



**Central Pine Barrens Commission Meeting Agenda**  
**Wednesday, May 21, 2025 at 2:00 pm**  
**Riverhead Town Hall**  
**4 West 2<sup>nd</sup> Street, Riverhead, NY 11901**

**1. Administrative and Public Comment**

- a. Public Comment
- b. Minutes for Commission Meeting of 4/16/25 review (*approve*)
- c. Draft resolution to approve ATV purchase for Suffolk County Parks (*Ms. Jakobsen*)
- d. Draft resolution to approve purchase of ATV purchase for Suffolk County Sheriff's Office (*Ms. Jakobsen*)
- e. Draft resolution to approve renewal of Prescribed Fire insurance policy (*Ms. Jakobsen*)

**2. Education and Science and Stewardship**

- a. USGS-Commission five year water resources study presentation (*Ms. Fisher, USGS scientist*)

**3. Planning, Land Use and the Pine Barrens Credit Program**

**Core Preservation Area and Compatible Growth Area**

- a. **PSEG-LI Request for Determination:** Replace three timber utility poles in the hamlets of Shoreham and Calverton / (*Ms. Hargrave*)

**Core Preservation Area**

- b. **Schiff Scout Reservation Camp Wauwepex** / Wading River / 600-75-3-10.3 / request to replace eight lean-tos with five cabins on a 404.53 acre property with a conservation easement in the Credit Program / *draft response* (*Mr. Tverdy*)

**Compatible Growth Area**

- c. **Brookhaven Town Board Referral: Crest Coram 7-11 Site Plan** / State Route 25 and State Route 112 / 200-476-2-30, 32.1, 34.1 / change of zone from J6 Business and A1 Residence to J5 Business for the development of a gas station and convenience store 2.11 acres / *draft response* (*Ms. Murphy*)
- d. **Starbucks at Middle Island CGA Hardship Waiver Application** / 599 Middle Country Road, Middle Island / 200-402-2-2 / zone change and site plan for development of a drive-through restaurant with an existing vacant bank building on 1.4 acres in the J4 Business zoning district / decision deadline 8/2/25 / *schedule public hearing for 6/18/25* (*Ms. Murphy*)
- e. **Verizon Wireless at Suffolk County STP** / 2195 William Floyd Parkway, Ridge / 200-242-1-1.2, 1.4 / development of a 120 foot tall wireless tower monopole with 12 external future carrier antennas and equipment compound on 10.59 acres with an existing sewage treatment plant in the A1 Residence zoning district / *draft response* (*Ms. Hargrave*)

**4. Public Hearing at 3:00 pm**

- a. **Homeland Towers Compelling Public Need Core Hardship Application** / 2055 Flanders Road, Flanders / 900-170-1-41.1 / development of a 150 foot tall wireless tower for eight carrier antennas including Verizon, Dish Wireless and two future carriers and a 3,000 square foot equipment compound on a 6.18 acre project site with a junkyard in the CR 60 zoning district / decision deadline 7/16/25 or 8/20/25 (*Ms. Hargrave*)

**5. Public Comment**

**6. Closed Advisory Session (if necessary)**

Next Commission Meeting, Wednesday, June 18, 2025 at 2:00 pm, Riverhead Town Hall  
For meeting information visit <https://pb.state.ny.us/>

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

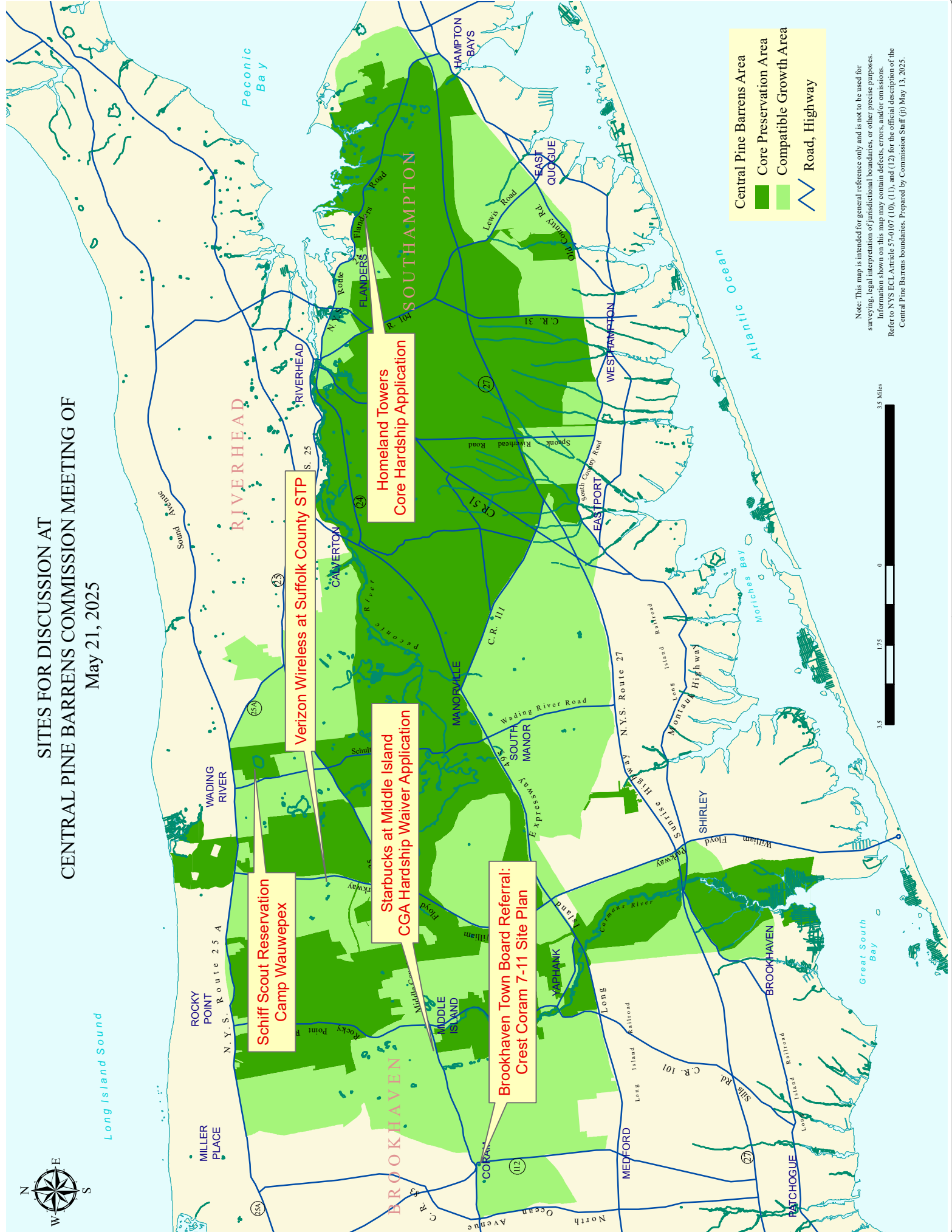
Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

Phone (631) 288-1079  
Fax (631) 288-1367  
[www.pb.state.ny.us](http://www.pb.state.ny.us)

# SITES FOR DISCUSSION AT CENTRAL PINE BARRENS COMMISSION MEETING OF May 21, 2025



Central Pine Barrens Area  
Core Preservation Area  
Compatible Growth Area  
Road, Highway

Note: This map is intended for general reference only and is not to be used for surveying, legal interpretation of jurisdictional boundaries, or other precise purposes. Information shown on this map may contain defects, errors, and/or omissions. Refer to NYS ECL Article 57-0107 (10), (11), and (12) for the official description of the Central Pine Barrens boundaries. Prepared by Commission Staff (j) May 13, 2025.







**Central Pine Barrens Commission Meeting Summary  
Wednesday, April 16, 2025 (Draft)  
Southampton Town Hall  
116 Hampton Road  
Southampton, NY 11968**

**2:00 pm**

**Commission members present:** Ms. DiBrita (for Brookhaven), Ms. Juengst (for Suffolk County), Ms. Moore and Ms. Scherer (for Southampton), Mr. Hubbard and Mr. Charters (for Riverhead)

**Others present:** Commission and other agency staff members included Ms. Jakobsen, Mr. Milazzo, Ms. Hargrave, Mr. Tverdyy, Ms. Murphy, Mr. Motz, Ms. Lawston, Mr. Hansen, Mr. Ward, Ms. Drew and Ms. Brown-Walton

The meeting started with the pledge to the flag lead by Ms. Moore and Ms. Jakobsen noted with four Commission members present, there is a quorum.

Timothy C. Hubbard  
Member

Maria Z. Moore  
Member

Daniel J. Panico  
Member

Edward P. Romaine  
Member

**1. Administrative and Public Comment**

**a. Public Comment**

Summary: No public comments were received

**b. Minutes for 03/19/25**

Summary: **The motion was made by Ms. Moore and seconded by Ms. Juengst to adopt March 19, 2025 meeting minutes. The motion was approved by 4:0 vote.**

**c. Bond, Schoeneck & King, PLLC invoice for \$8,051.48**

Summary: **The motion was made by Mr. Hubbard and seconded by Ms. DiBrita to authorize payment of the Bond, Schoeneck & King, PLLC invoice. The motion was approved by 4:0 vote.**

**2. Education, Communications and Outreach, Science and Stewardship, NYWIMA**

**a. Education, Communications and Outreach Division:**

Summary: Mr. Motz discussed highlights and updates on the Education and Outreach division's activities covered in the previously distributed Education and Outreach division report.

**b. Science and Stewardship Division:**

Summary: Mr. Smith discussed highlights and updates on the Science and Stewardship division's activities covered in the previously distributed Science and Stewardship division report.

**c. NYWIMA:**

Summary: Ms. Drew discussed the updates on the New York Wildfire Incident and Management Academy's activities.

**d. Draft Resolution to hire Charles Hamilton to provide consulting services as Academy Coordinator**

Summary: **The motion was made by Ms. Moore and seconded by Ms. DiBrita to approve the draft resolution and draft contract of the selection of consultant to provide services as Academy Coordinator for the New York Wildfire and Incident Management Academy. The motion was approved by 4:0 vote.**

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

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3. **Planning, Land Use and the Pine Barrens Credit Program**

a. Compliance and Enforcement Division:

*Summary: Ms. Lawston discussed highlights and updates on the Compliance and Enforcement division's activities covered in the previously distributed Compliance and Enforcement division report.*

b. Land Use Division:

*Summary: Ms. Hargrave discussed highlights and updates on the Land Use division's activities covered in the previously distributed Land Use division report.*

c. Credit Program:

*Summary: Mr. Tverdyy discussed highlights and updates on the Credit Program's activities covered in the previously distributed Credit Program division report.*

**Core Preservation Area**

d. Letter of Interpretation Credit Appeal: John P. Meyer / Wagner Road, Yaphank / 200-528-6-15

*Summary: Mr. Tverdyy discussed the applicant's request to withdraw his credit appeal application.*

***The motion was made by Ms. DiBrita and seconded by Ms. Juengst to approve the request to withdraw the credit appeal. The motion was approved by 4:0 vote.***

e. Garafola Core Compelling Public Need Hardship Application / William Floyd Parkway, Ridge / 200-294-4-11 / two-lot subdivision with an existing residence on 4.46 acres in the A2 Residence zoning district

*Summary: Ms. Murphy discussed the applicant's request to withdraw the Hardship application.*

***The motion was made by Ms. Juengst and seconded by Ms. DiBrita to approve the request to withdraw the Hardship application. The motion was approved by 4:0 vote.***

f. V&G Realty Core Preservation Area Hardship Application / Gerard Road, Yaphank / 200-781-1-5 and 15 / development of two-story single-family residence on 37,992 square feet in the A1 Residence zoning district

***Summary: The motion was made by Mr. Hubbard and seconded by Ms. Moore to schedule a public hearing for June 18, 2025. The motion was approved by 4:0 vote.***

g. Trevor Galvez Request for Determination of Jurisdiction / 318 Yaphank Middle Island Road, Middle Island / 200-529-1-28.4 / construction of a 4,000 square foot structure to store antique vehicles on 3.86 acres with a single-family residence in the A5 Residence zoning district

***Summary: The motion was made by Ms. Juengst and seconded by Mr. Hubbard to approve sending the draft response for Trevor Galvez Request for Determination of Jurisdiction. The motion was approved by 4:0 vote.***

**Compatible Growth Area**

h. Brookhaven Sewage Treatment Plant Expansion CGA Hardship Waiver Application / 60 Ramsay Road, Yaphank / 200-554-3-4.40 and 4.53 / expansion of an existing community scale STP on a 4.074 acre project site in the Light Industrial Zoning District

***Summary: The motion was made by Ms. Moore and seconded by Ms. Juengst to approve the decision on the Brookhaven Sewage Treatment Plant Expansion CGA Hardship Waiver Application. The motion was approved by 4:0 vote.***

- i. *Brookhaven Town Referral: Starbucks at Middle Island / 599 Middle Country Road, Middle Island / 200-402-2-2 / zone change and site plan for a drive-through restaurant with an existing vacant bank building on 1.4 acres in the J4 Business zoning district*  
**Summary: The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve sending the draft response for Brookhaven Town Referral for Starbucks Middle Island. The motion was approved by 4:0 vote.**
- j. *Southampton Town Referral: 80 Anchor Street Subdivision / Anchor Street, Flanders / 900-142-2-22 / two-lot subdivision on 0.94 acre with a single-family residence in the R15 zoning district*  
**Summary: The motion was made by Ms. Juengst and seconded by Ms. DiBrita to approve sending the draft response for Southampton Town Referral for 80 Anchor Street Subdivision. The motion was approved by 4:0 vote.**
- k. *Shawn Turner Request for Determination of Jurisdiction / 129 Calverton Court, Wading River / 600-115-1-10.49 / swimming pool for a single-family residence*  
**Summary: The motion was made by Ms. Moore and seconded by Ms. Juengst to approve sending the draft response for Shawn Turner Request for Determination of Jurisdiction. The motion was approved by 4:0 vote.**
- l. *Venezia Square Development of Regional Significance / NYS Route 25A, Wading River / 600-73-1-1.4; 1.16, 1.17, 1.18, 1.19 / development of 37,000 square feet of commercial uses on 6.3 acres in the Business CR zoning district / request for three month extension of decision*  
**Summary: The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve extending the decision deadline to 7/16/25 for Venezia Square Development of Regional Significance. The motion was approved by 4:0 vote.**
- 4. **Public Hearing – Adjourned to May 21, 2025**
  - a. *Homeland Towers Core Compelling Public Need Hardship Application / 2055 Flanders Road, Flanders / 900-170-1-41.1 / development of a 150 foot tall wireless tower monopole and 3,000 square foot equipment compound on 6.7 acres with an existing junkyard in the CR 60 zoning district*
- 5. **Public Comment**  
*Summary: No public comments were received*
- 6. **Closed Advisory Session**  
*The motion was made by Ms. Juengst and seconded by Ms. Moore to close the public portion of the meeting and to move into an advisory session for the purpose of discussing enforcement matters and obtaining legal advice from Commission counsel. The Commission will not return to public session. The motion was approved by a 4:0 vote.*

*The meeting was adjourned at approximately 3:30 pm.*

Attachments (in order of discussion)

1. Draft Commission meeting summary for March 19, 2025
2. Final Commission meeting summary for March 19, 2025
3. Bond, Schoeneck & King, PLLC invoice dated February 5, 2025
4. Education Outreach and Communication Division update dated April 2025
5. Science Stewardship Division update dated April 16, 2025
6. New York Wildfire and Incident Management Academy update
7. Draft resolution and attachments to approve the consultant selection to provide services as Academy Coordinator for the New York Wildfire and Incident Management Academy dated April 16, 2025
8. Final resolution and attachments to approve the consultant selection to provide services as Academy Coordinator for the New York Wildfire and Incident Management Academy dated April 16, 2025
9. Compliance and Enforcement Division update dated March – April 2024
10. Land Use Division update dated April 16, 2025
11. Credit Program update April 16, 2025
12. Letter from client withdrawing the credit appeal dated March 24, 2025
13. Letter and attachments from client regarding public need hardship application dated February 21, 2025
14. Letter and attachments from client regarding V & G Realty core preservation area hardship application dated March 27, 2025
15. Draft response and map regarding Trevor Galvez request for determination of jurisdiction dated April 16, 2025; Letter and attachments from client dated March 3, 2025
16. Final response regarding Trevor Galvez request for determination of jurisdiction dated April 16, 2025
17. Draft response and attachments regarding Brookhaven sewage treatment plant expansion dated April 16, 2025; Letter and attachments from client dated February 27, 2025
18. Final response regarding Brookhaven sewage treatment plant expansion dated April 16, 2025
19. Draft response and attachments regarding Brookhaven town referral: Starbucks at Middle Island dated April 16, 2025
20. Final response regarding Brookhaven town referral: Starbucks at Middle Island dated April 16, 2025
21. Draft response and attachments regarding Southampton town referral: 80 Anchor Street subdivision dated April 16, 2025
22. Final response regarding Southampton town referral: 80 Anchor Street subdivision dated April 16, 2025
23. Draft response and attachments regarding Shawn Turner request for determination of jurisdiction dated April 16, 2025
24. Final response regarding Shawn Turner request for determination of jurisdiction dated April 16, 2025
25. Letter from client regarding Venezia Square DRS decision extension dated April 2, 2025
26. Letter from client regarding Homeland Towers hearing adjournment dated March 25, 2025





Central Pine Barrens Joint Planning and Policy Commission Meeting  
Wednesday, May 21, 2025  
Riverhead Town Hall  
4 West 2nd Street, Riverhead, NY 11901

**Draft Resolution for the Commission to Authorize the Purchase Of  
All-Terrain Vehicle for the Suffolk County Park Rangers**

Present:

for the New York State Governor  
for the Suffolk County Executive  
for Brookhaven Town Supervisor  
Mr. Hubbard, Riverhead Town Supervisor  
Ms. Moore, Southampton Town Supervisor

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

**Whereas**, the Commission, pursuant to its 1995 Central Pine Barrens Comprehensive Land Use Plan, acknowledged the importance of developing an effective law enforcement program that would, through interagency coordination and cooperation, improve the enforcement of all relevant land use and natural resource laws within the Central Pine Barrens and which led the Commission to create the Law Enforcement Council; and

**Whereas**, the Law Enforcement Council has created a multi-agency ATV Task Force that performs enforcement details to combat illegal all-terrain vehicle (ATV) use within and around the Central Pine Barrens region, along with enforcing other environmental and pertinent laws; and

**Whereas**, the Law Enforcement Council ATV Task Force has been very effective over the years in reducing the occurrence of illegal ATV use and other environmental crimes in the Central Pine Barrens due to these details; and

**Whereas**, several Law Enforcement Council member agencies currently possess and use for enforcement purposes ATVs that are in extensively worn condition and therefore in need of significant repair to remain operational and safe to use; and

**Whereas**, the Law Enforcement Council unanimously approved the purchase of an ATV and 4 tires for the Suffolk County Park Rangers at the Council's April 17, 2025 meeting and is requesting approval from the Commission to purchase the ATV and tires with funds from the Commission's violation fund account; and

**Whereas**, the Law Enforcement Council has obtained three (3) price quotes from vendors for the purchase of a 2025 Sportsman 570 All-Terrain Vehicle and 4 tires (2- tires 25X 8-12 P373 and 2 tires 25X 10-12 P373) and shall select the vendor with the lowest price quote to purchase said ATV and tires for an amount not to exceed \$9,800; and

**Whereas**, once purchased, ownership of the ATV and tires would be transferred to the Suffolk County Park Rangers to use for enforcement purposes; now therefore be it

**Resolved**, the Commission hereby authorizes the purchase of one 2025 Sportsman 570 All-Terrain Vehicle and 4 tires (2- tires 25X 8-12 P373 and 2 tires 25X 10-12 P373 using the monies available from the Central Pine Barrens violation fund for an amount not to exceed \$9,800, for use by the Suffolk County Park Rangers for enforcement purposes.

**Motion by:**

**Seconded by:**

**Ayes:**

**Nays:**

**Abstentions:**

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11978

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# Buyers Order



381 E. Jordan Turnpike  
Huntington Station, NY 11746

## Buyer Information

Suffolk County Police Department 6318720114  
Campo, Jeff jeffrey.campo@suffolkcountyny.gov

N/U	Year	Make	Model	Stock #	VIN
New	2023	Polaris	Sportsman 570 EPS	PO5014	3NESEE575PN181600

## Pricing Details

<b>Manufacturer Base Price</b>	<b>\$8,775.00</b>
Freight & Dealer Prep	\$495.00
<b>Subtotal (Total Before Discount)</b>	<b>\$9,270.00</b>
Discount	(\$1,250.00)
<b>Unit Subtotal</b>	<b>\$8,020.00</b>
Registration	\$25.00
NYS Tire Waste Management	\$10.00
Tax	\$691.73
<b>Net Selling Price</b>	<b>\$8,746.73</b>
<b>Amount Financed</b>	<b>\$8,746.73</b>

## Payment Options Matrix

	Down	\$0.00	\$0.00	\$1,000.00
0 Term	(\$1,457.79)		(\$1,457.79)	(\$1,291.12)
0 Term	\$0.00		\$0.00	\$0.00
6 Term	\$1,457.79		\$1,457.79	\$1,291.12

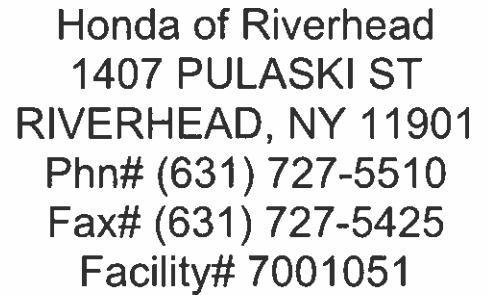
## Estimated APR

Customer

Date

Dealer Representative

Date



Email: [BLUENITE608@AOL.COM](mailto:BLUENITE608@AOL.COM)

Home Phn: {631} 854-1476    Sale Date: 02-27-25

Cell Phn: {631} 872-0114 Delivery Date: 02-27-25

Odometer: 0

License#:

Trade(s):

**Total Purchase**

Cash Price of Unit #1	7,400.01
-----------------------	----------

Cash Price of Unit #2	N/A
-----------------------	-----

Cash Price of Unit #2	N/A
-----------------------	-----

Cash Price of Unit #3	N/A
-----------------------	-----

Factory Destination	595.00
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Setup	295.00
-------	--------

Optional Equipment and Accessories	249.99
------------------------------------	--------

Extended Service Policy	N/A
-------------------------	-----

Commodity Surcharge	N/A
---------------------	-----

Tire/Wheel/Roadside Hazard Protection	N/A
---------------------------------------	-----

Delivery	N/A
----------	-----

Sales Tax - 112856727	N/A
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<b>Sub-Total</b>	<b>8,540.00</b>
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Cash Down	N/A
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Trade Allowance	N/A
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Less Total Down Payment	N/A
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Inspection Fee	N/A
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Fuel & Oil	30.00
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Tire Tax	10.00
----------	-------

DOC/Administrative Fees	95.00
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Motor Vehicle Fees	25.00
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Trade Payoff	N/A
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### Unpaid Balance

<b>Balance</b>	<b>8,700.00</b>
----------------	-----------------

- NONE -

Dealer and Buyer(s) certify that the additional terms and conditions printed on the 2nd page of this agreement are agreed to as part of this agreement the same as if they were printed above the signature.

WHEN THIS BOX IS CHECKED, BUYER(S) UNDERSTAND THAT THE UNIT(S) BUYER(S) IS/ARE BUYING FROM DEALER DESCRIBED ABOVE IS BEING SOLD TO BUYER(S) 'AS-IS' AND BUYER(S) ACCEPT THE ENTIRE RISK AS TO THE QUALITY AND PERFORMANCE OF THIS UNIT AND THAT BUYER(S) DID USE BUYER(S) OWN JUDGEMENT AND INSPECTION.

BUYER(S) HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER AND THAT BUYER(S) HAVE READ THE 2ND PAGE OF THIS AGREEMENT. BUYER(S) ALSO AGREE THAT THE BALANCE WILL BE PAID BY CASH BANK DRAFT, CERTIFIED CHECK, OR BY THE EXECUTION OF A RETAIL INSTALLMENT CONTRACT, OR A SECURITY AGREEMENT AND ITS ACCEPTANCE BY A FINANCING AGENCY.

Salesperson Victor Beeman

Seller Sign **X**

**READ ALL PAGES OF THIS AGREEMENT BEFORE SIGNING**

## Powerports

3/1/2025

Anthony Mineo

**Ed Castellano**

**FOR INTERNAL USE ONLY**

Home Phone: (631) 872-0114

Work Phone:

Cell Phone:

Stock # : PA1426

**New / Used: New**

VIN : 3NESEE572RN183341

Vehicle : 2024 Polaris A24SEE57A1

Type :

Color :

Mileage: 0

[illegible]

### Discount

Adjusted Price

**Freight Fee**

### Prep Fee

Tax

Doc Fee

**Balance**

**9,199.00**

**1,304 00**

7,895.00

**1,295.00**

**895.00**

869.83

175.00

11.129.83

**Customer Approval:**

**Management Approval:**

By signing this authorization form, you certify that the above personal information is correct and accurate, and authorize the release of credit and employment information. By signing above, I provide to the dealership and its affiliates consent to communicate with me about my vehicle or any future vehicles using electronic, verbal and written communications including but not limited to eMail, text messaging, SMS, phone calls and direct mail. Terms and Conditions subject to credit approval. For Information Only. This is not an offer or contract for sale.

(This is





Printed On : 03/04/2025 10:29:44 AM ( Sales Rep ::VB - Contact ID :178 )

Status : **Open**

Quote # : **140048**

Type : **Parts Quote**

Date : **03/04/2025**

1407 Pulaski Street  
RIVERHEAD, NY 11901  
**Main: 631-727-5510**  
**Fax: 631-727-5425**

Contact ID :**1658**  
Customer # : **631-854-1476**

**SUFFOLK COUNTY PARKS**

**JEFF CAMPO**

200 MONTAUK HIGHWAY  
WEST SAYVILLE, New York 11796  
UNITED STATES  
BLUENITE608@AOL.COM  
631-872-0114 - Mobile  
631-854-1476 - Home

**\*\*\* QUOTE \*\*\***

Item Number	Description	Qty Req	Qty Del	MSRP	Item Price	Ext. Price
5417645	TIRE-25X8-12,P373	2	0	\$190.54	\$189.99	\$379.98
5417644	TIRE-25X10-12,P373	2	0	\$222.98	\$219.99	\$439.98
MISC	-TIRE DISPOSAL FEE	4	0	\$0.00	\$2.50	\$10.00

Total Parts Requested : 8 Total Parts Delivered : 0

Disclaimer

Parts quotes are valid for 30 Days.

**Other Charges**

Item Total	+	\$829.96
Total Other Charges=		\$829.96

**Special Order(s)**

Item Total	+	\$819.96
*** S/O Total	=	\$819.96
** S/O Deposit	=	\$819.96

**Totals**

Sub Total	+	\$10.00
*** Invoice Total	=	\$10.00
** S/O Deposit	+	\$819.96
Amount Paid	-	\$0.00
*** Transaction Total	=	\$829.96
<b>Balance Due =</b>		<b>\$829.96</b>

**Deposit Paid \$0.00**

Tax Name

Exempt  
Tire Disposal Fee ( County ), NY

Tax Amount

\$0.00  
\$0.00

Signature \_\_\_\_\_



Part Quote

Selling Counter Sale

Date: 03/01/2025 2:14 PM

Qty	PU	Part Number	Qty	Description	Ext Price	PU	Qty
2	0	0 5417845	PO	TIRE-25X8-12,P373	\$407.98		0
2	0	0 5417844	PO	TIRE-25X10-12,P373	\$477.98		0

Subtotal \$885.96  
Sales Tax \$76.41  
Quote Total \$962.37

not an Invoice)

# Buyers Order



1001 E. Route 90, West Nyack, NY 10994-3000  
800.850.8500

## Buyer Information

Suffolk County Police Department 6318720114  
Campo, Jeff jeffrey.campo@suffolkcountyny.gov

N/U	Year	Make	Model	Stock #	VIN
New	2023	Polaris	Sportsman 570 EPS	PO5014	3NESEE575PN181600

## Pricing Details

Manufacturer Base Price	\$8,775.00
Freight & Dealer Prep	\$495.00
Subtotal (Total Before Discount)	\$9,270.00
Discount	(\$1,250.00)
Unit Subtotal	\$8,020.00
Registration	\$25.00
NYS Tire Waste Management	\$10.00
Tax	\$691.73
Net Selling Price	\$8,746.73
Amount Financed	\$8,746.73

## Payment Options Matrix

Down	\$0.00	\$0.00	\$1,000.00
0 Term	(\$1,457.79)	(\$1,457.79)	(\$1,291.12)
0 Term	\$0.00	\$0.00	\$0.00
6 Term	\$1,457.79	\$1,457.79	\$1,291.12

## Estimated APR

Customer

Date

Dealer Representative

Date



Central Pine Barrens Joint Planning and Policy Commission Meeting  
Wednesday, May 21, 2025  
Riverhead Town Hall  
4 West 2nd Street, Riverhead, NY 11901

**Draft Resolution for the Commission to Authorize the Purchase Of  
All-Terrain Vehicle for the Suffolk County Sheriff's Office**

Present:

for the New York State Governor  
for the Suffolk County Executive  
for Brookhaven Town Supervisor  
Mr. Hubbard, Riverhead Town Supervisor  
Ms. Moore, Southampton Town Supervisor

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

**Whereas**, the Commission, pursuant to its 1995 Central Pine Barrens Comprehensive Land Use Plan, acknowledged the importance of developing an effective law enforcement program that would, through interagency coordination and cooperation, improve the enforcement of all relevant land use and natural resource laws within the Central Pine Barrens and which led the Commission to create the Law Enforcement Council; and

**Whereas**, the Law Enforcement Council has created a multi-agency ATV Task Force that performs enforcement details to combat illegal all-terrain vehicle (ATV) use within and around the Central Pine Barrens region, along with enforcing other environmental and pertinent laws; and

**Whereas**, the Law Enforcement Council ATV Task Force has been very effective over the years in reducing the occurrence of illegal ATV use and other environmental crimes in the Central Pine Barrens due to these details; and

**Whereas**, several Law Enforcement Council member agencies currently possess and use for enforcement purposes ATVs that are in extensively worn condition and therefore in need of significant repair to remain operational and safe to use; and

**Whereas**, the Law Enforcement Council unanimously approved the purchase of an ATV for the Suffolk County Sheriff's Office at the Council's April 17, 2025 meeting and is requesting approval from the Commission to purchase the ATV with funds from the Commission's violation fund account; and

**Whereas**, the Law Enforcement Council has obtained three (3) price quotes from vendors for the purchase of a 2025 Sportsman 570 All-Terrain Vehicle and shall select the vendor with the lowest price quote to purchase said ATV for an amount not to exceed \$8,800; and

**Whereas**, once purchased, ownership of the ATV and tires would be transferred to the Suffolk County Sheriff's Office to use for enforcement purposes; now therefore be it

**Resolved**, the Commission hereby authorizes the purchase of one 2025 Sportsman 570 All-Terrain Vehicle using the monies available from the Central Pine Barrens violation fund for an amount not to exceed \$8,800, for use by the Suffolk County Sheriff's Office for enforcement purposes.

**Motion by:**

**Seconded by:**

**Ayes:**

**Nays:**

**Abstentions:**

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

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May 21, 2025

Emily Hepding  
Senior Environment Science and Planning Analyst  
PSEG Long Island  
999 Stewart Avenue  
Bethpage, NY 11714  
email: [Emily.hepding@pseg.com](mailto:Emily.hepding@pseg.com)

**RE:** PSEGLI Transmission Pole Replacements – Three Poles  
Central Pine Barrens Compatible Growth Area and Core Preservation Area

Dear Ms. Hepding:

On April 11, 2025, the Central Pine Barrens Commission received materials on the referenced proposal. The submission included a letter, Figures 1 and 2 showing pole locations and photographs of poles in the hamlets of Calverton and Shoreham.

The Proposed Action involves the replacement of three (3) timber utility poles in the Central Pine Barrens Compatible Growth Area and Core Preservation Area.

Existing and new poles are timber and will range in height from 80 to 85 feet. The height of the poles will change no more than five feet above present height to a range of 85 to 90 feet and will not increase more than 6 inches in diameter. Poles will be replaced within five feet from their current locations.

The poles are located in utility corridors or roadside right of ways. The referral material states no trees or shrubs will be removed. After disturbance, a natural seed meadow mix will be applied. The activity is part of the organization's "regular maintenance program to ensure continued safe and reliable electric service," according to the letter.

As proposed, the activity appears to constitute "non-development" pursuant to New York State Environmental Conservation Law Article 57 Section 57-0107.13(ii) which states, "Work by any utility not involving substantial engineering redesign for the purpose of inspection, maintenance or renewal on established utility rights of way or the likes,"... No further review from this office is required.

If the proposed activity changes, including the need to remove trees, please notify this office and forward the updated information for Commission review prior to implementation as the revised project may constitute development.

It is encouraged that, where possible, the new pole heights remain within the heights of surrounding trees to maintain the overall character of the Central Pine Barrens.

Thank you for your attention, and if you have any questions, please do not hesitate to contact me at (631) 218-1192.

Sincerely,

Julie Hargrave  
Pine Barrens Manager

cc: Judith Jakobsen, Executive Director  
John C. Milazzo, Counsel

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

Phone (631) 288-1079  
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**Emily Hepding**

Senior Environmental Science and Planning Analyst, PSEG Long Island

999 Stewart Avenue  
Bethpage, New York 11714  
(516) 241-0721  
Emily.Hepding@pseg.com



April 11, 2025

Central Pine Barrens Joint Planning and Policy Commission  
c/o Ms. Julie Hargrave  
624 Old Riverhead Road  
Westhampton Beach, NY 11978

RE: PSEG Long Island Notification of Work  
LIRR and LIPA/Public Right-of-Way Transmission Pole Replacements - 2025  
Hamlet of Calverton Town of Riverhead, Suffolk County and Hamlets of Shoreham  
and East Shoreham, Town of Brookhaven, Suffolk County

Dear Ms. Hargrave,

PSEG Long Island, as agent for the Long Island Lighting Company d/b/a LIPA, a wholly owned subsidiary of the Long Island Power Authority, is providing notification to the Commission for project activities located within the Central Pine Barrens.

Project activities within the Central Pine Barrens will include the replacement of three transmission poles (Pole #s 13.5, 79A, and SUB 5). These poles require replacement as part of a regular maintenance program to ensure continued safe and reliable electric service. As depicted on Figures 1 and 2, one of these poles are located within the Pine Barrens Compatible Growth Area and two of these poles are located within the Core Preservation Area.

Pole replacement details are provided on Table 1. All existing poles will be replaced with new poles no more than 5 feet taller than the poles they are replacing, with pole diameter increases of less than 6 inches. Existing and replaced poles are composed of wood and there will be no changes to pole top configurations or infrastructure. Poles will be replaced within approximately 5 feet from their current locations. Photos of the existing pole locations are provided in Attachment 1.

Limited vegetation removal and/or trimming will be required to access and complete replacement activities, as follows:

- Pole #79A will require minor disturbance (an approximate 5 foot by 5 foot area) to low-lying herbaceous vegetation. No trees will be removed or trimmed. No shrubs will be removed.
- Pole #s SUB 5 and 13.5 will require clearing of low-lying herbaceous vegetation and shrubs, as well as minor tree trimming for vehicles and equipment to access the poles. Vegetation activities will occur along an approximate 5 foot by 15 foot area..

All disturbed work areas will be reseeded with a native seed mix.

Based on a review of ECL 57-0107 (13), the project would be classified as one or more of the following, and therefore, would not constitute development:

- (i) Public improvements undertaken for the health, safety, or welfare of the public. Such public improvements shall be consistent with the goals and objectives of this article, and shall include, but not be limited to, maintenance of an existing road or railroad track;
- (ii) work by any utility not involving substantial engineering redesign for the purpose of inspection, maintenance or renewal on established utility rights-of-way or the likes, and any work pertaining to water supply for the residents of Suffolk county;
- (vi) Work by a utility performed for the purpose of public health, safety, or welfare and consistent with the goals and objectives of this article.

Please let us know if you require additional information or have additional questions regarding this work.

Sincerely,

A handwritten signature in cursive script that reads "Emily Hepding".

Emily Hepding  
Lead Environmental Science and Planning Analyst

**Table 1**

**Pole Replacement Details**



Table 1  
PSEG Long Island  
LIRR and LIPA/Public Right-of-Way Transmission Pole Replacements - Calendar Year 2025  
Pine Barrens Pole Replacement Details

Pole #	Town	Nearest Address	Latitude and Longitude		Existing Pole Height (feet)	Existing Pole Material	Replacement Pole Height (feet)	Replacement Pole Material	Pine Barrens Area
79A	Calverton	In ROW West of 709-201 Fresh Pond Ave, Calverton	-72.79221	40.94301	85	Wood	90	Wood	Compatible Growth Area
13.5	East Shoreham	221 N Country Rd, East Shoreham	-72.86347	40.95694	80	Wood	85	Wood	Core Preservation Area
SUB 5	Shoreham	1 N Country Rd, East Shoreham	-72.87971	40.95667	80	Wood	85	Wood	Core Preservation Area



**FIGURE 1**  
**LIPA/PUBLIC ROW TRANSMISSION POLE REPLACEMENTS**  
**POLE #79A**  
**CENTRAL PINE BARRENS POLES**



## Legend

-  LIPA/Public ROW Pole Replacement

### Central Pine Barrens Area

-  Compatible Growth Area
-  Core Preservation Area



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

## FIGURE 2

### LIPA/PUBLIC ROW TRANSMISSION POLE REPLACEMENTS POLE #S SUB5 & 13.5 CENTRAL PINE BARRENS POLES



Sources: ESRI Web Map Server, 2024; PSEG Spreadsheet "non-LIPR ROW Transmission 2024 Pole Contractor List-edited by DL 2.12.24"

**Attachment 1**

**Photos of Existing Poles**





**Pole #79A**





Pole #SUB 5





Pole #13.5



May 21, 2025



James P. Rigano  
Rigano LLC  
538 Broadhollow Road, Suite 301  
Melville, New York 11747

**RE:** Proposal to replace lean-tos with cabins  
Nassau County Council Boy Scouts of America Incorporated  
(Schiff Scout Reservation Camp Wauwepex)  
Wading River, Town of Riverhead, SCTM Number 600-75-3-10.3  
Central Pine Barrens Core Preservation Area

Dear Mr. Rigano:

On April 3, 2025, the Central Pine Barrens Commission received your request on the subject property (the Camp). The Camp is protected by a Conservation Easement (CE) granted to the Commission and recorded on December 23, 2008.

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

Commission Staff performed an inspection of the Camp in accordance with this request on April 9, 2025. Staff also reviewed the Proposal, the CE and Reserved Rights outlined in the CE, the survey dated October 21, 2008, prepared by Young and Young, and the easement's inventory of Structures in Schedule B.

This letter provides an overview of Staff's understanding of the proposed activity and the CE rights and restrictions.

### **Existing Conditions**

The survey defines facilities that are included in this proposal. These include:

- The size of each lean-to is 13 feet x 14 feet, or 182 square feet.
- Eight lean-tos total 1,456 square feet.
- Each lean-to contains four beds for a total of 32 beds in eight lean-tos.
- Four lean-tos are located at the Tombstone Campsite.
- Four lean-tos at the Pueblo Campsite have only concrete pads remaining.

### **Proposal**

The Camp seeks to replace eight lean-tos with five cabins.

- The Proposal is to build five cabins of two different sizes: Cabin A and Cabin B.
  - Cabin A is 14 feet x 20 feet, or 280 square feet. Two Cabin A total: 560 square feet.
  - Cabin B is 14 feet x 24 feet, or 336 square feet. Three Cabin B total: 1,008 square feet.
- The total area of five cabins is 1,568 square feet, or a net increase of 112 square feet.

624 Old Riverhead  
Road  
Westhampton Beach,  
NY 11978

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[www.pb.state.ny.us](http://www.pb.state.ny.us)

- The Proposal seeks to increase the total number of beds from 32 to 40.
- The location of changes of four structures from the Pueblo Campsite to the Tombstone Campsite.

### **Conservation Easement**

The inventory of structures lists the area of each structure and its location. The structures listed in the inventory are identified in the survey.

The CE provides those activities which may not occur on the Property and those that may and under specified conditions. For example, Paragraph 1 of the Covenants states:

*There shall be no construction activity, alteration of vegetation or change in topography, no development as defined by ECL Section 57-0107(13) and no operations or uses not constituting development pursuant to ECL Section 57- 0107(13)(i-xv), unless otherwise expressly reserved herein.*

While Paragraph 4 of the Reserved Rights provides that the Scouts have:

*The right to maintain, modify or replace the facilities or structures existing on or in the Property as of the date first written above and shown on the survey entitled Survey for Schiff Scout Reservation Camp Wauwepex, Certified Survey with Photo Overlay, prepared by Young and Young, and last dated October 21, 2008 and as also described in Schedule B attached hereto and made a part hereof and associated with or necessary for the scouting activities provided such maintenance, modification or replacement does not increase the size of the facility or structure or relocate the footprint of the facility or structure or materially alter the Property's vegetation. Grantor may not modify or replace an existing facility or structure in a manner that increases the structure or facility's design sewage flow rate as defined by the Suffolk County Department of Health Services, (hereinafter "Design Sewage Flow") as the same may be modified from time to time. Notwithstanding, anything to the contrary, Grantor shall not modify or replace any existing facility or structure without giving Grantee thirty (30) days advanced written notice.*

Subject to the limitation contained in Paragraph 5 of the Reserved Rights section which states:

*The right to construct, maintain, modify, repair or replace the facilities or structures identified as "Future" structures as shown on the survey entitled Survey for Schiff Scout Reservation Camp Wauwepex, Certified Survey with Photo Overlay, prepared by Young and Young, and last dated October 21, 2008 provided the construction, maintenance, modification, repair or replacement of such structures does not increase the Design Sewage Flow of the Property beyond the Design Sewage Flow of the Property as the same existed on the day first written above. Notwithstanding, anything*

*to the contrary, Grantor shall not construct any facility or structure identified as "Future" structure without giving Grantee thirty (30) days advanced written notice.*

## Summary

The Proposal and Conservation Easement were reviewed. In summary, the Proposal seeks to:

- Replace eight lean-tos with five cabins of two different sizes, increasing the area of structures 112 square feet.
- Increase the number of beds from 32 to 40.
- Change the location of four structures from the Pueblo to the Tombstone Campsite.

During the Camp inspection it was observed that four lean-tos in the Proposal are no longer present except for their concrete pads. Although the lean-tos are depicted in the survey, they were demolished prior to the date the CE was recorded.

The Reserved Rights Section #5 allows lean-tos to be replaced in kind and in place. The Proposal is not consistent with the Easement provisions. It replaces lean-tos with cabins that are 1) larger in size thereby increasing the area of structures, 2) increases the number of beds, thereby changing the capacity of structures, 3) changes the type of structures and 4) changes the locations of structures.

The Proposal is not consistent with the Reserved Rights outlined in the Conservation Easement and therefore it is prohibited.

Please be reminded to avoid undertaking activity at the Camp that requires Commission review. Thank you for your attention and cooperation, and if you have any questions, contact me at 631-563-0352.

Sincerely,

Jerry Tverdy  
Senior Environmental Analyst

cc: Judith Jakobsen, Executive Director, Central Pine Barrens Commission  
John C. Milazzo, Counsel to the Commission  
Chris Coscia, Scout Executive and CEO



**Central Pine Barrens Joint Planning & Policy Commission**

**May 21, 2025**

**Proposal to replace structures at  
Nassau County Council Boy Scouts of America Incorporated (Camp Wauwepex)  
Suffolk County Tax Map Number 600-75-3-10.3  
Wading River, Town of Riverhead**

***List of documents submitted by Camp Wauwepex:***

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

- A. Letter from James P. Rigano requesting replacement of structures (2 pages).
- B. Photograph of the lean-to structure (1 page).
- C. Rendering of the new cabins (3 pages).
- D. Survey dated October 21, 2008, prepared by Young and Young, showing location of the new cabins (2 pages).
- E. Pages 3 and 4 of the easement showing applicable *Covenants* and *Reserve Right* provisions (2 pages).
- F. Summary table of structures in Schedule B of the easement (1 page).

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Westhampton Beach, NY  
11978

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March 18, 2025

Mr. John Milazzo  
Counsel  
Central Pine Barrens Joint Planning & Policy Commission  
4060 Sunrise Highway  
Oakdale, New York 11769  
[John.Milazzo@SCWA.com](mailto:John.Milazzo@SCWA.com)

Re: Boy Scouts of America Riverhead Scout  
Reservation

Dear John:

The Boy Scouts would like to replace eight lean-to structures with five new cabins. The eight lean-to structures that would be replaced have a total square footage of 1568 square feet. Each of the eight lean-to structures are 196 square feet.

The five cabins would also have a total square footage of 1568. Two of the cabins would be 14x20 for a total of 560 square feet and 3 cabins are 14x24 for a total square footage of 1008.

Figure 1 which is attached shows the typical lean-to structure. Attached figure 2 shows a rendering of the cabins.

The cabins would be located at the Tombstone campsite as shown in attached figure 3. Also as shown in attached figure 3, four lean-tos would be removed as part of this effort. Also at the Pueblo campsite, also shown in figure 3, four of the five lean-tos would not be replaced. As explained above, the square footage of the five cabins is equal to the square footage of the eight lean-tos at the Tombstone and Pueblo campsites. Figure 3 was taken from the survey of the Property.

The five new cabins would not include any new sanitary systems, septic tanks or cesspools. The campers that would be utilizing these cabins would be using existing sanitary systems.

There is not expected to be any increase in the number of campers or the population utilizing the camp or these campsites resulting from the five new cabins. No trees or other vegetation would be removed as part of this effort regarding the five cabins.

Attachment 4 is the executed Easement from 2008 for the camp. On page 4, paragraph 4, the easement provides as a Reserved Right, “The right to ... modify or replace the facilities or structures existing on or in the Property...provided such...modification or replacement does not increase the size of the facility or structure or relocate the footprint of the structure or materially alter the Property’s vegetation.”

The Theodore Roosevelt Council of Boy Scouts would like to proceed with this matter and requested that I provide the details set forth above to the Commission staff. I believe we can proceed without further Commission approval but I wanted to inquire as to whether Commission staff has any concerns regarding this matter.

Very truly yours,

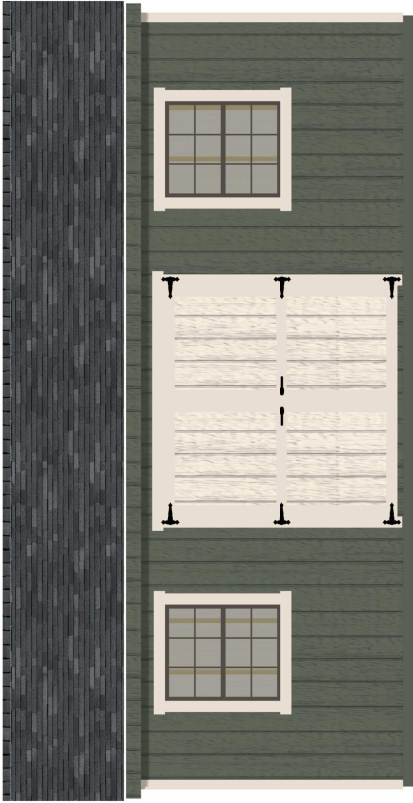
*James P. Rigano*

James P. Rigano



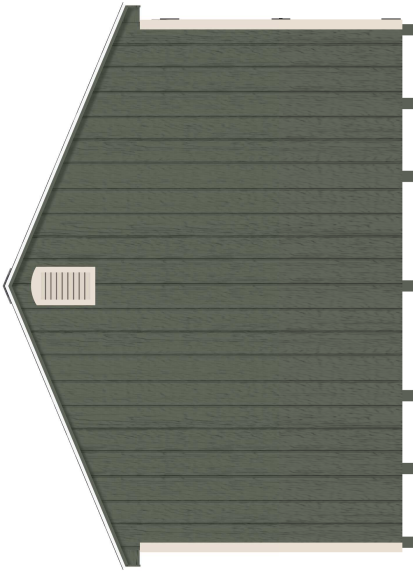






# FRONT ELEVATION

SCALE: 1" = 5'-0"



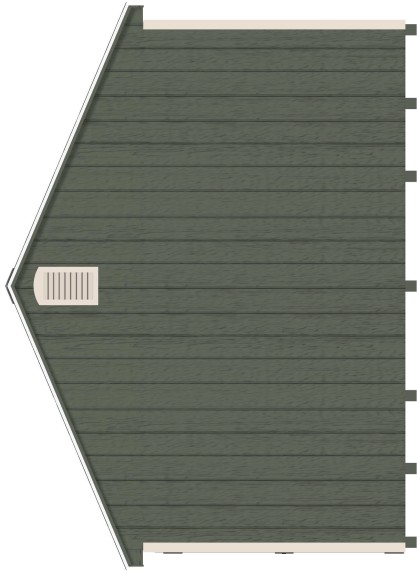
# LEFT ELEVATION

SCALE: 1" = 5'-0"



# REAR ELEVATION

SCALE: 1" = 5'-0"



# RIGHT ELEVATION

SCALE: 1" = 5'-0"

Drawn by:  
John H.



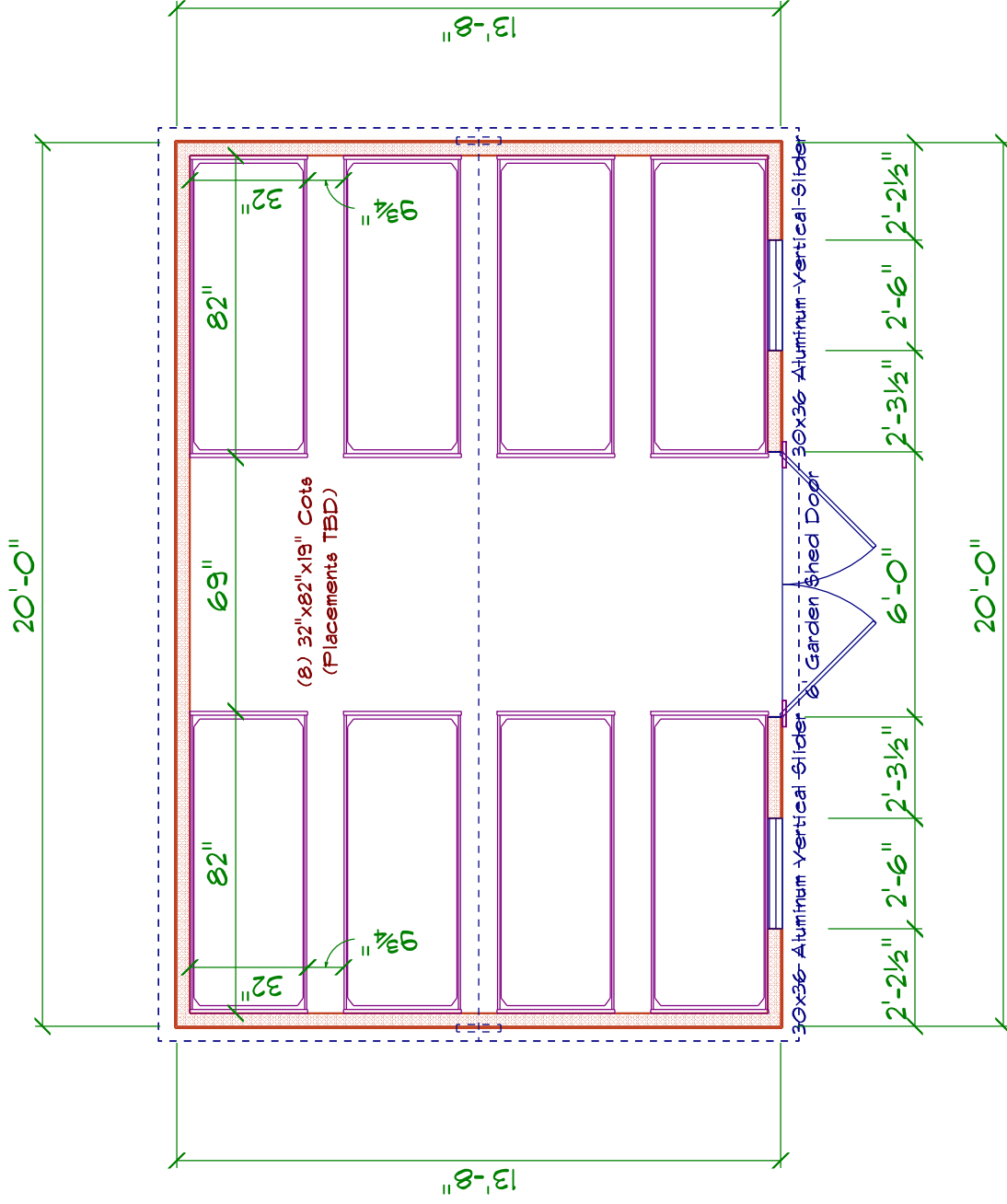
Date: 12/16/2024

14x20 A-Frame (LSP-Schiff Scout Reservation)



x

date:



# MAIN FLOOR

SCALE: 1/4" = 1'-0"

Drawn by:  
John H.



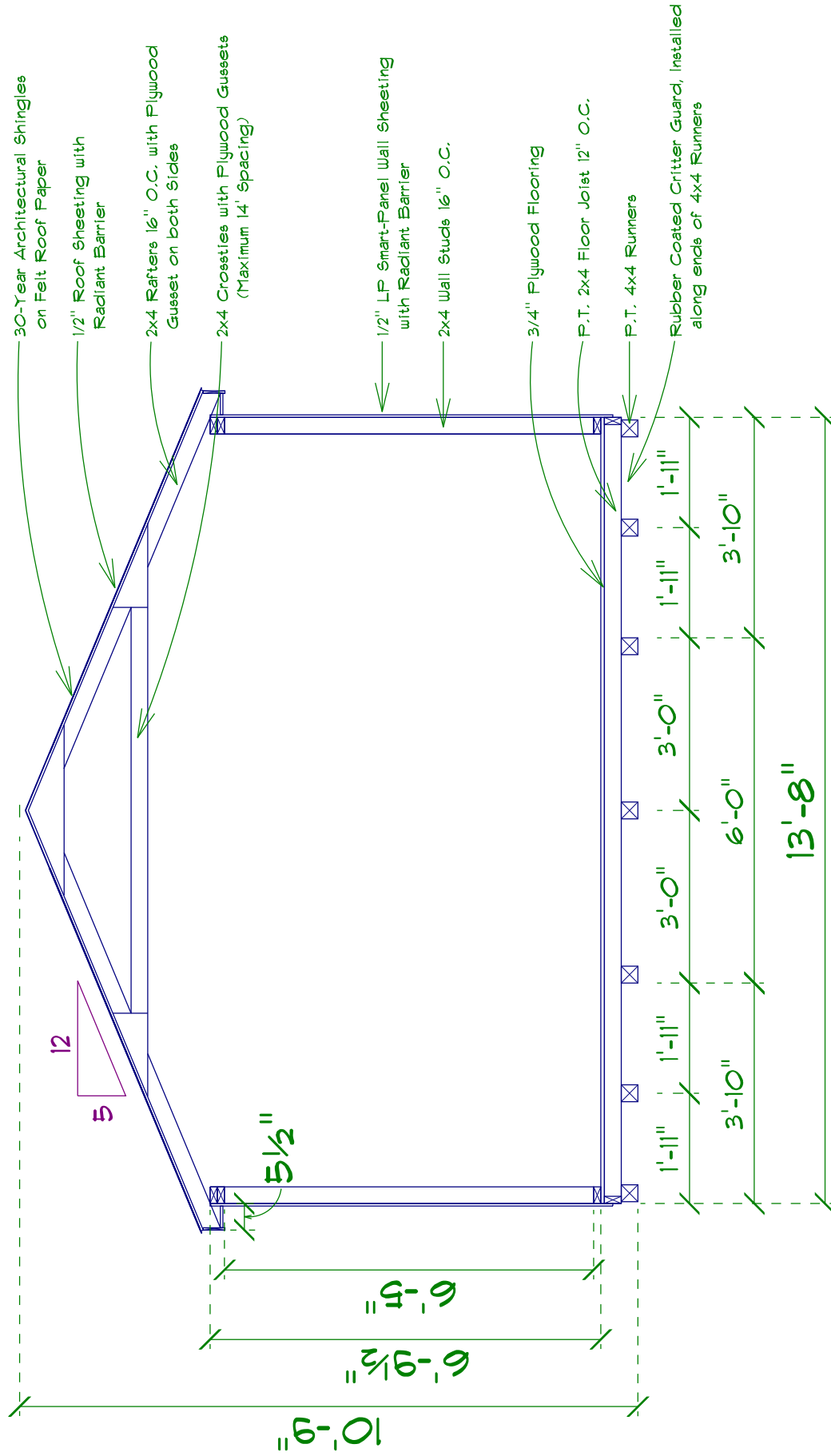
Date: 12/16/2024

14x20 A-Frame (LSP-Schiff Scout Reservation)



X

date:



## CROSS SECTION

SCALE: 3/8" = 1'-0"

Drawn by:  
John H.



Date: 12/16/2024

14x20 A-Frame (LSP-Schiff Scout Reservation)



x

date:



Received  
OCT 29 2008  
Circuit Court, 1st Jd.  
P.O. Box 10000, St. Paul, MN 55108-0000

### LEGEND

[illegible]

**SURVEYOR'S CERTIFICATION**  
I HEREBY CERTIFY TO NASSAU COUNTY COUNCIL  
THAT THE SURVEY OF THE LANDS OF THE  
HONORABLE SOCIETY OF AMERICA INCORPORATED, THE  
HARRIS JOINT PLANNING AND POLICY  
COMMISSION & FIRST AMERICAN TITLE  
INSURANCE COMPANY OF NEW YORK THAT THIS  
SURVEY WAS MADE IN ACCORDANCE WITH THE  
PRACTICE FOR LAND SURVEYS ADOPTED BY THE  
ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

*Howard M. Young*

NEW YORK  
COUNTY  
CLERK

HOWARD M. YOUNG, N.Y.S. L.S. NO. 48848

**SURVEY FOR  
SCHIFF SCOUT RESERVATION  
CAMP WAUWEX**

At Wading River, Town of Riverhead  
Suffolk County, New York

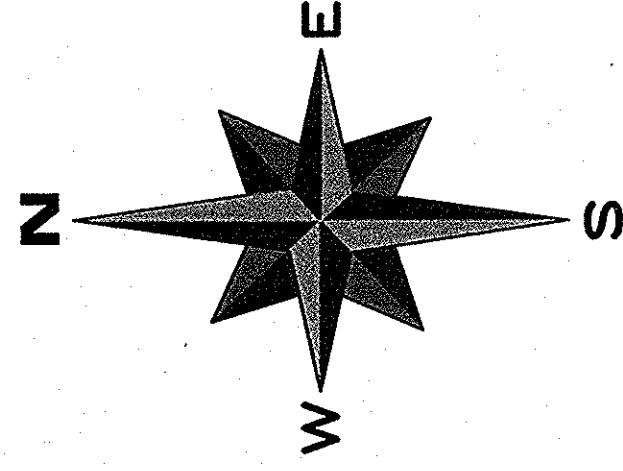
County Tax Map District 600 Section 715 Block 09 Lot 103

**CERTIFIED SURVEY**


OCT. 21, 2000  
MAR. 21, 2000  
MAR. 06, 2000  
FEB. 20, 2000  
JAN. 29, 2000  
JAN. 08, 2000  
NOV. 30, 2000  
MAY. 24, 2000  
MAR. 09, 2000

SCALE: 1"=200'  
CONTINUED ON SHEET NO. 708-2027-1703B-A  
DATE: 2/27/01 CBB

MAP PREPARED

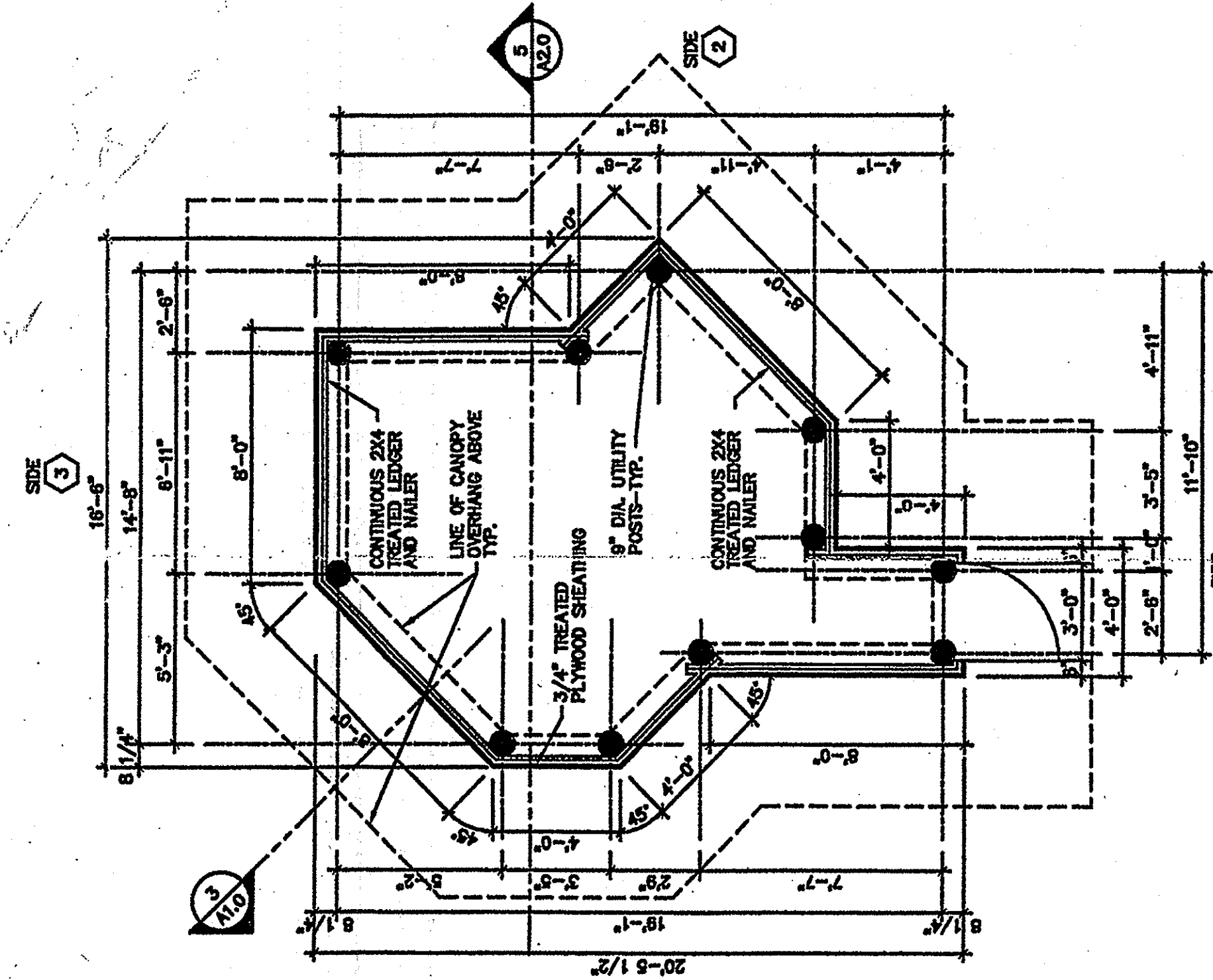
NEW YORK STATE PLANE  
COORDINATE SYSTEM (NAD 83)

## NOTES

1. LEANTO SITES  
EACH  
UP TO 3 FIRE RINGS PRESENT AT EACH SITE
2. TENT SITES  
MAXIMUM OF 25 MOVABLE TENT PLATFORMS, NO  
LARGER THAN 12'X15', WITH EXISTING SLABS  
BELOW TENT PLATFORMS AT EACH SITE.  
UP TO 3 FIRE RINGS PRESENT AT EACH SITE.
3.  REPRESENTS DEEP POND ACCESS TRAIL  
UNDER AN AGREEMENT WITH THE NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

ADJACENT OWNERS

- (A) 1 non on formerly Mark Davis & Diane Davis  
 (A) 2 non on formerly Robert Crozier & Gloria Crozier  
 (A) 3 non on formerly Erik D. Olson & Helen Brothan  
 (A) 4 non on formerly Roberta A. Schepke & Erka E. Schepke  
 (A) 5 non on formerly John T. Donnellan & Debra Donnellan  
 (A) 6 non on formerly Oak Park Trailer Park Inc.



## PLAN FOR FUTURE CLIMBING WALL

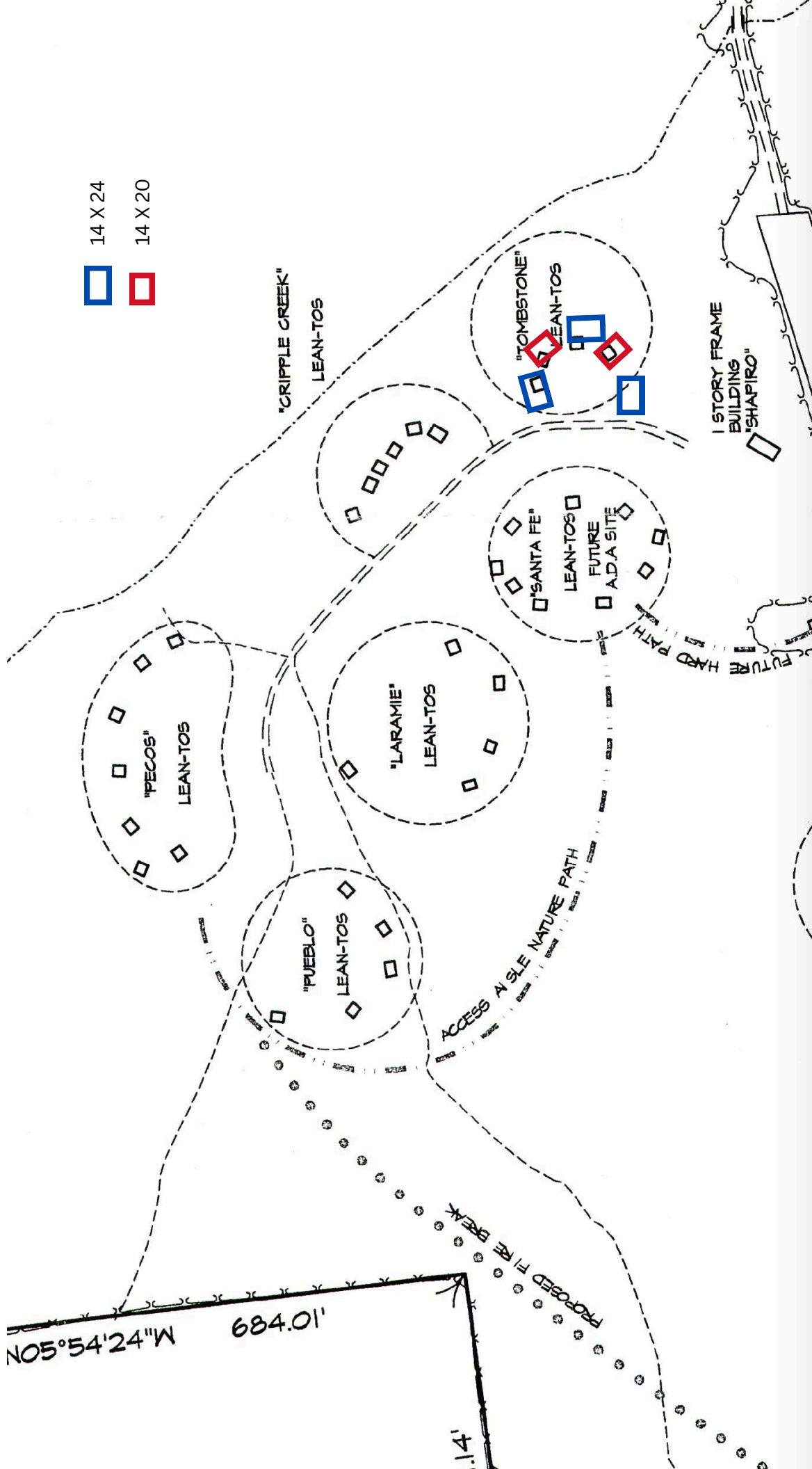


PHOTOGRAPH OF EXISTING AND FUTURE SHOOTING RANGE

PHOTOGRAPH

## FINAL





retained by the Grantor, and to enter upon the Property at all reasonable times but solely for the purpose of inspection in order to enforce and assure compliance with the terms and conditions herein contained. Grantee, its agents, employees or other representatives, agree to give Grantor reasonable advance notice of its intention to enter and inspect the Property, and further such entrance and inspection shall be in a reasonable manner and at reasonable times. Furthermore, Grantor shall provide any third party with enforcement rights, or its agents, representatives or employees, access to cross other lands retained by Grantor, and permission to enter upon the Property, upon receipt of advance notice of such third party's intention to enter and inspect. Such entrance and inspection shall be in a reasonable manner and at reasonable times.

### **Covenants**

In furtherance of the foregoing affirmative rights, the Grantor makes the following covenants, on behalf of it, its successors, and assigns, lessees, personal representatives and other successors in interest, which covenants shall run with and bind the Property in perpetuity:

1. There shall be no construction activity, alteration of vegetation or change in topography, no development as defined by ECL Section 57-0107(13) and no operations or uses not constituting development pursuant to ECL Section 57-0107(13)(i-xv), unless otherwise expressly reserved herein.
2. There shall be no storing, dumping, discharging or placing of any substance in or on the Property in contravention of any applicable federal, state or local law or ordinance.

### **Reserved Rights**

NEVERTHELESS, and notwithstanding any of the foregoing provisions to the contrary and as expressly limited herein, the Grantor reserves for itself, its successors and assigns the following reserved rights in addition to all those rights previously retained, reserved and defined herein, which may be exercised without written notice to the Grantee.

1. The right of exclusive possession of the Property.
2. The right to use the Property for passive recreational activities such as, but not limited to, hunting, fishing, camping, hiking and activities associated therewith so long as such activities conform to local zoning regulations and do not constitute development as defined in ECL Section 57-0107(13) and do not involve material alteration of native vegetation, involve construction or does not have the potential to result in the increased generation sewage or involve construction.



3. The right to use the Property for scouting activities so long as such activities conform to local zoning regulations and do not constitute development as defined in ECL Section 57-0107(13) and do not materially alter the Property's vegetation.
4. The right to maintain, modify or replace the facilities or structures existing on or in the Property as of the date first written above and shown on the survey entitled Survey for Schiff Scout Reservation Camp Wauwepex, Certified Survey with Photo Overlay, prepared by Young and Young, and last dated October 21, 2008 and as also described in Schedule B attached hereto and made a part hereof and associated with or necessary for the scouting activities provided such maintenance, modification or replacement does not increase the size of the facility or structure or relocate the footprint of the facility or structure or materially alter the Property's vegetation. Grantor may not modify or replace an existing facility or structure in a manner that increases the structure or facility's design sewage flow rate as defined by the Suffolk County Department of Health Services, (hereinafter "Design Sewage Flow") as the same may be modified from time to time. Notwithstanding, anything to the contrary, Grantor shall not modify or replace any existing facility or structure without giving Grantee thirty (30) days advanced written notice.
5. The right to construct, maintain, modify, repair or replace the facilities or structures identified as "Future" structures as shown on the survey entitled Survey for Schiff Scout Reservation Camp Wauwepex, Certified Survey with Photo Overlay, prepared by Young and Young, and last dated October 21, 2008 provided the construction, maintenance, modification, repair or replacement of such structures does not increase the Design Sewage Flow of the Property beyond the Design Sewage Flow of the Property as the same existed on the day first written above. Notwithstanding, anything to the contrary, Grantor shall not construct any facility or structure identified as "Future" structure without giving Grantee thirty (30) days advanced written notice.
6. The right to use the Property for operations or uses described in ECL Section 57-0107(13) (i, ii and vi) upon approval of applicable Federal, State, and local agencies and upon the approval of the Commission, or environmental restoration projects commenced by the Grantor or his heirs, successors or assigns upon approval of applicable Federal, State, and local agencies and upon the approval of the Commission.

Grantor shall have the right to remove vegetation that poses a risk to the health, safety or welfare of Grantor or its invitees or guests. Grantor shall obtain the approval of the Commission or its successors or assigns prior to removing any such vegetation, which approval shall not be unreasonably withheld, unless an emergency condition exists which requires the immediate removal of the

Name of Building or Area	Number of Structures	Dimension of Structure	Number of Toilets	Use now or Future	Future Additions	Notes
Rangers House	1	36' x 36'	1	Residence		
Hendrickson Building	1	84' x 32'	2	Shop/Office	N/A	
Maintenance Yard	2	12' x 56' (trailer), 8' x 4' (shed)	0	Storage	Future Bldg. 40' x 80'	N.W. and adjacent to Hendrickson.
Grace Building	1	53' x 30'	1	Temp. Res.	N/A	
Central Latrine	1	10' x 18'	3	Restrooms	N/A	
Kniffen Cabin	1	29' x 37'	0	Temp. Res.	N/A	
Christiansen Cabin	1	38' x 24'	0	Temp. Res.	N/A	
Buckskin Lodge	1	36' x 25'	0	Temp. Res.	N/A	
Nature Lodge	1	28' x 28'	0	Instruction	N/A	
Covey Cabin	1	29' x 29'	1	Temp. Res.	N/A	
Hunter Shelter	1	13' x 14'	0	Lean-To	N/A	NE of Hendrickson
Hewlett Building	1	32' x 51'	2	Instruction	N/A	
Noble Cope Course	19	See note	0	Ropes Course	Yes	Training Building
Archery Center	3	See note	0	Archery Course	N/A	(19) Utility Poles for Course
T.R. Pavilion	1	34' x 52'	0	Crafts Instruction	N/A	
Smith Building	1	2412 sqft.	0	Temp. Res.	N/A	
Catholic Chapel	1	29' x 22'	1	Church	N/A	
B.B. Gun Range	1	13' x 91'	0	Shooting Sports	N/A	(1) 12' x 20' (1) 15' x 38' (1) 9' x 62'
Sagamore Cabin	2	24' x 29', Shed 12' x 7'	0	Historic	7' x 15' addition	
Sagamore Ring	6	See note	0	Ceremonial	N/A	55' Ring, 8'x8' memorial 4 Totem Poles, 5' Fire Ring
Hayden Hall	1	6303 sqft.	1	Gen. Assembly	N/A	
Caboose	1	50' x 17'	0	Display	N/A	
O.A. Storage	1	20' x 19'	0	Storage	N/A	
Shelter	1	20' x 26'	0	Storage	N/A	First structure East of Shooting Ra Range, along road.
Oceanside Cabin	1	19' x 23'	0	Temp. Res.	N/A	Structure directly East of O.A. Storage.
Levine Shelter	1	17' x 24'	0	Instruction	N/A	
House of Doors	1	48' x 27'	15	Restrooms	N/A	Structure directly South of Oceanside Cabin.
Family Camping Area	0	375' x 194'	0	Trailer Pads	N/A	Restrooms directly east of Oceanside Cabin.
Pump House 1	1	15' x 12'	0	Water Supply	N/A	Area directly South of House of Doors. East of Caboose.
Pump House 2	1	9' x 10'	0	Water Supply	N/A	West side of pond near DEC access.
Reiter Shelter	1	20' x 32'	0	Instruction	N/A	East side of pond, NE of Protestant Chapel.
O.A. Ring	4	8' Fire ring, 3 totem poles.	0	Ceremonial	N/A	1 story structure in present Climbing Course Area.
Brotherhood Ring	1	8' Fire Ring.	0	Ceremonial	N/A	Wooden Benches
Gulch Bathroom	1	18' x 28'	12 T/2 U	Restrooms	N/A	No improvements.
Hickok Cabin	1	25' x 36'	0	Temp. Res.	N/A	12 Toilets, 2 Urinals
Kniffs Cabin	1	36' x 26'	0	Temp. Res.	N/A	
Kniffs Campsite	5	See note	0	Campsite	N/A	
Seawolf Campsite	0	See note	0	Campsite	N/A	
Adirondack Campsite	6	(5) Lean-To (13'x14') (1) 8' Fire Ring	0	Campsite	Yes	(1) 10' Fire Ring, (3) 11'x13' Lean-to, (1) 20'x19' cooking shelter.
Indian Rock Campsite	5	(4) Lean-to, (1) 8' Fire Ring	0	Campsite	N/A	No longer in use future Lean-To site.
Pawnee Rock Campsite	5	(4) Lean-to, (1) 8' Fire Ring	0	Campsite	N/A	Directly N of "Future Cooking"
Tombstone Campsite	5	(4) Lean-to, (1) 8' Fire Ring	0	Campsite	N/A	
Santa-Fe Campsite	10	(9) Lean-To, (1) 20' Fire Ring	0	Campsite	N/A	
Cripple Creek Campsite	7	(6) Lean-To, (1) 18' Fire Ring	0	Campsite	N/A	
Laramie Campsite	7	(6) Lean-To, (1) 18' Fire Ring	0	Campsite	N/A	
Pueblo Campsite	0	See note	0	Campsite	Yes	
Pecos Campsite	8	(7) Lean-To, (1) 18' Fire Ring.	0	Campsite	N/A	(4) Demolished Lean-To, Future reconstruction.
Stone Council Ring	1	94' diameter	0	Historic	N/A	

Schiff Scout Reservation  
Riverhead, NY

Prepared by Nassau County Council Boy Scouts of America (Glenn Gabbard)  
Date: December, 2008

HICKOX HAU ?

DRAFT

May 21, 2025



Town of Brookhaven  
Office of the Town Clerk  
Kevin J. Lavallo  
One Independence Hill  
Farmingville, NY 11738

**RE: Crest Coram 7-11  
396 Middle Country Road, Coram, Town of Brookhaven  
SCTM Numbers 200-476-30, 32.1, 34.1  
Compatible Growth Area of the Central Pine Barrens**

Dear Mr. Lavallo:

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

On May 1, 2025, the Central Pine Barrens Commission received a referral of the subject proposal. The project site is in the Compatible Growth Area (CGA) of the Central Pine Barrens.

**Existing Conditions and the Proposed Project**

The project site is comprised of three separate parcels totaling 2.11 acres and is located on the south side of the Middle Country Road-Route 112 intersection in Coram. Two parcels (200-476-2-32.1 and -34.1) are in the J Business 6 zoning district, whereas the third parcel (200-476-2-30) is in the A Residence 1 zoning district.

The applicant categorizes the project site as 1.35 acres of forested habitat with 0.05 acres of state and federal wetlands. Impervious and landscaped surfaces total 0.79 acres.

The proposal consists of a change of zone to J Business 5 with Special Permits for a 2,999 square foot convenience store, parking lot, and vehicle fueling station. The Site Plan, prepared by Stonefield Engineering & Design dated October 7, 2024, illustrates the building, gas station, and parking lot layout.

The applicant also seeks relief from covenants recorded on January 25, 2023 in connection with a previously proposed Special Permit project for a major restaurant and drive-through. The Commission provided comments on March 12, 2020 and December 21, 2022 regarding the previous project's conformance with the standards in the Central Pine Barrens Comprehensive Land Use Plan (the Plan).

**Central Pine Barrens Status**

The proposal constitutes development activity, pursuant to New York State Environmental Conservation Law Article 57 Section 57-0107(13). Therefore, it must conform with the standards of the Central Pine Barrens Comprehensive Land Use Plan (the Plan), as implemented by the Brookhaven Town Code. If it does not conform to one or more standards, and the project is not revised to conform, then a hardship waiver application must be submitted, subject to Commission review and decision.

**Comments on the Project**

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

Phone (631) 288-1079  
Fax (631) 288-1367  
<https://pb.state.ny.us/>

## DRAFT

As per your request for comments, the following items relate to review of the project's consistency with the Plan and the goals and objectives of the Long Island Pine Barrens Protection Act (the Act). The applicant must demonstrate conformance with the standards that became effective on July 19, 2024 prior to development on the project site.

### **Standard 5.3.3.1.1 Suffolk County Sanitary Code Article 6 compliance**

The project is subject to conformance with Article 6 of the Suffolk County Sanitary Code and shall meet the applicable requirements of the Suffolk County Department of Health Services.

### **Standard 5.3.3.1.4 Commercial and industrial compliance with the Suffolk County Sanitary Code**

If materials stored on site or activities related to the proposed commercial/industrial use require conformance with the Suffolk County Sanitary Code, ensure conformance and employ protection measures to preserve groundwater quality and the ecological resources of the Central Pine Barrens.

### **Standard 5.3.3.4.1 Nondisturbance buffers and Standard 5.3.3.4.2 Buffer delineations, covenants and conservation easements**

- Part of a 7.8 acre state regulated freshwater wetland identified as P-16 is within the boundaries of the project site. The project is subject to conformance with state and town wetland protection regulations and shall coordinate with and meet the applicable requirements of the Town of Brookhaven and New York State Department of Environmental Conservation.
- The NYSDEC regulated freshwater wetland habitat and adjacent non-disturbance wetland buffers should be delineated, staked and protected prior to the commencement of construction. These limits should be inspected before and after construction. Consideration should be given to installing minimal but protective fencing to establish and delineate the open space area, avoid encroachments, and alert individuals on site that the area is protected and remains natural habitat.
- Clearing limits should be delineated and inspected prior to clearing to protect wetland habitat and the remaining natural area.
- Prior to disturbance, open space and buffer areas should be protected with covenants and/or conservation easements recorded in the Office of the Suffolk County Clerk. Protected areas should be identified in the final site plan.

### **Standard 5.3.3.6.1 Vegetation clearance limits and Standard 5.3.3.6.2 Open space standard requirement, unfragmented open space and habitat**

- The project must demonstrate conformance with these standards. Standard 5.3.3.6.1.2 states "Development project sites which consist of parcel(s) that are split among two or more zoning categories shall have a total clearing allowance for the entire site which is the sum of the individual clearances for each separately zoned portion of the site." Refer to Figure 5-1: Clearance and Open Space Standards in Chapter 5 of the Plan for requirements.
- Please have the applicant provide the amount of project site area in both zoning districts as each area is subject to a different clearing limit. Revise the site plan to reflect the existing and proposed clearing amounts, and the existing and proposed amount of natural areas.

## DRAFT

Delineate the open space boundary lines and include the calculation of open space areas to demonstrate conformance with Standard 5.3.3.6.2.

- Prioritize the use of existing cleared areas on the western and northern boundaries for development and retain existing native vegetation as open space. Clustering development to the roadfront edge of the project site will allow for contiguous open space toward the southern portion of the project site, which is encompassed by 5.49 acres of open space owned by CV Village at Coram, LLC.
- If unable to demonstrate conformance with the clearing limit or open space requirement, please have the applicant revise plans to conform or apply for a CGA Hardship to permit non-conforming development.
- Protect open space through the recording of conservation easements or covenants and require recording prior to site disturbance.

### **Standard 5.3.3.5.1 Stormwater recharge**

A Stormwater Pollution Prevention Plan must be submitted, reviewed and approved by the Town Engineer prior to site disturbance for the project

### **Standard 5.3.3.6.3 Fertilizer-dependent vegetation limit and Standard 5.3.3.6.4 Native Plantings**

- The project must demonstrate conformance with these standards. Fertilizer-dependent vegetation is limited to a maximum of 15% over the project site. The limit protects ecosystems, water resources and minimizes pollution in stormwater runoff.
- The current site plan states 70.6% of the site will be landscaped. Have the applicant provide landscape details and confirm conformance with the land use standard. Details should include the proposed list of plants, planting specifications including quantities, size, species and sources of plant material. Require native tree species and shrubs to support pine barrens ecological communities.

### **Standard 5.3.3.7.1 Special species and ecological communities**

- The project must demonstrate conformance with this Standard. The project site is wooded with natural pine barrens vegetation. The natural pine barrens ecological communities, plant and wildlife habitats should be protected to the maximum extent.
- Coordinate the application with the New York State Department of Environmental Conservation to demonstrate conformance with the protection of listed species and their habitats including the Federal and State-listed Threatened species, Northern Long-eared Bat (NLEB). The conversion of habitat or land use from natural and undeveloped to developed impacts the habitat of NLEB. Clearing may only occur from December through February of a given year.

### **Other Comments**

- Consider impacts to traffic with the location of this land use at the intersection of two principal arterial roads as defined by the New York State Department of Transportation Functional Class Viewer.

DRAFT

- Consider the increase in density of similar land uses in this location. The proposed land use is in direct proximity to other fueling stations on the south side of Middle Country Road serving east-bound traffic. Two gas stations with convenience stores within the CGA are roughly 350 feet and 630 feet away from the project site. Just beyond the CGA boundary, another gas station with convenience store is about 1.5 miles south of the project site on the west side of Route 112, and an existing 7-Eleven is roughly 1,100 feet north of the project site on the east side Route 112.
- Where fencing is proposed to protect open space, utilize a split rail fence between the development and open space to allow for the unrestricted movement of wildlife.
- Confirm the completion of the SEQR process for this project.

The proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the project site. Thank you for your attention, and if you have any questions, please do not hesitate to contact me at (631) 563-0307.

Sincerely,

Tara Murphy  
Environmental Planner

cc: Judy Jakobsen, Executive Director, CPBJPPC  
Julie Hargrave, Policy and Planning Manager, CPBJPPC  
John C. Milazzo, Counsel, CPBJPPC  
Michael Albano, Town of Brookhaven  
Crest Coram LLC, Applicant



# Town of Brookhaven Long Island

**Daniel J. Panico, Supervisor**

DATE: May 1, 2025

TO: Division of Engineering  
Division of Environmental Protection  
Division of Fire Prevention  
New York State, Department of Transportation  
Suffolk County, Department of Health Services  
Suffolk County Water Authority  
New York State, Department of Environmental Conservation  
Pine Barrens Commission

FROM: Michael Albano  
Planning Division

RE: Town Board Application: **Crest Coram 7-11**, Log # **2024-018-CZ**  
Change of Zone from J6, A1 to J5  
S/s Middle Country Rd., S/W corner of Middle Country Rd & NYS Route 112, Coram  
Suffolk County Tax Map #: 0200 47600 0200 030000, 032001 & 034001 2.11acres.

---

Attached is a copy of a new application this office has received. For your review and consideration, please find enclosed a copy of the project application materials.

Please reply within 30 days of the date of this mailing. Also, kindly forward any findings or concerns you may have regarding this proposal, particularly with respect to your areas of expertise and jurisdiction, which would enhance the utilization of this site or provide additional protection to the community.

***All correspondence should be forwarded to The Office of the Town Clerk for distribution to lead agency:***

**Town of Brookhaven  
OFFICE OF THE TOWN CLERK  
Kevin J. Lavallo  
One Independence Hill  
Farmingville, NY 11738**

Thank you for your continued cooperation. If you have any questions or need any further information, please contact this Division.

cc: Kevin J. Lavallo, Town Clerk






**Planning, Environment and Land Management  
James M. Tullo, Commissioner**  
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6400  
[www.brookhavenny.gov](http://www.brookhavenny.gov)

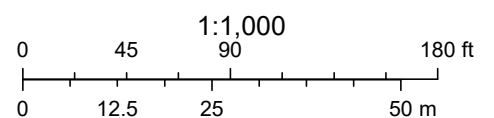


# Crest Coram (SCTM# 200-476-2-30, 32.1, 34.1)



5/7/2025, 3:27:37 PM

-  Pine Barren CGA
  -  Tax Parcels
  -  Red: Band\_1
  -  Green: Band\_2
  -  Blue: Band\_3
- Nearmap Imagery
- Street Labels



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**CENTRAL PINE BARRENS JOINT PLANNING & POLICY  
COMMISSION (CPBC)**

**Compatible Growth Area (CGA)  
Hardship Application**

**599 Middle Country Road**

Suffolk County Tax Map Number: 0200-402-02-2  
Hamlet of Middle Island, Town of Brookhaven, Suffolk County, New York

***Applicant:***

RA Middle Island LLC  
1201 Route 112  
Port Jefferson Station, New York 11776  
Contact: Enrico Scarda, Managing Partner  
(631) 582-4800 ext. 15

***For Submission To:***

Central Pine Barrens Joint Planning & Policy Commission  
624 Old Riverhead Road  
Westhampton Beach, New York 11978  
Contact: Judy Jakobsen; Executive Director  
(631) 288-1079

***Prepared by:***

Nelson, Pope & Voorhis, LLC  
70 Maxess Road  
Melville, New York 11747  
Contact: Charles Voorhis, CEP, AICP; Principal  
(631) 427-5665

**NP&V #81083**

**April 2025**



**NPV**

**FIGURE 1  
LOCATION**

Sources: ESRI Topographic Map, 2025; Suffolk GIS, 2025  
Scale: 1 inch equals 1,000 feet



599 Middle Country Road

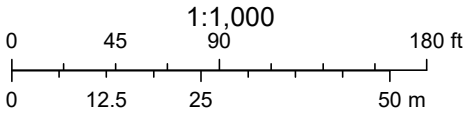
CGA Application



RA Middle Island Starbucks (SCTM #: 200-402-2-2)



12/31/2024, 11:53:17 AM



## 1.0 DESCRIPTION OF THE PROPOSED PROJECT

### 1.1 Introduction

This document has been prepared by Nelson, Pope & Voorhis, LLC (NPV) in support of an application before the Central Pine Barrens Joint Planning and Policy Commission (CPBC or Commission) for a Hardship Exemption for a development within the Compatible Growth Area (CGA) of the Central Pine Barrens. This document is intended to provide the required information documenting how the proposed exemption satisfies requirements for approval of the application, pursuant to New York State Environmental Conservation Law (NYSECL) Article 57-0123(3)(b). This document provides a description of the features of the proposal that justify the requested exemption, based upon the characteristics of the site, evaluation of the proposed project and the standards in connection with Town Law Section 267-b, and the mitigation measures that will be employed.

The subject property includes a 1.44-acre property located at 599 Middle Country Road in the Hamlet of Middle Island, Town of Brookhaven, Suffolk County, New York (see **Figure 1**). The subject property is more particularly described as Suffolk County Tax Map #0200-402-02-002. The entirety of the subject property is situated within the CGA of the Central Pine Barrens, in which limited, environmentally-compatible development is permitted pursuant to the Central Pine Barrens Comprehensive Land Use Plan (CLUP).

**Appendix A** contains an affidavit prepared by the property owner authorizing Charles J. Voorhis, CEP, AICP (NPV Principal) to make this Hardship application on their behalf. A Part 1 Environmental Assessment Form (EAF) has been prepared for the proposed project, and is presented in **Appendix B**.

### 1.2 Site History and Characteristics

The eastern portion of the subject property appeared to be cleared agricultural land and the western portion of the subject property appeared to contain a residence in publicly available historical aerial photographs from 1961-1966 (**Appendix C**). The subject property has been developed with the existing commercial drive-thru banking facility since at least 1978, prior to the adoption of the CLUP. The property has formerly been occupied by LI Savings Bank, Astoria Bank, Sterling Bank, and most recently, Webster Bank which closed in 2019. The subject site is nearly completely developed with the existing bank building and associated parking, landscaping and related improvements. There are narrow fringes of vegetation on the west and north sides of the subject site. There is non-native landscaping in limited locations within the parking area and south and east of the building where there are sidewalks, the sanitary system and utilities (see **Figure 2**).



### 1.3 Description of the Proposed Project

The proposed project involves a change of zone from J Business 4 (Professional and Business Offices) to J Business 5 (J-5; High Intensity Business) in order to enable the future conversion of the existing drive-thru bank building into a Starbucks restaurant with a drive-thru. Access points to the commercial property will remain unchanged from the current configuration. The site will continue to be accessed from two points along the shared access driveway along the eastern property boundary including a two lane, one-way access to the drive-thru in the northeast corner of the subject property, and a two-way access to the paved parking lot area in the northern portion of the subject property. A two lane exit point will remain in the southwest corner of the subject property for access to Middle Country Road from the drive-thru. The site plan for the proposed project is provided as **Attachment 1**.

The proposed action involves the physical ground disturbance of only 0.26 acres of the 1.44-acre property, primarily for the restoration of  $\pm 1,840$  square feet (SF) of the site by converting driveway areas along the western boundary to non-fertilized/non-irrigated native vegetation. This restoration will restore the western portion of the site contiguous to existing wooded areas to a more natural condition thus expanding contiguous natural vegetation. Additionally, approximately 3,000 SF of the existing maintained lawn area in the southern portion of the subject property will be converted to non-fertilized/non-irrigated native vegetation.

All wastewater generated onsite will be treated and recharged into the ground using facilities that conform to Suffolk County Sanitary Code Article 6 requirements. The existing onsite conventional septic system will be replaced with a new Innovative/Alternative Onsite Wastewater Treatment System (I/A OWTS). All stormwater runoff generated on developed project surfaces will be captured on-site and recharged into the ground through the existing on-site drainage system. The proposed reduction of impervious surfaces will result in decreased stormwater runoff and improved stormwater recharge on the subject property.

The subject parcel was zoned J Business 4 in 1995, when the CPB CLUP was adopted. In conformance with the allowable site clearance standards listed in Figure 5-1 of the CLUP, the overall maximum allowed site clearance for the proposed action site is 60%, or 0.864 acres (conversely, a minimum of 40% of the site, or 0.576 acres, would have to be preserved as natural). The subject property has been developed with the existing building since at least 1980, prior to the adoption of the CLUP, and is over-cleared in its existing condition. Currently, approximately 86% of the site is cleared (including impervious and maintained landscaped areas) and approximately 14% of the site consists of natural vegetation. The proposed action represents an improvement upon the existing condition with a reduction in clearing from approximately 86% to approximately 78% and an increase in natural areas from approximately 14% to 22%. In addition, the area of fertilized vegetation will be reduced from \*\*% to \*\*% allowing the existing developed site to comply with Standard 5.3.3.6.3. The proposed site coverages include 1.13 acres of cleared land (impervious and maintained landscaping in existing areas) and 0.31 acres of natural land, including areas to be restored with native vegetation. As a



## 2.0 TOWN LAW SECTION 267-B CRITERIA

The Applicant seeks an exemption based upon a demonstration of hardship for development in the CGA. In making such a finding, the commission shall consider the criteria for a use variance pursuant to section two hundred sixty-seven-b of NYS Town law. These criteria are as follows:

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- (2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- (3) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4) that the alleged hardship has not been self-created.

A demonstration supporting the above factors is outlined below.

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;*

The commercial drive-thru bank has been vacant since 2019 and unable to secure a tenant to operate the facility and realize a reasonable return. The prolonged vacancy, which indicates a lack of demand for its existing use, has resulted in the property owner being unable to realize a reasonable return on their investment. The facility is not profitable under its present zoning and therefore a Town change of zone is sought to allow the proposed use. The site is privately-owned and subject to real estate taxes. The lack of income from the property that would be facilitated by an occupant/operator of a commercial use is a significant economic hardship to the property owner. Current real estate taxes are \$\*\*\*, attesting to the annually accruing hardship of having the site unoccupied.

The placement of the property in the CGA following the full development of the property in its current configuration is a hardship that prohibits the property owner from being able to initiate a use on the subject property that would be profitable. The current owner sought to market the property for banking purposes. However, three brokerage groups were unsuccessful in securing a banking branch willing to lease the location. This was attributed to the downsizing of bank branches and the decreased demand for large bank formats. The proposed project will improve site conditions by removal of pavement on the west side of the site to expand contiguous natural open space with adjoining lands, and reducing maintained landscaped lawn area with native non-maintained vegetation.

*(2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;*

The subject property is unique as it is a developed commercially-zoned property with a drive-thru window situated within the CGA, which was developed prior to the adoption of the CLUP. The building is vacant and has not been in use since 2019. The placement of the property in the CGA prevents the subject property from being utilized as a profitable commercial business that is consistent with the changing consumer needs of the surrounding community. The presence of the existing commercial building, parking area and drive-thru infrastructure would allow the property to function as a profitable business with very minimal modifications to the existing property. Proposed changes would remove pavement on the west side of the site to expand contiguous natural open space with adjoining lands, and would reduce maintained lawn area and replace it with native vegetation that does not require maintenance such that compliance with Standard 5.3.3.6.3. The site will also be improved with an I/A OWTS installation which will reduce nitrogen concentrations in recharge to groundwater.

The unique conditions applicable to this site are as summarized as follows:

- The site is almost completely developed and was developed in its current form prior to the CLUP.
- The CLUP placed this developed site within the CGA of the Central Pine Barrens.
- The existing bank building is not viable for tenancy by a bank due to changing market conditions.
- The project site can be improved in terms of natural vegetation to more closely conform with Standard 5.3.3.6.1.
- The project site can be improved to comply with Standard 5.3.3.6.3.
- The project site will be improved with an I/A OWTS installation to reduce groundwater impacts.

*(3) that the requested use variance, if granted, will not alter the essential character of the neighborhood;*

Under the proposed action, the use of the subject property will remain commercial in nature. The primary function of the property as a drive-thru establishment will remain unchanged. The operational structure of a drive-thru ensures that vehicular traffic patterns and customer flow will be consistent with the existing use, minimizing and significant changes to the surrounding area.

The physical characteristics of the site will remain essentially unchanged, with the exception of the conversion of an area of impervious pavement and an area of maintained lawn to native vegetation, contiguous to the wooded vegetation to the west and the roadway,

respectively. Consequently, there is no negative alteration of the essential character of the neighborhood and any change is positive and beneficial in terms of reducing pavement that faces Middle Country Road, with establishment of natural vegetation along a small additional portion of road frontage.

The surrounding community was engaged in discussions regarding how the property could optimally address their needs. Concerns were raised about the current condition of the building and its effects on the neighborhood. The community expressed support for the decision to convert the property from its prior use to a restaurant that would contribute positively to the local area.

*(4) that the alleged hardship has not been self-created.*

The subject property was developed for commercial use prior to the adoption of the CLUP and the placement of the subject property into the CGA, greatly limits the property's potential for adaptation driven by consumer needs. The current and previous property owners have been unable to secure a tenant for the existing commercial bank facility, and is proposing to change the use with minimal disturbance to the subject property and an improvement upon the natural condition of the subject property. The condition of the subject property aligns with the trends observed in banking properties within the surrounding area, attributable to shifts in consumer preferences and market conditions. Additionally, there are two other banks along the same road that have also remained vacant for an extended period.



result, the proposed project requires an exemption from Standard 5.3.3.6.1 Vegetation Clearance Limits, to be reviewed and decided upon by the CPBC, which has jurisdiction over this request under NYS ECL Article 57 and the CLUP. There are unique circumstances associated with this lot that warrant the requested exemption.

**Table 1** below details the types of surface coverages of the site, in its existing condition and after completion of the proposed project.

**Table 1**  
**SITE COVERAGES**  
Existing Conditions & Proposed Project

Coverage Type	Existing Conditions (Acres)	Proposed Project (Acres)	Difference (Acres)
Impervious (roads, buildings, and other paved surfaces)	0.96	0.91	-0.05
Landscaped (maintained)	0.28	0.22	-0.06
Wooded/Natural	0.20	0.31	+0.11
Total	1.44	1.44	

No wetlands or surface waters are located on or adjacent to the subject site, and the subject property does not contain slopes over 10 percent.















# STANDARDS AND GUIDELINES FOR LAND USE

## 599 MIDDLE COUNTRY ROAD

April 3, 2025

Standard (s)/Guideline (g)		Explanation and Document Page Reference	
<b>S 5.3.3.1.1</b>	Suffolk County Sanitary Code Article 6 compliance	<b>5.3.3.1 Sanitary Waste, Nitrate-Nitrogen and Other Chemicals of Concern</b> All wastewater generated onsite will be treated and recharged into the ground using facilities that conform to Suffolk County Sanitary Code (SCSC) Article 6 requirements. The existing onsite conventional septic system will be replaced with a new Innovative/Alternative Onsite Wastewater Treatment System (I/A OWTS).	The proposed action site is located in the Central Pine Barrens Compatible Growth Area (CGA), Central Suffolk Special Groundwater Protection Area (SGPA), and Suffolk County Department of Health Services (SCDHS) Groundwater Management Zone III (GMZ III). Under GMZ III standards, the project is permitted to use conventional onsite septic systems when the total density load of the land use is ≤432 gpd based on 300 gpd/acre (43,560 SF). The total combined density load from the proposed project, assuming 30 seats in the proposed Starbucks, has been estimated to be just 300 gpd (10 gpd/seat); therefore, conforming with SCSC Article 6 flow standards for individual onsite septic systems. The proposed I/A sanitary systems, however, will provide a superior level of treatment compared to the existing onsite conventional septic systems with a total anticipated nitrogen discharge concentration that is minimal based on SCDHS density standards (35-36% of the upper limit). The siting and design of the proposed I/A OWTS will be consistent with all applicable standards.
	Sewage treatment plant discharge	The Proposed Action will conform to SCSC Article 6 requirements, so that an STP is not necessary. It is acknowledged that the project's effluent will be recharged within the CGA and SGPA. However, the site's proposed I/A OWTSs will be designed, sited and installed in conformance with all SCSC Article 6 and other applicable SCDHS requirements, thereby assuring that little impact to underlying groundwater quality will occur. As previously noted, the proposed action involves the abandonment of the existing onsite conventional septic system in accordance with SCDHS requirements and replacement of this system with an I/A OWTS which will provide a superior level of treatment including the reduction of nitrogen loading. Overall wastewater discharge on the 1.44-acre property is minimal at just 300 gpd per day.	
<b>S 5.3.3.1.2</b>		These regulations concern water pollution control (Article 7) and storage of hazardous or toxic materials associated with industrial use (Article 12). The proposed action involves a change of zone to allow for the commercial building to be operated by Starbucks. No storage or use of hazardous or toxic materials will occur in connection with the proposed use.	
<b>S 5.3.3.1.3</b>	Suffolk County Sanitary Code Articles 7 and 12 compliance	The subject site is currently fully developed with a bank building that has not been occupied since 2019. The proposed action site is not within any public Water Supply Sensitive Area which is defined by Article 7 as "areas in close proximity to existing or identified future public water supply wellfields" with "close proximity" defined as "within 1,500 feet upgradient or 500 feet downgradient of public water supply wells screened in the Upper glacial aquifer." Based on an assessment of the closest domestic supply wells and community supply wells (Middle Island Road, Spring Lake Drive, Rocky Point Road) the proposed action site is not within any public Water Supply Sensitive Area. The subject site is currently fully developed with a bank building that has not been occupied since 2019 and the site will continue to be used for commercial purposes. The proposed action will comply with applicable requirements of Suffolk County Sanitary Code Articles 6, 7, and 12. Applicable SCDHS approvals will be obtained through the required application process.	
<b>S 5.3.3.1.4</b>	Commercial and industrial compliance with the Suffolk County Sanitary Code	All commercial and industrial development applications shall comply with the provisions of the Suffolk County Sanitary Code as applied by the Suffolk County Department of Health Services, and all other applicable federal, state or local laws. Development projects which require variances from the provisions of the Suffolk County Sanitary Code shall meet all requirements of the Department of Health Service's Board of Review in order to be deemed to have met the requirements of this standard.	
<b>G 5.3.3.1.5</b>	Nitrate-nitrogen	A more protective goal of two and one half (2.5) ppm may be achieved for new projects through an average residential density of one (1) unit per two (2) acres (or its non-residential equivalent), through clustering, or through other mechanisms	As noted above, the proposed action will replace the existing conventional onsite septic system serving the current commercial use with an I/A OWTS with advanced nitrogen removal capabilities. Overall, wastewater loading from the proposed action will be just 300+ gpd indicating a relatively small wastewater load for the 1.44-acre site. The proposed action also includes the restoration of 1,840+ SF of the site by converting parking and driveway areas along the western property boundary to unmaintained native vegetation, thereby restoring the western portion of the site contiguous to wooded areas to a more natural condition. Additionally, ±3,600 SF of maintained lawn in the southern portion of the subject property will be converted to native non-irrigated/non-fertilized vegetation. Native plants will require no

		to protect surface water quality for projects in the vicinity of ponds and wetlands.	applications of fertilizer except during initial installation. The increased area of native vegetation will also assist in reducing stormwater runoff and improving stormwater recharge on the property, which will help to further reduce nitrogen that may be contained in onsite stormwater runoff.
<b>5.3.3.3 Wellhead and Groundwater Protection</b>			
<b>5.3.3.3.1</b>	Significant discharges and public supply well locations	The location of nearby public supply wells shall be considered in all applications involving significant discharges to groundwater, as required under the New York State Environmental Conservation Law Article 17.	This standard restricts activities that could degrade the public water supply within a 200-foot radius of a public supply well. The location of existing public wells are outside the 200-ft buffer zone of the site. Furthermore, the proposed action will not have "significant discharge" to a point where it will impact a public water supply. The proposed action was further assessed relative to Article 7 Water Supply Sensitive Areas as noted above pursuant to Guideline 5.3.3.1.5 above.
<b>5.3.3.4 Wetlands and Surface Waters</b>			
<b>5.3.3.4.1</b>	Nondisturbance buffers	Development proposals for sites containing or abutting freshwater or tidal wetlands or surface waters must be separated by a nondisturbance buffer area that is no less than that required by the New York State Tidal Wetland, Freshwater Wetland, or Wild, Scenic and Recreational Rivers Act or local ordinance. The Commission reserves the right to require a stricter and larger nondisturbance buffer for development projects not subject to municipal review. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Projects which require variances or exceptions from these state laws, local ordinances and associated regulations, shall meet all requirements imposed in a permit by the New York State Department of Environmental Conservation or a municipality in order to be deemed to have met the requirements of this standard.	<p>The proposed action site is not located near a tidal wetland. The closest feature, as listed by the NWI is a 22±-acre freshwater pond, designated as PUSC<sub>x</sub> (an excavated man-made palustrine feature that is seasonally flooded and has an unconsolidated shore), located approximately 900 feet northeast of the subject property. This feature is not mapped by the NYSDEC as a previously mapped freshwater wetland. Nevertheless, the pond is located outside of the standard 100-foot NYSDEC freshwater wetland adjacent area.</p> <p>The proposed action includes retention and supplementation of native vegetation in existing perimeter buffers and restoration of 1,840± SF of the site by converting parking and driveway areas along the western property boundary to unmaintained native vegetation and the restoration of 3,600± SF of the site by converting maintained lawn area to native vegetation, thereby restoring the western portion of the site contiguous to wooded areas and an area along the roadway frontage to a more-natural condition. Restoring the vegetative buffer around the site will improve native plant density and diversity, improving overall health and sightliness. Operations under the proposed project will not disturb the vegetation.</p>
<b>5.3.3.4.2</b>	Buffer delineations, covenants and conservation easements	Buffer areas shall be delineated on the site plan, and covenants and/or conservation easements, pursuant to the New York State Environmental Conservation Law and local ordinances, shall be imposed to protect these areas as deemed necessary.	N/A; the proposed action site is not located within a conservation boundary or other protected area. The proposed action includes retention and supplementation of native vegetation in existing perimeter buffers and restoration of 1,840± SF of the site by converting parking and driveway areas along the western property boundary to unmaintained native vegetation, thereby restoring the western portion of the site contiguous to wooded areas to a more natural condition. Additionally, the proposed conversion of 3,600± SF of the maintained lawn area in the southern portion of the subject property to native vegetation will restore this area along the property boundary to a more natural condition.
<b>5.3.3.4.3</b>	Wild, Scenic & Recreational Rivers Act compliance	Development shall conform to the provisions of the New York State Wild, Scenic and Recreational Rivers Act, where applicable. Projects which require variances or exceptions under the New York State Wild, Scenic and Recreational Rivers Act shall meet all requirements imposed by the New York State Department of Environmental Conservation in order to be deemed to have met the requirements of this standard.	N/A; the project site is not located within or adjacent to any WSRR boundary. This Standard does not apply.
<b>5.3.3.5 Stormwater Runoff</b>			
<b>5.3.3.5.1</b>	Stormwater recharge	Development projects must provide that all stormwater runoff originating from development on the property is recharged on site unless surplus capacity exists in an off site drainage system.	This standard requires that adequate drainage capacity be provided for retention and recharge of stormwater runoff generated on-site. All stormwater runoff generated on developed project surfaces will be captured on-site and recharged into the ground through the existing on-site drainage system. The proposed project involves a reduction of ±1,840 SF of impervious surface and restoration of 1,840± SF of the site by converting parking and driveway areas along the western property boundary to unmaintained native vegetation. Additionally, the project proposes the restoration of 3,600± SF of the site by converting maintained lawn area to native



			vegetation. The reduction of impervious surfaces and maintained lawn area will result in decreased stormwater runoff and improved stormwater recharge on the subject property.
			No runoff from developed surfaces will be allowed to exit the site, based on the stringent retention and design standards. The project's drainage system is subject to the review and approval of the Town engineering and planning staff. The proposed project will involve the disturbance of only 0.26 acres of the subject property; therefore, the project is not subject to the requirements of the SPDES General Permit for Construction Activity.
<b>S 5.3.3.5.2</b>	Natural recharge and drainage	Natural recharge areas and/or drainage system designs that cause minimal disturbance of native vegetation should be employed, where practical, in lieu of recharge basins or ponds that would require removal of significant areas of native vegetation.	The proposed project does not involve alteration of the existing onsite drainage system or disturbance of any existing native vegetation. The proposed action will involve reductions in impervious area and maintained lawn and increase in native vegetation, thereby improving the existing drainage conditions onsite. No recharge basins or ponds are proposed as part of the proposed action.
<b>S 5.3.3.5.3</b>	Ponds	Ponds should only be created if they are to accommodate stormwater runoff, not solely for aesthetic purposes.	N/A: the proposed action will not include construction of a pond.
<b>S 5.3.3.5.4</b>	Natural topography in lieu of recharge basins	The use of natural swales and depressions should be permitted and encouraged instead of excavated recharge basins, whenever feasible.	The proposed action does not include excavated recharge basins. No natural topographic low points or swales are available to be utilized for stormwater runoff detention or recharge. As noted previously, the proposed action does not involve an alteration to the existing on-site drainage system. The proposed reduction in impervious surfaces and maintained lawn and increase of native vegetation will result in improved drainage conditions on-site.
<b>S 5.3.3.5.5</b>	Soil erosion and stormwater runoff control during construction	During construction, the standards and guidelines promulgated by the New York State Department of Environmental Conservation pursuant to state law, which are designed to prevent soil erosion and control stormwater runoff, should be adhered to.	The proposed project will involve the disturbance of only 0.26 acres of the subject property; therefore, the project is not subject to the requirements of the SPDES General Permit for Construction Activity.
<b>5.3.3.6 Coordinated Design for Open Space, Habitat and Soil Protection</b>			
		<p>The clearance of natural vegetation shall be strictly limited. Site plans, surveys and subdivision maps shall delineate the existing naturally vegetated areas and calculate those portions of the site that are already cleared due to previous activities.</p> <p>Areas of the site proposed to be cleared combined with previously cleared areas shall not exceed the percentages in Figure 5-1. These percentages shall be taken over the total site and shall include, but not be limited to, roads, building sites, drainage structures and landbanked parking. The clearance standard that would be applied to a development project site if developed under the existing residential zoning category may be applied if the proposal involves multi-family units, attached housing, clustering or modified lot designs. Site plans, surveys and subdivision maps shall be delineated with a clearing limit line and calculations for clearing to demonstrate compliance with this standard.</p> <p>To the extent that a portion of a development project site includes Core property, and for the purpose of calculating the clearance limits, the site shall be construed to be the combined Core and</p>	<p>The proposed project will not comply with the current Vegetation Clearance Limits outlined in Standard 5.3.3.6.1 and thus requires this hardship application. The subject parcel was zoned J Business 4 in 1995, when the CPB CLUP was adopted. In conformance with the allowable site clearance standards listed in Figure 5-1 of the CLUP, the overall maximum allowed site clearance for the proposed action site is 60%, or 0.864 acres (conversely, a minimum of 40% of the site, or 0.576 acres, would have to be preserved as natural). The subject property has been developed with the existing building since at least 1980, prior to the adoption of the CLUP, and is over-cleared in its existing condition. Currently, approximately 86% of the site is cleared (including impervious and maintained landscaped areas) and approximately 14% of the site consists of natural vegetation.</p> <p>The proposed action represents an improvement upon the existing condition with a reduction in clearing from approximately 86% to approximately 77% and an increase in natural areas from approximately 14% to 23%. The proposed site coverages include 1.11 acres of cleared land (impervious and maintained landscaping in existing areas) and 0.33 acres of natural land, including areas to be restored with native vegetation.</p> <p>It is noted that the entirety of the proposed action site is within the Compatible Growth Area of the Central Pine Barrens. Furthermore, the entirety of the remaining natural existing pine barrens habitat within the property will not be developed.</p> <p>As the proposed action does not involve non-contiguous parcels, split zone parcel(s), residential overlay district parcels, environmental restoration, or split Core-CGA parcel(s), Standards S 5.3.3.6.1.1 through S 5.3.3.6.1.4 and S 5.3.3.6.1.6 do not apply.</p>
<b>S 5.3.3.6.1</b>	Vegetation Clearance Limits		

		CGA portions. However, the Core portion may not be cleared except in accordance with Section 5.2 of the Plan.	
<b>S 5.3.3.6.1.5</b>	CGA Hardship Requirement	Persons seeking relief from clearing requirements on development project sites must file a CGA hardship application.	The proposed action involves the filing of a CGA hardship application for relief from the clearing requirements. Of note, the site is over-cleared in its existing condition, which was the case prior to the adoption of the CLUP. The proposed action would improve upon the clearing condition of the subject property by offering a reduction in clearing and restoration of an impervious area to a natural condition.
<b>S 5.3.3.6.2</b>	Open space standard requirement, unfragmented open space and habitat	Development project sites must meet at a minimum the percentages of open space specified in Figure 5-1 regardless of existing physical site conditions. Applicants must prioritize first the use of existing cleared areas for development on a project site prior to clearing areas of natural vegetation. Site plans, surveys and subdivision maps must delineate the open space boundary lines and include the calculation of open space areas to demonstrate conformance with this standard. Applicants must identify the receiving entity to which dedicated open space will be transferred as required by Standard 5.3.3.6.5.  Project sites that do not have sufficient existing natural areas to meet the open space requirement specified in Figure 5-1 due prior development or use, will be required to revegetate areas to satisfy this standard. This will include sites that do not meet the open space requirement due to pre-existing clearing or disturbance, formalized landscaped and turf areas and/or impervious surfaces.	<p>This standard concerns preservation of natural vegetation in large unbroken blocks to establish open spaces contiguous to on-site and off-site property. The proposed action seeks to preserve the existing wooded areas and reclaim the western perimeter and northwestern corner of the site as part of its restoration plan. The proposed action limits any improvements and operations to the existing cleared areas, reduces impervious surfaces, and increases the native vegetation on-site. The area to be restored to native vegetation along the western and northwestern parcel boundaries is contiguous to natural wooded land to the west and north of the subject property. The proposed action provides additional contiguity of the natural area on the west part of the site and the adjoining natural areas on the adjoining property to the west.</p> <p>The Vegetation Clearance Limits in the CPB CLUP favor the placement of development in existing cleared areas in order to retain natural vegetation. This design strategy is implemented for the Applicant's plan, so that spatial efficiency of the proposed development acknowledges the restrictive nature of allowable clearing (including the site which has already been cleared), whilst also emphasizing the need to create greater parcels of contiguous natural open space and wooded areas. By adhering to the proposed plans and these guidelines, the proposed action will result in a healthier, more contiguous pine barrens ecosystem.</p>
<b>S 5.3.3.6.3</b>	Fertilizer dependent vegetation limit	No more than 15% of an entire development project site shall be established in fertilizer-dependent vegetation including formalized turf areas. Generally, nonnative species require fertilization therefore, planting of such nonnative species shall be limited to the maximum extent practicable. Development designs shall be in conformance with Standard 5.3.3.6.4 Native plantings.	<p>No more than 15% of a project site shall be established in fertilizer-dependent vegetation. As the project site is a total of 1.44 acres in, up to 0.216 acres of landscaping that requires fertilization may be planted on this site. The subject property currently includes 0.28 acres of maintained landscaping, as it has since prior to the adoption of the CLUP. The proposed project will convert a portion of the maintained landscaping in the southern portion of the subject property to native vegetation that does not require irrigation or fertilizer application in order to comply with this standard. Therefore, no more than 15% of the project site will be established in fertilizer-dependent vegetation under the proposed action. As noted previously, under the proposed project, a portion of impervious surface will be restored with native vegetation in order to provide more natural areas on-site, contiguous to adjacent wooded land.</p> <p>There may be fertilizer required for the initial growth stage of the native vegetation to be restored on site to ensure establishment, but long-term use of fertilizer is not anticipated except for the 0.22 acres of maintained landscaping to remain. None of the non-native species listed in Figure 5-2 of the CLUP will be used as part of the project's final site plan landscape design plans.</p>
<b>S 5.3.3.6.4</b>	Native Plantings	Development designs shall incorporate the species listed as "recommended" in Figure 5-2 "Planting Recommendations." Landscaping and restoration plans shall strive to use Long Island native genotypes, unless the plants are not available. A more extensive list of acceptable and unacceptable plants is available from the Commission office.	<p>Landscape species consistent with the species list in Figure 5-2 (Planting Recommendations) of the Pine Barrens Plan are being used as part of the final site plan landscape design plans. Typical landscape trees that are native to the area will be used for streetscapes and natural vegetation are being retained wherever possible.</p> <p>Where pine barrens species are used in a landscape function, species listed in Figure 5-2 of the CPB CLUP will be used. See response to Policy S 5.3.3.6.3 above.</p>

<b>5.3.3.6.5</b>	Receiving entity and protection for open space areas	The use, maintenance and management of open space shall be considered when protecting open space areas. The project applicant must specify the entity to which the open space will be dedicated. The protection of the open space shall be guaranteed by dedicating the open space to a government entity, private not for profit, land conservation management organization, homeowner's association or similar entity through the transfer of title or a permanent conservation easement or covenant recorded with the Suffolk County Clerk, or similar mechanism to ensure open space protection.	No dedicated open space will be transferred as part of this proposed action.
<b>5.3.3.7 Protection and Conservation of Species and Communities</b>			
<b>5.3.3.7.1</b>	Special Species and Ecological Communities	Where a significant impact is proposed upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened, endangered or of special concern, or upon natural communities classified by the New York State Natural Heritage Program as G1, G2, G3 or S1, S2 or S3, or on any federally listed endangered or threatened species, appropriate mitigation measures as determined by the appropriate state, county or local government agency shall be taken to protect these species.	Per the Environmental Resource Mapper, the subject property is situated within the vicinity of plants and bats listed as endangered or threatened. As the proposed action does not involve the disturbance of any existing natural vegetation, no impacts to rare, threatened, or endangered species is expected. The only areas of the subject property to be disturbed under the proposed action include impervious surfaces, which will include areas to be restored to a more natural state, which will improve the quality of potential habitat for wildlife species. As such, no endangered or threatened species are expected to be present in areas that would be disturbed on the proposed action site. In addition, no existing natural vegetation will be removed from the site and part of the lawn will be converted to unmaintained vegetation. The natural vegetation fringe on the west part of the site will be expanded as a result of the proposed project. Consequently, no impacts are expected with respect to special species and/or ecological communities and the proposed action conforms to this standard.
<b>5.3.3.7.2</b>	Bird conservation and protection	Development projects shall incorporate bird friendly structures, design and site planning elements to reduce bird strikes and mortality to the greatest extent feasible. Seek guidance provided in the American Bird Conservancy et al publication "Bird Friendly Building Design," available from their website.	The proposed action will utilize the existing building design in order to limit impacts to undeveloped areas of the subject property. Therefore, this standard does not apply as no new structures are proposed.
<b>5.3.3.9 Dark Sky Compliance</b>			
<b>5.3.3.9.1</b>	Light Pollution Prevention	This standard applies only to projects which are not subject to local municipal review and approval. The candlepower distribution from lighting fixtures and installations shall be cut off at all angles beyond those required to restrict direct illumination to the specific area or surface being illuminated. Development shall utilize full cutoff lighting that directs all light downward and eliminates spill light and direct upward light. Fixtures must be noted on the proposed site plan as dark-sky compliant fixtures. Existing exterior fixtures on a development project site shall be retrofitted accordingly.	This standard does not apply, as the project is subject to local municipal review and approval associated with the Change of Zone application. No changes to lighting from the existing condition are proposed; however, compliance with current lighting requirements will be achieved through site plan review by the Town of Brookhaven. Such requirements include cutoff lighting, dark-sky compliance and no luminaires beyond the property line. Lighting will only be used for safety and security and will comply with Town requirements.
<b>5.3.3.11 Scenic, Historic and Cultural Resources</b>			
<b>5.3.3.11.1</b>	Tall structures and scenic resources	This standard applies to projects not subject to local municipal review. A development project subject to this standard must not exceed the height definition for tall structures in Chapter 4.	The subject site is currently fully developed with a bank building that has not been occupied since 2019 and the site will continue to be used for commercial purposes. This standard does not apply, as the project is subject to local municipal review and approval associated with the Change of Zone application. There are no changes proposed to the height of the existing structure.



		<p>Section 4.3.11. This standard requires, in part, the adaptive use and reuse of existing tall structures rather than the construction and placement of new ones when and where feasible and appropriate.</p> <p>Development proposals should account for, review, and provide protection measures for:</p> <ol style="list-style-type: none"> <li>1. Established recreational and educational trails and trail corridors, including but not limited to those trail corridors inventoried elsewhere in this Plan.</li> <li>2. Active recreation sites, including existing sites and those proposed as part of a development.</li> <li>3. Scenic corridors, roads, vistas and viewpoints as documented in Volume 2 of this Plan, and which are listed in Figure 5-2, which may be amended from time to time, in Volume I of this Plan and may be located in Critical Resource Areas, and along the Long Island Expressway, Sunrise Highway, County Road 111 and William Floyd Parkway.</li> <li>4. Sites of historical or cultural significance, including historic districts, sites on the State or National Registers of Historic Places, and historic structures listed on the State or National Registers of Historic Places, or recognized by local municipal law or statute.</li> <li>5. Sensitive archaeological areas as identified by the New York State Historic Preservation Office or the New York State Museum.</li> </ol>	<p>The proposed action will not impact any trails, recreation sites, scenic resources, sites of historic or cultural significance, or sensitive archaeological areas, as there are no such resources on-site or immediately adjacent to the subject property. All areas to be disturbed under the proposed action have been previously disturbed. The only change in site coverages proposed involves the conversion of an area of impervious pavement to native vegetation and the conversion of an area of maintained lawn to native vegetation.</p>
<b>G 5.3.3.11.2</b>	Cultural resource consideration		
<b>G 5.3.3.11.5</b>	Roadside design and management	<p>Undisturbed portions of the roadside should be maintained in a manner that protects the scenic features of these areas. Clearing (including that for aisles, driveways, access and parking) is not precluded within these roadside areas, provided that appropriate buffers are maintained, and that manmade structures meet standards consistent with the character of the area.</p>	<p>The project complies with this Guideline. No roadside areas are proposed to be cleared. The proposed project will utilize existing vehicle access points.</p>



May 21, 2025

Eric Helman, Esq.  
Amato Law Group  
666 Old Country Road, 9<sup>th</sup> Floor  
Garden City, NY 11530

**Re: Verizon Wireless at Suffolk County STP Property  
2195 William Floyd Parkway, Ridge  
SCTM # 200-242-1-1.2 and 1.4  
Compatible Growth Area of the Central Pine Barrens**

Dear Mr. Helman:

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

On March 20, 2025, the Central Pine Barrens Commission office received material for Commission review on the referenced proposal. The project site is in the Central Pine Barrens Compatible Growth Area.

Prior submissions to the Commission were made on a cell tower project that the Commission provided comments in letters dated February 19, 2020 and April 22, 2020. The project was never built.

### **Existing Conditions**

The project site consists of two tax parcels totaling 10.59 acres that are owned by Suffolk County. The property is in the A1 Residence Zoning District. It is located on the west side of William Floyd Parkway, north of Whiskey Road, in Ridge, in the Compatible Growth Area of the Central Pine Barrens.

The property contains Suffolk County Sewer District #20 Sewage Treatment Plant (STP). The facility is depicted in the survey dated October 22, 2014, last revised May 15, 2020, prepared by Carman-Dunne, P.C. Approximately 52% of the site is cleared and 48% is naturally vegetated.

### **Project Description**

The proposed project is to develop a 120-foot tall monopole and leased equipment compound. Other items in the project have increased in size since the 2020 proposal, including:

- the fenced equipment compound from 1,200 square feet to 1,650 square feet
- the concrete pad supporting the equipment cabinets and emergency generator from 120 square feet to 200 square feet
- the concrete pad supporting the propane tank within the compound from 18 square feet to 40 square feet
- the amount of propane storage from two, 120 gallon tanks totaling 240 gallons to one, 500 gallon propane tank
- removal of three trees (no tree removal in 2020 proposal)

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Westhampton Beach, NY  
11978

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- Installation of 14 bollards (no bollards in 2020 proposal)

### **Central Pine Barrens Status**

The proposal appears to constitute development activity pursuant to New York State Environmental Conservation Law (ECL) Article 57. Therefore, the proposal must conform to the standards for land use in Chapter 5 of the Central Pine Barrens Comprehensive Land Use Plan (the Plan). If the project does not conform, the application may be revised to conform or the applicant must apply for a CGA Hardship Waiver from the Commission, subject to review and decision.

- **Vegetation Clearing:**
  - Please confirm the clearing limits are applied to the whole project site, not just the area occupied by the project.
  - Provide clearing data under existing conditions and the final amounts with the project including cleared and natural areas.
  - Confirm the project conforms with the A1 Residence zoning district limit of 53% limit, not the public corporation limit of 60%.
- The project site may be over cleared; more information is needed. In that case, no clearing may occur absent a hardship. Avoid cutting the three trees on the fence line. The trees are outside of the area of disturbance. Consider revising the project to utilize cleared areas such as shifting the fence to utilize a cleared area and avoid cutting trees.
- The changes and increases in the development activity are substantial enough to cause a new project. The structure height exceeds the tall structure limit and therefore if the project cannot be revised would require a hardship.
- Coordinate review of the application with Suffolk County as the owner of the property and forward a copy of the County's decision and/or agreement.

The applicant is encouraged to revise the project to conform with the Plan standards. If the project cannot be revised to conform, please submit a hardship waiver application.

The proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the project site. Thank you for your attention, and if you have any questions, please do not hesitate to contact me at (631) 218-1192.

Sincerely,

Julie Hargrave  
Pine Barrens Manager

cc: Judy Jakobsen Executive Director  
John Milazzo, Counsel











March 20, 2025

**VIA ELECTRONIC MAIL**

Central Pine Barrens  
Joint Planning & Policy Commission  
624 Old Riverhead Road  
Westhampton Beach, New York 11978  
Attn.: Julie Hargrave, Policy and Planning Manager

Re: Demonstration of Conformance with the Standards and Guidelines for Land Use by New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") to the Central Pine Barrens Joint Planning & Policy Commission (the "Commission") in connection with its proposal to construct a new wireless communications facility (the "Communications Facility") at 2195 William Floyd Parkway, Ridge, New York, as shown on the Suffolk County Tax Map as District 200, Section 242, Block 1, Lots 1.2 & 1.4 (the "Property")  
NYSMSA Site Ref.: NY- Ridge 2 / Our File No.: 100-1694  
Commission Site Ref.: Verizon Wireless at Suffolk County STP Property

Dear Ms. Hargrave:

In connection with the above-referenced matter, and as a follow up to our recent email correspondence, Verizon Wireless has revised the design of the proposed Communications Facility that was reviewed by the Commission pursuant to the enclosed correspondence, dated April 22, 2020. To facilitate the Commission's review of the revised Communications Facility design, the following materials are enclosed:

1. Construction drawings, prepared by APT Engineering ("APT"), last revised on December 3, 2024 (the "Revised Drawings"); and
2. Full Environmental Assessment Form, prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., ("VHB"), updated as of December 5, 2024 (the "EAF").

As depicted in the Revised Drawings, the Communications Facility design has been revised to include the following:

- An increase in the size of the fenced equipment compound area (the "Compound") from 20' x 60' (1,200 square feet) to 30' x 55' (1,650 square feet);
- An increase in the size of the concrete pad supporting the equipment cabinets and emergency generator (the "Equipment Pad") located within the Compound from 10' x 12' (120 square feet) to 10' x 20' (200 square feet);





- An increase in the size of the concrete pad supporting the propane tank (the “Propane Tank Pad”) located within the Compound from 3’ x 6’ (18 square feet) to 4’ x 10’ (40 square feet), together with the installation of one (1) 500-gallon propane tank in lieu of the two (2) previously proposed 120-gallon propane tanks on the Propane Tank Pad;
- The installation of fourteen (14) bollards surrounding the northwest portion of the Compound; and
- The removal of three (3) trees to accommodate access to the existing gate that is located to the north of the proposed Compound area.

As you know, the Commission recently amended Chapters 4-6 of the Central Pine Barrens Comprehensive Land Use Plan, with an effective date of April 19, 2024 (the “Amended Plan”). To assist with your review, please see the following demonstration of conformity analysis under the Standards and Guidelines for Land Use set forth in Chapter 5 of the Amended Plan:

**Standard: 5.3.3.1.1 Suffolk County Sanitary Code Article 6 compliance**

All development proposals subject to Article 6 of the Suffolk County Sanitary Code (“Realty Subdivisions, Developments and Other Construction Projects”) shall meet all applicable requirements of the Suffolk County Department of Health Services. Projects which require variances from the provisions of Article 6 shall meet all requirements of the Suffolk County Department of Health Service’s Board of Review in order to be deemed to have met the requirements of this standard.

**Response:** This standard, related to water supply and sewage disposal for subdivisions, developments, and residences, is inapplicable to this project. The Communications Facility will be unmanned, and will not require a potable water supply, nor will it generate any waste for disposal. (See EAF pp. 7-8.)

**Standard: 5.3.3.1.2 Sewage treatment plant discharge**

Where deemed practical by the County or State, sewage treatment plant discharge shall be outside and downgradient of the Central Pine Barrens. Treatment systems that are approved by the New York State Department of Environmental Conservation or the Suffolk County Department of Health Services may be used in lieu of a sewage treatment plant.

**Response:** This standard is inapplicable to this project. The Communications Facility will be unmanned, and will not generate any sewage or require sewage treatment facilities. (See EAF p. 8.)

**Standard: 5.3.3.1.3 Suffolk County Sanitary Code Articles 7 and 12 compliance**

All projects must comply with the provisions of Articles 7 and 12 of the Suffolk County Sanitary Code, including any provisions for variances or waivers if needed, and all applicable state laws and regulations in order to ensure that all necessary water resource and wastewater management infrastructure shall be in place prior





to, or as part of, the commencement of construction.

**Response:** This standard, related to water pollution control and the storage and handling of toxic materials, is inapplicable to this project. The proposed Communication Facility will be unmanned, and will not generate sewage, industrial waste, or other wastes requiring disposal, including hazardous waste. (See EAF p. 12.)

**Standard:** **5.3.3.1.4 Commercial and industrial compliance with the Suffolk County Sanitary Code**

All commercial and industrial development applications shall comply with the provisions of the Suffolk County Sanitary Code as applied by the Suffolk County Department of Health Services, and all other applicable federal, state or local laws. Development projects which require variances from the provisions of the Suffolk County Sanitary Code shall meet all requirements of the Department of Health Service's Board of Review in order to be deemed to have met the requirements of this standard.

**Response:** Verizon Wireless acknowledges and agrees to comply with this standard to the extent applicable. As referenced above, the Communications Facility will be unmanned, and will not require a potable water supply, nor will it generate any waste for disposal. (See EAF pp. 7-8 and 12.)

**Standard:** **5.3.3.3.1 Significant discharges and public supply well locations**

The location of public supply wells shall be considered in all applications involving significant discharges to groundwater, as required under the New York State Environmental Conservation Law Article 17.

**Response:** The Communications Facility design conforms to this standard. The proposed Communication Facility will be unmanned, and will not result in any significant discharges to groundwater. (See EAF p. 8.)

**Standard:** **5.3.3.4.1 Nondisturbance buffers**

Development proposals for sites containing or abutting freshwater or tidal wetlands or surface waters must be separated by a nondisturbance buffer area that is no less than [that] required by the New York State Tidal Wetland, Freshwater Wetland, or Wild, Scenic and Recreational Rivers Act or local ordinance. The Commission reserves the right to require a stricter and larger nondisturbance buffer for development projects not subject to municipal review. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Projects which require variances or exceptions from these state laws, local ordinances and associated regulations, shall meet all requirements imposed in a permit by the New York State Department of Environmental Conservation or a municipality in order to be deemed to have met the requirements of this standard.





**Response:**

Please note the following from the Attachment in the EAF:

NYSDEC Freshwater Wetland MD-16 occurs in the vicinity of the Subject Property. Pursuant to the NYSDEC's September 14, 2023, Letter of No Jurisdiction/No Permit Necessary determination (see attached), the Proposed Project, including associated clearing and disturbance, is located more than 100 feet from NYSDEC Freshwater Wetland MD-16. Therefore, the Proposed Action is located beyond the jurisdiction of Article 24 (Freshwater Wetlands Act) and a Freshwater Wetlands Permit is not required.

**Standard: 5.3.3.4.2 Buffer delineations, covenants and conservation easements**

Buffer areas shall be delineated on the site plan, and covenants and/or conservation easements, pursuant to the New York State Environmental Conservation Law and local ordinances, shall be imposed to protect these areas as deemed necessary.

**Response:** This standard, related to wetland buffer areas, surface waters, and the imposition of covenants and/or conservation easements, should be inapplicable to this project. As noted above, the EAF indicates that the project area, "[i]s located more than 100 feet from NYSDEC Freshwater Wetland MD-16. Therefore, the Proposed Action is located beyond the jurisdiction of Article 24 (Freshwater Wetlands Act) and a Freshwater Wetlands Permit is not required."

**Standard: 5.3.3.4.3 Wild, Scenic and Recreational Rivers Act compliance**

Development shall conform to the provisions of the New York State Wild, Scenic and Recreational Rivers Act, where applicable. Projects which require variances or exceptions under the New York State Wild, Scenic and Recreational Rivers Act shall meet all requirements imposed by the New York State Department of Environmental Conservation in order to be deemed to have met the requirements of this standard.

**Response:** This standard is inapplicable to this project. The Property is not located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program. (See EAF page 18.)

**Standard: 5.3.3.5.1 Stormwater recharge**

Development projects must provide that all stormwater runoff originating from development on the property is recharged on site unless surplus capacity exists in an off site drainage system.

**Response:** The proposed Communication Facility will incorporate minimal impervious surfaces in the form of the proposed 200 ± square foot Equipment Pad and 40 ± square foot Propane Tank Pad. Further, according to the Engineer of Record, APT:

Stormwater velocity at the Property following the proposed Communication Facility installation will remain the same as under existing conditions, and





the Property has sufficient available storage volume to accommodate the increase in impervious surfaces. Accordingly, the impervious surfaces associated with the proposed Communication Facility will not affect stormwater runoff drainage and recharge on the Property, or prevent the infiltration of stormwater to the ground.

**Standard: 5.3.3.5.2 Natural recharge and drainage**

Natural recharge areas and/or drainage system designs that cause minimal disturbance of native vegetation should be employed, where practical, in lieu of recharge basins or ponds that would require removal of significant areas of native vegetation.

**Response:** The Communications Facility design conforms to this standard. Despite a minor increase in impervious surface area, the plan allows for natural recharge and avoids the use of an excavated basin or pond.

**Standard: 5.3.3.5.3 Ponds**

Ponds should only be created if they are to accommodate stormwater runoff, not solely for aesthetic purposes.

**Response:** The Communications Facility design conforms to this standard, as the project does not involve the creation of ponds.

**Standard: 5.3.3.5.4 Natural topography in lieu of recharge basins**

The use of natural swales and depressions should be permitted and encouraged instead of excavated recharge basins, whenever feasible.

**Response:** The Communications Facility design conforms to this standard, as it will take advantage of the natural topography in lieu of excavated recharge basins.

**Standard: 5.3.3.5.5 Soil erosion and stormwater runoff control during construction**

During construction, the standards and guidelines promulgated by the New York State Department of Environmental Conservation pursuant to state law, which are designed to prevent soil erosion and control stormwater runoff, should be adhered to.

**Response:** Verizon Wireless acknowledges this standard and agrees to comply with same. Please also note that the Revised Drawings include sediment and erosion control notes and guidelines (*see* Sheet EC-1).

**Standard: 5.3.3.6.1 Vegetation clearance limits**

The clearance of natural vegetation shall be strictly limited. Site plans, surveys and subdivision maps shall delineate the existing naturally vegetated areas and calculate those portions of the site that are already cleared due to previous activities.

Areas of the site proposed to be cleared combined with previously cleared areas





shall not exceed the percentages in Figure 5-1. These percentages shall be taken over the total site and shall include, but not be limited to, roads, building sites, drainage structures and landbanked parking. The clearance standard that would be applied to a development project site if developed under the existing residential zoning category may be applied if the proposal involves multi-family units, attached housing, clustering or modified lot designs. Site plans, surveys and subdivision maps shall be delineated with a clearing limit line and calculations for clearing to demonstrate compliance with this standard.

To the extent that a portion of a development project site includes Core property, and for the purpose of calculating the clearance limits, the site shall be construed to be the combined Core and CGA portions. However, the Core portion may not be cleared except in accordance with Section 5.2 of the Plan.

**Response:** As indicated in the Revised Drawings, which include a survey of the Property, the proposed Communication Facility will be primarily located within an area of the Property that was previously disturbed. As noted above, it will be necessary to remove three (3) trees to accommodate vehicle access to the existing gate that is located to the north of the proposed Compound area.

According to APT, 46% of the Property will have been cleared after the Communications Facility installation work has been completed, and 54% will remain in its natural state.

**Standard:** **5.3.3.6.1.1**

Development project sites which consist of non-contiguous parcels shall be treated as if the parcels were contiguous for purposes of determining conformance.

**Response:** This standard is inapplicable to this project. The project does not involve non-contiguous parcels.

**Standard:** **5.3.3.6.1.2**

Development project sites which consist of parcel(s) that are split among two or more zoning categories shall have a total clearing allowance for the entire site which is the sum of the individual clearances for each separately zoned portion of the site.

**Response:** This standard is inapplicable to this project. The Property is not subject to two or more zoning categories.

**Standard:** **5.3.3.6.1.3**

Development project sites in Residential Overlay Districts that include the redemption of Pine Barrens Credits shall apply Figure 5-1 based on the resulting average lot size after the redemption of Credits, rather than the base zoning lot size. To determine the amount of clearing allowed, interpolate the maximum site clearance percentage using Figure 5-1, as long as the requirements of the Town





Code and of Section 6.4 of the Plan are met.

**Response:** This standard is inapplicable to this project. This project is not in a Residential Overlay District, and does not include the redemption of Pine Barrens Credits.

**Standard:** **5.3.3.6.1.4**

Land cleared for purposes of conducting environmental restoration pursuant to ECL 57-0107(13)(c), shall be considered “natural vegetation,” and shall not be considered “cleared” or “previously cleared” land in determining conformance.

**Response:** This standard is inapplicable to this project. This project does not involve land cleared for purposes of conducting environmental restoration activities.

**Standard:** **5.3.3.6.1.5**

Persons seeking relief from clearing requirements on development project sites must file a CGA hardship application.

**Response:** This standard is inapplicable to this project. Verizon Wireless is not seeking relief from any clearing requirements.

**Standard:** **5.3.3.6.1.6**

For a project site which is split between the Core Preservation Area and the Compatible Growth Area, and within which Pine Barrens Credits have been issued for the Core Preservation Area portion, only the Compatible Growth Area acreage shall be used to determine the amount of clearing allowed according to Figure 5-1.

**Response:** This standard is inapplicable to this project. No portion of this project is located within the Core Preservation Area.

**Standard:** **5.3.3.6.2 Open space standard requirement, unfragmented open space and habitat**

Development project sites must meet at a minimum the percentages of open space specified in Figure 5-1 regardless of existing physical site conditions. Applicants must prioritize first the use of existing cleared areas for development on a project site prior to clearing areas of natural vegetation. Site plans, surveys and subdivision maps must delineate the open space boundary lines and include the calculation of open space areas to demonstrate conformance with this standard. Applicants must identify the receiving entity to which dedicated open space will be transferred as required by Standard 5.3.3.6.5.

Conservation design promotes the creation of open space that permanently protects the significant natural and cultural resources and environmental features of a site by concentrating development into compact areas. This will be required for development projects and accomplished through the use of conservation design methods that include clustering, reduced density development design, or similar methods that achieve the requirements of this section. In determining which areas





of a development project site to set aside as open space, the order of priority, from highest to lowest, shall be as follows:

- Areas that include any species, habitats or significant attributes required to be protected under existing regulations. This includes, but is not limited to, wetlands; the habitats of endangered; threatened and special concern species; floodplains; archaeological sites and burial grounds and cemeteries.
- Areas that contain woodlands followed by other natural areas.
- Areas that contain woodlands and other natural areas adjacent to existing open space, that will connect open space areas into large contiguous, unbroken blocks of habitat. This should include consideration of existing and planned future development of adjacent properties.

Project sites that do not have sufficient existing natural areas to meet the open space requirement specified in Figure 5-1 due [to] prior development or use, will be required to revegetate areas to satisfy this standard. This will include sites that do not meet the open space requirement due to pre-existing clearing or disturbance, formalized landscaped and turf areas and/or impervious surfaces.

A range of one or more restoration methods may be required that include, but are not limited to, the “Self-Heal” approach, active restoration with nursery stock, and/or transplantation activities. The “Self-Heal” approach should be the first approach used for restoration of areas to be set aside as open space, unless otherwise prevented by site conditions. The “Self-Heal” approach is preferable because it allows existing live seed banks, rhizomes, roots, etc. to naturally recolonize a disturbed area rather than using active restoration with nursery stock grown offsite. The transplanting of natural vegetation from areas proposed to be developed should also be considered and implemented where feasible.

The restoration of these areas will require the preparation of a restoration plan that will be subject to the review and approval of the approving agency. The plan will include at a minimum, a description of the restoration method, map of areas to be restored, site preparation work, schedule for implementation, monitoring and reporting requirements to guarantee a success rate of 85% after three to five years, and invasive species management, and reporting requirements. Since site conditions can vary, the approving agency may require other provisions in the restoration plan to ensure successful restoration of these areas to serve as open space. If the Self-Heal approach fails to successfully restore the areas, a restoration plan will need to be developed and approved by the reviewing agency that provides for active restoration with native species.

The restoration area once it has been successfully restored with native species must be protected as the open space area in accordance with Standard 5.3.3.6.5, Receiving entity and protection for open space areas.





**Responses:** As noted above and depicted in the Revised Drawings, the proposed Communication Facility will be primarily located within a an area of the Property that was previously disturbed. According to APT, 46% of the Property will have been cleared after the Communications Facility installation work has been completed, and 54% will remain in its natural state. Please note that it will be necessary to remove three (3) trees to accommodate vehicle access to the existing gate that is located to the north of the proposed Compound area. Please note that the allowable clearance limit for parcels owned by a public corporation is 60% (*see* Figure 5-1 of the Amended Plan).

**Standard:** **5.3.3.6.3 Fertilizer-dependent vegetation limit**  
No more than 15% of an entire development project site shall be established in fertilizer-dependent vegetation including formalized turf areas. Generally, nonnative species require fertilization therefore, planting of such nonnative species shall be limited to the maximum extent practicable. Development designs shall be in conformance with Standard 5.3.3.6.4 Native plantings.

**Response:** This standard is inapplicable to this project. Verizon Wireless is not proposing any landscaping or vegetation in connection with its Communication Facility, fertilizer-dependent or otherwise.

**Standard:** **5.3.3.6.4 Native plantings**  
Development designs shall incorporate the species listed as “recommended” in Figure 5-2 “Planting Recommendations.” Landscaping and restoration plans shall strive to use Long Island native genotypes, unless the plants are not available. A more extensive list of acceptable and unacceptable plants is available from the Commission office.

**Response:** This standard is inapplicable to this project. Verizon Wireless is not proposing any landscaping or plantings in connection with its Communication Facility, native or otherwise.

**Standard:** **5.3.3.6.5 Receiving entity and protection for open space areas**  
The use, maintenance and management of open space shall be considered when protecting open space areas. The project applicant must specify the entity to which the open space will be dedicated. The protection of the open space shall be guaranteed by dedicating the open space to a government entity, private not for profit, land conservation management organization, homeowner’s association or similar entity through the transfer of title or a permanent conservation easement or covenant recorded with the Suffolk County Clerk, or similar mechanism to ensure open space protection.

**Response:** This standard is inapplicable to this project. The proposed Communication Facility will be primarily located within a previously disturbed non-vegetated area of the Property, which is utilized for Suffolk County Sewer District #20 operations, and will not affect the existing open space. Moreover, the Property is already owned by





a government entity (i.e., County of Suffolk).

**Standard:**     **5.3.3.7.1 Special species and ecological communities**

Where a significant impact is proposed upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened, endangered or of special concern, or upon natural communities classified by the New York State Natural Heritage Program as G1, G2, G3 or S1, S2 or S3, or on any federally listed endangered or threatened species, appropriate mitigation measures as determined by the appropriate state, county or local government agency shall be taken to protect these species.

**Response:**     Please note the following excerpts from the EAF:

- The project site does not contain any species of plant or animal that is listed by New York State as rare, or as a species of special concern [see EAF page 17]; and
- According to the New York Natural Heritage Program (NYNHP), records for the endangered species Eastern Tiger Salamander (ETS) and Northern Long-eared Bat (NLEB) exist for the Subject Property vicinity. A summary of the NYSDEC's project impact determinations for each species is provided below [see EAF Attachment].

ETS In a No Jurisdiction/No Permit Necessary letter dated September 14, 2023 (see attached), the NYSDEC determined that the Proposed Project would occur greater than 535 feet from two ETS breeding ponds located in the vicinity of the Proposed Facility location and that greater than 50 percent of existing upland habitat within 1,000 feet of the ETS breeding ponds would be maintained. Accordingly, the NYSDEC determined that the Proposed Action would not result in incidental take of ETS and does not require an Incidental Take Permit. As such, no adverse impacts to ETS are expected.

NLEB Pursuant to the NYSDEC's September 14, 2023, Letter of No Jurisdiction/No Permit Necessary determination (see attached), to avoid incidental take of NLEB, tree clearing at the Proposed Facility location is prohibited between June 1 and July 31 of any calendar year. The limited proposed tree clearing for the Proposed Action (removal of three trees located adjacent to the existing wastewater facility driveway) would occur in compliance with this determination. Accordingly, no adverse impacts to NLEB are expected.

**Standard:**     **5.3.3.7.2 Bird conservation and protection**

Development projects shall incorporate bird friendly structures, design and site planning elements to reduce bird strikes and mortality to the greatest extent feasible. Seek guidance provided in the American Bird Conservancy et al publication "Bird





Friendly Building Design,” available from their website.

**Response:** In furtherance of § 5.3.3.7 (Protection and conservation of species and communities) pertaining to bird collisions, please note that this project does not involve any proposed glass surfaces or free-standing glass.

**Standard: 5.3.3.9.1 Light pollution prevention**

This standard applies only to projects which are not subject to local municipal review and approval. The candlepower distribution from lighting fixtures and installations shall be cut off at all angles beyond those required to restrict direct illumination to the specific area or surface being illuminated. Development shall utilize full cutoff lighting that directs all light downward and eliminates spill light and direct upward light. Fixtures must be noted on the proposed site plan as dark-sky compliant fixtures. Existing exterior fixtures on a development project site shall be retrofitted accordingly.

**Response:** This standard is inapplicable to this project. This project is subject to review with the Suffolk County Department of Public Works. Please note that the only proposed lighting associated with this project are LED service lights to be located under the Compound canopy at 10 ± feet above ground level with time-delay shutoff. (See Sheet C-1/Detail 1 of the Revised Drawings.)

**Standard: 5.3.3.11.1 Tall structures and scenic resources**

This standard applies to projects not subject to local municipal review. A development project subject to this standard must not exceed the height definition for tall structures in Chapter 4, Section 4.3.11. This standard requires, in part, the adaptive use and reuse of existing tall structures rather than the construction and placement of new ones when and where feasible and appropriate.

**Response:** This standard is inapplicable to this project. This project is subject to review with the Suffolk County Department of Public Works.

We respectfully submit that the proposed Communications Facility design conforms to the Standards and Guidelines for Land Use as set forth in Chapter 5 of the Amended Plan. Accordingly, we request that the Commission issue a determination that Verizon Wireless' project conforms to the foregoing standards, and approve Verizon Wireless' proposal for its Communications Facility at the Property.

Upon your review of the foregoing, please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric J. Helman', is written over a blue circular stamp or seal.

Eric J. Helman

Encls.

cc: Verizon Wireless (via email, w/out encls.)





WEST NYACK, NEW YORK

# WIRELESS SERVICES FACILITY

## PROJECT# 2011620082

### "SEWER DISTRICT #20"

#### 2195 WILLIAM FLOYD PARKWAY

#### RIDGE, NY 11961

#### SITE INFORMATION

VZ SITE NAME: "RIDGE 2 (SD #20)"  
VZ SITE PROJECT CODE: 2011620082  
LOCATION CODE: 173177  
LOCATION: 2195 WILLIAM FLOYD PARKWAY  
RIDGE, NY 11961

SITE TYPE/DESCRIPTION: RAWLAND SITE W/ GROUND EQUIPMENT IN  
1,650± SF TELECOMMUNICATIONS  
COMPOUND W/ NEW 120± AGL MONOPOLE

GENERATOR INFORMATION: KOHLER  
50KW LPG-POWERED GENERATOR

SITE OWNER: COUNTY OF SUFFOLK  
100 VETERANS MEMORIAL PARKWAY  
HAUPPAUGE, NY 11786

SITE CONTACT: MICHAEL JOHNSON (631) 853-8092

LEASING CONTACT: ROBERT MONTELEONE (516) 316-4626

ENGINEER CONTACT: ROBERT BURNS  
(860) 552-2036

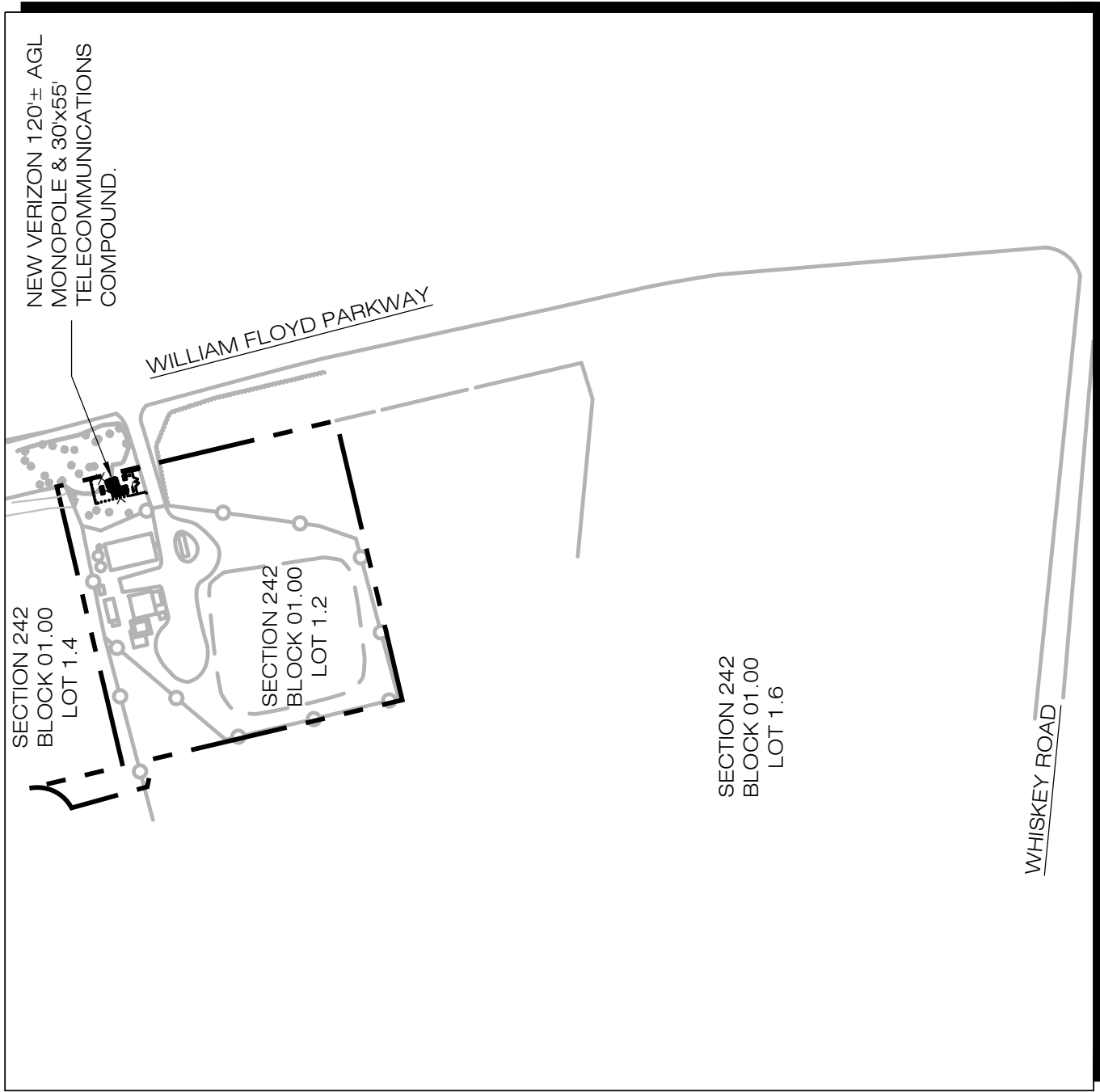
LATITUDE: 40° 54' 58.17" N  
LONGITUDE: 72° 52' 51.08" W  
ELEVATION: 86' AMSL

DISTRICT: 200  
SECTION: 242  
BLOCK: 01.00  
LOT: 1.2

ZONING JURISDICTION: SUFFOLK COUNTY, NY  
ZONING DISTRICT: WASTE HANDLING/MGMT



**LOCATION MAP**  
SCALE : 1" = 1000'-0"



**ORIENTATION MAP**  
SCALE : 1" = 350'-0"

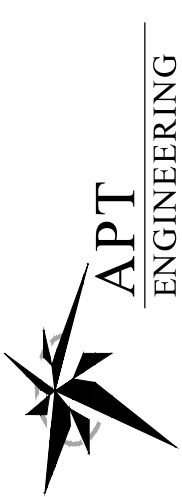
APPLICANT:  
VERIZON  
4 CENTERCROOK RD.  
WEST NYACK, NY 10994

VERIZON PROJECT ATTORNEY:  
AMATO LAW GROUP, PLLC  
666 OLD COUNTRY ROAD  
SUITE 901  
GARDEN CITY, NY 11530  
(516) 227-6363

POWER PROVIDER:  
PSEG LI: (800) 490-0025

TELCO PROVIDER:  
VERIZON (914) 890-0200

GOVERNING CODES:  
2020 NEW YORK STATE UNIFORM FIRE PREVENTION  
& BUILDING CODE  
NATIONAL ELECTRIC CODE  
TIA-222-H



567 VAUXHALL STREET EXTENSION, SUITE 311  
WATERFORD, CT 06385 PH: (860) 463-1887  
WWW.ALLPOINTSTECH.COM FAX: (860) 463-0935

CONSTRUCTION DOCUMENTS	
NO	DATE REVISION
0	06/10/20 FOR REVIEW: RCB
1	01/14/21 REV. GENERATOR: RCB
2	10/10/24 COUNTY REVISIONS: RCB
3	11/25/24 ENV. COMMENTS: RCB
4	12/03/24 ENV. COMMENTS: RCB
5	
6	

#### LIST OF DRAWINGS

T-1 TITLE SHEET & INDEX

CR-1 - CR-4 SUFFOLK COUNTY BUILDING CODE REVIEW  
1 OF 1 SURVEY OF PROPERTY AT RIDGE

SP-1 SITE PLAN

SP-2 PARTIAL SITE PLAN

A-1 COMPOUND PLAN & TOWER ELEVATION

EC-1 EROSION CONTROL NOTES

C-1 EQUIPMENT AREA PLAN & DETAILS

C-2 ANTENNA PLAN & DETAILS

C-3 SITE DETAILS

M-1 MECHANICAL PLAN & DETAILS

S-1 STRUCTURAL PLAN & DETAILS

E-1 ELECTRICAL RISER & DETAILS

E-2 ELECTRICAL PLAN, ONE LINE DIAGRAM & DETAILS

E-3 GROUNDING PLANS

E-4 GROUNDING DETAILS

N-1 NOTES & SPECIFICATIONS

TOWER & TOWER FOUNDATION DRAWINGS  
PREPARED BY: VALMONT STRUCTURES,  
(ATTACHED HERETO AT END OF THE CD SET)

#### DESIGN PROFESSIONALS OF RECORD

PROF. SCOTT M. CHASE P.E.  
COMP. APT ENGINEERING  
ADD: 567 VAUXHALL STREET  
EXTENSION - SUITE 311  
WATERFORD, CT 06385

OWNER: SUFFOLK COUNTY  
100 VETERANS MEMORIAL PKWY  
ADDRESS: HAUPPAUGE, NY 11786

NOTE:  
IT IS A VIOLATION OF NEW YORK STATE  
EDUCATION LAW ARTICLE 14a, SECTION  
7209 (2) FOR ANY PERSON, UNLESS  
ACTING UNDER THE DIRECTION OF A  
LICENSED PROFESSIONAL ENGINEER OR  
LAND SURVEYOR, TO SEAL OR SIGN ANY  
DRAWING, SPECIFICATION, REPORT, OR  
ANY WAY, IF AN ITEM BEARING THE SEAL  
OF AN ENGINEER OR LAND SURVEYOR IS  
ALTERED, THE ALTERING ENGINEER OR  
LAND SURVEYOR SHALL AFFIX TO THE  
ITEM HIS SEAL AND THE NOTATION  
"ALTERED BY: [NAME], [DATE], [FIRM]  
SIGNATURE AND THE DATE OF SUCH  
ALTERATION AND A SPECIFIC  
DESCRIPTION OF THE ALTERATION."

#### VERIZON AT "SEWER DISTRICT #20"

SITE  
2195 WILLIAM FLOYD PARKWAY  
ADDRESS: RIDGE, NY

APT FILING NUMBER: NY141N61610

VZ FUZE ID: 19033989

LOCATION CODE:

VZ CM: 02

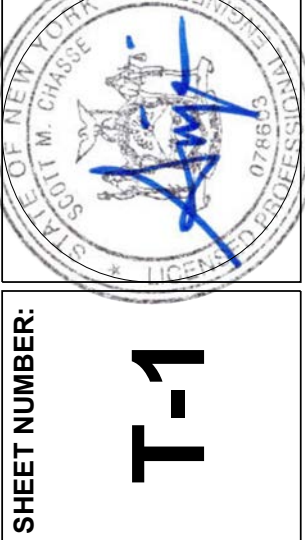
DRAWN BY:CSHIELZ

DATE: 06/10/20

CHECKED BY: RCB

SHEET TITLE:

#### TITLE SHEET & INDEX



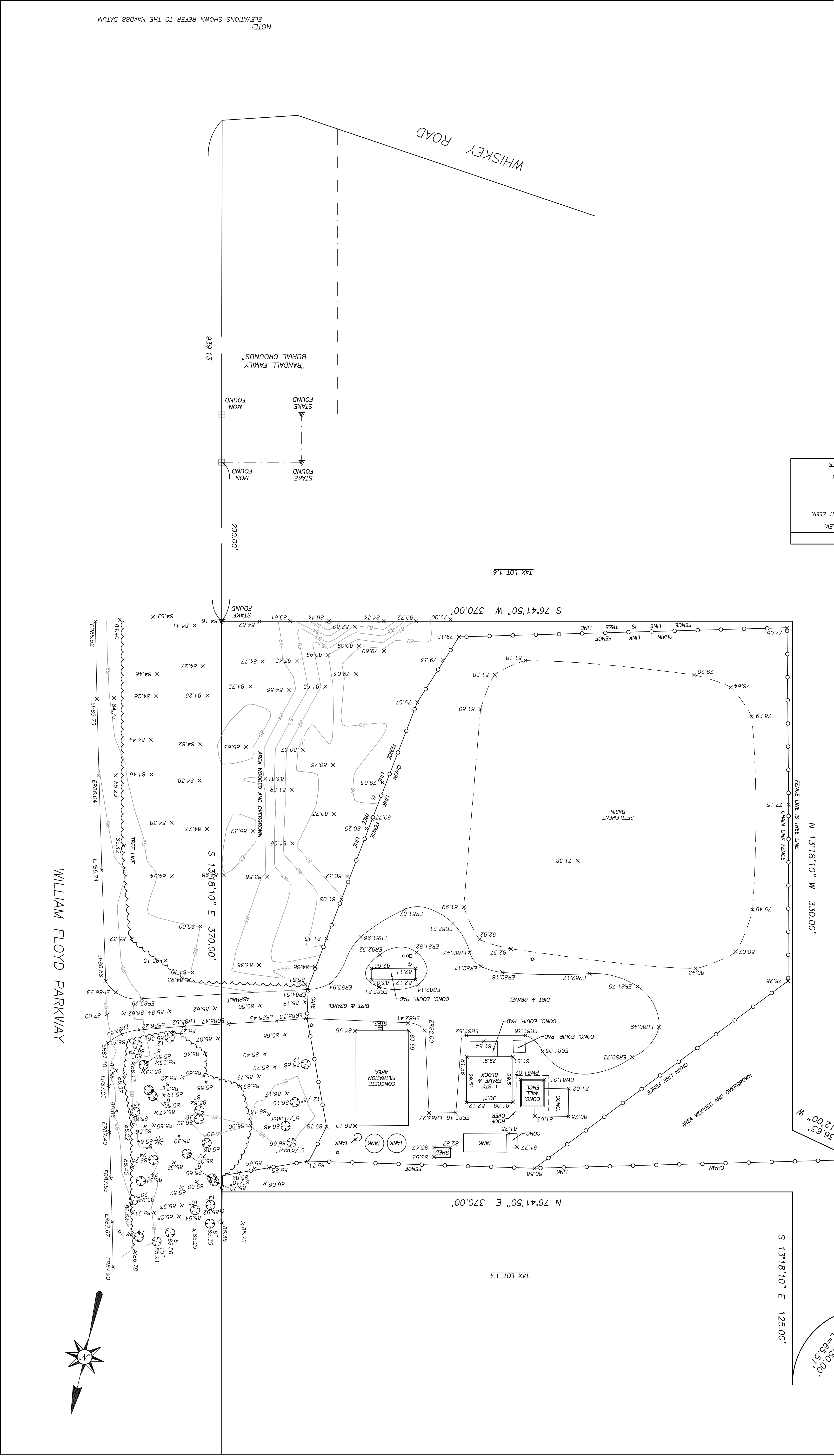


11/24/14	ADD ADDITIONAL ELEVATIONS AND CONTOURS	"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of article 134, Section 709, subdivision 2, of the New York State Education Law." "Copies from the original of this survey map not marked with an original of the land surveyor's filed seal or his embossed seal shall not be considered a valid true copy." "Certification indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Survey adopted by the New York State Association of Professional Land Surveyors, Inc." "Certifications shall run only to the person for whom the survey is prepared and on his behalf to the title company, governmental agency, and lending institution." "The office (or dimension) shown herein from the structure to the property line are for a specific purpose and use and therefore are not intended to guide the location of fences, retaining walls, pools, patios, blinding areas, additions to buildings or any other construction." "Comments in existence or of record, if any, not shown."
5/15/2020	REVISE 4 TREE LOCATIONS	
5/6/2020	ADDITIONAL TOPO AT NE CORNER	
11/24/14	ADD ADDITIONAL ELEVATIONS AND CONTOURS	
Date	Revisions	

SUFFOLK COUNTY, NEW YORK SHOWN AS SECTION DISTRICT 0200 SECTION 242 BLOCK 01 LOT 1.2		CARMAN-DUNNE, P.C. CONSULTING ENGINEERS & SURVEYORS 2 Lakeview Avenue, Lynbrook, New York 11563 TEL. (516) 599-5563 FAX (516) 593-4873		Date: OCT. 22, 2014 File: K:\Projects\2014\2014254\SURVEY Palette: LegacyC\unne	Project No.: 2014254.00 Scale: 1"=30'	Sheet 1 of 1
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NOTE:  
- ELEVATIONS SHOWN REFER TO THE NAVD83 DATUM



LEGEND	
ER100.00X	EDGE OF ROAD ELEV.
EP100.00X	EDGE OF PAVEMENT ELEV.
100.00X	SPOT ELEVATION
☆	LIGHT POLES
⊛	ELECTRIC PULLBOX
⊙	TREE AND DIAMETER









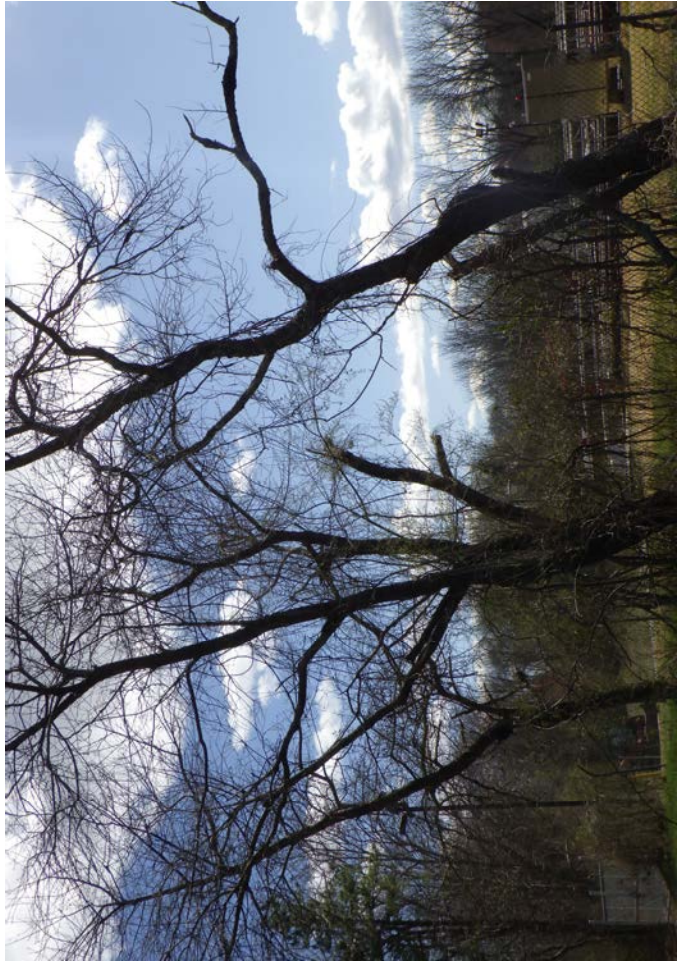
















## Central Pine Barrens Commission Public Hearing

Wednesday, May 21, 2025  
Riverhead Town Hall

Homeland Towers  
Core Preservation Area Compelling Public Need Hardship Application  
2055 Flanders Road, Flanders, Southampton Town  
Suffolk County Tax Map Number 900-170-1-41.1

### List of Staff Report Exhibits

Timothy C. Hubbard  
*Member*

Maria Z. Moore  
*Member*

Daniel J. Panico  
*Member*

Edward P. Romaine  
*Member*

- A. Location Map with Aerial of Project Site
- B. Site Plan
- C. Photographs taken April 14, 2025
- D. Study Area Map, land use map (VHB), and zoning map
- E. Southampton Town Planning Board materials
- F. Applicant's Petition, balloon test photos and Site Search Summary

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

Phone (631) 288-1079  
Fax (631) 288-1367  
[www.pb.state.ny.us](http://www.pb.state.ny.us)



**Draft Staff Report**  
**CENTRAL PINE BARRENS JOINT PLANNING & POLICY COMMISSION**  
**for the Commission meeting of May 21, 2025**

**PROJECT NAME:** **Homeland Towers Core Preservation Area**  
**Compelling Public Need Hardship Application**

**APPLICATION TIMELINE:**

- March 5, 2025 Application received (120-day decision deadline July 3)
- March 19, 2025 Scheduled public hearing
- March 25, 2025 Supplemental material received and request to postpone hearing to May 21 and extend timeframes 30 days
- April 16, 2025 Public hearing rescheduled to May 21
- May 8, 2025 additional material submitted
- May 21, 2025 Public hearing
- July 23, 2025 Decision Deadline (Meetings July 16 and August 20)

**APPLICANT:** Robert Gaudio, Attorney, Snyder and Snyder and David Wortman, VHB

**PROJECT SITE LOCATION:** 2055 Flanders Road, Flanders, Town of Southampton,  
Central Pine Barrens Core Preservation Area,

**SUFFOLK COUNTY TAX MAP NUMBER:** 900-170-1-41.1

**TOTAL PROJECT SITE AREA:** 6.18 acres

**ZONING DISTRICT:** Country Residence 60 Zoning District  
(minimum lot area 60,000 square feet)

**EXISTING CONDITIONS**

The Project Site is 6.18 acres. It presently contains a pre-existing non-conforming junkyard and two-story office building. See Exhibit A for a location map including a 2023 aerial overview and the Project Site.

**APPLICATION REQUEST**

The Application is for the development of a 150 foot tall monopole wireless tower. Other facilities include a 3,000 square foot equipment compound and 1,500 gallons of propane storage capacity for an emergency generator. Approximately 0.07 acre (3,049 square feet) of the Project Site will be developed for the Project. See Exhibit B for the site plan.



According to the owner's affidavit by Scott Perlow, President of the S&F Riverside Corporation, the property was purchased on December 30, 2024.

## **SITE DESCRIPTION AND STUDY AREA**

A general description of the existing conditions and features on the Project includes:

*Existing Land Use:* The site is developed with an automotive junkyard and two-story building. A limited amount of vegetation is present on the site's boundaries. See discussion of Study Area below and Exhibit C for photographs.

*Vegetation and habitat:* Limited vegetation is present on the site except on the perimeter of the site including pitch pine trees, oaks and other pine barrens vegetation.

*Rare, Endangered, & Threatened Species and Species of Concern:* Awaiting response from New York State Department of Environmental Conservation Natural Heritage Program.

*Wetlands:* No wetlands are mapped on the property. Tidal wetlands in Peconic Bay Estuary are present opposite the site in the Core in Hubbard County Park.

*Hydrology:* Hydrogeologic Zone III. Depth to groundwater on site is approximately 24 feet.

*Water Supply:* Check public water availability.

*Topography/Elevation:* 0 to 10% slopes.

*Soils:* The predominant soil types on the Project Site are Carver and Plymouth soils, 3 to 15 percent slopes.

*Cultural/Archeological Resources:* By letter dated May 14, 2025, the New York State Historic Preservation Office stated, "The proposed tower will have No Effect on Historic Properties."

## **Project Site and Study Area Surrounding Land Use and Zoning**

The Study Area is one-half mile radius from the site. See Exhibit D for the Study Area map. The Project Site is on Flanders Road (New York State Route 24). Flanders Road, a two-lane road except for a portion where there are two southbound lanes, is a critical artery that connects the north and south forks from Hampton Bays on the south to Flanders and Riverside in Southampton Town. According to the NYSDOT Region 10 traffic viewer, the average daily traffic volume exceeds 21,000 vehicles on this roadway.

Flanders Road serves as the Core and Central Pine Barrens boundary. All of the Study Area is in the Core Preservation Area except for the portion in the northwest corner of the Study Area that is outside of the boundary of the Central Pine Barrens.

All land use in the Study Area is natural open space, public land owned by Suffolk County, except for the Project Site and residential uses developed on an estimated six parcels totaling 11 acres on the south side of Flanders Road, west of the Project Site. County Parklands in the Study Area include Hubbard, Sears Bellows and Maple Swamp.



The north side of the Project Site has approximately 200 feet of Frontage on Flanders Road. The south, west and north sides are adjacent to 264 acres of open space uses; a 0.6 acre lot, developed with a residence, adjoins the Project Site on its north side. The open space adjacent to the Site and within the Study Area offers extensive hiking trails for public recreation.

The north side of Flanders Road, approximately 600 feet west of the Project Site, is outside of the Central Pine Barrens boundary.

Flanders Road is defined as a scenic resource in Volume 2 of the Plan, Chapter 8, Scenic Resources. Sections 8.5.19 and 8.5.22 of the Plan describe scenic resources. The Volume 2 descriptions state:

**8.5.19 SEARS BELLOWS / MAPLE SWAMP / FLANDERS HILLS COUNTY PARKLAND FROM FLANDERS ROAD (NYS 24) SOUTH TO SUNRISE HIGHWAY; FROM PLEASURE DRIVE EAST TO BELLOWS POND ROAD**

This complex consists of diverse vegetation, upland forests, high and breezy ridges east of Spinney Road with some short distance views to the east, and wetlands and surface waters associated with Maple Swamp, Birch Creek, Owl Pond, Sears Pond and other local water bodies. Extensive stands of mountain laurel exemplify the diversity of trail views in the midst of the pine-oak woodlands here.

**8.5.22 FLANDERS AND HUBBARD COUNTY PARKS, SOUTHAMPTON TOWN RED CREEK PARKLAND**

These lands and waters (some are currently restricted) offer rural scenes blending land and water, with elements of former hunting lodges and fields visible. Goose, Birch, Mill and Hubbard Creek provide scenic coastal views from, and of, the waters of Flanders Bay. Penny Pond, Red Creek Pond and (some distance further east) Squire Pond also provide water vistas and scenes frequented by wildlife. Historical resources include the hunting and fishing clubs noted under the Flanders Road corridor entry above.

More than 5,000 acres of open space is connected to and in the vicinity of the open space that is present in the Study Area. Directly opposite the Project Site are tidal wetlands that are part of Peconic Bay Estuary a nationally designated estuary and Hubbard County Park.

No sites with prior hardships are present in the Study Area.

Zoning

The Study Area zoning includes CR 6-0 and CR 200 south of Flanders Road, Open Space Conservation to the north, in Hubbard County Park. The northwest corner of the Study Area, outside of the Central Pine Barrens boundary, is zoned R10.

**WATER RESOURCES AND SANITARY WASTEWATER FLOW**

The site is in Groundwater Management Zone III. No change to the septic system or wastewater flow is proposed.



## **REQUIRED REVIEW AND APPROVALS**

### New York State Environmental Quality Review Act

Pursuant to Section 617 of the State Environmental Quality Review Act (SEQRA) regulations, the application is classified as an Unlisted Action.

On March 19, 2025, the Commission commenced the SEQRA process pursuant to Section 617.6 of the SEQRA regulations. Pursuant to the Central Pine Barrens Comprehensive Land Use Plan Section 4.5.1.1, the Commission shall seek Lead Agency status. No other involved agency objected to the Commission assuming lead agency. A public hearing on the Hardship application was scheduled for April 16.

On April 16, the Commission, at the request of the applicant, extended the decision deadline and postponed the public hearing from April 16 to May 21 and all associated timeframes.

Draft documents to complete the SEQRA process will be prepared once all relevant information for the project and hearing testimony is received.

### Other Involved Agencies and Permit Requirements

The Commission coordinated the application with other agencies including:

- New York State Department of Environmental Conservation
- New York State Department of Transportation. Response dated March 27, 2025 indicated that a highway work permit will be required for the work on State Highway Route 24.
- Town of Southampton
  - Planning Board materials (See Exhibit E)
    - SEQRA Coordination response dated March 27, 2025 did not object to the Commission assuming Lead Agency.
    - Resolution #49518 dated April 10, 2025 and a Pre-Submission Report dated May 25, 2023 for a Site Plan/Special Exception Application provided comments on the Project.
  - Zoning Board of Appeals by letter dated April 3, 2025 did not object to the Commission assuming Lead Agency.

## **PINE BARRENS CREDIT PROGRAM**

No Credit Program application is present in the record on this property.

## **CENTRAL PINE BARRENS STATUS**

The proposed project constitutes “development” pursuant to NYS Environmental Conservation Law §57-0107(13)(b) and (c):



*“(b) a material increase in the intensity of use of land or environmental impacts as a result thereof;”*

*“(c) commencement of mining, excavation or material alteration of grade or vegetation on a parcel of land excluding environmental restoration activities;”*

The project is a development activity in the Core Preservation Area, the project must establish hardship as outlined in the Act.

§ 57-0123. Implementation of the Central Pine Barrens comprehensive land use plan.

*“Subsequent to the adoption of the land use plan, the provisions of any other law, ordinance, rule or regulation to the contrary notwithstanding, no application for development within the Central Pine Barrens area shall be approved by any municipality or county or agency thereof or the commission, and no state approval, certificate, license, consent, permit, or financial assistance for the construction of any structure or the disturbance of any land within such area shall be granted, unless such approval or grant conforms to the provisions of such land use plan; provided, however, that the commission by majority vote is hereby authorized to waive strict compliance with such plan or with any element or standard contained therein, for an application for development of any person, upon finding that such waiver is necessary to alleviate hardship for proposed development in the core preservation area according to the conditions and finding of extraordinary hardship or compelling public need pursuant to subdivision ten of section 57-0121 of this article,... ”*

Section 4.5.1.1 of the Comprehensive Land Use Plan states the Commission shall seek Lead Agency status for development proposes in the Core pursuant to SEQRA.

The Applicant seeks a Compelling Public Need Hardship in accordance with ECL §57-0121. See Exhibit F for a copy of the Applicant’s petition including copies of images of the balloon test for the monopole to determine its visibility from various points surrounding the Project Site and the May 8 Site Search Summary.

#### *CORE AREA HARDSHIP ECL ARTICLE 57 - 0121 (10)*

*10. Any person, upon a showing of hardship caused by the provisions of subdivision eight of this section on development in the core preservation area, may apply to the commission for a permit exempting such person from such subdivision eight in connection with any proposed development in the core preservation area. Such application for an exemption pursuant to the demonstration of hardship within the core preservation area shall be approved only if the applicant satisfies the following conditions and extraordinary hardship or compelling public need is determined to have been established under the following standards:*

*(a) The particular physical surroundings, shape or topographical conditions of the specific property involved would result in an extraordinary hardship, as distinguished from a mere inconvenience, if the provisions of this act are literally enforced. An applicant shall be deemed to have established the existence of extraordinary hardship only if he demonstrates, based on specific facts, that the subject property does not have any beneficial use if used for its present use*



*or developed as authorized by the provisions of this article, and that this inability to have a beneficial use results from unique circumstances peculiar to the subject property which:*

- (i) Do not apply to or affect other property in the immediate vicinity;*
- (ii) Relate to or arise out of the characteristics of the subject property rather than the personal situation of the applicant; or*
- (iii) Are not the result of any action or inaction by the applicant or the owner or his predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1, 1993.*

*(b) An applicant shall be deemed to have established compelling public need if the applicant demonstrates, based on specific facts, one of the following:*

- (i) The proposed development will serve an essential health or safety need of the municipality or, in the case of an application serving more than one of the municipalities that the public health and safety require the requested waiver, that the public benefits from the proposed use are of a character that override the importance of the protection of the core preservation area as established in this article, that the proposed use is required to serve existing needs of the residents, and that no feasible alternatives exist outside the core preservation area to meet the established public need and that no better alternatives exist within the county; or*
- (ii) The proposed development constitutes an adaptive reuse of an historic resource designated by the commission and said reuse is the minimum relief necessary to ensure the integrity and continued protection of the designated historic resource and further that the designated historic resource's integrity and continued protection cannot be maintained without the granting of a permit.*

*c) An application for a permit in the core preservation area shall be approved only if it is determined that the following additional standards also are met:*

- (i) The granting of the permit will not be materially detrimental or injurious to other property or improvements in the area in which the subject property is located, increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the core preservation area;*
- (ii) The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this article; or*
- (iii) The waiver is the minimum relief necessary to relieve the extraordinary hardship, which may include the granting of a residential development right to other lands in the compatible growth area that may be transferred or clustered to those lands to satisfy the compelling public need.*

*Any waiver or exemption granted under the provisions of this part shall only be considered an exemption or waiver of the particular standard of this article which the commission waived. It shall not constitute an approval of the entire development proposal. Nor shall it constitute a waiver from any requirements contained within any local, county or state law or ordinance.*



## **PRIOR COMMISSION DECISIONS ON SIMILAR MATTERS**

Other similar projects include:

- Gazza Communications Monopole Core Hardship, Positive Declaration, terminated August 11, 2010
- Rockwell Collins Compelling Public Need, granted August 19, 2015
- Sunrise Wind Compelling Public Need, granted April 20, 2022

## **DISCUSSION ITEMS/ADDITIONAL INFORMATION**

1. SEQRA
  - a. Commission assumes Lead Agency status.
  - b. SEQRA Determination consider at the June 18, 2025 meeting, prepare EAF Parts 2 and 3 and Determination of Significance. Potential significant adverse environmental impacts on the Flanders Road scenic corridor, not consistent with adopted plans including the Central Pine Barrens Comprehensive Land Use Plan, Southampton Town Wireless Plan and Zoning Code, potential impacts on natural open space, public land, scenic views and land use, NY State Coastal Area Boundary, and other potential adverse impacts including potential impacts of storing 1,500 gallons of flammable propane adjacent to significant areas of open space in the event of wildfire.
2. Receive response from NYSDEC Natural Heritage Program on listed species.
3. Is public water available on site or in the vicinity, in event of wildfire, propane tanks and in vicinity of more than 5,000 acres of open space.
4. Review the Applicant's review of criteria in Article 57 for Compelling Public Need Hardship.
5. Request the applicant to propose other designs including shorter pole(s) if need is primarily for emergency use, no lease area if not for public need or emergencies and alternative locations outside of the boundary of the Central Pine Barrens, 600 feet north and opposite the site is outside of the boundaries of the Central Pine Barrens and Core.
6. Additional analyses may be necessary after the public hearing and/or receipt of any additional information. Additional time may be needed to review the May 8 supplemental material.
7. Consider leaving the hearing open for a five-day written comment period.
8. Confirm the decision deadline is extended to the August 20, 2025 meeting.

## **STAFF EXHIBITS**

- A. Location Map with Aerial of Project Site
- B. Site Plan
- C. Photographs taken April 14, 2025
- D. Study Area Map, land use map (VHB), and zoning map
- E. Southampton Town Planning Board materials
- F. Applicant's Petition, balloon test photos and Site Search Summary



# Homeland Towers Flanders 2024



**polygonLayer**

- Override 1
- Tax Parcels
- Community Boundaries

**State Routes**

- State Routes

**County Routes**

- County Route

**Collector Roads**

- Collector Roads

**Streets**

- Streets
- Trustee Maintained Roads
- Potential Trustee Roads

**Access / Private Roads**

- Access

**Private**

- Private


0 0.0125 0.025 0.05 mi

0 0.02 0.04 0.08 km

Prepared by The Town of Southampton  
GIS Department

April 15, 2025

Author:



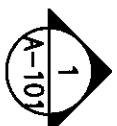
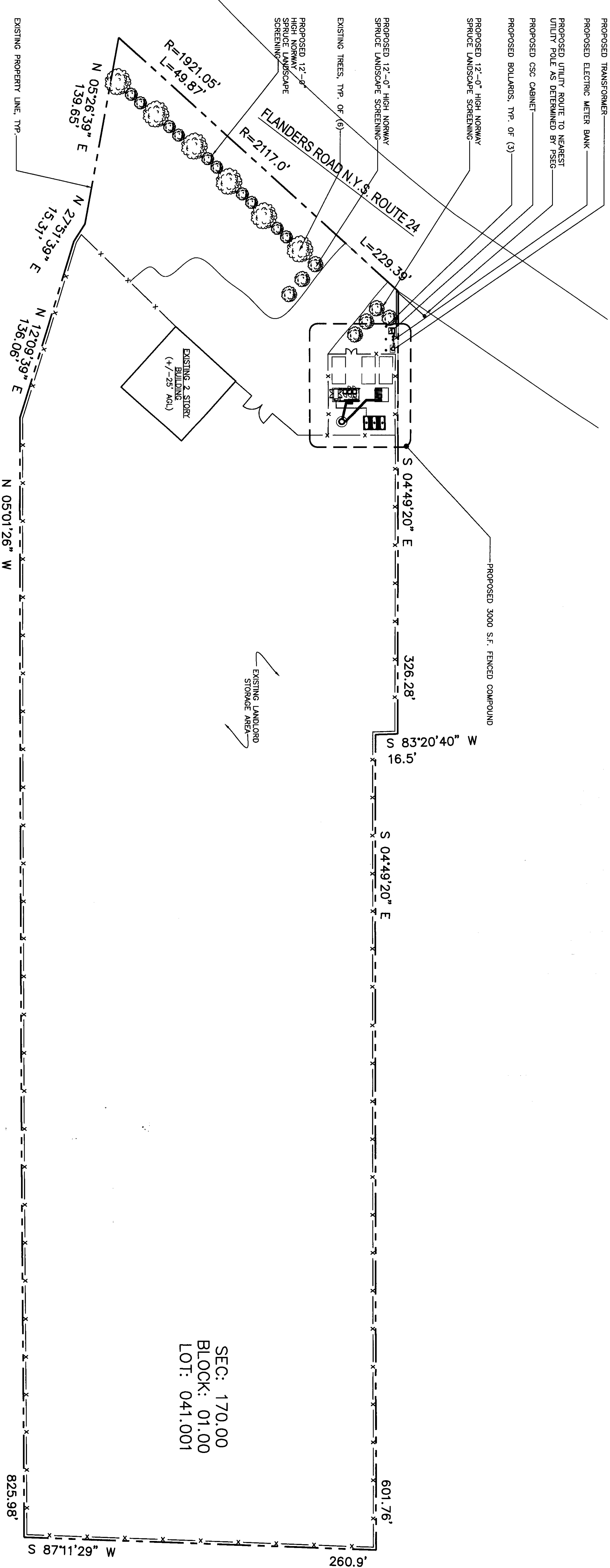


NOTES:

1. ALL MOUNTING ACCESSORIES TO BE PAINTED TO MATCHED THE COLOR OF THE NEW MOUNTING ACCESSORIES.
2. NO EXISTING TREES GREATER THAN OR EQUAL TO 6" CALIPER DIAMETER TO BE REMOVED.
3. FACILITY SIGN NOT TO EXCEED 4 SF. LISTING THE OWNER, OPERATOR'S NAME & EMERGENCY TELEPHONE NUMBER.
4. PROPOSED FACILITY IS AN UNMANNED FACILITY. EMPLOYEES WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR PURPOSES OF SITE & EQUIPMENT MAINTENANCE.

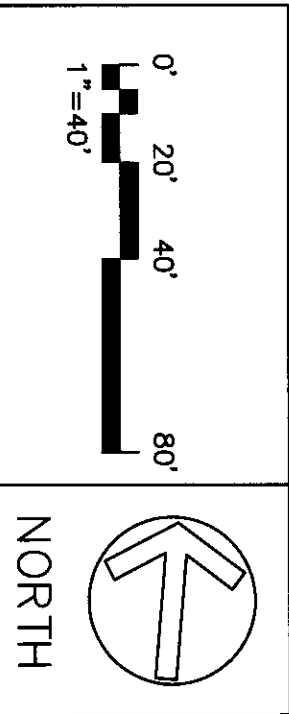
NOTE:

CONTRACTOR TO HAVE A GPS SURVEY PERFORMED AND HAVE ALL UNDERGROUND UTILITIES & STRUCTURES MARKED OUT PRIOR TO CONSTRUCTION.



1 SITE PLAN

SCALE = 1"=40'



I accept the provisions of this site plan and all conditions of the Planning Board resolution and agree that all conditions will be fully complied with and agree that it will be fully completed, or the outstanding items of work bonded (with acceptable surety to the Town) before any new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

Scott Perlow (Owner)  
S&E Riverside LLC

Date

BY: Name: Title:

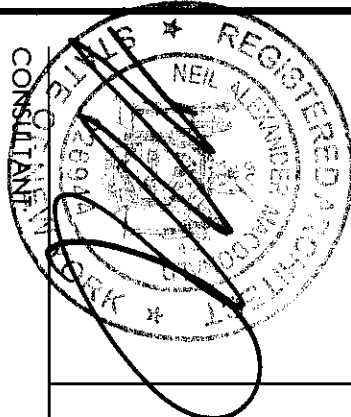
"I accept the provisions of this site plan and all conditions of the Planning Board resolution dated April 13, 2023 and agree that all conditions will be fully complied with and agree that it will be fully completed, or the outstanding items of work bonded (with acceptable surety to the Town) before any new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

Homeland Towers, LLC (Applicant)

Date

BY: Name: Title:

ARCHITECTS  
1241 TECHNOLOGY DRIVE, SEFAUKET, NY 11733  
P. 631.689.8450 | F. 631.689.9459 | www.wfdala.com

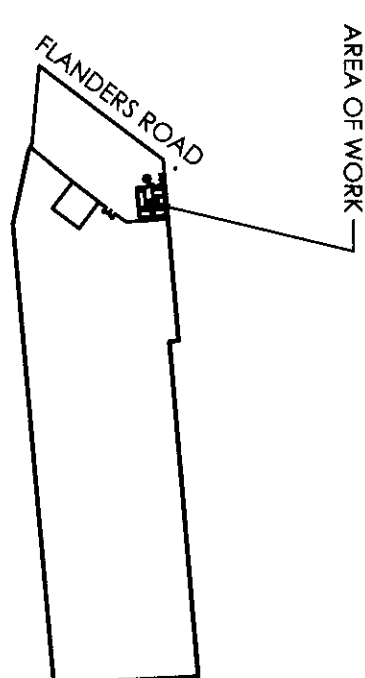


NO.	DATE	SUBMISSION
0	03/29/23	ISSUED FOR PRELIMINARY REVIEW
1	07/06/23	REVISED PER VZW COMMENTS
2	01/11/24	REVISED PER HT COMMENTS
3	07/19/24	REVISED PER HT COMMENTS
4	07/23/24	REVISED PER HT COMMENTS

NO.	DATE	REVISION

KEY PLAN:

AREA OF WORK



HOMELAND  
TOWERS  
9 HUNTER STREET AND FLOOD DAMEN CT 080

NY065  
NEW BUILD (RAWLAND)  
ZONING DRAWINGS

2055 FLANDERS ROAD  
FLANDERS, NY 11901

RECEIVED SITE PLAN

MAR 05 2025

DATE: 3/23/23

PROJECT NO: 22-15352

DRAWN BY: BS

CHECKED BY: BS

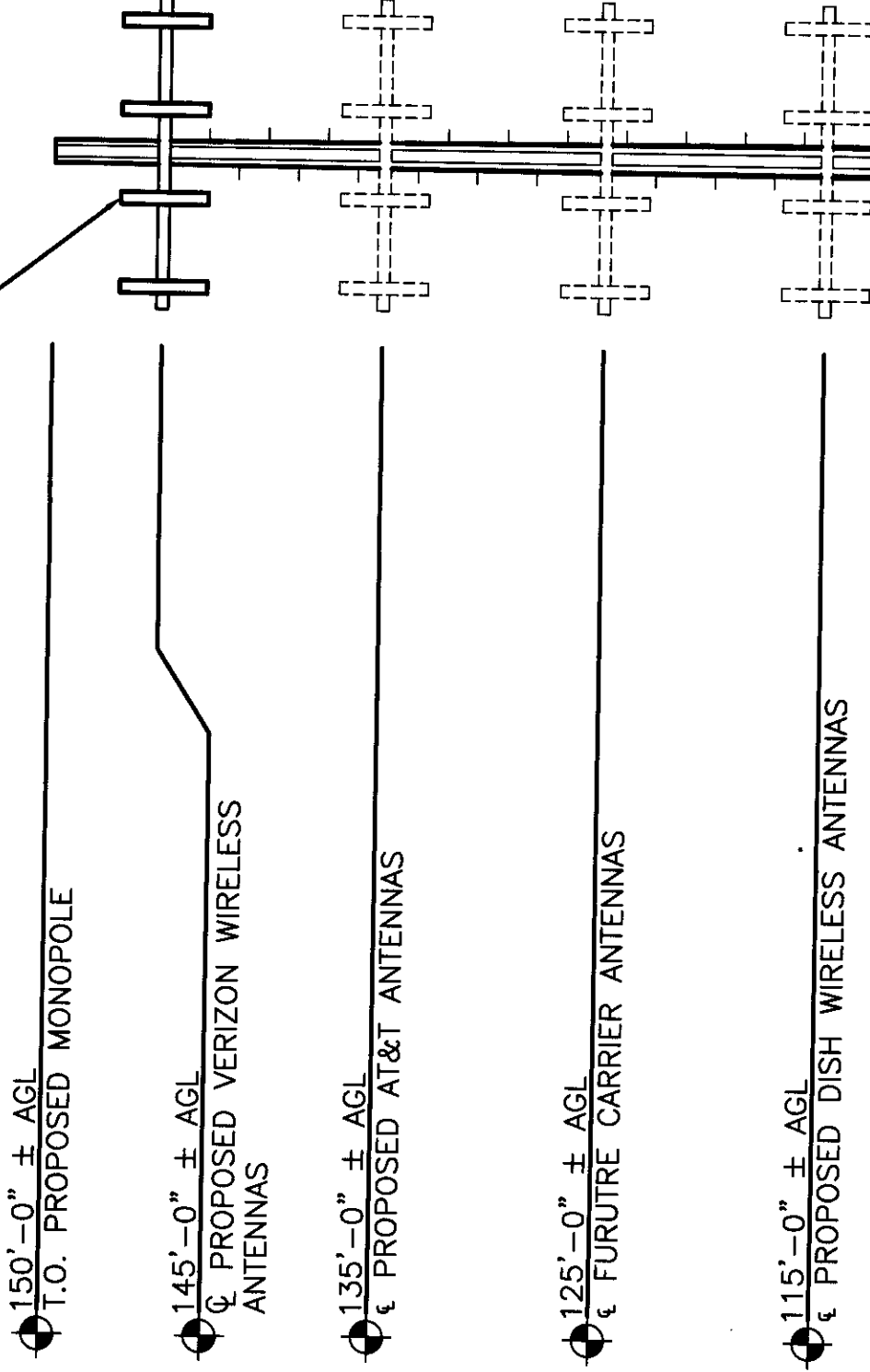
SCALE: AS NOTED

DRAWING NO: SP-101.00

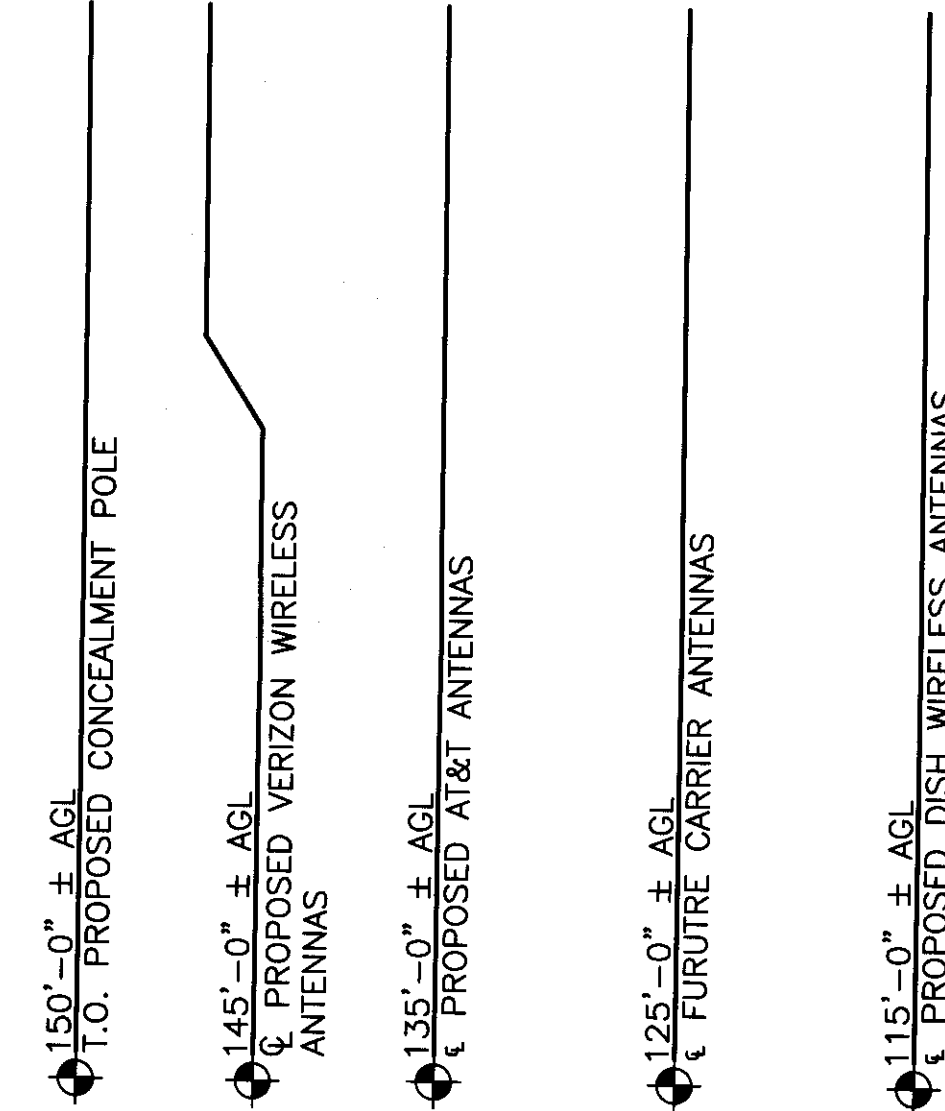
SP-101.00



(12) PROPOSED VERIZON WIRELESS ANTENNAS, (6) RRHS AND (3) MAIN DISTRIBUTION BOXES MOUNTED TO PROPOSED ANTENNA MOUNT AND ASSEMBLY. CENTERLINE OF ANTENNAS TO BE 145' AGL.

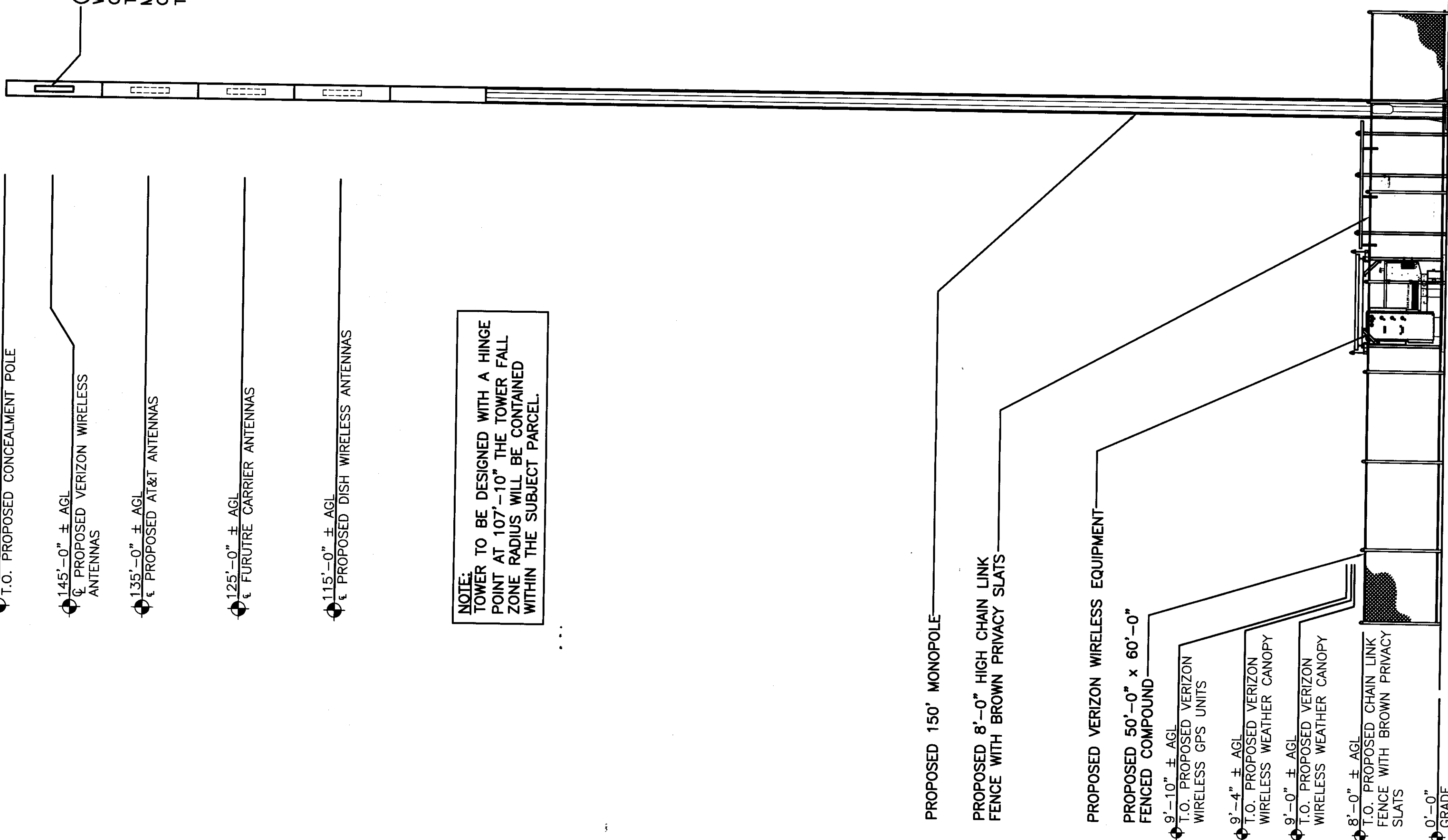


NOTE:  
TOWER TO BE DESIGNED WITH A HINGE POINT AT 107'-10" THE TOWER FALL ZONE RADIUS WILL BE CONTAINED WITHIN THE SUBJECT PARCEL.



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TOWER TO BE DESIGNED WITH A HINGE POINT AT 107'-10" THE TOWER FALL ZONE RADIUS WILL BE CONTAINED WITHIN THE SUBJECT PARCEL.

(3) PROPOSED VERIZON WIRELESS ANTENNAS, (3) QUAD TRIPLEXERS MOUNTED TO PROPOSED ANTENNA MOUNT AND ASSEMBLY. CENTERLINE OF ANTENNAS TO BE 145' AGL.



## MONOPOLE CONCEPT

## 1 CONCEPT ELEVATIONS

SCALE = 1"=10'

## CONCEALMENT POLE CONCEPT

I accept the provisions of this site plan and all conditions of the Planning Board resolution and agree that all conditions will be fully completed with and agree that it will be fully completed, or the outstanding items of work bonded (with acceptable surety to the Town) before any new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

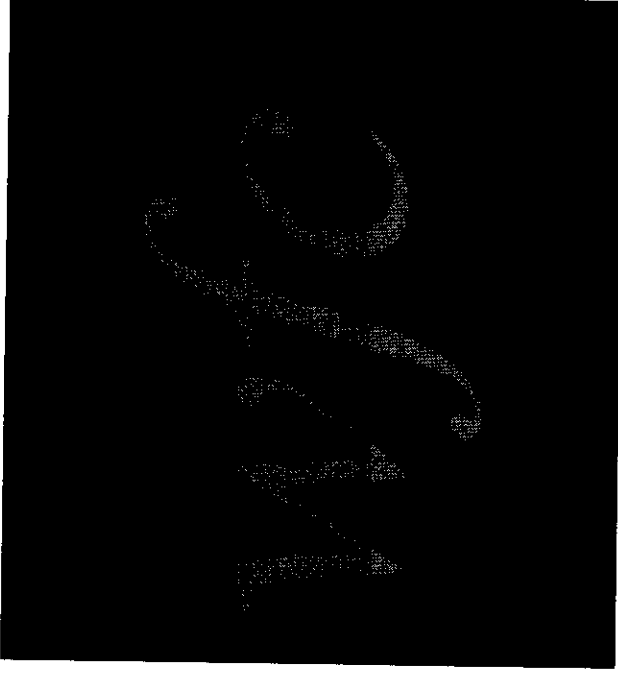
BY: Scott Perlow (Owner)  
S&E Riverside LLC

Date: \_\_\_\_\_  
BY: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

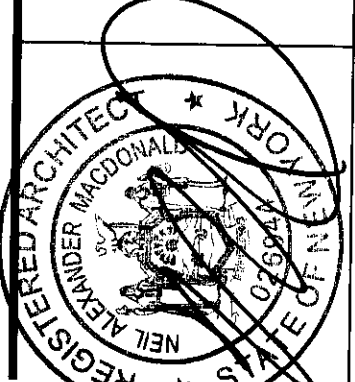
"I accept the provisions of this site plan and all conditions of the Planning Board resolution dated April 13, 2023, and agree that all conditions will be fully completed with and agree that it will be fully completed, or the outstanding items of work bonded (with acceptable surety to the Town) before any new building(s) or structure(s) shown on this approved plan is (are) occupied, and agree that a Certificate of Occupancy and/or Certificate of Compliance will be applied for"

Homeland Towers, LLC (Applicant)

Date: \_\_\_\_\_  
BY: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_



A R C H I T E C T S  
12-1 TECHNOLOGY DRIVE, SETAUKET, NY 11733  
P. 631.689.8450 | F. 631.689.8459 | www.wfalia.com

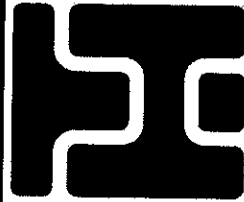
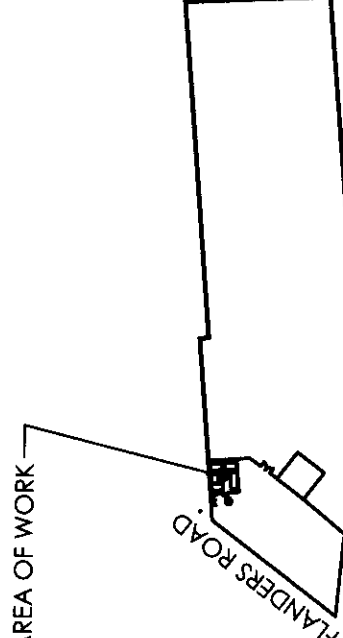


CONSULTANT:

NO.	DATE	SUBMISSION
0	03/29/23	ISSUED FOR PRELIMINARY REVIEW
1	07/06/23	REVISED PER VZW COMMENTS
2	01/11/24	REVISED PER HT COMMENTS
3	07/19/24	REVISED PER HT COMMENTS
4	07/23/24	REVISED PER HT COMMENTS

KEY PLAN:

AREA OF WORK



HOMELAND  
T O W E R S

9 HANNAH STREET AND ELGIN, DANFORTH CT 06018

NY065  
NEW BUILD (RAWLAND)  
ZONING DRAWINGS

2055 FLANDERS ROAD  
FLANDERS, NY 11901

TITLE:

CONCEPT ELEVATIONS

DATE:	3/23/23
PROJECT NO:	22-15352
DRAWN BY:	BS
CHECKED BY:	MAK U 3 2025
SCALE:	Central Pine Barrens Joint Planning & Zoning Commission
DRAWING NO:	AS NOTED

A - 100.00











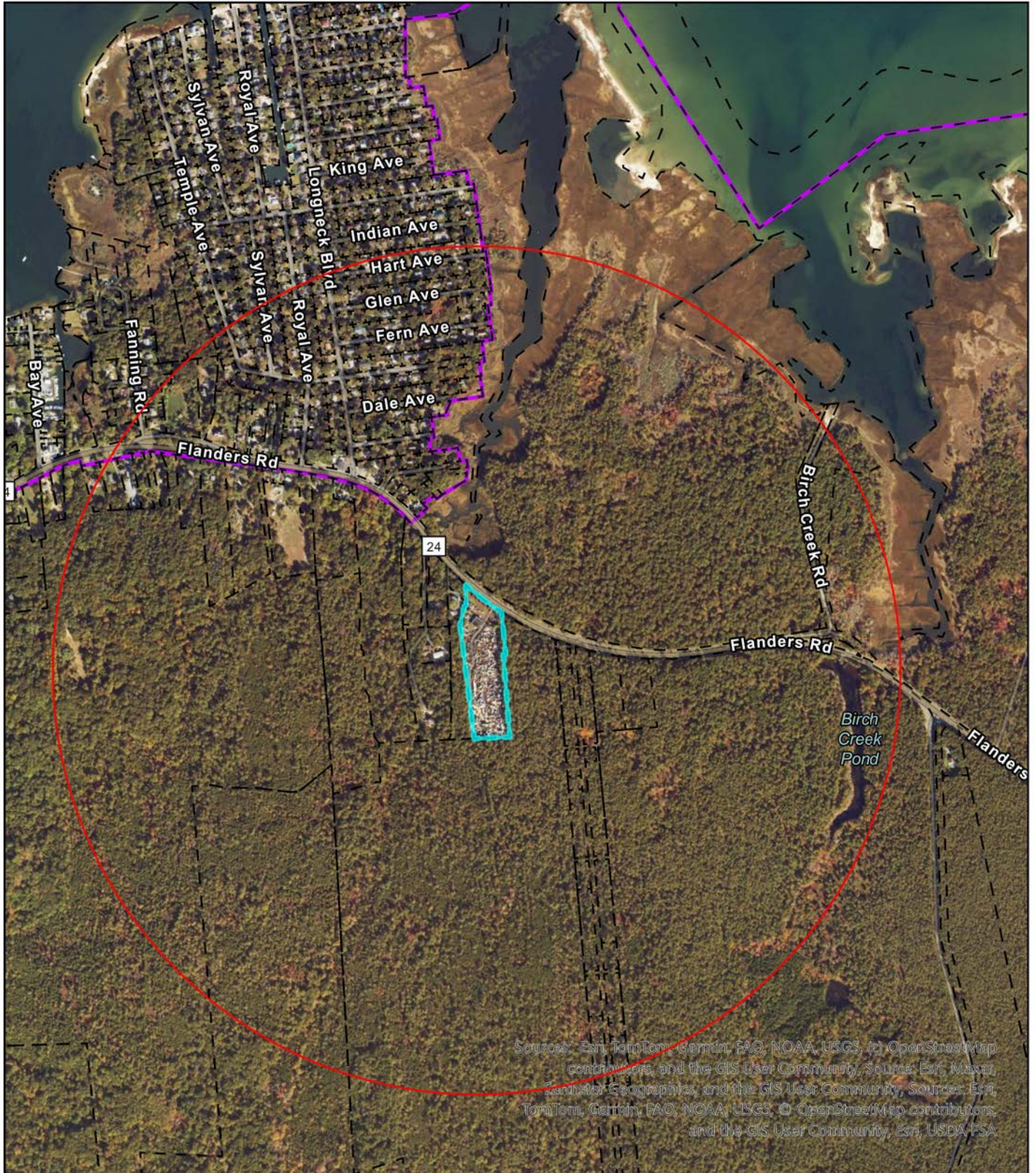








Central Pine Barrens Commission  
Homeland Towers Core Hardship  
May 21, 2025  
Public Hearing



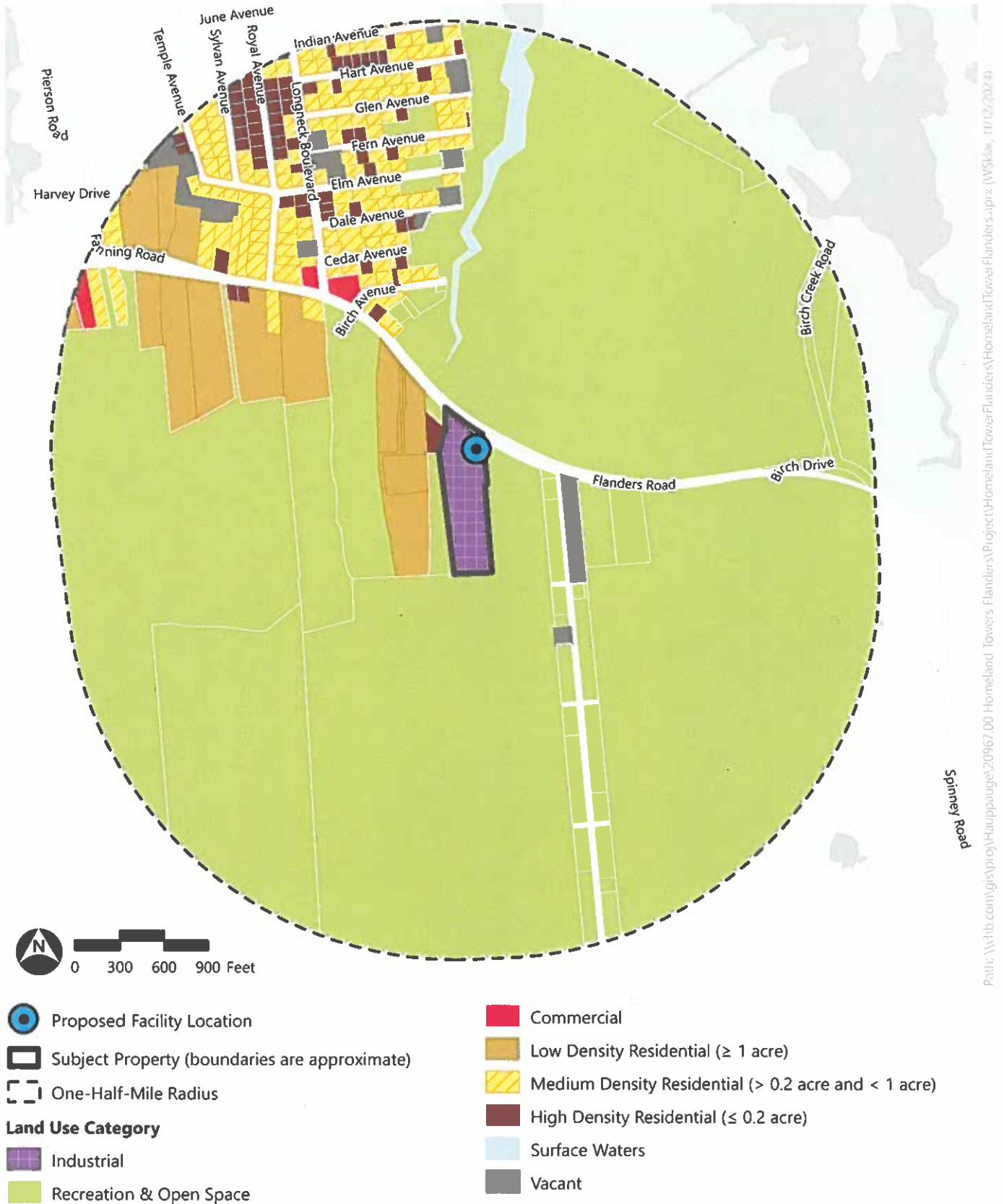
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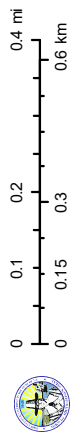
### Figure 3: Existing Land Use

Proposed Wireless Telecommunications Facility - Homeland Towers NY065

2055 Flanders Road, hamlet of Flanders, Town of Southampton, Suffolk County, New York







Prepared by The Town of Southampton  
GIS Department

May 7, 2025

Author:





Planning Board  
Town Hall  
Southampton, NY 11968

ADOPTED

RECEIVED

APR 11 2025

Meeting: 04/10/25 02:00 PM  
Department: Planning  
Category: Site Plan / Special Exception  
Prepared By: Clare Shea

PLANNING BOARD RESOLUTION (ID # 49518)

DOC ID: 49518

## Homeland Towers Flanders

**WHEREAS**, the Planning Board received a site plan/special exception application for Homeland Towers Flanders on March 7, 2025; and

**WHEREAS**, the subject site plan/special exception application proposes the construction of 150 foot tall stealth concealment pole with interior antennas with associated equipment (2 alternatives – 150' foot monopole with exterior antennas; screening the facility with plantings) on a 6.7 – acre parcel which contains a junkyard located in the CR-60 Zoning District, Central Pine Barrens Core Preservation Area and Aquifer Protection Overlay District, NYS Archaeologically Sensitive Area situated at 2055 Flanders Road, Flanders (SCTM No. 900-170-1-41.1); and

**WHEREAS**, the Central Pine Barrens Commission coordinated with the Planning Board and by resolution dated March 27, 2025, the Board stated they have no objection to the Commission assuming lead agency and will follow up with comments on SEQRA and the application in an ensuing report; and

**WHEREAS**, the Planning Board discussed the application and SEQRA at the April 10, 2025 and has the following comments:

### **IMPACT ON LAND**

- Visual impact on land upon which the viewshed is locally important to the community.
- Potential impact of the fall zone on adjacent activities, including industrial use.

### **IMPACT ON AESTHETIC RESOURCES**

- The proposed cell tower is obviously different from and in sharp contrast to the current surrounding (open space) land patterns, to the north, south and east and the residential uses to the west.
- The proposed cell tower will be visible to the many users of aesthetic resources including Suffolk County Parkland and the proposed land use could significantly reduce their enjoyment of the significant aesthetic qualities of the open space area.
- Loss of important community viewsheds. This portion of Flanders Road is recommended in the 1999 Comprehensive Update for designation for Scenic Road Corridor designation and the site is located at the beginning of a Significant Scenic Area.
- Scenic resources are identified as an area of avoidance in the Town of Southampton's Wireless Master Plan.

### **IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES**

- Potential impact of the property being located in the New York State Archaeologically Sensitive Area.



- Board will require a Phase 1B Archaeological investigation.

#### **IMPACT ON OPEN SPACE AND RECREATION**

- Potential impact to a scenic resource (Flanders Road).
- The site is immediately located across the street from and to the west of Suffolk County parkland

#### **IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

- Potential impact of the property being located in the Central Pine Barren Core Preservation Area. The proposal constitutes development per the Central Pine Barrens Commission.
- Potential impact of the property being located in the Aquifer Protection Overlay District.
- The site has been historically cleared of vegetation associated with the existing use of the site (junkyard).
- The existing junkyard is a potential impact of the Critical Environmental Area (Central Pine Barrens and Aquifer Protection Overlay District). Existing consideration of junkyard impact through submission of the Environmental Site Assessment.

#### **CONSISTENCY WITH COMMUNITY PLANS**

- The location of the proposed cell tower conflicts with officially adopted plans and goals, including the 1999 Southampton Town Master Plan and the Town Wireless Master Plan.
- The proposed facility does not meet the required setback from five (5) existing residences. Residence 1- 243 feet setback where 450 feet is required; Residence 2 – 306 feet setback where 450 feet is required; Residence 3 – 308 feet setback where 450 feet is required; Residence 4 – 420 feet setback where 450 feet is required; Residence 5 – 440 feet setback where 450 feet is required
- The proposed facility does not meet the setbacks to the property lines in two (2) instances. 42 feet where 150 feet is required and 104 feet where 150 feet is required.
- Proposal is a second use on a site where only one (1) use is permitted pursuant to Section 330-6A of the Town Code. Proposal will required a variance from the Town Zoning Board of Appeals.
- May set a precedent for future projects, by locating a cellular tower in an important area for preservation of views.
- Loss of important community viewsheds as referenced in the Town Master Plan. This portion of Flanders Road is recommended in the 1999 Comprehensive Update for designation for Scenic Road Corridor designation and the site is located at the start of the a Significant Scenic Area.

#### **CONSISTENCY WITH COMMUNITY CHARACTER**

- Proposal is inconsistent with the character of the existing natural landscape.



- The proposed cell tower is obviously different from and in sharp contrast to the current surrounding (open space) land patterns, to the north, south and east and the residential uses to the west.

**WHEREAS**, the Planning Board will transmit a copy of the Homeland Towers Flanders Pre-Submission Report dated May 25, 2023 and the 2024 Aerial photograph to the Central Pine Barrens Commission; now, therefore be it

**RESOLVED**, the Planning Board hereby adopts the above SEQRA comments as their report to the Central Pine Barrens Commission for the Homeland Tower Flanders site plan/special exception application.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Dennis Finnerty, Vice Chair
<b>SECONDER:</b>	Glorian Berk, Secretary
<b>AYES:</b>	Glazer, Lofaro, Finnerty, Berk, Mootoo, Neely
<b>ABSENT:</b>	Kate Fullam



# TOWN OF SOUTHAMPTON

Department of Land Management  
Planning Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

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CRAIG CATALANOTTO  
THACKOOR (GEORGE) MOOTOO  
THOMAS NEELY  
KATE FULLAM

## PRE-SUBMISSION CONFERENCE REPORT

### Agenda item No. 14

**PROJECT NAME:** Homeland Towers Flanders

**PREPARED BY:** Clare P. Shea, AICP  
Assistant Town Planning Director

**DATE:** May 25, 2023

**PROJECT TYPE:** Site Plan/Special Exception

**LOCATION:** 2055 Flanders Road, Hamlet of Flanders

**S.C.T.M.:** 900-170-1-41.1

**ZONING DISTRICT:** CR-60 Zoning District

**OVERLAY DISTRICTS:** Central Pine Barrens – Core Preservation

**TOTAL PROJECT AREA:** 6.7-acres

**PRE-SUBMISSION  
CONFERENCE DATE:** April 13, 2023

### PROJECT DESCRIPTION

The site plan/special exception application is for a 150' wireless telecommunications facility (monopole with external antennas) and two alternatives (155' monopole with external antennas – tree; 170' flagpole internal antennas) and accessory structures on a 6.7-acre parcel improved with a junkyard and located in the Central Pine Barrens Core Preservation Area located in the CR-60 Zoning District at 2055 Flanders Road, Hamlet of Flanders (SCTM No. 900-170-1-41.1).

The improvements are indicated on the site plan and elevations (6 Sheets) prepared by WFC Architects dated February 15, 2023.

### PUBLIC COMMENTS

A pre-submission conference was held on April 13, 2023. Comments were received at the conference included the following:

- Represents civic group FRNCA



- Opposed to the project
- Concern with the height and the fall zone
- No dropped calls along Flanders Road.

No public comments were received during the 30-day written comment period.

#### **ITEMS TO BE SUBMITTED PRIOR TO SITE PLAN REVIEW**

- Full Site Plan/Special Exception application.
- Special Exception Petition
- Site Plan, engineering information, landscaping, lighting and details on outdoor storage, and traffic circulation.
- Variance from Section 330-6.A. Only one use permitted per lot in residential zones.
- EAF Part I, Long Form.
- Visual assessment

#### **ZONING CODE**

One main proposal and 2 alternatives were submitted.

The main proposal is for a 150' tall wireless support structure with exterior antennas. The rest of this document will address this plan, unless another alternative is specifically addressed.

Tree Alternative (external antennas) – 155' tall – See comments below #10.

Flagpole (internal antennas) Alternative – 170' tall – See comments below #11.

#### **Wireless Communication Code**

The project as proposed does not appear to meet the following standards under the Town Code Article XXVII Section 330-300 through 330-317:

**330-300(A)** in that the proposal does not minimize the visual and environmental impacts of a wireless communication facility within the Town, while still providing adequate service.

**330-300(B)** in that the proposal is not compatible with surrounding land uses and the project does not retain the attractiveness, health, safety, general welfare, and property values of the community.

**330-302(B)(1). Location Standards.** Wireless communication facilities shall meet or exceed the following location standards, in addition to the applicable design and visual compatibility standards of 330-307 and 330-308.

Planning comment: The project does not meet any of the 7 opportunity sites articulated within the Code.



**330-302 B. (2). Avoidance areas.** New wireless communications facilities shall not be located in the following avoidance areas:

Planning comment: The project site is in or adjacent to several avoidance areas:

(b).Central Pine Barrens (Core Preservation Area), unless approved by the Central Pine Barrens Joint Policy and Planning Commission.

Planning comment: The property is located in the CPB Core Preservation Area.

(c)Agricultural lands and open space/greenbelt areas, unless the installation is fully camouflaged or stealth.

Planning comment: The property is located adjacent to 2 open space parcels used for recreation trails. Proposal is anticipated to be visible from this resource.

(g) Scenic corridors or viewsheds, unless the installation is fully camouflaged or stealth.

Planning comment: This portion of SR 24 is designated as a Scenic Road in the 1999 Comprehensive Plan Update. Proposal is anticipated to be visible from this resource.

**330-303. General Requirements.**

C. Applicant must provide an inventory of existing transmission support structures, antennas, or sites approved for towers or antennas that are either located within the jurisdiction of the Town or within one mile of the boundary thereof, including such specific information about location, height and design of each transmission support structure.

**330-305(E).** Wireless communication facilities that do not meet the location standards of §330-302(B) shall require special exception review and approval.

**330-306(C).** The Planning Board shall consider 9 factors in determining whether to issue special exception permission, including, in particular:

- (1) Height of the proposed transmission support structure.
- (2) The proximity of the transmission support structure to residential structures and residential district boundaries;
- (3) The nature of the uses on adjacent and nearby properties; and
- (9) That no existing or alternative support structure, or alternative technology can accommodate the applicant's proposed purpose.



**330-308 B. Landscaping.** Wireless communications facilities that are not stealth or camouflaged from public viewing areas by existing buildings or structures shall be surrounded by buffers of dense tree growth and understory vegetation in all directions to create an effective year-round visual buffer.

Planning comment: Standard is not met.

### **330-308 G. Setbacks**

- 1 Transmission support structures must be set back a distance equal to at least 100% of the height of the structure from any adjoining lot line.
- 2 All accessory buildings or structures must satisfy the minimum zoning district setback requirements.
- 3 The Planning Board may reduce the aforementioned setbacks, provided that no existing or future residence is or can be located within proximity of such setback, no significant adverse impact to the surrounding properties will occur and the goals of this article can be achieved

Planning comment: The proposal does not meet the 100% setbacks from the east property line. The setback is only 27' from the east property line. The property to the east are open space/greenbelt parcels which are a valuable asset in the Town of Southampton. A 150' setback would be required which is a significant variance from the code.

The Planning Board finds that due to the proximity of the structure to an open space parcel, this standard is not met.

The proposal does meet the 100% setbacks from the remaining property lines, of 150 feet.

### **330-308 I. (1). Table 1 Separation Distances**

**Distance from Single family residential units – 200 feet or 300% height of transmission support structure, whichever is greater, from the Designated Area**

Planning comment: The proposal does not meet the setback to the residence on the adjacent site to the west. A setback of 450' is required. A setback of 247' is proposed.

All setbacks to nearby residential structures shall be shown on the site plans.

The Planning Board may reduce the aforementioned separation requirements, provided no significant adverse impact to the surrounding properties will occur and the goals of this article can be achieved.



The Planning Board finds that a reduced setback may result in an adverse impact.

**330-311. Application requirements.** While all are applicable, the following should be of particular note:

(6) The setback distance between the proposed transmission support structure and the nearest residential unit, platted residentially zoned properties in an approved plot plan, and unplatted residentially zoned properties.

(10) A description of compliance with all applicable sections of this article, and all applicable federal, state, or local laws.

### **Other Zoning Variances:**

**Section 330-6.** Within any residence district, a building, structure, lot or land shall be used only for one of the uses indicated in § **330-10, Residence Districts Table of Use Regulations**,<sup>11</sup> for the specific district in which it is located on the Zoning Map<sup>12</sup> and in accordance with the particular classification of that use in that district.

Planning comment: The site contains an existing junkyard. The proposal would be a second principal use, unless interpreted to be a customary and incidental use, by the Chief Building Inspector under §330-303(A).

### **Special Exception Standards**

The project will be required to meet the General Special Exception standards listed under §330-122 of the Town Code.

The below standards do not appear to be met:

- A. Such use will be in harmony with and promote the general purposes and intent of this chapter as stated in § 330-3.

*Planning comment: Several provisions of the Town Code are not being met, as noted above.*

*In several of the Town Code, the intent is to have a proper and conforming setback to residential structures. The presence of the residential structure adjacent to the site with insufficient setbacks does not promote the general purposes and intent of the code.*



- B. The proposed use will not prevent the orderly and reasonable use of adjacent properties, particularly where they are in a different district.

*Planning comment: The proposal may interfere with the reasonable use of the adjacent residential properties. In addition, the proximity of the structure to the adjacent greenbelt may interfere with the enjoyment of the open space.*

- D. The site is particularly suitable for the location of such use in the town.

*Planning comment: The reduced setbacks from adjacent property lines make this property unsuitable.*

*The density of the nearby residences and the proximity to the open space and wetlands also makes the site unsuitable for the location of such a use.*

- J. Adequate buffer yards and screening are provided where necessary to protect adjacent properties and land uses.

*Planning comment: See section 330-308B.*

**Other zoning issues:**

The property has a CO for junkyard. From the aerial other structures are on-site including what looks like several truck bodies. Also, the front buffer has several vehicles stored. Compliance with the previous site plan of We Got It Auto Parts.

The above shall be considered during the SEQRA review and the Site Plan/Special Exception review.

**Other environmental issues:**

Site is located in the Central Pine Barrens Core Preservation. The addition of a wireless facility and the accessory structures would constitute development.

**PRELIMINARY PLANNING REVIEW/ISSUES**

1. The project is Unlisted Action. The Planning Board will be required to make a SEQRA determination prior to deeming the site plan application complete. It is anticipated that due to the projects non-compliance with many zoning standards and the Wireless Master Plan, there is a possibility of a significant impact on the



environment. Visual impact from all three structures is a potential environmental issue.

2. Central Pine Barrens Core Preservation Area: The addition of a wireless facility and the accessory structures would constitute development.
3. The project in its current form will require a waiver from several sections of the wireless code as noted above. Standards for waiver may not be met.
4. Single family residences are avoidance areas. The proximity to the residence to the west is not appropriate.
5. The applicant should consider an alternative location which meets all the standards.
6. There is an existing 200' tall wireless facility approximately a mile away to the west at the Flanders Fire Department located at 19 Firehouse Lane.
7. Number of Uses per lot: Pursuant to 330-6 of the Town Code, only one use per lot in a residential zone. This would be an additional primary use.
8. Uses: The property is improved with a junkyard. It appears from the aerial photos, other structures are on-site including what looks like several truck bodies.
9. Exterior antenna: It is anticipated that the tall (150') wireless transmission structure with the exterior antennas will be highly visible from the nearby roadways and the adjacent public lands. The proximity of the proposal to a public road (approximately 100 feet away) makes it possible that the structure will be visually obtrusive.
10. Tree design: The design of wireless support structure as a tree (155') is not in keeping with the type of natural vegetation in the area and represents a height of three times the average height of native trees. This does not meet the standard of stealth design.
11. Flagpole/Interior antennas: The interior antennas are a preferred design with the structure. However the proposed height (170') of the structure is anticipated to be a visual impact to the adjacent areas.
12. A public hearing will be required.
13. Referrals to be made pursuant to the site plan review regulations.

#### **PLANNING BOARD'S APPROACH TO THE PROPOSED PROJECT/RECOMMENDATIONS:**

The Planning Board finds there are significant issues with compliance of the project due to the site location. Minor changes to the project do not appear to overcome these issues. However, if the applicant chooses to proceed, a full environmental review, site plan/special exception application and a public hearing will be required.

#### **Note:**

*Pursuant to §330-184.A. (7) of the Town Code - Nothing shall preclude or bind the Planning Board from issuing or changing its recommendation if new information or a change in circumstances arises at or prior to the next formal application stage. The report of the Planning Board shall be valid for a period of one year from the date of issuance. No further Planning Board action will be taken after such expiration until a new pre-submission conference has been held.*



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REPLY TO:

Tarrytown Offices

Julie Hargrave, Policy and Planning Manager  
Central Pine Barrens Commission  
624 Old Riverhead Road  
Westhampton Beach, NY 11978

RE: Public Utility Wireless Telecommunications Facility  
Homeland Towers, LLC and Verizon Wireless  
2055 Flanders Road, Flanders, Town of Southampton

Dear Ms. Hargrave:

As you are aware, we are the attorneys for Homeland Towers, LLC ("Homeland Towers"), and New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") (together "Applicants") in connection with its proposal to place a Public Utility Wireless Telecommunications Facility, consisting of a 150-foot stealth concealment pole and associated equipment ("Facility"), at the above referenced Property. The Facility will support the antennas of Verizon Wireless, while providing collocation space for similar providers or emergency communications equipment, with related equipment installed within a fenced equipment compound at the base thereof. We understand that the above referenced matter is currently scheduled to be heard by the Commission on April 16, 2025.

The Applicants respectfully request an adjournment of the hearing to May 21, 2025 as the Applicants environmental experts are not available to attend the April 16, 2025 hearing. The Applicants acknowledge that the SEQRA Lead Agency coordination process may be affected by the requested postponement and therefore the Applicants consent to an extension of the 30-day coordination period to May 22, 2025. The Applicants further consent to an additional 30 days being added to the Commission's 120-day review period.

Also submitted herewith is an updated Petition for the Application correcting the tax map number and zoning district for the Property.



We thank you for your consideration and look forward to discussing this matter at the May 21, 2025 Central Pine Barrens Commission meeting. If you have any questions or require additional documentation, please do not hesitate to contact me.

Respectfully submitted,



Robert D. Gaudioso

Enclosures

RDG/djk

cc: Homeland Towers, LLC

Town of Southampton Planning Board

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PLANNING BOARD  
TOWN OF SOUTHAMPTON and  
CENTRAL PINE BARRENS COMMISSION

-----X  
In the matter of the Application of  
HOMELAND TOWERS, LLC and VERIZON WIRELESS  
2055 Flanders Road,  
Flanders, Town of Southampton  
S.C.T.M: 900-170-1-41.1  
-----X

PETITION IN SUPPORT OF APPLICATION  
BY HOMELAND TOWERS AND VERIZON WIRELESS  
TO LOCATE A WIRELESS TELECOMMUNICATIONS FACILITY  
AT THE ABOVE REFERENCED PROPERTY

**I. Introduction**

Pursuant to Section 330-302 of the Southampton Zoning Code (“Zoning Code”), wireless telecommunications facilities are permitted on the Property pursuant to the grant of a special use permit from the Planning Board of the Town of Southampton (“Town”). A Hardship Waiver for a compelling public need is also required from the Central Pine Barrens Commission.

**II. Statement of Facts**

The Property is identified by SCTM No. 900-170-1-41.1 on the Town Tax Map and is located in the CR-60 Zoning District.

The proposed Facility will be used to provide federally licensed wireless communication services to the Town. The Facility will include a 150-foot stealth concealment pole to support the antennas of Verizon Wireless, while providing collocation space for similar providers or emergency communications equipment, with related equipment installed within a fenced equipment compound at the base thereof. The Applicants have also proposed a stealth design for the Facility, a concealment pole designed to resemble a flagpole. A detailed site plan (“Site Plan”) prepared by WFC Architects is submitted herewith.

**III. Public Utility Status**

Under the laws of the State of New York, Verizon Wireless is qualified as a public utility. *See Cellular One v. Rosenberg*, 82 N.Y.2d 364 (1993), *Cellular One v. Meyer*, 607 N.Y.S. 2d 81 (2d Dep’t 1994) and *Sprint Spectrum, L.P. v. Town of West Seneca*, (Index No. 1996/9106 Feb. 25, 1997, Sup. Ct. Erie County). In *Rosenberg, supra*, the Court of Appeals, New York’s highest court, held that federally licensed wireless carriers (such as Verizon Wireless) provide an essential public service and is a public utility in the State of New York. Public utilities should be accorded favored treatment in zoning matters.



Verizon Wireless's status as a public utility is underscored by the fact that its services are an important part of the national telecommunications infrastructure and will be offered to all persons that require advanced digital wireless communications services, including local businesses, public safety entities, and the general public.

In addition to its status as a public utility, Verizon Wireless is licensed by the Federal Communications Commission ("FCC").

There is also a public need for Verizon Wireless's service, as evidenced by the granting of a license to Verizon Wireless by the FCC. This grant constitutes a finding that the public interest will be served by Verizon Wireless's service and is consistent with the public policy of the United States "to make available so far as possible, to all people of the United States a rapid, efficient, nationwide and world-wide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of national defense, for the purpose of promoting safety of life and property through the use of wire and radio communication . . . [.]” 47 U.S.C. § 151.

The instant application is filed in furtherance of the goals and objectives established by Congress under the federal Telecommunications Act of 1996 ("TCA"). The TCA is "an unusually important legislative enactment," establishing national public policy in favor of encouraging "rapid deployment of new telecommunications technologies (emphasis supplied)." *Reno v. ACLU*, 521 U.S. 844, 857 (1997).

In fact, in 1999, Congress expanded further upon this policy by enacting the Wireless Communications and Public Safety Act of 1999, Pub.L. 106-81, 113 Stat. 1286 (the "911 Act"). The "911 Act" empowered the FCC to develop regulations to make wireless 911 services available to all Americans. The express purpose of the Act, as articulated by Congress, was "to encourage and facilitate the prompt deployment throughout the United States of seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs[.]”

A State or local government's authority to regulate "the placement, construction, and modification of personal wireless service facilities," is limited by the federal requirements set forth in Section 332(c)(7)(B) of the TCA. 47 U.S.C. § 332(c)(7)(a). The Facility is a "personal wireless service facility" as defined by the TCA. 47 U.S.C. § 332(c)(7)(c). Pursuant to Section 332(c)(7)(B), the zoning authority of a State or local government, or instrumentality thereof, including the Planning Board and Central Pine Barrens Commission, with regards to personal wireless service facilities is limited as follows:

No decision or action shall "unreasonably discriminate among providers of functionally equivalent services," or "prohibit or have the effect of prohibiting the provision of personal wireless services." 47 USCA § 332(c)(7)(B)(i);

Decisions and actions on zoning and construction applications must be made "within a reasonable period of time." 47 USCA § 332(c)(7)(B)(ii);

Any "decision shall be in writing and supported by substantial evidence



contained in a written record.” 47 USCA § 332(c)(7)(B)(iii); and

No action or decision shall be made “on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” 47 USCA § 332(c)(7)(B)(iv).

Please note that the FCC and federal courts have concluded that the correct test for determining an effective prohibition is the “materially inhibits standard.” The FCC in its 2018 Third Report and Order clarified that the significant gap plus least intrusive means standard (a/k/a the *Willoth* standard) is no longer applicable and that a carrier needs only to demonstrate that a municipality is materially inhibiting the provision of wireless services. *See In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Inv., Declaratory Ruling and Third Report and Order*, 33 FCC Rcd 9088 (2018), (hereinafter referred to as the “*Third Report and Order*”); *See also, City of Portland v. United States*, 969 F.3d 1020, (9th Cir. 2020), *cert denied sub nom. City of Portland, Oregon v. Fed. Communications Commn.*, 141 S. Ct. 2855 (2021) (upholding the Third Report and Order’s “materially inhibit” standard.) The FCC clarified that “an effective prohibition occurs where a state or local legal requirement materially inhibits a provider’s ability to engage in any of a variety of activities related to its provision of a covered service. This test is met not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities.” *Third Report and Order*, at 9104-9105. Furthermore, “a state or local legal requirement could materially inhibit service in numerous ways—not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services. Thus, an effective prohibition includes materially inhibiting additional services or improving existing services.” *Third Report and Order*, at 9105; *See also, New Cingular Wireless PCS, LLC v. Town of Colonie*, 20-CV-1388 (NAM/ATB), 2022 WL 1009436, (N.D.N.Y. Mar. 31, 2022) (“[t]he FCC has stated that the ‘materially inhibit’ standard is the appropriate standard for determining whether a State or local law operates as a prohibition or effective prohibition within the meaning of Sections 253 and 332.”); *See also, Cellco P’ship v. White Deer Twp. Zoning Hearing Bd.*, 74 F.4th 96, 106 (3<sup>rd</sup> Cir. 2023) (“[i]n light of our decision to adopt the ‘materially inhibit’ standard, not only does ‘insufficiency in coverage’ ordinarily entitle a provider to a variance but so does insufficiency in network capacity, 5G services, or new technology. In the TCA, Congress recognized that ‘[t]he telecommunications interests of constitutions are . . . statewide, national and international.’ 33 FCC Rcd. at 9110. Local zoning boards, like White Deer Zoning Board, are prohibited from preventing providers from meeting those broader interests.”)

Please further note that on November 18, 2009, the FCC issued a Declaratory Ruling regarding timely review of applications for siting of wireless facilities, WT Docket NO. 08-165 (the “Shot Clock Order”). The Shot Clock Order finds that a “reasonable period of time” for a local government to act on this type of application, an application for a new tower, is presumptively 150 days. The FCC again clarified the 150-day “Shot Clock” (2018 Third Report and Order) and in the implementing regulations contained in 47 C.F.R. § 1.6003. According to the Shot Clock Order and 47 C.F.R. § 1.6003(c)(1)(iv), if the Town or Central Pine Barrens Commission fails to



act within 150 days of filing a complete application, the applicant may commence an action in federal court for "failure to act" under Section 332(c)(7)(B)(v) of the Federal Communications Act.

#### **IV. The Proposed Facility Meets the Applicable Legal Standards**

The instant application is for a special use permit pursuant to Article XXVII of the Zoning Code. A special use permit is permitted as of right when the applicant has demonstrated compliance with the applicable standards. *See Matter of North Shore Steak House v. Board of Appeals of Inc. Vil. of Thomaston*, 30 N.Y.2d 238 (1972).

Please see the Planning Report with Appendices and Environmental Assessment Form and Site Plan for a full and complete description of the Facility's compliance with the Town Code and the New York State Environmental Conservation Law.

#### **Conclusion**

By granting the special use permit and the hardship waiver, the Planning Board and Central Pine Barrens Commission, respectively, will permit Verizon Wireless to improve its network and provide local businesses, residents and public service entities with a safe and reliable wireless communications alternative. There will be no significant adverse effects from the project.

WHEREFORE, for all of the foregoing reasons, the Applicants respectfully pray that the Planning Board issue a Negative Declaration and that the Central Pine Barrens Commission grant the Hardship Waiver declare the grant the requested special use permit, including all waivers requested herein, and site plan approval.

Dated: March 25, 2025

Tarrytown, New York

Respectfully submitted,



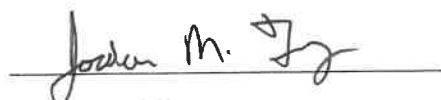
David J. Kenny, Esq.

SNYDER & SNYDER, LLP

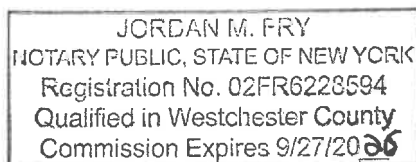
94 White Plains Road

Tarrytown, NY 10591

Sworn to before me this 25<sup>th</sup>  
day of March, 2025



Notary Public





# 6

## Pine Barrens Commission Hardship Exemption Analysis

### 6.1 Introduction

The Subject Property is located within the Core Preservation Area (CPA) of the Central Suffolk Pine Barrens. The Central Pine Barrens Joint Planning and Policy Commission (the "CPB Commission") has determined that the Proposed Facility constitutes development as defined in the New York State Environmental Conservation Law (ECL) Article 57, Section 57-0107(13)(b) and (c), thus requiring a CPA Hardship Waiver from the CPB Commission (see correspondence dated June 15, 2022, in Appendix B). This section reviews the Proposed Facility's conformity to the criteria for granting such exemptions.

### 6.2 Requirements of the Pine Barrens Act

To obtain a hardship exemption for development of a site within the Core Preservation Area, a Project Sponsor must demonstrate compliance with the criteria established in § 57-0121.10 of the Long Island Pine Barrens Maritime Reserve Act. In the following section, the attributes of the Proposed Facility have been evaluated for conformance to the applicable criteria.

- (a) *Any person, the state or a public corporation upon a showing of hardship caused by the provisions of subdivision eight of this section on development in the core preservation area, may apply to the commission for a permit exempting such applicant from such subdivision eight in connection with any proposed development in the core preservation area. Such application for an exemption pursuant to the demonstration of hardship within the core preservation area shall be approved only if the person satisfies the following conditions and extraordinary hardship or compelling public need is determined to have been established under the following standards or for development by the state or a public corporation or proposed for land owned by the state or a public corporation compelling public need is determined to have been established under the following standards:*
  - (i) *The particular physical surroundings, shape or topographical conditions of the specific property involved would result in an extraordinary hardship, as distinguished from a mere inconvenience, if the provisions of this act are literally enforced. A person shall be deemed*



*to have established the existence of extraordinary hardship only if he or she demonstrates, based on specific facts, that the subject property does not have any beneficial use if used for its present use or developed as authorized by the provisions of this title, and that this inability to have a beneficial use results from unique circumstances peculiar to the subject property which:*

- (i) Do not apply to or affect other property in the immediate vicinity;*
- (ii) Relate to or arise out of the characteristics of the subject property rather than the personal situation of the applicant; or*
- (iii) Are not the result of any action or inaction by the applicant or the owner or his or her predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1, 1993.*

The use of the Subject Property as an automobile junkyard was established prior to the referenced date of June 1, 1993. A unique attribute of the Subject Property is that it is the only one in the targeted coverage area that has been cleared of vegetation, has level topography and has sufficient lot area to accommodate the Proposed Facility. The site has direct access to a main roadway, eliminating the need to clear land for a new access point or have construction or service vehicles navigate through any local roadways. This site is further unique in that it is the only one in the targeted coverage area, as described on page 4 of the V-COMM RF report (Appendix D), that has an established commercial or industrial use. There is a demonstrated need for wireless coverage in the immediate vicinity, and no other suitable sites were found to be available for the Proposed Facility, despite an exhaustive search. As will be detailed in the following section, other potential sites under consideration all had one or more deficiencies rendering them unsuitable for this purpose. Some sites were too close to residential properties, others were too close to existing wireless facilities or would have required significant clearing, regrading and site disturbance.

Accordingly, the requested relief relates to circumstances unique to the Subject Property and thus do not apply to or affect other property in the immediate vicinity, in accordance with criterion (i) above. The requested relief is intended to address a service deficiency of a public utility and does not arise out of the characteristics of the Subject Property or personal situation of the applicant, in accordance with criterion (ii). The present use and condition of the site have existed since prior to the date of June 1, 1993 referenced in criterion (iii), and are not the result of an action (or inaction) by the applicant or the landowner.

*(b) A person, the state or a public corporation shall be deemed to have established compelling public need if the applicant demonstrates, based on specific facts, one of the following:*

- (i) The proposed development will serve an essential health or safety need of the municipalities in the Central Pine Barrens such that the public health and safety require the requested waiver, that the public benefits from the proposed use are of a character that overrides the importance of the protection of the core preservation area as established in this title, that the proposed use is required to serve existing needs of the residents, and that no feasible alternatives exist outside the core preservation area to meet the established public need and that no better alternatives exist within the county; or*
- (ii) The proposed development constitutes an adaptive reuse of an historic resource designated by the commission and said reuse is the minimum relief necessary*



*to ensure the integrity and continued protection of the designated historic resource and further that the designated historic resource's integrity and continued protection cannot be maintained without the granting of a permit.*

#### Compelling Public Need

An analysis performed by V-COMM Telecommunications Engineering, dated July 31, 2024 (Appendix D), evaluated the study area for sufficient RF coverage and found a significant gap in the 700 MHz frequency bands within this portion of the Town of Southampton, necessitating a new facility. As stated in the *Wireless Communications Plan* for the Town of Southampton, access to wireless service *"has shifted from luxury to necessity"*, as an increasing number of residents work from home and rely on wireless communications to conduct business remotely. As stated on Page 1 of the plan, "the development and expansion of new services and applications, such as e-mail, photo messaging, Internet use, video transmission, WiFi, etc., also add demands on the system that will result in the need for more and more wireless communications sites." The report also highlights the importance of wireless coverage for public safety and emergency service providers. In multiple cases, the New York Court of Appeals, the State's highest court, has held that federally licensed wireless carriers provide an essential public service and are classified as a public utility in the State of New York, such that public utilities must be accorded favored treatment in zoning and land use related matters. Title 47 of the Code of Federal Regulations (CFR) requires licensed wireless carriers to maintain a minimum standard of service throughout their coverage network. By improving service in an area experiencing a deficiency (as further described below), the Proposed Facility will serve an essential health or safety need of the municipalities in the Central Pine Barrens in accordance with criterion (b)(i) above.

Through the use of propagation maps and data obtained from drive tests conducted on area roadways, the V-COMM report details the coverage limitations of the existing Verizon sites in the study area, showing a significant gap in coverage along Flanders Road. Maps 2 and 3 on pages 6 and 7 of the report depict coverage in the 750 MHz range both with and without the Proposed Facility. The nearest existing Verizon sites covering Flanders Road are 4.5 miles apart, too far to provide sufficient coverage in this gap. Specifically, coverage deficiencies exist at the intersection of Flanders Road and Spinney Road North eastward for approximately 1.0 mile, southward on Spinney Road for 0.3 miles, and east on Flanders Road for 1.5 miles.

The Proposed Facility will be installed on a site that is fully developed under existing conditions, will not require additional clearing or other site disturbance, and will have no adverse impacts to groundwater or critical ecological resources. As such, implementation of the Proposed Action will not impair the protection of the Core Preservation Area. The public benefits of reliable service in this area of Southampton would override the impact to the Core Preservation Area in accordance with criterion (b)(i).

#### Alternative Sites Considered

Criterion § 57-0121.10.(b)(i) requires a finding that no feasible alternatives exist outside the core preservation area to meet the established public need and that no better alternatives exist within the county. As documented in the Alternative Sites Affidavit of Raymond M. Vergati, (Appendix E), a thorough search of area surrounding the Subject Property yielded 30 different candidate sites, which were then each evaluated as potential locations for the Proposed Facility. In addition to the Subject Property, one parcel was Town-owned, eighteen were County-owned, seven were privately-owned and three contained existing structures for potential co-location. The Affidavit



provides details for each site and provides the reason(s) why the site was not suitable for the Proposed facility.

As part of its analysis (Appendix D), V-COMM further evaluated three of the potential alternate sites for the Verizon Wireless network, and found these alternate sites were not suitable and would not provide sufficient coverage to fulfill the gap in service in the Verizon Wireless network in this area. The results of these evaluations are summarized as follows:

1. *Flanders Road, Flanders, NY (Water Tank) - Lat/Long: 40°52'55.07"N/72°33'5.41"W -*

*This site is located too close to the existing Verizon Hampton Bays 2 site, at the Southampton Police Headquarters at 110 Old Riverhead Road, and is not a feasible alternative. It is located within the coverage footprint of Hampton Bays 2 site, and provides redundant coverage, and will not cover the gap in service in the area, which would extend up to 2.9 miles west on Flanders Road. Therefore, it is not a suitable replacement site for the proposed site, and would not cover the gap in service for the Verizon network.*

2. *105 Flanders Road, Flanders, NY (Town Land) - Lat/Long: 40°53'14.46"N/ 72°33'15.57"W -*

*This site is also located too close to the existing Verizon Hampton Bays 2 site, at the Southampton Police Headquarters at 110 Old Riverhead Road, and is not a feasible alternative. It's located within the coverage footprint of Hampton Bays 2 site, and provides redundant coverage, and will not cover the gap in service in the area, which would extend up to 2.5 miles west on Flanders Road. Therefore, it is not a suitable replacement site for the proposed site, and would not cover the gap in service for the Verizon network.*

3. *2021 Flanders Road, Flanders, NY (Town Land) - Lat/Long: 40°54'7.06"N/ 72°36'11.41"W -*

*This site is located too close to residential homes, the property has binding real estate issues, and is too close to the existing Verizon Flanders site, at the Flanders Fire Department, 19 Firehouse Lane, and is not a feasible alternative. The site is further west of the proposed site, and is not preferred, as the coverage would not extend far enough to the east to cover the gap in service on Flanders Rd. The proposed site just covers the gap in service on Flanders going east, so moving the site further west would not cover far enough to the east. Therefore, it is not a suitable replacement site for the proposed site, and would not cover the gap in service for the Verizon network in this area.*

#### Alternative Technologies Considered

As part of its analysis, the V-COMM report (Appendix D) investigated the potential use of alternative technologies such as microcells, small network nodes or outdoor distributed antenna systems (ODAS) nodes, and found the following:

*[I]n a rural area like the Town of Southampton, would not be practical or effective. Typically, small network nodes are used to cover very small areas, such as a campus or dense urban environment to provide capacity or coverage in a specific venue to supplement the existing coverage and capacity of the macrocell network. The existing utility poles along Flanders Rd (Route 24) are below the surrounding tree height, which would additionally severely limiting the coverage. In most of the proposed coverage area for NY065 Hampton Bays 4 site, no utility poles exist at all with no practical way to provide electric and fiber connection should a pole be placed. In addition, a small structure (i.e. 35 feet in height) that is a flag pole, street pole or a building rooftop would not be a suitable site for the proposed antenna site, as it would have enough height to provide coverage over the surrounding trees, and would not provide sufficient coverage to fill the gap in service in the area.*



Thus, the Proposed Action satisfies criterion (b)(i) that no feasible alternatives exist outside the core preservation area to meet the established public need and no better alternatives exist within the County.

#### Historic Resources

Criterion (b)(ii) refers to adaptive reuse of an historic resource. There are no historic or cultural resources on or adjacent to the Proposed Facility location, including Town-designated landmarks or historic districts, or sites or districts listed on the State or National Register of Historic Places. Therefore, this criterion is not applicable to the Proposed Action. Nonetheless, it should be noted that, on February 17, 2022, the New York State OPRHP issued correspondence indicating that there are "No Historic Properties in Area of Potential Effects (APE)" for Direct Effects, and there would be "No Effect on Historic Properties in APE with regard to Visual Effects."

- (c) *An application for a permit in the core preservation area shall be approved only if it is determined that the following additional standards also are met:*
  - (i) *The granting of the permit will not be materially detrimental or injurious to other property or improvements in the area in which the subject property is located, increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the core preservation area;*
  - (ii) *The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this title; or*
  - (iii) *The waiver is the minimum relief necessary to relieve the extraordinary hardship, which may include the granting of a residential development right to other lands in the compatible growth area that may be transferred or clustered to those lands to satisfy the compelling public need.*

The Proposed Facility will be located within a portion of the property that will not affect the operations on the existing site, and is not situated in close proximity to any off-site improvements or facilities (i.e., containing wooded areas only).

As indicated in a letter by the project architect, WFC Architects (Appendix H), "the proposed tower will be designed with a 'hinge-point' so that in the unlikely event of a catastrophic failure occurring, the tower fall zone will be contained within the subject parcel." The Proposed Facility will be subject to the New York State Uniform Fire Prevention & Building Code and will be reviewed by the Southampton Fire Marshal's office as appropriate. Overall, construction of the Proposed Facility would not result in a detriment or injury to property or improvements, or the creation of a fire or public safety hazard. In fact, with respect to public safety, the Proposed Facility will improve wireless service to areas experiencing a documented deficiency providing a vital benefit, consistent with the stated objectives of the *Wireless Communications Plan* for the Town of Southampton.

Section 3 of this report, "Environmental Considerations", contains a detailed description of the salient features of the Proposed Action and of the measures taken to minimize disturbances to the site and to surrounding properties. These are summarized below:

- › A minimal increase in site-generated traffic volume of approximately one vehicular trip per month.



- › A minor increase in ambient noise levels during construction. Operational noise levels are not expected to exceed existing ambient conditions.
- › As the Proposed Facility would be unmanned, there would be no demand for potable water and no generation of sanitary wastewater.
- › There are no wetlands or surface waters on or adjacent to the Proposed Facility location, nor is the Subject Property located within either the 100-year or 500-year flood hazard zones.
- › The Proposed Facility does not involve the bulk storage of other petroleum or chemical products.
- › The Proposed Facility would be situated within developed portions of the Subject Property, does not involve the removal of vegetation and will have no adverse impacts to these significant natural communities.
- › As the Proposed Action will not include tree removal, no significant adverse impacts to Northern Long-eared Bat habitat are anticipated.
- › The Subject Property does not contain any open space or recreational resources.
- › All site lighting would be dark sky compliant, internally shielded and properly aimed to prevent off-site spillover.
- › While the Subject Property is located within identified Critical Environmental Areas, the land has been cleared for an extended period of time and used as an automotive junkyard. The Proposed Facility would be installed within a vacant portion of the Subject Property and does not involve removal of natural vegetation. The Core Preservation Area was established for the protection of groundwater resources and relevant ecological resources, and neither would be affected, as is detailed in Section 3, "Environmental Considerations", of this report.

The Proposed Facility represents the minimum relief necessary to relieve the hardship and fulfill a compelling public need in accordance with criterion (c)(iii). Specifically, the facility is designed to occupy a minimal footprint and is located on a site that is fully developed and will require minimal disturbance. There are no changes to the design of the facility that would reduce the level of needed relief. Any foreseeable alternative designs or concepts would also constitute "development" within the Core Preservation Area in the same manner as this facility was determined by the Commission. As was detailed in the preceding section, there are no viable alternative sites outside of the Core Preservation Area for the Proposed Facility.

Thus, the Proposed Facility satisfies the criteria of (c)(i) through (iii), that granting of the permit will not be materially detrimental or injurious to other property or improvements in the area, will not increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the Core Preservation Area. The waiver will not be inconsistent with the purposes, objectives or intent of the Act, and the waiver is the minimum relief necessary to satisfy the compelling public need.

## 6.3 Conclusion

Based on the above analysis, it has been demonstrated that the Proposed Facility qualifies for a hardship exemption as provided for in § 57-0121.10 of the Long Island Pine Barrens Maritime Reserve Act. The hardship is not self-created, the Proposed Facility fulfills a compelling public need and will not be injurious or detrimental to the surrounding community or to the purposes and objectives of the Act.



The installation of the Proposed Facility at the Subject Property is appropriate as it utilizes an industrial property and would be situated within a portion of the site that does not contain naturally vegetated areas and would not impede existing operations. The Proposed Facility has been designed to be as minimally visually obtrusive as practicable. Visibility is obscured from surrounding vantage points by a dense tree cover and area topography. The neutral coloration and slender profile of the pole, which would conceal the antennas of multiple wireless carriers within, will minimize visual impacts from views where the concealment pole can be seen. Other mitigating design features are the positioning of the base of the concealment pole and ground-based equipment behind evergreen screening, thereby screening the base of the pole and equipment compound.

The Proposed Facility would be located within an area where there is a documented wireless communications service gap that would benefit from the provision of additional facilities. The resulting improvement in wireless communications service would benefit area residents and visitors, including those who utilize the surrounding open space areas for recreational activity. By co-locating the antennas of multiple wireless service carriers within a single concealment pole, the Proposed Facility would eliminate the need for the future installation of multiple communications facilities to serve the surrounding area.







Photo 1 - Flanders Rd. (State Rte. 24) west of #2055  
SIMULATED CONDITION - Flagpole Option with landscape screening (year 7-9 growth)

Figure C5  
PHOTO SIMULATIONS  
Visibility Analysis  
Hampton Bays (NY-065)  
Wireless Telecommunications Facility  
2055 Flanders Road  
Town of Southampton, Suffolk County, NY



Photograph Information

Date:	December 19, 2023
Time:	10:12am
Focal Length:	24mm
Camera:	Canon 6D Mark II

Photo Location: 40° 54' 05.42" N  
72° 36' 05.00" W  
Distance to Tower: 280 Feet



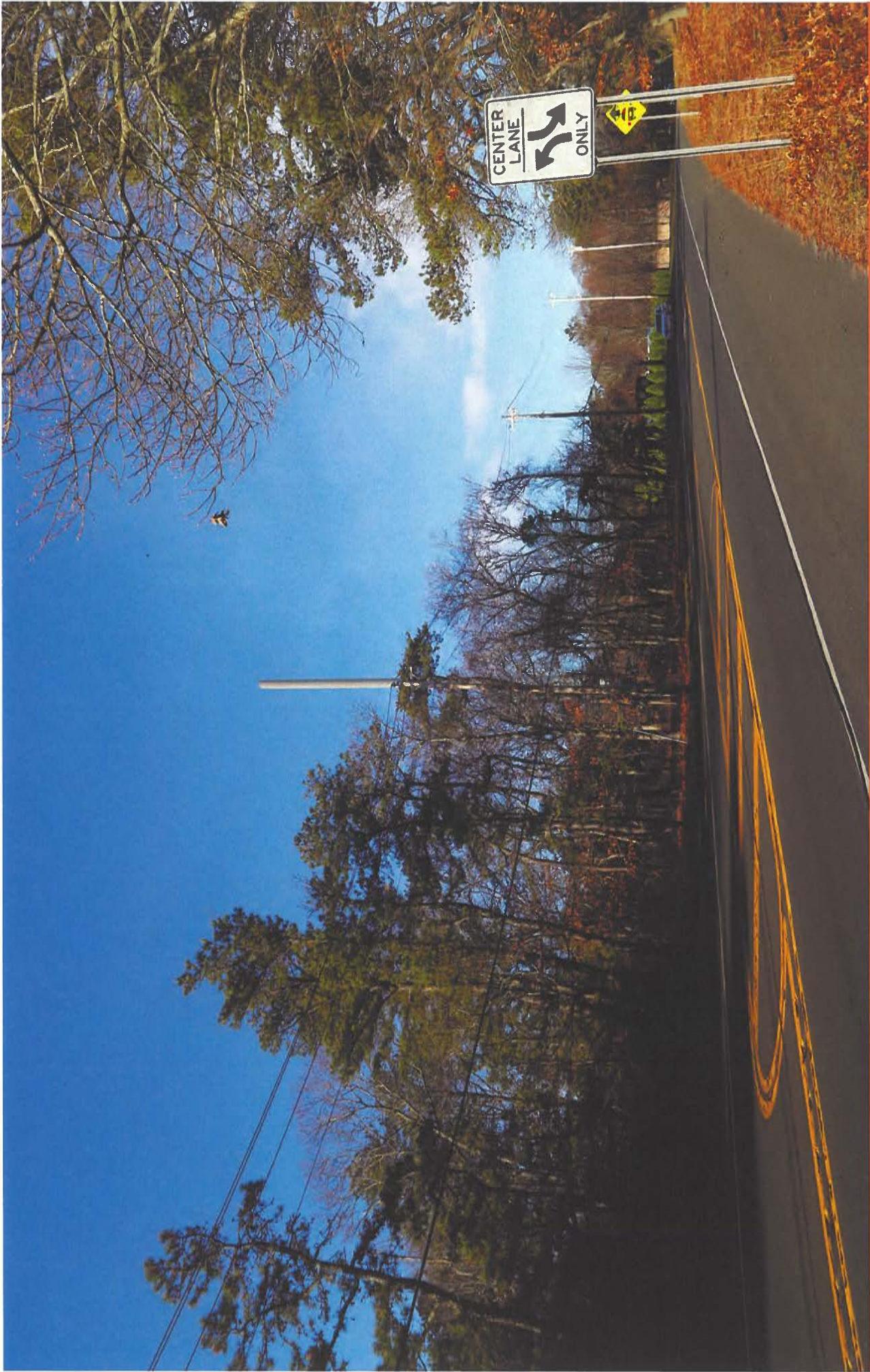


Photo 2 - Flanders Rd. (State Rte 24) east of #2055

SIMULATED CONDITION - Flagpole Option with landscape screening (at time of planting)

Photograph Information

Date: December 19, 2023  
Time: 10:15am  
Focal Length: 24mm  
Camera: Canon 6D Mark II

Photo Location: 40° 54' 02.70" N  
72° 35' 59.73" W  
Distance to Tower: 300 Feet





Photo 11 - Southampton Town Boat Launch  
SIMULATED CONDITION (Flagpole Option)

Photograph Information

Date: December 19, 2023  
Time: 11:02am  
Focal Length: 50mm  
Photo Location: 40° 54' 47.34" N  
72° 37' 22.80" W  
Distance to Tower: 7,570 Feet







HOMELAND TOWERS

**AFFIDAVIT OF RAYMOND M. VERGATI**

I, Raymond M. Vergati, do hereby declare and state:

1. I am over the age of 18 years, and believe in the obligation of an oath.
2. I am the Regional Manager of Homeland Towers, LLC with respect to projects in New York.
3. Homeland Towers has overseen the development of the telecommunications facility proposed at 2055 Flanders Road, Flanders, NY ("Facility"). I assisted in all facets of the site acquisition and have personal knowledge of the development of the Facility including the specific contents of this affidavit.
4. Homeland Towers has communicated with various parcel owners via certified mail, emails and phone calls to determine potential leasing interest with Homeland Towers for the purpose of constructing a wireless Facility. The list of all these properties, including a list of Town and County owned parcels in the vicinity, and the reasons why they are not feasible alternative sites are set forth in Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this <sup>18<sup>th</sup></sup> day of October, 2024.

  
Raymond M. Vergati

Subscribed and sworn to before me this <sup>18<sup>th</sup></sup> day of October, 2024.

Rebecca Hall Notary CT  
Commission Exp. 8-31-2028

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:





HOMELAND TOWERS

## Site Search Summary

On behalf of Homeland Towers, LLC I respectfully submit the following alternative site analysis with respect to the proposed personal wireless service facility ("Facility") consisting of a 150 foot flagless concealment flagpole with internally mounted antennas or a monopole, and related equipment at the base thereof at 2055 Flanders Road, Flanders, Town of Southampton, New York ("Property"). Verizon Wireless ("Verizon") intends to locate at the Facility. In addition, Dish Wireless has also entered into a lease with Homeland Towers to place their equipment on the Facility and AT&T has expressed interest in collocating on the Facility.

I have personally visited the surrounding area and confirm that there are no existing structures that can be used to provide the necessary service in and around the Town in the vicinity of the Property. Moreover, the proposed location and Facility design are the least intrusive means to provide the necessary service.

I personally investigated numerous alternative parcels of land and structures within and near this area for construction of the Facility within the Town. For the reasons cited below, the Facility at the Property is the least intrusive available option.

I personally reviewed the applicable Town zoning ordinance to identify areas within which the proposed use is allowed and the applicable bulk requirements. Viable candidates consist of existing structures of sufficient height from which an antenna installation can provide reliable service, or lacking such a structure, parcels located within the narrowly defined search area upon which a tower may be constructed at a sufficient height to remedy the lack of reliable service. In order to be viable, a candidate must be able to provide reliable service to the gap in Verizon's network. In addition, all viable candidates must have a willing landowner with whom commercially reasonable lease terms may be negotiated. Preference is given to locations that closely comply with local zoning ordinances, or in the event no viable candidates are determined to be located within such areas, to identify other potentially suitable locations. In the case of this particular site search area in Flanders, there are no tall, non-tower structures or collocation opportunities within the identified area of need. The area consists of mainly single-story commercial buildings, residential structures and open space conservation/parklands located within the Central Pine Barrens Core Preservation Area. Verizon is already located on the nearest existing towers.

As noted below, I investigated thirty (30) different parcels of land near this area for construction of a new facility. I, along with input from the Radio Frequency Engineer, found these sites to be adequate and available for the siting of a wireless facility or, for the reasons cited below, unavailable or inappropriate for the siting of a facility or technically inadequate to satisfy Verizon's service requirements in the area of need. Attached as Exhibit 1 is a list of parcels/sites reviewed is broken down into the following categories:

- **Subject Parcel:** #1
- **Existing Structures:** #2 through #4
- **Town Parcels:** #5
- **County Parcels:** #6 through #23
- **Private Parcels:** #24 through #30





## HOMELAND TOWERS

In addition to this alternate site analysis, it should be noted that I investigated the possibility of an alternate location on the Property setback further from Flanders Road. Due to the nature of the existing business there was no viable way to site a communication Facility in the rear of the Property because the rear portion of the Property is an active scrap yard with narrow access heavy equipment being operating on a daily basis. It would not be viable to get construction equipment and maintenance vehicles in and out of the yard due to the amount of scrap debris.

### TOWN OF SOUTHAMPTON PREFERENCE FOR SITING OF WIRELESS COMMUNICATION FACILITIES

Pursuant to Section 330-300(C) of the Zoning Code, the Town has a preference "for the installation of wireless communication facilities on Town-owned property within Town-owned rights-of-way to foster economic development, streamline emergency municipal services and offset municipal costs". Section 330-300(D) of the Zoning Code seeks to "encourage the use of municipal lands, public and quasi-public spaces for wireless deployment, provided any such installation is visually compatible with the objectives of the wireless section of the Zoning Code."

Attached as Exhibit 1 are aerial and zoning maps which show the location of these parcels that were investigated and the reason for their rejection. Attached as Exhibit 2 is a map that shows Verizon's existing surrounding sites with a blue dot for each site, the Property highlighted in green and the Town's preferred municipal parcels colored in red. As the map demonstrates, the Town's preferred municipal parcels are either too close or too far from existing Verizon sites.

Pursuant to Section 330-306 (C)(9) of the Zoning Code, no new transmission support structure shall be permitted unless the applicant demonstrates that the following items are not feasible.

- a. **No existing support structure in the geographic area.** - Verizon is currently located on the (2) existing communication structures in the geographic area located at 19 Firehouse Lane and 110 Old Riverhead Road shown with blue dots on Exhibit 3. The only other existing tall structure in the area is a water tank located at Flanders Road shown with a red dot. This existing water tank is located too far away to provide adequate service to Verizon's area of need and is located .7 miles from Verizon's existing site at 110 Old River Road as shown on Exhibit 3. As such, the existing water tank is not a feasible alternative.
- b. **No existing transmission support structures in the geographic area.** There are no LIPA or other transmission support structures in the geographic area, the closest LIPA transmission lines are located approximately 1.5 miles to the south and are too far away.
- c. **Structural infeasibility of co-locating on a nearby existing support structure.** Not applicable as there are no feasible nearby structures to co-locate on.
- d. **Co-location on an existing structure would cause interference with an existing installation.** Not applicable as there are no feasible nearby structures to co-locate on.
- e. **Other limiting factors that render the use of transmission support structures is unsuitable.** Not applicable as there are no nearby transmission support structures to co-locate on.
- f. **Alternative technology that does not require the use of transmission support structures is unsuitable.** There is no alternative technology that will provide service to remedy Verizon's service gap.

*Pursuant to Section 330-302(B)(1) of the Zoning Code*, wireless communications facilities shall be located at one or more of the following opportunity sites. Below is a list of the Town's (6) opportunity sites and the reasons why they do not work.





## HOMELAND TOWERS

- a. **Existing utility poles-** The existing utility poles in the area do not provide adequate height to remedy Verizon's service gap.
- b. **Existing LIPA transmission towers-** There are no existing LIPA transmission towers in the area.
- c. **Existing public water tanks/towers-** The closest existing water tank located at Flanders Road is too close to the existing tower at the Town of Southampton Police Department.
- d. **Inside or concealed by steeples, cupolas or similar architectural features of commercial or institutional buildings.-** There are not existing steeples in the area.
- e. **Rooftops of existing buildings in commercial and industrial zones.** – There are no existing rooftops in commercial and industrial zones in the area as shown on Exhibit 4. The closest industrial zone is approximately 1 mile to the southwest of the Facility and is too close to the existing tower at the Flanders Fire Department.
- f. **Flagpoles no exceeding 20 inches in diameter and 35 feet in height within existing planted landscaped islands on public or private streets in residential zones, or as site amenities on institutional governmental or commercial properties.** – A flagpole of 35' does not provide adequate height to remedy Verizon's service gap.

Attached as Exhibit 5 is a map showing that this search area is mainly comprised of Suffolk County Parkland/owned parcels which are Sears Bellows Park and Hubbard Park.

## Properties Investigated

I identified and investigated thirty (30) sites in and around the Flanders area where the construction of a new tower might be feasible for radio frequency engineering purposes. Descriptions of the sites investigated are set forth below along as well as a map depicting the approximate location of the sites investigated attached hereto as Exhibit 1.

### **1. 2055 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170-1-41.1

Owner: Michael Mujsce

Zoning District: CR-60

Parcel Size: 6.592 acres

Lat/Long: 40°54'02.8650"N/ 72°36'03.6049"W

Elevation: 31'+/- AMSL

This property is the Candidate site/Subject Parcel where the Facility is proposed.

### **EXISTING STRUCTURES**

### **2. 19 Firehouse Lane, Flanders, NY (Cell Tower)**

Tax Map/Parcel ID: 0900-145.00-05.00-020.000

Owner: Flanders Fire District

Zoning District: CR-60

Parcel Size: 2.84 acres

Lat/Long: 40°54'11.31"N/ 72°37'20.07"W

Elevation: 31'+/- AMSL

Verizon is already collocated on this existing communication structure.





## HOMELAND TOWERS

**3. 110 Old Riverhead Road, Flanders, NY (Cell Tower)**

Tax Map/Parcel ID: 0900-205.00-01.00-004.000

Owner: Town of Southampton

Zoning District: OSC

Parcel Size: 38.73 acres

Lat/Long: 40°53'11.76"N/72°32'17.54"W

Elevation: 58' +/- AMSL

Verizon is already collocated on this existing communication structure.

**4. Flanders Road, Flanders, NY (Water Tank)**

Tax Map/Parcel ID: 0900-204.00-01.00-001.003

Owner: Town of Southampton

Zoning District: CR120

Parcel Size: 5.569 acres

Lat/Long: 40°52'55.07"N/72°33'5.41"W

Elevation: 70' +/- AMSL

Existing water tank on Town parcel. This site is located too close to the existing communications tower to the east at the Southampton Police Headquarters, 110 Old Riverhead Road and is not a feasible alternative.

### TOWN PARCELS

**5. 2021 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.00-01.00-040.001

Owner: Town of Southampton

Zoning District: CR-60

Parcel Size: 2.36 acres

Lat/Long: 40°54'7.06"N/ 72°36'11.41"W

Elevation: 45' +/- AMSL

This Town parcel is very narrow and only approximately 150' in width. A wireless facility located on this parcel would not meet the separation setback distance to single family residence which is 300% of the height of the support structure. This Parcel is located close to residential homes and would not be preferred since it is approximately 800 feet closer to the existing communications tower located to the west at Flanders Fire Department, 19 Firehouse Lane.

The Town advised Homeland in a February 21, 2020 email (see Exhibit 6 attached hereto) that the Town was in a binding Master Lease agreement with another tower company and could not engage with Homeland Towers for leasing/construction on Town property. Regardless, this Town parcel was rejected due to the potential for high visual impact to nearby residential homes as well as being located too close to existing communication towers





## HOMELAND TOWERS

### COUNTY PARCELS

6. **Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-150.00-01.00-011.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 192.34 acres

Lat/Long: 40°54'9.42"N/ 72°35'53.14"W

Elevation: 33' +/- AMSL

A proposal was sent to the County via email. After further correspondence and discussions with Chris Gonzalez, Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers. In addition, County properties are dedicated parkland and would require a special act of the New York State Legislature to be leased for a Facility.

7. **Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.00-01.00-046.004

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 260.455 acres

Lat/Long: 40°53'34.59"N/ 72°35'11.32"W

Elevation: 56' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

8. **Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-171.00-01.00-022.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 402 acres

Lat/Long: 40°53'38.53"N/ 72°35'29.11"W

Elevation: 28' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

9. **Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-184.00-02.00-001.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 106.47 acres

Lat/Long: 40°53'45.92"N/ 72°35'19.57"W

Elevation: 28' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.





## HOMELAND TOWERS

**10. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-171.00-01.00-00.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 2.75 acres

Lat/Long: 40°53'56.34"N/ 72°35'52.11"W

Elevation: 26' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers

**11. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-171.00.01.00-021.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 2.66 acres

Lat/Long: 40°53'55.80"N/ 72°35'47.24"W

Elevation: 27' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers

**12. Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-150.00-01.00-015.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 338.93 acres

Lat/Long: 40°53'45.59"N/ 72°34'30.92"W

Elevation: 22' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

**13. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-001.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 263.52 acres

Lat/Long: 40°53'35.21"N/ 72°35'12.92"W

Elevation: 54' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.





## HOMELAND TOWERS

**14. Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-002.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 144.25 acres

Lat/Long: 40°53'31.16"N/ 72°34'47.37"W

Elevation: 68' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers

**15. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-003.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 144.73 acres

Lat/Long: 40°53'29.07"N/ 72°34'23.94"W

Elevation: 89' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

**16. Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-008.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 235.98 acres

Lat/Long: 40°53'15.60"N/ 72°34'25.88"W

Elevation: 28' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers

**17. Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-150.00-01.00-010.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 312 acres

Lat/Long: 40°53'40.73"N/ 72°33'56.77"W

Elevation: 25' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.





HOMELAND TOWERS

**18. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-004.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 19.23 acres

Lat/Long: 40°53'24.67"N/ 72°34'1.55"W

Elevation: 65' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

**19. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-005.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 13.37 acres

Lat/Long: 40°53'21.39"N/ 72°33'54.67"W

Elevation: 68' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

**20. Sears Bellows County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-007.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 7.95 acres

Lat/Long: 40°53'14.06"N/ 72°34'0.72"W

Elevation: 40' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

**21. Sears Bellows County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-185.00-01.00-006.001

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 180.17 acres

Lat/Long: 40°53'12.51"N/ 72°33'38.44"W

Elevation: 25' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.





## HOMELAND TOWERS

### **22. Suffolk County Property, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-172.00-01.00-049.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 375.106 acres

Lat/Long: 40°53'27.59"N/ 72°33'32.48"W

Elevation: 22' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

### **23. Hubbard County Park, Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 0900-150.00-01.00-019.000

Owner: County of Suffolk

Zoning District: OSC

Parcel Size: 32.68 acres

Lat/Long: 40°53'50.18"N/ 72°33'43.89"W

Elevation: 50' +/- AMSL

A proposal was sent to the County via email. After further discussions with the Chief Deputy of Economic Development and Planning, the County was not interested in pursuing a lease with Homeland Towers.

## PRIVATE PARCELS

### **24. Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-171.000-0001-006.000

Owner: Loraine Porter Bell

Zoning District: CR-200

Parcel Size: .23 acres

Lat/Long: 40°53'51.89"N/ 72°35'59.01"W

Elevation: 50' +/- AMSL

A proposal was sent to the owner via certified mail. The owner responded via phone and stated that they were not interested in pursuing a lease with Homeland Towers due to the parcel being landlocked with no access.

### **25. 105 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-204.000-0001-008.000

Owner: JCJC Holding Company Inc.

Zoning District: CR-60

Parcel Size: 1.3 acres

Lat/Long: 40°53'14.46"N/ 72°33'15.57"W

Elevation: 21' +/- AMSL

A proposal was sent to the owner via certified mail. Upon further review of this candidate, the Radio Frequency engineer determined that the site was too far outside of the search area to provide necessary coverage to the existing coverage gap. Site is too close to existing tower located at Southampton Police Headquarter at 110 Old Riverhead Rd.





## HOMELAND TOWERS

**26. 36 Spinner Road, Flanders, NY**

Tax Map/Parcel ID: 900-171.000-0001-023.000

Owner: Glen Leibig

Zoning District: CR-60

Parcel Size: 1.3 acres

Lat/Long: 40°53'52.64"N/ 72°35'20.64"W

Elevation: 26' +/- AMSL

A proposal was sent to the owner via certified mail. The owner did not respond with interest in pursuing a lease with Homeland Towers.

**27. 2035 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.000-0001-040.002

Owner: Diana Carpio

Zoning District: CR-60

Parcel Size: 1.71 acres

Lat/Long: 40°54'5.51"N/ 72°36'8.49"W

Elevation: 31' +/- AMSL

A proposal was sent to the owner via certified mail. The owner did not respond with interest in pursuing a lease with Homeland Towers.

**28. 2031 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.000-0001-040.003

Owner: Vincent Burriesci

Zoning District: CR-60

Parcel Size: 2.1 acres

Lat/Long: 40°54'1.81"N/ 72°36'10.21"W

Elevation: 36' +/- AMSL

A proposal was sent to the owner via certified mail. The owner did not respond with interest in pursuing a lease with Homeland Towers.

**29. 2025 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.000-0001-040.004

Owner: Jamie Day

Zoning District: CR-60

Parcel Size: 4.25 acres

Lat/Long: 40°53'58.17"N/ 72°36'9.98"W

Elevation: 66' +/- AMSL

A proposal was sent to the owner via certified mail. The owner did not respond with interest in pursuing a lease with Homeland Towers.

**30. 2043 Flanders Road, Flanders, NY**

Tax Map/Parcel ID: 900-170.000-0001-031.000

Owner: Bohlen Enterprises LLC

Zoning District: CR-60

Parcel Size: .59 acres

Lat/Long: 40°54'3.63"N/ 72°36'7.70"W

Elevation: 31' +/- AMSL

A proposal was sent to the owner via certified mail. The owner did not respond with interest in pursuing a lease with Homeland Towers.

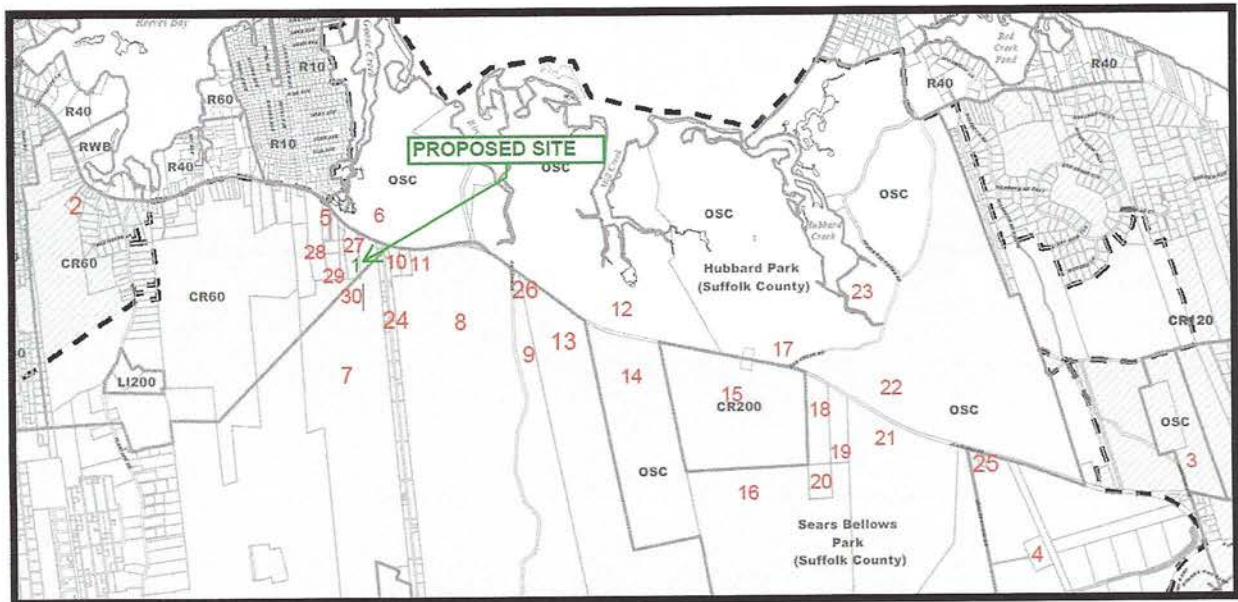




HOMELAND TOWERS

## EXHIBIT 1

### **Town of Southampton Zoning Map with Homeland's search and proposed site**



0 0.5 1 Miles

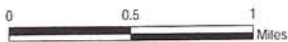
- Subject Parcel: #1
- Existing Structures: #2 through #4
- Town Parcels: #5
- County Parcels: #6 through #23
- Private Parcels: #24 through #30





HOMELAND TOWERS

## Aerial map with Homeland's search and proposed site



- **Subject Parcel: #1**
- **Existing Structures: #2 through #4**
- **Town Parcels: #5**
- **County Parcels: #6 through #23**
- **Private Parcels: #24 through #30**

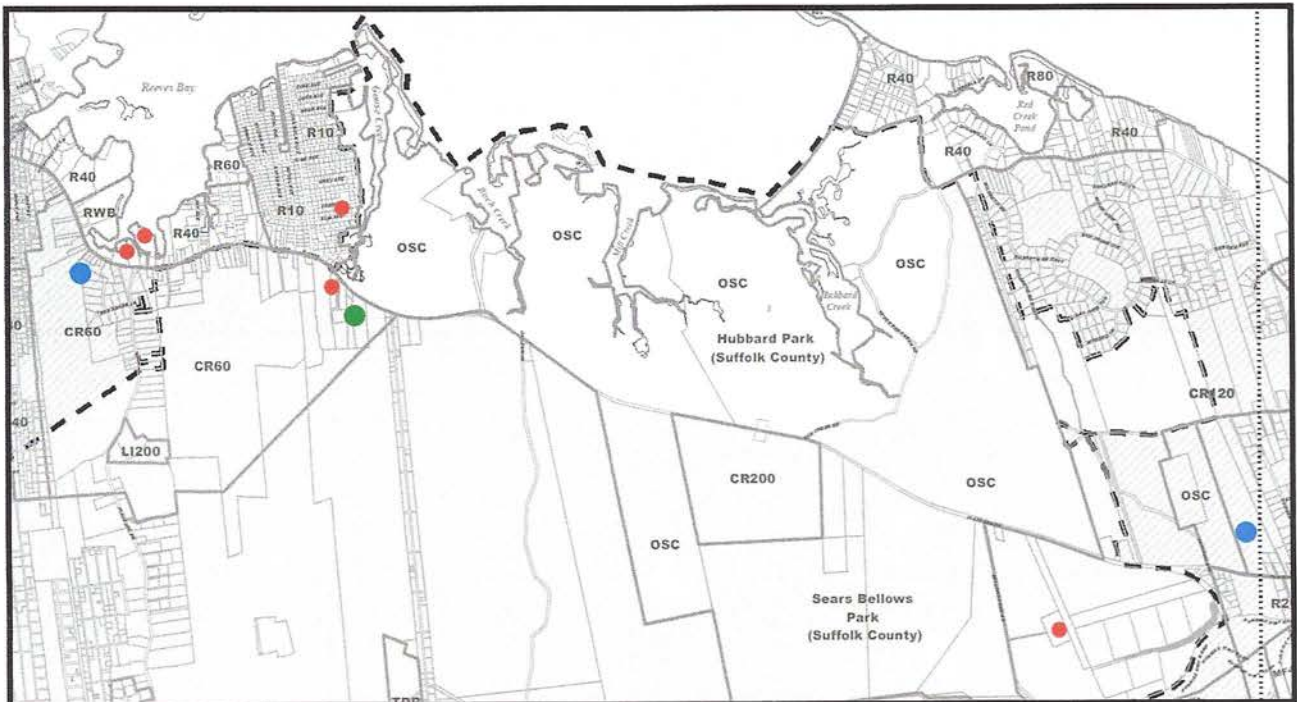




HOMELAND TOWERS

## EXHIBIT 2

### Existing Verizon sites and Town parcels in area



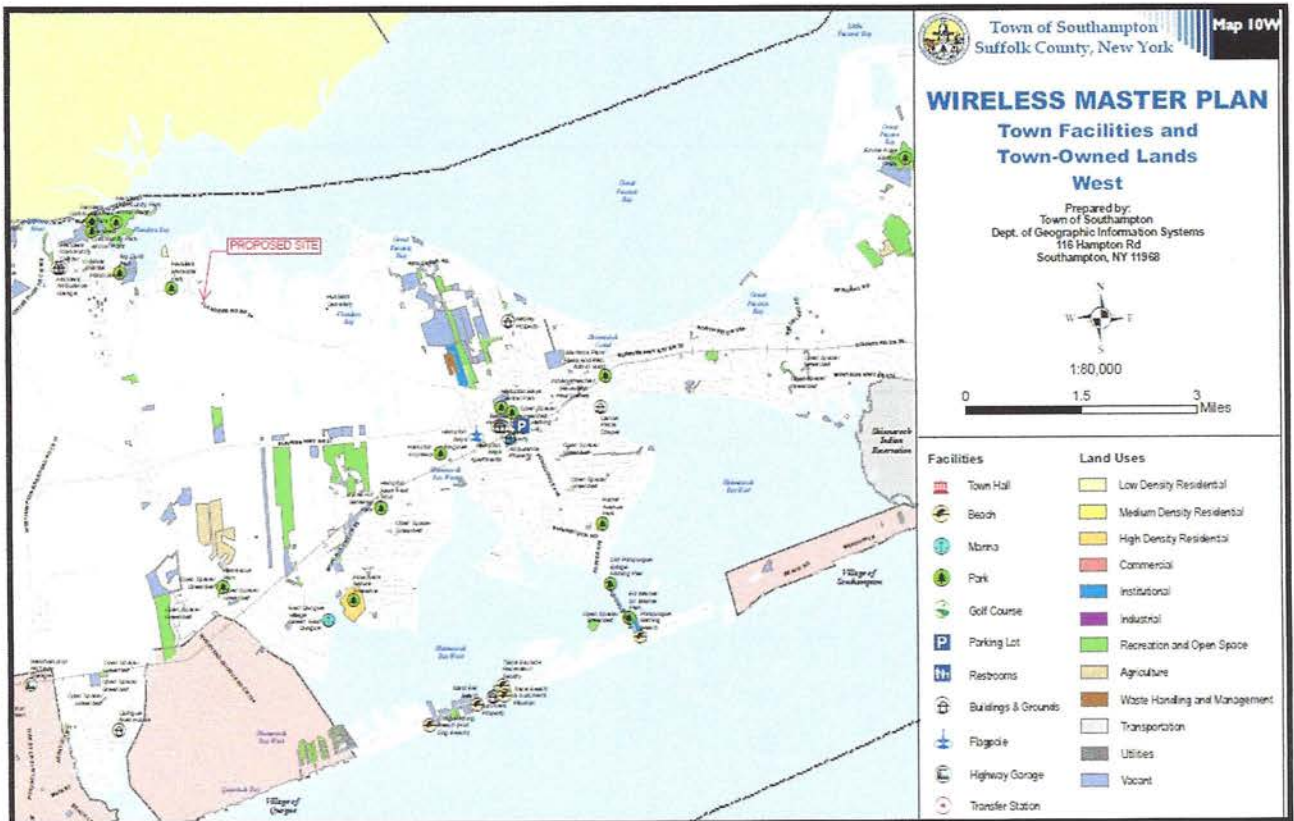
- Proposed Facility
- Existing Verizon sites
- Town of Southamptown parcels





HOMELAND TOWERS

## Town Facilities and Town-Owned Lands



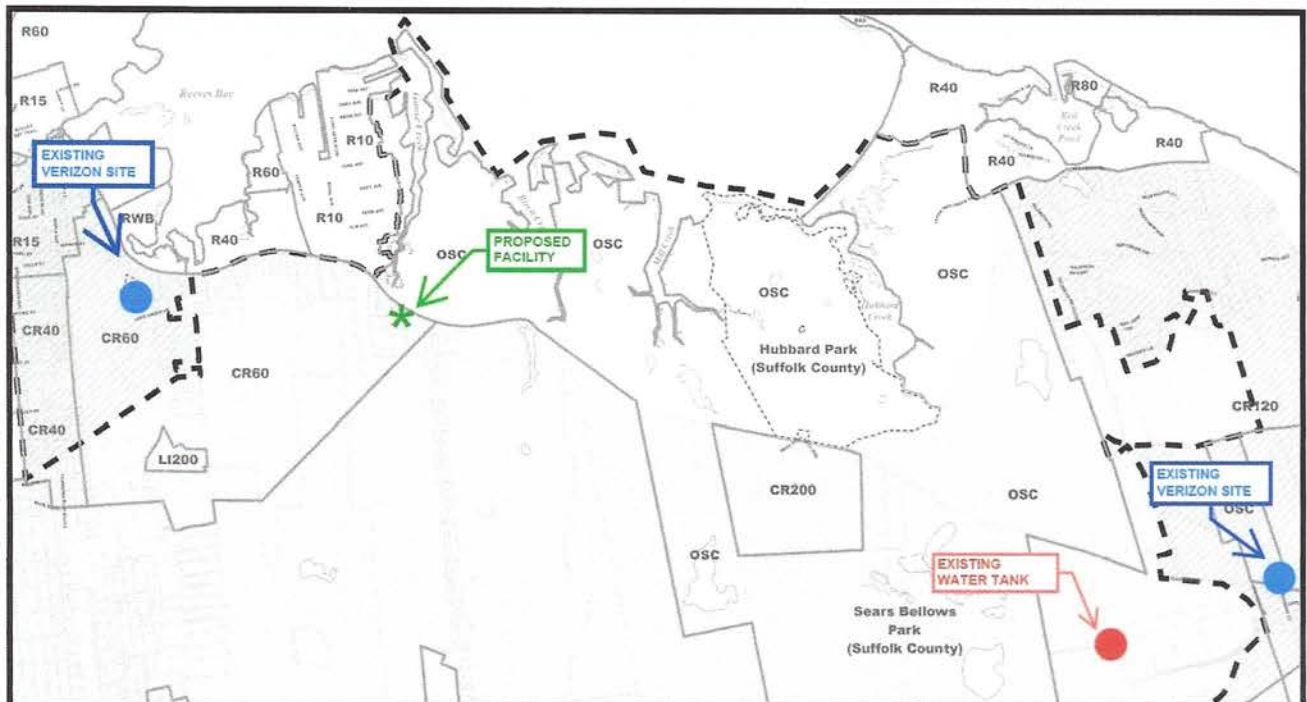




HOMELAND TOWERS

## EXHIBIT 3

### Existing Verizon sites and existing structures in area



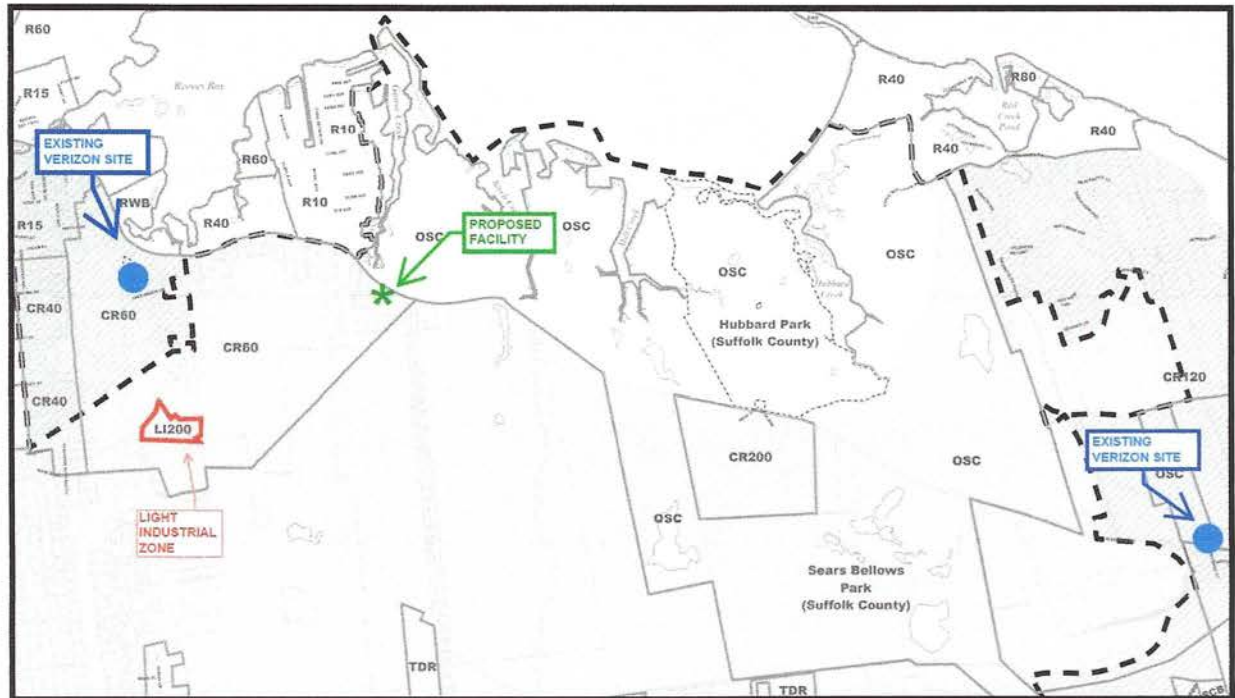




HOMELAND TOWERS

## EXHIBIT 4

### Existing Verizon sites and closest rooftop in industrial zone



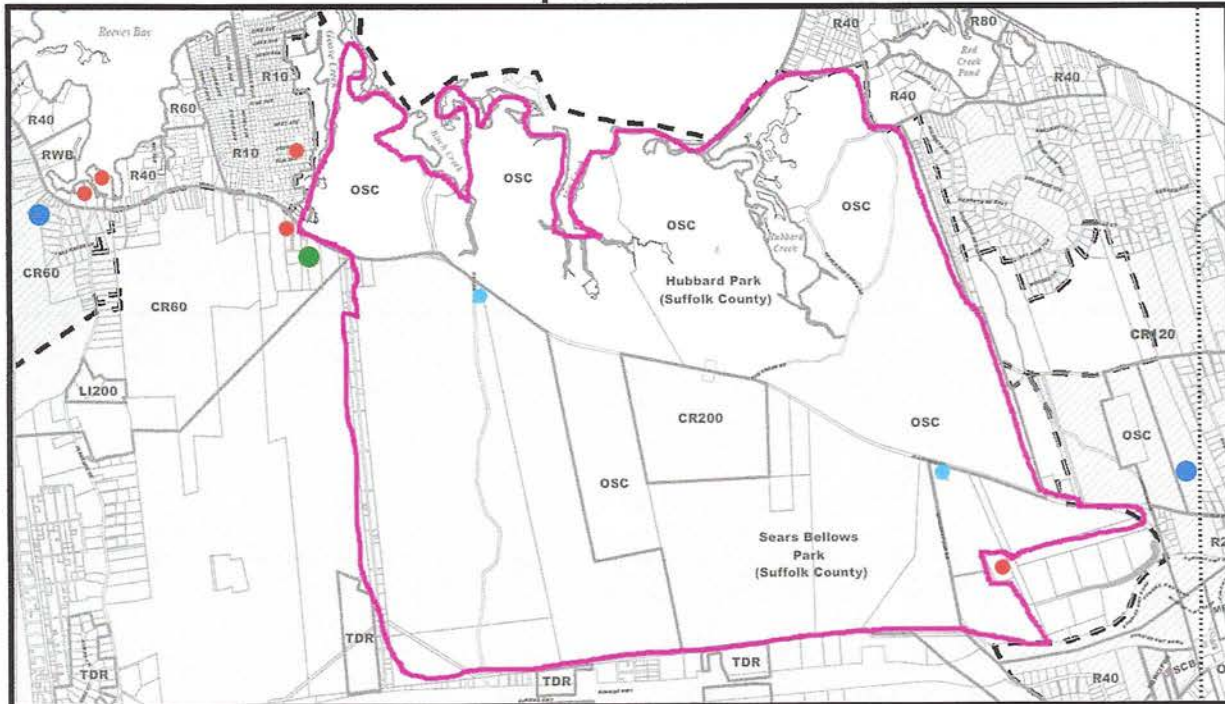




HOMELAND TOWERS

## EXHIBIT 5

### Existing Verizon sites and Suffolk County Parkland/owned parcels



Outline of Suffolk County Parkland/owned parcels

Pine Barrens Core Preservation Area - - - - -

- Proposed Facility
- Existing Verizon sites
- Town of Southampton parcels
- Private parcels





HOMELAND TOWERS

## EXHIBIT 6

### EMAIL from Town of Southampton in regard to leasing to Homeland on Town owned property

RE: Homeland Towers interest in leasing town owned property located at 67 Sebonac Rd for a wireless comm...



ce Scherer <JScherer@southamptontownny.gov>

To Ray Vergati

Cc Jay Schneiderman; Jacqueline O'Neill; James Burke; Town Clerk;

jlafero@southamptontownny.gov; Rebecca Hall; Kara Bak; Glenn Schnabel

😊 Reply Reply All Forward ...

Fri 2/14/2020 2:40 PM

Hello Mr. Vergati,

Through our process we have come to find that the Town is in a binding Master Lease agreement with another tower company and due to this we cannot engage with your firm for leasing/construction on Town property at this time. I apologize for any inconvenience and appreciate your time and patience.

Best regards,

Janice

*Janice Scherer*

Town Planning & Development Administrator

Land Management Division

Town of Southampton

116 Hampton Road

Southampton NY 11968

(631) 702-1801





## HOMELAND TOWERS

### Conclusion:

Based upon my review of the Town code, my personal visits and evaluation of the area and responses from various alternative site property owners, the proposed Facility is the least intrusive means of remedying the significant gap in service in the area. Sears Bellows Park and Hubbard Park parcels comprise a majority of the land in the area and they are not available for lease. Verizon is already installed on the (2) existing communication towers in the area and the Water Tank owned by the Town is too close to the exiting tower at the Police HQ. The proposed site is located on a lot with existing commercial development and set further away from residential homes and is the least intrusive available site to remedy the significant gap in service along Flanders Road and the surrounding area.

Raymond Vergati  
Regional Manager, Homeland Towers, LLC