

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

Thomas Isles, AICP
Director of Planning

James Bagg
CHIEF ENVIRONMENTAL
ANALYST

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: Wednesday, July 18, 2007

TIME: 9:45 a.m. -12:40 p.m.

PRESENT VOTING MEMBERS:

R. Lawrence Swanson
Thomas Gulbransen
Richard Machtay
Daniel Pichney
Gloria G. Russo
Mary Ann Spencer

ABSENT VOTING MEMBERS:

Michael Kaufman, Vice-Chair
Legislative Representative Ms. Vilorina-Fisher

Conservation Advisory Councils:

Joy Squires, Town of Huntington
Zeb Youngman, Town of Southampton

Suffolk County Department of Planning Staff:

Thomas Isles, Director
James Bagg, Chief Environmental Analyst
Lauretta Fischer, Principal Environmental Analyst
Christine DeSalvo, Secretary

Departmental Staff:

Suffolk County Legislature
Kara Hahn, Presiding Officer's Aide
Suffolk County Department of Parks, Recreation and Conservation
Tracey Bellone, Acting Commissioner
Richard Martin, Director Historical Services

Departmental Staff:

Suffolk County Department of Public Works

Kevin Mathers, Jr. Civil Engineer

Suffolk County Department of Law

Dennis Brown, Attorney

Guests:

Patrick Heaney, Supervisor, Town of Southampton

Jefferson Murphree, Land Management Director, Town of Southampton

Kate Garvin, Attorney, Town of Southampton

Marty Shea, Chief Environmental Analyst, Town of Southampton

Charles Bellows, Chair, Historic Landmarks, Town of Southampton

Gordon Hall, Trustee, Deepwells Historical Society

Margo Myles, Senior Environmental Analyst, Town of Huntington

Due to inclement weather Accurate Reporting was unable to send a stenographer to take a verbatim transcript of the CEQ meeting. Therefore, minutes were prepared pursuant to Roberts Rules of Order as set forth in the Council's By-laws. The meeting was tape-recorded which will be kept in the Council's files for future reference, if necessary.

MINUTES:

The minutes from the June 20th CEQ meeting were postponed to the next meeting.

CORRESPONDENCE:

The DPW letter to DEC for Clarification and additional information on the 2007 Temporary Revocable Permit for Mosquito Surveillance and Control was included in the member's folders. Mr. Bagg gave an overview of the letter stating the County of Suffolk wants clarification as to the reasons N.Y. DEC granted a general County wide permit to use Methoprene and restricts its use on DEC managed wetlands.

HISTORIC SERVICES:**Proposed Recommendations for Amendments/Additions to the Historic Trust Manual.**

Ms. Spencer presented the proposed additions to the Suffolk County Historic Trust Manual under I. THE HISTORIC TRUST, ITS POLICY & FUNCTIONS:

Additions to page 2 under I (B) (1) after "a" and "b"

Add - (c) as recommended by the Suffolk County Historic Trust as having County, Community or Contextual Historical Significance.

Additions to page 7 under I (F)

Add – (6) Suffolk County Historic Trust shall maintain a list of county owned properties consistent with the definitions of historic properties as described under I (B) (1), page 2 of the Historic Trust Manual. This list is in addition to and separate from the properties that are dedicated to the Historic Trust.

Motion to adopt by Ms. Russo, seconded by Mr. Machtay. Motion carried 6-0-0.

Relocation of the Big Duck to its original site in the Hamlet of Flanders.

An overview of the project was given by Supervisor Heaney, Mr. Murphree, Ms. Garvin, Mr. Bellows and Mr. Shea of the Town of Southampton.

Supervisor Heaney thanked the council for reviewing the proposal and gave a brief history of the Big Duck and how it arrived at the county site it's presently on. He said the Town of Southampton purchased the duck farm where it was formerly located. The Town and local Flanders community want to relocate the duck back to its former location. It was pointed out that the County Executive and other county officials were cooperating and working with the Town to bring the project to fruition.

Mr. Murphree pointed out that the Town has completed several studies concerning the former duck farm site, its historical significance and natural setting. The Town prepared the project EAF and background studies which were supplied to the CEQ prior to the meeting. One of the prime reasons for the project is that the duck farm industry is/was so critical to the history of the Town of Southampton and to Suffolk County. Returning the Duck to its former duck farm site will enhance its historic significance. A 99 year renewable license between the Town of Southampton and the County will govern the area where the duck will be located. This was acknowledged by Ms. Garvin, Attorney for the Town of Southampton, who further discussed the proposed license agreement and the reasons for it. Low volume toilets, a recycling program and handicap access are also part of the plan.

Mr. Bellows, Chairman of the Southampton Historic Landmark Board, then gave a brief description of the Town's plans to restore several of the former duck farm buildings which are adjacent to where the Duck will be relocated. Mr. Shea provided information on what the Town plans to do with the rest of the park site. Chairman Swanson thanked the citizens for their participation and the town for its efforts. Mr. Bagg read the following conditions agreed to by the County and Town into the record:

1. The Big Duck must be moved in its entirety without any disassembly;
2. Any damage resulting from the move will be repaired by the Town of Southampton;
3. A new foundation, electric service, phone and alarm lines must be in place before the move of The Big Duck. The Big Duck will be placed on the new foundation and utilities connected on the day that the Big Duck is moved, all costs incurred will be the sole responsibility of the Town of Southampton;
4. The Suffolk County Parks Department will have final approval of the new foundation and the replacement of the termite shield at the base of the Big Duck at the Flanders Duck Farm location;
5. The handicap entrance ramp, rear deck, and outside basement doors will be replaced at its new location by the Town of Southampton;
6. The Town of Southampton will provide the Certificate of Occupancy for the Big Duck at the Flanders Duck Farm location;
7. Water service and bathrooms will be installed on site within a reasonable amount of time by The Town of Southampton, until such time, Town of Southampton will make arrangements for restroom facilities for the Big Duck staff;
8. The Town of Southampton agrees to maintain the grounds and landscaping surrounding The Big Duck at The Flanders Duck Farm;

9. The Town of Southampton will provide public access and parking at the front entrance of The Big Duck;
10. The Town of Southampton will provide parking areas for special events at The Big Duck, including but not limited to, the Holiday Lighting in November of every year;
11. The Suffolk County Parks Department will only be required to obtain a Southampton Town Park Permit for special events at The Big Duck;
12. The Town of Southampton will provide a renewable long term lease at no cost to Suffolk County for the area surrounding The Big Duck along Route 24 at its new location at the Flanders Duck Farm;
13. Town of Southampton will bear all costs relating to the move and relocation of The Big Duck to its new foundation at the Flanders Duck Farm;
14. The Town of Southampton will work with The New York State Office of Historic Preservation to write the “new” New York State and National Register Nomination form to re-list The Big Duck and possibly add additional buildings and property at The Flanders Duck Farm;
15. The Town of Southampton will install a sub meter for electric service inside the Big Duck;
16. The Town of Southampton will remove all of the existing foundation, and will also backfill and grade the existing site of the Big Duck;
17. Visitors, regardless of residency, will have access to the Big Duck and will not be charged any parking fees by the Town of Southampton; and
18. The above conditions will be included as part of the agreement between the Town of Southampton and Suffolk County for the relocation of the Big Duck from Sears Bellows County Park to The Flanders Duck Farm.

A motion was made by Mr. Youngman to recommend the project as an unlisted action and that a Conditional Negative Declaration be issued with the above conditions; seconded by Mr. Gulbransen. Motion carried 6-0-0.

Overview of process by which County Historic Structures are licensed and occupied.

A presentation was given by Mr. Martin, Director of Historic Services and Ms. Bellone, Acting Commissioner of Parks and Mr. Brown, of the County Attorney’s office.

Mr. Martin said that one of the major concerns of the Historic Trust Committee is to have County historic buildings occupied as soon as possible in order to lessen the danger of vandalism and deterioration. This is set forth in the Historic Trust Manual. Ms. Bellone explained that the Parks Department requires a custodial license agreement between the local historic entity and the county before a license is issued. When a draft contract is received, it is given a priority number and forwarded to the County Attorney’s Office for review and finalization before it is adopted. Mr. Brown stated that the County Attorney’s office reviews hundreds of contracts a year. A boiler plate contract is available for such actions.

Mr. Hall of the Deepwells Farm Historical Society gave a chronological overview of his groups trying to obtain a finalized contract with the county. It has been over three (3) years and they still do not have a contract.

It was decided to form a committee, consisting of Mary Ann Spencer, Daniel Pichney, a member of the County Attorney’s office and Jim Bagg. Ms. Spencer will chair the committee. The committee will review the situation and report back to the CEQ/Historic Trust with recommendations on how to

expedite the review contract process.

Ratification of Recommendations for Legislative Resolutions Laid on the Table on June 26, 2007.

Mr. Bagg gave an overview of the I.R. resolution lists that were in everyone's folders. All of the actions were either Type II actions or had previously been reviewed and SEQRA was complete.

Ms. Russo made a motion to recommend approval as written and distributed, seconded by Mr. Machtay. Motion carried 6-0-0.

Capital Project 5375 Rehabilitation of Abet's Creek Bulkhead in the Town of Brookhaven tabled at June 20th, 2007 CEQ meeting.

Mr. Mathers, Jr. Civil Engineer, Suffolk County Department of Public Works reported that DPW will be replacing the existing deteriorated bulkhead with fiberglass reinforced recycled plastic lumber, as recommended at the June 20th, 2007 CEQ meeting.

A motion was made by Mr. Machtay to recommend that since the project was a replacement on the same site it is a Type II action, seconded by Ms. Russo. Motion for a Type II action. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – D'Alesso Property in the Town of Brookhaven.

A presentation was given by Thomas Isles, Director, Suffolk County Planning Department. The project involves the acquisition of 0.227 acres of land by Suffolk County for open space preservation purposes.

A motion by Ms. Russo to recommend that the acquisition is an unlisted action and a Negative Declaration issued, seconded by Mr. Pichney. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition –Gram Property in the Town of Brookhaven.

A presentation was given by Thomas Isles, Director, Suffolk County Planning Department. The project involves the acquisition of 0.07 acres of land by Suffolk County for open space preservation purposes.

A motion by Ms. Russo, to recommend that the acquisition is an unlisted action and a Negative Declaration issued, seconded by seconded by Mr. Machtay. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Beaverdam Creek County Wetlands – Estate of Angelo Giambalvo Property in the Town of Brookhaven.

A presentation was given by Thomas Isles, Director, Suffolk County Planning Department. The project involves the acquisition of 1.03 acres of land by Suffolk County for open space preservation

purposes.

A motion was made by Mr. Machtay to recommend that the acquisition is an unlisted action and a Negative Declaration issued, seconded by Ms. Spencer. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Montauk County Park Addition – Foley Property in the Town of East Hampton.

A presentation was given by Thomas Isles, Director, Suffolk County Planning Department. The project involves the acquisition of 3.13 acres of land by Suffolk County for open space preservation purposes.

A motion was made by Mr. Machtay to recommend that the acquisition is an unlisted action and a Negative Declaration issued, seconded by Mr. Gulbransen. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Peconic Land Trust, Inc. as Contract Vendee – Crackle Hill Property in the Town of Shelter Island.

A presentation was given by Thomas Isles, Director, Suffolk County Planning Department. The project involves the acquisition of 17.1 acres of land by Suffolk County for open space preservation purposes.

A motion was made by Ms. Russo to recommend that the acquisition is an unlisted action and a Negative Declaration issued, seconded by Mr. Pichney. Motion carried 6-0-0.

Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lewis Oliver Property in the Town of Huntington tabled at June 20th, 2007 CEQ meeting.

A presentation was given by Ms. Myles, Senior Environmental Analyst, Town of Huntington. The project involves the acquisition of 2 acres of land, which was a previously developed dairy farm, by Suffolk County and the Town of Huntington for Community Park/educational farm. It was pointed out that if the Phase II Environmental Assessment reveals that there is contamination of the property with toxic and hazardous substances, the Town of Huntington would be responsible to provide mitigation as per the terms of the contract.

A motion was made by Ms. Squires that the project is an unlisted action and a Negative Declaration be issued provided the Town will remediate the site if any toxic or hazardous materials are found. Seconded by Mr. Machtay, opposed by Ms. Russo and Mr. Swanson. Motion passed 5-2-0.

**CAC Concerns:
None**