

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: January 16, 2019

TIME: 9:30 am – 12:40 pm

LOCATION: Arthur Kunz Library

H. Lee Dennison Bldg. – 2nd Floor

Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Larry Swanson, Chair

Michael Kaufman, Vice Chair

Robert Carpenter Jr.

Frank De Rubeis

Eva Growney

Thomas Gulbransen

Hon. Kara Hahn

Constance Kepert

Mary Ann Spencer

Andrea Spilka

ABSENT:

Michael Doall

CAC REPRESENTATIVES:

None

STAFF:

Andy Freleng, Chief Planner

John Corral, Senior Planner

Christine DeSalvo, Principal Office Assistant

GUESTS:

Maria Nida, Assistant County Attorney, Suffolk County Department of Law
Richard Martin, Director of Historic Services, Suffolk County Department of Parks,
Recreation and Conservation
Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks,
Recreation and Conservation
Frank Castelli, Chief Environmental Analyst, Suffolk County Department of Economic
Development and Planning, Division of Water Quality
Jennifer McGivern, Environmental Planner, Suffolk County Department of Economic
Development and Planning, Division of Water Quality
Diego De La Rocha, Intern, Suffolk County Department of Economic Development and
Planning Division of Planning and Environment
Leighton Mears, North Shore Tree and Landscape
Gabrielle Lindau, Ward Melville Heritage Organization
Alyssa Turano, Legislative Aide, Legislator Kara Hahn District #5
Catherine Stark, Legislative Aide, Legislator Al Krupski District #1
Christina DeLisi, Suffolk County Legislative Aide, Presiding Officer Gregory
Kathy McShane, Senior Environmental Analyst, Town of Smithtown

Minutes:

- December 12, 2018 Meeting Summary were tabled until the February CEQ Meeting.

Correspondence:

- None

Public Portion:

- None

Historic Trust Docket:

Director's Report:

- Updates on Housing Program for Historic Trust Sites

Mr. Martin stated that there no new updates on the Housing program

- Updates on Historic Trust Custodial Agreements

Mr. Martin noted that Suffolk County was given a nice front page story in the Preservation Notes, now produced by the Preservation Long Island Organization, on the Homan House in Yaphank. This Organization is very interested in the rehabilitation of the Homan House because their organization documented this building in 1960's and those historic photographs were then used in the restoration. Mr. Martin noted that the

restoration of the Homan House should come to completion shortly and Suffolk County is working to open the House to the public this coming summer or fall. Mr. Swanson said that he thought it would be important for the CEQ to have a meeting at the Homan House when it is available.

Mr. Swanson asked if it was Barbara Van Liew who documented the Homan House. Mr. Martin said that the Organization's first director documented the building and then Barbara Van Liew did additional work. Mr. Swanson noted that Barbara Van Liew was part of the original CEQ when it was first founded in the 1970's. Mr. Martin agreed and said that she was instrumental in forming the Suffolk County Historic Trust.

- After the Historic Trust Director's Report, Mary Ann Spencer, Chair of the CEQ Historic Trust Subcommittee, read into the record the Historic Trust Subcommittee's resolution regarding the unauthorized installation of a "footing" or "riding area" on the Old Field Farm Property and the related NYSDEC violation letter. The Historic Trust Subcommittee resolution recommends that this "footing" or "riding area" be removed and the material pile that was placed adjacent to the wetlands be removed in accordance with the NYSDEC letter

Following the Historic Trust Subcommittee resolution being read into the record the issue was discussed by the CEQ/Historic Trust (the CEQ serves as the Suffolk County Historic Trust). It was discussed that this property is a County owned historic park property that is located adjacent to tidal wetlands and is also listed on the State and National Historic Register. It was noted that the tenant on the Old Field Farm property installed a footing base for horse use without Suffolk County Parks Department approval and that the material that was removed to make this footing was placed in a pile adjacent to the wetlands.

After an extended discussion a motion was made by Mr. Kaufman that the Historic Trust Subcommittee's recommendation be forwarded to the Suffolk County Parks Commissioner with the additional note that the CEQ appreciates the longstanding relationship that Old Field Farm, Ltd. has had with the County and looks forward to working with the Old Field Farm Ltd in the future through the County's established approval processes. The motion seconded by Ms. Spilka. Mr. Carpenter abstained. Motion carried.

- As the Chair of the CEQ Historic Trust Committee, Ms. Spencer also read into the record the Historic Trust Subcommittee resolution regarding the 2019 Suffolk County budget funding reduction for the purchase of supplies/inventory at the Saint James General Store and the Big Duck, in Flanders. The Historic Trust Subcommittee resolution recommends that funds for inventory at the St. James General Store and the Big Duck be restored.

Following the Historic Trust Subcommittee resolution being read into the record, Richard Martin provided the Historic Trust with background information on the two County Sites. Mr. Martin explained that the Saint James General Store and the Big Duck are Suffolk County owned historic sites that operate year round as County run historic museum sites. It was noted that the County runs and operates these historic museum sites using County staff and County budgeted funds to purchase the sites' inventory. The proceeds from the sales of this inventory is then returned to the County's general fund.

After the Historic Trust received background on the sites, the issue of the reduction in funding for the sites inventory/supplies was discussed. It was noted that the Suffolk County 2019 budget significantly reduced funding for the purchase of supplies/inventory for the Saint James General Store and the Big Duck in Flanders. It was also discussed that there is not sufficient inventory to cover this budgetary reduction. There was concern voiced that if funding is not restored these sites will not be able to operate successfully and may be forced to close. The Historic Trust also noted that these sites bring in significantly more revenue than the cost of the inventory and that the sites closing would result in a loss of important Suffolk County heritage sites that are great examples of history in action.

After an extended discussion a motion was made by Mr. Kaufman that a letter should be sent from the Chair of the CEQ to the Suffolk County Executive and the Suffolk County Legislators expressing the CEQ's concern regarding the Suffolk County 2019 budget funding reduction for supplies/inventory for the Saint James General Store and the Big Duck, in Flanders. The motion noted that the letter should include the following points:

- that the CEQ/Historic Trust is very concerned that Suffolk County 2019 budget significantly reduced the funding for the purchase of supplies/inventory for the general store;
- that there is not sufficient existing inventory at the sites to cover this budgetary reduction and that the CEQ/Historic Trust is concerned that if funding is not restored that these sites will not be able to operate successfully and may be forced to close;
- that these sites bring in significantly more revenue than the cost of the inventory and that in addition to the loss of revenue the closing of these sites will result in the loss of important historic heritage sites that are great examples of history in action;
- and that the CEQ/Historic Trust recommends that funding for the Saint James General Store and the Big Duck, in Flanders be restored

The Motion was seconded by Ms. Growney. Motion Carried

Project Review:

Recommended Unlisted Actions:

- A. Proposed Phragmites Removal Project, Ward Melville Heritage Organization, Town of Brookhaven, Town of Smithtown and Village of Head-of-the-Harbor

Leighton Mears from North Shore Tree and Landscape and Gabrielle Lindau from Ward Melville Heritage Organization gave a presentation to the CEQ regarding the Phragmites removal project.

The project involves preventing the spread and eliminating the invasive Phragmites in the Stony Brook Creek. The Phragmites are proposed to be removed with a hand cutting

method that involves monitoring and follow up cutting if necessary. The proposed locations include a Town of Brookhaven owned parcel, a Suffolk County owned parcel and a parcels owned by the Ward Melville Heritage Organization which are located in the Town of Brookhaven and the Village of Head of the Harbor.

The CEQ discussed the project and discussed a number of issues including the following:

- Permitting – It was discussed that a permit application will be submitted to the New York State Department of Environmental Conservation for this project. It was also noted that the project sponsor will coordinate with the local municipalities
- Erosion and Steep Slopes – the CEQ brought up the concern that after the Phragmites are removed that erosion will take place resulting in sediment entering Stony Brook Creek. The project sponsors noted that the base of the Phragmites will not be removed which will allow nature vegetation to grow back in its place. The project sponsors also noted that the locations where the Phragmites are to be removed are not areas with steep slopes.
- Monitoring and the regrowth of the Phragmites – The CEQ brought up the importance of monitoring and also asked about the regrowth of the Phragmites after they are cut. The project sponsors noted that the project does include proposed monitoring and additional cutting of the Phragmites if regrowth is observed.

After the discussion a motion was made by Ms. Keper to recommend classification of the proposed project as a Unlisted Action with a Negative Declaration. The motion included the proposed action will include monitoring of the cut Phragmites areas. The motion was seconded by Ms. Hahn. Motion carried.

Project Review:

Recommendations for LADS Report:

- A. Recommendations for Legislative Resolutions Laid on the Table December 4, 2018, December 18, 2018 and January 2, 2019

Mr. Corral noted that the new SEQRA regulations went into effect January 1, 2019. The new updated SEQRA regulations added a few additional Type II actions which is why the Type II numbers have changed. Mr. Corral also noted that the Carmans River/Lower Lake Fish Ladder Project that the CEQ reviewed in December is now moving forward and is being considered by the Legislature.

Mr. Kaufman made a motion to accept staff recommendations on Legislative Resolutions Laid on the Table December 4, 2018, December 18, 2018 and January 4, 2019. The motion was seconded by Ms. Growney. Motion carried.

Other Business:

- Mr. Swanson asked for an update on the North Fork Preserve County Park subcommittee. Mr. Kaufman noted that the subcommittee has not meet yet. Mr. Gulbransen mentioned that he had a question regarding whether the CEQ subcommittee could communicate via emails and still be in compliance with the open meetings laws. Mr. Corral said that the CEQ staff reached out to the County Attorney's office to gain information about this question. In summary, the answer received from the County Attorney's office was that email can be used for information gathering purposes but cannot be used in the subcommittees final decision making process.

The mission of the CEQ subcommittee was also reiterated. As had been noted previously the mission of this subcommittee is to explore whether or not an advisory committee is needed for the North Fork Preserve Park and then for the subcommittee to make its recommendation back to the full CEQ. The CEQ subcommittee members discussed having the first subcommittee after the next CEQ meeting. CEQ staff said they would help to organize the subcommittee meetings but that they would need at least one week notice.

- Update on the Suffolk County Subwatersheds Wastewater Plan and its Draft Generic Environmental Impact Statement

Mr. Swanson noted that sections of the Suffolk County Subwatersheds Wastewater Plan have started to be delivered to the CEQ members. It was noted that it will be submitted to the CEQ members electronically directly from the consultant, CDM Smith. It was also clarified that the sections currently being delivered to the CEQ members are sections of the Subwatershed Plan not the GEIS itself. It was clarified that the Subwatershed Plan is the action that the GEIS will be analyzing. Mr. Swanson also voiced his concern that he understands there is a tight timeline for the review of this Plan but he does not want delays in the Plan being distributed to the CEQ to take away from the time the CEQ has to review the Plan and the GEIS.

- Election of Officers

Ms. Spencer made a motion to nominate Larry Swanson as Chair of the CEQ and Michael Kaufman as Vice Chairman of the CEQ. The motion was seconded by Ms. Spilka. Motion carried.

Mr. Swanson thanked the CEQ members for their vote of confidence and said he looked forward to a challenging and interesting upcoming year.

Meeting Adjourned