



Philip J. Cardinale
Member

Patrick A. Heaney
Member

John Jay LaValle
Member

Steven A. Levy
Member

Peter A. Scully
Member

Commission Meeting of January 21, 2004
Southaven Park Police Headquarters, Southaven Park, Yaphank
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 For Acres Realty Project
On the east side of William Floyd Parkway, South of the Long Island
Expressway, located in Brookhaven R&D Plaza, Shirley
Town of Brookhaven
Tax Map#: 200-554-3-4.32

Whereas, on September 26, 2003, Mr. Voorhis of Nelson, Pope and Voorhis, submitted on behalf of For Acres Realty, a Compatible Growth Area Hardship permit application to the Commission to subdivide a 4 acre parcel into 2 two acre lots to construct a new 20,000 sf industrial building on the eastern portion of the site with the existing 20,000 sf industrial building to remain on the western half of the site, and

Whereas, the proposed project will not meet the 65% clearing standard, and

Whereas, a public hearing was held on this matter on December 17, 2003 and a transcript was thereafter made available to the Commission and,

Whereas, Mr. Voorhis on behalf of the applicant stated at the hearing that a separate building was necessary, rather than an addition to the existing building due to defense contract work the applicant performs, which requires the existing building to be a secure facility, and

Whereas, the separate building would not be secure and therefore give the applicant leeway to lease out portions of the new building when defense contract fluctuate,

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

Whereas, the applicant has proposed to revegetate all lawn areas back to native vegetation as a mitigation measure for clearing, 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

P.O. Box 587
3525 Sunrise
Highway
2nd Floor
Great River, NY
11739-0587

Phone (631) 224-2604
Fax (631) 224-7653
www.pb.state.ny.us

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

Resolved that the application as depicted in the site plan entitled “Conceptual Plan A for Industrial Building situated at Yaphank” as prepared by Nelson, Pope & Voorhis with the revision date of 1/14/03(note year error- should have been 04) and Commission date stamped 1/20/04, is granted subject to the following conditions:

1. This permit approval grants relief only from the clearing standard and the applicant must comply with all other Central Pine Barrens standards for development, and
2. The applicant shall submit to the Commission for review and approval a copy of the revegetation plan required to mitigate the additional clearing of the site. The applicant shall notify Commission staff when the revegetation has been completed in order for Commission staff to perform a field investigation prior to the issuance of a CO by the Town, and
3. The island and lawn area between the two sites shall be revegetated with native vegetation, and
4. The building shall have no discharges other than sanitary waste. This does not prevent the project from hooking up to a sewage treatment plant at a future date, provided no additional clearing occurs, and
5. Applicant shall install lighting fixtures that minimize light pollution, and
6. If the Town does not approve the Conceptual Plan A, then the Commission would allow the original Conceptual Plan that was submitted, dated 4/10/03 to be used with all of the above conditions to be met.

Record of Motions:

SEQR Determination:

Motion by: Mr. Murphree
Seconded by: Mr. Scully
Yea Votes Unanimous

Decision

Motion by: J. Murphree
Seconded by: J. Lewis
Yea Vote: 4
Nay Vote: 0
Abstain: 1