



**Commission Meeting of May 17, 2006
Brookhaven Town Hall, Farmingville, NY**

Present: Mr. Scully (New York State), Mr. Deering (Suffolk County), Mr. Turner (Brookhaven), Mr. Shea (Southampton), Mr. Kent (Riverhead)

**Resolution on the Compatible Growth Area Hardship Application
Request of Walgreens at Wading River - Wading River Green, LLC / J&S
Einbinder Family Trust c/o Freudenthal & Elkowitz Consulting Group, Inc.**

Property located on the West side of Wading River-Manorville Road, 200 feet South of the intersection of Manorville Road and NYS Route 25A, Wading River, Town of Riverhead -- Tax Map #: 0600-073.00-01.00-001.13, 001.014, 001.021

Whereas, on February 7, 2006, **Freudenthal & Elkowitz Consulting Group, Inc.**, on behalf of **Wading River Green, LLC / J&S Einbinder Family Trust** filed an application with the Commission requesting a Compatible Growth Area Hardship Permit for the clearing of a parcel and development of an 11,000 square foot pharmacy store with a 4,000 square foot basement on a 2.58 acre parcel. The subject property contains natural, successional vegetation and disturbed land. The parcel is zoned Business CR and is vacant.

Whereas, the subject parcels are presently over-cleared and this application requires permission to re-vegetate the parcel to comply with the Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.6.1: Vegetation Clearance Limits; and

Whereas, a public hearing on the application was held by the Commission on April 19, 2006 with any interested party being given an opportunity to be heard; and now therefore be it

Resolved, that the proposal to construct an 11,000 square foot pharmacy store with a 4,000 square foot basement is an Unlisted Action subject to the State Environmental Quality Review Act (SEQRA), and be it further

Resolved, that the Commission, as an Agency, pursuant to SEQR Part 617.6(b)(4) hereby determines that no significant environmental impact will occur and issues a notice of 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 revegetate the subject property to meet the Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.6.1: Vegetation Clearance Limits in accordance with the site plan prepared by Bohler Engineering, P.C. and dated received April 17, 2006; and

Resolved, that the Commission hereby grants the necessary hardship subject to the revegetation of the property in accordance with the aforementioned site plan and the filing of this resolution with the Office of the Suffolk County Clerk as a covenant on the property, with proof of filing to be returned within 30 days.

Record of Motion - Decision (Approval):

Motion by: Mr. Kent
Seconded by: Mr. Deering

Yea Votes: 5
Nay Votes: 0

Peter A. Scully
Chair

Phillip J. Cardinale
Member

Brian X. Foley
Member

Patrick A. Heaney
Member

Steve A. Levy
Member

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