



**CENTRAL
PINE
BARRENS**
JOINT
PLANNING
&
POLICY
COMMISSION

**Central Pine Barrens Advisory Committee
Meeting Summary (FINAL - Approved 3/13/01)
Suffolk Community College Eastern Campus
Peconic Building Room 100
Riverhead, NY
May 3, 2000 6:00 pm**

Advisory Committee members present: Michael LoGrande, Chairman, and other members as per attached attendance sheet.

Others present: As per attached attendance sheet.

Opening Comments:

Robert J. Gaffney
Chair

Felix J. Grucci, Jr.
Vice Chair

Vincent Cannuscio
Member

Ray E. Cowen
Member

Robert Kozakiewicz
Member

The meeting was called to order by Mr. LoGrande at approximately 6:20 pm, with a 16 member quorum present. Opening comments were made by Mr. LoGrande. He introduced Ray Corwin, Executive Director of the Central Pine Barrens Joint Planning & Policy Commission.

Status on Commission Activities:

Mr. Corwin distributed an informational packet (attached) to all present. He summarized recent activities of the Commission as follows:

The May 2, 2000 Protected Lands Council trail rehabilitation work day at Robert Cushman Murphy County Park was a success. PLC members and volunteers planted native pitch pine seedlings and blocked disturbed and cleared areas with logs and branches.

The 2nd Annual Air-Ground Firefighting Awareness Day is scheduled for May 20, 2000, where water bucket training can be observed.

The Third Annual NY Wildfire and Incident Management Academy will be held Oct. 20 - Oct. 29, 2000.

In commemoration of National Trails Day, two full days of walks are scheduled as part of the Paumanok Path Celebration on June 3rd & 4th, 2000.

The Fifth Annual Pine Barrens Research Forum will be held October 12th & 13th, 2000.

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The Wildfire Task Force has conducted a series of prescribed burns in the Pine Barrens area. The weather station is up and running.

Mr. Corwin highlighted additional Commission activities and noted that other information of interest can be found on the Commission Web site, which he updates frequently.

Advisory Committee Membership

Mr. LoGrande named all of the current 27 Advisory Committee member organizations, noting that originally there were 24 organizations named in Article 57, with 4 vacancies to be filled. He noted the recent appointment of the South Fork Groundwater Task Force to the Committee and advised that, in filling the last available slot (the 28th slot), the committee should attempt to balance the membership equally between business and environmental interests by getting someone from the Southampton business community.

Hank Beck from the Greater Westhampton Chamber of Commerce introduced himself and stated that his organization would like to be considered for membership. He was directed to send a formal letter to the Committee with this request.

Several members expressed concerns about appointing an organization they know little about. Mr. LoGrande will send a canvas letter to the membership to see if appointment of this organization is acceptable to the Committee.

Kim Darrow, Long Island Greenbelt Trail Conference, stated that the committee should make a recommendation to the legislature to update the list of committee members.

Mr. LoGrande noted that several organizations have not been attending meetings; the NY State Water Resources Commission Senate Office and the North Fork Environmental Council.

Pine Barrens Extension Proposal

Mr. LoGrande summarized the history of the South Fork planning initiative to date and the reasons he felt the initiative failed.

Mr. LoGrande met today with Mr. Cannuscio, Town of Southampton Supervisor, and Mr. Schneiderman, Town of East Hampton Supervisor, and told them he thinks the extension is still a good idea because of the rapid loss of sensitive properties due to extreme development pressure, the great funding opportunities for acquisition by the State,

County, and Towns, and the State's indemnification of the Towns. However, he said that both Town supervisors believe that the extension will not work in their Towns and they no longer want the Advisory Committee to draft legislation or maps for the extension. They are interested in preserving groundwater only (not other values), and feel that can be accomplished at the Town level.

Mr. Schwenk, Hamptons Visitors Council, complained that two staff positions were created in Southampton Town to speed up land acquisitions but that there has been very little progress. It was suggested that he bring his concerns to the Town.

Mr. LoGrande suggested that the Committee consider offering assistance to the Towns in their preservation efforts. Dr. Koppelman, LI Regional Planning Board, pointed out that the Advisory Committee doesn't have the legal authority to extend efforts beyond the Central Pine Barrens boundary; groups could individually offer assistance if they wanted to. Kevin McDonald, Group for the South Fork, agreed with Dr. Koppelman that there are other important issues in addition to preservation of groundwater quality, noting new studies that show that links between groundwater quality and surface water quality.

Mr. Meringolo, Suffolk Alliance of Sportsmen, Inc., asked about the status of East Hampton's extension resolution. Mr. LoGrande replied that it still stands. Mr. Corwin was told by Mr. Schneiderman that the Town Board is split on the extension issue and that no formal decision has been made whether to rescind or not. Mr. Schiano, South Fork Groundwater Task Force, suggested that the Committee continue efforts in East Hampton. Mr. LoGrande reminded the group that Mr. Schneiderman will not support it. Dr. Avedon, South Fork Groundwater Task Force, recommended tabling the East Hampton issue for awhile until that Town decides what action, if any, they want to take regarding their original request.

Mr. Pally, Long Island Association, pointed out that extension supporters don't trust the Towns to do their job of preservation, and opponents have faith that the Towns will do the right thing. Mr. Wieboldt, LI Builders Institute, agrees it is a trust issue. He believes the Town Boards are doing their job and that the Advisory Committee should not be involved.

Mr. LoGrande suggested that the Advisory Committee make positive recommendations to the Towns.

Mr. Gergela, LI Farm Bureau, said that his organization, as well as other organizations, will be working individually with the two Towns. Mr. Gergela made a motion, seconded by Ms. LaWall, Southampton Business Alliance, as follows:

WHEREAS, the Town Boards of the Towns of Southampton and East

Hampton have determined that an extension of the Central Pine Barrens law is not the preferred means for achieving groundwater protection in their unique communities; therefore

BE IT RESOLVED that the Advisory Committee to the Central Pine Barrens Commission will terminate further discussion and/or planning for an extension of the Central Pine Barrens law to the Towns of Southampton and East Hampton.

A lengthy discussion ensued. Mr. Schiano argued that East Hampton has not rescinded its resolution requesting membership on the Commission, and therefore the motion is premature. Ms. LaWall argued that, without Southampton, the extension into East Hampton is not feasible. Mr. Casey, LI Greenbelt Trail Conference, reminded everyone that the Central Pine Barrens Commission had charged the Advisory Committee with looking into the Towns' requests. Mr. LoGrande noted that the committee *did* look into them and are recommending against them. Mr. Spitz, NYS Department of Environmental Conservation, quoted part of the Commission's Oct. 29, 1999 resolution as follows:

"..... Resolved, that the Central Pine Barrens Advisory Committee, created by NY ECL Article 57 to advise the Commission, should be convened to provide advice in the pine barrens land use planning process being undertaken for the area located east of the Shinnecock Canal". He noted that the Suffolk County Planning Department was supposed to be doing the plan.

Mr. McDonald stated that the Commission's resolution was broad and it's premature to kill it. He still wants the Advisory Committee to offer assistance and for the Commission to pay for an economic analysis by Dr. James Nicholas. Mr. LoGrande agreed that the door should be left open to offer advice and monetary assistance. He suggested an amendment to the motion made by Mr. Gergela ***"to add some whereas to offer assistance by having the Commission look at and engage the cooperation of the two Towns to look at putting together a format by which the Commission can assist, both in terms of information and securing some funds for them (or advising on how they secure funds), or putting together other arrangements that would be acceptable. The Advisory Committee has a lot of organizations engaged in the business of protecting and preserving land and are doing a good job of it"...and whereas the Central Pine Barrens Commission as well as the Advisory Committee have experience and have a cross section of membership that could be conducive in an assistance way to the two Towns to be able to resolve at least what we believe is their intent to protect and preserve critical areas within those Towns"***.

Ms. McCaffery, Eastern Suffolk Board of Realtors, objected, saying that the Advisory Committee should wait for the Towns to ask for assistance. Dr. Koppelman argued that the Town politicians cannot be pressured by the Advisory Committee. Mr. LoGrande

stated that the Committee is not pressuring, only offering to help.

Mr. Shea, Town of Southampton, feels that the Advisory Committee still has an important role and welcomes their assistance. He supports Mr. LoGrande's suggested amendment to the motion.

Mr. Gergela again stated that he wants to bring closure to the initiative and, like the local Agricultural Committee, individual groups can work with the Towns. He stressed the need for following the State's open meetings law. Mr. Gergela expressed concerns that the Farm Bureau may not agree with the Committee's recommendations to the Towns.

Dr. Koppelman called the question. Mr. Wieboldt said "aye".

There was confusion and Mr. McDonald asked to hear the resolution again. Mr. LoGrande said that the motion has not been amended, and that he had only offered a suggested amendment to Mr. Gergela's original motion.

Mr. Wieboldt stated that the Advisory Committee is advisory to the Commission and not to the Towns. He proposed an amendment to the motion ***"to say that we're asking the Commission to offer the full range of resources of the Commission and its Advisory Committee, and to ask the Towns what role they'd like the Advisory Committee to play."***

Mr. Gergela amended his original motion, leaving out the first paragraph which started with "Whereas", and accepted Mr. Wieboldt's additional language, which Mr. Wieboldt re-stated as ***"we're asking the Commission to ask the Towns to formally suggest the proper role for us"***. Ms. McCaffery seconded the amendment to the original motion.

Mr. LoGrande clarified that the motions before the Committee, which consisted of ***Mr. Gergela's original motion (consisting of a "Whereas..." and a "Resolved...")***, and an addition to read ***"and BE IT FURTHER RESOLVED, that the Advisory Committee is requesting that the Commission ask the Towns if they want assistance, to define that assistance in the role of the Advisory Committee and the Commission, in accomplishing the protection and preservation of important areas in both Towns"***.

Dr. Koppelman again called the question.

Mr. LoGrande called for a vote on Mr. Wieboldt's motion to amend the original motion, seconded by Ms. McCaffery. 14 voted yes.

Mr. LoGrande then called for a vote on the original motion as amended. 10 voted yes. 5 opposed.

Mr. McDonald wants some of the Committee members to go to the next Commission meeting to ask them to reconsider funding an economic study by Dr. Nicholas. Dr. Koppelman stated that there should be less emphasis on extending the TDR program east of the Shinnecock Canal. He noted that in the Central Pine Barrens, the TDR program had limited success (292 acres), compared to the acquisition program (approximately 14,000 acres).

Mr. Schwenk argued that if the Advisory Committee approaches the Commission to ask for funding for an economic study, they will be in violation of the resolution just passed. Mr. LoGrande agreed.

Mr. Spitz stated that the viability of the TDR program continues to be upheld in the courts and the benefits of the TDR program in the Central Pine Barrens have extended beyond its boundaries. He added that the motion just passed was unresponsive to the Commission's request for advice. Mr. LoGrande disagreed, arguing that the motion *is* responsive in that the Committee's advice to the Commission is to *not* proceed with the extension.

Adjournment

Dr. Koppelman made a motion to adjourn. A "second" was not audible. Mr. LoGrande said "all in favor, please rise". Thereby the meeting ended at 8:00 pm.

Attachments (in order of discussion):

1. Attendance list (3 pages)
2. Sign in Sheet (2 pages)
3. Information Packet for 5/3/00 Meeting (14 sheets)

Central Pine Barrens Advisory Committee Resolution of May 3, 2000

**Central Pine Barrens Advisory Committee Meeting
Suffolk Community College Eastern Campus, Riverhead, NY
May 3, 2000 6:00 pm**

WHEREAS, the Town Board of the Town of Southampton, by a resolution dated March 24, 2000, determined that an extension of the Central Pine Barrens Area is not the preferred means for achieving groundwater protection in their unique communities east of the Shinnecock Canal; and

WHEREAS, the Town Supervisor and some of the members of the Town Council of the Town of East Hampton have indicated that they do not support an extension of the Central Pine Barrens Area as a means for achieving groundwater protection in their unique communities; and

WHEREAS, the membership of the Central Pine Barrens Commission, its Councils, and its Advisory Committee is comprised of individuals and organizations collectively having unique and diverse expertise and experience in the successful protection, preservation, and management of groundwater and other critical natural resources in the Central Pine Barrens Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Central Pine Barrens Advisory Committee hereby recommends to the Central Pine Barrens Commission, a termination of further discussion and/or planning for an extension of the Central Pine Barrens Area to the Town of East Hampton and to the area of the Town of Southampton east of the Shinnecock Canal; and

BE IT FURTHER RESOLVED, that the Central Pine Barrens Advisory Committee hereby recommends that the Central Pine Barrens Commission offer the full range of resources of the Central Pine Barrens Commission and its Advisory Committee to assist the Towns of Southampton and East Hampton in their watershed protection efforts east of the Shinnecock Canal, and to formally ask the two Towns to define the role they would like the Central Pine Barrens Commission and its Advisory Committee to play.

Motion, consisting of the first and second “Whereas” and the first “Resolved”, made by Mr. Gergela of Long Island Farm Bureau, seconded by Ms. LaWall of Southampton Business Alliance. 10 voted in favor. 5 opposed.

Motion for addition to original motion, consisting of the third “Whereas” and the “Be It Further Resolved”, made by Mr. Wieboldt, of Long Island Builders Institute, seconded by Ms. McCaffery of Eastern Suffolk Board of Realtors. 14 voted in favor.