



October 19, 2022

Charles Voorhis  
Nelson Pope & Voorhis  
70 Maxess Road  
Melville, NY 11747

**RE:** Supplemental Information  
Lewis Road Planned Residential Development Assertion of Jurisdiction  
Central Pine Barrens Compatible Growth Area, Core Preservation Area  
And Critical Resource Area

Dear Mr. Voorhis:

On September 7, the Central Pine Barrens Commission office received supplemental information on the Lewis Road Planned Residential Development project in response to the Executive Director's August 26 email to you.

Yvette Aguiar  
*Member*

Steven Bellone  
*Member*

Edward P. Romaine  
*Member*

Jay H. Schneiderman  
*Member*

The project has changed and if the changes are extensive or affect the project's conformity, this could require a more extensive Commission review and require a public hearing. In order to evaluate the changes, please provide responses to the Commission's September 21 letter to the Town of Southampton and the information requested in this letter. Once the information is received it will be reviewed by Commission staff. Provided it is received in a timely fashion it is anticipated that a discussion on the next steps of the Commission's review will occur at its November 16 meeting. This timetable is contingent on your timely response. Specifically, the following information and materials are required.

At this time, the application is incomplete, pursuant to NYS ECL Article 57 Section 57-0123.2(a).

### **A. Current and Former Project Map Overlay**

Please submit a map showing each area of the project that was changed. This should be demonstrated by overlaying the site plan for the project that was the subject of the 2021 Commission decision with the current site plan of the project. A detailed narrative should be provided that explains each area that has changed, the reason for the change and how this information is specifically calculated for the standards for clearing and area to remain natural for the overall site.

### **B. Clearing Data**

1. Provide updated clearing data for the new project and show how the clearing limit was calculated. Use the zoning of each parcel as of 1995, the acreage and allowable clearing to identify the total clearing allowed for the project site. This is required because the current materials indicate changes including a slightly smaller project site, the area of clearing and natural areas have changed, lots have been relocated, clearing and conservation areas have been changed, a new road easement area is proposed, and potential changes to drainage shed areas may affect the clearing limit and areas to remain natural.

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2. How does the 15.44 acres of additional clearing and 16.36 acres of additional conservation shown in the “Limits of Clearing Changes” map affect the clearing limit?
3. Provide the clearing data associated with the drainage infrastructure.
4. Provide data including:
  - Acres of existing cleared area
  - Acres of existing natural area
  - How much natural area will be cleared?
  - How much natural area will be left?
  - What is the total cleared area?
  - What is the total natural area?

### **C. Eden Path**

A new access called Eden Path is proposed for the project and activities associated with the new road must be analyzed. The Commission needs information to determine whether the new road affects the project’s conformance with the Standards and Guidelines of the Plan. To make this determination, please provide:

1. Clearing information for Eden Path. Clearing for Eden Path must be included in the clearing calculations of area to be cleared and to remain natural.
2. A copy of the easements with East Quogue Farms recorded on March 21, 2022 for SCTM # 900-288-1-64.1 (10.6 acres) and SCTM # 900-288-1-65.1 (4.1 acres).
3. Does the easement cover the entirety of SCTM # 900-288-1-64.1 or just the road area?
4. Explain the purpose of adding an easement on SCTM # 900-288-1-65.1 (4.1 acres).

### **D. Drainage**

The project was revised to accommodate an additional inch of rainfall as per the Town’s requirement. To analyze the impacts of these changes:

1. Is additional clearing necessary to account for additional drainage capacity to retain stormwater on site?
2. Submit a plan showing the piping, leaching pools, and clearing associated with the reserve areas in each drainage shed to accommodate stormwater runoff capacity in the shed.
3. Demonstrate no clearing will occur in open space areas for drainage infrastructure.

### **E. Covenants**

Covenants were required as part of the Commission’s decision. The Commission reserves the right to require additional covenants. Please be reminded that no ground disturbance may occur until the covenants are submitted for review, approved and filed.

### **F. Phasing Plan**

Over six or more years, roughly 171 acres of the 608 acre project site will be developed with a variety of uses and infrastructure. Due to the size and scale of the project a breakdown of the project in phases is necessary.

Please submit a phasing plan for the project, as per condition #9 in the Commission's 2021 decision, which states:

Construction phasing and completion of the Project

9. Because the proposal is a six-year phased project, the Applicant shall submit a copy of the construction phasing plan for the Project Site showing areas to be cleared and developed in succession. On the aforementioned plan the Applicant must identify areas of the site that will be constructed at different times, including clearing, while meeting the habitat requirements of regulated species and habitats.

The purpose of a phasing plan is to coordinate and manage the project, provide regulatory oversight, ensure compliance while achieving project milestones and minimize interruptions in the project. A phased plan is also expected to moderate environmental impacts that result from clearing a large amount of habitat at one time.

All of the necessary clearing for the project may not occur in a single year because the applicant does not propose that all of the construction will occur in a single year. Each phase of the plan should coordinate the clearing and land disturbance with the proposed construction of the phase. Please break down the project into several phases. Each phase must be completed before moving onto the next phase.

Therefore, an overall phasing plan must be submitted that synchronizes clearing with the construction schedule and divides the project into discrete blocks, for example, of 20 to 40 acres that will be cleared and developed. Each of these segments will be called phase 1, 2 and so on.

Information for each phase must include clearing data for that phase and a narrative of the activities that are planned to be undertaken and completed in that phase. For example, the activities in a phase are expected to include, at a minimum, clearing, excavation, grading, installation of utilities, construction and completion of structures. It may also include permit milestones such as Certificates of Occupancy.

The applicant has discussed prioritizing uses that will be developed sooner than other uses. Provide a schedule of each use that will be developed over six years or more. When construction for the use occurs over multiple phases the plan will include the use in all phases until construction for the use is complete. For instance, the DEIS stated the golf course construction would take 2.5 years. The current materials state the golf course construction will occur in 1.5 years. Please provide the current expectations for construction of each use and carryover the use into successive phases until construction for the use is complete.

Submit an overall map that illustrates each phase and submit maps for each phase that identifies:

- the amount of clearing that will occur in each phase.
- the amount of time it will take to excavate and grade the area in that phase to construct facilities in that phase.
- the amount of time to complete development in that phase
- staging areas
- excavation and grading activities
- transplanting rare plants
- protection of areas in other phases
- construction of facilities and uses including:
  - residential,

- golf course,
- clubhouse,
- ponds,
- other recreational facilities,
- utilities,
- the sewage treatment plant

Discuss the plan for the installation of utilities including electric, water and sewer which may be continuous in each successive phase.

Each phase must be completed before moving onto the next phase. Notify the Commission office 48 hours prior to commencing a phase and within 48 hours of completion of a phase. Commission staff will inspect each completed phase prior to commencing the next phase.

#### **G. Other items**

1. A physical site inspection of the road area by Commission staff is necessary.
2. The project is still pending decisions and approvals from the Town of Southampton and the Suffolk County Department of health for the sewage treatment plant and fuel chemical storage.
3. No clearing activity may occur on the project site until further notice.

Once the information required by this letter is received, Commission staff would be amenable to meeting with the applicant, if necessary, for further clarification of the information submitted.

Thank you for your attention.

Sincerely,



Julie Hargrave  
Policy and Planning Manager

cc: Judith Jakobsen, Executive Director  
John C. Milazzo, Counsel to the Commission