

Hargrave, Julie

From: Bob DeLuca <bdeluca@eastendenvironment.org>
Sent: Tuesday, September 15, 2020 6:54 PM
To: PB Info
Cc: Carrie M Gallagher; Pavacic, John; Hargrave, Julie; Dale, Dorian; Janice Scherer; aguiar@townofriverheadny.gov; eromaine@brookhavenny.gov
Subject: Lewis Road PRD - Public Comment for Meeting of 9/16
Attachments: LewidRd_GFEEComment_916.pdf

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Attached please find a copy of Group for the East End's public comments on the above referenced application. As there is no opportunity for oral comment at tomorrow's meeting, we appreciate that they will be reviewed with the Commission.

Thank you,

Bob DeLuca

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September 15, 2020

Carrie Meek Gallagher, Chairwomen
Central Pine Barrens Joint Planning and Policy Commission
624 Old Riverhead Road
Westhampton Beach, New York 11978

**RE: Lewis Road Planned Residential Development (PRD)
Town of Southampton, Hamlet of East Quogue
Public Comment**

Dear Ms. Gallagher:

On behalf of Group for the East End, we find that the record for the Lewis Road PRD contains more than sufficient evidence to support a denial of the application because it cannot meet the standards, guidelines and requirements of the Pine Barrens Protection and State Environmental Quality Review Acts.

We are also writing to express our deep concern regarding the review process that has unfolded since the final public hearing on the Lewis Road PRD application was held on August 19, 2020, and formally closed on August 26, 2020.

As the Commission is well aware, the Lewis Road proposal has been under intensive review for at least nine months, during which time the Commission received substantial public and expert testimony, entertained major application changes, and received significant input from Commission staff.

Based on the record, the final application and all public hearing comments for the Lewis project was completed on August 26, 2020. The Commission was then scheduled to meet for an extended deliberation on all outstanding matters on September 11, 2020, and a decision was due to be made on the project on September 16, 2020.

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Unfortunately, since August 26, 2020, the review process has been significantly altered. Without explanation, a critically important Commission meeting, designed to fully discuss the current application and relevant comments, was cancelled, and the review of a new development proposal is now apparently being substituted in its place.

Our concerns about this meeting cancellation were compounded after I contacted the Commission's office in the hopes of meeting with staff to discuss the matter, only to be informed that such a discussion would be "outside the record" and could not take place. I cannot recall such a policy ever being previously applied by Commission staff.

More importantly, and in light of this policy, it is hard to fathom how the applicant, or its agents, could have secured the cancellation of the September 11, 2020 meeting, or received staff guidance that they could resubmit a new development plan in the absence of a contact that would have clearly been "outside the record".

It is hard to miss the advantage that this double standard provided to the applicant. In addition to rewriting the established terms of review, the applicant also avoided a public discussion of the extensive testimony received during the final public hearing, and gained further advantage by getting permission to submit a new proposal in the absence of any public comment or review, and at a meeting where no oral testimony will be accepted on the matter.

Whether this was done intentionally or not, the outcome has resulted in special treatment for the applicant at the expense of the broadest public interest and it is up to the Commission to set things right.

To that end, we believe the Commission has an obligation to assure fair and equitable access to its records and staff, as well as certainty with respect to the review process it follows when approaching a major development proposal like the Lewis Road PRD.

Today, we ask you to consider our concerns, retake control of this application, focus on the record before you, and follow the review procedures you established when you set out to complete the review of this application in August.

Thank you for your time and consideration of our comments.

Sincerely,



Robert S. DeLuca
President