



**Central Pine Barrens Commission Meeting Summary**  
**Wednesday, August 16, 2023 (Approved 9/20/2023)**  
**Wertheim National Wildlife Refuge**  
**340 Smith Road**  
**Shirley, NY 11967**  
**2:00 pm**

**Commission members present:** Mr. Robert Calarco (New York State Governor's Representative), Ms. DiBrita and Ms. Pines (for Brookhaven), Ms. Aguiar (for Riverhead), Mr. Dale and Mr. Freleng (for Suffolk County), Ms. Scherer and Mr. Shea (for Southampton).

**Others present:** Commission and other agency staff members included Ms. Jakobsen, Mr. Milazzo, Ms. Hargrave, Mr. Tverdyy, Ms. Parrott, Mr. Motz, Mr. Enright, Ms. Brown-Walton and Mr. Tripp (for Pine Barrens Credit Program)

Mr. Dale led the pledge to the flag and Mr. Calarco noted that all five Commission members present there is a quorum.

Robert Calarco  
Chairman

Yvette Aguiar  
Member

Steven Bellone  
Member

Edward P. Romaine  
Member

Jay H. Schneiderman  
Member

**1. Administrative and Public Comment**

**a. Public Comment**

*Summary: Mr. Joseph Gazza who resides in Quogue addressed the Commission and discussed his concern on behalf of the six acres he owns in Westhampton, which is next to property that is under construction to possibly become a sandpit for recycling. Mr. Gazza stated that the property has been abandoned for over 15 years, it is 47 Acres, 40 feet deep owned by Four Old Country Road, LLC and for the last year the owners have been working without permits. Mr. Gazza is requesting the Commission Board and Staff to review the project before the approval is given to have the project move forward. Ms. Jakobsen discussed that the Commission is aware of structures on the property. The Commission received a referral in May and Staff is aware. Comments were sent in response to the referral.*

*The Commission presented Ms. Parrott with a proclamation for 15 years of hard work and dedication to the Pine Barrens as she moves on to a new endeavor. Ms. Parrott thanked the Commission and introduced Mr. Tim Motz who will be the Communications/Education and Outreach Coordinator.*

**b. Minutes for 7/19/23**

*Summary: **The motion was made by Mr. Dale and seconded by Ms. Aguiar to adopt the July 19, 2023 meeting minutes. The motion was approved by 5:0 vote.***

**2. Planning, Land Use and the Pine Barrens Credit Program**

**a. Credit Program Auction:**

*Summary: Mr. Tverdyy discussed the credit auction. Staff conducted the Pine Barrens Credit auction to purchase Pine Barrens Credits. The deadline to receive the form for offers was on August 4. Nine offers were received for the total of 3.95 credits. Mr. Tverdyy discussed half of the offers were received from the letter of interpretation owners. The average price of the Pine Barrens Credit offers is \$106,797 per credit and the average price of the Town of Brookhaven credit is \$109,756. Mr. Tripp stated the Credit Program Clearinghouse and Commission should design a program that would make the auctions attractive for the people that do not participate in the Pine Barrens Credit Program.*

***The motion was made by Mr. Dale and seconded by Ms. Aguiar to approve the Resolution Central Pine Barrens Commission Authorization to purchase Pine Barrens Credits. The change in the resolution will state the average Pine Barrens Credit price per credit was agreed to be \$106,797. The motion was approved by 5:0 vote.***

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**Core Preservation Area, Critical Resource Area, Compatible Growth Area**

- b. CVE North America, Inc. Core Preservation Area Hardship Waiver Application (former site of Westhampton Property Associates Core hardship, 2012) / east of Speonk Riverhead Road, Speonk / 900-276-3-1 and 2 / development of a 25 acre, 5 MW solar facility for lease on a 114 acre project site where a 91 acre sand mine is present in the CR 200 zoning district

*Summary: Ms. Hargrave discussed this item is on to schedule a public hearing. The Commission received for a Core Preservation Area Hardship application for a solar installation facility on a sand mine site in Westhampton. The applicant is proposing to develop a solar facility on 25 acres of the 91-acre sand mine site. This is the site former Westhampton Property Association that was granted a hardship in 2012 to expand the mine deeper and at the end of the mining period it was expected to be restored to natural habitat. In the 2012 decision there was a requirement, and the applicant recorded a Conservation Easement on this property. This development proposal may conflict with the easement. Mr. Milazzo discussed the discussion of the conservation easement can be combined at the hardship hearing or as separate matter.*

**The motion was made by Mr. Dale and seconded by Ms. Scherer to schedule a public hearing combining the conservation easement and hardship application for September 20, 2023 at 3:00pm. The motion was approved by 5:0 vote.**

**Core Preservation Area**

- c. Suffolk County Correction Officers Association Core Preservation Area Hardship Waiver Application / 1001 NYS Route 25, Ridge / 200-295-1-5.2 / construction of a 1,750 square foot meeting hall for members on a 3-acre project site in the J4 Business zoning district  
*Summary: Ms. Hargrave discussed this item is to schedule a public hearing for the Core Preservation Area Hardship Waiver application. The proposal is to build a 1750 square foot Meeting Hall building. There was some clearing on the property and a violation was issued and not resolved. Mr. Milazzo discussed because there is a violation a public hearing cannot be scheduled. This item can be discussed in the closed executive session on the violation that was issued in 2015 by the Town of Brookhaven. How the violation is resolved dictates how the Commission can proceed with this matter.*
- d. SEQRA Coordination LIPA Medford Operations Center / 3351 NYS Route 112, Medford / 200-574-2-3.1, 16 and 17.1 / development of a LIPA operations center on a 24.26 acre project site where Country Fair amusement park is located in the J2 Business and A1 Residence zoning districts

*Summary: Ms. Hargrave presented the draft letter and indicated a hardship application was received on Friday and a shearing could also be scheduled today.*

**The motion was made by Mr. Dale and seconded by Ms. Aguiar to send the draft letter on the SEQRA Coordination. The motion was approved by 5:0 vote.**

**The motion was made by Ms. Scherer and seconded by Mr. Dale to schedule a public hearing for October 18, 2023. The motion was approved by 5:0 vote.**

**Compatible Growth Area**

- e. Venezia Square CGA Development of Regional Significance / NYS Route 25A, Wading River / 600-73-1-1.4 and 1.16, 1.17, 1.18 and 1.19 / development of 37,000 square feet of commercial uses on a 6.3 acre project site in the Business CR zoning district / decision deadline 8/16/23

**The motion was made by Mr. Dale and seconded by Ms. Scherer to approve an extension of the decision deadline to September 20, 2023. The motion was approved by 5:0 vote.**

**3. Public Hearing at 2:30 pm Adjourned until September 20, 2023**

- a. *Taco Bell-Mangogna Core Preservation Area Hardship Waiver Application / Chapman Boulevard-CR 111, Manorville / 200-462-2-12.2 / development of a 2,624 square foot drive through restaurant on a 1.6 acre project site where a 7,200 square foot restaurant is present (Michaelangelo's) in the J2 Business zoning district*

**4. Public Comment**

*Summary: No public comments were received*

*Public Session of the Meeting Adjourned at 3:00 pm*

**5. Closed Advisory Session**

***The motion was made by Mr. Dale and seconded by Ms. Aguiar to close the public portion of the meeting and to move into an advisory session for the purpose of discussing enforcement matters and obtaining legal advice from Commission counsel the Commission would not return to public session. The motion was approved by a 5:0 vote.***

*Meeting was adjourned at approximately 4:00 pm*

Attachments (in order of discussion)

1. Draft Commission meeting summary for July 19, 2023
2. Final Commission meeting summary for July 19, 2023
3. Draft Resolution of the Central Pine Barrens Commission Authorization to Purchase Pine Barrens Credits dated August 16, 2023; Draft Agreement for the Sale of Pine Barrens Credits
4. Final Resolution of the Central Pine Barrens Commission Authorization to Purchase Pine Barrens Credits dated August 16, 2023; Final Agreement for the Sale of Pine Barrens Credits
5. CVE North America background information and Core Preservation Hardship Waiver application with attachments dated August 1, 2023
6. Suffolk County Correction Officers Association, Inc. letter, Application Checklist and Core Preservation Area Hardship Waiver Application dated July 31, 2023
7. Draft response letter SEQRA Lead Agency Coordination for LIPA Operation Center Medford, Brookhaven Town dated August 16, 2023; PSEG-LI letter and Hardship Waiver Application dated August 3, 2023
8. Final response letter SEQRA Lead Agency Coordination for LIPA Operation Center Medford, Brookhaven Town dated August 16, 2023
9. Venezia Square, Wading River DRS decision extension letter dated August 8, 2023