

**Commission Meeting of September 20, 1995
Riverhead Town Hall**

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

**Resolution on the Core Preservation Area Hardship
Application of Joseph Gazza
Property located W/S CR 31, Westhampton, Town of Southampton
SCTM # 900-286-02-38.1**

Whereas, on August 11, 1995, Joseph Gazza, filed with the Commission a third request for a core preservation area hardship exemption to build two 6,018 square foot multi-purpose industrial buildings with parking for 24 cars on 8.14 acres, and,

Whereas, on November 30, 1994, pursuant to a prior application for the same parcel and the New York State Environmental Quality Review Act ("SEQRA") Part 617.6, the Commission coordinated lead agency review, and,

Whereas, on December 2, 1994, the Town of Southampton Planning Board declared itself lead agency without objection from the Commission, and,

Whereas, on March 27, 1995, the Town of Southampton Planning Board issued a determination of non-significance, and,

Whereas, on May 31, 1995 and June 23, 1995 respectively, the Commission denied both previous applications as they did not meet all of the requirements for extraordinary hardship pursuant to New York State Environmental Conservation Law 57-0121 (10)(a) and,

Whereas, a public hearing on the third core preservation hardship request was held by the Commission on September 6, 1995, and a transcript was thereafter made available to the Commission, and,

Whereas, the application submitted on August 11, 1995 differs substantially from the first application by reducing the building square footage from 45,959 to 6,018 square feet and differs from the second application by reducing the area proposed to be cleared from 7,050 square feet to 4,650 square feet, 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 conditions:

1. The minimum relief necessary being granted to relieve the extraordinary hardship is for the project described in the Gazza application hearing transcript dated September 6, 1995, page 3, line 25 through page 4, line 4;
2. Clearing shall be limited as shown in the clearing limits shown on the site plan prepared by Raynor & Marcks, P.C., Quogue, NY, last dated June 19, 1995, entitled "Site Plan for Southampton Trade's Person Center"; and
3. The recent fire and its impacts on the property do not constitute "clearing" or otherwise detract from the parcel's natural and ecological values.

Record of Motion:

Motion by Mr. Blowes

Seconded by Ms. Filmanski

Yea Votes:

Unanimous