

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 July 20, 2015.

MEMBERS PRESENT:

Leg. Kara Hahn, Chairperson
Leg. Al Krupski, Vice-Chair
Leg. Sarah S. Anker
Leg. Thomas F. Barraga
Leg. Thomas Muratore

ALSO IN ATTENDANCE:

Steve Bellone, Suffolk County Executive
George M. Nolan, Counsel to the Legislature
Lora Gellerstein, Chief of Staff to the Legislature
Jason Richberg, Chief Deputy Clerk of the Legislature
Laura Halloran, Budget Review Office
Alyssa Turano, Aide to Legislator Hahn
Catherine Stark, Aide to Legislator Krupski
Amy Ellis, Aide to Legislator Anker
Sarah Lansdale, Director/Suffolk County Planning Department
Lauretta Fischer, Chief Environmental Analyst/SC Planning Department
Dr. Lee Koppelman, Recipient/Suffolk Medal for Distinguished Service
Kim Shaw
Scot Curatolo-Wagemann
Rick Brand, Newsday
And all other interested parties

MINUTES TAKEN BY:

Gabrielle Severs - Court Stenographer

MINUTES TRANSCRIBED BY:

Gabrielle Severs, Alison Mahoney - Court Stenographers
& Denise Weaver - Legislative Aide

*(*The following testimony was transcribed by
Denise Weaver – Legislative Aide*)*

(THE MEETING WAS CALLED TO ORDER AT 9:19 AM)

CHAIRPERSON HAHN:

Would everyone please rise for the Pledge of Allegiance led by Legislator Anker.

Salutation

Welcome, everyone. I apologize for the delay. Welcome to the Legislature's Environment, Planning and Agriculture Committee. First thing's first, do we have any cards? Does anyone know if we have cards this morning? Has anyone filled out cards? Yeah.

UNKNOWN SPEAKER:

There was no Clerk to give them to.

CHAIRPERSON HAHN:

Oh, okay. So we will work this out. This is what happens when you try to make a meeting an hour earlier than it should be. You got the cards, Lisa? Okay. You can bring those forward. Thank you very much, Lisa. Okay. If anyone did not have an opportunity to fill out a card, you can collect one from the Clerk who's walking in at the moment and then he'll bring them up to me.

The first speaker we have is Lee Snead, followed by Kevin McDonald.

Mr. Snead, you can take a spot at the podium. Just make sure that the green light is on the microphone, and then you have three minutes once you start.

MR. SNEAD:

Madam Chairperson, I will be speaking on the -- on IR 1479, which is the same thing. So if you want to defer my comments to then, I'd be happy to do that.

CHAIRPERSON HAHN:

No.

MR. SNEAD:

Or is that this right now?

CHAIRPERSON HAHN:

This is -- right now is your opportunity to speak.

MR. SNEAD:

Members of the Committee, my name is Lee Snead, I'm the attorney for Sagaponack Realty, LLC. We have presently an application before the County Farmland Committee to include our 43-acre parcel in Sagaponack into the Agricultural District No. 5.

As you may be aware, there's a process which you undergo where you go through the local Agricultural Farmland Protection Board and they review it. They make a recommendation to to Legislature about that particular application, it then comes to your Committee for review and then finally back to the Legislature. There is a public hearing before the Legislature which has already occurred.

Unfortunately, our application was denied and it was de -- or it was not recommended, I should say, by the AFPB based upon the use of some criteria that the AFPB created. Unfortunately, as we see it, we met those criteria, and more importantly met the statutory requirement that this -- that Legislature is required to take a look at. I have submission here for the Clerk and a copy of each for the five members of your board.

In short, our farm is fully planted. When we met before the AFPB, we told them that it would be fully planted within three weeks. The AFPB chose to apply one of its criteria that the farm needed to be actively planted as of the time it actually heard the case as opposed to the time when the Legislature would make the decision. In short, we've told the AFPB we wanted to be a farm, we meet the criteria to be a farm. The soils on the property are prime soils. The farm has -- the area of the farm has been traditionally used as a farm, it hasn't been used by a farm by us until this year, but from the 50's on, it had always been used as a potato farm or a corn farm.

The purpose of the Act is to bring farms into protective -- to protections of the County and the State's Districts Law. We need that right now. We have invested over \$125,000. We have planted over 14,000 trees, Christmas trees on this property. There will be another 8,000 trees planted by October of this year because we're going to be expanding it to encompass an additional 17 acres of the property.

In short, we've met every one of the criteria that that State and that the County placed on us to become a member of the Agricultural District. We are a farm, we're deserving of protection. In the submission I've sent to you, we have a letter from the Department of Agriculture and Markets indicating that we fully comply with the State law and we are viable agricultural farmland, which is all that this Committee is supposed to be looking at; whether or not the property has soils, which are viable, agricultural farmland.

So we submit to you that the non-recommendation of the AFPB, for whatever reason it was -- you know, then which was at the time told to us because we weren't actively planted, was met within three weeks of that meeting. We had informed the AFPB that that would be the case. We have met that goal, we're moving forward and we're actively going to plant an additional 17 acres this year.

CHAIRPERSON HAHN:

Okay. So your three minutes are up, let's see if there are any questions by the Committee. Does anyone on the Committee have questions for Mr. Snead? Okay, not at this time. If during discussion someone has questions, we certainly -- if you stick around, we certainly --

MR. SNEAD:

Again we -- we're not -- we're not here suggesting that anybody's not doing their job. We're simply suggesting that the application of these guidelines in this particular situation, as the AFPB did it, harms us in a situation where the immediately preceding application was granted and they have no intention of planting this year and nor have they ever been planted in farmland. So we're suggesting that we should be treated the same manner as that application.

CHAIRPERSON HAHN:

Okay. Thank you.

MR. TOHILL:

Madam Chair.

CHAIRPERSON HAHN:

The second speaker is Kevin McDonald.

MR. TOHILL:

Madam Chair, may I be heard? I filled out the card, I'm the Village Attorney for the Village of Sagaponack. This -- Mr. Snead was speaking as I was outside filling out the card. It may make more sense if I speak now and get it over with.

CHAIRPERSON HAHN:

No, we go in order that people fill out the card, I'm sorry. Thank you.

Next we have Kevin McDonald followed by Mayer Horn.

MR. McDONALD:

Good morning. I am Kevin McDonald and I serve as Policy Advisor to The Nature Conservancy on Long Island, and I'm here to endorse the County's second Master Plan that is before you in Resolution 1493.

The last time the County formally adopted one, Suffolk County was just closing out the era of the 60's where tremendous growth was happening and was still before the County, and here we are almost 45 years later in a different time and now we're fully experiencing the full impact of suburban development with the technologies that were then in place at that time. We have disinvested downtowns, major water quality issues. And this plan, by reference and lifting certain citations from some other documents recently prepared, maps out a strategy that we think is better for growth in Suffolk County, better for the environment in Suffolk County, better for water quality in Suffolk County. And for those reasons alone, the Master Plan should be adopted, which is your blueprint for investment strategies and a number of other County policies that we think are better for the residents of Suffolk going forward.

So to that end, we urge you to adopt 1493 and hope you do so. Thank you very much.

CHAIRPERSON HAHN:

Thank you, Kevin. Next speaker is Mayer Horn, followed by Anthony Tohill.

MR. HORN:

Good morning. My name is Mayer Horn, I'm here to speak about the suggested enhancements to the Suffolk County Comprehensive Master Plan. I am a professional engineer with credentials in transportation and many decades of professional transportation experience.

I previously addressed County Legislators, along with State Senators, State Assembly Members, Town Supervisors and the public, at the invitation of a local member of Congress who chaired the meeting in 1977 when I spoke on behalf of the State Transportation Department on the future of mass transportation in Suffolk County. I should also mention that the last time an official tri-state region-wide transportation plan was prepared, it was done under my supervision.

I congratulated those who worked on the plan at the July 1st meeting of the Planning Commission. The Commission acted on my recommendation and adopted, or added, explore the feasibility of implementing managed lanes in Suffolk County to the plan. It did not act on any of my other recommendations to approve the plan with the following enhancements. But before I proceed, Madam Chair, I respectfully ask the Chair and the Committee for some additional time, as my experience before the Planning Commission demonstrated that presenting ten items in three minutes overwhelmed the Commission, and that the only reason one of my recommendations was adopted was a speaker who followed me elaborated on that one item, managed lanes. May I have the additional time to briefly explain each of my recommendations? I will be available to answer questions and I welcome them as I proceed. May I have additional time, Madam Chair?

CHAIRPERSON HAHN:

So right now -- there may have been a little bit of confusion. Right now we are -- this is the public portion for the Environment Committee. The public hearing for the Master Plan is set to start at 10 o'clock. So you're going to have the extra time at 10 o'clock when we're discussing the Master Plan.

MR. HORN:

Okay. Then I will very simply enumerate the points --

CHAIRPERSON HAHN:

Because your three points -- your three minutes are already up, but give me your three points in a list immediately. That's my question to you; what are your three points?

MR. HORN:

I have more than three points, wait a minute. Direct/no transfer service between all stations in Suffolk County and Penn Station at all times, not at some future Capital Program but now; two, restore now the station in East Farmingdale at Route 110, which was last called Republic, but was originally known as Melville, let's use that name. The Melville Station is critical to Steve Bellone's plans for BRT on Route 110; three, reverse peak service now on all three branches of the railroad by innovative scheduling until the third track between Hicksville and City line becomes operational; four, strategically stage projects such as a second track between Melville and Ronkonkoma, get the most benefit sooner; a long-term transportation objective of direct service from stations in Suffolk to all three west-end terminals, something I already have now twice each morning from Huntington.

The plan should recommend against scoots, shuttles requiring passengers to transfer making transit less attractive and discouraging use. More frequent service should not mean -- or need scoots. Increase resiliency by restoring incentives to use Atlantic Terminal in Brooklyn and, until east side access opens, Hunters Point Avenue in Queens. Increasing resiliency means no scoots to Brooklyn.

Briefly, three other items: Eliminate residency restrictions, including at the meter parking; plan for increasing -- for eliminating grade crossings, especially at TOD, Transit-Oriented Development Projects, including Wyandanch Rising and Ronkonkoma Hub; promote bus services and scheduled connections between the railroad and BRT, and I'll get into some of that later; and call for a timetable for Complete Streets and limitation throughout the County.

Thank you very much. I look forward to participating in the hearing. Thank you.

CHAIRPERSON HAHN:

Excellent. So we'll have you speak again at the hearing.

MR. HORN:

Thank you very much.

CHAIRPERSON HAHN:

Thank you. So, Anthony Tohill, did you want to speak in the public portion? So you wanted to speak now, not in the public hearing. Okay, because you filled out a green card. Okay, go ahead. You have three minutes.

MR. TOHILL:

Thank you. My name is Anthony Tohill, I'm the Village Attorney for the Village of Sagaponack, I'm here to speak on 1479.

There were 102 parcels of land in the Village of Sagaponack in Ag District. There are 702 acres of the Village of Sagaponack in Ag District. Sagaponack Realty, which is the applicant here, is a Delaware LLC. The Delaware LLC operates under a written operating agreement. The written operating agreement states that the sole purpose of that LLC is to subdivide this property into residential parcels of land. In fact, there have been development proposals before the Town of Southampton Planning Board, and then since the incorporation of the Village of Sagaponack, since 2002. Each of them is a development proposal to subdivide the property into residential parcels of land down on the ocean or elsewhere on the property. There has been litigation ongoing since 2008, it has now ended, in the United States District Court, Southern District of New York, over subdivision layouts, the placement of parcels, among the three different members of the LLC.

There is now pending litigation in Supreme Court, Riverhead, over a site plan denial by the Village of Sagaponack for the construction of a residence on the property. The residence, described at your Legislative -- full Legislative hearing a month or so ago, is described as the farmhouse. It's 13,780 square feet. No farmer in Suffolk County lives in a residence with 13,780 square feet, and none of them has staff housing within the residence for staff members; servants, if you will.

The stated objective at the Legislative meeting and today, as well as before the Agricultural and Farmland Preservation Committee, is the inclusion of this property in an Ag District so as to thwart or trump or break the back of the local land use regulations in the Village of Sagaponack. Under the State Ag and Markets Law, the advice of the Farmland Preservation Committee is described in the Statute as expert advice. Respectfully, we request that you honor the expert advice of that committee and disapprove, as the resolution calls for, the inclusion of this parcel at this time. Thank you very much.

CHAIRPERSON HAHN:

Thank you for your time. If you are willing to stick around, we may need some of your input during the discussion.

MR. TOHILL:

Thank you.

CHAIRPERSON HAHN:

Thank you. Okay, we have one last speaker, Kristi DiPaolo. We have speakers, this is public portion of the time on the meeting and we have to go through the speakers cards one at a time. Kristi DiPaolo, three minutes that you have.

MS. DiPAOLO:

My name's Kristi DiPaolo. I'm from Ingerman Smith, we're counsel to Northport/East Northport School District, and I'm speaking in regard to Resolution 1478, Authorizing the inclusion of the property at 29 Norwood Road into a certified Agricultural District.

Our client has the property under study and are inquiring as to whether wine will be produced and consumed and sold on the property, and we just request time for the district to submit a statement because the property is directly adjacent to the school where the winery is going to be -- where it is now. My understanding is the vineyard and the properties being cleared is directly adjacent to the school district, so we request time to make a statement after they've done their inquiry.

CHAIRPERSON HAHN:

Okay. Thank you.

That is the last of the cards. Is there anyone in the audience who has not had the opportunity to speak who would like to do so now? Okay, come on forward. We'll need a card for this gentleman, Mr. Clerk, for when he's done speaking. You will have three minutes. So please state your name.

MR. GARDNER:

My name's Charles Gardner, I'm with the Village of Babylon Public Works. I'm here to speak on behalf of the sweeper that we'd like to get purchased through this -- this plan.

We do a sweeping program in our village, it's 51 hours a week. And our present sweeper, if you're in the -- if you're familiar with the business, is a very high maintenance vehicle because of what it's picking up all day, sand and grit. And if you come to Babylon Village, you'll see, it's a spotless village.

We're concerned with we sweep our roads to get all the debris off the streets before it gets to the drainage system and the waterways. And I was just asked to come here this morning by the Mayor's Office and I'm really not prepared for a long speech about how come I need a sweeper in Babylon village.

CHAIRPERSON HAHN:

Well, thank you for the time that you took to come down here. And we will be discussing the matter in front of the Committee, so you can stick around and listen to our discussion on the matter, but thank you. Does anyone have any questions?

MR. GARDNER:

Is there a card to fill out?

CHAIRPERSON HAHN:

Yes. If you don't mind filling that out and returning it to the Clerk, Mr. Tim Laube.

MR. GARDNER:

Thank you.

CHAIRPERSON HAHN:

Thank you.

Okay. We -- any other speakers who'd like to address the Committee? Seeing none, we will move onto the agenda.

Tabled Resolutions

IR 1403 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Tuccio property - Peconic River Greenbelt addition - Town of Riverhead - (SCTM No. 0600-128.00-03.00-049.000) (County Executive). Hello, Ms. Fischer, and Lansdale, Ms. Lansdale. Do we have any updates on this resolution for the Committee?

MS. FISCHER:

About two, three weeks ago, we had a meeting in Legislator Krupski's Office regarding future uses of the property and it was discussed that we would move towards considering this for a hamlet park use. And in so doing, the County would buy the land and the Town would be responsible for improving and maintaining the property for a hamlet park-type facility. And we are -- the Town of Riverhead was at the meeting and they are interested in moving forward in that respect and we gave them a questionnaire to fill out and we're moving forward to see if that can be arranged.

CHAIRPERSON HAHN:

Excellent. So can we table for one more cycle to wait for the MOU?

LEG. KRUPSKI:

Well, yeah, we do have to, but what would be the -- I'm not quite sure what the delay is at this point.

MS. FISCHER:

We would need a resolution from the Town stating that they would, in fact, both improve and maintain the property in perpetuity and that it would be open to all County residents. We also need a site plan, a concept plan, to be considered and reviewed by the Planning Division to provide information and a type -- I'm sorry, an EAF to the Council on Environmental Quality for their review and determination before we can move this forward.

LEG. KRUPSKI:

In the file that we have here from the Town of Riverhead, Resolution No. 469, which was adopted June 16th, it does state that, that they would -- they would maintain it, develop it and maintain it. And it specifically lays out, you know, trails, kayak launch, picnic area, parking area, and that the Town will partner with the County and will commit and enter into agreement, will be required to maintain the property and maintain any improvements that the County may make on or to the property. So I don't -- is there anything else besides this? Maybe you haven't seen this resolution from June 16th. Is there anything else you need from the Town?

MS. FISCHER:

We did get a copy of the resolution. However, it doesn't specifically state the town's commitment to improve and maintain the property. It says, "*Such an agreement as may be required to maintain the property and maintain any improvements that the County may make.*" So again, we need to clarify that, that, in fact, it would be the town's responsibility to improve -- make any improvements to it as well as maintain it in perpetuity.

LEG. KRUPSKI:

So I'm not a lawyer, but to me when it says *such agreement will be required to maintain the property and maintain any improvements*; to me that means that they're going to maintain the property and maintain any improvements. I'm not sure what else it should say beyond that.

MS. FISCHER:

Well, it says *improvements that the County of Suffolk may make*. So that indicates to me that the County would be making the improvements. And that was something I had --

LEG. KRUPSKI:

Well, actually, it says they would -- it doesn't say that the County will be making improvements. It says that if the County makes improvements, the Town will maintain them.

MS. FISCHER:

Right, but it doesn't say it will make the improvements.

LEG. KRUPSKI:

No, it says *if they make improvements the Town will maintain them*. It doesn't say the County has to.

MS. FISCHER:

But the Town does have to make the improvements. That would be their responsibility under hamlet parks.

LEG. KRUPSKI:

So I don't see where this would hold the County up from -- from moving on this. Because if the Town's committed to -- and even if the County -- so the County decides to or not to make improvements, the Town's willing to -- has committed by resolution to maintain those.

MS. FISCHER:

They would be responsible for all improvements, the Town, regardless of what the County may or may not do.

LEG. KRUPSKI:

But that says it in the first WHEREAS -- the second WHEREAS, "*The Town of Riverhead's agreement to partner with the County of Suffolk in the acquisition such as the Town would commit to maintain the property and maintain any improvements that the County of Suffolk may make.*"

MS. FISCHER:

Right, it's --

LEG. KRUPSKI:

It agrees to maintain it.

MS. FISCHER:

But not improve, not construct.

CHAIRPERSON HAHN:

So the Counsel's -- Counsel is telling me that we have to amend this to include hamlet parks anyways.

LEG. KRUPSKI:

Okay.

CHAIRPERSON HAHN:

Okay. So --

LEG. KRUPSKI:

No, I thought that -- I thought that was the purpose of the meeting, that there would be an amended resolution from your office that we could act on today. I thought that was the whole purpose of the meeting a couple of weeks ago.

MS. FISCHER:

I think we were waiting to just get clarification from the Town. They were going to fill out the questionnaire and we haven't received any of that yet, so.

CHAIRPERSON HAHN:

So, Laretta, can you commit to amending the bill to reflect hamlet parks and then, you know, we'll obviously wait to pass it until you feel comfortable. Oh boy, the next meeting's in September; yeah, we've got plenty of time.

MS. FISCHER:

Sure.

CHAIRPERSON HAHN:

Because we really hope to -- clearly, Legislator Krupski hopes to take care of this sooner rather than later. And that delay, unfortunately, is a long one, but it does need to be amended to reflect

hamlet parks.

LEG. KRUPSKI:

And could we get a list of the deficiencies that you perceive in this whole process that we could straighten this out with Riverhead? Because they're clearly -- by resolution, their intention is to -- is to take ownership of the maintenance and operation of this parcel, and we want to make sure that -- that that's clear to everyone. But if you could get that in writing to us and get that in writing to Riverhead so that we can -- we can move this along at the next meeting.

MS. GELLERSTEIN:

Sure.

LEG. KRUPSKI:

Thank you.

CHAIRPERSON HAHN:

Okay. So I'll make a motion to table. Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? **IR 1403 is tabled TABLED (Vote: 5-0-0-0)**

Introductory Resolution 1473 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - Albert J. And Mary F. Krupski, Jr. (SCTM Nos. 1000-074.00-04.00-004.001, 1000-074.00-04.00-004.002, 1000-074.00-04.00-004.003, 1000-074.00-04.00-004.004, 1000-074.00-04.00-004.005, 1000-074.00-04.00-004.006, 1000-074.00-04.00-004.009) (County Executive).

LEG. KRUPSKI:

Madam Chair?

CHAIRPERSON HAHN:

Yes, Legislator Krupski.

LEG. KRUPSKI:

As per the papers I filed with the Presiding Officer and with the Suffolk County Board of Ethics, I'm recusing myself from this application.

CHAIRPERSON HAHN:

Thank you. Okay. So motion by Legislator Anker, seconded by myself. All those in favor? Opposed? Abstentions? It is **APPROVED (Vote: 4-0-0-1 Recused: Leg. Krupski)**

Introductory Resolution 1474 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - JR Landscaping Inc. (SCTM No. 0900-083.00-01.00-009.002) and Long Lane Farm Corp. (SCTM No. 0300-157.00-03.00-002.000) (County Executive). I'll make a motion. Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? It is **APPROVED (Vote: 5-0-0-0).**

Introductory Resolution 1475 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - John Verderber (SCTM No. 0600-085.00-03.00-012.003), 359 Main Road LLC (SCTM No. 0600-085.00-03.00-067.000), 1486 Sound Avenue LLC (SCTM No. 0600-085.00-03.00-072.104), 406 Main Road LLC (SCTM No. 0600-085.00-03.00-073.002), and 1546 Sound Avenue LLC (SCTM No. 0600-021.00-02.00-008.000) (County Executive). These were all approved by the Committee, correct? Yeah, okay. So motion by Legislator Anker. Seconded by Legislator Muratore. All those in favor? Opposed? Abstentions? **1475 is APPROVED (Vote: 5-0-0-0)**

Introductory Resolution 1476 - Authorizing the disapproval of a new parcel for inclusion into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - JCNSL LLC (SCTM No. 0200-722.00-01.00-017.000) (County Executive).

LEG. KRUPSKI:

So moved.

CHAIRPERSON HAHN:

We have a motion by Legislator Krupski. Can you explain the reasons for disapproval for this?

DIRECTOR LANSDALE:

This is -- consists of one parcel totaling 0.86 acres located on Montauk Highway in the Hamlet of East Moriches. It's a garden center, and there's no agricultural activities, products being grown on that particular site at the current time.

And also, the application -- the applicant did not provide information which was required as part of the application, including an average annual gross sales, value-generated, from the sale of agricultural products grown on the property.

CHAIRPERSON HAHN:

Okay. We have a motion and a second. No second.

LEG. ANKER:

Second.

CHAIRPERSON HAHN:

Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? **1476 is APPROVED (Vote: 5-0-0-0)**

Introductory Resolution 1477 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - Pal-O-Mine Equestrian, Inc. (SCTM No. 0504-004.00-01.00-016.000)(County Executive).

LEG. KRUPSKI:

So moved.

CHAIRPERSON HAHN:

Motion by Legislator Krupski. Second by Legislator Muratore. All those in favor? Opposed? Abstentions? **1477 is APPROVED (Vote: 5-0-0-0)**

Introductory Resolution 1478 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - 29 Norwood Road LLC (SCTM No. 0400-011.00-01.00-025.000) and Norwood Property Search & Management LLC (SCTM No. 0400-011.00-01.00-026.000) (County Executive).

LEG. KRUPSKI:

So moved.

CHAIRPERSON HAHN:

A motion by Legislator Krupski. Director Lansdale, did you want to speak on this? No. Oh, I thought you moved the microphone over to talk; no, okay. Do we have a second?

LEG. ANKER:

Second.

CHAIRPERSON HAHN:

Second by Legislator Anker. All those in favor?

LEG. KRUPSKI:

On the motion?

CHAIRPERSON HAHN:

I'm sorry. On the motion, Legislator Krupski.

LEG. KRUPSKI:

And I think this is the one that -- this is -- I think this the one that young lady spoke about during the public comment period. I really think that under the Ag and Markets Law, this would give them the right to raise an agricultural product. But yeah, I think your comments about producing wine and selling wine are a separate land use issue that would be taken up under local zoning, and I see nods of agreement and I appreciate that. So Director Lansdale, if you could comment on those specifics; the difference between raising the grapes, producing wine and selling wine.

DIRECTOR LANSDALE:

Sure. The inclusion in an Agricultural District provides the land owner with certain opportunities to petition the State for assistance if there is burdensome land use policies that prohibit the right to farm by local farmers. But the matter of selling wine and such on the farm, on the property, is a matter of a local land use and zoning decision made, in this case by the Town of Huntington. And I defer to Laretta Fischer, if you'd like to elaborate.

A

MS. FISCHER:

The consideration for this property was in part of the Mud Vineyard holdings as well. They are leasing property. Mud Vineyards is leasing this property for a vineyard operation. We took into consideration Mud Vineyard's operation, their holdings and their ability over the last so many years to have a viable vineyard operation. And so, therefore, this was considered, even though it was not in production at the time, that it was being considered.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

I'm looking at the map that you had sent us, and I guess to the west of it is like tennis courts or ball fields; what is that?

MS. FISCHER:

It's a school, I believe it's an elementary school.

LEG. ANKER:

And then there's wooded -- there's a wooded parcel, Lot 25; is that part of that, the property we're talking about?

MS. FISCHER:

Yes, both parcels are included.

LEG. ANKER:

Okay. So we're going to turn that into agricultural -- an Agricultural District.

But there's a lot of wooded area; is that going to be an issue as far as, you know, removing the trees?

MS. FISCHER:

The owners indicated to us that they'll be removing the trees in order to place the vineyard on the property. They have actually done some removal of about half of the property at the present time.

LEG. ANKER:

How many acres?

MS. FISCHER:

Approximately ten.

LEG. ANKER:

And the town is good with this? There's no -- no issues within the village?

MS. FISCHER:

With regard to -- so the property at the present time for -- to grow a vineyard, is allowed under their residential zoning category. However, possible future uses for commercial endeavors would have to also go through the local zoning review.

LEG. ANKER:

Okay. And just a suggestion, because I'm following it with your e-mail. Is there any way to put like the resolution number on the actual page when you scroll? Because they're a little -- sorted differently.

MS. FISCHER:

Yes, I know. These are different from our normal resolution acquisition maps, but we will do that in the future. Sorry.

LEG. ANKER:

Thanks.

CHAIRPERSON HAHN:

Thank you. Yeah, I had the same issue looking for which one attached to which. Any other comments? Questions? Okay. We have a motion and a second. All those in favor? Legislator Anker. All those in favor? Opposed? Abstentions? It is **APPROVED (Vote: 5-0-0-0)**

Introductory Resolution 1479 - Authorizing the disapproval of a new parcel for inclusion into an existing certified Agricultural District(s) in the County of Suffolk - 2015 - Sagaponack Realty, LLC (SCTM No. 0908-010.00-03.00-001.000) (County Executive).

LEG. KRUPSKI:

So moved.

CHAIRPERSON HAHN:

Motion by Legislator Krupski.

LEG. MURATORE:

Motion to table.

CHAIRPERSON HAHN:

Motion to table by Legislator Muratore. Second to table by Legislator Barraga. Second to approve, Legislator Anker. Oh, boy. Okay. On the motion, Legislator Anker.

LEG. ANKER:

Sarah, could you explain the pros and cons of this particular property, or Laretta?

MS. FISCHER:

This property is located in the Village of Sagaponack, it consists of 43.5 acres of which they are proposing to develop for a farm of 25.25 acres. At the present time, and I was out there about a week-and-a-half ago, I'd say about 20, at the most 20% of the 25 acres is in production at the present time. However, it was not in production at the time that the Ag and Farmland Protection Board reviewed it. One of our criteria is that at least 50% of the property be in farm production, and so our guideline at that point in time was not met. They certainly can come back next year and reapply. If, in fact, they're producing on more than 50% of the property, then it certainly would be considered by the Ag and Farmland Committee next year, if they are, in fact, at that level at that time.

LEG. ANKER:

Is the Mayor here; did he leave? Or the attorney? Well, there's an attorney, and I thought there was the Mayor.

CHAIRPERSON HAHN:

Unless his first name is Mayer.

LEG. ANKER:

Can I ask Mr. Snead to come up?

CHAIRPERSON HAHN:

Sure.

LEG. ANKER:

So if you could explain to us why it's -- why you're prioritizing this to be facilitated sooner than later. In other words, Sarah had said next year you could apply for the permit and you could -- but you could continue to grow the product that you're working with.

CHAIRPERSON HAHN:

Please make sure that the green light is on on the microphone.
Thank you.

MR. SNEAD:

The property itself is 43 acres, and the entire property is proposed for inclusion into the Farmland District. Twenty-seven point five of the acres are presently going to be used for farming, 2.5 would be for a residential structure or possibly continued plantings. But we have eight acres in trees right now, we have the balance of the 27 and-a-half acres in oats, which will be turned in by the end of the year to ameliorate the soil in preparation to plant evergreen trees, about 8,000 evergreen trees.

To your question about why we need it in now. The protection of the Agricultural District afforded to the property is one that authorizes us to seek State assistance in the event that there are local zoning laws that preclude us farming. Since we have put in the Christmas trees, we have received numerous discussions by the Village, including a threat by the Village Zoning Board Chairman to personally come in and drive on the property, knock down the trees or burn them down. They maintain that the planting of Christmas trees on a piece of farm property somehow violates their

laws against open space. I don't quite know how, because Christmas trees are certainly something that are authorized under the Agricultural and Farmland Law of the State of New York.

We are on a conservation easement that requires us to follow the Agriculture and Markets Law. It authorizes us to plant anything on that property under the Agricultural and Markets Law. Somehow, at the last hearing, we heard the Mayor say that while he likes the idea of the property being a farm, he wants to be able to control what goes on that property. Specifically speaking, we have had a threat of keeping us from moving forward with our Christmas tree operation because the Village doesn't like the idea of trees being on a farm. That's the immediate issue.

To the broader question, any applicant at any time can put their farm into the Farmland District Program if it meets the State criteria, and the State criteria are is it viable, agricultural land. The County has imposed a number of guidelines upon us; we've met those guidelines. Ms. Lansdale said in an earlier application on 1476, which was to deny an application, that it wasn't planted at this time; ours is planted at this time. Over 40 -- over 50% of the acreage on our lot is either in active plants, trees, or oat cover crop for use later on and will be planted by the end of this year as well. But the tree -- but the oats are actually a form of amelioration, they're a form of farming. So what we have going on right now is over 50% of the property is being used as an active farm. We've actually pre-sold 15,000 of these trees. The trees are in the ground, we've invested over \$125,000. We've met every requirement of the County's agricultural guidelines, even though we maintain that they're extra and above what the State requires. So I don't understand, again, why this piece of property as opposed to, say, the Norwood application, the vineyard that just came through which you have pictures of, which is nothing but trees, was brought into the system. There is no active farming on the Norwood property and it was brought into this system. We don't understand why we're being treated differently here. If that answers your question.

CHAIRPERSON HAHN:

Legislator Anker, are you finished right now?

LEG. ANKER:

I'd like to hear comment from some of the folks that are on the Farm Committee.

CHAIRPERSON HAHN:

Legislator Krupski, did you have a hand up?

LEG. KRUPSKI:

Yes, I'd like to ask Director Lansdale, I've got a question for her.

So this was reviewed by the Committee; at the time of the review, there was no agricultural production on the parcel. Now, there's been -- there's been comments made about how Ag and Markets would have some influence over -- over local zoning and land use. I'm not sure, could you clarify that? And you don't have to clarify it, you could also clarify it by saying that you don't think Ag and Markets has any influence over local zoning. I'm not -- I'm not really, I don't really understand that what was said that's why I'm asking you.

DIRECTOR LANSDALE:

So once a property owner is in an Agricultural District, that allows the property owner to petition New York State Ag and Markets to allow the applicant to intercede to petition the State to have the State Ag and Markets come in -- you know, once they review the matter and decide to take it up -- and review any local zoning, any local land use matters that are impeding a farmer's ability to use the property for an agricultural use. It's under the Right-to-Farm Provision in New York State Ag and Markets.

LEG. KRUPSKI:

No, but the comments that I heard were more towards developing the property, not towards farming it. So what -- and I could be wrong, but what right would Ag and Markets have to come into a village or a town or any municipality and dictate the land use as far as development goes?

MS. FISCHER:

I don't think it does. The only -- you know, as Sarah mentioned, if the individual who owns the property wants to farm the property, they have a right to farm the property, and that would be -- if it's inconsistent with local zoning, there may be the opportunity for the Department of Ag and Markets to support their position. How far they take it, what they do with that is really the purview of the Department of Ag and Markets. And we haven't had any precedent set that I'm aware of in Suffolk County with regard to what exactly their enforcement abilities are, but they would obviously provide support to farm the property, regardless of zoning category.

LEG. KRUPSKI:

Thank you. This actually has relevance to the next application also, which is on Shelter Island which is in a different township.

So my final comment is that, you know, I would support the committee's decision to disapprove this. The applicant, when they have a bona fide farming operation on the parcel, would certainly be considered for inclusion at next year's review.

MR. SNEAD:

There's a letter.

CHAIRPERSON HAHN:

Wait, wait. I'm sorry, Mr. Sned, you're out of order. We're discussing it here, we'll turn to you if we need assistance. But Legislator Barraga?

*(*The following testimony was taken & transcribed by
Alison Mahoney - Court Stenographer*)*

LEG. BARRAGA:

Can you clarify for me -- obviously Mr. Sned's comments with reference to what's in production on this land is a lot different than your interpretation. If I heard you correctly, you indicated that it's roughly 25 acres and 20% of that 25 was in production. How do you differ so much in your interpretation versus his; where he indicates that better than 50% seems to be in production to quality?

MS. FISCHER:

He's including cover crop. He has put a -- there is a cover crop on the remaining, let's say, 20 acres of the property that's at the present time; however, cover crop doesn't provide income.

And the other issue is that he's saying -- he's indicating that he's already pre-sold these trees. That's another question that was brought up at the board with regard to whether or not that would be considered income as of last year.

LEG. BARRAGA:

You don't count the cover crop.

MS. FISCHER:

No, because you generally do not sell cover crop.

LEG. BARRAGA:

That's about 20 of the 25 acres?

MS. FISCHER:

Correct.

LEG. BARRAGA:

Thank you.

CHAIRPERSON HAHN:

Legislator Krupski, then Legislator Anker.

LEG. KRUPSKI:

So one question for Director Lansdale, if I may. So there's a County committee and then the State Ag and Markets, and then -- could you just go over mechanically why there's a County committee, and then how it interacts with Ag and Markets and the relationship between the two.

DIRECTOR LANSDALE:

Sure. There is a County committee, the Farmland Protection Board that is created under the New York State Ag and Markets Law specifically named a composition of the committee. And there's the local committee, the County committee commences with the support of the Department of Economic Development and Planning, the 30-day enrollment period which started in March, March 1. And then from there, the Agricultural Farmland Protection Board met in the end of April to review the applications that were received and then forwards on and makes decisions at that committee meeting, that board meeting, which parcels they would recommend to the County Legislature for inclusion into the Agricultural District Program and which ones were not recommended.

And from there, the Legislature reviews that, and then those recommendations, the actions of the County Legislature, are then forwarded on to the New York State Commissioner of Agriculture and Markets for a final determination.

LEG. KRUPSKI:

Could they -- has Ag and Markets ever or could they ever change the determination of the County committee?

DIRECTOR LANSDALE:

I'm not aware if they have ever changed the determination of the Protection Board or the Legislature.

LEG. KRUPSKI:

Thank you.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

I'd like to withdraw my second. I'm tending to go towards tabling this to get more information from the Village; evidently, there's quite a difference in opinion.

Mr. Snead, would you like to come back up to the microphone?

So evidently there's a difference of opinion as far as the future use of this property. Is that a concern with the Village?

MR. SNEAD:

My understanding is it is a concern with the Village. The Village has indicated that they don't want the property fully developed, and we understand that. We're not there in front of the Village now asking for a subdivision in the sense of three or four lots.

What we are in front of the Village on right now is a single-family residence; in fact, it would be the residence of the farm owner, and they have indicated they don't want him putting his farmhouse where he wants to put it. That's a matter that's being dealt with in the Supreme Court right now.

And I would also add, by the way, that not one single variance was being asked for in that situation. The only reason they're saying they don't want it is because they believe it somehow blocks the view. Again, we're getting back to this view issue of why they don't like Christmas trees.

There is the remaining 15 acres of the property which was authorized for development under the conservation easement, but no application has yet moved forward for that. We don't know whether that's ever going to occur. Although I will tell you that is beach front property and it's entirely possible that it may be developed in the future. That's not what we're talking about here right now, it's not what we're talking about in front of the town of -- Village of Sagaponack either.

With regard to this application, we meet, like I said, the criteria in a sense that cover crop -- we believe and everybody else who's a farmer would believe -- is important to a farm. The idea that we have to be selling all of that cover crop in order for it to count amongst the percentages, that's nowhere stated anywhere in the law. It's certainly not stated in the guidelines, it's never been applied before in the guidelines, and it's contrary to common sense. We, in fact, have sold property off that -- sold pre-sold trees off that. We met the requirement, the \$10,000 requirement of the guidelines. We've met the seven-acre requirement of the State law, which is all that's required. You have to have seven acres of farmland, which is viable, agricultural land, in order to make it into the Farmland Protection System; that's what's required.

And while we may disagree on the interpretations that are going on between the guidelines, we certainly meet the statutory criteria. We're happy to work with the County in any way to assure them that these things will be planted to their liking, but I just ask you to ask yourself one question; is there any reason to keep this out? I mean, the Right-to-Farm Law is a constitutional authority in the State of New York. There's an imprimatur to turning things back to farms and making sure that farms are protected; that's all we're asking for. And we shouldn't have to wait for a year to be doing the very same thing we're doing now to get those protections when we've already got a threat by the Village to tell us we can't continue the operation of our tree farm.

LEG. ANKER:

So let me ask you, if -- could you wait a year? In other words, if the person there, you know, had to wait a year, what would that do to the farm?

MR. SNEAD:

From a substantive standpoint, the farm would continue, unless the Village of Sagaponack came down and tried to stop it. And if they Village of Sagaponack came down and tried to stop it, as they've suggested they would do, we would not have the ability to go to the State and say, *State Department of Agriculture, please come and help us. Tell this village that what they've got in their land use regulations is contrary to the Right-to-Farm Law.* And there is an enforcement mechanism they have, they have used it against the Town of Brookhaven in another matter a number of years back where they basically came back to the town and said, *You can't tell this farmer that he can't farm off his land, or else we'll have to take an action against you and have your local land use law thrown out.*

LEG. ANKER:

Okay. All right, thank you. You might want to stay close.

CHAIRPERSON HAHN:

Thank you, Mr. Snead. We have several requests for Mr. Tohill to come back up.

MR. TOHILL:

I had no idea I was that popular. Let me give you some information. The concept of the farmhouse -- which was described in the site plan application before the Village so many months ago, now the subject of litigation pending in the Supreme Court -- was not found credible. That Planning Board literally, specifically, expressly, in its decision, now challenged in Supreme Court, found the speaker, Mr. Goldman, who's the principle of Sagaponack Ventures, not credible.

The second is there are not eight acres planted or 14,000 trees planted; in fact, there are two acres planted and 2730 trees as of Friday morning, one business day ago by actual count. This property was pre-approved for a subdivision into residential development in 2007. The applicant now before you on this application declined to proceed, and the reason is they were involved in litigation among the members of the LLC. That litigation has ended and new litigation has started challenging the Village. The Village has no opposition to agriculture.

When I started -- when I spoke here, I said there are 102 parcels in the Ag District and 702 acres actively in farming. The Village supports agriculture completely. What the Village does not want is that anybody, including this applicant, put his finger in the eye of the Village. And Elliot Meisel, who's the Chairman of the Zoning Board, was speaking as an individual when he expressed upset with the finger-in-the-eye planting of somewhat more mature Christmas trees -- not seedlings, the 2730 trees are seedlings -- but he was speaking to the perimeter planting which obviously was intended to block the public U-shed of this property.

This property is subject to a Peconic Land Trust easement that prohibits the public from being blocked, the view from being blocked. That's Federal Internal Revenue Service Law, so that when they applied for and obtained the tax deduction years ago, that was the give-back to the people of the United States of America, not just the people of the Village of Sagaponack or Mr. Elliot Meisel speaking as an individual. And so those trees were planted in the perception of everybody who passes by to block the view as a result of disapproval of the site plan. So there's more to this than you're hearing. It is not as wholesome.

You know, I've been practicing 45 years. I never thought that my parents spent that tuition of Law School to have me stand up and oppose a farm, a legitimate farm. But they did tell me to tell the truth at every point in my life and to honor a moral code that's meaningful. And this is different. This is what I mentioned, thirteen hundred and seventy-eight -- seven hundred eighty square foot farmhouse. You have a farmer on your board, he knows how big --

LEG. BARRAGA:

Thirteen thousand?

MR. TOHILL:

Pardon? Seven hundred and eighty, and with staff housing for four inside the house. That's not a farmhouse, that's an effort among the group of three who own this property to settle some kind of score, none of us knows what it is. It's going to be going on for years and years. This property is what in my business is called the Lawyers Full Employment opportunity; it's never been anything other than that, and it ought to end right now. So disapprove it, honor the expert advice of your committee, of the Protection Committee, and let's see what happens between now and next year when hopefully the Supreme Court would have ruled on the site plan approval for the so-called farm

house. And I'm here, I'm happy to answer any questions that any of you may have.

LEG. BARRAGA:

What happened in 2007?

MR. TOHILL:

It was pre-approved -- yes. Four lots, because much of the lot -- much of the property is encumbered by the Peconic Land -- I'm sorry?

LEG. BARRAGA:

What's to prevent the guy from coming back and doing --

MR. TOHILL:

From coming back and doing that?

LEG. BARRAGA:

From coming back and saying, *Look, you know, if you don't want to take the property, I'll go for the rezoning and I'll put four residential homes on the property.*

MR. TOHILL:

No, he doesn't need to rezone it, it's zoned to allow that.

LEG. BARRAGA:

But what prevents -- there's nothing preventing him from doing that, right?

MR. TOHILL:

No, absolutely not. The Village has actually told him, *If you'll come back in again with that four-lot subdivision, the likelihood is that it will be approved.* That area --

MR. TOHILL:

But do you really want that? I thought the idea was to preserve it for --

MR. TOHILL:

No, no, no. The fifteen southern-most acres of the property down on the ocean have all been disturbed, the top soil was raked off years ago, grit and material to help with the surface water runoff problem was placed on the property, and that property on the southern-most portion of the property is ready for development. The problem is, if anybody's familiar with the property, there's the end of Peter's Pond Land; there's probably no busier road ending in the Town of Southampton on a summer weekend than the end of Peter's Pond Lane.

LEG. BARRAGA:

What about the other 28 acres?

MR. TOHILL:

It's encumbered by a Peconic Land Trust easement, it cannot be built upon, so they got a tax deduction years ago for that. Mr. Goldman brought in around 15 million, each of the other two members brought in around fifteen million, they waited the statutory two-year period, applied for the deduction and they got it. And so the problem is they don't -- among the three of them, they are not able to agree on how to place the lot perimeters down on the ocean because of, among other things, the Peter's Pond Lane ending, which is a nightmare on any weekend during the summer. So anybody who gets the lot closest to Peter's pond Lane, which would be the western-most of the three lots down there, is not going to get the same lot as the one who gets the eastern-most lot.

LEG. BARRAGA:

Thank you.

MR. TOHILL:

Thank you. Any other questions? Thank you.

CHAIRPERSON HAHN:

Okay, we have a motion to approve and a second. We have a motion to table --

LEG. ANKER:

I'll reinstate my second.

CHAIRPERSON HAHN:

Okay. We have a motion to approve and a second by Legislator Anker. We have a motion to table and a second by Legislator Barraga. The tabling motion goes first; those in favor of tabling?

LEG. BARRAGA:

(Raised hand).

LEG. MURATORE:

(Raised hand).

CHAIRPERSON HAHN:

Opposed to tabling?

*(*Legislators Hahn, Anker & Krupski raised their hands*)*

Okay, so the ***motion to table fails (VOTE: 2-3-0-0 In Favor: Legislators Barraga & Muratore).***

On the motion to approve; all those in favor?

LEG. ANKER:

(Raised Hand).

LEG. KRUPSKI:

Aye.

CHAIRPERSON HAHN:

Aye. Opposed?

*(*Legislators Barraga & Muratore Raised their Hand in Opposition*).*

Okay. So the ***motion is approved (VOTE: 3-2-0-0 Opposed: Legislators Barraga & Muratore).***

Introductory Resolution 1480 -- and I was asked to just make a quick notice to everyone waiting for the Master Plan Hearing. We're just going to finish this agenda and then we'll get to -- we'll be to that.

Introductory Resolution 1480-16 - Authorizing the inclusion of three new parcels – Sylvester Manor Educational Farm, Inc. (SCTM Nos. 0700-008.00-01.00-005.005, 0700-008.00-01.00-005.007, 0700-008.00-01.00-005.008) and the disapproval of one

parcel – Sylvester Manor Educational Farm, Inc. (SCTM No. 0700-008.00-01.00-005.010) into an existing certified Agricultural District(s) in the County of Suffolk – 2015 (County Executive).

LEG. KRUPSKI:

Motion.

CHAIRPERSON HAHN:

Motion by Legislator Krupski. Second by Legislator Anker.

LEG. KRUPSKI:

On the motion?

CHAIRPERSON HAHN:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

So this would be -- this is something that the Town of Shelter Island supports? Because they currently have no, really, agriculture in their zoning code. This would give the operation at Sylvester Manor the appropriate protections from a nuisance complaint for agriculture. The one parcel that was recommended by the committee for disapproval was done so because there is no -- currently no legitimate agricultural activity on that parcel, and so that's why some parcels were recommended for approval, the larger parcel was not. Sylvester Manor Educational Farm, Inc., knows that they can come in next year; if they establish a legitimate farming operation on that parcel, they can come in and seek inclusion into the district.

CHAIRPERSON HAHN:

Okay. We have a motion and a second. All those in favor?

LEG. ANKER:

I have a question.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

With this particular parcel, are they working with Cornell Extension or some of the other educational groups?

LEG. KRUPSKI:

I'm not sure who they're working with. I know they worked with the Peconic Land Trust on the whole project. I'm not sure if they work with Cornell, but they certainly might be.

CHAIRPERSON HAHN:

Okay. We have a motion, we have a second. All those in favor? Opposed? Abstentions?

1480 is approved (VOTE: 5-0-0-0).

We have to pass over 1493.

Introductory Resolution 1510-15 - Amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program, and appropriating funds in connection with the Village of Babylon Street Sweeping Program (CP 8710.516) (McCaffrey). I'll make a motion to table.

LEG. ANKER:

Second.

CHAIRPERSON HAHN:

Second by Legislator Anker. All those in favor?

LEG. KRUPSKI:

On the motion?

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Could I ask Laretta Fischer a question on this application? Did this -- was this project to buy a street sweeper for the Village of Babylon; did that go through the Water Quality Review Committee? Or I could ask Frank Castelli.

MS. FISCHER:

Frank Castelli.

LEG. KRUPSKI:

Thank you.

MR. CASTELLI:

Frank Castelli, Economic Development and Planning. This particular project was considered by the Water Quality Protection Committee, but it was not recommended for funding. So during the March, 2015 meeting, the Committee decided not to recommend funding for this project.

CHAIRPERSON HAHN:

Okay. We have a motion to table. We have a second. All those in favor? Opposed? Abstentions? 1510 --

LEG. BARRAGA:

Opposed.

LEG. MURATORE:

(Raised hand).

CHAIRPERSON HAHN:

-- is ***tabled with two opposition (VOTE: 3-2-0-0 - Tabled: Legislators Barraga & Muratore).***

Introductory Resolution 1537-15 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Sinning property – Town of Brookhaven (SCTM No. 0209-025.00-07.00-006.000) (Browning).

LEG. KRUPSKI:

I'll make a motion.

CHAIRPERSON HAHN:

Motion by Legislator Krupski. Second by Legislator Anker.

LEG. KRUPSKI:

On the motion?

CHAIRPERSON HAHN:

Go ahead, Legislator Krupski.

LEG. KRUPSKI:

Lauretta, could you describe the parcel? Oh, thank you.

CHAIRPERSON HAHN:

Actually, would anybody mind -- would anybody mind if I took a Chair's privilege and -- I really think that we're going to need to discuss these, and the people waiting for the Public Hearing have been waiting long enough. I'd like to move forward with the Public Hearing, because folks that have been here for that, which was supposed to start at 10, have been waiting a really long time. And we'll come back to the rest of the agenda when the Public Hearing is finished, if that's okay with the committee.

MR. NOLAN:

Don't even ask.

CHAIRPERSON HAHN:

Okay. Counsel said don't even ask, so I'm going to move forward.

Okay. So the first card that we have is our County Executive, Steve Bellone; he was card number one. I know he's here, I'm trying to talk really slow. You can tell this is my slow voice. So I guess we have to wait a little bit longer.

Were there any other cards submitted other than these three? Just so everybody knows, we're taking Public Hearing cards so that people can speak about the Master Plan, and we have three cards at the moment, and then we are going to have a presentation by our Planning Commissioner, you know, explaining the Master Plan. But if anybody wants to speak on it, you can fill out a card. Jason, the Clerk, Deputy Clerk, Chief Deputy Clerk, has cards, if anyone would like to speak.

Okay. Should we go on to the next card?

MS. HORST:

The County Executive will be in in just a minute.

CHAIRPERSON HAHN:

Oh, okay. The next card is Dr. Koppelman, if he wants to speak now. How about Mayer Horn? You had wanted to --

MR. HORN:

I'd rather let Lee go first, if I can.

CHAIRPERSON HAHN:

Okay.

MR. NOLAN:

Somebody's got to go.

*(*Laughter*)*

CHAIRPERSON HAHN:

Each speaker has three minutes.

MR. HORN:

I thought I --

CHAIRPERSON HAHN:

No, we have three minutes per speaker. So you have three minutes to talk, another three minutes; you had three minutes earlier for the Public Portion, and then there are three minutes for the Public Hearing portion.

MR. HORN:

I misunderstood you, then.

CHAIRPERSON HAHN:

Well, it doesn't matter. That's the rules of the meeting, so.

MR. HORN:

I thought I would have -- okay. Can I submit a statement for the record?

CHAIRPERSON HAHN:

Sure. Oh, absolutely you can submit a statement for the record. All right, are you ready for your three minutes?

MR. HORN:

Yes.

CHAIRPERSON HAHN:

Okay, go ahead.

MR. HORN:

I spoke before the Planning Commission the 1st of this month, and one of my recommendations was accepted, to explore the feasibility of implementing managed lanes in Suffolk County. It did not act on my other recommendations to approve the plan. Why? Because I presented ten items, ten items in the three minutes. It overwhelmed the Planning Commission, and the only reason that one of my recommendations was accepted was the speaker who followed me proceeded to describe that recommendation in some detail.

So I will quickly go through my recommendations, and with the assumption that you will do no better than the Planning Commission did in understanding what I'm talking about, or on what basis I can speak about these plans, about these items.

The six items involve the Railroad. One is direct/no transfer service between all stations in Suffolk County and Penn Station at all times; not in some future Capital Program, but now. Again, I can go through the explanation. You don't want it, fine. Restore now the station in East Farmingdale at Route 110 which was last called Republic, but was originally known as Melville, and it's crucial to Steve Bellone' plans for BRT on 110; Three, restore peak service now on all three Long Island Railroad branches by innovative scheduling until the third track between Hicksville and the City line becomes operational; Four, strategically stage projects, such as a second track between Melville and Ronkonkoma, to gain most benefits sooner; Five, a long-term transportation objective of direct service from stations in Suffolk County to all three west end terminals, as I have now from Huntington, twice each morning. And this is an alternative and I strongly recommend against the inclusion of so-called scoots in the transportation component of the Master and Comprehensive Plan;

Six, increase resiliency by restoring incentives to use the alternatives to Penn Station, namely Atlanta Terminal in Brooklyn, and until east side access opens on this point avenue in Queens.

Three items not directly concerning the railroad. One is eliminate residency restrictions, including commuter parking lots and garages, including at railroad stations, of course; Two, plans for eliminating grade crossings at TOD projects, including Wyandanch Rising, Ronkonkoma Hub, something I did discuss with Steve Bellone at Wyandanch; Three, promote bus service's scheduled connections between the railroad and BRT, and call for a timetable for complete implementation of Complete Streets throughout the County.

I can tell you some more, but if I have three minutes, I'm done. Thank you.

CHAIRPERSON HAHN:

Legislator Krupski has a question for you.

MR. HORN:

Yes, sir.

LEG. KRUPSKI:

Okay. So I've heard you speak before and I think you make some very good points. I do understand some of them. And I would ask -- so I have a couple questions, and then I would ask someone from the Suffolk County Planning Commission to answer a question also. The grade crossings that you recommend eliminating, are they at -- are they -- in my mind, a grade crossing is not a public road that crosses the tracks. Are you talking about private or public grade crossings?

MR. HORN:

I'm talking about public streets, including County roads such as Straight Path in Wyandanch. And here's a major project that's now well under construction, and there is zero consideration anywhere, to my knowledge, about eventual elimination of that. And all I'm saying is the County plan, this Master Comprehensive Plan, should include some statement to the effect that there should be planning in projects for that. Either something goes up or something goes down.

LEG. KRUPSKI:

Right.

MR. HORN:

There should be a grade separation in the plan.

LEG. KRUPSKI:

I understand now. Thank you. But only on public right-of-ways, not on private --

MR. HORN:

I'm not addressing private.

LEG. KRUPSKI:

Thank you, okay. And then the other one was a timetable for Complete Streets.

MR. HORN:

Yes.

LEG. KRUPSKI:

So I guess -- thank you, because I think that's very important. So I guess my question would be to Dave Colone, who's the head of the Suffolk County Planning Commission, if I could ask Dave a question.

CHAIRPERSON HAHN:

Dave?

MR. HORN:

Any other questions?

LEG. KRUPSKI:

No. I -- my question would be should these recommendations be included in the plan.

CHAIRPERSON HAHN:

Dave is going to be speaking before us. When the public speakers, the Public Hearing speakers are done, he's going to come and give a presentation. I think that would be the appropriate time to ask him questions.

LEG. KRUPSKI:

I could certainly wait for that question. Thank you.

CHAIRPERSON HAHN:

Okay, thank you.

MR. HORN:

Thank you.

LEG. BARRAGA:

Legislator Barraga. Oh, Mr. Horn?

LEG. BARRAGA:

Mr. Horn?

MR. HORN:

Yes?

LEG. BARRAGA:

You didn't cover it in your remarks, but I'd like to get your opinion. You know, between Nassau and Suffolk County, we have approximately three million people. And any time anybody wants to go north, they have to go all the way to the Throgs Neck Bridge, basically, to go north in a car, to use the ferry systems, but they're really not that adequate. What's your feasibility, you know, of building a bridge from Seaford to Oyster Bay to Rye, from Port Jefferson to Rye? These are projects that have been discussed for like 35 or 40 years and nothing has really happened. But to many of us, if you had that additional access, those additional bridges going across, it would alleviate many of the problems associated with commuting back and forth on Southern State and North State Parkways, which are totally inadequate. Even -- any day during rush hour, it's just terrible, or on weekends, it's just terrible. You don't really hear too much from people driving automobiles, putting up with that sort of frustration, because there are so many other issues that we deal with here. But it's been a chronic mess for years. Your interpretation?

MR. HORN:

Yes.

LEG. BARRAGA:

All right. But do you have any opinion with reference to those bridges?

MR. HORN:

I can comment briefly on that. Yes, I've done a number of studies for the State, as an employee of the State, Tri-State Regional Planning Commission, etcetera, on high speed ferry studies, etcetera. And --

LEG. BARRAGA:

Let's put the ferries aside, please. I'm talking about bridges. We built the Seaford-Oyster Bay Expressway, it kind of ends around Woodbury, wherever it is. It's obviously -- it was designed to go across.

MR. HORN:

Yes.

LEG. BARRAGA:

And that was like 35 years ago. The same way with Port Jefferson; those are major projects that would be the least disruption on land transportation in terms of inconvenience as the bridges are built. For example, they're building the adjacent Tappan Zee Bridge right now, I crossed it yesterday, all right, and it's coming along, it's working. But, you know, we on Long Island are at such a tremendous disadvantage with reference to automobile travel and going north.

MR. HORN:

I agree, I agree. Two comments very quickly. One is if you get a major public official, such as the Governor, behind a crossing of Long Island Sound, as this Governor has gotten behind the new Tappan Zee Bridge, a new New York bridge, that changes the dynamic completely; that's item one.

Item two is I've been told by a former Commissioner of the State DOT who then became a Commissioner -- the Chair -- the Executive Director of the Thruway Authority, asked him is there legislation in place to enable what was proposed not that many years ago, like 2007 or so, by a private sector developer, Polimeni, Vince Polimeni.

LEG. BARRAGA:

He wanted to build a tunnel.

MR. HORN:

And they wanted to do it. They had the money from Wall Street at that time to build a tunnel that would not impact any property, any views. It was 135, drop it down, starting at the Expressway, go way under Jericho Turnpike and way down, under everything. And there was no legislation to enable the State to participate in a public/private partnership. And he was going to build a six-lane tunnel and make transit an integral part of it. It was a very promising situation. He had the funding. I had some questions about it. You know, would people be willing to pay \$25 toll back then. I mean, there were some questions, but he was prepared to go ahead, and there was no way the State could respond.

LEG. BARRAGA:

It's frustrating, because even from an economic perspective --

MR. HORN:

Yes.

LEG. BARRAGA:

-- we had trucks going out on the Long Island Expressway loaded and they come back empty.

MR. HORN:

Uh-huh.

LEG. BARRAGA:

I mean, you know, it's -- you kind of wonder why this continues to exist year after year, or somebody doesn't come along, whether it's a Governor or someone else, even from a legacy perspective and say, *You know, when I was in there, I built this bridge. We finally got it through.* Now, years ago it wasn't done because the people of Oyster Bay and whatnot, they had the power, political power to stop it. Well, you know, we've got three million people that want something changed. All these transportations, you know, the second track here and doing this and doing that; if those bridges were built, it would really alleviate the problem to a great extent and would help us economically out there. Long Island is a dead end.

MR. HORN:

No question, and that's the way it proceeds and that works to our detriment, no question.

LEG. BARRAGA:

All right, thank you.

MR. HORN:

The other person, of course, who can speak very knowledgably about it --

LEG. BARRAGA:

Yeah, I know.

MR. HORN:

-- is Lee Koppelman who's here, and I've known him since the early 70's and he certainly has experience on that.

CHAIRPERSON HAHN:

Thank you very much. Thank you for all your thought on that plan. Sorry to keep you waiting. We have Suffolk County Executive Steve Bellone next on our list.

COUNTY EXECUTIVE BELLONE:

Thank you, Madam Chairwoman, Members of the committee. I am honored to join you today to talk about the importance of the Comprehensive Master Plan 2035, titled *A Framework for our Future*. Legislator, I know that one of the recommendations in there is to actually look at the feasibility of making a connection to the mainland, which I think is a very important thing for us to do at some point for the region's future, what that should be, that needs to be determined.

The fact is that a document like this does not come together over night. In fact, this plan draws upon and unifies five existing plans which are a sum total of 5,620 pages. So many people helped provide input into this plan. While I can't name them all, I want to acknowledge the members of the Suffolk County Planning Commission; in particular, its Chairman Dave Colone who has done an outstanding job in his time as Chair of the Planning Commission, in his work putting this document together. I want to thank the members of the Suffolk County Legislature, in particular the Chair of the Environment, Planning and Agricultural Committee, my colleague, Legislator Kara Hahn, thank you. Thank you to all the County staff who put time into this, led by our Deputy County Executive for Economic Development, Joanne Minieri, and our Planning Director, Sarah Lansdale, who did a really remarkable job and continues to do so every day in her position; as well as so many other stakeholders including town planners, Long Island Railroad, Erase Racism, civic organizations like ABCO and consulting teams like AKRF.

And of course, we are honored today to be joined by Dr. Lee Koppelman. The work we continue today was work begun by Dr. Koppelman. He first brought the concept of comprehensive planning to Suffolk County at a time when planning was the furthest thing from most leaders' minds here. And it is 44 years ago this month that Suffolk County adopted its first plan, the Nassau Suffolk Comprehensive Development Plan, under the leadership of Dr. Koppelman. That plan sent Suffolk County on the path to become a leader in such areas as preservation, and in the subsequent years we've protected tens of thousands of acres of open space which are critical to our water quality and our overall quality of life, and preserved farming as a way of life in Suffolk County.

That plan also said that we should establish jobs in locations along corridors, centers of activity and downtowns served by mass transit. We are forever grateful to Dr. Koppelman for his leadership and his vision, and indeed we carry on in that same spirit today. The fact is that Suffolk County is an amazing place with incredible assets. We have world class research institutions, like Stony Brook University, Brookhaven National Laboratory, and Cold Spring Harbor Laboratory. We have a highly educated workforce; we have amazing recreational opportunities. In short, we have all the elements that are necessary to be an extraordinary region.

This plan builds upon those assets and provides the foundation for sustainable growth and resiliency in Suffolk County. It encourages economic development that will help to retain and attract businesses and create jobs and opportunity. It recognizes what Dr. Koppelman recognized a half century ago, what was then revolutionary, which is that we cannot operate in silos. That government must come together at all levels here, work together and plan together for our region's future. We've begun this in places like the Ronkonkoma Hub where Suffolk County, the towns of Brookhaven and Islip, under the leadership of Supervisor Ed Romaine and Supervisor Angie Carpente and the Long Island Railroad have come together and engaged in a landmark planning agreement which says that we will all work together and plan together for the common good. This plan builds upon the progress Suffolk County has made in preservation and says that we must reclaim our water. We've begun this effort by securing the largest investment in clean water infrastructure in 40 years, but there is so much left to do.

It is particularly exciting, however, to be joined here today by a man who ties all of this together, both past, present and future, and that is Dr. Lee Koppelman, and I would like to ask Dr. Koppelman if he could join me at the podium at this time.

DR. KOPPELMAN:

Thank you.

COUNTY EXECUTIVE BELLONE:

A New York Times profile of Dr. Koppelman used one word that was most often ascribed to him, and that word is visionary. And I'll tell you what, when it comes to one-word descriptives, that ain't bad. So much of what makes our region great can be ascribed to him. From our County's vast open spaces and the tens of thousands of jobs located in the Hauppauge Industrial Park and the Route 110 Corridor, we have Dr. Koppelman's vision and leadership to thank. And like most visionaries, some of his visions were a little ahead of their time. Improved rail transit, improved mass transit, revitalized downtowns, greater diversity and housing stock; these are areas where Lee Koppelman was an often lonely voice, and now we know he was 100% right.

In recognition of Dr. Koppelman's vision and his dedication to Suffolk County residents and shaping our region, from his tenure as Director of the Suffolk County Planning Department from 1960, under the leadership of the first County Executive, H. Lee Dennison, 1960 to 1988, to his 41 years years as Executive Director of the Regional Planning Board, I am proud to bestow upon Dr. Lee Koppelman Suffolk County's highest honor, the Suffolk County Distinguished Service Award. This public service award was established in 1973 by County Executive John V.N. Klein as the highest honor to be

bestowed on an individual for exemplary and extraordinary service and dedication to the people of Suffolk County, and Dr. Koppelman is the 19th recipient in the 42-year history of the award. And I should say that I think that the presentation of this award is long, long overdue. Dr. Koppelman, thank you for your service to our County.

Applause & Standing Ovation

DR. KOPPELMAN:

Thank you.

CHAIRPERSON HAHN:

Okay. Steve, do you want to bring him up around here for like a formal picture? He wants to give a statement; okay, excellent.

DR. KOPPELMAN:

I came here today to support the most recent comprehensive plan prepared by the brilliant staff, not only of the Planning Department, the Economic Development, the Health Department environmental people, the Department of Public Works, and their general support of planning over the years. Listening to the County Executive, it almost sounded like a eulogy.

(*Laughter*)

But I thank the almighty that the award is not a post-humous one.

(*Laughter*)

On a more serious note, I think supporting the most recent effort of the Planning Department is a no-brainer. This County government is one of the finest of the three thousand and sixty-odd counties of the United States. It has been not only --

Applause

The second oldest English settlement in the United States, only separated by one-and-a-half generations from the land at Plymouth Rock. Suffolk County towns, particularly in the East End, were established a whole generation ahead of the establishment of New Amsterdam, or New York City, in 1664. Some of our communities are as old as the 1630s. The award today is perhaps a good example of a consensus award. It's not really an award to one person, because planning is a comprehensive public process, as you all know. The planners can do the research, they can make the snowballs, they can work with the citizens, and we had citizen participation in every major planning study. But the only true decision makers are the County Executive under the Charter form of government, and this Suffolk County Legislative body.

I look back over the past 55 years, this is perhaps one of the few governmental bodies that has not had the taint of corruption that we find in so many levels of government in the United States, including our own state, including the Congress of the United States. And we've had dedicated elected officials, particularly in Planning, who have put partisanship aside, and we've had Republican support, Democratic support and Conservative support, albeit for different reasons, but when it came to planning, it was treated as a non-partisan issue. And you know, when you have a success story, you wind up with a thousand parents; if you have a failure, it's an orphan. And in Suffolk County, we certainly have even more than a thousand parents who could claim credit for the greatness of this County. It's been a leader in creating some State legislation, local legislation and Federal legislation as a result of the work that occurred here. Over 25% of the total real estate of the County is in the public domain. I know of no County other than Suffolk in the entire United

States that has spent of its own taxpayers money the equivalent of over a billion dollars in terms of this preservation, nor has any County anywhere in the nation achieved the environmental protection that this country has achieved. The only failure that I've had in my 45 years with the County is in housing, and there's a legal reason for that. The State Constitution, whether by omission or commission, does not give the County any housing powers. That vests entirely with local home rule. And that's one of the missing ingredients which is now being dealt with at municipal levels and with County support in terms of trying to provide a balanced housing program to meet the needs, not just the human needs of people, but the economy of the area.

The bottom line is that the only true decision makers in this County are the County Executive, joined by the Suffolk County Legislature. And when I look at the record of what this body has accomplished over the more than half century, it is an envious record indeed and every single participant deserves that kind of recognition. Because without the elected officials, none of this would have happened. The technocrats can make the snowballs, but only the decision makers can throw them. So I really applaud each and every one of the distinguished, dedicated members of the Suffolk County Legislature, and also all of the County Executives from Lee Dennison to certainly our most current County Executive, who I was pleasantly surprised when I saw his grip on environmental issues, transportation issues and economic issues. So the County, in my judgment, is in very good hands and the future of the County is, in my judgement, an absolutely bright one, and I commend every one of the parents who made this possible. Thank you very much.

Applause

CHAIRPERSON HAHN:

Come on forward. I'd love to have the whole committee get a picture with you and with the County Executive and with our Planning Director and our Planning Commissioner. Thank you.

DR. KOPPELMAN:

Sure.

*(*Photograph Taken*)*

Applause

CHAIRPERSON HAHN:

Okay. I do want them to hear the speakers. Yeah, thank you. Okay, we have Eric Zamft. Okay, you have three minutes. Just press the microphone so that the green light is on.

MR. ZAMFT:

Okay. Can you hear me now?

CHAIRPERSON HAHN:

Yes.

MR. ZAMFT:

Good morning, Madam Chairwoman, Members of the Committee. My name is Eric Zamft, I work for the Town of Babylon, Office of Downtown Revitalization. And on behalf of Supervisor Rich Schaffer and the Town Board and the entire Town of Babylon, I would like to offer our support of the Suffolk County Comprehensive Plan 2035.

Much has changed since the adoption of the last comprehensive plan, as you've heard. Not only, obviously, in the world and in the country, but on Long Island, but even in the Town of Babylon, in our Villages, in our hamlets, but one thing that hasn't changed is the need to plan for the future.

And taking a quote from Presiding Officer Gregory's introduction to the comp plan, if you fail to plan you plan to fail, which was quoting from Ben Franklin. The Town of Babylon feels that this comprehensive plan ensures that we're not planning to fail, as it sets forth the framework for the goals, objectives and policies that are critical to our common future.

Skimming the key policy areas and recommendations, one realizes that the comprehensive plan touches upon all of the issues and opportunities that are relevant in 2015 and in the near future, ranging from the transportation focus to housing to economic competitiveness, vibrant communities, streamlining government, and also protecting the environment. And these mirror the six livability principals between HUD, the EPA and the DOT, focusing on environment, transportation and housing.

So you heard earlier this month, or actually the Suffolk County Planning Commission heard earlier this month from the Town of Babylon Department of Environmental Conservation on the environmental issues. I'd like to just touch upon one of the aspects of the comp plan that's very important to the Town of Babylon and the Office of Downtown Revitalization, and that's Encapsulated and Connect Long Island. It's a game changer in terms of how we look at transportation and land use on Long Island and in Suffolk County. The creation of a reliable north/south public transit system will not only provide transit connections between key County assets and existing use of transportation modes which will be attractive to young job seekers who don't want to own cars, but it also will enable more equitable access for those who don't have access to cars. So it's exciting to know that somebody living on Common Wealth Avenue in Wyandanch will be able to take the railroad to a reopened Republic station and hop on a north/south bus, rapid transit to an employer in East Farmingdale, Mellville, North Amityville or the Village of Amityville.

Picture the same thing along Nicoll's Road connecting Stony Brook University to the Ronkonkoma Hub and the Village of Patchogue. It's a really key element of the plan and a key element of what we're doing in the Town of Babylon. But Connect Long Island isn't just focused on the transit aspect, it emphasizes transit-oriented development as well. This, too, is exciting for the County and the town. Early efforts under then Supervisor Steve Bellone to revitalize -- I'm over? Just in short --

CHAIRPERSON HAHN:

Yeah, wrap up quickly.

MR. ZAMFT:

Yes. The Town of Babylon fully supports the adoption of the comp plan and applauds the County for undertaking the preparation, especially the Commissioner of Economic Development, Joanne Minerie, the Suffolk County Planning Commission and the Director and her staff. We look forward to working with the County in the future and thank you for a few minutes to speak in support of the plan.

CHAIRPERSON HAHN:

Thank you for taking the time to speak to us today. Our last speaker with a card is Richard Murdocco.

MR. MURDOCCO:

Good morning, everyone.

CHAIRPERSON HAHN:

And you have three minutes.

MR. MURDOCCO:

Thank you. So, to the members of the Suffolk County Legislature, my name is Richard Murdocco, I'm here this morning to speak on the latest draft of Suffolk County's Comprehensive Plan entitled *Framework for the Future*. My published written work on the subjects of land use and development appears frequently in Newsday, the Daily News, Queens New York Business, New York Magazine, Pacific Standard Magazine, Long Island Business News and in the weekly column for the Long Island Press.

First and foremost, I would like to congratulate my former Professor and friend, Dr. Lee Koppelman on receiving the Distinguished Service Award. Without his vision, none of us would be here to even discuss the plan, and that was quite the ceremony and that was very nice, very nice gesture.

In the course of my policy work and research, I've had the privilege of reading the County's robust past body of planning documents. Given the magnitude of issues that Long Island faces at the regional level, the current comprehensive planning effort highlights the continued importance of planning. Simply put, our regional issues cannot be dealt with on a neighborhood-by-neighborhood basis alone. We need a comprehensive vision that both transcends the many local fiefdoms of Long Island and addresses our housing environmental, energy and transportation woes head-on. As a document, *Framework for the Future* bucks the trend of hyper, local development policy making that has become the prevalent model across Long Island. By blending both the local and regional approach, documents like this are instrumental in charting the future of the County. Moving forward, I suggest taking a deeper inventory of the previous planning efforts, as well as working more closely with the Long Island Regional Planning Council to craft Island-wide solutions. By using *Framework for the Future's* foundation, however, we can help create policies that both have the political teeth to be effective and are grounded in scientific data to be implemented.

The County's Department of Planning should be commended for continuing the honor and proud tradition of planning in Suffolk County. This tradition was set decades ago when Suffolk County was rapidly transforming from a series of rural communities, which parts are still rural, to a booming suburban area that has set national policy precedents in land use, development and preservation. I urge both this committee and then eventually the entire County Legislature to not only support this effort, but future efforts as well. So, if there are any questions, comments, concerns?

CHAIRPERSON HAHN:

Any questions? Thank you very much for taking the time to speak to us.

MR. MURDOCCO:

Can I hand this in here?

CHAIRPERSON HAHN:

Yes, you can submit that there.

MR. MURDOCCO:

Thank you. And have a wonderful morning, everyone.

CHAIRPERSON HAHN:

Thank you. You, too. Are there any other speakers who would like to be heard? No? Yes? I'm sorry, I can't see behind -- oh, that's right. Well, no, I've got to close the -- is his presentation part of the public hearing? No.

Okay. So if there are any other speakers who would like to speak during the public hearing portion? Okay. Seeing none, we are going to close the public hearing.

And we will now hear from our --

MR. NOLAN:
(Inaudible)

CHAIRPERSON HAHN:

Yes. We're going to now -- why don't we go back to IR **1493-15 - Approving and adopting the Suffolk County Comprehensive Master Plan 2035 (County Executive)**. And I'll make a motion.

LEG. KRUPSKI:
Second.

CHAIRPERSON HAHN:

Seconded by Legislator Krupski. So on the motion, we'll bring forward our Planning Commissioner, Dave Calone. Welcome.

MR. CALONE:
Thank you.

CHAIRPERSON HAHN:

This is a huge accomplishment to get us here after such a long time waiting for a new plan. And it takes a lot of work, as you've learned, to pull the whole County together to agree on points of where we'd like to go and what are our priorities.

MR. CALONE:
Thank you, Legislator Hahn.

CHAIRPERSON HAHN:
I'm sorry if we added a lot to that.

MR. CALONE:

No, no. In fact, it's been a great process, it really has been, and sometimes taking some time to do something is the right thing to do.

You see in front of me here all the different pieces that have gone into the plan over the last few years, including the one that was mentioned earlier which is the original. This was the 1970 plan, and given the technology in the day, they did a pretty good job with all the maps and everything in here. But this is the plan that Dr. Koppelman helped and led, and surprisingly it is the last one that we've had here for the County in a wholistic way. And so when I became Chair of the Planning Commission about six or seven years ago, we saw that the Planning Commission is ultimately responsible for proposing to you the comprehensive plan and so we started moving forward on this latest effort.

And it's been a process, but it's been a process where we've actually been able to take into account a number of the initiatives, both of the last administration and particularly this one. And we're moving forward on a lot of the goals within the plan, even as we were kind of putting it together, which I think is important because planning is critical, but doing is more important. At the end of the day, plans are there to help guide or provide a road map for doing. And what's important is we're not waiting for a plan, we're working consistent with the plan and many of the initiatives that all of you have been working on, the County Executive has been working on, are very much consistent with that plan.

So I have a brief overview just to show you where we've been, some highlights from the plan to share with you. So as was mentioned earlier, the 1970 plan was the last one more than 40 years ago. I think it's important to remember -- to note, as we all know, that much has changed since the last comprehensive plan. Suffolk County is now the largest suburban County in the country, and our population is larger than eleven states. The impact of our recent storms has made us acutely aware of our vulnerabilities, and on an Island like ours, we certainly know that how we use our limited land is a reflection of our values, our expectations and our goals.

The purpose of this new plan is to create a strategic road map for the County, determine where we are as a region and where we want to go. Over the last several years, the County Planning Commission has identified six critical County-wide priorities that will impact the future of our County and that require regional policy solutions to get us where we want to go, and those include environmental protection, economic development, housing diversity, transportation, energy and public safety.

From fostering economic growth to ensuring housing options for all of our residents, and from increasing our energy efficiency to providing adequate infrastructure and preserving our natural resources, Suffolk County's challenges are interconnected, and that's why we need a comprehensive, strategic plan to address them and to help us evaluate what should come next.

I want to thank the staff, especially all of my fellow members of the Planning Commission; in addition to myself, I want to recognize our other officers, Adrienne Esposito, our 1st Vice-Chair, and Michael Kelly, our 2nd Vice-Chair; Mike Kaufman, who's here today with us, another member of the County Planning Commissioner who has been instrumental in all of this. But we certainly wouldn't be here without the leadership of Director Sarah Lansdale who's sitting next to me. Sarah has gotten this across the finish line, has made sure over the last few years that we have gotten this done. On her team, DeWitt Davies has been instrumental, Andy Freiling and many others, and as was mentioned earlier, the team at AKRF, the private consultants, were very helpful as well.

I'd like to flip and just show you some of the process we've had. So up on the upper left you see the preexisting plan. So the top left was the first step in this plan, and to give credit, this effort, this initial effort started when County Executive Levy was County Executive, about five years ago, and our Planning Director at the time was Tom Isles and our Deputy Director, Dan Galizzio, and Dan is here as well today and deserves a lot of credit for helping get this initiative off the ground. The plan incorporates -- many of the plans you see before you, different discrete plans, focusing on, for instance, the Multi-hazard Mitigation Plan, the Water Resources Management Plan and others.

The first step in the plan, the one with the Montauk Lighthouse there, we put out about five years ago and what that was was mostly a synthesis of all the existing plans at the Town and Village level at the time, trying to take all of the goals, the aspirations of individual communities and help that start to inform our regional thinking. Because of course the County's in a unique situation; we're sandwiched between sort of the most local level with our towns and villages, and above us, of course, the State and Federal Government. So we tried to be both up taking a grassroots approach, getting input from below as we thought about what our regional goals should be.

If you follow around clockwise to the right, we then went -- you know, the County Planning Commission worked on this, along with certainly the County Planning Department. More recently, over the last I would say year or so, the Legislature has been involved and has substantially helped improve the plan based upon the leadership of Legislator Hahn and others to help make sure we have input from all the Legislative Districts. We also met with all the towns more recently to make sure they've had input, stakeholders like Erase Racism, like Long Island Builders Institute and others helped provide input on -- the civics, we met with a number of civic groups as well to make sure that we were getting everyone's input on what our regional goals should be. And the result, therefore,

was *Framework for the Future*, which you see sort of in the bottom, right-hand corner.

Following the diagram along, the next step there was the County Planning Commission had a public notice and two hearings. It was actually -- we actually had two hearings back when we started the process way up in the upper left-hand corner, just to get the first feedback from the community about what the aspirations of Suffolk County residents were. At the end of the process we had two more hearings to hear from the public about ideas and issues that they thought should be included.

And now here we are over in the yellow box, the Planning Commission Consideration/Recommendation of the Legislature. The County Planning Commission unanimously adopted this plan and recommended it to you just a few weeks ago, and here we are today at the bottom left-hand corner with the County Legislature's public notice and hearing, and then with this committee, and then if you send it along to the full Legislature for consideration, and then finally the process would end with a Legislative -- a vote of the full Legislature. So that's the process we have and that we're going through right now.

A couple of things I want to show you. One of the key goals here, of course, is how do we accommodate future growth in the region. This is 1930, so you can see how the urbanization of our region, you have 1930 and then Sarah will show us 1960, and then today. And you can really see how Long Island, of course Nassau County, but then feeding into Suffolk County has developed. And the question, of course, for us was how do we accommodate this growth. And I think it's also interesting to see how you see line in Suffolk County. One of the most interesting things about being on the Planning Commission is we see -- we're involved with policy and we see projects from Montauk to Melville, and you really can see. We have, in some ways, a bifurcation of the County somewhere right around the William Floyd Parkway, Expressway shows Suffolk County East and Suffolk County West. We have different challenges in Suffolk County East and Suffolk County West and we have different goals, and so this plan needed to incorporate both the sensibilities of western Suffolk County as well as the sensibilities of eastern Suffolk County.

You can see our population, we are right now at the -- it's not the aqua blue, it's sort of the deeper blue right next to the purple. We're right at about 1.5 million residents of Suffolk County, and you can see that we're starting to flatten off, mostly driven by land use considerations. We've increased about 10% of our population in the last 15, 20 years, and the projections are that we will increase by another 10% in the next 15, 20 years. But nothing like the kind of growth we saw, you know, since the 60s and 70s, and that's why having a plan that's up-to-date and reflects our next steps is critical.

So what are the long-term goals? I mean, at a very high level, it's to provide a foundation for sustainable growth and resiliency of Suffolk County. Sustainable growth means making sure that we can protect the great resources, natural resources that we have while growing in the way that we need to; make sure we have jobs for the next generation of folks, to make sure that we have the kinds of economy that will support the cost of living that we have here which we know is a challenging cost of living; and make sure that we're focusing on job creation in that sustainable way.

The report itself, the plan itself is organized around HUD's livability standards, there are six of them. And I won't repeat them, but they are up there for you and that's how we divided out the report itself, focused on that, on those key objectives; and I'll mention each of those objectives just briefly in the next few minutes.

One is building that 21st Century Transit Network. Strengthening our transit system, you see certainly Connect Long Island, as was mentioned earlier, is a critical part of that. Fostering walkable and bikable communities, I would particularly mention Legislator Hahn's efforts with the Setauket Greenway, Legislator Anker's efforts with regard to Rails & Trails, and those are great

examples of exactly the kind of new way of thinking, about supporting bicycles and, you know, bike commuting. And you will see also mentioned here the explore the feasibility for alternative means of ingress and egress. Legislator Barraga was asking a question about that, that it certainly -- this report does not draw conclusions about it but makes a recommendation for further looking at that because I think it is important. Certainly connections, whether they are expanding existing connections or creating new connections, are how we expand economic capacity. But we also need to recognize that our existing roads have limitations on them, there are parts of our County which do not -- certainly did not want more traffic, none of us want more traffic. So balancing that and figuring out what makes sense from an economic capacity perspective, while also keeping in mind quality of life issues is the important balance there.

In fact, NPR interviewed me about a year ago about -- because the TV show *House of Cards*, which is an HBO series, the President in that proposed that there be a bridge from Port Jefferson to Bridgeport. So NPR called me and said, "*Is that even feasible?*" So I did an interview with NPR talking about that and the answer to that is really no. I don't know where you'd drive a bridge to the middle of downtown Port Jefferson. But certainly the issue is certainly one that's worth talking about; not a bridge in Port Jefferson, but perhaps other access, particularly further west on the western part of our County that may make some sense going forward. Again, it should be discussed. And we recognize that as something that needs to be think about, this Legislature and the County Executive and the Planning Commission, over the next, I would say, decade or two.

As was mentioned earlier, Connect Long Island critical, and I know you all have been very much involved with that. The railroad, our transit systems are all near east/west, we have limited to no north/south connections and making those connections to create more of a grid-like aspect to public transit is very important; important now, but critically important in the future. We need to make choices now that will dictate what Long Island and Suffolk County are going to look like ten and twenty years from now. So the need is important now, but it will be much more increasingly important in the decades to come, and that's why Connect Long Island is so important to get the ball rolling on new connections between our assets in a north/south linkage way, and so certainly this plan is -- reflects that importance.

Key objective two out of the six, housing. As Dr. Koppelman said, a limited role that the County can play, but we do think that there are things that we can do to incentivize housing. We're right now, actually, the Planning Commission is just in the process of putting out a survey to all the towns and villages so we get better housing data. We actually don't have on a regional basis, other than the Census which is a crude way of measuring it, an analysis of how many housing starts we have each year. What kind of housing is created? Is it multi-family? Is it single-family, etcetera? So we need that data to be able to provide you with the information you need to make good policy decisions. And I would submit to you that the County does have an important role to play in housing, and using financial incentives and other tools with regard to the towns and villages which do have that ultimate land use authority, the County can incentivize the kind of housing we need for the future. You're seeing that right now with the sewer extension potentially to the Ronkonkoma Hub. Ronkonkoma Hub obviously has the kind of housing we need; transit-oriented housing, more apartments, more rentals and those kinds of things. So the land bank, another great example of how the County can play a role in using its resources and using its regional vision to support the renewal of housing and the kinds of housing we need.

The next objective is enhancing our economic competitiveness and capacity, and I think capacity is the key word for governments. Our role as governments is not to dictate who should win or lose in the economic battle and the competition of ideas, but rather to enhance economic capacity generally. How do we increase the pie as much as possible from a governmental perspective, and we do that by increasing infrastructure, physical infrastructure, human capital infrastructure, financial infrastructure; so the County has an important role to play in all of those.

Coming up with new ideas. Talking about financial infrastructure, we worked with the County -- the County Planning Commission worked with Legislator Krupski and some of the farm organizations regarding the Agricultural Capital Equipment Grant Program that you see on the right. That came out of a meeting that we held in East Hampton Town Hall where we brought together all the young farmers and said, *You know, we need to get new farmers, more younger farmers into the field. How do we do it? What are the obstacles?* And what we heard from the younger farmers is, *You know, you guys have done a great job of preserving land, but unlike -- like if someone's starting a business in the computer industry where it costs a thousand bucks to buy a computer, we actually have to go buy tractors, we've got to go buy irrigation equipment, we've got to go buy hoop houses or whatever else we need to buy.* Start-up costs for young farmers to become farmers is very high, and so we came up with the Agricultural Capital Equipment Grant Program, which has just launched in the last month or so, to help young farmers afford to be able to get into the field.

Those are the kinds of things that the County could do to increase our economic capacity and to address economic issues about -- you know, that will provide the future growth for our County. Whether it's through an agriculture or through from our innovation and technology companies as well.

Support vibrant communities. Certainly, I mentioned the land bake earlier. The County, using its resources and its -- and the authority it does have to help put together innovative programs like the land bake that helped repurpose sites, get them off -- get them from tax delinquent to tax-paying, getting rid of zombie homes, etcetera. So important things that the plan addresses.

Objective No. 5, streamlining government and coordinating policies and leveraging our investment. The County Planning Commission has been probably most active in this role, bringing together the towns to work together on policy. The theory there is nothing we can do apart can have as much impact as what we can do together. When we bring the towns together, work together on policy, we're better off. One of the best examples of that actually is the one that's listed on the bottom which is the Unified Solar Permit Initiative. That was something that we started, the Planning Commission started about five years ago and we got all the towns to adopt the same processes; streamline the process and make it uniform. We actually won a national County Innovation Award for that effort. And in fact, I was actually asked to fly to Chicago to brief Counties in the Chicago area about how we now helped, you know, streamline the process and helped to create jobs in the solar industry. I said I think it might be the only time that someone from Suffolk County, or Long Island at least, had gone somewhere else to teach them about how we could cut down on red tape. But the good news is that is happening, and it continues to happen with the leadership of the Legislature and the wastewater permit process is an excellent example of that. In the last year or two, under the County Executive's leadership, helping to make government do the role it should do but get out of the way when we can get government out of the role is critically important, and so we want to continue moving on those items.

Our sixth and last key objective is protecting our environment. And in some ways it is not last, it's last only on this list and not in our hearts or in the goals as a County, because our environment is critically important to our economy. Much of the work, particularly the County Executive and this Legislature have led the way on with regard to reclaiming our waters, the Water Resources Management Plan and others are critically important to our future. We know that we are a County at risk, we have a great asset in the fact that we have water that we control under our feet, but it's only ours if we keep it. It's only an asset if we keep it an asset, and we need to make sure that that remains true for future generations.

I would just mention with regard to facilitating cooperation with local energy utilities, an example there, we recently put together some of the towns to work on utility solar. We want to be a supporter of renewables and this County has a great track record in that, but we also are trying to balance land use issues there. And Legislator Anker was critical in helping bring PSEG to the table, and PSEG now talking with the County on how we can actually kind of streamline their process and make it reflective of community needs. So these are the kinds of things we want to be working on and the County needs to be working on going forward.

Our last slide or two mostly focuses on water issues. This Legislature has been obviously a tremendous leader in that. Recognizing that we need to have different solutions for our different parts of our County. Sewer infrastructure financing; critically important, that's something all of us around this -- we've all worked on together. Very important for certain parts of our County, particularly western parts of our County and near transit. And the more eastern parts of our County, very important that we have distributed wastewater treatment systems. And certainly the effort in the Legislature and the County Executive to get hopefully, you know, 19 pilot properties installed, we learn what works, we need to build on that and treat our water bodies out east based upon what works for the communities out east in particular.

Of course, all this relates to coastal resiliency and sea level rise. Here in Suffolk County we are on the front lines in the war -- the climate change war and battle. We are a thumb sticking out into the ocean. No one will feel -- no one in this country will feel the impact of sea level rise and global warming more than we will, and so we need to be ready for it, we need to be advocating for policies that address it, both obviously nationally as well as locally. And when it comes to sea water rise, we have not only the coastal impacts, but also because so many of our wastewater -- our cesspools, etcetera, are along our coasts because that was the area that was developed first before the technology, before we realized the impact that nitrogen was having on our water bodies. As the sea level rises, it also raises the groundwater table which means that more and more of our homes, even those inland, will be touched by the groundwater table and makes it even more important that we focus on our water as a critical issue.

In conclusion, our goal here -- and we know this is consistent with the goal of the County Executive as well as this Legislature -- is to revitalize, to rebuild and reclaim. A plan is not an end point, but today and this effort is an important milestone in regional strategic planning. As I said, it provides a road map, and planning is important but doing is really the most important thing.

I have certainly enjoyed working with all of you in setting goals, identifying our assets and figuring out our priorities, and look forward to working with all of you in not just adopting this plan, but then implementing it going forward. So thank you very much.

And also, I think our last slide recognizes all the folks who helped to this, particularly DeWitt Davies, obviously members of the Planning Commission. The County Legislature, thank you all for the time you've taken to work with us on this, particularly Legislator -- Chairwoman Legislator Hahn. So thank you all.

CHAIRPERSON HAHN:

Thank you. Do we have any questions here? Legislator Barraga.

LEG. BARRAGA:

Thank you very much for your presentation.

MR. CALONE:

Thank you, Legislator.

LEG. BARRAGA:

You know, in reviewing the comprehensive plan, just looking through it, I wanted to key in a little bit about the comments made by you and your group with reference to bus service in Suffolk County. I thought those comments were pretty interesting, A-23, A-24 of the plan. And you point out that Suffolk County has a route system of 52 different routes and you make the statement that of the 52 routes, if I recall correctly, six routes account for better than 50% of the ridership, and five of those six routes are in decline as far as ridership is concerned. So when I read something like, I said, you know, what about the other, you know, 46 routes? Should we as a Legislature take a second look in terms of the rider capacity of some of those routes to see whether or not they're economically feasible? Especially when we have six routes that account for better than half of the so-called 6.7 million riders. And even the ridership over a three-year period continues to decline: In 2011 we had 6.7 million; 2012, 6.5 million; 2013, 6.4 million. So as we have a situation where the population continues to increase in Suffolk County, bus ridership continues to go down.

And I think there's enough in the way of the statement for us maybe to take a second look at the strategy associated with the bus routes in Suffolk County. Because we've spent -- as my colleagues will tell you, we've spent quite a bit of time, especially at the behest of Legislator Schneiderman, to expand bus service, especially on the East End as far as Sunday service is concerned. But the comments in the Master Plan would seem to indicate that maybe we're not on the right approach with this. I don't know; why would the ridership continue to go down when the population goes up and most of the routing is in six areas and five of the six are even going down?

MR. CALONE:

Yep. So a couple of things. One, I mean, certainly the recession that we saw a few years ago obviously impacted those numbers quite a bit. But look, we always need to be vigilant about what makes sense from a cost perspective and from a community impact perspective with regard to bussing and the bus routes. So I think this Legislature, along with the Department of Public Works, the County Executive, needs to constantly look at what makes sense from that regard.

One thing I think that the County needs to continue to do and really do better is something that actually Mr. Horn brought to our attention. To give Mayor credit, because we did actually take a few of his points into consideration for sure, we do need to do a better job of making people aware of it, of the options of the bus. But quite frankly, people use buses when -- it's a chicken and an egg problem, because you need to increase the frequency to make it actually worth people using it. So that obviously becomes a cost issue that needs to be balanced by the Legislature and by policy makers like you, the County Executive and others.

But certainly looking at what makes sense -- and it's going to change. I mean, we constantly are getting projects before the County Planning Commission where we're saying where's -- this could be a sizeable development, we may have a bunch of people coming here, Where's the bus route? The bus route doesn't always match because the bus routes obviously come in after the development, but we're constantly needing to analyze that and shift the bus routes. And bus routes are not just paths, but also the question is how frequent are the service along each of those paths? And so I think it's going to have to be a continual view of that.

Also important is matching those bus routes up with the Connect Long Island Program, once that's put into place over the next couple of years. Because connection timing is very important, as well as put that together with the Long Island Railroad. A lot of our bus routes don't necessarily match with the Long Island Railroad a lot of times, so that's another issue that needs to be worked on, because buses are great, but if they get you to the train station a few minutes after the train leaves, no one's going to take that bus. So those are constantly being worked on, but we need to be vigilant about that. And I know Director Lansdale wanted to add a few points.

*(*The following testimony was taken & transcribed by
Gabrielle Severs - Court Stenographer*)*

MS. LANSDALE:

I just wanted to add that from time to time, the Department of Public Works does look at the service capacity of the existing lines and reviews that and evaluates it and makes adjustments accordingly.

LEG. BARRAGA:

It's just that I would think, you know, you talked about a recession. During a recessionary period, if anything, I would think your ridership should be going up, and the figures you're quoting in the Master Plan deal with '11, '12, and '13. We were really coming out of the recession, but there's a decline, yet your population continues to increase. I think it's worth a second look. I know we made a big commitment financially with reference to the additional bussing, and I understand the Long Island Master Plan here that the County Executive is proposing, but I'm reading articles also with reference to, like, the 110 corridor where there's a lot of vacant buildings over there. Does that affect bus service? I mean, you know, things beyond just the bus routes are happening that maybe we should take a second look at.

MR. COLONE:

I think that's fair. And I also would point out with regard to -- there are different forces that come into play with regard to economic downturns. You have fewer people having jobs, which means fewer people, probably, taking the bus to work, and at the same time you have few people affording cars, so maybe you might see an uptick. I think you see the countervailing forces there. My judgment was that the impact was more significant because of the lack of jobs dropping the ridership a bit. But as you said, '09, '10, '11, we're starting to crawl out of it, but, you know, it's really only now --

LEG. BARRAGA:

Your figures were '11, '12, and '13.

MR. COLONE:

Sorry. I was saying '09, '10, '11 was sort of the heart of the recession. I think '12, '13 is just when we started to come out, and obviously now I think we're getting there.

LEG. BARRAGA:

But even in '12 and '13, there's a decrease in the ridership.

MR. COLONE:

Agreed.

LEG. BARRAGA:

I'm just --

MR. COLONE:

I think it's a fair point, actually.

LEG. BARRAGA:

It's there, you made the statements. Now the legislature, maybe we should take a bit of a look at this.

MR. COLONE:

Agreed.

LEG. BARRAGA:

Thank you.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. And I'd just like to acknowledge the work that everyone's put into this. I know there's a lot of people involved in the Office of County Planning and Economic Development who spent years on this, and I just wanted to acknowledge that it was a well-thought-out document, and they should be recognized. And my comment really is, you know, my concern when we started to review this, as a kind of a finished draft was that there was acknowledgement of local land use and zoning and also acknowledgement of the difference of land use and zoning on the east end versus the west end, and I appreciate all the efforts on that behalf. And I really appreciate the efforts from Director Lansdale coming out to Riverhead, to my office with my staff to meet with Planning people from the east end towns and from Brookhaven to make sure they understood the document and that their comments were welcome and taken into consideration. So I really do appreciate that effort. To me, it makes it more of a comprehensive plan when you have that kind of input. Thank you.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

And I also want to commend the whole commission, the departments, all the people that were involved in this plan. When we first started talking about this -- well, you guys have been working on this for quite a long time, but maybe it was, what, four or five months ago, we saw the draft planned, and had it was focusing a lot on infrastructure and transportation. Now you've taken that draft plan and you've added, I feel, very important parts, including, you know, thee educational components, a little bit more of the environmental components. That will steer this county into the future direction, and those components are so vital, and I think, again, that's a point I just wanted to bring up. And I think, as Dr. Koppelman had said, including everyone's input, because without everyone's input, we won't get the big picture of what our future will look like.

You know, I've known Dr. Koppelman for years, and I was -- back when I was working as an environmentalist, an advocate, you know, with my kids at home, and, you know, he's the Robert Moses of, you know, of today, and he's living, and I do encourage everyone here, listen to him. He has the most invaluable information and the wisdom of anyone that I know of that could provide insight into what our future will look like.

And so my question to you is did you work with him when you produced this document?

MR. COLONE:

Sure. It's always great to call on the wisdom of a hall-of-famer, and we have one right here in Suffolk County, and certainly having him involved and his input was tremendous and seeing him here today, kudos to the legislature and chairwoman and others for hosting this tribute to him because, as you said, it was well-deserved.

But certainly his input is all over this. In some ways, we do this honoring him. I mean, Legislator Hahn's been advocating us on the four years she's been on the legislature to get -- work on this comprehensive plan to move this thing forward, but we also look back to Mr. Koppelman and saw that, you know, we -- Suffolk County deserves the kind of planning that he gave us for so many years, and we need to finish this plan and get this plan done in some ways as a tribute to the work that he did to continue on. So I think it's great to have him here today, and, yes, his wisdom has

been appreciated.

LEG. ANKER:

And also I just wanted to bring up the fact that, you know, without a vision, Suffolk County would not be where it is today. And we've seen those as in Dr. Koppelman and yourselves, so you can also write yourselves in the history and vision of Suffolk County. So thank you.

CHAIRPERSON HAHN:

Thank you. Okay. Any other comments? We have a motion and a second for approval. All those in favor? Opposed? Abstentions? It is approved.

We are up to -- I think we're at 1537, we were in the middle. Laretta Fisher was up here, and -- okay. I think we have a motion and a second for 1537, correct?

MR. RICHBERG:

Yes, we do.

CHAIRPERSON HAHN:

Okay, we'll start off from there. We'll hear -- Laretta passed around a bunch of items, so thank you.

LEG. KRUPSKI:

Laretta, can you describe the project, the property?

MS. FISCHER:

Sure. This is a property in Mastic/Shirley, in the Mastic/Shirley Conservation Area along {Pattersqua}. It's .14 acres and predominantly wooded with wetland -- fringe wetland along the western portion of the property.

It received 37 points -- I'm sorry, 57 -- it should be 57 points.

No, 56 points, I'm sorry -- as being part of the Mastic/Shirley conservation area. This area was identified as part of our Master Plan. This property was not specifically included in that list, but certainly was -- is considered as important as the other properties within this conservation area.

We're looking to acquire this along with other properties that we identified under the NRCS proposed acquisition area that's moving forward with 62 parcels within the Mastic/Shirley Conservation area, specifically in the {sheep-end} creek, but also north of this property outlined in the dotted green parcels to the north.

LEG. KRUPSKI:

What's the elevation in relation to this flooding that they experienced during Super Storm Sandy.

MS. FISCHER:

This is a low-lying area. You can see that just south of here is the high marsh, the {Toural} Zone, wetlands of the tidal influence up this river, as well as it is very low-lying within four to six feet elevation of surface water. So we're within a very low-lying area within the conservation area.

VICE-CHAIRMAN KRUPSKI:

Thank you. Does anyone have any questions? If there's no questions, we have a motion and a second. All in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-1 Not Present: Chairperson Hahn).**

Resolution **1543-15 - Amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program, and appropriating funds in connection with a Town of Brookhaven project for the Eradication of Perennial Pepperweed at West Meadow Beach (CP 8710.415)(County Executive).**

Is there a motion?

LEG. MURATORE:

Motion to approve.

VICE-CHAIRMAN KRUPSKI:

Motion to approve.

LEG. ANKER:

Second.

VICE-CHAIRMAN KRUPSKI:

And second by Legislator Anker. Motion by Legislator Muratore. On the motion, could I ask, I think, Frank Castelli, to give us a rundown of this -- is this -- has this project been approved by the Water Quality Committee? And what's the plan to eradicate the perennial pepper weed?

MR. CASTELLI:

This project was recommended by the Water Quality Committee at our March 13th, 2015 meeting. This project is for -- well, the funding, the Quarter Percent funding for this project is in the amount of 70, \$70,000, which will be fully matched by the Town of Brookhaven for the eradication of the pepper weed invasives. This is actually part of a project that's been ongoing for a while. Brookhaven Town, in conjunction with Suffolk County and New York State, have been working in this area to remove this invasive species. This is an important project in that this is the only area on Long Island where this perennial pepper weed has made some inroads at West Meadow Beach. And over the last few years, multiple agencies have been trying very diligently to remove the invasive species before it gets a foot-hole and actually would have the potential to spread to other areas. This particular species will compete with other natural wetlands, wetland plants and could be quite damaging in the effects that it could have on the natural environment of the wetlands.

The plan, Brookhaven has been working with a contractor over the past few years and the plan is a combination of mechanical harvesting, actually physically removing the species, and also some limited herbicide treatment. I know that part of the property there is owned by Suffolk County and the County has issued an exemption to the County's of herbicide, pesticide usage, specifically the pesticide, CAC thought it was a good idea to use -- to allow herbicide treatment in this particular case due to the importance of removing this invasive species.

VICE-CHAIRMAN KRUPSKI:

Thank you. Does anyone have any other questions about the perennial pepper weed eradication project?

LEG. ANKER:

One quick question. Okay, so the DEC also works with eliminating invasive species. Are they part of this project?

MR. CASTELLI:

The DEC has been involved, as are the U.S. Fish & Wildlife Service. So they are part of the overall the project. The project's being spearhead by the Town of Brookhaven, but the DEC, US Fish & Wildlife, along with Suffolk County are all involved in the overall program.

LEG. ANKER:

Right, I know there's funding, it's through the Hogweed Committee. And I know in Mt. Sinai, we have this {cudzo} and they tried to eradicate it but it's coming back again. But that's good to know that they're part of this whole project, so thank you.

VICE-CHAIRMAN KRUPSKI:

Thank you. Normally it's very difficult to control invasives, hence the name. But in this case, they're trying to control them before they become widespread throughout the County. So hopefully they'll be successful in this effort to contain it in a small location.

MR. CASTELLI:

Right. Luckily, right now it's an isolated occurrence, pretty much.

VICE-CHAIRMAN KRUPSKI:

Thank you. All right, we have a motion and a second. All in favor? Opposed? Abstentions?
So moved (VOTE: 4-0-0-1 - Not Present: Chairperson Hahn).

1545-15 - Amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program, and appropriating funds in connection with a Town of Brookhaven project for restoration of Blue Point Avenue Pond and stormwater improvements (CP 8240.334)(County Executive).

LEG. MURATORE:

Motion.

VICE-CHAIRMAN KRUPSKI:

Motion by Legislator Muratore.

LEG. ANKER:

Second.

VICE-CHAIRMAN KRUPSKI:

Second by Legislator Anker. Same question, Frank?

MR. CASTELLI:

Yeah, this project was also recommended by the Water Quality Committee during our March 13th meeting. This is for \$125,000 to the Town of Brookhaven, again. This is also fully matched. This is a project to remediate a pond in Blue Point, the southern part of Brookhaven Town. This project will involve various restoration, activities such as storm water improvements. This is a pond that has been degraded quite severely over the years, and the pond is also -- storm water that flows into the pond is directly -- right now it's being discharged into the Great South Bay. And the improvements that are being proposed here will not only benefit the pond, but also have benefit throughout the Great South Bay due to the fact that the discharge is into the bay.

This is -- there is going to be construction, items like bio- retention, basins, some innovative storm water treatments, and also there's going to be a bit of habitat restoration involving the removal of some fragmites and other invasive species and replanting with natural vegetation.

VICE-CHAIRMAN KRUPSKI:

Thank you. Any other questions? All right, we have a motion and a second. All in favor? Opposed? Abstentions? ***So moved. (VOTE: 4-0-0-0 - Not Present: Chairperson Hahn).***

1546-15 - Amending the Adopted 2015 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2015 Capital Budget and Program, and appropriating funds in connection with the Town of East Hampton's Green Reach Infrastructure Demonstration Nitrogen and Stormwater Abatement Project (CP 8240.335)(County Executive). Same motion, same second? Thank you. Same question.

MR. CASTELLI:

A third of our projects today is -- this project was also recommended at the March 13th meeting of the Water Quality Committee. This is \$125,000 and Quarter Percent funding, that will be delivered to the Town of East Hampton for the accomplishment of this project. This will also be fully matched by the Town of East Hampton, and this is basically a non-point source project, non-point source remediation, storm water project that will use an interesting approach, something that's innovative and something that hasn't been tried too often before. This would be -- the main aspect of this project will be the construction of a permeable barrier that will capture some of the pollutants such as nitrogen from moving into Three Mile Harbor and Acabonic Bay in the Town of East Hampton.

There is also going to be bio-retention, swales that are built here. The permeable barrier is an interesting concept in that we're finding out that more and more -- we're finding out more and more that a lot of the pollutants such as nitrogen that are entering our surface waters are actually coming from the groundwater and some of this -- this will help in preventing some of that intrusion of pollutants into these harbors into East Hampton.

VICE-CHAIRMAN KRUPSKI:

It will no doubt help. Will we be able to quantify the degree to which this is successful, though? Will there be testing for before and after construction?

MR. CASTELLI:

I think I'll defer to -- we have Kim Shaw here, and also Scott Curatolo-Wagemann from -- Scott's from the Cornell Cooperative Extension, and Kim is from the Town of East Hampton, and I think I would defer to them to speak to that.

VICE-CHAIRMAN KRUPSKI:

Please.

MS. SHAW:

Good afternoon. Kim Shaw, Town of East Hampton, I'm the Environmental Protection Director.

VICE-CHAIRMAN KRUPSKI:

Welcome.

MS. SHAW:

Yes, we're working with Cornell and there is a monitoring component built into the project. So pre-project, we're going to be doing some transits and measuring water quality and post-project. So we -- the match that we have will be for the monitoring.

VICE-CHAIRMAN KRUPSKI:

Where do you measure and what are you measuring for?

MS. SHAW:

A whole suite of parameters, including nitrogen. We're actually testing out this permeable reactive barrier to see how effective it is with nitrogen removal. So it's been done elsewhere in the United States, particularly in Rhode Island, they've seen that these barriers are very effective. So this would be one of the first projects in Suffolk County testing this type of barrier.

VICE-CHAIRMAN KRUPSKI :

But where do you physically measure the -- well, the input and then the effluent?

MS. SHAW:

We are going to be doing -- we have a similar project already in place that puts these ponds in East Hampton where we put transits through a monitoring grid and so we grab water samples, pour water samples and groundwater, and then do an analysis. And we've targeted where we have the greatest seepage of groundwater entering the water body, and that's where we target with these reactive barriers. So we don't -- this is going in adjacent to a bulk head, so we're not going to be targeting the entire bulk head, but focusing on where we have the largest groundwater inputs.

VICE-CHAIRMAN KRUPSKI :

So do you think the permeable reactive barrier will affect flow rate?

MS. SHAW:

Well, it's going to -- where we're going to put this opening or this barrier, this material into ground water, it's trenched, and where we're going to install that, we're hoping -- well, the theory is that groundwater seeks the area of least resistance and it would go through the barrier and be treated before it enters the harbor again.

VICE-CHAIRMAN KRUPSKI :

And a bulkhead is vinyl?

MS. SHAW:

The bulkhead at this particular site is plastic sheathing.

VICE-CHAIRMAN KRUPSKI :

So the groundwater is flowing underneath it then.

MS. SHAW:

Right. Actually, at three mile we -- years ago the County worked with the Town, they owned the bulkhead at the time and they replaced -- when they were doing replacement work for the bulkhead, the town, in addition, installed a french drain and they had -- what do you call it, smart sponges installed in this one particular area, and so that's the area we're working in. The smart sponge obviously, it just -- there was no upkeep, and so we're sort of retrofitting what was already done in 2008 with this reactive barrier.

VICE-CHAIRMAN KRUPSKI :

What's the length of the project?

MS. SHAW:

It's very small. It's probably going to be the total length of the bulkhead, maybe only 40 feet. A similar project was just installed by Cornell in Hampton Bays and the results are pretty astonishing on the uptake of nitrogen.

VICE-CHAIRMAN KRUPSKI :

Great. Very good. Thank you.

MS. SHAW:

Sure.

VICE-CHAIRMAN KRUPSKI :

Legislator Anker.

LEG. ANKER:

I just want to thank Cornell Extension for not being afraid to pursue new technologies. Because that's one of the problems with government, is that sometimes government, we stay in a rut. We have to use what's been used before, that's the way it's done. But, you know, as Dr. Koppelman had said, Suffolk County has a way of taking innovation and actually using it. So thank you for doing this project.

VICE-CHAIRMAN KRUPSKI:

All right. So we have a motion and a second. All in favor? Opposed? Abstentions? ***So moved (VOTE: 4-0-0-1 - Not Present: Chairperson Hahn).***

If there's no other business to attend to, we're adjourned.

(*The meeting was adjourned at 11:55 AM*)

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