



Central Pine Barrens Commission Meeting Agenda
Wednesday, November 20, 2024 at 2:00 pm
Southampton Town Hall
116 Hampton Road
Southampton, NY

1. Administrative and Public Comment

- a. Public Comment
- b. Minutes for 10/16/24 review: *approve*
- c. 2025 Draft Commission Meeting Schedule: *approve*
- d. Law Enforcement Council bylaws: *approve*
- e. Invoice payment for Bond Schoeneck & King PLLC: *approve*

2. Planning, Land Use and the Pine Barrens Credit Program

Compatible Growth Area, Core Preservation Area and Critical Resource Area

- a. **Lewis Road Planned Residential Development** Assertion of Jurisdiction Application / East Quogue / development of a seasonal resort community with 130 residences including 12 workforce housing units, an 18 hole golf course, sewage treatment plant and other amenities on a 608 acre project site / proposal to remove Southern Pine Beetle infested trees in 12 acres to minimize potential wildfire risk (*Ms. Hargrave*)

Compatible Growth Area

- b. **Expressway Drive North Solar** / west of Sills Road, Yaphank / 200-662-2-5.16 / construct solar panels on the roofs of three industrial buildings and ground mounted equipment on 71 acres in the Light Industrial zoning district / *draft response (Ms. Murphy)*
- c. **Southampton Town Referral**: Busil Properties 4, LLC / 1368 Speonk Riverhead Road, Speonk / 900-327-1-1.1 / site plan to develop a 5,000 square foot building on 4.88 acres developed with a two-story, 36,459.5 square foot building with a special trade contractor use and parking in the Light Industrial 40 zoning district / *draft response (Ms. Murphy)*

3. Public Comment

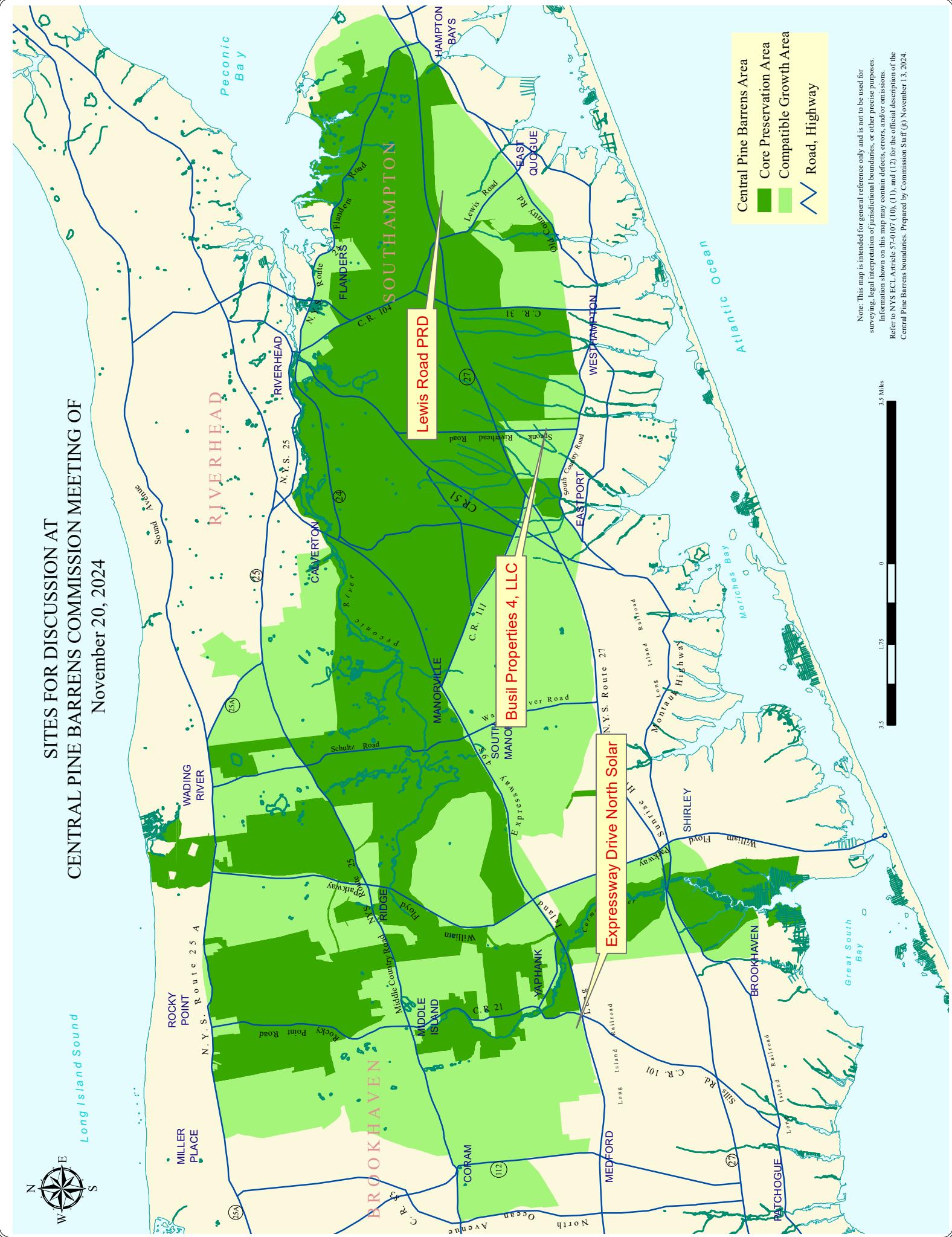
4. Closed Advisory Session (if necessary)

624 Old Riverhead Road
Westhampton Beach, NY
11978

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

Next Commission Meeting, Wednesday, December 18, 2024 at 2:00 pm at Riverhead Town Hall
For meeting information visit <https://pb.state.ny.us/>

SITES FOR DISCUSSION AT
CENTRAL PINE BARRENS COMMISSION MEETING OF
November 20, 2024





Central Pine Barrens Commission Meeting Summary
Wednesday, October 16, 2024 (Draft)
Riverhead Town Hall
4 West 2nd Street
Riverhead, NY 11901

2:00 pm

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

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

The meeting started with the pledge to the flag lead by Mr. Hubbard 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: Mr. Joseph Gazza, Quogue resident discussed what he believes is happening on the property of the sandpit. Mr. Gazza discussed the owners of the sandpit are acting under DEC Consent Order to clean up the sandpit and to fill it in to an elevation ten feet above water table and in accordance with the DEC's order. Mr. Gazza discussed he recognizes that the Environmental Conservation Law 57-107-13 speaks about development which is what the Commission has the authority to regulate and the division under subsection C whereby development excludes environmental restoration activity. Mr. Gazza believes that is what the owners of the sandpit have been using to stop the Commission from not taking any type of action except inspections on the sandpit. He believes the environmental restoration is only for ten feet above ground water and the environmental consulting firm has produced documents that the owners are going to bring in 21.627 feet of recycled material, which is more than what the DEC requires. Mr. Gazza discussed he finally heard back from someone at the DEC said they stated they will wait and see before acting, the DEC is monitoring the incoming soil, and they are scheduled to inspect the site annually.

Mr. Metcalf, Westhampton Beach resident discussed that the owners of the Sandpit were unlawfully utilizing a private road. He discussed that different types of materials are being loaded onto trucks and taken off the property. He believes that the material brought onto the site were tested before coming to the site, so he questions what is being removed from the site suggesting the monitoring process may not be working as designed.

b. Minutes for 9/18/24 review

Summary: The motion was made by Ms. Juengst and seconded by Ms. Moore to adopt the September 20, 2024 meeting minutes. The motion was approved by 4:0 vote.

c. Pine Barrens Nature Center: Request for Proposals results

Summary: Mr. Jakobsen discussed after reviewing five bid responses and receiving the Commission's input for proposals to create a feasibility study for a Pine Barrens Nature Center. Two of the proposals will be presented in closed session.

d. Invoice payment for Bond Schoeneck & King PLLC: approval

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

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2. **Education and Outreach, Science and Stewardship**
 - a. *Education and Outreach Division: update*
Summary: Mr. Motz discussed highlights and updates on the Education and Outreach division's activities and presented a video highlighting the 2024 A Day In The Life Program.
 - b. *New York Wildfire Incident Management Academy: update*
Summary: Ms. Jakobsen discussed the updates on the New York Wildfire Incident and Management Academy's activities.
3. **Planning, Land Use and the Pine Barrens Credit Program**
 - a. *Compliance and Enforcement Division: update*
Summary: Ms. Lawston introduced herself as the new Chief Enforcement Officer and Edwin Ward as a new Enforcement Officer. Mr. Ward discussed highlights and updates on the Compliance and Enforcement division's activities.
 - b. *Credit Program: update*
Summary: Mr. Tverdyj discussed highlights and updates on the Credit Program's activities covered in the previously distributed Credit Program division report.
 - c. *Land Use Division: update*
Summary: Ms. Hargrave discussed highlights and updates on the Plan Use division's activities covered in the previously distributed Land Use division report.

Compatible Growth Area

- d. **Brookhaven Town Referral: Suffolk Muslim Cemetery** / Montauk Highway, Eastport / 200-684-5-3, 200-685-1-1.1, 200-722-1-1 / demolition of existing Spadaro Airport structures and development of a cemetery on 27 acres in the A1 Residence (86%) and J2 Business (14%) zoning districts; 14 acres in the CGA in A1, 13 acres not within the Central Pine Barrens
Summary: Ms. Hargrave discussed that the referral was received from Brookhaven Town. The proposal constitutes development, and the project must conform to the standards for land use. Additional information is needed on the existing conditions in the CGA as it remains unclear if the project conforms with the plan.
- e. **Expressway Drive North** / west of Sills Road, Yaphank / 200-662-2-5.16 / construct solar panels on the roofs of three industrial buildings and ground mounted equipment on 71 acres in the Light Industrial zoning district
Summary: Ms. Murphy discussed the applicant requested an adjournment until the November 20, 2024 Commission Meeting. Mr. Milazzo asked about the project decision deadline date and Ms. Murphy responded that the decision deadline date is between the November and December Commission meetings.
- f. **MTA Long Island Railroad Yaphank Train Station** / south of LIE, north side of LIRR tracks, east end of Natcon/Precision Drive in Brookhaven Industrial Park, Yaphank / 200-554-1-2.1 / development of new Yaphank train station on 5.36 acres in the Light Industrial zoning district
Summary: Ms. Hargrave discussed the Staff prepared a draft resolution that is under consideration. This project proposes a new Yaphank train station. The area is presently wooded and the proposal involves clearing 51 percent on 2.73 acres. The development includes construction of an elevated platform, 50 parking stalls, a bus loop road and there is no restroom facility on site. The applicant submitted a review of conformance with standards outlined in Chapter 5 of the Land Use Plan. The resolution states that the project conforms to the standards of the Plan. Mr. Albano, MTA LIRR discussed the purpose of the project is to keep up with current and future train demands within the area. The other

purpose is to enable better connectivity with Brookhaven National Laboratories the new station will be closer to BNL. The old station will be decommissioned once the new one is operational. The timeline for the new Yaphank train station is to have it completed by this winter. The decision not to put a restroom facility on site is the station is not used a lot due to the location of the other larger stations. Ms. Juengst suggested that the MTA LIRR reconsider adding a restroom to the Yaphank station in the future. Ms. Jakobsen discussed the Commission is reviewing the proposal because it is not subject to local review. It is being reviewed by the Commission for conformity in terms of standard and the Commission finds that it conforms.

The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve the resolution for MTA Long Island Railroad new Yaphank Train Station. The motion was approved by 4:0 vote.

g. **Venezia Square at Wading River** CGA Development of Regional Significance / NYS Route 25A, Wading River / 600-73-1-1.004 and 1.16, 1.17, 1.18 and 1.19 / development of 37,000 square feet of commercial uses on 6.34 acres in the Business CR zoning district / request for six month extension of decision deadline to 4/16/25 (Ms. Hargrave)
Summary: Ms. Hargrave discussed the staff has received a request to move the decision deadline for six-month extension to April 16, 2025. The project is still in the SEQRA process.

The motion was made by Ms. Moore and seconded by Ms. Juengst to approve the request to extend the deadline decision to April 16, 2025 for Venezia Square at Wading River. The motion was approved by 4:0 vote.

4. Public Comment

Summary: No public comments were received

5. Closed Advisory Session

The motion was made by Mr. Hubbard and seconded by Ms. Juengst 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 may return to public session. The motion was approved by a 4:0 vote.

In the closed advisory session, the Commission members and designated representatives heard presentations from Starr Whitehouse Landscape Architects and Planners PLLC and Marvel Architects, Landscape Architects, Urban Designers, PLLC, the two vendors selected to present their feasibility study for the Pine Barrens Nature Center.

The Commission came out of closed session to select a consultant. The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve to hire Marvel to create the feasibility study for the Pine Barrens Nature Center. The motion was approved by 4:0 vote

The meeting was adjourned by Ms. Juengst and seconded by Mr. Hubbard at approximately 5:00 pm.

Attachments (in order of discussion)

1. Draft Commission meeting summary for September 18, 2024
2. Final Commission meeting summary for September 18, 2024
3. Bond, Schoenbeck & King, PLLC Invoice dated October 3, 2024
4. Credit Program update dated October 16, 2024
5. Land Use Division update dated October 18, 2024
6. Draft response regarding Suffolk Muslim Cemetery, Eastport dated October 16, 2024
7. Final response regarding Suffolk Muslim Cemetery, Eastport dated October 16, 2024
8. Draft response regarding Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics dated October 18, 2024
9. Letter from Certilman Balin regarding Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics dated October 15, 2024
10. Letter from MTA Long Island Railroad regarding development of new Yaphank train station dated September 30, 2024; draft resolution regarding the Metropolitan Transportation Authority proposal for a new Long Island Railroad train station in Yaphank dated October 16, 2024
13. Final resolution regarding the Metropolitan Transportation Authority proposal for a new Long Island Railroad train station in Yaphank dated October 16, 2024
14. Letter from Nelson Pope Voorhis regarding Venezia Square dated October 3, 2024
15. Draft resolution to hire Marvel Architects, Landscape Architects Urban Designers, PPLC to prepare a feasibility study for a Central Pine Barrens Interpretive Nature Center and Commission Headquarters dated October 16, 2024
16. Final resolution to hire Marvel Architects, Landscape Architects Urban Designers, PPLC to prepare a feasibility study for a Central Pine Barrens Interpretive Nature Center and Commission Headquarters dated October 16, 2024



Central Pine Barrens Commission Draft 2025 Meeting Schedule Locations to be Confirmed

Wednesday, January 15, 2025 at 2:00 pm – **Riverhead**

Wednesday, February 19, 2025 at 2:00 pm – **Brookhaven**

Wednesday, March 19, 2025 at 2:00 pm – **Brookhaven**

Timothy C. Hubbard
Member

Wednesday, April 16, 2025 at 2:00 pm – **Southampton**

Maria Z. Moore
Member

Wednesday, May 21, 2025 at 2:00 pm – **Wertheim**

Daniel J. Panico
Member

Wednesday, June 18, 2025 at 2:00 pm – **Riverhead**

Edward P. Romaine
Member

Wednesday, July 16, 2025 at 2:00 pm – **Riverhead**

Wednesday, August 20, 2025 at 2:00 pm – **Brookhaven**

Wednesday, September 17, 2025 at 2:00 pm – **Wertheim**

Wednesday, October 15, 2025 at 2:00 pm – **Southampton**

Wednesday, November 19, 2025 at 2:00 pm – **Riverhead**

624 Old Riverhead Road
Westhampton Beach, NY
11978

Wednesday, December 17, 2025 at 2:00 pm – **Brookhaven**

Phone (631) 288-1079
www.pb.state.ny.us



MEMORANDUM

To: Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC)

From: Hannah Emouna, Senior Environmental Scientist & Project Manager
Nelson, Pope & Voorhis, LLC (NPV)

Date: November 6, 2024

NPV No: 05105

Re: Request for Authorization to Remove SPB-Damaged Trees and Branches to Reduce Fire Risk at the Lewis Road PRD Site

The Lewis Road Planned Residential Development (Lewis Road PRD) site, located to the east of Lewis Road between the LIRR and NYS Route 27, in the hamlet of East Quogue, Town of Southampton, continues to experience an increase in the number of dead and dying pitch pine throughout the site due to an ongoing infestation of the Southern pine beetle (SPB). Refer to **Figure 1** attached for a map of the SPB impacted areas, which have been classified as “Principal Areas of Concern.” It is noted that these areas are within Conservation Management areas that were established as part of the approved development of the site.

On October 27, 2024, a fire was ignited by an unknown source around Hole #3 of the golf course on the Lewis Road PRD site. Despite the best efforts of the East Quogue Fire Department (EQFD), the fire continued to smolder into the following morning. See **Attachment A** for a summary of the incident prepared by property ownership. Following the fire, the EQFD expressed serious concerns regarding the elevated risk of wildfire ignition at the Lewis Road PRD site (see **Attachment B**). This high-risk state is due to the significant volume of dead and downed vegetation, which is a result of the intense SPB infestations coupled with wind damage and extreme drought conditions throughout Long Island this Fall.

SPB outbreaks have devastated sections of the site’s pitch pine forest, leaving large amounts of dry biomass that act as fuel for potential wildfires. Studies¹ indicate that high-density accumulations of SPB-damaged trees increase fire intensity and the likelihood of crown fires, particularly under dry and windy conditions prevalent in this region.

As noted in **Attachment B**, the Lewis Road PRD site lies within a designated high-risk fire zone, where vegetation density and dead biomass increase the spread rate of surface and crown fires. According to the Fire Danger Rating System, landscapes with downed wood, dry needles, and leaf litter have a rapid spread potential that may overwhelm initial fire response efforts. In response, the EQFD has indicated the necessity of urgent measures to minimize the risks posed to the community and to support the resilience of our native ecosystems.

Nelson, Pope & Voorhis, LLC (NPV) has assessed the SPB infestation and associated safety hazards and has consulted with the property ownership. NPV has also briefed the New York State Department of

Environmental Conservation (NYSDEC) Division of Lands and Forests on the current site/SPB impact conditions, and the proper management methods to minimize risks associated with these conditions. Per his letter dated November 5, 2024, John Wernet, Regional Forester with the NYSDEC, the agency agrees with NPV's proposed approach (outlined below) to reduce biofuel loading on the property.

To mitigate these risks effectively, NPV, on behalf of the Lewis Road PRD ownership, requests CPBJPPC's authorization to conduct carefully targeted removal of dead and downed SPB-damaged trees and branches within the "Principal Areas of Concern" (PAOC) identified in orange in the attached **Figure 1**. This approach will ensure that only high-risk material is removed, while native, live, low-lying vegetation, which is vital for biodiversity and soil stability, remains undisturbed. Maintaining these native plants is key, as they are adapted to the local soil and climate and provide natural fire resistance. Trees targeted for removal will be felled, as necessary, and chipped. Chipped material will be removed from site and disposed of in an approved upland location, although lesser amounts of chipped material may be retained on site to provide coverage for any areas of bare soil.

Following the removal of the high-risk material, we propose to restore any disturbed sections through replanting with native pitch pine (*Pinus rigida*) and appropriate oak species (*Quercus spp.*) as well as lower growing native vegetation. The owner has native ecotype plants, previously collected from the site prior to development, which will be utilized for revegetation to support the "self-heal" of the site. By removing the dead and downed trees, we can help reinforce the area's ecological health while reducing future fire susceptibility and risk to life and property.

Previous consultation with the NYSDEC regarding clearing of the site and potential impacts to the Northern long-eared bat (NLEB) was completed and the agency determined that the removal or trimming of trees during the winter clearing window (December 1 through February 28) was not anticipated to result in the incidental take of NLEB. To ensure the continued alignment of tree removal practices with NYSDEC guidance, NPV has reached out to the NYSDEC to confirm that the clearing of trees impacted by SPB during this time frame will not impact the endangered NLEB.

We respectfully and humbly ask that the CPBJPPC acknowledge the seriousness of this situation, and allow this matter to be incorporated into the November 2024 agenda. We look forward to further discussing the details of the situation and the management approach.

ⁱ Hongtao Xie, Jennifer E. Fawcett, G. Geoff Wang. (2020). Fuel dynamics and its implication to fire behavior in loblolly pine-dominated stands after southern pine beetle outbreak, *Forest Ecology and Management*, Volume 466, 2020, 118130, ISSN 0378-1127, <https://doi.org/10.1016/j.foreco.2020.118130>. (<https://www.sciencedirect.com/science/article/pii/S0378112720305089>)

Fawcett, Jennifer. (2012). Fuel Dynamics in Southern Pine Beetle-Killed Stands and Their Implication to Fire Behavior. 10.13140/RG.2.1.1944.3600.

Delwiche, Jake. (2010). After a Southern Pine Beetle Epidemic. *JFSP Briefs*. 72. <http://digitalcommons.unl.edu/jfspbriefs/72>



ATTACHMENTS



THE HILLS

27OCT24-FIRE EVENT

MEMORANDUM

27OCT24-FIRE EVENT REPORT

Date: 01NOV24

From: Ted Musho- VP Construction

To: Saul Scherl, Scotty Stephens, Ed Divita, Lekesha Perez, Trish Carter, Mike Rock, Lars Fitter, Mikol Maitland, Kyle Collins, Jessica Insalaco, Nick Venturino, Megan Mecca, Buddy Wines, Susan Booth, Michael Keirnan

DESCRIPTION OF EVENT

On Sunday Evening at 7-7:15pm, Ernesto (631-294-8385) the Garda security guard saw smoke and fire and called Nick Terlizzo. Nick Terlizzo directed Garda to call 911. Nick then called Ted Musho and Nick Venturino.

The fire was located east of the Hole 3 Tee Box, approximately 20 yards into the Town of Southampton, Pine Barrens property in a hollow.

East Quogue and Hamton Bays Fire Departments arrived at the scene about 7:15-7:30. The Fire was extinguished at about 7:45-8:00pm and under control. Countless Trucks and firemen arrived, parking along Spinney, along the driving range. Two brush trucks arrived each carrying 1000 gallons and put the fire out. Nick Venturino connected 1" hoses to the irrigation line for the FD to use. Site continued to smolder as the firemen continued to spray the charred ground.

At approximately 8-8:15pm, The Fire Marshall arrived and declared location a crime scene, discovering a camp site, a tarp, chopped and cut pine trees, fresh dirt bike trails, white copy paper used to start the fire and a hatchet. The camp site is adjacent to a dirt bike trial.

Other relevant notes:

- Ted Musho, Nick Venturino, Cameron Rice and Buddy Wines were on site. Ted Musho texted photos and descriptions of the event
- Randy Krackie was on site as a member of East Quogue Fire Department and was instrumental in advising the fire departments on how to access the fire, limiting damage to the course.
- Susan Booth also played a part calling friends and relatives in the departments telling them to take care of the course.
- Nick and Cam provided hoses and access to the irrigation lines to help spray the burnt area.
- Roy "Buddy" Wines was on site in his role as a County Coordinator for the Fire Department.
- The fire danger rating for the Pine Barrens is **"VERY HIGH"**. This is due to the lack of rain over the last month and low humidity.



THE HILLS

27OCT24-FIRE EVENT

- There is a significant amount of fuel on the ground from the pine beetles and leaf litter from deciduous trees.
- We were fortunate that the wind stopped, otherwise the fire would have spread further.

When Ted Musho left the site @ 9:10pm, a white helmeted dirt biker on a white and black dirt bike drove past the site. He followed him to the entrance of East Coast mines and lost him in the woods. He did not have a license plate.

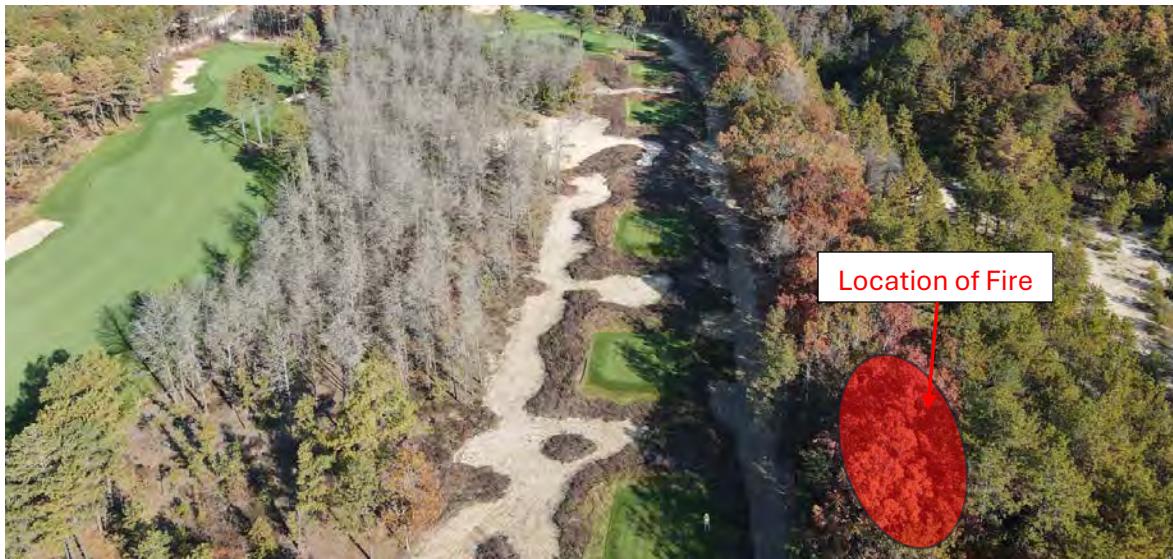
The next morning, Ted Musho, Mikol Maitland, Nick Venturino and Cam Rice returned to the site to find it still smoldering. Nick and cam directed one of their men to continue to water the location.

Mikol Maitland flew his drone and took photos, some attached.

WAY FORWARD

- Team updated the SSSP, revising the communication tree to me more effective.
- Trish Carter Insurance Risk advisor was notified.
- Nick Venturino noted damage was minimal. The Golf Team will repair the course and replace the perimeter orange fence, which seems to deter access onto the site. No costs will be issued to insurance.
- Nick Venturino will install trail cameras in the vicinity of the fire event.
- Golf and Construction will review purchasing additional equipment to protect against fires.
- Team will evaluate additional signage. It is pitch black on the course after sundown.
- Development will be making a request to remove fuel from areas affected by the pine beetle.

PHOTOS



Google Earth Photo, Clubhouse Foundation, bottom left



THE HILLS
27OCT24-FIRE EVENT



Garda photos when fire was discovered



Fire Departments arriving on scene



THE HILLS
27OCT24-FIRE EVENT



Fire Department setting up hoses



Under control, Fire Department Manpower



THE HILLS
27OCT24-FIRE EVENT



Brush Truck, one of two on scene



Fire Event
Discovery - The Hills

The Hills
10/28/2024, 9:43:13 AM EDT

Campfire



THE HILLS
27OCT24-FIRE EVENT



Next Morning, View of Fire Area



Campsite view

END OF MEMORANDUM

ATTACHMENT B

EAST QUOGUE FIRE DEPARTMENT CORRESPONDENCE



East Quogue Fire Department

Chief Paul Sulzinski **1st Asst.** Keith Phillips **2nd Asst.** Glenn Bullock **3rd Asst.** Mark Gregory

November 4, 2024

Judy Jakobsen

Executive Director

Central Pine Barrens Joint Planning and Policy Commission

624 Old Riverhead Road, West Hampton Beach, NY 11978

Office Phone: 631-288-1079

info@pb.state.ny.us

Thank you for giving East Quogue Fire Department the opportunity to comment on The Lewis Road PRD's request to cut and remove and perform preventative thinning on their property, which remains part of the Pine Barrens. As we are a fire department concerned about the fire and life safety of our community, it is our position The Lewis Road PRD should be allowed to clear dead wood from their property.

Many of our chiefs and captains were present during the fire of Sunrise Fire of 1995, which burned 3200 acres. From our present experience, with 3 recent calls to Manorville on November 2, to the Pine Barrens property east of The Lewis Road PRD on Sunday October 27, and a brush fire along Sunrise Highway on October 14 we are reminded that the pine barrens forest is at risk. Given the present low humidity, lack of rain and significant fuel from dead trees on the forest floor and knowing the fire danger rating is high in the forest, we are in support of any action that reduces fuel and improves our access.

In researching a strategy that could mutually benefit The Pine Barrens goals of improving the health of the forest and East Quogue Fire Departments responsibilities for life safety, I refer to the "New York State Southern Pine Beetle Management Plan".

Link provided: https://extapps.dec.ny.gov/docs/lands_forests_pdf/spb18mgtplan.pdf

Spot Suppression, Page 7 reviews two approaches to creating buffers and Cut and Remove and preventative thinning are both mitigating measures I think we can agree on, both of which are consistent with The Lewis Road PRD request. There are also wildfire management programs listed at your website which would also support these efforts. Finally, we see that you recently approved similar activity at the Meadows property in June of this year.

Sincerely,

Paul Sulzinski Jr.

Paul Sulzinski Jr.

ATTACHMENT C NYSDEC CORRESPONDENCE

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Lands and Forests, Bureau of Forestry, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0285 | F: (631) 444-0272
www.dec.ny.gov

11/05/2024

Dear Central Pine Barrens Joint Planning and Policy Commission,

Please accept this letter in support of the actions recommended by Nelson Pope and Voorhis (NPV). Due to the unprecedented damage caused by Southern Pine Beetle throughout the Pine Barrens, these actions are necessary to protect and enhance the globally rare ecosystem that is the Central Pine Barrens. Because of the devastation and mortality occurred, the Department recommends the revegetation with local native plants and ecotypes.

Sincerely,



John Wernet
Regional Forester



MARIA Z. MOORE
Supervisor

**TOWN OF
SOUTHAMPTON**
116 Hampton Road, Southampton, NY 11968

Telephone: (631) 283-6055
Fax: (631) 287-5708
mmoore@southamptontownny.gov

EMERGENCY ORDER # 3 OF 2024

The undersigned, as Supervisor of the Town of Southampton, pursuant to the authority by Article 2-B, Section 24 of the Executive Law of the State of New York, has the authority to declare a state of emergency in the event of imminent danger to residents of the Town; and

WHEREAS, the National Weather Service issued a Red Flag Warning for areas Long Island, including the Town of Southampton due to extremely dry conditions and elevated winds and wind gusts; and

WHEREAS, in particular, said conditions are expected to favor the potential for rapid wildfire growth potential and rain is not expected until Sunday evening into Monday; and

WHEREAS, the residents of Town of Southampton are protected by a dedicated and highly skilled volunteer Fire Service and it is the duty and desire of the Town to support them in their fire prevention efforts by taking necessary actions to reduce the risks of fire; and

WHEREAS, in an effort to keep its residents, guests, and visitors safe, the Town of Southampton is taking appropriate actions to minimize the threat to the public's health, safety, and welfare; and

WHEREAS, the Supervisor, in consultation with the Town Code Compliance and Emergency Management Administrator, the Southampton Town Police Chief, and the Town Parks Director, hereby finds that public safety is imperiled and an imminent danger exists; now therefore be it

RESOLVED, that pursuant to the powers vested in me by the Executive Law of the State of New York, I hereby direct the following, effective through **November 10, 2024, at 11:59 p.m.**:

IT IS ORDERED that the following emergency order be hereby adopted and implemented as it relates to all areas within the Town, or any portion(s) thereof:

1. The Southampton Town Supervisor, in consultation with the Town Code Compliance and Emergency Management Administrator, the Southampton Town Police Chief, and the Town Parks Director, is authorized to take whatever actions are necessary to protect life and property, and public infrastructure, and to perform other such emergency assistance as deemed necessary.
2. Because these conditions imperil the safety of the citizens of the Town of Southampton, it is imperative that all recreational outdoor fire and burning activities are prohibited; and

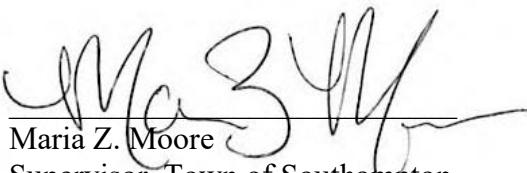
3. Town personnel shall coordinate and utilize other municipal agencies and subdivisions as necessary, including volunteer fire departments and ambulance services, to protect the health, safety and welfare of the public.

This Emergency Order shall continue in full force and effect through **November 10, 2024**, at **11:59 p.m.**, unless otherwise amended, modified, or rescinded, or upon the declaration of the Supervisor that the emergency no longer exists, whichever occurs sooner.

This Order shall be issued in quadruplicate and shall be filed within 72 hours, or as soon thereafter as practical, in the Office of the Suffolk County Clerk, the Southampton Town Clerk, the Office of the Secretary of State, and the Office of Homeland Security and Emergency Management; in addition, a copy of this Order shall be published in the Southampton Press.

Dated: November 8, 2024

Time: 1:00 p.m.



Maria Z. Moore
Supervisor, Town of Southampton



November 20, 2024

Yuliya Viola, Esq.
 Certilman Balin Adler & Hyman, LLP
 100 Motor Parkway, Suite 560
 Hauppauge, NY 11788

**RE: Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics,
 1001 Expressway Drive North, Yaphank, Brookhaven Town
 SCTM Number 200-662-2-5.16, Log # 21SP0055
 Central Pine Barrens Compatible Growth Area**

Dear Ms. Viola:

On August 5, 2024, the Central Pine Barrens Commission office received the proposed project materials from the office of Certilman Balin Adler & Hyman, LLP that included land use application, site plan and renderings submitted to the Town of Brookhaven.

On September 12, 2024, a site visit was held with request for additional details and an updated site plan demonstrating a shift in proposed area of development to avoid the removal of a locust tree. On October 2, 2024, the Central Pine Barrens Commission office received a cover letter with electrical plans and updated site plans for review. On October 4, 2024, the office was notified of an additional revised site plan with minor edits to be submitted for review and comment. On October 15, 2024, the office received a letter requesting adjournment of this item until the November 20, 2024, Commission meeting. The office received a cover letter and final site plan revisions on November 7 and 8, 2024.

This project site was previously reviewed by the Commission and approved for a Compatible Growth Area Development of Regional Significance Hardship Waiver on November 16, 2022.

Existing Conditions and Project Description

The project site is located at 1001 Expressway Drive North, west of Sills Road (CR-101) in hamlet of Yaphank, in the Central Pine Barrens Compatible Growth Area (CGA).

The site is 71.45 acres in the L Industrial 1 District that was previously reviewed and approved for the development of 550,000 square feet in three buildings for industrial use. The approved development resulted in 29.83 acres of open space protected in conservation easements, totaling 42% of the site.

The applicant proposes to construct a new solar energy collection system and community distribution generation project at the subject property. The site plan package was prepared by Avoca Engineering & Architecture and last dated November 6, 2024. The solar energy collection system will be installed on the roofs of the three buildings and will not be visible from the street. The roof top proposal consists of 3,780 PV modules on Building A, 3,402 PV modules on Building B, and 3,150 PV modules on Building C totaling 10,332 modules covering 287,332.92 square feet. The project is estimated to generate about 5,683 kWdc for consumption and distribution.

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

The community distribution generation project consists of one ground equipment enclosure per building to be installed in the revegetated grass area on the south side of the buildings for the purpose of connecting to the PSEG-LI utility grid. Enclosure material is of masonry to match existing ground enclosures on site with a height of 8'. Each equipment enclosure will include a PSEG-LI transformer, switchgear and conduit cabinet that will sit on three separate newly installed concrete pads. The dimensions of the equipment enclosures range from approximately 15' x 45' to 19' x 43'. The dimensions of the three concrete pads within enclosures vary from approximately 6' x 6' to 12' x 5'. Trenching for the installation of underground electric conduits and feeders from PSEG-LI to the switchgear to each of the buildings is also included in the proposed development. The area of disturbance includes approximately 760 square feet at Building A, 719 square feet at Building B, and 870 square feet at Building C, totaling 2,349 square feet.

The project does not propose clearing of native vegetation or generation of additional sanitary flow on the site. Natural vegetation is to be planted around the three ground enclosures and includes a total of 38 inkberry plants. The equipment enclosure location at Building A was revised to shift westward to avoid interference with the land banked area. The location at Building B was also revised to shift eastward to avoid removal of an existing locust tree. To confirm, the three equipment enclosures will not be located in the areas protected by the Conservation Easement recorded on December 8, 2022 in Liber D00013181 and Page 197 and Amendment of the Conservation Easement recorded on May 4, 2023 in Liber D00013200 and Page 227.

Central Pine Barrens Status

The proposal constitutes development activity pursuant to New York State Environmental Conservation Law (ECL) Article § 57-0107(13), which states that development includes:

13. "Development" shall mean the performance of any building activity or mining operation, the making of any material change in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights. Without limitation, the following activities or uses shall be taken for the purposes of this article to involve development as defined in this subdivision:

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

The project must conform to the provisions of the Town Zoning Code implementing the Central Pine Barrens Comprehensive Land Use Plan (the Plan). If the project does not conform to one or more standards, the application may be revised to conform or the applicant must apply for a CGA Hardship Waiver from the Commission, subject to review and action.

Comments

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 to standards prior to development on the project site.

Standard 5.3.3.6.1 Vegetation Clearance Limits

- The clearing limit standard must be applied to the whole parcel. The project site is subject to a maximum clearing limit of 60% and 40% natural area. The area of the site that is presently cleared for prior use must be factored into the clearing limit.

- The project will not clear natural vegetation and therefore conforms with the standard. The area of disturbance in the revegetated lawn area and roadway includes 760 square feet at Building A, 719 square feet at Building B, and 870 square feet at Building C, totaling 2,349 square feet. Protected areas are not included in the area of disturbance.

Standard 5.3.3.6.3 Fertilizer-Dependent Vegetation Limit

- The project must demonstrate conformance with this standard. 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 submitted materials conform with this standard, as native plantings that are not fertilizer-dependent will be utilized as landscaping.

Standard 5.3.3.6.4 Native Plantings

- The project must demonstrate conformance with this standard. Native species are adapted to local environmental conditions, require less maintenance, irrigation, pesticides and fertilizer while supporting ecological communities indigenous to the region. The project site contains some disturbance on the revegetated lawn areas with proposed planting of 38 inkberry shrubs around three equipment enclosures. The proposed landscaping is of native plantings and demonstrates conformance with this standard. The use of pesticides should be avoided whenever possible.

The proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the project site.

Sincerely,

Tara Murphy
Environmental Planner

cc: Judy Jakobsen, Executive Director
Julie Hargrave, Policy and Planning Manager
John C. Milazzo, Counsel
Office of the Brookhaven Town Clerk

1001 Expressway Drive North (SCTM #: 200-662-2-5.16)



10/3/2024, 12:21:19 PM

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0 112.5 225 450 m

RECEIVED

CERTILMANBALIN
ATTORNEYS

OCT 15 2024

100 MOTOR PARKWAY, SUITE 560
HAUPPAUGE, NY 11788
PHONE: 631.979.3000 FAX: 631.979.7070
www.certilmanbalin.com

YULIYA VIOLA
Partner
yviola@certilmanbalin.com

*Central Pine Barrens
Joint Planning & Policy Commission*

October 15, 2024

Via Email: judy.jakobsen@scwa.com

Central Pine Barrens Joint Planning and Policy Commission
Attn: Ms. Judith Jakobsen, Executive Director
624 Old Riverhead Road
Westhampton Beach, NY 11978

Re: Request to Adjourn the Review of the Proposed Construction of Solar Panels on the Roofs of Three Industrial Buildings (No. 3(e) on the October 16, 2024 Central Pine Barrens Commission Meeting Agenda); Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics; 1001 Expressway Drive North, Yaphank, Town of Brookhaven Subject property: SCTM No.: 0200-662-2-5.16 Log No.: 21SP0055 Our File: 56219.0001

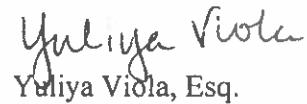
Dear Ms. Jakobsen:

As you know, our firm represents G&S Long Island Solar LLC, the applicant, with respect to the above-referenced matter. Due to a scheduling conflict, we respectfully request to adjourn the review of the proposed construction of solar panels on the roofs of the three (3) industrial building at the above-referenced property to the November meeting.

Please note that the applicant has further revised the site plan and will be submitting the revised site plan shortly.

Thank you for your professional courtesies.

Very truly yours,


Yuliya Viola
Yuliya Viola, Esq.

cc: John Milazzo (via email: john.milazzo@scwa.com)
Tara Murphy (via email: tara.murphy@SCWA.com)
Julie Hargrave (via email: Julie.hargrave@scwa.com)

YULIYA VIOLA
PARTNER
viola@certilmanbalin.com

November 6, 2024

Via email: Judy.Jakobsen@SCWA.com

Central Pine Barrens Joint Planning and Policy Commission
Attn: Ms. Judith Jakobsen, Executive Director
624 Old Riverhead Road
Westhampton Beach, NY 11978

Re: Proposed Yaphank Solar Energy Production Facility
Address: 1001 Expressway Drive North, Yaphank
SCTM No.: 0200-662-2-005.016
Our File: 56219.0001

Dear Ms. Jakobsen:

This office represents G&S Long Island Solar LLC, the applicant, with respect to the above-referenced matter. We are writing to supplement our submission made to the Central Pine Barrens Joint Planning and Policy Commission (the “CPJPPC”) on October 1, 2024 (the “October 1, 2024 submission”) requesting a permission to construct solar arrays on the roof top of the three (3) existing buildings located at 1001 Expressway Drive North in Yaphank, in the Compatible Growth Area of the Central Pine Barrens.

We have revised the previously provided site plan by slightly shifting the equipment area for Building A to the west to avoid interference with the land banked area. Attached please find a copy of the revised site plan. This has also decreased the area of ground disturbance for Building A by about 130 sf. As a result, the total area of disturbance for equipment for Buildings A, B, and C is 2,349 sf instead of 2,479 sf. Please note that the height of the masonry enclosure for the equipment area is 8 feet.

Additionally, we had an opportunity to review the draft staff report, dated October 16, 2024, and disagree that the proposed project achieves a threshold definition of a DRS. Pursuant to Chapter 4 of the Long Island Pine Barrens Protection Act (the “Act”) section 4.5.5.1.1, DRS is defined as “*A non-residential project that proposes development which exceeds 300,000 square foot of gross floor area, or an addition to an existing commercial, industrial, office, educational institution or health care facility development where the addition is 100,000 square feet or more and that addition causes the total square footage to exceed 300,000 square feet.*”

In our case, we are proposing to add solar arrays on the roof top of the three (3) existing buildings. The total gross floor area of the three buildings is 549,942 sf, and such development was reviewed and approved by the CPJPPC for a Compatible Growth Area Development of Regional Significance Hardship Waiver on November 16, 2022. The addition of the proposed solar modules does not cause the total square footage to exceed 300,000 square feet of gross floor area because the previously approved gross floor area¹ of the entire development remains the same, which is 549,942 square feet. By adding the proposed solar modules, we are not increasing the total gross floor area of development. Furthermore, the proposed construction of solar modules constitutes “nondevelopment” under the Act section 57-0107(13) (xix) because the proposal does not increase existing square footage by more than 25%. As such, the proposed construction of the roof mounted solar panels does not fall under the definition of DRS, and a DRS application is not required.

Thank you for your consideration.

Your professional courtesies are greatly appreciated.

Very truly yours,

Yuliya Viola

cc: John Milazzo (via email: john.milazzo@scwa.com)
Tara Murphy (via email: tara.murphy@SCWA.com)
Julie Hargrave (via email: Julie.hargrave@scwa.com)

¹ Pursuant to the Town of Brookhaven Code, the gross floor area (commercial) is defined as “[t]he total floor area of a structure as measured from the exterior faces of the walls. GFA shall include accessory buildings/structures, above-grade floors, stairwells at each story, interior balconies, mezzanines, floor space utilized for mechanical equipment with structural headroom of seven feet six inches or more and covered or enclosed porches, patios and decks. GFA shall include the area under a gambrel, gable, hip or similar type roof, where there exists a floor-to-ceiling height of five feet or more, unless access to said area is limited to a scupper or pull-down staircase. All storage space or occupied space shall be included when calculating GFA for nonresidential uses. Open and unroofed decks and patios, awnings, sills, cornices, buttresses and eaves shall not be included in calculating GFA.”

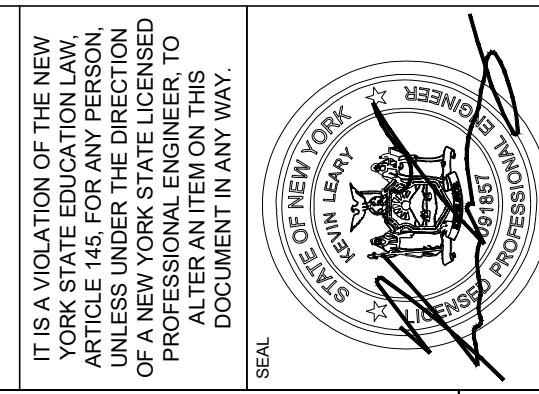
IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145 FOR ANY PERSON UNLESS UNDER THE DIRECTION OF A NEW YORK STATE LICENSED PROFESSIONAL TO ALTER OR TAMPER WITH THIS DOCUMENT IN ANY WAY.

SEAL

PERMIT DRAWING

CONTRACTOR

AVOCA

PERMIT DRAWING
CONSULTANT

AVOCA

EXPRESS DRIVE NORTH SOLAR
BROOKHAVEN, NEW YORK 11980

PROJECT 2026-0001	NO. 027724	DATE 09/06/24	REVISIONS 1	ISSUE FOR PERMIT REVIEW	REVISED AS PER PERMIT REVIEW	ADJUSTED AREA OF DISTRIBUTION	PERMITTING UTILIZING A GROWTH AREA	ADDED FENCE AND ENCLOSURE HEIGHTS

B

C

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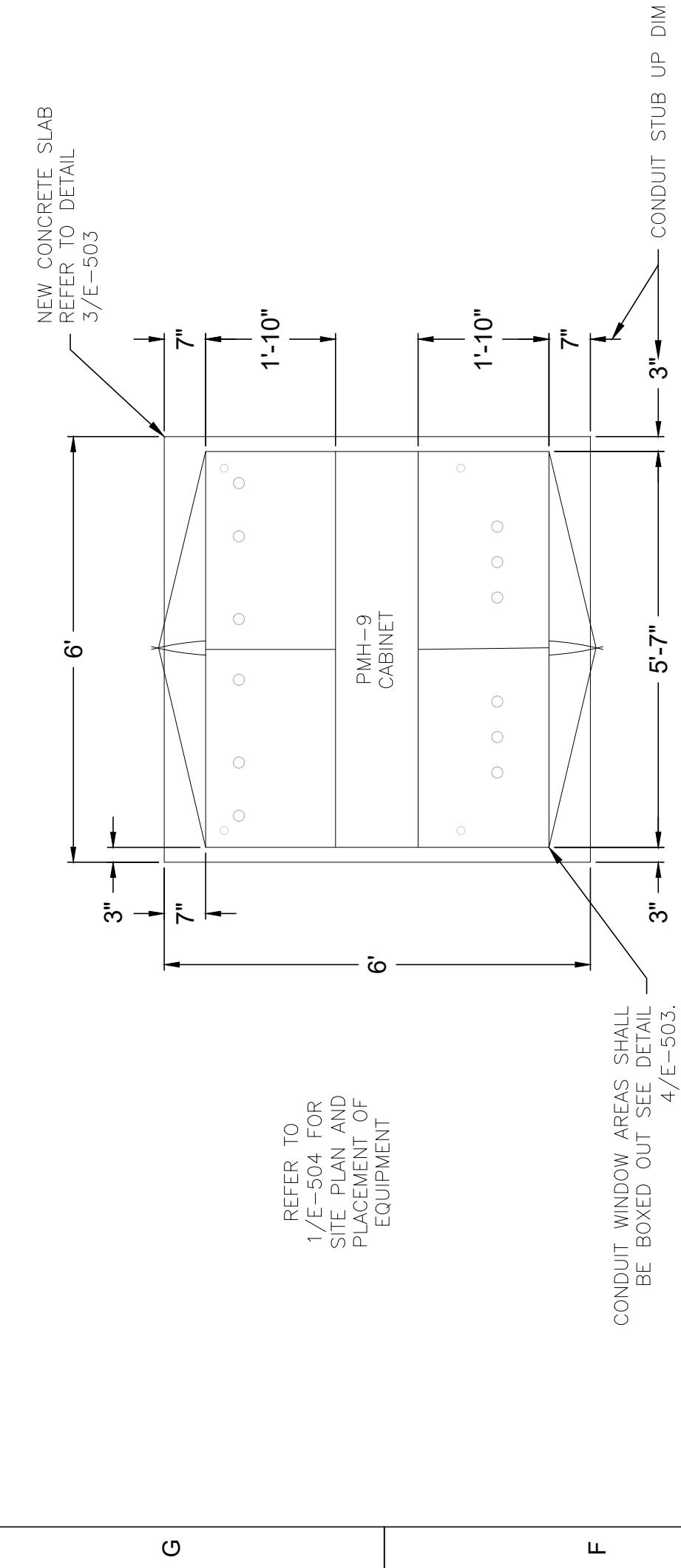
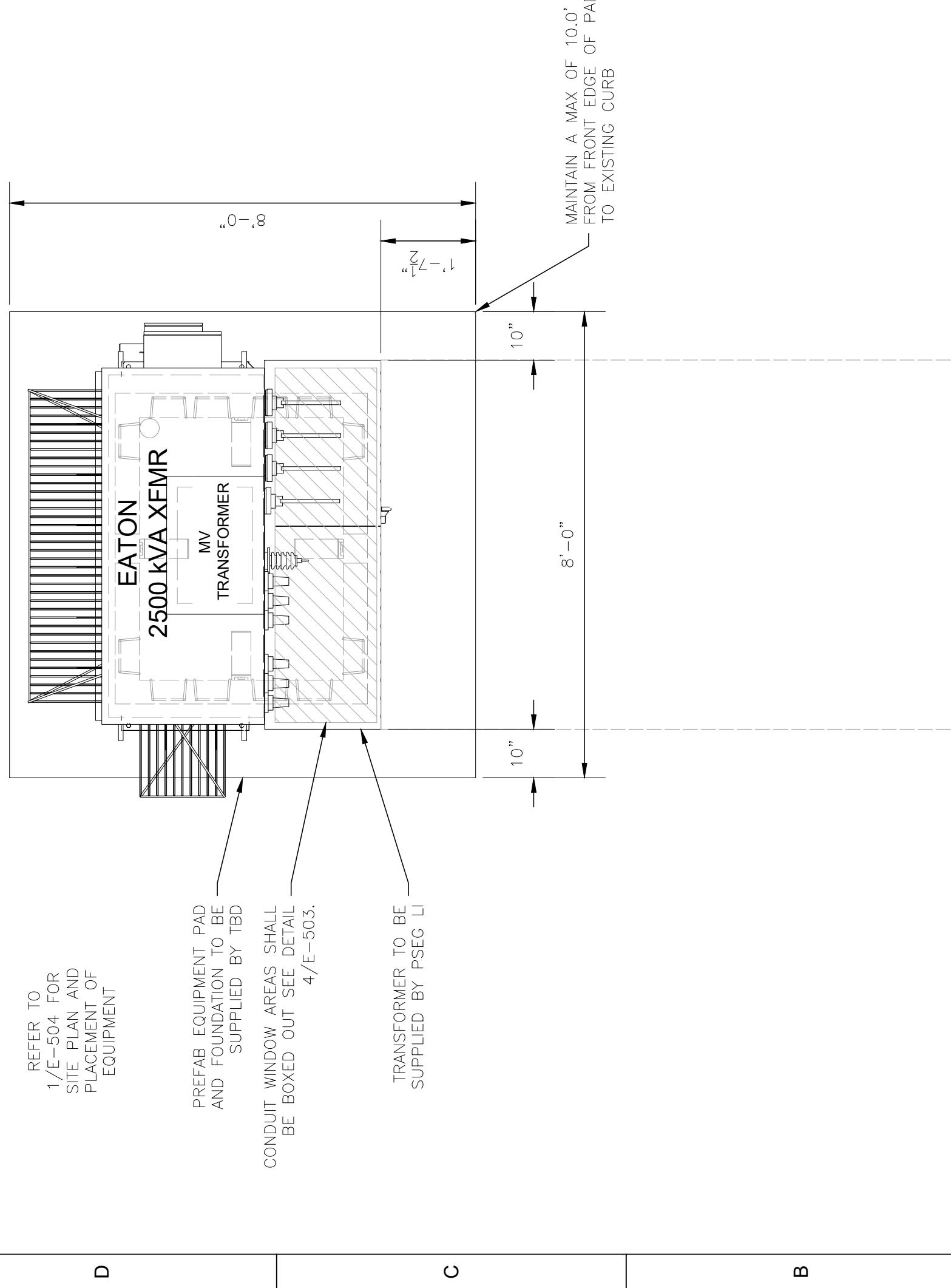
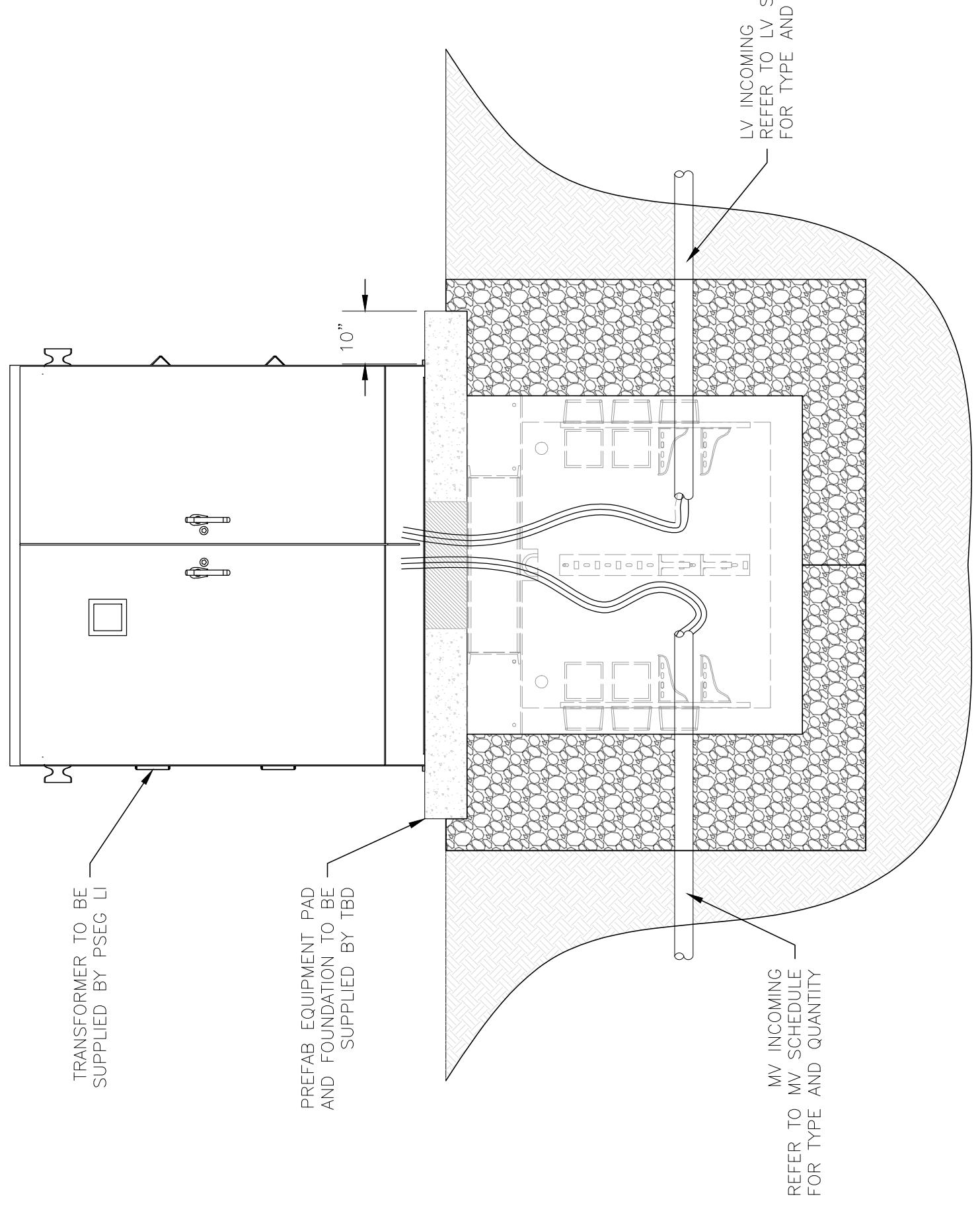
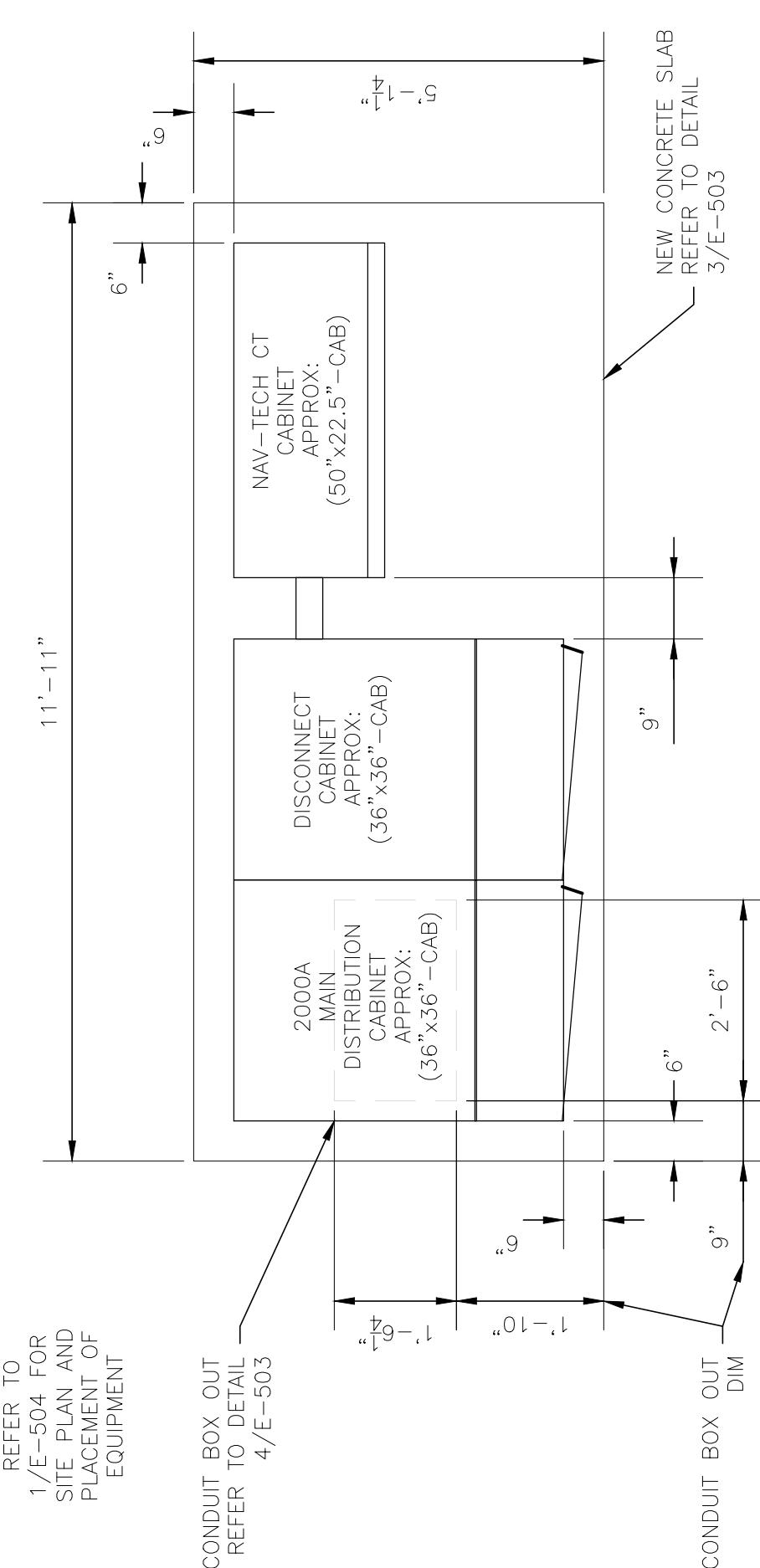
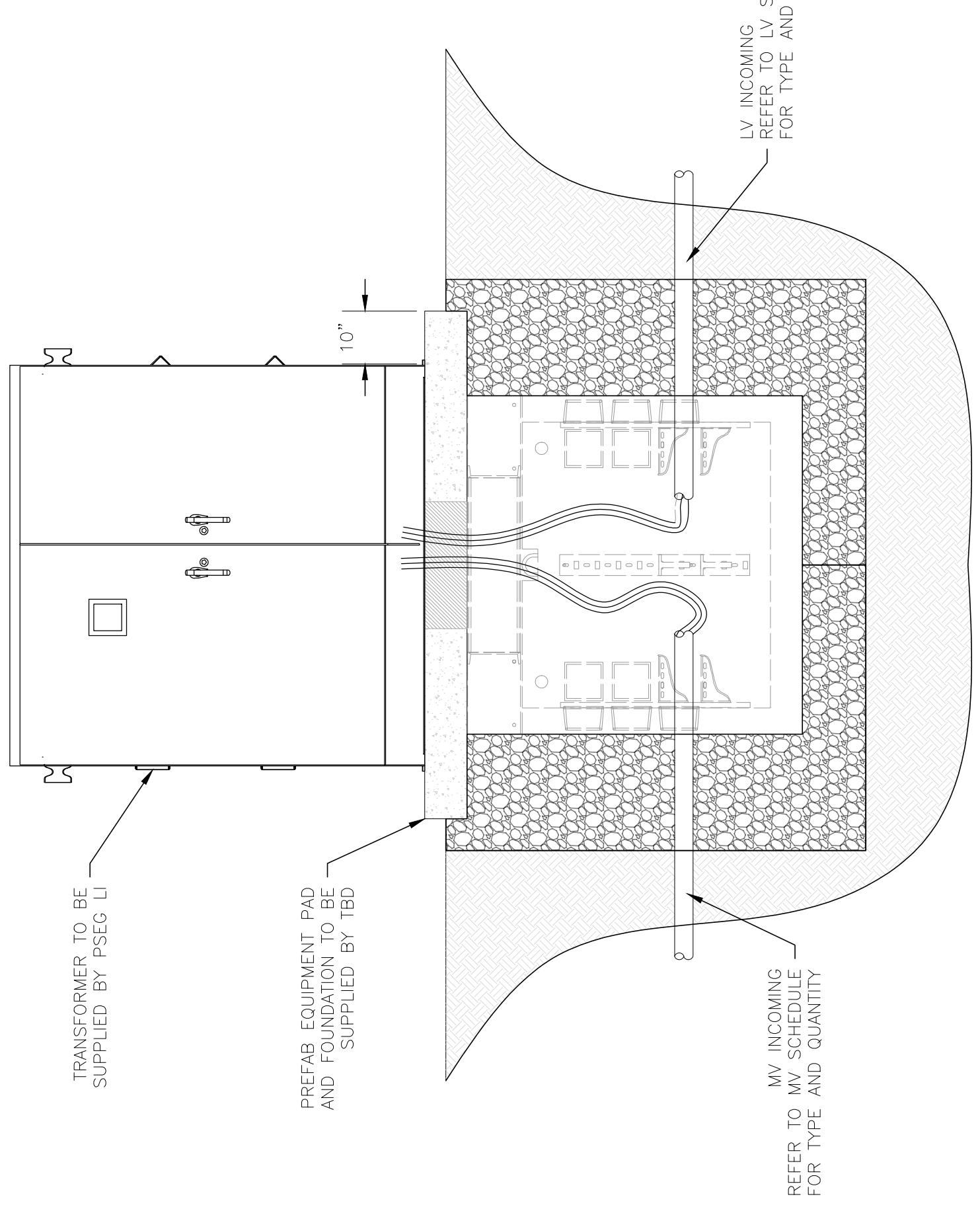
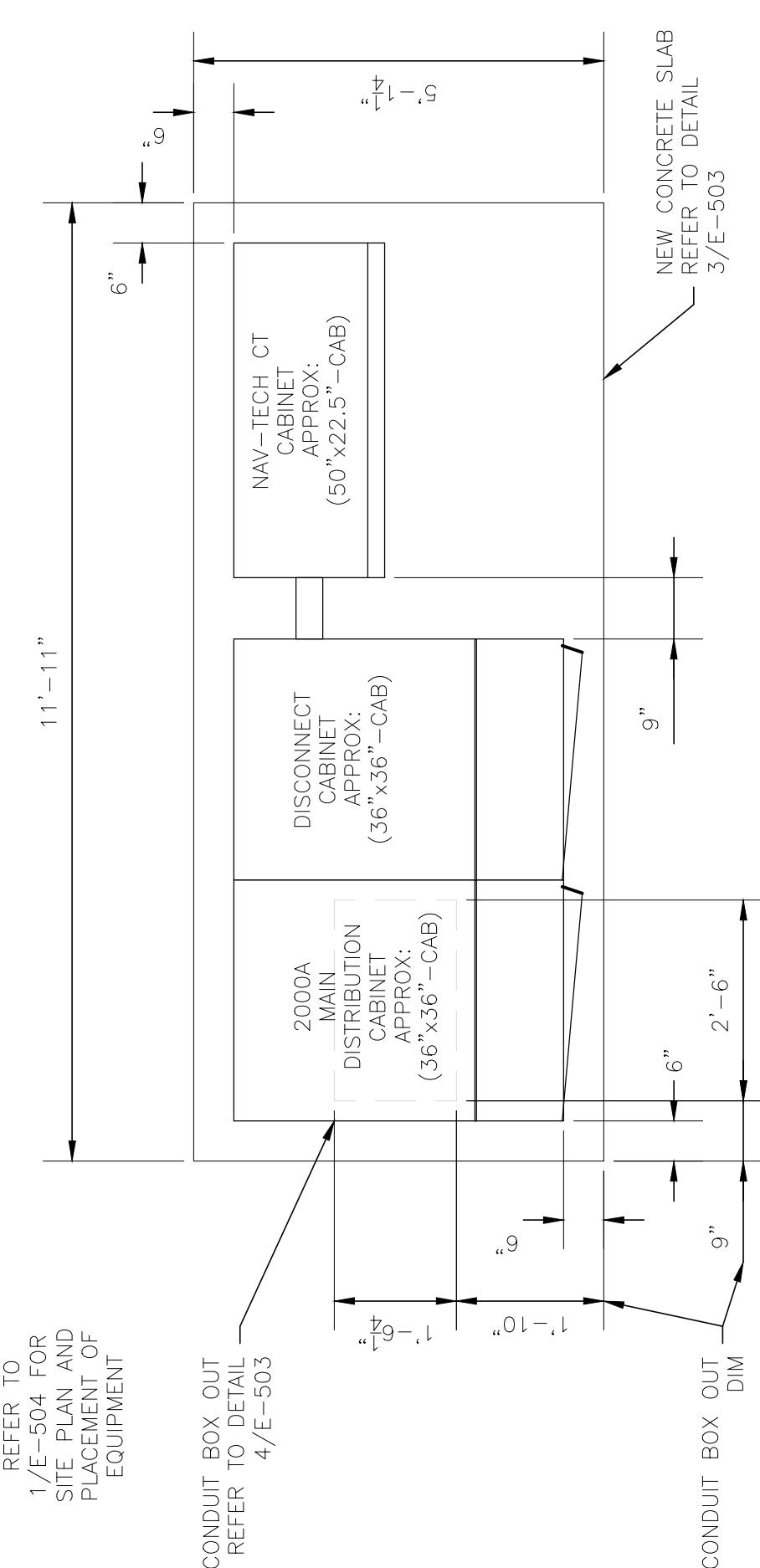
E

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G

H

E-103

A
DATE 09/27/2024
DRAWN BY KM
CHECKED BY KU
EQUIPMENT DETAILS2 TRANSFORMER EQUIPMENT PAD PLAN
E-103
SCALE: 1'=2'2 TRANSFORMER EQUIPMENT PAD PLAN
E-103
SCALE: 1'=2'3 TRANSFORMER EQUIPMENT PAD ELEVATION
E-103
SCALE: 1'=2'4 EQUIPMENT PAD PLAN
E-103
SCALE: 1'=2'3 TRANSFORMER EQUIPMENT PAD ELEVATION
E-103
SCALE: 1'=2'4 EQUIPMENT PAD PLAN
E-103
SCALE: 1'=2'



November 20, 2024

Seth Race, Planner
 Town of Southampton Planning Board
 Southampton Town Hall
 116 Hampton Road
 Southampton, New York 11968

**RE: Referral of the Site Plan for Busil Properties 4 LLC
 1368 Speonk Riverhead Road, Speonk, Southampton Town
 SCTM #: 900-327-1-1.1
 Central Pine Barrens Compatible Growth Area**

Dear Mr. Race:

Timothy C. Hubbard
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

On October 28, 2024, the Central Pine Barrens Joint Planning and Policy Commission office received your referral dated October 23, 2024 for the above-referenced project. The project site is in the Compatible Growth Area (CGA) of the Central Pine Barrens. The Town classified the proposal as an Unlisted Action pursuant to the State Environmental Quality Review Act.

Existing Conditions and the Proposed Project

The 4.8826 acre (212,688 square foot) project site is located at 1368 Speonk Riverhead Road on the east side of Speonk Riverhead Road, in the Town Aquifer Protection Overlay District, in the Light Industrial-40 Zoning District, in the hamlet of Speonk.

The site is listed on the New York State Department of Environmental Conservation (NYSDEC) Environmental Site Remediation Database under the ID numbers 152123 and 152224. Surrounding land uses include industrial and commercially zoned developed and undeveloped properties to the north, west, and south, and residential to the east.

Native vegetation of pitch pine-oak woodland borders the perimeter of the lot with a larger block of woodland on the northern and eastern edges of the site. The Site Plan prepared by The Raynor Group, P.E. & L.S. PLLC last dated August 9, 2024 shows the 4.88 acres (212,686 square foot) project site has an existing 2-story special trade contractor warehouse situated toward the southern end of the site totaling 36,459.5 square feet. The parcel is presently cleared to a limit of 47.2% (100,344 square feet). Associated parking on the east and west sides of the building includes 61 parking stalls, 26 of which are land banked.

The applicant proposes to develop a 5,000 square foot detached pre-engineered metal building with installation of a new I/A on-site wastewater treatment system and addition of 15 land banked parking spaces. The building is a supplemental use to the existing special trade contractor warehouse. The Site Plan illustrates clearing of existing native vegetation towards the northeast corner of the lot for the additional building along with clearing and curb removal to the southwest corner for cross access to the adjacent lot.

624 Old Riverhead Road
 Westhampton Beach, NY
 11978

Phone (631) 288-1079
 Fax (631) 288-1367
www.pb.state.ny.us

The amount of proposed clearing for the project is 7,180 square feet. Per Part 1 of the Full Environmental Assessment Form, the applicant proposes to revegetate 1,600 square feet. The total clearing limit, excluding revegetation is approximately 50.55% (107,524 square).

Central Pine Barrens Status

The project appears to constitute development activity pursuant to New York State Environmental Conservation Law (ECL) Article § 57-0107(13), which states that development includes:

13. "Development" shall mean the performance of any building activity or mining operation, the making of any material change in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights. Without limitation, the following activities or uses shall be taken for the purposes of this article to involve development as defined in this subdivision:

"(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 must conform to the provisions of the Town Zoning Code implementing the Central Pine Barrens Comprehensive Land Use Plan (the Plan). If the project does not conform to one or more standards, the application may be revised to conform or the applicant must apply for a CGA Hardship Waiver from the Commission, subject to review and action.

Comments on the Project

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 to standards prior to development on the project site.

Standard 5.3.3.1.1 Article 6 of the Suffolk County Sanitary Code

- 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.
- The as of right flow for the site is approximately 1,464 gallons per day (GPD) (4.88 acres x 300 GPD). The Site Plan lists the current sanitary waste generated by existing development is 1,430.6 GPD. Additional flow exceeds the as of right density by 165.8 GPD. The applicant proposes to retire 0.55 Pine Barrens Credits for the extra sanitary flow associated with this project.

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 5.3.3.6.1 Vegetation Clearance Limits

- As per Section 5.3.3 of the Plan, "where standards contained in the Plan differ from state, county, local law or regulation, the stricter standard(s) shall apply." Therefore, the Town's more restrictive

clearing standard in the Aquifer Protection Overlay District applies. The project site is subject to a maximum clearing limit of 50% and the applicant must demonstrate conformance to this standard prior to development activity on the project site.

- The clearing limit standard must be applied to the whole parcel. The standard must be met without factoring in new revegetation, which may occur to add to the area to remain natural, but not to compensate for clearing in excess of the standard. The area of the site that is presently cleared for prior use must be factored into the clearing limit, including the land banked parking spaces. Please confirm the clearing calculations demonstrate conformance to include land banked parking and exclude new revegetation.
- The project site is currently 47.2% (100,344 square feet) cleared with an additional 7,180 square feet of natural vegetation towards the northeast corner of the lot and an unknown area to the southwest corner proposed to be cleared for cross access to the adjacent lot. The maximum clearing limit of this site is 50% (106,344 square feet). The project will result in a 50.55% (107,524 square feet) cleared site. At the present time, the project exceeds clearing standards. Please confirm the size of the unknown area to be cleared and that the area was factored into clearing calculations.
- The understory natural vegetation on the western edge of the project site along the road appears to be cleared. Please explain how this clearing is included and how it is being addressed.
- Stake the limits of clearing prior to demolition and construction activity on the project site to avoid encroachment into areas set aside to remain natural.

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

- The maximum amount of fertilizer-dependent vegetation is 15% and where planting is required, only species indigenous to the region should be installed. Retaining existing vegetation on the project site including pitch pine trees, oak trees, and other natural species avoids the importation of non-native species, irrigation, and maintenance requirements.
- Landscape details associated with this project were not submitted for comment, though a Revegetation Plan prepared by The Lauren Group and dated January 28, 2016 was associated with the previous development on the project site. Please confirm no landscaping is associated with this project and provide the as-built Revegetation Plan to confirm the mix of plantings installed and the total area that was previously revegetated.

Standard 5.3.3.6.5 Receiving entity and protection for open space areas

The area to be set aside as natural open space should be protected in a covenant recorded with the Suffolk County Clerk to ensure open space protection.

Standard 5.3.3.7.1 Special species and ecological communities

- The project site is in a designated significant natural community within the vicinity of Federal and State-listed endangered species, Northern Long-eared Bat (NLEB). Please coordinate the application with the NYSDEC to demonstrate conformance with the protection of listed species and their habitats. Clearing in Suffolk County may only occur from December 1 through February 28 of a given year, per NYSDEC guidance (<https://dec.ny.gov/nature/animals-fish-plants/northern-long-eared-bat>).

- Any other regulated plant or wildlife species should be protected as required by Federal, State and local agencies.

Other Comments

- At the present time, the proposed clearing appears to exceed the standard. The applicant may either revise plans to conform or apply for a CGA Hardship Application to permit clearing in excess of the standard.

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
Julie Hargrave, Policy and Planning Manager
John C. Milazzo, Counsel



November 8, 2024

Seth Race, Planner
 Town of Southampton Planning Board
 Southampton Town Hall
 116 Hampton Road
 Southampton, New York 11968

**RE: Comment Period Extension Request for Busil Properties 4 LLC
 1368 Speonk Riverhead Road, Speonk, Southampton Town
 SCTM #: 900-327-1-1.1
 Central Pine Barrens Compatible Growth Area**

Dear Mr. Race:

Timothy C. Hubbard
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

On October 28, 2024, the Commission received your referral dated October 23, 2024 for the above-referenced project. The project is in the Compatible Growth Area (CGA) of the Central Pine Barrens. The Town's comment period ends November 10, 2024. Please note that the comment period commenced after the Commission's last meeting and ends before its next meeting. Thus this project has not been reviewed by the Commission as of this writing.

As you know, any development project that does not conform to one or more land use standards in the Central Pine Barrens Comprehensive Land Use Plan (the Plan) is unable to be approved without review by the Commission. If the project does not conform to one or more standards, the applicant must revise the plan or apply for a CGA Hardship Waiver from the Commission.

The Commission must review the project before it can submit its comments, if any. Given these circumstances, please hold the comment period open until the Commission can review and submit its project. If the Town is unable to extend the Comment period, please note that if the project does not conform to a standard in the Plan, it cannot be approved by the Town without Commission approval.

If you have any questions, please do not hesitate to contact me at (631) 563-0307.

Sincerely,

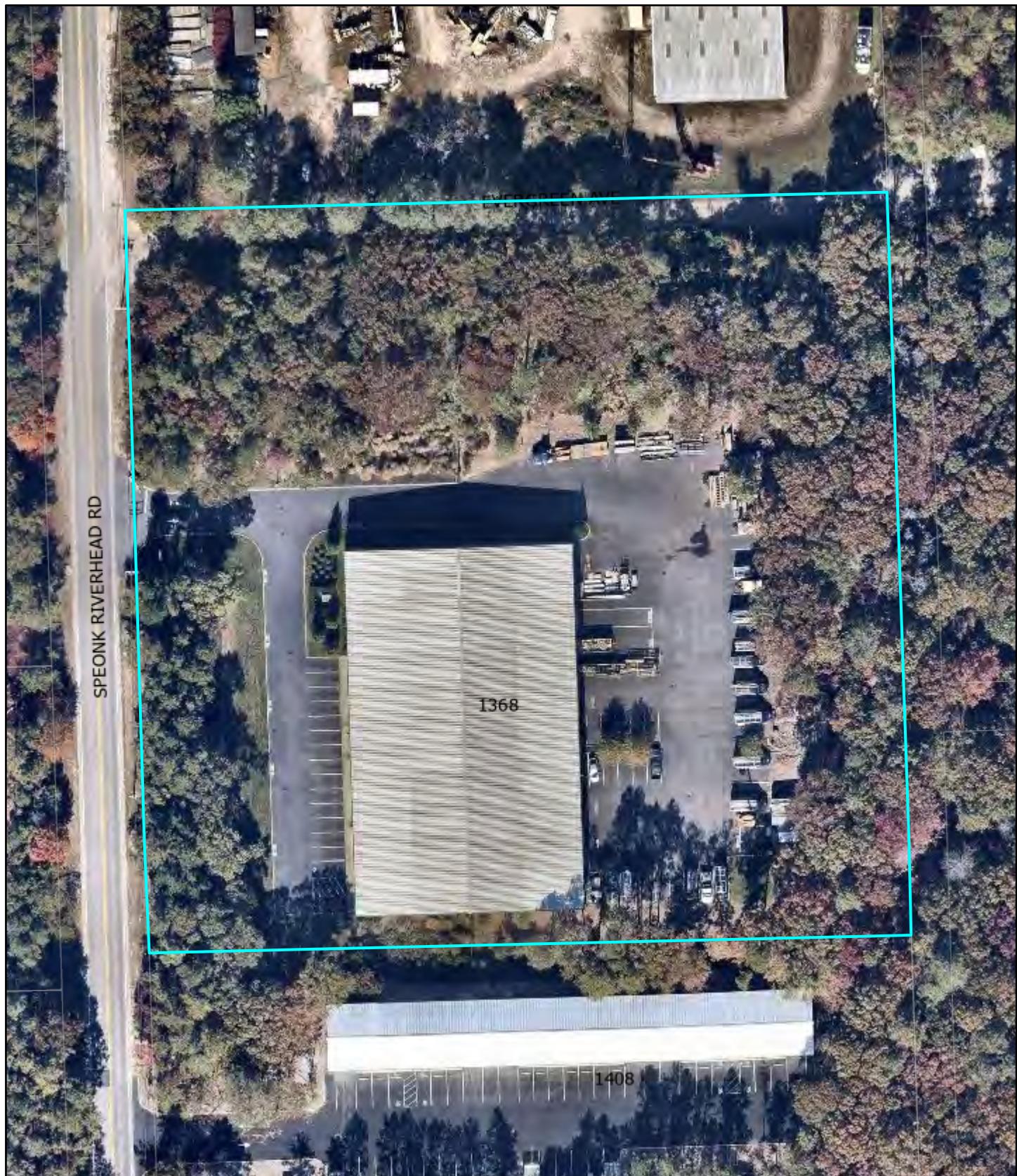
 Tara Murphy
 Environmental Planner

624 Old Riverhead Road
 Westhampton Beach, NY
 11978

Phone (631) 288-1079
 Fax (631) 288-1367
www.pb.state.ny.us

cc: Judy Jakobsen, Executive Director
 Julie Hargrave, Policy and Planning Manager
 John C. Milazzo, Counsel
 Janice Scherer, Town Planning & Development Administrator, Southampton Town
 Designated Representative

Busil Properties 4 LLC (SCTM: 900-327-1-1.1)

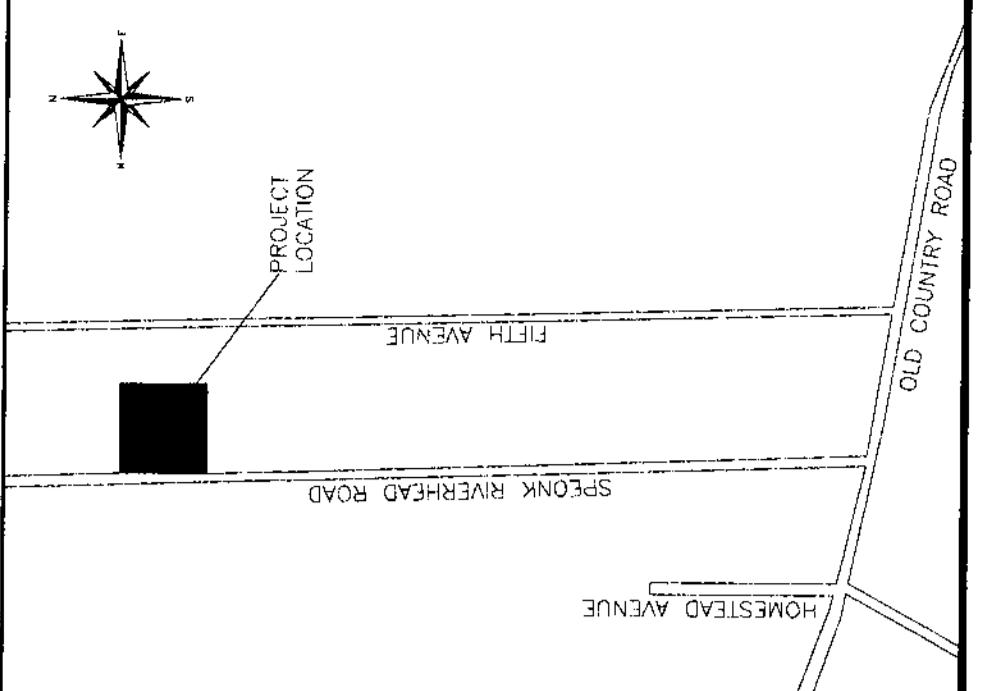


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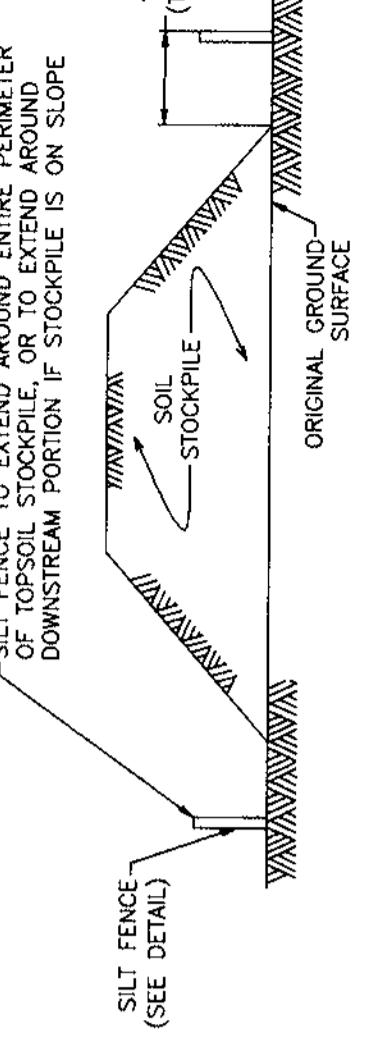
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Copyright nearmap 2015

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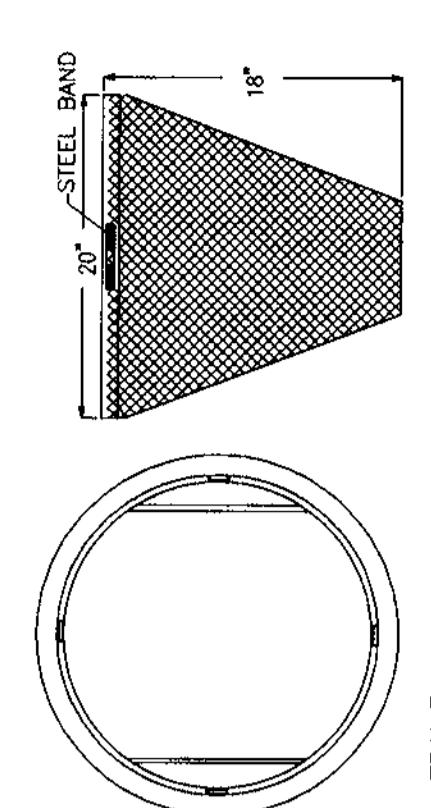
KEY MAP
SCALE: 1" = 1000'



CONSTRUCTION SPECIFICATIONS

1. REINFORCED SILT FENCE (SEE DETAIL) IS TO BE THE SILT FENCE DEAIL (ER-3) FOR MATERIALS AND INSTALLATION. IT SHALL BE MAINTAINED FOR MORE THAN 14 DAYS. IT SHALL BE STABILIZED WITH STRAW BLANKET OR SILT FENCE (SEE DETAIL).
2. IF THE STOCKPILE IS TO REMAIN FOR MORE THAN 14 DAYS, IT SHALL BE STABILIZED WITH STRAW BLANKET OR SILT FENCE (SEE DETAIL).
3. INSPECTION OF SILT FENCES SHALL BE AT LEAST ONCE PER WEEK AND AFTER RAIN EVENTS IN EXCESS OF HALF INCH (1/2") PER DAY OR EQUAL SNOW MELT. REPAIR OR REPLACEMENT OF SILT FENCE SHALL BE MADE, PROMPTLY, AS NEEDED.
4. IF THE SILT FENCE IS TO REMAIN FOR MORE THAN 14 DAYS, IT SHALL BE REMOVED AND PLACED IN A DEDICATED AREA OF THE SITE.
5. THE SILT FENCE IS TO BE REMOVED AND PLACED IN A DEDICATED AREA OF THE SITE. THE SILT FENCE IS TO BE REMOVED AND PLACED IN A DEDICATED AREA OF THE SITE.
6. SILT FENCES SHALL BE MAINTAINED IN PLACE UNTIL TOPSOIL STOCKPILE IS REMOVED.
7. SILT FENCES SHALL BE REMOVED ONLY WHEN DIRECTED BY TOWN ENGINEERING.

TEMPORARY SOIL STOCKPILE DETAIL

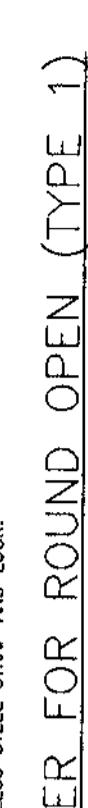


NOT TO SCALE

NOTES:

1. FRAME = TOP PLATE FABRICATED FROM 1/2" X 1/8" ANGLE IRON, FABRICATED FROM 1/2" X 1/8" CHANNEL, PANELS AND SUSPENSION BRACKETS FABRICATED FROM 1/4" X 1/4" T/A STOCK. ALL STEEL FABRICATING TO ASME A36. 1/4" SODIUM POLYACRYLIC ACID REINFORCED FROM 0.7" X 0.7" WITH POLYESTER MESH AS REINFORCED BASE IRON WITH A STAINLESS STEEL STRAP AND LOCK.

2. FRAME SECTION



NOT TO SCALE

NOTES:

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2. FRAME SECTION

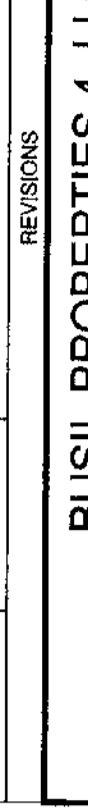


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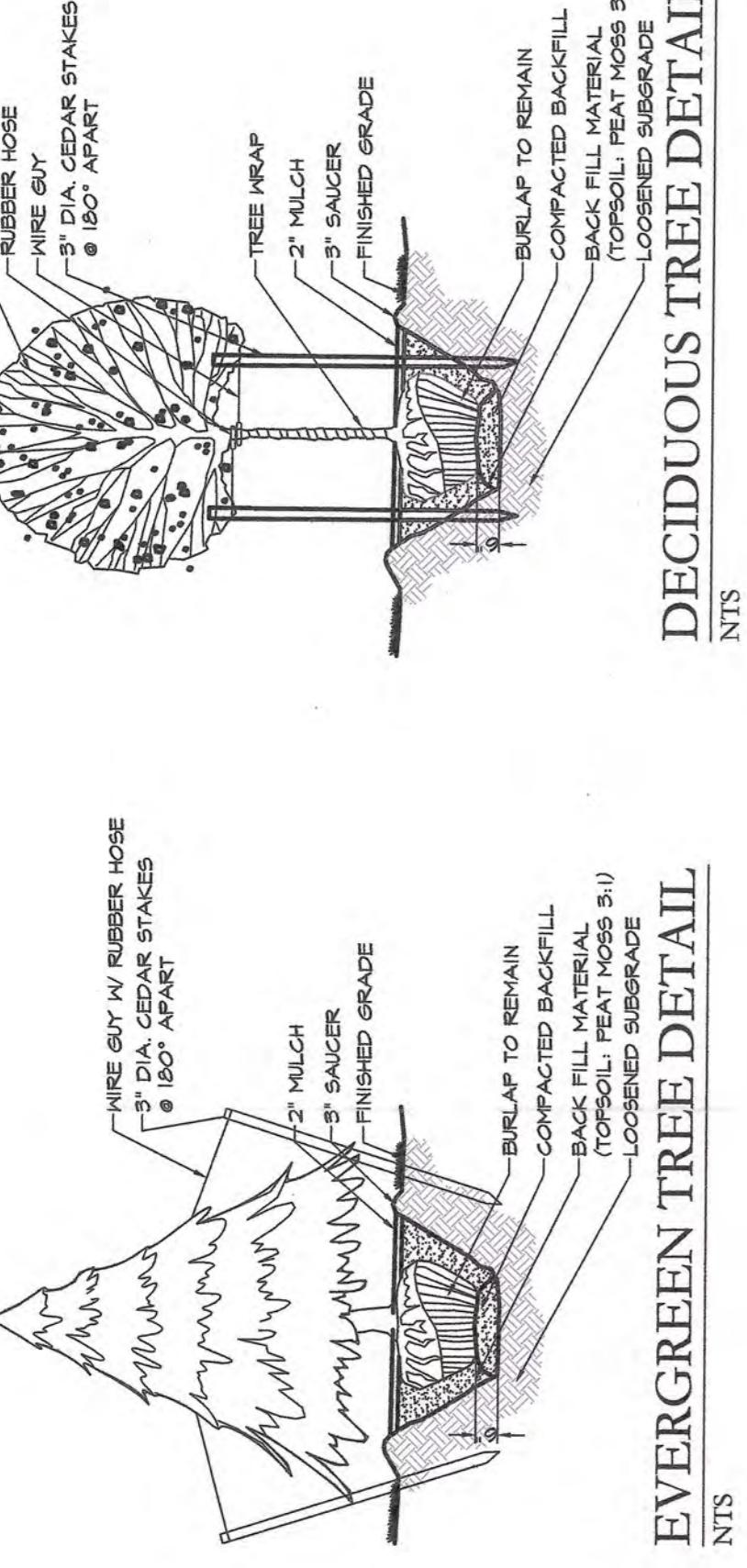
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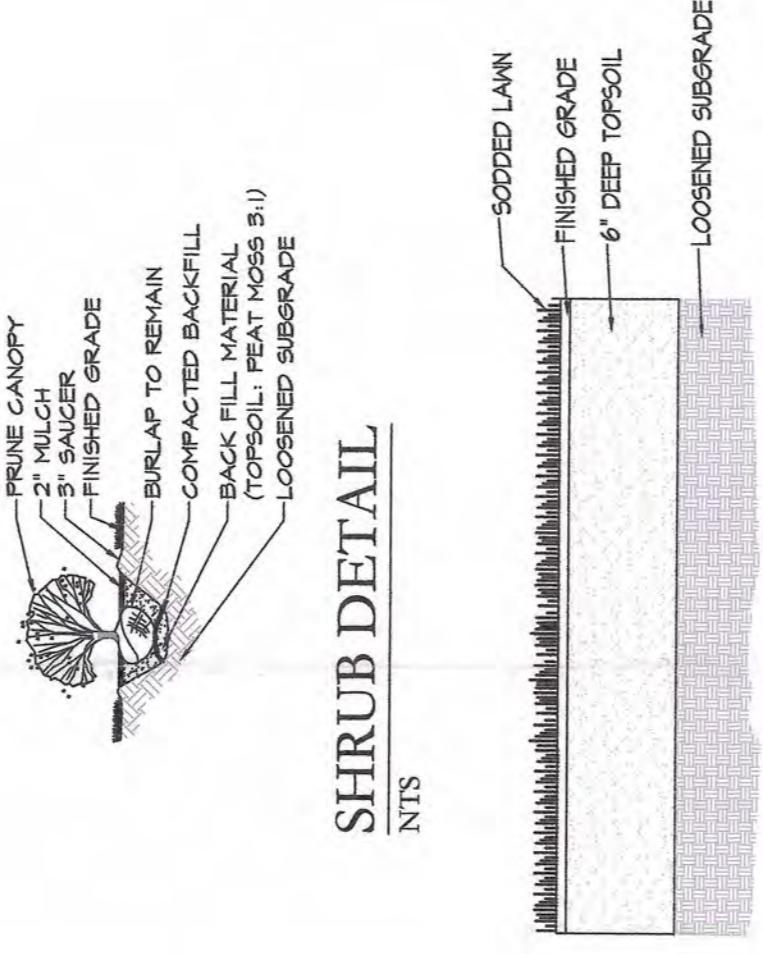
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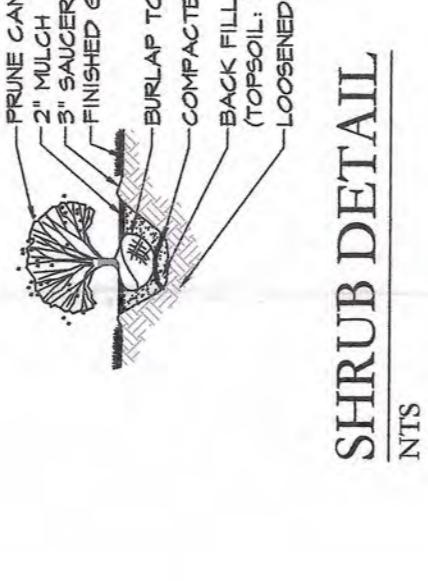
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DECIDUOUS TREE DETAIL



EVERGREEN TREE DETAIL



SHRUB DETAIL

LAWN DETAIL

PROPOSED NEW PLANTING AND RE-VEGETATION SCHEDULE

QTY	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	NATIVE	RESISTANT	PLANT SPACING
4	QR	QUERCUS RUBRA	NORTHERN RED OAK	1 3/4"-2" CAL.	X		
3	AC (*)	AMELANCHIER CANADENSIS	SERVICEBERRY	3'-10' HT.	X	X	
2	CF (*)	CORNUS FLORIDA	FLOWERING DOGWOOD	3'-10' HT.	X		
30	PRI	PINUS RIGIDA	PITCH PINE	7'-8' HT.	X	X	10' ON CENTER
42	PR2	PINUS RIGIDA	PITCH PINE	6'-7' HT.	X	X	8' ON CENTER
66	IG (*)	ILEX GLABRA	INKBERRY HOLLY	18"-24"	X	X	3' ON CENTER
288	NP	MYRICA PENNSYLVANICA	BAYBERRY	5' GAL.	X	X	
216	PM	PRUNUS MARITIMA	BEACH PLUM	3' GAL.	X	X	4' ON CENTER
277	VA	VACCINIUM ANGUSTIFOLIUM	LORNBUSH BLUEBERRY	1' GAL.	X		2' ON CENTER

(*) NON RE-VEGETATION AREA PLANT MATERIAL OUTSIDE OF REQUIRED AREA

RE-VEGETATION PLAN

SCTM#900-327-1-1.001

WEST HAMPTON

GLASS RESIDENCE

1368 SPEONK - RIVERHEAD ROAD

SCALE: AS NOTED

DATE: JANUARY 28, 2016

REVISIONS:

SURVEY NOTES:
INFORMATION FOR BASE PLAN TAKEN
FROM SURVEY BY FOX LAND SURVEYING
TAKEN 7/10/15. ARCHITECTURAL DATA
& ASSOCIATE, DATED 9/10/15.

RECEIVED

FEB - 4 2016

TO LEARNING DIVISION



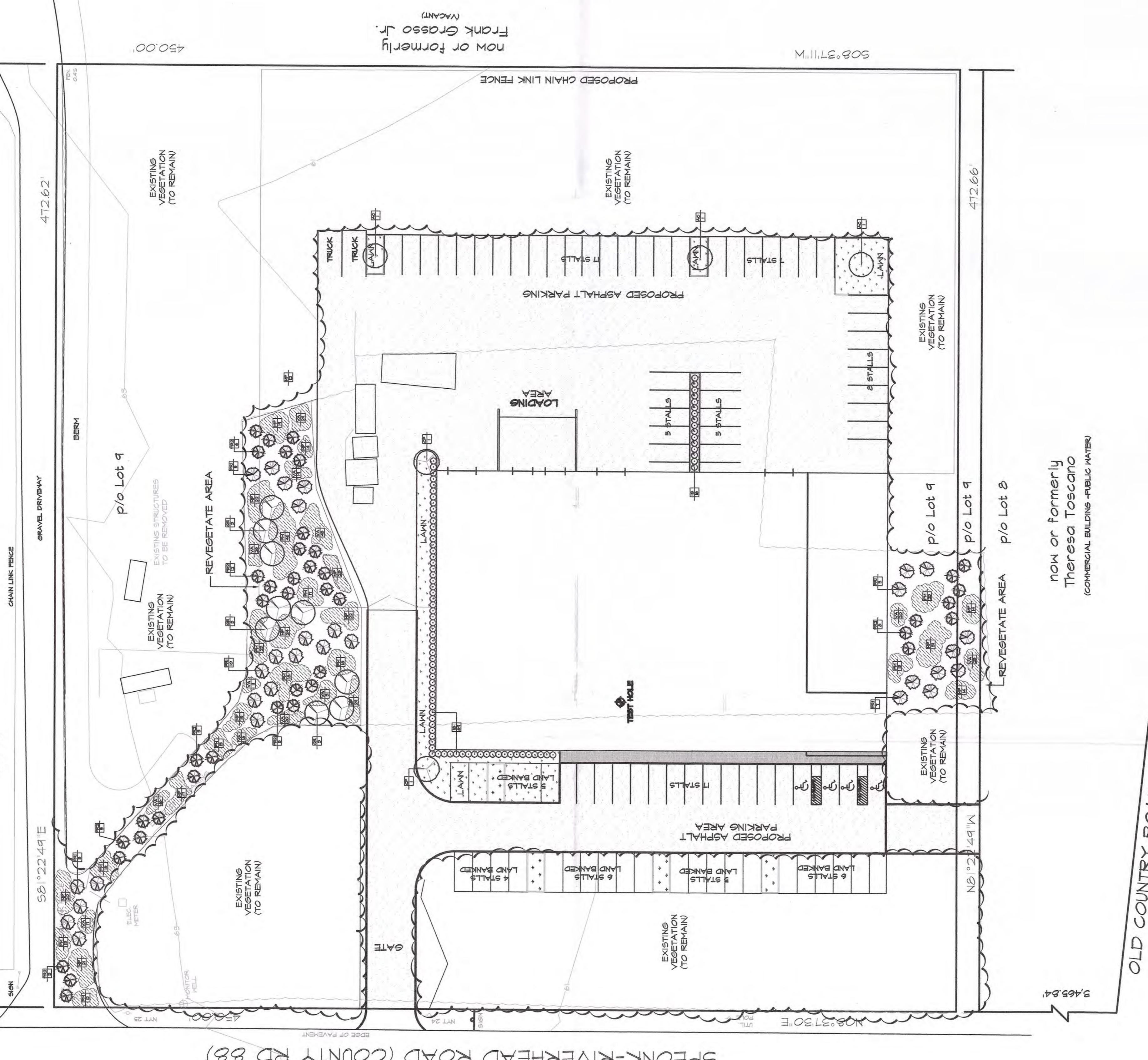
P.O. Box 1376
31 Prospect St
Huntington, New York 11743
Water Mill New York 11976
P: (631) 547-5200
F: (631) 547-0340

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ALL CONTRACTORS AND SUB-CONTRACTORS ARE RESPONSIBLE FOR MARKING OUT AND WORKING
SAFELY AROUND ALL UNDERGROUND UTILITIES THAT ARE PRESENT ON THE PROPERTY
7 Southview Court
Carle Place, NY 11514

now or formerly
B B & S Treated Lumber Co. Inc.
COMMERCIAL BUILDING - NELL & SEPTIC IN EXCESS OF 1500

Lot 10



SITE PLAN

SCALE: 1" = 300'

now or formerly
Theresa Toscano
(COMMERCIAL BUILDING - PUBLIC WATER)