



**Pine Barrens Commission Meeting Summary
For Wednesday, January 20, 2016 (Final-Approved 2/17/16)
Town of Riverhead
200 Howell Avenue
Riverhead, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Collins and Mr. Shea (for Southampton), and Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Pavacic, Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen, Ms. Carter, Ms. Parrott and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Mr. Pavacic, as acting chair, called the meeting to order at approximately 2:00 p.m. with four members present, which constitutes a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Designation of Commission Chair

Summary: Mr. Pavacic welcomed Ms. Carrie Meek Gallagher to her first Commission meeting as the Governor's Representative and he noted that today the Commission will be approving the selection of Ms. Gallagher as the new Commission Chair.

The motion was made by Mr. Walter and seconded by Mr. Romaine to approve the draft Resolution of the Commission to Appoint a Chairperson (attached). The motion was approved by a 4:0 vote.

Mr. Freleng arrived at the meeting at 2:10 pm

b. Public Comment

Summary: Mr. Richard Amper, Executive Director of the L.I. Pine Barrens Society welcomed Ms. Gallagher as the new Chairwoman of the Commission as he provided an anecdotal story about the first time he met her as an intern.

c. Minutes for 12/16/15 review, approval

Summary: **The motion was made by Mr. Freleng and seconded by Mr. Collins to approve the 12/16/15 meeting summary. The motion was approved by a 5:0 vote.**

d. February Commission meeting date change due the public schools winter break

Summary: It was noted that the February 24th Commission meeting could be held as scheduled.

2. Science and Stewardship

a. Wildfire Response, Forest Management, Prescribed Fire & response Action Items

Summary: Ms. Jakobsen explained that the preparation of the Community Wildfire Protection Plan for the Ridge, Manorville, and Calverton communities is under way

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

She noted that in December there were two meetings held, one with the CWPP team where discussions were focused on strategies to identify fuel reduction measures, measures to reduce home ignitions and to develop a public outreach program. The second meeting was a public meeting held with the Community Advisory Committee at Brookhaven National Laboratory where a presentation was made by SWCA Environmental Consultants on the CWPP project. Additional items discussed at the meetings included the draft wildfire risk assessment for the community, community values at risk which included historic sites, transportation corridors and an overall community risk assessment that was performed for the area. Ms. Jakobsen explained that the milestone chart that was distributed at the December Commission meeting was updated to extend the project completion to the end of June to allow sufficient time to review the draft CWPP Plan and to incorporate the SEQRA process into the project schedule. The draft Plan will be provided to the Commission in April and the final Plan will be ready for the Commission to approve in June. Ms. Jakobsen noted that the Northeast Forest Fire Protection Compact assured her that the grant funds for the project will be available and accessible until the end of June. She discussed that the Commission would initiate the SEQRA process at its meeting in April and would establish itself as lead agency in May.

Ms. Jakobsen reported that the Northeast Compact has offered an additional \$10,000 to implement a CWPP project on the ground by the end of this year and she noted that she will be developing a project proposal to submit for this funding.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve extending the contract with SWCA Environmental Consultants to the end of June to complete the CWPP project. The motion was approved by a 5:0 vote.

Mr. Milazzo noted that the approval of the extension of the contract will be documented in the form of a letter from the Commission to SWCA.

b. Education and Outreach

Summary: Ms. Parrott discussed the previously distributed Education and Outreach Division December – January 2016 Update (attached) and reported that in 2015, approximately 5,600 youth and adults were reached through community events, speaking engagements and school programs. Items Ms. Parrott highlighted from the report included that 2,000 students and 500 science teachers participated in the “Day in the Life” program and the Commission’s summer camp at Wertheim National Wildlife Refuge. Ms. Parrott has plans to speak about the “Day in the Life” programs in front of the Suffolk County Science Teachers Association of NY State (STANYS) and she noted she will be introducing new GIS software for students and teachers to use. Discovery Day and other Education and Outreach events have reached an additional 1,000 adults and children. Ms. Parrott mentioned that she participates on the steering committee of the Long Island Natural History Conference and she provided a list of this year’s speakers in the report which included, Mr. Pavacic, Executive Director of the Commission and Mr. John Wernet from the NYSDEC Region 1 who will be speaking on the subject of the Southern Pine Beetle.

Mr. Walter mentioned that the Bishop McCann-Mercy High School located in Riverhead has a very large environmental center and he asked that Ms. Parrott contact the school to provide environmental outreach there this year. Ms. Parrott noted that she would call a representative at the school to schedule a meeting.

c. Science and Stewardship

Summary: Ms. Carter distributed and discussed the Science and Stewardship Division update dated, January 20, 2016. Ms. Carter highlighted items in the report including that the NYSDEC Forest Health Unit leads the SPB suppression effort and has established an Incident Command System (ICS) structure to combat the problem. She noted that the Science and Stewardship Division staff serves as the Situation Unit Leader and participates within several branches of the Operations Section that are involved with activities such as ground-surveying, and trapping. Areas where suppression work has been focused and where infested pines have been cut include, Hubbard County Park, Fire Island National Seashore, William Floyd Estate, as well as other areas. Helicopter aerial detection surveys were conducted by the NYSDEC in January and that information is being processed that will help identify future areas to conduct ground-truthing.

Ms. Carter reported the Ray Corwin Rocky Point to Yaphank trailhead at the Rocky Point Pine Barrens Preserve is coming along well with areas that are nearly complete that include, an assessable loop trail, an equestrian mount, the trail head and a kiosk. Issues that are currently being addressed relate to maintaining barriers to block illegal off road vehicle use and the coordination of the trail plans with the development plans for the Meadows at Yaphank project.

Additional topics Ms. Carter discussed from the report included, Suffolk County Water Authority's (SCWA) construction of a well facility at the Ray Corwin regional trail intersection at Main Street and she noted that the site plan was designed to protect scenic values and ecologically sensitive habitat along the trail corridor. The next Protected Lands Council's (PLC) meeting is scheduled for 9:00 am on March 1st at the SCWA Training Center in Coram. Ms. Carter discussed current issues related to damage mitigation such as the historic railroad bridge over the Carmans River that is marred with graffiti. A discussion ensued and the decision was made that the Commission should send a letter to the MTA and the NYSDOT requesting them to remove the graffiti. Mr. Romaine discussed the Sheriff's Labor Assistance Program (SLAP) that uses prisoners to perform cleanups and maintenance work in the County and suggested that the Commission staff contact the Sheriff's Office to get more information on how the SLAP program might benefit the needs of the PLC. Ms. Carter noted that the next LI Invasive Species Management Area (LIISMA) meeting is scheduled for April 14th at the SCWA Training facility in Coram.

(Mr. McCormick arrived at the meeting at 2:30 pm)

3. Planning & Land Use

a. CLUP Amendments

Summary: Mr. Pavacic discussed the two copies of the previously distributed Final Scope for the Supplemental Draft Generic Environmental Impact Statement for the Proposed Amendments to Chapters 4, 5 and 6 of the CLUP (attached). He noted that comments were received from the Long Island Builders Institute, Town of Brookhaven and the Miller Place Civic Association. Any changes to the Final Scope due to the comments that have been received are depicted in red in one of the copies of the Final Scope that was provided. There were a few comments related to the need to evaluate economic impact, however, Mr. Pavacic noted that SEQRA does not require this. He noted that the Commission may want to consider having an Economic Impact Analysis prepared separately by an economist which would be hired through an RFP. It was noted that an Economic Impact Statement was prepared for the original CLUP in 1995 and if a second EIS is prepared that it would be added as an addendum to the first EIS. Mr. Walter noted his concern related to the need for an economic analysis was associated with the mandatory

credit program which has been removed from the CLUP amendments and therefore it wasn't clear whether an economic analysis was necessary anymore.

Mr. Pavacic explained that the Final Scope is ready for adoption by the Commission which would enable the staff to move forward with preparing the EIS. Mr. Collins explained that upon reviewing the Scope section relating to "Applicable Agency Plans" he noticed that some of the Southampton Town plans were missing including, the 400+ Sustainability Element Update to the Town of Southampton Comprehensive Plan, the Town of Southampton Community Preservation Fund Community Preservation Project Plan, the Town of Southampton Wireless Communications Plan, the East Quogue Generic Environmental Impact Statement, the Hampton Bays Corridor Strategic Plan & Cumulative Impact of Build-out Study and the Generic Environmental Impact Statement, the Southampton Tomorrow Comprehensive Plan Update Implementation Strategies, Southampton, New York (1999) and the Riverside Urban Renewal Plan. Mr. Walter noted that he noticed Riverhead Town Plans were missing including the Flanders Northampton Riverside Revitalization Study, the Subdivision Map for Enterprise Park at Calverton (draft) and the EPCAL Urban Renewal Plan.

Mr. Pavacic asked if the Commission was ready to move forward with adopting the final scope as amended, with the Southampton and Riverhead Town additions. Mr. Walter mentioned that Riverhead Town needed additional time to review and provide its comments on the final scope. Ms. Gallagher stated that the adoption of the final Scope will be held over to the February Commission meeting.

b. Compliance and Enforcement

Summary: Mr. Hynes discussed the previously distributed Compliance and Enforcement Division Update for January 20, 2016 (attached) and he distributed copies of the Law Enforcement Council 2015 Annual Report. Mr. Hynes highlighted items from the Division report such as the case where a farmer installed an off road vehicle track allowing illegal ATV and dirt bike activity on the property. Mr. Hynes explained that Commission staff worked with the town on this case and that the owner was notified by Suffolk County that due to this illegal activity he has lost the tax exempt status on the property. Since that time, the owner has stopped ORV activities on the property, which has since revegetated and the owner will be farming the land once again in order to reinstate the tax exempt status. Another case that Mr. Hynes discussed related to an encroachment violation in Eastport by an owner of a nursery onto Suffolk County and private property. The County notified the owner he was encroaching and the owner removed his equipment from the land. Commission staff continues to monitor the property for signs of encroachment. Mr. Hynes noted that he continues to work with Mr. Tverdyy on monitoring conservation easement properties and the next LEC meeting is scheduled for January 21st.

Mr. Romaine expressed his concerns pertaining to the lack of police patrols to enforce the laws and act on behalf of the Commission. He noted that since the SC Park Police force was dissolved there is no one law enforcement agency that is responsible for coverage of the Pine Barrens. Mr. Pavacic noted that if the State Legislature passes the proposed law enforcement regulations, the Commission staff would gain enforcement authority and the ability to hire additional staff for that purpose. Mr. Romaine and Mr. Pavacic discussed sending letters requesting support for the law enforcement amendments to the NY State Senators and NY State Assemblymen and Assemblywomen from his district.

Additional discussion points included, implementation of the proposed MOU between the Commission and the Sheriff's Office, the Sherriff's Office has been

patrolling the Pine Barrens on a limited basis and segments of the MOU between the Sheriff's Office and the Commission have been implemented. Mr. Walter and Mr. Romaine noted that they would be reaching out to the necessary entities such as the Assembly's Environmental Conservation Committee to ask for their support.

c. Land Use Division

Summary: Ms. Hargrave discussed the previously distributed Land Use Division Bi-Monthly Update for the meeting of January 20, 2016. Ms. Hargrave noted the pending application for the Christian Academy Core Area Hardship was inadvertently omitted from the report. There are six pending applications including the Oaks at Miller Place, three Dittmer Core Area Applications, Kent Animal Shelter and others. Ms. Hargrave noted that the East End Christian Academy and the Henry Dittmer hearing transcripts from the December meeting were received at the Commission office.

Project Review

Core Preservation Area

3d. Kent Animal Shelter Core Preservation Area Hardship Waiver / Calverton/site plan for redevelopment and expansion (SCTM#s: 600-138-1-6.2 and 7.1)

Summary: Ms. Hargrave reported that the Applicant's representative for the Kent Animal Shelter sent a letter dated, January 13th (attached) requesting an extension of the decision deadline until the February Commission meeting. Issues that were discussed pertaining to the application included, whether the Kent Animal Shelter project could meet the criteria for approval based on a compelling public need and the possibility that a Brookhaven Town property owner may donate property for the animal shelter to relocate. Mr. Amper asked that staff inform the two new Commission members that the Kent Animal Shelter project does not meet the requirements for a Core Preservation Area Hardship Waiver.

The motion was made by Mr. Walter and seconded by Mr. Romaine to approve the extension of the Kent Animal Shelter Core Area Hardship decision deadline to the February Commission meeting. The motion was approved by a 5:0 vote.

e. Dittmer Core Preservation Area Hardship Waiver / Yaphank development of a single-family residence on 4,000 square foot parcel (SCTM#: 200-529-5-36)

Summary: Ms. Hargrave discussed the Henry Dittmer Core Hardship Waiver to develop a single-family residence on a 4,000 square foot lot, on a paper street. She noted that the Applicant's Representative, Mr. Scheyer is requesting an extension of the decision deadline due to current his illness. The hearing for the project would be scheduled for March 16th.

The motion was made Mr. Romaine and seconded by Mr. Freleng to schedule the hearing for the Henry Dittmer Core Preservation Area hardship Waiver for March 16th and extend the decision deadline to May 18th. The motion was approved by a 5:0 vote.

f. Dittmer Core Hardship Waiver/ Ridge develop single family residence on 5,735 square foot parcel/ (SCTM#: 200-326-3-3)

Summary: Ms. Hargrave explained that due to Mr. Scheyer's illness the public hearing on the Dittmer Core Hardship Waiver needs to be rescheduled.

The motion was made by Mr. Collins and seconded by Mr. Walter to reschedule the public hearing for the Dittmer Core hardship waiver to April 20th with a decision deadline extension to June 15th. The motion was approved by a 5:0 vote.

- g. Armand Gustave LLC Core Hardship Waiver / Manorville 6,000 square foot parcel with a single-family residence (SCTM#: 200-460-1-10)

Summary: Ms. Hargrave reported that due to Mr. Scheyer's illness, the Applicant for the Armand Gustave, LLC Core Area Hardship Waiver to develop a 6,000 square foot parcel with a single family residence has asked that the hearing be rescheduled and an extension of the decision deadline be granted.

The motion was made by Mr. Romaine and seconded by Mr. Walter to reschedule the Armand Gustave LLC Core Hardship hearing to March 16th with a decision deadline of May 18th.

Mr. Romaine expressed his concerns about the hearing postponements and he stated that his approvals today related to rescheduling hearings and the extension of decision deadlines were based on extending a courtesy to Mr. Scheyer based on his current illness. However, he stated that he will not be approving any future requests to reschedule the hearings. A discussion ensued between Mr. Romaine, Mr. Walter and Mr. Milazzo concerning the applications, the process to appeal a credit allocation and whether an owner of a lot in an old filed map has the ability to open a paper street. In addition, Mr. Milazzo advised the Commission members on the manner in which they should evaluate an application which should be based on its merits and the Pine Barrens Law. Mr. Walter asked Mr. Milazzo to prepare a brief on whether a filed map owner can open a paper street. Mr. Milazzo discussed past litigation where the Commission prevailed related to the single and separate issue and Credit allocation. Mr. Walter and Mr. Collins asked for a copy of that litigation decision.

Mr. Amper noted that the hardship has been self-created due to the fact that a Credit Appeal Application was never submitted by the Applicant.

- h. The Oaks at Miller Place CGA Hardship Waiver/ Miller Place / 18 lot subdivision on 14.16 acres (SCTM#: 200-212-1-9, 10, 11.1, 11.2, 12)

Summary: Ms. Hargrave reported that a letter was received from the attorney for the Oaks at Miller Place, dated January 14, 2016 (attached) which stated that the applicant is withdrawing their application.

The motion was made by Mr. Romaine and seconded by Mr. Collins to approve the Applicant's withdrawal of The Oaks at Miller Place CGA Hardship Waiver application. The motion was approved by a 5:0 vote.

4. Public Hearing

- a. Armand Gustave LLC Core Hardship Waiver / Manorville 6,000 square foot parcel with a single-family residence (SCTM#: 200-460-1-10)

Summary: The Armand Gustave Public hearing was canceled due to the illness of the Applicant's Attorney.

The motion was made by Mr. Romaine and seconded by Mr. Collins to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:30 pm.

Attachments (in order of discussion)

1. January 20, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission meeting Summary for January 20, 2016 (7 pages)
3. Draft Resolution of the Commission to Appoint a Chairperson, dated January 20, 2016 (1 Page)
4. Final Approved Resolution of the Commission to Appoint a Chairperson, dated January 20, 2016 (1 Page)
5. Education and Outreach Division December – January 2016 Update (1 Pages)
6. Science and Stewardship Division update dated January 20, 2016 (2 Pages)
7. Two copies of Final Scope for the Supplemental Draft Generic Environmental Impact Statement for the Proposed Amendments to Chapters 4, 5 and 6 of the CLUP, one clean copy and one copy with edits indicated in red. (22 Pages each)
8. Compliance and Enforcement Division Update for January 20, 2016 (5 Pages)
9. Central Pine Barrens LEC 2015 Annual Report (12 Pages)
10. Land Use Division Bi-Monthly Update for the meeting of January 20, 2016 (1 Page)
11. Letter from Mr. Glenn Gruder, Kent Animal Shelter Applicant's Representative request for extension of the decision deadline, dated 1/13/16 (1 Page)
12. Letter from SCDHS Regarding Kent Animal shelter Board of Review Determination from March 20, 2014, dated 1/8/16 (1 Page)
13. Letter from Mr. John Wagner, the Oaks at Miller Place Applicants Representative notice of withdrawal of application, dated 1/14/16 (1 Page)



**Pine Barrens Commission Meeting Summary
For Wednesday, February 17, 2016 (Final Approved-3/16/16)
Town of Riverhead
200 Howell Avenue
Riverhead, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Ms. Prusinowski (for Brookhaven), Mr. McCormick (for Riverhead), Mr. Shea (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Pavacic, Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:10 p.m. with five members present, which constitutes a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Public Comment

Summary: Ms. Carolyn Zenk, Vice President of Citizens for Clean Drinking Water, Clean Air and Clean Bays (CLEAN), submitted the three attached handouts including her letter to the Commission dated 2/17/16, with Exhibit A and Exhibit B attached and she expressed her concerns related to the Commission's recent assertion of jurisdiction over The Hills at Southampton development project and the Commission's review and decision time frame. Ms. Zenk asked if the Commission would consider denying The Hills at Southampton Mixed Use development application without prejudice to avoid an automatic approval related to the 120 day time frame within which the Commission must make a decision on a project.

Mr. Richard Amper, Director of the LI Pine Barrens Society expressed his concerns pertaining to the need to familiarize newly elected Town Board Members, Commission members and recently hired Town staff on the relationship that exists between the Towns and the Commission. He suggested holding Commission orientations on a periodic basis.

b. Minutes for 1/20/16 review, approval

Summary: The motion was made by Mr. Shea and seconded by Mr. McCormick to approve the 1/20/16 meeting summary. The motion was approved by a 5:0 vote.

2. Science and Stewardship

a. Wildfire Response, Forest Management, Prescribed Fire & Response Action Items

Summary: Ms. Jakobsen reported that last week SWCA Environmental Consultants submitted a draft version of the Community Wildfire Protection Plan (CWPP) for the communities of Ridge, Manorville, and Calverton to the CWPP Team for their review and comment. She noted that a CWPP Team meeting will be held on March 23rd at 9:30 a.m. at Wertheim Wildlife Refuge where the SWCA Consultant will receive comments from the team that will be compiled and if necessary the draft plan will be revised.

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Ms. Jakobsen discussed the CWPP milestone schedule including, the Commission members would receive the updated draft plan the beginning of April, at the April 20th Commission meeting SWCA will provide a presentation on the draft plan and a day or two after the April Commission meeting a public meeting will be held. She noted that a survey on Survey Monkey resulted in 50 completed and returned surveys and there were close to 170 "likes" received on the facebook page for the CWPP project. The location for the CWPP public meeting will be either at the Longwood Public Library or the Ridge Fire Department.

b. Southern Pine Beetle

Summary: Mr. Pavacic reported that the Commission received a \$50,000 grant for SPB suppression that was approved by the NY State Legislature. He noted that the funds are available to use until the end of the NY State fiscal year in 2017 and that the funds can be used for a wide range of activities including, research and suppression.

Additional items that Mr. Pavacic discussed related to the SPB included, no bids were received in response to the NYSDEC RFP for the tree thinning project, suppression activities were last conducted in the area of Hampton Bays, ground surveys were conducted in January and recent aerial surveys were also performed. Mr. Wernet, NYSDEC Regional Forester and Mr. Pavacic will be providing a presentation on SPB suppression at the LI Natural History Conference at BNL on March 18th.

Mr. Pavacic made additional points such as, the warmer temperatures of this winter compared to last winter's very cold temperatures could possibly sustain SPB activity, snow can help insulate the SPB increasing its ability to survive the cold and scoring the felled infested trees, which exposes the SPB to the elements has proven to be an effective method of suppression. He also mentioned that up until now aerial reconnaissance has not detected that the SPB infestation has spread to the Dwarf Pines Plains area.

3. Planning & Land Use

a. CLUP Amendments

Summary: Mr. Pavacic reported that at the last Commission meeting the Towns of Riverhead and Southampton asked for additional time to review the draft final Scope for the CLUP Amendments. He explained that Commission staff updated the final scope based on the Town comments that were received. Mr. McCormick commented that Riverhead Town was prepared to support the final Scope document.

Additional points were discussed related to the final Scope document such as a possible need to include information on the relationship between a complete application, SEQRA and the 120-time frame within which the Commission must make a decision. Mr. Pavacic discussed the time line associated with the proposed Amendments to Chapter 4 and application completeness and he noted they did not get passed by the NYS Legislature. Mr. Milazzo advised the Commission that it would be a reasonable measure to add language in the hardship waiver application to help clarify the relationship between SEQRA and the criteria for submission of a complete application.

The motion was made by Mr. Prusinowski and seconded by Mr. Shea to approve the Final Scope for the Supplemental Draft Generic Environmental

Impact Statement for the Proposed Amendments to Chapters 4, 5 and 6 of the CLUP (attached). The motion was approved by a 5:0 vote.

Project Review

Core Preservation Area

- 3b. Kent Animal Shelter Core Preservation Area Hardship Waiver / Calverton/site plan for redevelopment and expansion (SCTM#s: 600-138-1-6.2 and 7.1)

Summary: Ms. Hargrave reported that the Kent Animal Shelter Applicant requested an extension of the decision deadline associated with their Core Preservation Area hardship waiver application until the March Commission meeting.

The motion was made by Mr. McCormick and seconded by Mr. Shea to approve the extension of the decision deadline for the Kent Animal Shelter Core Hardship Waiver until the March 16th Commission meeting. The motion was approved by a 5:0 vote.

- c. Dittmer Core Hardship Waiver/ Ridge Yaphank / develop a 10,000 square foot landlocked parcel with a single family residence, onsite septic system and accessory structures and develop an unopened street (SCTM#200-529-5-35)

Summary: Ms. Hargrave discussed the previously distributed Draft Resolution of the Henry Dittmer Core Preservation Area Extraordinary Hardship Yaphank, Town of Brookhaven (attached) and she noted there was a typo on the first page in the fourth paragraph indicating incorrectly the public hearing was on December 16, 2016 instead of 2015.

The motion was made by Ms. Prusinowski and seconded by Mr. Shea to approve the amended Draft Resolution that denies the Henry Dittmer Core Preservation Area Extraordinary Hardship Yaphank, Town of Brookhaven. The motion was approved by a 5:0 vote.

- d. East End Christian Academy at Manorville Community Church Core Hardship Waiver / Manorville / development of a 15,000 square foot building for a K-12 Private school on 2.68 acre project site (SCTM#: 200-461-3-40)

Summary: Ms. Hargrave reported that the East End Christian Academy Applicant sent a letter dated February 12th (attached) requesting an extension of the decision deadline until the April 20th Commission meeting.

The motion was made by Mr. Prusinowski and seconded by Mr. McCormick to approve the extension of the decision deadline for the East End Christian Academy Core Hardship Waiver until the April 20th Commission meeting. The motion was approved by a 5:0 vote.

Ms. Catherine Meade, representing East End Christian Academy explained that the East End Christian Academy was seeking permission to use temporary trailers at the site in order to begin classes in September 2016. The suggestion was made that the Academy to send a letter to the Commission.

- e. The Hills at Southampton Mixed Use Planned Development District 118-lot Residential Subdivision and 18-hole private golf course/ East Quogue 594 acre project site in the Core Preservation Area, CGA and CRA on over 185 parcels (SCTM# 900-203,2019, 2120, 250, 251, 288, 289, 314)

Summary: Ms. Hargrave discussed the previously distributed letter dated 2/12/16 that was received at the Commission office from the Mr. Wayne Bruyn, Attorney for The Hills at Southampton. Mr. Milazzo explained that the letter is a request for the Commission to approve an extension of the decision deadline until after the Town's SEQRA process has been finalized and for the extension to be open ended. Mr. Milazzo qualified the issue by stating that The Hills at Southampton hasn't submitted an application for the project. Ms. Zenk expressed her concerns about the Applicant's request for an extension and Mr. Milazzo noted that the Commission should and can accept the request from the Applicant.

The motion was made by Mr. Shea and seconded by Mr. McCormick to accept the Applicant's request for an open ended extension of the decision deadline for The Hills at Southampton Assertion of Jurisdiction. The motion was approved by a 5:0 vote.

Mr. Amper expressed his concerns that The Hills at Southampton Application was not submitted to the Commission and the application that was submitted to the Town was incomplete. Ms. Zenk expressed concerns about the Town's acceptance of The Hills application and review process for SEQRA.

The motion was made by Ms. Prusinowski and seconded by Ms. Lansdale to move into an Advisory Session and to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:30 pm.

Attachments (in order of discussion)

1. February 17, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Carolyn Zenk letter to the Commission related to the Hills at Southampton PDD, dated 2/17/16 (4 pages)
3. Carolyn Zenk Exhibit A, dated 2/17/16 (3 pages)
4. Carolyn Zenk Exhibit B, dated 2/17/16 (12 pages)
5. Draft Commission meeting Summary for January 20, 2016 (6 pages)
6. Final Scope for the Supplemental Draft Generic Environmental Impact Statement for the Proposed Amendments to Chapters 4, 5 and 6 of the CLUP, dated 2/11/16 (23 pages)
7. Christopher Nicolia, letter to the Commission related to Kent Animal Shelter and request for extension of decision deadline, dated 2/8/16 (1 page)
8. Draft Resolution of the Henry Dittmer Core Preservation Area Extraordinary Hardship Yaphank, Town of Brookhaven, dated 2/17/16 (6 pages)
9. Final Approved Draft Resolution of the Henry Dittmer Core Preservation Area Extraordinary Hardship Yaphank, Town of Brookhaven, dated 2/17/16 (6 pages)
10. Catherine Meade, letter to the Commission requesting extension of the decision deadline for the East End Christian Academy Core Hardship Waiver, dated 2/12/16 (1 page)
11. Wayne Bruyn, letter to the Commission related to The Hills at Southampton Mixed Use PDD, request for extending the timeline related to submittal of a complete application, dated 2/12/16 (3 pages)



**Pine Barrens Commission Meeting Summary
For Wednesday, March 16, 2016 (Final Approved-4/20/16)
Town of Southampton
116 Hampton Road
Southampton, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Schneiderman, Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Pavacic, Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen, Ms. Carter, Ms. Griffiths-Parrott and Ms. Sholl-Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:00 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments

b. Minutes for 2/17/16 review, approval

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the 2/17/16 meeting summary. The motion was approved by a 5:0 vote.**

2. Science and Stewardship

a. Wildfire Response, Forest Management, Prescribed Fire & Response Action Items

Summary: Ms. Jakobsen provided an update on the Community Wildfire Protection Plan (CWPP) including, a draft plan was received and a meeting will be held with the CWPP Team and the SWCA Consultant on March 23rd at 9:00 a.m. at Wertheim National Wildlife Refuge, comments will be taken and mitigation strategies will be discussed at the meeting. A formal presentation on the CWPP will be provided by the SWCA Consultant at the April Commission meeting and on April 21st a public meeting will be held at the Ridge Fire Department at 7:00 p.m. where another presentation on the CWPP will be provided.

b. Amendment to Ecological Services Contract fee schedule

Summary: Mr. Pavacic discussed the previously distributed Draft Resolution of the Commission to Amend Ecological Services Project Contract Fee Schedule (attached) and he noted that the change to moving to a per unit cost for field work would result in a 50% reduction on costs related to labor-intensive field activities at the Sarnoff Preserve and along Pleasure Drive.

The motion was made by Ms. Lansdale and seconded by Mr. Romaine to approve the Draft Resolution for the Ecological Service Contract fee schedule. The motion was approved by a 5:0 vote.

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
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- c. *Authorization to add an additional week to the Barrens to Bay Summer Day Camp*
Summary: Mr. Pavacic discussed the Commission's 2012 MOU with the US Fish and Wildlife Service and Wertheim National Wildlife Refuge to run the Barrens to Bay Six Week Summer Camp. He noted that the summer camp's popularity has made it necessary to establish a waiting list. He explained that today's Resolution is for the Commission to approve an additional week of camp in order to accommodate the attendees on the waiting list.

The motion was made by Ms. Gallagher and seconded by Mr. McCormick to approve the Draft Resolution of the Commission authorizing Additional Week During 2016 and future years in Cooperation with Wertheim National Wildlife Refuge (attached). The motion was approved by a 5:0 vote.

- d. *Education and Outreach*

Summary: Ms. Parrott discussed the previously distributed Education and Outreach Division March 2016 Update (attached) and reported that the Fourth Annual L.I. Natural History Conference is scheduled for March 18th and 19th at Brookhaven National Laboratory (BNL). Ms. Parrott discussed that the two day conference will include Mr. John Pavacic and Mr. John Wernet speaking on the topic of the Southern Pine Beetle and Ms. Maria Brown and Mr. Bruce Nash of Cold Spring Harbor DNA Laboratory will be presenting on the L.I. barcode DNA project and the success of the "A Day in the Life" partnership. She noted that Mr. Carl Safina is scheduled to be the Keynote Speaker on Saturday and he will discuss his current book, *Beyond Words, What Animals Think and Feel*.

Additional items that Ms. Parrott discussed included "A Day in the Life of the Carmans River & Peconic Estuary" scheduled for Friday, September 23rd and Friday, October 21st and the 9th Annual Discovery Day that is scheduled for Saturday, September 10th.

- e. *Science and Stewardship*

Summary: Ms. Carter distributed and discussed the Science and Stewardship Division Update for March 16th and she discussed items from the report including, the Commission's active role in the management of SPB, the NY State Department of Environmental Conservation (NYSDEC) Forest Health Unit uses the Incident Command System (ICS) operating structure and Ms. Carter noted that she is the Situation Unit Leader. She discussed activities such as SPB monitoring and ground surveying verifying SPB presence on public and private lands, pheromone trapping and using microscopes at Cornell Cooperative Extension in Riverhead to view the contents of the traps.

Additional items in the report that Ms. Carter discussed included, the Science and Stewardship Division participates in SPB suppression activities such as marking infested trees for cutting and planning is underway to train the public land managers in the management of the SPB infestation to connect land managers with the science and research related to SPB Management. Other initiatives the Stewardship Division is involved in include the collection of seeds for restoration of native pitch pine trees and scrub oak from trees that were recently dropped during SPB suppression efforts. She noted that the old buildings were demolished at the Ray Corwin Rocky Point to Yaphank Trailhead site. Ms. Carter discussed that she is working with Suffolk County Parks on ATV damage Mmtigation and that there are plans to install unobtrusive signs to deter illegal vehicles at key problem access points. The next LI Invasive Species Management meeting will be held on April 14th at the SCWA Training Facility in Coram.

Mr. Pavacic introduced the Commission staff to Mr. Schneiderman, since this was his first Commission meeting since being elected as the new Southampton Town Supervisor.

3. Planning & Land Use

a. Authorization of agreement with the Suffolk County Sheriff's Office to perform enforcement oversight in the Pine Barrens

Summary: Mr. Romaine expressed his concerns related to law enforcement in the Pine Barrens and he made the suggestion that the Commission should send a letter to the NY State Legislature requesting additional funding for the Commission's budget to hire law enforcement officers to work as Commission staff to patrol the Pine Barrens. Mr. Walter expressed his concerns related to the SC Parks Police being merged with the SC Police and the Commission's pending MOU with the SC Sheriff's Office that authorizes the Sheriff's Office to patrol the Pine Barrens.

Mr. Hynes discussed background information related to the establishment of the Commission's Law Enforcement Council (LEC) and he mentioned that the Pine Barrens is made up of public lands which fall under the jurisdiction of the three Towns and patrolling the area is a cooperative effort between multiple agencies. Other discussion points included, disbanding the SC Park Police has negatively impacted law enforcement in the Pine Barrens, the Commission's adopted Sense Resolution related to amending and strengthening the enforcement provisions in the LI Pine Barrens Protection Act and that when these provisions are adopted the Commission would be able to move forward with its own enforcement operation. Additional discussion was held pertaining to options for funding law enforcement in the Pine Barrens, the County Sheriff's Office is the agency with the capabilities needed to cover the Pine Barrens and the Sheriff's Office coverage of the Pine Barrens emergency hotline. The County Executive has asked the Commission to postpone voting on the Draft Resolution to authorize an MOU between the Commission and the Suffolk County Sheriff's Office.

The motion was made by Ms. Lansdale and seconded by Mr. Schneiderman to postpone voting on the attached Draft Resolution of the Commission to Authorize a Memorandum of Understanding with the Suffolk County Sheriff's Office to Serve as the Primary Entity Responsible for Law Enforcement within the Central Pine Barrens. The motion was approved by a 5:0 vote.

A meeting will be arranged between the SC Executive's Office, the Commission members and the SC Sheriff's Office to discuss the concerns of the County Executive related to the MOU between the County Sheriff's Office and the Commission before the next Commission meeting.

b. Compliance and Enforcement

Summary: Mr. Hynes discussed the previously distributed Compliance and Enforcement Division March 2016 update (attached) and he mentioned that there is increased illegal 4X4 activity in the Pine Barrens as well as illegal ATV and dumping activity. He discussed the recent incident where a NYSDEC ENCON Officer was hurt while chasing three ATV riders that were found near the PSEG power lines in Shoreham Wading River and that the three perpetrators were caught and are currently out on bail. He noted that the LEC has reported increased confrontations with perpetrators of illegal activities in the Pine Barrens.

Mr. Romaine expressed his concerns about illegal dumping and additional discussion points included, types of materials being dumped such as household

materials. It was noted by Mr. Hynes that the Town Waste Management Departments usually clean up the debris and that evidence found in the dumped materials sometimes lead to capture of the perpetrators. Mr. Hynes discussed that meetings are planned between the Commission staff and the eastend Court in April and then with the westend Courts to discuss managing violations in the Central Pine Barrens and the LEC has set up a Technology subcommittee to focus on surveillance using drones, cameras and other new technologies. He noted that staff continues to follow up with the Towns on open incidents and to perform conservation easement parcel site inspections. The next LEC meeting is scheduled for April 2^{1st} at Southaven Park.

Ms. Lansdale reported that the Suffolk County Executive's Office would fully support a letter to be written to the NY State Legislature to ask for additional funds for law enforcement in the Pine Barrens.

Mr. Milazzo then moved forward to Item 4b on the agenda to discuss the public hearing schedule for the Henry Dittmer Core Preservation Area Hardship Waiver. He noted that due to the Applicant's illness the Attorney for Mr. Dittmer, Mr. Scheyer, has asked for an adjournment. Mr. Scheyer requested a two month adjournment and a two month extension of the decision deadline.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to adjourn the Henry Dittmer Core Hardship Waiver public hearing until May and the decision deadline until June. The motion was approved by a 5:0 vote.

Project Review

Core Preservation Area

- 3f. Kent Animal Shelter Core Preservation Area Hardship Waiver / Calverton/site plan for redevelopment and expansion (SCTM#s: 600-138-1-6.2 and 7.1)

Summary: Mr. Milazzo explained that two public hearings were held on the Kent Animal Shelter Core Area Hardship Waiver and that a letter dated March 14, 2016 (attached) was received from Mr. Glenn Gruder, the Applicants Attorney that requested an extension of the decision deadline.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to accept the request for an extension of the decision deadline until the April Commission meeting. The motion was approved by a 5:0 vote.

Mr. Walter noted that he had a conversation with the Kent Animal Shelter Representative who is considering submitting a new plan that moves the shelter further back away from the Rrver and uses the Nitrex waste water treatment system. Mr. Milazzo stated that this proposal would be a modification to the existing Core Hardship Waiver or possibly require a new application and that he would contact Mr. Gruder, the owner's Representative.

4. Public Hearing

- a. Armand Gustave LLC Core Hardship Waiver / Manorville 6,000 square foot parcel with a single-family residence (SCTM#: 200-460-1-10)

Summary: A separate stenographic transcript exists for this hearing.

The motion was made by Mr. Walter and seconded by Mr. Romaine to close the hearing and leave the public comment period open for 60 days. The motion was approved by a 5:0 vote.

The Commission then returned to agenda Item 3c. Land Use update.

3c. Land Use update

Summary: Ms. Hargrave discussed the pending applications in the previously distributed Land Use Division Bi-Monthly Update for March 16, 2016 (attached). and she noted that all four projects are Core Preservation Area Hardship Waivers. She further noted that the Land Use Division continues to review referrals and inquiries from the Towns and that the Applicant for the East End Christian Academy was granted an extension of the decision deadline until the April 20th Commission meeting.

d. East End Christian Academy at Manorville Community Church Core Hardship Waiver / Manorville / development of a 15,000 square foot building for a K-12 Private school on 2.68 acre project site (SCTM#: 200-461-3-40)

Summary: Ms. Hargrave reported that a letter dated February 22nd was received at the Commission office from the Applicant for the East End Christian Academy (attached). In the letter, the Applicant discussed a proposal for the Academy to be allowed to use temporary classroom trailers on site while the Commission considers the Academy's Application for a permanent classroom structure. After a brief discussion, the Commission decided that the Applicant's request to install trailers on the site would fall under the Commission's jurisdiction and require a Core Preservation Hardship Waiver application.

The motion was made by Mr. Walter and seconded by Mr. Romaine that the proposal to install temporary trailers to use for classrooms on a non-emergency basis, and without temporal component, would constitute development under ECL Article 57 and would require a Core Area hardship wavier. The motion was approved by a 5:0 vote

e. 71 Lakeview Drive, Northampton Core Preservation Area Hardship Waiver application /Northampton / develop a single family dwelling on a 10,000 square foot parcel (SCTM# 900-163-2-27)

Summary: Ms. Hargrave discussed the new application for the 71 Lakeview Drive Core Hardship Waiver and noted that a public hearing needs to be scheduled.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale to schedule the 71 Lakeview Drive Core Hardship Application public hearing for the April 20th Commission meeting. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:45 pm.

Attachments (in order of discussion)

1. March 16, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission meeting Summary for February (4 pages)
3. Final Commission meeting Summary for February (4 pages)
4. Draft Resolution of the Commission to Amend Ecological Services Project Contract Fee Schedule, dated 3/16/16 (1 page)
5. Final Approved Resolution of the Commission to Amend Ecological Services Project Contract Fee Schedule, dated 3/16/16 (1 page)
6. Ecological Services Project Proposed amended Contract per Unit Fee Schedule, date 3/16/16 (1 page)

7. Draft Resolution of the Commission authorizing Additional Week During 2016 and future years in Cooperation with Wertheim National wildlife Refuge, dated 3/16/16 (1 page)
8. Final Approved Resolution of the Commission authorizing Additional Week During 2016 and future years in Cooperation with Wertheim National wildlife Refuge, dated 3/16/16 (1 page)
9. Education and Outreach Division March 2016 Update (4 pages)
7. Science and Stewardship Division Update for March 16th (2 pages)
8. Draft Resolution of the Commission to Authorize a Memorandum of Understanding with the Suffolk County Sheriff's Office to Serve as the Primary Entity Responsible for Law enforcement Within the Central Pine Barrens, dated 3/16/16 (1 page)
9. Compliance and Enforcement Division March 2016 (5 pages)
10. Letter dated March 14, 2016 from Mr. Glenn Gruder, Kent Animal Shelter Applicants Attorney, requesting an extension of the decision deadline.
11. Land Use Division Bi-Monthly Update for March 16, 2016 (1 page)
12. Letter from Catherine Meade, Representative of the East End Christian Academy, dated February 22, 2016, request for temporary use of trailers at the property site. (4 pages)
13. Armand Gustave Core preservation Area Hardship Waiver Staff Report dated March 16, 2016 (9 pages)
14. Site Plan for 71 Lakeview Drive, Northampton Core Preservation Area Hardship Waiver application /Northampton / develop a single0family dwelling on a 10,000 square foot parcel (SCTM# 900-163-2-27)



**Pine Barrens Commission Meeting Summary
For Wednesday, April 20, 2016 (Final – Approved 5/18/16)
Town of Brookhaven
One Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Schneiderman, Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

Others present: Commission and other agency staff members included Mr. Pavacic, Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen, and Ms. Sholl-Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:05 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: Mr. Richard Amper, Director of the L.I. Pine Barrens Society, discussed the status of The Hills at Southampton development project and he expressed his concerns that since the Commission made the decision to assert its jurisdiction over the project, there has been a delay in the submission of The Hills at Southampton application to the Commission. Mr. Shea stated that the Environmental Impact Statement (EIS) has been finalized for The Hills at Southampton and the Town will refer the EIS to the Commission. Additional concerns that Mr. Amper expressed related to the Kent Animal Shelter application which included that the project does not meet the requirements for approval, compelling public need was not established and the Commission should have denied the application instead of continuing to grant extensions.

Mr. Milazzo, Commission's Counsel noted Mr. Amper's concerns about the status of the Kent Animal Shelter application and he explained that the Commission has the right to approve extensions.

Mr. Romaine arrived at the meeting at 2:10 p.m.

Mr. Collins arrived at the meeting at 2:15 p.m.

b. Minutes for 3/16/16 review, approval

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Collins to approve the 3/16/16 meeting summary. The motion was approved by a 5:0 vote.**

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
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2. Science and Stewardship

- a. *Wildfire Response, Forest Management, Prescribed Fire & Response Action Items - Presentation on the Draft Community Wildfire Protection Plan for Ridge-Manorville-Calverton and SEQRA review to establish lead agency*
Summary: Ms. Jakobsen introduced Ms. Vicky Amato from SWCA Environmental Consultants and explained that Ms. Amato is present at today's meeting to provide a presentation on the Draft Ridge-Manorville-Calverton Community Wildfire Protection Plan. She also noted that a public meeting on the Draft Plan is scheduled to be held at the Ridge Fire Department on April 21st at 7:00 p.m. Ms. Jakobsen reported on the status of the CWPP including, the Commission's letter to coordinate for lead agency was mailed and the SEQRA coordination process has been initiated. The due date for comments to be received from the Commission and from the public on the Draft Plan is May 6th, the document will be revised accordingly and the time frame to complete the project is by the end of June.

Ms. Gallagher skipped to item 3b, Kent Animal Shelter, on the Commission agenda while the audio visual equipment was being prepared for Ms. Amato's presentation.

3. Land Use Project Review

- b. *Kent Animal Shelter Core Preservation Area Hardship Waiver Application / Calverton (SCTM#s; 600-138-1-6.2 and 7.1)*
Summary: **The motion was made by Mr. Walter and seconded by Mr. Collins to approve the extension of the decision deadline that was requested by the Kent Animal Shelter Applicant, until the June Commission meeting. The motion was approved by a 5:0 vote.**
- c. *East End Christian Academy at Manorville Community Church Core Preservation Area Hardship Waiver Application / Manorville / develop a 15,000 square foot building for a K-12 private school on 2.68 acres (SCTM#: 200-461-3-40)*
Summary: It was noted that the Applicant for the East End Christian Academy requested an extension until the May Commission meeting.

The motion was made by Ms. Gallagher and seconded by Ms. Lansdale to approve the extension of the decision deadline for the East End Christian Academy Core Hardship Application until the May 18th Commission meeting. The motion was approved by a 5:0 vote.

Pine Barrens Credit Program

- d. *NUTOP LLC Letter of Interpretation (LOI) Credit Appeal/ Calverton (SCTM#: 200-357-1-1.4)*
Summary: Mr. Milazzo explained that the Applicant for the NUTOP LLC, LOI Credit Appeal which is for a property located in Calverton is seeking an increase in their Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs.

The motion was made by Ms. Gallagher and seconded by Mr. Romaine to schedule the hearing for NUTOP LLC, LOI Credit Appeal for the June 15th Commission hearing. The motion was approved by a 5:0 vote.

Mr. Schneiderman arrived at the meeting at 2:25 p.m.

Ms. Gallagher returned to item 2a on the Commission agenda and the CWPP Presentation. Ms. Amato discussed the steps involved in creating a CWPP and she explained that a CWPP is a mechanism for a community to identify and address their wildfire risk and then take actions to protect life and property. A CWPP is developed through a collaborative process that is lead by a Core team. Ms. Amato explained that the Core team recommends actions to mitigate wildfire risks and after the plan has been developed the agency can move the CWPP forward for approval, environmental compliance and to seek funding for its projects. Ms. Amato discussed the three basic criteria for a CWPP including that a CWPP must be collaborative, must prioritize fuel reduction areas and it must include measures to reduce structural ignitability for homeowners.

The CWPP for the Pine Barrens identifies at risk areas and Ms. Amato explained that the Healthy Forest Restoration Act requires a community involvement component which gives a voice to the community as to where these fuel reduction projects should occur. She noted that areas with CWPPs are more likely to be considered first to receive federal funding for their projects over other areas without CWPPs. Ms. Amato displayed a land ownership map and she noted the partners involved in the CWPP for the Pine Barrens.

Ms. Amato explained that a large portion of the work related to the CWPP for the Pine Barrens was devoted to the Wildfire Risk and Hazard Assessment and that GIS technology was used to identify hot spots and the areas at highest risk for wildfire. The second part of the risk assessment involved a community level risk assessment that involved a tour of the CWPP areas. Ms. Amato discussed the negative findings of the community risk assessment such as the amount of residences that are adjacent to open space where potential ignitions can be high and areas where there is construction with wooden decks and fences that are connected to homes which can act as a fuse and lead a fire toward a house. She noted the conclusions of a homeowner survey found that the public is aware of the dangers of wildfire and that several factors such as the lack of time and clearing restrictions were indicated as reasons that prevent homeowners from mitigating their properties. After the last CWPP public meeting the consultant and the core team worked on plans for recommended projects such as those related to fuel reduction, structural ignitability, fire response capabilities and public outreach.

Ms. Amato discussed additional elements involved in a CWPP such as, prescribed burn plans, fire protection workshops for homeowners, individual home hazard assessments, the use of the Wildland Urban Interface (WUI) Code, firewise landscaping, community plans for larger areas and cleaning up debris on adjacent lands. She discussed issues related to the volunteer fire departments and funding for their firefighting equipment needs and robotic technologies that could potentially be used in fire fighting. Ms. Amato noted that the Draft Ridge-Manorville-Calverton Community Wildfire Protection Plan (attached) contains all of the information included in the presentation. Ms. Jakobsen discussed the types of mitigation homeowners can do that included, limbing up trees, trimming back tree canopies, maintaining green lawns, removing dead leaves and moving woodpiles away from the house. Ms. Jakobsen mentioned any removal of vegetation for properties in the CGA would have to occur in the area allowed to be cleared if the property was subject to clearing standards.

Ms. Gallagher returned to item 3a on the Commission agenda, Authorization of Agreement with the S.C. Sheriff's Office.

3a. Authorization of agreement with the Suffolk County Sheriff's Office to perform enforcement oversight in the Pine Barrens.

Summary: Ms. Gallagher discussed the previously distributed Draft Resolution of the Commission to Authorize a Memorandum of Understanding (MOU) with the Suffolk County Sheriff's Office to Serve as the Primary Entity Responsible for Law Enforcement within the Central Pine Barrens, dated April 20, 2016 (attached) and Ms. Lansdale requested that the MOU approval be tabled until the next Commission meeting. Mr. Romaine expressed his concerns about the Commission moving ahead with the MOU with the S.C. Sheriff's Office, without being approved first by the S.C. Legislature. The Commission plans to meet with the S.C. Executive's Office along with the Sheriff's Office to discuss the terms of the MOU.

The motion was made by Ms. Lansdale and seconded by Mr. Walter to table the approval of the MOU with the S.C. Sheriff's Office until the May Commission meeting. The motion was approved by a 5:0 vote.

Ms. Gallagher returned to item 2b, N.Y. Wildfire and Incident Management Academy First Quarter report.

2b. NYWIMA First Quarter Report

Summary: Mr. Pavacic distributed and discussed the NYWIMA Current Status and Review of 2015 Activities for 4/20/16 Commission Meeting (attached). Items from the report that Mr. Pavacic highlighted included, the March 25th NYWIMA S130/190 field day that provided hands on field training in wildfire behavior, the 18th Annual Fire Academy that operated between October 22nd through November 1st where the focus of the training was on the Incident Command System and three All-Hazard Incident Command System classes that were offered in conjunction with the N.Y. State Division of Homeland Security and Emergency Services (DHSES), in addition to other courses.

Mr. Pavacic noted that N.Y. State is a member of the Northeast Forest Fire Protection Compact in which all members agree to provide mutual aid to one another in actual wildfire responses and cooperate in various wildfire prevention, mitigation and training efforts. Mr. Pavacic mentioned that additional stand alone activities last year included the intensive five-day chain saw course that was conducted at the NY Air National Guard at Gabreski Airport in Westhampton Beach and he noted that the class emphasizes safety with a ratio of one instructor to every three students.

4. Public Hearing

a. Henry Dittmer Core Preservation Area Hardship Waiver Application (SCTM#:200-326-3-3)

Summary: Mr. Milazzo explained that the Applicant for the Henry Dittmer Core Area Hardship Waiver is in the process of trying to secure access to the property with a possible easement agreement. Mr. Scheyer the Applicant's Attorney is requesting an open ended extension for the time being and plans to withdraw the application if they are unable to obtain access to the property in the foreseeable future.

The motion was made by Ms. Gallagher and seconded by Mr. Schneiderman to adjourn the Henry Dittmer Core Area Hardship Waiver

Application for an indefinite period of time. The motion was approved by a 5:0 vote.

e. 71 Lakeview Drive, Northampton Core Preservation Area Hardship Waiver application /Northampton / develop a single family dwelling on a 10,000 square foot parcel (SCTM# 900-163-2-27)

Summary: A separate Stenographic transcript exists for this hearing.

The motion was made by Mr. Walter and seconded by Ms. Lansdale to close the hearing and leave the public comment period open for a period of 60 days. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale to move into Executive Session with no further business to be conducted and therefore the meeting was requested to be adjourned. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:50 pm.

Attachments (in order of discussion)

1. March 16, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission Meeting Summary for March (6 pages)
3. Final Commission Meeting Summary for March (6 pages)
4. Draft Ridge-Manorville-Calverton Community Wildfire Protection Plan, dated April 2016 (199 pages)
5. Draft Resolution of the Commission to Authorize a Memorandum of Understanding (MOU) with the Suffolk County Sheriff's Office to Serve as the Primary Entity Responsible for Law Enforcement within the Central Pine Barrens, dated April 20, 2016 (4 pages)
6. Request for extension of the decision deadline letter from Glen Gruder, Kent Animal Shelter Applicant's Representative, dated 4/14/16 (1 page)
7. NYWIMA Current Status and Review of 2015 Activities report for 4/20/16 (4 pages)
8. Draft Staff report for Henry Dittmer Core Preservation Area Extraordinary Hardship Waiver on SCTM # 200-326-3-3, dated April 20th (7 pages)
9. Draft Staff report, 71 Lakeview Drive Northampton Core Preservation Area Extraordinary Hardship Waiver for the Commission meeting of April 20th (7 pages)



**Pine Barrens Commission Meeting Summary
For Wednesday, May 18, 2016 (Final Approved 6/15/16)
Wertheim National Wildlife Refuge
Shirley, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Schneiderman, Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen, Ms. Carter, Ms. Parrott and Ms. Sholl-Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:05 p.m. with five members present, which constitutes a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Public Comment

Summary: Mr. Milazzo reported that the Henry Dittmer public hearing that was scheduled for today's meeting was cancelled.

b. Minutes for 4/20/16 review, approval

Summary: **The motion was made by Mr. Romaine and seconded by Mr. McCormick to approve the 4/20/16 meeting summary. The motion was approved by a 4:0 vote.**

c. Resolution to approve the Renewal of Commission Package, Auto and Excess Liability Insurance Policies.

Summary: Mr. Milazzo explained that the Commission's insurance policies need to be renewed and he noted that the Commission carries a business practices policy which covers the NY Wildfire and Incident Management Academy (NYWIMA), the Summer Camp at Wertheim National Wildlife Refuge, Commission meetings and coverage that provides protection for the Commission members. He explained that last year the Commission's insurance policy was extended for three months and that it expired in September. The Risk Manager at SCWA secured price quotes on insurance coverage that will expire in June, as was the case in previous years. Today's draft resolution authorizes Mr. Pavacic, Executive Director of the Commission, to finalize the purchase of insurance with the SCWA Risk Manager and to accept the coverage that will be effective on June 6, 2016.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to approve the Draft Resolution of the Commission Authorizing Renewal of the Commission's Package of Insurance Policies that includes, General Liability, Inland Marine, Automobile and Umbrella (Excess) Coverage's, and Directors and Officers (Errors and Omissions)

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
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Policy and Payment of Any Associated Premiums (attached). The motion was approved by a 4:0 vote.

2. Science and Stewardship

- a. *Wildfire Response, Forest Management, Prescribed Fire & Response Action Items - Presentation on the Draft Community Wildfire Protection Plan for Ridge-Manorville-Calverton and SEQRA review to establish lead agency*

Summary: Ms. Jakobsen reported that after the April Commission meeting, a CWPP public meeting was held at the Ridge Fire Department and 40 homeowners attended. She discussed that the changes made to the CWPP draft plan were based on comments received at the public meeting and from responses to a survey. The concerns that were expressed by the public related to several areas such as, reducing fuel loads on N.Y. State lands, the need for firebreaks, limited water supply, dead trees from the SPB infestation, green waste and dumping occurring on public property. Ms. Jakobsen discussed the next steps involved in finalizing the CWPP and having a final version ready for approval at the June 15th Commission meeting. After Commission approval, the final step would be to schedule an event with media coverage where the involved agencies would gather and sign the signatory page of the CWPP. Ms. Jakobsen noted that the Environmental Assessment Form Part 1 has been prepared and lead agency coordination letters sent out.

Ms. Lansdale and Mr. Freleng arrived at the meeting at 2:10 p.m.
Mr. Walter arrived at the meeting at 2:15 p.m.

- b. *Education and Outreach Division*

Summary: Ms. Parrott discussed the previously distributed Education and Outreach Division May 2016 update (attached) and she reported that over the last two months 460 students participated in outreach activities. She noted that she attended the Suffolk County Science Teachers Association of N.Y. State Conference (STANYS) where she made a presentation to 500 teachers. Ms. Parrott mentioned that preparations were underway for the 2016 summer camp at Wertheim National Wildlife Refuge which begins on June 27th and a seventh week has been added, extending this year's camp until August 19th.

Additional highlights from the report that Ms. Parrott discussed included plans for the 9th Annual Discovery Day scheduled for Saturday, September 10th from 10:00 a.m. – 4:00 p.m. and she noted that the “Day in the Life” programs will be testing seven Long Island rivers and new for this year, the Mill River. On May 24th from 3:30 p.m. - 6:30 p.m. at Brookhaven National Laboratory, a teacher training on ArcGIS Online for inquiry based projects is scheduled. On July 7th through the 11th at BNL an elementary and secondary teacher training is scheduled for implementing “A Day in the Life” outdoor learning into curriculums using Science, Technology, Engineering and Math (STEM).

- c. *Science and Stewardship Division*

Summary: Ms. Carter discussed the previously distributed Science and Stewardship Division Update, dated May 18th (attached). Items in the report that Ms. Carter highlighted included, Southern Pine Beetle (SPB) research and management, trapping and ground survey fieldwork. She circulated one sample of a jar containing Clerid and Southern Pine Beetles, noting that they were collected from pheromone-baited traps. Ms. Carter explained that the Clerid Beetle is a predator of the SPB and that the current strategy is to cut and leave trees that are infested with SPB. She also noted that the traps are monitored weekly and that the data collected will be submitted to a centralized SPB data repository, which will be available to research scientists. Ms. Carter mentioned

that on April 21st - 22nd she took a trip to the NYSDEC Forest Health Unit in Albany and she brought with her new equipment purchased with SPB grant funds to be calibrated for SPB fieldwork. On the trip Ms. Carter also visited the N.Y. State Tree Nursery where in the Fall native pitch pine tree seeds will be sent to produce seedlings for replanting.

Ms. Carter discussed other items from the report such as the two newly hired interns who will begin working at the Commission office on June 7th and will assist staff with other SPB-related activities. Ms. Carter attended a NYSDEC SPB Incident Command System (ICS) Planning section meeting and there are plans for a Civil Air Patrol (CAP) flyover mission with NYSDEC staff participating in the flight. Ms. Gallagher reported that the NYSDEC website was being updated with the latest SPB information.

3. Land Use Project Review

a. Compliance and Enforcement

Summary: Mr. Hynes discussed highlights from the previously distributed Summary of Compliance and Enforcement Incidents update for May 18th (attached). Mr. Hynes reported on the status of the farmland property in Manorville where there was an illegally installed ATV and dirt bike track and he noted that Commission and Town staff worked with the S.C. Tax Receiver's Office to revoke the owner's agricultural use tax exempt status. He explained that the property has been replanted to a tree nursery in the past six weeks

Additional points that Mr. Hynes discussed included, the 1-800 Pine Barrens hotline is being answered by the S.C. Sheriff's Office and that the Commission and Town staff are following up on the calls, the need for medical ATVs, the LEC Technology Subcommittee has a list of equipment to purchase and he noted that there are plans to install video cameras in the pine barrens. Mr. Hynes explained that there are ongoing problems related to illegal ATV and 4 X 4 activity which has included injuries to patrol Officers as well as the public. The next LEC meeting is scheduled for June 16th at Southaven County Park.

In response to the concerns expressed by Mr. Amper, Mr. Hynes noted that the Commission is aware of an illegally installed dirt bike track in Ridge and he is following up with the Town of Brookhaven on the violation. He noted that the S.C. Sheriff's Office apprehended three individuals on dirt bikes at the illegal track in Ridge and the Town is in the process of cleaning up the property.

b. Land Use Division

Summary: Ms. Hargrave discussed the previously distributed Land Use Division Bi-Monthly Update for the meeting of May 18, 2016 (attached). She reported on the status of pending applications that included, Armand Gustave, LLC Core Hardship Waiver, East End Christian Academy Core Hardship Waiver and the Trocchio Core Hardship Waiver Application and she noted that the Trocchio Applicant was informed to submit additional information for his application.

Project Review

Core Preservation Area

c. East End Christian Academy at Manorville Community Church Core Preservation Area Hardship Waiver Application

Summary: Ms. Hargrave discussed the Draft Resolution to deny the East End Christian Academy Core Preservation Area Compelling Public Need Hardship Waiver located in Manorville, Town of Brookhaven (attached).

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to approved the attached Draft Resolution to deny the East End Christian Academy at Manorville Community Church Core Preservation Area Hardship Wavier Application. The motion as approved by a 5:0 vote.

- d. The Meadows at Yaphank PDD CGA-DRS request for determination of jurisdiction for the installation of utilities in the Core Preservation Area / Yaphank SCTM# 200-552-1-1.3 and 3, 200-584-2-1.3 determination.

Summary: Ms. Hargrave distributed and discussed copies of the attached emails, dated April 7th and 8th from Brian Ferruggiari from AVR Realty, that pertained to information about the installation of utilities at the site of the Meadows at Yaphank Planned Development District (PDD). Ms. Hargrave explained that the project was approved by the Commission on December 21, 2011, construction at the site is underway and the Commission monitors the phases of the project for compliance with the conditions of the approval. She explained that one of the conditions relates to installation of utilities, clearing and the fire emergency access road. Ms. Hargrave noted that Mr. Ferruggiari requested the Commission to provide written comments to the Town Attorney related to the installation of a water line and Verizon and PSEGLI utilities. The Commission had a brief discussion concerning utilities in the Pine Barrens.

- e. Armand Gustave LLC Core Preservation Area Hardship Waiver Application / Manorville develop a 5,333 square feet of an unopened road (SCTM# 200-4601-10)
Summary: Mr. Milazzo discussed the status of the Armand Gustave LLC Core Area Hardship Application and he noted that a public hearing was held and the public comment period is closed after today. The S.C. Division of Real Estate Title Examiner reviewed the parcel and determined that the parcel was single and separate and the next step is for the Commission to make a decision on the project at the next Commission meeting.

- f. 71 Lakeview Drive, Northampton, Core Preservation Area Hardship Waiver Application Northampton Develop a 10,000 square foot parcel with a single-family residence (SCTM # 900-163-2-27)

Summary: Ms. Hargrave noted that a hearing was held at the May Commission meeting for the 71 Lakeview Drive Core Area Hardship Waiver Application. Questions were raised about the status of similar cases and Mr. Milazzo explained that information pertaining to other applications is available on the Commission's website and that the 71 Lakeview Drive project decision deadline is the June Commission meeting.

- g. Artist lake Plaza CGA-DRS demolition of existing building & owner no longer pursuing development project approved in 2011 (SCTM#s: 200-379-1-3.1, 5.1, and 12)

Summary: Ms. Hargrave discussed the previously distributed letter dated May 3, 2016 from Harris Beach Attorneys at Law that represents the Artist Lake Plaza Development by Poly-Jaz Realty, Breslin Realty Associates. She mentioned that the Commission approved the Artist Lake Plaza development project on July 20, 2011 and this letter was to inform the Commission that the existing building on the property was being demolished and that the 2011 approved project was no longer being pursued. The letter indicates that Poly-Jaz Realty and Breslin Realty Associates note that no legal documents, conservations easements and / or covenants and restriction were executed and / or recorded in connection with

the 2011 application. Any future development at the site may require Commission review.

4. Public Hearing (Cancelled)

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:15 pm.

Attachments (in order of discussion)

1. May 18, 2016 Commission Meeting Sign in Sheet (1 pages)
2. Draft Commission Meeting Summary for April (6 pages)
3. Final Commission Meeting Summary for April (6 pages)
4. Draft Resolution of the Commission Authorizing Renewal of the Commission' s Package of Insurance Policies that includes, General Liability, Inland Marine, Automobile and Umbrella (Excess) Coverage's, and Directors and Officers (Errors and Omissions) Policy and Payment of Any Associated Premiums, dated May 18th (1 page)
5. Final Approved Resolution of the Commission Authorizing Renewal of the Commission' s Package of Insurance Policies that includes, General Liability, Inland Marine, Automobile and Umbrella (Excess) Coverage's, and Directors and Officers (Errors and Omissions) Policy and Payment of Any Associated Premiums, dated May 18th (1 page)
6. Changes to the Final Draft Ridge-Manorville-Calverton Community Wildfire Protection Plan, dated May 2016 (11 pages)
7. Education and Outreach Division May 2016 update (2 pages)
8. Science and Stewardship Division Update, dated May 18, 2016 (2 pages)
9. Summary of Compliance and Enforcement Incidents update for May 18, 2016 (5 pages)
10. Land Use division Bi-Monthly Update for the Meeting of May 18, 2016 (1 page)
11. Draft Resolution to deny the East End Christian Academy Core Preservation Area Compelling Public Need Hardship Waiver Manorville, Town of Brookhaven, SCTM# 200-461-3-40, dated May 18th (12 pages)
12. Final Approved Resolution to deny the East End Christian Academy Core Preservation Area Compelling Public Need Hardship Waiver Manorville, Town of Brookhaven, SCTM# 200-461-3-40, dated May 18th (12 pages)
13. Copies of emails from Brian Ferruggiari pertaining to utilities lines installation at the Meadows at Yaphank property, dated April 6, and 7, 2016 (3 pages)
14. Letter with attachment, dated May 3, 2016 from Harris Beach Attorneys at Law Representative of the Artist Lake Plaza Development by Poly-Jazz Realty, Breslin Realty Associates (5 pages)
15. Draft Staff Report for the cancelled public hearing for the Henry Dittmer Core Preservation Area Hardship Waiver on SCTM# 200-529-5-36 Commission meeting of May 18, 2016 (9 pages)



Pine Barrens Commission Meeting Summary
For Wednesday, June 15, 2016 (Final – Approved 7/20/16)
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY
2:00 pm

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Schneiderman, Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:00 p.m. with five members present, which constitutes a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments. Ms. Gallagher welcomed Ms. Polly Weigand, the Commission's newly hired Ecologist and Ms. Celesse Vasquez who is one of two new interns participating in the Southern Pine Beetle (SPB) research and mitigation work. Ms. Gallagher noted that the Commission received a \$50,000 grant from the NYS Legislature for Southern Pine Beetle ground-truthing, surveillance and other monitoring work.

b. Minutes for 5/18/16 review, approval

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the 5/18/16 meeting summary. The motion was approved by a 5:0 vote.**

2. Science and Stewardship

a. Wildfire Response, Forest Management, Prescribed Fire & Response Action

Items – SEQRA determination of significance and Draft Resolution to accept the Final Ridge-Manorville-Calverton Community Wildfire Protection Plan

Summary: Ms. Jakobsen reported that she received the final version of the Ridge-Manorville-Calverton CWPP and noted that the SEQRA documents and draft resolution for the Commission to accept the final CWPP were distributed in the e-packet. Ms. Jakobsen explained that a signatory page will be included in the final CWPP that will be signed by all of the cooperating agencies and public land managers. A signing ceremony will be held at 4:00 pm on June 23rd at the Ridge Fire Department and there will be press coverage.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman for the Commission to adopt a negative declaration under SEQRA for the Ridge-Manorville-Calverton CWPP. The motion was approved by a 5:0 vote.

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Draft Resolution to Accept the Final Ridge-Manorville-Calverton Community Wildfire Protection Plan prepared by SWCA Environmental Consultants (attached). The motion was approved by a 5:0 vote.

3. Land Use Project Review

- a. Armand Gustave LLC Core Preservation Area Hardship Waiver Application/Manorville / Develop a 6,000 square foot parcel with a single-family residence and develop 5,333 square feet of an unopened road (SCTM#200-460-10-10)

Summary: Ms. Hargrave discussed the previously distributed Draft Resolution for the Armand Gustave, LLC Core Preservation Area Hardship Waiver, Manorville (attached) and she noted that the application was to develop a 6,000 square foot parcel.

The motion was made by Mr. Romaine and seconded by Mr. Freleng to adopt a negative declaration related to the Armand Gustave, LLC Core Area application. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Mr. Freleng to approve the Draft Resolution to deny the Armand Gustave, LLC Core Area Hardship Waiver application. The motion was approved by a 4:1 vote, with Riverhead Town opposed.

- b. Kent Animal Shelter Core Preservation Area Hardship Waiver application / animal shelter on 2.138 acres (SCTM#600-138-1-6.2 and 7.1)

Summary: Ms. Hargrave noted that in a letter dated June 8th the Kent Animal Shelter Applicant requested an extension of the decision deadline for their Core Area Hardship Waiver Application.

The motion was made by Mr. Walter and seconded by Mr. Romaine to approve the Kent Animal Shelter Applicant's request for a three month extension of the decision deadline until the September Commission meeting. The motion was approved by a 5:0 vote.

- c. Sunderland Property / Request to be added to Core Roadfront Exemption List/ Manorville (SCTM#200-460-1-11.1)

Summary: Ms. Hargrave discussed the Sunderland property which consists of a 2.2 acre parcel in Manorville and she noted that in a letter dated May 19th from Mr. Schneyer that the owner is requesting the Commission to add the parcels to the Core roadfront property residential parcel exemption list. Mr. Romaine suggested that Commission staff direct the property owner to make their request to the N.Y. State Legislature because the Commission does not have the authority to add to the parcel list. It was decided that Commission staff would send a letter to the property owner and suggest that they discuss this matter with their local N.Y State Representative. No action was taken on this item.

- d. Trocchio Core Preservation Area Hardship Waiver application / Manorville/ (SCTM# 200-460-1-19 & 20)

Summary: Ms. Hargrave reported that the Applicant submitted a Core Preservation Area Hardship Waiver application dated April 23rd and she explained that the application lacked information on how the project meets the criteria for a hardship waiver. Ms. Hargrave noted that the Applicant was contacted and asked to submit the required information and since most of the necessary information was included, a public hearing could be scheduled.

The motion was made by Mr. Romaine and seconded by Mr. Walter to schedule a public hearing for the Trocchio Core Area Hardship Waiver Application for the July 20th Commission meeting. The motion was approved by a 5:0 vote.

Ms. Lansdale arrived at the meeting at 2:20 p.m.

4. Pine Barrens Credit Program

- a. NUTOP LLC Letter of Interpretation Credit Appeal/ Calverton Request for an increase in PBC allocation from 1.15 PBCs to 5.72 PBCs (SCTM#.; 200-357-1-1.4)

Summary: Ms. Jakobsen explained that a request was received from the NUTOP Applicant to adjourn the public hearing scheduled for today and to reschedule it to the July Commission meeting.

The motion was made by Mr. Freleng and seconded by Mr. Romaine to reschedule the public hearing for the NUTOP LLC, LOI Credit appeal for the July 20th Commission meeting. The motion was approved by a 5:0 vote.

The motion was made by Mr. Walter and seconded by Mr. Romaine to move into Executive Session. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Mr. McCormick to end Executive Session and adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 2:45 pm.

Attachments (in order of discussion)

1. June 15, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission Meeting Summary for May (6 pages)
3. Final approved Commission Meeting summary for May (5 pages)
4. Final Ridge-Manorville-Calverton Community Wildfire Protection Plan
5. Draft Resolution to Accept the Final Ridge-Manorville-Calverton Community Wildfire Protection Plan prepared by SWCA Environmental Consultants, dated 6/15/16 (3 pages)
6. Final Approved Resolution to Accept the Final Ridge-Manorville-Calverton Community Wildfire Protection Plan prepared by SWCA Environmental Consultants, dated 6/15/16 (3 pages)
7. Final Ridge-Manorville-Calverton Community Wildfire Protection Plan, dated 6/16 (213 pages)
8. Ridge-Manorville-Calverton Community Wildfire Protection Plan Full Environmental Assessment Form, Parts 1, 2 and 3 for Ridge
9. May 19th letter from Mr. Schneyer request for parcel to be added to roadfront exemption list. (1 page)
10. Trocchio Parcel materials, staff letter to Mr. Schneyer dated May 5th a request for additional information and Trocchio Core Preservation Hardship Waiver Application submitted by Mr. Schneyer, dated April 20th (16 pages)
11. NUTOP, LLC. letter from Mr. Amaroso, Request for an adjournment, dated May 20th (1 page)



**Pine Barrens Commission Meeting Summary
For Wednesday, July 20, 2016 (Final-Approved)
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. McCormick (for Riverhead), Mr. Schneiderman, Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Mr. Hynes, Ms. Hargrave, Ms. Jakobsen, Ms. Carter and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:10 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: Mr. Richard Amper, Executive Director of the Long Island Pine Barrens Society expressed his concerns about The Hills at Southampton proposed project and the Commission's assertion of jurisdiction. His concerns included that a formal application has not been submitted for this project to the Commission, and that the Town has not accepted a Draft Environmental Impact Statement (DEIS). Mr. Amper further noted that the LIPBS submitted a formal letter to the Commission concerning the Society's dissatisfaction with the manner in which the Planned Development District (PPD) is being handled by the Town and the Pine Barrens Commission.

Mr. Amper also discussed that the NYS Legislature has approved three million dollars in Environmental Protection Funds to be used for SPB suppression work through grants available and he advised the Commission to inform local municipalities.

Ms. Carolyn Zenk, Attorney at Law and Vice President of Citizens for Clean Drinking Water Clean Air and Clean Bays (CLEAN) expressed her concerns about the status of The Hills at Southampton project and she distributed a handout with her written comments (attached). Ms. Zenk's comments included concerns with the PDD and The Hills project nitrogen impacts, the SEQRA process and the DEIS and the Commission's lack of involvement in the current SEQRA process. Ms. Zenk also submitted the attached Petition, signed by members of the community who are against The Hills project and urged the Commission to move forward with its review.

Additional members of the public that were present at today's meeting who expressed their concerns about The Hills project included, Karol Olsen, Andrea Spilka, Mary Ann Johnston and Susan Bailey.

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

b. Minutes for 6/15/16 review, approval

Summary: The motion was made by Ms. Gallagher and seconded by Mr. Romaine to approve the 6/15/16 meeting summary. The motion was approved by a 5:0 vote.

c. Draft Budget for 2016-2017 fiscal year and annual commission report for 2015-2016

Summary: Mr. Pavacic discussed the previously distributed materials related to the Commission's budget for fiscal year 2016-2017 including, a memo dated July 15, 2016, B-1 Expenditure Based Budget Summary and B-1 Expenditure Based Budget Comparison 4/1/13 to present, budget highlights report and the Commission Allocations State Fiscal Years 1996-97 through present worksheet. Mr. Pavacic explained that yearly reports must be submitted to the NYSDEC when the Commission's budget is ready for approval.

The motion was made by Mr. Romaine and seconded by Mr. McCormick to approve the Draft Resolution Approving Attachment B-1 Budget Plan for State Fiscal Year 2016-2017 Pursuant to Agreement C304989 with the New York State Department of Environmental Conservation (attached). The motion was approved by a 5:0 vote.

d. Amendment to Commission Bylaws

Summary: Ms. Gallagher suggested that item 1d, Amendment to Commission Bylaws should be postponed to the next meeting when all of the members are present, since Mr. Walter was not present at today's meeting. Mr. Pavacic discussed the previously distributed memo dated July 15th that included the 1994 Bylaws of the Central Pine Barrens Commission and a copy of the Bylaws with updates. Mr. Pavacic distributed a handout that included additional updates and a final version of the Bylaws and he explained that the updates to the Bylaws included those related to the chair's position, updates pertaining to the members and designated representative positions as well as changes related to the monthly Commission meeting occurrences, which in 1994 were scheduled twice monthly.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to defer action on the Amendment to the Commission Bylaws for the August 17th Commission meeting. The motion was approved by a 5:0 vote.

2. Science and Stewardship

a. Wildfire Response, Forest Management, Prescribed Fire & Response Action Items

Summary: Ms. Jakobsen distributed and discussed the Commission's Annual Report prepared by Commission staff. It was noted that the report should be released to the media and placed on the Commission website to make the public aware of the work and accomplishments of the Commission.

Additional points that Ms. Jakobsen discussed included, on June 23rd the participants who developed the CWPP signed the signatory page for the plan at a signing ceremony, she is writing a proposal to begin implementing CWPP strategies and she noted \$10,000 in funds are available for the CWPP implementation projects. Mr. Pavacic discussed the time frames and criteria for conducting prescribed burns and he mentioned that the Ecological Services Contractor has performed mechanical work that is necessary for a scheduled burn. The expectation is that if a prescribed fire is not conducted in the fall, the next burn would be scheduled for the spring.

b. NYWIMA July 2016 Report

Summary: Mr. Pavacic discussed the previously distributed NYWIMA July 2016 Report (attached) and he noted that the yearly report is required by the Commission's authorizing resolution. The report contains plans for the upcoming fall Academy that is scheduled from October 20th – October 30th and new courses are being offered as well as the brush truck training at the Suffolk County Fire Academy in Yaphank.

c. Education and Outreach

Summary: Mr. Pavacic discussed the previously distributed Education and Outreach Division June/July 2016 Update (attached) and he noted that the flyer for the Pine Barrens 9th Annual Discovery Day that will be distributed to the area schools was included in the report.

d. Science and Stewardship

Summary: Ms. Carter distributed and discussed the Science and Stewardship Division Update, dated July 20, 2016 and mentioned the names of three new Commission staff members including Polly Weigand, full time Ecologist, Sara Conway and Celesse Vazques, college students from Stony Brook who began a part time internship doing SPB work for the Commission on June 7th. Ms. Carter explained that the interns are being trained to perform field work, new equipment for the SPB response effort has been purchased using funds from the SPB grant and technical training was provided on June 14th by the NYSDEC Forest Health Unit. She noted traps have been placed in East Quogue, Hampton Bays and Eastport. The Cornell Cooperative extension in Riverhead has offered the use of their laboratory equipment and samples are being analyzed there from the traps. The SPB effort is being managed using the Incident Command Systems (ICS) and Ms. Carter, as a unit leader prepares regular reports for the ICS Situation Unit.

Other items from the report that Ms. Carter discussed included that there has been a gypsy moth outbreak in the areas of Middle Island, Ridge, Rocky Point and Manorville, on June 14th Commission staff and the Civil Air Patrol (CAP) conducted an aerial reconnaissance of ground conditions over the Pine Barrens region and she discussed progress with the Ray Corwin Rocky Point to Yaphank trail and associated ATV mitigation work for the trail.

Ms. Gallagher noted that the meeting will continue with the 3:00 p.m. public hearing for the Trocchio Core Preservation Area Hardship Waiver and that the NUTOP Applicant's request for an adjournment would be approved prior to opening the public hearing session.

e. NUTOP LLC Letter of Interpretation Credit Appeal/ Calverton / (SCTM #: 200-357-1-1.4) / Request for an increase in Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs

Summary: Mr. Milazzo explained that in a letter to the Commission, dated July 15th from Mr. Amoroso, the NUTOP Applicant's Representative (attached) requested an adjournment of the public hearing until the August 17th Commission meeting.

The motion was made by Mr. Schneiderman and seconded by Mr. McCormick to adjourn the NUTOP, LLC public hearing to the August 17th Commission meeting. The motion was approved by a 5:0 vote.

4. Public Hearing

Trocchio Core Preservation Area Hardship Waiver Application / Manorville / SCTM #s: 200-460-1-19 & 20 / Develop a 26,000 square foot project site with a single-family residence and develop 4,000 square feet of an unopened road

Summary: A separate stenographic transcript exists for this hearing.

The motion was made by Romaine and seconded by Mr. Schneiderman to continue the Trocchio Core Hardship public hearing at the August 17th Commission meeting. The motion was approved by a 5:0 vote.

The motion was made by Mr. Schneiderman and seconded by Mr. McCormick to extend the Trocchio Core Hardship decision deadline until the September 21st Commission meeting. The motion was approved by a 5:0 vote.

f. Draft resolution to purchase a ATV trailer for NYS Police using EBF monies

Summary: The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to approve the Draft Resolution for the Commission to Authorize the Purchase of a Trailer by the Law Enforcement Council (attached). The motion was approved by a 5:0 vote.

3. Land Use Planning & Land Use

a. Compliance and Enforcement Division: update

Summary: Mr. Hynes discussed highlights from the previously distributed Summary of Compliance and Enforcement Incidents update for July 20th including, the LEC report (attached) and information about the June 10th coordinated effort of the LEC with the NY State Forest Rangers and the NY Army National Guard that airlifted four abandoned vehicles found on N.Y. State property in the Pine Barrens. Mr. Hynes discussed the status of the LEC Technical Subcommittee and the purchase of cameras that will be installed in areas where illegal activities such as dumping, ATV and off road vehicle use are occurring.

b. Land Use Division: update

Summary: Ms. Hargrave discussed highlights from the previously distributed Land Use Division Bi-monthly update for July 20th and that there are two pending Dittmer applications and a new application, the PSEGLI West Bartlett Road Substation CGA Hardship Waiver.

Core Preservation Area Project Review

c. Henry Dittmer Core Preservation Area Hardship Waiver Application / Yaphank / SCTM #:200-529-5-36 / Develop a 4,000 square foot parcel with a single-family residence and develop 4,290 square feet of an unopened road

Summary: The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to accept the withdrawal of the Henry Dittmer Core Hardship Waiver on SCTM number 200-526-5-36. The motion was approved by a 5:0 vote.

d. 71 Lakeview Drive, Northampton, Core Preservation Area Hardship Waiver Application / Northampton / SCTM #: 900-163-2-27 / Develop a 10,000 square foot parcel with a single-family residence / decision deadline 7/20/16

Summary: The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to approve the Draft Resolution 71 Lakeview Drive, SCTM number 900-163-2-27 Core Preservation Area Hardship Waiver Northampton, Town of Southampton (attached). The motion was approved by a 5:0 vote.

Compatible Growth Area

f. PSEGLI West Bartlett Substation CGA Hardship Waiver Application / Middle island / SCTM#:200-527-5-3 / Develop a new electrical transmission substation on 3.9 Acres
Summary: Ms. Hargrave explained that a public hearing needs to be scheduled for the PSEGLI West Bartlett Substation CGA Hardship Waiver Application.

The motion was made by Mr. Romaine and seconded by Mr. McCormick to schedule the PSEGLI West Bartlett Substation CGA Waiver for the August 17th Commission meeting. The motion was approved by a 5:0 vote.

Mr. Sy Gruza, Attorney for PSEGLI which is the authorized agent for LIPA, explained that LIPA is seeking to build the West Bartlett substation.

At this point Ms. Gallagher interrupted for a moment to announce that SPB grant funds are now available for municipalities to apply for through the NYSDEC.

Mr. Bruce continued stating his concerns pertaining to the PSEGLI CGA Hardship Waiver application and the Commission's standards related to clearing and zoning and expressed his concern that the Applicant should be exempt from the clearing standard since the utility is not subject to local zoning. Mr. Romaine explained that Mr. Bruce should be presenting this information during the public hearing scheduled for August 17th. Mr. Milazzo explained the reasons related to the Commission's practice to apply the clearing standard using underlying zoning even for non entities that are not subject to zoning such as schools and libraries, even though those entities are exempt from local zoning. He noted that it is the right of the Applicant to request that the Commission deviate from its current practice of adhering to the Plan Standards of 1995. The Applicant was advised to write a letter containing the Applicant's concerns to the Commission Chair to circulate to the Commission members.

Mr. Milazzo mentioned that there were two last items for today's agenda including, a letter that was received from Mr. Scheyer related to the Sunderland Application and he noted he would review the contents of the letter with the Attorney. The last item was that the Commission was served with a lawsuit by Mr. Richard Scheyer on behalf of Armand Gustave and Peter Barron.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 2:45 pm.

Attachments (in order of discussion)

1. July 20th Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission Meeting Summary for June (3 pages)
3. CLEAN's presentation to the Central Pine Barrens Commission handout from Carolyn Zenk dated July 20, 2016 (19 pages)
4. Memo, to the Commission dated July 20th from Mr. Pavacic, Re: State Fiscal Year 2016-2017 CPB Commission Budget Overview & Highlights (1 page)
5. Central Pine Barrens Commission Allocations State Fiscal Years 1996-97 through Present (1 page)

6. Draft Resolution Approving Attachment B-1 Budget Plan for State Fiscal Year 2016-2017 Pursuant to Agreement C304989 with the New York State Department of Environmental Conservation, dated July 20, 2016 (1 page)
7. Final approved Resolution Approving Attachment B-1 Budget Plan for State Fiscal Year 2016-2017 Pursuant to Agreement C304989 with the New York State Department of Environmental Conservation, dated July 20, 2016 (1 page)
8. 2016-2017 Central Pine Barrens Commission Budget Highlights, dated July 20, 2016 (3 pages)
9. Attachment B-1 Expenditure Based Budget Summary (4 pages)
10. Attachment B-1 Expenditure Based Budget Comparison 4/1/13 to Present (1 page)
11. Bylaws of the Central Pine Barrens Joint Planning and Policy Commission Effective as of January 12, 1994
12. Memo to the Commission from Mr. Pavacic Re: Commission Bylaws, dated July 20, 2016 (1 page)
13. NYWIMA July 2016 Report (3 pages)
14. Education and Outreach Division June/July 2016 Update (2 pages)
15. Science and Stewardship Division Update, dated July 20th (6 pages)
16. Draft Resolution for the Commission to Authorize the Purchase of A Trailer by the Law Enforcement Council, dated July 20, 2016 (1 page)
17. Final approved Resolution for the Commission to Authorize the Purchase of A Trailer by the Law Enforcement Council, date July 20th (1 page)
18. Summary of Compliance and Enforcement Incidents Timeframe of Activity: July 20, 2016
19. Central Pine Barrens Joint Planning and Policy Commission Land Use Division Bi-Monthly Update for the Meeting of July 20, 2016 (1 page)
20. Draft Resolution 71 Lakeview Drive, SCTM #: 900-163-2-27 Core Preservation Area Hardship Waiver Northampton, Town of Southampton (9 pages)
21. Final approved Resolution 71 Lakeview Drive, SCTM #: 900-163-2-27 Core Preservation Area Hardship Waiver Northampton, Town of Southampton (9 pages)
22. Draft Resolution to Deny without Prejudice Henry Dittmer Core Preservation Area Hardship Waiver Application SCTM #: 200-529-5-36 Yaphank (1 page)
23. Final approved Resolution dated July 20, 2016 to Deny without Prejudice Henry Dittmer Core Preservation Area Hardship Waiver Application SCTM #: 200-529-5-36 Yaphank (1 page)
24. Richard Scheyer letter dated June 16, 2016 RE: Sunderland application SCTM #: 200-460-1-11.1 (1 page)
25. Michael Amoroso letter dated July 15, 2016 RE: NUTOP, LLC SCTM #: 200-857-1-1.004 (1 page)
26. Trocchio Core Preservation Area Hardship Waiver staff report dated July 20, 2016 (10 pages)
27. PSEGLI West Bartlett Sub-station Project Hardship Waiver application dated July 7, 2016 (52 pages)



**Pine Barrens Commission Meeting Summary
For Wednesday, August 17, 2016
Brookhaven Town Hall (Final-Approved 9/21/16)
1 Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Ms. Carrie Meek Gallagher (for New York State), Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Shea and Mr. Collins (for Southampton), Ms. Lansdale and Mr. Freleng (for Suffolk County)

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Ms. Hargrave, Ms. Jakobsen and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher, Commission Chairwoman, called the meeting to order at approximately 2:05 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments.

b. Minutes for 7/20/16 review, approval

Summary: **The motion was made by Ms. Prusinowski and seconded by Mr. McCormick to approve the 7/20/16 meeting summary. The motion was approved by a 5:0 vote.**

c. Amendment to Commission Bylaws:

Summary: Mr. Pavacic discussed the previously distributed 1994 Bylaws of the Central Pine Barrens Commission and a second copy with changes and updates. He provided background information on the origin of the 1994 Bylaws and the reasons for the current amendments that are being considered, including reestablishing a Commission Vice Chair position and a revision related to the meetings that are scheduled once a month.

The motion was made by Mr. Walter and seconded by Mr. Collins to approve the Draft Resolution Approving Amendments to the Bylaws of the Central Pine Barrens Joint Planning and Policy Commission (attached). The motion was approved by a 5:0 vote.

2. Science and Stewardship

a. Ridge-Manorville-Calverton CWPP implementation projects

Summary: Ms. Jakobsen discussed the status of the CWPP implementation projects and that homeowners that obtain a Wildfire Hazard Mitigation Home Assessment can be reimbursed for projects that they implement through part of a \$10,000 grant. The rest of the grant funds will be used to purchase items such as new fire danger rating signs, a brochure and a magnetized item that

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contains information on actions the public should take based on the fire danger rating.

b. *Proposed Commission and Town of Southampton Southern Pine Beetle Memorandum of Understanding*

Summary: Mr. Pavacic reported that since 2014, aside from the federal government, the Commission and the NYSDEC have been the main entities involved in Southern Pine Beetle (SPB) response. The Commission has been meeting with the municipalities to encourage their participation in SPB response activities. He noted that the Commission and Town of Southampton (TOS) staffs have met to discuss the various categories of Town owned properties and Southampton Town departments that could be involved in SPB management.

Additional points Mr. Pavacic discussed included, the Commission is taking the same approach as it took with S.C. Parks with the Town of Southampton in training, groundtruthing, trapping and monitoring. He noted that when the Town establishes a SPB task force and a point of contact, the Commission could assist the Town with procuring New York State SPB grant funding. Mr. Pavacic noted that the attached Town Board Resolution RES-2016-813 authorized the Southern Pine Beetle Memorandum of Understanding between the TOS and the Commission.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Draft Resolution of the Commission to authorize the MOU with the TOS for management of the SPB. The motion was approved by a 5:0 vote.

c. *Draft Resolution for the Commission to authorize the purchase of an All-Terrain Vehicle (ATV) by the Law Enforcement Council (LEC)*

Summary: Mr. Pavacic explained that in the past the Commission has approved the use of the Environmental Benefit Fund for the LEC to purchase equipment for law enforcement activities. He noted that the NYSDEC ENCON Police made a request for the LEC to purchase a new ATV for their use. Mr. Walter suggested looking at the N.Y. State Bid Vendors list for an ATV to purchase. It was noted that the LEC would explore the vendors list prior to making a final decision on the purchase.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Draft Resolution for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the LEC for the NYSDEC ENCON Police (attached). The motion was approved by a 5:0 vote.

**3. Land Use
Project Review**

Core Preservation Area

a. *Sunderland Property / Request for Determination of Jurisdiction / Manorville /*

Develop a 2.2 acre parcel with a single-family residence (SCTM#: 200-560-1-11.1)

Summary: Mr. Milazzo explained that the attached letter dated July 29, 2016 from Mr. Scheyer, Sunderland's Attorney, is a request for a determination of jurisdiction and for the Commission to deem the Sunderland project as non-development due to the Applicant's assertion that the property meets the criteria for a roadfront exemption. Mr. Milazzo provided background information and he noted that at the June Commission meeting the staff was asked to advise the property owner to direct their request to be added to the roadfront exemption parcel list to the N.Y. State Legislature. Mr. Milazzo

explained that the project is for a single-family residence, which is development, and he mentioned the property owner has other options such as submitting a Core Hardship Waiver application. Mr. Scheyer discussed examples of previous Commission decisions on a few earlier Core projects where the Commission had deemed them to be non-development and stated that the property descriptions were very similar to Sunderland's.

Mr. Milazzo explained that the Commission could not deem the Sunderland project non-development based on the status of other parcels that were added to the roadfront exemption list in 1995. He stated that since the Sunderland property was not on the roadfront exemption parcel list as of June 1995, the Commission could only make a decision based on the conditions of this Core area project that is a single family residence and the Applicant should submit a Core hardship waiver application. Mr. Milazzo further explained that Sunderland's property could only be added to the roadfront exemption parcel list as part of a CLUP amendment process. The decision was made to have Commission staff research the decisions in Mr. Scheyer's examples to determine if there is any pertinence to the Sunderland property and proposed project.

- b. Henry Dittmer Core Preservation Area Hardship Waiver Request to withdraw development project application (SCTM#200-529-5-36)

Summary: Ms. Hargrave discussed the attached letter dated July 29, 2016 from Mr. Scheyer, the Applicant's Representative requesting the withdrawal of the Dittmer Core hardship waiver and she noted that Mr. Scheyer stated in the letter that the Applicant will be applying for a tenth of a credit for the property instead.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale to approve the Applicant's request to withdraw the Dittmer Application pertaining to SCTM# 200-529-5-36. The motion was approved by a 5:0 vote.

- c. Joseph and Emily Trocchio / Antro Realty Corp. Request for Determination of Jurisdiction / Manorville/ Request for a two lot subdivision of a 42,777 square foot parcel with two pre-existing residence (SCTM#: 200-410-1-17)

Summary: Ms. Hargrave discussed the attached letter and survey from Ms. Diane Moje, dated June 23, 2016 and she explained that the Applicant is seeking to subdivide the property into two separate lots to have one existing house on each lot, from the current status of two existing houses on one lot. Ms. Hargrave explained that the request is consistent with at least one other prior Commission decision when the Commission deemed an application non-development based on similar lot and building configuration.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Trocchio Applicant's request that pursuant to the Pine Barrens Act the property consisting of two houses on one lot does not constitute development. The motion was approved by a 5:0 vote.

Compatible Growth Area

- d. The Meadows at Yaphank Clarification of Title Insurance Requirements for Conservation Easements

Summary: Mr. Milazzo discussed that as part of the agreement with The Meadows at Yaphank Applicant the Commission approved the project with the requirement that 118 acres of the developed site would be protected under a conservation easement with title insurance. He explained that the

Commission typically requires \$100,000 in title insurance for each Credit that would have been received and the title insurance protects against impingements on the value of the conservation easement. A discussion ensued about the value of the property, retaining an appraiser to determine the value of the property and the purpose of the title insurance. It was decided that the Commission should retain an appraiser to perform an appraisal of the conservation easement covering the 118 acres of property at The Meadows at Yaphank project and to also contact Suffolk County Department of Real Estate and the applicant would pay the cost of the appraisal.

A motion was made by Mr. Romaine to retain an appraiser. However, the resolution was not made final until the discussion is continued at the September Commission meeting.

At 2:45 p.m. Ms. Gallagher called for a short recess before the 3:00 p.m. public hearings.

4. Public Hearing

- a. *Trocchio Core Preservation Area Hardship Waiver Application / Manorville/ Develop a 26,000 Square foot project site with a single family residence and develop 4,000 square feet of an unopened road (SCTM#:200-460-1-19 & 20)*

Summary: A separate stenographic transcript exists for this hearing.

The motion was made by Mr. Romaine and seconded by Mr. Walter to close the Trocchio Core hardship waiver public hearing. The motion was approved by a 5:0 vote.

- b. *PSEGLI West Bartlett Substation CGA Hardship Waiver Application / Middle island / SCTM#: 200-527-5-3 / Develop a new electrical transmission substation on 3.9 Acres*

Summary: A separate stenographic transcript exists for this hearing.

The motion was made by Mr. Walter and seconded by Mr. Romaine to close the hearing and leave the record open for written comments for a period of 10 days. The motion was approved by a 5:0 vote.

- c. *NUTOP LLC Letter of Interpretation Credit Appeal / Calverton / Request for an increase in Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs.*

Summary: A separate stenographic transcript exists for this hearing.

The motion was made by Mr. Romaine and seconded by Mr. Walter to close the hearing and place the NUTOP Credit Appeal on the Commission agenda in September for a discussion.

The motion was made by Mr. Romaine and seconded by Ms. Lansdale to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 5:00 pm.

Attachments (in order of discussion)

1. August Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission meeting summary for August (4 pages)
3. Final Adopted Resolution Approving amendments to the Bylaws of the Commission, dated August 17, 2016 (3 pages)
4. Memo to the Commission from the Executive Director regarding Commission Bylaws, dated August 11, 2016 (1 page)

5. Draft Resolution approving amendments to the Bylaws of the Commission, dated August 11, 2016 (1 page)
6. Final Adopted Resolution of the Commission to Authorize a Memorandum of Understanding with the Town of Southampton for the Management of the Southern Pine Beetle, dated August 17, 2016 (2 pages)
7. Memorandum of Understanding Between The Commission and Town of Southampton Pertaining to Southern Pine Beetle Response and Management (8 pages)
8. Draft Resolution of the Commission to Authorize a Memorandum Of Understanding with the Town of Southampton for the Management of Southern Pine Beetle (2 pages)
9. Final Approved Resolution of the Commission to Authorize a Memorandum of Understanding with the Town of Southampton for the Management of Southern Pine Beetle, dated August 17, 2016 (2 pages)
10. Draft Resolution for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the law Enforcement Council for the New York State Environmental Conservation Police, dated August 17, 2016 (1 page)
11. Final Approved Resolution for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the law Enforcement Council for the New York State Environmental Conservation Police, dated August 17, 2016 (1 page)
12. Letter dated July 29, 2016 from Mr. Richard Scheyer, Sunderland's request for a determination of jurisdiction (1 page)
13. Letter dated July 29, 2016 from Mr. Richard Scheyer regarding Dittmer application Yaphank SCTMs# 200-529-5-36 (3 pages)
14. Letter and copy of survey, from Ms. Diane Moje dated June 23, 2016 regarding SCTM# 200-410-1-17 (4 pages)
15. Letter from Mr. Sy Gruza dated July 28, 2016 regarding LIPA West Bartlett Road Substation CGA, SCTM# 200-527-5-3 (4 pages)
16. Draft Commission staff report pertaining to PSEGLI West Bartlett Substation CGA Hardship Waiver application, dated August 17, 2016 (10 pages)
17. Letter from Mr. Michael Amoroso, dated March 31, 2016 regarding NUTOP LLC Letter of Interpretation Application SCTM# 200-356-1-1.004 (10 pages)
18. NUTOP LLC Public Hearing Staff Comments, dated August 17, 2016 (3 pages)



Pine Barrens Commission Meeting Summary
For Wednesday, September 21, 2016 (Final-Approved 10/29/16)
Southampton Town Hall
116 Hampton Road
Southampton, NY
2:00 pm

Commission members present: Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Shea (for Southampton), Ms. Lansdale (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Ms. Hargrave, Ms. Jakobsen, Ms. Carter, Ms. Weigand, Ms. Parrott, Mr. Tverdy and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Mr. Pavacic called the meeting to order at approximately 2:10 p.m. with three members present, which does not constitute a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments.

2. Science and Stewardship

a. Education and Outreach Division

Summary: Ms. Parrott discussed the previously distributed Education and Outreach Division September 2016 update and she highlighted items from the report such as the Barrens to Bay Summer Camp at Wertheim National Wildlife Refuge was very successful with 90% of the previous campers returning again this year, over 500 attendees visited the 9th Annual Pine Barrens Discovery Day that was held on September 10th with new fun-shops this year including Ocearch Sharks of Long Island, a Firewise bingo funshop led by Ms. Judy Jakobsen, and two walks that were led by Mr. John Turner and Mr. Tom Casey as well as new exhibits and other new activities. Ms. Parrott thanked Supervisor Romaine for attending the event and for his support. Additional items from the Education and Outreach report that Ms. Parrott discussed included, the "A Day in the Life" program that begins on Friday, September 23rd at the Carmans River and it is the first of four aquatic ecosystems that are being monitored this year. She noted that Mr. Romaine plans to visit the Carmans River test locations.

b. Science and Stewardship Division

Summary: Ms. Weigand distributed and discussed the Science and Stewardship Division Update for September 21st and she explained that she has been working on familiarizing herself with the details of SPB suppression management. Items from the report that Ms. Weigand highlighted included, the federally mandated collection and banking of pitch pine seeds for future restoration of pitch pines, the Towns and S.C. Parks are applying for grant funds for SPB suppression and management activities and SPB trapping and monitoring of the SPB life cycle and affects of the Clerid beetle on SPB are ongoing activities. The two interns that were hired for SPB survey work returned to Stony Brook in August and staff is

624 Old Riverhead Road
Westhampton Beach, NY 11978

Phone (631) 288-1079
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currently interviewing to hire 3 new interns to continue the survey work. Ms. Weigand noted the Southern Pine Beetle in the Northeast Research and Management Forum is scheduled for March 8th and 9th in 2017 at Brookhaven National Laboratory and that to further her own professional development she will be participating in training in areas of Firefighter Type 1 Training and RX 301 Prescribed Fire Plan Implementation at this year's fall Fire Academy.

Ms. Carter reported on other Science and Stewardship Division topics that included, the N.Y. State Department of Environmental Conservation (NYSDEC) continues its periodic aerial forest health surveys, the multi-agency SPB response effort is managed through ICS, the Town of Southampton and Commission Southern Pine Beetle MOU, forest health issues such as, gypsy moth, drought and oak wilt and the Civil Air Patrol (CAP) media flyover on August 10th. Other topics that Ms. Carter reported on included, the renewal of the Commission's MOU with CAP, the Long Island Green Belt Trail Conference blazed the northerly portion of the Ray Corwin Rocky Point to Yaphank Trail and boundary signs have been erected by S.C. Parks to address severe encroachments along the trail route. The Protected Lands Council met on September 13th and the meeting was well attended.

Mr. Romaine and Ms. Lansdale arrived at 2:20 p.m. to the meeting. Mr. Pavacic noted that with the arrival of Mr. Romaine and Ms. Lansdale the meeting has met the requirements for a quorum.

The motion was made by Mr. Walter and seconded by Mr. Romaine to select Mr. Pavacic to be the temporary chair of today's meeting. The motion was approved by a 5:0 vote.

1b. Minutes for 8/17/16 review, approval

Summary: The motion was made by Mr. Walter and seconded by Mr. Romaine to approve the 8/17/16 meeting summary. The motion was approved by a 5:0 vote.

3. Land Use

a. Compliance and Enforcement Division

Summary: Mr. Hynes discussed items from the previously distributed Compliance and Enforcement Division update for September 21, 2016. Items from the report that Mr. Hynes highlighted included, Brookhaven Town Department of Environmental Protection has been coordinating with Commission staff on enforcement issues such as illegal clearing, encroachments, dumping and illegal vehicle activity. The Town has been actively issuing violations, stop orders and summonses and a discussion ensued about two new encroachments onto land owned by Suffolk County Parks in Middle Island and Yaphank. Mr. Romaine noted that the Town Attorney has issued summonses for those violations. Mr. Pavacic noted that staff assisted S.C. Parks with posting boundary signs. Mr. Hynes mentioned that the Law Enforcement Technology subcommittee is planning the installation of cameras in areas where these encroachment and illegal activities have been occurring. The next LEC meeting is at Southaven County Park Headquarters at 1:00 pm on September 22nd. Mr. Romaine expressed his concerns that there should be an official law enforcement agency responsible to patrol the Central Pine Barrens.

b. Land Use Division

Summary: Ms. Hargrave discussed items from the previously distributed Land Use Division report for September 21st that included, the deadline status of the Henry Dittmer Core Area hardship waiver, PSEGLI West Bartlett Road Substation CGA

Hardship Waiver that has a decision deadline in November and is on today's agenda. Also on today's agenda is the Sunderland Core Roadfront Exemption, the Trocchio Core Area Hardship Waiver and the Kent Animal Shelter.

Project Review

Core Preservation Area

- c. Kent Animal Shelter Core Preservation Area Hardship Waiver application / Calverton / expand and redevelop an existing animal shelter on 2.138 acres (SCTM#: 600-238-1-6.2 and 7.1)

Summary: Mr. Pavacic explained that a letter dated September 8th was received from Mr. Glen Gruder, Kent Animal Shelter Applicant's Representative requesting an extension of the decision deadline until December.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve an extension of the Kent Animal Shelter decision deadline to the December 21st Commission meeting. The motion was approved by a 5:0 vote.

- d. Trocchio Core Preservation Area Hardship Waiver application / Manorville Develop a 26,000 square foot project site with a single-family residence and develop 4,000 square feet of an unopened road (SCTM#: 200-460-1-19 & 20)

Summary: Ms. Hargrave reported that the Trocchio Core Preservation Area Hardship Waiver includes a 26,000 square foot project site in the Core Preservation Area and a 4,000 square foot road area on the east side of Schultz Road in Manorville and that the two parcels are being merged. She noted that the Applicant was notified in writing that he did not address the hardship criteria of Article 57. The public hearing was held on July 20th, the deadline for additional information to be submitted and for the hearing to be closed was by August 17th. Ms. Hargrave discussed two previous applications that are similar to this one which were denied by the Commission which were in close proximity to this project site, the IGHIL development project that was denied in 2001 and the Gustave application. Ms. Hargrave noted that there were three minor changes to the previously distributed draft resolution and an updated version was distributed. Mr. Walter expressed his concerns pertaining to the draft resolution and wording used in a "whereas" clause on page seven that was a direct quote from Mr. Scheyer, the Applicant's Attorney and he stated that it should be replaced with language that cites the record instead. After further discussion it was decided that the Attorney's quote would be replaced with language that cites the record.

The motion was made by Mr. Shea and seconded by Mr. Romaine to approve the revised Draft Resolution Trocchio Core Preservation Area Hardship Waiver Manorville, Town of Brookhaven, SCTM#s 200-460-1-19 and 20, dated September 21, 2016 (attached). The motion was approved by a 5:0 vote.

- e. Sunderland (SCTM#: 200-460-1-11.1)

Summary: Ms. Hargrave discussed the previously distributed letter dated August 24th from Mr. Scheyer that requested a hearing for the Sunderland property for a determination of jurisdiction and the summary report prepared by Ms. Hargrave on prior matters raised by Mr. Scheyer on August 17, 2016 (attached). On August 17th Mr. Scheyer provided examples of prior development projects that were approved by the Commission that he claimed were similar in circumstances to the Sunderland application and were precedent setting. He was requesting this application to be determined non development and the

parcel entered onto the roadfront exemption list. Ms. Hargrave explained that the two cases Mr. Scheyer mentioned at the August meeting, the matter of Waltel and the matter of Jensen were both in 1998 and were subdivisions approved by the Town of Brookhaven prior to the Pine Barrens Act. Mr. Milazzo recommended that no action be taken since the Applicant was asked to submit a Core Hardship application at the last meeting which has not been submitted.

Compatible Growth Area

- f. PSEGLI West Bartlett Substation CGA Hardship Waiver Application to develop a new electrical transmission substation and associated distribution upgrades on a 3.9 acre project site (SCTM#: 200-527-5-3)

Summary: Ms. Hargrave discussed the previously distributed Draft Resolution CGA Hardship Waiver Application of PSEGLI West Bartlett Substation Middle Island, Town of Brookhaven SCTM# 200-527-5-3 (attached) and she noted that the waiver was for clearing. The site plan illustrates a total of 53 percent of the site would be permanently cleared, 47 percent will remain wooded and 35 percent will be revegetated by the Applicant. Ms. Hargrave explained that there were other projects that were similar to this one that the Commission previously approved such as, the Riverhead Central School District Bus Depot and Longwood Library. She explained that the PSEGLI draft resolution included a change that an uncoordinated review was performed under SEQRA rather than the initially contemplated lead agency coordinated review. Mr. Milazzo explained that since the PSEGLI project is highly technical the Commission staff recommended that an uncoordinated review should be performed for this project.

The motion was made by Mr. Romaine and seconded by Mr. Shea to approve the Draft Resolution for PSEGLI West Bartlett Substation. The motion was approved by a 5:0 vote.

- g. The Meadows at Yaphank PDD CGA-DRS/Conservation Easement Title Insurance amount

Summary: Mr. Pavacic distributed three documents including, the Draft Resolution Adopting the Town of Brookhaven Conservation Easement Title Insurance Schedule for The Meadows at Yaphank Planned Development District, the Draft Resolution Authorizing the Executive Director to Sign and Execute All Conservation Easements and the Town of Brookhaven Conservation Easement Title Insurance Schedule (attached). Mr. Milazzo explained that at the last Commission meeting a discussion was held on the amount of title insurance the Commission should require for conservation easement areas at the Meadows at Yaphank. He discussed background information related to determining the amount of title insurance for the areas that will be protected by conservation easements at the Meadows at Yaphank project site.

Mr. Milazzo discussed points such as, the Meadows at Yaphank PDD title report for the property indicates there is a clear title, Brookhaven Town uses a sliding fee schedule for projects in connection with conservation easements, and for the logistical reasons why it is best for the Executive Director to sign the conservation easements.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Draft Resolution Authorizing the Executive Director to Sign and Execute All Conservation Easements. The motion was approved by a 5:0 vote.

Mr. Milazzo provided examples of formulas that can be used to determine the amount of title insurance to require and the decision was made to require \$500,000 or the minimum regulatory amount required by the NY State Insurance Department for the total conservation easement area of 118.04 acres.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the amended Draft Resolution Adopting the Town of Brookhaven Conservation Easement Title Insurance Schedule for The Meadows at Yaphank Planned Development district, dated September 21, 2016. The motion was approved by a 5:0 vote.

Mr. Amper expressed his concerns related to the Commission's decision to grant the Kent Animal Shelter Applicant's request for an extension of their decision deadline and its relationship to the Commission avoiding future default decisions.

4. Pine Barrens Credit Program

- a. NUTOP LLC Letter of Interpretation Credit Appeal / Calverton / Request for an increase in Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs.

Summary: The attached letter dated September 14, 2016 was received at the Commission office from the NUTOP Applicant that requests an adjournment until the October 19th Commission meeting.

The motion was made by Mr. Romaine and seconded by Mr. Shea to approve an extension of the NUTOP Credit Appeal decision deadline until the October Commission meeting. The motion was approved by a 5:0 vote.

Mr. Pavacic returned to item 1c on the Commission Agenda, the renewal of the Commission's insurance.

- 1c. Renewal of Errors & Omissions Insurance

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Shea to approve the Draft Resolution of the Commission Authorizing Renewal of the Commission's Errors and Omissions (Directors and Officers) Policy and Payment of any Associated Premiums, dated September 21, 2016 (attached). The motion was approved by a 5:0 vote.**

- b. Pine Barrens Credit Program

Summary: Mr. Tverdy discussed the previously distributed September, 2016 Pine Barrens Credit Clearinghouse Report (attached) and items that were highlighted included program statistics for 2015 and 2016, in 2015 140 parcels were enrolled in the Credit program and there were three parcels enrolled in 2016, from Enchanted Forest, there were 52 Credits generated in 2015 and there were 0.71, in 2016. Approximately nine Credits were redeemed in 2015 and 52 Credits were redeemed in 2016, most of them were from Brookhaven Town. Mr. Tverdy also reviewed the S.C. Comptroller's Office Pine Barrens Credit Program financial report and he noted that the balance in the account as of August 31st totaled \$2,512,064.06.

The motion was made by Mr. Romaine and seconded by Mr. Walter to adjourn the meeting. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:20 pm.

Attachments (in order of discussion)

1. September 21st Commission Meeting Sign in Sheet (1 pages).
2. Education and Outreach Division September 2016 update (3 pages)
3. Science and Stewardship Division Update for September 21, 2016 (4 pages)
4. Draft Commission meeting summary for September 21, 2016 (6 pages)
5. Compliance and Enforcement Division update for September 21, 2016 (7 pages)
6. Land Use Division update for September 21, 2016 (1 page)
7. Letter dated September 8, 2016 from Mr. Glen Gruder, Kent Animal Shelter Applicant's Representative Re: requesting an extension of the decision deadline (1 page)
8. Draft Resolution Trocchio Core Preservation Area Hardship Waiver Manorville, Town of Brookhaven, SCTM#s 200-460-1-19 and 20, dated September 21, 2016 (9 pages)
9. Final Revised Approved Resolution Trocchio Core Preservation Area Hardship Waiver Manorville, Town of Brookhaven, SCTM#s 200-460-1-19 and 20, dated September 21, 2016 (9 pages)
10. Letter dated August 24, 2016 from Mr. Scheyer, Re: requested a hearing for the Sunderland Application (1 page)
11. Sunderland, SCTM# 200-460-1-11.1 Research for the Commission Meeting of September 21, 2016 on Prior Matters raised by Mr. Scheyer on August 17, 2016 summary prepared by Ms. Hargrave (4 pages)
12. Draft Resolution CGA Hardship Waiver Application of PSEGLI West Bartlett Substation Middle Island, Town of Brookhaven SCTM# 200-527-5-3, dated 9/21/16 (9 pages)
13. Final Approved Resolution CGA Hardship Waiver Application of PSEGLI West Bartlett Substation Middle Island, Town of Brookhaven SCTM# 200-527-5-3, dated 9/21/16 (9 pages)
14. Draft Resolution Adopting the Town of Brookhaven Conservation Easement Title Insurance Schedule for The Meadows at Yaphank Planned Development District, dated 9/21/16 (2 pages)
15. Final Approved Resolution Adopting the Town of Brookhaven Conservation Easement Title Insurance Schedule for The Meadows at Yaphank Planned Development District, dated 9/21/16 (2 pages)
16. Draft Resolution Authorizing the Executive Director to Sign and Execute All Conservation Easements, dated 9/21/16 (1 page)
17. Final Approved Resolution Authorizing the Executive Director to Sign and Execute All Conservation Easements, dated 9/21/16 (1 page)
18. The Town of Brookhaven Conservation Easement Title Insurance Schedule (1 page)
19. Letter dated September 14, 2016 from the NUTOP Applicant Re: request for an adjournment (1 page)
20. Draft Resolution of the Commission Authorizing Renewal of the Commission's Errors and Omissions (Directors and Officers) Policy and Payment of any Associated Premiums, dated September 21, 2016 (1 page)
21. Final Approved Resolution of the Commission Authorizing Renewal of the Commission's Errors and Omissions (Directors and Officers) Policy and Payment of any Associated Premiums, dated September 21, 2016 (1 page)
22. September 21, 2016 Pine Barrens Credit Clearinghouse Report (3 pages)



**Pine Barrens Commission Meeting Summary
For Wednesday, October 19, 2016 (Final-Approved 11/16/16)
Brookhaven Town Hall
One Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Collins and Mr. Shea (for Southampton), Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Ms. Hargrave, Ms. Jakobsen, and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher called the meeting to order at approximately 2:05 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments.

b. Minutes for 9/21/16 review, approval

Summary: **The motion was made by Ms. Prusinowski and seconded by Mr. Freleng to approve the 9/21/16 meeting summary. The motion was approved by a 5:0 vote.**

Ms. Gallagher skipped to item 2b, Ecological Services Project while audio visual equipment was set up for Item 1c, Commission website overview presentation.

2. Science and Stewardship

b. Ecological Services Project

Summary: Mr. Pavacic discussed the previously distributed handout Draft Resolution of the Commission to Authorize and Undertake the 2nd Phase Entailing Work on Subunits 4-8 of the Ecological Services Project for the NYSDEC Sarnoff Pine Barrens Preserve / Suffolk County Pleasure Drive Property Complex, dated October 19, 2016 and Map, Barriers and Gates at Sarnoff Preserve (attached). He mentioned that Mr. Will Bowman from Land Use Ecological Services was present to explain details related to the second phase of the work at the Sarnoff Preserve.

Mr. Bowman mentioned that on November 18, 2015 the Commission authorized the mechanical work for Subunits 1 through 3 and he discussed the current request for the Commission to authorize the mechanical and prescribed fire work for Subunits 4 through 8 and that due to safety concerns for private properties the original plans for Subunits 4 through 8 were revised. The location of the fire suppression access road was shifted 75 feet westward. He explained that there are twenty-five acres to the east of the property line that will receive mechanical treatment and he noted that the mechanical work at subunits 1 through 3 was complete. He explained that the barrier and gates map illustrates where existing barriers will be replaced with gates that can be opened and closed.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

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Road
Westhampton Beach,
NY 11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

Additional points that Mr. Bowman discussed included that the fire districts and fire chiefs support the plans for additional access roads for the fire departments, debris consisting primarily of yard waste has accumulated in the areas to be treated and that the debris requires mitigation. The NY State Department of Environmental Conservation (NYSDEC) was contacted to assist in the removal of the debris and Ms. Gallagher mentioned that the NYSDEC has a long term plan for removing the material. A discussion ensued pertaining to methods used and a time frame for removing the debris, concerns pertaining to areas with tiger salamander habitat and other sensitive areas to be treated only using mechanical treatment. Mr. Shea expressed his concerns that precautions may need to be taken to prevent the possible spread of Rana virus during mechanical treatment. Mr. Pavacic discussed the rationale that was used to identify areas that would be prioritized and areas that would be deferred for treatment such as in areas with high density. Mr. Pavacic also noted that there is no evidence of SPB in the areas being treated and that thinning by mechanical treatment can help strengthen the pitch pine.

The motion was made by Mr. Collins and seconded by Mr. Romaine to approve the second phase of work on Subunits 4 through 8 of the Ecological Service project for the NYSDEC Sarnoff Preserve. The motion was approved by a 5:0 vote.

1c. Commission website

Summary: Ms. Jakobsen reported that American Eagle, the website design contractor for the new Commission website, has been working on the framework for the website and Commission staff is in the process of transferring information from the current website to the new website. Ms. Jakobsen provided a PowerPoint presentation and she discussed topics such as, the differences between the old format of the current website and the updated formatting for the new website, navigation of the new website, aesthetics of the new website and hero images, the content within the tabs and she discussed how topics can be searched and updated. A discussion ensued about the expected time frame for completion of the new website and when it will be activated and it was noted it could be sometime early in 2017. Ms. Jakobsen demonstrated the website navigation including, the homepage, staff member information, a search mechanism and other Commission information such as the Wildfire Academy and the fire danger rating that will be accessible on the website.

Mr. Pavacic discussed the attached memo and Draft Resolution Adopting an Official Mission Statement for the Central Pine Barrens Joint Planning and Policy Commission and a discussion ensued that included, the language being considered for the mission statement comes from aspects of ECL Article 57, and whether the word “balance” should be included to describe the intent to address the needs of public and private interests. The decision was made to table approving the mission statement until the November Commission meeting.

2a. Ridge-Manorville-Calverton CWPP

Summary: Ms. Jakobsen distributed and discussed a copy of a recently completed wildfire prevention home assessment for a homeowner and she explained that all of the residents within the area of the CWPP will shortly be receiving a post card with the information about the free wildfire prevention home assessments that are available and that there is also limited funding available from a grant to help homeowners implement recommended actions for their properties. She also mentioned that she advises homeowners in the report she provides to them to not to do any clearing on their properties without the guidance from the town and the Commission.

3. Land Use

Project Review

Core Preservation Area

- a. 60 Old River Road Request for Determination of Jurisdiction /Manorville/ to change the agricultural use from equine facility to cattle grazing and production either in addition to or in lieu of the equine facility (SCTM#: 600-146-2-8.4)

Summary: Ms. Hargrave discussed the attached previously distributed letters dated August 29th from Twomey, Latham, et al, the owner's Representative for the property at 60 Old River Road. The letters contain requests for the Commission to make a determination of jurisdiction for the site concerning the addition of cattle grazing on the 35 acre property. She noted that part of the property is wooded and has partial clearing and that no additional clearing is proposed. Mr. Milazzo noted that the CLUP states that in the Core cleared areas can be used as the Applicant's letter requests and he explained that a letter should be sent to the Applicant stating that the cattle grazing use is approved by the Commission, with a reminder that according to previous similar Commission decisions, no additional clearing can occur.

- b. Hampton Hills Golf and Country Club / Northampton / revegetation plan (SCTM#: 900-194-1-3)

Mr. Pavacic discussed the proposed revegetation plan for Hampton Hills Golf and Country Club that was a condition under a consent order.

Summary: **The motion was made by Mr. Collins and seconded by Mr. Romaine to approve the attached Draft Resolution Approving Revegetation Plan for The Hampton Hills Golf and Country Club Pursuant to an Order on Consent. The motion was approved by a 5:0 vote.**

4. Pine Barrens Credit Program

- a. NUTOP LLC Letter of Interpretation Credit Appeal / Calverton / Request for an increase in Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs.

Summary: Mr. Milazzo reported that the NUTOP Applicant requested a one month extension and he noted that there is no deadline for credit appeals.

The motion was made by Mr. Romaine and seconded by Mr. Freleng to approve an extension of the NUTOP Credit Appeal decision deadline until the November Commission meeting. The motion was approved by a 5:0 vote.

- b. Henry Dittmer Letter of Interpretation Credit Appeal/ Yaphank / Request for an increase in Pine Barrens Credit allocation from .10 PBC to 1.0 PBC (SCTM#:200-529-5-36)

Summary: **The motion was made by Mr. Romaine and seconded by Mr. Collins to schedule the Henry Dittmer Credit Appeal Public Hearing for the November 16th Commission hearing. The motion was approved by a 5:0 vote.**

The motion was made by Mr. Romaine and seconded by Mr. Walter to adjourn the meeting and move into a closed Advisory Session. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:15 pm.

Attachments (in order of discussion)

1. October 19, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission meeting summary for October 19, 2016 (6 pages)
3. Draft Resolution of the Commission to Authorize and Undertake the 2nd Phase Entailing Work on Subunits 4-8 of the Ecological Services Project for the NYSDEC Sarnoff Pine Barrens Preserve / Suffolk County Pleasure Drive Property Complex, dated October 19, 2016 (3 pages)
4. Map, Barriers and Gates at Sarnoff Preserve, dated October 19, 2016 (23 pages)
5. Final Approved Resolution of the Commission to Authorize and Undertake the 2nd Phase Entailing Work on Subunits 4-8 of the Ecological Services Project for the NYSDEC Sarnoff Pine Barrens Preserve / Suffolk County Pleasure Drive Property Complex, dated October 19, 2016 (3 pages)
6. CWPP homeowner assessment for 60 Woodlot Road, Ridge, dated October 19, 2016 (42 pages)
7. Letters dated August 29, 2016 from Twomey, Latham, et al, owner's Representative for the property at 60 Old River Road, request for determination of jurisdiction and addition of cattle grazing use (2 pages)
8. Draft Resolution approving Revegetation Plan for The Hampton Hills Golf and Country Club pursuant to an Order on Consent, dated October 19, 2016 (1 page)
9. Final Approved Resolution approving Revegetation Plan for The Hampton Hills Golf and Country Club Pursuant to an Order on Consent, dated October 19, 2016 (1 page)



**Pine Barrens Commission Meeting Summary
For Wednesday, November 16, 2016 (Final-Approved 12/21/16)
Brookhaven Town Hall
One Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Collins and Mr. Shea (for Southampton), Mr. Freleng (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Ms. Hargrave, Mr. Hynes, Ms. Jakobsen, Ms. Carter, Ms. Weigand and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher called the meeting to order at approximately 2:10 p.m. with five members present, which constitutes a quorum.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

1. Administrative and Public Comment

a. Public Comment

Summary: There were no public comments.

b. Minutes for 10/19/16 review, approval

Summary: **The motion was made by Mr. Walter and seconded by Mr. Freleng to approve the 10/19/16 meeting summary. The motion was approved by a 5:0 vote.**

Mr. Romaine arrived at approximately 2:20 pm.

2. Science and Stewardship

a. Education and Outreach

Summary: Mr. Pavacic discussed the previously distributed Education and Outreach Division October-November 2016 Update (attached) and he discussed highlights from the report including, "Day in the Life of the River and Estuary Programs" that were very successful and pointed out the statistics in the report which reflect significant participation by the schools, students and teachers. Mr. Pavacic mentioned that the Fourth Annual Long Island Natural History Conference is scheduled for March 24 and 25, 2017 as well as a Southern Pine Beetle conference that is planned for March of 2017.

b. Science and Stewardship

Summary: Ms. Weigand discussed the previously distributed Science and Stewardship Division update, dated November 16, 2016 (attached) and she introduced Kate Abazis and Michael Ferrara who are the two new Commission interns assisting with the SPB field surveying and monitoring work. Ms. Weigand stated that the interns will be working on SPB surveying at Sears Bellows and Hubbard County Park over the next few months.

Highlights from the update that Ms. Weigand reported on included restoration activities related to the SPB management, such as the "Seeds of Success Program" and the pitch pine cone collections that resulted in over 500 lbs. of cones being collected. She discussed the North Atlantic Fire Science Exchange (NAFSE) and associated workshops planned for 2017 including an evening presentation, "Keeping the Pine in the Pine Barrens", scheduled for

624 Old Riverhead Road
Westhampton Beach, NY
11978

Phone (631) 288-1079
Fax (631) 288-1367
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May 3rd and on May 4th, the workshop "Use of Fire in the Region" will be presented by regional land managers from New York, Massachusetts and New Jersey. Additional highlights from her report included, the Sand Plain Grassland Managers meeting for coordinating grassland management that was held on October 18, 2016, the Pine Barrens Sawyer team training that was conducted on November 4, 2016, the NYSDEC SPB field survey training, SPB trapping and ground and aerial survey work status and the MOU with Town of Southampton related to SPB management. Ms. Weigand mentioned "The Southern Pine Beetle in the Northeast Research and Management Forum" is scheduled for March 8, 2017 at BNL and she discussed other forest health issues that included Oak Wilt that has been found in Connetquot State Park and the plans for its removal.

Ms. Gallagher reported that a grant from the US Forest Service will cover the cost to conduct prescribed burns for SPB infected pitch pines in Rocky Point. She further noted that NY State plans to hire a full time staff person whose focus will be solely on SPB management.

3. Land Use

Planning and Land Use

a. Compliance and Enforcement

Summary: Mr. Hynes discussed items from his previously distributed Compliance and Enforcement Division update for November 2016. Items from the report that he highlighted included, legislation introduced by Suffolk County Legislator Kate Browning to strengthen existing laws related to illegal ATV use in the Central Pine Barrens, the LEC Multi Agency ATV Task Force report that includes statistics such as in the last eight years over 1,300 ATVs have been impounded and the new Police Technology Bureau is headed by Lt. Fred Weber. There are plans to develop a central database for all arrests in connection with illegal activities in the Central Pine Barrens that would be shared by all agencies.

b. Land Use

Summary: Ms. Hargrave discussed the previously distributed Land Use Division Bi-Monthly Update for the Meeting of November 16, 2016 (attached) and she highlighted items such as the pending hardship applications including, the Henry Dittmer Core Area Hardship, the Kent Animal Shelter Core Area Hardship and the Hills at Southampton DRS. Ms. Hargrave continues to review referrals from the towns and is working on the DGEIS for the Plan Amendments.

4. Pine Barrens Credit Program

a. NUTOP LLC Letter of Interpretation Credit Appeal / Calverton / Request for an increase in Pine Barrens Credit allocation from 1.15 PBCs to 5.72 PBCs.

Summary: Mr. Milazzo discussed the previously distributed Draft Resolution on NUTOP, LLC SCTM#: 200-857-1-1.4 (formerly Lot 1.1) Located in the J Business 2 Zoning District, southeast of Exit 73 on the Long Island Expressway (I-495) (attached).

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the Draft Resolution on the NUTOP Credit Appeal. The motion was approved by a 4:0:1 vote with Mr. Freleng abstaining.

b. *Credit Program*

Summary: Mr. Tverdy discussed the previously distributed Pine Barrens Credit Clearinghouse report for November 2016 (attached) and items that he highlighted from the report which included Credit program statistics that three new parcels have been added to the conservation easement protected lands, approximately 40 Credits has been sold and that the current average price of a Credit is approximately \$75,000. Mr. Milazzo pointed out that there have been \$44,000,000 Pine Barrens Credit related transactions over the history of the Credit Clearinghouse.

5. Public Hearing

a. *Henry Dittmer Letter of Interpretation Credit Appeal public hearing / Yaphank SCTM # 200-529-5-36/ Request for an increase in Pine Barrens Credit allocation from .10 PBC to 1.0 PBC*

Summary: Mr. Milazzo reported that a letter was received from the Applicant for the Henry Dittmer Credit Appeal requesting an adjournment of today's public hearing.

The motion was made by Mr. Romaine and seconded by Mr. Collins to approve the Applicant's request for an adjournment of the Henry Dittmer public hearing scheduled for today. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Mr. Walter to adjourn the meeting and move into a closed Advisory Session with no further Commission business to be conducted. The motion was approved by a 5:0 vote.

The meeting ended at approximately 3:00 pm.

Attachments (in order of discussion)

1. November 16, 2016 Commission Meeting Sign in Sheet (1 pages)
2. Draft Commission meeting summary for October 19, 2016 (4 pages)
3. Education and Outreach Division October-November 2016 update (29 pages)
4. Science and Stewardship Division update, dated November 16, 2016 (5 pages)
5. Compliance and Enforcement Division update for November 2016 (5 pages)
6. Land Use Division Bi-Monthly Update for the Meeting of November 16, 2016 (1 page)
7. November, 2016 Pine Barrens Credit Clearinghouse report (5 pages)



Pine Barrens Commission Meeting Summary
For Wednesday, December 21, 2016 (Final Approved-1/18/17)
Southaven County Park
Yaphank, NY
2:00 pm

Commission members present: Mr. Romaine and Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Schneiderman and Mr. Shea (for Southampton), Mr. Freleng and Ms. Lansdale (for Suffolk County)

Others present: Commission and other agency staff members included Mr. Milazzo, Mr. Pavacic, Ms. Hargrave, Mr. Hynes, Ms. Jakobsen, and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Ms. Gallagher called the meeting to order at approximately 2:05 p.m. with five members present, which constitutes a quorum.

1. Administrative and Public Comment

a. Public Comment

Summary: Ms. Maryann Johnson, representing Affiliated Brookhaven Civic Organization (ABCOC) expressed her concerns pertaining to Town of Brookhaven plans for dredging the Carmans River and she urged the Commission to assert its jurisdiction to stop the Town's plans from moving forward. Ms. Johnson explained that she is against the use of dredging as a method to control invasives in the Carmans River and she noted that by removing the dam to let the river return to its natural state would be a more effective solution to the problem of invasive species.

Mr. Romaine arrived to the meeting at 2:11 p.m.

Mr. Doug Swesty who represents Sea-Run Brook Trout Coalition (SRBTC) expressed his concerns related to the Town of Brookhaven's current plans for dredging the lakes in Yaphank including, results of past dredging activities in the Carmans River had discharge and turbidity problems and caused thermal pollution. Mr. Swesty distributed the attached Thermal Pollution Caused by Lower Yaphank Impoundment handout and he discussed issues related to the NY State Department of Environmental Conservation (NYSDEC) permit application requirements for the previous dredging activities. Mr. Swesty expressed his concerns related to the local homeowners and their assumption that property values would be negatively impacted by letting the river return to its natural state. Mr. Romaine mentioned that he has observed significant youth activity at the lakes during the summer months and additional concerns were discussed including that the NYSDEC has plans for building fish ladders.

Mr. Kevin McAllister who represents Defend H2O noted that he has collaborated with Mr. Swesty on the Carmans River dredging studies and he expressed his concerns related to the current proposal for dredging the Carmans River. He discussed scientific data related to the negative impacts of not allowing the river to revert back to its natural state. He expressed his concerns that the Commission should assert its jurisdiction and intervene in the Town's plans for dredging the Lakes.

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

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Mr. Amper stated the Commission, Suffolk County and the Town should schedule a meeting to continue today's discussion and investigate the Town's proposed plans for dredging versus the removal of the dams.

b. Minutes for 11/16/16 review, approval

Summary: Mr. McCormick noted that on page two of the November Commission meeting minutes there was an error and it was Mr. Walter and not himself who seconded the motion to approve the NUTOP Credit Appeal Resolution.

The motion was made by Mr. Romaine and seconded by Mr. Walter to approve the November 16th amended meeting summary. The motion was approved by a 5:0 vote.

c. Commission meeting schedule for 2017

Summary: **The motion was made by Mr. Walter and seconded by Mr. Shea to approve the 2017 Commission meeting schedule. The motion was approved by a 5:0 vote.**

d. Compliance & Enforcement Coordinator Replacement

Summary: Mr. Pavacic explained that Mr. Hynes who is the current Compliance and Enforcement Coordinator will be retiring at the end of January 2017. The Compliance and Enforcement Coordinator position was advertised in October 2016 and 13 responses were received. Mr. Pavacic mentioned that interviews were held and recommendations will be made during an Advisory Session. Mr. Amper expressed his concerns related to the appropriate circumstances for closed sessions however he noted that to discuss personnel issues is one of them.

2. Science and Stewardship

a. Draft resolution to approve the selection of chair and vice-chair for the Protected Lands Council for 2017

Summary: Mr. Pavacic reported that Mr. Tom Casey has offered to serve as the Chair and Mr. Wernet as Vice Chair for the Protected Lands Council (PLC).

The motion was made by Mr. Walter and seconded by Mr. Romaine to approve the Draft Resolution of the Commission to appoint the Protected Lands Council Chair and Vice Chair for Calendar year 2017. The motion was approved by a 5:0 vote.

b. Community Wildfire Protection Plan (CWPP)

Summary: Ms. Jakobsen reported that she received 16 new requests for Wildfire Prevention Home Assessments and she was able to complete eight of them in November. Other items Ms. Jakobsen reported on included that she is working on a public information piece for homeowners on what actions they can take to protect their homes at different fire danger levels. She requested the Commission's approval to apply for a USDA Forest Service grant to cover costs associated with wildfire hazard risk reduction education, to support the implementation of action items in the CWPP and to help cover costs associated with the NY Wildfire Academy. The grant proposal is required to be submitted by January 17, 2017.

The motion was made by Ms. Gallagher and seconded by Mr. Romaine to approve the submission of a grant application to the USDA Forest Service. The motion was approved by a 5:0 vote.

3. Land Use

Planning and Land Use

Project Review

Core Preservation Area

- a. Kent Animal Shelter Core Preservation Area Hardship Waiver Application/ Calverton / SCTM#s: 600-138-1-6.2 and 7.1 / expand and redevelop an existing animal shelter on 2.138 Acres

Summary: Ms. Hargrave discussed the previously distributed letter dated December 6, 2016 from Mr. Glenn Gruder, Kent Animal Shelter Applicant's Representative, requesting a three month extension of the decision deadline to March 15, 2017.

The motion was made by Mr. Walter and seconded by Mr. Schneiderman to approve the Kent Animal Shelter Applicant's request for a three month extension of the decision deadline to March 15, 2017. The motion was approved by a 5:0 vote.

- b. Rockwell Collins Request for Determination of Jurisdiction at 1370 Quogue Riverhead Road (CR 104) / Flanders / SCTM # 900-195-3-2 / replace in kind 90 foot tall wood monopole with steel monopole of same height, base from 24 inches to 30 inches and top from 18 inches to 24 inches

Summary: Ms. Hargrave discussed the previously distributed letter dated November 1, 2016 from Mr. David Jones, Representative for Rockwell Collins and she explained that the letter is requesting that the Commission determine the project to replace a 90 foot tall wood monopole with a steel monopole of the same height to be non development. Mr. Milazzo explained that in the past the Commission has reviewed similar projects and determined them to be non development.

The motion was made by Mr. Romaine and seconded by Mr. Walter that the Rockwell Collins Application be deemed non development. The motion was approved by a 5:0 vote.

- c. Starbucks request for Determination of Jurisdiction at 485 CR 111 for a change of zone from J2 to J5 for a drive through major restaurant and interior alterations for restaurant expansion / Manorville / SCTM # 200-462-2-6

Summary: Ms. Hargrave discussed the previously distributed attached letter, received at the Commission office on November 14, 2016 from Mr. Anthony Guardino, Representative for Starbucks, that is a request for a Determination of Jurisdiction. She explained that the application is for Starbucks to occupy the entire building that they currently share with Citibank. They are requesting a change in zone from J2 to J5. Mr. Milazzo provided background information on the JCJC project that was a project similar to Starbucks proposed project and he noted that the Commission determined that project to be development. Mr. Milazzo noted that the Starbucks project appears to meet the criteria for development.

Mr. Anthony Guardino from Farrell Fritz provided background information about the Starbucks project including Town of Brookhaven requirements for J2 and J5 zoning. Mr. Milazzo explained that Article 57 maintains that when there is a change from one class to another, the project is considered development.

The motion was made by Mr. Romaine and seconded by Mr. Schneiderman to deem the Starbucks project as development. The motion was approved by a 5:0 vote.

- d. *North Shore Towers at Swan Lake Golf Course Request for Determination of Jurisdiction to develop a 50 foot tall monopole cell tower and associated facilities/ Calverton/ SCTM # 600-141-3-1 and 600-142-1-1.3.*

Summary: Ms. Hargrave discussed the previously distributed attached letter dated December 8, 2016 from Mr. Gregory Alvarez, Representative for the North Shore Towers At Swan Lake Applicant. She noted the Applicant is requesting a Determination of Jurisdiction for the project and considers the project to be non development. Ms. Hargrave noted that the project is a proposal to install a 150 foot stealth unipole, a 50 foot fenced compound additional cables and other necessary equipment, and that there would be additional clearing proposed.

Mr. Walter noted that an application for the North Shore Towers at Swan Lake project was received at Riverhead Town and the Town has plans to issue a positive declaration. Mr. Alvarez discussed the non development provision in the Environmental Conservation Law (ECL) Article 57 regarding utilities in relation to this project. Mr. Romaine noted that the only item that should be discussed today is whether the Commission has jurisdiction and Mr. Milazzo reiterated that point.

The motion was made by Mr. Walter and seconded by Mr. Romaine to deem the North Shore Towers at Swan Lake Golf Course project development. The motion was approved by a 5:0 vote.

Mr. Amper expressed his concern that the Commission should seek lead agency status since the proposed project is in the Core Preservation Area. Mr. Milazzo noted the appropriate time for the Commission to consider lead agency status would be when the application is submitted.

Compatible Growth Area

- e. *Island Water Park CGA Hardship Waiver Application / extension of time on decision*
Summary: Ms. Hargrave reported that a letter was received yesterday at the Commission office from the Island Water Park Applicant that requests a 3-year extension to complete the project. Ms. Hargrave discussed the previously distributed Adopted Amendment to Island Water Park CGA Hardship Waiver Hamlet of Calverton Town of Riverhead, SCTM #: 600-135-1-7.34 (attached) and she provided background information including that the original decision was made in 2013.

Mr. Thomas Hughes, representing Island Water Park explained that there were initial delays in starting the project due to the Town permit process and he provided information about when the project is expected to be completed.

The motion was made by Mr. Walter and seconded by Mr. Romaine to grant Island Water Park a three month extension until March 31st and the request for a 3 year extension for completion of the project would be revisited. The motion was approved by a 5:0 vote.

The motion was made by Mr. Romaine and seconded by Mr. Walter to move into Executive Session. The motion was approved by a 5:0 vote.

Ms. Gallagher left the meeting.

The motion was made by Mr. Romaine and seconded by Mr. Walter to come out of Executive Session. The motion was approved by a 4:0 vote.

The motion was made by Mr. Walter and seconded by Mr. Schneiderman to approve the Resolution Recommendation to Suffolk County Water Authority to Employ Three Part Time Commission Compliance and Enforcement Coordinators (attached). The motion was approved by a 4:0 vote.

The motion was made by Mr. Walter and seconded by Ms. Lansdale to adjourn the meeting. The motion was approved by a 4:0 vote.

The meeting ended at approximately 3:32 pm.

Attachments (in order of discussion)

1. December 21, 2016 Commission Meeting Sign in Sheet (1 pages).
2. Draft Commission meeting summary for November 16, 2016 (3 pages)
3. Central Pine Barrens Commission 2017 Draft Meeting Schedule
4. Central Pine Barrens Commission 2017 Final Approved Meeting Schedule
5. Draft Resolution of the Commission to appoint the Protected lands Council ("PLC") Chair and Vice Chair for Calendar year 2017 (1 page)
6. Final Resolution of the Commission to appoint the Protected Lands Council ("PLC") Chair and Vice Chair for Calendar year 2017 (1 page)
7. "Thermal Pollution Caused by Lower Yaphank Impoundment study results", from May 30, 2015 - September 19, 2015, provided by Mr. Doug Swesty (1 page)
8. Letter from Mr. Glenn Gruder, Kent Animal Shelter Applicant's Representative, requesting a three month extension of the decision deadline, dated December 6, 2016 (1 page)
9. Letter from Mr. David Jones, request for Determination of Jurisdiction for Rockwell Collins proposed project dated November 1, 2016 (8 pages)
10. Letter from Mr. Anthony Guardino, request for a Determination of Jurisdiction for the Starbucks proposed project, dated November 14, 2016 (2 pages)
11. Letter from Mr. Gregory Alvarez, Representative for the North Shore Towers At Swan Lake Applicant request for Determination of Jurisdiction, dated December 8, 2016 (18 pages)
12. Adopted Amendment to Island Water Park Compatible Growth Area Hardship Waiver Hamlet of Calverton, Town of Riverhead, SCTM #: 600-135-1-7.34, dated September 18, 2016 (5 pages)
13. Final Approved Resolution Recommendation to Suffolk County Water Authority to Employ Three Part Time Commission Compliance and Enforcement Coordinators, dated January 21, 2017 (1 page)