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## Resolution Regarding the Longwood School District and the Ridge Elementary School NYS ECL Article 57 Violation

*Central Pine Barrens Commission Meeting of August 10, 2005,  
Brookhaven Town Hall, Farmingville, NY*

Commission members present: *Mr. Scully (for New York State), Mr. Deering (for Suffolk County), Mr. Turner and Ms. Prusinowski (for Brookhaven), Mr. Kent (for Riverhead), and Mr. Shea (for Southampton).*

**Whereas**, the Longwood Central School District (hereinafter "Longwood") owns certain property located within the Compatible Growth Area of the Central Pine Barrens in Ridge, and

**Whereas**, Longwood pursuant to a 1975 Revocable Permit issued by the New York State Department of Conservation occupied a portion of a parcel owned by New York State known which portion is known as Parcel 2 and which is located in the Core Preservation Area and was authorized to use Parcel 2 for specified purposes, including but not limited to, construction of a road, bus parking and a student pick-up and discharge area and other miscellaneous improvements, and

**Whereas**, Longwood, in violation of the 1975 permit and Article 57 of the Environmental Conservation Law and the Central Pine Barrens Comprehensive Land Use Plan caused or permitted to be caused the installation of an 8,000 underground fuel oil storage tank, a concrete slab and parking for 50 automobiles on Parcel 2, and

**Whereas**, the Commission issued a Notice of Violation dated June 16, 2003 to Longwood alleging that Longwood engaged in "development" as defined in Article 57 of the ECL without the required approvals, and

**Whereas**, Longwood concedes that it violated Article 57 of the ECL by allowing the facilities to be installed within Parcel 2 without first obtaining the approval of the Commission pursuant to Article 57 and

**Whereas**, the Commission wishes to exercise its authority pursuant to ECL §57-0136 to resolve the outstanding violations,

**Now, therefore, be it**

**Resolved** that Longwood shall within twenty (20) days of this resolution enter

into both the attached Order on Consent and Cooperative Agreement and comply fully and in timely fashion with each and every provision, term, and condition of each, and be it further

**Resolved**, that Longwood's failure to comply fully and in timely fashion with each and every provision, term, and condition of the Order on Consent and Cooperative Agreement shall constitute a default thereof and under Article 57 of the Environmental Conservation Law.

**Motion by:** Mr. Turner

**Seconded by:** Mr. Kent

**Ayes:** Unanimous

**Nayes:** None