



## Commission Meeting of November 17, 2004

### Suffolk County Park Police Headquarters Southaven County Park, Yaphank

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

### Resolution on the Swim King Dive Shop, Charles McCormick (applicant) 575 North Country Road (RTE 25A), Rocky Point, Town of Brookhaven Tax Map#:200-77-10-1 & 2

**Whereas**, by correspondence dated, February 3, 2004, Searles, Stromski, Associates submitted on behalf of Charles McCormick, Swim King Dive Shop, a compatible growth area hardship application to the Commission to allow additional clearing of the site above the 65% clearing limit, to build a 3,200 sf addition to an existing dive shop retail business(2,085 sf) for a diving instruction pool on .44 acres, zoned J-2 Business.

**Whereas**, a public hearing was held for this project on April 21, 2004 that was continued on October 20, 2004, and

**Whereas**, prior to the continuation of the hearing on October 20, 2004, the applicant's site plan entitled "Proposed Dive Pool Addition for Swim King Dive Shop, 572 Route 25A, Rocky Pt, NY 11778, prepared by Richard Searles, Architect, dated 10/8/04 was revised to show the construction of a 2,905 sf building addition for a diving instruction pool and a 263 sf office addition to the existing building, and

Whereas, the applicant proposes to revegetate 4,620 sf or 23.6% of the site, and the natural vegetation retained and revegetated area would comprise 36.6%(approximately) of the site.

**Whereas**, pursuant to the New York State Environmental Quality Review Act ("SEQRA") Part 617.6, the Commission determined that 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

**Resolved**, that the application, as shown on the revised site plan entitled "Proposed Dive Pool Addition for Swim King Dive Shop, 572 Route 25A, Rocky Pt, NY 11778, prepared by Richard Searles, Architect, dated 10/8/04 is granted subject to the following condition:

1. The remaining natural vegetation and revegetated areas shall comprise 35% of the site instead of 36.6% to allow access around the building for maintenance.
2. Commission staff shall be notified when the revegetation is completed so they can perform a site inspection prior to the applicant obtaining a CO from the Town.
3. A copy of the final site plan shall be submitted to the Commission prior to a CO being obtained from the Town of Brookhaven.

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SEQRA Determination of Non Significance

Motion by: Ms. Lewis

Seconded by: Mr. Thompson

Yea Vote: 4

Nay Vote: 0

Abstention: 1 Mr. Turner

Hardship Permit Approval

Motion by: Mr. Thompson

Seconded by: Ms. Lewis

Yea Vote: 4

Nay Vote: 0

Abstention: 1 Mr. Turner