



Central Pine Barrens Commission
Meeting of July 15, 2026
Adopted Resolution to Approve
Suffolk County Correction Officer Association
Core Preservation Area Hardship Waiver
1001 Middle Country Road, Ridge, Town of Brookhaven
SCTM Numbers 200-295-1-5.1, 5.2 and 5.3

Present:

Mr. McGarry, for the Governor of the State of New York

Mr. Sweeney, for the Suffolk County Executive

Mr. Panico, Brookhaven Town Supervisor

Mr. Halpin, Riverhead Town Supervisor

Ms. Moore, Southampton Town Supervisor

I. The Project

Ryan P. McGarry
Chairman

Jerome Halpin
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

The Suffolk County Correction Officers Association (SCCOA) owns property located at 1001 Middle Country Road in Ridge in the Town of Brookhaven and within the Core Preservation Area of the Central Pine Barrens. The 2.77-acre property (the Project Site) is developed with a one-story commercial building and parking lot currently in use in the J4 Business zoning district.

SCCOA (the Applicant) seeks to construct a second-story addition that measures 2,200 square feet on the existing building that contains 2,100 square feet and construct an attached garage that contains 1,225 square feet for a total building area of 4,300 square feet. These proposed additions are referred to as the Project.

The proposed garage will be constructed in an existing lawn area. The Applicant does not propose to clear existing natural vegetation, to retire sanitary credits, or to make changes to the parking lot or access point on Middle Country Road.

The Project, under the proposal, will retain the existing conditions of 34% (0.94 acres) of cleared land and 66% (1.83 acres) will remain natural. The Applicant pledges to protect the remaining 1.83 acres of natural open space with a conservation easement. Two existing sheds on the mowed lawn area will be removed.

The septic system will be upgraded to install an innovative and alternative onsite wastewater treatment system. Sanitary flow however, will not increase in excess of the allowable amount for the Project Site, according to the Applicant. The as-of-right sanitary flow for the Project Site is 831 gallons-per-day (gpd). Based on materials submitted, the Project does not exceed the as-of-right sanitary flow.

The Applicant requires approval from the Central Pine Barrens Commission because the Project constitutes development and the Project Site is in the Core Preservation Area as defined in Article 57 of the Environmental Conservation

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Law, where development is to be prohibited or redirected absent Commission approval for a waiver from such generalized prohibition. Details and specifications concerning the Applicant's proposal are depicted in a sketch on the Site Plan prepared by AJC Land Surveyor dated May 20, 2025. The Applicant is represented by Diane C. Moje of D&I Expediting Services, Inc. (Moje).

II. The Act and the Commission

The New York State Legislature passed the Long Island Pine Barrens Protection Act (Act) and codified it in Article 57 of the Environmental Conservation Law (ECL), which was signed into law on July 13, 1993. The Act, among other things, created the Central Pine Barrens Joint Planning and Policy Commission (Commission) to, among other functions, oversee land use activities within the specially designated Central Pine Barrens Area. In furtherance of its mission and in compliance with the directives set forth in the Act, the Commission drafted the Central Pine Barrens Comprehensive Land Use Plan (the Plan), which was adopted on June 28, 1995.

ECL §57-0107 defines development to be the “performance of any building activity, . . . , the making of any material change in use or intensity of use of any structure or land. Without limitation the following uses shall be taken for the purposes of this article to involve development . . . (b) a material increase in the intensity of use of land or environmental impacts as a result thereof.” ECL §57-0123 provides that “no application for development within the Central Pine Barrens area shall be approved by any municipality, or county or agency thereof or the [C]ommission . . . unless such approval or grant conforms to the provisions” of the Plan and Environmental Conservation Law Section. The Project constitutes development as defined in the Act.

III. Materials Submitted to the Commission

On May 13, 2026, the Applicant submitted a Core Preservation Area Hardship Waiver Application (the Application) prepared by Moje with a written project description, an Environmental Assessment Form Part I, owner's affidavit, sketch of the Project on a copy of a survey prepared by AJC Land Surveyor dated May 20, 2025, court settlement of a prior violation and certificate of occupancy.

On June 23, 2026, Moje submitted supplemental information for the Project including additional background information and details on the Project and hardship.

IV. Public Process

On June 17, 2026, the Commission held a public hearing on the Project at which the Commission reviewed a Staff Report evaluating the Project and Exhibits prepared for the hearing and heard testimony from the Applicant. The hearing was closed, and a one-week written comment period was provided. No comments were received at the hearing or during the extended comment period. A transcript of the hearing was received and distributed to the Commission and posted on the Commission website.

V. The Project Site and Study Area

The Staff Report defined a Study Area which analyzed, in general, the land use and ownership of property within a one-half mile radius of the Project Site. The Study Area is bisected by the principal arterial east-west State Route 25, Middle Country Road, as classified by the New York State Department of Transportation. This section of Middle Country Road acts as the boundary separating the Compatible Growth Area to the south and the Core Preservation Area to the north.

The Project Site is on the north side of Middle Country Road. Public land under the ownership of Brookhaven Town, Suffolk County and New York State is situated to the immediate east and west in the Core Preservation Area of the Central Pine Barrens. Low density residential uses are present north of the Project Site.

The south side of Middle Country Road contains residential development in the Compatible Growth Area and non-residential uses on the road front including the Ridge Fire Department and a storage facility. The two largest non-residential uses in the Study Area include Fireman's Park to the east and Brookhaven National Laboratory on the south side of the Study Area.

VI. Environmental Review and Other Required Approvals

The Project is a Type II Action pursuant to 6 NYCRR Part 617.5(c)(9) of the State Environmental Quality Review Act (SEQRA). No further environmental review pursuant to the SEQRA regulations is required.

Other agencies with jurisdiction will need to review and issue permits and/or approvals for the Project to proceed. These include the Town of Brookhaven for site plan and building permits and the Suffolk County Department of Health Services (SCDHS) for Article 6 of the Sanitary Code requirements.

The Commission requested information from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) on whether the Project would impact state listed historic resources. OPRHP replied by letter dated June 10, 2026 that, "no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project." Thus, the Project will not impact such resources.

VII. History of the Project Site and Prior Commission Decisions

SCCOA purchased the site in 2013. The one-story commercial building was vacant when SCCOA purchased it. The building was constructed in 1970 as per the July 16, 1970 Certificate of Occupancy (C.O.) issued to Legend Homes Inc. In November 2000, the C.O. was updated to reflect repairs of fire damage. The 2000 C.O. was issued to the Lake Grove Treatment.

The Commission has reviewed similar exemption requests in the past; some have been approved and some denied. Two other Core Preservation Area Extraordinary Hardship Waiver Approvals relate to commercial or office building and parking lot expansions including second-story additions to existing buildings in the Core Preservation Area.

In 2025, the Commission approved the Klein Core Preservation Area Hardship Waiver Application to add a second-story too an existing office building in Middle Island that had no increase in footprint for the office use and to create additional parking in a cleared area.

In 2010, the American Physical Society (APS) filed a Core Hardship Waiver Application for a 16,274-square-foot second-story expansion to the existing 31,062-square-foot commercial office building on a five-acre Project Site. The first Core Hardship Waiver was granted on December 12, 1994 for an extension of the existing office building with a condition requiring future expansions to be accommodated vertically above the new addition.

The Commission granted the waiver for APS on July 21, 2010 with the finding that “APS has designed the proposal in harmony with the project site’s physical surroundings and boundary constraints, with minimal disturbance to existing natural vegetation to the greatest extent possible, and in accordance with the condition imposed by the Commission in its 1994 Waiver resolution to accommodate future expansions of the building on a vertical plane rather than expanding the existing building laterally.”

SCCOA is characterized similarly to other approvals in the Core that did not materially alter grade or vegetation and provided evidence of a lack of beneficial use including the redevelopment of Michealangelo’s in Manorville (11/15/2023) for a drive through restaurant and 645 Grumman Boulevard (05/20/2026) office complex conversion to indoor agriculture.

SCCOA is distinguished from Denials in the Core occurred when significant increases in density or intensity were proposed and demonstrations of a lack of beneficial use were not supported by evidence including IGHL in Manorville (07/19/2017) and 7 Eleven in Ridge (01/19/2011) parking lot expansion.

VIII. Commission Review of the Act’s Extraordinary Hardship Waiver Criteria and Applicant’s Materials

In reviewing a Application, the Commission is required to consider the criteria set forth in ECL §57-0121(10)(a) and (c) to determine whether an applicant has established the existence of extraordinary hardship as distinguished from a mere inconvenience, whether the requested relief is consistent with the purposes, provisions of the Act, and if granted, would not result in a substantial impairment of the resources of the Central Pine Barrens area. An applicant demonstrates, based on specific facts, that the subject property does not have any beneficial use if used for its present use or developed as authorized by the provisions of this article, and that this inability to have a beneficial use results from unique circumstances peculiar to the subject property under certain conditions.

The Commission has considered the Application, the Staff Report and Exhibits, transcripts of the hearings and its prior decisions and finds that SCCOA has demonstrated that an extraordinary hardship exists.

The SCCOA is nonprofit labor organization funded by membership dues. The Applicant purchased the property for use as its office and headquarters and explained that a hardship is imposed by the limited building size and the facility’s inability to accommodate the organization’s membership.

The site is centrally located for SCCOA's operations. However, the membership has outgrown the current building layout.

The nature of the use requires meetings on a regular basis however the facility lacks space and requires outsourcing meeting space in other locations that is costly to the organization, not convenient, not geographically centrally located and not serving the use and membership. The Applicant expressed that limited office space restricts current business activity and future growth, thus hindering the beneficial use of the property.

The current membership consists of 900 active corrections officers. An estimated 200 members typically attend meetings at the site. The facility is used for membership meetings, mental health and peer counseling support, confidential administrative guidance on health benefits and retirement, member advocacy functions and regular educational programming.

No dedicated conference space is present in the existing facility to accommodate regular meeting attendance requiring the need to rent space offsite for regular meetings. Constraints imposed by the current facility present a financial burden to the organization reducing opportunities for other member services and benefits. The buildings original construction in 1970 provides no layout with the ability to reuse or reconfigure interior spaces for large group assembly functions. Its physical and financial limitations are ineffective to support operations going forward. The presence of the Core and its restrictions restrict opportunity for growth potential on the project site as it was intended when the site was purchased by the organization. A second-story achieves the goal of the SCCOA to accommodate membership meetings on a site that is centrally located in the service area of this law enforcement public safety organization while minimizing adverse impacts on the Core and allows the organization to maintain the use on the project site without the disruption and hardship of finding a new site and moving. The Applicant has demonstrated that without the Project the site has no beneficial use by SCCOA.

The Applicant states the Project's proposal for a second story addition does not affect neighboring properties. The Commission finds the vertical expansion of a building that existed before the Act is designed in harmony with the site's physical boundary constraints and results in no disturbance to the existing natural vegetation. The Applicant proposes to record a conservation easement to protect 1.83 acres of natural open space on the Project Site in the Core Preservation Area, preserving the pine barrens ecosystem and groundwater resources consistent with the goals and objectives of the Act.

The attached garage is needed to secure SCCOA-owned vehicles and equipment to minimize threats of vandalism, theft and mischief. SCCOA has two trailers and a billboard truck and equipment including community outreach tools that support charitable, civic, memorial and public safety events. Vehicles are vulnerable and exposed when left outdoors overnight and on weekends.

The Applicant states the inability to have a beneficial use results from unique circumstances peculiar to the subject property which are not the result of any action or inaction by the Applicant or the owner or their predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1, 1993. The Commission finds that the Applicant has demonstrated such criteria.

The Applicant states the Project will not be materially detrimental or injurious to other property or improvements in the area in which the subject property is located, increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the Core Preservation Area. The Commission finds the Project's lack of disturbance to natural vegetation and use of previously cleared areas demonstrates these criteria.

The Commission finds the waiver is consistent with the purposes, objectives or the general spirit and intent of Article 57 as the Project Site was developed prior to the Act and current plans preserve existing natural vegetation. Preservation of the balance of natural areas on the project site is consistent with the Act's goals and objectives for the Core Preservation Area. The Project Site will maintain a clearing limit of less than 35% in a commercial zoning district, which conforms with the standard for a site in the Compatible Growth Area.

The Commission finds the waiver is the minimum relief necessary to relieve the extraordinary hardship on behalf of the Applicant to meet their needs and minimize adverse impacts on the Project Site in the Core Preservation Area to the greatest extent practicable.

The Commission hereby determines the Application, as submitted, satisfies the criteria for a Core Preservation Area Extraordinary Hardship Waiver pursuant to New York State ECL Article 57 §57-0121(10) for the reasons set forth in this resolution.

IX. Conclusion

Based on the foregoing and upon review of the Application, the Commission hereby grants the waiver requested by the Applicant. The waiver is granted only for the Project. No other uses or development of the site in the J4 Business zoning category is permitted.

Aside from this waiver, the Applicant must obtain any and all other permits and approvals from other agencies including the Town of Brookhaven and SCDHS.

A condition of approval requires the Applicant to record a Conservation Easement on the property to protect 1.83 acres of natural open space on the property and bar the construction of any other structure(s), uses and disturbance to areas with natural pine barrens vegetation on the property.

The Suffolk County Correction Officer Association Core Preservation Area Hardship Waiver is approved, as per the site plan prepared by AJC Land Surveyor last dated May 20, 2025, subject to conditions including:

1. The waiver shall be valid for a period of five (5) years from the date of approval, and a new application will be required after five years even for the same project and survey.
2. The waiver is granted only for this specific Project as depicted in the sketch on the survey prepared by AJC Land Surveyor last dated May 20, 2025 and explained in the Application.
3. Submit any updates in the Project if they occur. No substantial changes may occur without Commission approval. If any changes occur in the Project, the Applicant must notify the Commission and submit an amended application, subject to review and approval.

4. The Applicant must obtain additional permits and approvals, as required by law, prior to commencement of activity related to the Project including Town of Brookhaven and SCDHS review and approval, and any other approvals and permit requirements that apply to the Project.
5. The Project Site is not eligible for a credit allocation in the Pine Barrens Credit Program.
6. No clearing or disturbance of trees or other natural vegetation present on the Project Site shall occur, as confirmed by the Applicant.
7. Install snow fencing on the construction limits to protect the natural area during construction and remove snow fencing post-construction.
8. Conservation Easement:
 - a. The Applicant must submit a draft Conservation Easement for review by the Commission or legal counsel.
 - b. The easement must be granted to the Commission to include the protection of the Project Site's existing natural vegetation, 1.83 acres. It must include no disturbance to natural vegetation and not permit the construction of any other structures and uses on the property.
 - c. The Applicant must submit the draft easement for review and approval prior to site disturbance.
 - d. The easement must be approved and recorded in the Office of the County Clerk prior to site disturbance.
9. Submit a copy of the As-Built Survey for the Commission's file record within one year of the issuance of the Certificate of Occupancy for the expansion.

Suffolk County Correction Officers Core Preservation Area Hardship Waiver

Ridge, Town of Brookhaven, SCTM Numbers 200-295-1-5.1, 5.2 and 5.3

Decision to Approve

Record of Motion

Motion by: Mr. Panico

Seconded by: Mr. Halpin

In Favor: 5

Opposed: 0

Absent: 0

Abstention: 0

cc: Town of Brookhaven Department of Planning, Environmental, and Land Management
Suffolk County Department of Health Services