

In The Matter Of:

Central Pine Barrens Commission Public Hearing

January 19, 2022

3:00 p.m.

Being held via Zoom Videoconferencing

Quogue Wildlife Refuge Core Preservation Area
Compelling Public Need Hardship Waiver Application

RECEIVED

FEB 10 2022

Central Pine Barrens Joint
Planning & Policy Commission

1

2 A P P E A R A N C E S:

3 Judy Jakobsen, Executive Director

4 Angela Brown-Walton, Administrative Assistant

5 Julie Hargrave, Policy and Planning Manager

6 Supervisor Edward P. Romaine

7 Supervisor Yvette Aguiar

8 Supervisor Jay H. Schneiderman

9 John Milazzo, Special Counsel

10 Dorian Dale, representing County Executive

11 Andrew P. Freleng, Chief Planner

12 Sarah Lansdale, Director of Planning

13 Daniel P. McCormick, Deputy Town Attorney

14 Emily Pines, Special Counsel for Town of Brookhaven

15 Janice Scherer, Land Planning and Development

16 Administrator

17 Martin Shea, Senior Environmental Analyst

18

19 APPLICANT REPRESENTATIVE:

20 Michael Nelson

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PUBLIC SPEAKERS:

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Dick Amper, Executive Director of the Pine Barrens Society

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Peter Sartorius, Mayor of Quogue

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2 (Whereupon, this portion of the
3 proceedings began at 3:00 p.m.)

4 MS. JAKOBSEN: Notice of public
5 hearing pursuant to New York State
6 Environmental Conservation Law Article
7 57-0121(10). Notice is hereby given that
8 a public hearing will be held by the
9 Central Pine Barrens Joint Planning and
10 Policy Commission on January 19, 2022 on
11 the matter of an application for the Core
12 Preservation Area Compelling Public Need
13 Hardship Exemption.

14 The subject of the hearing is, the
15 name of the project is: Quogue Wildlife
16 Refuge Core Preservation Area Compelling
17 Public Need Hardship Waiver.

18 The project site owner is: The
19 Town of Southampton Wildfowl Association
20 and Village of Quogue.

21 The applicant's representative is:
22 Nelson, Michael Nelson, Executive
23 Director.

24 The project location is: 3 Old
25 Country Road in Suffolk County, New York.

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The Tax Map number is:

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0902-00100-0100-023001.

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And the project description is:

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The Applicant proposes to construct a

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thousand square foot expansion of the

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existing 3,150 square foot nature center

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and a 1,980 square foot storage and

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maintenance building for the Refuge. The

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proposal is a Type 2 Action pursuant to

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the regulations of the State Environmental

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Quality Review Act.

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And the notice goes on to say: The

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hearing will be held remotely via Zoom at

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3:00 p.m. and, again, the date, Wednesday

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January 19th, etc.

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I like to start off by having --

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asking the Commission Members and

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Representatives to please identify

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themselves for the record, along with who

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they are representing.

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Can we start with the Town of

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Brookhaven?

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SUPERVISOR ROMAIN: Town of

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Brookhaven, Ed Romaine, Town Supervisor.

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2 And we also have with me Emily Pines as
3 Special Counsel for the Town of
4 Brookhaven.

5 MS. JAKOBSEN: Okay. Town of
6 Southampton?

7 SUPERVISOR SCHNEIDERMAN: Town
8 Supervisor, Jay Schneiderman. And with
9 me, I have Janet Scherer, our Land
10 Planning and Development Administrator.
11 And Senior Environmental Analyst Marty
12 Shea.

13 MS. JAKOBSEN: Town of Riverhead?

14 MS. AGUIAR: Yvette Aguiar, Town
15 Supervisor. And Deputy Town Attorney
16 McCormick.

17 MS. JAKOBSEN: Suffolk County?

18 MR. DALE: Dorian Dale, Director of
19 Sustainability, representing the County
20 Executive, along with my colleagues
21 Director of Planning Sarah Lansdale and
22 Chief Planner Andy Freleng.

23 MS. JAKOBSEN: Thank you. We like
24 to start off with a brief overview of the
25 project by Commission staff. By -- this

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2 would be presented by Julie Hargrave, who
3 is our Policy -- Commission and Policy
4 Manager.

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Julie?

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MS. HARGRAVE: Thank you. Good
afternoon again.

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Just to go over the basics of this
again, this is -- I think most people are
familiar with the Quogue Wildlife Refuge.
It's in the Village of Quogue and the Town
of Southampton. And also, as Ms. Jakobsen
has mentioned, the Southampton Wildfowl
Association is an owner on 103 Old Country
Road in Quogue. And the Applicant
submitted a Public Need Hardship Waiver
for the development of a thousand square
foot expansion in the rear of the existing
3,150 square foot nature center that was
built in the 1970s and the construction of
a 1,980 square foot storage building for
Refuge maintenance.

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The Hardship Waiver explains that
the activity has increased at the Refuge.
The Refuge is 300 acres -- I'm sorry, just

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2 to back up, the activity is occurring in
3 the southerly portion. I'll show you a
4 picture of the area.

5 (A document was shared on the
6 screen.)

7 MS. HARGRAVE: So this is an
8 aerial, it's hard to see exactly where the
9 Refuge is, but it's on the south side of
10 the pond. I mean, the nature center is on
11 the south side of the pond and then the
12 storage building is going a little bit to
13 the east of that parking lot, where there
14 is existing storage, temporary storage,
15 outdoor storage of kayaks and other
16 equipment.

17 So, again, the activity has
18 increased significantly at the Refuge and
19 so have their program offerings to the
20 public, which is scouts and other groups.
21 And they have, again, passive and slightly
22 active recreational uses, there are
23 offerings: Kayaking, cross-country
24 skiing, environmental education camps,
25 badge programs for scouting groups and

1
2 other nature related environmental
3 education programs. So the extension of
4 the nature center would accommodate the
5 Refuge's increased program activities for
6 staff and meeting space and group
7 gatherings.

8 The storage building replaces,
9 again, temporary structures, open
10 structures, a small barn that was built in
11 the 1940s. It would -- this new structure
12 would consolidate outdoor storage into one
13 new building. And they've provided a
14 rendering of what the building would look
15 like. I think like this.

16 (A document was shared on the
17 screen.)

18 MS. HARGRAVE: And so the site is
19 important to note that it is in, I won't
20 go through the history, the long history
21 of the Refuge and it's origins in the
22 1930s and the use for ice harvesting in
23 the old ice pond, but the site is, again,
24 in two municipalities in the Village of
25 Quogue and the Town of Southampton. And

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2 that is important because the Compelling
3 Public Need Hardship criteria speaks to an
4 application serving more than one
5 municipality for the public health and
6 safety and that no better alternatives
7 exist in the County for a use like this.

8 And, obviously, the Refuge can't be moved,
9 this is where the Refuge is located and
10 where they need to have their facilities.

11 So we have -- I'm just going to
12 skip to the end. And we have some
13 questions about the upgrades and the
14 proposal. A while back, the Refuge, about
15 a year ago, came to the Commission and
16 asked for an upgrade to their sanitary
17 system, to the new alternative treatment
18 system, and we wanted to get the status on
19 that.

20 Also, if the Applicant can speak to
21 whether there's a bathroom, a restroom, in
22 the expansion of the nature center and if
23 they have explored an alternative of the
24 second floor, rather than the expansion on
25 the rear of the building. And also, we

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2 will need them to submit owner consent
3 forms from the different owners of the
4 property.

5 I think that's all I have. Unless
6 the Commission has some questions.

7 SUPERVISOR SCHNEIDERMAN: Julie, I
8 don't know if you can point it out, but
9 this is a -- this is in the Core
10 Preservation Area, but in terms of where
11 it switches from Core to either CGA or
12 outside of the Pine Barrens, the location
13 of the infrastructure that's being
14 proposed is right on the edge of that Core
15 area I believe. And on the other side of
16 the street is outside of the Pine Barrens
17 entirely.

18 MS. HARGRAVE: That is correct,
19 yes. And to the east, east of the Refuge,
20 is Compatible Growth Area in Southampton
21 Town and in the Village of Quogue. This
22 Old Country Road area is an industrial
23 type of corridor. But north of Old
24 Country Road, in the Town portion of the
25 CGA, is residential. But yes, this is on

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2 the border of the Core and the Pine
3 Barrens for this area.

4 SUPERVISOR SCHNEIDERMAN: Just one
5 more thing, this application is for a
6 Hardship Waiver, I'm recalling that we had
7 a deck application at this property a
8 couple of years ago and determined it was
9 exempt as a scouting project. And in your
10 description, you described the number of
11 the events that they do related to
12 scouting in particular, so is that -- I
13 guess we still can make the determination
14 whether they've applied for the Hardship
15 Waiver, whether it is indeed scouting or
16 whether it requires this Hardship Waiver
17 and then act accordingly, correct?

18 MS. HARGRAVE: Yes. I think there
19 was consensus that the Applicant had to
20 apply for a Hardship, the deck was a
21 different matter. But the uses of the
22 expansion of the nature center and the
23 storage facility, I'm not sure if you
24 could tie them directly to just scouts.
25 There are other groups hosted at this

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2 property, there's other uses. That actual
3 space for the deck may have been often
4 used by scouts, that I don't want to
5 get -- I don't have the particulars of the
6 deck. But you're correct, there was a
7 deck approved, an outdoor deck, about 800
8 square feet on the side of the nature
9 center a few years ago.

10 SUPERVISOR SCHNEIDERMAN: Maybe I
11 can just ask John just to answer that
12 question.

13 John, if we, through the testimony
14 today and upon further information, come
15 to a different conclusion and believe that
16 it is a scouting type of activity, we are
17 not precluded from going in that direction
18 as well, correct?

19 MR. MILAZZO: Correct.

20 SUPERVISOR SCHNEIDERMAN: Okay.
21 Thank you.

22 MR. MILAZZO: But the application
23 has two pieces, as Julie described, one is
24 the addition to the visitor center and
25 then the other is that maintenance

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structure.

SUPERVISOR SCHNEIDERMAN: Right.
So they could be parsed out. But it's
possible that they're exempt, but also
meet the criteria for a Hardship Exemption
and then it's really up to the Commission
to decide which is the correct avenue to
pursue it. Okay.

MR. MILAZZO: That's correct.

SUPERVISOR SCHNEIDERMAN: Thank
you.

MS. HARGRAVE: And we should hear
from the Applicant.

MS. JAKOBSEN: There is also a
resolution previously passed by the
Commission stating that this would require
a Hardship application?

MR. MILAZZO: Yes. I believe we
had several conversations with Quogue,
their counsel, some of those were at the
meeting, some were on teleconference.
They came to the point where they realized
that they need to submit an application
now if the Commission, after today's

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hearing, determines that this is truly a

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nondevelopment type of activity, it can

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make that determination based on the

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evidence produced at the hearing.

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SUPERVISOR SCHNEIDERMAN: Okay.

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MS. JAKOBSEN: Any other questions

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for Julie?

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(No response from Commission

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Members.)

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MS. JAKOBSEN: We'll hear from the

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Applicant now.

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Mr. Nelson?

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MR. MILAZZO: Can we swear him

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virtually in?

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MICHAEL NELSON, the Applicant herein, having

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first been duly sworn by the Notary Public,

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testified as follows:

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MS. JAKOBSEN: Okay. Mr. Nelson,

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if you could provide, if you want to

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provide an overview from the project from

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your perspective in the application.

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MR. NELSON: Thank you for having

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me. And thank you, Julie, for proposing

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the project or explaining the projects at

1
2 the Wildlife Refuge.

3 Quickly to answer some of the
4 questions that you had, the septic that
5 was agreed to, the septic updates that was
6 agreed to, I believe it was at the
7 December meeting last year in 2021, have
8 not been started. We're waiting on the
9 process of this application and in hopes
10 to do them both at the same time.

11 There is currently a bathroom in
12 the nature center building and the
13 expansion -- the proposed thousand foot --
14 footprint expansion does not include
15 adding to or modifying that bathroom
16 facility that we have. The -- I'm not
17 quite sure what the other questions that
18 you had were.

19 MS. HARGRAVE: An alternative for a
20 second floor was asked.

21 MR. NELSON: An alternative was
22 researched, but due to us being a public
23 facility and the need of additional
24 exhibit and center space available to the
25 public creating a second story would

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2 just -- was not feasible based on their
3 case for elevators or for -- you know, for
4 the type of addition that we are looking
5 to do, so the project was proposed
6 originally for, last December, as a
7 determination.

8 We did -- we do host a lot of -- a
9 fair amount of educational programs or
10 recreational programs. In fact, over 400
11 recreational and educational programs
12 every year. About 25 percent of those are
13 scouting activities and our educators are
14 all merit badge certified in order to
15 teach those scouting activities.

16 One of our -- the one thing that we
17 did with the proposal of the Core -- the
18 Hardship application is, we did reduce the
19 size of the storage facility they
20 originally proposed. And that was due to
21 trying to -- the least amount of
22 disturbance to the area, we reduced the
23 size from 2700 square feet that we
24 originally proposed to 1,980 square feet
25 and that would eliminate the need to

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remove any trees in that area.

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Other than that, the project does remain the same as proposed and if there's any questions, I'd be happy to answer those.

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MS. JAKOBSEN: In your application, you discuss how you feel this project meets the elements of Compelling Public Need.

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Could you go over that information?

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MR. NELSON: With the continued use of the nature center, basically, after -- with social media and then with the start of the Pandemic, the grace -- the Refuge has -- the use of the Refuge has increased tremendously. So, you know, just the fact that folks -- we are open every day of the year for folks to come in and visit and to explore the trails. And as far as a compelling public need, that was one of the biggest things for a relief for members in the community during the Pandemic is to be able to get outside and explore the trails. Without the ability

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2 to house our equipment to maintain the 300
3 acres of the Refuge property, that's the
4 main reason for the storage facility that
5 we are looking to do is to maintain the
6 equipment that we use to maintain the 300
7 acres, seven miles of hiking trails.

8 The nature center building, we
9 do -- we were closed during the Pandemic,
10 but we have been opened up now on the
11 weekends and allowing folks to come in and
12 just the use itself has -- has increased
13 tremendously. We have -- they are called
14 people counters. Folks -- when people
15 come across the -- through the gates at
16 the nature center, it tracks how many
17 people come in and how many people leave.
18 And just the amount of public over the
19 last three years have increased
20 tremendously, more than doubled, actually.

21 SUPERVISOR SCHNEIDERMAN: Michael,
22 based on that increase in activity, this
23 is basically the minimum needed to
24 accommodate the increased use and activity
25 there?

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2 MR. NELSON: It is the minimum
3 needed. We -- going back to our health
4 and safety issue, as far as another space
5 in the nature center, we have outgrown the
6 nature center, the office space. The
7 nature center was built in 1970. Back
8 then, there was one or two staff members
9 here at the Wildlife Refuge. We now have
10 seven full-time staff. In the Summertime,
11 that increases to 14 and 16 staff. And we
12 are -- right now, we have six staff
13 working out of about an 11 by 14 office
14 space. Which is, you know, we have
15 actually split out across the nature
16 center because of the Pandemic, but that
17 would be a health and safety issue, as
18 well as a compelling public need to -- for
19 our staff to be safe during this and have
20 the building open to the public.

21 SUPERVISOR SCHNEIDERMAN: You cited
22 these improvements as part of the main
23 building, but as far from the most
24 sensitive area, the water, as possible,
25 correct?

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MR. NELSON: That is correct, yes.

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The extension on the nature center is

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basically to the southeast side of the

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nature center, as far from the pond --

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from the wetlands as possible and -- and

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to also do the least amount of disturbance

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to the surrounding area.

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SUPERVISOR SCHNEIDERMAN: Can I ask

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you, on the question of scouting, I'm

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trying to understand this better. You

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said I think like 25 percent of what you

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do is related to scouting, but there you

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meant, I believe, scouting in terms of the

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Boy Scouts or Girl Scouts as an

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organization, not as the broader

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definition of scouting, which is sort of

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outdoor environmental education, trail

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exploration. So the rest of the public

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and school children that use the facility

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are engaged in activities that are largely

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similar to what you do with the scouts

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there; is that correct?

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MR. NELSON: Exactly. We do offer

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merit badge programs for scouting, we work

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2 with scouts consistently on Eagle Scout
3 projects. At least two or three a year,
4 Boy Scouts would do their Eagle Scout
5 project at the facility, but the -- a lot
6 of the merit badge programs or the public
7 school programs can intermix and we teach
8 a lot of the same things during those
9 programs.

10 SUPERVISOR SCHNEIDERMAN: Right.
11 It's a question I'll later ask Counsel,
12 but that exemption for scouting, it's hard
13 for me to believe it was structured only
14 for one particular organization, but more
15 of the activity of scouting. But -- but
16 it sounds like the basic things that you
17 do at the center have to do with learning
18 about the environment or rehabilitation of
19 injured wildlife, the stewardship of the
20 environment, that kind of thing.

21 MR. NELSON: Exactly. And it falls
22 in line greatly with the scouting, Girl
23 Scouts, Boy Scouts and Eagle Scout
24 mentality or programming.

25 SUPERVISOR SCHNEIDERMAN: And then

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2 the other area of construction, which is
3 where you store your maintenance
4 equipment, that also is the minimum needed
5 and what the current structure is, it's
6 pretty dilapidated, right, so you're
7 replacing it and enlarging it?

8 MR. NELSON: That is correct.
9 There is currently a barn there that is a
10 small barn that was built before the 1950s
11 and as well as a temporary tarp structures
12 that we put up to cover some of the
13 maintenance equipment, those have outlived
14 their lifespan and the goal would be to
15 remove the barn and create one structure
16 that we can house all of our equipment in
17 in order to maintain the facilities and
18 also from storage. Some of our program
19 storage that we currently have in the
20 nature center building here, for seasonal
21 programs, like our Halloween events, we
22 can store out in the outdoor structure.

23 SUPERVISOR SCHNEIDERMAN: That area
24 is already clear, correct?

25 MR. NELSON: It is also already

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2 being used as a work facility. We get
3 wood chips delivered to spread on the
4 trails, we have a tractor and a machine to
5 spread the trails out and to mow, so it is
6 already being used. It already is clear.
7 When we do trimming of the trails, we
8 remove the brush, so it doesn't become a
9 fire hazard and there's brush pile in that
10 current area there as well, so --

11 SUPERVISOR SCHNEIDERMAN: Thank
12 you. I have no further questions at this
13 point.

14 MS. JAKOBSEN: Do any of the other
15 Commission Members or Reps have questions?

16 SUPERVISOR ROMAINE: Can I make a
17 motion to close the public hearing?

18 MS. JAKOBSEN: I have to -- I'm
19 sorry, Supervisor Romaine, we need to open
20 this to the public.

21 If anybody from the public would
22 like to speak, please raise your hand?

23 SUPERVISOR SCHNEIDERMAN: Mayor
24 Sartorius from Quogue.

25 MS. JAKOBSEN: Mayor Sartorius?

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MAYOR SARTORIUS: Yes, yes.

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MS. JAKOBSEN: I apologize, Dick,
Mayor Sartorius had his hand raised first.
We will get to you absolutely next.

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Mayor Sartorius?

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MAYOR SARTORIUS: Yes, thank you
for having the public hearing.

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I just want to emphasize what a
great organization the Quogue Wildlife
Refuge is and the leadership Michael
Nelson and Marissa, the Associate
Director, how good they are in running
that -- in running that place. And I
probably drive by there a couple of times
a week and I can say absolutely in the
last couple of years the usage of the
Quogue Wildlife Refuge has gone up
exponentially and the need for these
facilities -- I've toured it, I looked at
what they do and all the trails are great
places for people to go out and walk,
they're all cleared. Those trails don't
clear themselves. They have got to have
equipment to do it and they got to have a

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place to store the equipment in order to
make sure it stays in good condition.

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So the Village of Quogue is 100
percent behind this application and a 100
percent behind the Refuge and its
management.

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Thank you.

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MS. JAKOBSEN: Thank you.

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Dick Amper?

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MR. AMPER: Yes. I just want to

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jump in here.

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The Pine Barrens Society was asked
to visit the Quogue Wildlife Refuge in
terms of -- it's a utility and it's
appropriateness for protecting the water
and land, and we found that it was highly
supportable. But we had a problem with
and I have expressed a concern about was
that this be connected in someway or other
as a scout requirement, because that
changes a whole lot of other rules and
regulations for other people.

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Right now, these people can, on the
basis on the things we agreed to, were

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2 able to make the facility available to the
3 public as a whole and specifically point
4 out as the management there did. They
5 specifically said, we don't need this to
6 be considered strictly as a scouting thing
7 or principally as a scouting thing. It's
8 an equation of how it works as an
9 environmental thing. And they indicated
10 to us that that is the position that they
11 would take. So I can see no reason at all
12 to put a label on this that puts us in the
13 business as having to sort out what
14 constitutes Boy Scouts and what doesn't
15 constitute Boy Scouts and leave that out
16 of the factors using the Quogue Wildlife
17 Refuge's function and desire and goal for
18 public support that we can all be behind.
19 I wouldn't want to compromise that in way
20 by saying that if you don't make this
21 principally or in a significant way,
22 scouting, then that changes the entire
23 balancing and we find ourselves in a place
24 we would prefer not to be.

25 So I'm sorry if -- is there any way

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2 that the Supervisor can understand that it
3 is actually desirable to make it clear
4 that this is for so many different uses,
5 so many great sources of science, in the
6 first place, and entertainment? It's got
7 a tremendous facility, they have made it
8 clear to us that it is not essential that
9 this be labeled, as Schneiderman -- it is
10 not -- they're not -- it is not linked and
11 they should not be linked and we don't
12 want them to be linked because we don't
13 want to go where we were not going to go.
14 So I can factor the Chair of that
15 department and if you can reenforce the
16 fact that this is not essential to the
17 capacity that you are seeking and that it
18 would be better if we didn't put it into a
19 category that's going to put it in a
20 different category.

21 SUPERVISOR SCHNEIDERMAN: Can I ask
22 a question real quick to Mr. Amper?

23 Dick, just out of curiosity, I do
24 appreciate that you went out to the site
25 and took a look and are familiar with the

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2 operation there, so does the Pine Barrens
3 Society feel that the project as proposed
4 meets the criteria for the Hardship
5 Exemption?

6 MR. AMPER: I think the absence of
7 concern that it has to be a certain
8 percentage of scouting, I just don't think
9 it's necessary, Jay. And we -- I thought
10 we had worked that out. These folks have
11 a difficult situation saying that there is
12 so many things that need to be done and
13 let's get this right and get this
14 approved. If we can all accomplish that,
15 we would be wrong not to.

16 We were quite clear, both before
17 going out to tour the Refuge and during
18 the period of time we spent exploring it,
19 it became clear to us that this could be
20 done on the basis of its open space
21 restraints, but it could not be done as a
22 minimum requirement for scouting. No
23 problem with scouting, but we don't want
24 to link the construction of other things
25 that are not related or don't have to be

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related.

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And more than anything else, I just don't want to see something as important as this project compromised, after having agreed on the part of the Wildlife Refuge and everyone else, let's not have an issue where we don't have to have one. We made it clear what we can support and that would benefit the public. We shouldn't compromise that. So if there's any way that we don't link these particular things, we are all working together.

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SUPERVISOR SCHNEIDERMAN: I appreciate that. And I shared sort of a similar concern about residential value setting precedent here. So if you feel that it meets the criteria of the Hardship Exemption because of compelling public need, than I don't have an issue with that.

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MR. AMPER: That's terrific, Jay. Thank you very much.

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MS. JAKOBSEN: Is there anyone else from the public that would like to speak?

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(Whereupon, there was no response
amongst the public.)

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SUPERVISOR ROMAIN: I'll make a
motion to close the public hearing.

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SUPERVISOR AGUIAR: I'll second it.

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MS. JAKOBSEN: So, John, if you can
guide me on this a little bit. So we want
to close the public hearing and leave the
record open for ten days to receive
comment?

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MR. MILAZZO: So typically, the
Commission would close the hearing and
then we would have a period of some number
of days for people to submit written
comment. It depends if you want to
maintain that pattern, we can keep the
public comment period open to next Friday.

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SUPERVISOR ROMAIN: I'll amend
my --

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MR. MILAZZO: That's okay. This
way, if anyone wants to submit any
additional information, they can and the
Commission staff can consider that.

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SUPERVISOR ROMAIN: I'll make a

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2 motion to close the public hearing and
3 keep it open for 10 days.

4

MS. JAKOBSEN: Thank you,
5 Supervisor Romaine.

6

Was there a second?

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SUPERVISOR AGUIAR: Yes.

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MS. JAKOBSEN: Supervisor Aguiar.

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SUPERVISOR ROMAIN: And Supervisor
10 Schneiderman, we can always have, if
11 necessary, a special meeting on, I think
12 it would be discussed under the next
13 public hearing.

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MR. MILAZZO: And I just counted to
15 10 and that puts us on a weekend. So if
16 you want, maybe we can have the public
17 comment period end on the 28th, which is a
18 week from this Friday, if that's agreeable
19 with everyone. And then because it's a
20 Friday, I don't know if you want to have
21 the public comment period close at noon
22 standard time, our time. That would give
23 everyone a chance to get their comments in
24 and then give the Commission staff time to
25 review them. And if there are no

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comments, then there are no comments.

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SUPERVISOR SCHNEIDERMAN: I'm fine with that.

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So, Ed, do you want to just amend it to the nine days?

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SUPERVISOR ROMAINE: Nine days, closing at twelve noon on the 28th of January.

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MS. JAKOBSEN: The second was by Supervisor Aguiar?

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SUPERVISOR AGUIAR: That is correct.

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MS. JAKOBSEN: All in favor?

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(Whereupon, there was unanimous, affirmative vote of the board.)

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MS. JAKOBSEN: Is there any opposed?

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(Whereupon, there was no response amongst the Board.)

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MS. JAKOBSEN: The motion carries unanimously.

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(Whereupon, this portion of the hearing was concluded at 3:39 p.m.)

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2 CERTIFICATION

3
4 I, Domenica Raynor, a Notary Public for
5 and within the State of New York, do hereby
6 certify:

7 That the witness whose testimony as
8 herein set forth, was duly sworn by me; and
9 that the within transcript is a true record of
10 the testimony given by said witness.

11 I further certify that I am not related
12 to any of the parties to this action by blood
13 or marriage, and that I am in no way interested
14 in the outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 19th day of January, 2022.

17
18 *Domenica Raynor*
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