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September 15, 2020

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

Re: Application of Lewis Road Planned Residential Development Subdivision

Dear Commission Members:

As the Commission is aware, the continuation of the public hearing on the above captioned application, which was delayed by Covid-19 restrictions, was closed on August 19, 2020, and the written record was closed shortly thereafter. The deadline for the Commission's action on the application was mutually extended up to and including your meeting on September 16, 2020. The applicant was given notice that the Commission had scheduled a special meeting for deliberation on the application for September 11, 2020. The special meeting, however, was cancelled due to communications between representatives of the applicant, Town of Southampton and Commission staff related to the Town of Southampton's request for further refinements to the grading and drainage plan for the latest project design submitted in June, 2020.


Specifically, representatives of the Town of Southampton recently contacted the applicant and advised that they desire certain modifications to the details of the grading and drainage plans submitted to the Commission in June, 2020. The Town's comments were related to plan refinements to reduce the amount of grading associated with the drainage areas in the steeper sloped areas of the project site. If you recall, the Town of Southampton is ultimately charged with assuring that the grading and drainage plans meet all regulatory stormwater runoff protection requirements, so the applicant's design team immediately prepared revised grading and drainage plans addressing the issues and shared them with the Town representatives last week for further review and comment.

Although, the final details of grading and drainage plans for a subdivision are customarily left for the Town of Southampton Planning Board to review and approve during their final plat review, the applicant was encouraged by the Town's representatives to submit the revised grading and drainage plans to the Commission. The applicant had planned to make a formal submission of these revised plans to the Commission by your meeting on September 16, 2020, but the applicant is still awaiting further technical review from the Town. Given that the public hearing record was closed, we were advised by the Commission's counsel that the applicant should request that the public record be re-opened to accept such revised grading and drainage plans. While it is possible that the minor magnitude of the plan modifications may not trigger the requirement of a public hearing on those plan modifications, the Commission may choose nonetheless to request public comments on the revised grading and drainage plans by re-noticing and holding a public hearing for that limited purpose.

Accordingly, given that the Commission's action deadline expires on September 16, 2020 and in light of the Commission's cancellation of its special meeting to deliberate, the applicant respectfully requests that the Commission re-open the public record for the purpose of accepting the applicant's revised grading and drainage plans, and upon submission of the revised grading and drainage plans on or before October 7, 2020, the Commission, if it so determines, may schedule and notice a public hearing for the purpose of receiving comment on the revised grading and drainage plans at your meeting on November 18, 2020. The applicant also requests and consents to the adjournment of the Commission's action deadline on the application up to and including your meeting on December 16, 2020.

I am available to answer any questions with respect to this request at your meeting on September 16, 2020.

Very truly yours,  
O'SHEA, MARCINCUK & BRUYN, LLP

By:   
Wayne D. Bruyn

WDB/  
cc: DLV Quogue, LLC