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2 C E N T R A L P I N E B A R R E N S

3 C O M M I S S I O N M E E T I N G

4 -----x

5 KLEIN CORE PRESERVATION

6 AREA HARSHSHIP APPLICATION

7 -----x

8 September 17, 2025  
9 3:00 p.m.

10 340 Smith Road  
11 Shirley, New York

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TRANSCRIPT OF PROCEEDINGS

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

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4 JUDITH E. JAKOBSEN, Executive Director  
5 MATTHEW CHARTERS, Riverhead Town Representative  
6 MICHELLE DiBRITA, Brookhaven Town Representative  
7 JENNIFER JUENGST, Suffolk County Representative  
8 JANICE SCHERER, Southampton Town Representative  
9 JULIE HARGRAVE, Joint Planning and Policy Manager  
10 TARA MURPHY, Environmental Planner  
11 JOHN C. MILAZZO, Commission Counsel  
12 ANGELA BROWN-WALTON, Administrative Assistant  
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2 MS. JAKOBSEN: We will start with the  
3 Klein Core Preservation Area Hardship  
4 application. I will read the hearing notice  
5 into the record, and the stenographer has  
6 received a copy. We'll put that also into  
7 the transcript.

8 Pursuant to New York State  
9 Environmental Conservation Law Article 57,  
10 Section 57-0121(10) and the Central Pine  
11 Barrens Comprehensive Land Use Plan, notice  
12 is hereby given that the Central Pine Barrens  
13 Joint Planning Commission will hold a public  
14 hearing on Wednesday, September 17, 2025 on  
15 the matter of an application for Core  
16 Preservation Area Hardship.

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2 site location is 608 Middle Country Road,  
3 Middle Island, Town of Brookhaven, Suffolk  
4 County, New York.

The project description is a request for Core Preservation Area Hardship Waiver for the development of a 1,450 square foot second-story commercial building expansion and an addition of 12 parking spaces, one of which is asphalt in the front of the building, and the remaining 11 are located in the rear yard and composed of crushed limestone. The .044 acre project site is developed with an estimated 1,796 square foot one-story commercial building in the J Business zoning district. The proposal is classified as a Type II action pursuant to the State Environmental Quality Review Act.

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2           between 8:30 a.m. and 5:00 p.m. at the  
3           Commission Office at 624 old Riverhead Road,  
4           Westhampton Beach, New York.

I guess we'll start with putting  
appearances on the record, starting with  
Mr. Charters.

10 MS. DiBRITA: Michelle DiBrita,  
11 designated representative from the Town of  
12 Brookhaven.

13 MS. JUENGST: Jennifer Juengst,  
14 Deputy County Executive representing the  
15 County.

16 MS. SCHERER: Janice Scherer,  
17 designated representative for the Town of  
18 Southampton.

19 MS. MURPHY: Tara Murphy,  
20 Environmental Planner for Central Pine  
21 Barrens Commission.

22 Good afternoon. The staff report is  
23 distributed and is also available on the  
24 Commission's website. I will briefly go  
25 through it.

The report describes the project, which is the development of 1,450 square foot second-story expansion of an existing commercial building for a total of 3,246 square feet and 12 additional spaces. The project site is located at 608 Middle Country Road, Middle Island, Town of Brookhaven on .44 acres in the Core Preservation Area in the J Business Zoning District. The northern boundary of the site is Middle Country Road, and to the immediate east and west of this project site are other commercial buildings. On the south side of the site is a 15 acre wooded parcel owned by Suffolk County that contributes to a larger block of contiguous open space.

25 The as of right sanitary flow for the

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2 project site is 300 gallons per day per .44  
3 acres, or 132 gallons per day. It is  
4 designed to flow for a non-medical office  
5 space of this type is .06 gallons per day per  
6 square, and they use 194.76 gallons per day.

The current and proposed change in wastewater discharge is unknown and unable to be determined, if the proposed action exceeds the sanitary flow. Based on the design, the sewage flow rate exceeds the as of right flow and requires mitigation.

## 25 Some surrounding land use and zoning,

Exhibit E, demonstrates the study area, which includes parcels in the Compatible Growth Area and Core Preservation Area. There are mixed land uses, including industrial, institutional, commercial, and residential, as well as some publically owned land.

There are a few prior commission decisions listed in the staff report, including the American Physical Society, granted in July 21, 2010 as a Core Preservation Area approval for the development of a second story building expansion that required restoration and sterilization of sanitary wastewater credits as mitigation for excessive sanitary flow.

Exhibit F is the applicant's petition of the hardship and a couple of -- really, just two discussion items for today is a request to provide more information for the current and proposed change in wastewater discharge. Again, it's unclear if they are exceeding that sanitary flow of 132 gallons per day with this expansion. And as the deadline for this decision is October 7th,

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which falls before the next meeting on  
October 15th, an extension would be required.

6 MS. JAKOBSEN: Anything else?

7 MS. MURPHY: That's it.

11 | (No response was heard.)

23 As far as, like, the parking lot in  
24 back, it's not a vegetated area. It gets  
25 landscaped. All we're doing is turning that

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2 into a gravel parking lot. We're not cutting  
3 down any trees, we're not messing with any  
4 wildlife that's back there. We're basically  
5 carving it out and putting a gravel parking  
6 lot back there and putting a second floor.  
7 We're not touching any more clearing.

8 MS. SCHERER: Mr. Klein, are you  
9 going to have drainage to that area?

10 MR. KLEIN: Drainage? If it's  
11 necessary, yes, underneath.

12 MS. SCHERER: Okay.

13 MR. KLEIN: But it does have a flow  
14 off the back where probably if we did it on  
15 an angle, if it rains it will just flow to  
16 the back.

17 MS. SCHERER: Usually all drainage  
18 has to be contained on your site. You might  
19 need a dry well or something like that.

20 MR. KLEIN: This is my first time  
21 doing this. I didn't know it was going to be  
22 this much of an obstacle either.

2

MS. JAKOBSEN: Any other questions?

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MS. SCHERER: The second story is  
dedicated for employees or different  
businesses?

6

MR. KLEIN: No, we have people that  
want to come and work, and we're kind of --  
we rotate people too, because we can't fit  
everybody in there at the same time. So, I'd  
like to have dedicated office areas. Some  
people work from home. So, I'd like to be  
able to have everybody in the office if  
possible.

14

MS. SCHERER: Do you have any

15

tenants?

16

MR. KLEIN: No, just my office and I  
have all my people that work for me.

18

MS. SCHERER: Your hardship is you

19

can't accommodate your own?

20

MR. KLEIN: The current employees.  
And I'd like to hire a few more too, which  
would be beneficial for that too. If there  
needs to be a drain put in the back, we'll  
put a drain in.

24

MS. SCHERER: That has to be part of

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it.

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MR. KLEIN: That's fine. That could be added to it.

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MS. JAKOBSEN: If there are no further questions. John, did you have anything?

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MR. MILAZZO: The architect submitted a review of the criteria that we went through earlier today. Extraordinary hardship element in that application record and in Exhibit G, as in golf.

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MS. DiBRITA: You're proposing to clear more in the back?

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MR. KLEIN: No. There should be pictures there already. It's just some flat grass back there that gets landscaped already. It's not a vegetation area. We're just going to turn that into a gravel parking lot.

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MS. SCHERER: The subject property itself is restricting. You don't have any other room there?

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25

MR. KLEIN: There is no more room. I ran out of room.

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MS. SCHERER: That's why you are  
going up.

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MR. KLEIN: It's a blessing but  
also -- if you look in Exhibit B, in the top  
right, behind where the lot is, there is a  
bunch of flat land there. That will be  
turned into a gravel parking lot.

9

MS. SCHERER: The accessory container

10 structures are yours?

11

MR. KLEIN: No, that's not mine. My  
12 parcel goes on an angle. That's actually the  
13 other people's stuff there.

14

MS. JAKOBSEN: Any other questions?

15

MS. SCHERER: No.

16

MS. JAKOBSEN: John, for practice, do  
17 we want to close the hearing and do we want  
18 to leave it open for public comment?

19

MR. MILAZZO: I would suggest is  
20 there any member of the public who wishes to  
21 address the Commission?

22

MS. JAKOBSEN: I apologize. Does  
23 anyone from the public wish to provide any  
24 comments on this project?

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(No response was heard.)

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MS. JAKOBSEN: There's no comments, we'll move on to closing the hearing record and leaving it open for a week for public comment.

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MS. MURPHY: We need an extension.

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MS. SCHEBER: We'd like to have the

25 time to give you that decision.

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1 MR. KLEIN: That's fine.

2 MS. SCHERER: Great.

3 MR. KLEIN: I'm easy.

4 MS. JAKOBSEN: Our next meeting date  
5 is October 15th in Southampton Town Hall.

6 Do we need to do a motion?

7 MR. MILAZZO: Motion to close the  
8 hearing, motion to accept the extension, and  
9 the extension to November 17th. We'll do it  
10 to November, in case things don't get done.

11 MS. JAKOBSEN: November 19th.

12 MR. MILAZZO: Just in case.

13 MS. SCHERER: But we can plan to have  
14 it?

15 MR. MILAZZO: Yes.

16 MS. JAKOBSEN: Can I have a motion to  
17 close the public hearing, leave open the  
18 public comments for one week, and also to  
19 grant an extension of the decision deadline  
20 to November 19th?

21 MS. JUENGST: So moved.

22 MS. SCHERER: Second.

23 MS. JAKOBSEN: Thank you. All in  
24 favor.

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(WHEREUPON, there was a unanimous affirmative vote of the Board.)

MS. JAKOBSEN: Any opposed?

(No response was heard.)

MS. JAKOBSEN: Motion carries unanimously. Thank you.

(Time Ended: 3:19 p.m.)

\* \* \*

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## C E R T I F I C A T E

5 I, BETHANNE MENNONNA, a Notary Public  
6 within and for the State of New York do  
7 hereby certify that the foregoing is a true  
8 and accurate transcript of the proceedings,  
9 as taken stenographically by myself to the  
10 best of my ability, at the time and place  
11 aforementioned.

BethAnne Mennonna

## BETHANNE MENNOMINA