



**Commission Meeting of October 17, 2001
Brookhaven Town Offices, Medford, NY**

Present: Mr. Cowen (for New York State), Mr. Proios (for Suffolk County),
Mr. Girandola (for Brookhaven), Mr. Shea (for Southampton),
Mr. MacLellan (for Riverhead)

**Resolution on the Core Preservation Area Hardship
Application of John DeGregorio**

Property located on the west side of Pleasure Drive, approximately 1 mile south of Flanders Rd. (NYS Rte. 24), Flanders, Town of Southampton.

Taxmap #: 900 - 183 - 1 - 2.2

Whereas, on June 20, 2001, John DeGregorio filed with the Commission, a request for a core preservation area hardship exemption to subdivide a 42.75 acre parcel into three, single family residential lots with a fourth lot of 36.8 acres to remain open space, with all existing structures to be removed except for one single family dwelling and a barn to be located on Lot No. 3; and

Whereas, a public hearing on the application was held by the Commission on September 26, 2001 and a transcript was thereafter made available to the Commission; and

Whereas, pursuant to the New York State Environmental Quality Review Act and regulations promulgated thereunder ("SEQRA"), the Commission determined the application to be an Unlisted Action and conducted an uncoordinated review; and

Whereas, the Commission has considered all materials submitted in connection with the application; and now therefore be it

Resolved, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), the Commission hereby determines that the application is an Unlisted Action; and be it further

Resolved, that the Commission hereby determines that the proposed action will not have a significant impact on the environment pursuant to SEQRA; and be it further

Resolved, that the Commission hereby determines that the application meets all of the requirements for extraordinary hardship pursuant to New York State Environmental Conservation Law 57-0121 (10)(a) and (c); and be it further

Resolved, that this approval is the minimum relief necessary to relieve the extraordinary hardship; and be it further

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Resolved, that the application for a Core Preservation Area hardship exemption is approved, subject to the following conditions:

1. This approval is for the plan entitled "Subdivision Sketch Plan John De Gregorio Reduced Density Plan Y" drawn by Howard W. Young, L.S., dated August 10, 2001 and date stamped received by the Commission on August 27, 2001 (additional copies received on September 19, 2001).
2. All existing driveways, structures, and foundations within the area designated as "Parcel A Open Space" shall be removed. A new driveway shall be constructed on Lot No. 3.
3. The Commission hereby makes a recommendation to the Town of Southampton to require that all debris dumped on the site be removed in accordance with the recommendation on page 2 of the Phase I Environmental Site Assessment prepared on July 30, 1997 by Nelson, Pope, and Voorhis, LLC on July 30, 1997.
4. This permit does not relieve the applicant of the requirement to obtain any and all other permits and/or approvals required by state, county, and local governments.
5. The distance between the wetland and the location of the new construction (including septic systems) on Lots No. 1 and 2 shall be maximized. In order to accomplish this, the Commission's approval hereby allows for a reduction in the lot widths and sizes of Lots No. 1 and 2 and/or a maximized northerly side yard setback requirement on Lot No. 2, to the extent permitted by the Town of Southampton, the Suffolk County Department of Health Services, and the NY State Department of Environmental Conservation.
6. The distance between the southerly lot line of Lot No. 3 and the pond shall be maximized. In order to accomplish this, the Commission's approval hereby allows for a reduction in the size of Lot No. 3 and/or a relocation of the northerly and southerly lot lines of Lot No. 3 up to 90 feet in a northerly direction, to the extent permitted by the Town of Southampton, the Suffolk County Department of Health Services, and the NY State Department of Environmental Conservation.

Record of Motions:

SEQRA Determination (Neg. Dec.):

Motion by: Mr. Shea
Seconded by : Mr. Girandola
Yea Votes: 5
Nay Votes: 0

Decision (Approval):

Motion by: Mr. Shea
Seconded by: Mr. Girandola
Yea Votes: 5
Nay Votes: 0