

COUNTY OF SUFFOLK: STATE OF NEW YORK

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CENTRAL PINE BARRENS COMMISSION

PUBLIC HEARING

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Southampton Town Hall

Southampton, New York 11968

October 15, 2025

2:00 p.m.

BEFORE:

JUDITH E. JAKOBSEN - DEPUTY DIR PINE BARRENS

DAVID WILCOX - SHT PLANNING

MATT CHARTERS - REP RIVERHEAD TOWN

MARIA Z. MOORE - SHT SUPERVISOR

JENNIFER JUENGST - DEPUTY COUNTY EXEC SC

MICHELLE DIBRITA - REP TOWN OF BROOKHAVEN

ANGELA BROWN-WALTON - CLERK

1

2 MS. JAKOBSEN: Okay were going to start with
3 East End Flowers. This is a continuation of
4 a public hearing that was initially held on
5 September 17, 2025.

6 Just by way of background the name of the
7 project is East End Flower Farm Compatible
8 Growth Area Hardship Waiver Application.

9 The owner/applicant is Marcos Ribeiro.

10 Excuse me if I mispronounced that. Project
11 site location is Weeks Avenue, 3,880 feet
12 south of South Street, opposite Douglas
13 Lane, Manorville, Town of Brookhaven and the
14 tax number is 200-589-1-2.

15 The project description is a request for a
16 Compatible Grown Area Hardship waiver for
17 the development of a 5 acre project site
18 with 96,000 square feet of greenhouse
19 structures and other infrastructure, grading
20 and excavation of steep slope. The 5 acre
21 site contains pine barrens vegetation and
22 habitat. It is in the A Residence 2 zoning
23 district.

24 The waiver requested relates to a waiver
25 from clearance limits and open space. The

1 proposal was to clear 5 acres of natural
2 vegetation where the plan limits the amount
3 to 35% or 1.75 acres. No open spaces
4 provided where the plan requires 65% open
5 space or 3.25 acres.

6 Can we have the appearances on the record
7 please, from the reps and from the
8 commission members please.

9
10 David Wilcox - Town Planning Director,
11 Southampton.

12 Matt Charters - Designated Representative
13 from the Town of Riverhead.

14 Maria Moore - Town of Southampton
15 Supervisor.

16 Jennifer Juengst - Deputy County Executive
17 Suffolk County.

18 Michelle DiBrita - Designated Representative
19 Town of Brookhaven

20 Judith Jakobsen - Deputy Director Central
21 Pine Barrens Commission.

22
23 So we will start off with hearing from Ms.
24 Hargrave. From what I understand some
25 additional materials have been submitted.

1 And the materials have been sent to you
2 under separate cover.

3 MS. HARGRAVE: So they were distributed
4 today. I'll be brief, and the applicant is
5 here also to present to you. Again, at the
6 last meeting on September 17th the hearing
7 was left open for the applicant submit more
8 materials and wanted to provide to you. On
9 Monday October 13th we received two items.
10 One is a financial analysis for the project
11 under different clearing limits and the
12 second one is a narrative addressing some of
13 the items in the financial report and offers
14 included with potentially clearing 60% as
15 opposed to the original proposal of 99% but
16 I'll have the applicant explain the
17 financial analysis with you and any
18 additional information. And those two items
19 are Exhibit 1 and 2 of the applicants
20 exhibit and they were distributed today
21 rather than inundate you with a bunch of
22 e-mails yesterday decided to give it to you
23 today. So you may need some time to digest
24 and again we the applicant is here to
25 explain. After this hearing today

1 potentially this hearing will be closed and
2 a decision will be issued in the next
3 meeting. So --

4 (Applicant stepping up.)

5 MR. RIBEIRO: Good afternoon members of the
6 commission.

7 MS. JAKOBSEN: Please state your name for
8 the record.

9 MR. RIBEIRO: Marcos Ribeiro, East End
10 Flower Farm, Shirley, New York.

11 So, I've done some research and discovery
12 and I've submitted two different financial
13 models, but even before that had come to
14 light I wanted to read a statement into the
15 record.

16 50% Clearing standards, nonresidential
17 agricultural use. Myself, East End Flower
18 Farm respectfully submit the proposed
19 qualifying evidence nonresidential use under
20 the Central Pine Barrens Comprehensive Land
21 Use Plan, Volume 1, Section 5.3.3.4,
22 Clearing Limitations. While the subject
23 parcel lies within each residential zoning
24 district the proposed use of commercial
25 greenhouse production in this regard is not

1 residential in character, occupancy or
2 function in both the New York State
3 Agri-markets Law, Section 301-11 and the
4 Town of Brookhaven Town Code Section 85-393
5 as expressly classified agriculture included
6 greenhouses and farm structure as principle
7 nonresidential use even within residentially
8 zoned districts. Section 5.3.3.4 of the
9 CLUP establishes that nonresidential uses
10 may clear up to 60% of the lot area provided
11 that the plans are not threatening the
12 natural or - vegetation. The 35% percent
13 limitation is in fact report only applies to
14 residential zoning and not upon agricultural
15 or commercial operations that are permitted
16 in residential zones in the town law,
17 section 305 Brookhaven zoning framework.
18 I have revised the site plan or will to
19 clearly indicate 60% of the 5 acre parcel.
20 Roughly 3 acres developed and 2 acres remain
21 in natural state. Those 2 acres will remain
22 native of pines along the western boundary
23 maintaining ecological continuity an in
24 compliance with the CLUP vegetation and --
25 accordingly this project does not require a

1 waiver. From the 35% registered standard as
2 it conforms to the 60% nonresidential
3 clearing allowed. It is typically
4 authorized by the CLUP. The interpreted
5 plan to impose residential limits on a
6 nonresidential farm operation would be
7 inconsistent with the intent of the CLUP and
8 New York Agri-market Law. For these
9 reasons, myself, the applicant respectfully
10 request the comission to recognize this
11 proposal as a nonresidential agricultural
12 use entitled to 60% clearing standard under
13 the CLUP Section 5.3.3.4, consistent with
14 prior comission interpretations from
15 comparable agriculture and commercial
16 projects in the compatible growth area.

17 I'm going to take a break from that. Is
18 there any questions so far?

19 MR. WILCOX: Are you located in a New York
20 State Agricultural district?

21 MR. RIBEIRO: Yes, our farm operation is in
22 multiple AG districts that we've actually
23 brought to the Town of Southampton, the Town
24 of Southold but not yet in the Town of
25 Brookhaven. Actually that's not true,

1 Moriches is the Town of Brookhaven. Yes,
2 our operation is in an AG district.

3 MR. CHARTERS: This parcel is not

4 MR. RIBEIRO: This parcel is not, no. We
5 are just putting this into agricultural
6 production now.

7 MS. JAKOBSEN: Is there any other questions.
8 Wait so it's not agricultural now, it's
9 residential?

10 MR. RIBEIRO: It's zoned A-2 land use code
11 311, vacant.

12 MS. JAKOBSEN: So the standards for clearing
13 are based on the zoning of the property.

14 MR. RIBEIRO: I just want to go back to the
15 standard. The land is use not just zoning.
16 So, if you can read the law -- this is where
17 it might -- so part of this in interpreting
18 the land use plan is that you be consistent
19 with the intent of the CLUP and New York
20 State AG Market law.

21 If you look at this as a 35% clearing you
22 might actually be negating of the verbiage
23 in the entire land use plan. This is
24 obviously where attorneys can get more into
25 it but that would be a conflict. So you

1 might be negating part of the land use plan
2 by restricting an agriculture, which is
3 commercial because if I go to the State --
4 the New York State Farm Operation -- and
5 referring to an act of restriction do not
6 mean an AG district to have an agricultural
7 operation. I have a half and acre in
8 Holtsville. I grew up there, a little
9 family trial plot and we're not an AG
10 district there, and we've been there for 28
11 years.

12 So I will define now the New York State AG
13 Market definition of a farm operation,
14 Section 301-11: Farm Operation. "Farm
15 operation means the "land" and on-farm
16 buildings, equipment, manure processing and
17 handling facilities, and practices which
18 contribute to the production, preparation
19 and marketing of crops, livestock products
20 as a commercial enterprise including a
21 commercial horse boarding operation. Such
22 farm operation may consist of one or more
23 parcels of owned or rented land, which
24 parcels may be contiguous or noncontiguous
25 to each other."

1 That supports the, you know, broken-up-ness
2 of the parcels.

3 MS. JUENGST: What's the surrounding use?

4 MR. RIBEIRO: There is L-1 to the west.

5 There is that property that is L-1. One lot

6 to the lot to the north is 5 acres is L-1.

7 I don't know how many lots more but another,

8 if I had to guess, is another L-1. Then you

9 get to North Street is farms, pre-existing

10 farms, hundreds of years old. So we would

11 comply with the -- it would conform with the

12 local uses.

13 MR. WILCOX: Does the New York State AG and

14 Markets law apply to properties that aren't

15 in a New York State AG district?

16 MR. RIBEIRO: So what you're referring to is

17 Section 25-AA, where -- so it's gonna be

18 interpreted this way. The question is it an

19 agricultural district? Yes. So we have a

20 certain set of ways of looking at things and

21 then, no is it an AG district. Just because

22 it's not an AG district doesn't mean your

23 not entitled to the same laws in New York

24 State.

25 MR. WILCOX: So you're saying even though

1 you're not in an AG district, New York State
2 AG Markets law pertains to the property
3 MR. RIBEIRO: I believe so. And if you
4 refer to Section 301-11, Farm Operation. It
5 doesn't say that your farm has to be on AG
6 district land. It actually says that "such
7 farming operation may consist of one or more
8 parcels of owned or rented land, which
9 parcels may be contiguous or noncontiguous
10 to each other." We farm all over the east
11 end. So it's part of a whole operation.

12 MS. DIBRITA: So to be clear nobody is
13 saying you can't farm it's the clearing that
14 we are questioning.

15 MR. CHARTER: So now by reducing --

16 MR. RIBEIRO: So by reducing the initial
17 scope from 99 to 60, now I will be
18 conforming to the CLUB so that I wouldn't be
19 actually be asking for a hardship waiver,
20 all I'm asking is for the Board to recognize
21 it as a commercial operation. Which if you
22 look at the definition it's a commercial
23 operation in a nonresidential use.

24 MS. JUENGST: Are you gonna clear -- you say
25 you want to clear to 60%?

1 MR. RIBEIRO: Correct

2 MS. JUENGST: Are you going to cover that
3 percentage and share with greenhouses?

4 MR. RIBEIRO: No, no, no. In the previous
5 -- I thought I clarified in the previous
6 public hearing the only greenhouse is -- the
7 permanent structure is 3,000 square feet and
8 then the barn is 10,000. The area that I
9 had designated to hoop-houses, like I said
10 it depends on the market and does it
11 quantify the extra work on these hoop-houses
12 but it would be clear. It's not to say that
13 there will be hoop-houses there or won't be
14 hood-houses. It's not like a modular -- and
15 again hoop-houses are not permanent
16 structures so they're not seen as
17 greenhouses, they're cold frames. But I did
18 supply -- even if that argument didn't hold
19 water I did supply two financial models.
20 One seeing where 35% clearing without the
21 hardship, even though I'm not asking for
22 that now. And whereas the 60% clearing,
23 could it be better, yeah but it is what it
24 is.

25 MS. MOORE: Well I mean, we're being

1 informed that the standard 30 or 60% is
2 based on the zoning of the property not the
3 use of the property. You're indicating it's
4 based on the use, residential or not
5 residential.

6 MR. RIBEIRO: When I read the plan on
7 clearing limitations, you obviously see
8 residential in all the -- so you're looking
9 at the table, right. When you bring up the
10 table it says 10,000, 20,000 square feet, so
11 on and so forth residential zoning, and if
12 you go down to the bottom and it says
13 commercial and industrial zoning, right, and
14 it also talks about land use. So if you
15 look at the land use code for agriculture it
16 is no longer 311. If you put that field
17 into that land use code is not 311. I
18 forget what it is but that's a land use code
19 not a zoning code. And again when I go back
20 to --

21 MS. MOORE: But in the Town of Brookhaven
22 farming is an allowable use in a residential
23 zone, correct? But it's still residentially
24 zoned. It doesn't clear the limits for the
25 Pine Barrens as far as a residentially zoned

1 property.

2 MR. RIBEIRO: But I'll read it. So in the
3 Town of Brookhaven, the Town Code. This is
4 verbatim. This is actually the Town Code

5 MS. MOORE: You're not in front of the Town,
6 you're in front of the Pine Barrens. The
7 Pine Barrens clearing limit and the Town
8 Code, what they say you can use
9 agriculturally is not wrong but aren't the
10 same.

11 MR. RIBEIRO: Correct, but doesn't the Town
12 typically follow the CLUP for the standards
13 set forth, like -- you can't be less
14 restrictive, the minimum is the CLUP.

15 MS. DIBRITA: Actually we can be.

16 MR. RIBEIRO: So the Town -- if I asked the
17 Town for a variance on, let's say, 100% of
18 the property that would be accepted.

19 MS. DIBRITA: We would tell you to come to
20 the Pine Barrens.

21 MS. JAKOBSEN: You would have to follow
22 Figure 5-1 in the plans. Figure 5-1 goes by
23 -- it has residential coding category. They
24 look at actually the zoning, the date of
25 1995, and then there was some -- also some

1 changes in when certain zoning or the zoning
2 that applies based on, for instance the
3 Carbon River Act happened that froze some
4 zoning. Also the steering commission there
5 that says whatever is more restrictive
6 applies. I'm sorry I don't have the plans
7 in front of me. Your property is zoned with
8 an A-2 and the clearing limit for A-2
9 applies that property is for nonresidential
10 property and your property is zoned A-2
11 residential.

12 MS. JUENGST: In other words, you're still
13 controlled by the Town Zoning. The long and
14 the short of this you came here today to
15 tell us that you're going to reduce what
16 your asking from 90 to 60?

17 MR. RIBEIRO: Correct.

18 MS. DIBRITA: And the hardship waiver is
19 still required.

20 MS. MOORE: He said that the hardship waiver
21 is not needed because he's advocating that
22 the commercial clearing standards apply, is
23 that correct.

24 MS. JAKOBSEN: Yes, it's correct.

25 MR. RIBEIRO: Okay. Is there any other

1 questions?

2 MS. JAKOBSEN: Is that any other information
3 that you would like to provide?

4 MR. RIBEIRO: Not at this moment.

5 MS. DIBRITA: Thank you for shifting the
6 size to preserve the area.

7 MR. RIBEIRO: Correct, we want to keep it as
8 -- as possible and Ms. Hargrave suggested
9 instead of making it stand out and hollow
10 out the middle and connect to the larger
11 plot. If you look at the survey, all the
12 way to the west because that is where the
13 larger tract of the survey so instead of
14 packing that with hoop houses.

15 MS. DIBRITA: Okay.

16 MR. RIBEIRO: Any other questions?

17 MS. JAKOBSEN: No. Thank you. Is there
18 anyone from the public that would like to
19 speak at this point?

20 (No response.)

21 Okay. At this point we would close the
22 hearing and it will probably be on for a
23 decision at the next commission meeting.

24 Motion to close this hearing?

25 MS. JUENGST: I'll make the motion.

1 MS. JAKOBSEN: Is there a second?

2 MS. MOORE: Second.

3 MS. JAKOBSEN: All in favor? Any opposed?

4 Motion carried unanimously. Thank you.

5

6 Okay. Moving on to the second hearing. For
7 the record the public hearing notice -- as
8 well -- so pursuant to New York State
9 Environmental Conservation Law, Article 57,
10 Section 57-0121(9) and the Central Pine
11 Barrens Comprehensive Land Use Plan, notice
12 is hereby given that the Central Pine
13 Barrens Joint Planning and Policy Commission
14 will hold a public hearing on Wednesday,
15 October 15, 2025, on the matter of an
16 application for a Compatible Growth Area
17 Hardship. The name of the project is
18 Sartory Compatible Growth Area Hardship
19 Waiver Application and the applicant and
20 owner is Brian and Taylor Sartory. The
21 project tax map number is 200-327-4-7. The
22 project site location is 102 Gull Dip Road,
23 Ridge, Town of Brookhaven, Suffolk County.
24 The project description is a request for a
25 Compatible Growth Area Hardship for clearing

1 relief from 25% to 39.5% to construct a
2 1,200 square foot single family residence
3 and related appurtenances. The 0.53 acre
4 project site is undeveloped vacant land
5 zoned A. Resident 1, the proposal is
6 classified as a Type II Action pursuant to
7 the State Environmental Quality Review Act.
8 And then the notice goes on to say that the
9 hearing may be adjourned from time to time
10 as necessary and states the location of the
11 hearing as Southampton Town Hall. 116
12 Hampton Road, Southampton, 2:30, October 15,
13 2025. Copies of the application are
14 available in the Commission office in
15 Westhampton Beach.
16 Can we please get the appearances for the
17 record from the comission members and
18 representatives.

19
20 David Wilcox - Town Planning Director,
21 Southampton.
22 Matt Charters - Designated Representative
23 from the Town of Riverhead.
24 Maria Moore - Town of Southampton
25 Supervisor.

1 Jennifer Juengst - Deputy County Executive
2 Suffolk County.

3 Michelle DiBrita - Designated Representative
4 Town of Brookhaven
5 Judith Jakobsen - Deputy Director Central
6 Pine Barrens Commission.

7

8 Okay. Tara?

9 MS. MURPHY: Thank you. Tara Murphy,
10 Environmental Planner Commission. I'll just
11 briefly go over highlights from the staff
12 report in front of you, as well as what's
13 available on the website as it relates to
14 the applicant. The half acre -- the 0.53
15 acre project site located at 102 Gull Dip
16 Road in Ridge, Town of Brookhaven is in a
17 compatible growth area. The site is
18 undeveloped with natural pine barrens and
19 vegetation scattered throughout and a
20 cleared space used as a driveway down the
21 center of the property curving towards the
22 southeast boundary of the lot. The site is
23 currently cleared to a limit of 30% and the
24 remaining 70% is natural pine barrens
25 vegetation. Exhibit A is an aerial of the

1 site and Exhibit B is photographs of the
2 site.

3 The site is on the south side of Gull Dip
4 Road and is flanked by other single family
5 residential properties averaging 0.58 acres
6 in size to the immediate east, west and
7 south.

8 Just some site history here. The project
9 site was part of a two-lot division owned by
10 Wayne Peters with the neighboring parcel to
11 the west, 200-327-4-6, totalling 44,267
12 square feet that was referred to the
13 Commission by the Town of Brookhaven. The
14 Commission provided comments in a letter
15 dated 9/24/2014, that was sent to the
16 applicant and the Brookhaven Town Board of
17 Zoning Appeals. The properties were
18 undersized for the A Residence 1 zoning and
19 merged by the town under common ownership.
20 Lot A, was developed as a single family
21 residence and Lot B, was undeveloped and
22 used for storage, though a single family
23 residence was proposed with the project. As
24 part of the 2014 project the total clearing
25 limit was 53% and 47% was to remain natural

1 open space, demonstrating conformance with
2 the land use standards in Chapter 5 of the
3 land use plan. On December 9, 2014, the
4 Town of Brookhaven BZA approved the land
5 division and required several mitigation
6 measures including the filing of covenants
7 limiting clearing of natural vegetation to
8 85% for lot A and 25% for lot B. Exhibit C
9 includes the subdivision map dated December
10 9, 2014, the commissions response and Towns
11 approval documents.

12 The Sartory CGA Hardship involves the parcel
13 previously identified as lot B and the
14 applicant purchased the property in 2016
15 which adjoined the other lot to the east
16 identified as tax map number 200-327-4-8.

17 The applicants request for the project
18 include the release from clearing from 25%
19 to 39.5% for the construction of a 1,200
20 square foot single family residence and
21 related accessory. The plan's vegetation
22 clearance limit standard and open space
23 requirement permits a clearing of 53% and a
24 minimum open space requirement of 47% so the
25 covenant that was placed on the lot

1 restricts clearing to 25%. The project
2 proposes to clear 39.5% and keep 60.5% as
3 natural open space. Therefore, the
4 applicant is seeks clearing relief and open
5 space relief. Exhibit D is the land survey
6 prepared by AJC Land Surveying and dated,
7 2025.

8 Surrounding land use includes well a setback
9 and Exhibit E is an aerial of the study
10 area, which is one half mile radius around
11 the project site. The study area includes
12 land in both the compatible growth area and
13 core preservation area. And the land uses
14 within the area include low and
15 medium-density residential, vacant,
16 commercial, institutional and open space. A
17 mix of town, state, and county owned open
18 space throughout the north and south sides
19 of the study area. And the zoning is
20 primarily A Residence 1 with some J Business
21 2 parcels found along Middle Country Road
22 and som protected open space in the core
23 preservation area.

24 There are a few prior commission
25 applications, I'll just briefly touch on a

1 couple that more closely resemble the 2014
2 project, which is included in the land
3 division. There was McCarrick in 2009,
4 which was a CGA Hardship application that
5 actually had no decision and ended with a
6 violation but it was a similar land
7 development project. In 2012 there was a
8 Kealos subdivision, CGA Hardship Application
9 that was approved for 2 lots, undersized
10 parcels, to develop a single family home.
11 And in 2022, Tommassino. There was a CGA
12 Hardship Application that was denied for
13 clearing 10% beyond covenant limits to
14 develop for commercial use. There is more
15 information for all of those in the staff
16 report for your review.

17 MS. JAKOBSEN: Did the CGA impose limits on
18 that?

19 MS. MURPHY: For this project, yes. This
20 parcel, that was part of that project phase.
21 Exhibit F is the applicants complete
22 hardship petition. So some of the criteria
23 for the hardship I'll just briefly touch on
24 again. The first one is, "the applicant
25 cannot realize a reasonable return." I've

1 provided -- the applicant responded the
2 property was purchased in 2016 with the
3 intent to develop a single family house as
4 approved on December 9, 2014 by the Town.
5 No financial evidence was submitted in
6 addition to that. The second criteria is
7 the property unique in question. The
8 applicant responded it is unique. It's the
9 only undeveloped lot in the area and all
10 comparably size lots have been developed
11 with single family homes. The third
12 criteria is it will not alter the essential
13 character of the neighborhood. The
14 applicant responded it acclimates with the
15 neighborhood of single family houses. The
16 fourth criteria is that it has not been
17 self-created. And the applicant responded
18 the hardship is the result of the Town's
19 approval of the land division with a
20 proposed dwelling on plot B while requiring
21 a covenant restricted clearing to 25%.
22 The last exhibit is Exhibit G, which just
23 has the remaining application materials and
24 this last section has a few discussion
25 items. I want to touch on them briefly.

1 The first discussion item is to confirm if
2 the covenant limiting clearing to 25% was
3 known at the time of purchase. The second
4 item is to confirm that the project site for
5 today's hearing and the current residence
6 that adjoin the property have not been
7 merged since the 2016 purchase. The third
8 discussion item ask to expand on the lack of
9 reasonable return for the property and it
10 goes on to explore some other options if the
11 proposed location of the home can be moved
12 to a more clear area towards the southern
13 boundary and if there's any fertilizer
14 dependant landscaping which the maximum is
15 10% and if there is any re-vegetation that
16 can be explored in connection to the
17 overclearing of the site. The applicant is
18 here if you have any questions.

19 MS. JAKOBSEN: Would the applicant like to
20 provide some additional insight.

21 MR. SARTORY: Good afternoon. My name is
22 Brian Sartory with my daughter Taylor. We
23 are asking for the 39% clearance. When we
24 did by the property it did come with a 24x40
25 end driveway. Basically a Nassau County

1 looking house so it's an old beach house.
2 It doesn't fit the neighborhood at all.
3 I've been living out there for 37 years, 67
4 years in Brookhaven Town. I'm trying to
5 help my daughter. Right now she's living in
6 the Fairfield Apartments and paying \$2,800 a
7 month rent for a one bedroom. It's the only
8 way I can keep my family here on the island.
9 She's my only daughter and I have a
10 grandchild five years old. Money is tight
11 but we have no problem, I guess,
12 re-vegetating more in the back. If we put
13 the house all the way back there it would
14 probably cost a lot more in utilities and
15 everything else. We don't use fertilizer.
16 I have pictures of my property here, which
17 you also have. This is my house next door
18 you can see we keep everything natural. I
19 do the landscaping. We respect the pine
20 barrens. I love the white trails of the
21 County. I pick up garbage when it's on the
22 ground and like I said it's a hardship case.
23 I'm using all of my retirement money. I've
24 been working all this time to build this
25 house for my daughter. It's the only way

1 I'm going to be able to keep my family on
2 the Island. It is a 1,200 -- a little over
3 1,200 square foot house. A very small
4 house, two bedroom and an attached garage.
5 My daughter works for Trader Joe's and she
6 has to leave at a quarter after four in the
7 morning. For safety reasons she can go
8 right into the garage. Pull up and pull out
9 lock the garage and make sure everybody is
10 safe.

11 MS. JUENGST: Is there to fencing along
12 there?

13 MR. SARTORY: Yes.

14 MS. JUENGST: What is this opening?

15 MR. SARTORY: That was what we used to drive
16 through

17 MS. JUENGST: Is that closed off

18 MR. SARTORY: Yes, that's been closed off
19 and we put grass and a couple live bushes
20 there and stuff.

21 MS. JUENGST: Just for the record I was
22 asking about the first image in Exhibit A.

23 MR. CHARTERS: Were you aware of the
24 covenant when you purchased the property?
25 Did you do a title search of the property?

1 MR. SARTORY: Well I had my attorney, like I
2 said there was just that one house in the
3 driveway. A two story house with the
4 driveway in the front. It just didn't fit
5 the neighborhood. And I couldn't do that to
6 the neighbors in the neighborhood. The
7 house we are proposing is a little ranch
8 that fits the neighborhood, it's one story.

9 One of the reasons why I encouraged my
10 daughter to buy it as I did not want a two
11 story house like 90% of the houses there.
12 There are no one story houses there so
13 I'm trying to build one and try to keep it
14 as small as possible for her because of the
15 taxes and all.

16 I'm sure my daughter would be most happy to
17 know she doesn't have to buy a lawn mower.

18 MS. JUENGST: Tara, I note that there is no
19 response from shippo (ph) yet?

20 MS. MURPHY: Yes.

21 MS. JAKOBSEN: Does anyone else have any
22 more questions for the applicant?

23 No. All right. Is there anyone from the
24 public that would like to make comments on
25 this application at this time?

1 Okay um, hearing none I guess we can do a
2 motion to close the hearing and leave it
3 open for 5 days for any comments.

4 Is there a motion?

5 MS. DIBRITA: I'll make a motion.

6 MS. MOORE: I'll second.

7 MS. JAKOBSEN: All in favor? Any opposed?

8 Motion carried unanimously. Thank you.

9 (End of public hearings.)

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C E R T I F I C A T E .

STATE OF NEW YORK)

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COUNTY OF SUFFOLK)

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

That this transcript is a true
record of the testimony given.

I further certify that I am not
related to any of the parties by blood
or marriage; and that I am in no way
interested in the outcome of this
matter.

IN WITNESS WHEREOF, I have
hereunto set my hand in NOVEMBER OF
2025.

GLORIA ROSANTE

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