

Commission Meeting of February 18, 2004
Southaven County Park

Present: Mr. Scully (for New York State), Mr. Deering (for Suffolk County),
Mr. Hoffman(for Brookhaven), Mr. Murphree (for Southampton),
Ms. Lewis (for Riverhead)

**Resolution on the Compatible Growth Area Hardship
Application of All Island Purchase Corp.**

Property located on the west side of Weeks Avenue, North of Moriches/Yaphank Road,
Manorville, Town of Brookhaven
Tax map #: 200 - 589 - 1 - 8

Whereas, on October 14, 2003 All Island Purchase Corp., c/o James Fuller filed with the Commission, a request for a Compatible Growth Area hardship exemption to subdivide a 5 acre parcel into two, single family residential lots, with the existing structures on lot #1 to be kept intact; and

Whereas, a public hearing on the application was held by the Commission on January 21, 2004 and a transcript was thereafter made available to the Commission; and

Whereas, pursuant to the New York State Environmental Quality Review Act and regulations promulgated thereunder ("SEQRA"), the Commission determined the application to be an Unlisted Action and conducted an uncoordinated review; and

Whereas, the Commission has considered all materials submitted in connection with the application; and now therefore be it

Resolved, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), the Commission hereby determines that the application is an Unlisted Action; and be it further

Resolved, that the Commission hereby determines that the proposed action will not have a significant impact on the environment pursuant to SEQRA; and be it further

Resolved, that the Commission hereby determines that the application meets all of the requirements for extraordinary hardship pursuant to New York State Environmental Conservation Law 57-0121; and be it further

Resolved, that this approval is the minimum relief necessary to relieve the extraordinary hardship; and be it further

Resolved, that the application for a Compatible Growth Area hardship exemption is approved, subject to the following conditions:

1. This approval is for the plan entitled "Wilson Land Division" drawn by Kenneth H. Beckman, L.S., dated July 1, 2003 and date stamped received by the Commission on October 14, 2003.
2. There is to be no furthering clearing of vegetation on Lot #1.
3. On Lot # 2, clearing on the entire lot should not exceed 25% ; not exceed 50 feet on each side of the proposed dwelling; and not be any greater than 180 linear feet from the easterly lot line (which separates Lot #1 & Lot #2).
4. This permit does not relieve the applicant of the requirement to obtain any and all other permits and/or approvals required by state, county, and local governments.

Record of Motions:

SEQRA Determination (Neg. Dec.):

Motion by: Mr. Murphree
Seconded by : Mr. Hoffman
Yea Votes: 5
Nay Votes: 0

Decision (Approval):

Motion by: Mr. Murphree
Seconded by: Mr. Hoffman
Yea Votes: 5
Nay Votes: 0