

COUNCIL ON ENVIRONMENTAL QUALITY

March 19, 2003

Minutes

A regular meeting of the Council on Environmental Quality was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York.

Members Present:

Theresa Elkowitz - Chairperson  
Larry Swanson - Vice-Chair  
Lance Mallamo  
Nancy Manfredonia  
Thomas Cramer  
Michael Kaufman  
Legislator Ginny Fields  
John Finkenberg

Also in Attendance:

Richard Martin - Historic Services  
Joy Squires - CAC of Huntington  
Steve Brown - CAC of Brookhaven  
James Bagg - Suffolk County Planning Department  
Penny Kohler - Suffolk County Planning Department  
Legislator Vivian Fisher - District #5  
Stephanie Mitchell - Chief-of-Staff/Legislator Fisher's Office  
Legislator Jon Cooper - District #18  
Barbara LoMoriello - Aide to Legislator Cooper  
Roger Podd - Aide to Presiding Officer Postal  
Ben Wright - Director-Sanitation Division/Department of Public Works  
Keith Larsen - Project Coordinator & Architect/Dept of Public Works  
Ralph Borkowski - Landscape Architect/Department of Public Works  
John Donovan - Associate Civil Engineer/Department of Public Works  
Nicole DeAngelo - County Executive's Office/IR  
Nick Gibbons - Suffolk County Parks Department  
Joey MacLellan - Executive Assistant to Riverhead Town Supervisor  
Thomas W. Broderick - Cameron Engineering/Suffolk County Courts  
Charles Baldassano - Baldassano Architects  
Martin A. DePasquale - Baldassano Architects  
Phil Monastero - Baldassano Architects  
Chad Baldassano - Baldassano Architects  
Mike Scardino - Chief Clerk/Supreme Court  
Louise Tortora - Facilities-DAJ's Office/Suffolk County Courts  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(\*The meeting was called to order at 9:29 A.M.\*)

CHAIRPERSON ELKOWITZ:

Good morning. I'm going to call the meeting to order and ask that the members review the minutes of the February 19th, 2003, meeting which I actually reviewed and had comments on but I don't have them with me. Does anybody have corrections; Larry?

MR. SWANSON:

Page two, it's where I'm speaking, you have "under Walter Quality Protection," it should be Water, W-A-T-E-R. Page 21, these are sort of nitpicks but at the end where I'm speaking, the second line you have the word "thing that concerns me", it should be things. And the fourth line, "Included in new analysis," it should be in your analysis.

CHAIRPERSON ELKOWITZ:

Any other corrections? With those corrections, I'll entertain a motion.

MR. KAUFMAN:

Motion that we accept the minutes.

CHAIRPERSON ELKOWITZ:

I have a motion. Do I have a second?

MS. MANFREDONIA:

Second.

CHAIRPERSON ELKOWITZ:

Second by Nancy. All those in favor? Opposed? Abstentions? Carried (VOTE: 7-0-0-2 Not Present: Legislator Fields & Adrienne Esposito).

Correspondence, I don't have any correspondence at all.

Recommended Type II Actions: Ratification of Staff Recommendations for Legislative Resolutions Laid on the Table March 11, 2003. Jim, is there anything you would like to call to the Council's attention?

MR. BAGG:

Yes, there are a couple of bills there that you should be notified about. Introductory Resolution No. 1203-03 - Authorizing Land Acquisition under the Pay-As-You-Go Quarter Percent Taxpayers Protection Program ({Adonomitz} Property in Southold). This needs an environmental assessment form and submittal to CEQ.

In addition, Introductory Resolution 1204 under the same program is for the acquisition of land {Peehole} Pond Property in the Town of Brookhaven, it needs an EAF.

Resolution No. 1214 - Appropriating funds for improvements to the HYO Suffolk County Complex Field in the Town of Islip. That was tabled by the CEQ, it is waiting for approvals from the County and the Health Department per se. And technically SEQRA is not complete so technically funds should not be appropriated until such time as SEQRA is complete.

One last bill I call the Council's attention to, it is a Type II Action, is Resolution No. 1209, it's kind of interesting, it's authorizing an inventory of County Park Facilities for institutional care and homeless housing uses. It's an inventory so it's a Type II Action but in the future, use of County Park property for those uses, I don't know what it will be in terms of a SEQRA classification.

CHAIRPERSON ELKOWITZ:

Any questions? If not, I'll entertain a motion to accept staff recommendations.

MR. KAUFMAN:

I'll make that motion to accept staff recommendations.

MS. MANFREDONIA:

Second.

CHAIRPERSON ELKOWITZ:

I have a motion, I have a second by Nancy Manfredonia. All those in favor? Opposed? Abstentions? Carried (VOTE: 7-0-0-2 Not Present: Legislator Fields & Adrienne Esposito). Thank you, Jim.

We'll go down the Type II Actions. Item 1B - Proposed Installation of Water Main at Southaven County Park, Yaphank, Town of Brookhaven.

"Dear Ms. Elkowitz, Suffolk County Parks seeks to install a water main at Southaven County Park. A trenching machine will be used to bury the lines underground. Although the removal of mature trees is not anticipated, it may be necessary to do due to subsurface conditions." I believe this is to be a Type II Action under SEQRA, Title 6NYCRR, Part 617.5C11, Extension of utility distribution facilities including gas, electric, telephone, cable, water and sewer connections to render service and approved subdivisions or in connection with any action on this list." Anybody have any questions?

MR. KAUFMAN:

I do, Madam Chairman; Chairwoman, rather.

(\*Legislator Fields entered the meeting at 9:33 A.M.\*)

Nick, quick question for you. Why isn't subsurface drilling being used? I'm just curious why you would go with trenching.

MR. GIBBONS:

Why are they trenching?

MR. KAUFMAN:

No, as opposed to doing subsurface drilling and just installing it that way.

MR. GIBBONS:

I'm confused, Mike. They're burying a six inch water main, right now the facility is served by wells which have continued to fail due to fecal coliform counts.

CHAIRPERSON ELKOWITZ:

What is the facility that you're connecting the water main?

MR. GIBBONS:

Southaven County Park.

CHAIRPERSON ELKOWITZ:

The whole park is being connected.

MR. GIBBONS:

Right. The -- if you're familiar with it --

CHAIRPERSON ELKOWITZ:

I am.

MR. GIBBONS:

-- the stables off of Gerard --

CHAIRPERSON ELKOWITZ:

Right.

MR. GIBBONS:

And then on to the maintenance area including the Park Police Headquarters and the lodge.

CHAIRPERSON ELKOWITZ:

Uh-huh.

MR. GIBBONS:

All those areas are served by the original wells. So there's existing city water authority main on Gerard and this is going to be an extension off of that, a six inch main.

MR. KAUFMAN:

All right, I withdraw the question. Thank you.

CHAIRPERSON ELKOWITZ:

I have a question, though, for Jim. I have my regs in front of me; you have your regs open? This citation which, if there is one, this is the right one, "The extension of utility distribution facilities including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list." What action on the Type II list is this in connection with? I don't think there is an action on the Type II list that it's in connection with.

MR. BAGG:

You possibly could use number two which is upgrading of facilities to meet building or fire codes. I'm going to assume you're probably trying to upgrade the water quality within the parks to meet Health Department requirements.

CHAIRPERSON ELKOWITZ:

But it's "replacement, rehabilitation or reconstruction of a structure or a facility in-kind," so you think it's rehab of a structure? It says, "Including upgrading buildings to meet building or fire codes."

MR. BAGG:

I mean, that's the part I would look at and say upgrading, you know, buildings and facilities to meet water quality standards pursuant to Health Department standards. I don't --

CHAIRPERSON ELKOWITZ:

I mean, I don't think this is significant whatsoever. I just am curious, you know, I like to get it right.

MR. GIBBONS:

Right. I have used that in the past for utilities but it wasn't necessarily -- it was always for a parks facility --

CHAIRPERSON ELKOWITZ:

Right.

MR. GIBBONS:

-- not a subdivision or anything else specified on the list.

CHAIRPERSON ELKOWITZ:

I guess we can do it in connection with II. I'll entertain a motion for a Type II Action.

MR. CRAMER:

Motion.

CHAIRPERSON ELKOWITZ:

I have a motion by Mr. Cramer, a second by My. Kaufman. All those in favor? Opposed? Abstentions? Carried (VOTE: 8-0-0-1 Not Present: Adrienne Esposito).

MR. GIBBONS:

Thank you.

CHAIRPERSON ELKOWITZ:

Okay, thank you.

Okay, Item 1C - Proposed planning phase of construction of a new Fire Vehicle storage facility, CP 3415, Yaphank, Town of Brookhaven.

(\*Adrienne Esposito entered the meeting at 9:36 A.M.\*)

"Dear Ms. Elkowitz, this department is proceeding with the planning phase of the above referenced project. The work will include the planning on a new 10,000 square foot fire vehicle storage building" -- sorry, "storage facility building in Yaphank. The department considers this a Type II Action under SEQRA in accordance with the provision of 6NYCRR617.5 C21 as it involves the planning phase for this project." Well, this is clearly a Type II Action and there's a plan. I'll entertain a motion.

MR. KAUFMAN:

Motion.

CHAIRPERSON ELKOWITZ:

I have a motion. Do I have a second by Mr. Cramer. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0).

Okay, 1D - Proposed Planning and Construction of Improvements to the Schraeder house, Building C831, CP 3046, Town of Brookhaven.

"Dear Ms. Elkowitz, the Department is proceeding with the planning and construction of the above referenced project. The work will include the replacement of exterior doors and windows with energy efficient units as well renovating the existing bathrooms. The department considers this a Type II Action under SEQRA in accordance with the Provisions of 6NYCRR 617.51 and 2 as this action concerns reconstruction of a structure or facility in-kind."

MR. CRAMER:  
Motion.

CHAIRPERSON ELKOWITZ:

I have a motion for a Type II. Do I have a second?

MR. MALLAMO:  
I have a question.

CHAIRPERSON ELKOWITZ:

Let's have a second, then you can ask a question.

MR. KAUFMAN:  
I will second.

CHAIRPERSON ELKOWITZ:  
I have a second.

MR. MALLAMO:  
Where is the Schraeder House; what is it?

MR. BORKOWSKI:  
Right by the Yaphank Farm, just south.

MR. MALLAMO:  
Is this that house for Youths In Need of Supervision, is that the building we're talking about?

MR. BORKOWSKI:  
Just west of the house for youths, right before the bridge.

MR. MALLAMO:  
Yeah; is this the older one or the newer one?

MR. BORKOWSKI:  
It's not the one closer to the road, it's the one --

MR. MALLAMO:  
There was one that burned down in a fire and it was rebuilt about ten years ago, is this that house or the older one, do you know?

MR. BORKOWSKI:  
I'm not sure. It's the one directly behind the one closest to Yaphank Avenue.

MR. MALLAMO:  
Okay. Richard, is this associated --

MR. BORKOWSKI:  
I might have a map, hold on.

MR. BAGG:  
It's a child care facility.

MR. MALLAMO:  
Is it one of the original farm houses?

MR. BORKOWSKI:  
I believe so.

MR. MALLAMO:  
Do you have a picture of it, Ralph?

MR. BORKOWSKI:  
I have the location, here it is.

MS. MARTIN:  
Is this wood frame or brick?

MR. MALLAMO:  
I think it's wood frame and it's shingled. Yeah, this is the new one.

MR. BORKOWSKI:  
This is the one we restored, this is the one behind it.

MR. MALLAMO:  
Yeah, CEQ -- I think this is the one that caught fire, there was an early farm house there and it was --

MR. MARTIN:  
It was all redone.

MR. MALLAMO:  
It was rebuilt but we were careful to make it conform to the architecture of this one. So now I guess --

MR. BORKOWSKI:  
This one was done about two years ago.

MR. MALLAMO:  
Okay, but this is an older one. What kind of windows and doors are we putting in this?

MR. BORKOWSKI:  
The actual manufacture, make?

MR. MALLAMO:

Yeah. What's there now, are they six over six windows, do you know?

MR. BORKOWSKI:

I'm not sure of the specifics on the windows; I could get back to you with that.

MR. MALLAMO:

Yeah, could we table this 'til next time? I'm just concerned this might be a early building associated with the farm complex there.

CHAIRPERSON ELKOWITZ:

Yeah, we can table it, but I have a question for you. It's a Type I Action -- it's a Type II Action as long as it wouldn't be a Type I Action as defined on the Type I list. So is -- well, I'll tell you what could make it a Type I Action, okay. Any Unlisted Action, unless the action is designed for the preservation of the facility or site occurring wholly or partially within or substantially contiguous to any historic building, structure, facility site or district or prehistoric site that is listed on the National Register of Historic Places or that has been proposed by the New York State Board of Historic Preservation for recommendation to the State Historic Preservation Office or for the nomination for inclusion in the National Register or that is listed on the State Register.

MR. MALLAMO:

Yeah, the farm complex is listed.

CHAIRPERSON ELKOWITZ:

Okay. So --

MR. MALLAMO:

But I don't know where the boundary is in relation to this house.

CHAIRPERSON ELKOWITZ:

All right. So what you have to do is not only do you have to come back with more information, I don't think this needs a long EAF -- well, it's a Type I Action so it does. You need an EAF because it makes it a Type I Action just because of where it's located. So you'll have to come back with an EAF --

MR. BORKOWSKI:

We just want to be clear that -- we're just doing the windows and the inside of the bathrooms.

CHAIRPERSON ELKOWITZ:

Yes.

MR. BORKOWSKI:

We're not doing the exterior in any way.

CHAIRPERSON ELKOWITZ:

I know, but I think -- but it still makes it a Type I Action just because -- if you have a copy of the regs, just go back and look at 617.4, okay, B as in boy, 9, okay?



MR. BORKOWSKI:  
Yeah, I'll check that.

CHAIRPERSON ELKOWITZ:  
All right. And then if you'll just bring back the information that Lance wants?

MR. BORKOWSKI:  
I certainly will.

CHAIRPERSON ELKOWITZ:  
I'll entertain a motion to table.

LEG. FIELDS:  
Motion to table.

CHAIRPERSON ELKOWITZ:  
I have a motion by Ginny Fields. Do I have a second?

MR. KAUFMAN:  
Second.

CHAIRPERSON ELKOWITZ:  
I have a second by Mike Kaufman. All those in favor? Opposed? Abstentions? Carried. Tabled (VOTE: 9-0-0-0).

1E - Proposed Planning and Construction of Improvements to the Vanderbilt museum Planetarium, CP 7437, Town of Huntington.

"Dear Ms. Elkowitz, this department is proceeding with the planning and construction of the above referenced project. The work will include the replacement of doors and windows with new energy-efficient units, lobby and theatre renovations, to replace worn infrastructure and visitor facilities and an analysis of ground conditions at the southwest corner of the building. The department considers this project a Type II Action under SEQRA in accordance with the provision of 6NYCRR, 617.51 and 2 as this action concerns replacement and rehabilitation involving no substantial changes to an existing structure."

MR. MALLAMO:  
I think we actually did this at the last meeting.

CHAIRPERSON ELKOWITZ:  
Is this the same one we did?

MR. MALLAMO:  
It's the same project.

MR. KAUFMAN:  
No, we only looked at the settling in the corner over there, the ground conditions at the southwest corner of the building. I don't remember anything about the replacement windows, etcetera.

MR. MALLAMO:

Well, this project covers it and I thought it did say that in there. I don't have that letter with me; would you

CHAIRPERSON ELKOWITZ:

Do you have the records from last time?

MR. SWANSON:

Can we just review the minutes?

CHAIRPERSON ELKOWITZ:

If you have the minutes, Larry, that would be helpful.

MR. MALLAMO:

I know it was before I got to the meeting because somebody said to me --

CHAIRPERSON ELKOWITZ:

If it was a Type II it would have been early on.

MR. MALLAMO:

Yes.

CHAIRPERSON ELKOWITZ:

It was just planning, this was construction. Last month it says, "Proposed planning to perform architectural planning and engineering surveys," and this one I believe says, "planning and construction." I think that's it.

MR. MALLAMO:

Okay.

CHAIRPERSON ELKOWITZ:

Okay? I'll entertain a motion. I have a motion by Larry Swanson, Type II. Do I have a second?

MR. KAUFMAN:

I'll make the second.

CHAIRPERSON ELKOWITZ:

Second by Mr. Kaufman. All those in favor? Opposed? Abstentions? Do you want to abstain?

MR. MALLAMO:

Yes, I'll abstain.

CHAIRPERSON ELKOWITZ:

I have an abstention. Carried (VOTE: 8-0-1-0 Abstention: Lance Mallamo).

MR. MALLAMO:

Thank you.

CHAIRPERSON ELKOWITZ:

Any time; I'm really sensitized to that issue, though.

Okay, 1F - Proposed Planning and Construction for Renovations to County Building #50, CP 1765, Hauppauge, Town of Smithtown.

"Dear Ms. Elkowitz, the Department is proceeding with the planning and construction for the above referenced project. The work consists of the renovation of County Building No. 50 which includes renovations to the restrooms, HVAC system, replacement of ceilings, lighting, windows and installing security improvements as well as other miscellaneous improvements. The Department considers this project a Type II Action under SEQRA. In accordance with the provision of 6NYCRR 617.51 and 2 as this action concerns replacement and rehabilitation involving no substantial changes to an existing structure." Which one's 50?

MR. BORKOWSKI:

I believe it's the building that the court is in. There is a court over there and -- sorry.

MR. KAUFMAN:

Is the County Attorney's Office on the other wing of that?

MR. BORKOWSKI:

It's the North County Complex.

MR. KAUFMAN:

We're 200 yards away from it right now.

UNKNOWN AUDIENCE MEMBER:

MIS.

MR. BORKOWSKI:

MIS, yeah.

CHAIRPERSON ELKOWITZ:

Okay. I'll entertain a motion for a Type --

MR. KAUFMAN:

I shall make such a motion.

CHAIRPERSON ELKOWITZ:

I have a motion. Do I have a second by Mr. Cramer. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0).

MR. BORKOWSKI:

I apologize for that.

CHAIRPERSON ELKOWITZ:

Next time you won't come without a map, Ralph, you know?

MR. BAGG:

Terry, excuse me. Who was the second on that?

MR. BORKOWSKI:

Too many County buildings.

CHAIRPERSON ELKOWITZ:

The second was Cramer.

Okay, Item 1G - Proposed Improvements to County Center, C-001, CP 1643, Riverhead, Town of Southampton.

"Dear Ms. Elkowitz, the Department is proceeding with the construction for the above referenced project. The work consists of the planning and construction of this existing building to accommodate the current occupants, upgrade the HVAC system, the lighting system, improve the insulation on the exterior walls and roofs, install insulated glass and install a mandated child care facility. The department considers this project a Type II Action under SEQRA in accordance with the provision of 6NYCRR Part 617.51 and 2 as this action concerns replacement and rehabilitation involving no substantial changes to an existing structure or reconstruction of a structure or facility in-kind." Where is it?

MR. BORKOWSKI:  
Oh, I know this building.

CHAIRPERSON ELKOWITZ:  
I'm glad.

MR. KAUFMAN:  
Congratulations. So where is it?

CHAIRPERSON ELKOWITZ:  
It's in Riverhead.

MR. BORKOWSKI:  
It's Riverhead County Center, the main building.

CHAIRPERSON ELKOWITZ:  
I have a question for you. What does the mandate -- the installation of a mandated child care facility mean?

MR. BORKOWSKI:  
The County is mandated to provide child care facilities in County buildings throughout the County.

CHAIRPERSON ELKOWITZ:  
Okay. Are you building an addition to the building?

MR. BORKOWSKI:  
No.

CHAIRPERSON ELKOWITZ:  
Are you using a room that's in the building existing --

MR. BORKOWSKI:  
That's correct.

CHAIRPERSON ELKOWITZ:  
-- and just converting it, you're just upgrading it so that it meets standards?

MR. BORKOWSKI:

Upgrading it, taking a room, modifying it, providing child care facility.

CHAIRPERSON ELKOWITZ:

Okay. I'll entertain a motion.

MR. KAUFMAN:

I'll make that motion.

CHAIRPERSON ELKOWITZ:

I have a motion by Mr. Cramer, a second by Mr. Kaufman. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0).

One more, Ralph, and you're off the hook.

1H - Proposed Planning Phase of Construction of Day Care Centers in County Facilities, CP 1777, Yaphank, Town of Brookhaven.

"The Department is proceeding with the planning phase of a new 8,000 square foot day-care facility where the present old doctor's cottage is located in Yaphank, New York. The work will consist of demolition of the old doctor's cottage and detached garage presently occupied by DPW Operations and Maintenance. O&M will be relocated to the old Infirmary basement once it is renovated under a separate project. The new day-care facility will serve children from six weeks to five years old and be operated by a contracted licensed independent provider. The

facility includes classrooms, play areas, food prep and administrative offices, site work includes a playground, landscaping and parking facilities. The department considers this project a Type II Action under SEQRA in accordance with provision of NYCRR 617.5 C-21 as it involves the planning phase for this project." So it's only planning and you'll come back to us with plans.

MR. BORKOWSKI:

That's correct.

CHAIRPERSON ELKOWITZ:

Okay. I'll entertain a motion.

MR. BORKOWSKI:

It's across from the Infirmary.

MR. MARTIN:

Could you just say where that building is?

MR. BORKOWSKI:

The building is across from the old Infirmary off of North Yaphank Avenue, just north of the Board of Elections.

MR. MARTIN:

Wood frame?

MR. BORKOWSKI:

It's a wood frame, in a cottage-type building.

MR. MARTIN:

Okay.

MR. MALLAMO:

Do you know when it was built?

MR. BORKOWSKI:

I don't know specifically but --

CHAIRPERSON ELKOWITZ:

As part of the planning effort that you're doing --

MR. BORKOWSKI:

-- I would think it's built, you know, before World War II.

CHAIRPERSON ELKOWITZ:

As part of the planning effort that you're doing, you're going to meet with Rich Martin and you're also going to do a full EAF, okay.

MR. BORKOWSKI:

Okay.

CHAIRPERSON ELKOWITZ:

I'll entertain a motion --

MR. CRAMER:

Motion.

CHAIRPERSON ELKOWITZ:

-- for a Type II by Mr. Cramer.

MR. KAUFMAN:

Just --

CHAIRPERSON ELKOWITZ:

I need a second first.

MR. KAUFMAN:

I'll make a second.

CHAIRPERSON ELKOWITZ:

I have a second. Go ahead.

MR. KAUFMAN:

I'd also like to ask one question.

CHAIRPERSON ELKOWITZ:

Sure.

MR. KAUFMAN:

Is this possibly a historic site or nominated or anything like that?

CHAIRPERSON ELKOWITZ:

I think they're going to find that out during the planning phase.

MR. BAGG:

This is for planning only. When they're doing the planning, they want to know what kind of building it is.

CHAIRPERSON ELKOWITZ:

That's right.

MR. MARTIN:

It's across the street from the Infirmary so that's why we should take a look at it.

CHAIRPERSON ELKOWITZ:

Okay. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0). All right. Thanks, Ralph.

MR. BORKOWSKI:

Thank you. I'll do a little more studying on the locations of the buildings next time.

CHAIRPERSON ELKOWITZ:

That's okay. You break up the tension.

All right, Item 2 - Proposed Sludge Treatment System Improvements to Sewer District #11 - Selden, Town of Brookhaven. Hello, Mr. Wright.

MR. WRIGHT:

Good morning.

CHAIRPERSON ELKOWITZ:

How are you?

MR. WRIGHT:

Let me just bring this a little closer.

CHAIRPERSON ELKOWITZ:

He hasn't been here in a while.

MR. WRIGHT:

It's the same plan --

CHAIRPERSON ELKOWITZ:

Ben, you have to come closer, we've all gotten old over the years.

LEG. FIELDS:

Since you were here last we've all aged.

CHAIRPERSON ELKOWITZ:

Right, we've all aged. And you need a microphone; how about taking Lance's.

MR. WRIGHT:

I just wanted to point out that what we're talking about is a building in center treatment sites.

LEG. FIELDS:

That has to be on the record, Ben. That has to be on the record, you've got to use the microphone.

CHAIRPERSON ELKOWITZ:

Here, take a microphone, take one of these.

MR. WRIGHT:

The plan that's on the easel is the same that's in the EAF. And what I'll discuss for a couple of minutes is a building that's in the center of the treatment plant site that will house the sludge treatment system.

CHAIRPERSON ELKOWITZ:

Okay. Thank you, Ben.

MR. WRIGHT:

Suffolk County Sewer District 11 is in Selden and as with all our plans, there's two focus points; one is the liquid treatment and one is the residuals or sludge treatment that's on the site. The treatment system has been upgraded from time to time and the last improvement to the sludge system was in the mid 1970's, and what that entails is a {cylindrical} tank that receives the sludge material with quiescent settling and some slow mixing, it allows some of the water to be separated from the sludge, and we transfer one and a half to 2% solids into a holding tank that's aerated and from there it goes into tanker trucks that brings it down to Bergen Point for treatment. Those tanker trucks are six to 7,000 gallons and we have had as much as 35 trucks per week that leave the site. By thickening the sludge in a different manner, by pressing the water out of it to 5% solids, we'll be able to reduce the number of trucks down to 12 to 14 trucks per week. So there's a significant savings not only in the cost of hauling but in the energy that's associated with it.

The building that we would house this particular device in would be approximately 35 foot by 35 foot. It's located in the center of the existing treatment plant site which has been disturbed, it has been dedicated to treating sewage for over 35 years. We looked at the potential impacts as part of the EAF and the beneficial one is obvious with the number of trucks being reduced and the fuel saved, the noise associated with them and some of the exhaust. We will be using a little additional extra horsepower, we think it's 24 horsepower for six hours a day, we'll probably be running six days a week. The payback financially for installing the building and the equipment is about 18 months, so it's a benefit there.

We do or will provide odor control, contain the odors, treat it within the building. The two chemicals that will be used is a polymer that will assist in the dewatering process and then {Potassium Permanganate} which is an oxidizer that we use at almost all of our treatment plants that assist in the odor control. We would expect that depending on CEQ's determination that we would issue an RFP in the near future to gain some design assistance and we could be operational some time in early 2005.



CHAIRPERSON ELKOWITZ:

Anyone have any questions for Mr. Wright? Yes.

MR. BROWN:

You're saying that you're going to be operating this facility six days a week; what are you presently operating right now?

MR. WRIGHT:

Well, we bring trucks in to take the thickened sludge out seven days a week right now.

MR. BROWN:

And then you're going to reduce the amount of time that you're operating it?

MR. WRIGHT:

Yes.

CHAIRPERSON ELKOWITZ:

Yes, Larry?

MR. SWANSON:

And maybe you said this but I didn't catch it. What are you doing with the centrate from the --

MR. WRIGHT:

That goes back to the head of the plant for treatment.

MR. SWANSON:

Okay. And that's -- and the discharge goes to where, to groundwater?

MR. WRIGHT:

Yeah, this plan is a groundwater discharge plant; it meets groundwater standards.

MR. SWANSON:

But typically the centrate from sludge will be very high in nitrogen; is that an issue?

MR. WRIGHT:

No. It really -- pounds of nitrogen-wise, we're dealing with the same situation right now.

MR. SWANSON:

What about Phosphate?

MR. WRIGHT:

There's no standard for it in the treatment plant permit limit. I wouldn't expect that it's going to change much from what it is today; I can't tell you what that number is.

MR. SWANSON:

Thank you.

CHAIRPERSON ELKOWITZ:

Any other questions for Mr. Wright? If not, I'll entertain a motion.

MR. CRAMER:  
Motion, Unlisted Negative Dec.

CHAIRPERSON ELKOWITZ:  
I have a motion. I have a second by Mr. Kaufman. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0). Thank you, Mr. Wright.

I am going to, at the request of a couple of the Legislators, move some things around on the agenda.

Item No. 3 and Item No. 9 are going to switch, so the proposed dog run at Coindre Hall I'm going to take now and the proposed addition and renovations to Suffolk County Civil Court, Griffing Avenue, Riverhead will be Item 9. Legislator Cooper? Good morning.

LEG. COOPER:  
Good morning. As was requested at an earlier CEQ meeting December 16th, we prepared a detailed plan for the proposed fenced dog run at Coindre Hall which, as you know, was being proposed as a two year pilot program. I believe that you have all the documentation that was prepared.

As you can see, we've addressed a number of issues, fencing and landscaping, storm water control, waste disposal and various enforcement issues. We have received a great deal of cooperation from the Town of Huntington. We have also received an offer from the American Red Cross to provide at no charge to the County personnel for clean-up and maintenance of the site. Lance, I was wondering whether you could, before we get started, just confirm the exact coordinates of the proposed placement of the dog run.

MR. MALLAMO:  
I see there is a map here. Richard Martin and I, after the last meeting, went out to the site just to see if there was a more appropriate location. A few suggestions had been made and when we looked at it and Richard had indicated the Parks Department had a concern with the fire access road to the boathouse, so when we physically walked it we realized it was going to be impossible to maintain that access road through the original submitted map and developed this alternate which widened the area from 100 to 150 feet but shrank it from 800 to 450. So this is a reduced area.

Richard had also, through some research, determined that the maple trees planted in rows were not from the estate era, they were planted later by the Brothers of the Sacred Heart. When they put the school in in 1938 I think it was, they literally cut down every tree in the backyard and planted two rows of trees on either side; having gone to a Catholic high school myself, that was probably to keep an eye on what the kids were doing in the back, so I fully understood that.

But that area has revegetated quite a bit and it was the recommendation, Richard's feeling that that should be allowed to revegetate over time. So where I think the previous submission said everything but the maples was going to be removed, I don't think there's any objection from Legislator Cooper to leave in the

vegetation that is there. So it is somewhat smaller, it moved it back from the waterfront somewhat. We did -- Richard and I did look at alternate locations and there really weren't any others that shielded this from the Coindre Hall mansion or other historic buildings on the property.

CHAIRPERSON ELKOWITZ:  
Anybody have any questions?

LEG. COOPER:  
Lance, perhaps if you can draw the attention of the other CEQ committee members to the color sheet that has four photos of Coindre Hall and perhaps you can point out on the map what that corresponds to; photos labeled 1, 2, 3 and 4.

MR. MALLAMO:  
Yes, I remember we did have a meeting with the Parks Department at Legislator Cooper's Office and we did do this, didn't we? Let me just see if I can remember what --

MS. LOMORIELLO:  
Rich, do you remember?

MR. MARTIN:  
Well, if you look at the map --

LEG. FIELDS:  
You have to use the mike.

MR. MARTIN:  
If you look at the map, along the road you see the tree line at Browns Road and then also the interior tree line. So photo number two is looking north from the 150 -- what's marked as 150 feet looking north there showing the interior, a lawn that's still maintained as a lawn space.

MR. MALLAMO:  
I think actually, Richard, it's not the 150, it's the 450.

CHAIRPERSON ELKOWITZ:  
It's on the west side.

MR. MALLAMO:  
It's on the west side.

CHAIRPERSON ELKOWITZ:  
It's on the west side facing north, that's what the photo says.

MR. MALLAMO:  
If you were standing at the 150 looking north, you're just looking at scrubbrush. So photo two is actually down here lowered; number one is in the center, number two is down in the lower left corner.

CHAIRPERSON ELKOWITZ:  
Number three is facing north.

MR. MALLAMO:

Yes, number three would be along Browns Road looking across the dog run, the proposed dog run, literally opposite the 450 on the map. And number four is at the 450 looking west actually, so you're looking --

CHAIRPERSON ELKOWITZ:

So you're looking off the run.

MR. MALLAMO:

You're looking off the run to the roadway that is indicated as the dotted line on this map.

MR. MARTIN:

And the idea would be to have the fencing not to be seen from the road which we're looking to reestablish, that as the Historic Estate Road so all the fencing would be set back from that road. We plan to use it so we don't want to see the dog run as we're going down to the boat house.

MR. MALLAMO:

Yes, the beach is at the north.

LEG. COOPER:

Also another --

MR. MALLAMO:

The other issue that did come up in our site visit, this has been an ongoing problem at that park for a number of years, was a drainage issue that we have always felt was caused by a storm drain on Browns Road which emptied on to the property and has done tremendous erosion.

And we brought that to Legislator Cooper's attention who contacted the Town of Huntington and they seem willing to correct that, which I know the Parks Department we tried for 15 years to get somebody to even look at it. That has totally washed that road out and I think --

MR. MARTIN:

Right, we need to repair that situation before we can use the Estate Road.

MR. MALLAMO:

Right.

CHAIRPERSON ELKOWITZ:

Anybody have a question; Larry?

MR. SWANSON:

In the correspondence, there is mention of filter strips; can you locate those on the drawing, where they would be located?

LEG. COOPER:

Right. If you look at the map, the area where it's marked 150 feet I believe is where the strips would be placed.

MR. SWANSON:

Since this is a trial, Madam Chairwoman, I'm wondering if as part of the trial we can't request the water quality, essentially the coliform

data that presumably is going to be collected in Huntington Harbor off of Golds Beach for review when this comes back.

CHAIRPERSON ELKOWITZ:

It's already -- it's being collected?

MR. SWANSON:

I presume that the County or the town is probably collecting data to keep it open.

CHAIRPERSON ELKOWITZ:

Yeah, there's no reason why we couldn't.

MR. SWANSON:

I would like to have that.

CHAIRPERSON ELKOWITZ:

Yeah, there's no reason why we couldn't; we should probably get it now, too, though before this starts.

MR. SWANSON:

Right.

CHAIRPERSON ELKOWITZ:

Larry? I mean, I'm sorry, Mike?

MR. KAUFMAN:

Right now Gold Star Beach is heavily monitored, it's one of the most vulnerable beaches in the County. And I believe DEC closes down the entire area whenever there's any kind of a rainstorm, so there's going to be a lot of data out there. Obviously if we're getting the data now that will be a base line and if we see any further spikes in there we may be able to associate it with whatever is going to be going on at the dog run or not as the case may be.

MS. ESPOSITO:

But, Mike, we should remember we may not be. There could be multiple reasons why you would see a spike in coliform levels and I just don't want us to leap to a conclusion that it would be the dog run.

MR. KAUFMAN:

That's why I said may.

MS. ESPOSITO:

Okay.

LEG. COOPER:

And if I may, my Legislative Aide is now handing out some photos taken of several cesspools that were sighted on the property I believe going out of the decision to allow catering to take place on the site and there's some concern over possible leaching from these cesspool. So I agree that it is appropriate to monitor the situation, but it may be somewhat more difficult to determine if there is a spike exactly what the cause is.

MR. KAUFMAN:

Absolutely. Terry, if I may?

CHAIRPERSON ELKOWITZ:

Yes.

MR. KAUFMAN:

Legislator Cooper, with the greatest respect, I think that you've done a very good job in trying to meet our concerns. Basically this project is moved upland, we're going to be looking at patrols in their fencing. Tree removal is going to be limited or prohibited, scrub regrowth is going to be allowed, there's going to be disposal bags on the area, it's not really going to be visible. You're putting in filter strips, you're putting in weekly maintenance, I mean, you're doing everything that we would in a dream job bluntly ask for.

LEG. COOPER:

Short of getting rid of the dogs.

MR. KAUFMAN:

Well, no. See, I don't advocate that, I'm a dog person. But I do still have some concerns and I'd like to bring them out --

LEG. COOPER:

Sure.

MR. KAUFMAN:

-- at this point in time. One of the them is the fact that this is Historic Trust land, and this is what I had talked about for several years; and I'm just going to bring this up and then I do want to move to one other area.

It is dedicated to the National Trust -- to the National -- it's dedicated to the County's Historic Trust and it's on the National Registrar, I believe. It was set aside and placed in these categories for specific historic purposes. And I do worry about alienation issues with this, I do worry about the impact on the historic site. I fully admit that the impact is going to be a lot more limited than it previously was, but there is going to be an impact on the wholistic whole of it in that it is 30 or 40 acres and it is all dedicated as the historic site right now. And while it's not necessarily in the view scape, it is -- it will be a part of the usage on there.

What's very interesting to me is -- and I, again, double checked with Washington and with {Shippo} Upstate -- is that there are no other historic sites used like this in the country or in the State of New York that I have found or that anyone has informed me of. I simply worry that the integrity of an entire site can be hurt, if you will, if we start allowing in different usages. And as a Historic Trust, not as a CEQ but as a Historic Trust, that's something we have to be aware of. Frankly, as I've said before, if this was not Historic Trust property and if we were sitting with our CEQ hats and just looking at this as an impact on a park, this would be an entirely different issue. But it is Historic Trust Land and I am very concerned about that.

The second point that I wanted to bring up is I have looked at some lot maps in the area, etcetera, and there are four acres of Huntington land which appear to be wooded from the aerial photograph that I have which are directly east of where the proposed dog run will be and south of Browns Road. And I'm curious why that land has never been looked at to -- you know, it's Town of Huntington land and it's 50 feet away from the site that we're looking at right now. So those are the two basic questions that I have at this point in time.

MS. LOMORIELLO:

Are you speaking of a site that's across the street from Browns Road, there's four acres across on the other side of Browns Road?

MR. KAUFMAN:

Yes.

MS. LOMORIELLO:

Okay. That has come up a number of times regarding, you know, dog run use and I believe that the town has other uses for that. But in addition to that, Legislator Cooper and I have met with a lot of people in the community, you have seen the coverage, people have been going to this dog park for 20 years I would say. They are committed to it no matter where you move it; when it was moved to West Shore Road people were still going to Coindre Hall.

MR. KAUFMAN:

Well, we've also had ATV use in parks for 30 years and that doesn't necessarily justify the usage of ATV's.

MS. LOMORIELLO:

Well, I also -- excuse me, but I also would like to just mention that on the site that we're talking about that is historic, there appears to be signs that say that you can't have snow mobiling and we shouldn't have sleigh riding, but nobody really monitors that, and the people in the area are very aware of what's being monitored on that site and what isn't. So for now for us to look across the street and ask why, we can understand it's of historic value but there are a lot of questions coming from Jonathan's constituents regarding the use of why not the use of this site. And the four acres, they do not want that four acres there.

MR. KAUFMAN:

Well, you know, just because -- this is the Town of Huntington's dog run.

MS. LOMORIELLO:

No, it's not.

MR. KAUFMAN:

And two -- okay, so it's supposed to be a County project that way. But I mean merely because the Town of Huntington says that it has other usages for it, I have not seen those usages -- and again, I don't want to get into a he said/she said situation or I don't want to make this confrontational in any way shape or form. But merely because they say they have other usages, are those usages such that it would prevent a two acre pilot program from going in there? I mean,

that's essentially what's going on, it's a two acre pilot program right now for two years 50 feet away on the other side of a road.

LEG. COOPER:

My understanding, if we're talking about the same parcel, is that that's the proposed site for a boathouse that's going to be constructed for the Rowing Association; that's been in the works for some time. That's my understanding.

The point -- I would just like to reiterate the point that Barbara made. We met recently with a hundred, 150 dog owners from the Huntington area, taxpayers, who right now if you excise out the weddings that are held there, I'd say that 90%, 95% of the visitors to Coindre Hall are who? They're not hikers, they're not bird watchers, they're dog owners and that's the way it's been historically going back 20 years, 25 years. We have met with dozens of people that have gone there with their pets their entire adult life. Unless you fenced-in Coindre Hall and put in security guards, you're not going to stop these people from going to the site that they've been going to for 20 years. And many -- as some of them have pointed out, some of them don't have kids, they pay taxes to the school district, they pay taxes to the town and the County, they have dogs and they want to be able to continue to bring their pets to Coindre Hall.

There was a lot of opposition to the proposal that this be fenced-in because for 20 years it has not been fenced-in and the vast majority of people that utilize Coindre Hall do so responsibly, pick up after their pets, but I explained that that was off the table, it has to be fenced-in. There were objections to this area that we were proposing to site it, they wanted to have it on the hill which is where historically they've brought their dogs.

MR. KAUFMAN:

So the dogs could see things.

LEG. COOPER:

Well, but it is, it's just a beautiful area. But we explained that that was untenable because there was concern that it would be in the line of site from the mansion so we moved to this area. We reduced the size by about 25%, we moved it further away from the water. So the community, the dog owning community, the taxpayers in Huntington that utilize this, the way they see it, they have already given up an awful lot. And it's already -- I mean, if you are trying to determine what appropriate uses are for an historic site, there are car shows that take place there and races and of course weddings and other sources of revenue are being proposed now. And whether those are appropriate or not --

MR. KAUFMAN:

Yeah, but those are all associated with the mansion in one, way, shape or form.

CHAIRPERSON ELKOWITZ:

Mike. Mike.



LEG. COOPER:

So I believe that because over the past in recent history, going back 20, 25, 30 years, Coindre Hall has been used as a dog run, albeit perhaps informal and not fenced-in. The only reason I'm proposing a fence is that's really what the County was requesting for liability reasons. If I could continue it unfenced, I was not the driving force behind that, so I'm trying to address the concerns of the environmentalists, I'm trying to address the concerns of the County on liability issues, but I'm also trying to address the concerns of a lot of people in Huntington that have been coming here historically and would be extremely upset if this was closed to them. And in any case, as I said, I think it would be impossible to monitor that.

CHAIRPERSON ELKOWITZ:

Legislator Cooper --

LEG. COOPER:

If a decision was made to stop dog owners from attending the dog run, bring the dogs to Coindre Hall, it would be impossible to do so. I think that this would be the only way, if you wanted to really attempt to make sure that dogs off-leash are not allowed on the property, I think that this is the best way to accomplish that.

CHAIRPERSON ELKOWITZ:

Legislator Cooper, I have a question for you.

LEG. COOPER:

Sure.

CHAIRPERSON ELKOWITZ:

I think you know that I for one person am very careful about keeping CEQ on the issues to which it's been assigned, which is compliance with SEQRA and evaluating environmental impacts. I have no interest in getting into policy issues, that's not my job; there are three of you in this room who do that and it's not my job. But I do have a question. Does the County of Suffolk have a policy, a written, accepted, adopted policy about dogs in County parks, on or off leash?

LEG. COOPER:

Well, that's really why we're here right now. There was a law that was approved in 1998 that established, formally established this dog run at Coindre Hall, also at West Hills. Apparently unbeknownst to them at the time when they drafted that law there was a Suffolk County Code that predated that law that prohibits dogs off-leash on any County park. So we were faced with a situation where we had, for example at West Hills, we already had a fenced-in dog run, but technically the dog owners were not allowed to allow their dogs off-leash even within the fenced-in dog run. And this was brought to the attention of the Parks Commissioner several months ago and that's really what led us to where we are for today.

CHAIRPERSON ELKOWITZ:

So my question, though, is that law still on the books that says you can't --

LEG. COOPER:  
Right, it's still on the books.

CHAIRPERSON ELKOWITZ:  
Okay.

LEG. COOPER:  
But the resolution that I've introduced would amend that law, it would amend the Suffolk County Code.

CHAIRPERSON ELKOWITZ:  
It would amend that law for this park or amend the law for all parks?

LEG. COOPER:  
There are actually two resolutions now before the Legislature, one would amend the Suffolk County Code and allow the formal establishment of fenced-in dog runs at Coindre Hall/West Hills. The other would allow the Parks Commissioner, at his or her discretion, to authorize the creation of additional dog runs at County parks where he or she deems appropriate.

CHAIRPERSON ELKOWITZ:  
So -- and I'm just trying to understand this because it's a technical issue under SEQRA and I want to try to work it out to the extent that we can.

LEG. COOPER:  
Sure.

CHAIRPERSON ELKOWITZ:  
The legislation -- not the legislation that's before us today, but the legislation that would authorize the Parks Commissioner to allow fenced-in dog runs here, there, whatever, on County parks, it would amend the County's approved adopted policy if it's enacted, it would amend the adopted policy that says no dogs off-leash?

LEG. COOPER:  
Correct.

CHAIRPERSON ELKOWITZ:  
Let me explain to you what my problem is. In the SEQRA regulations, in the section which is 6NYCRR 617.7C it sets forth the criteria for determining significance which means the criteria by which an agency -- the criteria which an agency uses to determine whether an action such as what you're proposing would have an adverse effect on the environment and would necessitate the issuance of a Positive Declaration and the preparation of an EIS, okay? One of those criteria are, "The creation of a material conflict with a community's current plans or goals as officially approved or adopted." The problem that I am having -- although I do have some questions about water quality. The problem that I am having is how to -- how the Council, how the Legislature ultimately, could issue a Negative Declaration if we have a law on the books that this is clearly incontraventional. It's a technical question that I have but it's a real question.

The question goes away in two ways. One, we issue a Pos Dec which I don't really want to do, I don't really want to recommend but, you know, I'm one of nine people. Two is that the legislation that changes the law goes first, then you don't have the conflict.

LEG. COOPER:

Well, it's a sort of a catch-22, because what's been holding up the resolution changing -- so in other words, you're proposing that we change --

CHAIRPERSON ELKOWITZ:

I'm not proposing. I'm saying right now we have -- what I believe, I don't know if everybody agrees with me but I'm reading the regs. What I believe is we have a conflict, we have a proposal that's in conflict with an existing law.

MR. MALLAMO:

But doesn't your resolution change the law for this site only?

MS. ESPOSITO:

Yeah.

LEG. COOPER:

Yes, I believe that both -- both resolutions --

MR. MALLAMO:

There are several resolutions on.

LEG. COOPER:

Both resolutions started off as one resolution.

CHAIRPERSON ELKOWITZ:

Right.

LEG. COOPER:

At the request of some of my colleagues -- actually if someone could pull both resolutions. At the request -- some of my colleagues were strongly supportive of the Coindre Hall resolution, actually the vast majority of them were supportive of Coindre Hall, but had some concerns over the resolution authorizing additional dog runs. Their concern being I believe, and there's still a minority of Legislators, but their concern was that there would be pressure brought to bear upon them by their constituents to create a dog run in --

CHAIRPERSON ELKOWITZ:

A dog run at every park, right.

LEG. COOPER:

-- their district and there was one Legislator that doesn't want a dog run at her park. So I'm not quite sure how in the end that resolution will read, whether it will be left up to the Parks Commissioner, whether it would be left up to each Legislator on an individual basis --

CHAIRPERSON ELKOWITZ:

Right.

LEG. COOPER:

-- to introduce their own stand-alone resolution; I'm actually thinking about going that way instead. But both resolutions drew out of the same initial resolution. So my belief is that both resolutions on their own amend the Suffolk County Code, so if one or the other is approved, the Suffolk County Code would be amended.

CHAIRPERSON ELKOWITZ:

All right. Well, I have Introductory Resolution 1593-2002, a corrected copy as of 11/20/02 and it says it's "Authorizing the County Department of Parks, Recreation and Coindre Hall to construct dog runs at Coindre Hall in West Hills in Huntington;" that's the resolution that's before us.

LEG. COOPER:

Correct.

CHAIRPERSON ELKOWITZ:

Okay. Proposed Local Law entitled "Authorizing County Department of Parks, Recreation and Conservation to construct dog runs at Coindre Hall in West Hills in Huntington. RESOLVED that said Local Law" -- Okay, we have the Legislative Intent, let's see if it's to amend -- well, it is. It says, "THEREFORE, the purpose of this law is to amend Resolution 556-1998 and Chapter 378 of the Suffolk County Code to allow greater use of County parkland by pet owners in construction of a dog run in Coindre Hall at West Hills." So that's the law that you were talking about that prohibits?

LEG. COOPER:

Correct.

CHAIRPERSON ELKOWITZ:

Then my problem --

LEG. COOPER:

Oh, I'm sorry, what is the date of that?

CHAIRPERSON ELKOWITZ:

It's Resolution 566-1998 and Chapter --

LEG. COOPER:

1998 was the resolution that authorized the creation of dog runs at West Hills in Coindre Hall.

CHAIRPERSON ELKOWITZ:

Okay.

LEG. COOPER:

But apparently it was not written properly because they failed to amend the Suffolk County Code at that time.

CHAIRPERSON ELKOWITZ:

But this one says, "And Chapter 378 of the Suffolk County Code," so Chapter 378 is the section.

LEG. COOPER:  
Correct.

CHAIRPERSON ELKOWITZ:  
Okay. Then my issue goes away, my issue regarding a mandatory Pos Dec goes away because you're amending the law that we would be in conflict with.

LEG. COOPER:  
Correct, and that's the only resolution before you right now.

CHAIRPERSON ELKOWITZ:  
That's right.

LEG. COOPER:  
But to answer someone's question, the other resolution --

CHAIRPERSON ELKOWITZ:  
Well, I don't really want to deal with the other resolution. If this one --

LEG. COOPER:  
Okay, but that also amended the --

CHAIRPERSON ELKOWITZ:  
If this one amends this, than my automatic Pos Dec issue goes away.

MR. KAUFMAN:  
Terry?

CHAIRPERSON ELKOWITZ:  
Go ahead.

MR. KAUFMAN:  
I understand about your issue, but if you look down at five right underneath what you were quoting, the creation of a material conflict with the community's current plans, "so the impairment of the character or quality of an important historical resource," and that's what I've been talking about.

CHAIRPERSON ELKOWITZ:  
Well, I think that's up to discussion whether we -- whether people around this table believe that it is going to be significant.

MR. KAUFMAN:  
And I do have a technical question.

CHAIRPERSON ELKOWITZ:  
Go ahead.

MR. KAUFMAN:  
And I'm not sure how this should be handled. In that we've got obviously a Legislative resolution before us --

CHAIRPERSON ELKOWITZ:  
Uh-huh.

MR. KAUFMAN:

-- and that's probably oriented towards the CEQ aspect of things. And realistically, given all the mitigation that has gone on, the project looks a lot better. But we do -- we also are the Historic Trust.

CHAIRPERSON ELKOWITZ:

Right.

MR. KAUFMAN:

And to the extent that this property is inside the Historic Trust or is inside the Historic Trust Program, etcetera, are we looking at a necessary resolution from the Historic Trust.

CHAIRPERSON ELKOWITZ:

I can be honest with you, I don't know. Jim, do you know the answer to that question?

MR. BAGG:

In the past, with respect to Historic Trust properties, the CEQ did two things, they reviewed it in terms of SEQRA, recommended a SEQRA classification and determination and also either approved the project as the Historic Trust as well.

MR. KAUFMAN:

It is interesting as an issue. Again, my contention is I'm very worried about the impairment of the quality of the historic resource. It's not the house that we're obviously looking at, obviously the dog run is separated from it, but it is the fact that the entire property is dedicated that way and it does have the usage that --

CHAIRPERSON ELKOWITZ:

I think we understand your concern. Legislator Fields, you had something you wanted to ask?

LEG. FIELDS:

I think I'm probably the only Legislator that Legislator Cooper is referring to about --

LEG. COOPER:

No, it actually wasn't you, I moved you from that list; maybe I shouldn't have.

LEG. FIELDS:

No, I'm still stuck on the fact that we should or, you know, that we would allow a dog run in a County park. If you visit this site, it is a very high hill and it goes right down into the harbor. I had inquired with Emerson {Hasbrouk} about the impact to the water body and he sent back a lot of information that did show that there are -- there is an adverse impact to dog feces and I'm not sure that the filter strips answer all the questions. I would ask that maybe he appear here or that you give CEQ all of the information that he supplied to I think both of us.

LEG. COOPER:

Legislator Fields, if I can respond.

LEG. FIELDS:

Your microphone is not on.

LEG. COOPER:

I would just like to respond to that. First of all, as far as the adverse impact of dog feces, I have been to Coindre Hall two dozen times, three dozen times, I have never once, never once seen dog feces on the property.

LEG. FIELDS:

Okay, but I have been there once and I did, so that's not an argument.

CHAIRPERSON ELKOWITZ:

Right, but I don't really want this to be a debate.

LEG. FIELDS:

Right, that's not the argument.

LEG. COOPER:

All right. But --

LEG. FIELDS:

The argument simply is that I think that we as Council on Environmental Quality have to look at the environmental concerns, not taxpayers, not people that want to do -- you know, have dogs on property, I think that has nothing to do with the job of this Council.

CHAIRPERSON ELKOWITZ:

So Legislator Fields, are you suggesting that it's your opinion that if this were to be -- that this would have a potentially significant adverse impact on groundwater quality, on surface water quality?

LEG. FIELDS:

I would ask that it have a Pos Dec, yeah.

CHAIRPERSON ELKOWITZ:

Okay. Does anybody else have any questions? Go ahead, Larry.

MR. SWANSON:

Yes. My questions actually don't relate to the dog run but they do relate to the picture that was passed around concerning cesspools.

CHAIRPERSON ELKOWITZ:

All right. Can we get back to that?

MR. SWANSON:

That's my question, I just -- when we get through dealing with that, I'd like to get back to the cesspools.

CHAIRPERSON ELKOWITZ:

I do, too. Does anybody else have any questions or anything that anybody hasn't said? Because I don't want -- I won't allow this to be a debate; this isn't the Legislature, we don't make policy. Go ahead; first Mike, then Lance, then Adrienne.

MR. KAUFMAN:

Regarding the run-off issue, etcetera, I have noticed in Supervisor Petrone's letter that the Town of Huntington is willing to work with the County on the run-off etcetera, but the last phrase in the undertaking says that they'll only do this if it's not unduly burdensome on the town. So I'm not sure how far that commitment goes and I'm not throwing this up to try and block the project or anything.

CHAIRPERSON ELKOWITZ:

I read it.

MR. KAUFMAN:

I'm not simply sure what the Town of Huntington is willing to do.

CHAIRPERSON ELKOWITZ:

Maybe Legislator Cooper knows.

LEG. COOPER:

I can assure you that the Town of Huntington will do whatever needs to be done to make this happen, without going into further detail. They would like to see a quality dog run created that could serve as a model for perhaps other areas in the community, they want to make sure that this is done right.

I'm sorry, going back to Legislator Fields' question on the Century Shore Road Study. And I believe that the author of the study would confirm this, that problem arose because it's along a public road and people don't pick up after their dogs. At a fenced-in dog run there's tremendous pressure by the dog owners to make sure that their fellow dog owners pick up after their pets. So I really think that the problem, if there is any problem, is greatly mitigated. Also, please keep in mind that before we had dogs in that area we had geese in the area, we had lots of geese in the area. At my house, I'm on the water, I had dog two dogs, at last count I had 48 geese in my backyard. When I let the dogs out the geese go away; I'd much rather have two dogs than 48 geese. So I just want to throw that out, I know we're not supposed to be debating.

MR. MALLAMO:

I know there are those that don't agree with me on the historic issue, but I think it's important to remember when this site was put in the Historic Trust there was a school operating on this property, the backyard was used for athletic fields. I don't think it was ever the intent of the Legislature or the Historic Trust to make a recommendation that this was going to be frozen and not be able to be used. I personally don't see the issue here, I think this is a minimal use. I remember we reviewed soccer fields for this site a few years ago and that was a more intense and certainly visually intense use.

MR. KAUFMAN:

And we also said no.

MR. MALLAMO:

And we said no, but I don't see -- what I'm going to see here when the dogs go is a fence, literally, that's the change and I certainly think



the benefits more than overshadow that. And I think, you know, we have always had a problem with vandalism on this site and illegal activity occurring down here, you know, this could help.

I don't know if it's going to work, that's why I'm glad it's a pilot project and if it doesn't work I will be the first one to advocate to get it out of there in two years. But --

LEG. COOPER:

Also, I'd like to point out for those that may not be aware, there's also a very large gymnasium that was built on the property adjacent to the mansion.

CHAIRPERSON ELKOWITZ:

We're aware, we've been.

LEG. COOPER:

Now, I don't know whether that went through CEQ but that certainly --

MR. MARTIN:

That was built by the school prior to the County ownership.

CHAIRPERSON ELKOWITZ:

Right.

LEG. COOPER:

Okay. Although I have a deck on my house that apparently there's now DEC problems with, and even though it's only six inches -- forgive the segway into this, only six inches, they may make me take the entire deck down. So hopefully I'm not -- I'm not implying that we should take out the gymnasium.

MR. MALLAMO:

We'll go for that, that's not a problem.

LEG. COOPER:

But also at the Vanderbilt Museum, I love the Vanderbilt Museum but historically I don't think that there was a planetarium on the site when Mr. Vanderbilt owned the property; you know, none would propose taking down the --

MR. MALLAMO:

Well, I think the intent of dedicating it to the Historic Trust was to make sure that anything that occurred in the future was going to be properly reviewed by this body.

CHAIRPERSON ELKOWITZ:

Right.

MR. MALLAMO:

And I think that's what we're doing.

CHAIRPERSON ELKOWITZ:

Adrienne?

MS. ESPOSITO:

I just want to make sure I recall last time when you gave a presentation this accurately. Did you say that you don't really anticipate an increase in use by dog owners on the property but rather this is going to be a more contained, controlled use; is that correct?

LEG. COOPER:

What the hope is, and this is with increased maintenance by the town, right now there is no -- there's no supervision by any security personnel.

MS. ESPOSITO:

Right.

LEG. COOPER:

Now we'll have a supervision booth for the first time. So the hope is that, yes, we will not increase the number of dog owners on the property, we'll simply shift them from areas where right now technically they're not supposed to be, move them to the area where they're supposed to be and fence them in. So I don't see any increase.

MS. ESPOSITO:

And provide a clean-up plan.

LEG. COOPER:

Absolutely.

MS. ESPOSITO:

So we're taking a problem that exists throughout the area, we're reducing the area and we have a clean-up plan which is an environmental mitigation plan, relatively speaking.

LEG. COOPER:

Right, absolutely.

MS. ESPOSITO:

Okay.

LEG. COOPER:

So the environmental -- if anything, whatever environmental problems may be there would be ameliorated. The safety issues that may be there from dogs running loose, that will go by the wayside. That's why when I proposed this I really thought it was a win/win situation. But yes, you're correct.

MS. ESPOSITO:

Just for clarifying, I don't see this as introducing an element into an historic area, I see it as controlling something that already exists there and then providing a clean-up plan for it.

CHAIRPERSON ELKOWITZ:

Nancy, and then I am going to ask for a motion.

MS. MANFREDONIA:

Yes. I just -- can I just clarify, this is a two year pilot project?

LEG. COOPER:  
Correct, yes.

MS. MANFREDONIA:  
Okay. I just want to bring up one issue which I'm sure, you know, everybody has thought about. I'm concerned that there should be an overall policy; and I know this is not our thing, Terry, but just let me hear -- hear me out.

This particular project, again, you've spent a lot of time on it, it looks like you've covered all the bases, but I am concerned overall that you're going to end up with tremendous pressure. I mean, look what we looked at today, a resolution here about housing the homeless in County parks; I'm just saying --

LEG. COOPER:  
Oh, I missed that one.

MS. MANFREDONIA:  
Everywhere you go, you have -- we talked about ATV's and how ATV's are really -- we talked about other dog owners that are going to want dog runs in all the County parks, and I suppose we can go over each one that comes in as it comes in and that's our job here. But from your perspective and the County's overall, the County parks perspective, I would really appreciate some long-term direction on what you're going to do otherwise you're all going to be driven crazy by your constituents for a lot of different uses that may or may not be appropriate, and God bless you.

CHAIRPERSON ELKOWITZ:  
I'm going to ask for a motion.

MR. MALLAMO:  
I will make a motion for -- it's a Type I because it's on the National Register of Historic Places, Negative Dec.

CHAIRPERSON ELKOWITZ:  
Based upon all of the representations that the applicant has offered as mitigation measures.

MR. MALLAMO:  
Based upon all of that.

CHAIRPERSON ELKOWITZ:  
Is there a second?

MS. ESPOSITO:  
I'll second.

CHAIRPERSON ELKOWITZ:  
I have a second.

LEG. FIELDS:  
Can I make a motion for a Pos Dec.

CHAIRPERSON ELKOWITZ:

No.

LEG. FIELDS:

Okay.

CHAIRPERSON ELKOWITZ:

We'll first see if the motion passes or fails. I'm going to ask you -- when I ask all in favor, I want you to keep your hands up because I'm going to count. All those in favor? One, two, three, four, five, six. Opposed? One, two, three. Abstentions? Carried. (VOTE: 6-3-0-0 Opposed: Legislator Fields, Michael Kaufman & John Finkenberg).

MR. KAUFMAN:

We also have to vote as the Historic Trust, I would think.

CHAIRPERSON ELKOWITZ:

You want to do it again? You can just vote to approve it as the Historic Trust.

MR. MALLAMO:

Motion for the Historic Trust to approve the use of this portion of the Coindre Hall site as proposed for a dog run.

CHAIRPERSON ELKOWITZ:

All those in --

MR. MALLAMO:

On a two year trial basis.

CHAIRPERSON ELKOWITZ:

All those in favor? All the same six. Opposed? I assume the same three. Abstentions? Carried (VOTE: 6-3-0-0 Opposed: Legislator Fields, Michael Kaufman & John Finkenberg). Thank you, Legislator Cooper.

LEG. COOPER:

Thank you very much.

CHAIRPERSON ELKOWITZ:

You're welcome.

Okay, I've been asked by -- to move one more thing around which is to do No. 8 next which is Proposed IR 1149-03 - A Charter Law adding Article 37 to Suffolk County Charter to provide Suffolk County Save Open Space (SOS) Fund. I'm sorry. Vivian, before I do that, Larry did have a question about these leaching pools, these sanitary leaching pools?

MR. SWANSON:

Perhaps Richard or Nick can answer this, but it seems to me perhaps this issue of -- looks like newly constructed cesspools, leaching pools on the property of Coindre Hall and I'm not sure whether we ever gave approval or whether this ever came here for review and I'd like to know a little bit about their functioning and so forth.

MR. MARTIN:

I can respond to that. It did not come to the CEQ. The Health Department required that County Parks upgrade the facilities that we had on site there, this is the location for the leaching fields historically from the main house. The project grew over time, because of the soil they could not drain properly with the clay layer that they hit and so the project grew enormously at the time. So the final job definitely should have come to the CEQ and been reviewed here.

CHAIRPERSON ELKOWITZ:

Sure, Legislator Fields.

LEG. FIELDS:

May I ask that the Chair write a letter to the Commissioner of Parks and advise her of the policy of doing things in park systems and that those have to come before the CEQ before they are --

CHAIRPERSON ELKOWITZ:

I'll ask Jim to draft such a letter and send it over to the Commissioner. I'll also ask Nick to please advise Commissioner Gordon of that.

MR. SWANSON:

Thank you.

CHAIRPERSON ELKOWITZ:

Thank you. Okay, Legislator Fisher.

LEG. FISHER:

Madam Chair, I'm just here as an observer. Jim Bagg is going to be taking care of the presentation.

CHAIRPERSON ELKOWITZ:

Okay, thank you.

LEG. FISHER:

Aren't you? That's what my office told me.

CHAIRPERSON ELKOWITZ:

Well, we can all read it together if you like.

MS. ESPOSITO:

Listen, I'll do it for you.

LEG. FISHER:

That's the message I got from my office.

CHAIRPERSON ELKOWITZ:

Well, there's a letter

"Dear Ms. Elkowitz: Enclosed please find a notice of SEQRA determination of nonsignificance for the following resolution, IR 1149-03 - A Charter Law adding Article 37 to the Suffolk county charter to provide a Suffolk county save open space fund. I believe this law constitutes a Type I Action pursuant to Section 617.12B1 and 4 of title 6 of the New York Code of Rules and Regulations within the meaning of Section 801092 of New York's Environmental Conservation

Law. As a record keeping procedure, I would appreciate CEQ filing this document along with other similar Type I Actions. "

LEG. FISHER:

Madam Chair, this started out as a Type II but Paul Sabatino, Legislative Counsel, advised that -- advised us to list it as a Type I Action.

CHAIRPERSON ELKOWITZ:

It is but his citations are wrong. Go ahead, I'll fix them.

LEG. FISHER:

Okay. And so that's why I'm here today because of its -- the change in its status and Mr. Bagg I thought was going to be speaking further to that.

MR. BAGG:

Basically what Mr. Sabatino had said, it was a Type I Action, therefore it required preparation of an EAF. Our office tried to prepare the EAF but because it's an amorphous thing we don't exactly know what property is being acquired.

LEG. FISHER:

We don't know.

MR. BAGG:

We can't zero in on that so it's just a Land Acquisition Program I believe for open space and farmland.

LEG. FISHER:

Not farmland, active parkland.

MR. BAGG:

Active parkland.

LEG. FISHER:

So in other words, it's just providing funds for future acquisitions.

CHAIRPERSON ELKOWITZ:

Does it have criteria?

MS. ESPOSITO:

In the legislation there's criteria.

LEG. FISHER:

Do you have the legislation that's 1149?

CHAIRPERSON ELKOWITZ:

I do, I have it.

MS. ESPOSITO:

Page five I think; that's just the rating system.

CHAIRPERSON ELKOWITZ:

Yeah.

LEG. FISHER:  
Yes.

CHAIRPERSON ELKOWITZ:  
So this is just -- this is another open space acquisition program that uses the criteria that's previously established by the County?

LEG. FISHER:  
Yes.

MR. BAGG:  
One of the things here, Terry, it's creating a fund for acquisition of properties for those uses and at the time of acquisition before we do it there would be a full SEQRA review.

CHAIRPERSON ELKOWITZ:  
For each parcel.

MR. BAGG:  
For each parcel.

CHAIRPERSON ELKOWITZ:  
Which we talked about last time, even Laretta was here.

MR. BAGG:  
Yes.

MS. ESPOSITO:  
Does this have to go to a referendum?

LEG. FISHER:  
Yes.

MR. BROWN:  
Can I ask how this is different from the Quarter Percent Sale Tax or the Open Space Acquisition that the County has presently?

LEG. FISHER:  
This would be more like Greenways.

MR. BAGG:  
This is additional funding, more like Greenways. It's a separate \$46 million in addition to those programs.

MS. ESPOSITO:  
Plus this is a one-shot revenue and the Quarter Cent Sales Tax obviously is 13 year.

LEG. FISHER:  
Reoccurring.

CHAIRPERSON ELKOWITZ:  
Anybody have any questions? Okay. It is a Type I Action but the citation is wrong, it's 617.4B -- B what?

LEG. FISHER:

To answer Adrienne's question, the proposition is on page eight for the voters.

CHAIRPERSON ELKOWITZ:

Jim, what site would you use for this? It's not a comprehensive -- it's not a land use plan. I guess it's a Comprehensive Resource Management Plan?

MR. BAGG:

Basically we could say it's a Comprehensive Resource Management Plan, but I assume also it's going to acquire more than a hundred acres based on the -- I mean, we don't know what acreage it is, but it would be more than a hundred acres of property acquired by a government.

CHAIRPERSON ELKOWITZ:

All right. So why don't we use 617.4B1 and 4. Go ahead, Nancy.

MS. MANFREDONIA:

Motion, Type I Neg Dec.

CHAIRPERSON ELKOWITZ:

I have a motion. Do I have a second? I have a second by Mr. Cramer. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0).

LEG. FISHER:

I'll ask Paul to file a corrected so that that citation is correct.

CHAIRPERSON ELKOWITZ:

So the site is correct, okay.

LEG. FISHER:

Thank you very much.

CHAIRPERSON ELKOWITZ:

Thank you. Item No. 4 - Proposed application to transfer Development Density Credits - South Setauket Woods Nature Preserve, Town of Brookhaven. Who's here to speak on this? Is anybody here to speak on this?

MR. BAGG:

Can you just let me finish writing this down.

CHAIRPERSON ELKOWITZ:

Sure. You get to speak on this, is that it?

MS. ESPOSITO:

He can't do it so fast.

MR. BAGG:

We're on No. 4?

CHAIRPERSON ELKOWITZ:

We are on No. 4.



MR. BAGG:

Okay. Basically, Terry, what these next three projects involve, an applicant goes to the health department to expand an existing facility. They do not have enough property to expand that facility, therefore the Health department requires them to purchase additional property usually in an area which is designated by Suffolk county planning and the health department with park areas. They purchase that piece of property, they transfer the development credits to the site they want to expand and then in this case they're donating the residual to the County to add to our park open space at no cost to the County.

CHAIRPERSON ELKOWITZ:

Okay. So we'll do them one at a time. Proposed application -- does anybody have a question for Mr. Bagg? We'll start on the proposed application to transfer Development Density Credits - South Setauket Woods nature Preserve. Go ahead, Nancy.

MS. MANFREDONIA:

Jim, can you just explain that again? What -- who is requesting -- I'm trying to figure out who is doing this.

MR. BAGG:

This is through the Health Department.

MS. MANFREDONIA:

All right, it's a Health Department issue.

MR. BAGG:

Program.

MS. MANFREDONIA:

Okay.

MR. BAGG:

An applicant comes who has an existing facility such as a restaurant or some other type of retail operation, they wish to expand, they have enough property, they're within zoning, however they don't have enough property to meet Health Department codes for the sewage disposal.

CHAIRPERSON ELKOWITZ:

Right. So they take a piece of property, Nancy, they donate it to the County, they take the development rights off of it and they use the development rights somewhere else in the same hydrogeologic zone.

MS. MANFREDONIA:

Thank you.

MR. CRAMER:

This also, just for clarification, doesn't necessarily apply to just commercial or site plans, it could also be for subdivisions?

CHAIRPERSON ELKOWITZ:

Right. It just allows you to take density, take density off a piece of property that somebody wants to preserve and use it somewhere else. Okay? So this one is to take -- to transfer Development Density

Credits off this property that's approximate to the South Setauket Woods Nature Preserve and then this property gets dedicated to the County at no cost to the County. Okay?

LEG. FISHER:  
May I ask a question?

CHAIRPERSON ELKOWITZ:  
Sure.

LEG. FISHER:  
I'm looking at the map which indicates where the applicant will be expanding and it's in Lake Grove or is it adjacent to Lake Grove? I'm trying to see where the credits will be used.

MR. KAUFMAN:  
It is on the map. If I understand the maps correctly, Schedule A is the receiving parcel and Schedule B is where they're stripping it away, although I may have that reversed. The two maps are showing -- if you look at the cover page it says, "Application of Transfer" --

LEG. FISHER:  
Yes, I just want -- I don't recognize the street address and I think it might -- both of them might be in my district and I just wanted to see where the expansion would be taking place. Especially if it were in Lake Grove because they have had complaints about relaxing too many of their zoning restrictions and having too much development, so I wanted to know where that was.

MR. SWANSON:  
Can we also get a comment from Steve representing the Town of Brookhaven?

CHAIRPERSON ELKOWITZ:  
Only if Steve is prepared to comment and is authorized to comment on behalf of the Town of Brookhaven. I mean, if he has an opinion that's fine but, you know, he has to be careful as to how he's expressing his opinion.

MR. BROWN:  
True.

MR. KAUFMAN:  
So do we have a location?

CHAIRPERSON ELKOWITZ:  
It's from what is shown on Schedule B and it's going to what is shown on Schedule A.

MR. MALLAMO:  
I don't think it's Lake Grove, Legislator Fisher, because that's indicated at the bottom of the map, the boundary of Lake Grove.

CHAIRPERSON ELKOWITZ:  
Right.

LEG. FISHER:

Okay.

MR. MALLAMO:

This says Town of Brookhaven.

CHAIRPERSON ELKOWITZ:

This is probably Centereach.

MR. MALLAMO:

It's probably still in your district maybe but --

LEG. FISHER:

Town of Brookhaven. Well, there's a little bit of Lake Grove in the Town of Brookhaven also, it's split up. But Madam Chair, what I'll do is I'll look into this before it comes to the Environment Committee and I'll make my decision then.

CHAIRPERSON ELKOWITZ:

Okay.

MR. KAUFMAN:

I'd make a motion then that this be accepted or that this be classified as an Unlisted.

MR. MALLAMO:

Well --

CHAIRPERSON ELKOWITZ:

Okay. First I want to hear if Steve had something to say because somebody asked him a question.

MR. BROWN:

Yeah, and I think Vivian is absolutely correct, we're not really sure where these TDR's are going to be --

CHAIRPERSON ELKOWITZ:

Right, but let's be careful about what we're evaluating. What we're evaluating is the County's action and the County's action is to accept this property, that's the way I'm reading this.

MR. BAGG:

That's correct.

MR. BROWN:

I agree with the concept of accepting this property but it's on a contingent of TDR transfer.

CHAIRPERSON ELKOWITZ:

Right, it is. But quite honestly, if the Town of Brookhaven -- and I'm not saying that they are, but if the Town of Brookhaven and/or the Suffolk County Department of Health Services is inappropriately handling its SEQRA review, I can't help them.

MR. BROWN:

Okay.

CHAIRPERSON ELKOWITZ:  
Okay? Anybody else have any questions?

MR. SWANSON:  
I'm just concerned that we don't know enough about the issue.

CHAIRPERSON ELKOWITZ:  
Well, the issue is you're accepting the dedication of a parcel, that's the issue.

MR. CRAMER:  
Not the transfer of.

CHAIRPERSON ELKOWITZ:  
It's no different than when -- let me give you another example. It's no different than when Developer X is at the Town of Brookhaven getting a subdivision approval, and as part of the subdivision approval that's being reviewed by the Town of Brookhaven, the Town of Brookhaven and Developer X decide that 80 acres is going to be dedicated to the County as a nature preserve. What comes to you is the 80 acres that is dedicated to the County's Nature Preserve. You don't get to review the developer's subdivision application; this is the same thing.

MR. SWANSON:  
I'm not -- I'm just not sure that in totality that this is the best thing to do.

CHAIRPERSON ELKOWITZ:  
Well, is your objection to accepting the property?

MR. SWANSON:  
Could be.

CHAIRPERSON ELKOWITZ:  
Well, then you should ask questions about the acceptance of the property. Go ahead.

MR. BROWN:  
I just have a question. And I'm looking at this map and I'm trying to define exactly where the South Setauket Nature Preserve is.

CHAIRPERSON ELKOWITZ:  
Well, Jim should be able to tell you that.

MR. BAGG:  
It's to the north of Nesconset Highway, to the West of Townline Road.

MR. BROWN:  
No, I know where the Nature Preserve is. What I'm saying is this lot that's in question --

MR. BAGG:  
Is an infill of all that area in there that we're trying to accumulate.

MR. BROWN:

Okay, it's 250 acres presently of the South Setauket --

CHAIRPERSON ELKOWITZ:

Right, and this is in the middle.

MR. BROWN:

This is in the middle of that?

CHAIRPERSON ELKOWITZ:

Well, it's toward the northern portion. It continues up here, this is an infill parcel.

MR. BAGG:

I mean, technically if you would say these lots are owned single and separate and technically, unless the County buys them or we get them through some kind of TDR program, somebody could develop them in the future.

MR. BROWN:

Right. We have the TDR process in Brookhaven also, especially in the Mastic area where there's unbuildable lots that we asked to pick up and do TDR transfers with that. I was just questioning the fact that is this exactly in the South Setauket Nature Preserve area and you're telling me yes, that's correct.

LEG. FISHER:

Yes, it is. Madam Chair? I would just like to clarify I was asking a question for information.

CHAIRPERSON ELKOWITZ:

Uh-huh, I know.

LEG. FISHER:

I am certainly not opposed.

CHAIRPERSON ELKOWITZ:

Oh, I didn't think you were.

LEG. FISHER:

But it's very important for us to preserve the South Setauket Woods; and as Jim said, this is really a goal. So I didn't want to leave anyone with the impression --

CHAIRPERSON ELKOWITZ:

Oh, I wasn't impressed that you were opposed.

LEG. FISHER:

-- that I was opposed to this at all. But I did want to see how they would be used in the other area and so I wanted to give myself an idea of where it was located.

CHAIRPERSON ELKOWITZ:

Right; I understand. Anybody else have any questions about the impacts of accepting this dedication? If not, I'll entertain a motion.

MR. KAUFMAN:  
I made a motion previously.

CHAIRPERSON ELKOWITZ:  
Unlisted Neg Dec. A second by Mr. Brown?

MR. BROWN:  
That's correct.

CHAIRPERSON ELKOWITZ:  
All those in favor? Opposed? Abstentions? I have one abstention.

MR. SWANSON:  
Abstain.

CHAIRPERSON ELKOWITZ:  
Carried (VOTE: 9-0-1-0 Abstention: Larry Swanson).

Okay, next is Item 5, which is a similar thing but it's a Proposed Application to transfer Development Density Credits - Miller Place/Yaphank Road Nature Preserve, Town of Brookhaven. So I guess, Jim, the questions are the same; is this property really in the Nature -- or adjoining the Nature Preserve?

MR. BAGG:  
The answer is yes. The Planning Department has these sites, we review them and that's why they're transferring them because they are within established Nature Preserve areas.

CHAIRPERSON ELKOWITZ:  
Okay.

MR. CRAMER:  
Terry, for obvious reasons I'm withdrawing myself and an abstaining.

CHAIRPERSON ELKOWITZ:  
I think that's a good thing. Anybody have any question? I'll entertain a motion.

MR. KAUFMAN:  
I'll make a motion that this is an Unlisted Negative Declaration.

CHAIRPERSON ELKOWITZ:  
I have a motion. I have a second by Mr. Brown. All those in favor? Opposed? Abstentions? One abstention, carried.

MS. ESPOSITO:  
No, two abstentions.

CHAIRPERSON ELKOWITZ:  
Two abstentions. Oh, right, two abstentions; sorry, Mr. Cramer. Mr. Cramer and Mr. Swanson (VOTE: 8-0-2-0 Abstentions: Larry Swanson & Thomas Cramer).

Number 6 - Proposed Application to transfer Development Density Credits - Carlls River Watershed Area, Town of Babylon. Jim, you've reviewed this?

MR. BAGG:

Yes, we have been trying to acquire the Carll's River area. We have a park in there, 40 acres, plus the Carlls River Watershed, it connects to Mount Avenue Park as well as Gardiner Lake State Park, I mean County park.

CHAIRPERSON ELKOWITZ:

Any questions? I'll entertain a motion.

MS. ESPOSITO:

I'll make a motion for a Type I Action.

CHAIRPERSON ELKOWITZ:

Unlisted Neg Dec.

MS. ESPOSITO:

Unlisted Neg Dec, yeah.

CHAIRPERSON ELKOWITZ:

Okay, I have a motion. Do I have a second and then we'll have discussion. No second?

MR. FINKENBERG:

A second by Jack Finkenberg, okay. Go ahead, Mike.

MR. KAUFMAN:

I would just note for the record that I actually know where this receiving property is going to be; it looks as if it's going to be inside the Hauppauge Industrial Park. So we know where the receiving area is going to be then.

CHAIRPERSON ELKOWITZ:

Okay.

MR. KAUFMAN:

And since that is a heavily developed area, etcetera, I don't see any problem for TDR going into that area.

CHAIRPERSON ELKOWITZ:

Okay. All those in favor? Opposed? Abstentions? Carried (VOTE: 9-0-0-0).

MR. BAGG:

Same abstention? No abstentions?

CHAIRPERSON ELKOWITZ:

No abstentions.

MS. ESPOSITO:

You've got to keep up here, Jim.

MS. MAHONEY:

Is Steve Brown a voting member?

CHAIRPERSON ELKOWITZ:

Steve Brown can only vote on Brookhaven or County wide, so he voted on the two Brookhaven. Okay?

Okay, Item No. 7 - Proposed acquisition of Quoque Wetlands, Village of Quoque, Town of Southampton. Is there anybody here to speak on this?

MR. BAGG:

Yes, I will speak on this.

CHAIRPERSON ELKOWITZ:

Oh, you're popular today, but you sound really ecstatic over it.

MS. ESPOSITO:

He sounds very excited about that.

MR. CRAMER:

Don't sound so enthused, Jim.

MR. KAUFMAN:

Should we trust him? I'm not sure.

CHAIRPERSON ELKOWITZ:

I don't know.

MR. KAUFMAN:

Only as long as he could identify the site.

MR. BAGG:

These are two wetlands parcels, okay, north of the road on the barrier island in Quoque, I believe it's Dune Road and they are currently salt water wetlands areas. They want to be acquired by the County and the town as well as the village.

CHAIRPERSON ELKOWITZ:

Okay.

MS. ESPOSITO:

Thank you, Jim.

MR. KAUFMAN:

If you look at the map, it's a heck of a project, there's really an infilling in the area, it really keeps a lot of the land off of the --

MR. CRAMER:

Motion.

CHAIRPERSON ELKOWITZ:

Okay, I'll entertain a motion for an Unlisted Neg Dec. Do I have a second?

MR. KAUFMAN:

I will second that motion.



CHAIRPERSON ELKOWITZ:

Second by Mr. Kaufman. All those in favor? Opposed? Abstentions?  
Carried (VOTE: 9-0-0-0).

MR. FINKENBERG:

Is it possible that it could be developed anyway?

CHAIRPERSON ELKOWITZ:

Well, you know, that's always my question, I decided to be quiet.  
Because it's always interesting to me that we spend money on property  
that nobody could develop.

MR. KAUFMAN:

Actually, I do know this site to some degree and a lot of it could  
have been developed.

MR. BAGG:

Who was the motion and the second, please?

MR. KAUFMAN:

Tom made the motion and I did the second.

CHAIRPERSON ELKOWITZ:

Jim, are these all wetlands?

MR. BAGG:

Basically, there are probably some uplands associated with them and  
there have been proposals for subdivisions on them.

CHAIRPERSON ELKOWITZ:

Okay. All right, we are going now back to what was for these poor  
people Item 3 but quickly became Item 9 which is the proposed addition  
and renovations to Suffolk County Civil Court, Griffing Avenue,  
Riverhead, Town of Southampton.

MR. LARSON:

Good morning, Ms. Elkowitz and members of the board.

CHAIRPERSON ELKOWITZ:

Good morning.

MR. LARSEN:

My name is Keith Larsen, I'm the Architect and Project Coordinator for  
DPW on this project. It's a multifaceted project involving addition  
to the Griffing Avenue Courthouse as well as renovations as well as  
the Town of Riverhead providing parking which was an earlier agreement  
as part of this proposal.

Before I bring the architects up to do a presentation, I would just  
like to preface that by saying that this project has been in the  
planning stages for probably the last ten years. Several studies have  
been done, the last, most recent building in 1999 by the Melito  
Associates who at that time recommended the addition of 18 courtrooms  
County wide. The decision was to make a nine courtroom addition in  
Riverhead and we will be doing future additions at the Cohalan Complex

in years to come. Right now they are leasing several courtrooms from the Federal Court Building down in Islip.

We realize this is an historically sensitive site and I think the architects have done a great job in addressing that in having the new meld in with the old style of the architecture. And I have today -- in the audience we have members from the Baldassano Architectural Group, the architects on the project as well as we have members from the courts; we have Mr. Michael Scardino who is the Chief Clerk at Griffing Avenue and we have a representative, Mr. MacLellan from the Town of Riverhead. So if you have any questions for those people later on, they're available.

So with that said, I would like to bring up Mr. Martin DePasquale from the Baldassano Group to give you the presentation.

MR. DePASQUALE:

Good morning. With the applications that we submitted to you we provided some supplemental material of exterior rendering, some floor plans, site plan, and we would like to actually supplement that with a video presentation for you. The intent is not to blind you with technology, it's hopefully that you'll be able to appreciate how the building is going to meld in with the four existing buildings there.

The intent of this project was always from the start to respect the four buildings that are there. You have the Commissioner of jurors which is the first building that was built there back before the turn of the century and then you have the District Attorney building built thereafter, the main courthouse built I think around the 1930's and then you had an addition which is known as the Annex Building built around the 1960's.

The architecture of the first three buildings is somewhat prominent and the architecture of the fourth building which is the Annex is much less prominent. The intent of our building was to tie the whole campus in together architecturally. We have done that with materials, with proportions, with alignment and Phil Monastero in a minute is going to take you through how we went about designing this building.

As Keith mentioned, it's a nine courtroom addition with ancillary spaces, Judges chambers, Clerk's offices and all the support spaces that are required and only the support spaces that are required for these nine courtrooms. The renovations of the existing four buildings primarily is for mechanical systems to tie all the buildings together again and to be on one campus. They're incredibly deficient as far as mechanical systems and some of the support spaces for the existing buildings, for the existing building's use are going to be upgraded as well.

It's a three-story, 93,000 plus or minus square foot addition. There is a mechanical penthouse on the roof. We have tried to keep that penthouse as small as we can, however it's probably one of the more important functional parts of the building because, again, it holds all the mechanical systems for not only the addition but for the existing buildings.

Jack, could you just put up the site. I think everybody is pretty familiar with where the building is, the site is, but in case we have to go back to it we provide an aerial photograph. It's obviously at the corner of Court Street and Griffing Avenue, you see the four existing buildings are on the west side, southwest side of Griffing Avenue. The proposal is -- and you'll see on your floor plans, is to add this 93,000 square foot addition at the back of the building currently where the parking is. Can you go to that site plan, Jack? What you see there where the icon is pointing right now is the new 93,000 square foot addition, it's approximately 26,000 square foot footprint. The shaded area on the outside of it is the proposed parking area. Down, right down, if you just go down south right there, that portion -- I'm sorry, go over to the whited area, the area that's whited out. Yeah, keep going, right there, that portion is County land. There is parking on there right now; I don't want to say that it's dedicated to the courthouse but the intent is to provide overflow parking for that during construction.

I want to clarify something as far as the parking goes on-site, I'm only here to talk about on-site. Legal parking on-site right now is around 261. We went through and did an actual count of what the site yields, only because that's what people are used to, and it yields about 303, so that's the number that you're going to see on this drawing here. Three hundred and three parking stalls is with everyone using every nook and cranny on that site; the 261 is actually legal parking stalls on the site. With the addition, we're going to be losing about 128 parking stalls, that's from the 303, from the high number, okay, approximately 80 to 90 stalls from the actual legal parking, and we have some Judges parking that's next to the building.

Phil Monastero is going to quickly take you through the exterior design of the building. We know that there was an important issue here about respecting the buildings. And we also have some material samples that we're going to show.

MR. MONASTERO:

Good morning. As you can see, we did -- we you can stop it there if it's possible. What we did was in order to respect the buildings that are already there, we have tried to and we what we have done successfully is to match the brick that's being used in the new addition with the brick that's there on the existing Supreme Court building. We're also using precast concrete and other precast materials to repeat some of the details such as the base of the building you'll see is precast and the banding in the base of the building will also repeat and complement the base of the building that already exists. We always added some details at the top of the building, the top of the corner just to kind of be reminiscent of what's happening on the original building.

Now, the main design elements in this building are that recreating a ceremonial entrance on Court Street. The ceremonial entrance will have a plaza, it will have a three-story glassed entrance with a canopy over the front door. This canopied area and this glass atrium will be the connecting link really between the two buildings because as you go around you'll see that the building, the new addition is actually separated from the existing buildings creating an inner courtyard, an

inner courtyard between the two buildings with a three-story glass atrium in the new courthouse that overlooks that outdoor courtyard. And it will create a space that kind of reflects what's there and an outdoor space for people to use during the breaks. And we feel that the glass used there basically reflects the courtyard and the symbolism of the existing courthouse.

So you see that's the new entrance now on Court Street with the plaza in front of the building. The base will be similar to the other buildings, we created more glass area on Court Street to kind of highlight the entrance of the building, to highlight the ceremonial aspect of the building. Whereas, when we went around the side of the building, those individual windows become really the Judges chambers and administrative spaces. We kind of cornered the building with masses of glass and just to break up the building, but like Marty had said, really the rhythm of the buildings are respectful of the rhythm of the existing buildings, the rhythm of the window dimensions and brick dimensions is something that we carried through. The top of the building is an aluminum panel which is going to be housing all the mechanical equipment. We brought some samples here, this will show you, the windows are going to -- this is the aluminum panel that will be used only at the top of the building, that will be used around the penthouse, mechanical equipment. The glass, we chose to use kind of a Champaign-color frame with a gray tint; the original building has kind of a bronzed dark tint to it and a clear glass. And the precast materials you will see here we could do -- actually this is a fiberglass backing of a precast where we could do some ornamental designs at the top of the building and this precast which will be concrete at the base of the building.

So just to go through some of the elevations, you can see the proportions of the building. This building is somewhat lower than the original screened courthouse, but we feel by highlighting the base and highlighting the top that we bring the same respect to the buildings.

The other elevations that wrap around the building kind of repeat, the interior courtyard is simply a glass curtain wall because that will be the circulation space in the new addition where jurors will assemble and lawyers and people will come to and disburse to the various courtrooms.

The Griffing Avenue elevation of the existing court complex. And now as we turn to Court Street we'll see the new addition and the new entrance, close above the entrance. And as we go to the parking area side you see a repetition at the base of windows and trees and plaza area, and actually the south side of the building which will have connecting links both -- this building will be connected to the Supreme Court and to the Annex by glass corridors. The glass we chose to use so that we didn't have a connection that was brick-to-brick, we felt we needed a glass break between the two buildings.

Some highlight details. We're still working on some decorate -- as the budget allows we're going to add as much -- not ornament but some brick detailing and things like that to really enhance the brick design of the building. That's pretty much view that you'll see coming up Court Street.

MR. DePASQUALE:

I just want to point out one thing. One of the most important parts of the design is as you go around into the court yard, we're going to have all glass on the courtyard, as Phil mentioned. We're also going to have glass connecting corridors to the buildings. The whole idea is when you come in the front which, again, is all glass, you're not -- you're in a 21st Century building but you're experiencing all the turn of the century buildings. We were very sensitive to not put an abundance of glass on the outside of the building, but more or less to put it on the inside, the courtyard side of the building so that you can appreciate the existing buildings. That's it, that's our presentation on the exterior if you have any questions.

CHAIRPERSON ELKOWITZ:

Lance?

MR. MALLAMO:

First, I would like to complement you on an excellent presentation, it really, really -- I had a lot of questions when I saw this and I think you have answered most of them; just a couple of minor ones. With the window glass is that mirrored or smoked?

MR. MONASTERO:

It's tinted, it will be a grade tinted. The original -- the glass on the existing building is clear.

MR. MALLAMO:

Well, actually I used to work in this building 30 years ago, believe it or not, when I was young and foolish and the windows were replaced, so those are not the original windows. And actually, one of my questions was going to be why didn't you match the bronze because that's what's there, but what you've proposed is really a little bit closer to what was there originally, it was the lighter tone.

MR. MONASTERO:

Well, we didn't want to -- we thought the bronze was a little too dark for the building. We felt that this Champaign color kind of is in the same color family and with the gray tint we're getting the same effect as the glass that's there now. We didn't want to go to black, dark bronze, we felt that the brick that's there and this Champaign color was a better match and kind of --

MR. MALLAMO:

Well, you've accidentally really hit on what was there --

MR. MONASTERO:

What was there originally? Okay.

MR. MALLAMO:

-- because that was very much the shade. So when we replace the ones in the old building let's use that design. Is that the corner sample you're going to use? That was one of my questions. You looked like you had little corners but I didn't see it on the drawing.

MR. MONASTERO:

Yes, this is -- we're doing some corners detailing at the top of the

building with not only this type of precast, but we're also going to do some brick detailing with reveals and different shapes and forms, but the concrete precast will be probably at the base of the building which will be a solid color.

MR. MALLAMO:

Okay.

MR. DePASQUALE:

This is a true precast, this is a -- it's fiberglass to get the profile covered with precast, so you get the durability out of it but you get the economies and the look to look with it.

MR. MALLAMO:

I have another question and I bet I know the answer to this. The County jail used to be on the this site and I know we reviewed that about 15 years ago when that was taken down, that was a big issue. And it was the recommendation at the time, if my memory serves me correctly, that the granite marker that said Suffolk County Jail was going to be saved and reinterpreted in this new addition? I bet you guys don't know anything about that, do you?

MR. DePASQUALE:

I wish I could say yes.

CHAIRPERSON ELKOWITZ:

Does anybody even know where the granite marker is?

MR. MALLAMO:

That was my next question.

MR. KAUFMAN:

I do. I do know where the granite marker is and it looks as if this building is going to be right on top of it.

MR. DePASQUALE:

Yeah, the foundation for the jail we're quite aware of it and it is, it's right underneath where the entrance to the building is going to be now.

MR. MALLAMO:

No, what I'm talking about was over the door. It was a big granite marker over the entrance door, it said Suffolk County Jail, it was a very large truncum and a little bit ornamental. I think we were assured at the time, "Oh, yeah, we're definitely going to save that." Well, if you come across it, try and work it in somewhere.

MR. DePASQUALE:

Oh, certainly. I'm glad you brought that up, that's actually a great idea.

MR. MALLAMO:

It's with the panels from the Smithpoint Bridge or something.

CHAIRPERSON ELKOWITZ:

Right, exactly.

MR. MALLAMO:  
Okay. Thank you, gentlemen.

CHAIRPERSON ELKOWITZ:  
Richard Martin must have cleaned out his closet.

MR. KAUFMAN:  
If I might, Terry?

CHAIRPERSON ELKOWITZ:  
Sure.

MR. KAUFMAN:  
I'm an attorney, I have used this courthouse through years, I've both worked there as a law secretary to a judge and as an unfortunate user of that courthouse, and I'm glad to see that something modern is being proposed for it in terms of the insides the old courthouse is not exactly the most pleasant place to be. I'm also very glad that you are trying to follow the architectural unity of the structures that are over there.

My first question, though, is are there any historic designations presently on the existing courthouse; I'm talking about the one with the [coupala} on it.

CHAIRPERSON ELKOWITZ:  
The whole thing is National Register.

MR. KAUFMAN:  
It is on there, okay. All right, I was just double checking on that one.

MR. MALLAMO:  
Is it on, Richard, or is it nominated?

MR. MARTIN:  
I think it's just been reviewed to be eligible.

MR. MALLAMO:  
It's been determined eligible.

MR. MARTIN:  
It's been determined eligible by the State.

CHAIRPERSON ELKOWITZ:  
You know, it's the same application for SEQRA.

MR. MARTIN:  
And it is, of course, on the Suffolk County Historic Trust.

MR. KAUFMAN:  
Okay. In terms of the historic element of it, you were talking about that glass atrium as sort of tying the two buildings together. I have been looking at the pictures and I understand why you want to try and do something like that, but is -- I'm just curious from an architectural sense if there's any way to have less glass in there in

that you've got a historic building on one side, you've got a new building that's going to be resembling the historic building, the glass sort of shows up as a clashing element, if you will, from my viewpoint. I do know that you had talked about possibly having brick there and frankly I don't think that that would work. But is there any other way to do this?

MR. MONASTERO:

Well, we felt that the glass really was a non-wall. It becomes a --

MS. MAHONEY:

Use your microphone, please.

MR. MONASTERO:

The glass really in our mind becomes this -- even though it's a wall, by the utilization of glass we felt it really bridges the two buildings. If we did brick we would then be in the situation of, well, then the rhythm starts to -- what do we do with the rhythm, then where do you experience this from? We don't experience it a lot from the courtyard side. This glass is a three-story atrium, so on each floor those people will be looking out over balconies through that glass. So we felt an uninterpreted glass was a better experience to view the existing buildings --

MR. MALLAMO:

And they'll be looking at the rear of the existing building.

MR. MONASTERO:

Yes, exactly.

MR. MALLAMO:

This would be much like looking from the {Leeman} Wing at the Metropolitan Museum to the back of the Metropolitan Museum.

MR. MONASTERO:

Exactly, right.

MR. MALLAMO:

It's really very effective I think.

MR. DePASQUALE:

If I could just throw another one in. The first thing that came to mind with us was Ellis Island. If you've been to Ellis Island and you walk through their atriums, you see all the existing buildings within their atrium. Now, unfortunately, because of because of State Code reasons, it's very difficult, if not impossible, to join this building to that building.

MR. MONASTERO:

That was our first try.

MR. DePASQUALE:

That was our first try. Since we couldn't do that, we felt that the non-wall, the glass wall would be the best way to do that.



MR. MALLAMO:

Yeah. I think, Mike, it's going to work great.

MR. KAUFMAN:

My basic question was going to be whether there was a way to link the new to the old in a somewhat more historic sense, but I understand what you guys are talking about. And frankly, it's not my position up here to rule out policy.

MR. CRAMER:

Right, but you're an attorney, Mike.

MR. KAUFMAN:

Yeah, I could be a Judge; watch it, Tom.

CHAIRPERSON ELKOWITZ:

Are you holding that against him?

MR. CRAMER:

Don't start talking about design.

MR. KAUFMAN:

Okay. Next quick question for you, this is a nightmare situation in that according to my map it looks as if you're going to be reducing the parking by about one-third in that area, and I have tried to park there and I have gotten ticketed many times because of that. What is going to be happening with the parking there in more specific terms? I mean, because right now it flows on to the Riverhead town streets, etcetera; and it's a problem, shall we say.

MR. DePASQUALE:

Is there someone from the town here? Keith Larson.

MR. LARSEN:

Basically, the town -- Keith Larson. The town has committed to funding \$5 million towards the creation of 600 spaces at various parcels around the vicinity of the buildings. They have condemned properties and taken down houses in the area across the street on the Court Street side, there are other parcels within I believe a quarter mile scattered, it's several different properties, it's not like one large property adjacent to the building. And currently the town I believe is in the engineering phases of getting that all drawn up and they are committed to doing this.

MR. KAUFMAN:

So in other words, we're going to actually see an increase in parking in this situation.

MR. LARSEN:

Exactly.

MR. KAUFMAN:

Exactly. We're also hoping to use the old co-op lot across the street, that's another issue --

MR. KAUFMAN:

The lot, not the building?

MR. LARSEN:

-- as far as taking that building down, that is slated to, as one of our projects to take that down. Not to throw in a wrencher at this moment, but --

MR. KAUFMAN:

Yeah, you just did. I wouldn't go there if I were you on that one.

MR. MALLAMO:

Yeah, that was going to be our next question.

MR. LARSEN:

In addition --

MR. KAUFMAN:

Yeah, my next question was going to be what was going to happen to the co-op building.

MR. LARSEN:

Yeah, we are evaluating that. It's going to cost a lot of money to renovate those buildings.

MR. MALLAMO:

Was any thought given to doing this in that building; an adaptive reuse in that building?

MR. MARTIN:

Well, also when you're doing your planning for the other buildings for upgrading the facilities there, why can't you look at the co-op building also? I mean, you are -- you do -- you just stated that you have to upgrade everything in those historic buildings.

MR. LARSEN:

Yeah. The problem with reusing the co-op building is that already the court buildings, being that there's four separate buildings, is very disjointed and the purpose of this project is really to join everything together, have better access throughout the building. By putting a function across the street, you're really defeating the purpose.

MR. MARTIN:

So there's no function within this complex that can stand separate and possibly be moved to the co-op building?

MR. LARSEN:

Not really.

MR. KAUFMAN:

I would disagree with you on that one. I know how the court systems work and you could put some departments out there, but regardless.

MR. MALLAMO:

Or we could renovate it and rent it out to lawyers, they would love that.

MR. LARSEN:

But that is subject I guess to a different hearing at a different time.

MR. KAUFMAN:

Who at this time owns the co-op building, I'm curious.

MR. MALLAMO:

The County does.

MR. KAUFMAN:

Okay, just making sure. Okay, so basically, getting back to the parking issue, though, there are possibly 600 spaces going to be coming on-line; what are we looking at in terms of a time line?

MR. LARSEN:

I would probably defer that to Mr. MacLellan, if he knows the answer.

MR. MACLELLAN:

My name is Joey MacLellan, I am the Executive Assistant to the Supervisor. Thank you for listening to us today. The Town of Riverhead is actually well on its way in purchasing the property along Court Street. That entire square between the courts and the Railroad Avenue, three-quarters of that has been already purchased or is under contract right now with the town. We actually, the property owners have been -- we really haven't done very much condemnation, the property owners have been very interested in our proposals and, you know, it's costing the town a lot of money.

The Town of Riverhead wants this to happen. We have committed to 600 parking slots, most of which will be immediately surrounding the area, some of which will not. In addition to that, the town is looking at -- it's not committed yet whether it's going to be level parking lot or a multi-level parking lot, that's being explored right now, but if we go to multi-level it will be -- the parking will be that much more. The reason why we're doing that a little more aggressively than we originally had looked at is because whatever parking goes there it helps a lot of the activity that's happening in downtown Riverhead on the weekends, so it's going to benefit the courts and the town in the long run. But the town's commitment is well under way.

MR. KAUFMAN:

I notice that the construction phase of this particular project extends through, I believe it's January or February, I can't read this for sure, of 2005, so I figure probably you'll be able to get the parking lots in before that.

MR. MACLELLAN:

Actually, the town has committed to the County that our part of this project should be completed before the County's part is completed.

MR. DePASQUALE:

Could I also add something regarding the parking and the phasing that you brought up, appropriate time? Just understand that there's two phases to this project, the way it's going to be built is the addition is going to be built, then the three existing buildings, the Commissioner of Jurors, the DA and the courthouse will be vacated. So there will be an even swap of courtrooms, so you're not going to have the 14, whatever total amount of courtrooms until the whole project is completed. So it's not that -- I want you to understand, when the addition is built you're not all of a sudden going to have a flood of the need of for 600 parking stalls, you're only going to need that when this thing is completed two to two and a half years from now.

MR. KAUFMAN:

Well, actually the need is already there, but --

MR. DePASQUALE:

Oh, it's already there, right.

MR. KAUFMAN:

But there's not going to be increase that way.

MR. MALLAMO:

So what's happening to the vacated space?

MR. DePASQUALE:

In the building?

MR. MALLAMO:

Well, it's just going to be vacated to be renovated. It's going to be occupied again by all the ancillary support spaces.

MR. MALLAMO:

Okay, but that's not -- that's going to come at a later time, that project?

MR. DePASQUALE:

That's going to start when this building is -- this addition is completed and ready for occupancy, some of those functions are going to move into this building.

MR. MALLAMO:

Okay. Have those plans been done yet?

MR. DePASQUALE:

Yes, they're part of this project.

MR. SWANSON:

I didn't see them.

MR. MALLAMO:

Yeah, because I don't remember seeing that.

MR. KAUFMAN:

Yeah, I didn't seem see them either.

MR. DePASQUALE:  
What's that, I'm sorry?

CHAIRPERSON ELKOWITZ:  
They weren't submitted to us as part of this project and they weren't addressed in the EAF either.

MR. DePASQUALE:  
Yeah, you should have the existing floor plans in there.

MR. MALLAMO:  
Yeah, but we don't know what's happening in them.

MR. DePASQUALE:  
All the courtrooms and everything are staying the same.

CHAIRPERSON ELKOWITZ:  
You're just doing interior renovations?

MR. DePASQUALE:  
Oh yeah, we're just doing interior renovations. No, it's cosmetic renovations and mechanical systems, we're upgrading the mechanical systems. The first part of my presentation was to make that clear, we're not putting a whole new function or anything in there.

MR. KAUFMAN:  
Just don't remove the flag pole that's over the main entrance, that's where we used to hang the {calstrant} attorneys or anybody held in contempt.

MR. LARSEN:  
We are also upgrading or weatherproofing the exterior of the old buildings because there was a lot of cracks and things like that that need maintenance and so on, so that is part of the project, too.

CHAIRPERSON ELKOWITZ:  
Any other questions? If not, I'll entertain a motion.

MR. KAUFMAN:  
I think I should make a motion on this one because I might -- if I didn't people might get angry at me; fellow attorneys I'm talking about.

MR. MALLAMO:  
They'll get angry at you anyway.

MR. KAUFMAN:  
That's probably true. Okay, so this is basically planning at this point in time.

MR. MALLAMO:  
No, construction.

CHAIRPERSON ELKOWITZ:  
No, it's construction, it's Type I.

MR. KAUFMAN:

Type I activity and I see this as a Negative Declaration, so that's my motion.

CHAIRPERSON ELKOWITZ:

I have a motion. Do I have a second? I have a second by Lance. All those in favor? Opposed? Abstentions? Carried (VOTE: 7-0-0-2 Not Present: Legislator Fields & Nancy Manfredonia). Thank you, gentlemen.

MR. LARSEN:

Thank you.

MR. MALLAMO:

Do we also have to do that in our Historic Trust?

CHAIRPERSON ELKOWITZ:

Oh, yeah. You know what? Just amend -- you can amend your -- well, you can just make a second motion.

MR. KAUFMAN:

I'll just make motion a motion as the Historic Trust that this is an acceptable project.

CHAIRPERSON ELKOWITZ:

And I assume Mr. Mallamo will second it?

MR. MALLAMO:

Second.

CHAIRPERSON ELKOWITZ:

All those in favor? Opposed? Abstentions? Carried (VOTE: 7-0-0-2 Not Present: Legislator Fields & Nancy Manfredonia). Thank you again.

Okay. I don't have any other business. Mr. Martin.

MR. MARTIN:

Just a quick update at Sagtikos Manor. We had a very successful fund-raiser sponsored by the Bay Shore Chamber of Commerce. The money was raised for the Sagtikos Manor Historic Society which we'll be going into contract with to run the tours and programs at the site and over 600 tickets were sold and the two hour cocktail party in the Carriage House on the rear of the property raised over \$30,000.

CHAIRPERSON ELKOWITZ:

Very good.

MR. MARTIN:

So we're off to a great start. And there's a lot of local interest, I'm very pleased to see -- we all know that our historic sites are moved forward with the community support.

All the items that were stolen from the main house have been returned from the police garage at this point.

CHAIRPERSON ELKOWITZ:

Really?

MR. MARTIN:

And all the items that were taken out of the house by the foundation to be sold at Christy's have now been returned to the property.

MS. ESPOSITO:

Wow.

MR. MARTIN:

We've met with a painting conservator to give a proposal on doing work on the artwork, the oil paintings and the etchings that are in the house and we'll be presenting that to the Historic Society and hopefully they can continue that fund-raising for that project.

MR. KAUFMAN:

Rich, what is going to be happening with the wallpaper up there? When we went through it the last time, a lot of it was basically peeling off of the walls, but at the same time it looked as if it might be able to be restored.

MR. MARTIN:

There's a lot of wall coverings in the house and the area you're talking about is the main staircase in the west wing.

MR. KAUFMAN:

Yeah.

MR. MARTIN:

I think parts of that could be conserved and retained and the rest would have to be taken down and we'd look to have that reproduced.

MR. KAUFMAN:

Okay.

CHAIRPERSON ELKOWITZ:

Anything else?

MR. KAUFMAN:

I do have one --

CHAIRPERSON ELKOWITZ:

Sure.

MR. KAUFMAN:

-- thing to bring up, this is aside from the historic things. I think this was faxed over to you. I don't know if the rest of you know about this, but the Council and the County had been sued by the Peconic Baykeeper -- Kevin McAllister and Matthew Atkinson who have appeared before us several times -- challenging our Negative Declaration I think it was on the 2002 Work Plan of DPW. And the court decision just came down a couple of days ago and we won, our Negative Declaration was upheld. Obviously, I don't know if they'll appeal or not, but one of the issues that did come up was whether this was moot and if they further appeal it's going to be -- it's already

2003, by the time the appeal is heard it will be 2004. So I don't think they're really going to have any ability to appeal this at this time. So our Neg Dec was upheld and I think that that is something very good, I think the County did a pretty good job on this.

CHAIRPERSON ELKOWITZ:

We tried. Anyone else? I'll entertain a motion to adjourn.

MR. KAUFMAN:

Motion.

MR. CRAMER:

Motion.

CHAIRPERSON ELKOWITZ:

We'll give one a motion, one a second; Mr. Cramer can have the motion.

All those in favor? Opposed? Abstentions? Carried.

(\*The meeting was adjourned at 11:26 A.M.\*)

Theresa Elkowitz, Chairperson  
Council on Environmental Quality

{ } - Denotes Spelled Phonetically