

**ENVIRONMENT, PLANNING & AGRICULTURE COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**MINUTES**

A meeting of the Environment, Planning & Agriculture Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on February 7, 2014 at 9:30 a.m.

**MEMBERS PRESENT:**

Legislator Kara Hahn, Chairwoman  
Legislator Al Krupski, Vice Chair  
Legislator Sarah S. Anker  
Legislator Thomas F. Barraga  
Legislator Thomas Muratore

**ALSO IN ATTENDANCE:**

Presiding Officer DuWayne Gregory, 15th Legislative District  
Legislator Robert Trotta, 13th Legislative District  
George M. Nolan, Counsel to the Legislature  
Renee Ortiz, Chief Deputy Clerk of the Suffolk County Legislature  
Tom Vaughn, County Executive's Office  
Laura Halloran, Budget Review Office  
Sarah Lansdale, Director/Suffolk County Department of Planning  
Lauretta Fischer, Suffolk County Department of Planning  
Michael Pitcher, Aide to Presiding Officer Gregory  
Deborah Tinnirello, Aide to Legislator Hahn  
Catherine Stark, Aide to Legislator Krupski  
Bob Martinez, Aide to Legislator Muratore  
And all other interested parties

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione, Legislative Secretary

*(The meeting was called to order at 9:35 a.m.)*

**CHAIRWOMAN HAHN:**

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

***Salutation***

**CHAIRWOMAN HAHN:**

Okay. Welcome, everybody, to the first meeting of the Legislature's Environment, Planning and Agriculture Committee. We have a new Vice Chair, Legislator Krupski. Thank you for taking that on.

**LEG. KRUPSKI:**

Thank you.

**CHAIRWOMAN HAHN:**

Legislator Barraga should be here shortly.

**LEG. BARRAGA:**

I'm sorry.

**MR. NOLAN:**

Muratore.

**LEG. BARRAGA:**

I know I don't make much of an impression, but.

**CHAIRWOMAN HAHN:**

Excuse me. I'm sorry, two Tom's. Sorry about that. Muratore, Legislator Muratore will be here shortly. We're going to begin with the presentation from the Division of Planning about the update on the Suffolk County Comprehensive Water Resources Management Plan. Thank you, Director Lansdale, for being here. Oh, and I did circulate correspondence via e-mail. I'm hoping that everyone received that letter on IR 1028. So that's circulated, the correspondence that we received.

Director Lansdale, thank you for joining us today to give us this presentation. Legislators should have it in your inbox if you want to follow along on your laptops.

**DIRECTOR LANSDALE:**

Thank you so much for this opportunity. I did send a few minutes ago to all of the members of this committee both the PowerPoint presentation that I'm about to go through as well as the revised Executive Summary for the County's Comprehensive Water Resources Management Plan. So you should have both documents in your e-mail.

So, the other week the County Executive announced the single most important initiative of his Administration and what should be called the single most important goal for all Long Islanders, and that's curbing decades of nitrogen pollution that we've been inflicting on our ground and surface waters in Suffolk County. This picture before you is an example of some of the effects of nitrogen pollution. That's specifically a picture of brown tide in the Great South Bay. Nitrogen pollution is public enemy number one for our bays, waterways, drinking supply and the critical wetlands and marshes that protect us from natural disasters like Superstorm Sandy.

The scope of the problem is grand. Over 350,000 homes in Suffolk County are not sewered and are contributing nearly 70% of the entire nitrogen diet or budget to the Great South Bay. By comparison nationally, the United States Environmental Protection Agency estimates that 25% of all

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households in the United States are on individual septic systems, while here in Suffolk County the figure is much higher. It's 70% of all households here in Suffolk County are -- have septic systems or cesspools.

Last year Walt Dawydiak appeared before the Legislature and underscored this point when he said that we have a million and a half people, approximately 70% or roughly a million people, who are not sewered. This is probably the only place in the world with that large a density in this tight of space, where the waste is going into a sole source aquifer immediately beneath us that we're drinking, and this is a huge concern. So the primary source of this nitrogen is failing cesspools and septic systems. This nitrogen pollution is causing impaired water bodies, closed beaches, harmful algal blooms and has decimated our shellfish populations. You can actually see the graph on the screen above shows the specific direct impact on our fishing industry, the hard clam landings in the Great South Bay and the scallop landings.

This update to the Suffolk County Comprehensive Water Resources Management Plan highlights another critically important issue that nitrogen pollution has been systematically undermining our coastal wetlands. After the barrier beaches, our second line of defense against storms like Sandy are our wetlands, and they've been devastated by nitrogen pollution in the water.

Governor Cuomo actually outlined in his 2100 Commission Report that tidal wetlands can protect coastal communities from storm damage by reducing wave energy and amplitude, slowing water velocity and stabilizing the shoreline through sediment deposition. If we're going to protect ourselves from future storms we have to rebuild our coastal wetlands. The only way we can do that is by confronting this water quality problem.

So how do we confront this? The issue -- this is an issue that we've been grappling certainly for decades. With 70% of Suffolk County unsewered the cost of solving this problem has seemed insurmountable. But just because a problem is daunting that is no excuse for inaction. So we've been meeting with both the Health Department as well as the Department of Public Works to figure out how to make this problem more manageable. So this is -- what you see before you here is an image of all of the unsewered areas in Suffolk County that are residential, medium density and high density areas. So we started with approximately 350,000 homes that are unsewered and we looked at ways to identify what are the areas within the County that are -- that impact our water quality the most. So we said we had to focus on parcels that are in medium or high density, that don't conform to the standards of Article 6 of our Sanitary Code, and that are within the zero to 25 year contributing area for our surface water, and the zero to 50 year contributing the area to public water supply wells. That took us from 350,000 homes down to 200,000 homes.

So these -- what you see here in the yellow and brown are the areas that are unsewered. It might be hard to see it from a distance, but on your screen -- on your laptops you can see it clearer. If you'd like printed copies of these maps I can also prepare those for you as well.

So then we looked at other areas and other criteria and we're in the process of looking at areas, other factors such as depth to groundwater and seeing where in the County there's not enough separation between the septic system in the ground and the water table. That is, where are there septic systems or cesspools, where the systems themselves are literally sitting in groundwater. So the map before you shows another analysis that we conducted, looking at the areas where there isn't that adequate separation between the septic system and the water table.

So we are in the process of identifying and refining our analysis to identify the priority areas within the County for advanced and upgraded wastewater treatment. So I'm happy to report on our progress and I look forward to working with all of you to continue to refine our analysis. Thank you so much.

**CHAIRWOMAN HAHN:**

Thank you. We probably have some questions. Do you have -- I noticed you had a nitrogen diet for the Great South Bay. Do you have that for other water bodies as well, like the Peconic Bay and the Long Island Sound?

**DIRECTOR LANSDALE:**

Yes. There are nitrogen budgets for most, if not all, of our water bodies here in Suffolk County.

**CHAIRWOMAN HAHN:**

Sorry. Legislator Krupski.

**LEG. KRUPSKI:**

First off, I want to thank Legislator Hahn for bringing this up and for her leadership on this. This is an important issue, and also for all of the work that Director Lansdale has done on this. I know this is -- she's meeting this head on. The question I have is you said that 70% of the nitrogen comes from the existing septic systems. Do you have a percentage that comes from atmospheric, and do you have any percentage that would be contributed from waterfowl, you know, mostly -- I mean wildlife contributes, but waterfowl contribute directly into the surface waters.

**DIRECTOR LANSDALE:**

That's an interesting point. I don't have the specific percentage that -- where waterfowl do contribute to nitrogen loading. Specifically for the Great South Bay, atmospheric deposition is 21% of the nitrogen budget for that specific body of water.

**LEG. KRUPSKI:**

Thank you.

**CHAIRWOMAN HAHN:**

Legislator Anker.

**LEG. ANKER:**

And again, also, thank you for this, you know, all the work that you and your team have been doing and will continue to do. So I have a couple of questions and you may not know the answers, but what is the cost, what is the overall cost to get this done where it's acceptable, at least, you know, in the eyes of Suffolk County's Health Department.

**DIRECTOR LANSDALE:**

That's a very important question and one that we are looking at and we'll continue to look at. We don't have an answer for you today, but what we're doing is continuing to identify those priority areas. And then once we have priority areas identified, then we'll begin to work with our folks from the Health Department, as well as DPW, to look at what those estimated costs would be for -- for either sewerage -- there's a variety of options for advanced wastewater treatment that include sewerage as well as individual on-site systems, as well as neighborhood clustered decentralized systems. So we're looking at the costs and we'll be happy to, once we have some numbers, some preliminary numbers, report that back.

**LEG. ANKER:**

And also, you know, in trying to resolve this issue, because this is a huge issue and according to our County Executive it's number one priority as far as, you know, trying to figure out how we can help make our water cleaner and safer. In my district there's -- we have issues with water and erosion, and according to the map there's high density and we do need some sewers in that, you know, Rocky Point/Sound Beach area. I'm looking at, you know, according to your map. Now, the water table is actually, you know, deeper, so does that make that area less of a priority when you put the overlay of the low-lying aquifer versus the more hill-terrain type of landscape? How will you prioritize them.

**DIRECTOR LANSDALE:**

Another great question. We are -- we're looking into that right now and specifically working with the experts, Walt Dawydiak and his team at the Health Department, to look at the hydrology and other factors that contribute to water quality. So I'd be happy to report back on our findings.

**CHAIRWOMAN HAHN:**

After the -- what are they calling this, the committee, the Steering Committee. At the Steering Committee meeting I had asked Director Lansdale to look into runoff as it, you know, erosion, steep slopes and runoff as a contributing factor as well, because the North Shore certainly, the bays and waterways receive a lot of nitrogen through the runoff, so that's a factor that we need to consider. Did you have another question -- oh, Legislator Barraga.

**LEG. BARRAGA:**

I want to commend you and the environmental community as a whole for the work you're doing in this particular area, but as you do your analysis and research, I want to go back to -- dovetail a little bit on Legislator Anker's comments. The cost factor associated with this is tremendous. We are talking billions and billions of dollars. So at some point in time the environmental groups have to sit down and say, you know, where is the funding going to come from? It doesn't -- it cannot come from within our own system here at the County. I'm convinced that those kinds of monies have to come from the State or the Federal government. We are going back many years ago, but the Southwest Sewer District, I remember when that project first started. They were talking maybe 100, 150 million dollars. In the end, for a lot of different reasons, it ran close to one billion dollars.

In the last couple of years, former member Horsley, D'Amaro, myself, got involved with the possibility of taking a look at sewerage certain parts of West Islip and Wyandanch and Deer Park. I remember groups of people coming down when the numbers started to come in, people getting up and saying, you know, "I just can't afford this. I'd rather stay with my cesspools". We were looking at just the sewerage aspect, maybe a couple of billion dollars for those small areas. Then you had the connection fee which was separate, and then you had what homeowners would have to pay on an annual basis, which could run several thousands of dollars.

So when you do all your research and your work, in the end you have to say to yourself, where are the bucks to remedy the problem? And you are going to have to look far beyond Suffolk County because of the tremendous amount of money involved here. That's the only comment I'd like to make.

**DIRECTOR LANSDALE:**

Yes, that's, you know, we completely agree with your point and realize that this is a problem, not only for Suffolk County, but for all, and it's going to actually take all levels of government to work together to find the financing for this.

**CHAIRWOMAN HAHN:**

Legislator Anker.

**LEG. ANKER:**

Okay. And in relating to that question, all levels of government, again, I'm assuming focusing on the towns and understanding that when they develop locally they have to consider density, and I've seen that happen more, you know, as, you know, we see this problem increase. But where are we right now with the different towns in relation to building and density? In other words, how much has it changed from five, ten, 20 years ago. Is that part of their understanding that they have to consider density when allowing builders to create their developments.

**DIRECTOR LANSDALE:**

Yes. You know, we have here in the County Article 6 of the Sanitary Code which influences the density -- the residential or the density of buildings, and what you see on these maps are mostly

homes that were built before Article 6 that were built before 1980 when that regulation took effect. So over 52% of all of the housing stock in Suffolk County does not conform to Article 6, so I think that, you know, certainly moving forward, you know, the building community is well aware of Article 6 and, you know, conforms to that, but it's really looking at this legacy problem of how do we address the building stock that we have that does not conform to Article 6 and may contribute to some of our water quality problems.

**LEG. ANKER:**

Again, related to the question I just asked, again, thinking of incentives, both on the different levels of government to encourage those folks that have not conformed to Article 6 to have the work done. You know, maybe something like when I was working at Town of Brookhaven working on the energy efficiency and solar projects, there was great incentives through LIPA and other municipalities to move forward with doing this type of work, but, you know, maybe there is some tax incentives or building incentives. You know, I know Supervisor Romaine has mentioned increasing maybe, you know, single to double family occupancy, but something to allow them to invest in sewerage. I think that would be important.

**DIRECTOR LANSDALE:**

Certainly. So that's -- we are in the process of finalizing our Comprehensive Water Resources Management Plan and hope to release it mid-year, so in there will be an action plan and all of those ideas will be certainly explored. And we're looking to other places that are grappling with the same issues, see, you know, what models are out there for incentives and programs and things like that, that have been successful in addressing this. So looking definitely beyond Suffolk County for not only resources, but models and ideas that we can potentially apply here in the County.

**CHAIRWOMAN HAHN:**

So there's also a question, I think, we are beginning to beg the question about new construction, even when systems fail, the septic, cesspools. You know, they get us to 50 parts per million. There may come a point where our Health Department just shouldn't be approving them any more in certain areas and whether, you know, whether that's for new construction or new construction -- or when a system fails, the current systems that exist, these legacy systems fail, that something new needs to be put in. And you're beginning to define the areas of priority that we could focus on. You said this breaks it down to 30,000 homes or when you would get to that final slide.

**DIRECTOR LANSDALE:**

That's right.

**CHAIRWOMAN HAHN:**

So these maybe zones of where we do make -- consider things that are, you know, limiting into what kind of systems we can use. Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. Kind of along the same theme. If you look at land use patterns and density, that's of course when you sewer you have two options here. If you sewer you're going to drive land use patterns and you're going to drive density. And so if you look alternative systems, then you're looking at reducing nitrogen on a much smaller scale and not having such infrastructure, not having such density and land use change. But on the map that you have up here, the possible areas for advanced wastewater treatment, because every system contributes equally to the groundwater, it's just that the rate of flushing from a more central geographic location to the shoreline is different time wise. Wouldn't you treat all the wastewater systems the same, because they're all contributing the same. So -- and it goes back to what Kara was saying about how, you know, the different contribution rates and who's going to pay for them. Retrofitting existing systems or for new development, wouldn't you go forward on that kind of basis and not say just because you're the shoreline it's a priority, it's really a priority everywhere, and not just focus on -- because, you know, when you start to draw the line tax map parcel by tax map parcel it's going to get a little dicey I

think. And I think it would be better to look at the whole of the aquifers as one and say, you know, it would be a lot easier than to say moving forward you should be looking at these systems. And do you plan on, because I know there's a lot of alternative systems out there that have a great rate of nitrogen removal. Do you plan on going and actually looking at these, because I think there's great value in the County since the County's taking the lead on this and the County going and actually looking at these systems and seeing how they work.

**DIRECTOR LANSDALE:**

Yes, under the motto of seeing is believing, we are proposing to visit a number of places in the country, such as Barnstable County, Massachusetts, that has a septic system testing center, as well as others to view the systems that are in place, that have worked and to make those professional contacts between our Health Department and our DPW and folks in the field in other places that are also working on this issue, so that we could share ideas and develop -- and advance our program more rapidly.

**CHAIRWOMAN HAHN:**

Any other questions? Legislator Anker and then Legislator Trotta, who is here as our guest.

**LEG. ANKER:**

Again, I'm looking at the map and the density. Is there any -- I guess you'll come up with this -- the answer to this question, but is there any way to pull the, instead of dealing with the land mass, pull the sewerage out into, you know, again, the water area to have it, you know, use that space rather than the land space to deal with the sewerage. Is there any type of water treatment plant available or?

**DIRECTOR LANSDALE:**

We'd be happy to work with your office to look into that.

**LEG. ANKER:**

It's an out of the box kind of question, but it's just that the density is so tight, where do you put the sewers? That's what I'm trying to figure out, where they're close by. And again, the detriment not only to our groundwater, but also to the bays and to the harbor and the Sound. So, again, I'm just curious if that's available with the technology that we have.

**DIRECTOR LANSDALE:**

Well, each technology requires a different space, so that's part of our analysis, is looking at the various different technologies, whether or not they're approved here in Suffolk County, whether they can be approved, you know, what their performance is, and then what their specific requirements are in terms of size, siting, etcetera.

**LEG. ANKER:**

Okay. Thank you.

**CHAIRWOMAN HAHN:**

And the County takes a lot of land due to tax defaults, etcetera. We may be needing to consider in the future saving parcels for use for retrofitting our neighborhoods with some different types of systems, who knows? Legislator Trotta.

**LEG. TROTТА:**

Is there a list of like priority, who's first, who's second, who's ready to go. In the Kings Park area we have a sewage treatment plant, we have a pipe running down Main Street, yet the Village itself has no sewers. And, you know, talking about revitalizing villages, Kings Park, I would like to know where that stands, if it stands anywhere on the list.

**DIRECTOR LANSDALE:**

So we -- initially we're just looking at broad brush, looking at various different environmental factors, so we haven't specifically identified specific areas yet, but certainly, you know, we've just been looking County-wide at this issue right now. And we're beginning to identify what our other areas and factors that we should look at to begin to prioritize areas for advanced wastewater treatment. So certainly economic development potential is a factor.

**LEG. TROTТА:**

So there's no list.

**DIRECTOR LANSDALE:**

We don't have a list right now.

**LEG. TROTТА:**

Is there a plan to make a list?

**DIRECTOR LANSDALE:**

That's part of our analysis that we're conducting right now.

**LEG. TROTТА:**

And what factors are we taking in, if there was a plant there already and there's a pipe running down the middle of the street, would that be up on the list?

**DIRECTOR LANSDALE:**

Those are certainly -- this is just a first take at looking at the environmental factors, but obviously there needs to be economic development factors that have to be factored in as well as available infrastructure that could be tapped into, yes.

**LEG. TROTТА:**

Is there a timeframe on when you're going to get that list together?

**DIRECTOR LANSDALE:**

I need to look into that and I'll report back.

**LEG. TROTТА:**

Thanks. Approximate.

**CHAIRWOMAN HAHN:**

Legislator Krupski.

**LEG. KRUPSKI:**

So if you look at the problem that Nassau County is facing with the saltwater intrusion, because as you draw millions of gallons of water a day out of the aquifer, you can't possibly -- and then mainline that water back out as treated sewage into surface waters, you can't possibly replenish that through normal rainfall. If you look at the change -- of course then you get a change in solidity because the groundwater doesn't come back into the surface water in the normal fashion, the salinity changes, so that changes the whole environment in the surface waters. To a smaller degree that's happening in Suffolk County, but most of the treatment plants are discharged right into the aquifer. Could you, as part of what you're looking at, could you look into the drainage codes of each town, because that is the cheapest and most effective way of discharging clean rainwater back into the aquifer in new and, you know, reconstructed areas.

**DIRECTOR LANSDALE:**

That's something that was brought up at last week's Stakeholder Committee meeting and something that we're looking into, yes.

**CHAIRWOMAN HAHN:**

Any other questions? Thank you so very much. Please keep us in the loop, if maybe some of us would like to continue to be on the list for the Steering Committee, the Stakeholder's Committee, so we know when the next meeting is, and I'd like to be part of that as Vice Chair Krupski I know does as well. So thank you very much for this presentation today. We want to keep on top of this and be part of the decision making certainly. It's very -- it's critically important. The County Executive has identified it as his number one issue for the year, so we really look forward to the planning process as it's going to go forward and actually beginning to implement. So thank you. Okay. To the agenda.

**Introductory Resolutions**

We're back to the agenda. Introductory Resolutions. Introductory Resolution ***1003 - Making a SEQRA determination in connection with the proposed remediation of stormwater flooding in the vicinity of the North Fork Preserve, Town of Riverhead (Pres. Off.)***.

**LEG. KRUPSKI:**

I make a motion to approve.

**CHAIRWOMAN HAHN:**

Motion by Legislator Krupski. Oh, I'm going to make -- let's make a motion to approve and put it on the Consent Calendar by Legislator Krupski.

**LEG. KRUPSKI:**

Thank you.

**CHAIRWOMAN HAHN:**

I'll second. All those in favor? Opposed? Abstentions? 1003 is approved and for the Consent Calendar. ***(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)***

Introductory Resolution ***1028 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Mowdy property - Town of Brookhaven (SCTM No. 0209-021.00-05.00-032.000)(Browning)***.

I'll make a motion to table. Is this one of the ones that -- oh, no, motion to discharge without recommendation potentially?

**LEG. KRUPSKI:**

I'll second that for the purpose of discussion.

**CHAIRWOMAN HAHN:**

Second by Legislator Krupski for the purpose of discussion. On the motion, Legislator Anker.

**LEG. ANKER:**

The question of the morning is, Sarah, were we able to get Sandy funds for this property?

**DIRECTOR LANSDALE:**

So we've had extensive conversations with both NRCS and New York Rising, and we are still unclear after several hours of conversation whether or not these funds will actually be applicable to these sites, so we're recommending moving these sites forward with County funds.

**CHAIRWOMAN HAHN:**

Okay. So we have a motion to discharge without recommendation and a second. All those in favor? Opposed? This will be discharged without recommendation. ***(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)***

**DIRECTOR LANSDALE:**

Can I just note that we will continue to pursue funding for these sites as well.

**CHAIRWOMAN HAHN:**

Okay. So actually, well, we did pass this one, we might want to reconsider. Is this -- is the Bello property is the same group of NCRS?

**DIRECTOR LANSDALE:**

Yes.

**CHAIRWOMAN HAHN:**

Okay. Introductory Resolution **1029 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Bello property – Town of Brookhaven (SCTM No. 0209-036.00-03.00-042.000) (Browning).**

So I'll make a motion to approve, because did you just -- and is there a second?

**LEG. KRUPSKI:**

Second.

**CHAIRWOMAN HAHN:**

Second by Legislator Krupski. On the motion. Did you just say that we won't be getting funding or is that not clear.

**DIRECTOR LANSDALE:**

It's not clear. We're -- we have to apply to NRCS. The application is in the next month or so, and then they'll take a few months to figure out whether or not these properties are eligible. We haven't received a definitive yes or no from NRCS.

**CHAIRWOMAN HAHN:**

So just remind us of the rating on this one.

**DIRECTOR LANSDALE:**

Sure. So the rating for this and many before you today in the Mastic/Shirley Conservation Area have an assemblage rating of 56. And specifically the characteristics that lead to that point value include that it contains tidal wetlands, that it's located within the FEMA A Zone Flood Zone and near County parkland.

**CHAIRWOMAN HAHN:**

And do any of these properties, or can you please let us know as we go by, if any of them contain structures?

**DIRECTOR LANSDALE:**

Sure. So this particular resolution, IR 1029, Bello, does contain a residence home that was damaged by Hurricane Sandy on the property.

**CHAIRWOMAN HAHN:**

Can you just -- we didn't ask that question for 1028. Can you let us know as we go through which ones contain --

**DIRECTOR LANSDALE:**

Sure. Specifically on 1028 there are no structures on the site, and moving forward I will make that note.

**CHAIRWOMAN HAHN:**

Legislator Anker.

**LEG. ANKER:**

So the resolutions that we're looking at today, it's authorizing appraisal, that's it. I mean, we're getting a price on the land. Now, do you think that might be -- I would think it's important for the people that are putting the -- that are in charge of the Sandy funds to know how much, you know, this land costs. So will that help the County gain the funds when -- after these parcels have been appraised?

**DIRECTOR LANSDALE:**

It may. The -- we have found in working with NRCS previously that they may conduct their own appraisal as well.

**CHAIRWOMAN HAHN:**

Legislator Krupski.

**LEG. KRUPSKI:**

Looking at the maps and seeing the intertidal marsh and the 100 year flood plain and whatnot on some of these, the buildability, and I guess the appraisal is going to bear out the buildability of these parcels, is there any contact with Brookhaven Town on partnering with these? Two part question, sorry. And is -- are these parcels, can we use the old drinking water money to acquire these parcels that's dedicated to Brookhaven Town.

**DIRECTOR LANSDALE:**

We are looking into that question specifically and have initiated contact with the Town of Brookhaven to see if they're interested, (A), in amending their list, their old list, to include these parcels, certainly that's their decision, and also we're outreaching to them on partnership opportunities as well.

**LEG. KRUPSKI:**

Thank you.

**CHAIRWOMAN HAHN:**

And this is certainly from -- if you look at the picture, the map, certainly from a climate resiliency standpoint, which is important to us now and after everything we've discussed, but how does the structure -- again, we're just getting an appraisal, but by buying a home -- did you just ask this? I hope not.

**LEG. KRUPSKI:**

No.

**CHAIRWOMAN HAHN:**

Okay. By buying a home that has a residence on it, so what would that mean for us in our inventory of structures? Would there be an intent to remove? Would we be able --

**DIRECTOR LANSDALE:**

Yes.

**CHAIRWOMAN HAHN:**

-- to get Sandy funds for that?

**DIRECTOR LANSDALE:**

These are all good questions that we will continue to explore, both with the State and with our Federal partners.

**CHAIRWOMAN HAHN:**

Would it be possible to change -- I want to change to a discharge without recommendation my

motion, and is that okay that we change that? I'll withdraw my motion to approve and make it a motion -- the motion is to discharge without recommendation.

**LEG. KRUPSKI:**

I'll second that.

**CHAIRWOMAN HAHN:**

And seconded by Legislator Krupski. So any other comments or questions? Okay. All those in favor of discharging without recommendation? Opposed? 1029 is discharged without recommendation. **(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)**

**1030 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Bayview Drive, Mennuti property - Town of Brookhaven (SCTM No. 0209-037.00-01.00-021.000)(Browning).**

I will make a motion to approve for purposes of discussion. Seconded by Legislator Muratore. On the motion. Director Lansdale, is this part of the same group that has -- we've --

**DIRECTOR LANSDALE:**

Yes, it is.

**CHAIRWOMAN HAHN:**

There's no structure on this one it appears.

**DIRECTOR LANSDALE:**

That's right.

**CHAIRWOMAN HAHN:**

Okay. No structure, this also has the 56 rating as the assemblage.

**DIRECTOR LANSDALE:**

Yes, and it's also on our Comprehensive Master List.

**CHAIRWOMAN HAHN:**

Okay. Any questions? Okay, so we have a motion to approve and a second. All those in favor? Opposed? Abstentions? 1030 is approved. **(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)**

Introductory Resolution **1031 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Riviera Drive, Mennuti property - Town of Brookhaven (SCTM No. 0209-025.00-07.00-004.000)(Browning).** I'll make a motion to approve. Seconded by Legislator Anker.

**LEG. ANKER:**

Question.

**CHAIRWOMAN HAHN:**

On the motion, Legislator Anker.

**LEG. ANKER:**

And, again, the same questions. Does this property have a structure and is it on the Master List?

**DIRECTOR LANSDALE:**

This is -- this does not have a structure on the site and according to my notes this is not on the

Master List.

**CHAIRWOMAN HAHN:**

The rating for this one?

**DIRECTOR LANSDALE:**

The rating for this is 56 points. It is within the Mastic/Shirley Conservation Area.

**LEG. ANKER:**

So why isn't this on the Master List? I'm just curious if it's in the conservation area.

**DIRECTOR LANSDALE:**

It's -- the Mastic/Shirley list is an older list and it needs to be wrapped into at a future -- a future addition of the Comprehensive Master List.

**CHAIRWOMAN HAHN:**

Okay. We have a motion to approve and a second. Any other questions or discussion? All those in favor? Opposed? Abstentions? It is approved. **(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)**

Introductory Resolution **1032 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Pletenik property - Town of Brookhaven (SCTM Nos. 0209-033.00-07.00-025.000 and 0209-033.00-07.00-026.000) (Browning).**

I'll make a motion to approve.

**LEG. KRUPSKI:**

Second.

**CHAIRWOMAN HAHN:**

Seconded by Legislator Krupski. On the motion, Director Lansdale. Is there more you can tell us about this?

**DIRECTOR LANSDALE:**

Sure. This property consists of two contiguous lots totaling 0.178 acres. There are no structures on the site. These properties are listed on our Comprehensive Master List for open space preservation. The property is located within the Mastic/Shirley Conservation Area and received a rating of 56 points.

**LEG. KRUPSKI:**

On the motion.

**CHAIRWOMAN HAHN:**

Legislator Krupski.

**LEG. KRUPSKI:**

So here's -- you can see those two parcels and -- is this the one -- I'm struggling with the colors a little bit -- but the two parcels are in between and adjacent to two existing homes?

**DIRECTOR LANSDALE:**

That's right, and the property is adjacent to County parkland.

**LEG. KRUPSKI:**

Okay. Okay. All right. But you said in a case like this, wouldn't this be offered to the adjacent

property owners as just to enhance their property -- you know, it's such a small amount.

**DIRECTOR LANSDALE:**

I'm going to ask if I could --

**LEG. KRUPSKI:**

I mean, I don't know the history. I'm not familiar with the area.

**MS. FISCHER:**

It is within the Mastic/Shirley Conservation Area so our recommendation, because they were either wetlands, buffer areas to wetlands, or within the 100 year flood plain we recommended that we acquire them. It is on the border and north of the boundary of the Mastic/Shirley Conservation Area. In areas which are more primarily developed we would recommend sell to adjacent owner in those cases. This one we do have other vacant lands adjacent and one of them being owned by the County in our parkland that we want to amass further parcels to protect the area as a whole.

**LEG. KRUPSKI:**

I was just thinking further, going further here, because the location, it seems unlikely that any sewerage would occur in that actual block of development, and that these would be something that might be more beneficial to the neighbors if there was an alternative septic system that they could utilize to reduce at least their nitrogen input and into the waste stream into the groundwater. Just because the other ones are a little bit further out and more connected, more adjacent to preserved land or open land or intertidal or high marsh, but these two lots are kind of, you know, sandwiched between the existing development.

**MS. FISCHER:**

Right, but they are still within the 100 year flood plain totally, and we did have to -- we made demarcations to degree of development, and as you can see, south of the line is much less developed than north of the line, where we would recommend sell to adjacent owner. If, in fact, there were parcels that we take on for tax lien, that's actually exactly what we recommend.

**LEG. KRUPSKI:**

Thank you.

**CHAIRWOMAN HAHN:**

Any other questions? No? Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? It is approved. **(Vote: 6-0-0-0 - Presiding Officer Gregory is included in the vote)**

Introductory Resolution **1033 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Dittmer property – Town of Brookhaven (SCTM Nos. 0209-027.00-08.00-032.000, 0209-036.00-03.00-036.000 and 0209-027.00-05.00-025.000) (Browning).**

**DIRECTOR LANSDALE:**

So this property consists of three non-contiguous lots in various sizes, 0.23 acres, 0.14 acres, and 0.22 acres respectively. There are no structures on any of the parcels, and this is within the Mastic/Shirley Conservation Area. It does receive 56 points for this assemblage and is also listed on our Comprehensive Master List.

**CHAIRWOMAN HAHN:**

And it totals .6 acres between the three parcels?

**DIRECTOR LANSDALE:**

That's right.

**CHAIRWOMAN HAHN:**

Legislator Krupski.

**LEG. KRUPSKI:**

Thank you. So if we, you know, before I ask the question about the pot of money, the old drinking water money that's dedicated to Brookhaven, if in -- that money can be used on these parcels, would we have to go back and change the resolution on all these to reference that different source of money?

**CHAIRWOMAN HAHN:**

No, I think that we haven't -- these don't decide on money to buy yet, because this is just authorizing the appraisal, or do you mean source of money for the appraisals?

**LEG. KRUPSKI:**

No, no, acquisition.

**CHAIRWOMAN HAHN:**

Yeah, so these are authorizing appraisals at the moment so if we got to the point where our decision was to put them in the pot we're going to acquire, that is the time when we would decide what pot of funds to use; correct, Legal Counsel?

**MR. NOLAN:**

I think a lot of times the -- in the past the planning steps resolution really governed the whole thing from the beginning to the end, what pot of money you would use. This one identifies the Drink Water Program as the source for the funding for the appraisal and other planning steps. If we get to the acquisition stage and we're going to use a different source of money, then at that point I think we'd be okay identifying a different source of money.

**LEG. KRUPSKI:**

Thank you.

**MR. NOLAN:**

But for the time being we're going to use the drinking water for the planning steps.

**LEG. KRUPSKI:**

I just didn't want to get boxed in and, you know, lose our flexibility.

**CHAIRWOMAN HAHN:**

That's a good point. That's another good reason why the Tripe A is moving us forward. Legislator Anker.

**LEG. ANKER:**

So these are three separate parcels. Why are they broken -- why are they combined into this one resolution? Why are they not a separate property that we're looking at to get appraisals?

**DIRECTOR LANSDALE:**

They are owned by the same owner.

**LEG. ANKER:**

Okay.

**CHAIRWOMAN HAHN:**

So will there be -- is it possible to appraise all at once actually? Is it possible to appraise three -- I mean, I get it if they're sort of next to each other, but this is like can the appraisal -- will it be three separate appraisals is really I guess the question.

**DIRECTOR LANSDALE:**

I would defer to the wisdom and expertise of the folks in our Real Estate Department to sort that out.

**CHAIRWOMAN HAHN:**

Okay. So the question here is if they're worthy to move forward to get the appraisal, they're part of our Master List, they are part of 56 points, they're part of this Mastic/Shirley Conservation Area. We have a motion to approve -- nope. I'll make a motion to approve. Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? It is approved. **(Vote: 5-0-0-0)**

Introductory Resolution **1034 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Farmer property – Town of Brookhaven (SCTM No. 0209-027.00-02.00-031.000)(Browning).**

**DIRECTOR LANSDALE:**

Okay. This is slightly different because this is a parcel that is outside the Mastic/Shirley Conservation Area. So -- which means that --

**CHAIRWOMAN HAHN:**

Within the 100 year flood plain, right, or sort of, a piece of it is.

**DIRECTOR LANSDALE:**

A corner of it is in the 100 year flood plain, the southwest corner of the property. So staff has conducted a rating for this and it's received three points out of 100.

**CHAIRWOMAN HAHN:**

I'm going to guess we're going to make a motion to table. Seconded by Legislator Anker. Any other discussion? Questions?

**LEG. KRUPSKI:**

It's pretty clear.

**CHAIRWOMAN HAHN:**

There's a motion to table and a second. All those in favor? Opposed? Abstentions? It is tabled. **(Vote: 5-0-0-0)**

Introductory Resolution **1035 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Rivela property – Town of Brookhaven (SCTM No. 0209-027.00-07.00-057.000 and 0209-027.00-07.00-058.000)(Browning).**

**DIRECTOR LANSDALE:**

This property is within the Master/Shirley Conservation Area and within the FEMA flood zone and is adjacent to County parkland. There are no structures on the parcel and it has received a rating of 56 points. These are two contiguous lots, totalling 0.186 acres.

**CHAIRWOMAN HAHN:**

Okay. I'll make a motion to approve. Seconded by Legislator Krupski. Any other questions or discussion? All those in favor? Opposed? Abstentions? 1035 is approved. **(Vote: 5-0-0-0)**

That is the end of our business on the agenda. Does anyone have any new business? Any questions? So with that, we're adjourned. Thank you very much, Director Lansdale, thank you for all your work. And Laretta, thank you.

***(The meeting was adjourned at 10:24 a.m.)***