



Central Pine Barrens Commission Meeting Summary
Wednesday, September 20, 2023 (Approved October 18, 2023)
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY 11901
2:00 pm

Commission members present: Mr. Robert Calarco (New York State Governor's Representative), Ms. DiBrita and Ms. Pines (for Brookhaven), Ms. Aguiar and Ms. Hurley (for Riverhead), Mr. Dale (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. Tverdy, Mr. Carbone, Ms. Weigand, Mr. Steiger, Ms. Drew and Ms. Brown-Walton

Ms. Aguiar 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: No public comments were received.

b. *Minutes for 8/16/23 review*

*Summary: **The motion was made by Mr. Dale and seconded by Ms. Aguiar to adopt the August 16, 2023 meeting minutes. The motion was approved by 5:0 vote.***

c. *Commission-NYSDEC five-year contract agreement: approval*

Summary: Ms. Jakobsen discussed the previously sent draft resolution for a revised budget plan for the contract fiscal year. The revision reflects a six-month extension on the previous contract to spend down advanced money that could not be carried over to the new contract.

The motion was made by Mr. Dale and seconded by Ms. Aguiar to approve the revised NYSDEC five-year contract agreement and approve the Executive Director to execute the new five-year contract on behalf of the Commission. The motion was approved by 5:0 vote.

2. Education and Outreach, Science and Stewardship, NYWIMA

a. *Education and Outreach Division: update*

Summary: Mr. Motz was not present, the Education and Outreach division's activities covered in the previously distributed education and outreach division report.

b. *Science and Stewardship Division: update*

Ms. Weigand discussed highlights and updates on the Science and Stewardship division's activities covered in the previously distributed science and stewardship division report.

c. *New York Wildfire and Incident Management Academy: update*

Ms. Jakobsen welcomed and introduced Ms. Catherine Drew who was recently hired as a part time Administrative Assistant. Ms. Drew is currently focused on the New York Wildfire and Incident Management Academy and she discussed highlights and updates on current activities covered in the previously distributed NYWIMA report.

3. Planning, Land Use and the Pine Barrens Credit Program

a. *Compliance and Enforcement Division: update*

Summary: Mr. Carbone discussed highlights and updates on the Compliance and Enforcement division's activities covered in the previously distributed compliance and enforcement division report. Mr. Carbone discussed how valuable Mr. Enright was to the Commission. Mr. Enright retired in this month.

624 Old Riverhead Road
Westhampton Beach, NY
11978

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

- b. *Land Use Division: update*
Summary: Ms. Hargrave discussed highlights and updates on the Land Use division's activities covered in the previously distributed land use division report.
- c. *Credit Program: update*
Summary: Mr. Tverdy discussed highlights and updates on the Credit Program's activities covered in the previously distributed credit program report.

Compatible Growth Area

- d. *Referral: Brookhaven Town Planning Board: Suffolk Muslim Cemetery / Eastport / 200-684-5-3, 200-685-1-1.1, 200-722-1-1 / demolition of existing Spadaro Airport structures and development of a cemetery on 27 acres in the A1 (86%) and J2 (14%) zoning districts; part of site in CGA, part of site not within the Central Pine Barrens*
Summary: Ms. Hargrave discussed this referral from the Town of Brookhaven Planning Board. It defers lead agency to the town. The project site is about 27 acres part of which is in the Compatible Growth Area. The draft letter indicates that the project is development and the part in the CGA must conform with the Plan standards.

The motion was made by Mr. Dale and seconded by Ms. Scherer approve to send the draft referral letter to the Town of Brookhaven Planning Board. The motion was approved by 5:0 vote.

- e. *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 where a 7,200 square foot restaurant (Michaelangelo's) is present on a 1.6-acre project site in the J2 Business zoning district /*
Summary: Ms. Hargrave discussed that the SEQRA process is not complete at the town, so an extension is needed on the decision deadline.

The motion was made by Ms. DiBrita and seconded by Ms. Aguiar to adjourn the public hearing to October 18, 2023 and extend the decision deadline to November 15, 2023. The motion was approved by 5:0 vote.

- f. *Venezia Square at Wading River 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*
Summary: The motion was made by Ms. Scherer and seconded by Mr. Dale to extend the decision deadline to November 15, 2023. The motion was approved by 5:0 vote.

4. Public Hearing at 3:00 pm

- 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 where a 7,200 square foot restaurant (Michaelangelo's) is present on a 1.6 acre project site in the J2 Business zoning district / adjourned*
- 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 / develop and lease 25 acres for a 5 MW solar facility on the site of a 91-acre sand mine in the CR 200 zoning district.*

Summary:
A stenographic transcript was prepared for the hearing.

5. Public Comment

Summary: No public comments were received

Public Session of the Meeting Adjourned at 2:30 pm

6. Closed Advisory Session (if necessary)

The motion was made by Mr. Dale and seconded by Ms. Scherer 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 August 16, 2023
2. Final Commission meeting summary for August 16, 2023
3. Draft Resolution dated September 13, 2023 to approve the revised Attachment B-1 Budget Plan for State Fiscal Year 2023-2024 and to approve the Commission entering into new 5 Year Agreement (2023 through 2028) with the NYS Department of Environmental Conservation dated June 21, 2023; Attachment B-1 Expenditure Based Budget Summary
4. Final Resolution dated September 13, 2023 to approve the revised Attachment B-1 Budget Plan for State Fiscal Year 2023-2024 and to approve the Commission entering into new 5 Year Agreement (2023 through 2028) with the NYS Department of Environmental Conservation dated June 21, 2023; Attachment B-1 Expenditure Based Budget Summary
5. Environmental Outreach and Communications Division update dated September 2023
6. Science and Stewardship division update dated September 20, 2023
7. New York Wildfire and Incident Management Academy update dated 2023
8. Compliance and Enforcement Division update dated July – August 2023
9. Land Use Division update dated September 20, 2023
10. Credit Program update dated September 20, 2023
11. Draft referral response letter to the Town of Brookhaven dated September 20, 2023; Memo and site plan from the Town of Brookhaven of the Suffolk Muslim Cemetery dated August 22, 2023
12. Final referral response letter to the Town of Brookhaven dated September 20, 2023 on the Suffolk Muslim Cemetery
13. Email from Certilman Balin dated September 13, 2023 proposing signage and requesting adjournment of this item to October 18, 2023
14. Email from J. Lee Snead, Esq dated September 11, 2023 requesting adjournment of the Taco Bell-Mangogna hearing date to October 18, 2023 and extension of the decision deadline accordingly
15. Email from Nelson, Pope Voorhis dated September 13, 2023 requesting an extension of decision deadline on Venezia Square CGA DRS
16. Draft Staff report for the public hearing CVE NY Southampton 243 LLC core hardship dated September 20, 2023