

Central Pine Barrens Joint Planning and Policy Commission

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Vincent Villella, *Member*

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Commission Meeting of January 28, 1998 Riverhead Town Hall

Present: Mr. Duffy (for Southampton), Ms. Wiplush and Mr. Girandola (for Brookhaven), Mr. Cowen (for New York State), Mr. Dragotta (for Suffolk County), and Ms. Filmanski (for Town of Riverhead)

Resolution on Application of Joseph Gazza Core Preservation Area Hardship Southampton Trade's Person Phase Two Property located on West Side of County Road 31, North of Stewart Avenue Westhampton, Town of Southampton SCTM #900-286-2-38.1

WHEREAS, on January 14, 1998, Joseph Gazza submitted a Core Preservation Area hardship exemption application to construct three buildings, with a total of 33,926 square feet and associated infrastructure and parking on an 8.14 acre parcel with two pre-existing buildings containing 12,033 square feet; and

WHEREAS, the northern 4.54 acre portion of the parcel is zoned CR-200 (Residential) and the southern 3.6 acre portion of the parcel is zoned LI-40 (Light Industrial); and

WHEREAS, the existing and proposed development will be limited to the southern portion of the property which is zoned Light Industrial; and

WHEREAS, a public hearing was held by the Commission on the Core Preservation Area hardship application on January 28, 1998; and

WHEREAS, a prior application for a hardship exemption on the subject parcel had received a positive determination under the New York State Environmental Quality Review Act ("SEQRA") and such application was thereafter withdrawn by the applicant; and

WHEREAS, among the grounds for issuing a positive determination for the prior application was the Commission's concern with the potential cumulative impact of future development on other land owned by the applicant in the vicinity of the subject parcel; and

WHEREAS, this concern has been addressed by the applicant in the pending application which includes the following mitigation measures:

1. The applicant's offer to withdraw the pending appeal of the Pine Barrens Credit allocation for his property in the vicinity of the subject parcel and to accept the allocation as determined by the Pine Barrens Credit Clearinghouse and apply for a Pine Barrens Credit Certificate; and
2. The applicant's offer to place a Conservation Easement on the northern 194,000 square feet of the subject parcel which is presently zoned CR-200.

NOW, THEREFORE, be it

RESOLVED, that the subject application is hereby determined to be an Unlisted action pursuant to SEQRA and that the Commission hereby elects not to undertake coordinated review; and be it further

RESOLVED, that the Commission hereby determines that the proposed action, together with the mitigation proposed by the applicant, will not have a significant impact on the environment within the meaning of SEQRA; and be it further

RESOLVED, that the Commission hereby determines that the application, as submitted, meets the requirements for extraordinary hardship as set forth in New York State Environmental Conservation Law §57-0121 10 (a) and (c); and be it further

RESOLVED, that the application for a Core Preservation Area hardship exemption together with the mitigation measures described above is granted, subject only to the condition that the Conservation Easement be recorded prior to commencement of any construction on the subject property.

Record of Motion:

Motion by Mr. Cowen

Seconded by Mr. Girandola

Yea Votes:

Four

Abstention: Mr. Duffy