

ENVIRONMENT, PLANNING & AGRICULTURE COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Environment, Planning & 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 June 9, 2014.

MEMBERS PRESENT:

Presiding Officer DuWayne Gregory
Leg. Kara Hahn, Chairwoman
Leg. Al Krupski, Vice Chair
Leg. Sarah S. Anker
Leg. Thomas F. Barraga
Leg. Thomas Muratore

ALSO IN ATTENDANCE:

Legislator Thomas Cilmi, 10th Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Lora Gellerstein, Chief Deputy Clerk of the Legislature
Tom Vaughn, County Executive's Office
Lisa Santeramo, County Executive's Office
Laura Halloran, Budget Review Office
Sarah Lansdale, Director/Department of Planning
Lauretta Fischer, Department of Planning
Michael Pitcher, Aide to Presiding Officer
Alyssa Turano, Aide to Leg. Hahn
Catherine Stark, Aide to Leg. Krupski
Pam Donovan, Aide to Leg. Anker
Ali Nazir, Aide to Leg. Kennedy
Christine M. Brogan
Greg McEnroe
Elizabeth Casey
Coryn Villanti
Lisa Gatti
Anthony Guardino
Liz Casey
Brendan Chamberlain, Aide for Leg. Muratore
Rick Brand, Newsday
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 10:06 AM

CHAIRWOMAN HAHN:

If we can all rise for the Pledge of Allegiance led by Legislator Anker.

SALUTATION

PUBLIC PORTION

We will begin with the Public Portion. We have -- excuse me if I get this wrong -- Christine Brogan, followed by Greg McEnroe.

LEG. CILMI:

If we act on their bill, they won't need to speak.

UNIDENTIFIED SPEAKER:

I think most of those notices can be deferred until the next meeting.

CHAIRWOMAN HAHN:

Okay, then we're going to move to take IR -- I have a motion to take IR 1495 out of order from Legislator Cilmi. Oh, he's not on the Committee. So I'll make a motion to take 1495 out of order; seconded by Legislator Krupski. All those in favor of taking it out of order? Opposed? Abstentions? 1495 is before us.

1495, Authorizing the inclusion of new parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0504-004.00-01.00-016.000)

Pal-O-Mine Equestrian, Inc. (Co. Exec.) For the purpose of discussion, I will make a motion to table; seconded by Legislator Krupski. On the motion, I will allow Legislator Cilmi.

LEG. CILMI:

So a couple of weeks ago I met with folks from Pal-O-Mine as well as their attorney; and folks from the Village as well as their attorney. And it seems as if they are well on the path to resolving some of the issues that presented themselves and that led to this application. And both sides would appreciate an opportunity to continue those discussions and have us table this bill today. We still have time in the next cycle to deal with it if for some reason they're unable to come to a successful agreement.

CHAIRWOMAN HAHN:

Okay. I see I have Director Lansdale and Tom Vaughn here.

MR. VAUGHN:

Hi, good morning. How are you?

CHAIRWOMAN HAHN:

Maybe you can comment on the timeline on this? Does tabling affect anything?

DIRECTOR LANSDALE:

So we could actually table this one -- this cycle, but it would have to be taken up at the next Committee meeting --

CHAIRWOMAN HAHN:

Okay.

DIRECTOR LANSDALE:

-- regardless of the action so that we meet the New York State guidelines for Agricultural Districts.

CHAIRWOMAN HAHN:

Okay. So we have this cycle to table and do -- okay. Any other questions? We have a motion and a second. All those in -- oh, I'm sorry.

MR. VAUGHN:

No, I -- just with such a large group of individuals here today, can we just have some people all wave and make sure that everybody's on the same page? Not --

LEG. CILMI:

How about they wave if they're not on the same page?

MR. VAUGHN:

That would be great.

(LAUGHTER)

Let the record indicate no wave.

CHAIRWOMAN HAHN:

Okay.

MR. VAUGHN:

Trusted verifier. Trusted verifier, right? Thank you very much.

CHAIRWOMAN HAHN:

Got it. Okay. So with that, we have a motion to table and a second. All those in favor? Opposed? Abstentions? It is tabled. **1495 is tabled. (VOTE: 5-0-0-0)**

Okay, so then I'm just going to read the names out. And if the people can stand and say "I don't need to speak" -- so Christine Brogan?

MS. BROGAN:

I don't need to speak.

CHAIRWOMAN HAHN:

Okay. Thank you. Did you get that?

MS. FLESHER:

Yes.

CHAIRWOMAN HAHN:

Okay, good. Greg McEnroe?

MR. McENROE:

I don't need to speak.

CHAIRWOMAN HAHN:

Thank you. Elizabeth Casey?

MS. CASEY:

I don't need to speak.

CHAIRWOMAN HAHN:

Thank you. Corwin Villanti?

MS. VILLANTI:

I don't need to speak.

CHAIRWOMAN HAHN:

Thank you. Lisa Gatti?

MS. GATTI:

I don't need to speak.

CHAIRWOMAN HAHN:

Thank you. Anthony Guardino?

MR. GUARDINO:

I did not need to speak.

CHAIRWOMAN HAHN:

Thank you. And Liz Casey?

MS. CASEY:

That's me. I do not need to speak.

CHAIRWOMAN HAHN:

Oh, okay. (Laughter) I was looking back, saying I thought I had that name already. Great. So those were all of our cards. Thank you very much and --

LEG. CILMI:

Madam Chair, if I could just --

CHAIRWOMAN HAHN:

Yes, Legislator Cilmi.

LEG. CILMI:

-- thank everybody for coming. Everybody's who here who either has a -- I guess you would call them a student or, you know, somebody who goes to Pal-O-Mine for their services, those of you who are here who are volunteers at Pal-O-Mine, the work that you do is terrific and we appreciate it. Thank you.

CHAIRWOMAN HAHN:

Great. Thank you very much for being here.

TABLED RESOLUTIONS

Okay, we will move onto the Tabled Resolutions portion of the agenda. **Introductory Resolution 1034, Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Farmer property Town of Brookhaven (SCTM No. 0209-027.00-02.00-031.000). (Browning)** I'll make a motion to table.

LEG. KRUPSKI:

Second.

CHAIRWOMAN HAHN:

Seconded by Legislator Krupski. All those in favor? Opposed? Abstentions? **1034 is tabled.**
(VOTE: 5-0-0-0)

Introductory Resolution 1484, Further strengthening the land acquisition process.
(Krupski)

LEG. KRUPSKI:

I'll make a motion to table. I'm still working with Department of Public Works.

CHAIRWOMAN HAHN:

I'll second that motion.

LEG. KRUPSKI:

And I'm working with Real Estate and also with Parks to try to make sure that everybody's on the same page and that it's a workable process.

CHAIRWOMAN HAHN:

Okay. We have a motion to table and a second. All those in favor of tabling? Opposed? Abstentions? **1484 tabled. (VOTE: 5-0-0-0)**

Introductory Resolution 1493, Authorizing the inclusion of new parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0300-166.00-04.00-001.004) - Darryl Glennon. (Co. Exec.) I will make a -- for the purposes of discussion, I'll make a motion to approve; seconded by Legislator Krupski. On the motion, Director Lansdale. These are -- the rest of them are good to go?

DIRECTOR LANSDALE:

That's right, yes.

CHAIRWOMAN HAHN:

Okay. So there's no problem with approving some of them. Okay. That's why they're individual. Great. Okay, so we have a motion to approve and a second. Are there any questions for the Director? All those in favor? Opposed? Abstentions? **1493 is approved. (VOTE: 5-0-0-0)**

Introductory Resolution 1494, Authorizing the inclusion of new parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM Nos. 0400-203.00-02.00-051.001 Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 Lawrence P. Foglia and Heather Forest). (Co. Exec.) Motion by Legislator Krupski; seconded by Legislator Anker. All those in favor? Opposed? Abstentions? **1494 is approved. (VOTE: 5-0-0-0)**

We approved **1495**.

Introductory Resolution 1496, Authorizing the inclusion of new parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0600-098.00-01.00-016.005) - Edward Partridge. (Co. Exec.) Motion by Legislator Krupski; second by Legislator Anker. All those in favor? Opposed? Abstentions? **1496 is approved. (VOTE: 5-0-0-0)**

Introductory Resolution 1497, Authorizing the inclusion of new parcel(s) into existing Certified Agricultural District(s) in the County of Suffolk - 2014 (SCTM No. 0900-051.00-02.00-005.010) - Channing Daughters Winery LLC. (Co. Exec.) Motion by Legislator Krupski; seconded by Legislator Anker. All those in favor? Opposed? Abstentions? **1497 is approved. (VOTE: 5-0-0-0)**

Introductory Resolution 1498, Authorizing the inclusion of one new parcel (SCTM No. 0600-058.00-02.00-014.003) - Redwood Farm and Stable, LLC) and the disapproval of another parcel (SCTM No. 0600-076.00-02.00-012.001) - Kenneth Kaufold - into existing Certified Agricultural District(s) in the County of Suffolk 2014. (Co. Exec.) Motion by Legislator Krupski; second by Legislator Anker. All those in favor? Opposed? Abstentions? **1498 is approved. (VOTE: 5-0-0-0)**

Introductory Resolution 1500, Authorizing the disapproval of a new parcel for inclusion into an existing Certified Agricultural District(s) in the County of Suffolk 2014 (SCTM No. 0600-021.00-01.00-003.000) - MF & LK Holdings LLC. (Co. Exec.) Motion by Legislator Krupski; second by Legislator Anker. All those in favor? Opposed? Abstentions? **1500 is approved. (VOTE: 5-0-0-0)**

INTRODUCTORY RESOLUTIONS

Onto Introductory Resolutions. **IR 1535, Authorizing an appraisal for the purchase of Development Rights of Farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Dream Come True Farm property Town of Brookhaven (SCTM No. 0200-593.00-02.00-005.001 p/o). (Co. Exec.)** I want to go to that Farm. (Laughter) I'm going to make a motion -- for the purposes of discussion I'll make a motion to approve; seconded by Legislator Krupski. On the motion, Director Lansdale.

DIRECTOR LANSDALE:

This is a proposed acquisition that came through our annual agricultural review of development rights. It's for the purchase of farmland development right of approximately 25 acres out of a total of 27 acres. The agricultural use of the property is commercial horse boarding and an equine operation. The parcel received a score of 16.75 out of 25 points. Usually a score of 10 points or higher is our standard for recommendation.

On January 21st the Farmland Committee recommended this parcel be included in the County's purchase annual review of the purchase of development rights.

There is one proposed cutout on the parcel of two acres on the northern portion of the property. There is a residence and a driveway within this cutout area. The entire property is located within the Horse Farm Residence Zoning District.

CHAIRWOMAN HAHN:

Questions.

LEG. KRUPSKI:

Thank you, Madam Chair. What was the zoning? Excuse me, I didn't quite catch that.

DIRECTOR LANSDALE:

The Horse Farm Residence Zoning District.

LEG. KRUPSKI:

How would you describe that?

DIRECTOR LANSDALE:

It has a minimum lot size of 10 acres. And it's -- requires that one principal single-family dwelling be located on the subject premises which shall be the full-time residence of the owner of the property; the full-time operator of the business conducted on the premises; or the full-time of a watchman, caretaker or other employee of the principal business.

LEG. KRUPSKI:

Thank you. So the -- so the frontage, then, on the two -- the two roadside frontages would be all preserved.

DIRECTOR LANSDALE:

Yes.

LEG. KRUPSKI:

There's PDR land to the north. And it's unclear, is it to the east also or not? It says two sides. We're looking at the --

CHAIRWOMAN HAHN:

Two sides of that long strip.

DIRECTOR LANSDALE:

Yes. So there's a PDR preserved land to the north and to the west. The Suffolk County PDR land is to the west. And it looks like the Brookhaven PDR land is to the north.

LEG. KRUPSKI:

Did the County just act to preserve land to the east of that, those little -- that little triangle, that piece there on the -- on the east side?

DIRECTOR LANSDALE:

I'll have to get back to you on that. I don't have an answer right now.

LEG. KRUPSKI:

Okay. Thanks. It seems like there was just activity on that and I'm just trying to clarify.

CHAIRWOMAN HAHN:

And what's that long strip that's in red? It's almost like it's a line but it must be ten feet wide or something.

DIRECTOR LANSDALE:

So the property of the triangle to the east is acquisition for open space by the County.

LEG. KRUPSKI:

So it has been acquired or it's about to be acquired?

DIRECTOR LANSDALE:

It has been acquired.

LEG. KRUPSKI:

Okay, that's what I thought. I forget the name of that one. Thank you.

CHAIRWOMAN HAHN:

I remember that. ETRB anyway. So do you know what that long strip is?

DIRECTOR LANSDALE:

It's part of the property. I can investigate it further. I don't have an answer for you right now.

CHAIRWOMAN HAHN:

Oh, I'm sorry.

DIRECTOR LANSDALE:

They use it for trails. It's used for horse trails.

CHAIRWOMAN HAHN:

Okay. And that's part of the tax map? It's cut that way?

DIRECTOR LANSDALE:

It is.

MS. FISCHER:

Yes.

CHAIRWOMAN HAHN:

Interesting.

LEG. KRUPSKI:

Is it all connected to the parcel to the north that's undeveloped? There's like -- there's PDR, then there's another parcel and then there's like a subdivision. And then to the north of that there's -- there's a parcel. Is it any way connected to that?

DIRECTOR LANSDALE:

Not to our knowledge.

(Presiding Officer DuWaye Gregory entered auditorium)

CHAIRWOMAN HAHN:

Okay. I was looking at the map while you were talking and, you know, I didn't retain everything you said. So it's a horse farm now?

DIRECTOR LANSDALE:

It is a horse farm. It's specifically commercial horse boarding and a commercial equine operation.

CHAIRWOMAN HAHN:

It almost looks like the fields are -- well, that's how they deal -- is that all paddock areas there? It almost looks like they're tilled but --

DIRECTOR LANSDALE:

Yes, there are paddocks on the property.

CHAIRWOMAN HAHN:

Okay. Any questions? Any other questions? Legislator Krupski.

LEG. KRUPSKI:

Thank you. Is this parcel in an Ag District currently?

DIRECTOR LANSDALE:

No, it's not.

LEG. KRUPSKI:

And how did this parcel come to our attention?

DIRECTOR LANSDALE:

It was nominated by the owner as part of the annual review period that was conducted in January.

LEG. KRUPSKI:

Thank you.

CHAIRWOMAN HAHN:

Legislator Anker.

LEG. ANKER:

Just to confirm, the open space, how much does the County own in the open space next to the east? Is it that whole segment?

DIRECTOR LANSDALE:

Ten acres to the east.

LEG. ANKER:

So we don't own all the, kind of, woods area connected to that redline that's going north.

DIRECTOR LANSDALE:

No, we don't. It's just ten acres.

LEG. ANKER:

And the property to the left or to the west of the redline, do we own -- does the County own that property or is that preserved?

DIRECTOR LANSDALE:

The parcel outlined in green the County owns the development rights; where it's the parcel that's labeled as CPDR.

LEG. ANKER:

The parcel that's attached to the very top of the redline, you see some forest and then you see a big rectangle of, I guess, farm -- farmland. Is that preserved or is that --

DIRECTOR LANSDALE:

No, it's not.

LEG. ANKER:

And one last question. How far is this from water? I mean, water bodies?

DIRECTOR LANSDALE:

It's north of Sunrise Highway. So we can get that information if you'd like, a precise calculation.

LEG. ANKER:

No, that's -- you know, again, I know the river's near and we want to watch the South Shore, but I just curious. Thank you.

LEG. KRUPSKI:

Probably a mile to Moriches Bay.

CHAIRWOMAN HAHN:

Okay. We have a motion. Were there other questions? I'm sorry. No. Okay we have a motion and a second. All those in favor? Opposed? Abstentions? It is approved. **(VOTE: 6-0-0-0.**

PO GREGORY INCLUDED IN VOTE)

Introductory Resolution 1575, Adopting Local Law No. -2014, A Charter Law amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for enhanced water quality protection, wastewater infrastructure and general fund property tax relief for Suffolk County. (Co. Exec.) I believe that needs to be tabled for Public Hearing. So I'll make a motion to table; seconded by Legislator Muratore. All those in favor? Opposed? Abstentions? It's tabled. **(VOTE: 6-0-0-0. PO GREGORY INCLUDED IN VOTE)**

6/9/2014 EPA Committee meeting

Seeing no further business before us, we are adjourned.

**THE MEETING CONCLUDED AT 10:24 AM
{ } DENOTES SPELLED PHONETICALLY**