

Session of February 15 , 1995

Riverhead Town Hall

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

E/S Panamoka Trail, Ridge, Town of Brookhaven

Resolution on the Compatible Growth Area

Application of Paul Presta

SCTM# 200-217-02-12

Whereas, Paul Presta, by his agent Diane Moje, D&I Expediting Services, filed with the Commission an application for approval to build one single family residence on a 5,000 square foot parcel, adjacent to a 5,000 square foot improved parcel also owned by the applicant, located within the Compatible Growth Area, 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 December 9, 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 land division of the applicant's 10,000 square foot parcel into two 5,000 square foot parcels and the construction of a single family dwelling unit on the vacant parcel, and

Whereas, a public hearing on the compatible growth area application was held by the Commission on November 30, 1994, 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 does not meet the criteria for nitrate-nitrogen loading set forth in the Interim Goals & Standards due to the lot area of 5,000 square feet, and be it further

Resolved, that the application does not meet the criteria for a hardship permit in the Compatible Growth Area, and be it further

Resolved that the application is denied.

Record of Motion:

Motion by Mr. Cowen

Seconded by Ms. Swick

Yea Votes:

Unanimous