

CENTRAL PINE BARRENS
JOINT PLANNING AND POLICY COMMISSION

In the Matter of the
Public Hearing on the
HAMPTON HILLS GOLF and COUNTRY CLUB

Brookhaven Town Offices
Building 4
Medford, New York

June 24, 1997
5:15 p.m.

PUBLIC HEARING

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

2 GEORGE PROIOS
3 Chairman
4 County of Suffolk

5 RAY COWEN
6 State of New York
7 Representing the Governor's Office

8 DORIS ROTH, ESQ.
9 General Counsel for the Commission

10 ANDREW P. FRELENG, Chief Planner, Department of
11 Land Management, Planning Division

12 BARBARA WIPLUSH, Representing Supervisor Felix
13 Grucci, Town of Brookhaven.

14 BRENDA FILMANSKI, Representing Riverhead
15 Supervisor, James R. Stark

16 A L S O P R E S E N T :

17 DONNA PLUNKETT
18 Staff to Commission

19 LORRAINE TREZZA

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1 CHAIRMAN: I'd like to call the public
2 meeting to order.

3 My name is George Proios. I'm acting
4 chairman on behalf of the County Executive, Robert
5 Gaffney, chairman of the commission. I will ask
6 each of the members to introduce themselves.

7 MS. WIPLUSH: I am Barbara Wiplush
8 representing Supervisor Felix Grucci, Town of
9 Brookhaven.

10 MS. FILMANSKI: I'm Brenda Filmanski,
11 representing Riverhead Town Supervisor James R.
12 Stark.

13 MR. FRELENG: Andy Freleng, Chief
14 Planner for the Town of Southampton,
15 Representing Supervisor Cannuscio.

16 MR. COWEN: I'm Raymond Cowen. I am
17 here representing Governor Pataki.

18 MS. ROTH: Doris Roth, McMillan,
19 Rather, Bennett and Rigano, P.C., General
20 Counsel for the Commission.

21 CHAIRMAN: For the record, I will read
22 the public notice that appeared in the local
23 papers:

24 "Notice of Public Hearing

25 "Pursuant to Environmental

1 Conservation Law Article 57-0121(10), notice
2 is hereby given that a public hearing will
3 be held by the Central Pine Barrens Joint
4 Planning and Policy Commission on June 24,
5 1997, on the matter of an application for
6 core preservation area hardship exemption.
7 The subject of the hearing is:

8 "Hampton Hills Golf and Country
9 Club.

10 "Project Description: Addition of
11 5,000 square feet to an existing club house,
12 two new accessory buildings totaling 1,500
13 square feet and additional parking for a
14 total of 206 cars on property zoned CR200.

15 "Project Location: Entrance to club is
16 via private access road south of CR51 just
17 west of its intersection with
18 Riverhead-Moriches Road, Northampton, Town of
19 Southampton."

20 Is the applicant or a representative
21 here wishing to make a presentation to the
22 commission?

23 MR. RICHARTZ: Yes, my name is Chris
24 Richartz, R-i-c-h-a-r-t-z.

25 CHAIRMAN: Will you state your name.

1 MR. VAN DE KIEFT: Richard Van De
2 Kieft, V-a-n-d-e-k-i-e-f-t, from John
3 Raynor's office the surveyor.

4 MR. RICHARTZ: So the proposal is to
5 take this existing clubhouse and make an
6 addition to the first floor and I don't know
7 whether everybody has seen the plan, but an
8 addition to the first floor and an accessory
9 building at the side. I have taken some pictures
10 that show the areas where the new building is going
11 to go and doesn't affect the natural area of the
12 Pine Barrens. The one area that is affected is an
13 area -- area A and area B -- this circle and the
14 circle here (indicating) -- is the outline of the
15 existing parking lot and what is thrown in in this
16 area is being a proposed configuration of the
17 parking lot. The existing parking lot is
18 dilapidated and in disrepair.

19 MR. COWEN: Can you calculate some
20 of the areas for us as far as how many acres or
21 square feet are going to be cleared?

22 MR. RICHARTZ: We haven't calculated
23 that exactly.

24 CHAIRMAN: Part of the information we
25 need is the actual footprint of what is allowed to

1 be developed and where the survey line starts.

2 MR. RICHARTZ: What we have, I
3 believe, as part of this is a covenant letter.
4 There's a core area that was deeded as an area that
5 the owner would be allowed to develop. I believe
6 that is on the first page. That's within the line
7 here.

8 MR. COWEN: Does that correspond with
9 the property line?

10 MR. RICHARTZ: No, the property line
11 is outside of that because the property line
12 encloses the golf course itself and within the
13 center of that area is the core area which is
14 stipulated in that covenant letter that they would
15 be able to develop within that, so it's an area
16 designated within the total boundary of the golf
17 course.

18 MR. COWEN: For the record, I want to
19 make clear that the core area being referred to by
20 the applicant is not the same as the core area for
21 the Suffolk Pine Barrens Commission.

22 CHAIRMAN: How large is your core area?

23 MR. RICHARTZ: I believe it's 7.9
24 acres.

25 MS. PLUNKETT: I think it's a total of

1 12. Twelve acres.

2 MR. FRELENG: Is there a plan of
3 vegetation shown on this exhibit here?

4 MR. RICHARTZ: This is the boundary
5 of the core area within the golf course itself.
6 The golf course is out in this area here
7 (indicating).

8 MS. PLUNKETT: Twelve point seven
9 acres.

10 MR. FRELENG: The question that I'm
11 leading up to -- is there a line of vegetation
12 here?

13 MR. RICHARTZ: Yes.

14 MR. FRELENG: It goes around what
15 appears to be the existing parking area?

16 MR. RICHARTZ: Yes.

17 MR. FRELENG: Is there a survey line
18 for vegetation or is it in some way placed on here?

19 MS. FILMANSKI: What line are you
20 looking at?

21 MR. FRELENG: What kind of vegetation
22 line --

23 MR. RICHARTZ: It's on the official
24 survey.

25 MS. PLUNKETT: Is that the --

1 MR. VAN DE KIEFT: That's the aerial
2 topography that was done some ways back when we
3 were doing the existing golf course plans and
4 subdivision plans. This is a dated survey
5 completed May of 1990.

6 MR. FRELENG: To issue that we need to
7 know.

8 MS. FILMANSKI: The present parking
9 lot configuration, does that still contain a big
10 mound of dirt?

11 MR. RICHARTZ: No.

12 MS. FILMANSKI: So this is all asphalt
13 within the circular kind of thing right now.

14 MR. RICHARTZ: Yes, this dotted
15 line --

16 MR. FRELENG: What I was saying was at
17 some point we need to determine the exact area of
18 vegetation that is going to be disturbed in here.

19 MR. RICHARTZ: It would be a matter of
20 the plans -- you know, the parking lot.

21 MS. PLUNKETT: That would be helpful.

22 CHAIRMAN: Any additions that fall
23 within the existing cleared areas or areas to be
24 cleared. You referred to the building expansion
25 that all of them are going into the existing

1 cleared areas?

2 MR. RICHARTZ: Yes, in terms of a
3 building and you could see them photographed where
4 they are expanding out this side (indicating).
5 This side expands --

6 CHAIRMAN: Like this (indicating).

7 MR. RICHARTZ: This faces -- this
8 existing face here (indicating) -- we are expanding
9 out into this parking lot here and this is all an
10 area that was like a manmade planted area. This
11 side -- this face -- and the new building is going
12 to sit on this paved area here with access
13 underneath to a lower connecting bridge that goes
14 from the new building over to the existing
15 building.

16 MS. FILMANSKI: So there's no
17 additional clearing proposed --

18 MR. RICHARTZ: For this extension --
19 this extension, no. We are bringing out like a
20 portico covered entrance which is going to come out
21 right to this area (indicating) so that you have a
22 covered area as you drive up.

23 So in terms of the building itself,
24 there is no impact on any of the Pine Barrens. The
25 only thing that we had proposed was to clean up

1 that parking lot.

2 MR. COWEN: Is the Town making you
3 expand the parking spaces?

4 MR. RICHARTZ: It is. I mean the
5 new -- the proposed parking is based on the
6 occupant load of the building and the golf course.
7 We're having to meet the parking lot requirements
8 of zoning now because the existing parking lot
9 doesn't do it. But it's not an efficient layout.

10 MR. COWEN: How many acres comprise
11 the entire property, golf course included?

12 MR. RICHARTZ: I have to look it up. I
13 don't know it.

14 MR. COWEN: I'm just giving you a
15 little home work assignment. We need that number.
16 We are going to need how many of those acres are
17 presently cleared -- at least a good approximation
18 of that, and then, you know, what additional
19 clearing is proposed.

20 MR. RICHARTZ: I have it in terms of
21 what percentage.

22 MR. COWEN: You were talking about
23 some mitigation here. It's not clarified in any
24 way; how many square feet or how many acres, what
25 has to be replanted, that sort of thing.

1 CHAIRMAN: Are you looking at total
2 clearing in terms of the whole site plan?

3 MR. RICHARTZ: In terms of like --

4 MR. FRELENG: The entire site?

5 MR. COWEN: Yes, the entire property.

6 MS. PLUNKETT: The golf course in the
7 core area comprises approximately 313 acres. The
8 surrounding land is owned by the County of Suffolk
9 comprised of an additional 292 acres. They've got
10 two areas they want you to look at.

11 MR. COWEN: Well, normally we look
12 at -- the property owner here owns how many acres
13 of the golf course?

14 MS. PLUNKETT: The golf course and the
15 clubhouse is comprised of 213 acres.

16 MR. COWEN: At the site; isn't it?

17 MS. PLUNKETT: I'm just saying you
18 don't want to include the additional surrounding
19 county property.

20 MS. FILMANSKI: No.

21 MR. COWEN: No.

22 MR. RICHARTZ: Since no other part of
23 the golf course would be touched, we are really
24 only dealing with what we call the core area which
25 is not your core area. Why is it we have to go

1 into the whole calculation, the whole two hundred
2 something acres when we could really concentrate on
3 the 12 acres?

4 MR. COWEN: Because first of all your
5 core area, be it as it may, has no standing in
6 front of this Board whatsoever. It's not an
7 agreement that we are a party to. It may be
8 something that you arrived at with the County of
9 Suffolk when the transfer took place. There's no
10 standing whatsoever in front of this commission.
11 So it's irrelevant and that line doesn't mean
12 anything to this Commission. What means something
13 to us is the property boundary of this ownership
14 and I believe that's been represented as the golf
15 course and two hundred and something acres. We are
16 going to take a look at how much of that property
17 is now cleared -- the percentage -- because then we
18 have to apply the clearing standard for the entire
19 property to see whether or not you are going to be
20 within that clearing standard with the proposed
21 clearance and perhaps mitigation as well.

22 CHAIRMAN: Any further questions?

23 MR. FRELENG: This is a core hardship
24 permit; right?

25 MR. COWEN: Yes.

1 MR. FRELENG: The applicant has looked
2 at the criteria. This is what he had made his
3 findings on with regard to hardship permits, and
4 are you prepared, at this time, to address those
5 criteria?

6 MR. RICHARTZ: As well as we can try
7 to satisfy those.

8 MR. FRELENG: Specifically, the three
9 criteria which we need to address and typically the
10 applicant would make a case on this criteria. If
11 you are not prepared at this time -- if you want to
12 submit that in writing, or you choose to hold the
13 hearing open if you want to present that. I don't
14 know that this time would be fruitful because you
15 have to interpret them and you might want to go
16 back and look at them.

17 MS. PLUNKETT: I think I sent you
18 those; ECL 57.

19 MR. RICHARTZ: Right. I mean I had
20 put together something that was on a very generic
21 level that was basically that, you know, that this
22 club existed before the whole Pine Barrens came
23 up -- a preserve -- and, you know, this owner
24 decided to upgrade the facility so it kind of put
25 us in a place where it has to come before the

1 Board.

2 MR. COWEN: Well, that's true of any
3 existing property owner. You need to take those
4 requirements that are in the statute and just give
5 us the -- if you are not prepared to do it tonight,
6 you can submit to us in writing your analysis of
7 how this proposal would conform to those
8 requirements for hardship.

9 CHAIRMAN: Just briefly go through the
10 sections that are --

11 MS. PLUNKETT: I don't have my sections
12 with me.

13 MR. RICHARTZ: I read it over.

14 CHAIRMAN: The term hardship, as it's
15 defined in this law, is not normally what
16 people commonly believe the term hardship means.
17 We consistently have people here using the word
18 hardship in a way different than the statute
19 defines it.

20 MR. COWEN: Just for the record, the
21 citation is 57-012110.

22 MS. PLUNKETT: Of the Environmental
23 Conservation Law.

24 MR. COWEN: Of the Environmental
25 Conservation Law.

1 MR. RICHARTZ: And at the same time I
2 will submit all those calculations and all
3 those --

4 MR. COWEN: Yes. Quite frankly, we are
5 interested to know whether this represents another
6 half a percent of clearing or whether another 50
7 percent. You need to tell us what it is.

8 CHAIRMAN: Any other questions?

9 MS. FILMANSKI: I just wanted to note
10 you have here a portion of the existing parking lot
11 to be removed. I think it would be important for
12 us to know how those two calculations balance out
13 and how you plan to treat the area where that would
14 be removed.

15 MR. RICHARTZ: The area where we are
16 going to put back and kind of balance out what we
17 are taking away by putting it there. It's a pretty
18 substantial -- if you look at it in terms of
19 proportion to that, it's about equal.

20 MR. COWEN: You need to be specific.
21 Perhaps talk with Donna about the type of species
22 we would like to see planted in there and you
23 should be very specific about that.

24 CHAIRMAN: All right. Is there anyone
25 else who wishes to address this commission

1 regarding this project?

2 Is there anyone in the audience who
3 wishes to address the Commission?

4 (WHEREUPON, there was no response.)

5 CHAIRMAN: If not, I will leave the
6 hearing open throughout the date of our next
7 meeting which is July 16th. If you want to have
8 further discussions at that time you can have them.

9 MR. FRELENG: Do you mean a hearing or
10 leave the record open?

11 CHAIRMAN: I will leave the record
12 open.

13 We will close the hearing portion
14 today and leave the record open until July 16th.

15 MS. PLUNKETT: Will that give you
16 enough time to get the information?

17 MR. RICHARTZ: Yes.

18 (WHEREUPON, this hearing was concluded
19 at 5:28 p.m.)

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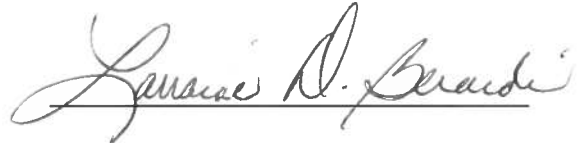
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CERTIFICATION

I, LORRAINE D. BERARDI, Court Reporter,
do hereby certify that the foregoing is a true and
correct transcript of the proceedings held
June 24, 1997, at Port Jefferson, New York, in
this matter.

Dated: July 14, 1997

A handwritten signature in cursive script, reading "Lorraine D. Berardi", written over a horizontal line.

LORRAINE D. BERARDI