

CRAMER CONSULTING GROUP

Complete Land Use Services – Including Planning, Design and Environmental

Thomas W. Cramer, Principal

P.O. Box 5535

Miller Place, New York 11764

Telephone (631)476-0984 – Fax (631) 476-6933

July 18, 2013

Central Pine Barrens Commission
Attn: Julie Hargrave
P.O. Box 587
3525 Sunrise Hwy., 2nd Floor
Great River, NY 11739



RE: Kealos Land Division @ Manorville
SCTM #200-509-7-13.10 & 13.11

Dear Julie:

Enclosed herein please find a certified copy of the Declaration of Covenants as filed with the Clerk of the County.

Please let me know if you are in need of anything further to finalize the Pine Barrens Hardship Approval.

Thank you for your time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Eileen Rowan".

Eileen Rowan

/er

Cc: Dan Kealos



COUNTY CLERK'S OFFICE
STATE OF NEW YORK
COUNTY OF SUFFOLK



I, JUDITH A. PASCALE, Clerk of the County of Suffolk and the Court of Record thereof do hereby certify that I have compared the annexed with the original

DECLARATION

recorded in my office on **07/10/2013** under Liber **D00012735** and Page **933** and, that the same is a true copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said County and Court this **07/10/2013**.

SUFFOLK COUNTY CLERK

Judith A. Pascale

JUDITH A. PASCALE

SEAL



SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE

Type of Instrument: DECLARATION
Number of Pages: 11
Receipt Number : 13-0083383

Recorded: 07/10/2013
At: 11:25:22 AM

LIBER: D00012735
PAGE: 933

District:	Section:	Block:	Lot:
0200	509.00	07.00	013.010

EXAMINED AND CHARGED AS FOLLOWS

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$55.00	NO	Handling	\$20.00	NO
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO
TP-584	\$0.00	NO	Notation	\$0.00	NO
Cert.Copies	\$7.15	NO	RPT	\$120.00	NO
			Fees Paid	\$222.15	

THIS PAGE IS A PART OF THE INSTRUMENT
THIS IS NOT A BILL

JUDITH A. PASCALE
County Clerk, Suffolk County

Number of pages 11

This document will be public record. Please remove all Social Security Numbers prior to recording.

RECORDED
2013 Jul 10 11:25:22 AM
JUDITH A. PASCALE
CLERK OF
SUFFOLK COUNTY
L 000012735
P 933

Deed / Mortgage Instrument	Deed / Mortgage Tax Stamp	Recording / Filing Stamps
3	FEES	

Page / Filing Fee _____
Handling 20.00
TP-584 _____
Notation _____
EA-5217 (County) _____
EA-5217 (State) _____
R.P.T.S.A. 120-
Comm. of Ed. 5.00
Affidavit _____
Certified Copy 7.15
NYS Surcharge 15.00
Other _____

Sub Total _____



Sub Total _____
Grand Total 222.15

Mortgage Amt. _____
1. Basic Tax _____
2. Additional Tax _____
Sub Total _____
Spec./Assit. _____
or _____
Spec./Add. _____
TOT. MTG. TAX _____
Dual Town _____ Dual County _____
Held for Appointment _____
Transfer Tax _____
Mansion Tax _____
The property covered by this mortgage is or will be improved by a one or two family dwelling only.
YES _____ or NO _____
If NO, see appropriate tax clause on page # _____ of this instrument.

4	Dist. <u>0200</u>	Section <u>50800</u>	Block <u>0700</u>	Lot <u>013.010</u>	5	Community Preservation Fund
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Real Property
Tax Service
Agency
Verification

2520338



Consideration Amount \$ _____

CPF Tax Due \$ _____

6

Satisfactions:

RECORD & RETURN TO:

CRAMER CONSULTING GROUP
PO BOX 5535
MILLER PLACE, NY 11764

Improved _____

Vacant Land _____

TD _____

TD _____

TD _____

Mail to: Judith A. Pascale, Suffolk County Clerk
310 Center Drive, Riverhead, NY 11901
www.suffolkcountyny.gov/clerk

7 Title Company Information

Co. Name Safe Harbor Title Agency, Ltd.

Title # 0548079

8 Suffolk County Recording & Endorsement Page

This page forms part of the attached DECLARATION OF COVENANTS made by:
(SPECIFY TYPE OF INSTRUMENT)

DANIEL KEALOS

The premises herein is situated in
SUFFOLK COUNTY, NEW YORK.

TO

PINZ BARRENS COMMISSION

In the TOWN of BROCKHAVEN

In the VILLAGE

or HAMLET of MANORVILLE

BOXES 6 THRU 8 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

Stat ID:

2520338



Tax Maps

District	Secton	Block	Lot	School District
0200	50900	0700	013010	EASTPORT
0200	50900	0700	013011	EASTPORT

Cts y 8079

DECLARATION OF COVENANTS AND RESTRICTIONS

This declaration made as of the 12th day of January 2013, by DANIEL KEALOS, an individual residing at 21 Bruce Drive, Manorville, New York 11949 (hereinafter referred to as the "Declarant"):

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of the real property located at 21 Bruce Drive, Manorville NY, identified on the Suffolk County Tax Map as 0200-509.00-07.00-013.010 and 0200-509.00-07.00-013.011 collectively, and more fully described in Exhibit "A" annexed hereto and made a part hereof (the "Property"); and

WHEREAS, on December 2, 2011, Declarant made an application to the Central Pine Barrens Joint Planning and Policy Commission (the "Commission") for a Compatible Growth Area Extraordinary Hardship Exemption pursuant to § 57-0121 (10) of the New York State Environmental Conservation Law; and

WHEREAS, on March 21, 2012, after due deliberation and consideration, the Commission determined that the Declarant's Compatible Growth Area Extraordinary Hardship Exemption application meets the criteria for a Compatible Growth Area Hardship pursuant to §57-0121(10) of New York State Environmental Conservation Law; and

WHEREAS, on March 21, 2012, the Commission adopted a resolution entitled "Adopted Resolution on the Compatible Growth Area Extraordinary Hardship Application of Daniel Kealos (the "Approval Resolution") annexed hereto as Exhibit "B"; and

WHEREAS, the Approval Resolution requires, *inter alia*, that the Declarant cause the Approval Resolution and the covenants and restrictions contained herein to be recorded in the Office of the Clerk of Suffolk County; and

WHEREAS, the Declarant desires to comply with the conditions of the Approval Resolution; and

NOW THEREFORE, in consideration of the premises, the Declarant hereby declares that the Property is held subject to the following covenants and restrictions:

1. Protect existing natural vegetation to remain on the Project Site.
2. Protect the area to be revegetated on current Lot 13.11, which is 21% of the Project Site or 17,118 square feet.


3. Total area to be protected encompasses 65% or 52,871 square feet of the Project Site.
4. Provide notice to future owners of the current parcels in the Project Site, SCTM #s: 0200-509-7-13.10 and 13.11, or any tax lots assigned in the future, that the C & Rs and conditions of this Waiver apply to the Project Site.
5. Development of Lot 0200-509-7-13.10 shall be in compliance with Pine Barrens Commission Resolution conditions #1. a. through e..
6. Development of Lot 0200-509-7-13.11 shall be in compliance with Pine Barrens Commission Resolution conditions #2. a. through c..
7. No more than 15% fertilizer dependent vegetation on the Project Site.
8. The above recitals are incorporated herein and are made a part hereof.
9. These covenants and restrictions were conditions to obtain hardship waiver and are for the benefit of and enforceable by the Commission and shall be and constitute real covenants running with the land and shall be binding upon the Declarant and any and all subsequent owners of said Property or any part thereof, and upon their heirs, executors and administrators, or their successors and assignees subject, however, to the right of the Commission, upon request by the Declarant, its successors and assignees, to amend, alter, annul or repeal any or all of the foregoing covenants and/or restrictions at any time.

IN WITNESS WHEREOF, the Declarant has executed this Declaration the day and year first above written.

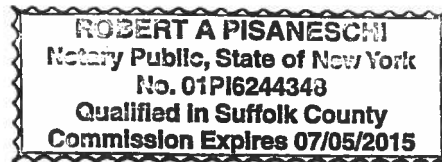

DANIEL KEALOS

STATE OF NEW YORK)
) SS:
COUNTY OF SUFFOLK)

On the 12 day of JANUARY, in the year 2013, before me, a notary in and for said state, the undersigned, personally appeared DANIEL KEALOS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public



SCHEDULE "A"

Deed description

Parcels District 200 Section 509 Block 7 Lots 13.10 & 13.11

All that certain plot, piece or parcel of land, with the buildings and improvement thereon erected, situate lying and being at East Manorville, Town of Brookhaven, County of Suffolk and the State of New York, known as lots 37 and 38 inclusive on a map entitled "Map of Abe Farber Homes at Manorville" filed in the Suffolk country clerks office, on November 18, 1976 as map file No.6472, being bound and described as follows:

Beginning at a curve which connects the easterly side of Sandie Lane with the southerly side of Bruce Drive bearing to the right having a radius of 20.00 feet with a length of 35.95 feet.

Running thence S 39°-46' -20" E 249.81 feet to a point of curvature.

Running thence along a curve to the right having a radius of 20.00 feet and a length of 17.45 feet to a point of reverse curvature.

Running thence along a curve to the left having a radius of 50.00 feet and a length of 62.07 feet to a point of division between lots 36 & 37.

Running thence S 29°-06'-00" W 200.60 feet to a point.

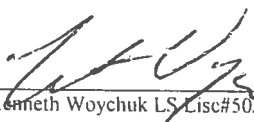
Running thence N 84°-22'-10" W 55.00 feet to a point

Running thence N 39°-46' -20" W 101.21 feet to a point

Running thence N 29°- 12'-35" W 235.36 feet to a point on the easterly side of Sandie Lane.

Running thence along the easterly side of Sandie Lane, N 37°-13' -40" E 184.45 feet
To the point and place of Beginning.

Said Parcel contains 81,340+/- square feet or 1.86 acres more or less.


Kenneth Woychuk LS Lisc#50227

SCHEDULE "B"

**Commission Meeting of March 21, 2012
Riverhead Town Hall**

Present: Peter Scully (New York State), Mark Lesko (Brookhaven), Sarah Lansdale (Suffolk County), Sean Walter (Riverhead), Marty Shea (Southampton)

**Adopted Resolution
Compatible Growth Area Hardship Waiver
Kealos Subdivision
Hamlet of Manorville, Town of Brookhaven
SCTM #s: 200-509-7-13.10 and 13.11**

Whereas, Daniel Kealos (the "applicant"), owns two parcels of land (the "Project Site"), designated as #200-509-7-13.10 and 13.11 on the Suffolk County Tax Map, in the A Residence 2 Zoning District, located on Bruce Drive, in the Compatible Growth Area of the Central Pine Barrens, in the hamlet of Manorville, Town of Brookhaven (the "Project Site"); and

Whereas, the Project Site is 81,340 square feet; tax lot #13.10 is 40,435 square feet and is developed with one single-family dwelling occupied by the applicant; and tax lot #13.11 is 40,905 square feet and is undeveloped; and

Whereas, the applicant purchased the two parcels with two separate deeds in 2004 and has held them in common ownership; and

Whereas, the two tax parcels have been merged due to their non-conformance with the Town of Brookhaven Zoning Code and not being held in single and separate ownership; and

Whereas, in 1989, the Project Site was in the B Residence Zoning District (minimum lot area 15,000 square feet), and the Town amended the zoning map containing the Project Site, which resulted in a rezoning of the Project Site and surrounding area to the A Residence 2 (A2) Zoning District (minimum lot area 80,000 square feet); and

Whereas, the applicant filed an application with the Town of Brookhaven Board of Zoning Appeals (BZA) to subdivide the Project Site; a BZA decision is pending Commission action on the CGA Hardship Waiver; and

Whereas, the land use of the immediate neighborhood is developed with single-family residential land uses on lots with an estimated average area of 40,000 square feet; and

Whereas, the Project constitutes development under the Long Island Pine Barrens Protection Act (New York State Environmental Conservation Law Article 57); and

Whereas, the Project does not conform to the Central Pine Barrens Comprehensive Land Use Plan (CLUP) Standards: 5.3.3.6.1 (Vegetation Clearance Limits) and 5.3.3.6.3 (Fertilizer-dependent vegetation limit); and



Peter A. Scully
Chair

Steven Bellone
Member

Mark Lesko
Member

Anna E. Throne-Holst
Member

Sean M. Walter
Member

P.O. Box 587
3525 Sunrise Highway
2nd Floor
Great River, NY
11739-0587

Phone (631) 224-2604
Fax (631) 224-7653
www.pb.state.ny.us

Whereas, as the Project does not comply with the CLUP, the applicant, by its consultant, Cramer Consulting Group, submitted an application dated December 2, 2011 (the "Application") to the Central Pine Barrens Joint Planning and Policy Commission (the "Commission") for a Compatible Growth Area ("CGA") Hardship exemption to authorize the Project; and

Whereas, approximately 46% (37,853 square feet) of the Project Site is currently cleared, and 54% (43,757 square feet) is naturally vegetated; and

Whereas, the Project proposes to exceed the Vegetation Clearance Limit Standard of 35% by 11% for a final clearing limit of 56%; the Application includes the clearing of 7,835 square feet of existing vegetation on Lot # 13.10 to allow for the construction of the proposed house, sanitary system and driveway, while providing enough of a rear yard if the future homeowner would like to install a swimming pool; and

Whereas, approximately 34% of the Project Site currently contains fertilizer dependent vegetation; and

Whereas, the Project proposes to reduce the amount of fertilizer dependent vegetation via revegetation but will still exceed the Fertilizer Dependent Vegetation Limit Standard of 15% by 3% for a final limit of 18% Fertilizer Dependent Vegetation; and

Whereas, the applicant proposes to mitigate the project through revegetation of 21% (17,118 square feet) of the Project Site, as shown on the map entitled "Pine Barrens Restoration Plan Kealos Land Division" prepared by Cramer Consulting Group last dated 9/26/2011 (the "Plan") and after revegetation, an estimated 35% (28,300 square feet) of the Project Site will remain cleared, and 65% (53,040 square feet) of the Project Site will remain natural; and

Whereas, the Project was approved by the Suffolk County Department of Health Services (SCDHS), and the application contains a map approved by the SCDHS on June 28, 2007 for the development of a single-family dwelling on tax lot #13.11, Permit #R02-07-0336; and

Whereas, the Hardship petition included an analysis of the hardship criteria contained in ECL §57-0121 in support of its Waiver application; and

Whereas, the applicant submitted an economic analysis as part of the application, which identified a financial loss on the applicant's investment if the Project was not approved; and

Whereas, the Commission held a public hearing on the Project on January 18, 2012 during which Mr. Kealos testified that he resides in the existing dwelling on tax lot #13.10, that he wishes to sell tax lot #13.11, and that he will have to move and sell his property if he cannot subdivide and sell tax lot #13.11; and

Whereas, subsequent to the public hearing, the Project was discussed during the February 15, 2012 Commission meeting, and the Commission concluded that the applicant could further reduce the amount of fertilizer dependent vegetation on the Project Site to a maximum of 15% in accordance with the CLUP Standard, which would result in protection of groundwater resources; and

Whereas, the Project is an Unlisted Action pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act, SEQRA), and the Commission performed a coordinated review; and

Whereas, no objection was raised by involved agencies concerning the Commission's request to assume SEQRA Lead Agency status, and the Commission therefore assumed SEQRA Lead Agency; and

Whereas, the Commission has considered the Application and all related documents, including the Environmental Assessment Form Part I submitted by the applicant; and

Whereas, the New York State Office of Parks, Recreation and Historic Preservation, by letter dated February 15, 2012, stated the project will have no impact on cultural resources in or eligible for inclusion in the State and National Register of Historic Places; and

Whereas, the Project Site is approximately 755 feet from the boundary of Cranberry Pond, a New York State Department of Environmental Conservation (NYSDEC)-regulated freshwater wetland and documented habitat of the Eastern tiger salamander, a State-listed endangered species; and

Whereas, in order to comply with CLUP Standard 5.3.3.7.1, *Special species and ecological communities*, the applicant shall seek a determination of jurisdiction or "no-take" pursuant to a New York State Environmental Conservation Law Article 11, Part 182 Permit regarding Endangered and Threatened Species of Fish and Wildlife, since Cranberry Pond is within the jurisdictional boundary of protection for the tiger salamander habitat; and

Whereas, pursuant to the Act, in determining whether to grant a CGA hardship exemption for the Project, the Commission shall consider, among other things, the criteria set forth in New York State Town Law § 267-b(2) and determine whether the Project is consistent with the purposes and provisions of the Act and whether the Project will result in a substantial impairment of the resources of the Central Pine Barrens area, and

Whereas, in considering the criteria set forth in Town Law §267-b(2)(1), the Commission finds that the applicant submitted competent financial evidence in the application; and

Whereas, in considering the criteria set forth in Town Law §267-b(2)(2), the Commission finds that the hardship, as it relates to the Project Site, is unique due to the build out of the surrounding community in conformance with the proposed development and the applicant's proposal to retain 65% of the Project Site as natural vegetation, which includes revegetation of 21% of the Project Site; and

Whereas, in considering the criteria set forth in Town Law §267-b(2)(3), as it relates to character of the neighborhood, tax lot #13.11 is the only lot in the immediate area that is not developed but was created as part of the surrounding subdivision; and

Whereas, the Project Site is situated in an area characterized by single-family residential development on lots that average 40,000 square feet and the Project does not propose a land use that is inconsistent with the existing neighborhood character; therefore, the proposed development conforms to its surroundings and the Commission finds that the Project will not alter the essential character of the Project Site's neighborhood; and

Whereas, pursuant to Town Law §267-b(2)(4), the Commission finds that hardship is not self-created since the applicant purchased two separate parcels as two separate deeds, has been paying two separate tax bills, and suffers from the legal ramifications of maintaining the two non-conforming lots in common ownership as opposed to keeping them single and separate; and

Whereas, in the past, the Commission granted other CGA Hardship Waivers for similar projects including R. Strauss (3/6/1996), Fredrick Walter Land Division (8/5/1998), Penatello Land Division (10/15/2003), All Island Purchase Corp. (2/18/2004), and Cavallo Two-lot Subdivision (1/19/2005); and

Whereas, the Commission also finds that the applicant's proposal to mitigate Project impacts through revegetation of 21% of the Project Site results in no net loss of natural vegetation; and

Whereas, successful implementation of the Project's mitigation proposal will require the preparation, submission, and approval of a Revegetation Plan; and

Whereas, the Commission has previously required restoration of vegetation and habitat as mitigation for development projects requiring its approval including the applications of Willow Wood at Coram, Flowerwood Development Corp., and the Long Island Power Authority Riverhead Substation Expansion; and

Whereas, the Project will comply with all other Standards of the CLUP including, but not limited to, Standard 5.3.3.6.2 (Unfragmented Open Space), as the natural area to remain will be connected to other backyard natural areas on adjoining lots and will provide benefits to wildlife as stopover and foraging habitat; and

Whereas, the Commission has considered all of the materials submitted in connection with the Project, now, therefore, be it,

Resolved, that pursuant to New York State Environmental Conservation Law (ECL) Article 8 (State Environmental Quality Review Act (SEQRA)) and its implementing regulations 6 NYCRR Part 617, the Commission hereby adopts a Negative Declaration pursuant to SEQRA for the Project, and be it further

Resolved, the foregoing recitals are incorporated herein, and be it further

Resolved, the Commission finds that in order to minimize potential adverse impacts to groundwater resources in the CGA, the applicant shall be required to further reduce the amount of proposed fertilizer dependent vegetation over the Project Site so that overall fertilizer-dependent vegetation does not exceed the CLUP standard of a 15% maximum; and be it further

Resolved, that the Commission hereby determines the Application, as submitted, meets and satisfies the criteria for a Compatible Growth Area Hardship pursuant to the Act and grants the requested CGA Hardship Waiver for Kealos Subdivision in accordance with the map entitled "Pine Barrens Restoration Plan Kealos Land Division" prepared by Cramer Consulting Group last dated 9/26/2011 (the "Plan"), subject to the following conditions:

1. On Tax Lot #13.10:

- a. Approximately 37,583 square feet (92.95%) is currently cleared. No additional clearing is permitted.
 - b. The existing natural vegetation, which comprises 7% of the parcel, shall be protected.
 - c. No fertilizer dependent vegetation is permitted beyond its current extent.
 - d. Revegetation Plan.
 Within one year of the date of adoption of this resolution and prior to any development activity on the Project Site, the applicant must submit a revised Revegetation Plan to revegetate 21% (17,118 square feet) of tax lot #13.10. The Revegetation Plan must:
 1. Retain the existing trees on Lot 13.10, as shown on the "Pine Barrens Restoration Plan" prepared by Cramer Consulting Group dated June 21, 2011 and supplement the existing trees with the Recommended Plant Species including trees, shrubs, and groundcover, also listed in the current plan.
 2. Contain a list of plantings native to the Central Pine Barrens including trees, shrubs, and groundcover, and planting specifications including spacing, height, quantity, and size.
 3. Reference recorded Covenants and Restrictions that ensure the protection of the revegetated area, which is 21% of the parcel.
 4. Ensure survival of plantings for a minimum of three years. Any plantings that do not survive during the three year period after planting must be replanted and managed to survive for a minimum of three years from the date of replanting.
 - e. Provide notification to the Commission office within 48 hours of the completion of revegetation activity to commence the three year time period to ensure planting survival. Commission staff will inspect the property immediately after planting and at three years after the planting date, and at any time requested by the owner/applicant.
2. On Tax Lot #13.11:
 - a. No more than 7,835 square feet (19.15%) of clearing is permitted.
 - b. Clearing will occur in the building envelope illustrated on the Plan, which protects the rear of the property adjacent to the existing cemetery and natural vegetation on adjacent lots.
 - c. Protect 33,070 square feet (80.85%) to remain natural through the filing of a Declaration of Covenants and Restrictions.
 3. Declaration of Covenants and Restrictions. Incorporate the terms and conditions of this resolution into a Declaration of Covenants and Restrictions (C&Rs) for the Project Site to be filed in the Office of the Suffolk County Clerk. The contents of the C&Rs and related measures are as follows:
 - a. Designate the applicant as the Grantor and the Commission is the Grantee.
 - b. Submit the same to the Commission for its review and approval, prior to filing.
 - c. Until the Declaration is approved and recorded, no construction, demolition, or development activity may occur on the Project Site.
 - d. Attach this resolution to the C&Rs.

- e. After approval of C&Rs by the Commission, file them in the Office of the Suffolk County Clerk within one year of the date of this resolution.
 - f. C&Rs must contain language as follows:
 - i. Protect existing natural vegetation to remain on the Project Site.
 - ii. Protect the area to be revegetated on current Lot 13.11, which is 21% of the Project Site or 17,118 square feet.
 - iii. Total area to be protected encompasses 65% or 52,871 square feet of the Project Site.
 - iv. Provide notice to future owners of the current parcels in the Project Site, SCTM #s: 200-509-7-13.10 and 13.11, or any tax lots assigned in the future, that the C&Rs and conditions of this Waiver apply to the Project Site.
 - v. No more than 15% fertilizer dependent vegetation on the Project Site.
4. Copy the Commission on the As Built survey for Lot 13.11.
5. Obtain additional permits and approvals, as required by law, prior to commencement of the Project including, but not limited to, NYSDEC permit(s), Suffolk County Department of Health Services Article 6 approval, Town of Brookhaven BZA land division approval and Building Permits. Prior to site work being undertaken, copies of all permits obtained for the Project shall be submitted to the Commission. All filed maps and permits shall reflect the C&Rs and clearing limits of the Project.

Resolved, this conditionally approved Hardship Waiver shall be valid for a period of five years from the date of approval. All construction work including building or action required in the conditions, where applicable, shall be completed within five years from the date of approval unless the applicant obtains an extension from the Commission; and be it further

Resolved, the applicant may apply for renewal of this conditionally approved Hardship Waiver for a period of not more than one year, provided that not more than one renewal of the conditionally approved Hardship Waiver has previously been granted and not more than three years have passed since the conditionally approved Hardship Waiver expired; and be it further

Resolved, a copy of this resolution shall be filed in the Office of the Suffolk County Clerk indexed against the property.

Record of Motion

Motion by: M. Lesko
Seconded by: S. Walter
In Favor: 5
Opposed: 0
Abstention: 0

cc: Town of Brookhaven Board of Zoning Appeals
Town of Brookhaven Building Division
New York State Department of Environmental Conservation
Suffolk County Department of Health Services

NATIVE VEGETATION CLEARANCE LIMITS

Total Site - Lots 37 & 38

Total Site Area = 81,340 sqft

Existing Natural = 43,757 sqft

Percent of Existing Natural = 53.80 %

Existing Cleared = 37,583 sqft

Percent of Existing Clearing = 46.20 %

Proposed Natural & Restoration = 53,040 sqft

Percent Proposed Natural & Restored = 65.21 %

Existing Clearing to Remain & Proposed Clearing = 28,300 sqft

Percent Existing Clearing to Remain & Proposed Clearing = 34.79 %

Lot 37

Lot Area = 40,905 sqft

Proposed Natural = 33,070 sqft

Percent of Proposed Natural = 80.85 %

Proposed Clearing = 7,835 sqft

Percent of Proposed Clearing = 19.15 %

Lot 38

Lot Area = 40,435 sqft

Restoration Area A = 7,563 sqft

Restoration Area B = 9,555 sqft

Total Restoration = 17,118 sqft

Existing Natural = 2,852 sqft

Existing Clearing = 37,583 sqft

Percent of Existing Clearing = 92.95 %

Natural & Restored Areas = 19,970 sqft

Percent Natural & Restored = 49.39 %

Clearing to Remain After Restoration = 20,465 sqft

Percent Clearing to Remain After Restoration = 50.61 %

NONNATIVE VEGETATION LIMITS (Turf)

Existing Turf Grass on Site (Lots 37 & 38) = 27,712 sqft

Percentage of Existing Turf Grass on Site = 34.07 %

Proposed Turf Grass Lot 37 = 4,920 sqft

Turf Grass after Restoration Lot 38 = 9,762 sqft

Total Turf Grass on Lots 37 & 38 = 14,682 sqft

Percent of Turf Grass on Lots 37 & 38 = 18.05 %

NOTES:
Survey information from "KEALOS" survey prepared by
Kenneth M. Wojcik, L.S., P.O. Box 3, Mattituck, NY.
File # 27-15, Dated Feb. 24, 2007.

Property is Lots 37 & 38 of the map of "Abe Farber Homes
At Manorville" filed November 18, 1976 as Map #6472.

Project: Pine Barrens Restoration Plan

Kealos Land Division

Bruce Drive, Manorville, New York

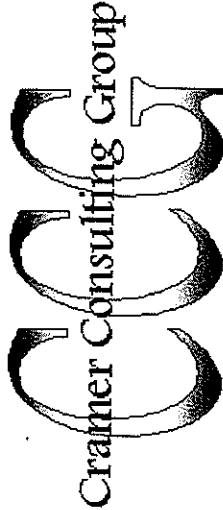
Project #: Tax Lot #: 200-509-7-13.10 & 13.11

Date: June 21, 2011 Scale: 1" = 50' - 0"

Designed By: TWC Drawn By: TWC Checked By: TWC

Revisions:
9/26/2011 - Revise calcs.

Sheet 1 of 1



Complete Land Use Services - Including Planning, Design and Environmental
P.O. Box 5535, Miller Place, New York 11764

Telephone (631) 476-0984 -- Fax (631) 476-6983

RECOMMENDED PLANT SPECIES

The existing vegetation within the area of restoration will be supplemented with the following native species. Other native species may also be proposed, provided that they are drought tolerant and suitable for the site conditions. Source: Central Pine Barrens CLIP, Figure 5-1

Scientific name	Common name
<i>Andropogon gerardi</i>	Big bluestem
<i>Andropogon scoparius</i>	Little bluestem
<i>Benilia lena</i>	White Birch
<i>Benilia populifolia</i>	Grey Birch
<i>Celtis occidentalis</i>	Hackberry
<i>Demissaedia pumilabula</i>	Hay scented fern
<i>Epigaea repens</i>	Trailing arbutus
<i>Hamamelis virginia</i>	Witch hazel
<i>Ilex glabra</i>	Inkberry
<i>Ilex opaca</i>	American holly
<i>Myrica pensylvanica</i>	Northern bayberry
<i>Parthenocissus quinquefolia</i>	Virginia creeper
<i>Pinus rigida</i>	Pitch pine
<i>Populus tremuloides</i>	Quaking aspen
<i>Prunus maritima</i>	Beach plum
<i>Prunus serotina</i>	Black cherry
<i>Pteridium aquilinum</i>	Bracken fern
<i>Quercus alba</i>	White oak
<i>Quercus coccinea</i>	Scarlet oak
<i>Quercus rubra</i>	Red oak
<i>Rosa virginiana</i>	Virginia rose
<i>Rubus allegheniensis</i>	North blackberry
<i>Salix discolor</i>	Pussy willow
<i>Sassafras albidum</i>	Sassafras
<i>Solidago species</i>	Goldenrod
<i>Spiraea latifolia</i>	Spiraea
<i>Vaccinium angustifolium</i>	Lowbush blueberry
<i>Vaccinium corymbosum</i>	Highbush blueberry

Areas of proposed restoration with natural vegetation (see "Recommended Plant Species" list).

Existing trees on site, not natural. No understory or has turf grass under them.

Photograph locations

Dry wells to contain min. 2" runoff from hardsurfaces.

