



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

**Commission Meeting Summary (FINAL)  
for Wednesday, August 16, 2006 (Approved 9/20/06)  
at the Quogue Wildlife Refuge,  
Old Country Road, Quogue, 2:00 pm**

Commission members present: Mr. Scully (for New York State), Mr. Deering (for Suffolk County), Ms. Prusinowski (for Brookhaven), Mr. Kent (for Riverhead), and Mr. Shea (for Southampton).

Others present: Staff counsel was Mr. Milazzo. Staff members included Mr. Corwin, Ms. Jakobsen, Ms. Mills, and Mr. Limoli (from the Commission), Mr. Pavacic (from the NYS Department of Environmental Conservation (NYS DEC)), and Ms. Longo (from the Suffolk County Department of Environment and Energy). Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order at approximately 2:11 pm by Mr. Scully, with a five member quorum.

**Public Comment and Administrative**

Peter A. Scully  
Chair

Philip J. Cardinale  
Member

Brian X. Foley  
Member

Patrick A. Heaney  
Member

Steve A. Levy  
Member

Public comments

Summary: The only speaker was Mr. Richard Amper, representing the Long Island Pine Barrens Society. He first spoke about the commercial composting activities and sites of a local company. Specifically, he referred to complaints that community members have filed with NYS DEC re this; the previous discussions of the Commission about whether composting activities constitute agriculture; the importation of material for composting from various areas of Long Island; and the state permits needed for composting and whether their issuance would be affected by the pine barrens law provision prohibiting the issuance of permits unless the activities are in conformance with the pine barrens law. He asked the Commission to take another look at composting with respect to the pine barrens law.

He then distributed the attached copy of a legal notice of the Request For Expressions of Interest that the Suffolk County Parks Department has just issued for the equestrian stable facility at Southaven County Park. He stated that the stable has been closed for about two years, and asked that the Commission look at the proposed new activities to determine whether they constitute "development".

Thirdly, he distributed the attached materials regarding a feasibility study for a clean, renewable energy project at the Black Duck Lodge site within the Hubbard County Park in Flanders, Southampton Town. He stated that the project may contain "development" activities at this Core site, despite the commendable nature of the proposal.

Minutes for 7/19/06: review, approval

Summary: A motion was made by Mr. Shea and seconded by Mr. Deering to approve the 7/19/06 minutes as final. The motion was approved by a 4-0-1 vote, with the abstaining vote cast by Mr. Kent.

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## Project Decisions

### Core Preservation Area (CPA)

Bruhns Residence hardship / Sally Lane, Ridge (200-383-1-12): possible decision (*material distributed; hearing held 7/19/06; decision deadline is 10/19/06*)  
Summary: Mr. Limoli recommended that this matter be held over to the 9/20/06 meeting in order to allow time for the staff to research the “nondevelopment” provisions of the pine barrens law. That was agreed upon.

Celi Electric Warehouse Extension, CR 31 / Westhampton (900-311-1-3.3, 8.7) / hardship: decision (*from 7/19/06; hearing held 2/15/06; decision currently due today*)  
Summary: Mr. Limoli reported that the applicant has verbally requested an extension of the decision deadline for this matter to the 9/20/06 meeting, and is sending a written confirmation of this. The purpose is to allow Southampton Town to conduct preliminary site plan review of this project at the request of the applicant. **A motion was then made by Ms. Prusinowski and seconded by Mr. Shea to approve the requested decision deadline for this project to the 9/20/06 meeting. The motion was approved by a 5-0 vote.**

### Compatible Growth Area (CGA)

Island Water Park / Calverton (600-135-1-7.34) / assertion of jurisdiction: determination of application completeness; scheduling of hearing (*from 7/19/06; decision deadline is 11/16/06*)  
Summary: Present for today’s discussion was Mr. John Zollo, the new attorney for this project. He stated that the Commission’s prior assertion of jurisdiction was wrong; requested that the Commission reconsider that assertion; and cited past resolutions of the Commission, provisions of the Plan, and provisions of the law that he believes support his client’s contention that the project does not constitute “development” under the pine barrens law. **A motion was made by Mr. Shea and seconded by Mr. Kent to determine that the this application is complete and to schedule a public hearing on this matter for the 9/20/06 Commission meeting at 3:00 pm. The motion was approved by a 5-0 vote.**

## Land Use, Stewardship, and Compliance & Enforcement

### Law Enforcement

Law Enforcement Council - Environmental Benefit Fund: award of ATV and ATV trailer purchase contracts (*bid submittals closed 8/2/06; bid tabulation distributed*)  
Summary: Mr. Corwin summarized this proposed purchase of two all terrain vehicles (ATVs) and an ATV trailer through the previously approved Environmental Benefit Fund for such purchases. He summarized the attached bid tabulation of responses received, and recommended that the Commission approve the purchase of the items listed excluding the small capacity ATV trailer whose specifications were not responsive to the bid specifications. **A motion was then made by Mr. Kent and seconded by Ms. Prusinowski to award the purchase contracts to the vendors listed on the attached tabulation only for Items A and C, and to exclude the small capacity ATV trailer (which is Item B). The motion was approved by a 5-0 vote.**

Longwood School District - Ridge Elementary School / Ridge (Brookhaven; 200-294-2-6,7 (CGA));

easement on p/o 200-325-1-11(Core DEC property)) / post 1993 development violation: revised draft order on consent among District, Commission, and NYS DEC (*originally approved by Commission 8/109/05; revised order approved 7/19/06*)  
Summary: *Mr. Milazzo explained the further changes made to this draft order on consent since the Commission's last meeting, as well as the provisions of the agreement. **A motion was then made by Ms. Prusinowski and seconded by Mr. Kent to approve the revised and attached draft order on consent, and to authorize any member of the Commission to sign the agreement on behalf of the Commission. The motion was approved by a 5-0 vote.***

#### **Closed Advisory Session - Litigation**

Summary: ***A motion was made by Ms. Prusinowski and seconded by Mr. Shea to enter into a closed advisory session for the purpose of receiving legal advice from counsel. The motion was approved by a 5-0 vote, and the Commission entered into closed session at approximately 2:33 pm. A motion was later made by Mr. Shea and seconded by Mr. Deering to exit the closed advisory session. The motion was approved by a 5-0 vote, and the Commission exited the closed session at approximately 2:53 pm.***

#### **Public hearing**

Shoreham - Wading River Middle School Expansion / Shoreham (200-126-1-42.4) / CGA hardship (*material distributed*)

Summary: *A separate stenographic transcript exists for this item. It was agreed to reserve decision on this matter.*

#### **Adjournment**

Summary: ***A motion was made by Mr. Shea and seconded by Ms. Prusinowski to adjourn . The motion was approved by a 5-0 vote, and the meeting ended at approximately 3:43 pm.***

#### **Attachments (in order of discussion):**

1. Attendance sheets (8/16/06; 2 pages)
2. Project location map for today's meeting (8/16/06; 1 page)
3. Legal notice of RFEI for Southaven County Park stable concession (undated; 1 page)
4. Hubbard County Park clean energy project materials (misc. dates; 13 pages)
5. LEC ATV and ATV trailer bid summary and related materials (misc. dates; 4 pages)
6. Draft revised order on consent for Ridge Elementary School (undated; 8 pages)
7. Shoreham Wading River Middle School Expansion hearing notice (undated; 1 page)
8. Shoreham Wading River Middle School Expansion staff report (8/10/06; 1 page)