

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chairman*
John LaMura, *Vice Chairman*
Richard Blowes, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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Great River, New York 11739

Session of June 23, 1995
Brookhaven Town Offices

Present: Mr. Gaffney, Mr. Proios and Mr. Dragotta (for Suffolk County), Mr. Cowen (for New York State), Ms. Filmanski (for Riverhead) Ms. Wiplush and Mr. Girandola (for Brookhaven), Mr. Shea (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 September 21, 1994, Joseph Gazza, filed with the Commission a request for a core preservation area hardship exemption to build a 45,959 square foot industrial building with parking for 110 cars, and

Whereas, a public hearing on the core preservation hardship request was held by the Commission on November 2, 1995, and a transcript was thereafter made available to the Commission, and

Whereas, on November 30, 1994, pursuant to 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 December 12, 1994, the Commission accepted a letter from Mr. Gazza requesting an extension of the date by which the Commission must render a decision on this application in order to comply with SEQRA, and,

Whereas, pursuant to SEQRA, a revised site plan was prepared and submitted to the Town of Southampton by Mr. Gazza and on March 27, 1995, the Town of Southampton Planning Board issued a determination of non-significance, and,

Whereas, on May 4, 1995 said revised site plan involving the development of two 6,018 square foot industrial buildings with parking for 28 cars was submitted to the Commission by the Town of Southampton Planning Department, and,

Whereas, on May 31, 1995 the Commission denied the previous application for a hardship application without prejudice and accepted May 4, 1995 as the receipt date of the revised application, and,

Whereas, on June 12, 1995 the Commission received a revised petition from Mr. Gazza relating to the amended site plan, and

Whereas, said amended site plan requires the removal of approximately 7,050 square feet of globally rare, dwarf pine plains habitat 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 not 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 Commission also determines that the application, as submitted, is not consistent with the purpose, objective or general spirit and intent of Article 57 because it would result in the removal of 7,050 square feet of globally rare, dwarf pine plains habitat, and be it further

Resolved, that the application for a core preservation area hardship exemption is denied.

Record of Motion:

Motion by Ray Cowen
Seconded by Mr. Girandola

Yea Votes:

Unanimous