

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

**Central Pine Barrens Commission Meeting Agenda
Wednesday, November 16, 2022 at 2:00 pm
Town of Brookhaven
One Independence Hill
Farmingville, NY 11738**

IN PERSON MEETING ONLY, NO REMOTE OPTION

1. Administrative and Public Comment

- a. Public Comment
- b. Minutes for 10/19/22 review (*approval*)
- c. Designation of Commission chair: vote, approval
- d. Schedule public hearing to authorize remote meetings pursuant to Open Meetings Law 103-c

2. Education and Science and Stewardship

- a. Education and Outreach Division: update (*Ms. Parrott*)
- b. Science and Stewardship Division: update (*Ms. Weigand*)
- c. Draft resolution to approve cost increase related to prescribed fire equipment/ approval (*Ms. Weigand*)
- d. Draft resolution to approve the customization of 2023 Ford F550 Chassis Cab with Skid Unit to Type 6 Initial Attack Truck: *approval (Ms. Weigand)*

Yvette Aguiar
Member

Steven Bellone
Member

Robert Calarco
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

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

- a. Compliance and Enforcement Division: update (*Mr. Carbone*)
- b. Land Use Division: update (*Ms. Hargrave*)
- c. Credit Program: update (*Mr. Tverdy*)

Compatible Growth Area

- d. SEQRA Coordination: Suffolk County Council on Environmental Quality Gabreski Airport Proposed Air Traffic Control Tower Replacement Project / proposal to replace the existing 75 foot tall air traffic control tower with a 164 foot tower and vegetation removal in accordance with the Airport Land Use Plan / *draft response (Ms. Hargrave)*
- e. Expressway Drive North Compatible Growth Area Hardship Waiver and Development of Regional Significance and Application / LIE North Service Road, west of Sills Road / Yaphank / 200-662-2-5.16 / development of 549,942 square feet of warehouses in three buildings and hardship waiver to impact 0.98 acres of steep slopes on a 71.45 acre project site / decision deadline 01/18/23 / *Decision (Ms. Hargrave)*
- f. 59 Ryerson Avenue Subdivision CGA Hardship Waiver / Ryerson Ave/Darcy Avenue, Manorville / 200-461-4-31 & 32 / two-lot substandard subdivision on 0.8 acre with one existing residence in the A2 Residence Zoning District / decision deadline 01/18/23 / *request for adjournment of hearing and extension of decision deadline (Ms. Hargrave)*

Core Preservation Area, Compatible Growth Area, Critical Resource Area

- g. Lewis Road Planned Residential Development / *Information item (Ms. Hargrave)*

4. Public Hearings at 3:00 pm - ADJOURNED

- a. 59 Ryerson Avenue Subdivision CGA Hardship Waiver / Ryerson Ave/Darcy Avenue, Manorville / 200-461-4-31 & 32 / two-lot substandard subdivision on 0.8 acre with one existing residence in the A2 Residence Zoning District / decision deadline 01/18/23 (*Ms. Hargrave*)

5. Public Comment

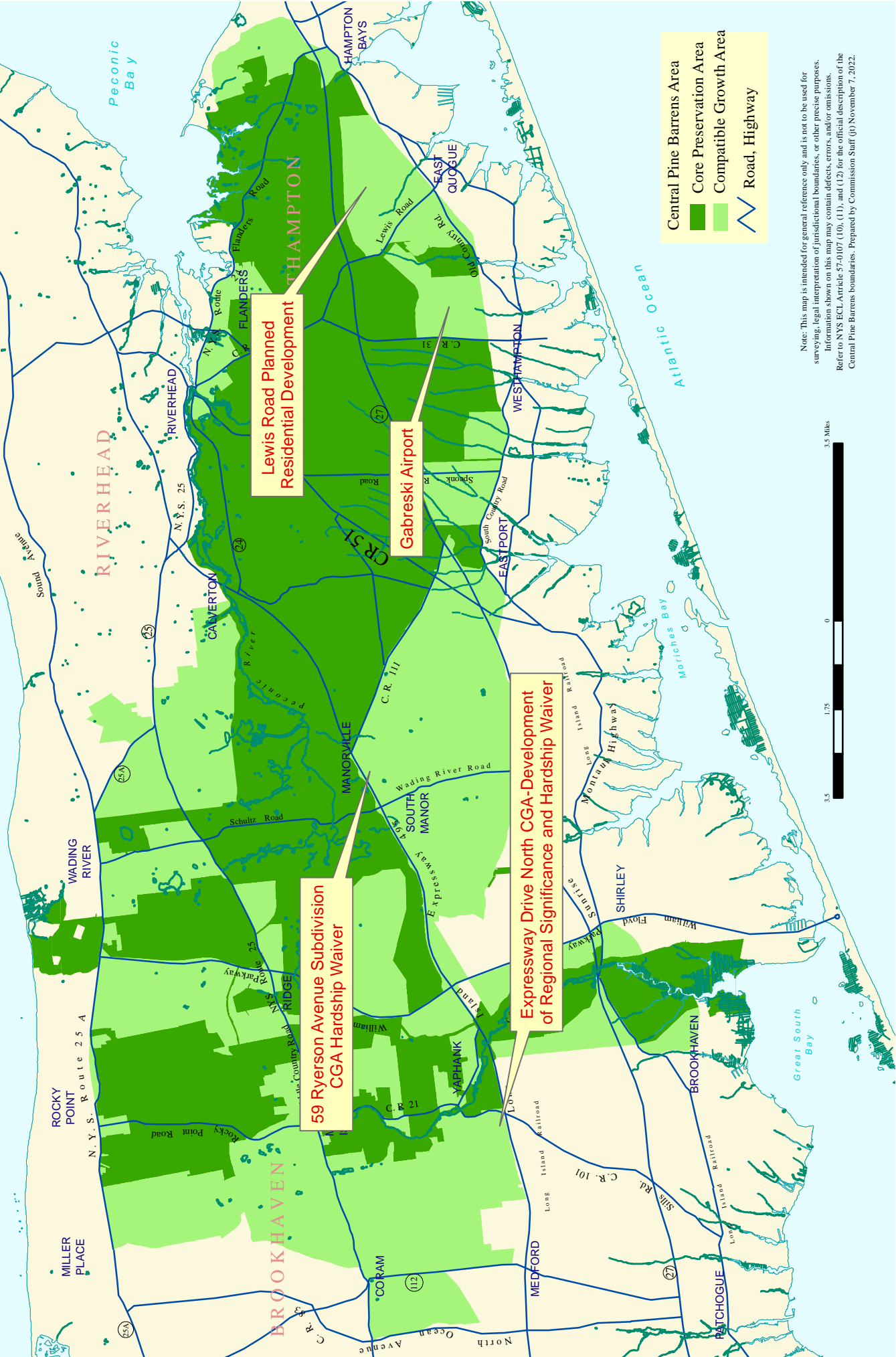
6. Closed Advisory Session (if necessary)

624 Old Riverhead Road
Westhampton Beach, NY
11978

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Next Commission Meeting, Wednesday, December 21, 2022 at 2:00 pm.
For meeting information visit <https://pb.state.ny.us/>

**SITES FOR DISCUSSION AT
CENTRAL PINE BARRENS COMMISSION MEETING OF
November 16, 2022**



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) November 7, 2022.





**Central Pine Barrens Commission Meeting Summary
Wednesday, October 19, 2022 (DRAFT)
Wertheim National Wildlife Refuge
340 Smith Road Shirley, NY 11967**

2:00 pm

Commission members present: Mr. Romaine and Ms. Pines (for Brookhaven), Ms. Aguiar and Mr. McCormick (for Riverhead), Ms. Scherer and Mr. Shea (for Southampton), Mr. Freleng (for Suffolk County), Mr. Calarco New York State Governor's Representative

Others present: Commission and other agency staff members included Ms. Jakobsen, Mr. Milazzo, Ms. Hargrave, Mr. Carbone, Mr. Enright and Ms. Brown-Walton.

Ms. Jakobsen led the pledge to the flag and noted that with four Commission members present there is a quorum. Ms. Jakobsen introduced Ms. Annjanette Bagozzi, Manager at Long Island National Wildlife Refuge. Ms. Jakobsen also pleased to announce that Governor Hochul's representative is Mr. Robert Calarco, Assistant Regional Director, Region 1, New York State Department of Environmental Conservation is present, but he will not be voting as a Commission member in the meeting today.

Yvette Aguiar
Member

Steven Bellone
Member

Edward P. Romaine
Member

Jay H.
Schneiderman
Member

1. Administrative and Public Comment

a. *Public Comments*

Summary: Ms. Leonhardt of the Long Island Pine Barrens Society discussed an item that was not on the agenda, but she wanted to get it on the record that the Long Island Pine Barrens Society supports the Town of Brookhaven filing of an Article 78 on the Delea Sod Farms which would be detrimental to the environment. These actions include the importing of mulch for the sole purpose of bulk sales and business unrelated to farm growing. The Pine Barrens Protection Act was created to preserve land and protect the sole source aquifer. Mr. Romaine discussed farms are important and the town of Brookhaven promotes farming, but when farms bring in products that are not produced on the farm and turn it into a retail facility it undermines the Brookhaven Town zoning code and the Pine Barrens Act. Ms. Pines confirmed the case is in the third department. Mr. Milazzo discussed the Central Pine Barrens Commission was added to the lawsuit as a necessary party.

b. *Minutes for 9/21/22*

Summary: **The motion was made by Mr. Romaine and seconded by Ms. Aguiar to approve the 09/21/22 meeting minutes. The motion was approved by the four members present.**

2. Education, Science and Stewardship

a. *Draft Resolution to appoint a new Chair and Co-Vice Chair of the Central Pine Barrens Wildfire Task Force*

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Freleng to approve the appointment of new Chair and Co-Vice Chair of the Central Pine Barrens Wildfire Task Force. The motion was approved by the four members present.**

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

a. *Comprehensive Land Use Plan Amendments: schedule vote for December 21, 2022*

Summary: Ms. Hargrave reminded the Commission the initial Land Use Plan Amendments hearing was on April 20, 2022. The Amendments comment period closed on May 31, 2022. There were comments from the Long Island Builders Institute and support from the Bird Conservation Standard. The staff has addressed the comments and

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reworked Chapter 5 to make it more concise and easier to be implemented without changing the substance. The staff will ensure that it aligns with SEQRA time frames. The material will be distributed to the Commission in November and a vote will be scheduled

The motion was made by Mr. Romaine and seconded by Ms. Scherer to approve to schedule a vote on the comprehensive Land Use Plan Amendment at the December 21st meeting. The motion was approved by the four members present.

Core Preservation Area

- b. *Holy Trinity Lutheran Church core Preservation Area Hardship Waiver application / 93 Yaphank-Middle Island Road, Middle Island / 200-456-2-4.1 and 5 / remove trees and expand parking area on a 2.86 acre project site.*

Summary: Ms. Hargrave discussed the church is requesting to remove trees and to expand the parking lot. The church is requesting retroactive approval because they have already removed the trees and may be in violation. The proposal will be addressed after discussing the potential violation in the Advisory Session.

The motion was made by Mr. Romaine and seconded by Ms. Scherer to approve the Commission staff to issue a Notice of Violation to Holy Trinity Church. The motion was approved by the four members present.

Core Preservation Area, Compatible Growth Area, Critical Resource Area

- c. *Lewis Road Planned Residential Development Assertion of Jurisdiction / East Quogue / development of 130 residences, an 18-hole private golf course, sewage treatment plant, other recreational amenities and infrastructure on a 607.74 acre project site*

Summary: Ms. Hargrave discussed because the project has changed and depending on the complexity of the changes this could require a more extensive Commission review and require a public hearing therefore this project is being considered as incomplete. Mr. Shea discussed the need to add to the letter a requirement to submit a phasing plan. Mr. Milazzo discussed the legal reasons to add incompleteness to the letter. Conversations ensued amongst the Commission members about the project and options to address it.

The motion was made by Mr. Romaine and seconded by Mr. Freleng to approve to send the draft letter on the Lewis Road Planned Residential Development Project with changes suggested by Mr. Shea and Mr. Milazzo. The motion was approved by the four members present.

4. Public Hearings at 3:00pm Adjourned

- a. *Expressway Drive North Compatible Growth Area hardship Waiver and Development of Regional Significance and Application / LIE North Service Road west of Sills Road / Yaphank / 200-662-2-5.16 / development of 549,942 square feet of warehouse in three buildings and hardship waiver to impact 0.98 acres of steep slopes on 71.45 acres project sight*

Summary:

A stenographic transcript was prepared for the hearing.

5. Public Comment

Summary: No public comments were received.

Public Session of the Meeting Adjourned at 2:30pm

6. Closed to Advisory Session

The motion was made by Mr. Romaine and seconded by Ms. Aguiar to adjourn to close the public portion of the meeting and to move into an advisory session for the purpose of obtaining legal advice from Commission counsel and that they would return to the public session. The motion was approved by the four members present.

The motion was made at 3:05 pm by Mr. Romaine and seconded by Mr. McCormick to return to the public portion of the meeting. The motion was approved by the four members present.

The motion was made by Mr. Romaine and seconded by Ms. Aguiar to close the public portion of the meeting. The motion was approved by the four members present.

Meeting was adjourned at approximately 4:06 pm

Attachments (in order of discussion)

1. Draft Commission meeting summary for September 21, 2022 (6 pages)
2. Final Commission meeting summary for September 21, 2022 (6 pages)
3. Draft resolution to Appoint a new Chair and Co-Vice Chair of the Central Pine Barrens Wildfire Task Force with attachments dated October 19, 2022 (11 pages)
4. Final resolution to Appoint a new Chair and Co-Vice Chair of the Central Pine Barrens Wildfire Task Force dated October 19, 2022 (1 page)
5. Holy Trinity Lutheran Church Letter and Core Preservation Area Hardship Application dated October 7, 2022 (27 pages)
6. Draft response letter from the Commission for Lewis Road Planned Residential Development Assertion of Jurisdiction dated October 19, 2022 (2 pages)
7. Final response letter from the Commission for Lewis Road Planned Residential Development Assertion of Jurisdiction dated October 19, 2022 (2 pages)
8. Draft Staff Report with exhibits for the public hearing on Express Drive North Compatible Growth Area Hardship Waiver application and Development of Regional Significance dated October 19 2022 (20 pages)

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

TO: Judy Jakobsen, Executive Director

FROM: John C. Milazzo, Staff Counsel

RE: Remote Board Meetings - Amendments to Open Meetings Law

DATE: November 7, 2022

Recent amendments to the Open Meetings Law modify the manner the Commission can conduct meetings in which members participate by videoconference. The amendments were adopted as part of this year's State budget process. During the pandemic, remote participation meetings without physical attendance by the members or the public were held pursuant to an Executive Order issued, and repeatedly extended, by the Governor. On September 12, the Executive Order expired. For purposes of this memo a remote access meeting is one that does not have all of the members present at the same location but who are communicating via videoconference.

The key feature of the new law allows a Commission member to participate remotely from a location without public access under extraordinary circumstances. Prior to the amendments and the Executive Orders, remote participation by a member required the member to be in a location open to the public.

Under the amendment to convene a meeting, four Commission members must participate from locations open to the public. For example, members could participate from their respective offices if the public is allowed to attend all of the locations and watch each member in person. The other Commission member can participate in the meeting from a location without public access if an extraordinary circumstance prevent them from joining the meeting from a publicly accessible location.

Before doing so however, the Commission must authorize by resolution and adopt procedures governing the use of videoconference technology to conduct such meetings. These can only be adopted after holding a public hearing on them. A draft resolution and procedures are attached for your review. The Commission may suspend public access to its meetings if an emergency is declared by the Governor, the County Executive or a supervisor of a Pine Barrens Town if the emergency impairs the Commission's ability to convene a physical meeting of its members.

An "extraordinary circumstance" is defined in the resolution to be "disability, illness, care giving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting." To invoke an extraordinary circumstance a member would need to inform the Chair or the Executive Director as soon as practicable of the circumstance.

A quorum is obtained for a remote meeting if four Commission members participate in a meeting

from locations open to the public. A member participating in the meeting by videoconference from a location not open to the public cannot be counted towards a quorum but the member may participate and vote if there is a quorum. Without a quorum of members at publicly accessible and noticed locations, a proper meeting cannot be convened.

If a Commission member participates remotely, whether in a publicly accessible location or not, the member must do so via videoconference. If a member participates by videoconference, members of the public must be given the same opportunity to participate in the meeting as a member of the public who physically appears at the meeting has.

Minutes of meetings with remote participation must reflect which member participated remotely. The video of the meeting must be posted to the Commission's website within five business days of the meeting and remain accessible for at least five years. A written transcript of the meeting must be made available if someone requests it.

The new law does not affect the manner the Commission conducts executive or closed advisory sessions. Please note that the new section sunsets on July 1, 2024.

The first step to authoring these types of meetings is to hold a public hearing on the proposed resolution and procedures at the December Commission meeting. After the hearing, the Commission, depending on the public comment, can adopt the resolution and procedures. Once adopted, the Commission can hold remote meetings under the terms of the resolution and procedures.

Resolution No.

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Central Pine Barrens Joint Planning and Policy Commission (the “Commission”) to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Commission to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any Commission member attending a meeting by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the Commission’s webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference if a member attends such meeting by videoconference, now therefore be it,

RESOLVED, that the Commission authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the Commission shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

Procedures Governing Use of Videoconferencing
by Members of the Central Pine Barrens Joint Planning and Policy Commission

In compliance with Public Officers Law (POL) § 103-a(2)(a), Central Pine Barrens Joint Planning and Policy Commission (the “Commission”), following a public hearing, authorized by resolution on -----, 2022 the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Commission members shall be physically present at each Commission meeting or at a location open to the public unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Commission Chairperson or Executive Director no later than one business day, or as soon as possible given the extraordinary condition, prior to the scheduled meeting in order for proper notice to the public to be given. Upon such notice, the Commission shall update its notice as soon as practicable to include that information. If it is not practicable for the Commission to update its notice, the Commission may, but is not required to, reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the Commission may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Commission but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL § 105, the Commission shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary

circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.

7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and participate or both in such meeting in the same manner a member of the public physically attending the meeting may, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The Commission shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Commission website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon written request.
9. If members of the Commission are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Commission shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized in the same manner a member of the public physically attending the meeting may. The Commission shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.
10. Open meetings of the Commission conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.
11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law if the Commission Chairperson or its Executive Director determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Commission to hold an in-person meeting.
12. These procedures shall be conspicuously posted on the Commission’s website.

Education and Outreach Division Update

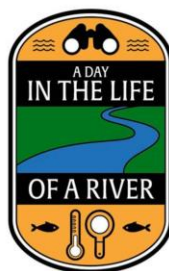
October 2022

Submitted by Melissa Parrott Education and Outreach Coordinator

1. 2022 A Day in the Life

- Just wrapped up our A Day in the Life season
- The Central Pine Barrens Commission, Brookhaven National Lab and the NYS Department of Environmental Conservation's education divisions completed our 11th annual A Day in the Life program, coordinating 13 rivers/creeks, and the Fire Island/Jones Beach ecosystems.
- **This year, new partnership with Nassau County Soil & Water District and 2 new sites.**
 - We provide teacher trainings, equipment, and professional support.
 - Data collected: Chemistry Analysis, Biodiversity Inventories, Site and Habitat Descriptions, etc.
 - Data is curated by BNL. We have new procedures in place for better QC for usable data.
 - Additional collaborations with Seatuck Environmental Association and Save the Great South Bay and new this year, the Nassau County Soil & Water District who coordinated, "A Day in the Life of Jones Beach and Bedell Creek in Oceanside.
- Main Goals of "A Day in the Life":
 1. Using the Environment as an Integrating Context for Learning- multi-disciplinary
 2. Citizen Science- using the collected data
 3. Creating Environmental Stewards- future decision makers
 4. Creating environmental career opportunities for youth

Facebook - @adayinthelifeofariver



A Day in the Life

2022 DATES

- Carmans River~ September 23
- Greens Creek~ September 23
- Gardiner County Park~ September 23
- Massapequa Preserve~ September 30
- Fire Island~ September 30
- Nissequogue River~ October 7
- Carlis River~ October 14
- Forge River~ October 14
- Peconic Estuary~ October 21
- Connetquot River~ October 28
- Mill River~ November 4



Grades 2-12— A Fun, Experiential science research program!

Using the Environment Integrated Context for Learning At each location, teams of students use seine nets and lab equipment to investigate aquatic life, biodiversity, water chemistry and quality, tides and weather and other parameters to fit into your STEM curriculum.

Citizen Science— Results for all locations and schools are posted on our "A Day in the Life" Website to be used by the students, land use decision makers, civic groups, and the general public.

Creating Environmental Stewards— Students are our future decision makers; our goal is to give them the inspiration and knowledge to make informed decisions for environmental health.

Brookhaven National Lab

Please contact:

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peraza@bnl.gov

Melissa Parrott, CPBC
mparrott@gb.state.ny.us

Ron Gelardi, NYSDEC
ron.gelardi@dec.ny.gov



Our annual partnerships with the A Day in the Life events:

1. Brookhaven National Lab
2. Central Pine Barrens Commission
3. NYS Department of Environmental Conservation
4. South Shore Estuary Reserve
5. Cornell Cooperative Extension, Suffolk County
6. Trout Unlimited
7. Wertheim National Wildlife Refuge
8. Town of Brookhaven
9. US Geological Survey
10. Foundation for Ecological Research in the Northeast (FERN)
11. Brookhaven Science Associates (BSA)
12. Suffolk County Parks
13. Suffolk Community College
14. Post Morrow Foundation
15. Manor of St. George
16. Peconic Estuary Program
17. Yaphank Civic Association
18. Girl Scouts of Suffolk County
19. Sweetbriar Nature Center
20. NY State Parks
21. NY Sea Grant
22. 4 Harbors Audubon
23. Avalon Park and Preserve
24. The Nature Conservancy
25. LI Sound Study
26. The Group for the East End
27. South Fork Natural History Center
28. East Hampton Town Shellfish Hatchery
29. LI Science Center
30. Chris Paparo
31. SUNY Southampton
32. Cold Spring Harbor DNA learning Center
33. Save the Great South Bay
34. Seatuck Environmental Association
35. Eastern Suffolk BOCES
36. Peconic Bay Keeper
37. LI Aquarium
38. National Park Service/ Fire Island National Seashore
39. Fire Island Light House Preservation Society
40. Adelphi University
41. Old Westbury College
42. Nassau County Soil & Water District
43. Jones Beach Nature and Energy Center

School Districts/Organizations that participate in A Day in the Life this year:

1. William Floyd High School District
2. Middle County SD
3. Patchogue-Medford SD
4. Longwood SD
5. Southold SD
6. Oysterponds SD
7. Springs SD
8. Lindenhurst SD
9. Riverhead SD
10. Fire Island SD
11. Eastport/S. Manor SD
12. Shoreham Wading River SD
13. Greenport SD
14. Westhampton SD
15. Babylon SD
16. Islip SD
17. N. Babylon SD
18. Sayville SD
19. Brentwood SD
20. Connetquot SD
21. Massapequa SD
22. Farmingdale SD
23. Baldwin SD
24. Lynbrook SD
25. Sachem SD
26. Harbor Country Day
27. Northport SD
28. The Stony Brook School
29. Smithtown SD
30. Kings Park SD
31. Avalon Park and Preserve
32. Smithtown Christian School
33. Wantagh SD
34. Wyandanch SD
35. Center Moriches SD
36. Holy Trinity HS
37. Westbury HS

WHAT ANNUAL DATA DO WE COLLECT?

Group 1 - PHYSICAL DATA

Tasks and Measurements to Accomplish:

- Tide Measurement
- Current Direction and Speed
- Cloud Cover and Air Temperature
- Wind Direction and Speed

Group 2 - SITE DESCRIPTION

Tasks and Measurements to Accomplish:

- Physical Characteristics of the Site
- Map of Site
- Sediment Sample of Shoreline, Site Bottom

Group 3 - BIOLOGICAL SAMPLING

Tasks and Measurements to Accomplish:

- Aquatic Biological Survey
- Biodiversity Inventory Survey
- Habitat Association Survey

Group 4 - CHEMICAL ANALYSIS

Tasks and Measurements to Accomplish:

- Water Temperature
- Turbidity
- Water pH
- Salinity
- Dissolved Oxygen
- Nitrates
- Phosphates
- Fecal Coliform

13 SITES FOR 2022!



Massapequa Science Students Connect With Nature

The high school students took an expedition to the Massapequa Preserve to study nature and collect scientific samples.

Alex Costello, Patch Staff

Posted Wed, Oct 5, 2022 at 2:14 pm ET

Reply



Massapequa High School students collected samples from the stream in the Massapequa Preserve on Sept. 30 to study water quality and assess biodiversity. (Massapequa School District)



Nathaniel Woodhull & WFHS Students Spend "A Day in the Life" of the Carmans and Forge Rivers

Nov 5 2021 9:45 AM



William Floyd High School and Nathaniel Woodhull Elementary School students recently participated in "A Day in the Life" program focused on the Carmans and Forge rivers, a fun and hands-on scientific exploration event featuring students exploring and collecting information about each estuary and learning how it all fits into the larger ecosystems.

11/1/22, 12:39 PM

Students become citizen scientists as they gather data of Peconic Estuary at Indian Island County Park - Riverhead News Review



10.25.2022 FEATURED STORY

Students become citizen scientists as they gather data of Peconic Estuary at Indian Island County Park

By Melissa Azofeifa



Equipped with chest-high waders, fishing nets, binoculars, collection buckets and more, students from

UL- Longwood HS, UL- Center Moriches HS, LL, Charles E. Walters Elementary, LR, Connetquot HS



2. *School Programs:*

William Floyd HS- Climate Change and solutions, 45 students

Sayville HS- Climate Change and solutions, 30 students

3. *Events*

NYS Marine Educator Association keynote speaker- A Day in the Life, 65 participants

Long Island Natural History Conference, March 2023

- We will be back in person!
- Looking for venues, current options: BNL, movie theatres. Many other colleges, universities are already booked for 3/23
- It will be a one-day event this year



Science and Stewardship Division Update November 16, 2022

Administration and Training:

- Fire Management Specialist, Ecologist, and Seasonal Prescribed Fire Crew hiring process has been initiated. The job announcements have been advertised through SCWA and Commission outlets as well as national job boards.
- Ms. Cohn has completed Wetland Delineation courses necessary for professional certification from Rutgers University's Office of Continuing Professional Education. This training has afforded Sabrina the opportunity to expand the scope of her knowledge in vegetation ID, soils analysis and hydrology to better fulfil her role as Ecological Field Specialist at the Commission.
- Ms. Cohn and Ms. Acampora are training to become UAS drone pilots under the training and mentorship of Mr. Capone. With the classroom portion complete, passing the written licensing exam and achieving proficiency in flying are final phases of becoming licensed drone pilot. Drones are progressive and highly efficient means by which to advance invasive species detection, forest health inventories, prescribed fire management, and safety, as well as compliance and enforcement. Having Ms. Cohn and Ms. Acampora as additional licensed Commission drone pilots will greatly increase the abilities to advance programmatic needs.
- Ms. Weigand attended NYWIMA's *s215 – Fire Operations in the Wildland Urban Interface*, a foundational course for planning and implementing wildfire mitigation and prescribed fire management in the Central Pine Barrens with a particular focus of the high urban interface.

Prescribed Fire Program:

- *Administration:*
 - Grants gateway administration, quarterly reports and vouchers continue to be managed to receive reimbursement of expenses incurred and ensure access to the balance of funds to be used for prescribed fire planning and implementation. Continuity budget development in anticipation of contract expiration have been prime focus to ensure program funding and continuance.
 - A \$4.2 million US Forest Service Community Wildfire Defense Grant application was submitted by Ms. Weigand and Mr. Panko to secure supportive funding for implementation of prescribed fire and wildfire mitigation activities within the Ridge Manorville Calverton Comprehensive Wildfire Protection Plan (RMCCMP) area. If awarded, this contract would provide necessary staffing and equipment resources to help implement wildfire risk reduction and prescribed fire management to implement practices of the RMCCWPP and expand the Commission's Interagency Prescribed Fire Program.
 - A *Prescribed Fire Operations Standard Operating Procedure* has been developed as a guidebook for the implementation of the prescribed fire program. This comprehensive guide details equipment, maintenance, storage, inventories, operations and much more and as such is a critical resource to the program continuance.
- *Equipment Storage and Purchasing:*
 - The Type 6 Fire Engine, which will ensure standardization of fire engines across the State and meet the needs of the prescribed fire program is in final development. The truck chassis is expected to go on the production line in December with engine upfits occurring

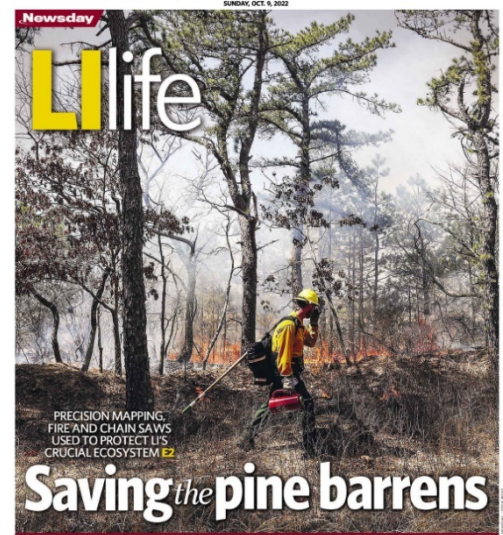


thereafter. The Engine will be stored in the Westhampton Beach SCWA warehouse. A resolution to approve the upfits for the engine will be presented to the Commission for approval.

- UTV's, trailers and ATVs and Vehicles are in the process of receiving annual maintenance and winterization in order to be protected over the winter and prepared for spring burn season.

- *Education and Outreach:*

- Newsday published a fantastic feature article in the LI Life section of Sunday paper on the interagency prescribed fire program which is being advanced to improve the forest health and resiliency. This article well documented the interagency collaborations between the Commission, NYSDEC, BNL in conducting prescribed fire and southern pine beetle management. A copy of the article is appended to this report.
- Ms. Weigand presented on the Central Pine Barrens Prescribed Fire Program to the Wildfire Task Force members. This collective of emergency responders were keenly interested in the program and the program delivery continued to expand the public's understanding about the goals of the program and especially how it is improving public safety especially of emergency responders.
- Social media posts continue to be issued on prescribed fire and pine barrens ecology.
- Focus on developing educational campaigns for the billboard trailer slicks are in process as well as the development of lettering and striping for the fire engines.



- *Prescribed Fire Operations:*

- On October 12th, the Division staff assisted with prescribed pile burns on BNL property to reduce fuels in fire breaks. Two Type 7 UTV engines were utilized to patrol and help mop up after the piles were burned. Science and Stewardship staff also aided with prescribed fire operations on October 21st at the Fresh Ponds Grasslands in Calverton for the fall NYWIMA academy. The Type 7 UTV engine, operated by Commission staff, assisted in holding and patrolling the fire line to prevent escapes.
- Burn plans continue to be developed for Rocky Point and Otis Pike Pine Barrens State Forest with anticipation of finalization before spring.



- *Fuels, Weather and Vegetation Monitoring:*

- Pre and post fire monitoring has continued in Sarnoff and South of Currans burn units to ensure complete vegetation monitoring in association with the prescribed fire program. With support and training from Ecologist Kathy Schwager of Brookhaven National Lab, composite burn index monitoring within Rocky Point Pine Barrens State Forest Demonstration Forest 1 was also conducted in support of the US Forest Service monitoring at this location. Pines experiencing significant scorch and bronzing of crowns continue to be monitored to track effects of prescribed fire activity and SPB. These monitoring efforts will reveal the effects of fire on fuel loading and ecosystem health to determine if objectives are being met and adjust management as needed.

Southern Pine Beetle

- As a result of the drought conditions, significant resurgence and expansion of SPB has occurred in the region including Southaven County Park, Brookhaven National Lab, Fireman's Memorial Park/Brookhaven State Forest, Mill Road in Calverton and Sarnoff Pine Barrens State Forest. Statewide

SPB Incident Command System continues to be coordinated by NYSDEC's Forest Health Unit and Commission staff has been actively helping with coordinated response, surveying and suppression with NYSDEC, State Parks and Town of Brookhaven. Due to the high degree of outbreak, a contract forester has been utilized to implement rapid cutting for maximal suppression benefit. Commission and NYSDEC have secured a hold harmless agreement with Suffolk County allowing for fall ground truthing and suppression of SPB on County lands.



- As an outgrowth of North Atlantic Fire Science Exchange (NAFSE) SPB prevention and coordinated response in the northeast meetings, the Commission successfully hosted in support of US Forest Service, NYSDEC, and Brookhaven National Lab staff, a two-part remote and field workshop series in October for land managers, especially those in New England which have not been affected yet by this harmful insect to learn about SPB history, suppression and preventative management. This two-day workshop was an immense success with over 100 attendees for the virtual portion and 28 attendees for the in-person field day.



- An notable opportunity to inform the public about SPB activity and prescribed fire management withing the tri-state region was achieved on November 2, when the Commission and NYSDEC were featured on NBC News 4 NY broadcast. A tour of Southaven County Park to show SPB activity, signs, symptoms and impact followed by a tour of South of Currans Woodland Prescribed Fire Unit was provided to Investigative Reporter Pei Sze Cheng by Polly Weigand and Tim Motz of the Commission and Nathan Hudson and Bill Fonda of NYSDEC. This broadcast can be viewed here: <https://www.nbcnewyork.com/news/battle-to-save-long-island-trees-from-invasive-beetles/3936197/>



Invasive and Nuisance Species Management:

- Spotted lanternfly, caper spurge, Japanese stilt grass as well as other invasive species continue to be on the forefront of monitoring and management.
- In collaboration with the Department of Agricultural and Markets, LIISMA and Town of Southampton, the Division continues to monitor two spotted lanternfly traps on *Ailanthus* trees in areas of high risk of infestation within Westhampton and Hampton Bays Transfer Stations to detect these insects early and contain their spread. Thankfully, no SLF have been detected.
- Throughout the field season, Ms. Cohn and Ms. Acampora have been collecting ticks for the Suffolk County Department of Health Sciences, Arthropod-Borne Disease Laboratory. The purpose of the collection is study emerging invasive tick species and the diseases they may carry.



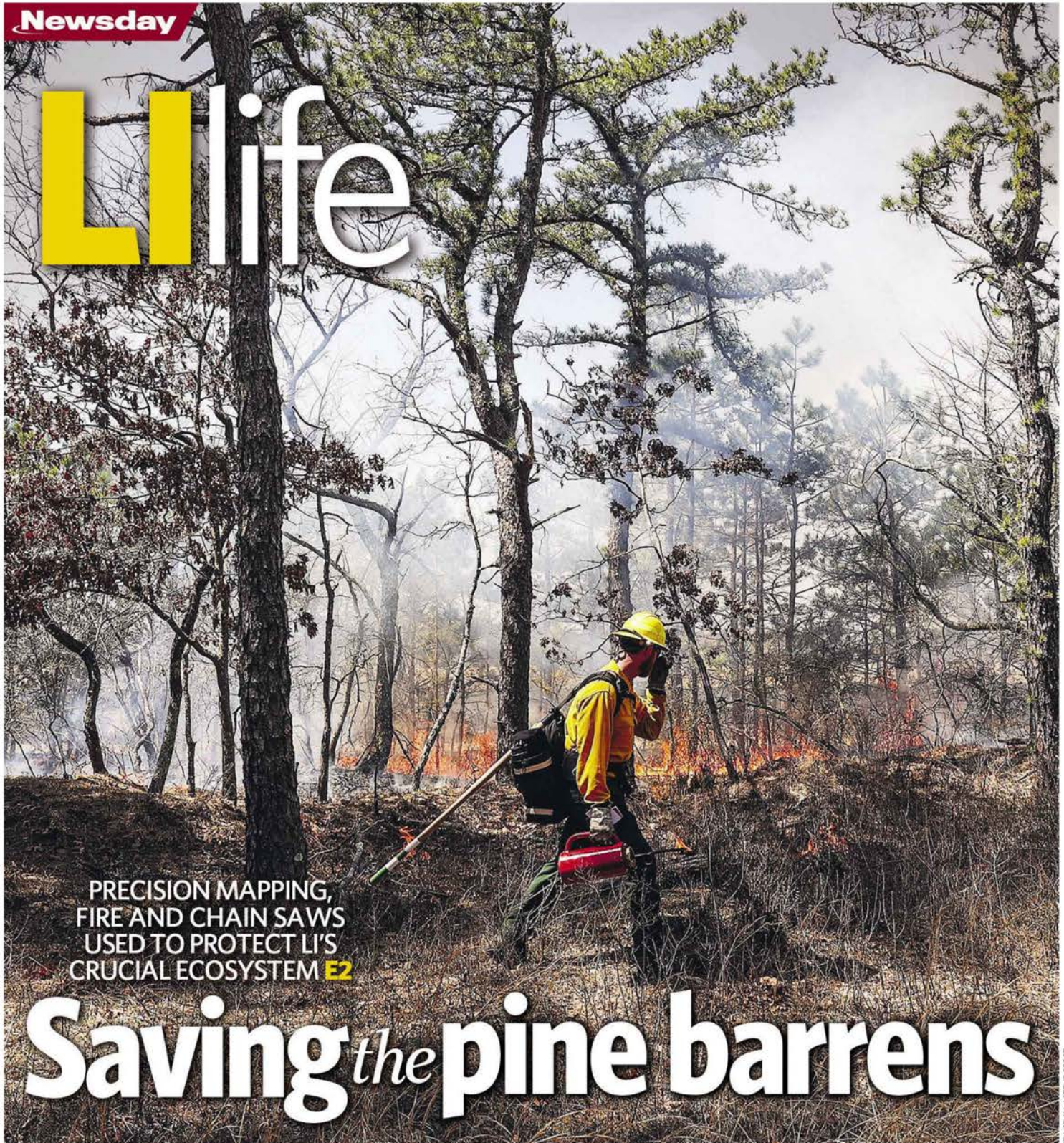
Sandplain Grassland Network:

- Ms. Weigand was a presenter at the Native Plant Trust's (NPT) Symposium - *Need for Seed: A Strategy for the Northeast* on November 3rd and 4th, serving on the *Seed Increase Panel Discussion*. This initiative advanced under the leadership of the NPT, brought together leaders and experts in native plant and seed production as well as ecologists and land managers to share information on seed and plant production, seed transfer zones, focal species, and of greatest importance to develop a greater organized and collaborative network for the development of appropriate ecotypic plant materials for restorations.

Encroachment Restoration:

- Restoration recommendations and technical assistance continues to be provided to the NYS Attorney General's office regarding a violation in Eastport. A draft Request for Proposal (RFP) is in review to solicit, vet and secure contractors for performing restoration work at existing and future encroachment and violation sites. Invasive species management continues at three encroachment locations.
- Assistance has been provided with surveillance in response to numerous dumping incidents that occurred at the Red Creek Road area of Hubbard County Park.

LIlife



PRECISION MAPPING,
FIRE AND CHAIN SAWS
USED TO PROTECT LI'S
CRUCIAL ECOSYSTEM **E2**

Saving *the* pine barrens

NEWSDAY / STEVE FROST

act2 | The 'voice of Long Island pets' is passing the baton **INSIDE**

The fight to save LI's wilderness

BY LAWRENCE STRIEGEL
Special to Newsday

Wildfires and infestations threaten the forest (and filter) above the aquifer

Newsday photos by Steve Pfost

As Nathan Hudson and Christopher Steigerwald flew at 2,000 feet over Long Island's pine barrens in a single-engine Cessna one day in early August, the two state forestry experts became alarmed while surveying the expansive canopy of green treetops, grassy fields and scattered marshlands.

"Hey, do you see that one on the left?" Hudson later remembered saying to Steigerwald.

Hudson, a forest health specialist for the state Department of Environmental Conservation, pointed out an area of pitch pines that were yellow, a discoloration that signaled probable fatal infestation of the southern pine beetle, a tiny invasive insect first identified on Long Island in 2014.

Steigerwald, a DEC forestry technician, said the flight revealed "widespread infestations kind of scattered out all across the pine barrens and on the North Fork as well. We were finding some pop up in

places north of Bellport High School. We never saw it there."

Other beetle infestations were seen in Rocky Point and near Mill Road in the Calverton-Riverhead area. "We noticed that one was pretty large," Steigerwald said. "It was 450 trees. ... And that was in the middle of a forest, so it never would have been noticed unless we did that aerial survey."

The men mapped precise locations on electronic tablets — noting single dead trees or infestations across 100 acres — so they could saw the trees

to the ground within days. Since 2014, the beetle has forced state foresters to cut down nearly 40,000 trees in the pine barrens and on the South Fork, Hudson said.

The story of the aerial survey illustrates how the pine barrens, a 105,000-acre patchwork of public and private lands that is seven times the size of Manhattan, are threatened by invasive insects and plants spurred by climate change, but also neglect that has permitted tree-stressing overgrowth and raised the risk of wildfire.

In recent years, officials have stepped up efforts to fight back and preserve this wild and ecologically sensitive area that filters rainfall and snow into Long Island's precious pure-water aquifer. Two key strategies are to thin the overgrowth and to deliberately

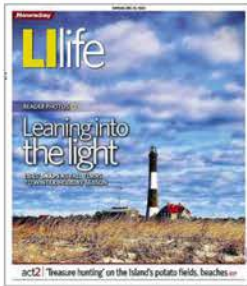
In this issue

In today's LI Life cover story, learn how and why officials have stepped up efforts in recent years to preserve a crucial element of Long Island's ecosystem.

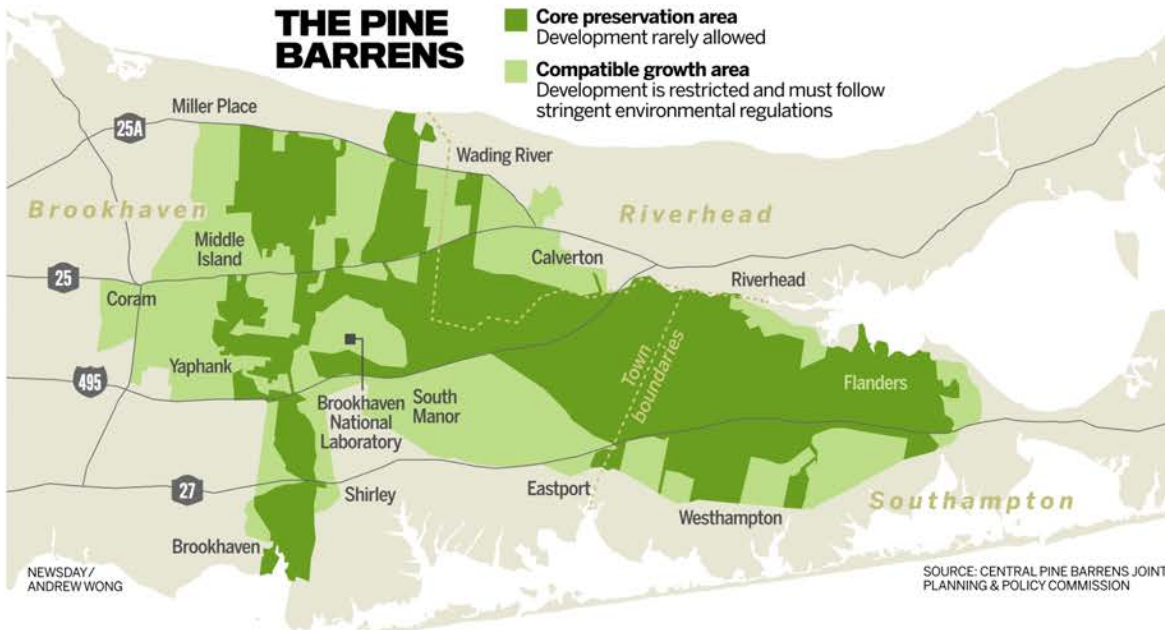
In Act 2, read about the woman who founded Pet Peeves, a nonprofit that has given out \$1.5 million in the past two decades to promote animal welfare.

And check out today's Faith and Seniors calendars for virtual and in-person events.

Every Newsday subscription includes full 24/7 digital access, so you can receive continually updated news and information on your phone, tablet or computer via our website and app, along with the electronic "e-edition" of the paper.



Want to see your photo in the next LI Life Reader Photo Essay? For consideration, submit your photos at newsday.com/readerphotos





State forestry technician Christopher Steigerwald cuts down a pitch pine tree infested by the southern pine beetle at the Rocky Point State Pine Barrens Preserve in April.



Lumpy sap nuggets called "pitch tubes" form when a tree releases resin to try to reject the southern pine beetle.



Yellowing of needles is a sign that a pitch pine tree is probably infested by the southern pine beetle and is dying.

Learn more about forestry management and prescribed burns on LI. ■ **Video:** newsday.com/lilife

ON THE COVER. Erich Horn, squad boss for the Central Pine Barrens Joint Planning & Policy Commission, walks the fire line during a prescribed burn on April 13 at Rocky Point State Pine Barrens Preserve.

set fires to clear out understory plants.

FIRE AS A TOOL

The term "barrens" belies the reality of an often-lush mosaic of wildlife, bogs, forests and grasslands in eastern Brookhaven, southern Riverhead and western Southampton Towns. Inhabitants include white-tailed deer, red foxes,

songbirds, red-tailed hawks, ospreys, turkeys, box turtles and hognose snakes. Pitch pine and oak trees tower over berry plants and flowering lupines and bird's-foot violets. Visitors use the region for hiking, trail biking, bird-watching, skiing and seasonal hunting.

Recent efforts to protect the pine barrens reflect cooperation among agencies including

the state Department of Environmental Conservation; the Central Pine Barrens Joint Planning & Policy Commission, an agency set up by the landmark 1993 Long Island Pine Barrens Protection Act; Brookhaven National Laboratory; the U.S. Fish & Wildlife Service; and the U.S. Forest Service.

Experts say that even though

the deliberate burning of select areas and the cutting of trees can seem contrary to saving the pine barrens, they are effective. They point out that the pine barrens have always needed naturally occurring fire touched off by lightning to enrich their soil, open tree seed pods and thin out the woods.

"To take fire away from this

type of ecology, from the pitch pines, scrub oaks and the pine barrens, to take fire out of that, would almost be synonymous to taking rain out of a rainforest," said Brian Schaffler, a U.S. Forest Service expert in Milwaukee who specializes in hazardous fuels and prescribed fires. Schaffler pointed to

See COVER STORY on E4



Crews light up a grassland area near the intersection of Routes 25 and 25A in Calverton in May. Authorities have staged 24 fires on 371 acres in the pine barrens this year.

Fighting wildfires with fire

Before a "prescribed fire," officials plot acreage and gauge wind and moisture for safety. Officials say some grassland burns are avoided in June and July when birds are nesting.



COVER STORY from E2

research that native tribes used fire to manage the pine barrens. That was before the more modern mindset that any fires should be prevented.

In recent decades, agencies have set off controlled burns, also known as "prescribed fires," but their efforts have been inconsistent. According to Capt. Timothy Byrnes, a state DEC forest ranger, there were only 99 prescribed fires on 1,855 acres in the Long Island pine barrens from 2008 to 2021. By mid-August this year, there had been 24 fires on 371 acres. Sites included the Otis Pike Pine Barrens State Forest in Manorville and the Rocky Point Pine Barrens State Forest. Officials said improved

staffing and abatement of the coronavirus pandemic helped them set more fires this past summer.

Byrnes said that before setting fire to grasslands or woodlands, a "burn boss" assesses wind, humidity and moisture in "fuels" such as grasses, dead wood or scrub oak. Acreage is carefully plotted and crews spray water at the boundaries before setting fires with drip torches.

Byrnes said great care is taken, with crews assigned to ignite, contain and extinguish the flames. After a burn dies out, personnel stay behind to watch for flare-ups. Priority for burns is given to "wildland-urban interface" areas close to buildings and residential communities to reduce the danger



Personnel monitor a burn in April at the state preserve in Rocky Point. From left, Polly Weigand and Erich Horn of the Central Pine Barrens Commission and volunteer firefighter Christopher Feineis.

of wildfires.

Brookhaven National Laboratory, which has nearly 3,300 acres of pine barrens on its 5,600-acre campus in Upton, was the site of a 23-acre prescribed burn near Ridge in July.

Kathy Schwager, an ecologist and the prescribed fire program manager for the facility, a U.S. Department of Energy national laboratory, said that before prescribed fires, she speaks to residents in neighboring communities such as Ridge to explain "the who, what, when, where and how of prescribed fires."

She said planners try hard to avoid sending smoke into a community. "Yes, it does generate smoke, but smoke from a wildfire is going to be a lot worse," she said.

REDUCING FUEL

Another tool in encouraging the health of the pine barrens is forest thinning, which aims to prevent fires and suppress the pine beetle.

In the 2,700-acre David A. Sarnoff Pine Barrens State Forest, two miles south of downtown Riverhead, a sandy hiking trail reveals a tale of two forests. On one side, even under sunny skies, is a dark thicket jammed with gnarly pitch pine, tall oaks, spindly scrub oak, and blueberry and bearberry bushes. On the trail's other side, pitch pine trees stand 10 to 20 feet apart with

See COVER STORY on E6



Bryan Gallagher, a state Department of Environmental Conservation ranger, is one of two "burn bosses" who direct prescribed burns on Long Island. Above, he leads an operation in Calverton in May.



Fawns in the charred remains of the pine barrens in Westhampton after the devastating 1995 "Sunrise Fire."

Lessons from the ashes

The legendary 1995 "Sunrise Fire" was the largest wildfire New York State had seen in nearly a century. For four days, it burned through at least 3,200 acres of Long Island pine barrens, involved virtually every Long Island fire department and cost more than \$5.2 million to fight.

Historical accounts say efforts to fight the fire were hampered by agencies unable to communicate over different radio frequencies, shifts in command and delays in getting equipment. Some firefighters drove stump-jumper trucks into the burning woods but were forced to retreat as flames raced across the tree-tops. More than 400 people were evacuated and 25 firefighters suffered minor injuries.

From the ashes of that experience was born the New York Wildfire & Incident Management Academy, an annual series of classes to help firefighters sharpen their skills against wildland fires, especially the towering walls of flames that stunned suburban volunteers in the woods in 1995.

The academy will offer classes for the 24th time Oct. 17-28 at Stony Brook University's Southampton campus. About 130 participants from across the country are expected to take 13 courses, according to coordinator Katherine Malangone. Subjects include leadership and the use of pumps and chain saws. In a controlled burn, some participants will set torches to a pine barrens area, and another group will put out the fires with water and shovels.

Suffolk County Fire Marshal Joseph Kuethen, a board mem-

ber of the wildfire academy, was an assistant chief with the St. James Volunteer Fire Department during the 1995 fire. His truck extinguished flames along roads near Sunrise Highway and refilled brush-truck water tanks.

He said the academy's instructors include experts who have fought expansive wildfires in the West and Midwest.

"The general mindset of firefighting, the typical guy's . . . is to put the wet stuff on the red stuff," he said. "That's what we're used to. The wildland techniques were altogether different, where you isolate areas, and you actually burn away areas before the fire gets to it, or you cut fire breaks so you help steer the fire. You help eliminate the fuels so it can't advance."

Capt. Timothy Byrnes, a ranger with the state Department of Environmental Conservation and board chairman of the academy, said the academy seeks to teach firefighters how to predict a wildfire's progress based on weather and flammable materials. He offered a scenario: "We have a condition, it's windy and dry with a lot of fuels on the ground . . . You know what? Maybe I shouldn't go in with a fire truck and try to put it out directly."

Byrnes said the academy has taught chiefs how to coordinate with other departments and agencies and their equipment, even aircraft that can drop water or retardants on a fire. "So it allowed them to see a whole different dynamic, vertical as well as horizontal, as to how they can be participating in a response with that kind of resources available to them," he said.

— LAWRENCE STRIEGEL

Wilderness amid the suburbs

COVER STORY from E5

clear daylight between them. Bushes grow here and there. During a visit to the forest in August, it was easy to see a thousand feet into the distance.

MASTICATOR MACHINES

The open area is the result of five years' work by Hudson, Steigerwald and others to reduce the overgrowth on 162 acres in the northern section of Sarnoff. That area was targeted to protect the nearby Riverwoods mobile home community from forest fire. Employing brute force, crews drove tank-like masticator machines with rotating drums into select areas to chew up overgrown bushes and scrub pine. Then they used chain saws to weed out trees growing too close together.

The benefits, forest experts say, are plenty. Fewer trees compete for sunlight, nutrients and water. There is less fuel for wildfires.

Polly Weigand, science and stewardship program manager for the Central Pine Barrens Joint Planning & Policy Commission, explained that overgrown underbrush can create a ladder for a wildfire to climb from needles on the ground up through the bushes and scrub oak to the tree canopy. That scenario — a worst-case “crown fire” — scorched at least 3,200 acres in the legendary 1995 “Sunrise Fire” in eastern Suffolk County.

A super dense forest is called “dog hair,” Hudson said. Weigand called it “beetle bait.”

Native to the southeastern United States, the southern pine beetle has been expanding up the East Coast. Natural resin in a healthy pitch pine tree can “pitch out” beetles in small numbers, experts say, but a stressed tree cannot, especially when southern pine beetles secrete a pheromone that attracts even more by the hundreds.

“It’s when you get a thousand attacking one tree, it really has no chance to survive,” Steigerwald said.

The beetles — about the size of a grain of rice and reddish-brown to black in color — get under the corky bark of pitch pines and create swirly tunnels that disrupt the flow of nutrients, killing the trees.



Along a trail at the Sarnoff state forest in eastern Suffolk, hikers can see a thinned area on the left and an overgrown woods on the right.

'SMOKELESS WILDFIRE'

Hudson called pine beetle attacks “the smokeless wildfire, because it can be that quick.” His description of the multiplying swarms sounds like a horror movie.

“You get a hot, dry year like this, and the southern pine beetle can just start,” he said. “They’re out looking for those stressed trees. They find a tree, they overwhelm that tree’s defenses. They kill that tree, they reproduce a hundredfold, and then they can come out and get 10 trees.”

“So by June 1st,” he continued, “they’re in their second generation going from one tree to 10 trees. By August 1st, they’re at 100 trees, pushing a thousand by September 1st. And if you get a warm fall, they can get another six weeks so they can have an October generation, and we’ve seen generations in December.”

Experts say the Northeast’s cold winters usually kept the pine beetle south of New Jersey, but the pest was detected in significant numbers there in 2001, attacking the Garden State’s sprawling pinelands.

They say warmer winters caused by climate change have encouraged the beetle’s march north. The DEC warned in April that the beetle had been found in parks in the Hudson Valley.

In 2014, the southern pine beetle was reported at the Wertheim National Wildlife Refuge in Shirley, Henry’s Hollow Pine Barrens State Forest in Hampton Bays and Connetquot River State Park in Oakdale.

“I don’t know if you’ve been to Connetquot park,” Hudson said, “but it is almost nude of pitch pines right now. It got in there and it just exploded.”

COVID DERAILED WORK

In the years before COVID-19, Hudson said, state crews made inroads to suppress the beetle, but had to curtail efforts in 2020.

“We just didn’t have the resources, and we just couldn’t go anywhere,” he said, referring to pandemic travel restrictions. “I think the whole world understands. And then 2021, we saw upticking, and I kind of braced everybody for what 2022 was gonna look like ... and

it was actually, shockingly, greater than I imagined.”

Schwager, at Brookhaven National Laboratory, agreed: “It happens so fast, so alarmingly fast, and it is basically blowing through the lab right now.” She said BNL hopes to secure funds to thin the forest overgrowth on that federal property.

Aside from the pine beetle, ecologists say other invasive pests and growths are a continual threat. Among them are species known generically as Japanese stilt grass, Chinese silver grass, mile-a-minute weed, which grows fast and smothers other plants, and oak wilt, a fungus that kills oak trees.

Ecologists and farmers are particularly watching for the spotted lantern fly, a red, black and gray moth found in Pennsylvania in 2014 and found recently on Long Island. It feeds on more than 70 plants, leaving behind a sticky residue.

Officials said they’re aware that the pine barrens, though vast, are out of sight and out of mind for many people. Still, they want Long Islanders to understand why it’s important to care about the wilderness.

WHY THE AREA'S IMPORTANT

Weigand ticked off the reasons: The plants and soils of the pine barrens cleanse water as it seeps into the aquifer that supplies the Island’s fresh water.

“If you don’t have a functional ecosystem, you’re drinking contaminated groundwater. So that’s one,” Weigand said.

Second, she said, is that the pine beetle is also killing homeowners’ trees.

“If you’re not controlling the beetle that’s infesting on your property, or your neighbor’s not, it’s going to come to your property,” Weigand said, “and it’s going to cost you \$1,000-plus to cut that hazard tree down.”

Third, Weigand said, “is that everybody lives in a certain area because it gives them a sense of place and value. And the pine barrens is what gives Long Island a sense of place.”

“When we lose the pine barrens, which has one of the highest number of rare and endangered species and ecosystems of any place in New York State, we’re losing why we love Long Island.”



Compliance and Enforcement Division Report - September and October 2022 Prepared by CAED Chief Enforcement Officer Frank Carbone

- Five complaint / investigations documented this period (Clearing, dumping, and installation of a well (soil boring operation).
- Three confirmed dumping violations documented on CAED surveillance cameras, one clearing case under investigation pending settlement and one investigation of well drilling operation which was a soil boring operation for SCWA.
- Eight dumping cases settled resulting in \$6,300 in penalties.
- Compliance and Enforcement staff are continuing to utilize the new GIS based complaint tracking system to manage incident data and compile statistics.
- Enforcement officers assisting in monitoring easements and important development projects in Brookhaven and Southampton to assure compliance with Commission requirements
- UAS (Unmanned Aircraft Systems) training being conducted in-house for two new UAS pilots from Science and Stewardship Division.
- Meetings held with LEC, and other enforcement partners

Yvette Aguiar
Member

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member



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Incident Statistics - Reporting Period 01/01/20 - 10/31/22			
Year	2020	2021	2022
Intake			
Sent by Agency to Commission	26	11	2
Discovered by Commission Staff	37	48	38
Called in by Individual to Commission	14	12	6
Total Incidents Reported	78	71	46
Location of Incident			
Brookhaven	55	54	36
Southampton	15	10	10
Riverhead	4	6	0
Occurring on Public Land	27	26	12
Occurring on Private Land	25	35	17
Occurring on Public & Private Land	2	10	17
Core	46	35	23
Compatible Growth Area (CGA)	16	18	12
Core & CGA	1	0	1
Outside CPBA	15	18	10
Nature of Incident*			
Clearing/Encroachment	29	24	17
Structures	2	0	1
Dumping	36	35	24
Mining	0	1	0
Hunting	1	1	0
ATV	6	2	0
Other	4	8	4
<i>*Note-some incidents involve more than one land use issue</i>			
Referrals*			
Sent to Town	9	17	15
Sent to County	8	17	9
Sent to State	22	16	12
Commission	26	21	7
Sent to AG	0	0	0
Other	12	0	0
<i>*Note-some incidents are sent to multiple agencies</i>			
Status			
Founded	77	60	32
Unfounded	1	11	14
Open	35	39	15
Closed	43	32	31
Inspections			
Conservation Easement Inspections			3
Development project inspections			3

Central Pine Barrens Joint Planning and Policy Commission

Land Use Division Bi-Monthly Update for the Meeting of Wednesday, November 16, 2022

Action	Central Pine Barrens Location			
	Municipality	Town of Brookhaven	Town of Riverhead	Town of Southampton
Applications and Requests for Determination of Jurisdiction		<ul style="list-style-type: none"> 59 Ryerson Ave Subdivision CGA Hardship waiver application, two lot substandard subdivision on 0.8 acres. Request to adjourn hearing and extension. Expressway Drive North CGA DRS and Hardship Waiver Application, formerly Silver Corporate Park, 3 warehouses 549,942 sf on 71 acres. Holy Trinity Lutheran Church Core Hardship application suspended with notice of violation, 3.5 acres. 	-	---
SEQRA Coordination, referrals, inquiries and activities		<ul style="list-style-type: none"> The Meadows at Yaphank PDD CGA-DRS, 333 acres. Final development phase conservation easement inspection on 23 acres. 	Inquiry on horse facility, Schultz Road	<ul style="list-style-type: none"> Gabreski Airport air traffic control tower replacement. Lewis Road Planned Residential Development Assertion of Jurisdiction, 607 acres Westhampton Mining Aggregates site reclamation and redevelopment, >100 acres
Regional Projects	<ul style="list-style-type: none"> USGS-Commission Water Resources Monitoring Program, 2018 through 2022 – December 15, 2022 quarterly meeting scheduled 			
Division Activity and Participation	<ul style="list-style-type: none"> Policy and Planning Manager assisting the Executive Director with budget, staff management and other tasks. Research, review and analyze Core and CGA hardship waiver applications, SEQRA Coordination materials, interagency referrals, information requests, inquiries, requests for determination of jurisdiction review and research. Prepare material and responses for Commission review of development project activities and land use related items. Types of projects include commercial/industrial site plans, commercial and residential subdivisions, mixed-use projects, Developments of Regional Significance, Assertions of Jurisdiction, code amendments, zone changes and other land use development activity. Inspections of project sites for review of applications, compliance with decisions, restoration activities and related land use matters. FOIL Requests. Research and assist with FOIL requests and litigation on development projects. Technical support to the Compliance and Enforcement Division on land use related matters including property information research on unauthorized development, clearing, encroachments on credit program conservation easements and incidents on project site areas that are protected. Collaborate and coordinate with other Commission divisions. SEQRA for the Draft Supplemental GEIS for the Comprehensive Land Use Plan Amendments. 			



Pine Barrens Credit Program Report for November 16, 2022:

Activities in the Credit Program (since January 1, 2022) included review of applications for Letters of Interpretation, Conservation Easements, Credit Program and FOIL requests management. Some specific work items include:

- Letters to solicit participation in the Credit Program were sent to owners of undeveloped land located in Core Preservation Area of the Towns of Brookhaven and Southampton. Letters to the Town of Riverhead will be sent next.
- Letters of Interpretation: 18 Letters of Interpretations were issued and eight parcels were inspected in the Towns of Brookhaven and Southampton. Staff is following up on past LOIs for interest in the Program.
- Conservation Easements: Review and Monitoring
 - six easements were recently recorded
 - four easements are currently in progress
 - research and review of proposed activities on three easement properties for consistency with easement terms including reserved rights and covenants.
- Pine Barrens Credits
 - Redeemed: 46.04 Credits have been redeemed, 16.67 in the Town of Brookhaven, 11.09 in the Town of Riverhead and 18.28 in the Town of Southampton.
 - Conveyed: 38.49 Credits have been conveyed, 19.6 in the Town of Brookhaven, 11.19 in the Town of Riverhead and 7.7 in the Town of Southampton.
 - The average price is \$91,339 per credit.

Easement Protected Lands and Pine Barrens Credits As of November 7, 2022								
	Brookhaven	2022	Riverhead	2022	Southampton	2022	Total	2022
Parcels	515	3	37	-	458	5	1010	8
Acreage	826.71	12.16	516.78	-	876.78	0.96	2220.27	13.12
Average parcel size	1.61	4.05	13.97	-	1.91	0.19	2.20	1.64
Credits generated	545.46	6.97	172.39	-	338.17	6.55	1056.02	13.52
Credits redeemed	417.52	16.67	142.25	11.09	180.73	18.28	740.5	46.04
Credits not redeemed	127.94	-9.70	30.14	-	157.44	-11.73	315.52	-32.52
Credits sold	594.99	19.6	236.09	11.19	282.28	7.7	1113.36	38.49
Total value of PBC transactions through this date	\$33,082,519	\$1,999,100	\$9,084,147	\$853,400	\$19,193,442	\$663,140	\$61,360,108	\$3,515,640
Average Credits value		\$101,995		\$76,265		\$86,122		\$91,339
Credits owned by the Clearinghouse	0.54		-		-		0.54	
# of Inspected CE Parcels	-	47	-	6	-	9	-	62
# of Installed CE Signs	132	9	17	4	90	4	239	17

- Orders on Consent
 - The Ridge Church Order on Consent was executed on January 5, 2022. The three sheds and the stone were removed from the property, native pine barrens seed mix was planted and a split rail fence was installed to protect the site from future disturbance. An easement was recorded on August 10, 2022, and in exchange 3.96 credits were issued to the Ridge Church.
 - Staff monitored revegetated areas at the Peconic River Sportsman's Club on June 24, 2022. Annual report concerning the status of the revegetation was received on October 17, 2022. The required minimum survival rate for this restoration plan is 85%, according to the report the current success rate is 99.4%.
- Maps: The maps of DRS', CRAs and Assertions of Jurisdiction parcels, Core and CGA hardships, CGA overcleared and Industrial properties have been created.



SUFFOLK COUNTY COMPTROLLER

330 CENTER DRIVE RIVERHEAD, N.Y. 11901-3311

Telephone: (631) 852-1501 FAX (631) 852-1507

JOHN M. KENNEDY, JR.
COUNTY COMPTROLLER

November 7th, 2022

**Central Pine Barrens Joint Planning and
Policy Commission
P.O. Box 587
Great River, N.Y. 11739-0587**

**Dear Pine Barrens Credit Clearinghouse
Board of Advisors:**

**Attached please find our financial report on the Pine Barrens Credit Program for the
months of September and October 2022. Thank you.**

Respectfully submitted,

Christina M. Withers

**Christina M. Withers, CIA, CPFO
Executive Director of Finance & Taxation**

**Suffolk County Comptroller's Office
The Pine Barrens Credit Program**

Balance as of December 31st, 2021	\$2,551,999.78
Additional Deposits	0.00
Interest (see below for details)	2,126.38
Disbursements	0.00
Balance as of October 31st, 2022	\$2,554,126.16

**Interest Earnings & Disbursements
For the Months of January - December 2021**

Interest Earnings

Premier MMA - Public Fund

January	216.75
February	195.79
March	216.79
April	202.82
May	223.82
June	209.85
July	202.87
August	230.87
September	209.90
October	216.92
November	0.00
December	0.00
	<u>\$2,126.38</u>

<u>Interest Period</u>	<u>APR</u>
01/01/22- 01/31/22	0.1000%
02/01/22- 02/28/22	0.1000%
03/01/22- 03/31/22	0.1000%
04/01/22- 04/30/22	0.1000%
05/01/22- 05/31/22	0.1000%
06/01/22- 06/30/22	0.1000%
07/01/22- 07/31/22	0.1000%
08/01/22- 08/31/22	0.1000%
09/01/22- 09/30/22	0.1000%
10/01/22- 10/31/22	0.1000%
11/01/22- 11/30/22	0.0000%
12/01/22- 12/31/22	0.0000%

Disbursements

None	<u>\$ -</u>
	<u>\$ -</u>



November 16, 2022

John Corral
 Environmental Projects Coordinator
 County of Suffolk
 H. Lee Dennis on Building 11th Floor
 100 Veterans Memorial Highway
 Hauppauge, NY 11788

RE: Referral: Air Traffic Control Tower Replacement Project
 Gabreski Airport, Westhampton
 Central Pine Barrens

Dear Mr. Corral:

Yvette Aguiar
Member

Steven Bellone
Member

Robert Calarco
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

On October 21, 2022, the Central Pine Barrens Commission office received a State Environmental Quality Review Act (SEQRA) Lead Agency Coordination on the referenced application. The Commission does not object to the County assuming lead agency status for the proposed action classified by the County as a Type I action.

Existing Conditions and the Proposed Project

Gabreski Airport is in the Central Pine Barrens area. Most of the airport is in the Compatible Growth Area (CGA) including a portion that is in the Critical Resource Area. A small portion of the airport is in the Core Preservation Area.

The County proposes to construct a new 164 foot tall air traffic control tower on the west side of the airport to replace an existing 75 foot tall air traffic control tower and to clear areas on the east side of the airport to allow visual control over the active runways and roadways.

All of the activities will occur in the Compatible Growth Area and are outside the Critical Resources Areas. The areas are further identified in the map titled “Gabreski Airport Proposed Land Use Plan” last revised January 2007, prepared by Savik & Murray, LLP.

The County reports that the existing tower is outdated and does not conform to the Federal Aviation Administration (FAA) visibility standards and building codes. After the new tower is constructed, the existing tower will be demolished and removed. The project’s expected completion date is 2026.

The visibility enhancement project involves the removal of 22 acres of existing pine barrens habitat including trees and other natural vegetation in the eastern half of the runway. According to the Environmental Assessment Form, the vegetation is currently blocking the view of the airport’s east and south taxiways.

624 Old Riverhead Road
 Westhampton Beach, NY
 11978

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

Central Pine Barrens status

The Airport is subject to conformance with the Central Pine Barrens Comprehensive Land Use Plan (the Plan) and New York State Environmental Conservation Law Article 57. As discussed in the Commission's letter to the Airport Manager in 2006, Suffolk County development activities are not exempt from Commission review.

As specific projects are proposed for the Gabreski site, the County must determine whether the proposal constitutes development and if so, whether the proposal conforms to the Act and the Central Pine Barrens Plan. The Commission stands ready to assist the County in making these determinations.

The Commission, on October 18, 2006, found that the Airport Land Use Plan dated June 2006 conformed with the Standards of the Central Pine Barrens Comprehensive Land Use Plan. The Airport Land Use Plan designated areas of the airport to be cleared, to be developed, or to remain natural.

The Airport Plan designates the areas on the eastern portion of the airport to be cleared as an "existing treed area" and noted as "future clearing." The Airport Plan identified 520 acres (35%) would remain as natural leaving as cleared 65% of the site, 943 acres.

Comments

Comments related to the Plan Standards are provided for your consideration. The project conforms with the clearing standard however, if the project does not conform with one or more of the Plan's other standards, the project would need to be revised to conform or a hardship waiver application would need to be submitted to the Commission.

1. The referral materials identified that the project is subject to New York State Department of Environmental Conservation (NYSDEC) regulations that apply to stormwater permit requirements and protection of endangered/threatened species.
2. In the project's NEPA review, the Federal and State-listed Threatened Northern Long-eared Bat was found to have a potential habitat at Gabreski Airport. The Ecological Resources Attachment states NYSDEC will limit the allowable tree clearing window for Gabreski Airport from December 1 to February 28. A NYSDEC Joint Application Form will be submitted to NYSDEC to determine if an incidental take of endangered species is required for the project. The Commission defers to the County and NYSDEC's coordination on this matter to demonstrate conformance and encourages avoidance of requiring a take permit.
3. If the County updates the 2007 Airport Plan, please provide a copy to the Commission. In 15 years since the Airport Plan was reviewed, a number of projects have been completed. An updated map that reflects cleared and developed areas and areas for future project would be useful to demonstrate continued conformance.
4. In addition to clearing, will the 22 acre area be excavated and regraded?

5. How will the area be maintained, and will it be established as a mowed area?
6. Other than clearing, are there projects planned in the 22 acre area?

If the project conforms to all of the Plan standards, no further review of this proposal is required by the Commission. This letter establishes that the project, as described conforms with the clearing standard. If changes occur to the project, please forward them to this office. 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
Policy and Planning Manager

cc: Judy Jakobsen, Executive Director
John Milazzo, Counsel to the Commission

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING COUNCIL ON ENVIRONMENTAL QUALITY

Tom Gulbransen
Chairperson
CEQ

MEMORANDUM

TO: Involved/Interested Agencies

FROM: John Corral, Environmental Projects Coordinator *JC*

DATE: October 20, 2022

RE: SEQRA Coordination for the Proposed Air Traffic Control Tower Replacement Project at Suffolk County Gabreski Airport, Town of Southampton

Suffolk County has started the State Environmental Quality Review Act (SEQRA) environmental review process for the Proposed Air Traffic Control Tower Replacement Project at Suffolk County Gabreski Airport, Town of Southampton. The proposed project involves the construction of a new Air Traffic Control Tower at Gabreski Airport. The Tower is proposed to be 164 feet tall to the top of the Tower antennas. The project also includes the clearance of 22 acres of vegetation. All vegetative clearance will take place on the airfield between the runways and taxiways in an area designed by the Gabreski Airport Proposed Land Use Plan as "Future Clearing". After the new tower is completed the old air traffic control tower will be removed. The new tower is being developed as a safety improvement project. The existing air traffic control tower is well past its useful life and does not meet current building codes and FAA requirements. The new tower will meet current building codes and FAA air traffic control tower standards and requirements.

In accordance with Title 6 NYCRR Part 617.6(a) and (b) the Suffolk County has preliminarily reviewed this project and determined that it constitutes a Type I Action. As an Involved/Interested Agency, you are hereby notified that Suffolk County intends to assume Lead Agency status and comply with all necessary SEQRA requirements. Any objections to the County's position should be received within thirty days of the date of this mailing.

Enclosed is an Environmental Assessment Form for the above referenced County project which has been submitted to the Suffolk County Council on Environmental Quality (CEQ) for review. Pursuant to Chapter 450 of the Suffolk County Code, the CEQ must make a SEQRA recommendation to the Suffolk County Legislature. This CEQ recommendation must include a SEQRA classification for the action and a determination as to whether the proposed action may have a significant adverse impact on the environment which would require the preparation of a Draft Environmental Impact Statement (DEIS).

The CEQ would like to know any comments you may have regarding this proposal and whether you think a DEIS or a determination of non-significance is warranted. This project will be discussed at the **November 9, 2022 CEQ meeting via Zoom**. The Zoom meeting instructions are on the last page of this Memo. If you are unable to attend the meeting to present your views, please forward any comments you may have to this office prior to the date of the meeting.

JC/cd

Enc.

cc: José Moreno, Airport Planner, FAA NY District
Jonathan DeLaune, Environmental Specialist, FAA NY District
Janine Abyad, FAA Civil Engineer, FAA NY District
Lowell Lingo, Director, Aviation Bureau, NYS DOT
Cathy Haas, Acting Regional Director, NYSDEC
Robert Calarco, Assistant Regional Director, NYSDEC
Sue Ackerman, Regional Permit Administrator, NYSDEC
Judy Jakobsen, Executive Director, New York State Central Pine Barrens Commission
Sarah Lansdale, Commissioner, Suffolk County Department of Economic Development and Planning
Christopher Gonzalez, Chief Deputy Commissioner, Suffolk County Department of Economic Development and Planning
Elisa Picca, Deputy Commissioner, Suffolk County Department of Economic Development and Planning
Andrew P. Freleng, Chief Planner, Suffolk County Department of Economic Development and Planning, Division of Planning & Environment
Josh Smith, Airport Director, Suffolk County Gabreski Airport, Suffolk County Department of Economic Development and Planning
Walter Dawydiak, Director, Division of Environmental Quality, Suffolk County Department of Health Services
Ken Zegel, Principal Public Health Engineer, Suffolk County Department of Health Services
Joseph Brown, Commissioner, Suffolk County Department of Public Works
Donald G. Lynch, Chief Fire Marshall, Suffolk County Department of Fire, Rescue, Emergence Services
Hon. Bridget Fleming, Suffolk County Legislator, District 2
Hon. Jay Schneiderman, Supervisor, Town of Southampton
David Wilcox, Director of Planning, Town of Southampton
Marty Shea, Chief Environmental Analyst, Town of Southampton
Harry Ludlow, Chair CAC, Town of Southampton

SUFFOLK COUNTY
FULL ENVIRONMENTAL ASSESSMENT FORM
6 NYCRR Part 617
State Environmental Quality Review

Part 1 – Environment and Setting

Instructions: Part 1 is to be completed by the applicant or project sponsor. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information. If a question is not applicable to the proposed project indicate with “N/A”.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

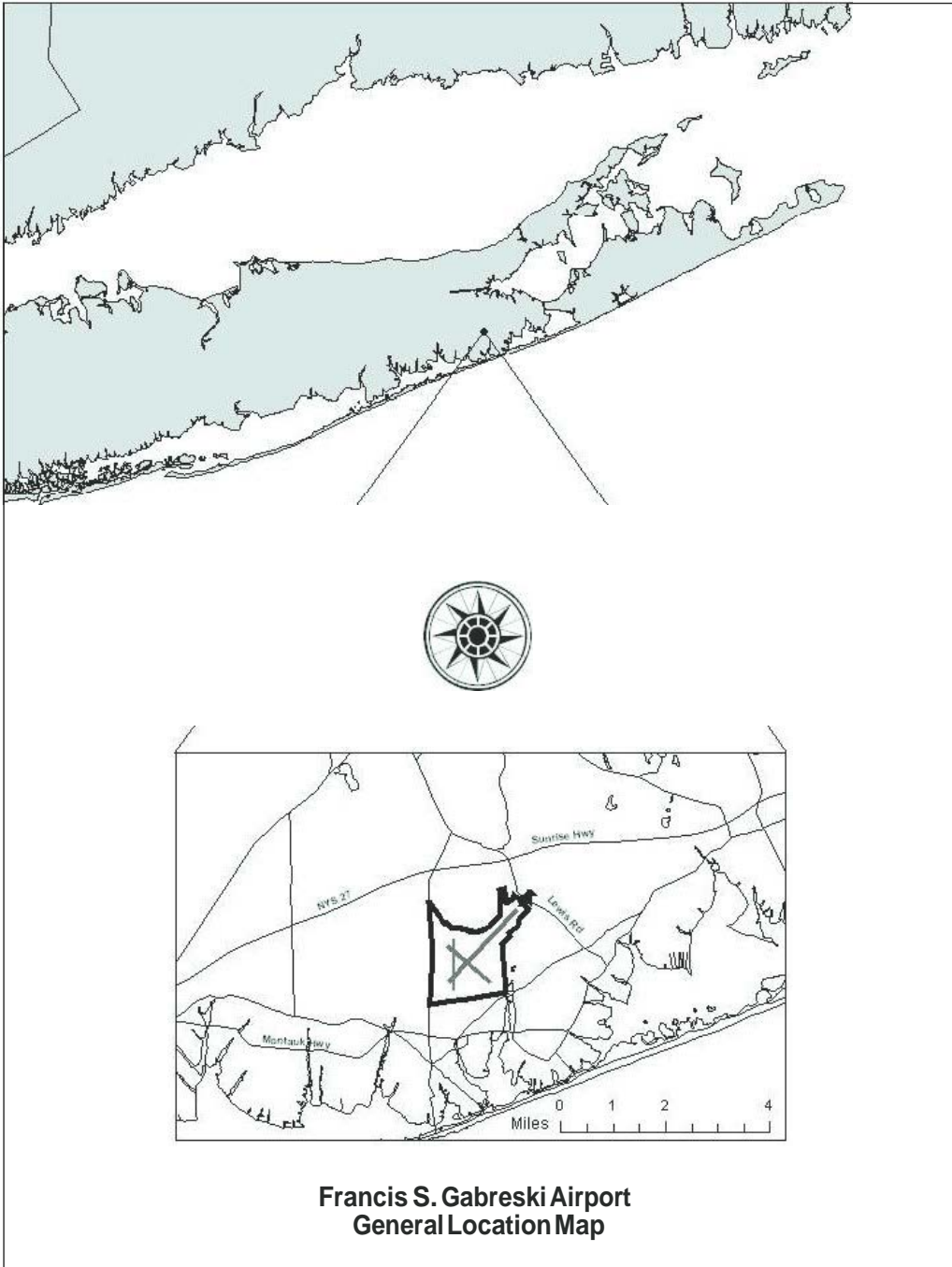
A. Project and Sponsor Information

Name of Action/Project: Proposed Air Traffic Control Tower Replacement Project
Project Location (specify Town, Village, Hamlet and attach general location map*): Suffolk County Francis S. Gabreski Airport, Town of Southampton
Street Address: Old Riverhead Road, (CR31), Westhampton Beach, Town of Southampton, NY
Name of Property or Waterway: Suffolk County Francis S. Gabreski Airport

* Maps of Property and Project: Attach relevant available maps including a location map (note: use road map, Hagstrom Atlas, USGS topography map, tax map or equivalent) and preliminary site plans showing orientation, scale, buildings, roads, landmarks, drainage systems, area to be altered by project, etc.

Type of Project: New Expansion

Capital Program: Item # 5709 Date Adopted: Amount: \$12,908,700



**Gabreski Airport
Southampton, NY**



In 1943, the United States government built the airport for use as an Air Force Base during World War II. After the war it was given to Suffolk County, but it was reclaimed in 1951 for the Korean War National Emergency. In 1960, it was leased by the US Air Force for an Air Defense Command (ADC) base that served as home to the 52nd Fighter Wing from 1963 through 1968. The base was deactivated in 1969 and released back to Suffolk County.

On July 12th, 1972, the federal government, acting by and through the General Services Administration, signed a "Quitclaim Deed" with the County of Suffolk, which conveyed the former Air Base property to the County "for the development, improvement and operation and maintenance of the airport" under the oversight of the FAA. The covenant and restrictions are enforceable through a reverter clause contained in the deed.

The following excerpts were extracted from the Airport Compliance Handbook (Order 5190.6A) which is used by the Federal Aviation Administration (FAA) to determine and enforce compliance with the terms and conditions of surplus property transfers and grant obligations - both of which apply to Gabreski Airport.

Section 1-3 - **BACKGROUND OF AIRPORT OBLIGATIONS.** The Federal Aviation Act of 1958 and the Civil Aeronautics Act of 1938 which preceded it charges the Administrator with broad responsibilities for the regulation of air commerce in the interests of safety and national defense and for the promotion, encouragement, and development of civil aeronautics. Under these broad powers the FAA seeks to achieve safety and efficiency of the total airspace system through direct regulation of airman, aircraft, and the airspace. The Federal interest in promoting civil aviation has been augmented by various legislative actions, which authorize programs for granting property, funds, and other assistance to local communities for the development of airport facilities. In each program the recipient assumes certain obligations, either by contract or by restrictive covenants in property deeds, to maintain and operate its airport facilities safely and efficiently and in accordance with specified conditions. Commitments assumed by airport owners in deeds or grant agreements have been generally successful in maintaining a high degree of safety and efficiency in airport design, construction, operation and maintenance. The Airports Compliance Program embraces the policy and guidelines of the FAA for monitoring the performance of airport owners under its obligations to the Federal Government.

Section 1-5 - **AUTHORITY.** Responsibility to ensure compliance with airport owner obligations is vested in, or imposed on, the FAA by law or through FAA contractual authority.

a. Surplus Property Transfers. Surplus property instruments of transfer were, and are, issued by the War Assets Administration (WAA) and its successor, the General Services Administration (GSA). However, Public Law (P.L.) 81-311 specifically imposes upon FAA the sole responsibility for determining and enforcing compliance with the terms and conditions of all instruments of transfer by which surplus airport property is or has been conveyed to non-Federal public agencies pursuant to the Surplus Property Act of 1944.

Section 4-13 - The owner of any airport developed with Federal grant assistance is required to operate it for the use and benefit of the public and to make it available to all types, kinds and classes of aeronautical activity on fair and reasonable terms and without unjust discrimination. A parallel obligation is implicit in the terms of conveyance of Federal property for airport

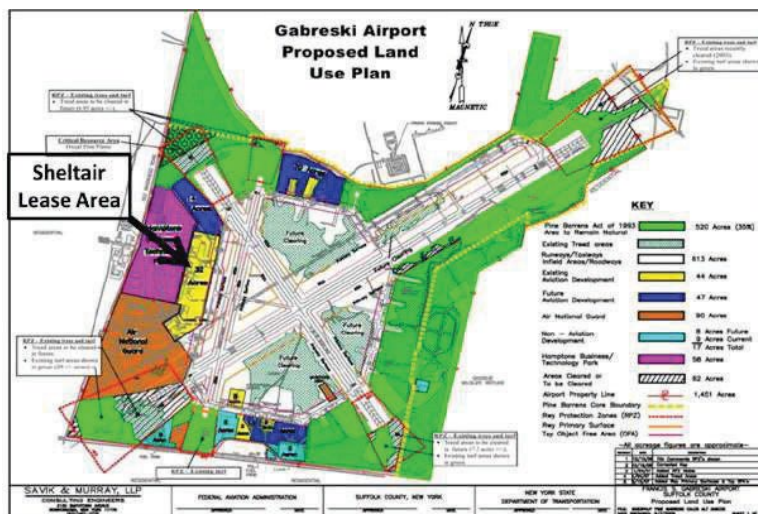
purposes under the Surplus Property Act. Land transfers under Section 16, Section 23, or Section 516 are authorized by the same statutes and for the same purposes as grants under FAAP, ADAP, and AIP and the same obligations will apply.

4-15 - The prime obligation of the owner of a federally assisted airport is to operate it for the use and benefit of the public. The public benefit is not assured merely by keeping the runways open to all classes of users. While the owner is not required to construct hangars and terminal facilities, it has the obligation to make available suitable areas or space on reasonable terms to those who are willing and otherwise qualified to offer flight services to the public (i.e., air carrier, air taxi, charter, flight training, crop dusting, etc.) or support services (i.e., fuel, storage, tie down, flight line maintenance, etc.) to aircraft operators.

In 1990, after two initial studies in 1971 and 1980, the Suffolk Legislature and County Executive in Resolution No. 1145-1990 approved the Airport Study and Master Plan as being in "the County's best interest." That plan provides the policy and guideline for determining short range needs as well as the consideration of long range forecasts for the future use and development at the Suffolk County Airport, including existing and potential use of the airport for aviation purposes, Air National Guard purposes and industrial purposes. It further Specifies that the primary purpose of the County's airport property is aviation, with its essential operating surfaces such as runways and taxiways, to provide maximum operational efficiency and safety. The plan further states that the itinerant aircraft apron will need to be expanded beyond its present parking capacity on the flight line in order to meet forecast demands.

The current proposed action is for construction of a new Air Traffic Control Tower on airport property. The site designated for the new Air Traffic Control Tower is in a previously disturbed area between the airport terminal building and aircraft parking apron. The proposed project is in conformance with the Airport Layout Plan and Proposed Airport Land Use Plan.

The new Air Traffic Control Tower is a safety and security improvement for Gabreski Airport. This upgrade to critical infrastructure was determined to be required in a 2003 renovation/ replacement study completed by Greenman-Pedersen, Inc., with the determination of a new tower being the outcome.



Note: 1) Dec 2006 - RPZ's added at each runway end. Areas within RPZ that are not already cleared are shown as "to be cleared" in the future. Areas within RPZ's that are currently self are shown in green (to remain natural).
 2) Areas where trees are to be cleared will be replanted with native grass to meet requirements of the Pine Barrens Act of 1993.

Brief Description of Proposed Action (include purpose or need/attach relevant design reports, plans, etc.): The proposed project is for construction of a new air traffic control tower at Francis S. Gabreski Airport. A replacement/rehabilitation study was completed by Greenman-Pedersen, Inc. in 2003 which studied the viability of renovating the existing tower (which was built in the early 1940's) or to replace the tower. The final determination was to build a new air traffic control tower.

The existing air traffic control tower was built in the early 1940's by the military and is well past its useful life. The tower is too short for Federal Aviation Administration (FAA) visibility standards, is not current with air traffic control tower security standards, does not meet the current fire/life/safety building codes, and has concrete stucco peeling off of the concrete block walls (posing a safety hazard for people on the ground). The current air traffic control tower equipment is aged and frequently goes in and out of service causing problems for the air traffic controllers and impacting safety at the airport.

A new tower will be built to the current fire/life/safety building codes, current security and access control measures, and will be built to the appropriate FAA designated height for the visibility to the airport Runway ends and hold short lines. This project will have substantial positive benefits to aviation safety due to the reasons mentioned.

The project started in 2003 with the tower replacement or renovation study. Once the tower was determined to need a full replacement the airport began working with the FAA to secure funding for a site selection study, which is the first phase of the FAA Airport Improvement Program project. The site selection study reviewed 10 different locations around the airport property and after a significant review and review panel, Site 7 was selected. It was selected due to its ability to meet all siting criteria with high recognition and discrimination visibility characteristics and low residual risk hazards as determined by applying the FAA Safety Management Systems. Site 7 is located approximately 200' north northeast of the existing tower in a predisturbed grassy field in front of the airport terminal building and next to the public aircraft parking ramp. (See project location map)

After the Phase I site selection study, the airport began the NEPA environmental review. With the assistance of the FAA, DEC, NFWS, and USDA the airport submitted a categorically excluded form for approval. On March 21, 2022 the FAA approved the Categorical Exclusion determination. This Categorical Exclusion determination indicates that the proposed project will not have a significant adverse impact on the environment, that no additional NEPA environmental review is required, and that the NEPA environmental review requirements have been satisfied. Please see FAA NEPA CATEX Summary Attachment for additional information regarding this completed NEPA environmental review process.

In January 2022 the airport submitted a grant application to the FAA for Phase III design funding. The airport anticipates receiving the grant offer in October of 2022. Once approved design will begin. The design phase will also contain the bid documents and bid review for construction. The airport anticipates going to bid in early 2023.

Construction funding is being requested through FAA AIP, Infrastructure BIL, and earmark funding opportunities. If funding is secured before 2024 then the airport can start construction. If not the airport anticipates receiving FAA funding in 2024 which would give a construction start date of mid-2024.

The new tower is planned to be 164' tall to the top of the antennas. The height was determined by the FAA visibility study requirements. The proposed project also includes approximately 22 acres of tree/vegetative clearing. This clearing is required by the FAA as part of the Tower Replacement project. As indicated in the attached project location map the proposed tree clearing is proposed to take place on the airfield between the runways and the taxiways (See project location map). This vegetation is currently blocking the view of the airport's east and south taxiways. The proposed clearing areas have been designated as "future clearing" areas on the Gabreski Airport Proposed Land Use Plan (See Ecological Resources Attachment for additional information). After the construction of the new airport tower the proposed project also involves the demolition and removal of the existing airport tower. The proposed project is not anticipated to significantly impact airport operations.

The Airport Noise Mitigation Work Group and Airport Community Advisory Board members have been informed about the new tower. The new tower is not anticipated to increase or decrease air traffic and is being developed as a safety/infrastructure improvement.

Project Status:

	Start	Completion
Proposal		
Study	2018	2022

Preliminary Planning	2022	2024
Final Plans: Specs	2022	2024
Site Acquisition	1970	
Construction	2023	2026
Other		

Departments Involved:

Dept. Performing Design &
Construction

Initiating Dept. (if different)

Name:	Suffolk County Department of Economic Development and Planning	Suffolk County Department of Economic Development and Planning
Street/PO:	Gabreski Airport Admin Building #1	Gabreski Airport Admin Building #1
City, State:	Westhampton Beach, NY	Westhampton Beach, NY
Zip:	11978	11978
Contact Person:	Joshua Smith	Joshua Smith
Business Phone:	631-852-8095	631-852-8095
Email:	Joshua.Smith@suffolkcountyny.gov	Joshua.Smith@suffolkcountyny.gov

B. Government Approvals, Funding or Sponsorship

("Funding" includes grants, loans, tax relief and any other forms of financial assistance)

Government Entity			If "Yes": Identify Agency and Approval(s) Required	Application Date (Actual or Projected)
<i>i.</i> City Council, Town Board or Village Board of Trustees	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
<i>ii.</i> City, Town or Village Planning Board or Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
<i>iii.</i> City, Town or Village Zoning Board of Appeals	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
<i>iv.</i> Other local agencies	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
<i>v.</i> County agencies	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Suffolk County Health Department - Sanitary and Toxic Substances, Suffolk County Department of Public Works - Building Permits, Suffolk County Fire Marshall - Fire Code Approvals, Suffolk County Legislature - SEQRA and Project Authorization	
<i>vi.</i> Regional agencies	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
<i>vii.</i> State agencies	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NYSDEC- SPDES Stormwater General Permit and possible incidental take of endangered/threatened species	
<i>viii.</i> Federal agencies	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Federal Aviation Administration - Design/Bid/Construction Documents. 7460 Airspace Review. Full commissioning of new tower and decommissioning of old tower.	

ix. Coastal Resources Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If YES,		
Is the project site located in a community with an approved Local Waterfront Revitalization Program?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is the project site within a Coastal Erosion Hazard Area?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

C. Planning and Zoning

C.1. Planning and Zoning Actions	
Will administrative or legislative adoption or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
C.2. Adopted Land Use Plans	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If Yes: Does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	See attached conformance to existing comprehensive or project master plans and Gabreski Airport Proposed Land Use Plan map.
b. Is the site of the proposed action within any local or regional special planning district (i.e. Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; et. al)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If Yes, identify the plan(s): Central Pine Barrens: Compatible Growth Area	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, identify the plan(s): _____	
C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If Yes, what is the zoning classification(s) including any applicable overlay district? Town of Southampton Zoning: LI 200 (Light Industrial) Aquifer Protection Overlay	
b. Is the use permitted or allowed by a special or conditional use permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
c. Is a zoning change requested as part of the proposed action?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, what is the proposed new zoning for the site? _____	
C.4. Existing Community Services	
a. In what school district is the project site located? Westhampton Beach School District	

b. What police or other public protection forces serve the project site? Suffolk County Sheriff, Air National Guard Security Forces, Westhampton Beach Police, Southampton Town Police
c. Which fire protection and emergency medical services serve the project site? Westhampton Beach Fire Department and Air National Guard Fire Rescue
d. What parks serve the project site? N/A - Proposed aviation project on existing airport property will not create a demand for or utilize parks

D. Project Details

D.1. Proposed and Potential Development							
a. What is the general nature of the proposed action? (if mixed, include all components) Residential <input type="checkbox"/> ; Industrial <input type="checkbox"/> ; Commercial <input type="checkbox"/> ; Recreational <input type="checkbox"/> ; Other <input checked="" type="checkbox"/> Aviation							
b. Total acreage of the site of the proposed action:	22.4 acres						
c. Total acreage to be physically disturbed:	22.4 acres						
d. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor:	1,451 acres						
e. Is the proposed action an expansion of an existing project or use? If Yes , what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet, etc.)? <input type="text"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
f. Is the proposed action a subdivision, or does it include a subdivision? If Yes: i. Purpose or type of subdivision? (if mixed, specify types) Residential <input type="checkbox"/> ; Industrial <input type="checkbox"/> ; Commercial <input type="checkbox"/> ; Recreational <input type="checkbox"/> ; Other <input checked="" type="checkbox"/> Aviation ii. <table border="1" style="width: 100%;"> <tr> <td>Is a cluster/conservation layout proposed?</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Number of lots proposed:</td> <td></td> </tr> <tr> <td>Minimum and maximum proposed lot sizes:</td> <td></td> </tr> </table>	Is a cluster/conservation layout proposed?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Number of lots proposed:		Minimum and maximum proposed lot sizes:		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Number of lots proposed:							
Minimum and maximum proposed lot sizes:							

<p>g. Will proposed action be constructed in multiple phases?</p> <p>If No, What is the anticipated period of construction? <div style="border: 1px solid black; padding: 2px; width: fit-content;">2 Years</div></p> <p>If Yes:</p> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">Total number of phases anticipated:</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">Anticipated commencement date of phase I (including demolition):</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">Anticipated completion date of final phase:</div> <div style="border: 1px solid black; padding: 2px;">Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:</div>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>															
<p>h. Does the project include new residential uses?</p> <p>If Yes, show number of units proposed.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 20%;">Single Family</th> <th style="width: 20%;">Two Family</th> <th style="width: 20%;">Three Family</th> <th style="width: 20%;">Multi-Family (4+)</th> </tr> </thead> <tbody> <tr> <td>Initial Phase</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>At Completion</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Single Family	Two Family	Three Family	Multi-Family (4+)	Initial Phase					At Completion					Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Single Family	Two Family	Three Family	Multi-Family (4+)												
Initial Phase																
At Completion																
<p>i. Does the proposed action include new non-residential construction (including expansions)?</p> <p>If Yes:</p> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">Total Number of Structures: 1</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">Dimensions of largest proposed structure: 164 ft tall</div> <div style="border: 1px solid black; padding: 2px;">Approximate extent of building space to be heated or cooled: Full</div>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>															

<p>j. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?</p> <p>If Yes:</p>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Purpose of the impoundment:	
If a water impoundment, the principal source of the water: Ground Water <input type="checkbox"/> ; Surface Water Streams <input type="checkbox"/> ; Other <input type="checkbox"/> (specify):	
If other than water, identify the type of impounded/contained liquids and their source:	
Approximate size of the proposed impoundment (include units): Volume: _____ Surface area: _____	
Dimensions of the proposed dam or impounding structure:	
Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):	

D.2. Project Operations

<p>a. Does the proposed action include any excavation, mining or dredging, during construction, operations or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)</p> <p>If Yes:</p>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
What is the purpose of the excavation or dredging?	
How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
Volume: _____ Over what duration of time: _____	
Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them:	

D.2.a (cont.) – only answer following if checked “Yes” above

<table border="1" style="width: 100%;"> <tr> <td data-bbox="138 1417 1307 1522"> Will there be onsite dewatering or processing of excavated materials? If Yes, describe: </td> </tr> <tr> <td data-bbox="138 1522 1307 1585"> What is the total area to be dredged or excavated? </td> </tr> <tr> <td data-bbox="138 1585 1307 1648"> What is the maximum area to be worked at any one time? </td> </tr> <tr> <td data-bbox="138 1648 1307 1711"> What would be the maximum depth of excavation or dredging? </td> </tr> <tr> <td data-bbox="138 1711 1307 1774"> Will the excavation require blasting? </td> </tr> <tr> <td data-bbox="138 1774 1307 1858"> Summarize site reclamation goals and plans: </td> </tr> </table>	Will there be onsite dewatering or processing of excavated materials? If Yes, describe:	What is the total area to be dredged or excavated?	What is the maximum area to be worked at any one time?	What would be the maximum depth of excavation or dredging?	Will the excavation require blasting?	Summarize site reclamation goals and plans:	
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What would be the maximum depth of excavation or dredging?							
Will the excavation require blasting?							
Summarize site reclamation goals and plans:							

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, water body, shoreline, beach or adjacent area?

If Yes:

Identify the wetland or water body which would be affected (by name, water index number, wetland map number or geographic description):

Describe how the proposed action would affect that water body or wetland, e.g. excavation, fill, placement of structures or creation of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

Will proposed action cause or result in disturbance to bottom sediments?
If Yes, describe:

Will proposed action cause or result in the destruction or removal of aquatic vegetation?

Yes No

If Yes:

Area of vegetation proposed to be removed:

Expected acreage of aquatic vegetation remaining after project completion:

Purpose of proposed removal (e.g., beach clearing, invasive control, boat access):

Proposed method of plant removal:

If chemical/herbicide treatment will be used, specify product(s):

Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use or create a new demand for water?

If Yes:

Yes. the water demand will transfer from the existing tower to the replacement tower.

Total anticipated water usage/demand per day: 40 gallons/day

Will the proposed action obtain water from an existing public water supply?

If Yes:

Name of district/service area:

SCWA

Does the existing public water supply have capacity to serve the proposal?

Yes No

Is the project site in the existing district?

Yes No

Is expansion of the district needed?

Yes No

Do existing lines serve the project site?

Yes No

Will line extension within an existing district be necessary to supply the project?

If Yes:

Describe extensions or capacity expansions proposed to serve this project:

Source(s) of supply for the district:

Yes No

Is a new water supply district or service area proposed to be formed to serve the project site?

If Yes:

Applicant/sponsor for new district:

Date application submitted or anticipated:

Proposed source(s) of supply for new district:

If a public water supply will not be used, describe plans to provide water supply for the project:

If water supply will be from wells (public or private), what will be the maximum pumping capacity?

d. Will the proposed action generate liquid wastes?

If Yes:

Total anticipated liquid waste generation per day: 40 gallons/day

Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination describe all components and approximate volumes or proportions of each):

If sanitary wastewater identify proposed disinfection technology and treatment goals for the following:

- Disinfection technology:
- Nitrogen:
- Phosphorus:
- Total Suspended Solids (TSS):
- Biological Oxygen Demand (BOD):

Will the proposed action use any existing public wastewater treatment facilities?

If Yes:

Name of wastewater treatment plant to be used: Gabreski Airport Treatment Facility

Name of district: Gabreski Airport STP

Does the existing wastewater treatment plant have capacity to serve the project?

Yes No

Is the project site in the existing district?

Yes No

Is expansion of the district needed?

Yes No

Do existing sewer lines serve the project site?

Yes No

Will line extension within an existing district be necessary to serve the project? –

A sewer line extension to the new tower will be constructed

If Yes:

Describe extensions or capacity expansions proposed to serve this project:

Will a new wastewater (sewage) treatment district be formed to serve the project site?

If Yes:

Applicant/Sponsor for new district:

Date application submitted or anticipated:

What is the receiving water for the wastewater discharge?

If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

Describe any plans or designs to capture, recycle or reuse liquid waste:

Yes No

<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <table border="1"> <tr> <td data-bbox="152 302 1284 401"> How much impervious surface will the project create in relation to total size of project parcel? Area of Impervious Surface: Aprox 0.5 acres Area of Parcel: 1,451 acres </td> <td data-bbox="1323 134 1539 909" rowspan="6" style="vertical-align: middle;"> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> </td> </tr> <tr> <td data-bbox="152 401 1284 470"> Describe types of new point sources: Stormwater runoff from new tower structure and from new paved areas around new tower structure </td> </tr> <tr> <td data-bbox="152 470 1284 604"> Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? - On site catch basins/leaching pools </td> </tr> <tr> <td data-bbox="152 604 1284 674"> If to surface waters, identify receiving water bodies or wetlands: </td> </tr> <tr> <td data-bbox="152 674 1284 743"> Will stormwater runoff flow to adjacent properties? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </td> </tr> <tr> <td data-bbox="152 743 1284 877"> Does proposed plan minimize impervious surfaces use pervious materials or collect and re-use stormwater? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> </td> </tr> </table>	How much impervious surface will the project create in relation to total size of project parcel? Area of Impervious Surface: Aprox 0.5 acres Area of Parcel: 1,451 acres	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Describe types of new point sources: Stormwater runoff from new tower structure and from new paved areas around new tower structure	Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? - On site catch basins/leaching pools	If to surface waters, identify receiving water bodies or wetlands:	Will stormwater runoff flow to adjacent properties? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Does proposed plan minimize impervious surfaces use pervious materials or collect and re-use stormwater? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
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<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <table border="1"> <tr> <td data-bbox="152 1052 1284 1121"> Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles): </td> <td data-bbox="1323 909 1539 1287" rowspan="3" style="vertical-align: middle;"> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </td> </tr> <tr> <td data-bbox="152 1121 1284 1190"> Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers): </td> </tr> <tr> <td data-bbox="152 1190 1284 1260"> Stationary sources during operations (e.g., process emissions, large boilers, electric generation): </td> </tr> </table>	Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers):	Stationary sources during operations (e.g., process emissions, large boilers, electric generation):				
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<p>g. Will any air emission sources named in D.2.f (above) require a NY State Air Registration, Air Facility Permit or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <table border="1"> <tr> <td data-bbox="152 1430 1284 1528"> Is the project site located in an Air Quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes <input type="checkbox"/> No <input type="checkbox"/> </td> <td data-bbox="1323 1287 1539 1791" rowspan="2" style="vertical-align: middle;"> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </td> </tr> <tr> <td data-bbox="152 1528 1284 1766"> In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> - Tons/year (metric) of Carbon Dioxide (CO₂) - Tons/year (metric) of Nitrous Oxide (N₂O) - Tons/year (metric) of Perfluorocarbons (PFCs) - Tons/year (metric) of Sulfur Hexafluoride (SF₆) - Tons/year (metric) of Carbon Dioxide equivalent of Hydroflorocarbons (HFCS) - Tons/year (metric) of Hazardous Air Pollutants (HAPs) </td> </tr> </table>	Is the project site located in an Air Quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> - Tons/year (metric) of Carbon Dioxide (CO₂) - Tons/year (metric) of Nitrous Oxide (N₂O) - Tons/year (metric) of Perfluorocarbons (PFCs) - Tons/year (metric) of Sulfur Hexafluoride (SF₆) - Tons/year (metric) of Carbon Dioxide equivalent of Hydroflorocarbons (HFCS) - Tons/year (metric) of Hazardous Air Pollutants (HAPs) 					
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<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Estimate methane generation in tons/year (metric):</td> </tr> <tr> <td>Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):</td> </tr> </table>	Estimate methane generation in tons/year (metric):	Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>																																											
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<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td colspan="3">When is the peak traffic expected? (check all that apply)</td> </tr> <tr> <td>Morning <input type="checkbox"/></td> <td>Evening <input type="checkbox"/></td> <td>Weekend <input type="checkbox"/> Randomly <input type="checkbox"/></td> </tr> <tr> <td colspan="3" style="text-align: center;">between the hours of _____ to _____</td> </tr> <tr> <td colspan="3">For commercial activities only, projected number of semi-trailer truck trips/day:</td> </tr> <tr> <td colspan="3">Parking spaces:</td> </tr> <tr> <td>Existing:</td> <td>Proposed:</td> <td>Net Increase/Decrease:</td> </tr> <tr> <td colspan="3">Does the proposed action include any shared use parking?</td> </tr> <tr> <td colspan="3">Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td colspan="3">If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:</td> </tr> <tr> <td colspan="3">Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?</td> </tr> <tr> <td colspan="3">Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td colspan="3">Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?</td> </tr> <tr> <td colspan="3">Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td colspan="3">Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?</td> </tr> <tr> <td colspan="3">Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	When is the peak traffic expected? (check all that apply)			Morning <input type="checkbox"/>	Evening <input type="checkbox"/>	Weekend <input type="checkbox"/> Randomly <input type="checkbox"/>	between the hours of _____ to _____			For commercial activities only, projected number of semi-trailer truck trips/day:			Parking spaces:			Existing:	Proposed:	Net Increase/Decrease:	Does the proposed action include any shared use parking?			Yes <input type="checkbox"/> No <input type="checkbox"/>			If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:			Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?			Yes <input type="checkbox"/> No <input type="checkbox"/>			Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?			Yes <input type="checkbox"/> No <input type="checkbox"/>			Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?			Yes <input type="checkbox"/> No <input type="checkbox"/>			<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
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<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Estimate annual electricity demand during operation of the proposed action:</td> </tr> <tr> <td>Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility or other):</td> </tr> <tr> <td>Will the proposed action require a new, or an upgrade to, an existing substation?</td> </tr> <tr> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Estimate annual electricity demand during operation of the proposed action:	Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility or other):	Will the proposed action require a new, or an upgrade to, an existing substation?	Yes <input type="checkbox"/> No <input type="checkbox"/>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>																																									
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<p>1. Hours of operation (Answer all items which apply)</p> <table border="1"> <thead> <tr> <th>During Construction</th> <th>During Operations</th> </tr> </thead> <tbody> <tr> <td>Monday-Friday: 7am-5pm</td> <td>Monday-Friday: 7 AM - 11PM</td> </tr> <tr> <td>Saturday:</td> <td>Saturday: 7 AM - 11PM</td> </tr> <tr> <td>Sunday:</td> <td>Sunday: 7 AM - 11PM</td> </tr> <tr> <td>Holidays:</td> <td>Holidays: 7 AM - 11PM</td> </tr> </tbody> </table>	During Construction	During Operations	Monday-Friday: 7am-5pm	Monday-Friday: 7 AM - 11PM	Saturday:	Saturday: 7 AM - 11PM	Sunday:	Sunday: 7 AM - 11PM	Holidays:	Holidays: 7 AM - 11PM	<p>N/A <input type="checkbox"/></p>
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<p>m. Does the proposed action produce noise that will exceed existing ambient noise levels during construction, operation or both?</p> <p>If Yes:</p> <p>Provide details including sources, time of day and duration:</p> <p>Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes <input type="checkbox"/> No <input type="checkbox"/> Describe:</p>	<p>During the noted times of construction there may be some brief exceedances of ambient noise levels.</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>										
<p>n. Will the proposed action have outdoor lighting?</p> <p>If Yes:</p> <p>Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Lighting will follow FAA Air Traffic Control Tower design/construction requirements for safety and security.</p> <p>Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Describe:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>****</p>										
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes:</p> <p>Describe possible sources, potential frequency and duration of odor emissions and proximity to nearest occupied structures:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>										
<p>p. Will the proposed action include any bulk storage of petroleum (over 1,100 gallons) or chemical products (over 550 gallons)?</p> <p>If Yes:</p> <p>Product(s) to be stored:</p> <p>Volume(s): per unit time: (e.g., month, year)</p> <p>Generally describe proposed storage facilities:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>										
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>Describe proposed treatment(s):</p> <p>Will the proposed action use Integrated Pest Management Practices? Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>										

****Final exterior lighting design is to be determined and will be subject to review by the Federal Aviation Administration as applicable. All outdoor light fixtures would be shielded and downward facing, designed to prevent glare and off-site light spill.

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?

If Yes:

Describe any solid waste(s) to be generated during construction or operation of the facility:

Construction: _____ tons per _____ (unit of time)	- see below regarding construction demolition. Exact tonnage to be removed is to be determined
Operation: _____ tons per _____ (unit of time)	

Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

Construction: _____
Operation: _____

Proposed disposal methods/facilities for solid waste generated on-site:

Construction: Demolition of the existing air traffic control tower will take place after commissioning of the new tower. Solid waste will be disposed of following federal, state, and local regulations.
Operation: Normal day to day business trash will be disposed of in the appropriate dumpster.

Yes No

s. Does the proposed action include construction or modification of a solid waste management facility?

If Yes:

Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill or other disposal activities):

Anticipated rate of disposal/processing:

_____ tons/month, if transfer or other non-combustion/thermal treatment, or
_____ tons/hour, if combustion or thermal treatment

If landfill, anticipated site life: _____ years

Yes No

<p>t. Will proposed action at the site involve the commercial generation, treatment, storage or disposal of hazardous waste?</p> <p>If Yes: Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: Demolition of existing tower will require coordination for removal of asbestos and possibly lead based materials. All materials will be disposed of following the appropriate federal, state, and local regulations.</p> <p>Generally describe processes or activities involving hazardous wastes or constituents: <input type="text" value="See above"/></p> <p>Specify amount to be handled or generated: <input type="text" value="To be determined"/> tons/month</p> <p>Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:</p> <p>Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes: Provide name and location of facility: <input type="text" value="To be determined based on the demolition materials and the applicable disposal regulations"/></p> <p>If No: Describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>u. Will proposed action adhere to Leadership in Energy and Environmental Design (LEED) or any other green building principals?</p> <p>If Yes: Describe proposed green building methods and attempted level of certification, if any:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>v. Does the project sponsor propose the use of energy benchmarking to monitor and adjust project energy needs?</p> <p>If Yes, explain:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>w. Will the proposed action use native plants for all landscaping needs?</p> <p>Identify species to be used and method of irrigation:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>x. Does the proposed action promote local tourism?</p> <p>If Yes, explain:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

E. Site and Setting of Proposed Action

E.1. Land Uses on and Surrounding the Project Site

- a. Existing land uses (Check all uses that occur on, adjoining and near the project site): (include map)
- Urban Industrial Commercial Residential Rural
 Forest Agriculture Aquatic Other Specify: Aviation

If mix of uses, generally describe: Air Traffic Control Tower will be built on airport property which is 1,451 acres. Surrounding the airport is the Pine Barrens, residential neighborhoods, industrial/commercial uses, and the Air National Guard.

b. Land uses and cover types on the project site:

Land Use or Cover Type	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
Roads, buildings and other paved or impervious surfaces		0.5	0.5
Forested	21.9	0	-21.9
Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
Agricultural (includes active orchards, fields, greenhouse, etc.)			
Surface water features (lakes, ponds, streams, rivers, etc.)			
Wetlands (freshwater or tidal)			
Non-Vegetated (bare rock, earth or fill)			
Other Describe: Grass, walkway, landscape hedges from terminal to aircraft parking apron.	0.5	0	-0.5
TOTAL:	22.4	0.5	-21.9

c. Is the project site presently used by members of the community for public recreation?

If Yes, explain:

Yes No

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers or group homes) within 1,500 feet of the project site?

If Yes, identify facilities:

1,275 feet west of the proposed site is the AHRC Suffolk building. AHRC leases property from Francis S. Gabreski Airport for use of a rehabilitation and day treatment center for people with disabilities.

Yes No

<p>e. Does the project site contain an existing dam?</p> <p>If Yes:</p> <table border="1" data-bbox="147 201 1308 506"> <tr> <td colspan="2">Dimensions of the dam and impoundment:</td> </tr> <tr> <td>- Dam height:</td> <td>feet</td> </tr> <tr> <td>- Dam length:</td> <td>feet</td> </tr> <tr> <td>- Surface area:</td> <td>acres</td> </tr> <tr> <td>- Volume impounded:</td> <td>gallons or acre-feet</td> </tr> <tr> <td colspan="2">Dam's existing hazard classification:</td> </tr> <tr> <td colspan="2">Provide date and summarize results of last inspection:</td> </tr> </table>	Dimensions of the dam and impoundment:		- Dam height:	feet	- Dam length:	feet	- Surface area:	acres	- Volume impounded:	gallons or acre-feet	Dam's existing hazard classification:		Provide date and summarize results of last inspection:		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
Dimensions of the dam and impoundment:															
- Dam height:	feet														
- Dam length:	feet														
- Surface area:	acres														
- Volume impounded:	gallons or acre-feet														
Dam's existing hazard classification:															
Provide date and summarize results of last inspection:															
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?</p> <p>If Yes:</p> <table border="1" data-bbox="147 705 1308 947"> <tr> <td colspan="2">Has the facility been formally closed?</td> </tr> <tr> <td>Yes</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2">If Yes, cite sources/documentation:</td> </tr> <tr> <td colspan="2">Describe the location of the project site relative to the boundaries of the solid waste management facility:</td> </tr> <tr> <td colspan="2">Describe any development constraints due to the prior solid waste activities:</td> </tr> </table>	Has the facility been formally closed?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If Yes, cite sources/documentation:		Describe the location of the project site relative to the boundaries of the solid waste management facility:		Describe any development constraints due to the prior solid waste activities:		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>		
Has the facility been formally closed?															
Yes	<input type="checkbox"/>														
No	<input type="checkbox"/>														
If Yes, cite sources/documentation:															
Describe the location of the project site relative to the boundaries of the solid waste management facility:															
Describe any development constraints due to the prior solid waste activities:															
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?</p> <p>If Yes:</p> <table border="1" data-bbox="147 1146 1308 1356"> <tr> <td colspan="2">Describe waste(s) handled and waste management activities, including approximate time when activities occurred: Gabreski Airport has been a subject to past remedial cleanups and a remedial investigation is currently being conducted at the airport in regards to the contaminants PFOS/PFOA. The closest known remediation cleanup was a Brownfield cleanup project approximately 600 feet west of the proposed tower construction site. Jet fuel was the major contaminant at this cleanup site.</td> </tr> </table>	Describe waste(s) handled and waste management activities, including approximate time when activities occurred: Gabreski Airport has been a subject to past remedial cleanups and a remedial investigation is currently being conducted at the airport in regards to the contaminants PFOS/PFOA. The closest known remediation cleanup was a Brownfield cleanup project approximately 600 feet west of the proposed tower construction site. Jet fuel was the major contaminant at this cleanup site.		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>												
Describe waste(s) handled and waste management activities, including approximate time when activities occurred: Gabreski Airport has been a subject to past remedial cleanups and a remedial investigation is currently being conducted at the airport in regards to the contaminants PFOS/PFOA. The closest known remediation cleanup was a Brownfield cleanup project approximately 600 feet west of the proposed tower construction site. Jet fuel was the major contaminant at this cleanup site.															

h. Has there been a reported contamination spill at the proposed project site or have any remedial actions been conducted at or adjacent to the proposed site?

If Yes:

Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? (Check all that apply)

- Yes – Spills Incidents database Provide DEC ID number(s):
 Yes – Environmental Site Remediation database Provide DEC ID number(s):
 Neither database

If site has been subject to RCRA corrective activities, describe control measures:

Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No

If Yes:

DEC ID number(s): 152078, 152122, 152079, C152079, 152226, 152110, V00576, 152148

Describe current status of site(s):

The following represents an inventory of remediation sites over the entire Gabreski Airport Property:

- 152078 - No Further Action
- 152122 - Completed
- 152079 - PCBs in soil confirmed - On-going investigation
- C152079 - PCBs in soil confirmed - On-going investigation
- 152226 - Perchlorate was confirmed in ground water - Investigation is planned
- 152110 - No Further Action
- V00576 - Completed
- 152148 - Completed

Yes No

E.1.h. (cont.) – only answer following if checked “Yes” above

Is the project site subject to an institutional control limiting property uses?

If Yes:

DEC site ID number(s):
V00576

Describe the type of institutional control (e.g., deed restriction or easement):
Environmental Easement

Describe any use limitations:
Future use limitations are restricted to residential, commercial, or industrial

Describe any engineering controls:
Cover system
Ground water use restriction
IC/EC Plan
Landuse Restrictions
Site management plan
Soil management plan

Will the project affect the institutional or engineering controls in place? Yes No
Explain:

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site:
Aprox 1,500 feet below ground surface

b. Are there bedrock outcroppings on the project site?
If Yes:
What proportion of the site is comprised of bedrock outcroppings?
%

Yes No

c. Predominant soil type(s) present on project site: (include map)

1. CpA (carver and plymouth sands 0 to 3% slopes)	% of site
2. CuB (Cut and fill land, gently sloping)	100% of site
3. P1A (Plymouth loamy sand, 0 to 3% slopes)	% of site
4. P1B (plymouth loamy sand 3 to 8% slopes)	% of site

d. What is the average depth to the water table on the project site?
31-50 feet

e. Drainage status of project site soils:

1. <input checked="" type="checkbox"/> Well Drained	100% of site
2. <input type="checkbox"/> Moderately Well Drained	% of site
3. <input type="checkbox"/> Poorly Drained	% of site

f. Approximate proportion of proposed action site with slopes: (include topographic map)

1. <input checked="" type="checkbox"/> 0-10%	100% of site
2. <input type="checkbox"/> 11-15%	% of site
3. <input type="checkbox"/> 16% or greater	% of site

g. Are there any unique geologic features on the project site?
If Yes, describe:

Yes No

h. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?

Yes No

i. Do any wetlands or other waterbodies adjoin the project site?

Yes No

If Yes to either E.2.h or E.2.i, continue. If No, skip to E.2.m

j. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? (include map)

Yes No

k. For each identified wetland and waterbody on the project site, provide the following information:		
Streams:	Name:	Classification:
Lakes or Ponds:	Name:	Classification:
Wetlands:	Name:	Approx. Size:
Wetland No. (if regulated by DEC):		

l. Are any of the above waterbodies listed in the most recent compilation of NYS water quality-impaired waterbodies? If Yes , name of impaired water body/bodies and basis for listing as impaired: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
m. Is the project site in a designated floodway?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
n. Is the project site in the 100 year floodplain?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
o. Is the project site in the 500 year floodplain?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
p. Is the project site located over or immediately adjoining a primary, principal or sole source aquifer? If Yes: <div style="border: 1px solid black; padding: 2px;">Name of aquifer: Nassau-Suffolk Sole Source Aquifer</div> <div style="border: 1px solid black; padding: 2px;">Source of information: EPA Region 2, Sole Source Aquifers for NY and NJ</div>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
q. Identify the predominant wildlife species that occupy or use the project site: <div style="border: 1px solid black; padding: 5px;"> American Crow, Eastern Kingbird, Field Sparrow, Wild Turkey, Redtail Hawk, Groundhog, Eastern Cottontail, and the Red Fox </div>	
r. Does the project site contain a designated significant natural community? – See Ecological Resources Attachment If Yes: <div style="border: 1px solid black; padding: 2px;">Describe the habitat/community (composition, function and basis for designation: Dwarf Pine Plains, Pitch Pine Oak Health Woodland, and Pitch pine Oak Forest</div> <div style="border: 1px solid black; padding: 2px;">Source(s) of description or evaluation: NYNHP - New York National Heritage Program</div> <div style="border: 1px solid black; padding: 2px;">Extent of community/habitat Total proposed vegetation is aprox 22 acres - Currently: acres- NYSDEC EAF mapper indicates 1,395 acres, 2903 acres, 818 acres respectively - Following completion of project as proposed: acres – - Gain or loss (indicate + or –): acres </div>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
s. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? – (See Ecological Resources Attachment) If Yes: <div style="border: 1px solid black; padding: 2px;">Species and listing (endangered or threatened): Northern Long Eared Bat –Threatened, Upland Sandpiper- Threatened, Northern Harrier –Threatened, Showy Aster- Threatened, Sandplain Gerardia – Endangered</div> <div style="border: 1px solid black; padding: 2px;">Nature of use of site by the species (e.g., resident, seasonal, transient): Resident</div> <div style="border: 1px solid black; padding: 2px; margin-left: 20px;">Documented occurrence within .5 miles of the proposed project site</div>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<p>t. Does project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? - (See Ecological Resources Attachment)</p> <p>If Yes:</p> <p>Species and listing: Herodias, -Rare, Special Concern, Pakard's Lichen Moth- Rare, Unlisted, Jersey Jair Underwing -Rare, Special Concern, Coastal Barrens Buckmoth-Rare, Special Concern</p> <p>Nature of use of site by the species (e.g., resident, seasonal, transient):</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>u. Is the project site or adjoining area currently used for hunting, trapping, fishing or shellfishing?</p> <p>If Yes, give a brief description of how the proposed action may affect that use:</p> <p>Proposed action is in the commercial use section of the airport and away from the wooded areas used for hunting.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?</p> <p>If Yes, provide county plus district name/number:</p> <p></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>b. Are agricultural lands consisting of highly productive soils present?</p> <p>If Yes:</p> <p>Acreage(s) on project site:</p> <p>Source(s) of soil rating(s):</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>c. Does the project site contain all or part of, or is it substantially contiguous to a registered National Natural Landmark?</p> <p>If Yes:</p> <p>Nature of the natural landmark:</p> <p><input type="checkbox"/> Biological Community; <input type="checkbox"/> Geological Feature</p> <p>Provide brief description of landmark, including values behind designation and approximate size/extent:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area, including Special Groundwater Protection Areas?</p> <p>If Yes:</p> <p>CEA name: Central Pine Barrens, Suffolk County Special Groundwater Protection Area, Town of Southampton Aquifer Protection Overlay District</p> <p>Basis for designation: Central Pine Barrens CEQ is designated for Benefit Public Health and Groundwater Protection and the town of Southampton Aquifer Protection District and Central Suffolk Special Groundwater Protection Area CEA is designated for the protection of groundwater</p> <p>Designating agency and date:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

**Gabreski Airport
Wetlands**



Gabreski Airport Soils



- Soils Common to Airport:
- CpA Carver and Plymouth sands, 0 to 3 percent slopes
 - CpC Carver and Plymouth sands, 3 to 15 percent slopes
 - CuB Cut and fill land, gently sloping
 - Ma Made Land
 - PIA Plymouth loamy sand, 0 to 3 percent slopes
 - PIB Plymouth loamy sand, 3 to 8 percent slopes
 - PmB3 Plymouth gravely loamy sand, 3 to 8 percent slopes, eroded
 - Rc Recharge Basin
 - Ur Urban land

**Gabreski Airport
Topography**



<p>e. Does the project site contain, or is it substantially contiguous to, a building, archeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site; <input type="checkbox"/> Historic Building or district</td> </tr> <tr> <td>Name:</td> </tr> <tr> <td>Brief description of attributes on which listing is based:</td> </tr> </table>	Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site; <input type="checkbox"/> Historic Building or district	Name:	Brief description of attributes on which listing is based:	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site; <input type="checkbox"/> Historic Building or district				
Name:				
Brief description of attributes on which listing is based:				
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>			
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Describe possible resource(s):</td> </tr> <tr> <td>Basis for identification:</td> </tr> </table>	Describe possible resource(s):	Basis for identification:	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
Describe possible resource(s):				
Basis for identification:				
<p>h. Would the project site be visible from any officially designated and publicly assessable federal, state or local scenic or aesthetic resource?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Identify resource:</td> </tr> <tr> <td>Nature of, or basis for designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):</td> </tr> <tr> <td>Distance between project and resource:</td> </tr> </table>	Identify resource:	Nature of, or basis for designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):	Distance between project and resource:	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
Identify resource:				
Nature of, or basis for designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):				
Distance between project and resource:				
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR Part 666?</p> <p>If Yes:</p> <table border="1" style="width: 100%;"> <tr> <td>Identify the name of the river and its designation:</td> </tr> <tr> <td>Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Identify the name of the river and its designation:	Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? Yes <input type="checkbox"/> No <input type="checkbox"/>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
Identify the name of the river and its designation:				
Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? Yes <input type="checkbox"/> No <input type="checkbox"/>				

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name:

Date: 10/12/2022

Signature: Joshua Smith

Title: Airport Manager

**Gabreski Tower
Replacement - Project
Location Map**



Legend

11978

Google Earth

4000 ft

Tree Removal 16.5 acres

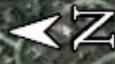
Tree Removal 5.4 acres

New Tower

Existing Tower

Old Riverhead Rd

Old Country Rd



Conformance to existing comprehensive or project master plans

	yes	no	Description
a. Federal	<u>X</u>	___	<p><u>1981 Airport Master Plan</u> - Approved by the Federal Aviation Administration (FAA) on March 5, 1981. The plan called for rehabilitation of existing aviation facilities including runways, taxiways, aircraft parking ramps and buildings. Additional hangars and tie down areas were recommended to meet anticipated future aviation demand. Development of a commercial/industrial park, provide a parallel taxiway for Runway 24, and expansion of the existing terminal building were also recommended. Development of specific measures to prevent ground water pollution and protect the environment was suggested.</p> <p><u>1990 Airport Master Plan</u> - In 1991 the FAA reviewed the 1990 Airport Master Plan adopted by Suffolk County and found it consistent with the approved 1981 Airport Master Plan.</p>
b. State	<u>X</u>	___	<p><u>1992 - Adoption of the Long Island Comprehensive Special Groundwater Protection Area Plan</u> by the New York State Department of Environmental Conservation recommends that "the Town of Southampton should permit new industrial development only in those areas where such uses already exist. These areas include the Suffolk County Airport and the adjacent properties that have not been rezoned for residential use."</p> <p><u>1995 - Adoption of the Central Pine Barrens Comprehensive Land Use Plan</u> by the Central Pine Barrens Joint Planning and Policy Commission delineated most of the airport property as CGA and designated the Suffolk County Airport as a Southampton Pine Barrens Credit Program "receiving area". The Town of Southampton subsequently revised their codes to conform to the Central Pine Barrens Plan. Except for a few areas, the Central Pine Barrens Plan excludes "from the Core Preservation Area those portions of the airport property which are occupied by the runways, their associated maintenance areas, and those areas identified for future use in the Suffolk County Airport Master Plan approved by the Suffolk County Legislature"(1990).</p>

c. Bi County X ___

The 1970 Nassau-Suffolk Comprehensive Development Plan states Suffolk County Air Force Base (Westhampton) is owned by Suffolk County and contains three runways, including one 9,000 foot NE-SW and one 5,000 foot NW-SE. It is adequately buffered with vacant land and is highly suitable for development into a general use airport. The base has been reacquired from the Air Force for County control and management for general aviation purposes. In addition, a unit of the Air National Guard will operate from the field.

d. County X ___

1990 - Updated Airport Study and Master Plan was prepared by the Suffolk County Planning Department and submitted to the Suffolk County Legislature and County Executive who adopted it as the official airport master plan which was the culmination of two former studies. The plan calls for the development of the former U.S. Air Force Base as a general aviation facility which is set forth in the "Quitclaim Deed" transferring the property from the Federal Government to Suffolk County. The aviation portion of the site is to include continued use by the military as well as civilian use including airport services, fuel facilities and additional hangars and tie-down areas. Aviation use is in conformance with the Town of Southampton LI-200 zoning of the site.

Airport Minimum Standards and Airport Rules and Regulations –

Rules and regulations have been issued by the County and are intended to ensure the safe and efficient operation of the airport. Rules related to aeronautical operations, ground operations, and procedures to be followed by tenants and users of the airport guarantee uniform expectations are being applied and must be complied with.

Minimum Standards - The County of Suffolk as owner and Sponsor of the Francis S. Gabreski Airport is responsible for all aspects of the administration of this public, general aviation facility, and in order to foster, encourage and insure the economic growth and orderly development of aviation and related aeronautical activities at the Airport by

encouraging adequate aeronautical services and facilities for the users of the Airport, has established certain standards and requirements for Commercial Aviation Operators. All aviation projects and activities at the airport must comply with the Minimum Standards and Rules and Regulations.

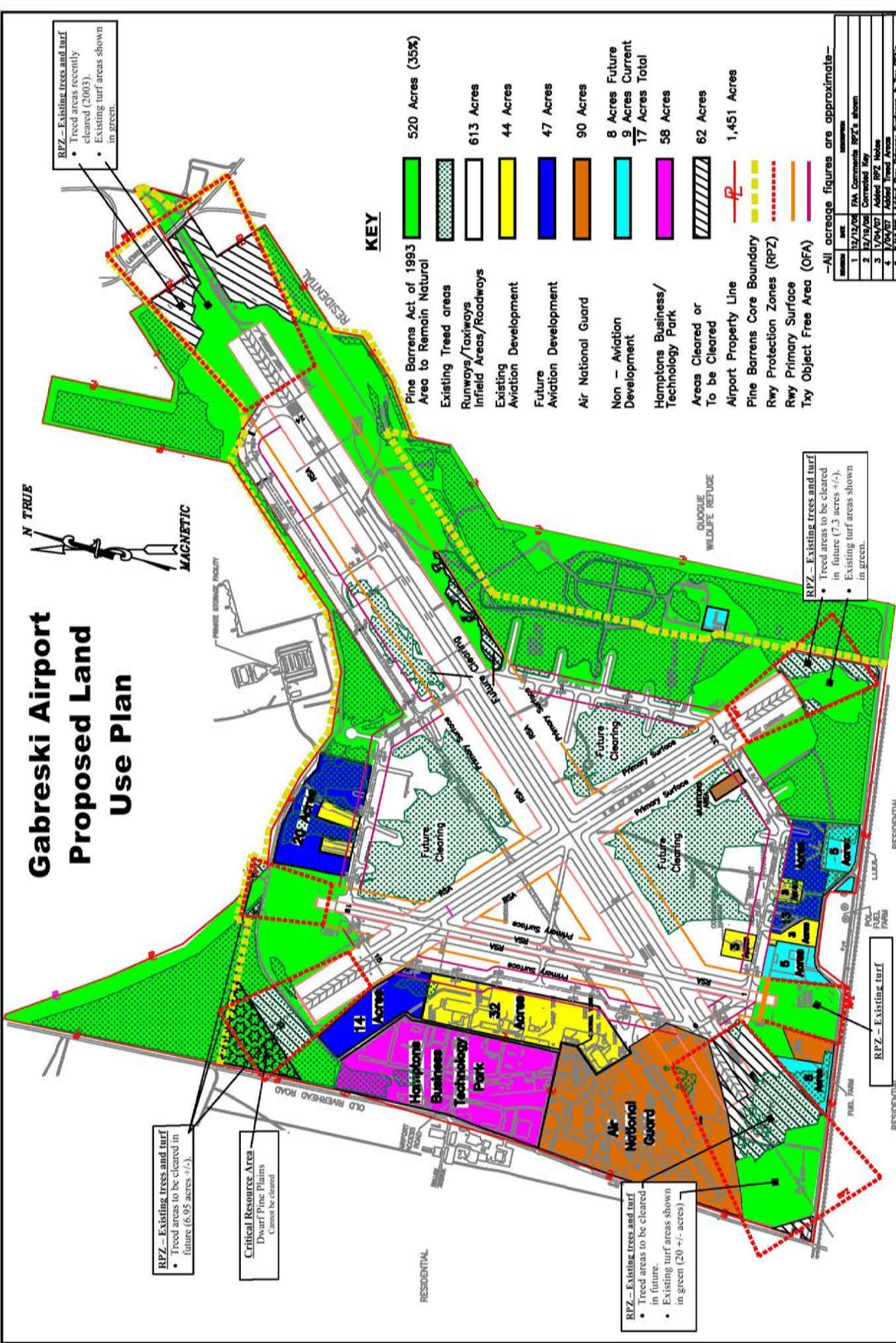
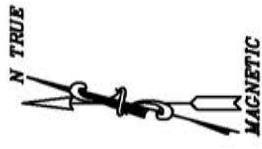
e. Town X

1970 & 1999 - The Town of Southampton Master Plan specifically stated that "particular attention should be given to the Suffolk County Air Force Base as the site for light industrial development with airport access" and that "industrial development should be of an industrial park character." Subsequently, the airport and surrounding area were zoned by the town LI-200 for light industrial use which remains in place today. General aviation airports and necessary airport support facilities are allowed in the LI-200 zoning district.

Chapter 235 of the Southampton Code dealing with Noise does not apply to "noise of aircraft flight operations."

e. Village N.A.

Gabreski Airport Proposed Land Use Plan



KEY

- Pine Barrens Act of 1993 Area to Remain Natural 520 Acres (35%)
- Existing Tread areas 613 Acres
- Runways/Taxiways Infield Areas/Roadways 44 Acres
- Existing Aviation Development 47 Acres
- Future Aviation Development 90 Acres
- Air National Guard 8 Acres Future Development 9 Acres Current 17 Acres Total
- Hamptons Business/Technology Park 58 Acres
- Areas Cleared or To Be Cleared 62 Acres
- Airport Property Line 1,451 Acres
- Pine Barrens Core Boundary (RPZ)
- Rwy Protection Zones (RPZ)
- Rwy Primary Surface
- Txy Object Free Area (OFA)

—All acreage figures are approximate—

NO.	DATE	DESCRIPTION
1	12/12/06	FAA Comments RPZ's shown
2	12/19/06	Completed Rev
3	1/24/07	Added RPZ Hub
4	7/24/07	Added Tread Areas
5	8/13/07	Added Rwy Primary Surface & Txy OFA's

RPZ - Existing trees and turf
 • Tread areas to be cleared in future (6.95 acres +/-).
 • Existing turf areas shown in green.

Critical Resource Area
 Dwarf Pine Plains
 Cannot be cleared

RPZ - Existing trees and turf
 • Tread areas to be cleared in future.
 • Existing turf areas shown in green (20 +/- acres)

RPZ - Existing trees and turf
 • Tread areas to be cleared in future (7.3 acres +/-).
 • Existing turf areas shown in green.

SAVIK & MURRAY, LLP
 CONSULTING ENGINEERS
 2100 SHAWMUT AVENUE
 SUITE 1179
 NORFOLK, VA 23502
 (833) 467-7775

FEDERAL AVIATION ADMINISTRATION
 APPROVED _____ DATE _____

SUFFOLK COUNTY, NEW YORK
 APPROVED _____ DATE _____

NEW YORK STATE
 DEPARTMENT OF TRANSPORTATION
 APPROVED _____ DATE _____

FRANCIS S. GABRESKI AIRPORT
 SUFFOLK COUNTY
 Proposed Land Use Plan
 FILE: GABRESKI PINE BARRENS OLA'S ALI 3/2006
 DATE PREPARED: 8/7/2008
 SHEET 1 OF 1

Note: 1) Dec 2006 - RPZ's added at each runway end. Areas within RPZ that are not already cleared are shown as "to be cleared" in the future. Areas within RPZ's that are currently turf are shown in green (to remain natural).
 2) Areas where trees are to be cleared will be replanted with native grass to meet requirements of the Pine Barrens Act of 1993.

FAA NEPA CATEX Summary

On March 22, 2022 the FAA NY Airport District Office issued a Categorical Exclusion (CATEX) determination to satisfy the NEPA requirements for the new Air Traffic Control Tower Project. This project includes the construction of a new Air Traffic Control Tower facility on just shy of 0.5 acres of airport property. The new location is approximately 200 feet north northeast of the existing tower, in a previously disturbed area, located in front of the airport terminal building, between the terminal and aircraft parking apron.

With construction of the new tower, the FAA requires tree clearing inside the airport airfield between active runways and taxiways. The trees required for clearing equate to approximately 20 acres. All sections of clearing have already been determined to be future clearing sites on the airport land use plan that was developed with the Pine Barrens Commission. These trees are listed as a human health safety required measure and are an obstruction to air navigation (trees block the tower line of site to portions of the active runways and taxiways).

The FAA cited FAA Order 1050.1F section 5-6.4 dd, l, & l as the applicable sections to approve the CATEX determination. Below is the wording for each section:

5-6.4 dd: Paragraph 5-6.4.dd adds a CATEX for FAA construction, reconstruction or relocation of a non-Radar, Level 1 air traffic control tower at an existing visual flight rule (VFR) airport, or FAA unconditional approval of an ALP and/or Federal funding provided the action would occur on a previously disturbed area of the airport and not: (1) Cause an increase in the number of aircraft operations, a change in the time of aircraft operations, or a change in the type of aircraft operating at the airport; (2) cause a significant noise increase in noise sensitive areas; or (3) cause significant air quality impacts.

5-6.4i: Demolition and removal of FAA buildings and structures, or financial assistance for or approval of an Airport Layout Plan (ALP) for the demolition or removal of non-FAA owned, on-airport buildings and structures, provided no hazardous substances or contaminated equipment are present on the site of the existing facility. This CATEX does not apply to buildings and structures of historic, archaeological, or architectural significance as officially designated by Federal, state, tribal or local governments. (ATO, AST, ARP)

5-6.4l: Federal financial assistance for, licensing or approval of the grading of land, the removal of obstructions to air navigation, or erosion control measures, provided those activities occur on and only affect airport property, a commercial space launch site, or FAA-owned or leased property. (ATO, ARP, AST)

The FAA CATEX includes the demolition of the original Air Traffic Control Tower as well.

Some of the resources used to provide backup information and review of environmental impact include the following:

- Historic and Archeological Resources – <https://cris.parks.ny.gov/>
- Endangered Species – <https://ecos.fws.gov/ipac/location/index>
- Wetlands – <https://gisservices.dec.ny.gov/gis/erm/>
- Floodplains – <https://msc.fema.gov/portal/home>
- Farmland and Agriculture – <https://websoilsurvey.sc.egov.usda.gov/app/homepage.htm>

- Wilderness Areas – <https://umontana.maps.arcgis.com/apps/webappviewer/index.html>
- Tribal Directory: <https://agis.hud.gov/tdat/>
- PFAS – <https://www.dec.ny.gov/chemical/108831.html>
- SPDES – <https://www.dec.ny.gov/permits/6306.html>
- Suffolk County Planning Department Environmental Team review
- Francis S. Gabreski Airport records review

During review, the Northern Long Eared Bat was found to have a potential habitat at Gabreski Airport. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). (Please see USFW IPAC Determination Letter and NYS DEC Letter attached). No tree removal will take place between June 1 and July 31 as discussed with USFW. After a further discussion with NYSDEC it was determined that the State and Local authorities further restrict tree clearing windows and the approved tree clearing window for Gabreski Airport is December 1st to February 28th. Gabreski Airport also has a full time USDA Wildlife Biologist on hand who will be able to monitor the project and tree clearing for any potential impacts and mitigation measures.

The project was determined to be in line with the current airport property, airport layout plan, and will follow all Federal, State, and Local rules, regulations, and permits required for the construction, demolition, and tree removal. The new tower will be connected to the existing utilities, including sewer, with no need for additional service. The new tower will be more energy efficient due to new construction practices and materials. The new tower will be built to all FAA and TSA, height and security requirements.

Attached as backup documentation please see:

1. USFW IPaC resource list showing endangered species and migratory birds with a potential of presence in the project area. (Please note that the attached report represents the updated IPac Report that was done and completed for this SEQRA review process)
2. USDA Soil Composition map of project area
3. FEMA National Flood Hazard Map
4. USFW letter in response to project impact
5. DEC letter in response to project impact

Current Project Status:

Airport has applied for a design grant from the FAA in 2022. The airport anticipates receiving the grant late summer/early fall 2022. Design will include finalizing the permits required. Construction is anticipated to start in 2024 and will take approximately 2 years from groundbreaking to commissioning of the new tower. Coordination with FAA, NYSDOT, Suffolk County Buildings Department, USFW, DEC, USDA, DOD (Air National Guard), FCC, and all required agencies involved in the air traffic control tower will continue through the completion of the project.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Long Island Ecological Services Field Office
340 Smith Road
Shirley, NY 11967-2258
Phone: (631) 286-0485 Fax: (631) 286-4003

In Reply Refer To:
Project code: 2022-0022119
Project Name: Replacement of Air Traffic Control Tower

March 21, 2022

Subject: Verification letter for the 'Replacement of Air Traffic Control Tower' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Jonathan DeLaune:

The U.S. Fish and Wildlife Service (Service) received on March 21, 2022 your effects determination for the 'Replacement of Air Traffic Control Tower' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Piping Plover *Charadrius melodus* Threatened
- Red Knot *Calidris canutus rufa* Threatened
- Roseate Tern *Sterna dougallii dougallii* Endangered
- Sandplain Gerardia *Agalinis acuta* Endangered
- Seabeach Amaranth *Amaranthus pumilus* Threatened

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

National Flood Hazard Layer FIRMette

72°38'45"W 40°50'39"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

Future Conditions 1% Annual Chance Flood Hazard *Zone X*

Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*

Area with Flood Risk due to Levee *Zone D*

OTHER AREAS OF FLOOD HAZARD

NO SCREEN *Zone X*

Area of Minimal Flood Hazard *Zone X*

Effective LOMR

Area of Undetermined Flood Hazard *Zone D*

OTHER AREAS

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study

OTHER FEATURES

- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

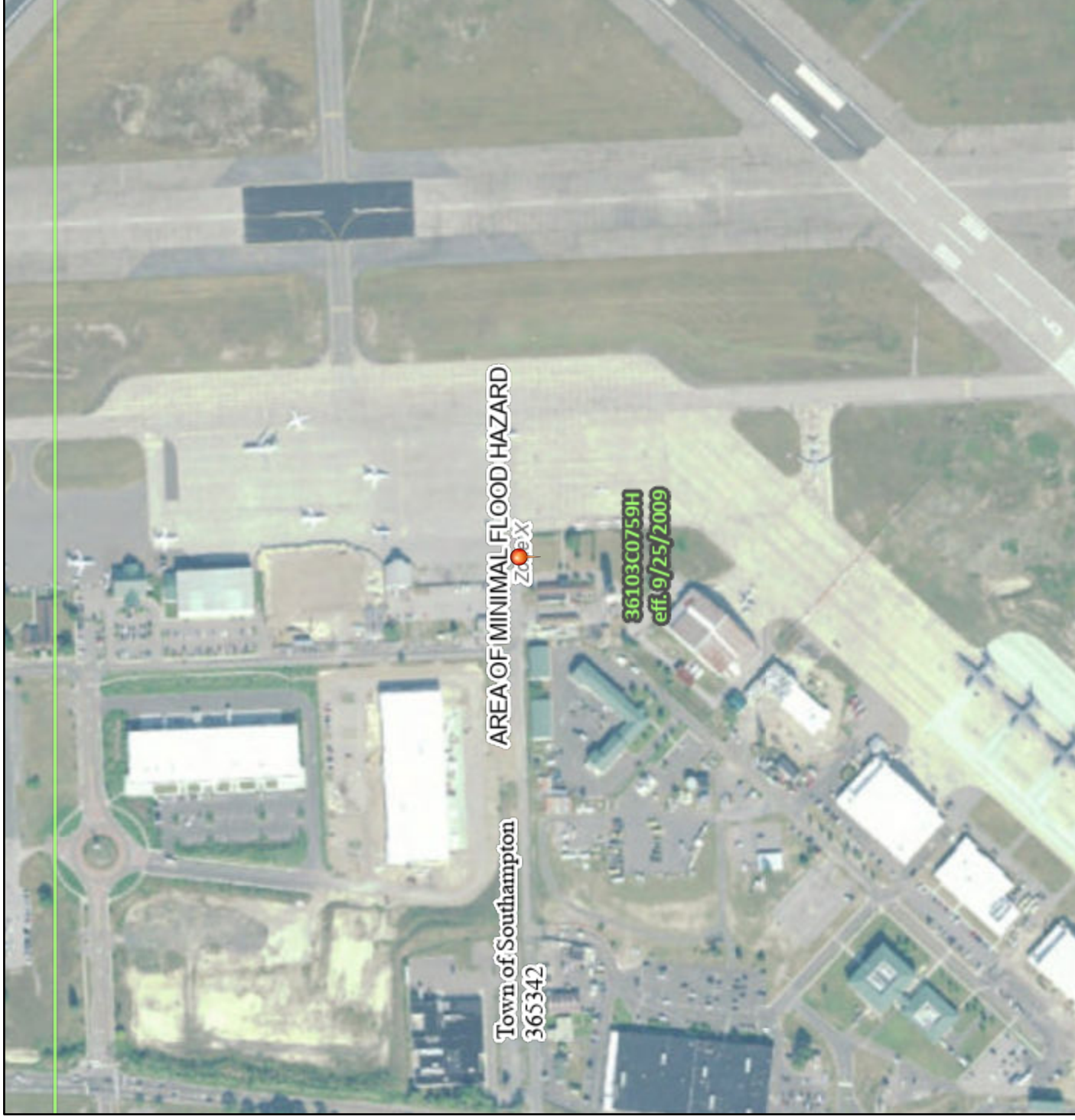


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **4/26/2021 at 2:45 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Town of South Hampton
365342

36103C0759H
eff. 9/25/2009

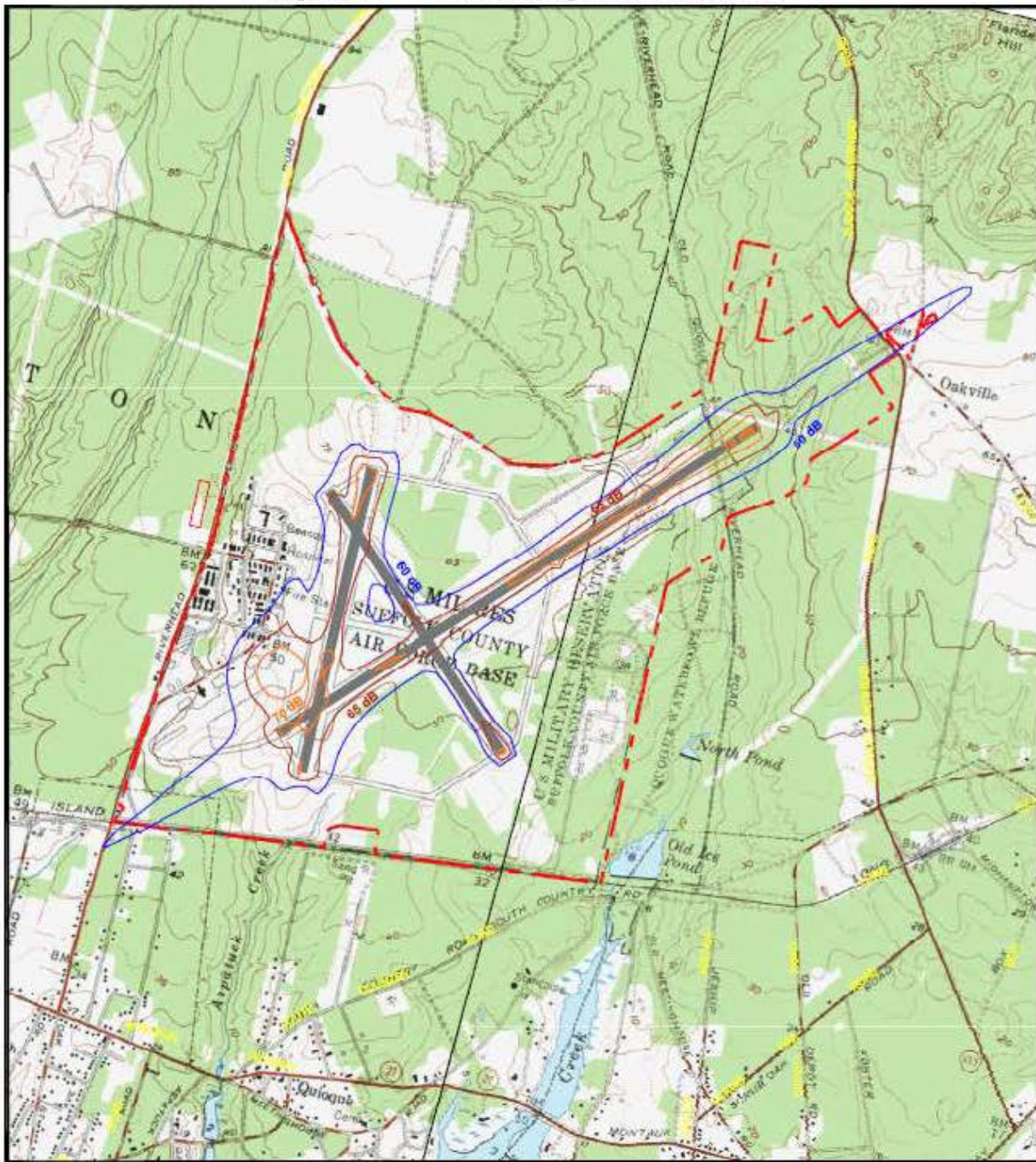
AREA OF MINIMAL FLOOD HAZARD
Zone X

0 250 500 1,000 1,500 2,000 Feet 1:6,000

72°38'77"W 40°50'12"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

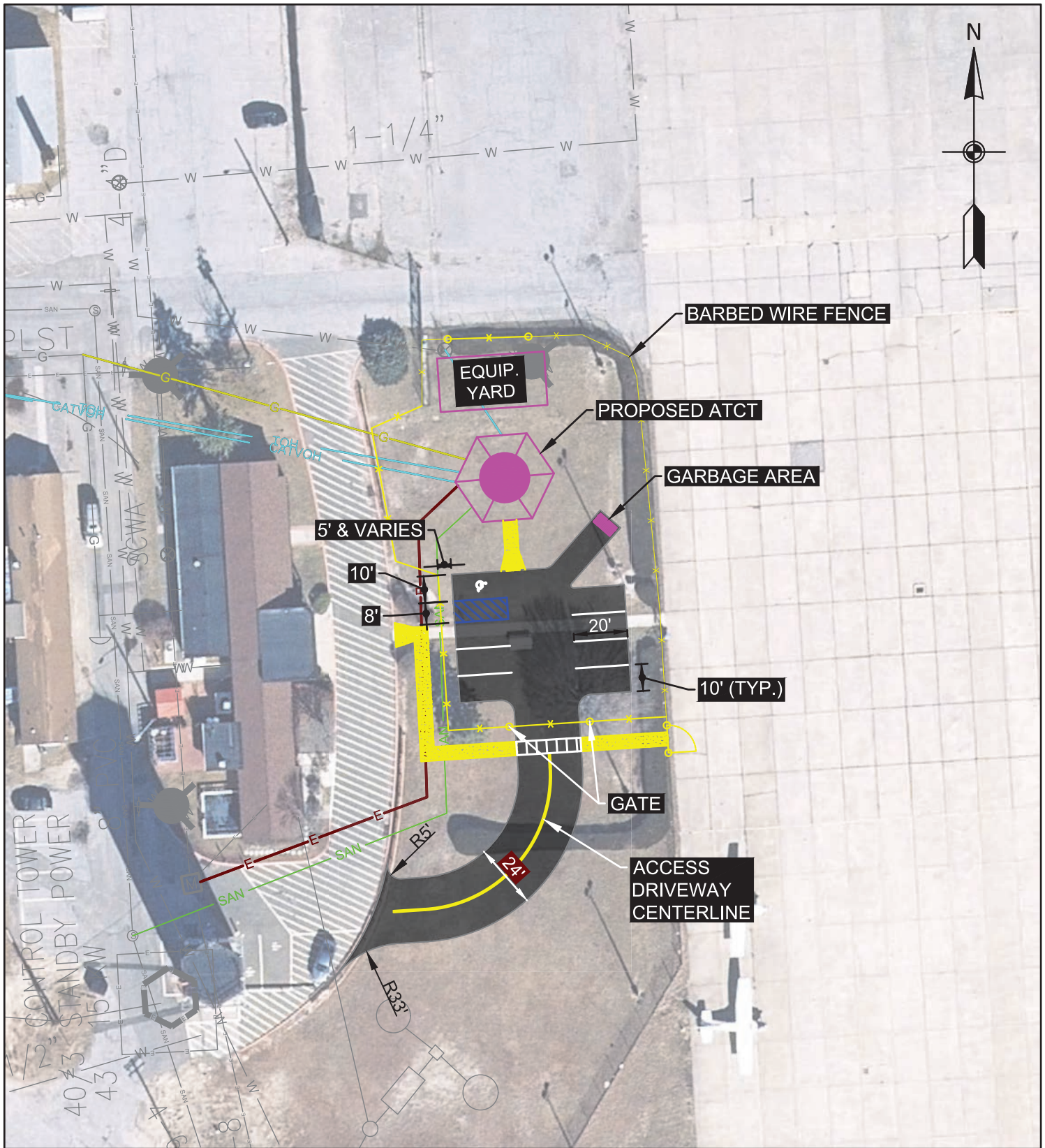
Figure 4-1 Annual Average Noise Contours 2009



**FRANCIS S. GABRESKI AIRPORT
Annual Average Noise Contours – 2009**

Source: DY Consultants

Filename: O:\2019\BAB-2019003.00 TOWER REPLACEMENT AT GABRESKI AIRPORT\CADD\CONTRACT PLANS\LOCATION 7 SITE PLAN.DWG Plot Date: 7/8/2019 2:10:02 PM



LOCATION 7 - SITE PLAN



1" = 50'

DRAWING NUMBER
L7-S1

**COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK**

DARNELL TYSON, P.E. – ACTING COMMISSIONER

**AIR TRAFFIC
CONTROL TOWER
SITE SELECTION**

SITE PLAN
SITE 7

SYMBOL	DESCRIPTION	APPROVED	DATE
REVISIONS			

GPI Engineering
Design
Planning
Construction Management
631.587.5060 GPINET.COM

Greenman-Pedersen, Inc.
325 West Main Street
Babylon, NY 11701

PROJECT NO.	SUBMISSION DATE	SHEET NO.
CP5709	07/08/2019	22 OF 24

SITE 7 TREE REMOVAL



Figure 4-9: Site 7 LOS (Tree Obstruction to Taxiway E)

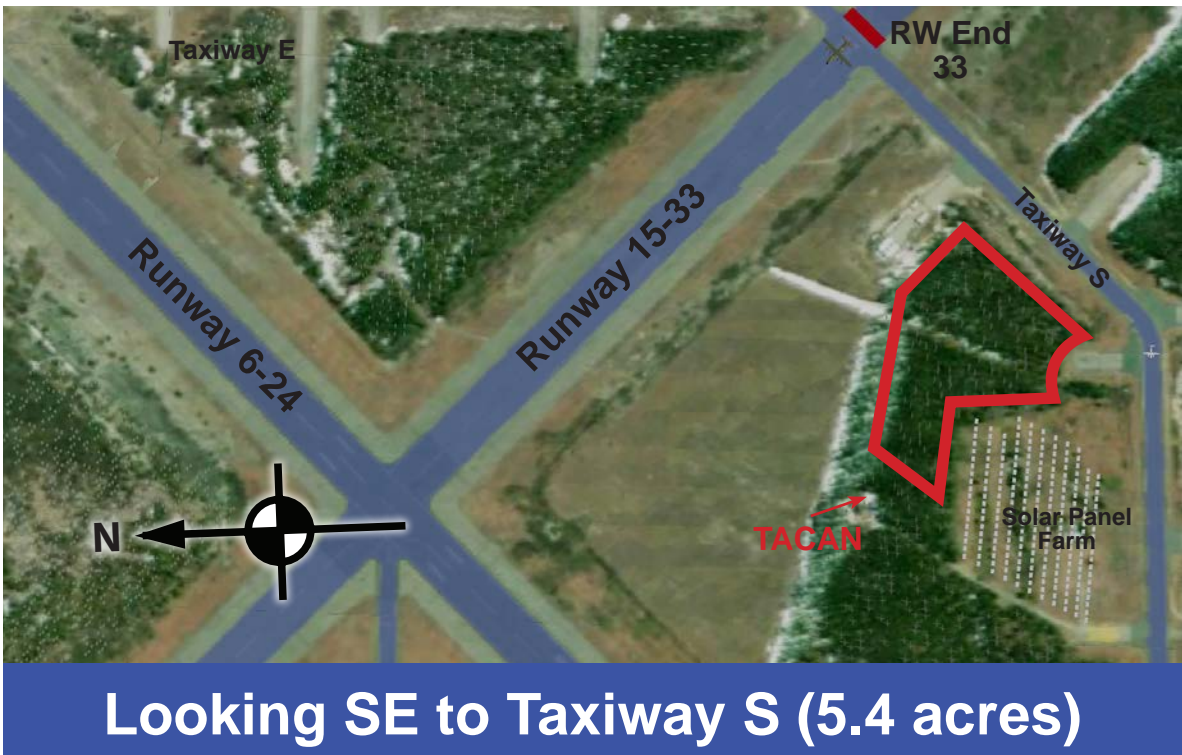


Figure 4-10: Site 7 LOS (Tree Obstruction to Taxiway S)

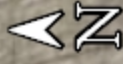
Gabreski Airport

Demolition Project Area

Legend

New Tower Site

Demolition Project Area and Hazardous Waste Site Area



Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Replacement of Air Traffic Control Tower

2. Description

The following description was provided for the project 'Replacement of Air Traffic Control Tower':

On airport property, Demolition of existing control tower and construction of new tower, with tree clearing to ensure tower personnel have visibility of all aircraft operations. The trees slated to be cleared are on the airfield between the runways and taxiways, blocking the view of the East Taxiway and South Taxiway. Approximately 22 acres worth of trees will be cleared.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@40.84346215,-72.63052304092,14z>



Determination Key Result

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?
Yes
2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")
No
3. Will your activity purposefully **Take** northern long-eared bats?
No
4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?
Automatically answered
No
5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?
No
 7. Will the action involve Tree Removal?
Yes
-

8. Will the action only remove hazardous trees for the protection of human life or property?
Yes

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

22

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

IPaC User Contact Information

Agency: Federal Aviation Administration
Name: Jonathan DeLaune
Address: 1 Aviation Plaza
Address Line 2: Suite 111
City: Jamaica
State: NY
Zip: 11434
Email: jonathan.delaune@faa.gov
Phone: 7189955772

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

March 7, 2022

Joshua Smith
Suffolk County Francis S. Gabreski Airport
Francis S. Gabreski Airport, Administration Building #1
Westhampton Beach, NY 11978

Re: Replace Air Traffic Control Tower
County: Suffolk Town/City: Southampton

Dear Joshua Smith:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site. Our database indicates non-winter locations of Northern long-eared bat within 2.5 miles but not within 1.5 miles of the project site. Our standard reporting distance for non-winter locations of this species is 1.5 miles so they are not included in the attached report.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 1 Office, Division of Environmental Permits, at dep.r1@dec.ny.gov.

Sincerely,



Heidi Kraehling
Environmental Review Specialist
New York Natural Heritage Program



The following state-listed animals have been documented in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

For information about any permit considerations for the project, please contact the Permits staff at the NYSDEC Region 1 Office at dep.r1@dec.ny.gov, 631-444-0365.

The following species have been documented within 1/2 mile of the project site.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
Birds			
Upland Sandpiper <i>Breeding</i>	<i>Bartramia longicauda</i>	Threatened	10923
Northern Harrier <i>Breeding</i>	<i>Circus hudsonius</i>	Threatened	11127

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage’s Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants, rare animals, and significant natural communities have been documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine whether a species currently occurs at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are rare in New York and are of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS	
Moths				
Herodias or Pine Barrens Underwing	<i>Catocala herodias gerhardi</i>	Special Concern	Critically Imperiled in NYS and Globally Uncommon	
Documented within 1/2 mile east of the project site. 1995-07-20: Moths were found in dwarf pine barrens dominated by dwarf Pinus rigida and scrub oak.				2809
Packard's Lichen Moth	<i>Cisthene packardii</i>	Unlisted	Status Uncertain	
Documented within 1/2 mile east of the project site. 1995-06-08: The moth was taken in a dwarf pine barrens dominated by dwarf pitch pine and scrub oak.				7483
Jersey Jair Underwing	<i>Catocala jair ssp. 2</i>	Special Concern	Critically Imperiled in NYS	
Documented within 1/2 mile east of the project site. 1995-07-27: The moth was taken in a dwarf pine barrens dominated by dwarf pitch pine and scrub oak.				7756
Coastal Barrens Buckmoth	<i>Hemileuca maia ssp. 5</i>	Special Concern	Imperiled in NYS and Globally Uncommon	
Documented within 1/2 mile east of the project site. 1995-06-27: The larvae were observed in dwarf pine barrens dominated by dwarf pitch pine and scrub oak.				9859

The following natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. Each community is either an example of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Upland/Terrestrial Communities			
Dwarf Pine Plains			High Quality Occurrence of Rare Community Type and Globally Rare
Documented at the Taxiway E project site. This is a good quality pine plains with good species for its type and few exotic species. It is fairly well buffered along 50% of its boundary but fragmentation has reduced the connectivity among its patches.			4443
Pitch Pine-Oak Forest			High Quality Occurrence of Rare Community Type
Documented at both project sites. Development is encroaching from all sides, but portions, especially within the public owned lands, are in good shape. Fire suppression is an issue but the community retains good species' and some structural diversity. Exotic and invasive plants are present in low levels in sampled areas.			5544
Pitch Pine-Oak-Heath Woodland			High Quality Occurrence of Rare Community Type
Documented at both project sites. This is very large woodland in good to very good condition which forms the core of a very large barrens community complex. Some sections of the woodland are highly fragmented and likely degraded by altered ecological processes and reducing connectivity.			8060

The following plant is listed as Threatened by New York State, and so is a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Showy Aster	<i>Eurybia spectabilis</i>	Threatened	Imperiled in NYS
Documented within 1/3 mile southwest of the Taxiway S project site. 1991-09-11: A mowed field at the end of a runway in former pine barrens area.			8206

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/29384.html for Ecological Communities of New York State.

Ecological Resources Attachment

As indicated in the EAF project description, the proposed action involves the disturbance of approximately 0.5 acres for the construction of the new air traffic control tower. The new tower location is approximately 200 feet north northeast of the existing tower, in a previously disturbed landscaped area, located in front of the airport terminal building, between the terminal and aircraft parking apron.

The proposed project also involves the clearing of approximately 22 acres of trees. As part of the construction of the new Tower, the FAA also will require approximately 22 acres of tree clearing inside the airport airfield between active runways and taxiways. These trees are listed by the FAA as a human health safety required measure and are an obstruction to air navigation (trees block the tower line of sight to portions of the active runways and taxiways).

All areas of proposed clearing have been designated as “Future Clearing” areas on the Gabreski Airport Proposed Land Use Plan (see attached). The Gabreski Airport Proposed Land Use Plan, which was developed for Gabreski Airport in 2006 and 2007, was reviewed by the New York State Central Pine Barrens Commission for conformance with the Central Pine Barrens Plan clearance standard. An October 6, 2006 letter from the New York State Central Pine Barrens Commission to the Gabreski Airport Director stated that “A preliminary review of the Gabreski Plan indicates that it conforms to the with the Pine Barrens Plan Clearance Standards. Any changes to the Gabreski Plan, which will require clearing of the areas to remain nature would not conform with the Plan or Act”.

As indicated in the attached project location map, the intended project involves two tree clearing areas located between active runway and taxiways. “Tree Clearing Area 1” is adjacent to a constructed solar panel array, which was subject to a previous Suffolk County SEQRA review in 2014. Historic aerials also indicate that proposed tree clearing areas have been subject to partial clearing and disturbance in the past related to historical airport activities.

As part of the FAA NEPA review, consultations were conducted with the United States Fish and Wildlife Service (USFW) and New York State Department of Environmental Conservation. Included as an attachment is the USFW Service IPaC Resource report that was generated for this proposed project. This IPaC report is an automatically generated list of species and other resources such as critical habitat under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area. Also included as an attachment is NYSDEC dated March 7, 2022 consultation response. This NYSDEC response provides a report from the New York State Natural Heritage of rare or state-listed animals and plants, and significant natural communities that the database indicates occur in the vicinity of the project site.

As indicated in the NEPA review for the proposed action, the Northern Long Eared Bat was found to have a potential habitat at Gabreski Airport. The NEPA review found that the action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). The NEPA review incorporated the mitigation that no tree removal will take place between June 1 and July 31.

The NYSDEC March 7, 2022 consultation response indicates that two listed New York State Threatened Birds – the Upland Sandpiper and the Northern Harrier have been documented within one half mile of

the project site. The NYSDEC consultation response also indicated that the New York State Threatened Showy Aster vascular plant was documented in 1991 within 1/3 miles of the Airport south taxiway in a mowed field at the end of the airport runway. The NYSDEC response also indicates that four designated rare Moths have been documented within 0.5 miles to the east of the project site. After a further discussion with NYSDEC, it was determined that NYSDEC will limit the allowable tree clearing window for Gabreski Airport from December 1st to February 28th. In addition, a NYSDEC Joint Application Form will be submitted to the NYSDEC to determine if an Incidental Take of Endangered/Species is required for the proposed action. Should said permit be required, the proposed action will be conducted in conformance with all applicable NYSDEC permit requirements and restrictions.

As indicated by the aerial photographs and the data in the EAF provided by the NYSDEC EAF Mapper program the proposed vegetative clearing represents a very small percentage of the existing identified significant natural communities which are located adjacent to the Airport property and in the Airport lands designated to remain natural. Unlike the high quality example of natural communities that are located in close proximity to the proposed project, the proposed tree clearing areas also do not represent the high quality example of these natural communities. It is also anticipated that the seasonal tree clearing restriction will protect the identified wildlife species and will also allow wildlife to relocate to a more appropriate habitat location away from the active airfield. In addition, Gabreski Airport has a full time USDA Wildlife Biologist who will be available to monitor the project and tree clearing operations and will be able to employ mitigation measures to protect wildlife if necessary.

Visual EAF Addendum Attachment

In 2018 the County of Suffolk authorized a task order to CTBXaviation of Merritt Island, FL to conduct the alternate siting process in accordance with FAA order 6480.4B. During the site selection process for a new Air traffic Control Tower, the FAA and Gabreski Airport Management looked at 10 sites around the airport that would be best suited for a new tower. Site 7 was ultimately selected by the Safety Risk Management Panel members which included several FAA lines of business, airport management and the Air National Guard. Site 7 went through a formal safety risk management assessment and all potential risks were discussed and assessed a mitigation measure. Site 7 is located approximately 200 feet north northeast of the existing tower in front of the airport terminal building in a pre-disturbed grass area between the terminal fire lane and aircraft parking apron. This location ensures the proposed tower has unobstructed views of all controlled airport surface areas and maximum visibility of airborne traffic.

Francis S. Gabreski Airport is located on 1,451 acres. With the large airport property and nearly 2 mile long main runway, the proposed Air Traffic Control Tower will be constructed to a max height of 163 feet tall (this is to the top of the antennas). The existing tower is currently standing at 75 feet tall. The height of the proposed tower was determined based on the guidance and requirements set forth by the FAA order 6480.4B Airport Traffic Control Tower Siting Process.

This increase in height is due to the focus on safety of aircraft operations on and in the vicinity of the airport. The new tower will be constructed in the industrial area of the airport and although it will be standing at a significantly higher height, the new tower will be similar in nature to the existing structures surrounding it. Also, with the large expanse of property at Gabreski Airport and the location of the new tower being next to the existing tower, the visibility from local communities will be very minimal to non-existent.

To provide a visual perspective, enclosed is a series of pictures taken from locations near the airport boundary. This series include pictures that indicate the location of the new airport tower and include the old tower for relative scale. The pictures also show the industrial area of the airport where the new tower will be located and the visual buffers that currently exist.

As indicated by pictures # 2 and # 5, the airport is located in the Central Pine Barrens and is surrounded by tall thick Pine trees that provide a natural barrier to the neighboring residential communities to the south and east. The nearest community to the new tower is located 0.7 miles directly south of the airport. This community has a tree line between the neighborhood and the Long Island Rail Road tracks and then another barrier of trees between a roadway and the airport airfield property. With all of the natural buffers, similar facilities (including the Air National Guard Base), and the distance between the surrounding communities and the new tower location, the visible impact of the New Tower will be very minimal to non-existent.

The new tower may be noticeable is from the airport entrance on County Road 31 and may be visible to the public traveling on County Road 31. Several images and renderings have been attached for visual reference of existing and proposed conditions. Based on the existing industrial nature of the Airport and the Air National Guard Based at this location, and commercial land uses at this location it is not anticipated that the visibility of the Tower and this location will have a significant adverse impact on the environment.

A mathematical analysis also revealed that from the closest neighboring community the angle from the ground to the top of the new tower is approximately 3 degrees. From County Road 31, the angle from the ground to the top of the new tower is approximately 7 degrees. These small angles above the horizon indicate the minimal impact the new tower height will have in regards to visual impact.

Airport Image Locations



County Road 31 & Sheldon Way (Airport Main Entrance) – Location 1

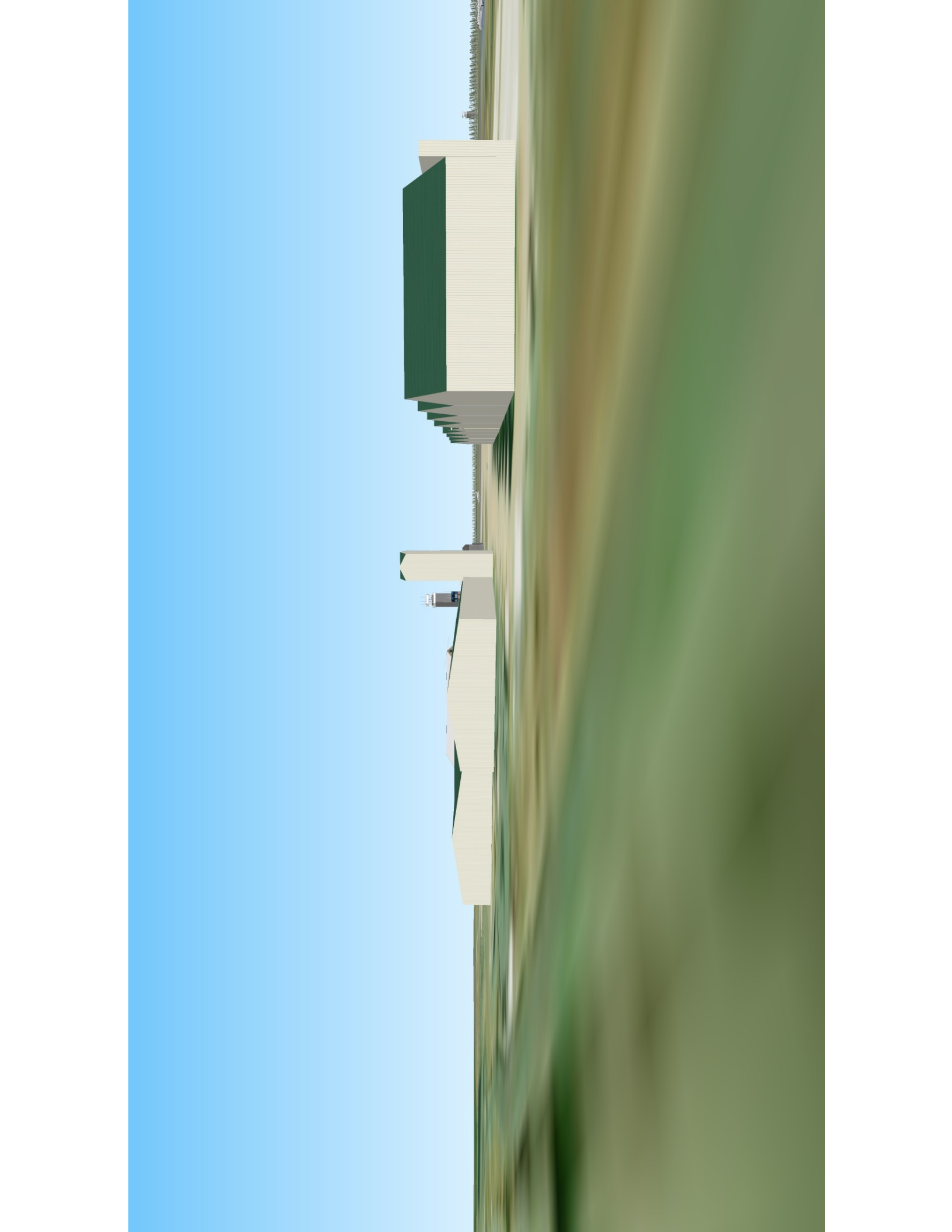


Airport North Perimeter Road – Facing Airport – Location 4



Airport Property Facing Existing Tower – Location 5





Central Pine Barrens Joint Planning and Policy Commission
November 16, 2022
Draft Decision to Approve
Expressway Drive North
Development of Regional Significance Compatible Growth Area Hardship Waiver
Yaphank, Town of Brookhaven, Suffolk County Tax Map Number 200-662-2-5.16

Present: __, for the Governor of the State of New York
 __, for the Suffolk County Executive
 __, Brookhaven Town Supervisor
 __, Riverhead Town Supervisor
 __, Southampton Town Supervisor

I. The Project, Application, and Project Site

WF Industrial XII, LLC c/o Wildflower Ltd LLC (the Applicant) owns a 71.45-acre unimproved parcel of land identified on the Suffolk County Tax Map as parcel 200-662-2-5.016 (the Project Site), in the Compatible Growth Area (CGA) of the Central Pine Barrens. The Project Site is located on the north side of the North Service Road of the Long Island Expressway (New York State Route 495, LIE), west of Sills Road, in Yaphank, in the Town of Brookhaven. The Project Site is in the L1 Industrial Zoning District.

The Applicant proposes to clear 41.24 acres (58%) of the Project Site and to develop three, one-story buildings and related amenities, including signage and lighting in the cleared areas. The buildings will contain 549,942 square feet (sf) of commercial/industrial uses in total. Under the proposal Building A will contain 203,548 sf of area, Building B will contain 176,670 sf of area, and Building C will contain 169,742 sf or area. If undertaken, the Applicant, will construct 767 parking spaces and landbank another 608 spaces allocated to be developed as needed to meet the town code parking requirements (the Project). The Slope Analysis Plan last dated October 18, 2022 prepared by Key Civil Engineering shows disturbance to slopes including 0.78 acres of slopes 10 to 15% grade and 0.20 acres of slopes greater than 15% grade. The development is depicted in the plan titled “Overall Site Plan” Drawing C-1 last dated October 14, 2022 prepared by Key Civil Engineering.

Other elements of the Project include lighting, signage, and retaining walls. The Applicant proposed installing 147 fixtures including 83 wall mounted fixtures and 64 poles. There are 60, 20-foot tall light poles and 4, 15-foot tall light poles. If lighting is installed, fixtures will be downward facing, shielded and dark skies compliant. The Applicant proposed installing one street sign on Expressway Drive North. The sign will be 6 feet tall and 7.8 feet wide with natural colors and materials and no interior illumination.

An area of 2,715 linear feet of retaining walls over 3 feet in height will be developed. The Applicant asserts that retaining walls were necessary in the Project as opposed to planted slopes to avoid a greater amount of disturbance, cut and fill.

The Project is a Development of Regional Significance (DRS) as defined Section 4.5.5.1 of the Central Pine Barrens Comprehensive Land Use Plan (the Plan) because it contains more than 300,000 square foot gross floor area for commercial/industrial development. As a DRS, the Applicant must demonstrate that the Project conforms with Standards and Guidelines outlined in Chapter 5 of the Plan.

The Project does not conform with Guideline 5.3.3.8.2 because construction occurs on 0.98 acres of slopes greater than 10% grade.

On September 2, 2022, the Applicant, through their agent, Charles Voorhis, of Nelson Pope & Voorhis and attorney J. Timothy Shea, of Certilman Balin, submitted a Development of Regional Significance (DRS) application and Compatible Growth Area (CGA) Hardship Exemption for the Project. to the Central Pine Barrens Joint Planning and Policy Commission (the Commission)

The Applicant seeks to have the Commission waive strict compliance with Guideline 5.3.3.8.2 to develop and remove 0.98 acres of steep slopes greater than 10% grade. The Guideline states construction “may be approved if technical review shows sufficient care has been taken in the design of stabilization measures, erosion control practices and structures so as to minimize negative environmental impacts.”

Public water will be supplied to the Project Site by a new water main extension that will be constructed from Sills Road on the North Service Road. The nearest public water supply well field is more than 1,500 feet away.

The Project Site is in Groundwater Management Zone III. An Innovative Alternative Onsite Wastewater Treatment System will be constructed as per the Sanitary Plan drawings dated October 14, 2022, prepared by Key Civil Engineering. A recharge basin will be constructed on the east side of the site to manage stormwater runoff and recharge to groundwater. A Stormwater Pollution Prevention Plan (SWPPP) will be completed prior to disturbance. The SWPPP is a requirement to manage stormwater and implement erosion controls during construction. Reinforcing silt fencing will be installed.

Natural areas on the Project Site will be protected when the Project is completed by split rail fencing or other barrier or installation to hinder access to them.

II. The Long Island Pine Barrens Protection Act of 1993, the Commission, Development and the Central Pine Barrens Comprehensive Land Use Plan

The Commission was created by the Long Island Pine Barrens Protection Act (the “Act”) adopted in 1993 and codified in Article 57 of the Environmental Conservation Law (ECL). The Act empowered the Commission to, among other things, oversee land use activities within the specially designated Central Pine Barrens Area. Section §57-0107(13) of the ECL defines development to be the “performance of any building activity, . . . , the making of any material change in the use or intensity of use of any . . . land and the creation . . . of rights of access.”

ECL Section §57-0123(3)(a) provides that, “[s]ubsequent 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 . . . the [C]ommission . . . unless such approval or grant conforms to the provisions of such land use plan; provided, however, that the [C]ommission 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 . . . pursuant to subdivision ten of section 57-0121 of this title, and every application is consistent with the purposes and provisions of this article and would not result in substantial impairment of the resources of the Central Pine Barrens.”

III. The Public Process, Testimony, and Supplemental Materials to the Application

The Application included a review of conformance with the Central Pine Barrens Comprehensive Land Use Plan Standards and Guidelines, copies of permit applications materials on stormwater requirements from the Town of Brookhaven and Cameron Engineering, the Suffolk County Department of Health Services notice, a letter from Control Point Associates on topographic surveying methods, a signage plan by Signarama, a draft conservation easement to protect open space,, a slope analysis, site plan drawings, previous development overlay, Brookhaven Industrial Development Agency tax deferral application, Stipulation of Settlement dated 2014, and hardship waiver petition.

On September 21, 2022, the Commission scheduled a public hearing on the Application. The hearing was held on October 19, 2022. At the hearing, a Commission Staff Report with Exhibits was introduced into the record. The Applicant, under sworn testimony, expressed they would address the concerns in the Staff Report and provide responses. No members of the public commented. The hearing was closed with the written comment period held open for seven days. No written comments were received. A stenographic transcript was made of the hearing and provided to Commission members.

On October 19, the Applicant submitted supplemental and revised materials including revisions that improve the site plan’s conformance with the Plan and support consistency with the character and the preservation of resources of the Central Pine Barrens. The improvements to protect the resource included consolidating the roadside buffer of open space which created a less fragmented natural area; modifying the single monument sign to reduce its size and design it to be consistent with the character of the pine barrens; reducing the extent of mowed grass to 4% of the site, utilizing a native grass seed mix and avoiding fertilizer dependent vegetation; and installing split rail fencing to protect the boundary of open space.

IV. State Environmental Quality Review Act (SEQRA) and Other Agency Jurisdictions

The Town of Brookhaven completed the State Environmental Quality Review Act (SEQRA) process on January 22, 2020 and reaffirmed the Negative Declaration for the Project on June 6, 2022.

The Project requires additional permits or approvals from other involved agencies including the New York State Department of Transportation (NYSDOT), Suffolk County Department of Health Services, New York State Department of Environmental Conservation, and the Town of Brookhaven.

V. History of the Project Site

Development on the Project Site is the result of the Stipulation of Settlement with the Town of Brookhaven in 2015 with the Applicant's predecessor in title, Silver Corporate Park, LLC. As a result of the Stipulation, the Town of Brookhaven acquired as natural open space 120 acres of the original 190 acres of property.

On June 17, 2020, the Commission issued an exemption to authorize a 12-lot subdivision with 12 separate buildings DRS proposed by Silver Corporate Park. This project a . Two buildings were proposed in the area where landbanked parking is currently proposed shown in the Application. Silver Corporate Park required a hardship exemption because its project did not conform with Guideline 5.3.3.8.2. Silver proposed to develop 18,948 square feet (0.43 acre) on steep slopes.

The Applicant's surveyor provided testimony on refinements on the topographical survey refinements that occurred since the Silver project was granted a waiver for construction on steep slopes. Through refining the surveying technique, the Applicant asserts the Project will disturb less area of steep slopes greater than 15% grade. The Application states the Silver project, if developed, would have disturbed 0.32 acres of slopes over 15% grade while the Project disturbs 0.2 acres of slopes over 15% grade. Therefore, the Project will disturb 0.15 acres less area of steep slopes over 15% grade than the Silver Corporate Park proposal.

In March 2022, the Applicant purchased the site from Silver Corporate Park LLC for \$44,000,000.

The Commission issued a Notice of Violation to SCP and WF Industrial XII, LLC on September 21, 2022 for unauthorized clearing. A settlement occurred through an Order on Consent executed on October 5, 2022.

VI. The Project Site and the Study Area

At the Commission's public hearing, the Staff Report described the Project Site and defined a Study Area that extends one half mile from the site in all directions. The Study Area describes the land use pattern in the vicinity of the Project Site.

The natural pine barrens ecosystem on the Project Site is classified as a pitch pine-oak heath woodland ecological community. A maintained overhead electric utility right of way corridor subject to a LIPA Easement cuts through the site. An area of 1.56 acres, the disturbance that resulted in the Notice of Violation, was previously cleared for a road to install test borings.

Historical aerial photography from 1947 reveals the site has not been the subject of large-scale disturbance and presently remains as intact woodland habitat with a healthy dispersion of large pitch pine and oak trees, an understory of heath shrubs (e.g., huckleberry), natural leaf litter, and groundcover including spotted wintergreen and trailing arbutus, except for the present road clearing mentioned.

In the immediate vicinity of the site, the south side borders on the North Service Road of the LIE. The west side adjoins a composting facility, and the northern and eastern boundaries adjoin public land. The LIE bisects the Study Area in half and forms the southern boundary of the Central Pine Barrens in this area. The area south of the LIE is outside of the Central Pine Barrens, although it is in the Study Area, and is therefore out of the Commission's jurisdiction. However, this area contains non-residential uses consistent with the proposed land use.

North of the LIE, on the east side of the Study Area and east of Sills Road, is an area of land that was placed in the Core Preservation Area as a result of the 2014 expansion of the Central Pine Barrens area to further protect the Carmans River and its watershed. The undeveloped, wooded Map of Enchanted Forest west of the Project Site was subsequently protected by conservation easements through the Pine Barrens Credit Program.

The remainder of the Study Area is in the CGA. The north side of the Project Site adjoins natural open space owned by the Town. Residential land use development is located in the northerly portion of the Study Area. Adjoining the site to the west is a large agricultural/composting land use, beyond which are residentially developed communities.

The Project Site is located within one mile of documented non-winter location of Northern long-eared bat (*Myotis septentrionalis*, state and federally listed as threatened). (New York Natural Heritage Program correspondence dated September 28, 2022)

No archaeological and historic resources listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Project. (New York State Office of Parks, Recreation and Historic Preservation correspondence dated June 6, 2022).

VII. Development of Regional Significance Review and Plan Conformance

Summary

The Act authorizes the Commission, by majority vote, to waive strict compliance with the Plan upon finding that such waiver is necessary to alleviate a demonstrated hardship. Chapter 4 of the Plan outlines the review process for development that meets the thresholds constituting a DRS. The Commission's review is limited to compliance with the Standards and Guidelines set forth in Volume 1, Chapter 5 of the Plan. The Application demonstrates conformance with Standards and Guidelines except Guideline 5.3.3.8.2 The Applicant proposes to . Because the Project does not conform with this Guideline a hardship exemption is required if the Project is to proceed.

Standards and Guidelines that are Not Applicable

Not all Standards and Guidelines apply to the Project either because the Project does not include a facility or structure that will cause an impact, the resource is not present, or the activity is not occurring. Specifically, no sewage treatment plant is proposed (S5.3.3.1.2); freshwater wetland habitat is not present (S5.3.3.4.1); the site is not within the jurisdiction of the Wild, Scenic and Recreational Rivers Act (S5.3.3.4.3); no ponds are proposed (G5.3.3.5.3); the vegetation clearing limit is met (S5.3.3.6.1); open space is unfragmented to the maximum extent (S5.3.3.6.2); the Project maximizes the clustering technique (G5.3.3.9.2); no land dedications will occur therefore no receiving entity is identified, and covenants or easements will be recorded to protect natural areas (G5.3.3.9.3).

Standards and Guidelines to which the Project Conforms

A summary of the Project's conformance with Standards and Guidelines is provided including details where relevant and applicable to explain the conclusions related to conformity. It is noted where conformance is deferred to other agencies such as the Suffolk County Department of Health Services or NYSDEC who regulates protection of public health, groundwater and other natural resources. Since the proposed land use is commercial/industrial, the regulations that pertain to the management and storage of chemicals and hazardous materials and control of stormwater runoff to minimize water pollution may apply and the applicant would need to obtain the necessary agency permits or seek a hardship waiver(s).

The Project conforms with the Suffolk County Department of Health Standards (S5.3.3.1.1). The allowable flow is 21,435 gallons per day (gpd) and the Applicant proposes 21,997.70 gpd. The excess sanitary flow will be mitigated by the redemption of 1.88 Pine Barrens Credits. An On-Site Alternative Wastewater Treatment System will be installed (S5.3.3.1.1). Activities that require permits to conform with the Sanitary Code Articles 7 and 12 are subject to those regulations and approvals (S5.3.3.2.1).

The Project conforms with the Vegetation Clearance Limit (S 5.3.3.6.1). An area of 41.23 acres (58%) will be cleared where a maximum 65% is permitted in the Standard. The Project protects an additional 5 acres beyond the Plan requirement. An area of 30.21 acres will remain as natural open space (42%).

The Project creates unfragmented open space while simultaneously achieving protection of existing natural steep slope topography (S5.3.3.6.2). The Project will conform with the fertilizer-dependent vegetation limit (S 5.3.3.6.3). An estimated 4% of the site will be planted in a native grass and wildflower seed mix achieving near zero percent fertilizer dependent vegetation. Native plants will be used in landscaping (S 5.3.3.6.4). Restoration of 3,803 square feet of previously cleared area will also occur.

State and Federal listed Threatened species, Northern Long-eared Bat and its habitat will be protected by avoiding clearing from March through October and clearing only during December through February of any given year (S5.3.3.7.1).

In its September 28, 2022 correspondence, the New York Natural Heritage Program reported, “Within one mile of the project site is a documented non-winter location of Northern long-eared bat (*Myotis septentrionalis*, state and federally listed as threatened). The bats may travel 1.5 miles or more from documented locations. An impact of concern for bats is the removal of potential roost trees.” Consistent with DEC guidelines, the Applicant proposes to conduct its clearing activities during the annual clearing window between December 1 and February 28. To protect the NLEB habitat, no regulated clearing will occur on the Project Site from April 1 to October 31 of any given year.

Clustering is used to the maximum extent to connect open space to adjacent public lands to the east and north (G 5.3.3.9.2). Conservation easements will be filed to protect open space prior to site disturbance (G 5.3.3.9.3). No impact will occur on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places (New York State Historic Preservation Office correspondence dated June 6, 2022) (G5.3.3.11.1 and 11.2). Roadside character will be preserved in the 100-foot wide natural buffer on the Project Site except where two curb cuts are proposed to conform with public safety requirements due to the size of the buildings in the Project (G5.3.3.11.2 and 11.3). Signage was redesigned in the Signarama plan dated October 18, 2022 to be in keeping with the character of the Central Pine Barrens (G5.3.3.11.4).

The Project does not conform with Guideline 5.3.3.8.2 due to the development of 0.98 acres of steep slopes greater than 10% grade.

VIII. Commission Review of the Hardship Exemption Request

Pursuant to the Act, in determining whether to grant a CGA hardship exemption for the Project, the Commission must consider, among other things, the criteria set forth in New York State Town Law §267-b(2) and determine whether the Project is consistent with the purposes and provisions of the Act and whether the Project will result in a substantial impairment of the resources of the Central Pine Barrens area.

In considering the criteria set forth in Town Law §267-b(2)(b)(1), the Applicant asserts that the Project is the result of a Stipulation of Settlement between the Town of Brookhaven and the prior owner allowing the use and extent of development of the Project Site.

Reasonable return

The Silver Corporate Park proposal required a hardship to waive conformance with Guideline 5.3.3.8.2 for construction on steep slopes. The Project will disturb less area of steep slopes according to refinements in topography than Silver Corporate Park.

The Applicant asserts that the Project is not economically viable unless it is developed as proposed. The Application contains materials provided information on the need for tax abatements to make the Project feasible.

Uniqueness

In considering the criteria set forth in Town Law §267-b(2)(b)(2), the Commission finds that the hardship is unique due to the Project Site's history resulting from the prior Stipulation. These circumstances and history are unique to this Applicant and Project and does not apply to a substantial portion of the neighborhood. The Project will disturb 58% of existing natural vegetation and habitat where 65% is allowed, resulting in less clearing and a greater amount of open space than the Plan requires. When the Project is complete, in addition to the 120 acres acquired by the Town as a result of the stipulation on 190 acres, the Project will preserve 30.21 acres bringing the total open space to 150 acres or 79% of the pre-Stipulation Project Site.

Natural open space connectivity is accomplished by situating open space on the northerly portions of the Project Site to be adjacent to the Town's open space. The layout protects terrestrial ecological communities and succeeds in connecting open space, which add to open space connectivity in the immediate area. Other parcels in the area, that are subject to development do not afford this same opportunity.

The clustering technique is maximized in the open space arrangement and building lot layout. The Application encourages compatible industrial development in the CGA to accommodate regional growth influences in an orderly way while protecting the pine barrens environment from the individual cumulative adverse impacts thereof. The roadside character of the CGA and views from the LIE are protected through the 100-foot wide natural buffer on the North Service Road.

Essential character

In considering the criteria set forth in Town Law §267-b(2)(b)(3), as it relates to character of the neighborhood, the Project is consistent with development in the Study Area. Although the Project Site is currently vacant and wooded, it lies on a major highway, the Long Island Expressway, and it is zoned for industrial use. The presence of the Stipulation and the prior approval of Silver Corporate Park proposal dictate the extent of development allowed on the Project Site.

The Project is consistent with large industrially developed sites in the Study Area that are outside of the Central Pine Barrens. The Project is clustered to the west to adjoin the developed site of a composting facility. The cluster configuration retains the steep slopes on the east side and connects to existing open space.

Where open space is adjacent, the cluster plan connects open space uses. The presence of the overhead utility corridor causes an intrusive developed element in the Project Site. The Project's industrial land use is consistent with the existing zoning district and permitted uses; no Town Board action is needed such as a change of zone that deviates from the Town Code. The Project is consistent with the existing character of the area, uses, and generally conforms to its surroundings and pattern of development and land uses. The Project will provide three warehouse buildings on an industrially zoned parcel that is well situated on a major highway. The Commission finds that the Project will not alter the essential character of the neighborhood.

Self-created

The presence of the Stipulation establishes the use and development of the site. The Applicant purchased the property with the SCP approval in place and the Project is similar in size to SCP. Except for modifications to the number of buildings, it is similar in terms of impact on vegetative clearing and steep slopes. The Applicant seeks to minimize disturbance to steep slopes and clear less than the Plan permits for the Project.

Pursuant to Town Law §267-b(2)(b)(4), the Commission finds that the hardship is not self-created. The Applicant asserts the Project is the result of a process that included the sale of a large portion of the original 192 acre site to the Town to preserve open space, leaving the balance to the Applicant to develop 72 acres and the Applicant's expectation to realize a financially viable Project. The Applicant and Town have achieved protection of 120 acres and reduced the scale of development significantly from the pre-Stipulation development plan to arrive at the Application. The Project is consistent with the current industrial zoning classification in effect since before the Act. Prior proposals required Town Board actions and resulted in greater development in size and scale than the Project.

IX. Conclusion

The Commission determines that the Project as depicted in the Slope Analysis Plan last dated October 18, 2022 prepared by Key Civil Engineering and the Overall Site Plan last dated October 14, 2022 prepared by Key Civil Engineering complies with Standards and Guidelines except for compliance with Guideline 5.3.3.8.2. The Commission finds that the Applicant has established an extraordinary hardship exists and therefore grants an extraordinary hardship exemption for the reasons set forth above. The Commission further imposes the following conditions on the Project.

1. General conditions

- a. 1.88 Pine Barrens Credits must be redeemed prior to site disturbance.
- b. Install an Innovative Alternative Onsite Wastewater Treatment System prior to issuance of Certificate of Occupancy.

2. Protection of natural vegetation and clearing

- a. Open space
 - i. 30.21 acres of natural open space of the Project Site must be protected
 - ii. Protect the 30.21 acres in a conservation easement that is recorded prior to clearing and ground disturbance activities.
 - iii. No disturbance may occur in the open space including staging or storing materials or excavated soil.
 - iv. Commission staff may inspect the open space easement area on an annual basis upon reasonable notice to the Applicant unless an emergency condition prevents the notice.

- v. Install and maintain in perpetuity split rail fencing, or other Commission approved installation, on the clearing limits/open space boundaries.
- b. Clearing
 - i. No more than 41.23 acres of current natural area of the Project Site may be cleared.
 - ii. Clearing activities must be coordinated with NYSDEC to comply with Northern Long-eared Bat habitat protection. Clearing may only occur from the period of December 1 to February 28 in Suffolk County, unless otherwise directed by NYSDEC.
 - iii. No clearing shall occur until the Commission office has field inspected the clearing/conservation easement limits and issued written approval to the Applicant. Notify the Commission when all construction is completed on the Project Site.
 - c. Conservation Easement
 - i. Prepare a draft conservation easement subject to Commission review and approval to protect 30.21 acres of the natural habitat as open space.
 - ii. No additional density or development may be generated by the open space area.
 - iii. Record instruments prior to ground disturbance activities and no later than within six months after this decision.
 - iv. Submit proof of recording to the Commission prior to ground disturbance activities.
 - d. Prior to the commencement of ground disturbance activities on the Project Site, the Applicant must:
 - i. Install and maintain snow fencing along the clearing limits/natural area to protect the area to remain natural during construction.
 - ii. Notify the Commission office one week prior to disturbance to inspect the clearing limits.
3. Lighting. Install only dark skies compliant fixtures to minimize excess nighttime lighting and energy consumption.
 4. Signage. Install the single monument sign illustrated in the plan prepared by Signarama dated October 18, 2022 stamp received on October 19, 2022.
 5. Landscaping Plan
 - a. Approximately 4% of the site will be planted with a Commission approved native grass and wildflower seed mix and avoid the use of fertilizer dependent vegetation to near zero percentage. If this changes such as an increase in fertilizer dependent vegetation up the conforming maximum limit of 15%, the Applicant must submit the request to the Commission for review and consideration of this change.

- b. Landscaping must be composed of native species. Utilize Long Island genotypes where available.
- 6. Trees with a breast height diameter of 6 inches or greater along the edge of the areas to be cleared are to be maintained by adjusting the clearing line.
 - a. Recommended landscaping activities that are encouraged but not required:
 - i. Transplanting existing plants including trees and shrubs where possible.
 - ii. Flag existing trees that will remain protected and kept in place during grading and construction.
 - iii. Where a tree intersects the clearing boundary, maneuver around the tree to keep it in place, when possible.
 - iv. Replace the creeping juniper with buttonbush or another native species.
 - v. Incorporate more native oak and other trees in the landscape design and retain existing native, large and flowering trees where possible.
 - vi. Avoid excess clearing and regrading such as on the western boundary and on the east side of the eastern ingress/egress.
- 7. Restoration of Unauthorized Cleared Area
 - a. Restore 3,803 square feet of previously disturbed area with native oak and pitch pine trees on the road frontage, as shown in the Overall Site Plan and the Landscape Plan drawings C-10, C-11 and C-12 last dated October 14, 2022 prepared by Key Civil Engineering.
 - b. Landscaping with native plants including shrubs and trees, evergreen and deciduous, will occur within the site. Seeded lawn areas will be planted with an Ernst showy northeast native wildflower and grass seed mix.
- 8. Stormwater Pollution Prevention Plan. Complete requirements for the SWPPP and submit proof of approval or permit prior to ground disturbance activity.
- 9. If construction phases are proposed, submit a phasing plan, subject to review and approval.
- 10. This approval shall expire five (5) years from the date of this Resolution.
- 11. Any changes to the Project, as approved, must be reviewed and approved by the Commission.
- 12. Any changes on the Project Site such as an application that changes the use, zone, new ownership that changes the Project or other elements that cause non-ministerial changes are subject to Commission review and decision.
- 13. Consult with the Commission staff prior to commencing activity on site related to disturbance to any vegetation. Surveying activity that does not require material disturbance to vegetation is excluded from consultation

Failure by the Applicant or its successors or assigns to fully comply with the foregoing conditions will constitute a violation of this decision.

Motion to Approve November 16, 2022
Expressway Drive North Compatible Growth Area Development of Regional Significance and
Hardship Waiver

Date: November 16, 2022

Motion By:

Seconded:

Vote:

Yes:

No:

Abstain:

Absent:

Copies of This Decision Will be Sent To:

New York State Department of Environmental Conservation, Division of Environmental
Permits, Region 1
New York State Department of Transportation
Suffolk County Planning Commission
Suffolk County Department of Health Services
Suffolk County Department of Public Works
Suffolk County Sewer Agency
Suffolk County Water Authority
Town of Brookhaven Supervisor
Town of Brookhaven Town Clerk
Town of Brookhaven Town Board
Town of Brookhaven Board of Zoning Appeals
Town of Brookhaven Planning Environment and Land Management (PELM)
Town of Brookhaven Building Department
Town of Brookhaven Parks and Recreation Department
Applicant/Attorney

Hargrave, Julie

From: raymond camilleri <raymondcamilleri@gmail.com>
Sent: Monday, November 07, 2022 2:41 PM
To: Hargrave, Julie
Subject: Re.: 59 Ryerson Ave- Request for Postponement/Extension of Hardship Request

CAUTION: This email originated from outside of SCWA. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Ms Hargrave / Central Pine Barrens Commission-

Regrettably, as a result of a scheduling conflict, I will unfortunately be unable to attend the next hearing date scheduled for November 16th, 2022. With my sincerest apologies, I ask that you kindly grant one final extension to postpone our hearing that was originally scheduled for November 16th 2022, and reschedule this hearing for the JANUARY 18th, 2023 meeting date.....I sincerely apologize for not being able to notify the board sooner.

Your approval of this extension/postponement would be greatly appreciated-

Once again- if you could kindly postpone our hearing that was initially scheduled for November 16th, 2022, to be rescheduled and placed on the agenda for the JANUARY 18th, 2023 meeting- we would be extremely grateful and appreciate it a great deal...

Correspondingly, we also would like to kindly request an extension to the decision deadline as well... Which we leave at your discretion to set, however, I believe this is usually set for a month or two following the actual meeting date and review of our application.

Once again - we deeply apologize for having to request this extension, and would like to express our sincerest appreciation and gratitude for all of the time and consideration that the board has put into our application and request up to now- Thank you.

If you could kindly confirm that our request to extend/postpone this hearing for the JANUARY 18th, 2023 meeting is acceptable and has been approved, or not, that would be greatly appreciated..If you have any questions or would like to discuss this in more detail- please feel free to reach out to me directly at: 631.974.4752-

Thanks again for all of you assistance, it is very much appreciated-

Kindest Regards,

Raymond & Bridget Camilleri

59 Ryerson Ave
Manorville, NY, 11949



Response to Central Pine Barrens Commission Referral of September 21, 2022 to the Town of Southampton

LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT SUBDIVISION PREVIOUSLY APPROVED ASSERTION OF JURISDICTION

Lewis Road, East Quogue, Town of Southampton, NY

NP&V No. 05105

Prepared For: Town of Southampton Planning Board/Staff
116 Hampton Road
Southampton, NY 11968

To Address Comments by: Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11978

On Behalf of: DLC East Quogue and affiliates
14605 N 73rd Street
Scottsdale, AZ 85260

Prepared By: Nelson Pope Voorhis
70 Maxess Road
Melville, New York 11747
Contact: Charles J. Voorhis, Principal

Date: November 7, 2022

1.0 INTRODUCTION

The Central Pine Barrens Joint Planning & Policy Commission (CPBC) considered the Lewis Road Final Subdivision referral from the Town of Southampton Planning Board on September 21, 2022. CPBC staff prepared a draft letter that was approved to be sent to the Town dated September 21, 2022. The CPBC referral letter included certain requests for information to assist the Town in processing the Final Subdivision. Information requested in the letter will also assist the CPBC in processing the revised approval of the Lewis Road PRD which received approval from the CPBC for an Assertion of Jurisdiction application from the CPBC on January 20, 2021. Minor changes have occurred to the plan since that time as documented in the August 31, 2022 submission to the CPBC.

This document includes a point-by-point response to the questions/comments outlined by the CPBC in the September 21, 2022 correspondence. Each information request is stated, followed by a response. Accompanying maps, plans and related information are provided to assist the Town and the Commission in the review of the revised plan as reflected in revised Final Subdivision Plans.

2.0 REQUESTED AND PROVIDED INFORMATION

Each information request contained in the September 21, 2022 email is stated below in italics, followed by a response that addresses the request and provides supplemental information in support of the proposed project.

- 1. A plan with the layout of the approved plan with an overlay of the new project and explain the comparison and the purpose for changes, if any.*

The August 31, 2022 submission to the CPBC included a plan that clearly highlights the changes in clearing areas and includes a description of the changes. The plan was included as Attachment A to that submission and was provided to illustrate all of the changes in open space that occurred since the January 20, 2021 approved plan. This plan was prepared by PW Grosser cooperatively with Nelson + Pope using plans provided by N+P and dated 6/29/2022. The changes are minor in the context of the overall site, and that plan is a useful exhibit to highlight the changes.

Based on the current request, an additional plan has been prepared which provides a Master Plan Overlay to Previous Plan (see **Appendix A**). This plan was prepared by VITA, Inc., the project landscape architect/designer that prepared the approved master plan, and is dated October 4, 2022. The outline of the old plan is depicted in red dashed line, and the outline of the new plan is depicted in blue dashed line. While this plan is more difficult to read, it provides the requested information.

The basic changes to the plan involved meeting Town drainage requirements and relocating the site access. The preliminary changes were listed in the August 31, 2022 correspondence and are updated below:

- As noted on the comparison map (Attachment A of the August 31, 2022 submission and **Appendix A** of this submission), very minor changes were made to the golf course areas to accommodate the necessary drainage required by the Town of Southampton. Town requirements changed since the Commission approval where 3 inches of storage is required (instead of 2"), for site plan components of the plan.
- One (1) lot was moved from the clubhouse area to an area previously planned for conservation. The lot (Lot 36) is just over 14,000 square feet (SF). The conservation area loss was offset by additional conservation on the golf course areas.
- Two 15-foot wide, drainage easements were added (one by lots 41 and 42 and the other by lots 26 and 27) through areas previously planned for conservation. The conservation area loss was offset by additional conservation on the golf course areas.
- The access road was shifted from a paper road to an easement over a property on Lewis Road approximately 500 feet farther south, as the paper road owner would not come to terms with the project sponsor. The easement runs through previously cleared area.

- The property size is 607.87 acres based on updated survey information and road abandonments.
- There are now 37 drainage reserve areas including the drainage ponds.

2. *Please identify:*

a. *The clearing limit based on the Plan standard.*

The clearing limit based on the plan standard is that 28.26% of the existing natural vegetation on the overall site is permitted to be cleared.

b. *The amount of existing natural vegetation on the project site*

The existing natural vegetation on the subject site is 576.04 acres.

c. *The amount of existing cleared area on the project site*

The existing cleared areas on the site total 31.83 acres, including 0.33 acres that were cleared for monitoring well installation.

d. *The amount of proposed clearing*

The proposed clearing of existing natural vegetation equals 139.92 acres, which is less than 28.26% of the existing natural vegetation on the site.

e. *the total area to be cleared for the project including existing cleared area and the area of proposed clearing*

The total area to be cleared for the project is 171.75 acres. The breakdown is: 31.83 acres of existing cleared area, and 139.92 acres of proposed clearing of existing natural vegetation.

f. *the total area to remain natural when the project is completed*

The total area to remain natural when the project is completed is 576.04 acres.

3. *Clearing for wells*

a. *The "Proposed Clearing Plan" prepared by PWGC dated May 2, 2022 lists 16 Boring IDs and 16 Well IDs and the total clearing required is approximately 6 acres. Please clarify if the 6 acres of clearing will occur in areas that will be cleared for the project or if 6 additional acres will be cleared for this purpose.*

b. *The tables refer to "areas previously cleared (fully or partially)." If an area is identified as only "partially cleared," then clearing is proposed. Sites such as BW-1 and SB-16 appear to be located close to or in natural areas. Please have applicant explain if it is*

possible to work in areas that will be cleared for the project rather than in areas that require excess clearing.



Per the Town of Southampton, the applicant has agreed that all clearing for well installation will take place when clearing for the project occurs. In addition, all wells will be located within areas cleared for the proposed project.

4. *NYS listed threatened species - NLEB proposed clearing and summary of bat habitat table.*
 - a. *Areas to be cleared year round - 47 acres*
 - b. *Areas to be cleared December through February 107 acres*
 - c. *Please explain the information in the table including:*
 - *Bat Habitat Area #1 where 20 acres will be cleared appears to be in the southerly portion where "outparcels" exist in lots not owned by the Applicant*
 - *Bat Habitat Area #4 is in the northern portion that is to remain natural open space and table lists 8 acres to be cleared in that area*

Appendix B-1a of this submission includes a Construction Phasing Plan overlaid on an aerial photograph prepared by PWGC and dated 11/03/2022. **Appendix B-1b** includes this same plan not on an aerial photograph. This plan includes updated information on construction zones, acres and time schedule and conforms with guidelines established by New York State Department of Environmental Conservation (NYSDEC) for protection of the Northern Long-eared Bat (NLEB). NYSDEC outlined several areas that could be cleared year round, as depicted in a green solid line on the plan. All clearing outside of the green areas will occur during the period March 1 through November 30. No outparcels will be impacted by clearing. All clearing will be within the boundaries of the subject site. Four (4) Construction Zone areas are shown on the plan, and each zone is color-coded to depict the area covered by the Construction Zone, and a table is provided to identify the activities that will occur within each zone as well as timing. This table is excerpted and provided below:




CONSTRUCTION ZONE 1

ACTIVITIES

1.	TREE FELLING:	15.9 ACRES 5.5 ACRES	
	TIMING:	11/18/22 - 12/15/22	
	TREE FELLING:	10.2 ACRES	
	TIMING:	03/01/23 - 04/01/23	
2.	ROADWAYS ⁴ :	7,722 LF.	
	TIMING:	12/15/22 - 06/01/24	
3.	RECREATION AREA:	09/01/23 - 12/31/26	
4.	W.F. HOUSING:	06/01/23 - 06/01/24	
5.	TURF CARE/ ENVIRONMENTAL CENTER/ADMIN / OPS.	05/01/23 - 06/01/24	
6.	RESIDENTIAL UNITS ³	UNITS 1-3; 37-77	
	TIMING: UNITS 50-70	05/01/23 - 06/01/24	
	UNITS 1-3; 37-49; 71-77	01/01/24 - 12/31/25	
7.	CLUBHOUSE AREA:	01/01/24 - 06/01/26	
8.	STP:	04/01/23 - 05/01/24	





CONSTRUCTION ZONE 3

ACTIVITIES

1.	TREE FELLING:	20.5 ACRES 1.17 ACRES	
	TIMING:	01/01/23 - 01/31/23	
	TREE FELLING:	9.3 ACRES	
	TIMING:	03/01/23-04/01/23	
	TREE FELLING:	3.2 ACRES	
	TIMING:	12/01/23 - 02/28/24	
2.	ROADWAYS:	1,986 LF.	
	TIMING:	02/01/23 - 12/31/24	
3.	GOLF HOLES ² :	1,2,3,16,17,18, D.R.	
	TIMING:	04/01/23 - 01/01/24	
4.	RESIDENTIAL UNITS ³	UNITS 78 TO 93 & 108 - 110	
	TIMING: UNITS 78 TO 83	01/01/25 - 12/31/25	
	UNITS 84-93 & 108 - 110	01/01/26 - 12/31/26	




CONSTRUCTION ZONE 2

ACTIVITIES

1. TREE FELLING:	10.3 ACRES	
TIMING:	2.4 ACRES 12/01/22 - 12/31/22	
TREE FELLING:	15.1 ACRES	
TIMING:	12/01/23 - 02/28/24 ⁷	
TREE FELLING:	10.2 ACRES	
TIMING:	12/01/23 - 02/28/24	
2. ROADWAYS:	2,604 LF.	
TIMING:	12/31/22 - 12/31/24	
3. GOLF HOLES ² :	10,11,12,13,14,15	
TIMING:	07/01/23 - 01/31/24	
4. RESIDENTIAL UNITS ³	UNITS 4 TO 36	
TIMING: UNITS 33 TO 36	01/01/24 - 02/01/25	
UNITS 4 TO 11	01/01/24 - 02/01/25	
UNITS 12 TO 32	01/01/24 - 02/01/25	

CONSTRUCTION ZONE 4

ACTIVITIES

1. TREE FELLING:	26.0 ACRES	
TIMING:	2.6 ACRES 02/01/23 - 02/28/23	
TREE FELLING:	7.6 ACRES	
TIMING:	12/01/24 - 02/28/25	
2. ROADWAYS:	2,680 LF.	
TIMING:	03/01/23 - 12/31/24	
3. GOLF HOLES ² :	4,5,6,7,8,9	
TIMING:	05/01/23 - 12/31/23	
4. RESIDENTIAL UNITS ³	UNITS 94-107	
TIMING:	01/01/26 - 12/31/26	

Appendix B-2 includes a Gantt chart to further document the construction schedule. This is correlated with the Construction Phasing Plan included in **Appendix B-1**. Finally, **Appendix B-3** includes a construction narrative prepared by PWGC dated November 7, 2022 that describes the construction phasing activities and also is correlated with the Construction Phasing Plan. These documents provide the full construction sequence information that will ensure protection of natural areas, conformance with clearing windows and overall construction management for orderly development.

- Please identify if the current proposal and layout continues to conform with the Plan Standards and Guidelines and changes to the plan, if any, that have occurred and the purpose of the changes.

As reported in the August 31, 2022 submission to the Commission and demonstrated on the supporting plans, the proposed project continues to conform with all Plan Standards and Guidelines of the CPB CLUP. None of the refinements to the plan to meet engineering requirements have any incremental impact on the conformance of the plan with the Standards and Guidelines. Plan changes are minimal and the full Commission determined that the original plan was in conformance. The supporting overlay map (**Appendix A** of this submission) and the limits of clearing changes map (Attachment A of the August 31, 2022 submission) demonstrate the minor nature of the changes. In addition, **Appendix C** includes an updated Central Pine Barrens conformance plan that reflects minor changes to date and demonstrates conformance to Standard 5.3.3.6.1 for Vegetation Clearance Limits.

- An amendment to the Commission decision is expected to be necessary for the record to reflect the current plan and project.

This is acknowledged. The Applicant has provided information to the Commission to support an amended decision (dated August 31, 2022) and is providing this response to the Commission September 21, 2022 referral to the Town on the Final Subdivision in further support of the minor nature of the plan changes and the appropriateness of finding the

revised plan to be consistent with the CLUP so that the amendment to the Commission decision can be made.

7. *The Commission reserves its right to fully review the project in accordance with the Act and the Plan once it has received all of the relevant information on the current project and its comparison to the Lewis Road Master Plan that was determined to conform with the Central Pine Barrens Comprehensive Land Use Plan.*

This comment is acknowledged and as noted in #6 above, supporting information has been and will be provided as needed.

8. *Timeline:*

- a. *Please submit a timeline to satisfy the requirements and conditions of the Commission's decision*

A timeline to satisfy the requirements and conditions of the Commission's decision was provided in the August 31, 2022 submission to the Commission. The following provides an update and expansion of this previously submitted information:

Other Agency Approvals and Permit Requirements

- Condition 1: Article 6 approval from the SCDHS was received on May 11, 2022.
- Condition 2: The Sewage Treatment plant and conveyance system design approval is expected in November 2022.
- Condition 3: Article 7 and 12 approvals are expected November 2022. Review is complete and fees have been paid. Issuance of permits is imminent.
- Condition 4: Town SWPPP approval is expected in November 2022. Town review comments were received in September and revisions are being completed for approval.
- Condition 5: NYSDEC approval of the SWPPP is expected in November 2022. The SWPPP will be filed with NYSDEC immediately following Town approval.
- Condition 6: NYSDEC approved two (2) onsite irrigation wells in April 2021.

Open Space Protection and Natural Resources

- Condition 1: No more than 171.75 acres will be cleared and developed per the attached N+P CLUP Compliance Exhibit, last dated 11/07/2022. Conformance is confirmed through Final Subdivision maps submitted to the Town and the Commission.
- Condition 2: A minimum of 207 acres [including 4-acres for use by the Suffolk County Water Authority (SCWA)] must be offered for dedication to the Town other local,

- county, state or federal agency. Conformance is confirmed through Final Subdivision maps submitted to the Town and the Commission.
- Condition 3: A minimum of 230 acres will be protected by the Hills HOA. This is included in HOA documents and reflected in Final Subdivision mapping.
 - Condition 4: Covenants or conservation easements will be provided to protect in perpetuity 437 acres of natural open space including 203 acres to be protected by the Town through legal instruments. These legal instruments will be recorded prior to disturbance, clearing and development on the project site. The Town and Commission will approve these instruments for filing after which they will be recorded with County Clerk and then submitted to the Commission. Draft covenants to protect open space are provided as **Appendix D** of this submission.
 - Condition 5: Snow fencing will be installed along the boundaries of the limits of vegetation clearing and require inspection by the Commission prior to the occurrence of any clearing activity. The aforementioned snow fencing will be retained in place in each Project phase until each phase is complete.
 - Condition 6: Prior to disturbance DLC will submit a copy of the approval of the Stormwater Pollution Prevention Plan (SWPPP) by the Town and NYSDEC.
 - Condition 7: New York State and Federally-listed protected species and their habitat(s), including the Northern Long-eared Bat (NLEB), will be protected. The Applicant will adhere to NYSDEC regulations to protect the NLEB and its habitat.
 - Condition 8: Listed plant and wildlife species and habitats will be protected as required by local, State and Federal agencies.

Construction Phasing and Completion of Project

- Condition 9: Because the proposal is a six-year phased project, the Applicant has submitted a copy of the Construction Phasing Plan for the Project Site showing areas to be cleared and developed in succession (see Appendices B-1, B-2 and B-3). On the aforementioned plan the Applicant has identified areas of the site that will be constructed at different times, including clearing, while meeting the habitat requirements of regulated species and habitats.

Groundwater Monitoring Protocols

- Condition 10: The Project will not exceed a maximum concentration limit of 2 mg/l groundwater, as calculated over the entire Project Site. A covenant will be placed on the property to institute this requirement and the covenant must be approved by the Commission prior to commencing site disturbance and development activities. Draft covenants are included in Appendix D of this submission.
- Condition 11: The Applicant has submitted a copy of the final Groundwater Monitoring Plan to the Town. A copy of the plan prepared by PWGC (Rev. 2; dated March 2022) is included as **Appendix E** of this submission. The protocols include

measures to cease operations if and when measurements exceed maximum limits unless and until conditions return to compliance levels.

General

- Condition 12: The Applicant agrees that there shall be no changes of use, other uses or other changes to the Project Master Plan or on the Project Site, no increases in density, intensity, sewage flow (including expansions of the sewage treatment plant to increase capacity), accessory uses or additional structures other than the facilities in the current Master Plan, increases in footprint, increases in gross square footage, and modifications that would change the site plan or subdivision map, master plan and/or conformance with Standards and Guidelines without the Commission's approval.
- Condition 13: The applicant will submit a copy of the final filed subdivision map, filed with the Suffolk County Clerk, and plans and resolutions approved by the Town of Southampton Planning Board upon approval.
- Condition 14: The Applicant will prepare for Commission review and approval and then record a covenant that no additional population density yield may be generated from the site. All covenants as currently proposed are included in Appendix E for review by the Commission.
- Condition 15: The Applicant agrees that if at any time during construction or disturbance, including clearing, archaeological or cultural resources or remains are uncovered, the Applicant will cease operations and report this to the Town and develop a plan for modifications to protect artifacts and resources.
- Condition 16: It is acknowledged that the Commission's approval is valid for 10 years from the Commission's date of approval. The Project must be 90% complete by the time the end of this 10-year term occurs. If it is not, the Applicant must request an extension from the Commission, and the extension is subject to Commission review and approval of conditions at that time and regulations in effect at that time.
- Condition 17: The applicant acknowledges that the proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the Project Site and will conform.

b. Please indicate and submit information including:

- *the status of the project including staking clearing limits for inspection*

The limits of clearing are currently hand staked every 50 feet. Additional hand staking every 8 feet is currently being done in preparation for installation of construction fencing. No clearing will occur until after all approvals are obtained including an amendment to the prior Commission approval of January 20, 2021. The Commission will be contacted to inspect the staking every 8 feet when completed. Inspections are available to be conducted at any time by contacting DLC

representative Nick Venturino at 401-447-2114 via voice or text message. The attached Phasing Plan (**Appendix B-1**) includes the following notation:

PHASING OF TREE FELLING/CLEARING ACTIVITIES

Phase 1 - Hand stake (8' o.c.) and attached with fluorescent flagging tape to delineate the limit of clearing for the entire project site, for inspected by Town of Southampton, CPBC, and other agencies, as may be applicable, prior to authorized clearing activity.

Phase 2 - Commence tree felling and clearing of 15 ft wide path along the limit of clearing, required to install fencing, followed immediately by the installation of required limit of clearing and silt fencing.

Phase 3 - Tree felling of any permitted development areas outside the Green Zone, as delineated by the NYS DEC, will be restricted to the NLEB protection window between December 1st and February 28th, as delineated on the above map. Inspections available at any time by contacting DLC representative Nick Venturino at 401-447-2114 via voice or text message.

Phase 4 - Following the tree felling, clearing activities such as stump removal, tree chipping, grubbing, and other waste reduction efforts will commence. Phase 5 - Upon completion of Phase 4 in a given zone, the other construction activities, including but not limited to roads, drainage and infrastructure, golf course, and residential units, will commence pursuant to the schedule of activities in each construction zone.

- *a phased development plan*

This is provided in **Appendix B** and is explained under #4 above.

- *a schedule that is consistent with avoiding clearing during windows established by the NYSDEC to protect individuals and habitat of NLEB*

The Phasing and Site Disturbance Plan (Attachment B) provides for full conformance with the NYSDEC policy to protect individuals and habitat of the NLEB. Per NYSDEC, the areas identified within the green polygons can be cleared at any time of year. The remainder of the site will be cleared only during the period from December 1 through February 28.

- *filing covenants to protect open space*

Draft covenants to protect open space are provided as Appendix E of this submission.

- *fulfilling the conditions of approval*

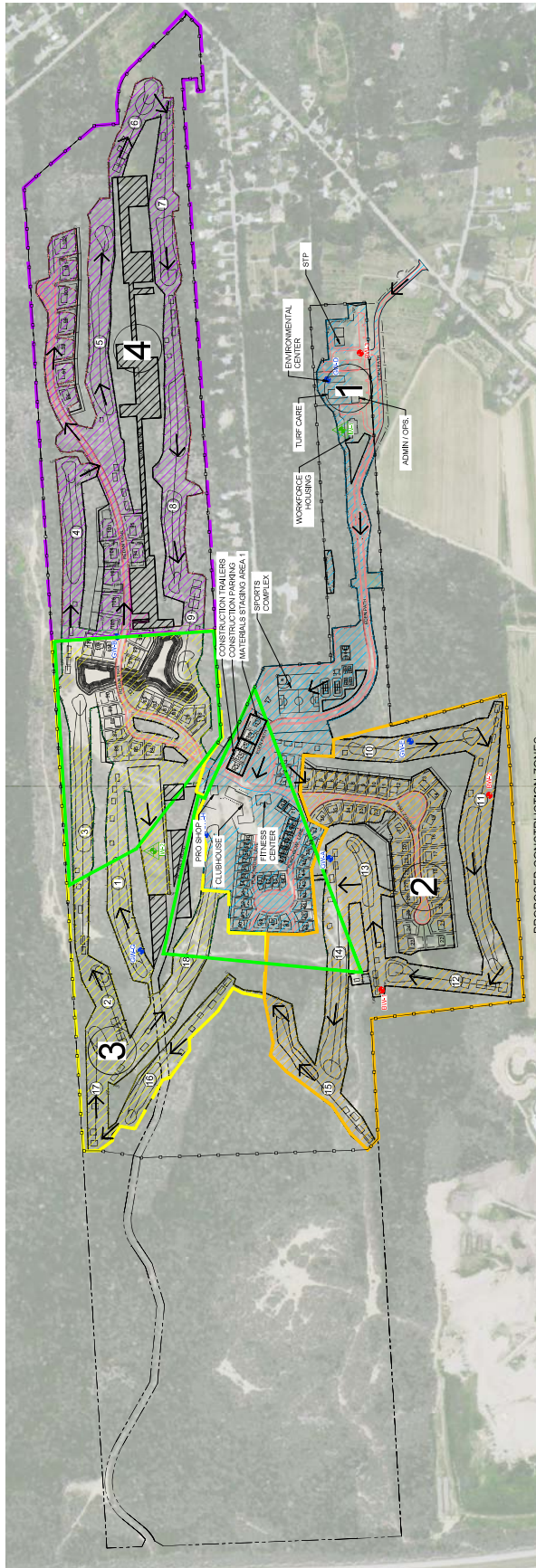
Please refer to 8.a. above.

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

The Applicant is aware of the need to conform to all other involved agency jurisdictions and permit requirements pertaining to the site, and will conform. As noted in 8.a. above, many approvals have been received and the remaining approvals are pending and will be obtained prior to commencement of construction/disturbance of the site.

3.0 SUMMARY AND CONCLUSION

This document provides supplemental information for Town reference in responding to the Commission referral letter of September 21, 2022. This document reflects the minor changes to the Lewis Road PRD that received Commission approval for an Assertion of Jurisdiction project on January 20, 2021. The changes to the project are minor and are outlined herein. The goal of the applicant is to obtain an updated decision to recognize the changes in the proposed project since the CPBC approval, and to comply with all conditions of the approval. The applicant looks forward to working cooperatively with the Town and Commission to complete this process.



PROPOSED CONSTRUCTION ZONES
SCALE 1"=50'
SCALE 1"=50'

CONSTRUCTION ZONE BOUNDARY
ZONE 1 TREE FELLING/CLEARING
CONSTRUCTION ZONE BOUNDARY
ZONE 2 TREE FELLING/CLEARING
CONSTRUCTION ZONE BOUNDARY
ZONE 3 TREE FELLING/CLEARING
CONSTRUCTION ZONE BOUNDARY
ZONE 4 TREE FELLING/CLEARING
ROADS
EASEMENT TO OUT PARCELS TO BE CLEARED
IF WHEN NECESSARY
OUT PARCELS
PROPOSED GOLF COURSE MONITORING WELLS
PROPOSED BACKGROUND MONITORING WELLS
PROPOSED IRRIGATION WELL
PROPOSED GOLF COURSE LAYOUT
PROPERTY LINE
PAPER ROAD
DEC DELINEATED AREA - CAN BE CLEARED YEAR-ROUND
AREAS OUTSIDE OF GREEN ZONE CAN ONLY BE CLEARED
BETWEEN DECEMBER 1ST AND FEBRUARY 28TH
CONSTRUCTION ZONE NUMBER
PROPOSED 8FT FENCE
PROPOSED CONSTRUCTION FENCE
PROPOSED 6H SECURITY FENCE

CONSTRUCTION ZONE 1
ACTIVITIES

CONSTRUCTION ZONE 2
ACTIVITIES

CONSTRUCTION ZONE 3
ACTIVITIES

CONSTRUCTION ZONE 4
ACTIVITIES

CONSTRUCTION ZONE 5
ACTIVITIES

CONSTRUCTION ZONE 1
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CONSTRUCTION ZONE 5
ACTIVITIES

PHASING OF TREE FELLING/CLEARING ACTIVITIES

Phase 1 - Hand stake (8 e.a.) and attached with fluorescent flagging tape to delineate the limit of clearing for the entire project site, for inspected by Town of Southampton, CPBC, and other agencies, as may be applicable, prior to authorized clearing activity.

Phase 2 - Commence tree felling and clearing of 15 ft wide path along the limit of clearing, required to install fencing, followed immediately by the installation of required limit of clearing and all fencing.

Phase 3 - Tree felling of any previously development areas outside the Green Zone, as delineated by the NY DEC, will be completed by the NY DEC, within 60 days of the start of clearing on the above map. Inspectors' walk at any time by contacting DEC representative Rick Venturino at 401-4672114 via voice or text message.

Phase 4 - Following the tree felling, clearing activities such as stump removal, tree chipping, grubbing, and other waste reduction efforts will commence.

Phase 5 - Upon completion of Phase 4 in a given zone, the other construction activities, including but not limited to roads, drainage and infrastructure, golf course, and residential units, will commence pursuant to the schedule of activities in each construction zone.

NOTES:
1. Any clearing activity between 11/23/22 and 12/1/22 will be within the Green Zone only.
2. Golf course construction will begin with pond excavation followed by golf hole construction starting on holes 3 and 4 and continuing north-south then to the west. The golf course will be completed by 12/31/24.
3. Residential construction will start with club cabins nearest to the clubhouse area, with a goal of completing approximately 20 homes per year.
4. Includes the road work in the access assessment area on lot having SCTM# 300285-164,7 fronting on Lewis Road.
5. Timing of the development activities are subject to change as a result of circumstances beyond DLC control, such as weather events, supply chain issues, labor shortages, etc.
6. Upon completion of the tree felling within a particular time period clearing activities such as stump removal, tree chipping, grubbing, and other waste reduction efforts will commence simultaneously with the start date of the golf course.
7. As per the preliminary site plan approval the property has been inventoried during the month of October 2022 for rare plants based on the Ecological Species Transient Management Program developed by Nelson, Pope & Voorhis. Upon completion of inventory in October 2022, seeds and transmittable plants were collected during the month of November for propagation and transplant later in the development.

CONSTRUCTION ZONE 1
ACTIVITIES

CONSTRUCTION ZONE 2
ACTIVITIES

CONSTRUCTION ZONE 3
ACTIVITIES

CONSTRUCTION ZONE 4
ACTIVITIES

CONSTRUCTION ZONE 5
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ACTIVITIES

CONSTRUCTION ZONE 2
ACTIVITIES

CONSTRUCTION ZONE 3
ACTIVITIES

CONSULTANTS

NO.	DESCRIPTION	DATE
1	DISCOVERY LAND COMPANY	08/02/22
2	SCOTTSDALE, ARIZONA 85260	08/02/22
3	LEWIS ROAD	08/02/22
4	PLANNED RESIDENTIAL DEVELOPMENT	08/02/22

DISCOVERY LAND COMPANY
14605 NORTH 73RD ST.
SCOTTSDALE, ARIZONA 85260

LEWIS ROAD
PLANNED RESIDENTIAL
DEVELOPMENT

EAST QUODDIE, TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

CONSTRUCTION PHASING PLAN

P-100

1 5

DLC1901

CONSTRUCTION ZONE 1
ACTIVITIES

CONSTRUCTION ZONE 2
ACTIVITIES

CONSTRUCTION ZONE 3
ACTIVITIES

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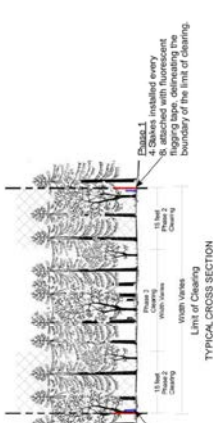
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CONSTRUCTION ZONE 3
ACTIVITIES



TYPICAL CROSS SECTION

November 7, 2022

Town of Southampton
116 Hampton Road
Southampton, NY 11968
Planning Department

RE: Lewis Road PRD – Phasing Narrative

Dear Ms. Scherer

P.W. Grosser Consulting (PWGC), in coordination with Discovery Land Company (DLC), has prepared the following construction phasing narrative and plan for the Lewis Road PRD project. This plan establishes the basic phasing of the project and is a living document as approvals are still pending. Tree felling outside of the project’s “green zones” is limited to the period of December 1 through February 28 due to the potential presence of the Northern Long Eared Bat (NLEB). PWGC understands that special permission may be granted by New York State Department of Environmental Conservation (NYSDEC) to clear potential bat habitat areas outside of that window. Given the short window, tree felling will be the primary activity in that period of time. Construction activities will not commence until approvals have been granted unless specific work, such as installing monitoring wells and advancing soil borings, are authorized ahead of receipt of formal approvals.

As shown on the attached construction phasing plan the project has been split into four (4) zones. Each zone has been further broken down into separate areas, such as roads, golf, HOA areas and Housing. The map also provides a simplified schedule, that shows the areas of tree felling over a particular time period as well as preliminary construction schedules for roads, golf, HOA areas, housing, etc. These time periods have been carefully selected to strike a balance between the needs of the development to progress with key infrastructure and golf while attempting to stretch the tree felling operations over a longer time period as requested by the Town. Additionally, a gantt chart with an overall schedule has been developed and is attached to this narrative.

Phasing Narrative

1. Prior to the commencement of work, the limits of clearing for the entire project will have been staked by hand during October and November 2022. The Town of Southampton (Town) and other agencies will be able to view these limits and review the locations of the stakes using GPS mapping tools. The limits of clearing will be shifted inward slightly to avoid large caliper trees where possible. A sample display of the construction fencing will be erected in a previously cleared area to demonstrate what the final product will be in the field.

1

With respect to ecological aspects of the development as required per the preliminary site plan approval, the site has been inventoried for rare plants listed in the Ecological Species Transplant Management Program, prepared by Nelson Pope and Voorhis (NPV) dated July 6, 2021. The inventory consisted of flagging and recording GPS coordinates of any species found. In addition, the site was inventoried for reptile species within areas intended for clearing during the NLEB seasonal tree removal period; if found and able to capture, relocate specimens to areas on the northern part of the site, at least 500 feet from the proposed areas of disturbance.

During November of 2022, plant species that were located during the inventory phase within the proposed disturbance areas, either had seeds collected from plants bearing seeds, or were removed for transplant efforts later in the development. All seeds and plants are being held at a nursery for propagation and growth; reinstall at subject site within 3 years; transplant locations to be determined based on success of nursery plant health, non-ATV use areas, suitable soil, moisture and/or habitat conditions and landscape opportunities, once grading and site preparation activities are complete. Reptile observations and relocation continued during this period.

2. Upon commencement of work, the measures in the stormwater pollution prevention plan (SWPPP), including the clearing limit fencing, will be installed. Limited tree felling and clearing of a fifteen-foot-wide path will be required to install the clearing limit construction fence and the adjacent interior silt fence, where required by the SWPPP, due to the wooded areas and topography. Installation solely by foot without construction equipment assistance is not feasible. Inspections required by appropriate agencies can be conducted once the clearing limit construction fence has been installed. This operation will utilize the previously installed posts of the clearing limits as a guide. The clearing limiting fencing and silt fence is estimated to be installed in 500-800 foot increments after the path is cleared.
3. Necessary tree felling at the property within the limits of clearing will commence once the clearing limit construction fence has been installed. Tree felling will commence according to the schedule shown on the construction phasing plan. The phasing plan has segmented the tree felling operations into three (3) separate time periods:
 - First Bat Window - December 1, 2022 - February 28, 2023
 - Deferred Clearing - March 1, 2023 - April 1, 2023
 - Second Bat Window - December 1, 2023 - February 28, 2024

Given the potential presence of the Northern Long Eared Bat, tree felling will be prioritized in the between December 1 and February 28, beginning with the access roadway and the interior road system and golf holes on the east part of the property, progressing to the remaining area on the

2

west part of the property starting in December of 2022. Based upon the construction phasing plan the total tree felling acreage in the first bat window is 84.37 acres or 60.27% of the total proposed clearing. This will allow for the construction of the roads and drainage, much of which is tied to the golf course.

Areas in zone 1, and 3, such as clubhouse and irrigation pond areas will have tree felling operations deferred until March 2023 and April 2023. All of these areas are located within the “green zones”, as established by NYSDEC and are not subject to clearing restrictions. In total this area is 19.5 acres or 13.93% of the total proposed clearing.

The last of the tree felling operations are for the proposed home lots in zones 2, 3, and 4. These areas have been deferred until the second bat window starting in December of 2023. Additionally, a portion of the golf course, consisting of holes 10, 11, 12, and 13 will be deferred to the second bat window starting December of 2023. The developer will seek permission from the NYSDEC to clear the 15.1 acres associated with the golf course in August of 2023. In total this area is 36.1 acres or 25.79% of the total proposed clearing.

For disturbance and/or clearing proposed in subsequent years, complete inventory of plant/animal species as per Phase 1 above, prior to November 1 for areas subject to the NLEB Seasonal Tree Removal Period. For those areas not within the NLEB Seasonal Tree Removal Period, inventory per Phase 1 above within 4 weeks prior to intended disturbance/clearing. For rare plants, collect seed and plants as per the notes pin Phase 1 above. For reptiles, locate specimens to area outside of limit of clearing/silt fence, prior to start of disturbance/clearing.

4. Clearing and ground disturbance after tree felling can occur at any time during the year. Included in this stage will be the chipping, mulching, and removal of wood debris. The removal of wood debris would begin within a day after the tree felling. It is the intention to chip the wood debris on site to create a reusable topsoil product for use later at the site. Any trees that have been impacted by the southern pine beetle will be handled in accordance with NYSDEC regulations. The clearing and ground disturbance would begin with the access roadway and western interior roadways. Work would then progress to the eastern interior roadways. Similarly, after tree felling has been completed in roadways, golf hole clearing and grubbing will begin. Currently the plan is to sequence the golf hole clearing in the following order, however this is subject to change:
 - a. Holes 3, 2, 17, 16, 15, 14
 - b. Holes 18, 1, Golf Practice Area
 - c. Holes 4, 5, 6, 7, 8, 9
 - d. Holes 10, 11, 12, 13

5. After clearing has been completed in a given area of the site, the next operation in the construction sequence will be mass grading of that areas within the development. This includes rough grading of the golf course, roadways, individual lots, amenity areas, and excavation of the irrigation ponds. Once the golf holes are cleared the monitoring wells will be installed in accordance with the groundwater monitoring plan. The project is a master planned and largely master developed project, so most residential lots will be developed in tranches for efficiency. Grading activities will follow closely behind the clearing and grubbing activities, as noted in the SWPPP. Excavated materials will be relocated on site as necessary to satisfy the fill areas on the property. Materials that cannot be immediately placed in their final location will be stockpiled on site in accordance with the SWPPP.
6. Upon completion of the mass grading in a given area on the site, the next operation will be establishing the roads, utilities and golf course infrastructure. With respect to the roads - the goal of this phase is to have the roads graded, install drainage and the sewage collection system within the roadways, and install the curbs. Completion of this phase is necessary to allow SCWA, PSEG, National Grid, and Altice to install the required utilities within the development.
7. As the roads are being installed, additional work for the golf course infrastructure will be ongoing at the site. This includes shaping of the golf course, installing the golf course irrigation system, cart paths, final construction of the irrigation pond and liner, and golf course irrigation well installation.
8. Simultaneously with the golf course work, the utility work will begin. The utility companies will be responsible for installing their own utilities as per their requirements. On the DLC side, work will begin on the proposed sewage treatment plant (STP). Additionally, work on drainage systems outside of the roadways will begin.
9. As the roadways and utility work is completed in key areas of the site, the development of the buildings beginning with the support amenity areas, such as the workforce housing, administrative, maintenance, turf care, amenity buildings, sports courts, and gate house will begin. This phase of development will include excavating and installing foundations, followed by framing, utility connections, and landscaping of these areas.
10. The next item will be installing the foundation for the main clubhouse. Installing the foundation early in the phasing of the project will allow excavated materials to be placed in this area and minimize the number of times material is required to be handled on site.
11. Once foundations are complete for the support amenities and clubhouse foundations will be installed and residential home construction will begin. Tentatively, the home construction sequence is as follows:

- a. Lot's 50-70

4

- b. Lot's 1-3, 38-49, 73-77
 - c. Lot's 4-11, 33-37, 78-83
 - d. Remainder of lots as sold
12. Clubhouse framing along with the development of the core amenity areas including the pools, hot tubs, patios, etc. will continue to progress during this phase.
 13. Work will begin on all final grading, irrigation, landscaping and final paving of the roadways as work on the home lots, support amenity areas, and clubhouse core areas are progressing
 14. Punch list items will then be generated, and final approvals will be sought for all completed buildings and utilities, such as the STP, such that certificates of occupancy can be obtained. It is the intention of the developer to garner certificates of occupancies for buildings and uses as they are completed to allow interim use of the property, including the golf course, amenity buildings, residential homes, etc., as these items are completed.
 15. For the ecological aspects of the project, document all methodologies for inventory, GPS data collection, seed/plant collection, holding, propagation and growth and reinstallation as well as animal species observations and relocation. Map GPS data for inclusion and submit annual reports to the Town Department of Land Management.

Should you have any questions or wish to discuss the phasing plan in further detail please do not hesitate to contact me at any time.

Regards,

P.W. GROSSER CONSULTING

Bryan Grogan

Bryan Grogan, PE
Sr. Vice President

Hargrave, Julie

From: Chic Voorhis <Cvoorhis@nelsonpope.com>
Sent: Tuesday, November 08, 2022 6:16 AM
To: PB Hargrave, Julie
Cc: Hargrave, Julie; Jakobsen, Judith; Milazzo, John; Jessica Insalaco
Subject: FW: CPBC Referral Response - November 7, 2022
Attachments: Appendix A_Vita_2022-10-05 Lewis Rd overlay.pdf; Appendix B-2_Lewis Road PRD - Phasing Gantt Chart - Monthly 11-7-22.pdf; Appendix B-3_PWGC Letter_2022-11-07_Construction Phasing Plan.pdf; Appendix C_CLUP Compliance Exhibit_N+P_2022-11-07.pdf; Appendix D_Covenant.CPBC.11-03-22.pdf; 2022-11-7_Response to CPBC-Town Referral.pdf

CAUTION: This email originated from outside of SCWA. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Julie – attached, please find the applicant’s response to your referral letter to the Town of Southampton Planning Board in connection with the Final Subdivision approval for the Lewis Road PRD. I’m sending these to you directly as a courtesy and you may also receive this from the Town. Please confirm you received. We also have the letter adopted by the Commission at the 10/19/2022 meeting which has many of the same requests, but some additional ones. I’ll send you further information in response to that letter today as well. Thanks very much and have a great day.



Charles J. Voorhis, CEP, AICP

Principal

o: 631.427.5665 x206

c: 631.513.8594

From: Jessica Insalaco <jessica.insalaco@gmail.com>

Sent: Monday, November 7, 2022 6:21 PM

To: Janice Scherer <JScherer@southamptontownny.gov>; Clare Shea <cshea@southamptontownny.gov>; Anthony Trezza <atrezza@southamptontownny.gov>

Cc: Chic Voorhis <Cvoorhis@nelsonpope.com>; Mark Hissey <mhissey@discoverylandco.com>

Subject: Fwd: CPBC Referral Response - November 7, 2022

Hello everyone. Hope you had a wonderful day.

Per Chic's request, I am forwarding the attached links and files in response to questions from the CPBC regarding the Lewis Road PRD referral. I have also uploaded the files, including the large updated phasing plans and maps, to the Town Box account.

Chic is going to send additional responses to you addressing comments from the DPS, EQFD and others. Comments from the Town Engineer were addressed and sent to Tom Houghton last week.

Please let me know if you want anything else uploaded and/or printed at scale.

Thank you so much.

Jessica
917 693 9406 (m)

----- Forwarded message -----

From: **Chic Voorhis** <CVoorhis@nelsonpope.com>

Date: Mon, Nov 7, 2022 at 5:05 PM

Subject: CPBC Referral Response - November 7, 2022

Cc: Jessica <jessica.insalaco@gmail.com>

[Appendix B-1a PWGC 2022-11-03 Construction Phasing Plan Aerial.pdf](#) [Appendix B-1b PWGC 2022-11-03 Constrution Phasing Plan no aerial.pdf](#) [Appendix E 03082022 PLN-Txt-LewisRdPRD-GWMonPlan V6F \(2\).pdf](#)

Can you check this package and submit it to Janice?

PLMK if any changes are needed and confirm it is submitted.

Thanks!

Charles J. Voorhis, CEP, AICP

Nelson Pope Voorhis

631-513-8594



**Response to Central Pine Barrens Commission
Letter of October 19, 2022 to the Applicant**

**LEWIS ROAD PLANNED RESIDENTIAL DEVELOPMENT SUBDIVISION
PREVIOUSLY APPROVED ASSERTION OF JURISDICTION**

Lewis Road, East Quogue, Town of Southampton, NY

NP&V No. 05105

Prepared for: Central Pine Barrens Joint Planning & Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11978

On Behalf of: DLC East Quogue and affiliates
14605 N 73rd Street
Scottsdale, AZ 85260

Prepared By: Nelson Pope Voorhis
70 Maxess Road
Melville, New York 11747
Contact: Charles J. Voorhis, Principal

Date: November 8, 2022

1.0 INTRODUCTION

The Central Pine Barrens Joint Planning & Policy Commission (CPBC or Commission) considered the Lewis Road PRD at their meeting of October 19, 2022. CPBC staff prepared a draft letter that was approved to be sent to the Applicant dated October 19, 2022. The CPBC referral letter included certain requests for information to assist the CPBC in reviewing the minor changes to the project since the approval of the CPBC for the Assertion of Jurisdiction application dated January 20, 2021. Minor changes have occurred to the plan since the January 20, 2021 Commission approval as documented by the applicant in the August 31, 2022 submission to the CPBC and the November 7, 2022 NPV response to the CPBC Final Subdivision referral letter to the Town.

This document includes a point-by-point response to the questions/comments outlined by the CPBC in the October 19, 2022 correspondence. Many of these points are addressed in the November 7, 2022 NPV response to the CPBC Final Subdivision referral to the Town. Each information request is stated, followed by a response. Accompanying maps, plans and related information are provided to assist the Commission in the review of the revised plan as reflected in revised Final Subdivision Plans.

2.0 REQUESTED AND PROVIDED INFORMATION

Each information request contained in the September 21, 2022 email is stated below in italics, followed by a response that addresses the request and provides supplemental information in support of the proposed project.

A. *Current and Former Project Map Overlay*

Please submit a map showing each area of the project that was changed. This should be demonstrated by overlaying the site plan for the project that was the subject of the 2021 Commission decision with the current site plan of the project. A detailed narrative should be provided that explains each area that has changed, the reason for the change and how this information is specifically calculated for the standards for clearing and area to remain natural for the overall site.

The August 31, 2022 submission to the CPBC included a plan that clearly highlights the changes in clearing areas and includes a description of the changes. The plan was included as Attachment A to that submission and was provided to illustrate all of the changes in open space that occurred since the January 20, 2021 approved plan. This plan was prepared by PW Grosser cooperatively with Nelson + Pope using plans provided by N+P and dated 6/29/2022. The changes are minor in the context of the overall site, and that plan is a useful exhibit to highlight the changes.

Based on the current request, an additional plan has been prepared which provides a Master Plan Overlay to Previous Plan (see **Appendix A**). This plan was prepared by VITA, Inc., the project landscape architect/designer that prepared the approved master plan, and is dated October 4, 2022. The outline of the old plan is depicted in red dashed line, and the outline of the new plan is depicted in blue dashed line. While this plan is more difficult to read, it provides the requested information.

The basic changes to the plan involved meeting Town drainage requirements and relocating the site access. The preliminary changes were listed in the August 31, 2022 correspondence and are updated below:

- As noted on the comparison map (Attachment A of the August 31, 2022 submission and **Appendix A** of this submission), very minor changes were made to the golf course areas to accommodate the necessary drainage required by the Town of Southampton. Town requirements changed since the Commission approval where 3 inches of storage is required (instead of 2"), for site plan components of the plan.
- One (1) lot was moved from the clubhouse area to an area previously planned for conservation. The lot (Lot 36) is just over 14,000 square feet (SF). The conservation area loss was offset by additional conservation on the golf course areas.
- Two 15-foot wide, drainage easements were added (one by lots 41 and 42 and the other by lots 26 and 27) through areas previously planned for conservation. The

- conservation area loss was offset by additional conservation on the golf course areas.
- The access road was shifted from a paper road to an easement over a property on Lewis Road approximately 500 feet farther south, as the paper road owner would not come to terms with the project sponsor. The easement runs through previously cleared area.
 - The property size is 607.87 acres based on updated survey information and road abandonments.
 - There are now 37 drainage reserve areas including the drainage ponds.

B. Clearing Data

1. *Provide updated clearing data for the new project and show how the clearing limit was calculated. Use the zoning of each parcel as of 1995, the acreage and allowable clearing to identify the total clearing allowed for the project site. This is required because the current materials indicate changes including a slightly smaller project site, the area of clearing and natural areas have changed, lots have been relocated, clearing and conservation areas have been changed, a new road easement area is proposed, and potential changes to drainage shed areas may affect the clearing limit and areas to remain natural.*

Final plans have been prepared that reflect the current property size, site design and conformance with clearing limits. **Appendix B** includes an updated Central Pine Barrens conformance plan that reflects minor changes to date and demonstrates conformance to Standard 5.3.3.6.1 for Vegetation Clearance Limits. The property size is 607.87 acres. The allowable clearing based on zoning is 28.26%. The total of cleared area is 171.75 acres (which includes 4 acres to be dedicated to the SCWA for a future well field). The prior approved clearing

2. *How does the 15.44 acres of additional clearing and 16.36 acres of additional conservation shown in the "Limits of Clearing Changes" map affect the clearing limit?*

This results in a net reduction of clearing and an increase in the conservation areas.

3. *Provide the clearing data associated with the drainage infrastructure.*

The drainage areas are included in the overall clearing data as itemized on the CLUP Compliance Exhibit included in **Appendix B**.

4. *Provide data including:*

- *Acres of existing cleared area*

The existing cleared areas on the site total 31.83 acres, including 0.33 acres that were cleared for monitoring well installation.

- *Acres of existing natural area*

The existing natural vegetation on the subject site is 576.04 acres.

- *How much natural area will be cleared?*

The proposed clearing of existing natural vegetation equals 139.92 acres, which is less than 28.26% of the existing natural vegetation on the site.

- *How much natural area will be left?*

The proposed clearing of existing natural vegetation equals 139.92 acres, which is less than 28.26% of the existing natural vegetation on the site.

- *What is the total cleared area?*

The total area to be cleared for the project is 171.75 acres. The breakdown is: 31.83 acres of existing cleared area, and 139.92 acres of proposed clearing of existing natural vegetation.

- *What is the total natural area?*

The total area to remain natural when the project is completed is 576.04 acres.

C. *Eden Path*

A new access called Eden Path is proposed for the project and activities associated with the new road must be analyzed. The Commission needs information to determine whether the new road affects the project's conformance with the Standards and Guidelines of the Plan. To make this determination, please provide:

1. *Clearing information for Eden Path. Clearing for Eden Path must be included in the clearing calculations of area to be cleared and to remain natural.*

Clearing for Eden Path is included in the clearing calculations.

2. *A copy of the easements with East Quogue Farms recorded on March 21, 2022 for SCTM # 900-288-1-64.1 (10.6 acres) and SCTM # 900-288-1-65.1 (4.1 acres).*

Appendix C-1 includes a copy of the easements with East Quogue Farms. **Appendix C-2** includes a copy of the supporting survey prepared by Nelson + Pope (N+P) dated 09/21/2021.

3. *Does the easement cover the entirety of SCTM # 900-288-1-64.1 or just the road area?*

The easement includes the road area only.

4. *Explain the purpose of adding an easement on SCTM # 900-288-1-65.1 (4.1 acres).*

East Quogue Farms LLC is the owner of both tax lots 64.001 and 65.001 (which are likely technically merged for Town zoning purposes). As such the Grantor of the easement is East Quogue Farms LLC and **Attachment C-1** (Schedule A) describes both parcels. Schedule B is the property of the Grantee (beneficiary of the easement) which includes all of the development property of DLV on The Hills South. Schedule C is the access easement, which is granted over a portion of the property of East Quogue Farms (shown on the survey prepared by N+P included as **Appendix C-2**). The easement is only over that street right-of-way on the portion of tax lot 64.001. The easement does not cross over other portions of 64.001 or 65.001. The easement is not a blanket easement that can be moved anywhere on the East Quogue Farms property.

D. Drainage

The project was revised to accommodate an additional inch of rainfall as per the Town's requirement. To analyze the impacts of these changes:

1. *Is additional clearing necessary to account for additional drainage capacity to retain stormwater on site?*

No. No additional clearing is necessary for additional drainage capacity. The project design has been modified to account for the additional required capacity within the allowable clearing.

2. *Submit a plan showing the piping, leaching pools, and clearing associated with the reserve areas in each drainage shed to accommodate stormwater runoff capacity in the shed.*

Appendix D includes the revised N+P engineering drawings dated 11/07/2022 that depict the piping, leaching pools and clearing of the reserve areas in each drainage shed to meet the Town stormwater requirements.

3. *Demonstrate no clearing will occur in open space areas for drainage infrastructure.*

Appendix B includes the limits of clearing and all clearing calculations. No clearing will occur in open space areas for drainage purposes. All areas disturbed for drainage have been accounted for in the clearing calculations.

E. Covenants

Covenants were required as part of the Commission's decision. The Commission reserves the right to require additional covenants. Please be reminded that no ground disturbance may occur until the covenants are submitted for review, approved and filed.

Draft covenants are include herein as **Appendix E**. It is understood that the Commission will review and may require additional covenants and that no ground disturbance may occur until the covenants are filed.

F. Phasing Plan

Please submit a phasing plan for the project, as per condition #9 in the Commission's 2021 decision, which states: Construction phasing and completion of the Project

9. Because the proposal is a six-year phased project, the Applicant shall submit a copy of the construction phasing plan for the Project Site showing areas to be cleared and developed in succession. On the aforementioned plan the Applicant must identify areas of the site that will be constructed at different times, including clearing, while meeting the habitat requirements of regulated species and habitats.

A detailed phasing plan is included in the November 7, 2022 NPV response to the CPBC referral to the Town. Given the volume of the submission, it is not attached hereto. The full Construction Phasing Plan including a diagrammatic site map, Gantt chart and explanation narrative are included as Appendices B-1, B-2 and B-3. The Construction Phasing Plan is being coordinated with the Town in response to meetings to date and Town required elements of this plan.

G. Other items

1. *A physical site inspection of the road area by Commission staff is necessary.*

This comment is acknowledged. Inspections are available to be conducted at any time by contacting DLC representative Nick Venturino at 401-447-2114 via voice or text message.

2. *The project is still pending decisions and approvals from the Town of Southampton and the Suffolk County Department of Health for the sewage treatment plant and fuel chemical storage.*

This comment is acknowledged. All approvals are either issued, or are pending and in the final stages of review. The November 7, 2022 NPV response to the CPBC referral to the Town provides a complete list of status of all project approvals.

3. *No clearing activity may occur on the project site until further notice.*

This comment is acknowledged. Clearing will occur only after it is authorized by the appropriate agencies.

3.0 SUMMARY AND CONCLUSION

This document provides supplemental information for Commission in response to the letter of October 19, 2022. This document reflects the minor changes to the Lewis Road PRD that received Commission approval for an Assertion of Jurisdiction project on January 20, 2021. The changes to the project are minor and are outlined herein. The goal of the applicant is to obtain an updated decision to recognize the changes in the proposed project since the CPBC approval, and to comply with all conditions of the approval. The applicant looks forward to working cooperatively with the Commission to complete this process.



Old Plan
New Plan

Scale: 1" = 300'
North 0 150 300 600 900

Master Plan Overlay to previous Plan

LEWIS ROAD PRD AT EAST QUOGUE

TOWN OF SOUTHAMPTON, NEW YORK

October 4, 2022

Hargrave, Julie

From: Chic Voorhis <CVoorhis@nelsonpoppe.com>
Sent: Tuesday, November 08, 2022 1:33 PM
To: PB Hargrave, Julie
Cc: Hargrave, Julie; Jakobsen, Judith; Milazzo, John; Jessica Insalaco
Subject: Re: CPBC Referral Response - November 7, 2022
Attachments: 2022-11-08_Response to CPBC Letter of 2022-10-19.pdf; Appendix A_Vita_2022-10-05 Lewis Rd overlay.pdf; Appendix B_Lewis Road PRD N+P CLUP Compliance Exhibit 11-07-2022.pdf; Appendix C-1_Access Easement_E Quogue Farms.pdf; Appendix C-2_N+P Easement Survey.pdf; Appendix E_Covenant.CPBC.11-03-22.pdf

CAUTION: This email originated from outside of SCWA. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Julie – attached, please find the submission in response to the Commission letter dated 10/19/2022. Jessica will be dropping off hard copies as well. Please note the One-Drive link below to access the engineering plans in Appendix D. Please confirm receipt. Thanks! Chic

Charles J. Voorhis, CEP, AICP
Nelson Pope Voorhis
631-513-8594



[Appendix D Lewis Road PRD Engineering Plans 11-07-2022.pdf](#)

From: Chic Voorhis
Sent: Tuesday, November 8, 2022 6:16 AM
To: Julie (Moore) Hargrave (jhargrave@pb.state.ny.us) <jhargrave@pb.state.ny.us>
Cc: Hargrave, Julie <Julie.Hargrave@SCWA.com>; Jakobsen, Judy <Judy.Jakobsen@scwa.com>; Milazzo, John <John.Milazzo@scwa.com>; Jessica Insalaco <jinsalaco@discoverylandco.com>
Subject: FW: CPBC Referral Response - November 7, 2022

Julie – attached, please find the applicant’s response to your referral letter to the Town of Southampton Planning Board in connection with the Final Subdivision approval for the Lewis Road PRD. I’m sending these to you directly as a courtesy and you may also receive this from the Town. Please confirm you received. We also have the letter adopted by the Commission at the 10/19/2022 meeting which has many of the same requests, but some additional ones. I’ll send you further information in response to that letter today as well. Thanks very much and have a great day.



Charles J. Voorhis, CEP, AICP
Principal
o: 631.427.5665 x206
c: 631.513.8594

From: Jessica Insalaco <jessica.insalaco@gmail.com>
Sent: Monday, November 7, 2022 6:21 PM
To: Janice Scherer <JScherer@southamptontownny.gov>; Clare Shea <cshea@southamptontownny.gov>; Anthony Trezza <atrezza@southamptontownny.gov>

Cc: Chic Voorhis <CVoorhis@nelsonpope.com>; Mark Hissey <mhissey@discoverylandco.com>

Subject: Fwd: CPBC Referral Response - November 7, 2022

Hello everyone. Hope you had a wonderful day.

Per Chic's request, I am forwarding the attached links and files in response to questions from the CPBC regarding the Lewis Road PRD referral. I have also uploaded the files, including the large updated phasing plans and maps, to the Town Box account.

Chic is going to send additional responses to you addressing comments from the DPS, EQFD and others. Comments from the Town Engineer were addressed and sent to Tom Houghton last week.

Please let me know if you want anything else uploaded and/or printed at scale.

Thank you so much.

Jessica
917 693 9406 (m)




----- Forwarded message -----

From: **Chic Voorhis** <CVoorhis@nelsonpope.com>

Date: Mon, Nov 7, 2022 at 5:05 PM

Subject: CPBC Referral Response - November 7, 2022

Cc: Jessica <jessica.insalaco@gmail.com>

 [Appendix B-1a PWGC 2022-11-03 Construction Phasing Plan Aerial.pdf](#)  [Appendix B-1b PWGC 2022-11-03 Construction Phasing Plan no aerial.pdf](#)  [Appendix E 03082022 PLN-Txt-LewisRdPRD-GWMonPlan V6F \(2\).pdf](#)

Can you check this package and submit it to Janice?
PLMK if any changes are needed and confirm it is submitted.
Thanks!

Charles J. Voorhis, CEP, AICP
Nelson Pope Voorhis
631-513-8594