



Commission Meeting of November 15, 2006

Brookhaven Town Hall, Brookhaven, NY

Present: Mr. Scully (New York State), Mrs. Meek-Gallagher (Suffolk County), Mr. Turner (Brookhaven), Mr. Shea (Southampton), Mr. Kent (Riverhead)

**Resolution on the Compatible Growth Area Hardship Application
Request of Shoreham-Wading River Central School District c/o Frederick
Eisenbud, Esq. – Lamb & Barnosky, LLP**

Property located on the west side of Randall Road, Shoreham, Town of Brookhaven
Tax Map #: 0200-126.00-01.00-042.004

Whereas, on July 10, 2006, **Lamb & Barnosky, LLP.**, on behalf of the **Shoreham-Wading River Central School District** filed an application with the Commission requesting a determination of jurisdiction to determine if the additions and alterations to the Albert G. Prodell Middle School are subject to the review jurisdiction of the Pine Barrens Commission. In addition, applicant seeks a Compatible Growth Area Hardship permit for the additions and alterations to the Albert G. Prodell Middle School. The proposed site plan requires relief of Standard 5.3.3.6.1 Vegetation Clearance Standards and Standard 5.3.3.6.3 Fertilizer-Dependant Vegetation Limit. The subject property is developed with an existing middle school facility and appurtenances including large areas of existing clearing. The parcel is zoned A Residence 1 District.

Whereas, this application requires relief from Standards **5.3.3.6.1 Vegetation Clearance Limit and 5.3.3.6.3 Fertilizer-Dependent Vegetation**; and

Whereas, a public hearing on the application was held by the Commission on August 16, 2006 with any interested party being given an opportunity to be heard; and

Whereas, the applicant has provided additional review material, including a Draft Environmental Impact Statement, for the Commission's consideration; and now therefore be it

Resolved, that the proposal for the expansion of the middle school on 31.9 acres is a Type I Action subject to the State Environmental Quality Review Act (SEQRA), and be it further

Resolved, that the Shoreham-Wading River School Board, as Lead Agency, has issued a negative declaration of environmental significance on November 7, 2006 and the Commission, as an involved Agency, pursuant to SEQR Part 617.6(b)(4) hereby determines that no significant environmental impact will occur and renders a determination of non-significance, and be it further

Resolved, that the Commission has considered the criteria for issuance of a Compatible Growth Area Hardship Permit pursuant to ECL Article 57-0121(9) and Town Law 267-b, and be it further

Resolved, the applicant has demonstrated the necessary hardship and will comply with the preliminary recommendations and conditions set forth herein; and

Peter A. Scully
Chair

Phillip J. Cardinale
Member

Brian X. Foley
Member

Patrick A. Heaney
Member

Steve A. Levy
Member

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Resolved, that the Commission hereby grants the necessary hardship subject to the following conditions:

1. That the maximum clearing limit not to exceed 73.6% of the total acreage of the subject parcel, as shown on the submitted map.
2. No more than 24.9% of the parcel shall be established in fertilizer dependent vegetation, as shown on the submitted map. The school district shall limit the use of fertilizers and pesticides to the minimum amount necessary and proper. The school district agrees to explore and implement alternatives to the use of fertilizers and pesticides to the maximum extent practicable.
3. All stormwater runoff originating from the parcel shall be recharged on site and any drainage system shall not involve the use of any areas that are to be preserved as natural vegetation.
4. This approval applies to the preliminary plan, dated September, 2006 and prepared by Wiedersum Associates Architects submitted in conjunction with the Draft Environmental Impact Statement dated accepted on September 20, 2006 which indicates the above referenced Vegetation Clearance Limit and Fertilizer Dependent Vegetation maximums.
5. This resolution and all conditions are to be filed with the Office of the County Clerk as a covenant on the properties within 60 days of this approval. Proof of filing shall be returned to the Commission office no later than February 15, 2007.

Record of Motion - Decision (Approval with Conditions):

Motion by: Mr. Turner Yea Votes: 5

Seconded by: Mr. Kent Nay Votes: 0



**Commission Meeting of March 19, 2008
Riverhead Town Hall, Riverhead, New York**

Present: Mr. Scully (New York State), Ms. Meek-Gallagher (Suffolk County), Mr. Foley (Brookhaven), Mr. McCormick (Riverhead), Mr. Shea (Southampton)

**Approved Resolution
Acknowledge Site Plan Modification
Albert Prodell Middle School
Shoreham-Wading River Central School District
Compatible Growth Area**

Peter A. Scully
Chair

Phillip J. Cardinale
Member

Brian X. Foley
Member

Linda A. Kabot
Member

Steve A. Levy
Member

Whereas, by resolution dated November 15, 2006, the Commission granted a conditional approval of a Compatible Growth Area Hardship Permit application for the Albert G. Prodell Middle School in the Shoreham Wading River Central School District;

Whereas, the 31.90-acre project site is located at 100 Randall Road, in the A-1 Zoning District, in the Hamlet of Shoreham, Town of Brookhaven, SCTM No. 200-12600-0100-042004;

Whereas, the project site is developed with an existing middle school facility and accessory structures including four athletic fields, three tennis courts, 113 parking spaces, driveways, and associated infrastructure, as shown on the Existing Conditions Site Plan prepared by BBS Architects and Engineers dated March 10, 2008;

Whereas, the Commission's November 2006 approval was based on a preliminary plan dated September 2006 prepared by Wiedersum Associates Architects submitted in conjunction with the Draft Environmental Impact Statement (DEIS) accepted on September 20, 2006;

Whereas, by letter dated March 3, 2008, the applicant's representative, BBS Architects & Engineers, submitted a Site Plan modification, as shown in Figure SP-4, titled "Proposed Drawing dated March 10, 2008" prepared by BBS Architects & Engineers;

Whereas, compared to the DEIS, the current proposal consists of the following changes (elements with no change are not listed):

- Reduction in areas of buildings (0.29 acres)
- Reduction in area of pavement (0.53 acres)
- Reduction in cleared area (0.30 acres)

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Whereas, the Commission's approval had five conditions including, but not limited to, a permitted clearing limit not to exceed 73.6% of the total acreage of the project site, and no more than 24.9% of the parcel shall be established in fertilizer dependent vegetation;

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Whereas, the DEIS proposed to clear 23.45 acres or 73.5% and the current proposed plan would clear 23.15 acres or 72.6%;

Whereas, the current Site Plan modification demonstrates compliance with the Commission approval dated November 15, 2006 (i.e., thresholds of approval not exceeded);

Whereas, the School District is the Lead Agency pursuant to SEQRA and has classified the proposed project as an Unlisted Action.

Now therefore be it

Resolved, the Site Plan modification for the Alfred Prodell Middle School in the Shoreham Wading River Central School District, as illustrated in Figure SP-4 titled "Proposed Drawing dated March 10, 2008" prepared by BBS Architects & Engineers, is in compliance with the Commission approval dated November 15, 2006; and

Resolved, any future changes or modifications to the project site shall be subject to Article 57 and coordinated for review by the Commission.

Resolved, this resolution and all conditions are to be filed with the Office of the County Clerk as a covenant on the properties within 60 days of this approval. Proof of filing shall be returned to the Commission office.

March 19, 2008

Record of Motion

Motion by: B. Foley

Seconded by: C. Meek-Gallagher

Yea Votes: 5

Nay Votes: 0