ORIGINAL

COUNCIL ON

ENVIRONMENTAL QUALITY

MEETING

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C H A I R P E R S O N:

R. Lawrence Swanson

Reported by: Donna Spratt

Court Reporter

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A P P E A R A N C E S:

Michael Kaufman, Vice Chairman

Christina DeLisi

Eva Growney

Thomas Gulbransen

Richard Machtay

Daniel Pichney

Gloria Russo

MR. SWANSON: We'll begin our meeting. We have the minutes from May twelfth. Anybody look at the minutes from May twelfth?

MR. KAUFMAN: We have minutes?

THE CHAIRMAN: We'll have to postpone them. Please look at them for the next meeting.

There is also posted -- Jim handed me minutes of July fifteenth meeting. Next time we will deal with those.

Jim, there is one piece of correspondence that I will pass around that is -- we received an invitation to the Fourteenth Annual Pine Barrens Research Forum which is on October first and second at Brookhaven National Lab Bruckner Hall. I'll pass this around.

Any other correspondence you want to call our attention to, Jim?

MR. BAGG: No.

THE CHAIRMAN: Okay. Historic trust.

MR. MARTIN: Good morning. With our housing program review, we just had our meeting with the housing advisory board this past Monday. We went over the last nine housing units, as we call them, to review the rent structure and we kept -- actually we kept a lot of them because they're -- the new appraisals are more reasonable, but the houses where we consider that there is outstanding situations that the committee wants to reduce the rents, we do so.

We were able to review the Isaac Mills house. Hopefully, we'll be coming up with a competitive rent for a County employee to move in there, which will just be using parts of the interior, not the whole house.

And also the Smith Stimson house in West Hills. It's been vacant now over two years since the rent increases, so hopefully with the rent reductions on those historic buildings, we will be able to occupy them this year. That is our

goal.

We're asking the park police first. That is the priority on the list by legislative resolution and then open up to all county employees. The committee is on going.

If we have any new acquisitions that -- to bring on board, buildings that would be rented for housing, the committee would meet again, but as of now, we're caught up.

MR. Kaufman: What is the rent going to be on the Stimson house in West Hills?

MR. MARTIN: Nineteen hundred dollars, which is equivalent to the rent that we have for the another house which is a similar comparable house. That is also within that park, and so for the size, it has quite a few bedrooms.

MR. KAUFMAN: I've been inside. It's a fuel hog. It is a nightmare to heat.

MR. MARTIN: That goes into the

review, and also there is one request from the committee that we, on these buildings where it is a concern, the utilities, that the Parks Department go in and do what it can; some insulation, storm windows, possibly replace, if it's an older furnace, with a new one that's more energy efficient.

They have put those requests to Parks during this review process.

MR. KAUFMAN: That is an issue I wanted to bring up.

If I may.

MR. SWANSON: Mm-hmm.

MR. KAUFMAN: Some of these buildings are rather energy inefficient. Stimson, for example. You can't put insulation.

MR. MARTIN: Maybe in the attic.

MR. KAUFMAN: That is going to be a tight squeeze up there.

MR. MARTIN: You can lay the insulation over the floor boards, like roll it down, and that's what we'll be

looking to do.

MR. KAUFMAN: The question really partially comes down to the windows. I know we've tried architecturally in the past to keep windows, keep architecturally true to what has been over there and with energy costs rising and things like that, I know you guys, historic services have been looking into trying to update windows but keep triple pane, double pane them but keep them architecturally true.

MR. MARTIN: The historic window itself we would keep original in that we follow all the National Register guidelines on that. Our program does, but the storm windows we can add to that.

We can update and modernize. Looking to do it in a way you're back to your historic, not effecting the building at all. To rebuild, you would have to rebuild the historic windows to accommodate these panes.

MR. KAUFMAN: Are we going to disturb heavily the historic integrity of

the buildings if we were to replace at least selected structures windows, the old windows and not follow necessarily the code?

MR. MARTIN: Definitely. That is number one. It's pretty absolute that you do not replace historic windows.

Like I said, you can add storm windows or something, but it's a very important part of the historic fabric of a building.

MR. KAUFMAN: Given the regulations to update for energy efficiency.

MR. PICHNEY: Storm windows are wonderful; a piece of glass with a frame on it. You see right through. It doesn't destroy the integrity.

MR. MARTIN: Right, but for all historic guidelines, they really stress actually not to change or switch out the historic windows. It really does a lot of damage to the historic buildings.

MS. GROWNEY: I really support that point of view with the windows. That is

very important, but I also want to just put on the table -- maybe you guys have already thought about this -- to consider possible geothermal systems, especially if you're going to have to replace some burner of some sort.

This might seriously be worthwhile because of the efficiency level of the geothermal and there are -- with the way the new sustainability, if you will, spectrums developing, there are a lot of good guidance being provided to examine the buildings, and you might even be able to get some funding to do so and it might be really seriously worthwhile on ones that need new systems in there to consider.

MR. MARTIN: Coindre Hall has been discussed. I would like to talk to you further to get more information on that.

Within the Parks Department, that is our largest historic building that has been brought up that would be the candidate, at least the first one, to

seriously take a look at a system like that.

MR. KAUFMAN: That is a fuel hog.

MS. GROWNEY: This is a big step in a positive direction.

MR. MARTIN: People have taken that idea seriously.

MR. PICHNEY: If I just may ask how does that work? Does it rely on the difference between the -- sort of like the constant ambient temperature in the ground -- or temperature?

MS. GROWNEY: It's less energy because instead of going from zero to 70 to heat, you're only going from 52 to 70. You're using less energy to get the result of the heating or air conditioning, depending on which way --

MR. PICHNEY: More efficient than a high efficiency gas burner?

MS. GROWNEY: Depends on what type of building that you're working in, but supposedly, yes. I personally don't know enough about it.

I've spoken to enough people involved with a new level of development on this and energy experts, yes, it is.

I can't do that myself. I don't know enough about it. It is worth at least exploring on a case by case basis. You have to look at the whole picture.

If you have an energy hog, it is still a hog but you're reducing the amount you're having to provide. They may have other ways to deal with some of the leakages. They'll make recommendations on a whole picture.

MR. KAUFMAN: Just to let you know, geothermals are supposedly one of the coming waves in alternatives, if you will. It is high installation costs. The systems themselves are somewhat fragile.

They do have the advantage in that they have less of a carbon footprint. They generally run off electricity as opposed to burning fuels, so that is may be in an overall sense, may be a better way in certain ways.

Are they as efficient as gas fired things? Some of the more efficient stuff that is out there where you get 95 or 96 percent of combustion is very, very efficient and comparable in overall usage, but they also have high installation costs.

Depending on the budgetary aspects and restraints, it may be a good system to look at and may have lower operating costs, but not necessarily. You have to look at the installation costs.

MS. GROWNEY: Sometimes they are comparable. You have to do it case by case and be careful. Don't make a blanket assumption because sometimes the amount it is, the more expense, is miniscule compared to other systems plus operating costs of other systems.

You have to examine what the buy-out period is going to be.

MR. PICHNEY: But the gas burners have, or are more I should say, maintenance free, especially if they don't

have electronic ignition. If they have a standard ignition, it is not crapping out in the middle of the winter.

MS. RUSSO: I wanted to add as far as the cost benefit analysis, a typical system for a typical residence for a homeowner is still fifty thousand dollars right now, today.

MS. GROWNEY: Not necessarily.

MS. RUSSO: I did research it months ago. I was shocked how high it is.

MS. GROWNEY: It really depends. It is not necessarily that high. It depends on who is doing it.

There is a lot of people that are jumping on the band wagon. You have to get people that, you know, are looking to do the right thing.

And there is also, certainly if -- I don't know, there may be funding, maybe there isn't -- if there is, that would be great. Then you could do an analysis on something.

You need to find people that want

to work with the County.

MS. RUSSO: The purchase price of installation is significantly high and see what your payback period is going to be.

MR. MARTIN: Coindre Hall does have high utility costs. People thought that would be a good place for a pilot program.

By the time we did that County speed, do that as an example and hopefully, the price goes down and we can do a lot more.

MS. GROWNEY: If you find somebody to work with who works with the County the way they need, there might be some benefit of multiple installations.

MR. SWANSON: Jim, you want to make a comment about Parks?

MR. BAGG: We invited Mr. Gibbons to this meeting. He had a pre-engagement. He will be here at the next meeting to give you an update on Parks.

MR. SWANSON: Ratification of type two actions, Jim, do you have anything you want to call our attention to?

MR. BAGG: No, it's straight forward. Everything is type two or previously reviewed.

One interesting point, there is an emergency dredging project in there but that is it.

MR. KAUFMAN: Is that Southold project sixteen seventy-two?

MR. BAGG: Yeah. Sixteen, seventeen?

MR. KAUFMAN: I have sixteen seventy-two.

MR. BAGG: Basically that is a type two action because it's deemed emergency, done in cooperation with New York State DEC.

MR. SWANSON: Do we have a motion?

MR. GULBRANSEN: Could I ask about sixteen fifty-one, community development and job creation? Is that a change or --

MR. BAGG: The existing law allows use for acquisition of development rights. Once we acquire property, they can strip them for affordable housing, and they want

to change that to incorporate the other entities.

However, that has to go to referendum to the people.

MR. SWANSON: Okay, Tom?

MR. GULBRANSEN: Thank you.

MR. SWANSON: We have a motion to accept staff recommendation?

MR. KAUFMAN: I make a motion to accept.

MR. MACHTAY: I second.

MR. SWANSON: Any further discussion?

(Whereupon, there was no response.)

All in favor?

(Whereupon, all members responded in the affirmative.)

Opposed?

(Whereupon, there was no response.)

Motion carries.

Proposed acquisition for open space, Chandler Estate.

Loretta.

MS. Fischer: I have one acquisition

before you today. It's a parcel located kind of within the Chandler Estate County Park up in Mount Sinai. It is point seven five acres, and it does have an existing structure on it, or structures on it.

Those structures will be removed prior to transfer to the County Parks Department. We will be acquiring it, and then the Division of Real Property Acquisition and Management will be in charge of the demolition.

MR. SWANSON: Was this just originally a private home?

MS. Fischer: Yes.

MR. SWANSON: Any questions?

MR. KAUFMAN: I guess this was an out parcel of the original purchase, and it just wasn't purchased at the time?

MS. Fischer: Yeah, it was a separate parcel. I don't think it had -- there was a different owner. I don't think it was owned by the same entity.

That is the remaining portion of the Chandler Estate.

MR. KAUFMAN: There is an in filling of utility lines?

MS. Fischer: Yes.

MR. SWANSON: Any other questions?

MR. PICHNEY: I'm assuming this structure doesn't have any significance.

MR. MARTIN: I can speak to that. The Commissioner did send a letter to Loretta for her files that he would like to have this building removed.

I reviewed this. It was a house, maybe mid-twentieth century that was placed there as part of the Chandler Estate, but it didn't rise to the historic significance to be a County landmark.

MR. SWANSON: Okay, do we have a motion to accept?

MR. MACHTAY: Motion.

MS. GROWNEY: Second.

MR. SWANSON: Any further discussion?

(Whereupon, there was no response.)

All in favor?

(Whereupon, all members responded

in the affirmative.)

Opposed?

(Whereupon, there was no response.)

Motion carried.

I have to go back. I apologize, Jim, for screwing up the order of things.

MR. BAGG: That is all right.

MR. SWANSON: Rehab of movable bridges. It is in your packet.

They're proposing to rehabilitate two bridges, and one is the Quogue bridge at Beach Lane and West Bay bridge. I guess it is actually three bridges, and then there is another bridge rehabilitation of the Smith Point Bridge, and this has been recommended as type two.

This repair --

MR. BAGG: If you notice, they did in ninety-five pass a generic type two action for review of such things, and this is attached to the information you have. That resolution is in there for your consideration.

I think the same -- the same thing

applies here. That was a generic for proposed rehabilitation of various bridges and embankments.

MR. MACHTAY: Are these emergency repairs or is this maintenance, on-going maintenance?

MR. BAGG: On-going maintenance for, you know, the movable parts of the bridge to make sure that they continue to work.

MR. MACHTAY: I'll make a motion for a type two action.

MS. RUSSO: Second that.

MR. SWANSON: We have a motion and a second.

Jim, I guess I have a question about the process of actually doing it and that is in the cleaning, painting, stripping so forth. Does the County routinely make sure that the ships and so forth don't fall into the water?

MR. BAGG: They have to adhere to all State and Federal regulations which requires that they have to maintain that

material, keep it out of the water.

MR. SWANSON: It is disposed of as hazardous waste?

MR. BAGG: It depends if it's lead based paint or not.

MR. SWANSON: Any other comments?

MR. PICHNEY: This is not environmental.

Do you know if they're going to start this work in the fall so as not to create havoc?

MR. BAGG: I would assume DPW does a fairly good job in terms of repair planning when they do repairs and maintenance so they don't do it in the middle of rush hour. I assume they will have irate people. They will do it in the fall when traffic is not that bad.

MR. KAUFMAN: I had a conversation with Bob Whalen about this a couple of weeks ago. I brought up that exact issue.

I believe he said it won't create torture. They'll try to do it in low traffic periods, but if they had to do it

at other times, they would try to avoid traffic impacts.

He was very aware of the issues, shall we say.

MR. SWANSON: We have a motion and a second.

All in favor?

(Whereupon, all members responded in the affirmative.)

Opposed?

(Whereupon, there was no response.)

Abstentions?

(Whereupon, there was no response.)

Motion carries.

We have rehabilitation of County Road 11, Pulaski Road, from Woodbury Road to Depot Road. Anybody here to speak?

Identify yourself for the record.

MR. GEIGER: Richard Geiger, consulting engineer for Suffolk County DPW. We're here to discuss CR 11, Pulaski Road, Suffolk County capital project five one six eight. I believe you all have the packets that were distributed.

A couple of quick discussions of what is out there now. The project is rehabilitation and improvements from Woodbury Road to Depot Road, an approximate length two point three miles. I want to note that enclosed within that two point three mile segment are the Long Island railroad tracks and New York Avenue Route 110. We will not be working within those boundaries.

The project is a what Suffolk County has been doing quite a bit of lately; converting the two lanes into a three lane road. This project we anticipate will be a single phase, duration of twelve months beginning -- we would like to begin in November of 2010 and have completion of November 2011.

This road is classified as an urban minor arterial roadway. It is typically the forty-nine and a half foot right of way, although the segment from Woodbury to Oakwood is wider. That has a right of way width of sixty-six feet.

The total area of County property within this two point three mile segment is fourteen point nine acres.

What the County will be doing is providing pavement widening to increase traffic safety, pedestrian safety and bicycle safety. Right now what you have is a road that is basically a two lane road with am undefined shoulder, if at all.

You have curves that are intermittent, sidewalks that are intermittent on both sides. They want to upgrade this by providing a standard three lane road, and that would be an eleven foot travel path each direction and include a ten foot sheared left turn lane.

What they also will do is provide some concrete sidewalks and curbing on both north and south sides the entire length of the project.

As far as -- they will also be making drainage improvements providing independent leaching pools where

necessary, and they will also be upgrading the existing positive system which is two positive systems. There is one in the vicinity of Oakwood Road and there is another one in the vicinity of Fifth Avenue by the railroad crossing there.

Those are existing, and they will be cleaning the existing pipe upgraded, providing some additional connections as necessary. What they won't be doing, there will not be any major grade changes.

They will be putting standard nominal two inch overlay over the road, and there won't be any major fills or cuts, won't be affecting private properties, no major realignments. We will be staying totally within the existing forty-nine and a half feet or sixty-six foot respective right of ways. There will be no acquisitions.

Even on corners where there may be a turning radius where the property line encroaches, we will not be doing that. Basically the sidewalks will go straight

to the side street, and there will not be any quadrants that would encroach over private properties.

We do not anticipate any significant environmental impacts. We have the letters from the environmental and historic societies that there won't be any impacts.

During construction, there will be no detours off of CR 11 into the side street areas and also we have -- there will be no major increases to the watersheds. We are going to be widening the pavement to thirty-eight feet, but we're not going to be bringing in any water that doesn't get to CR 11 now.

There will be a higher run off coefficient, which is why we would be adding independent structures and improving the existing positive system, but no new water will be introduced to the site under this project.

Also, we will not be affecting any streams or other surface waters. The

closest fresh water wetlands is down by Route 108 which is about twenty-five hundred feet from Woodbury Road. We're not going to have any impact on any surface waters or streams.

Basically the type of construction will be conversion from a two lane to three lane road. Right now you have the typical road section consisting of two ten foot wide concrete panels and asphalt shoulders on each side, as I mentioned, of undefined lengths in some cases.

What we will be doing is milling the existing asphalt over the concrete panels. We would want to scrape all that off. The County wants to shatter the existing concrete panels so you don't have a rigid pavement.

It will be converted from rigid to flexible pavement which will preclude the cracks that you see in the longitudinal and transverse directions after one or two winters. We'll be milling off the top, pulverizing the existing concrete panels,

reshaping it.

They will provide a full depth asphalt shoulder section, which will give ultimately a thirty-eight foot curb to curb pavement width.

MR. SWANSON: Question of clarification. When you said you were going to shatter the concrete, existing concrete?

MR. GEIGER: Pulverize it.

MR. SWANSON: Get it down to gravel size?

MR. GEIGER: I believe it is maybe a three by three size. What they want to do is convert it from rigid pavement that moves independently. It gives you less cracks to a more flexible pavement. They'll shatter it, reshape it, pave over that over the entire section.

Ultimately what the County will be providing obviously is a better road surface, better travel for vehicles. The sheared left turn lane has a lot of benefits; getting the vehicles making a

left turn onto side streets or driveways off travel the way which now means that vehicles behind them don't have to go around. They can travel straight through.

When they to have go around, especially since there is no curb or sidewalk, they encroach within the areas of bicycles or pedestrians or children walking to school.

They're providing a better road and safer road for vehicles, pedestrians and bicyclists, in addition to providing five foot sidewalks on both sides for pedestrians which doesn't exist now.

We feel that this is a typical Suffolk County project, what they do, and really we feel it has benefits in all areas; environmentally, safety reasons before road pavement, drainage, make the area a better place.

MR. SWANSON: Couple of questions. First, I'm glad that you're accommodating bicycles. I guess one of my concerns is, in fact, a three lane road. I see them as

hazards.

If you remember in the fifties we used to have three lane highways, and they were deadly and essentially they were done away with. Now we're going back into more congested conditions and putting in three lane roads.

I'm wondering what is the accident rate for head on collisions in a -- in Suffolk County?

MR. GEIGER: I think the word three lane roads is a misnomer. It is a one lane road in each direction separated by a partial barrier and striping where there are no turns necessary.

MR. SWANSON: Sometimes those things are five hundred to a thousand feet in length.

MR. GEIGER: They would be in the area between Woodbury and Oakwood where there are no turns. There will be a partial barrier with a ten foot stripe median.

I don't know what the accident rate

is for that type of situation above what normally would be passing somebody else in the left lane. There would be a partial barrier. The lane is not per se a three lane road where you can use the left lane to pass somebody.

That is not what these are designed for. There is one lane each direction and this median barrier, it is a barrier where there are no turns.

MR. SWANSON: The other comment I had is what is your definition of limited sight distance? How does that --

MR. GEIGER: Basically based on distance velocity which is forty-five miles per hour, if you have a horizontal curve to the right or left, there is a formula and mathematical way of figuring based on safe stops, sight distance, how far can the person see as opposed to how quickly can they stop based on reaction time, braking time and site distance.

We determine that really the only area where a possible site distance would

have to be examined, as you come from west to east, you go up from Woodbury up to where it flattens out by the farm stand, a little bit of a right hand turn. Possibly some of the vegetation is encroaching within the County right of way.

If that is the case, they'll trim back to the right of way line. Other than that, the road is basically straight and there really are no horizontal or vertical limited sight distances.

MS. GROWNEY: The speed limit will not be changed?

MR. GEIGER: Posted speed limit is subject to the Town of Huntington or Suffolk County. The design speed based on eighty-five percentile of our tests was forty-five miles per hour. I think in some of the segments of that section, I think it might be thirty.

They can post whatever they want. The road is designed for safety at forty-five.

MR. MACHTAY: I have some questions

about the EAF you prepared.

Total contiguous acres now owned at the site?

MR. GEIGER: Fourteen point nine.

MR. MACHTAY: How about two or three hundred? There is County property, the farms on both sides the Wicks Farm, the Froehlich Farm, the wholesale nursery among other lands in there. It must be a good couple of hundred acres.

MR. GEIGER: The County owns it. I don't know if that makes a difference as far as this job goes. We have no intent of going beyond the sixty-six feet right of way.

MR. MACHTAY: There is a problem when you talk about ponds in Nassau County. To the west of there, a lot of in fill on those ponds had to do with run off from the farms. The sand, silt and gravel that when they were farms would run off in to the road and down to the ponds, so the third pond is filled in.

I believe it was Norman Sule, the

director at the fish hatchery brought some trout into us at one point with gills all loaded with sand or silt that had run off from the farms.

I don't think that happens anymore because it is now all grown in with weeds. The other thing you should know, Oakwood Road right now is being paved. That is being paved.

MR. GEIGER: Is that a mill and fill type project?

MR. MACHTAY: They have milled it. They're going to cover it. You know, the other thing I was going to say was, for what it's worth, there is said to be a pond on the Froehlich Farm.

The reason I say that to bring that to your attention, I was sued over that personally, and the Town was sued.

MR. GEIGER: That is the north or south side?

MR. MACHTAY: On both sides.

MR. GEIGER: The pond's on which side?

MR. MACHTAY: Actual drainage system is from the farms to go into the road and down, so I don't know. There is going to be positive drainage system in that area.

MR. GEIGER: Not in that area, we're not going to be putting curbing.

MR. MACHTAY: Leave that the way it is.

MR. GEIGER: Drain the way it is now.

MR. SWANSON: Are you asking to have the EAF modified?

MR. MACHTAY: I'm bringing this to his attention. I don't know if it's that critical to change the EAF, but it is on the record as far as the minutes are concerned.

MR. GEIGER: If you would like, we could submit a letter indicating that the County will not go beyond the existing sixty-six feet, even though lands beyond are County owned properties.

MR. BAGG: They can't go anyway.

MR. MACHTAY: The letter you got on whether there are, you know, endangered or threatened species on the property and so on also says that you should do a more thorough study of the sites.

I'm bringing this up because, once again, I was sued, the Town was sued, and it was a horrendous experience for everybody concerned.

There was said to be all sorts of things about that -- those properties that are unique. Does the present site offer or include scenic views so forth and so on?

I bet you you're saying no. I bet you a nickel if you go into that neighborhood and there has got to be at least one adjoining neighbor, if not more, who will tell you that this is their paradise and it is wonderful and beautiful, and I would have answered that as yes.

But anyway, having said all that, in my opinion it is on the record in the

minutes. Really no change to the EAF should be necessary unless Jim thinks it's critical.

MR. BAGG: No, at this point in time, I wouldn't think so because they're going to, you know -- their construction will take place within the existing right of way and will not affect any adjacent parklands.

In addition, they can't. They need to access the state legislature to go into parkland and use it for road purposes per se.

MR. MACHTAY: I'm just, you know, bringing it all to your attention.

MR. GROWNEY: I just want to second what you said about farmlands being vistas. I think those are significant vistas. I believe that is a very important factor. I don't even live there but to me open land is --

MR. MACHTAY: They're not farmland anymore.

MS. GROWNEY: They're still open.

MR. BAGG: No, they're coming up with choke cherry trees and reverting back to forests rapidly.

MR. GROWNEY: The point is that space, it doesn't have houses.

MR. GEIGER: Never will.

MS. GROWNEY: That is a significant vista. Doesn't mean you see through it. It means you can look at it somehow.

That is something that needs to be always acknowledged.

Second thing I would like to bring up has to do with my understanding because I'm trying to understand with this watershed stuff that is going on. If it's always owned by County, this is really -- I'm putting this on the floor.

I don't understand how it is not going to impact the other adjoining parcels.

MR. GEIGER: That's correct. We're going to be precluding run off onto the properties which happens now because you have intermittent curb because some of the

properties are lower than the road itself.

Driveways have reverse pitch. By putting driveways in, we're going to keep the water within the right of way, keep it off private properties.

MS. GROWNEY: I do support that.

MR. PICHNEY: Remember years ago there was major intersection worked on Pulaski and Woodbury. If I'm not mistaken, significant drainage work as well.

MR. GEIGER: When we say vicinity, that is the title of that. We're going to be several hundred feet east of that.

If you look at where the pavement -- we're going to be starting around Anondale and will not go anywhere near the recent concrete wall, curbing, none of that.

MR. GULBRANSEN: The run off topic, you're going to put in sidewalks if you will side. Currently there are no sidewalks there.

MR. GEIGER: Right.

MR. GULBRANSEN: There would be curbing so -- I couldn't find, I didn't study this well enough. I couldn't find a sense for how much more impervious surfaces are we ending up with?

You mentioned that the drainage currently sends some of those surface waters off the roads onto adjoining properties. Some people call that swails.

I consider that a wonderfully effective way to spread out the load, but you just described it as "let's channel it in."

MR. GEIGER: We're adding independent leaching pools along the way where there are none or smaller pools that are outdated, silted up. We're providing leaching pools; four by eight structures up to ten feet deep and we'll put this every five hundred feet or so on both sides of the road.

We're going to be designing for this increase run off coefficient. The watershed doesn't drain. We're going to

be collecting more water within the same area. It will incorporate independent structures and upgrade the existing positive systems which are going to the County recharge basins.

MR. GULBRANSEN: The question would be about installation of all catch basins, an approach which then calls for a lot of maintenance. We heard about vacuum trucks being insufficient number, staff aren't there.

There is another stripe of land that will have more and more maintenance. Was there sufficient consideration not to go for --

MR. GEIGER: The way we'll design it is put leaching pools in series and basically in line, so if the road goes from high to low, we may put two or three in a row.

The first inlet will pick up the great majority of sitting water and everything and be connected, so as the water builds up in the first structure, it

will overload to the second and the hope is that most of the silts and road debris will settle in the first one.

So the maintenance is somewhat easier. You don't have the six months clean out every structure. If you put three four or five, hopefully you can limit your debris into the first inlet structure.

MR. GULBRANSEN: I didn't mean to get into engineering of the structures. I was trying to understand whether the project design considered and decided against the alternate landscaping, changing topography and sending some of the water into vegetated swails as contrasted with --

I was hoping that the project manager could answer the question first.

MR. MACHTAY: In Froehlich Farm, they're not putting curbs and sidewalks, and the swails on the side of the road will serve that purpose to begin with.

The only concern that I had there

was any silt or sand or gravel that happens to run into the swails in a really big rain storm ends up down in the ponds.

MR. GULBRANSEN: If they're not landscaped properly.

MR. MACHTAY: Cold Spring Harbor ponds, there used to be three. Now there is two and the second pond is kind of silted in also now, to some degree.

MR. GULBRANSEN: The idea I was trying to understand, whether it was in the scope and decided against was to alter that topography so that it works.

You only got what becomes a gulch that does send this silt and kills the trout.

I wanted to understand if that was part of what they considered or not.

MR. GEIGER: As of right now, no, it is not.

The other thing is east of Oakwood, the right of way being forty-nine and a half feet. The total width of what we're going to be doing is forty-nine feet. We

don't want to encroach on private property in those areas.

Oakwood east, there won't be any swails. It can't be done.

MR. KAUFMAN: Several questions. Regarding the Froehlich Farm situation and Rich's express fear of basically silt coming off of there, even though the ground seems to be stabilized with regrowth of forest in the area.

Are there provisions in there to maybe catch it at the end of the western terminus of Froehlich Farms?

Are there any plans or mitigation techniques that you can use to prevent basically spoil, if you will, from going down into the ponds?

MR. GEIGER: As of right now, no. Not to say it can't be done.

Suffolk County has a system where they develop a series of overflows in a grass area where they catch and treat the run off from the road areas.

We did it over by Hashamonack

(phonetic) Pond in Suffolk County where they had an area, maybe an acre wide where the water would come off and go into one settlement area with a berm overflow. By the time anything discharged off site, it was fairly well treated of silts and soils.

MR. KAUFMAN: Lake Ronkonkoma has a similar sidewalk. I would submit to the group based on what -- partly what Rich said and partly on the answer to the question that I just received, it might be a good recommendation to ask that at the western end of the Froehlich Farm swail system as it exists right now, special care be taken to avoid having siltation running down towards the Cold Spring ponds.

Is that what you were driving at?

MR. MACHTAY: Part of the problem is west of Froehlich Farm you have Wicks Farm. That's all County owned property.

To put in any kind of structure -- berm, swail or what have you -- other than

on County road property, which is very narrow over there, you are on the parkland, okay?

I don't think anybody wants to see any construction or -- because it is all treed.

MR. KAUFMAN: I understand what you're saying, but it would not be a -- I think the proper word is derogation of parkland. We're not alienating it in any way, shape or form, but I'm not familiar with the situation.

Based upon what I'm hearing, it might be an intelligent idea to do some work in the area.

MR. SWANSON: It is still County, it is parkland. If you can avoid a greater environmental disaster such as filling in of the ponds, the work could be done in that area.

MR. MACHTAY: Within the right of way, I don't see there is any problem.

MR. GULBRANSEN: Not for you as the engineer there.

MR. KAUFMAN: It is a recommendation.

MR. BAGG: I have a question on this. Ultimately you're going to put in a catch basin, but ultimately the end point is to existing recharge basins.

Are those self-contained recharge basins?

MR. GEIGER: Yes.

MR. BAGG: In essence, this stuff can't end up in the Cold Spring ponds because it is going to end up in two existing recharge basins.

MR. GEIGER: There is a high point. Oakwood Road is a high point. East of that, everything goes to the two County recharge basins. West where there is no curbs, the water will go off the sides.

That run off gets to the recharge basin to the west.

MR. KAUFMAN: In which case I think we should make a recommendation that special care be taken to avoid siltation coming off farms. We're not trying to

engineer it ourselves or say how it should be done. I'm noticing a problem, noticing that it should be handled one way or the other.

MR. BAGG: If I might clarify the record, we own the Froehlich Farm. I believe we own the development rights to Wicks Farm.

MR. MACHTAY: You own the development rights across the street to where the nursery is. There was a farm, there is a wholesale nursery there now and the County owns the development rights to Wicks Farm.

MS. DELISI: County owns that also.

MR. BAGG: There is a big recharge basin on that side, too, right? It had a problem that was caused by the farm who created this thing that went running down the other roads.

MR. MACHTAY: I think it is across the street is where the recharge basin is and also the County now and town joint jointly own Mars Hill.

MS. SQUIRES: Breezy Park. We are in the process. That is what I was pointing out of developing a large park facility on the corner.

It is a shared County-town acquisition, so there would be a huge increase in traffic with people bringing kids there. That is the old nursery. It will be much heavier traffic, as I'm sure you've accounted for in this.

That would be good also, the bicycle path because I would assume there would be plenty of kids riding their bicycles to this facility; the bicycle lanes.

MR. GEIGER: They're going to be five feet wide.

MS. SQUIRES: And very important.

MR. MACHTAY: But we also own adjoining the farm are the nurseries that the County owns the development rights to. To the southwest is a piece of property called Mars Hill.

It's a blow out, sand blow out next

to the railroad tracks.

MR. BAGG: That is a big swail that runs down there.

MR. MACHTAY: And the water runs down.

MS. SQUIRES: It may be a blow out, but it is pretty and nice to hike.

MR. MACHTAY: And the water runs down from that farm into this. You got to see the topography.

MR. BAGG: The proposal to purchase that was because of that exact problem.

MR. SWANSON: Did you get what you wanted to say in?

MS. SQUIRES: I wanted to call attention to the park and the fact there will certainly be a huge amount of increased traffic on that corner, much different to go from a farmland operation to a park with synthetic fields.

MR. KAUFMAN: A technical question on construction which has a historical element to it, you're saying the road has two concrete panels as it exists now?

MR. GEIGER: Correct.

MR. KAUFMAN: Is that the old style of construction from the thirties?

MR. GEIGER: A lot of them were designed under WBA authority. It is consistent on Suffolk County roads out east, Straight Path, things like that.

We've come across that.

MR. KAUFMAN: Commack Road also.

MR. GEIGER: They're actually twelve feet wide.

MR. KAUFMAN: These are side by side.

MR. GEIGER: With joint separation.

MR. KAUFMAN: Again, that looks like the thirties in terms of time when you break them up into three inch pieces, leave them in site and pour oils of some sort?

THE WITNESS: They shatter it, reshape it. Prior to putting asphalt, they put a bonding agent, some kind of oil you mentioned; a mix that would bond.

MR. KAUFMAN: You will have a solid

substrata but have movement capability?

MR. GEIGER: Yes.

MR. PICHNEY: Help me understand the level of technology. I don't know if you made the presentation or Jeff last year with catch basins on Middle Road in Sayville, Bayport.

They were using a new technology with those catch basins.

MR. GEIGER: No vortex systems. They're required when you have discharge to a surface water. In this case, we don't have that.

We're discharging to existing recharge basins. They don't apply.

MR. SWANSON: I was going to comment before you make a motion -- I know you're anxious to make one and see your name in print -- it seems like there is lots of discussion, so I think you should think carefully about the motion you're going to make as to either whether we want to put conditions on this or whether we want to table it and have answers to some

of those questions and have them come back.

That is all wanted to say.

MR. KAUFMAN: Is time of the essence if we wanted to delay this for a month to take into consideration --

MR. DAWSON: Jeff Dawson, Suffolk County Public Works. If I may address the farm run off issue.

I'm a senior civil engineer with Suffolk County DPW. I'm also the County storm water management officer. I've been implementing regulations through the DEC's municipal sewer systems permit that we've obtained from the DEC.

One of the requirements of that permit is that the County has now the authority through a discharge and elimination program passed by resolution in OP 7, we have the authority to issue notices of violation to any owner of a adjacent property that has a non-storm water illicit discharge to our drainage system.

So in the case of the farm, if that were to still be privately owned, which I know it is not, but as an example, if a farm had run off going down to our property, our roadway, which in DEC's mind and perspective of this permit program, a roadway is occurred a storm sewer system because it is acting as a channel, even if there is not a positive draining system on that.

That being said, if that farm were discharging run off containing pollutants of concern defined by DEC, and sediments, a very big one siltation which has oxygen reductions because of reduced sunlight infiltration into the water body, the County -- this is what I would do.

I would find fine that when identified, when it is brought to our attention of that discharge, we have the authority to issue notices of violation to that property owner saying "you need to stop discharging polluted run off to our roadway," and we have a time frame when

they're allowed to respond by.

There is a certain protocol we follow as per DEC's general permit requirements.

That being said, in that case obviously the farm is owned by the County. You would notice the roadway in that area is elevated from the farm grade and DEC's, one of their recommended methods for addressing those kinds of run off situations is a vegetated swail as Mr. Gulbransen was speaking of before.

That, in my book, if you look at DEC's detail, the swail next to the on the north side, especially of Pulaski Road is a classically designed vegetated swail as per DEC's details.

So at that point, I believe the run off goes to the west. That swail being vegetated has the ability to remove total suspended solids at least to eighty percent as well as phosphorous up to eighty percent by vegetative update of that run off.

Now that gets through that swail and goes west on Pulaski Road. It is going to come down a drainage system that we did that Mr. Pichney referred to, the Woodbury west project, to Route 108. We did that in 1999,2000. It was construction where we did install a new positive system that has equipped on it catch basins with sumps on them.

It is a two foot sump on the bottom of the basin that allows run off to infiltrate into the ground before it gets to the invert of the pipe.

That is a classic methodology from the wastewater field, just like a septic system. You allow discharge from the top of the tank and sediment stays in the bottom.

MR. DAWSON: Same concept as was implemented in that system. My point is if it were private, we would issue them a notice of violation. We could do that. It is not -- and knowing the situation like I do there, I would still consider

that run off being treated before it does reach the 108.

I'm not sure where those Nassau Ponds were, but this system discharges to a creek on the northeast corner of 108 and Pulaski Road and then it discharges through that creek up to the north.

I'm not sure of the water body that it ultimately discharges to.

My point is the farm owner, you have an issue. I think I can say with a hundred percent certainty, the run off coming from that parcel is no longer contaminated by the time it gets to the 108 creek.

If it were coming onto the County system, the County can't possibly take care of everyone's run off and treat it once it gets to our road. DEC recognized that and allows us to have the authority to prevent situations like that.

MR. KAUFMAN: I'm not a hundred percent sure that I want to accept that application you've given right now. The

former Huntington Town Planning Director is sitting at the table here, Mr. Machtay.

He is saying there is an issue with run off in the area.

Is that an accurate statement?

MR. MACHTAY: There was an issue. I don't know that there still is an issue.

As this gentleman just said, there is a swail there. Vegetation has taken over the sites which, when it was farmland, it was bare land, and you always had the silt and sand and gravel running off into the road.

MR. KAUFMAN: That is endemic with a farm when it is open. When you have the invasion of choke cherries, it stabilizes.

MR. MACHTAY: It is so thick with weeds and trees, you can't walk through it anymore.

MR. KAUFMAN: Given what I'm hearing, would it kill us or hurt the project if we were to delay for a month and verify this information in some way, shape or form and take a hard look at what

is going on, essentially look at whatever siltation may be coming off of the former farm at this point in time and establishing for us that siltation that maybe in the past used to run off to Cold Spring, that creek you're talking about at the terminus of the Cold Spring compression of ponds down there; would it hurt us to verify that or is that a different creek?

MR. MACHTAY: That is the other way.

MR. KAUFMAN: Would it hurt us to verify this point? I would ask the engineers if we could wait for a month.

MR. DAWSON: To answer your question, no it would not. That is the short answer.

Another interesting note to bring to the table is that this project is there SEQRA determination is going to be first step in a series of steps that is part of the federal aid process.

This is federally aided. There is

money on the transportation improvement program for 2010 for construction in 2010. We're in the first process of the environmental requirements satisfaction.

Once we have this, we can go to the design approval document which is the first step where the state sees the project and starts to review it from an engineering perspective. Everything is going to definitely go through the wringer.

To answer your question, we do have time because the process is quite long we're at the relative beginning of this process.

MR. SWANSON: Recognizing that process may be long though are we jeopardizing you getting federal funds, if we don't move the project forward today as best we can?

MR. DAWSON: Don't think that a month delay would hurt the federal aid process.

MR. SWANSON: It seems to me from

what I'm hearing is that probably the only way to satisfy some of our curiosity is to actually have a walk through and I don't know if.

MR. GULBRANSEN: If I can add to this notion of checking into it further, particularly when it comes to silt and movement of sediment. MS four hasn't really finally drawn a white line on th amount of water that we're supposed to be trying to catch and handle.

The engineer did a nice job of pointing out phosphorous and treatments settling, that that happens normally when you have things set up as best you can set up, but there's been -- there is an event that exceeds rain fall, it is going to rip everything like crazy.

That is what will sit and we'll all look at for a month as it works its way down. I don't want to re-start an evaluation that chases the myth that we could ever counteract that. What we're just trying to do is scope such that the

design flow is handled with routine stuff, but when it comes to roaring storms and those exceedingly high volume events, I just don't know that the project is going to be improved.

Let's be careful about what level of line we're talking about.

MR. MACHTAY: Inasmuch as I said before I was personally sued, the Town was sued on this and I've been involved with this area, so to speak, for many, many years, in the final vote, I'm going to have to recuse myself.

However, let me say this. I don't think anything is going to change between today and next week. I think we've hacked it all out and talked it all out as Tom says you know, except for some extraordinary event, nothing is going to change.

MR. SWANSON: What was your design flow?

MR. GEIGER: Two inches.

MS. GROWNEY: But seven is the

maximum. Are they going to be changing the regulations?

MR. GEIGER: For design of recharge basins it is six inches without with a positive overflow. We're not building a recharge base, but designing independent structures for run off from the street and private properties.

We're designing for a two inch storm.

MR. KAUFMAN: Larry had taught me through the years that rainfall events on Long Island are increasing in terms of intensity; that the old one inch and two inch requirements that we used to have are being greatly exceeded by the gully washes that we're getting with three four five inch rain storms.

Taking into account what Tom has been saying that you can't design for everything and I fully acknowledge that there is no way that you can do a design for, you know, a hurricane drops by, drops eighty inches like happened in Taiwan, you

can't design for something like that.

There is no way I would advocate the two inches, enough a lot of people are going up to three. Maybe if certain specified areas.

I'm just jumpy about this project in certain areas. It might be an intelligent idea throwing it out to the board in one or two areas if needed, three inch.

MR. GEIGER: Based on what we're speaking, I think west of Oakwood Road we could adopt our design to a three inch storage and maintain it at two. East of Oakwood, that would not be a significant increase in the cost of the project at all because we have no piping west of Oakwood. We have independent structures. We would be increasing structures by 50 percent.

Based on a three point five million dollar construction, it is not a significant increase. Your run off coefficient, you have your road and nothing else really. Your watersheds at

the road pavement which is not a significant amount of areas Anondale.

Where we start to Oakwood if we have them every five hundred feet, we may be adding another ten or twelve structures which can be a hundred thousand.

In the big scope, it's not a great amount of money.

MR. KAUFMAN: What it boils down to I've driven there. I was not aware of some of the problems until they were brought up here.

I'm not trying to drive the project in one way or another. We know that Rich was sued in the past over the issues. We know there have been issues. I'm just trying to be careful to the extent that it has possible impacts upon ponds down at the hatchery and 108 watershed in the area.

That is what I'm trying to defend against, any further environmental degradation.

That is where I'm coming from on

each one of those comments.

MR. SWANSON: Are you willing to make a motion?

MS. SQUIRES: I want to make some comments for the record. That is to commend the designer for having the bicycle lanes and I think we're talking about federal funding, stress that, and I think all the commendations we have been critical when that has not happened in the past.

You know, as you are writing it, point out that the park that will certainly be coming and completed in the next couple of years and the fact that the bicycle traffic will be heavy.

MR. KAUFMAN: I've discussed this with the chairman and one or two other members, and my motion is as follows:

I think this is an unlisted negative dec. If we put conditions in, that makes it a CND, which we don't like to do recommendations. The way I will phrase this is:

The project drainage to the west of the farms be increased to three inches storage capacity to avoid siltation problems further downstream, and that the siltation, possible siltation issues that may once have existed regarding the farms be looked at again and provisions made to assure that that be handled in the best way possible by best management practices.

MR. SWANSON: That is probably the best example of a run on sentence I've ever heard.

Do we have a second?

MS. GROWNEY: I'll second.

MR. SWANSON: Before we take a vote, is that motion as you understood it acceptable?

MR. GEIGER: I believe so.

MR. BAGG: That is going to be a recommendation, just a recommendation. It is not going to be --

MR. SWANSON: Right, okay.

Any further discussion?

(Whereupon, there was no response.)

All in favor?

Opposed?

(Whereupon, there was no response.)

MR. MACHTAY: Recused.

MR. SWANSON: One recusal.

Thank you for your appearance.

I have a question, Rich.

When we got these farms, I guess I was sort of under the impression they were going to remain as farms.

MS. SQUIRES: They were supposed to.

MR. BAGG: They were purchased with quarter percent monies that said they have to remain in natural state and forever wild so, therefore, parks wanted to go in and do maintenance and cut down trees to maintain farmland. They can't do it because it was purchased with quarter percent funds.

MS. SQUIRES: It is a very sore point.

MR. SWANSON: It was never intended to being an organic farm.

MR. MARTIN: There was discussions on it.

MS. SQUIRES: It was intended that it be farmed. There is a two acre organic farm.

The people who are running that are park stewards under the County program and so there is a small component that is being run by Friends -- I believe the name is Friends of Froehlich Farm, we got caught up in a legal issue where it was purchased with quarter acre (sic) so that meant it could not be maintained as a farm.

MR. BAGG: That's correct. It wasn't purchased with farmland development rights. It was purchased for parks.

MR. MACHTAY: The wholesale nursery was development rights.

MR. BAGG: Right.

MR. MACHTAY: That is on-going as a emergency.

MR. BAGG: We don't own free title on that. We own rights.

MR. MACHTAY: The mover and shaker that -- if you wanted to put it this way -- forced the purchase of the property was the chairperson of the farmland committee. I don't know what it was called, and as Joy says, that was supposed to remain as farm land, and there were a number of farmers that wanted to farm it, but because of the way it was purchased, they couldn't.

Once the trees took hold, that was it.

MR. SWANSON: Other business?

(Whereupon, there was no response.)

Joy, when is your fall meeting?

MS. SQUIRES: November thirteenth through fifteenth in Watkins Glen. I'll bring you more information next time.

MR. SWANSON: Any other CAQ business?

(Whereupon, there was no response.)

We have a motion?

MR. MACHTAY: Motion.

MS. RUSSO: Second.

MR. BAGG: I have a question. Rich, on your vote, did you recuse or abstain?

MR. MACHTAY: Recuse.

MR. SWANSON: All in favor?

(Whereupon, all members responded in the affirmative.)

Opposed?

(Whereupon, there was no response.)

Motion carries.

Thank you.

(TIME NOTED: 10:45 A.M.)

CERTIFICATION

I, DONNA L. SPRATT, a Notary Public in and for the State of New York, do hereby certify:

THAT the foregoing is a true and accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of August 2009.

DONNA L. SPRATT