

# **NOTICE OF VIOLATION**

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



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In the Matter of the Violation of Article 57 of the New York State  
Environmental Conservation Law

By:

**Westhampton Property Associates, Respondent**

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**PLEASE TAKE NOTICE THAT YOU MAY BE IN VIOLATION** of New York State Environmental Conservation Law (ECL) Article 57 in that you may have conducted activities at the Westhampton Properties Associates mine in a manner that violates conditions of the October 17, 2012 Resolution of approval adopted by the Commission for the Westhampton Property Associates Core Preservation Area Hardship and Compatible Growth Area Critical Resource Area Application, specifically Condition #3 of Article IV, Conditions of Approval, which requires a minimum vertical buffer to be maintained between the top of the groundwater table and the floor of the mine, specifically

3. Mining activity on the existing 91 acre mine will continue and be expanded in depth to a maximum mine floor elevation of approximately 26 feet above sea level and a minimum of 4 feet and a maximum of six feet above groundwater, based on seasonal groundwater elevation.

The aforementioned alleged violations occurred on the property owned by you and identified as Suffolk County Tax Map #: 900-276-3-1 and 2 and located on the south side of Sunrise Highway (SR 27), north side of Old Country Road (CR 71), 500 feet east of 5<sup>th</sup> Avenue, in the hamlet of Remsenburg/Speonk, Town of Southampton.

Please be advised that the above-referenced alleged violations may be punishable by the civil penalties set forth in §57-0136 of Article 57 of the New York State Environmental Conservation Law.

Please take action to ensure that the above-referenced alleged violation activities cease immediately. Please contact the Commission office as soon as possible to schedule a meeting to discuss this matter.

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

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**John W. Pavacic, Executive Director**

**Dated:** December 20, 2019

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

**To:** Luigi Pascarella, P.E.  
Westhampton Property Associates, Inc.  
928 Long Island Avenue  
Deer Park, NY 11729