

ORIGINAL

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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

ALL STAR REPORTERS

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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. Freeling, 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:

3 Dick Amper, Executive Director of the Pine Barrens Society

4 Peter Sartorius, Mayor of Quogue

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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.

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2 The Tax Map number is:

3 0902-00100-0100-023001.

4 And the project description is:

5 The Applicant proposes to construct a

6 thousand square foot expansion of the

7 existing 3.150 square foot nature center

8 and a 1,980 square foot storage and

9 maintenance building for the Refuge. The

proposal is a Type 2 Action pursuant to

the regulations of

Quality Review Act.

3 And the notice goes on to say: The

hearing will be held remotely via Zoom at

3:00 p.m. and, aga

6 January 19th, etc.

I like to start off by having --

8 asking the Commission Members and

Representatives to please identify

themselves for the record, along w

they are representing.

Can we start with the Town of

23 Brookhaven?

SUPERVISOR ROMAINE: Town or

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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 Freileng.

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.

5 Julie?

6 MS. HARGRAVE: Thank you. Good
7 afternoon again.

8 Just to go over the basics of this
9 again, this is -- I think most people are
10 familiar with the Quogue Wildlife Refuge.
11 It's in the Village of Quogue and the Town
12 of Southampton. And also, as Ms. Jakobsen
13 has mentioned, the Southampton Wildfowl
14 Association is an owner on 103 Old Country
15 Road in Quogue. And the Applicant
16 submitted a Public Need Hardship Waiver
17 for the development of a thousand square
18 foot expansion in the rear of the existing
19 3,150 square foot nature center that was
20 built in the 1970s and the construction of
21 a 1,980 square foot storage building for
22 Refuge maintenance.

23 The Hardship Waiver explains that
24 the activity has increased at the Refuge.
25 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

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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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that is important because the Compelling Public Need Hardship criteria speaks to an application serving more than one municipality for the public health and safety and that no better alternatives exist in the County for a use like this. And, obviously, the Refuge can't be moved, this is where the Refuge is located and where they need to have their facilities.

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So we have -- I'm just going to

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skip to the end. And we have some

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questions about the upgrades and the

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proposal. A while back, the Refuge, about a year ago, came to the Commission and asked for an upgrade to their sanitary system, to the new alternative treatment system, and we wanted to get the status on that.

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Also, if the Applicant can speak to

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whether there's a bathroom, a restroom, in the expansion of the nature center and if they have explored an alternative of the second floor, rather than the expansion on 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
9 don't know if you can point it out, but
10 this is a -- this is in the Core
11 Preservation Area, but in terms of where
12 it switches from Core to either CGA or
13 outside of the Pine Barrens, the location
14 of the infrastructure that's being
15 proposed is right on the edge of that Core
16 area I believe. And on the other side of
17 the street is outside of the Pine Barrens
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.

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

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

20 MR. MILAZZO: Correct.

21 SUPERVISOR SCHNEIDERMAN: Okay.

22 Thank you.

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

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2 structure.

3 SUPERVISOR SCHNEIDERMAN: Right.

4 So they could be parsed out. But it's
5 possible that they're exempt, but also
6 meet the criteria for a Hardship Exemption
7 and then it's really up to the Commission
8 to decide which is the correct avenue to
9 pursue it. Okay.

10 MR. MILAZZO: That's correct.

11 SUPERVISOR SCHNEIDERMAN: Thank
12 you.13 MS. HARGRAVE: And we should hear
14 from the Applicant.15 MS. JAKOBSEN: There is also a
16 resolution previously passed by the
17 Commission stating that this would require
18 a Hardship application?19 MR. MILAZZO: Yes. I believe we
20 had several conversations with Quogue,
21 their counsel, some of those were at the
22 meeting, some were on teleconference.
23 They came to the point where they realized
24 that they need to submit an application
25 now if the Commission, after today's

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2 hearing, determines that this is truly a
3 nondevelopment type of activity, it can
4 make that determination based on the
5 evidence produced at the hearing.

6 SUPERVISOR SCHNEIDERMAN: Okay.

7 MS. JAKOBSEN: Any other questions
8 for Julie?

9 (No response from Commission
10 Members.)

11 MS. JAKOBSEN: We'll hear from the
12 Applicant now.

13 Mr. Nelson?

14 MR. MILAZZO: Can we swear him
15 virtually in?

16 **MICHAEL NELSON, the Applicant herein, having**
17 **first been duly sworn by the Notary Public,**
18 **testified as follows:**

19 MS. JAKOBSEN: Okay. Mr. Nelson,
20 if you could provide, if you want to
21 provide an overview from the project from
22 your perspective in the application.

23 MR. NELSON: Thank you for having
24 me. And thank you, Julie, for proposing
25 the project or explaining the projects at

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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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2 remove any trees in that area.

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

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

11 Could you go over that information?

12 MR. NELSON: With the continued use
13 of the nature center, basically, after --
14 with social media and then with the start
15 of the Pandemic, the grace -- the Refuge
16 has -- the use of the Refuge has increased
17 tremendously. So, you know, just the fact
18 that folks -- we are open every day of the
19 year for folks to come in and visit and to
20 explore the trails. And as far as a
21 compelling public need, that was one of
22 the biggest things for a relief for
23 members in the community during the
24 Pandemic is to be able to get outside and
25 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.

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

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

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2 MR. NELSON: That is correct, yes.

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4 The extension on the nature center is
5 basically to the southeast side of the
6 nature center, as far from the pond --
7 from the wetlands as possible and -- and
8 to also do the least amount of disturbance
9 to the surrounding area.

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11 SUPERVISOR SCHNEIDERMAN: Can I ask
12 you, on the question of scouting, I'm
13 trying to understand this better. You
14 said I think like 25 percent of what you
15 do is related to scouting, but there you
16 meant, I believe, scouting in terms of the
17 Boy Scouts or Girl Scouts as an
18 organization, not as the broader
19 definition of scouting, which is sort of
20 outdoor environmental education, trail
21 exploration. So the rest of the public
22 and school children that use the facility
23 are engaged in activities that are largely
24 similar to what you do with the scouts
25 there; is that correct?

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25 MR. NELSON: Exactly. We do offer

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.

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SUPERVISOR SCHNEIDERMAN: Right.

11

It's a question I'll later ask Counsel,
but that exemption for scouting, it's hard
for me to believe it was structured only
for one particular organization, but more
of the activity of scouting. But -- but
it sounds like the basic things that you
do at the center have to do with learning
about the environment or rehabilitation of
injured wildlife, the stewardship of the
environment, that kind of thing.

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

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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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2 MAYOR SARTORIUS: Yes, yes.

3 MS. JAKOBSEN: I apologize, Dick,

4 Mayor Sartorius had his hand raised first.

5 We will get to you absolutely next.

6 Mayor Sartorius?

7 MAYOR SARTORIUS: Yes, thank you

8 for having the public hearing.

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

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

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

8 Thank you.

9 MS. JAKOBSEN: Thank you.

10 Dick Amper?

11 MR. AMPER: Yes. I just want to
12 jump in here.

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

24 Right now, these people can, on the
25 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.

1

2 related.

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

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

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

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

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

4 SUPERVISOR ROMAINE: I'll make a
5 motion to close the public hearing.

6 SUPERVISOR AGUIAR: I'll second it.

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

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

19 SUPERVISOR ROMAINE: I'll amend
20 my --

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

25 SUPERVISOR ROMAINE: 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?

7 SUPERVISOR AGUIAR: Yes.

8 MS. JAKOBSEN: Supervisor Aguiar.

9 SUPERVISOR ROMAINE: 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.

14 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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2 comments, then there are no comments.

3 SUPERVISOR SCHNEIDERMAN: I'm fine

4 with that.

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

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

10 MS. JAKOBSEN: The second was by
11 Supervisor Aguiar?

12 SUPERVISOR AGUIAR: That is
13 correct.

14 MS. JAKOBSEN: All in favor?

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

17 MS. JAKOBSEN: Is there any
18 opposed?

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

21 MS. JAKOBSEN: The motion carries
22 unanimously.

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

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2 CERTIFICATION

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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.

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Domenica Raynor

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