENCER: -- for a -- request

for proposals for a caterer. And I have

agreed to do that.

CHAIRPERSON SWANSON: All right.

MS. SPENCER: We meet next Monday.

CHAIRPERSON SWANSON: And one last

question --

MS. SPENCER: Yes.

CHAIRPERSON SWANSON: Are we

getting sufficient funds for maintenance
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of our houses. Are we getting --

MS. SPENCER: I am so --

CHAIRPERSON SWANSON: -- any

funds --

MS. SPENCER: -- glad you asked.

I'm going to turn it over to

Richard, but I would like to take the

opportunity to state for the record that

historic preservation continues in this

county, as in most counties and most

cities and most states, to be a very low

priority, and we don't begin to have the

funds to care for our properties. We

have some beautiful properties,

wonderful properties, and we don't have

the resources, we don't have the staff,

we don't have the funds. And thanks to

Richard and his two henchman, I think --

I think they do a fabulous job given the

resources they have.

Now you may comment.

MR. MARTIN: This year, many of our

capitol requests were not moved forward

to be appropriated. I've been told that
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our -- you know, since our general funds, which is our 7510 account which is distributed over a number of historic building, as of now, it's just not going to be funded in 2008; and that was about $1,600,000 that we used for various historic sites. So this year, especially, there's a concern over the funding that we did not receive in a capital program.

CHAIRPERSON SWANSON: But yet we still (inaudible) buildings --

MS. SPENCER: Yes --

CHAIRPERSON SWANSON: -- right?

MS. SPENCER: -- we do. And those acquisitions include only funds for acquisitions. There are no funds for restorations, there are no funds for maintenance, there are -- they're acquisition only. And --

CHAIRPERSON SWANSON: But you're going to look into sort of trying to do -- sort of restructure the way we do that so that maintenance, in some way,
COUNCIL ON ENVIRONMENTAL QUALITY would have to be included --

MS. SPENCER: Well, we are the trust, Larry. I think the next time a historic property comes before us for acquisition, it would be this Council's opportunity to say to the Legislature, it -- it -- it behoves us to look down the road. I mean, every -- the -- the Isaac Mills house is -- is a good example. It's not in great shape. It's on the national register, it's a historic property, but it's not in great shape.

And, Richard, you did get a heating system put in --

MR. MARTIN: Yeah.

MS. SPENCER: -- with some assistance from --

MR. MARTIN: Well, National Grid has a program --

MS. SPENCER: Right.

MR. MARTIN: -- we converted from oil to gas. We only had to pay for the furnace a nominal amount of $200. And
so we put a new gas line in and a new
furnace --

MS. SPENCER: But even to put --
you know, the -- we talk about the
problems with vacancy in historic
buildings, and even to get a tenant into
that house is going to cost the county
money that he doesn't have.

MR. MARTIN: And the purpose -- you
were right that -- Larry, that the
purpose for the acquisition was for
public use, and we can't use it for that
until the building is repaired and
upgraded to -- to code for public
assembly.

MS. SPENCER: And there's no money
to do that.

MR. MARTIN: We don't have the
funds to do that, no. Which includes
structural work. It's not just handicap
accessibility, there's structural work
that has to be done to the building to
accommodate the numbers of public
assembly to the (inaudible).
CHAIRPERSON SWANSON: And so shouldn't those question have been asked up front?

MR. MARTIN: Yes.

CHAIRPERSON SWANSON: They're not?

MR. MARTIN: Not -- not to our knowledge.

MS. SPENCER: But I -- I -- I think it's our opportunity to start asking those questions.

CHAIRPERSON SWANSON: Okay.

Any other questions?

MR. MARTIN: Just also, there's a parlor report on the contract. There's no -- nothing new. No movement, no additional contracts have been signed since last month.

CHAIRPERSON SWANSON: All right.

Thank you.

All right. Now we have Recommended Unlisted Actions. And -- let's see -- the first one is Acquisition of Land for Open Space Purposes known as Lake Ronkonkoma County Park Addition,
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McDonnell Property.

MS. FISCHER: Lauretta Fischer,
Fiscal Environmental Analyst for the
Suffolk County Planning Department.

Before you today is a small
1.8 acre parcel adjacent to the Lake
Ronkonkoma County Park in the Town of
Smithtown. This parcel is adjacent to
extensive wetlands in a bog area north
of the lake -- lake itself. It's an
extensive -- over a hundred acres of bog
that is connected to the lake to the
south.

This one small piece does have a
residential structure on it at this
point in time. However, that property
will be removed before the county
acquires it. It is, at this point,
uninhabitable. The property was flooded
in 2006 I believe. And with its
increasing groundwater in this area,
it's been a problem for various
residences. This one happens to be
the -- the most impacted of those
residences in that residential area to
the east of the bog.

We're looking to acquire this under
the new Drinking Water Protection Plan
for Wetland Protection.

Chris Kent is here from our -- from
the Real Estate and Acquisitions
Division. And if you have any questions
regarding the structure that -- how
we're going to perceive this -- the
demolition of the property, Chris can
answer those questions for you.

CHAIRPERSON SWANSON: The picture
in your packet of the house that is
discussed, and I think --

MS. FISCHER: I have some more --

CHAIRPERSON SWANSON: -- you said
1.8 acres, it's .1 acres --

MS. FISCHER: .1 -- I'm sorry, yes,

thank you for correcting me.

I have some other pictures here for
you as well that we took last week, just
to give you an update on the -- the
condition of the property.
The aerial does show that there's water surrounding it and going up the road, actually. But at this point today, we went out there last Friday, the water has subsided, but there's a lot of debris on the property and the house has been closed, obviously, with mold conditions and the like surrounding it. You can see from the second and third picture how close it is actually to the wetland boundary.

This one parcel is actually in lower elevation than its immediate adjacent lots and structures surrounding it. So there is a -- a level at -- you know, it really is very close to the level of the wetland, whereas the other properties nearby have the elevation at least five -- five to ten feet in some areas of elevation from the wetland. But this one really sits very -- within the same level of the wetland to the -- to the west.

MS. SPENCER: (Indicating)
CHAIRPERSON SWANSON: Yes.

MS. SPENCER: Who -- who will pay the cost of the demolition?

MS. FISCHER: The owner.

CHAIRPERSON SWANSON: And that includes the cesspool?

MS. FISCHER: Yes. Chris can speak on -- on that if you have any questions.

MR. KENT: Good morning.

CHAIRPERSON SWANSON: Good morning.

MR. KENT: Christopher Kent, I'm the Director of the Division of Real Property, Acquisition and Management.

By contract, the seller has to pay for the demolition of the structure, removal of the cesspool, any tanks that may be on -- on the site. The removal of the water service, whether it's a public water service or a private well, I'm not sure, but it's their responsibility to remove it. Also, the removal of the asphalt driveway and foundation removal.

CHAIRPERSON SWANSON: Any other
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questions?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Do we have a

motion?

MR. MACHTAY: (Indicating)

CHAIRPERSON SWANSON: Yes, motion.

MR. MACHTAY: Unlisted Type II.


MR. MACHTAY: Probably a Neg. Dec.

CHAIRPERSON SWANSON: We have a

motion.

Do we have a second.

MR. MACHTAY: I think it's --


MR. MACHTAY: -- Type II.

MS. RUSSO: (Indicating)

CHAIRPERSON SWANSON: And seconded

by -- and any further discussion?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: All in favor?

(WHEREUPON, the Members voted.)

CHAIRPERSON SWANSON: Opposed?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Motion
Thank you --

MS. FISCHER: Thank you.

CHAIRPERSON SWANSON: -- very much for your time.

Okay. Ratification of Recommendations for Resolutions Laid on the Table.

Jim, you have any comments?

MR. BAGG: No, it's pretty straightforward. These are the projects that have been previously reviewed for our Type IIIs. And three of them, including this one, are before you today. So they'll be going before the Legislature before the end of the year so that that money is not lost, you know, it has to be appropriated.

MR. GULBRANSEN: A question on the -- Articles 455 to 2158. Those are environmental actions which will have favorable impacts; they will have impacts, they'll be favorable impacts.

That's -- we could just call it -- I was
thinking about the negative impacts --

THE REPORTER: I can't hear you, sir.

MR. GULBRANSEN: It's a question about whether there's a need for us to recognize the favorable, the positive impacts of actions that are proposed.

MR. BAGG: 2155?

MR. GULBRANSEN: Well, I'm thinking in particular about 156, for example. The purchase of street sweeper and (inaudible), those are very helpful in the storm water runoff programs and maintenance. It's a good thing. It a positive impact.

MR. BAGG: No, I understand that, but --

MR. GULBRANSEN: I just want to make sure that technically --

MR. BAGG: Yes, but technically the purchase of equipment is a Type II Action. Now --

MR. GULBRANSEN: But we don't have to recognize that.
MR. BAGG: No. I mean, basically, SEQRA requires you to identify adverse environmental impacts. It really doesn't --

MR. GULBRANSEN: Sometimes it doesn't say the words "adverse impacts."

MR. BAGG: Well, I think that there's -- the -- the -- the significant adverse environmental impacts is what the terminology --

MR. GULBRANSEN: Right.

MR. BAGG: We try to counter that with beneficial impacts with the -- you know, the EAF or an impact statement because it tends to offset possible adverse impacts; however, in this case, there is a positive impact, but it is the purchase of equipment, so there's (inaudible).

MR. GULBRANSEN: Thank you.

CHAIRPERSON SWANSON: Okay. Do we have a motion to accept the staff recommendation for a Type II Action?

MR. MACHTAY: So moved.
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MS. RUSSO: I make a motion.

CHAIRPERSON SWANSON: Okay. Gloria makes the motion and Mr. Machtay seconds it.

Any further decision?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: All in favor?

(WHEREUPON, the Members voted.)

CHAIRPERSON SWANSON: Opposed?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Motion carries.

Now, there has been a proposal that we group Items B through I as one motion, and this is all involving improvements in campgrounds.

Do you want to tell us a little bit about what you're --

MR. GIBBONS: Sure.

CHAIRPERSON SWANSON: --

proposing --

MR. BAGG: Larry, if I --

CHAIRPERSON SWANSON: -- to do?

MR. BAGG: -- if I might --
CHAIRPERSON SWANSON: Yeah.

MR. BAGG: -- clarify that, is --

because this is before the Legislature
as one resolution for one capital
project -- all these projects, I'd like
to kind of go through them and actually
identify them and list how they are
Type II Actions, and then in one
resolution from the council, we can list
them all as Type IIs and they can go
over across the street as one
resolution. Which is consistent with
what's before the Legislature now, which
is all of these projects in one capital
project. They're all discrete projects.

CHAIRPERSON SWANSON: Okay.

Nick.

MR. GIBBONS: Good morning.

May I sit?

CHAIRPERSON SWANSON: Yes, you may.

They didn't give you a chair?

MR. GIBBONS: And I'm just like

Rich. I need a nameplate, Mary Ann.

In years past, in our capital
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program, this whole thing -- this whole
package has gone over, as Jim explained,
as kind of a patchwork of a lot of
different projects at a lot of different
sites. And that used to be okay with
Budget, but they actually kicked it back
to us and asked us for specifics on each
element within that capital project.
Which I did, I -- I went through and
pigeonholed each of these into
appropriate Type II categories. And
I -- Jim, did they get copies of those
memos?

MR. BAGG: Yes, they've gotten
copies --

MR. GIBBONS: Okay.

MR. BAGG: -- of those.

MR. GIBBONS: So we can run through
those, if there's any questions -- I
don't really have any backup materials,
except that I'm happy to answer any
questions that you might have on any of
these elements. I'm pretty well
familiar with all of them, and I'm

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confident that they're all appropriately
categorized as Type II Actions. Unless
there's, you know, a difference of
opinion around the table, we can discuss
that.

MR. MACHTAY: Do any of these
projects involve any new construction
and it's not rehabilitation --

MR. GIBBONS: Yes.

MR. MACHTAY: -- rebuilding the
same thing?

And that new construction, which
project is it and --

MR. GIBBONS: Yes. Yeah, we can do
that.

Do you want to take them out of
turn or do you want to go through --
either way.

MR. MACHTAY: It's up to you.

CHAIRPERSON SWANSON: Let's just go
quickly through them, and I think you're
building several restrooms.

MR. GIBBONS: Yes, that's true.

MR. BAGG: Larry, also if I might
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say that, this went to the Legislature
saying SEQRA is complete with CE--
previous resolutions from CEQ as well as
the Legislature on similar projects;
however, they did -- they were not these
projects. So SEQRA was not applicable
and the Bond Council won't accept that.
It has to be for these projects, not
similar projects that have had Type II
Actions.

CHAIRPERSON SWANSON: Let's just
quickly go through them --
MR. GIBBONS: Sure.

CHAIRPERSON SWANSON: -- and as the
new construction comes up --
MR. GIBBONS: Yeah.
CHAIRPERSON SWANSON: -- make sure
you point it out.
MR. GIBBONS: Okay.

So Item B on your agenda is the
Resurfacing of Existing Roadways at
Southaven County Park, Cathedral Pines
County Park, and Smith Point County
Park, all within the Town of Brookhaven.
This has to do with either paving
or the purchasing of crushed stone to
resurface existing roadways within these
parks. This does not involve any new
road construction, and it's all within
the existing footprint of those roads.

Any questions on that one in
particular?

MR. BAGG: I want to point out also
that the rules and regs, in addition to
maintenance, clearly point out that
they're really paving an existing
highway -- or roadway, not involving
additional new travel lanes to these
Type II Actions. So four might apply
with respect to that (inaudible).

MR. GIBBONS: Right. I -- I
didn't -- I don't think it's -- I hope
it's not necessary to read into the
record each of the -- or would you
prefer that from these memos?

MR. BAGG: No, I mean --

MR. GIBBONS: Okay.

MR. BAGG: -- because I'm -- you
know, we will take out of the memos what
is --

MR. GIBBONS: For your resolution.
Right. Okay.
So is that -- is that sufficient
for Item B?

CHAIRPERSON SWANSON: Uh-huh.

MR. GIBBONS: C, Upgrades to
Existing Utilities at Southaven County
Park, Cathedral Pines County Park, and
Smith Point County Park, all within the
Town of Brookhaven.

This has to do with our existing
campgrounds. The upgrading of utilities
at these sites, including water hookups
and electric is an ongoing program
within this capital project. Believe it
or not, hookups of 30 amp seem to be no
longer sufficient. We're going to
50 amp in some places. If you've seen
some of these campers, you can see why.
And I think we've talked about that
before.

But more than that, this is also
for extension of waterlines within the
campground areas.

Any questions on that project?

MS. RUSSO: Just one question,
Nick. These waterlines, you know, below
the frost line, are they typical water
mains?

MR. GIBBONS: Yes, we do them --
yeah, we have -- now we are down to
really two, if not, three campsites that
we leave open year round; one is Smith
Point, the other is Indian Island, and
intermittently, Cathedral Pines. All
the others get blown out for the winter.
But, typically, when we're replacing
stuff, we're doing it for all the frost
lines. Yeah.

Anything else?

MS. RUSSO: (Head gesture)

MR. GIBBONS: Okay.

Item D, Handicapped Access

Improvements at Lakeland County Park in

the Town of Islip.

Lakeland, for those of you that are
familiar with it, there -- pretty much, the headwaters of the Connetquot River. It's Johnson Avenue in the Islandia area. That park, in the early '80s, was the site of a major capital project to provide handicap accessibility throughout the entire park. It was the first of its kind in the county and, perhaps, in the state. Significant boardwalks were built there. You had -- you have -- ballpark patrons have experience of the wetlands. It's really quite a nice place given the location and the size of it. But over the years, some of these amenities have deteriorated. This -- this portion of the capital funding would be used for improvements at the site, including upgrading to existing codes to make existences through it handicap accessible.

We do have a park building there. It's housed with a -- we have a seasonal employee there for the summer months.
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We -- we put a handicap accessible
playground there a number of years ago,
but all that stuff requires routine
maintenance. And, in this case, it's
going to go towards handicap
accessibility.

MR. BAGG: Also, with respect to
this memo, I think that No. 2, a
Type II Action, because it's replacing
three and four region constructions,
they'll bring it up to building code.
So the -- handicap accessibility is
required by the federal government, so
it's bringing it up to code.

MR. GIBBONS: Any other questions
on that?

(WHEREUPON, there was no response.)

MR. GIBBONS: Item E, Planning and
Construction of a Park Police Substation
at Indian Island County Park, Town of
Riverhead.

So this is a new construction --
one of those new construction projects.
The existing police substation is a
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former residence at the Riverhead Golf Course. Indian Island is on the north side of Riverside Drive, the west side of County Road 105. It's inadequate in size. The park police have requested that we earmark some capital funding to add to their capacity for staff there. I'm happy to report that we have more park police now than we've had in about 25 years. It's a matter of keeping them within the county, park police, that's the hard part. But at least for the time being, we've somewhat reached our capacity at Indian Island.

The Indian Island substation serves our eastern zone the way we have parks arranged. So that extends to Orient on the north fork and Montauk on the south fork. That's quite a bit of ground to cover. So this capital funding would go towards satisfying some of their needs.

The new construction would be less than 4,000 square foot, and, as such, it qualifies as a Type II Action.
CHAIRPERSON SWANSON: Questions?
(WHEREUPON, there was no response.)
CHAIRPERSON SWANSON: Okay.
MR. GIBBONS: Item F, Sanitary Facility at Blydenburgh County Park, Town of Smithtown.
This is on the north side within the historic district. There's an existing sanitary facility there. It's very much inadequate, anybody familiar with it knows that this -- anything we do there would be an improvement as to what's there now. So this is -- it would be demolition of existing, replacement with new structure. It may or may not involve historical services in terms of some treat -- exterior treatments to the building to -- to make it a little more appropriate for the historic district. It certainly is not now. Typical parks block construction. The structure's approximately 30 years old. Also, this structure is less than 4,000 square feet.
MR. MARTIN: (Indicating)

MR. GIBBONS: Yeah.

MR. MARTIN: Nick, I just wanted to point out, I think it's just beyond the official boundary --

MR. GIBBONS: That's -- but within sight of --

MR. MARTIN: Yes.

MR. GIBBONS: -- right?

MR. MARTIN: Yeah.

MR. GIBBONS: Yeah.

MR. MARTIN: Within the view shed of the historic district, but it's out quite a bit.

MR. GIBBONS: Right. When that's -- that comes -- that saves us as a Type II in that it's outside the historic district. Yeah, I got that. So -- but we would work with -- or I would work with Rich anyway because the impacts to the -- the building could have impacts on the district. So we could do a better job at -- at making it a little more appropriate for the site.
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All right. Any other comments on that one?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Okay. G.

MR. GIBBONS: G, thank you.

Replenishment -- I should say G,
Replenishment at Meschutt Beach County Park, Town of Southampton.

Meschutt is located on the eastern side of the Shinnecock Canal. It fronts Peconic Bay. It's really -- canoe place, Hampton Bays area. Every year we -- we -- we're permitted by DEC to put, I believe it's 10,000 yards -- I -- I have a tenure permit from DEC to do that. We -- we purchase Upland sand in the winter and we deposit it on the beach. It's a -- it's an ongoing routine maintenance of -- of this facility. At one point in time we did have a permit in place to dredge -- bypass dredge from the west side of the inlet back over to the east side; that drift is reversed there. And that was a
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one-shot deal, we'd have to go back to
DEC for a new permit. So, in the
meantime, we're going to continue with
the program to purchase Upland -- beach
compatible Upland sand for deposition on
the beach.

CHAIRPERSON SWANSON: So your
permit is from the county, the state,
and the core of engineers?

MR. GIBBONS: No, it's from the
state and the core -- no, not the core.
It doesn't -- it doesn't extend below
knee-high water. So the core is out of
it.

It's simply a placement of Upland
fill beach compatible sand from DEC on a
regulated title wetland.

MR. MACHTAY: And the state has
issued a right-and-proper permit?

MR. GIBBONS: Yeah, we had --
MR. MACHTAY: And they've done
SEQRA on the permit; right?

MR. GIBBONS: Who, the state? You
sound like Jerry.
MR. MACHTAY: Just a question.

MR. BAGG: They -- they -- most everything from the state is sent through (inaudible).

MR. MACHTAY: Well, that's SEQRA; right?

MR. BAGG: Yes.

CHAIRPERSON SWANSON: But just, you're somewhere along in this tenure permit that you have?

MR. GIBBONS: Yes. Yeah, I think we have maybe six years left on this.

MR. GULBRANSEN: One question. Just to clarify, the sand that you're planning to purchase is coming from Upland.

MR. GIBBONS: Right.

MR. GULBRANSEN: And when you place it, it's well up from the entire area?

MR. GIBBONS: Not well up, it's -- it's right above knee-high water.

MR. GULBRANSEN: I guess my question then becomes, do we have any sense to whether bringing material in
from the outside is altering or compounding or contributing to the circulation that might be changing because of the settlement? Dredging was a good idea once, you're not doing dredging now, is there's a change in circulation that's building up because that other material is not being (inaudible)

MR. GIBBONS: The two primary reasons we're not dredging are money and permits. It's -- the existing permit limits us, the volume is not very much. If I said 10,000, it's -- I -- I'm pretty sure it's 2,000; ten years, 2,000 a year, at a cost of about, I think, $40,000 for us.

MR. GULBRANSEN: So that the dredging, when it was done, was simply the graph supply, it wasn't -- it wasn't to address --

MR. GIBBONS: Yes, it was. No, it was a bypass essentially to the canal, down drift. Because all that sand was
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building up on the west side of the
canal. And there -- there is a surplus
there, definitely.

MR. GULBRANSEN: Do we know whether
that surplus is impacting the adjoining
habitat and the water --

MR. GIBBONS: No, it's --

MR. GULBRANSEN: -- circulation
that -- that --

MR. GIBBONS: Like anywhere else
that you have a -- a maintained inlet,
the down drift side is starved of sand.
And in the bay, it goes the reverse of
the ocean. So it's going from west to
east in that spot. So on the west side
of the inlet there's a surplus --
actually, that -- that portion of it is
also a county park, but DEC at one time
permitted us to bypass sand from that
west side to the east, actually, at a
lot -- a much larger volume. That
project lasted maybe two days and then
it was shut down for weather, and then
the environmental window stick in (sic),

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and then we killed the project.

MR. GULBRANSEN: Okay. Thank you.

MR. GIBBONS: Okay. Okay.

CHAIRPERSON SWANSON: Okay.

MR. GIBBONS: All right. H,

Sanitary Facility at Meschutt Beach
County Park, Town of Southampton.

At Meschutt, at one time, we had a
very informal concession that -- that
sold the real basics. Since that time,
we had a new concessionaire come in.

Did a great job at revitalizing the
existing building, but we did lose
some -- some space that had been part
of -- of bathrooms and staff -- not
office space but storage space
primarily. And the popularity of the
beach is such that the existing sanitary
facility, which I think includes two
fixtures for men and two of women, is
terribly inadequate. So this -- this
funding would seek to replace that
building. Again, it wouldn't be a -- it
would replace the sanitary amenities,
but it would not -- we would keep the existing structure. This would be an entirely new structure on the site, it would be less than the 4,000 square feet, and it would -- as -- as in the case with any of these. And, you know, DEC permitting what's required and, certainly, we would have to get permits from both health and DPW. Parks will secure all those.

Questions on that?

(WHEREUPON, there was no response.)

MR. GIBBONS: Item I,

Lifeguard/Emergency Medical Technician Station at Sears Bellows County Park, Town of Southampton.

The existing EMT building, if you can call it that, is a shared space with our rowboat rentals that we run out of a -- out of a log cabin that's probably close to 40 years old. It's -- it's not adequate given the popularity of the campground there now, and the -- the needs of the park patrons.
This -- this project would be, again, less than 4,000 square feet. It would be in an existing cleared area within Sears Bellows. And, again, given it's proximity to, in this case, Bellows Pond, it may or may not require DEC permitting. I'll determine that in-house and then, if need be, I'll secure all necessary permits.

CHAIRPERSON SWANSON: Okay. Thank you very much.

MR. GIBBONS: All right. Thank you.

MR. GULBRANSEN: Could I just ask a question on that one? It's a DEC station but you won't have any radio communications? Or is that just -- maybe we don't need to emphasis the microwave transmission facility on as a --

MR. GIBBONS: We --

MR. GULBRANSEN: -- provision that you're stating and explaining. I mean, certainly, they'll be communications,
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there's just not going to be a tower; right?

MR. GIBBONS: No, we have our own two-way radio system already in place, and this facility would be served by that existing infrastructure. But nothing is needed on site. Okay?

CHAIRPERSON SWANSON: Okay.

Jim, review for us how you want the motion made so the existing --

MR. BAGG: Just simply say that the motion reviewed -- that the Council reviewed the following projects and find them to be Type II Actions as so indicated -- each individual action or each individual Type II site, and then just say that the Legislature should pass Legislation that -- that they -- these are Type II Actions.

MR. MACHTAY: I'll make that motion.

CHAIRPERSON SWANSON: Okay. So Rich just made the motion that Jim so eloquently phrased.
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Do we have a second?

MS. SPENCER: (Indicating)

MS. RUSSO: I second.

CHAIRPERSON SWANSON: Okay. I think Mary Ann had her hand up, so we'll let her get on the record.

Any further discussion?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Hold a motion, all in favor?

(WHEREUPON, the Members voted.)

CHAIRPERSON SWANSON: Opposed?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Motion carries.

MR. GIBBONS: Thank you. Have a nice holiday.

CHAIRPERSON SWANSON: You too, Nick. You too.

Okay. Next is the Interim Backup Facility for the Fire Rescue Emergency Services in Coram, Town of Brookhaven.

MR. PHALEN: (Indicating)

CHAIRPERSON SWANSON: Yes.
MR. PHALEN: Ken Phalen from DPW.

CHAIRPERSON SWANSON: Welcome.

MR. PHALEN: I brought plans in case anybody was interested in seeing what the space was. Just to explain, this is an existing space. It is the basement of the former 6th Precinct. And right now it's only utilized in one small area behind probation, it's a staff meeting space. The county does not have a backup facility in case the 9-1-1 Emergency Center, located in Yaphank, goes down. They've been looking at various facilities and sites over the years.

The county having a new 6th Precinct, probation may -- does occupy the first floor, this would be -- the basement would be for the -- a backup emergency center would be primarily utilized by fire rescue and emergency services, but there would also be a desk there for probation and for the sheriff's office for a backup emergency
for them as well.

The space, as I said, is already
there, but it needs some modifications
to it, and the majority of the work
would be, basically, bringing equipment
into that space.

MR. MACHTAY: (Indicating)

CHAIRPERSON SWANSON: Yes.

MR. MACHTAY: So it's existing
space that will be modified or
rehabilitated or renovated to serve a
new need.

MR. PHALEN: Yes.

MR. MACHTAY: All right.

Type II Action?

CHAIRPERSON SWANSON: Okay. We
have a motion, Type II --

MS. RUSSO: Second.

CHAIRPERSON SWANSON: -- second
from Gloria.

Any further discussion?

MR. GULBRANSEN: In the previous
motion there was a citation of -- a

provision where, I guess,
transmissions -- microwave stuff was not involved. In this case, it is --

MR. PHALEN: Yes --

MR. GULBRANSEN: -- involved --

MR. PHALEN: -- they'll be bringing backup radios so when Yaphank --

MR. GULBRANSEN: Is there anything there now?

MR. BAGG: Yes, there's already communications at that facility.

MR. GULBRANSEN: So we're not looking at a --

MR. BAGG: No.

MR. GULBRANSEN: -- change, it's just additional phone use.

MR. PHALEN: It would be new equipment.

CHAIRPERSON SWANSON: Okay. We have a motion, it was seconded.

All in favor?

(WHEREUPON, the Members voted.)

CHAIRPERSON SWANSON: Opposed?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Motion
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carries.

MR. PHALEN: Thank you.

CHAIRPERSON SWANSON: Thank you very much.

All right. That brings us almost to the end -- I lost my agenda.

There's nobody here from the public -- general public.

Any other business?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: And no CAC representatives.

Do I have a motion to adjourn?

MR. MACHTAY: I make a motion

wishing everybody a Merry Christmas and a Happy New Year, and I'll see you all next year.

MR. GULBRANSEN: That said by the man with the red suspenders on.

CHAIRPERSON SWANSON: Do I have a second?

MR. MACHTAY: You know, my beard used to be a lot longer.

MS. RUSSO: (Indicating)
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CHAIRPERSON SWANSON: Gloria,

second.

MR. MACHTAY: Do you remember, Jim?

MR. BAGG: Yup.

CHAIRPERSON SWANSON: All in favor?

(WHEREUPON, the Members voted.)

(WHEREUPON, the December 10, 2008 Meeting of the Department of Planning Council on Environmental Quality

adjourned at 10:18 a.m.)
CERTIFICATE

I, THERESA PAPE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That the foregoing is a true and accurate transcription of the stenographic notes taken herein.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of December, 2008.

[Signature]

THeresa Pape