ORIGINAL

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

Arthur Kunz Library
H. Lee Dennison Building
4th Floor
100 Veterans Memorial Highway
Hauppauge, New York

March 18, 2009
9:30 a.m.

BEFORE:

R. LAWRENCE SWANSON, Chairperson

MICHAEL KAUFMAN, Vice Chairperson

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

BOARD APPEARANCES:

HON. JAY H. SCHNEIDERMAN

EVA GROWNEY

THOMAS GULBRANSEN

GLORIA G. RUSSO

MARY ANN SPENCER

ABSENT BOARD MEMBERS:

RICHARD MACHTAY

DANIEL PICHNEY

HISTORIC SOCIETY MEMBERS:

RICHARD MARTIN, Director

ALSO PRESENT:

JAMES BAGG, Chief Environmental Analyst

NICK GIBBONS, Parks

LAURETTA FISCHER, Suffolk County Planning

CHRISTINE DESALVO, CEQ Staff

(WHEREUPON, this proceeding convened at 9:30 a.m. Off-the-record discussions ensued, after which the following transpired:)

(Time noted: 9:35 a.m.)

CHAIRMAN SWANSON: We'll call the meeting to order.

Did anybody see the minutes -- review the minutes?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: Nobody?

So we'll --

MS. SPENCER: No.

CHAIRMAN SWANSON: -- postpone it until the next --

MS. SPENCER: Okay. Good.

CHAIRMAN SWANSON: -- meeting.

There is a letter in your packet from the Town of Southampton concerning County Road 39, and we'll defer discussion of that until we get to County Road 39 on the agenda.

Historic Trust.

Rich.

DIRECTOR MARTIN: Okay. The housing program, whereas the Parks Department is continuing to fill the vacant homes, we're confident that -- I guess, by the end of the summer, I guess at that point that we'll try to get all the houses filled. We have another meeting with the Housing Committee this Thursday at 10 o'clock at Timber Point, and -- to review additional homes for possibly adjusting the rents. We're going through all the houses at this point, and when we finish with that process, then we feel we will be able to fill all the homes. So that's -- that's working out very well.

The custodial agreements that we have pending, the Babylon Town Historical Society is just waiting for the final updates to the Van Bourgondien house. We have to put up exit signs and different things to allow for the code change from residential use to business use, that we would get from Public Works

1 Council on Environmental Quality
2 there. So we're working with the fire
3 marshal and the Public Works Department
4 to get that house up to code. And I
5 think we've been explaining that we
6 really, as we go forward, need to look
7 at all these buildings that we're -- the
8 county's purchasing, that they will be
9 able to be used by these public groups.
10 This building is relatively -- has been
11 relatively easy to bring up to code.
12 And, otherwise, the Farmingville
13 Historical Society is waiting for us to -- to
14 do some additional work on the
15 schoolhouse in Farmingville, so they can
16 access that building at that site.
17 CHAIRMAN SWANSON: Very good.
18 VICE CHAIRMAN KAUFMAN: Larry.
19 CHAIRMAN SWANSON: Yes.
20 VICE CHAIRMAN KAUFMAN: Rich, I
21 notice on the legislative packet, 1188
22 and 1189, approving license agreements
23 for residing -- it looks as if, you
24 know, document- -- in a documentary
25 sense, these things are starting to come

1 Council on Environmental Quality
2 through. Are there any problems with
3 the license agreements themselves as
4 they're set up right now? I mean, is --
5 are there --
6 DIRECTOR MARTIN: I won't say
7 there's any problems. There's always
8 questions, you know, when the groups are
9 reviewing it, because they are quite
10 lengthy and elaborate contracts;
11 essentially, in a lot of ways protecting
12 the county. So I'd -- I'd say there's a
13 lot of questions, but there -- I think
14 the groups understand what's been fully
15 explained.
16 VICE CHAIRMAN KAUFMAN: Okay.
17 Well, not necessarily so much the
18 groups, but, for example, I'm looking at
19 1188, a license agreement for Shannon
20 Barr to reside in Prosser Pines; 1189,
21 approving a license agreement for Tina
22 Armstrong to reside in Southaven.
23 DIRECTOR MARTIN: That's correct.
24 VICE CHAIRMAN KAUFMAN: Are the
25 contracts themselves for residential --

DIRECTOR MARTIN: Yes.

VICE CHAIRMAN KAUFMAN: -- are they creating any problems or anything? Are people signing them?

DIRECTOR MARTIN: Yes. I don't see any problems with those. They -- they haven't really changed. It's the change -- you know, from years ago, is that they have to go to the legislature for approval. That's -- that's the major change. The contracts themselves are basically the same, for the residential use.

VICE CHAIRMAN KAUFMAN: Okay.

DIRECTOR MARTIN: And these -- these are the sites, you know, that have been reviewed by the committee, and then they go forward to the legislature for final approval.

VICE CHAIRMAN KAUFMAN: Thank you.

DIRECTOR MARTIN: And that's every -- a new residence needs -- their agreement needs to be approved now by the legislature.

VICE CHAIRMAN KAUFMAN: Yeah, I -- I don't have a problem with that and I understand why. It's just, you were talking a moment ago about the agreements with various historical groups --

DIRECTOR MARTIN: Yeah.

VICE CHAIRMAN KAUFMAN: -- and it suddenly popped into my mind --

DIRECTOR MARTIN: Those are the ones that are very lengthy and elaborate, the residential ones are --

VICE CHAIRMAN KAUFMAN: All right. They're -- they're not driving anyone away or anything --

DIRECTOR MARTIN: Without public, you know, use or public assembly, the building -- it's much -- it's a much simpler situation --

VICE CHAIRMAN KAUFMAN: Gotcha.

DIRECTOR MARTIN: -- for the county.

CHAIRMAN SWANSON. Okay.

Jim, are there any comments you'd

like to make about the resolutions laid on the table?

MR. BAGG: No, they're pretty straightforward. They're either Type II actions or they've been previously reviewed under SEQRA.

CHAIRMAN SWANSON: Okay.

Do we have a motion to --

MS. RUSSO: I'll make a motion.

CHAIRMAN SWANSON: We have a motion to --

VICE CHAIRMAN KAUFMAN: I'll second.

MS. RUSSO: Accept.

CHAIRMAN SWANSON: -- accept staff recommendations.

A second by Kaufman.

All in favor?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Opposed?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Motion carries.

Proposed replacement of irrigation system at the Dominy County Park.

MR. GIBBONS: Good morning.

CHAIRMAN SWANSON: Good morning.

MR. GIBBONS: Nick Gibbons, Suffolk County Parks Department.

The first one I have for you today, in my opinion, is a relatively straightforward Type II action. The Charles R. Dominy County Park, which is commonly referred to as the West Sayville Golf Course in West Sayville. It has a somewhat antiquated and failing irrigation system.

The -- recently, I would say in the past ten years or so, we replaced the -- the way the irrigation system works in the fact that it's all automated and computerized, and that significantly lessened our dependence on water and usage of water there. But the system that it's serving is somewhat old and failing. The lines break routinely, and it's just at the point of -- continued maintenances is just throwing good money after bad.

1 So at this point in time, we're
2 requesting an appropriation for a
3 capital program to replace the entire
4 system. It's a major undertaking, it
5 will take several phases, but the
6 request here today is to replace that
7 system.
8 CHAIRMAN SWANSON: So you're going
9 to make sure that you -- the new system
10 is computerized, sensitive, perhaps, to
11 soil, moisture, and --
12 MR. GIBBONS: It is now, yeah.
13 It's very -- the computer we have is
14 actually -- it's not being used to its
15 full capacity because the -- the system
16 that it's serving is holding it back.
17 But we -- we are contemplating a new
18 well, which, obviously, would require --
19 from the state. We're currently served
20 by both a well and county water, but
21 it's inadequate at this point in time.
22 VICE CHAIRMAN KAUFMAN:
23 (Indicating)
24 CHAIRMAN SWANSON: Okay. Mike.
25

VICE CHAIRMAN KAUFMAN: Question. What type of piping is there; plastic --

MR. GIBBONS: Plastic.

VICE CHAIRMAN KAUFMAN: -- vinyl?

MR. GIBBONS: Yeah.

VICE CHAIRMAN KAUFMAN: The plastic is failing, it's --

MR. GIBBONS: In that over a number of years they've replaced certain sections of it, and there's no good record of where anything is. So it's routinely broken as a result of course work when they do excavation. This has gone on for -- well, we've had a golf course there for almost 40 years, but --

VICE CHAIRMAN KAUFMAN: Nobody has a map.

MR. GIBBONS: That's correct.

VICE CHAIRMAN KAUFMAN: So it's not so much the pipe itself that's breaking, say, Schedule 40 or a Schedule 80 Pipe, whatever plastic you're using, it's --

MR. GIBBONS: I couldn't say specifically.

VICE CHAIRMAN KAUFMAN: Okay. But the pipe isn't just rupturing from out of nowhere, there are reasons why it's rupturing.

MR. GIBBONS: In places where it has not been replaced in 25 years, yes, it is -- it's failing.

CHAIRMAN SWANSON: Okay.

Any other questions?

VICE CHAIRMAN KAUFMAN: Yeah, one other question, if you don't mind.

The well that you would be digging over there, you said right now it's supplied by county water and an existing well?

MR. GIBBONS: Yeah, the existing well is failing.

VICE CHAIRMAN KAUFMAN: How come it's failing --

MR. GIBBONS: I don't --

VICE CHAIRMAN KAUFMAN: -- a drop in water table or --

MR. GIBBONS: No, I think the -- it's the equipment, the capacity of the

1 pump is not sufficient to drive the
2 distance.
3 VICE CHAIRMAN KAUFMAN: So you
4 can't just replace -- not necessarily in
5 time, but in place --
6 MR. GIBBONS: We're not sure about
7 that yet. That will be part of the
8 scope of the consultant that comes in to
9 do the scope of work for the entire
10 system. They may recommend to replace
11 the equipment or the existing well, or
12 they may require a -- suggest a new well
13 entirely.
14 VICE CHAIRMAN KAUFMAN: Well, the
15 final comment I have to make is, the
16 fact that we're somewhat sensitive to
17 the wetlands over here, I don't know
18 what the groundwater components are --
19 the wetlands are at West Sayville.
20 MR. GIBBONS: Oh, the title
21 wetlands?
22 VICE CHAIRMAN KAUFMAN: The title
23 wetlands, but there may be a groundwater
24 component to it, I just don't know. I
25

1 don't know any of the groundwater
2 features in the area.
3 The only suggestion I would make
4 is, because you have a drawdown, a cone
5 of influence, often, from these types of
6 wells, especially given the task that
7 you're going to be looking at, in any
8 consultant contract, et cetera, you
9 should look at how much is going to be
10 drawing down, again, what the cone of
11 influence -- what the -- where you're
12 going to be impacting, and what you're
13 going to be impacting, and just sort of
14 making sure, if there's information out
15 there as to groundwater component flows,
16 look at that.
17 MR. GIBBONS: We also have
18 freshwater wetlands on this course, too,
19 and I'd be more concerned about those as
20 well. So, yes, that will be part of
21 their direction.
22 VICE CHAIRMAN KAUFMAN: Just
23 protect the wetlands is what I'm trying
24 to say.
25

MR. GIBBONS: Uh-huh.

VICE CHAIRMAN KAUFMAN: If you knock out too much of the groundwater table, if it's relatively high, you can have an impact. If it's relatively deep, if they're digging into a different -- different aquifer --

MR. GIBBONS: Right.

VICE CHAIRMAN KAUFMAN: -- that's a different story.

MR. GIBBONS: Yes.

CHAIRMAN SWANSON: Any motion?

MS. RUSSO: I just want -- a quick question, Nick.

You said (inaudible).

MR. GIBBONS: Uh-huh.

MS. RUSSO: Approximately, in percentage-wise, did you see how much it cut down the water use, or do you not have that data?

MR. GIBBONS: I do have that, but I don't have it with me. But I -- I had to do this when we replaced the irrigation system at Indian Island, and

that was a project we did about eight years ago, I'd say, and it was dramatic.

I had to do that research for -- at the time we had a proposed golf course in Yaphank, which, you know, filled a bookcase in my office. But, thankfully, it isn't going to come to fruition anytime soon. But at that time, it was significant.

But I do have those numbers, I didn't bring them today.

MR. GULBRANSEN: I just want to ask a question.

CHAIRMAN SWANSON: Go ahead.

MR. GULBRANSEN: Nick, did you just say you have concerns about the freshwater wetlands, with regard to this project?

MR. GIBBONS: I do in the sense that wherever we site the well, we'll have to be sensitive to the fact that we do have wetlands on the site. Not that they're particularly significant or

unique on the golf course, they're essentially ponds on the golf course, but they do provide some habitat and -- and some wildlife benefit. But they are regulated DEC wetlands for the most part, I think there's two that aren't, for whatever reason. So they'd be subject to DEC regulations as well as permitting, in addition to the well permit, which we know is required.

MR. GULBRANSEN: Okay. Thank you.

CHAIRMAN SWANSON: Okay.

Have a motion?

MS. RUSSO: I make a motion for Type II.

CHAIRMAN SWANSON: We have a motion.

A second?

MR. GULBRANSEN: (Indicating)

VICE CHAIRMAN KAUFMAN: I'll second the motion.

CHAIRMAN SWANSON: Tom -- he had his hand up first.

Okay. Any other questions?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: All in favor?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Opposed?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Motion carries.

Okay. The proposed replacement of the retaining wall at Indian Island Golf Course.

MR. GIBBONS: Okay. Indian Island Golf Course, it's in the Town of Riverhead here on County Road 105. I believe most people are familiar with that. This is on the east side of 105. It's hole number 5, and it is located in the northeast section of the golf course.

If you -- the main driveway into Indian Island, of course, is Riverside Drive. And if you're familiar with the course, instead of turn- -- bearing right to go down by the clubhouse and pro shop, you would go straight out onto the tip of the golf course. I meant to

1 bring the location map with me this
2 morning, just so you could get your
3 bearings. But it's -- it's right on the
4 Title Creek.
5 The retaining wall was done --
6 it's -- it's kind of a -- it's a mixture
7 of things going on here. There's --
8 there's deadmen through plastic lumber,
9 and behind that is gabion. The whole
10 system is failing in a number of
11 different ways, but we did the best we
12 could do at the time kind of in-house,
13 and we did this about 15 years ago.
14 You'll see the -- the plastic
15 timbers are breaking away from the
16 deadmen in a couple of these photos.
17 Plastic is -- I believe is failing in a
18 sense that it's warping and not
19 sufficiently retaining back the gabion.
20 And then behind the gabion it was -- it
21 was poorly placed, there's no filter
22 cloths, so it -- it didn't group
23 sediments through the gabion and out the
24 face of the retaining wall, if you can
25

picture that.

So the proposal -- we've been out here with DEC, I should mention, and they -- they support, you know, us trying to replace this structure, they recognize it's failing.

There's no particularly unique or valuable habitat, per se -- title wetland habitat right at this site. It's potentially bare sand. And what we would be doing is pulling out the existing gabion, properly installing a filter cloth, and reinstalling gabion of more suitable materials, stone-sized primarily. And then the deadmen themselves, we may be subject to replace them depending on what we uncover when we -- when we pull this thing apart. I'm -- I'm guessing that it will require new deadmen.

But, anyway, the footprint of the entire thing would be essentially the same, and that would be required under DEC anyway. So I'm suggesting this as a

1 replacement.

2 CHAIRMAN SWANSON: What -- what

3 actually do you think is causing the

4 failure?

5 MR. GIBBONS: Two things.

6 The -- in some cases, believe it or

7 not -- and this is like a -- this is a

8 good three-foot drop -- during certain

9 storm conditions, you will get water

10 come up and over -- slop over this

11 gabion; it may be three or four times a

12 year. And that actually goes out onto

13 the -- the number 5 green, which is just

14 beyond the retaining wall. That water,

15 as it comes down through the -- the turf

16 grass just beyond it and, in fact, out

17 to the creek, will carry sediment with

18 it.

19 The other -- I'm sorry?

20 VICE CHAIRMAN KAUFMAN: I was

21 talking to Larry.

22 MR. GIBBONS: The other thing is,

23 the irrigation at this hole -- I'm

24 asking them to reconfigure that, but

25

with the irrigation continuously spraying onto the gabion, it's getting those sediments moving and out into the bay. So those heads are going to be reconfigured so that there is no irrigation coming out towards the water.

CHAIRMAN SWANSON: So in your earlier comments, you implied that the existing structure was using your own staff and probably not an engineer design?

MR. GIBBONS: Absolutely not an engineer design, yes.

CHAIRMAN SWANSON: So is this one going to be properly engineered, or is it going to just be by the seat of the pants again?

MR. GIBBONS: No, I think it -- the -- the idea would be to -- to throw some significant resources -- financial resources to solve this problem correctly, as opposed to the Band-Aid we tried -- and I should say, and not to be critical of this -- of our own staff,

this thing has held for ten or 15 years, but it's -- I think it's reached the end of its use, in my opinion.

CHAIRMAN SWANSON: What about reducing the possibility of as much irrigation?

MR. GIBBONS: For the course, you mean, in that section?

CHAIRMAN SWANSON: No, no, for the hole which you --

MR. GIBBONS: For that hole there?

CHAIRMAN SWANSON: Yeah.

MR. GIBBONS: Yeah. The -- I -- I think that's -- that's worth leading to -- there is -- there are several heads that are right next to this and -- and as a result of the excavation that's going to be required for this work, those heads, I think, can be removed entirely and that area served by the -- it's not a -- it's a small par 3. It's kind of a signature hole because of its proximity to the water. But other than that, it's not a particularly

1 challenging hole, and it's not a
2 particularly large fairway. It can be
3 served by heads on the opposite --
4 further left of that hole.
5 MS. GROWNEY: (Indicating)
6 CHAIRMAN SWANSON: Eva.
7 MS. GROWNEY: Were there ever test
8 holes taken to see where the (inaudible)
9 contact was?
10 MR. GIBBONS: No, not at this
11 point.
12 MS. GROWNEY: And so you'll be
13 doing that this time around with the
14 proper engineering?
15 MR. GIBBONS: To the extent that we
16 need to -- that they need to do that,
17 yes.
18 MS. GROWNEY: And the -- the
19 existing deadmen, do you know how far
20 they're going right now?
21 MR. GIBBONS: No, we don't.
22 MS. GROWNEY: So it's a combination
23 of things?
24 MR. GIBBONS: Yes.
25

MS. GROWNEY: Yeah.

MR. GIBBONS: Uh-huh.

MS. GROWNEY: And the water -- is it -- is it grading down there, or -- or is it --

MR. GIBBONS: No, it actually heads up towards the gabion.

MS. GROWNEY: So it heads up towards the gabion. The gabion --

MR. GIBBONS: No, the gabion is the highest point.

MS. GROWNEY: It's the highest point?

MR. GIBBONS: Uh-huh.

MR. BAGG: (Indicating)

CHAIRMAN SWANSON: Jim.

MS. GROWNEY: So the soil factor is -- is one of the --

MR. GIBBONS: Yes.

MR. BAGG: When you replace this thing, you're going to reutilize the rocks?

MR. GIBBONS: I'm not sure. I'm not sure if those materials -- if they

1 want to go with bigger stones. I think
2 that might be one of the
3 recommendations.
4 These baskets, as they do, they --
5 they start to fail, too. They break
6 down and break apart, so I'm not sure
7 how much will really be salvaged. We'll
8 use the material elsewhere in the park,
9 but I'm not sure this will be suitable
10 materials for this project or not.
11 MS. GROWNEY: How far -- how tall
12 is that?
13 CHAIRMAN SWANSON: These are two
14 baskets high, for the most part, and
15 they're about four feet.
16 MR. GULBRANSEN: (Indicating)
17 CHAIRMAN SWANSON: Tom.
18 MS. GROWNEY: So it might also be a
19 factor -- contributing factor.
20 MR. GIBBONS: Size?
21 MS. GROWNEY: Yeah.
22 MR. GIBBONS: It could be, but --
23 MS. GROWNEY: It may not be set
24 down enough --
25

MR. GIBBONS: That's true, yeah. They should really properly be dug out and -- yeah.

CHAIRMAN SWANSON: Tom.

MR. GULBRANSEN: Nick, when you have the engineer take a look at a way to rebuild these, I think there's an opportunity to ask them to reconsider the angle of the seaward base and -- and turn it vertical, there might be opportunity for some -- some vegetation to take hold if it doesn't have such churn.

MR. GIBBONS: Yeah, I'm -- I'm making that argument, too, because I'm not -- I'm not a golfer, I'm not particularly sympathetic to the golf course, but to get the correct slope on this thing and have it well vegetated and maintain itself, you'd be taking away most of their tee. Which, like I said, I don't really care, but --

MR. GULBRANSEN: You were thinking about --

MR. GIBBONS: Yeah, we are looking at that to see if there is any chance for vegetation there. Because it is a very vertical stage, you're right about that.

VICE CHAIRMAN KAUFMAN: (Indicating)

CHAIRMAN SWANSON: Michael.

VICE CHAIRMAN KAUFMAN: One of the things that you can do with this, looking at the pictures, is rather than have a four-foot-high vertical wall, which is going to exacerbate the problem with waves coming in off of Peconic Bay, is to make a step over there, maybe two layers high; one dug down, and then, two, going higher. Basically step, that that -- that's a more classic design.

MR. GIBBONS: We did that at Timber Point along the Great South Bay, and it's worked out beautifully.

VICE CHAIRMAN KAUFMAN: Okay.

MR. GIBBONS: In fact, it's encouraged sand to build up and

1 vegetation to --

2 VICE CHAIRMAN KAUFMAN: That's the

3 proper way if you're going to do

4 gabions. You do not do them as a

5 vertical wall, they literally -- when

6 the waves come in and hit them, and over

7 top, it creates exactly the problem that

8 you're seeing. Whenever I've had

9 approval authority over gabions,

10 et cetera, we've always followed the DOS

11 and DEC standard, which is literally two

12 steps at back.

13 MR. GIBBONS: Uh-huh.

14 VICE CHAIRMAN KAUFMAN: Second off,

15 you've got enough sand in that area to

16 maybe push the bottom of it two or three

17 feet without incurring DEC problems.

18 Especially if you're talking about

19 trying to revegetate, as Tom was

20 bringing up.

21 MR. GIBBONS: Uh-huh.

22 VICE CHAIRMAN KAUFMAN:

23 Revegetation with Spartina, which I

24 don't actually know will grow too well

25

1 over there, but revegetation will be
2 encouraged, even if you do go into that
3 sand area. That's something you can
4 bring up with DEC. Basically, toe-sand
5 libations (phonetic) is what I'm talking
6 about. It's a classic technique, the
7 way you do it.
8 Second off, are you going to be
9 reusing the plastic at all --
10 MR. GIBBONS: No.
11 VICE CHAIRMAN KAUFMAN: -- as a
12 concept?
13 You know it's not structural, it's
14 more pretty in that sense.
15 MR. GIBBONS: Uh-huh.
16 VICE CHAIRMAN KAUFMAN: Aesthetics.
17 MR. GIBBONS: No, we're not going
18 to do that.
19 VICE CHAIRMAN KAUFMAN: Yeah, I was
20 going to say, gabions -- you sort of
21 defeat the purpose of the gabion by
22 facing --
23 MR. GIBBONS: The -- the Timber
24 Point model would -- the -- the golf
25

1 course superintendent is familiar with
2 the Timber Point project. Even though
3 he wasn't here at the time, he's
4 certainly been impressed upon what
5 happened there at the time, and it's --
6 it's -- it's holding very well. In
7 fact, we would like to continue that
8 around parts of the Connetquot River.
9 VICE CHAIRMAN KAUFMAN: One other
10 thing, you may not need to do deadmen at
11 all. If you do a step with gabion --
12 basically, say you have three baskets at
13 the bottom, then two baskets, and then
14 one basket, the weight of the stones, if
15 they're tied together properly, you may
16 not need to rip up anything. Typically,
17 gabions are not used with deadmen.
18 MR. GIBBONS: Yeah, I think part of
19 that gets back to Jim's point. Is that,
20 you know, new materials, I don't think
21 they're suitable necessarily for what
22 you have in mind. The -- the material
23 we used at Timber was a much larger
24 size, and that held without the --
25

1 MS. GROWNEY: Yeah, that's --
2 MR. GIBBONS: -- the deadmen.
3 So --
4 VICE CHAIRMAN KAUFMAN: Well, you
5 can use a combination. I mean, usually
6 people use larger sizes to act as a
7 shock absorber. That's sort of the
8 concept of gabion, as the waves crash
9 in -- excluding an overtopping
10 situation.
11 MR. GIBBONS: Uh-huh.
12 VICE CHAIRMAN KAUFMAN: As the
13 waves crash in, the gabion absorbs the
14 energy as close to a seawall --
15 CHAIRMAN SWANSON: (Inaudible)
16 VICE CHAIRMAN KAUFMAN: Excuse me,
17 we've done enough of these -- we've --
18 CHAIRMAN SWANSON: We don't design
19 them.
20 VICE CHAIRMAN KAUFMAN: We've
21 approved a number of these --
22 CHAIRMAN SWANSON: We approve --
23 VICE CHAIRMAN KAUFMAN: -- not
24 at --
25

CHAIRMAN SWANSON: -- we don't design.

VICE CHAIRMAN KAUFMAN: -- not at CEQ, but at the village, I know we've done some work on this.

CHAIRMAN SWANSON: All right.

VICE CHAIRMAN KAUFMAN: And you know I'm right.

CHAIRMAN SWANSON: Anything else?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: Okay. Do I have a motion?

MS. GROWNEY: I'd make a motion to approve this --

CHAIRMAN SWANSON: Do we have a second?

MS. RUSSO: I'll second.

MR. BAGG: What -- what action? We're talking about Type II?

CHAIRMAN SWANSON: Type II.

MS. GROWNEY: Type II, sorry.

CHAIRMAN SWANSON: And any other questions?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: Okay. All in favor?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Opposed?

(WHEREUPON, the members voted.)

MR. BAGG: I have one more question.

CHAIRMAN SWANSON: Yeah.

MR. GIBBONS: Okay.

MR. BAGG: We sent this to the Town of Riverhead?

MS. DESALVO: Uh-huh.

MR. BAGG: And the Town Attorney --

MS. DESALVO: Yes.

MR. BAGG: -- for the record?

MS. DESALVO: Yes.

MR. BAGG: Do we have any response from the Town of Riverhead or the town with respect to this project?

MS. DESALVO: No.

MR. GIBBONS: And we did as well, for the record. The Parks Department also sent out, on a separate cover, to get the feels from the Town of

Riverhead.

Thank you.

CHAIRMAN SWANSON: Thank you, Nick.

MS. SPENCER: Thank you, Nick.

CHAIRMAN SWANSON: Okay. Proposed acquisition for open space preservation.

MS. FISCHER: Good morning.

ALL: Good morning.

MS. FISCHER: Lauretta Fischer, Suffolk County Planning Department, Principal Environmental Analyst.

Before you today is one acquisition, 2.5 acres in the Seatuck Cove area in the hamlet of East Moriches, Town of Brookhaven. We're looking to acquire this property for freshwater wetlands and title wetlands protection.

It's part of a, approximately, 50-acre area that has multiple acquisitions from New York State DEC to county holdings. We bought a few pieces recently in the area, one a former farm, outlined in green on your map, which is

the -- allowed to go back to its natural state. The property in orange is in the process of being acquired, and the red property is what's before you today. It does include title wetlands, there is some upland portion of it on the property, but it's primarily tidal with the freshwater wetlands as well.

CHAIRMAN SWANSON: The area to the south of the proposed acquisition looks like --

MS. FISCHER: That's --

CHAIRMAN SWANSON: -- it's been thoroughly ditched.

MS. FISCHER: Yeah, that's the state DEC holdings, and that probably was ditched probably in the '20s and '30s.

CHAIRMAN SWANSON: Okay.

MS. FISCHER: There hasn't been any changes in that over the years, I don't know what their plan is with regard to that. Whether they're just --

CHAIRMAN SWANSON: Just out of --

MS. FISCHER: -- continuing the ditch -- you know, maintaining the ditching or not, I'm not sure.

CHAIRMAN SWANSON: Just out of curiosity, the little yellow plots -- plots of -- about what size are those?

MS. FISCHER: The --

CHAIRMAN SWANSON: The ones to the north.

MS. FISCHER: Maybe about a half an acre.

CHAIRMAN SWANSON: All right.

MR. GULBRANSEN: Lauretta --

CHAIRMAN SWANSON: Any questions?

MR. GULBRANSEN: -- is the red parcel developable? Is there a --

MS. FISCHER: Yes --

MR. GULBRANSEN: -- a significant enough --

MS. FISCHER: -- when it was appraised, there was the ability to be able to put one -- one dwelling unit on it. There was enough upland --

CHAIRMAN SWANSON: Is this -- you

1 have a -- a mix of -- a lot of
2 government agencies on this peninsula.
3 Is there an overall master plan of how
4 it's to be managed, or is it just left
5 as is --
6 MS. FISCHER: Well --
7 CHAIRMAN SWANSON: -- how do you
8 deal with those issues?
9 MS. FISCHER: I guess, as we move
10 forward, once we acquire it, we can,
11 obviously, reach out to the state. And
12 this is going to be for passive
13 recreational use on -- on behalf of the
14 county, but we certainly would reach out
15 to the adjoining state holdings and
16 coordinate our efforts in that regard in
17 the future.
18 MR. GULBRANSEN: Well, we've been
19 do- -- that's by Pheasant Meadow; right?
20 MS. FISCHER: Yes.
21 MR. GULBRANSEN: Yeah, we've been
22 doing --
23 MS. FISCHER: Yes.
24 MR. GULBRANSEN: -- that already.
25

1 That acquisition was outlined in a joint
2 acquisition with the town, since
3 everyone was working with DEC kind of
4 jointly.
5 CHAIRMAN SWANSON: So you got --
6 MS. FISCHER: The management --
7 CHAIRMAN SWANSON: -- four
8 government entities --
9 MR. GIBBONS: Four?
10 CHAIRMAN SWANSON: Three.
11 MR. GIBBONS: Three, I hope.
12 MS. FISCHER: Three.
13 MR. GIBBONS: Three's enough.
14 MS. FISCHER: Yes.
15 MR. BAGG: (Indicating)
16 CHAIRMAN SWANSON: Yes.
17 MR. BAGG: I have a question.
18 You have here -- it says here on
19 the orange, "IR 2172-06." Is that in
20 the process of being acquired?
21 MS. FISCHER: Yes.
22 MR. BAGG: What's the status of
23 that one?
24 MS. FISCHER: I think we're in
25

1 negotiations. I think we've actually
2 gotten approval for acquisition, and
3 we're just, you know, in the process so
4 far. It's just taken a while. I don't
5 know exactly the details of why it's
6 taken so long, but it is in process.
7 CHAIRMAN SWANSON: Just out of
8 curiosity -- I know we're not supposed
9 to get into cost, but I'm just curious.
10 Now that the market has crashed, is the
11 county taking advantage of that?
12 MS. FISCHER: Yes. Our appraisals
13 are reflecting the -- the changes in --
14 in values out there, yes.
15 CHAIRMAN SWANSON: So this is not a
16 way for people to recover at previous
17 rates --
18 MS. FISCHER: No, those --
19 CHAIRMAN SWANSON: -- high prices?
20 MS. FISCHER: No, those
21 appraisals -- those issues are -- are
22 brought to the -- it's brought into the
23 appraisals and into the (inaudible).
24 VICE CHAIRMAN KAUFMAN:
25

(Indicating)

CHAIRMAN SWANSON: Michael.

VICE CHAIRMAN KAUFMAN: Echoing the point that Tom was bringing up, you know, we have these diverse ownership interests. I understand that most of these are probably supported by bonds sitting in the background --

MS. FISCHER: No, this is not. This is the new drinking water which is --

VICE CHAIRMAN KAUFMAN: It's already paid for upfront.

MS. FISCHER: -- a quarter percent.

VICE CHAIRMAN KAUFMAN: Well, question. Is there any way to possibly mix and match or trade some of these lands? If we're going to have isolated units -- unless this question's already asked. If we're going to have isolated units next to other properties, is it possible to maybe trade off with New York State and -- you know, if you got a comparable evaluation on the

1 properties --

2 MS. FISCHER: That --

3 VICE CHAIRMAN KAUFMAN: -- it makes

4 a better management unit, and that's --

5 MS. FISCHER: Well, I think we --

6 we do cooperative agreements, we -- we

7 do do management agreements with -- with

8 our partners here. It gets -- you know,

9 we're -- we're -- we're at the point

10 where we're spending all of our efforts

11 and time to just make these deals

12 happen. If we spend our time to do

13 reappraisals, renegotiations, at this

14 point in time, it -- it's not in the

15 best interest of --

16 VICE CHAIRMAN KAUFMAN: No, no,

17 no --

18 MS. FISCHER: -- the county --

19 VICE CHAIRMAN KAUFMAN: -- I'm

20 talking --

21 MS. FISCHER: -- to do that.

22 VICE CHAIRMAN KAUFMAN: -- once we

23 acquire at a later date, trade with --

24 you know, say, trade a wetland here for

25

1 a wetland there, you know, New York --
2 and make a better -- a bigger block for
3 New York State over here and a bigger
4 block for the county over here
5 (indicating).
6 MS. FISCHER: That would make a lot
7 of sense, but the reality of it would
8 be -- I don't know if the reality of --
9 would be worthwhile. Because, you know,
10 these lands are put in parkland status.
11 You'd have to go through a very onerous
12 process to exchange them with -- the
13 state gets involved, the state
14 legislature gets involved.
15 VICE CHAIRMAN KAUFMAN: Yeah,
16 you've got the --
17 MS. FISCHER: There's appraisals
18 that have to be done, and -- and the
19 back and forth.
20 I -- I think that the best way to
21 move forward on these -- and we do have
22 a lot of them. And, you know, if -- if
23 there was, you know, a process moving
24 forward wherein we could say to the
25

1 state, you buy this, and the county, you
2 buy that, it would be wonderful, but we
3 can't dictate --
4 VICE CHAIRMAN KAUFMAN: No --
5 MS. FISCHER: -- that --
6 VICE CHAIRMAN KAUFMAN: -- I'm not
7 even talking about buying, I'm just
8 talking at a later date, where it's
9 already bought and it's in public
10 ownership.
11 I'll leave the question alone.
12 MS. FISCHER: We -- we have enough
13 to, you know --
14 VICE CHAIRMAN KAUFMAN: Okay.
15 MS. FISCHER: -- just to get us
16 from A to B, and --
17 VICE CHAIRMAN KAUFMAN: I'm just
18 trying to make your life harder --
19 MS. FISCHER: I -- I understand --
20 VICE CHAIRMAN KAUFMAN:
21 -- Lauretta, that's all.
22 MS. FISCHER: -- and you want to
23 see me until I'm 90, but --
24 (Laughter)
25

CHAIRMAN SWANSON: Mary Ann.

MS. SPENCER: Lauretta, in the --

MS. FISCHER: Yes.

MS. SPENCER: -- northwest corner of the green Suffolk County parcels, there seem to be some structures --

MR. GIBBONS: They're gone.

MS. FISCHER: They're --

MS. SPENCER: They're gone.

MS. FISCHER: -- they're demolished.

MR. GIBBONS: Too late.

MS. FISCHER: Yes.

MS. SPENCER: I just was curious.

VICE CHAIRMAN KAUFMAN: The bats got them.

(Laughter)

MS. FISCHER: Sorry.

CHAIRMAN SWANSON: All right. Do we have any other questions?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: Do we have a motion?

VICE CHAIRMAN KAUFMAN: Motion,

1 Council on Environmental Quality
2 Unlisted Neg Dec.
3 MS. RUSSO: Second.
4 CHAIRMAN SWANSON: Any other
5 comments?
6 (WHEREUPON, there was no response.)
7 CHAIRMAN SWANSON: All in favor?
8 (WHEREUPON, the members voted.)
9 CHAIRMAN SWANSON: Opposed?
10 (WHEREUPON, the members voted.)
11 CHAIRMAN SWANSON: Motion carries.
12 MS. FISCHER: Thank you.
13 CHAIRMAN SWANSON: Thank you.
14 All right. County Road 39, and
15 note the letter that is in your packet
16 from the Town of Southampton.
17 (Pause in the proceeding)
18 CHAIRMAN SWANSON: Are you ready?
19 MR. MACKEY: Yep.
20 CHAIRMAN SWANSON: Okay.
21 MR. MACKEY: Good morning. My
22 name's Russ Mackey, I'm a CE. I work in
23 the Suffolk County DPW, the Consultant
24 Management Unit. And along with me this
25 morning is Ron Hill and Vince Corrado of

1 Council on Environmental Quality
2 Dunn Engineering. They are the
3 consultants for the county on this
4 project, and I'll let them further
5 explain.
6 MR. HILL: The project we propose
7 is a --
8 THE REPORTER: Your name is?
9 MR. HILL: Ron Hill from Dunn
10 Engineering.
11 -- is a capacity, safety, and
12 drainage improvement project. It begins
13 at North Sea Road, just a little west of
14 the intersection where the previous
15 improvements were done, and runs to
16 Montauk Highway-Hampton Road-Flying
17 Point Road here (indicating). There is
18 a -- an addition of a lane eastbound
19 from about this point through about here
20 (indicating). So it would be two lanes
21 eastbound. In doing that, there is an
22 east -- there is two lanes currently at
23 the center section eastbound, and there
24 are two lanes leading in past this
25 intersection. So it's a continuation in

meeting this current two-lane approach to this intersection.

In addition, we're going to have six-foot shoulders on each side of the road. We'll be improving drainage. Currently there are recharge basins in this area, and over here near David Whites Lane (indicating). The drainage improvements are at North Main Street here, and at Flying Point Road here (indicating). This particular one, at North -- North Main Street, is beneficial from the standpoint of, the current drainage on County Road 39 runs down to the intersection, bubbles up under North Main Street, and eventually runs into Lake Agawam, which the village is trying to clean up. So we're going to intercept that and put it into leaching basins, over here on this corner where there's extra right-of-ways, and over here on this corner where there's extra right-of-ways.

We're going to add sidewalks to fill in gaps. So it would be new sidewalks, particularly in this area where there's some residential homes. By the way, that -- those are the only residential homes in front of the entire piece, the rest is all commercial property.

We're adding curbs where necessary, filling in some additional gaps in sidewalks where development has occurred but no sidewalks have been put in place. The widenings are no more than three feet, and they're limited to the areas pretty much adjacent to the recharge basins where no development has occurred, or there's another piece of property here where no development has occurred (indicating). And that's really where the widenings are -- are -- are concentrated, and, again, no more than three feet.

The project is done entirely within the county right-of-way, and mostly

1 within the county's current pavement
2 way.
3 Any questions?
4 CHAIRMAN SWANSON: Yeah, well, this
5 issue of Southampton, they maybe have
6 some disagreement as to what ought to be
7 done in this section of the road. I was
8 wondering if you could address that.
9 MR. MACKEY: Sure. In the letter
10 from the Town of Southampton, the county
11 disputes their claim on the -- having
12 two lanes going in the westbound
13 direction. The county feels that you'll
14 get a more environmental impact when you
15 have two lanes right -- currently, you
16 have two lanes going eastbound emerging
17 into one; relieves congestion, less more
18 emissions. The lanes that are --
19 there's one lane currently going
20 westbound right now, the cars are
21 already single file, and if you continue
22 going through, there is no stagnation of
23 trying to merge.
24 And as far as their second issue
25

1 with how this may negatively impact the
2 long-term plan, that's again false.
3 This project's being done with federal
4 funds, and so we had a ten-year time
5 line. Unfortunately, that time line is
6 due up next year.
7 CHAIRMAN SWANSON: Wait a minute.
8 You have a ten-year time line to do
9 what?
10 MR. MACKEY: To receive
11 construction authorization.
12 MS. RUSSO: And the federal funds?
13 MR. MACKEY: In order to receive
14 the federal funds.
15 If we do not hit -- meet this
16 deadline, not only do we not receive the
17 federal funds, in addition, we have to
18 back pay any preliminary engineering
19 funds that have been paid out already.
20 This -- this project is proceeding.
21 We want to accomplish the goals that we
22 set forth currently, and to continue to
23 collect on these federal funds.
24 CHAIRMAN SWANSON: So the shovel's
25

in the ground stuff doesn't apply to this?

MR. MACKEY: No, that's a totally different federal program.

CHAIRMAN SWANSON: I guess I have nothing against what you're proposing, really, but I am concerned that there's -- does not seem to be an agreement between the county and the town, and -- and you're just saying, Well, the town is wrong.

MR. MACKEY: We have had many meetings with the town. In fact, we've had public -- public hearings with the town. Again, you know, unfortunately, the town likes to see certain things, but, again, from the county's standpoint and from an environmental standpoint, this is the most beneficiary solution.

CHAIRMAN SWANSON: Did we invite the town to come --

MR. BAGG: We send them everything. We send the supervisor's office and the planning department, that's why you got

1 the response from the town here.

2 CHAIRMAN SWANSON: Okay.

3 MR. BAGG: But they're welcome to

4 attend the meetings, and nobody comes.

5 We just got this yesterday

6 (indicating).

7 MR. MACKEY: And our chief

8 engineer, Bill Hillman, has been in

9 contact with Tom Healy for a variety of

10 different -- different meetings, and

11 throughout the entire planning process.

12 VICE CHAIRMAN KAUFMAN: I'll also

13 note for the record that we have a

14 representative from Southampton who has

15 attended the meetings in the past,

16 Mr. Zeb Youngman, who's not here today.

17 So he definitely gets the packets also.

18 And I'll note also for the record that,

19 yeah, we had information about County 39

20 in our packets. So, you know, I mean,

21 the coordination, in my opinion, has

22 occurred.

23 We're sitting here looking at a --

24 at a letter and talking about it, and as

25

1 Russ has stated, there have been a
2 number of -- a number of discussions
3 between the county and the town.
4 CHAIRMAN SWANSON: What was the
5 sentiment at the time of the public
6 hearing; anybody even show up?
7 MR. MACKEY: Yeah, like I said, the
8 public hearing, we had probably about --
9 would you say about -- maybe 100 people
10 there?
11 MR. HILL: Sure. Probably about
12 100.
13 CHAIRMAN SWANSON: And were they
14 favorably inclined, or were they all
15 opposed?
16 MR. MACKEY: The public hearing was
17 for the -- the long-term, you know,
18 project. So, I mean, there was a series
19 of alternatives, and they each showed
20 their opinions on each of them.
21 MS. RUSSO: Just very quickly.
22 The first bullet on the town's
23 letter is, As noted in the draft copy of
24 the Town's County Road 39 Vision
25

1 Council on Environmental Quality
2 Document previously provided to the
3 county -- what is that document? Can
4 you tell us what they just -- you know,
5 what they'd like to see, instead of your
6 plan. I'm just curious.
7 MR. HILL: I believe what it says
8 is two -- they prefer, at this point,
9 two lanes westbound. And the vision
10 document has two lanes eastbound through
11 North Main Street, and then drops -- so
12 the difference is -- is, basically, in
13 the direction between the extra lanes.
14 MS. RUSSO: That really is the
15 difference, they want --
16 MR. HILL: Right.
17 MS. RUSSO: -- the two westbound
18 lanes versus your two eastbound lanes.
19 MR. HILL: Right.
20 VICE CHAIRMAN KAUFMAN: Can you let
21 the record reflect that
22 Legislator Schneiderman has joined the
23 discussion.
24 CHAIRMAN SWANSON: We're discussing
25 County Road 39.

MS. RUSSO: I have one more question.

CHAIRMAN SWANSON: Yes.

MS. RUSSO: Ron, when you were looking at their ten-year plan, and I realize -- I know the area very well, I was out there actually on Sunday.

So you'll have your two eastbound lanes here and they, basically, both turn in on State Route 27 --

MR. HILL: Right.

MS. RUSSO: -- and that merges to one lane, I don't know, three-tenths of a mile away --

MR. HILL: Yes.

MS. RUSSO: -- and it hits Water Mill where it's one lane and two stoplights and a terrific bottleneck. So traffic will move -- will move smoother through here, but it's still going to just back up --

MR. HILL: On the state road.

MR. MACKEY: That's a state road, we can't do anything about it.

MS. RUSSO: Yeah.

MS. GROWNEY: (Indicating)

CHAIRMAN SWANSON: Eva.

MS. GROWNEY: The sidewalks, are they -- they scheduled where any of the bus stops are on that road?

MR. HILL: Yes, I believe that while there's certainly bus stops at North Sea Road --

MS. GROWNEY: Yes.

MR. HILL: -- the bus doesn't come up North Main Street. The rest of them, I think, are near David Whites Lane, and there are sidewalks there -- will be sidewalks there.

CHAIRMAN SWANSON: Any other comments?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: I have a nitpick maybe you can explain. On page four of the environmental assessment form, sort of in the middle of the page, it says that the cleared, graded and filled land is 5.7 acres, but after completion of

1 the project, it's only going to be 4.2;
2 how can you reconstruct --
3 MR. HILL: That appears --
4 CHAIRMAN SWANSON: -- natural land?
5 MR. HILL: Probably a typo.
6 CHAIRMAN SWANSON: Okay.
7 MR. GULBRANSEN: No, I don't --
8 MS. SPENCER: I don't think that's
9 a typo.
10 MR. GULBRANSEN: It could be less.
11 MR. HILL: It can't be less, no.
12 CHAIRMAN SWANSON: Just curious.
13 If you could correct that.
14 Thank you.
15 MR. HILL: Yeah, because if you
16 look, I think the answer is the total is
17 the same, because we're not really
18 clearing anything.
19 What happens is -- oh, that's
20 right. Yeah, no, that is right. That
21 is -- the cleared, graded goes down, and
22 the paved road goes up. It's a switch.
23 So you're adding pavement instead of
24 cleared. The edge of the road is
25

basically cleared already.

CHAIRMAN SWANSON: Okay. So I was reading this as total disturbed area --

MR. HILL: Same -- it's the same.

CHAIRMAN SWANSON: Okay. Very good.

Jay, do you have a --

LEGISLATOR SCHNEIDERMAN: Well, just a design spread, you know? I thought we we're going to do two lanes in both direction; we're not? We're doing two lanes in one direction and --

MR. HILL: The larger project was two lanes in -- in -- in both directions.

LEGISLATOR SCHNEIDERMAN: What do we have there now, one lane in each direction?

MR. HILL: Yes. Except for at -- at North -- at North Sea Road and at Montauk Highway.

LEGISLATOR SCHNEIDERMAN: Then you're doing two lanes westbound?

MR. HILL: Eastbound. This project

1 is two lanes eastbound.

2 LEGISLATOR SCHNEIDERMAN: Two lanes

3 eastbound.

4 Oh, is there not room to do two

5 lanes in both directions?

6 MR. HILL: No.

7 MR. MACKEY: That's going to be

8 part of, again, the long term.

9 Right now we can't -- we're doing

10 two lanes going eastbound, because

11 having this center left-turn lane --

12 because it's got to flow with the cars

13 that are turning off for the other cars

14 to go through.

15 What you're speaking of is what

16 you're -- this is that long-term --

17 LEGISLATOR SCHNEIDERMAN: Yeah, I

18 don't have a problem with that.

19 I know in the -- in the old

20 County Road 39, there were two lanes

21 heading west and one lane heading east,

22 and, you know, I was told that that

23 was -- this was for evacuation types of

24 purposes. To get out, that's why that

25

1 was designed. But I think from a design
2 perspective, east is where you have the
3 most concentrated flows of traffic at a
4 particular time. So -- typical
5 scenario.
6 Yeah, I -- I just, you know, think
7 that it should be two lanes in both
8 directions at some point. Maybe you
9 could look into federal stimulus money
10 for that.
11 MR. MACKEY: No, I think that's
12 part of the federal -- federal money
13 that -- and don't quote me, I think it
14 might have been allocated or part of the
15 federal -- fed aid projects.
16 LEGISLATOR SCHNEIDERMAN: Right.
17 MR. MACKEY: This is -- again, like
18 I said, basically, in order for us to
19 keep accepting those funds, we have to
20 have construction approval --
21 LEGISLATOR SCHNEIDERMAN: Okay.
22 MR. MACKEY: -- and this kind of
23 moots that.
24 CHAIRMAN SWANSON: So you're --
25

1 what you're just saying is that you're
2 not going to totally violate
3 Southampton's desire, eventually you're
4 going to get the two lanes westbound as
5 well?
6 MR. MACKEY: Yeah, that's part of
7 the long-term --
8 CHAIRMAN SWANSON: And that's been
9 explained to them.
10 MR. MACKEY: It should have been,
11 yes.
12 MS. GROWNEY: (Indicating)
13 CHAIRMAN SWANSON: Eva.
14 MS. GROWNEY: Well, I just -- I
15 have to go back to the -- the sidewalk
16 question, because if -- where the
17 sidewalks are being planned, would that
18 allow for an additional lane to happen
19 in the westbound direction, or is that
20 going to preclude that?
21 MR. HILL: No, it wouldn't preclude
22 it. In -- in -- a lot of places where
23 they're going in for development, we're
24 filling in gaps. So that the
25

1 right-of-way is there to put the
2 sidewalks where they think they need it.
3 MS. GROWNEY: All right. And --
4 and another second lane going west,
5 we'll be able to put that in as well?
6 MR. HILL: Yes.
7 MS. GROWNEY: Okay.
8 CHAIRMAN SWANSON: There was a
9 question over here?
10 MR. GULBRANSEN: Yeah. The second
11 statement in the Town of Southampton
12 letter states that, The project that
13 you're putting forward now may
14 negatively impact the opportunity to
15 continue...
16 So is that the case or is that not
17 the case?
18 MR. MACKEY: That's not the case.
19 MR. GULBRANSEN: Is your current
20 design blocking or precluding --
21 MR. MACKEY: No.
22 MR. GULBRANSEN: -- a second lane
23 in the other direction --
24 MR. MACKEY: If we didn't do this
25

project --

MR. GULBRANSEN: No. Okay.

MR. MACKEY: -- it would be because the fed funds would have -- would be --

MR. GULBRANSEN: Over.

MR. MACKEY: -- disappear, we'd have to pay back what we had, and retry the funding for it. You tell me, you think the feds are going to say --

(Overlapping conversations)

MR. MACKEY: -- and now you're coming back for more?

MR. GULBRANSEN: Understood, thank you.

MR. BAGG: I have a question, too.

MR. MACKEY: Uh-huh.

MR. BAGG: If you go to two -- two lanes west, I assume you're going to have to -- do you have enough right-of-way?

MR. HILL: Yeah, there is enough right-of-way.

CHAIRMAN SWANSON: So -- so -- okay. The long-term plan involves no

takings?

MR. HILL: No, it would not. The long-term plan in this area involves no takings.

CHAIRMAN SWANSON: How long's the construction going to take?

MR. HILL: It's supposed to start in January of next year, any time after Labor Day, and the idea is that it's under -- done before Memorial Day.

CHAIRMAN SWANSON: So it's about five months?

MR. HILL: Yeah.

CHAIRMAN SWANSON: And then when you put in the next lane, it will be another five months?

MR. HILL: The longer-term project has other things in it that are still being evaluated. It -- it may take -- it will probably take more -- there's more enhancements in there.

CHAIRMAN SWANSON: Any other comments?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: Do we have a motion?

MS. RUSSO: I make a motion, Unlisted Neg Dec.

CHAIRMAN SWANSON: Okay. We have a motion.

MS. GROWNEY: Second.

CHAIRMAN SWANSON: We have a second by Eva.

Any other comments?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: All in favor?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Opposed?

(WHEREUPON, the members voted.)

CHAIRMAN SWANSON: Jay?

LEGISLATOR SCHNEIDERMAN: I'm in favor.

CHAIRMAN SWANSON: Okay. Everybody --

LEGISLATOR SCHNEIDERMAN: I'm used to silence being taken as affirmative.

CHAIRMAN SWANSON: Well, they do things differently than us.

VICE CHAIRMAN KAUFMAN: Some controversial issues --

(Laughter)

VICE CHAIRMAN KAUFMAN: -- I mean, you don't say anything, you approve.

CHAIRMAN SWANSON: Okay. So the motion passes.

MR. MACKEY: Thank you.

MR. HILL: Thank you.

CHAIRMAN SWANSON: Okay. Is there any other business?

(WHEREUPON, there was no response.)

CHAIRMAN SWANSON: CAC concerns.

We have nobody here from CAC.

Okay. Can we have a motion to adjourn the meeting?

MS. RUSSO: I make a motion to adjourn.

CHAIRMAN SWANSON: Okay.

MS. SPENCER: (Indicating)

CHAIRMAN SWANSON: And seconded by Mary Ann.

All in favor?

ALL: Aye.

CHAIRMAN SWANSON: Motion carries.

(WHEREUPON, the March 18, 2009, Council on Environmental Quality meeting adjourned at 10:27 a.m.)

C E R T I F I C A T E

I, THERESA PAPE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That the foregoing is a true and accurate transcription of the stenographic notes taken herein.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of March, 2009.

Theresa Pape

THERESA PAPE

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