

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

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

Lawrence Swanson  
Chairperson  
CEQ

## **SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES**

DATE: September 17, 2018

TIME: 9:30 am – 12:25 pm

LOCATION: Arthur Kunz Library

H. Lee Dennison Bldg. – 2<sup>nd</sup> Floor

Veterans Memorial Highway, Hauppauge, New York

### PRESENT:

Larry Swanson, Chair

Michael Kaufman, Vice Chair

Frank De Rubeis

Michael Doall

Eva Growney

Thomas Gulbransen

Hon. Kara Hahn

Mary Ann Spencer

Andrea Spilka

### ABSENT:

Robert Carpenter Jr.

Constance Kepert

### CAC REPRESENTATIVES:

None

### STAFF:

Andrew Freleng, Chief Planner

John Corral, Senior Planner

Christine DeSalvo, Principal Office Assistant

**GUESTS:**

Maria Nida, Assistant County Attorney, Suffolk County Department of Law  
Sarah Lansdale, Director of Planning, Suffolk County Department of Economic  
Development and Planning, Division of Planning and Environment  
Richard Martin, Director of Historic Services, Suffolk County Department of Parks,  
Recreation and Conservation  
Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic  
Development and Planning, Division of Planning and Environment  
Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks,  
Recreation and Conservation  
Jeff Dawson, Associate Civil Engineer, Suffolk County Department of Public Works  
Justin Hipperling, Director of Construction, Suffolk County Department of Public Works  
Christine DeLisi, Legislative Aide, Suffolk County Presiding Officer DuWayne Gregory  
Alyssa Turano, Legislative Aide, Kara Hahn, Legislative District #5  
Gwynn Schroeder, Legislative Aide, Al Krupski, Legislative District #1  
Eric Lamont, President, LI Botanical Society  
Michael Madigan, Board Member, Open Space Counsel  
Alyse Dellefave, Attorney, Rigano LLC  
Frank Piccininni, Board Member, Save the Great South Bay  
Charles Bevington, Legislative Chair, Long Island Group, Sierra Club  
John Turner, Conservation Policy Advisor, Seatuck Environmental Association  
Karen Blumer, Vice President, Open Space Counsel

**Minutes:**

August 15, 2018

A motion was made by Mr. DeRubeis to approve the August 15, 2018 minutes. The motion was seconded by Ms. Spilka. Motion carried.

**Correspondence:**

- John Corral, staff to the CEQ, noted that the CEQ received three letters of correspondence in regards to the North Fork Preserve Property. Two letters from the Open Space Council were received on September 16, 2018 and one letter was from the Group for the East End was received on September 14, 2018. Staff noted that copies of these letters have been placed in the CEQ member's folders.

**Project Review:**

**Taken out of Order** –*Please note the Project Review section of the meeting was taken out of order to accommodate the project presenter Lauretta Fischer's scheduling conflict.*

**Recommended Unlisted Actions:**

- A. Proposed Acquisition of Land Under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum – Land Purchases for Open Space Preservation – For the Mud Creek Addition – Gattini Property, Town of Brookhaven

A presentation regarding the project was given at the meeting by Laretta Fischer, Chief Environmental Analyst, with the Suffolk County Department of Economic Development and Planning. The project involves the acquisition of land by Suffolk County under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum and its transfer to the County Parks Department in order to assure it remains as open space for passive recreational use. The proposed acquisition is located south of Patchogue Yaphank Road and west of Gazzola Drive in the hamlet of East Patchogue and is identified by Suffolk County Tax Map Number 0200-975.70-01.00-009.000.

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

B. Proposed Acquisition of Land Under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum – Land Purchases for Open Space Preservation – Kupersmith Estate Property, Town of Brookhaven

A presentation regarding the project was given at the meeting by Laretta Fischer, Chief Environmental Analyst, with the Suffolk County Department of Economic Development and Planning. The project involves the acquisition of land by Suffolk County under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum and its transfer to the County Parks Department in order to assure it remain as open space for passive recreational use. The proposed acquisition is located north of Montauk Highway and east of Southaven Drive in the hamlet of Brookhaven, and is identified by Suffolk County Tax Map Numbers: 0200-962.00-01.00-005.000, 0200-962.00-01.00-007.000, 0200-962.00-01.00-008.000, 0200-962.00-01.00-009.000, 0200-962.00-01.00-010.000 & 0200-962.00-01.00-013.000

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

**Historic Trust Docket:**

- Updates on Historic Trust Custodial Agreements

Richard Martin noted recent work that has been done at the Deepwells County Park. This work included a new driveway with pea gravel, work on the formal gardens and landscaping improvements. Mr. Martin noted the success the Deepwells Society has had raising money through their very popular Halloween Haunted House event.

- Updates on Housing Program for Historic Trust Sites:

Mr. Martin noted that the Suffolk County Parks Department has done a lot of renovation work to the rental property at the Meadow Croft Estate in Sayville and a new tenant has just moved into the property. Mr. Martin noted the importance of not having a vacancy at that property.

### **Project Review:**

#### **Recommendations for LADS Report:**

- A. Recommendations for Legislative Resolutions Laid on the Table September 5, 2018

Mr. Kaufman made a motion to accept staff recommendations on Legislative Resolutions Laid on the Table – September 5, 2018. The motion was seconded by Ms. Growney. Motion carried.

### **Other Business:**

- Nick Gibbons, Principal Environmental Analyst, with the Suffolk County Department of Parks, Recreation and Conservation provided information to the CEQ on the North Fork Preserve property. Mr. Gibbons's presentation included the preservation history of the North Fork Preserve property. It was noted that the North Fork Preserve property consists of three main acquisitions consisting of approximately 350 acres in size. The northern 125 acres is owned solely by the County and was acquired for passive recreation use (SC Reso 816 -2011, purchased under the New Drinking Water Protection Program – Open Space Component). The western approximately 50 acres of the property is designated for agricultural use (Suffolk County Purchased the Farmland Development Rights in 1991 and purchased the residual fee title to the property via SC Reso 447-2014 under the New Suffolk County Drinking Water Protection Program – Active Recreation/ Hamlet Park/Historic and/or Cultural Park component). The southern 175 acres is owned jointly by Suffolk County and the Town of Riverhead and was acquired for active recreation use (SC Reso 815-2011, purchased under the New Drinking Water Protection Program – Active Recreation Component). It was noted that this municipal partnership was required for the property to be purchased under this program. Mr. Gibbons also noted that as part of this active recreation acquisition process there was a conceptual plan that was presented to the CEQ at the time of acquisition. Mr. Gibbons also noted that there would be a Master Plan process before the 175 acres of the southern portion of the property is developed into an active recreation park. Mr. Gibbons noted that part of the Park's Master Plan process includes the solicitation and incorporation of public input. Mr. Gibbons also stated that a Master Plan process would also include sending the draft Plan out for public comment and holding a public hearing on the Plan.

Mr. Gibbons also described the drainage project that has taken place on the northern portion of the North Fork Preserve Property. It was noted that there is a four acre

parcel located adjacent to the northern portion North Fork Preserve Park Property that was acquired by Suffolk County Department of Public Works for drainage use but it was determined that the entire drainage issues on the northern portion of the property could not be handled entirely by these four acres. Mr. Gibbons noted that as a result the drainage project was proposed on the northern portion of the North Fork Preserve Property and was brought before the CEQ last year. Mr. Gibbons noted that while none of the wetlands on the property are currently mapped NYSDEC wetlands the County voluntarily applied for and received NYSDEC Wetlands Permits. Mr. Gibbons noted that the project was done in compliance with the NYSDEC permit requirements.

Jeff Dawson, Associate Civil Engineer and Justin Hipperling, Director of Construction with Suffolk County Department of Public Works also provided information on the drainage project that is being conducted on the northern portion of the North Fork Preserve Property. Mr. Hipperling noted that the project is approximately 95 % complete and is expected to be completed within one month. It was noted that the work remaining includes some stabilization work in the central portion of the property. Mr. Hipperling noted that Suffolk County Department of Public Works has followed the NYSDEC project specifications as closely as possible and has also worked with interested community members in attempts to reduce the amount of disturbance to sensitive areas in the Park. Mr. Hipperling noted that the intent of the project is to maintain as much water on the property as possible and limit the amount of water that is discharged to the Long Island Sound through the outfall pipes.

### **Public Portion:**

*Below is a summary of the main points made during the Public Comments received on the North Fork Preserve:*

- Karen Blumer, with the Open Space Council, spoke to the CEQ regarding her concerns about the North Fork Preserve Property. In summary, Ms. Blumer described the sensitive nature of the North Fork Preserve Property including the wetlands that are on the property. Ms. Blumer also described some of the alleged impacts that have resulted as a result of the North Fork Preserve drainage project. Ms. Blumer also noted that given the environmental sensitivity of the site, she did not agree with the Negative Declaration that was given for the North Fork Preserve Property drainage project. Ms. Blumer noted that her intent is to coordinate with Suffolk County to make sure that this type of project impacts does not occur again. Ms. Blumer also requested that there be a body created such as a “North Fork Preserve Trust” to review projects that take place at the North Fork Preserve.
- Frank Piccininni, from the Save the Great South Bay organization, also provided additional public comment regarding the North Fork Preserve Property. Mr. Piccininni objected to the Negative Declaration that was given to the project and noted that a quick review of the New York State Resource Mapper would have indicated these issues. In response, Staff to the CEQ noted that when the project was reviewed the New York State Department of Environmental Resource Mapper did not indicate the presence of Rare Plants or Animals or the presence of Significant Natural Communities. Staff noted that this is indicated in the map that is

included in the project EAF and is posted online. Staff also noted that one of the reasons for the Negative Declaration was that all New York State Department required wetlands permits would be obtained for the project.

- Alyse Dellefave, Attorney, Rigano LLC also pointed out issues that she had with the review process including that the EAF Mapper indicates the presence of rare species on the property. Ms. Dellefave also noted that the Army Core of Engineers would likely have jurisdiction over the North Fork Preserve wetlands. It was noted by a CEQ member that the New York State Department of Environmental Conservation also has an equivalence permit. Ms. Dellefave also mentioned that the Coastal Erosion Management Act which is regulated by the NYSDEC may apply and that the NYSDEC granted jurisdiction for Coastal Erosion Management to the Town of Riverhead. CEQ Staff noted that the CEQ coordinated with the Town of Riverhead for this project and did not receive any comments or objections to the project.
- John Turner with the Seatuck Environment Association, voiced his concern that a case could be made that the project alienated the parkland by doing a drainage project on the park property. Mr. Turner noted he brought this up so that the Council is aware of this issue of alienation in the future.

After the extended public comment as outlined above Mr. Swanson, Chair to the CEQ, requested that the CEQ staff and a few members of the CEQ draft a proposal of what an advisory committee for the North Fork Preserve Property may look like (i.e. who would be involved with this committee, what would be the time frames, etc). Mr. Swanson noted that the CEQ could then debate the value of recommending the creation of such a committee at the following CEQ meeting. Members of the CEQ who volunteered for this research CEQ subcommittee were Tom Gulbransen, Andrea Spilka, and Mike Kaufman with input from Legislator Krupski. As a clarification, CEQ staff asked the Chair if it would be all right for staff and the chosen CEQ members to also investigate the current Suffolk County Park Master Plan outreach process. Mr. Swanson said he was open to all possible ideas.

**CAC Concerns:**

None

Meeting Adjourned