



**Central Pine Barrens Commission Meeting Summary
Wednesday, March 20, 2024 (Approved 4-17-24)
Brookhaven Town Hall
One Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Mr. Robert Calarco (New York State Governor's Representative), Mr. Panico (for Brookhaven), Mr. Hubbard and Mr. Charters (for Riverhead), Ms. Moore, Ms. Scherer and Mr. Shea (for Southampton), Ms. Juengst (for Suffolk County Executive).

Others present: Commission and other agency staff members included Ms. Jakobsen, Mr. Milazzo, Ms. Hargrave, Mr. Carbone, Ms. Lawston, Mr. Steiger, Mr. Tverdyy, Mr. Motz and Ms. Brown-Walton.

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

Robert T. Calarco
Chairman

Timothy C. Hubbard
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

1. Administrative and Public Comment

a. Public Comment

Summary: No public comments were received

b. Minutes for 2/21/24 review

*Summary: **The motion was made by Ms. Moore and seconded by Mr. Panico to adopt the February 21, 2024 meeting minutes. The motion was approved by 5:0 vote.***

2. Education and Science and Stewardship

a. Education and Outreach Division: update

Summary: Mr. Motz discussed highlights and updates on the Education and Outreach division's activities covered in the previously distributed education and outreach division report. Mr. Motz also gave a presentation on the Central Pine Barrens 2023 Annual Report.

b. Science and Stewardship Division: update

Summary: Ms. Weigand was not present. The Science and Stewardship division's activities were covered in the previously distributed Science and Stewardship division report. Ms. Moore and Mr. Panico asked for more information about the Southern Pine Beetle infestation and the suppression efforts. Ms. Jakobsen requested that Ms. Weigand give an update on Southern Pine Beetle activity and status at the April 17, 2024 Commission meeting.

c. Draft resolution to authorize USGS-Commission two-year water resources monitoring contract

Summary: Ms. Jakobson discussed the USGS has prepared a proposal to continue water resource monitoring on the Carmans and Peconic River for two years, commencing in October 2024 until the end of September 2026. The Commission find that the proposal will provide invaluable water resource data which will greatly benefit the Central Pine Barrens region and will aid in managing, protecting and preserving the groundwater, surface water and ecological resources of the Central Pine Barrens.

The motion was made by Ms. Juengst and seconded by Mr. Panico to approve the draft resolution and authorize the Executive Director to sign the USGS-Commission

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two-year water resources monitoring contract. The motion was approved by 5:0 vote.

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

- a. *Compliance and Enforcement Division: update*
Summary: Mr. Carbone introduced the new Central Pine Barrens Enforcement Officer, Alena Lawston and discussed highlights and updates on the Compliance and Enforcement division's activities covered in the previously distributed compliance and enforcement division report.
- b. *Land Use Division: update*
Summary: Ms. Hargrave discussed highlights and updates on the Plan Use division's activities covered in the previously distributed Land Use division report.
 - i. *Comprehensive Land Use Plan Amendments update*
Summary: Ms. Jakobson discussed after meeting with some of the towns a request for additional time was needed to modify their codes to incorporate the Plan Amendments. The Plan Amendments effective date has changed to July 19, 2024. Also in the draft resolution it notes an application shall be reviewed against the Plan provision in effect on the date of the applications submission to the State, County, the Towns or Villages in the event of different submission dates, the first submission date prevails.

The motion was made by Mr. Panico and seconded by Ms. Moore to approve to the draft resolution of the Comprehensive Land use Plan Amendments Conformance. The motion was approved by 5:0 vote.
- c. *Credit Program: update*
Summary: Mr. Tverdyt discussed highlights and updates on the Credit Program's activities covered in the previously distributed Credit Program division report.

Core Preservation Area

- d. *CVE North America Inc. at Westhampton Property Associates Core Preservation Area Hardship Waiver Application / east of Speonk-Riverhead Road, south of Sunrise Highway, Westhampton / 900-276-3-1 and 2 / development of a 25 acre solar facility on a 91 acre sand mine in the Country Residence 200 zoning district and amendment of a conservation easement / decision deadline 6/26/24 / SEQRA Coordination and schedule public hearing*
*Summary: **The motion was made by Ms. Juengst and seconded by Mr. Panico to schedule a public hearing on April 17, 2024 for the CVE North America Core Hardship and to commence SEQRA. The motion was approved by 5:0 vote.***
- e. *Clancy Street Food Court / CR 111, Manorville / 200-462-2-5.1 / development of a 3,293 square foot (sf) restaurant on 1.17 acres in the J Business 2 zoning district on a site with a core hardship from 1995 for a 5,915 sf restaurant / decision deadline 6/11/24 / schedule public hearing*
*Summary: **The motion was made by Ms. Juengst and seconded by Mr. Panico to schedule a public hearing on April 17, 2024 for Clancy Street Food Court Core Hardship. The motion was approved by 5:0 vote.***

Compatible Growth Area

- f. *Riverside STP Compatible Growth Area Hardship Waiver Application / Riverside / 900-141-1-9.14, 9.17, 9.25, 9.29, 9.30, 9.31, 9.32 / two-phased development of a sewage treatment plant with 800,000 gallon per day capacity on 11.45 acres in the LI 40 zoning district in the Southampton Enterprise Zone Subdivision to serve the hamlet of Riverside existing and future development / decision deadline 5/2/24*

Summary: Ms. Hargrave discussed the request to approve the draft sense resolution. The resolution does not constitute the Commission's formal determination that the project merits a hardship exemption and the Town is required to submit the complete SEQRA record so that the Commission may make such a determination, and absent such submission within one year of the date of this sense resolution, the sense resolution will cease and self-expire and be of no further force and effect all without need of any further Commission action.

The motion was made by Ms. Moore and seconded by Mr. Panico to approve the draft sense resolution. The motion was approved by 4:1 vote with objection by Mr. Hubbard.

g. Quogue Village Planning Board referrals:

- i. 8 Midhampton Avenue / 902-2-1-7.1 / development of three buildings totaling 239,000 square feet for industrial/warehouse use and storage on 19.22 acres in the Light Industrial 2 (LI-2) zoning district

Summary: Ms. Hargrave discussed the proposal is the development of three buildings totaling 239,00 square feet for industrial and commercial use. The proposal appears to constitute development activity therefore the proposal must conform. If the project does not conform, the application can be revised to conform or the applicant must apply for a CGA Hardship Waiver from the Commission.

The motion was made by Ms. Juengst and seconded by Mr. Hubbard to approve sending the draft referral letter to the Village of Quogue. The motion was approved by 5:0 vote.

- ii. 8 Industrial Drive / 902-1-1-21.7 / development of a 18,060 sf building for an indoor sports facility on 1.58 acres in the LI-2 zoning district

Summary: Ms. Hargrave discussed the proposal is the development of a two-story indoor sports facility with parking for 48 vehicles, an innovative alternative on-site wastewater treatment system and stormwater drainage. The facility will contain 15,000 square feet of indoor turf field, two bathrooms, a meeting room, office and closet. An area of 27,872.51 square feet or 0.64 acre on the south side will be revegetated. A 50-foot-wide scenic easement buffer is provide on County Road 104. The project site is entirely cleared except for the natural buffer.

The motion was made by Mr. Hubbard and seconded by Mr. Panico to approve sending the draft referral letter to the Village of Quogue. The motion was approved by 5:0 vote.

4. **Public Comment**

Summary: No public comments were received

5. **Closed Advisory Session** (if necessary)

The motion was made by Ms. Moore and seconded by Ms. Juengst 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 2:45 pm

Attachments (in order of discussion)

1. Draft Commission meeting summary for February 21, 2024
2. Final Commission meeting summary for February 21, 2024
3. Education Outreach and Communication Division update dated March 2024
4. Science and Stewardship Division update dated March 20, 2023 (report should be March 20, 2024)
5. Draft resolution authorizing an agreement with U.S. Geological Survey to Undertake a Two-Year Water Resources Monitoring Program in the Centra Pine Barrens dated March 20, 2024; USGS Surface water-quality and groundwater level monitoring in the Central Pine Barrens Region, Suffolk County, New York Proposal
6. Final resolution authorizing an agreement with U.S. Geological Survey to Undertake a Two-Year Water Resources Monitoring Program in the Centra Pine Barrens dated March 20, 2024
7. Compliance and Enforcement Division update dated January – February 2024
8. Land Use Division update dated March 20, 2024
9. Draft resolution Conformance with the Comprehensive Land Use Plan Amendments dated March 20, 2024
10. Final resolution Conformance with the Comprehensive Land Use Plan Amendments dated March 20, 2024
11. Credit Program update dated March 20, 2024
12. Supplemental Hardship Justification and Environmental and Public Benefit Program Summary and attachments for CVE US NY Westhampton 243 LLX (Solar Repurposing of Westhampton Mine) dated March 7, 2024
13. Core Preservation Ara Hardship Application and attachments for Clancy Street Food Court dated February 9, 2024
14. Draft sense resolution for the Riverside Sewage Treatment Plant dated March 20, 2024; Letter and attachments from the Town of Southampton regarding Conformance to Hardship Waiver Criteria of ECL 57-0123(2)(b) Riverside Sewage Treatment Plant dated February 23, 2024
15. Final sense resolution for the Riverside Sewage Treatment Plant dated March 20, 2024
16. Draft response referral letter and attachments regarding Village Planning Board Referral: 8 Midhampton Avenue dated March 20, 2024 Letter and application for a site plan review from the Village of Quogue dated February 20, 2024
17. Final response referral letter regarding the Village Planning Board Referral: 8 Midhampton Avenue dated Marrch 20, 2024
18. Draft response referral letter regarding Village Planning Board Referral: 8 Industrial Drive dated March 20, 2024; Letter and application for a site plan review from the Village of Quogue dated February 21, 2024
19. Final response referral letter regarding Village Planning Board Referral: 8 Industrial Drive dated March 20, 2024