

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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Commission Meeting Summary (FINAL) for May 31, 1995 (Approved 6/7/95) Riverhead Town Hall / 2:00 pm

Present: Mr. Proios and Mr. Dragotta (for Suffolk County), Mr. Girandola and Ms. Wiplush (for Brookhaven), Ms. Filmanski (for Riverhead), Mr. Shea (for Southampton) and Mr. Cowen (for New York State). General counsel was Mr. Rigano and Ms. Roth. Staff members from the Commission and other cooperating agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, Mr. Hopkins, Mr. Milazzo, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.

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Core Preservation Area

! Gazza / CR 31, Westhampton: status

Summary: Ms. Plunkett summarized this project's current status and history. The proposal is for a light industrial facility, consisting of two buildings and associated parking, located on the west (core area) side of County Road 31 in Westhampton. The project as presented in the most recent site plan (dated 5/4/95) is reduced in extent from the original proposal, and the project sponsor has stated to the Southampton Town Planning Board that he will reserve any action on the remainder of the original buildout of the project for approximately two years, in order to enable county or state acquisition of the parcel in the interim period. The reduced proposal utilizes an already cleared portion of the site, as well as a portion which would require clearing.

Mr. Gazza, the project sponsor, had agreed to an extension of the Commission's decision deadline in a prior letter, in order to permit completion of the SEQRA process.

Mr. Shea described the Town's processing of this application. There is a 3/27/95 negative declaration filed for this, but no final approval from the town planning board. The town planning board decision deadline for this project is 6/29/95. Mr. Amper raised the question of how this project received a negative declaration if it is located in the dwarf pine barrens.

Ms. Wiplush asked what the basis of the hardship application was. A discussion followed regarding what basis should be used for determining the Commission's decision deadline.

Mr. Rigano stated that he believed that this was a new application, based upon the substantially revised site plan of 5/4/95. There was a discussion of declaring this to be a new application, and permitting the applicant the option of having a second hearing or simply relying upon the original Commission hearing since the new plan is substantially smaller than the original.

Mr. Olsen of the Civil Property Rights Movement stated that the process for reviewing applications was so complex that even those who understood it best were unable to explain it or to guide applicants through it. He stated that he has watched this application, and that the confusion and complexity of the process has kept the property owner's project in a state of uncertainty in lieu of it being purchased. Mr. Amper stated that there was more intergovernmental cooperation now than ever before, and that this

project had spent most of its life before the town and not the Commission. Mr. Rigano reiterated his previous recommendation, and stated that it is clear that there are two applications before the Commission.

A motion was made by Mr. Proios and seconded by Mr. Cowen to deny the original Gazza application without prejudice, and to accept as a new application the project shown on the 5/4/95 site plan with a submittal date of 5/4/95. The discussion which followed emphasized that the denial of the original application was on the basis that there was a failure to demonstrate that the required core preservation area hardship conditions existed here. The motion was then approved unanimously.

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