



Commission Meeting of May 19, 2004
Town of Brookhaven Offices, Farmingville

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

Resolution on the Flowerwood Development Corporation Project
On the east side of William Floyd Parkway, South of the Long Island Expressway,
located in Brookhaven R&D Plaza, Yaphank
Town of Brookhaven
Tax Map#: 200-584-1-4.23, 4.24, 4.31., 4.32

Whereas, on February 17, 2004, Mr. Pilotta of Barrett, Bonacci & Van Weele, PC, submitted on behalf of Flowerwood Development Corporation, a Compatible Growth Area Hardship permit application to the Commission for relief from the clearance standard of 65% on a 10.53 acre site, to construct three multi-use industrial buildings (24,000 sf, 44,381 sf and 12,000 sf, respectively), related site appurtenances and onsite septic system (until Town builds a sewage treatment plant) on Lots 4.23, 4.24, 4.31.

Whereas, Lots 4.23, 4.24 & 4.31 are separated from Lot 4.32 by an access way to a recharge basin, which is not owned by the applicant and therefore the applicant desires to place all buildings on Lots 4.23, 4.24 & 4.31,

Whereas, the proposed project will not meet the 65% clearing standard due to existing cleared and disturbed areas on Lots 4.31 & 4.32 that occurred from a prior owner, and

Whereas, a public hearing was held on this matter on April 21, 2004 and a transcript was thereafter made available to the Commission and,

Whereas, the applicant proposes to revegetate Lot 4.32 and retain this lot in a permanently natural state by placing a conservation easement on said lot,

Whereas, the subject parcel is located in Brookhaven R & D Plaza that is zoned for Light Industrial use, and

Whereas, pursuant to the New York State Environmental Quality Review Act (SEQRA) Part 617.6, the Commission determined the application is an Unlisted action and conducted an uncoordinated review and,

Whereas, the Commission has considered the application and related documents, including the SEQRA materials,

Now therefore be it

Resolved, that the Commission hereby makes a determination of non-significance pursuant to SEQRA, and be it further

Philip J. Cardinale
Member

Patrick A. Heaney
Member

John Jay LaValle
Member

Steven A. Levy
Member

Peter A. Scully
Member

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Resolved, that the project as depicted in the dimensional plan with the title block "Flowerwood Development Corporation Yaphank, Town of Brookhaven, Suffolk County, NY" as prepared by Barrett, Bonacci & Van Weele, PC with the revision date of 2/6/04 and Commission date stamped 4/19/04, is granted subject to the following conditions:

1. The hardship granted is to allow the increase of clearing as per the application due to the nature of the property as discussed above and based on the revegetation of lot 4.32 as a mitigation measure. It should be noted that all other Commission standards for development need to be met.
2. A conservation easement must be placed on Lot 4.32 that shall be revegetated and then left in a natural state.
3. The applicant must revegetate the site as per the Landscape Plan for Flowerwood Development Corp., Yaphank, Town of Brookhaven, Suffolk County, NY, prepared by William Johnson, Landscape Architect, for Barrett, & Bonacci, Van Weele, PC, dated 12/6/03 with a revision date of 3/3/04.
4. The applicant must prior to obtaining a CO from the Town of Brookhaven, notify the Commission when the revegetation is complete to enable Commission staff to perform a field visit. Commission staff must then notify the Town that the site visit has been performed to enable a CO to be granted.
5. Applicant shall install lighting fixtures that minimize light pollution.
6. Any changes to the project scope, or site plans need to be submitted to the Commission for review and approval.

Record of Motion:

SEQRA Determination and Decision:

Motion by: Mr. Hoffman

Seconded by: Mr. Deering

Yea Votes Unanimous