

Session of March 15, 1995

Brookhaven Town Hall

Present: Mr. Cowen (for New York State) Ms. Filmanski (for Riverhead), Mr. Dragotta(for Suffolk County), Ms. Swick & Ms. Wiplush (for Brookhaven), Mr. Thiele (for Southampton).

**Resolution on the Compatible Growth Area
Application of People's Choice Contractors Land Division.
N/O L.I.E. Service Road, West of Timber Trail Lane, Yaphank, Town of Brookhaven
SCTM# 200-661-01-05**

Whereas, People's Choice Contractors, through thier agent, Cramer, Voorhis and Associates, filed with the Commission an application for a land division consisting of three lots of 35,680 square feet each on a total lot area of 107,049 square feet, and

Whereas, pursuant to the New York Environmental Conservation Law Section 57-0121(9), applicant has obtained all necessary local and state approvals prior to petitioning the Commission, and

Whereas, on, or about July 13, 1994, the Town of Brookhaven Board of Zoning Appeals, pursuant to Article 8 of the New York Environmental Conservation Law ("SEQRA"), declared itself Lead Agency and issued a Determination of Non-Significance for the project, and

Whereas, a public hearing on the compatible growth area application was held by the Commission on February 2, 1995, and a transcript was thereafter made available to the Commission, and

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

Resolved, that the Commission determines that the application meets all requirements of the New York Environmental Conservation Law Section 57-0121(9), and

Resolved, that the project is consistent with the Commission's interim goals and standards provided that the following conditions are met prior to the issuance of a Certificate of Occupancy by the Town of Brookhaven:

1. The covenants and restrictions required for the areas of the lots that are to be left in natural vegetation be filed with the Suffolk County Clerks office.
2. Prior to any construction, all areas subject to the above noted covenants and restrictions are to be staked and flagged according to the above noted covenants and as per the survey prepared by Edward A. Bullock, Jr. entitled Land Division of Jeff Buck at Yaphank dated March 3, 1988, last revised April 14, 1995.

Be It Further Resolved that the application is granted, subject to the conditions set forth herein.

Record of Motion:

Motion by

Seconded by

Yea Votes:

Unanimous