



Central Pine Barrens Commission Meeting Summary
Wednesday, October 16, 2024 (Approved 11/20/24)
Riverhead Town Hall
4 West 2nd Street
Riverhead, NY 11901

2:00 pm

Commission members present: Ms. DiBrita (for Brookhaven), Ms. Juengst (for Suffolk County), Mr. Hubbard and Mr. Charters (for Riverhead), Ms. Moore and Mr. Wilcox (for Southampton).

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

The meeting started with the pledge to the flag lead by Mr. Hubbard and Ms. Jakobsen noted with four Commission members present, there is a quorum.

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: Mr. Joseph Gazza, Quogue resident discussed what he believes is happening on the property of the sandpit. Mr. Gazza discussed the owners of the sandpit are acting under DEC Consent Order to clean up the sandpit and to fill it in to an elevation ten feet above water table and in accordance with the DEC's order. Mr. Gazza discussed he recognizes that the Environmental Conservation Law 57-107-13 speaks about development which is what the Commission has the authority to regulate and the division under subsection C whereby development excludes environmental restoration activity. Mr. Gazza believes that is what the owners of the sandpit have been using to stop the Commission from not taking any type of action except inspections on the sandpit. He believes the environmental restoration is only for ten feet above ground water and the environmental consulting firm has produced documents that the owners are going to bring in 21.627 feet of recycled material, which is more than what the DEC requires. Mr. Gazza discussed he finally heard back from someone at the DEC said they stated they will wait and see before acting, the DEC is monitoring the incoming soil, and they are scheduled to inspect the site annually.

Mr. Metcalf, Westhampton Beach resident discussed that the owners of the Sandpit were unlawfully utilizing a private road. He discussed that different types of materials are being loaded onto trucks and taken off the property. He believes that the material brought onto the site were tested before coming to the site, so he questions what is being removed from the site suggesting the monitoring process may not be working as designed.

b. Minutes for 9/18/24 review

Summary: The motion was made by Ms. Juengst and seconded by Ms. Moore to adopt the September 20, 2024 meeting minutes. The motion was approved by 4:0 vote.

c. Pine Barrens Nature Center: Request for Proposals results

Summary: Mr. Jakobsen discussed after reviewing five bid responses and receiving the Commission's input for proposals to create a feasibility study for a Pine Barrens Nature Center. Two of the proposals will be presented in closed session.

d. Invoice payment for Bond Schoeneck & King PLLC: approval

Summary: The motion was made by Mr. Hubbard and seconded by Ms. DiBrita to approve the invoice payment to Bond Schoeneck & King PLLC. The motion was approved by 4:0 vote.

2. **Education and Outreach, Science and Stewardship**
 - a. *Education and Outreach Division: update*
Summary: Mr. Motz discussed highlights and updates on the Education and Outreach division's activities and presented a video highlighting the 2024 A Day In The Life Program.
 - b. *New York Wildfire Incident Management Academy: update*
Summary: Ms. Jakobsen discussed the updates on the New York Wildfire Incident and Management Academy's activities.
3. **Planning, Land Use and the Pine Barrens Credit Program**
 - a. *Compliance and Enforcement Division: update*
Summary: Ms. Lawston introduced herself as the new Chief Enforcement Officer and Edwin Ward as a new Enforcement Officer. Mr. Ward discussed highlights and updates on the Compliance and Enforcement division's activities.
 - b. *Credit Program: update*
Summary: Mr. Tverdy discussed highlights and updates on the Credit Program's activities covered in the previously distributed Credit Program division report.
 - c. *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.

Compatible Growth Area

- d. **Brookhaven Town Referral: Suffolk Muslim Cemetery** / Montauk Highway, 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 Residence (86%) and J2 Business (14%) zoning districts; 14 acres in the CGA in A1, 13 acres not within the Central Pine Barrens
Summary: Ms. Hargrave discussed that the referral was received from Brookhaven Town. The proposal constitutes development, and the project must conform to the standards for land use. Additional information is needed on the existing conditions in the CGA as it remains unclear if the project conforms with the plan.
- The motion was made by Ms. DiBrita and seconded by Ms. Juengst to approve sending the draft response for the Brookhaven Town Referral regarding Suffolk Muslim Cemetery. The motion was approved by 4:0 vote.***
- e. **Expressway Drive North** / west of Sills Road, Yaphank / 200-662-2-5.16 / construct solar panels on the roofs of three industrial buildings and ground mounted equipment on 71 acres in the Light Industrial zoning district
Summary: Ms. Murphy discussed the applicant requested an adjournment until the November 20, 2024 Commission Meeting. Mr. Milazzo asked about the project decision deadline date and Ms. Murphy responded that the decision deadline date is between the November and December Commission meetings.
- f. **MTA Long Island Railroad Yaphank Train Station** / south of LIE, north side of LIRR tracks, east end of Natcon/Precision Drive in Brookhaven Industrial Park, Yaphank / 200-554-1-2.1 / development of new Yaphank train station on 5.36 acres in the Light Industrial zoning district
Summary: Ms. Hargrave discussed the Staff prepared a draft resolution that is under consideration. This project proposes a new Yaphank train station. The area is presently wooded and the proposal involves clearing 51 percent on 2.73 acres. The development includes construction of an elevated platform, 50 parking stalls, a bus loop road and there is no restroom facility on site. The applicant submitted a review of conformance with standards outlined in Chapter 5 of the Land Use Plan. The resolution states that the project conforms to the standards of the Plan. Mr. Albano, MTA LIRR discussed the purpose of

the project is to keep up with current and future train demands within the area. The other purpose is to enable better connectivity with Brookhaven National Laboratories the new station will be closer to BNL. The old station will be decommissioned once the new one is operational. The timeline for the new Yaphank train station is to have it completed by this winter. The decision not to put a restroom facility on site is the station is not used a lot due to the location of the other larger stations. Ms. Juengst suggested that the MTA LIRR reconsider adding a restroom to the Yaphank station in the future. Ms. Jakobsen discussed the Commission is reviewing the proposal because it is not subject to local review. It is being reviewed by the Commission for conformity in terms of standard and the Commission finds that it conforms.

The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve the resolution for MTA Long Island Railroad new Yaphank Train Station. The motion was approved by 4:0 vote.

g. **Venezia Square at Wading River** CGA Development of Regional Significance / NYS Route 25A, Wading River / 600-73-1-1.004 and 1.16, 1.17, 1.18 and 1.19 / development of 37,000 square feet of commercial uses on 6.34 acres in the Business CR zoning district / request for six month extension of decision deadline to 4/16/25 (Ms. Hargrave)
Summary: Ms. Hargrave discussed the staff has received a request to move the decision deadline for six-month extension to April 16, 2025. The project is still in the SEQRA process.

The motion was made by Ms. Moore and seconded by Ms. Juengst to approve the request to extend the deadline decision to April 16, 2025 for Venezia Square at Wading River. The motion was approved by 4:0 vote.

4. Public Comment

Summary: No public comments were received

5. Closed Advisory Session

The motion was made by Mr. Hubbard 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 may return to public session. The motion was approved by a 4:0 vote.

In the closed advisory session, the Commission members and designated representatives heard presentations from Starr Whitehouse Landscape Architects and Planners PLLC and Marvel Architects, Landscape Architects, Urban Designers, PLLC, the two vendors selected to present their feasibility study for the Pine Barrens Nature Center.

The Commission came out of closed session to select a consultant. The motion was made by Ms. DiBrita and seconded by Mr. Hubbard to approve to hire Marvel to create the feasibility study for the Pine Barrens Nature Center. The motion was approved by 4:0 vote

The meeting was adjourned by Ms. Juengst and seconded by Mr. Hubbard at approximately 5:00 pm.

Attachments (in order of discussion)

1. Draft Commission meeting summary for September 18, 2024
2. Final Commission meeting summary for September 18, 2024
3. Bond, Schoeneck & King, PLLC Invoice dated October 3, 2024
4. Credit Program update dated October 16, 2024
5. Land Use Division update dated October 18, 2024
6. Draft response regarding Suffolk Muslim Cemetery, Eastport dated October 16, 2024
7. Final response regarding Suffolk Muslim Cemetery, Eastport dated October 16, 2024
8. Draft response regarding Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics dated October 18, 2024
9. Letter from Certilman Balin regarding Expressway Drive North Warehouse Building f/k/a Brookhaven Logistics dated October 15, 2024
10. Letter from MTA Long Island Railroad regarding development of new Yaphank train station dated September 30, 2024; draft resolution regarding the Metropolitan Transportation Authority proposal for a new Long Island Railroad train station in Yaphank dated October 16, 2024
13. Final resolution regarding the Metropolitan Transportation Authority proposal for a new Long Island Railroad train station in Yaphank dated October 16, 2024
14. Letter from Nelson Pope Voorhis regarding Venezia Square dated October 3, 2024
15. Draft resolution to hire Marvel Architects, Landscape Architects Urban Designers, PPLC to prepare a feasibility study for a Central Pine Barrens Interpretive Nature Center and Commission Headquarters dated October 16, 2024
16. Final resolution to hire Marvel Architects, Landscape Architects Urban Designers, PPLC to prepare a feasibility study for a Central Pine Barrens Interpretive Nature Center and Commission Headquarters dated October 16, 2024