

ENVIRONMENT, PLANNING and AGRICULTURE COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on July 31, 2006.

MEMBERS PRESENT:

Leg. Vivian Vilorio•Fisher, Chairperson (not present)
Leg. Lou D'Amaro, Vice Chairman
Leg. Daniel P. Losquadro
Leg. Edward P. Romaine
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel
Renee Ortiz, Chief Deputy Clerk
Kevin Duffy, Budget Review Office
Ben Zwirn, Assistant Deputy County Executive
Dennis Brown, Assistant County Attorney
Thomas Isles, Director of Department of Planning
Jim Bagg, Chief Environmental Analyst/Department of Planning
Patricia Zielenski, Department of Real Estate
Lauretta Fischer, Department of Planning

Janet Longo, Department of Real Estate
Michael Deering, Commissioner of the Department of Environment and
Energy
Ginny Suhr, Aide to Chairperson
Lisa Keys, Aide to Leg. Romaine
Deborah Harris, Aide to Leg. Stern
Paul Perillie, Aide to Majority Leader
Janice McGovern, DPW
Linda Burkhardt, Legislative Aide
Barbara LoMoriello, Deputy Chief of Staff
Linda Bay, Legislative Aide
Kara Hahn, Press Secretary

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED at 11:01 AM)

VICE CHAIRMAN D'AMARO:

Okay. Ladies and gentlemen, good morning and welcome to the Environment, Planning and Agriculture Committee. And we're going to start now. And I'll ask our my colleague Steve Stern to lead us in the Pledge of Allegiance.

SALUTATION

VICE CHAIRMAN D'AMARO:

Our Committee Chair Legislator Vivian•Viloria Fisher is running late this morning. So as the Vice Chair I'll start the meeting. And there are no cards for the public portion of the agenda so we'll move right to the agenda, the Tabled Resolutions section.

TABLED RESOLUTIONS

VICE CHAIRMAN D'AMARO:

And I'll start by calling the first resolution on the agenda which is **1172, which is authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program. And this the Terrell River/Havens estate property in the Town of Brookhaven. (Romaine)**

LEG. ROMAINE:

Motion to table and if Counsel would be so kind to re•file this bill, please.

VICE CHAIRMAN D'AMARO:

Okay. Motion made by Legislature Romaine to table. I'll second. All in favor? Any opposed? Abstentions? And the motion carries and the resolution is tabled. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

VICE CHAIRMAN D'AMARO:

Okay. Next on the agenda is resolution **1220 authorizing planning steps for acquisition under Suffolk County Save Open Space, Farmland Preservation and Hamlet Parks Fund, the Governale property. And this is in the Town of Brookhaven. (Romaine)**

LEG. ROMAINE:

Motion to table. And I'd also ask Counsel on this one to re•file this bill.

VICE CHAIRMAN D'AMARO:

Okay. Motion by Legislature Romaine to table. I'll second. All in favor? Any opposed? Abstentions? Motion carries and the resolution is tabled. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

Next is resolution number **1390, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, the Treemont Avenue property again in the Town of Brookhaven. (Eddington)**

LEG. STERN:

Motion to table.

VICE CHAIRMAN D'AMARO:

Motion by Legislator Stern to table. I'll second. All in favor? Any opposed?

LEG. ROMAINE:

Opposed.

VICE CHAIRMAN D'AMARO:

Abstentions? Oh, I'm sorry. Opposed.

LEG. ROMAINE:

Yes.

VICE CHAIRMAN D'AMARO:

The motion carries. Legislator Romaine opposed on the motion. **(Vote: 3 • 1 • 0 • 1. Leg. Romaine opposed. Leg. Vilorina • Fisher not present)**

1522, authorizing planning steps for acquisition under the New Suffolk County Drinking Water Protection Program, Peter's property, Town of East Hampton. (Schneiderman) And this is 1522. I'll offer a motion to table. Seconded by Legislator Stern. All in favor? Any opposed? Abstentions? Motion carries. Resolution is tabled. **(Vote: 4 • 0 • 0 • 1. Leg. Vilorina • Fisher not present)**

Next is 1527, and that is authorizing planning steps for the acquisition under Suffolk County Multifaceted Land Preservation Program Oregon Avenue property, Town of Brookhaven. (Eddington)

LEG. STERN:

Motion to approve.

VICE CHAIRMAN D'AMARO:

Okay. Motion by Legislator Stern to approve. I'll second the motion. All in favor? Any opposed?

LEG. LOSQUADRO:

Quick question.

VICE CHAIRMAN D'AMARO:

Yes. Legislator Losquadro, please go ahead.

LEG. LOSQUADRO:

If we could just have Planning refresh my memory on this parcel, please.

DIRECTOR ISLES:

This is a parcel located in the hamlet of Medford in the Town of Brookhaven. The parcel's about one acre in area. It's located along the east side of Oregon Avenue. We did do a review of this parcel based on the County's rating system. And we rated it about three points. It's about a one acre parcel.

LEG. LOSQUADRO:

I thought I remembered this one.

VICE CHAIRMAN D'AMARO:

Yes.

DIRECTOR ISLES:

It's not one we would recommend to you today.

LEG. LOSQUADRO:

Motion to table. I'd like to speak with the sponsor regarding a potential use for this parcel.

VICE CHAIRMAN D'AMARO:

Sure. Motion by Legislator Losquadro to table. Is there a second on the motion?

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Legislator Stern seconds. All in favor? Any opposed? Abstentions? And the motion carries. The resolution is tabled. **(Vote: 4•0•0•1. Leg. Vilorina •Fisher not present)**

1582, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program Demasi property, in the Town of Smithtown. (Nowick) I would offer a motion to table.

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Stern. All in favor? Any opposed? Abstentions? Motion carries. Resolution is tabled. **(Vote: 4•0•0•1. Leg. Vilorina •Fisher not present D'Amaro)**

1662 is next on the agenda. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Riverhead Meadows property in the Town of Riverhead. (Romaine)

LEG. ROMAINE:

Motion to approve.

LEG. LOSQUADRO:

Second.

VICE CHAIR D'AMARO:

Okay. Motion by Legislator Romaine to approve, seconded by Legislator Losquadro.

LEG. STERN:

Motion to table.

VICE CHAIRMAN D'AMARO:

All right. A motion by Legislator Stern to table, which I will second. And the

motion to table would take precedence in that instance. So we'll address the motion to table first. All in favor? Any opposed?

LEG. LOSQUADRO:

Opposed.

LEG. ROMAINE:

Opposed.

VICE CHAIRMAN D'AMARO:

Two opposition. Legislators Losquadro and Romaine. Abstentions? Motion does not carry. Motion fails. All right. Now on the motion to approve which was made by Legislator Romaine.

LEG. LOSQUADRO:

Yeah. Motion to •• seconded by me.

VICE CHAIRMAN D'AMARO:

All right. All in favor of the motion?

LEG. ROMAINE:

Could we have discussion on this?

VICE CHAIRMAN D'AMARO:

Of course.

LEG. ROMAINE:

I believe this is about seven and a half acres of property that is adjacent to county acquisition and another possible county acquisition along the Peconic River. We're looking at River Club. That is moving along very nicely. It's a joint acquisition River Club with the Town of Riverhead. This is something that certainly is worthwhile. And I would ask the Planning Director to comment on this property. And I believe there is a new program that we have placed in the amended resolution for funding. So with that I'll turn that over to Tom Isles.

VICE CHAIRMAN D'AMARO:

Yes, please. Go ahead.

DIRECTOR ISLES:

Okay. Just to bring the board up to date, this is a parcel located along essentially River Side Drive in the hamlet of Riverhead, in the Town of Riverhead. The parcel was reviewed, I guess, at the last meeting of the committee under the New Drinking Water Protection Program. We found in Planning Department's Review that it did not qualify under that program. We do note that there has been a change to the resolution to place it now under Multifaceted and Land Preservation Program so in that sense it can at least qualify unlike the prior resolution.

The second point we just wanted to make, and I think •• I recall we made this at the last meeting as well, was this parcel taken by itself is weak from the standpoint that it is a, in itself not environmentally sensitive. It is removed from the watershed and corridor down to the Peconic River. And I think the key point here is that as indicated there is an effort by both the county and the town to acquire what's known as the River Club property just to the east of this. That is active at the moment. Whether it's going to happen or not, I certainly don't know. If that occurs then I think we'd have a large contiguous piece that would then make a complete difference in whether this parcel would rate high or not. So that's a big variable at this point.

Looking at it just the way it is now right it's 12 points is what we come up with in the County rating system. And at this point it's not one we would recommend. Here, again, if things proceed well with the River Club property and the County goes into contract, then I think it would be appropriate to reconsider this and to consider planning steps at that point. And, Mr. Chairman, if I could also •• at some point today we would like to have just an opportunity to talk about planning steps a little more generically if the committee has time just for a couple of minutes; a kind of refresher on planning steps if we could.

VICE CHAIRMAN D'AMARO:

Sure.

LEG. ROMAINE:

If I may, if the River Club is acquired by the town and the county, how does that change the rating system for this property?

DIRECTOR ISLES:

Yeah, it would definitely increase the rating because we would then have contiguous holdings of public property extending right down to Flanders Bay and the Peconic River.

LEG. ROMAINE:

And there is no contiguous holdings now?

DIRECTOR ISLES:

What we have right now is the •• there is to the east of this property ••

LEG. ROMAINE:

Isn't there to the east of this property a contiguous holdings by Suffolk County Parkland and by the Town of Riverhead? In fact almost the entire eastern border of this property is bounded by Suffolk County Parkland and Town of Riverhead property.

DIRECTOR ISLES:

Right. There are two holdings. One by Riverhead and one by the County of Suffolk. They have added some points to the acquisition, but here again in and of themselves they're relatively minor. Here again if connects to the River Club property going down to the east then going south to Flanders Bay and the Peconic River, it becomes a very strong acquisition at that point. Here, again, what the county's trying not to do and we start talking about county open space acquisition policy is to not have too many fragments to base our acquisitions on, environmentAL criteria in the case of open space and natural resource protection acquisitions. So all of this depends on the context.

LEG. LOSQUADRO:

I'm sorry to interrupt. Mr. Chairman, if I may interject a point. Mr. Isles, one of the things that we discussed very frequently in the Environmental

Trust Review Board is that policy is left to this body to make.

DIRECTOR ISLES:

Absolutely. Absolutely. No question about it. I don't disagree with that.

LEG. LOSQUADRO:

I just wanted to make that point. When you're discussing policy, one of the points we make quite frequently in ETRB is that policy is made by this legislative body.

DIRECTOR ISLES:

There's no question about that. And certainly if I lead the impression of something else, certainly I would definitely apologize for that. We'd like to think that where we do help on this committee and the Legislature and the County Executive in general is to sort through matters that come before you, to do a professional review of that and provide that guidance back to you. Obviously you and the County Executive make the final decisions on these matters. We understand that fully.

LEG. LOSQUADRO:

Well, there's a motion and a second to approve.

VICE CHAIRMAN D'AMARO:

Okay. Legislator Romaine, would you like to go ahead with the motion to approve?

LEG. ROMAINE:

I'll make a motion to table.

VICE CHAIRMAN D'AMARO:

All right. Motion to table by Legislator Romaine. I'll second. All in favor? Any opposed? Abstentions? Motion carries and the resolution is tabled.

(Vote: 4•0•0•1. Leg. Viloría•Fisher not present)

Next on the agenda is 1683 authorizing a local law to require the recycling of cellular phones. (Viloría•Fisher)

LEG. STERN:

That has to be tabled for public hearing.

VICE CHAIRMAN D'AMARO:

Requires tabling for a public hearing. And I will offer the motion to table.

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Stern. All in favor of the motion? Any opposed? Abstentions? And the motion carries and the resolution is tabled for public hearing. **(Vote: 4•0•0•1. Leg. Viloría•Fisher not present)**

CEQ RESOLUTIONS

VICE CHAIRMAN D'AMARO:

Okay. And we'll be moving now to the next part of the agenda which are the CEQ resolutions. Is Mr. Bagg present? Please come on up.

Okay, Mr. Bagg and welcome.

MR. BAGG:

Good morning.

VICE CHAIRMAN D'AMARO:

Okay. I'll call the first resolution •• CEQ resolution. **That is 64•06 proposed SEQRA classification of legislative resolutions laid on the table on June 27, 2006 Type II Actions.**

MR. BAGG:

Yes. CEQ does review the legislative packets and makes a recommendation in the left•hand margin. All of the resolutions before the Legislature on the 27th were either Type II Actions or had been previously reviewed by the CEQ with a recommendation to the Legislature.

VICE CHAIRMAN D'AMARO:

Thank you. I'll offer a motion to accept or approve 64•06.

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Stern. All in favor? Any opposed? Abstentions?
And that resolution is approved. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

65•06, proposed upgrading of electrical service and repairs to dock located at the Long Island Maritime Museum at Chares R. Dominy County Park, West Sayville, Town of Islip.

MR. BAGG:

Yes. This project plans to upgrade the electric service to the museum structures located at the Maritime Museum. Repairs are also necessary for the dock. The bulkhead needs to be re•secured to the dock and some decking needs to be replaced. This is a historic trust designated facility. The Council as members of the Historic Trust approve of the project and recommend that it is a Type II Action pursuant to SEQRA since it involves maintenance, repair, replacement and rehabilitation or reconstruction of a structure or facility in kind on the same site including upgrading building to meet building or fire codes.

VICE CHAIRMAN D'AMARO:

Okay. Thank you. I'll offer same motion, same second, same vote. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

66•05, proposed restoration of the buildings and structures at Sagtikos Manor County Park, West Bay Shore, Town of Islip, Type II Action.

MR. BAGG:

This project plans to restore all building structures and historic landscape fixtures within the ten acre property which is also historically designated

landmark property. Council on Environmental Quality as members of the Historic Trust approve the proposed project and recommend that it is a Type II Action pursuant to SEQRA for the same reason as so stated before.

VICE CHAIRMAN D'AMARO:

Thank you. Same motion, same second, same vote. **(Vote: 4•0•0•1. Leg. Viloría•Fisher not present)**

67•06, proposed health and safety improvements fence on CR 67, Motor Parkway from Redleaf Lane to Melwood Drive, capital project 5559, Town of Smithtown. It's an unlisted action and this is negative dec.

MR. BAGG:

Yes. The project will enhance public safety and health by installing guide railing along the northerly pavement edge of CR 67 Motor Parkway and construction of a berm with fencing within the County right•of•way between Redleaf Lane and Melwood Drive. A diverse array of vegetation will be planted to enhance the visual aspects of the CR 67 corridor. Council recommends an unlisted action that will not have a significant impact on the environment for the following reasons. One, none of the proposed criteria set forth in the SEQRA rules and regulations will be exceeded, the proposal does not appear to significantly threaten any unique or highly vulnerable environmental or cultural resources as identified in the •• in or regulated by the Environmental Conservation Law of the State of New York or Suffolk County Charter and code. The parcel does not appear to suffer from any severe environmental developmental constraints. The landscape plan will be revised to incorporate only indigenous vegetation and no invasive plants species will be used on the project.

VICE CHAIRMAN D'AMARO:

Okay. Thank you. Same motion, same second, same vote. **(Vote: 4•0•0•0•1. Leg. Viloría•Fisher not present)**

68•06, proposed sewer district number 3, Southwest Sewer Construction for hookups, Town of Islip. This is an unlisted action, negative dec recommended.

MR. BAGG:

The project involves providing sewer service to parcels that have not been developed during the original sewer construction project in the '70's. Council recommends that it's an unlisted action that won't have an impact on the environment. None of the criteria of SEQRA will be exceeded. There are no significant threatened or unique or highly vulnerable environmental or cultural resources as identified or regulated in the Environmental Conservation Law of the State of New York or the Suffolk County Charter and code. The parcel does not appear to suffer from any severe environmental developmental constraints. The capacity of the Sewer District number 3 sewage plant was designed to handle the proposed hookups. That was all part of the original sewer district design. And the project is in conformance with the National Environmental Policy Act EIS which covered the construction of the entire southwest sewer district facilities.

VICE CHAIRMAN D'AMARO:

Okay. Thank you, Mr. Bagg. Same motion, same second, same vote.

(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

Next CEQ resolution is 69•06, proposed Cornell Cooperative Extension Suffolk County Farm and Education Center, the Global Village in Yaphank, Town of Brookhaven. This is an unlisted action and negative declaration recommended.

MR. BAGG:

That's correct. The project involves a development of a global village which will be an education program focused on middle and high school aged youth. The project will place several impermanent structures within the forested land and will focus on various global issues such as food and hunger, peace and diversity and preserving and healing the earth. It will provide a place for people to gather, work and reflect on their place in our increasingly global community. Council recommends an unlisted action that will not have a significant effect on the environment. None of the criteria of SEQRA will be exceeded. There are no unique, threatened or highly vulnerable species pursuant to the state law and the county code. And the parcel does not appear to suffer from any severe environmental

developmental constraints.

VICE CHAIRMAN D'AMARO:

All right. Thank you again. And on that motion 69•06, same motion, same second and same vote. **(Vote: 4•0•0•1. Leg. Viloría•Fisher not present)**

70•06, proposed reconstruction of CR 67, LI Motor Parkway from I•495, LIE which is exit 55 to County Road 17 Wheeler Road under capital project 5172, phase IV, Town of Islip. This is also an unlisted action with a negative declaration recommended.

MR. BAGG:

The project involves the federally funded improvement to the existing infrastructure of the heavily traveled high accident corridor. Existing roadway reconstruction involving drainage safety, pedestrian access and traffic capacity improvements are proposed. Council recommends that it's an unlisted action that will not have a significant impact on the environment for the following reasons. None of the criteria contained in the SEQRA rules and regulations will be exceeded. There are no significantly threatened unique or highly vulnerable environmental or cultural resources involved. The parcel does not appear to suffer from any severe environmental constraints. Traffic safety will be increased and congestion alleviated and roadway drainage will be improved.

VICE CHAIRMAN D'AMARO:

Thank you. Same motion, same second and same vote. **(Vote: 4•0•0•1. Leg. Viloría•Fisher not present)**

Next is 71•06, proposed acquisition of land for Open Space Preservation purposes known as the Knox School property in the Village of Nissequogue, unlisted action negative declaration recommended.

MR. BAGG:

This project involves the acquisition of twenty plus or minus acres of land by Suffolk County for open space preservation purposes. Council recommends

an unlisted action that will not have a significant impact on the environment because none of the criteria within SEQRA will be exceeded and the property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes.

VICE CHAIRMAN D'AMARO:

Thank you. Same motion, same second and same vote. **(Vote: 4•0•0
•1. Leg. Viloría•Fisher not present)**

72•06, proposed acquisition of land for open space preservation purposes known as the Mastic•Shirley Conservation area addition, Erb property in the Town of Brookhaven. Again, unlisted action negative dec is recommended.

MR. BAGG:

This project involves the acquisition of plus or minus point two acres of land by the Suffolk County for open space preservation purposes. Council feels it's an unlisted action that will not have an impact on the environment for the following reasons. None of the criteria in SEQRA will be exceeded and the property will be dedicated to the Suffolk County Department of Parks, Recreation and conservation for passtive recreational purposes.

VICE CHAIRMAN D'AMARO:

Thank you. Same motion and same second, same vote. **(Vote: 4•0•0
•1. Leg. Viloría•Fisher not present)**

73•06, proposed acquisition of land for open space preservation purposes known as the Montauk Downs State Park addition, estate of Ralph Capurso, Burke, Ralph Capurso, Jr., Ralph Capurso/Eileen Schutt and estate of Edna Capurso property in the Town of East Hampton unlisted action neg dec recommended.

MR. BAGG:

This recommendation covers all of the acquisitions of the Capuros properties kind of under one resolution. The project involves the acquisition of 6.69 acres of contiguous land adjacent to the Montauk Downs State Park by the County of Suffolk for open space preservation purposes. Council

recommends that it's an unlisted action and that a negative declaration be issued because it won't have a significant impact on the environment because none of the criteria of SEQRA will be exceeded and the property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes. And you may have several resolutions for each one of these things. So that recommendation holds for each resolution.

VICE CHAIRMAN D'AMARO:

Okay. Thank you. And on that resolution same motion, same second and same vote. **(Vote: 4•0•0•1. Leg. Vitoria•Fisher not present)**

Finally 74•06 proposed donation of property to Suffolk County Park for Suffolk County Department of Health Services transfer of development right requirement, file number R02•03•0866 and 0867, Town of Brookhaven, unlisted action and negative declaration recommended.

MR. BAGG:

And this project involves the donation of point 5 acres of land to Suffolk County for open space preservation purposes. Council recommends that it's an unlisted action and will not have a significant impact on the environment because none of the criteria within SEQRA will be exceeded and the property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes.

VICE CHAIRMAN D'AMARO:

Thank you. And again same motion and same second and same vote. **(Vote: 4•0•0•1. Leg. Vitoria•Fisher not present)**

Okay. That completes the CEQ resolutions. Thank you, Mr. Bagg. Appreciate your time.

MR. BAGG:

Thank you very much.

VICE CHAIRMAN D'AMARO:

You're welcome.

INTRODUCTORY RESOLUTIONS

VICE CHAIRMAN D'AMARO:

Next section on the agenda brings us to Introductory Resolutions. And I'll call the first which is **1835, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Gendot Homes, Inc property, Town of Riverhead. (Romaine)**

LEG. ROMAINE:

I'll motion a motion to table subject to call.

VICE CHAIRMAN D'AMARO:

Okay. Motion by Legislator Romaine to table subject to call. Is there a second?

LEG. LOSQUADRO:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Losquadro. All in in favor? Any opposed? Abstentions? Motion carries and the resolution is tabled subject to call.

Okay. Next is the resolution number **1836, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program LI Tech Corp property, Town of Riverhead. (Romaine)**

LEG. ROMAINE:

I'm going to make a similar motion and just by way of explanation I will do so for the next two. These were on a list that were provided to my office by the North Fork Environmental Council. And several environmental groups had recommended them, but after they were evaluated by the Planning Department and the Planning Commissioner, they rated low and would not be recommended so rather than go through the debate and lose the

initiative here, I will move to table 1836, 1840 and 1842 table subject to call.

VICE CHAIRMAN D'AMARO:

All right. Thank you, Legislator Romaine. I'll second. All in favor? Any opposed? Abstentions? And that's tabled subject to call. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

1842, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Nicolas Aliano property, Town of Southold. (Romaine) Motion by Legislator Romaine to table subject to call. I'll second it. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

Did I skip one? I'm sorry. All in favor? Any opposed? Abstentions? And the resolution is tabled subject to call. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

I'll go back to **1840, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program Doris Boyle property, Town of Southold. (Romaine)** Same motion, same second, same vote. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

Okay. Thank you. All right. Next on the agenda is **1848, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Forge River, County Park addition, Catholic Near East property, Town of Brookhaven. (Lindsay)** I'll offer a motion to approve.

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Stern. On the motion? Any discussion? All right. All in favor? Any opposed? Abstentions? Motion carries. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)**

1849, making a SEQRA determination in connection with the

proposed acquisition of land for open space preservation known as Noyac Greenbelt, 357 Brick Kiln property, Town of Southold.

(Lindsay) Same motion, same second, same vote. (Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

1850, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as Hauppauge Spring, Lucyshyn property, Town of Smithtown. (Lindsay) Same motion same second and same vote.

(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

1851, making a SEQRA determination in connection with the proposed acquisition of a conservation easement for preservation purposes known as Great Pond, Manos property, Town of Southold.

(Lindsay) Again, same motion, same second and same vote. (Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

1852, making a SEQRA determination in connection with the proposed acquisition of land in partnership with the Town of Brookhaven for open space preservation purposes known as the Overton Preserve, Pinelli property in the Town of Brookhaven.

(Lindsay) Same motion, same second, same vote. (Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

1869, authorizing acquisition of land under the Suffolk County Save Open Space, Farmland Preservation and Hamlet Parks Fund, Open Space Component, the Knox School property, Town of Smithtown.

(County Executive) Motion by Legislator Stern to approve. I'll second. All in favor? Any opposed? Abstentions? Motion carries. Resolution is approved. (Vote: 4•0•0•1. Leg. Vilorina•Fisher not present)

Next on the agenda is 1872 authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, Open Space Component for the ERB property, Mastic/Shirley Conservation area, Town of Brookhaven. (County Executive)

LEG. LOSQUADRO:

Motion to approve.

VICE CHAIRMAN D'AMARO:

Motion by Legislator Losquadro to approve. I'll second. All in favor? Any opposed? Abstentions? Motion carries. Resolution is approved. **(Vote: 4 •0•0•1. Leg. Vloria•Fisher not present)**

1873 is a resolution authorizing the inclusion of new parcels into existing agricultural districts in the County of Suffolk. (County Executive)

LEG. ROMAINE:

Motion to approve.

DIRECTOR ISLES:

I'd like to request a tabling. We just had a conversation with legislative Counsel who raised an issue with us with •• so I'd like to research that issue a little bit in terms of the public hearing for this. We obviously put it in on behalf of the County Executive and supported it, but there's one question that's come up that we'd like to get back to Counsel on with that issue. We apologize.

LEG. ROMAINE:

Okay.

DIRECTOR ISLES:

We appreciate the resolution or the motion I should say.

MR. NOLAN:

By the way the issue is the Legislature has to hold a public hearing on this resolution. It has not been held yet. The resolution indicates it took place on April 4th, but did not. So we have to schedule a public hearing.

DIRECTOR ISLES:

I'm going to check that.

LEG. ROMAINE:

I remember this issue with the agricultural districts that the administration came to us and asked us to pass a bill. I believe it was the second meeting in January •• I think it was January 17th •• to allow people to opt in for the month of January in which by the time the Executive signed it there'd be two or three days left in the month that they could opt in. And we raised some questions about that and suggest that we opt •• use February. And then there wasn't a bill forthcoming in February if I'm not mistaken. And this prevented people from opting in which created a lot of difficulty. And now there's a resolution that said we had a public hearing and we didn't. I'd like to know who's dropping the ball on this.

DIRECTOR ISLES:

The resolution to designate the month by the Legislature did go through that period you talked about. The Legislature did designate March. That became the open enrollment period for 2006. And then you subsequently designated future years as January. So in the future we'll have it automatically every January.

LEG. ROMAINE:

And we did not have a public hearing on this on April 4th or ••

DIRECTOR ISLES:

Well, that was to actually authorize the open enrollment month, which you did. And then the next thing was to actually assemble all the parcels that were filed, bring them before the Agricultural and Farmland Protection Board; and then have you as the Legislature then approve the addition to the ag districts. Here, again, I spoke to Mr. Nolan today. I will go back and research this and just find out what happened. Obviously if •• you know, what happened in the past just so you know is that the Ag Protection Board often held the hearings. And I just want to go back and check and just see exactly what happened. I really don't know. And so by the next meeting I can have an answer for you in terms of what happened. And if it does require a hearing at the full Legislature, we would ask that that be scheduled.

LEG. ROMAINE:

Could you comment on the impact of the delay of this resolution; what

impact will it have?

DIRECTOR ISLES:

The farmers •• the property owners of farmland have the ability to apply individually for the tax assessments so they can do that without being in an ag district. So I don't think that would have an adverse impact. The only other issue, I think, that might be out there is if a farmer property owner has an issue with a local law that's viewed as being in conflict with agricultural production.

LEG. ROMAINE:

Like pesticide or something of that nature?

DIRECTOR ISLES:

Or a zoning law, let's say. Right.

LEG. ROMAINE:

Right to farm.

DIRECTOR ISLES:

Exactly. So I'm not aware of any such cases but that's in answer to your question. That can be the other potential impacts. So I think the tax assessment they can do either way. The right to farm they would not have access to that until this goes into effect. I'm not aware of any cases out there, but, you know, that could be though.

LEG. ROMAINE:

If you become aware •• obviously we're going to be having this committee meeting two weeks from today, our next meeting.

DIRECTOR ISLES:

Right.

LEG. ROMAINE:

If you become aware could you make the full committee aware at the next meeting of this.

DIRECTOR ISLES:

Sure.

LEG. ROMAINE:

And what the potential was cause for delay and could you then elaborate once you've done the research on whether there was a problem or there wasn't a problem?

DIRECTOR ISLES:

Right.

LEG. ROMAINE:

That would be very helpful.

DIRECTOR ISLES:

With the dates of the hearing and so forth, yeah. Okay.

LEG. ROMAINE:

Yes. Thank you.

VICE CHAIRMAN D'AMARO:

All right. I'll offer a motion to table 1873, seconded by Legislator Stern. All in favor? Any opposed? Abstentions? And the motion carries. And that resolution is tabled. **(Vote: 4•0•0•1. Leg. Vilorina•Fisher not present**

Turning now to **1878 which is authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Jill Estates property in the Town of Huntington. (Stern)**

LEG. STERN:

I'll make the motion to approve for discussion.

VICE CHAIRMAN D'AMARO:

Okay. And I'll second.

LEG. STERN:

Thank you.

DIRECTOR ISLES:

Members of the committee, we are circulating an aerial photograph and a rating sheet as we customarily do for planning steps resolutions. This is a parcel that was originally owned by this State of New York Department of Transportation. It was intended for highway purposes. State of New York sold the property some time ago. The property is now privately owned and is subject to possible development.

We did do a review of this parcel based on the program suggested. We've also had some discussion just a moment ago with legislative aide on other programs, but at this point in time we •• obviously it's a very developed area around this. We understand that. The County has purchased some trail corridors in some cases such as Emerald Estates as one example in the Town of Huntington. When we looked at this parcel, as you can see, we came up with a rating of 18 points on 21 acres. The typical standard is 25 points. So at this point in time based on the information we have and certainly we keep an open mind on this, we feel it's somewhat deficient. It may be more suited to a town acquisition than a joint county town acquisition. But certainly if you have any questions on the rating or other options, certainly we'll do our best to address those.

VICE CHAIRMAN D'AMARO:

Yes, Legislator Romaine please.

LEG. ROMAINE:

Yes, I do. On the intermunicipal management agreement, who is that with? And is that in place or is there a letter or a resolution or what is it that establishes that agreement as a plausible agreement if acquisition takes place?

DIRECTOR ISLES:

My understanding is the resolution that's submitted for this does include a reference to the Town of Huntington agreeing to be a partner with the county on the acquisition.

LEG. ROMAINE:

Do we have a letter or a resolution from the Town of Huntington because usually anything that I brought forward I needed to produce a letter or resolution. Is there •• I guess Legislator Stern has introduced this. Is there a letter or resolution from the Town Board of Huntington?

DIRECTOR ISLES:

I'm not aware of a letter per se but ••

LEG. STERN:

Through the Chair. At this point there have been several discussions with the Town of Huntington. Town of Huntington would love to partner with us on this parcel. I'm told by the Town of Huntington their only reluctance to put something in the form of a letter to this body is their dealings with the owner and litigation. So that is why they have not put anything in writing at this time.

LEG. ROMAINE:

I can tell you that this committee has in the past chastised me when there wasn't a letter or resolution. And I had to produce a letter or resolution for the rating system. And I'm wondering how the Planning Department gave a rating of five because there was an intermunicipal agreement when there is nothing in writing. Not a letter of intent, not a resolution from the Town Board. And I'm just questioning that issue because if I'm going to be •• if we're changing the standard let me know. Because then I won't be held to the standard that I've been held to in acquisitions that I brought forth to this committee.

DIRECTOR ISLES:

Well, I guess, two things. One is that in terms of the information and belief that base the points that were put on it at this time, based on two things from our standpoint, the Planning standpoint. Number one, the reference in the resolution. And then secondly we had conversations with the Open Space Planner of the Town of Huntington who confirmed Huntington's interest. I think part of the •• the issue in terms of what do you need at this stage of the game from a municipal partner I think there may have come up recently on a question of active recreation on community greenways. And I guess there was a position taken that there needs to be a formal agreement

before planning steps can be approved. I became aware of that recently with a greenways active recreation purposal I think next to the shopping center in Wading River, I think it was.

LEG. ROMAINE:

Yes, the Zumas property.

DIRECTOR ISLES:

Okay. Yeah, Zumas. So that's the only one I'm aware of where that program and the legislation it was interpreted requires that upfront. I'm not aware of that requirment for other programs but just telling you what our perspective is.

LEG. ROMAINE:

Let me just ask Counsel to comment and weigh in on this on what it takes to get a rating for intermunicipal agreement. Obviously there's a rating of five here which is the maximum you can get. And yet there is no agreement in writing or even in letter form or resolution so ••

MR. NOLAN:

Well, how the Planning Department rates the properties and what criteria they use is up to them. I don't think there's a legal requirement that there be a letter or a resolution or a written agreement nor do I think there needs to be such a thing in place before this Legislature approves a Planning Steps resolution.

LEG. ROMAINE:

Thank you. And now I'm going to go back to the Planning Commissioner because I am trying to understand in my mind what I have to do as a legislator when I bring a planning steps resolution forward, if I just simply reference the town? Is that enough? What is it that gets that rating in that rating agreement so I can understand that completely because every •• I've just been here seven months. And it seems like the rules change at every single meeting depending on the property that's before us.

DIRECTOR ISLES:

Certainly from the Planning Department's standpoint, I wouldn't quite

characterize it that way. The way we look at it is that if we have indications either from the sponsor or from speaking directly with the proposed partner, the municipality that there is a discussion, an offer, a suggestion of a possible partnership, at least there's some inclination back for the open space programs and so forth, that's what we use as sufficient. Here, again, I'm making a distinction between greenways active recreation. I'm aware of a recent determination from the County Executive whereby it's his feeling that for that program based on the statute it requires a formal firm agreement before planning steps. So that's •• sorry.

LEG. ROMAINE:

Other than greenways ••

DIRECTOR ISLES:

Right.

LEG. ROMAINE:

•• what you need is for either the sponsor of the resolution and/or someone from town government, an elected official, elected board member whoever they ••

DIRECTOR ISLES:

Or an official like the planning ••

LEG. ROMAINE:

Official. Well, obviously a councilman would be ••

LEG. LOSQUADRO:

No. They're saying. Can I interject a point here?

LEG. ROMAINE:

I'm trying to get this clarified.

LEG. LOSQUADRO:

May I?

VICE CHAIRMAN D'AMARO:

Yes, of course.

LEG. LOSQUADRO:

What I'm hearing here, and it goes back to what I was discussing before with any legislative branch of government who sets policy and has to vote on that policy, you're talking about discussion with an appointed official who runs a department within government who may or may not have any indication as to whether or not the elected members of that governmental body will vote for this. So we're taking that on faith. We're going to go ahead with something. And we might be on the hook for the whole thing if we decide to go for it because an appointed individual within another level of government says, yes, we have an interest in acquiring this. When it goes before their elected representatives, they may say, we don't want to spend this money. We have a hole blown in our budget and we can't afford to spend this. That is the reason in the past that we have wanted a letter or a resolution from another level of government because it shows a commitment on the part of the elected officials who have to vote, who have the fiduciary responsibility. And it shows a commitment on their part that they are going to put this money forward. That's the standard we held ourselves to in the past.

DIRECTOR ISLES:

I don't think so.

LEG. LOSQUADRO:

Well, I recall on many occasions where we have held up these types of proposals because we do not have a commitment from another level of government. I don't have specifics in front of me, but I'm telling you I recall them over the past three years. And this •• I've been sort of quiet here but I've been listening. And all I'm hearing is that there was a conversation with an appointed member of government who says, yes, this is on our wish list.

DIRECTOR ISLES:

Right. This person happens ••

LEG. LOSQUADRO:

To me that's •• that's not a commitment on the part of another level of

government to put up what could be a significant amount of money.

DIRECTOR ISLES:

I understand your point. And certainly if it's the will of the Legislature that there be that firm commitment on every possible partnerships, certainly we can incorporate that. I'm telling you basically when we do our due diligence on a planning steps resolution, we do so often times with not a heck of a lot of time and certainly not a heck of a lot of staff at times, too. And we try to assess as fairly and frankly as we possibly can what the point value would be. And I've often said at this committee that these are done based on the information we have available. And as new information becomes available they may need to be adjusted either way.

Now certainly with an authorizing resolution, obviously then you need a firm resolution, you need an agreement with the municipality. The question really has been on planning steps. And what we look for, we historically look for with the exception of greenways active recreation is at least some indication. And speaking to the head of the open space program in a town is what we have relied upon. If your comfort level is not satisfactory with that, certainly we'll be happy to re•visit that and go back to the drawing board so to speak.

LEG. LOSQUADRO:

Well, my only point is that •• and I'm not trying to make something more of this than what it is, but it just seems that there are •• on many occasions there have been different standards that resolutions have been held to.

LEG. ROMAINE:

For different people.

LEG. LOSQUADRO:

In some cases •• in some cases a conversation with someone from a planning department is sufficient. In other cases a resolution has been held pending an actual resolution passed by a town board. And this is just •• this is factual. And I don't know why in some cases one thing is acceptable; in other cases it isn't. And I do understand, you know, this is part of the broader goal of preserving sensitive parcels and we are in a time crunch.

You know, many times these properties are under significant development pressure and we're trying to move as fast as we can. And I understand that. But in some cases a simple conversation is sufficient. And in other cases actual approved resolutions that have gone through public hearings and actual meetings of town boards have been requested by individuals before a resolution can be passed.

DIRECTOR ISLES:

Okay.

LEG. LOSQUADRO:

So, I don't know where we go with this at this point to say what constitutes a ranking within a rating form.

VICE CHAIRMAN D'AMARO:

All right. If I could ••

DIRECTOR ISLES:

I'm sorry. Mr. Chairman ••

VICE CHAIRMAN D'AMARO:

If I can just interrupt.

DIRECTOR ISLES:

Yes.

VICE CHAIRMAN D'AMARO:

I think the point has been well made. And at this time I think Legislator Stern ••

LEG. STERN:

Yes. Thank you, Mr. Chair. I agree with my colleagues that any time these kinds of resolution are before us there should be an extremely high standard, whatever that standard ultimately might be that we decide as a body. Although representations have been made by the Town of Huntington and we certainly look forward to partnering with them on this particular parcel, as I had represented before, the only reason why even after many

conversations with representatives from the Town of of Huntington that that written assurance has not been forthcoming is because of present litigation involving the property. That being the case, I'll make a motion to table and we'll see what, if anything, we can get from the Town of Huntington that can provide more assurance to my colleagues.

LEG. LOSQUADRO:

Just a quick question before we move on. I obviously don't want to put anything on the record that would jeopardize a potential acquisition or potentially put the Town of Huntington in jeopardy with their litigation, but could that litigation potentially keep them from partnering with us at a future date when an acquisition would be forthcoming?

LEG. STERN:

That's something that we'll have to speak to with the town.

LEG. LOSQUADRO:

That's just if •• they're showing that reluctance to provide something in writing, just maybe some sort of assurance that that pending litigation would not preclude them from partnering with us; maybe that that would even provide an additional comfort level for members of this body.

VICE CHAIRMAN D'AMARO:

Legislator Romaine.

LEG. ROMAINE:

Yes. I would simply say, look, I have great respect for Legislator Stern. And I'm not looking to hold up this parcel. I'd love to see it acquired. I can understand why it looks liek a natural belt between two very large subdivisions. But I just want to understand the standard. If the standard is for planning steps as long as there's some indication from the town, and we'd have to put on record what it was, it would be okay with me. But what we're finding is every property that I had that either Brookhaven or Riverhead or Southold was partnering with that I brought forward, I mean I got shot down unless there was a letter or resolution or something of ••

MR. ZWIRN:

That's not true. If I might interject. If you could give us examples •• I mean talk is wonderful. But if you could give us examples of that ••

LEG. ROMAINE:

I will. I'll start ••

MR. ZWIRN:

•• I would really love to see them.

LEG. ROMAINE:

I'll start with the first one that I tabled that I'm reintroducing which was the Terrel River property, the wetlands there, that, one, this •• the Real Estate Department had declared dead. They had sent a letter. And the appraisals were too low under the old program. They made no effort to contact the owner of that property over a course of several years. I selected a different program. I got a resolution and a letter from the town that they were prepared to partner. And still I had trouble with that resolution.

We're getting right now •• it's widely reported in the local papers in Lake Panamoka there's a six lot subdivision right on the lake that is subject to development that the town has said publicly •• and I can clip the article out about that •• but if that's the standard, that's fine. But what I'm looking to do is get a letter from the elected officials or at least from the councilman that represents that area because they have a ward system in Brookhaven that the town board has an interest in partnering with the County because I know there's a higher standard there. I just want to understand the standard. Maybe what Tom could do, rather than prolong this debate, and you're absolutely right, we should not prolong it, but what Tom could do is send every member of this committee what the standard is for resolutions that are submitted that are working in conjunction with town government. I'd like to know that standard. I'd also like to know the standard of whether the Real Estate Department can use as one of the appraisals the town appraisal since they use the same certified appraisals and operate under the same municipal code. So maybe some of this information coming forward like a rule book so we know, like, you know, when you play football or baseball as umpires, they kind of judge the rules. I mean •• because I think that would be very helpful.

DIRECTOR ISLES:

I think it would be, too. And here, again, we take this very seriously. We provide to you honest professional advice. And it's something that I hold to be the highest obligation I have to the Legislature and to the Executive. I do not take this lightly in any way. So any insinuation that we're cooking the numbers is highly offensive to me. And I'm not saying it's happening, but you're dealing with a topic that Ben doesn't talk to me about, the County Executive doesn't talk to me about.

MR. ZWIRN:

When these results come back, we don't call and say, look, we'd like to see this go one way or the other.

VICE CHAIRMAN D'AMARO:

Let me ask you this, though. Do we •• just to follow up on what Legislator Romaine is saying. Is this something that up until this point has really been done by your office I'm sure independently and professionally but on a case by case basis when you go to these forms? In other words, what I'm saying is whatever it takes for you to get into a comfort level with respect to the intentions of, let's say, a town or a village as opposed to saying that well, you know, a standard may be difficult to quantify because it's different in every case.

DIRECTOR ISLES:

Right. Well, that's probably true because it does vary in terms of the level of involvement by the different towns and villages. But we do two things. One is that we meet with the towns and villages on a periodic basis with Real Estate just to compare lists, compare notes and so forth. And then secondly Laretta Fischer who's a Principal Environmental Analyst will often times do that face to face or telephone to telephone communication.

VICE CHAIRMAN D'AMARO:

Now on this particular resolution, though, you obviously because we see the five points given, you obtained where you need to be as far as giving those points. And if Legislator Romaine had introduced the similar resolution and you had gotten to that same comfort level, you would have done the same

thing; is that true?

DIRECTOR ISLES:

Yes.

VICE CHAIRMAN D'AMARO:

Okay.

MS. FISCHER:

If I could just add, I did speak with Margo Miles about this property. She's the Open Space Coordinator for the Town of Huntington. And she had indicated the legal issues with this property to me and her reluctance on the part of the town to move forward in a formal fashion with a letter, etcetera. So that is where my level of comfort came in, rightly or wrongly. That is how I read it. And that's how I determined that number.

VICE CHAIRMAN D'AMARO:

So, if I may, Legislator Romaine, maybe in the instances that you recall where a resolution or something in writing was required, maybe the town's indication or the village's indication was more tenuous for the Planning Department. I don't know the history. I'm just throwing that out there. It's rhetorical comment.

LEG. ROMAINE:

It wasn't •• by the way I made no insinuation about the Planning Department. And that would be highly offensive to me because when I feel •• when I feel something I'll say it. What I wanted to do was get a clarification because I'll make sure your office gets a call from Councilman McCarrick, the councilman that represents Lake Panamoka in the Town of Brookhaven that the town wants to partner with the county on this. I got a letter despite litigation from Supervisor Cardinale about Farmers Field in Calverton. They're in litigation with the owner. They were not reluctant to give me a letter to say that they would partner. So it's •• you know, I just want to know what the standard is so that I follow the standard.

VICE CHAIRMAN D'AMARO:

Okay. Thank you.

LEG. ROMAINE:

That's all.

DIRECTOR ISLES:

Okay. And I know you, Mr. Chairman, and I think maybe it's good to air this and get this resolved. And the only other point is that we may come to an agreement on a partnership, but it still may not be a good parcel for the county to acquire.

VICE CHAIRMAN D'AMARO:

Right.

DIRECTOR ISLES:

We make recommendations to you. You make decisions but •• on that basis of it.

VICE CHAIRMAN D'AMARO:

All right. Then I'll second Legislator Stern's motion to table this resolution which is number 1878. All in favor? Any opposed? Abstentions? That motion carries and the resolution is tabled. **(Vote: 4•0•0•1. Leg. Vioria •Fisher not present)**

1881 is authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Romeo property in the Town of Southampton. (Schneiderman)

LEG. ROMAINE:

Motion.

LEG. LOSQUADRO:

Second for the purposes of discussion.

VICE CHAIRMAN D'AMARO:

Thank you. Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. Director Isles.

DIRECTOR ISLES:

Okay. Mr. Chairman, this is a parcel located in the Town of Southampton as indicated in the call. This is a parcel of about 13 acres in essentially the Shinnecock Hills area. It is a water front parcel. The aerial photograph depicts it well. I believe there may have been some issues with the actual drafting of the resolution or some of the content of the resolution which we've conveyed to the sponsor. The sponsor called Laretta Fischer last week and noted that it's not in an SGPA; and apparently some of 1881 and 1882 were reversed. But as we look at this in terms of it as we understand it in its corrected form, here, again, this is a water front parcel. We did the rating based on the information we have available and the fact that it's not an SPGA. It did score 28 points. And here, again, the guide line that the committee has historically used is 25 points. Not that that's carved in stone but here, again, to give some measure of quality. So on that basis we do feel that this would be appropriate for a planning steps approval. And looking at the fact that there are limited opportunities for water front access, this might be a site that would be one of the last opportunities in this location. And here, again, with the point values supporting that.

LEG. LOSQUADRO:

Question. Mr. Chairman?

VICE CHAIRMAN D'AMARO:

Yes. I'm sorry. Yes.

LEG. LOSQUADRO:

Mr. Isles, in the physical characteristics portion, the geological land forms and •• it's sort of tough to read there, but number two site contained any geological land form, I'm just surprised that dune, bluff, something like that doesn't come into play with the shore front there.

MS. FISCHER:

It's just a very low bay Shore front. There is no dunal formation there.

LEG. LOSQUADRO:

All right. Thank you.

VICE CHAIRMAN D'AMARO:

Okay. There's a motion pending to approve. All in favor? Any opposed? Abstentions? Resolution carries and the motion is approved. I'm sorry. The motion carries and the resolution is approved. **(Vote: 4•0•0•1. Leg. Vilorio•Fisher not present)**

All right. **Next is 1882, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Zebrowski property, Town of Southampton. (Schneiderman)**

LEG. ROMAINE:

Motion.

VICE CHAIRMAN D'AMARO:

Motion by Legislator Romaine to approve.

LEG. LOSQUADRO:

Second for the purposes of discussion.

VICE CHAIRMAN D'AMARO:

Thank you. Second by Legislator Losquadro. Director Isles, go ahead.

DIRECTOR ISLES:

Okay. Very briefly this is a parcel that is within an SPGA so here again we had a reversal of the characteristics of this resolution and the prior one. This is a parcel that's located in Noyak. Its in the South Fork Special Groundwater Protection area. As you can see on the map it's about nine and a half acres consisting of two parcels. What's also shown on the map is county land across the street as well as town land directly to the west.

This is an area if you look at a broader map you would see extensive public holdings of county and town lands for the purpose of protection of the special groundwater protection area. We did do a rating and it did score 26 points. And accordingly we feel it is an appropriate acquisition or planning steps resolution. Pardon me.

VICE CHAIRMAN D'AMARO:

Okay. If there's nothing else on the motion, all in favor? Any opposed? Absentions? Motion carries and the resolution passes.

(Vote: 4•0•0•1. Leg. Viloriam•Fisher not present)

Lastly resolution 1883 adopting a local law changing the name of the Environmental Trust Review Board to the Real Property Acquisition Review Board and increasing the membership. (County Executive)

LEG. LOSQUADRO:

Motion to table.

VICE CHAIRMAN D'AMARO:

Okay. Motion to table.

LEG. STERN:

Second.

VICE CHAIRMAN D'AMARO:

Seconded by Legislator Stern. All in favor? Opposed. Abstentions? Okay. Public hearing. I'm sorry. Tabled for public hearing. **(Vote: 4•0•0•1. Leg. Viloriam•Fisher not present)**

Okay. And there's no other business before the committee and we're adjourned. Thank you everyone.

**(THE MEETING CONCLUDED AT 12:00 PM)
{ } DENOTES SPELLED PHONETICALLY}**