



Commission Meeting of July 16, 2014
Wertheim National Wildlife Refuge, Shirley, NY

Present: Pert Scully (Chair), Sarah Lansdale (Suffolk County), Brenda Prusinowski (Town of Brookhaven), Sean Walter (Town of Riverhead), Marty Shea (Town of Southampton)

**Draft Resolution to Amend the Core Preservation Area Hardship Waiver for
Celi Electrical Lighting, Inc. dated September 20, 2006**

Property located at #255 Westhampton Riverhead Road (CR 31),
Westhampton Beach, Town of Southampton;
Tax Map #: 900-311-1-3.3 and 900-311-1-8.7

Whereas, by resolution dated September 20, 2006, the Central Pine Barrens Commission approved a Core Preservation Area Hardship Waiver for the project known as Celi Electrical Lighting Inc.; and

Whereas, the aforementioned project consisted of the construction of a 2,800 square foot dry storage warehouse in the rear of the one-acre project site located at 255 Westhampton Riverhead Road in the Core Preservation Area of the Central Pine Barrens, on the east side of CR 31, in the LI-40 Zoning District, in Westhampton, Suffolk County Tax Map #: 900-311-1-3.3 and 900-311-1-8.7; and

Whereas, the facility approved in 2006 was never constructed; and

Whereas, on June 13, 2014, David Celi on behalf of Celi Electrical Lighting, Inc. (the “applicant”), requested an amendment to the Core Hardship Waiver of 2006 and submitted a narrative and amended Site Plan prepared by Raynor Marks and Carrington dated 3/31/14; and

Whereas, the proposed amendment reduces the size of the building from 2,800 square feet to 1,872 square feet and reorients the building from an east-west direction to north-south to improve site circulation for trucks, and, as in the 2006 project, is proposed within an existing cleared and developed area; and

Whereas, the applicant expressed that a cross access curb cut with an adjacent property to the south may be necessary in the future to improve site circulation; and

Whereas, no adverse impacts were identified in the 2014 proposed amended project that were not reviewed and analyzed in the project that was the subject of the 2006 waiver; and

Whereas, pursuant to the New York State Environmental Quality Review Act and regulations promulgated thereunder (“SEQRA”), the application is a Type II Action for which no further environmental review is required; now, therefore, be it

Resolved, pursuant to SEQRA, due to the project’s status as a Type II Action, a declaration of environmental impacts is not required; and be it further

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Resolved, this resolution incorporates by reference all of the findings of the September 20, 2006 approval; and

Resolved, the Commission approves the proposed amendment to the Core Hardship Waiver for Celi Electrical Lighting Inc. in accordance with the Site Plan prepared by Raynor Marks and Carrington dated 3/31/14 and received by the Commission on 6/13/14, subject to the following specific conditions:

1. Activities within the proposed building are restricted to dry uses at all times.
2. Applicant shall submit a copy of an As-Built Site Plan to the Commission within 60 days of completion of construction and development on-site.
3. Prior to commencement of construction of the warehouse building, stake the buffers shown in the Site Plan prepared by Raynor Marks and Carrington dated 3/31/14. Preserve and protect vegetated buffers including but not limited to the 25 foot buffer on the west side of the project site and 10 foot buffers on the north and south sides of the project site. No outdoor storage or disturbance to the buffers shall be permitted, except a cross access curb cut may be constructed on the south side of the project site through the southerly adjoining property, as necessary or if required, to improve site circulation and minimize movements on CR 31, subject review and approval through a written request to the Commission by the applicant and if the proposal is approved by the Town of Southampton.
4. This resolution must be attached to any title or deed transfer when the site changes ownership to ensure the transfer of responsibilities to new owner(s) and notification requirements continue in accordance with this approval. The current owners, successors or assigns shall be responsible for compliance with this approval.
5. The owner shall obtain additional permits and approvals, as required by law, prior to commencement of the project.
6. Prior to construction, submit a Landscape Plan for the proposed vegetated buffer, subject to the Commission's review and approval. The Landscape Plan shall allow for both natural recovery and active planting in the vegetated buffer and should depict locations of both. Any new plantings shall be comprised solely of native species which should have genotypes similar to those of the area surrounding the project site. No physical activity associated with this approval shall commence until the Commission reviews and approves the Landscape Plan. The Applicant shall notify the Commission 48 hours prior to commencement of plantings in the buffer and 48 hours after plantings have been completed so that the Commission may inspect for compliance with the Landscape Plan.
7. Install a post and rail fence along the inner boundary of the proposed vegetated buffer to delineate and protect the buffer on the project site. The fence shall be installed within 14 days following completion of plantings required by the aforesaid Landscape Plan. The Commission shall be notified 48 hours after fence installation has been completed so that it may inspect for compliance with this approval.
8. The findings of the September 20, 2006 Core Hardship Waiver remain in effect.
9. Any modifications to the Site Plan in the future are subject to Commission review pursuant to the provisions of New York State Environmental Conservation Law Article 57 and the Central Pine Barrens Comprehensive Land Use Plan.
10. This approval shall expire three (3) years from the date of this amendment.

Resolved, prior to any disturbance of the project site to implement the project, the applicant shall record in the Office of the Suffolk County Clerk and index against the property the following documents: a copy of this amendment dated July 16, 2014, a copy of the CGA

Hardship Waiver resolution September 20, 2006, and submit proof of same by copy to the Commission.

Record of Motion: Decision - Amendment: July 16, 2014

Motion by: M. Shea	Yea Votes: 5
Seconded by: S. Lansdale	Nay Votes: 0