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Pursuant to the Environmental Conservation Law Article 57-0121(10), notice is hereby given that a public hearing will be held by the Central Pine Barrens Joint Planning and Policy Commission on April 18, 2007 on the matter of an application for a compatible growth area hardship exemption. The subject of the hearing is:

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Rocky Point Union Free School District

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82 & 90 Rocky Point - Yaphank Road, Rocky Point, Town of Brookhaven

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Request for a Compatible Growth Area hardship permit for proposed improvements that include the removal of an approximately 1 acre wooded area in front of Frank J. Carasiti Elementary School for parking and improve site security, the construction of an approximately 1500 sf maintenance building within an existing lawn area situated between the high school and elementary school buildings and maintenance and improvement projects within the high school and elementary school. The project site is 47.6 acres that is zoned A-1 residential.

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Brookhaven Town Hall
Farmingville, New York

17

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April 18, 2007
3:00 p.m.



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

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PETER SCULLY - Chairman

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JOHN MILAZZO - CDBC Counsel

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CARRIE MEEKS-GALLAGHER -Representative, Suffolk County

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MARTIN SHEA - Representative of Town of Southampton

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JOHN TURNER - Representative of Town of Brookhaven

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BRENDA PRUSINHOWSKI - Representative of Town of Brookhaven

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PHIL CARDINALE - Representative of Town of Riverhead

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JUDY JAKOBSEN - Principal Environmental Analyst

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RAY CORWIN

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JANET LONGO

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JOHN PAVACIC

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ROBIN MILLS

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THE CHAIRMAN: I'm going to call the public hearing to order. I'll read from the notice of hearing, which you can include in the record.

Pursuant to the Environmental Conservation Law Article 57-0121(10), notice is hereby given that a public hearing will be held by the Central Pine Barrens Joint Planning and Policy Commission on April 18, 2007 on the of an application for a compatible growth area hardship exemption.

Would everyone note their appearances
for the record.

MR. SHEA: Marty Shea for Southampton
Town supervisor, Patrick Healy.

MR. TURNER: John Turner of Environmental Protection for Bro Town.

MS. PRUSINHOWSKI: Brenda Prusinhowski representing Brian Foley, supervisor, Town of Brookhaven.

MR. CARDINALE: Phil Cardinale for the
Town of Riverhead.

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THE CHAIRMAN: Peter Scully representing the state of New York.

I'll turn now to Ms. Jakobsen.

MS. JAKOBSEN: I'm putting out a copy of a site plan that was submitted by the applicant, identified as Rocky Point SP-1 prepared by JAG Architect with a date of April 2, 2007.

I'm going to be submitting four staff exhibits and the first staff exhibit is the staff report prepared on April 12, 2007.

The second exhibit is the site plan which I just laid out for you on the table that was prepared by JAG Architect, April 2, 2007.

The third exhibit is an aerial showing the project site. It's a red outline. It's a little faint. And adjacent land use.

There's an area in yellow outline which is the maintenance building and another yellow outline area in front of elementary school where they intend to remove trees and underlying brush for parking. The fourth exhibit is a 2004 aerial showing the project site outlined in red that is located in the

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growth area and adjacent is the core preservation area which is the green circles. You should have received in your packet a copy of the staff report and the exhibits.

MR. TURNER: What is this particular application?

THE CHAIRMAN: It's indicated in the staff report that the project is before us because it doesn't meet the clearing limit.

MS. JAKOBSEN: Right. I would like to go over some of the highlights in the staff report. The staff report, which is Exhibit 1, you have a request for a compatible growth area hardship permit allowing building and site improvements that include erosion control of the tennis courts, construction of a 1,500 square foot maintenance building with a paved drive and sanitary system and clearing of some trees in front of the elementary school area about an acre in size for a new parking area and improved visibility for the security purposes. The site is 47.6 acres.

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Currently 91.2 percent cleared.

The site itself is predominantly cleared with a grassy vegetated lawn and sports fields, small area of woods located directly in front of the elementary school and also on the south side of the tennis courts, which you should be able to see in the 2004 aerials that were also Exhibits 3 and 4.

Under required approvals, the State Board of Education identified this as an unlisted action under SEQRA and performed an uncoordinated review and issued a negative declaration on March 27, 2007. The Commission's undertaking this action as an unlisted action under SEQRA and also performed an uncoordinated review.

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from the maintenance building and paved areas.

Overall clearing on site would increase from 91.2 percent that was performed prior to the Pine Barrens Act to 93.3 percent.

I reserve any further comment until

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after the public hearing. That's all I have.

THE CHAIRMAN: Any questions for Judy?

If not, the representative from the school district.

MR. TURNER: As most people know, there is an aerial photo available up on the smart board. That shows the subject property.

10 T H E R E S A E L K O W I T Z, having been first
11 duly sworn by Nancy Demyen, a Notary Public in
12 and for the State of New York, was examined and
13 testified as follows:

14 MS. ELKOWITZ: I thank the Commission
15 for hearing this application and the
16 assistance your staff has provided.

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last time, and as I documented in the application that I submitted to you, the district is seeking to clear the majority of the vegetation for two purposes. The most substantial is to enhance visibility on the front of the elementary school.

There is documentation from Eastern Suffolk BOCES and safety officer testimony, that was also provided to you and documented in the application, that says based on Homeland Security Guidance, from the United States Education Department that the front entrances of the school buildings are to be visible.

I know there's an aerial, which I just pointed to, but if you look -- I'll pass these around -- if you look at the aerial here and other aerials before you, this area to the north, to the west and to the south is surrounded by the Rocky Point preserve which is a very heavily vegetated area.

When you approach the school from the south, you have a very difficult time seeing the building. The other issue, and there

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were photos submitted last time, we have additional photos if you want them, when there's a very busy time in the school there's cars that park up and down Rocky Point and Yaphank Road blocking visibility in and out of the driveway. We talked about this last time. What we are proposing to do is --

MR. TURNER: Where do they park?

MS. ELKOWITZ: -- along Rocky Point and Yaphank Road. Your visibility is blocked by the cars along the side of the road and the driveway. There was a series of photos submitted at the last hearing.

MR. TURNER: That means you operate out of that driveway for buses and --

MS. ELKOWITZ: Yes. Here and here. The north is not such a problem, but the south is a very substantial problem.

What we did last time, we talked in conceptual terms. The board asked us to prepare a plan which Mr. Guido did. There were several recommendations by the commissioners, specifically Mr. Shea and

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2 Mrs. Prusinhowski, whether or not they will
3 keep a strip of vegetation along the roadway
4 and in that area just clear the understory
5 and cut branches to enhance visibility while
6 still accommodating the parking needs.

7 The plan shows the additional 52 parking
8 spaces and strip of vegetation along the
9 roadway where they are proposing to clear
10 the understory and cut the branches. That
11 would meet its need for additional parking
12 and it would address also security needs.
13 You will be able to see the entrance to the
14 building. So we have tried our best to
15 accommodate what you asked for.

16 We have, as Ms. Jakobsen said, this
17 building, as a complex, was built in 1971.
18 It is 91.2 percent clear. There's no way to
19 achieve both objectives, enhancing the
20 visibility of the front and provide parking,
21 without clearing additional vegetation. In
22 our application we have demonstrated we
23 comply with all the other criterion in your
24 regulations for development in the
25 compatible growth area.

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2 I know that in order to grant the
3 hardship exemption, we have to meet the
4 specific criterion in the law. First of
5 which is the hardship does not apply to a
6 substantial portion of the district and
7 neighborhood. I'm here representing a
8 school district that is required to maintain
9 the safety and security, not only of the
10 students, but it's staff. It must comply
11 with the guidance set forth. Unfortunately,
12 we have seen this yesterday at Virginia
13 Tech. Things happen and the district
14 believes, and Eastern BOCES believes, that
15 they need to enhance and clear the
16 visibility. There is no other way to do it
17 without clearing vegetation.

18 The property around us, there's
19 multifamily residential and residential to
20 the east of us. To the north, there's
21 commercial property. All of that is
22 privately owned. The surrounding property
23 is owned by New York State Department of
24 Environmental Conservation.

25 I respectfully submit, we have a unique

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2 situation and there are not similarly
3 situated properties around us or in the
4 district. We must meet the criterion and
5 the guidance for security.

6 The second criteria will not alter the
7 essential character of the community or
8 result in a significant environmental
9 impact. The overall property is developed
10 as a school, has been developed as a school
11 campus since 1971. And the clearing of the
12 trees, especially given Mr. Shea's
13 suggestion, which we are trying to adhere
14 to, to maintain the property along the strip
15 along the front. I respectfully submit to
16 you, we are not going to alter the essential
17 character of the community.

18 From an environmental perspective, I
19 have submitted to you all the school
20 district documents with respect to SEQRA and
21 we also prepared a separate environmental
22 assessment. From the water and sanitary
23 system perspective, as Judy has told you,
24 the increase would be relatively minimal.
25 It's just associated with the maintenance

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building. The maintenance building does not require any clearing. It's on a clear lawned area.

MR. CORWIN: Could you point out to us --

MS. ELKOWITZ: It's easier to show on the plan. It's much larger on the graphic. It's a large yellow box. It's much smaller than what Judy is showing.

10 We are going to install dry wells to
11 accommodate for runoff so there is no
12 problem with the leachability of the soil.
13 The depth of the ground water is 75 feet so
14 this is an appropriate area. From an
15 ecological perspective there are no rare,
16 threatened, endangered species in this
17 island of education. We have spoken about
18 the clearing issue. From a historic and
19 archeological perspective, we have a
20 clearance letter that we are passing around.
21 From our perspective, this will not result
22 in a significant adverse impact.

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2 obligated to protect the health and welfare
3 of our students and meet our parking
4 demands. In addition, the property is
5 91.2 percent cleared and we respectfully
6 submit, and this is another criteria, that
7 this is the minimum relief necessary.

8 You pointed out to us there might be
9 another way to try to solve the problem and
10 leave some vegetation along the roadway. I
11 looked at the staff reports and talked to
12 the district about whether or not there's
13 another area where we could put this
14 parking. Even if there was, and there
15 isn't, if you look at the photographs, the
16 rest of the site is improved with
17 improvements and improved with fields. The
18 only place we can put it is if we took away
19 the athletic field. The district has a need
20 for the field. This is not a self-created
21 hardship and this is the minimum relief
22 necessary.

23 I'm sure Mr. Milazzo will correct me,
24 but I believe the last criterion is that
25 there's no reasonable return. This is a

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2 public entity. There's no financial return
3 associated with this.

4 If the Commission has no specific
5 questions, I have the architect, if you have
6 questions for him.

7 THE CHAIRMAN: Questions for Miss
8 Elkowitz?

9 MR. TURNER: I have a couple of
10 questions. You indicated there's a need for
11 security reasons and enhanced parking.

12 Yesterday I had a chance to take the
13 blueprints and sit with our site plan people
14 and discussed is there a way to provide some
15 additional parking? I don't think it was 52
16 spaces, but additional parking here by
17 reconfiguring the parking that's currently
18 on site as well as opportunity and what they
19 said to me is what could be considered --
20 this relates to Judy's point about
21 additional alternatives -- that you could
22 put head-in parking here and you can pick up
23 an additional 25 to 30 spaces. That would
24 necessitate moving the island or this
25 parking area down a little bit and this one

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2 down a little bit and you can probably pinch
3 out a couple of spaces on each side of that.
4 If you do that, they felt confident picking
5 up 25 or 30 here, as well as some
6 opportunities here.

7 MR. GUIDO: That's the bus circle. If I
8 were to install parking here, the buses have
9 to come in and bypass this parking and then
10 try to make this sharp turn. This is where
11 the buses drop off the kids.

12 MR. TURNER: It would be the same width.
13 They suggested that this would be dropped
14 down. To put in parking, you have to drop
15 this down so you have the same width.

16 MS. ELKOWITZ: I'm not a site designer.
17 If you drop this down, you are going to
18 reduce the width here, if you are
19 maintaining the same number of parking
20 spaces.

21 MR. TURNER: You would reduce a few
22 parking spaces here, but you can move it
23 down a little bit. That would allow this to
24 move down and keep the adequate width for
25 the buses while putting in 25, 30 spaces.

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2 MR. GUIDO: They're saying from the curb
3 line up with new parking and not in the
4 existing paved area?

5 MR. TURNER: Yes.

6 THE CHAIRMAN: Sir, for the benefit of
7 the reporter, could you identify yourself.

8 MR. GUIDO: Mike Guido. I'm from John
9 Guido, Architect.

10 THE CHAIRMAN: You need to be sworn in.

11 M I C H A E L G U I D O, a witness herein, having
12 been first duly sworn by Nancy Demyen, a Notary
13 Public in and for the State of New York, was
14 examined and testified as follows:

15 MR. GUIDO: There's a significant slope
16 from here up to the track. These two
17 properties vary in height, maybe 10 or
18 12 feet from one side to the other.

19 MS. PRUSINHOWSKI: What is the traffic
20 pattern in that area?

21 MR. GUIDO: Currently, the buses come in
22 here, circle around here and come over here
23 and drop off the kids and then go out.

24 MS. PRUSINHOWSKI: It would appear they
25 use a one-way traffic pattern. Couldn't it

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be set up to add more parking stalls with an angled parking situation?

4 MR. GUIDO: They could probably modify
5 this parking area and gain a few spaces. I
6 don't know if they can go from here up
7 because of the increase in elevation. I
8 don't know how much they would gain by
9 relaying this out and still maintain
10 adequate space for the buses to turn around.
11 It's not only the size of the bus. It's
12 also the turning radius for the bus.

MS. PRUSINHOWSKI: Do you have the same situation in the front of the building?

15 MR. GUIDO: No. This is the parent drop
16 off.

17 MS. PRUSINHOWSKI: As far as the aisle,
18 it appears to show a one-way pattern there,
19 although it's showing two-way pattern on the
20 plan. What is it in this area?

21 MR. GUIDO: This is one-way in. So this
22 is one-way across. This is one-way until it
23 gets to here. This is two-way. You can
24 enter and come back this way and exit this
25 way. We don't have this going two ways

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2 because people would be coming out this way
3 and we don't want them turning in here.

4 MS. PRUSINHOWSKI: Can't there be an
5 angled-situation additional parking space?

12 MS. PRUSINHOWSKI: You can also use the
13 aisle.

14 MR. GUIDO: From curb to curb is
15 probably 64 feet. If we were to angle the
16 parking, the aisle would just be wider. It
17 wouldn't give us enough room for another row
18 of parking.

19 MR. TURNER: Retaining walls are used
20 all the time in thousands of situations. If
21 there was an option, that might be something
22 that could be accommodated there to provide
23 additional significant parking.

24 MR. GUIDO: There's no question about
25 that. A retaining wall could be installed

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2 and would have to be installed to
3 accommodate parking.

4 MR. TURNER: You said there were
5 problems along the road with parking. Are
6 there no parking signs on the road? Has
7 anybody approached Suffolk County?

8 MS. ELKOWITZ: The concern is there are
9 vehicles that come to the school. If
10 there's no parking signs there and they
11 can't park on the road, there's no place for
12 them to go.

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2 Although I'm not bond counsel, I do a lot of
3 work with bond counsel, you just can't make
4 changes.

5 I understand our time frame is not your
6 concern, but because this is a public
7 entity, I think the finances are everybody's
8 concern.

9 MS. PRUSINHOWSKI: Does it say to add
10 parking spaces?

11 MS. ELKOWITZ: Yes. I have to defer to
12 Mr. Guido, but if we have to do substantial
13 grading and retaining walls and redesign, we
14 are not going to gain as many parking
15 spaces. I have to see them laid out. I'm
16 not an engineer.

17 How does it solve my problem with the
18 visibility of the front of the school, which
19 was the biggest concern of the school
20 district? It's a benefit to the school
21 district because it gets to solve the
22 parking problem the parents are complaining
23 about and the safety, but how does it solve
24 the problem with respect to visibility of
25 the building.

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MR. TURNER: That's something else I want to talk about. It's unclear to me. Did you say it's something that's mandated by the federal government or is it a guidance document?

7 MS. ELKOWITZ: There was a lot of
8 testimony the last time from Steve Hansen
9 from Eastern Suffolk BOCES. He's not with
10 us today. His report was included in my
11 application. It's my understanding that the
12 United States Education Department and
13 Homeland Security sent out a guidance
14 document. Is it thou shall comply or we
15 will take your money away? I don't believe
16 so. If I had children in the public school
17 district, which I do not, I would want my
18 kids in a district where they were
19 compliant.

20 MR. MILAZZO: Compliance can be achieved
21 by raising the tree level and clearing the
22 understory.

23 MS. ELKOWITZ: We acknowledge that.
24 That's why the plan was modified from the
25 original plan Mr. Guido came up with.

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THE CHAIRMAN: Modified to accommodate both of the needs the district has. One of which is security, but one is clearly parking.

MR. CORWIN: Terry mentioned that you were willing to try to provide a wooden buffer. The width is what?

MR. GUIDO: It varies from side to side because of the shape.

11 MR. CORWIN: Do you have an average?

12 MR. GUIDO: Maybe 30 feet.

13 MR. CORWIN: I'm a little bit concerned
14 about the consistency question. To the
15 extent we can disentangle the security
16 question from the parking question, I'm
17 trying to do that. I would rather not get
18 those two concepts covering each other.

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answer to visibility, then we would have no trees on the school grounds.

MS. ELKOWITZ: I actually believe what I read and heard from Mr. Hansen, it was particularly directed to access points, the entrance and exit. The main entry is on Rocky Point and Yaphank Road.

MR. CORWIN: I don't mean to be argumentative. There are presumably access points at each of the prongs of that X. Some of those prongs front on DEC land and some of those front on the small portion.

MS. ELKOWITZ: Believe it or not, someone did ask me is there any potential that we could get the DEC to clear some land and my answer was unequivocally no. I can try to do what I can try to do.

MR. CORWIN: I understand. If access points are the vulnerable points, what would the district propose for those non-main ingress and egress points?

MS. ELKOWITZ: We can't do anything because it's not our land. If the DEC wanted to do something about it, I'm sure

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2 they can. I'm not going to sit here and
3 say, yes, I want you to clear however many
4 hundreds of feet because we have this
5 building. We are trying to do the best we
6 can with the situation.

7 MR. CORWIN: I'm not suggesting you
8 should.

12 MR. CORWIN: I had to ask.

15 MR. AMPER: Richard Amper A-M-P-E-R,
16 executive director of the Long Island Pine
17 Barrens Society, non-profit education and
18 advocacy environmental group.

24 I share Mr. Corwin's concern that we
25 need to distinguish the parking problem with

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2 the visibility issue. This is a guidance
3 document. My suspicion is we will hear from
4 Ms. Elkowitz and the school district in the
5 future about that guidance document.

6 I'm certainly not qualified, I don't
7 know whether the Commission is qualified, to
8 determine whether visibility is restricted
9 more by a higher understory than the
10 addition of parking in the wrong place. The
11 school district is coming to this Commission
12 saying it needs parking and security, but
13 it's putting the parking in the same sight
14 line as they seek to protect for security's
15 sake. From a precedent standing point of
16 view, I wonder, it's an acre today, but I
17 wonder if it's 20 acres or 40 acres
18 tomorrow, if we were to accept as a mandate
19 the need to prevent trees from being in
20 front of the school for security reasons.
21 At the same time we are all concerned about
22 security. It's not clear to me if the
23 Commission were inclined to approve this, I
24 think it would be very important to
25 establish it's not simply bought on to the

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notion if there's trees in front of a school, they are to be cut down.

The second thing, I'm not suggesting the school district is doing this or Miss Elkowitz is promoting it, but this is the best explanation for granting more parking than I have ever seen produced going. It's hard to determine whether this is a very persuasive argument for allowing parking, rather than a bona fide problem involving security. Something the Commission needs to consider.

With respect to the illustration, if you could put it back up and the observation from the Town of Brookhaven concerning the option of additional parking to the north, I would suggest that the width, both of the existing entrance lane for buses and the turning curve, is smaller there today than would be the case if, as Brookhaven suggested, additional parking were placed to the north and the existing parking moved down, it looks to me, from the aerial, as though there is fully twice as many spaces

2 to the west and south of the existing
3 parking than exists today to the north, and
4 the existing turning radius would not be
5 diminished by the proposal to accommodate
6 the parking. That's just an eyeball. I'm
7 not an engineer. But I'm suggesting to you
8 that you have the amount of space to
9 accommodate the buses today and the radius
10 of the turn is likely to be as great with
11 the proposed modification that Brookhaven
12 has advanced as exists today in the
13 northwest corner of the parking lot.

14 MS. ELKOWITZ: I can respond in two
15 ways. I think you know I'm fairly selective
16 about applications I bring to the
17 Commission. This is not precedent setting.
18 I'm not sitting in front of a Commission of
19 fools. If you look at where the Rocky Point
20 buildings are located, you are going to see
21 to the south there are thousands and
22 thousands of linear feet and woodlands.
23 What makes this different, this location
24 different from many other schools, when you
25 come from the south, you have a very serious

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visibility problem. I don't think every other school district on Long Island can demonstrate that. If they could, well, fine, they would come to the Commission.

With respect to a second issues as to whether this is the tail wagging the dog, all I can tell you, when the district came to me, parking was not part of their original application. When the district came to me, they wanted to clear the land for visibility issues. As the project evolved, we got into a discussion that people park all along Rocky Point and Yaphank Road when the school has different functions and it was becoming a hazard. There were photographs submitted last time and we have additional photographs. When they talked to me about the clearing and Mr. Guido about the clearing, it became a logical place to put the parking. You already disturb the area and that's where it came from. Mr. Guido was directed to maximize the amount of parking. When I came last time and Mr. Shea made the suggestion

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he did, we went back and the district modified the proposal. That's the only way I can respond to Mr. Amper's question.

MR. AMPER: The only conclusion I would make and ask the Commission to consider, visibility is not merely obstructed by vegetation, the canopy of which could be raised, but also by parking itself.

22 MR. CARDINALE: I'm confused. I
23 understood you to say that cutting the
24 understory and leaving the rest would
25 address your visibility problem.

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2 MS. ELKOWITZ: We went back to Mr. Guido
3 and it was Mr. Shea's suggestion, "Could you
4 accommodate your parking and leave a strip
5 along the road where you cut the understory
6 and trim the branches so you could see
7 through that strip?" And that's what we
8 proposed.

9 MR. CARDINALE: Taking your point that
10 the application came to you as a security
11 concern, if you said you have a security
12 problem -- I know it's a guidance. I would
13 suggest that we see the guidance document.
14 It's not a mandatory document. Let's look
15 at the guidance document. We will honor
16 that. So if you lift your understory and
17 you can see through, your security is
18 resolved. If this is really a security
19 issue, it's resolved since they are not
20 concerned about the parking. That's the end
21 of the story.

22 MS. ELKOWITZ: I don't know that that's
23 entirely correct. We can remove the
24 understory. We still have the trees. Mr.
25 Guido has photos. The trees are not in

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foliage now. Because of the way the trees were planted, they are naturally occurring. The trees are in each other's way. The greater the depth that you maintain, the more obstruction of the view even if you cut the branches. We talked about that.

MR. CARDINALE: That explains my confusion. How broad is that?

10 MR. GUIDO: This area varies in width.
11 It's about a hundred feet.

12 MR. CARDINALE: You can cut 30 and put
13 parking in and that finishes the security
14 concern. But you are not sure if you can
15 obtain security by cutting the understory.

16 MR. SHEA: With respect to a possible
17 alternative, is there any opportunity of
18 getting parking in this area here? This
19 seems to be extensive.

20 MR. GUIDO: Before we get to other areas
21 for parking, it is not the width of this
22 aisle that creates the problem. It is the
23 radius of this turn. That's why this
24 parking is so far back. A bus can't make
25 that tight of turn. So it has to turn into

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2 this area here. Could we gain some spaces
3 by moving it down? We probably could. Can
4 we take this and move it all the way down so
5 that narrows? No, because the bus won't
6 make the turn. It's not the width that
7 creates the problem. This radius is pretty
8 good. This radius is a little tough. The
9 bus swings about here and swings about here
10 and comes out. It's the radius creating the
11 problem, not necessarily the width.

12 This area here is Marconi's shed. Is
13 that a dedicated tree?

14 VOICE: I'm not sure.

15 MR. GUIDO: This is a hill. Could there
16 be parking in there? Possibly.

17 MR. AMPER: I have a question. If the
18 turn at the northwest corner is a 90-degree
19 turn, why would the turning radius at the
20 southwest and southeast be a larger turning
21 radius even though it's only a 60-degree
22 turn? At the northwest corner, the bus has
23 to make a 90-degree turn. The other two
24 turns are 60-degree turns. Why do we need a
25 wider radius for the bus to make a 60-degree

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2 turn for the southwest and southeast of this
3 driveway than we do for the northwest?

4 MR. GUIDO: That's why this parking ends
5 here. If this parking were to extend, the
6 bus wouldn't make the turn. The bus has to
7 cut this turn short. The bus has to turn
8 here and swing around and make this turn and
9 turn here and swing around and make this
10 turn. It cannot hug this curb in any form.
11 That's why the parking is held so far back.

12 MR. AMPER: Are we hearing Brookhaven
13 advocate that we have parking at that bend?
14 I don't hear Brookhaven arguing that they
15 would take that diagonal parking beyond the
16 point of that curve anyway.

17 MR. GUIDO: They are saying take the
18 parking and push it down, from my
19 understanding.

20 MR. TURNER: If you slant it you
21 conceivably compress the lower lane, but you
22 would be able to move everything down. They
23 didn't draw it out for me, but you would
24 gain a fair amount of parking.

25 MR. GUIDO: If we go from that curb up,

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2 I would imagine that would be a way to get
3 this additional parking. We can probably
4 move this down a little bit. We just can't
5 move it down a lot.

6 THE CHAIRMAN: Any reconfiguration would
7 have to respect the need to have school
8 buses moving in and out with adequate
9 radius.

10 MR. GUIDO: It's not just a regular
11 parking lot.

12 THE CHAIRMAN: Are there other
13 questions? Sir, just identify yourself for
14 the record.

15 M I C H A E L I V A N O F F, a witness herein,
16 having been first duly sworn by Nancy Demyen, a
17 Notary Public in and for the State of New York,
18 was examined and testified as follows:

19 MR. IVANOFF: Michael Ivanoff, director
20 of finance and operations, Rocky Point
21 school district. I also have the
22 transportation department report to me, and
23 our transportation, we subcontract out to
24 Laidlaw Transportation all of our busing
25 needs.

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2 Some background information, and Steve
3 Hansen, the senior health and safety officer
4 at Eastern Suffolk BOCES, could not make the
5 meeting. Had I known that, we could have
6 invited a person from Laidlaw, and the
7 school principal, Pat O'Brien. This school
8 is a kindergarten, first and second grade
9 school. There's 900 students in this
10 school. These are little kids in this
11 school.

12 We have 24 large 60-passenger bus that
13 come in here at gridlock hour, about
14 9 o'clock every morning. I'm not sure of
15 the exact time. Plus we have our staff,
16 teachers and parents who drop off children
17 and a handicap bus that drops off special
18 education children and children with broken
19 legs and things like that. This is a
20 heavily congested area speaking roughly from
21 a school perspective, this is a tight area.
22 It's 24 buses with a lot of kids running in
23 and out who have to be heavily supervised.

24 This area over here by the football
25 field and track is in an elevation. I not

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2 an engineer either, but in the past we have
3 talked about possibly seeing if we can get
4 parking in here and it was basically
5 determined that it was too costly to attempt
6 to do that, and also, again, we have buses
7 coming in and out and having cars parking a
8 little differently is a real difficult thing
9 to do.

10 This area over here has been discussed
11 at length with Eastern Suffolk BOCES health
12 and safety regarding the width or depth of
13 the brush. Steve Hansen cited an incident
14 in Arkansas in 1998 where there was a
15 shooting done by an eight and ten year old
16 in a wooded area. That's basically it.

17 We realize the area is surrounded by DEC
18 land which is over here. We can't do
19 anything about that. That's very, very
20 close. Eastern Suffolk BOCES has made a lot
21 of concerns about that. We are not here to
22 talk about that. This area right here
23 definitely has to be removed from a
24 vegetation standpoint. We would like all
25 the trees up until the 30-foot buffer

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removed, if possible, and the parking is basically the secondary consideration.

MS. ELKOWITZ: I know the Commission is charged with protecting the resource, but I respectfully submit to you this application, from a groundwater standpoint, is not going to have an adverse impact.

Does this set a precedent for another district to come in and say I want to remove 20, 30, 40, 50 acres of Pine Barrens, this is one area of the Pine Barrens surrounded by impervious areas. I don't think you can argue that 40, 50 or 60 acres of Pine Barrens is a matter for the Commission to consider.

MR. MILAZZO: Is the additional parking needed on a day-to-day basis, and if it's an event, how many times a year?

MR. IVANOFF: I can't say it's needed on a day-to-day basis. I would need to know the exact number of spaces. I would say though, this is a very, very tight area. We have teachers who carpool. Some of them park in the high school parking lot. We

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2 have people who get dropped off. I would
3 say 90 percent of the spots are full every
4 day and prime time is drop off time and pick
5 up time. This could alleviate some of the
6 congestion and some of the concerns that the
7 school officials have of children getting on
8 and off the bus.

9 MR. MILAZZO: How does your proposal
10 resolve the problem of getting kids off the
11 buses at any particular location? Are you
12 proposing to reconfigure the drop off?

13 MR. IVANOFF: The people that normally
14 park closer to the school could park over
15 here. There are times when parents and
16 grandparents come into the school. There
17 are a lot of events where parents want to
18 come to see the children in certain events,
19 more so than the high school.

20 This is next to the high school where we
21 have children with driver's licenses very
22 close, 16, 17, 18 years old. It's very
23 close to the school. From a health and
24 safety concern, there's always the a
25 potential of something happening. High

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school students would not be allowed to park here. I don't see any no parking signs on this road, but I know when there are things like graduation people park here, Suffolk County police give out tickets.

MR. MILAZZO: There are available spots during the normal day-to-day?

MR. IVANOFF: No, there are not available spots. But if this was made into what? 50 spots, 52, I'm saying there definitely could be some spots available during the day.

MR. TURNER: On a day-to-day basis, people are parking along the road?

MR. IVANOFF: No. When there are events. Events like graduation, like a play going on in the second grade. This isn't like -- this configuration of this school might be different from other schools.

There are neighborhood schools that have kindergarten through fifth grade.

There are 14 kindergarten, 14 first
grades and 14 second grades in the school.
It's a little unique. The need is

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definitely here for this to be clear.

Mr. Hansen from BOCES goes all over Long Island and goes to state conferences. I, as a school official, go to state conferences. And safety is definitely a concern.

MR. MILAZZO: Is there a path between the high school parking lot and the elementary school.

10 MR. IVANOFF: The high school parking
11 lot is up here. This is no path. If we put
12 parking here you would be able to possibly
13 park and watch football games or lacrosse
14 games. We try to limit this area to this
15 school only. This school gets out later in
16 the day, 3:30, four o'clock. Right now
17 there are games going on on the lacrosse
18 field at 4 o'clock.

There's a middle school that's attached to the high school and we have one other school that's about a mile away.

THE CHAIRMAN: With regard to the issue of security, visibility being primary, you have come back to this meeting with an alternative to what was submitted last time

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2 that leaves a buffer area along County Road

3 21. Do we take that to mean, with that

4 buffer area maintained, that your visibility

5 concerns are addressed?

6 MS. ELKOWITZ: We took Mr. Shea's
7 suggestion. We are proposing to cut the
8 branches off and take out the understory.9 We tried to do it at a depth where you can
10 see and still leave the buffer.11 MR. AMPER: One question and one
12 observation. Our last speaker reinforced
13 our concern that the security person is
14 going from school to school around Long
15 Island and Suffolk County and possibly the
16 Pine Barrens region to address this concern.
17 So I'm not persuaded we have seen the last
18 of this.19 The question is, has there been an
20 extension of this school that explains the
21 need for additional parking? If not, why is
22 there now a need for parking that perhaps
23 was not needed previously?24 MR. IVANOFF: The first point with
25 Mr. Hansen going around from school to

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2 school, he told me that this school district
3 is so unique to Long Island that when he
4 drives up 21 passed, say, Longwood to Rocky
5 Point and he has 5,000 acres of Pine Barrens
6 land. You don't think you're on Long
7 Island. It's a very wonderful place to be.
8 The children in the school are definitely
9 into conservation and getting green and
10 recycling.

When he comes up on the school, even
though there's a blinking light and sign
there, it definitely hits you quickly. I
drive up every morning from the south shore.
There are people who are not familiar with
the area and would not know there's a school
there.

18 On top of that, we have guidelines from
19 the Federal Education Department and
20 Homeland Security based on incidents that
21 have happened in schools in rural areas,
22 it's a concern with access from the front of
23 the building from a site standpoint.

24 Personally, I go with the team
25 recommendation of 30-foot barrier.

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2 Personally, I would like to see no trees
3 there. I realize this is part of the rules
4 of the Pine Barrens.

5 Other areas where there are lots of cars
6 there, I asked Steve that question. If
7 there needed to be some police activity,
8 they would be able to access the area
9 through there.

10 We have instances in the school where
11 parents have custody issues and orders of
12 protection. There are a lot of things that
13 are private and proprietary where you have
14 people who you do not want to have access,
15 easy access, to the school and the school
16 safety people are local residents who are
17 making a little more than minimum wage
18 working in the security area.

19 We have a very small security staff. We
20 want to have, as part of this bond, cameras
21 and better security. The community has
22 asked for better security. There are other
23 areas that we do not own that are owned by
24 the DEC that we can not really say anything
25 to the community at this point in time. We

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want to make sure, the first part, where if emergency personnel had to access Frank Carasiti, there's access.

MR. AMPER: Why the need for more spots?

MR. IVANOFF: We feel there's a need for more spots when there's an activity going on in the school. Is it day-to-day? No. But is it a lot? Yes.

10 MR. GUIDO: Enrollment over the last ten
11 years has gone up by 250.

19 MR. GUIDO: Right.

THE CHAIRMAN: Any member of the public
want to be heard? Any additional questions?

22 MR. CORWIN: I want to go over a comment
23 that John made a moment ago regarding the
24 other parking lot to the north. I thought
25 where he was going, the parking lots to the

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north, which are not in the immediate discussion, are they overflowing?

MR. IVANOFF: They are definitely overflowing.

THE CHAIRMAN: The idea is to meet both needs by expanding the parking on the east.

MR. IVANOFF: To lessen the need for the people in attendance at the Carasiti school.

10 The people that might be grandparents and
11 people who are dropping off younger
12 children.

20 THE CHAIRMAN: The point has been made.

21 Any other questions for staff or
22 representatives of the district? I suggest
23 that we close the hearing for further
24 deliberation, any other additional
25 information request. Thank you very much.

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