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CENTRAL PINE BARRENS

JOINT PLANNING AND POLICY COMMISSION

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:
In the Matter of the Application of :
:
:
HAMPTON HILLS GOLF AND COUNTRY CLUB :
:
:
for a core hardship exemption to :
construct 4,507 square foot tensioned :
fabric structure on existing tennis :
court, a six foot wide, 160' long :
asphalt cart path and a 30' x 40' :
asphalt pad on portion of a 209 acre :
site in a CR-200 Zoning District. :
:
- - - - - :

HEARING in the above-captioned matter, held
on the 9th day of June, 1999 at 4:30 P.M., at the
Brookhaven Town Offices, Building 4, 3233 Route 112,
Medford, New York, pursuant to Notice of Hearing,
and before Judi Gallop, a Notary Public of the State
of New York.

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A P P E A R A N C E S:

ROBERT J. GAFFNEY, Chairman
Suffolk County Executive
BY: GEORGE PROIOS AND ROY DRAGOTTA

FELIX J. GRUCCI, JR., Vice Chairman
Supervisor, Town of Brookhaven
BY: BARBARA WIPLUSH

VINCENT CANNUSCIO, Member
Supervisor, Town of Southampton
BY: MARTY SHEA

VINCENT VILLELLA, Member
Supervisor, Town of Riverhead

RAY E. COWEN, P.E., Member
DEC Regional Director
Representing George Pataki, Governor

DONNA PLUNKETT, Staff to Commission

DORIS E. ROTH, ESQ.
Attorney for Commission

WILLIAM H. SPITZ, Chief
Water Supply Office, NYSDEC

MARK H. RIZZO, Environmental Analyst

RICHARD VAN DE KIEFT, representing Applicant

WALTER OLSEN, Civil Property Rights Associates

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421-2255

692-7383

1 [THE HEARING WAS CALLED TO ORDER BY THE
2 ACTING CHAIRMAN, GEORGE PROIOS, AT 4:30
3 P.M.]

4
5 MR. PROIOS: Do we have the second applicant
6 here?

7 I like to call the second public
8 hearing to order. For the record, let me
9 read the public notice concerning this
10 application.

11 "Pursuant to the Environmental
12 Conservation Law, Article 57-0121(10)
13 notice is hereby given that a public
14 hearing will be held by the Central Pine
15 Barrens Joint Planning and Policy
16 Commission on June 9, 1999 on the matter of
17 an application for core preservation area
18 hardship exemption.

19 "Applicant: Hampton Hills Golf
20 and Country Club."

21 It is for the "construction of a
22 four thousand five hundred seven square
23 foot tensioned fabric structure on an
24 existing tennis court, a six foot wide, one
25 hundred sixty foot long asphalt cart path

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1 and a thirty foot by forty foot asphalt pad
2 on a portion of a two hundred nine acre
3 site in a CR-200 Zoning District."

4 The project is located "on the
5 south side of Center Drive, County Road 51,
6 approximately 2.25 miles south of its
7 intersection with Riverhead-Moriches Drive,
8 known as County Road 63, Northampton,"
9 located in the Town of Southampton.

10 Is the applicant or the
11 representative of the applicant here who
12 would like to make a presentation to the
13 Commission?

14 MS. PLUNKETT:

15 Before the applicant speaks, I
16 would like to refresh your memory. At a
17 previous meeting, you had the matter on for
18 determination of jurisdiction. You do not
19 have the application proper. I would like
20 to pass that out now. This is not an
21 application. These are materials that the
22 applicant submitted with regard to the
23 proposal that you have before you and the
24 written material, and he's going to
25 summarize what is before you. He's going
to summarize what is in the packet so that

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1 will be part of the application.

2 MR. VAN DE KIEFT: Richard Van de Kieft. I work for
3 the firm of John J. Raynor in Watermill,
4 New York, and we represent the applicant
5 who owns the Hampton Hills Golf and Country
6 Club in what is sometimes called Hamlet of
7 Riverhead in the Town of Southampton, also
8 possibly known as Northampton.

9 As Donna mentioned to you, that
10 was on your agenda last time, which was on
11 discussion for nondeveloped, which was not
12 a successful discussion, and therefore, you
13 asked me at that particular meeting if we
14 could have a hardship application in seven
15 days.

16 It was delivered to you in, I
17 think, about four. That is what is before
18 you today.

19 I would also remind you that the
20 Commission, a number of years ago, already
21 granted a hardship application for the
22 project, which included an enlargement of
23 the clubhouse, separate building for the
24 pro shop and storage, an alteration of an
25 existing parking area.

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1 That work was approved by the
2 Town of Southampton and is currently
3 underway, much to their chagrin, but it is
4 underway.

5 However you determine it is up to
6 you. We do have an application in front of
7 the Planning Board of the Town of
8 Southampton for the proposed work you see
9 on the site plan before you, which includes
10 the following, we think, very minor, simple
11 items, being the placement of a tent-type
12 structure on an existing asphalt tennis
13 court, which is to be used for cart
14 storage; the installation of a forty foot
15 by forty foot, which is only twelve hundred
16 square foot asphalt staging pad for the use
17 of golfers with the golf carts being
18 brought to them, and the pavement of a
19 connecting driveway or path, I should say.
20 It's existing dirt now. It would be paved
21 six foot wide, which would lead from the
22 tennis court to the staging pad.

23 In actuality, the only new
24 construction on the ground is the tent on a
25 tennis court, a pathway leading to it is

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451-2288

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1 only six feet wide in an already cleared
2 area, and the staging pad in an already
3 cleared area.

4 So, we're not proposing nor do we
5 require any permission to clear any
6 existing Pine Barrens' vegetation.

7 On the other hand, anything that
8 was to be restored with respect to Pine
9 Barrens' vegetation is still part of our
10 original application to you and the
11 applicants fully intend to do that.

12 I think it's easy to understand
13 the hardship involved here in that this is
14 an existing golf course on an over two
15 hundred acre site in the core area, which
16 has already had permission to do certain
17 things by this Commission, and now these
18 minor items are being brought up because
19 they need this center storage area.

20 We don't believe it invades the
21 Pine Barrens' core area at all. This is a
22 substantial use in the middle of the core
23 area. It's not asking to establish this
24 substantial use. This established use
25 already exists and has for many, many

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1 years, long before any of the laws and
2 regulations that we have before us today
3 were in effect.

4 If I probably say too much more,
5 I'm going to put my foot in my mouth, so I
6 then stand to answer any questions that you
7 may have.

8 MR. SHEA:

I think with regard to your
9 procedural question, I think it's easiest
10 to handle it as a new application, rather
11 than a modification of a prior hardship
12 application that was approved for the
13 clubhouse application.

14 The Town Board is considering
15 this project and has deemed this project on
16 their own to be consistent with the
17 hardship criteria found in the Act, and
18 does not have any significant concerns
19 relative to environmental impact.

20 As Richard indicated, the
21 structure would be built within the
22 confines of an existing tennis court at the
23 clubhouse facility. All of the staging
24 areas, all the access areas, would be in
25 existing disturbed areas, so the Town of

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1 Southampton is not concerned about adverse
2 environmental impacts, and finds this
3 project to be consistent with the hardship
4 criteria and feels that a hardship
5 exemption should be granted for this
6 application.

7 MR. COWEN: Is this a Type II Action?

8 MS. PLUNKETT: This is unlisted, so the Town
9 already did a negative declaration.

10 MS. ROTH: Did the Town coordinate with the
11 SEQRA Review for the application?

12 MS. PLUNKETT: No, they did not.

13 MS. ROTH: So then you would be required to
14 make your own determination?

15 MR. COWEN: I think the applicant has made an
16 adequate case here for the hardship
17 exemption. Procedurally, do we tidy up
18 SEQRA here? Do we do this all in one
19 thing?

20 MS. ROTH: Yes.

21 MR. COWEN: I would like to propose a neg
22 dec, which I will do pursuant to the State
23 Environmental Quality Review Act.

24 MR. PROIOS: I have a question with respect to
25 the conservation easement already filed on

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1 this property. Did you go through that,
2 Donna, at all?

3 MS. PLUNKETT: I don't know what you mean. Be
4 more detailed, George.

5 MR. DRAGOTTA: When you acquired the property in
6 Hampton Hills, you took a conservation
7 easement on the golf course area. The
8 question is, does this in any way conform
9 to the restrictions that we set forth?

10 MR. SPITZ: Who is the "we"? The Town, not
11 the Commissioner.

12 MR. PROIOS: The Town of Southampton.

13 MR. VILLELLA: The Town paid fifteen million,
14 right?

15 MS. PLUNKETT: I don't think that has any impact
16 on the conservation easement. If he would
17 like to look at your own document and see
18 if it conforms, I have no way of seeing if
19 it conforms. You would have to do that
20 yourselves.

21 MR. COWEN: How do I amend it to stay
22 consistent with that? The resolution will
23 read that we --

24 MR. PROIOS: [INTERPOSING] We haven't
25 finished the hearing, too.

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1 MR. SPITZ: We can do it on the record.

2 MR. PROIOS: I was going to see if there was
3 anyone else that wanted to speak.

4 MR. COWEN: I thought that was sort of
5 intuitive. That's okay. Go ahead.

6 MR. PROIOS: I don't want to be presumptuous.

7 MR. VILLELLA: Go through the formalities.

8 MR. PROIOS: Anyone in the audience wishing to
9 address the Commission on this application?
10 Okay. Hearing no one, does
11 anyone on the Commission want to offer a
12 resolution?

13 MR. COWEN: I don't know.

14 MR. OLSEN: He changed his mind.

15 MR. COWEN: I have to do this all over again.
16 That I offer a resolution that we declare
17 it a negative declaration pursuant to the
18 State Environmental Quality Review Act and
19 that we do a resolution approving this
20 hardship based upon the submission made at
21 this hearing, and that it be contingent
22 upon conformance to a conservation easement
23 that was apparently purchased by the County
24 of Suffolk some time ago.

25 MR. PROIOS: Is there a second on the motion?

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1 MR. SHEA: Second.

2 MR. PROIOS: Any other discussion?

3 MS. PLUNKETT: Are you going to provide that

4 conformance? I have no way of doing that.

5 MR. PROIOS: Yes, since Roy wrote it.

6 MS. ROTH: Can you report that at the next

7 meeting so everyone will know whether it

8 needs that?

9 MR. PROIOS: Any further discussion?

10 If not, all in favor of the

11 motion signify by saying aye.

12 Opposed?

13 Let the record signify it was a

14 unanimous decision in support, and this

15 hearing is closed.

16 [WHEREUPON THIS HEARING WAS CONCLUDED AT

17 4:35 P.M.]

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CERTIFICATION

STATE OF NEW YORK)
)
COUNTY OF SUFFOLK)

I, JUDI GALLOP, a Notary Public in and for
the State of New York, do hereby certify:

THAT this is a true and accurate record of
the Hearing held before the Central Pine Barrens
Joint Planning and Policy Commission, in the matter
of HAMPTON HILLS GOLF AND COUNTRY CLUB, held on the
9th day of June, 1999, as reported by me and
transcribed under my direction.

IN WITNESS WHEREOF, I have hereunto set my
hand this 25th day of June, 1999.

Judi Gallop
JUDI GALLOP

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