

**Commission Meeting of January 24, 1996
Riverhead Town Hall**

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

**Resolution on Frank Turrigiano
Core Preservation Area Hardship
Property located west side of Big Pine Road, 235' south of Medford Road
Ridge, Town of Brookhaven
SCTM # 200-382-2-11**

Whereas, on December 8, 1995, Frank Turrigiano, through his agent, Katrina Marie, filed with the Commission an application for a Core Preservation Area hardship exemption to build a single family house on a lot containing 35,223 square feet and,

Whereas, on February 22, 1990, pursuant to the New York State Environmental Quality Review Act ("SEQRA") Part 617.6, the Town of Brookhaven Town Board issued a negative declaration, and,

Whereas, on May 15, 1990 the applicant filed restrictive covenants in connection with a Town of Brookhaven Freshwater wetlands permit and,

Whereas, on July 14, 1990, the Town of Brookhaven Town Board issued a freshwater wetlands permit which expired on July 14, 1992 and,

Whereas, a public hearing on the core preservation hardship request was held by the Commission on January 10, 1996, and a transcript was thereafter made available to the Commission, and,

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

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

Resolved, that the application for a core preservation area hardship exemption is granted subject to the following condition:

1. Receipt by the Commission of a revised survey indicating and noting the non-disturbance buffer as referred to in the restrictive covenant filed on May 15, 1990.
2. The applicant shall be responsible for the protection of such non-disturbance buffer and such area shall be clearly flagged in the field prior to any construction.

Record of Motion:

Motion by Mr. Cowen

Seconded by Mr. Freleng

Yea Votes:

Unanimous