

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON
CEQ

Michael P. Mulé
ENVIRONMENTAL PROJECTS
COORDINATOR

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: May 18, 2011

TIME: 9:30am to 12:00pm

LOCATION: Arthur Kunz Library
H. Lee Dennison Bldg. – 4th Floor
Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Larry Swanson, Chair; Gloria Russo, Vice-Chair; James Bagg; Eva Growney; Tom Gulbransen, Michael Kaufman; Richard Machtay, Daniel Pichney, Mary Ann Spencer

ABSENT:

Hon. Vivian Vilorio-Fisher

CAC REPRESENTATIVES:

Steve Brown, Town of Brookhaven
Joy Squires, Town of Huntington

STAFF:

Michael Mulé, Environmental Projects Coordinator
Christine DeSalvo, Senior Clerk Typist

DEPARTMENTAL STAFF:

Sarah Lansdale, Director
Suffolk County Department of Planning
Dan Gulizio, Deputy Director
Suffolk County Department of Planning
Richard Martin, Director, Historic Services
Suffolk County Department of Parks, Recreation & Conservation
Michael Pitcher, Director of Communications
Suffolk County Presiding Officer

GUESTS:

Christopher Kent, Chief Deputy Suffolk County Executive
Suffolk County
John Stalzer, Engineer
Hirani Engineering
Janice Jijina, Partner
Cameron Engineering
Lance Reinheimer, Interim Director
Suffolk County Vanderbilt Museum
Noel Gish, President
Suffolk County Vanderbilt Board of Trustees
Erin Echevarria, Project Manager
VHB Engineering
Raymond Muxo, PE
Suffolk County Department of Public Works
Donna Cumella, IT Project Coordinator
Suffolk County Department Information Technology
Ben Wright, Principal Civil Engineer
Suffolk County Department of Public Works
Boris Rukovets, PE, Special Projects Supervisor
Suffolk County Department of Public Works

MINUTES:

A motion was made by Mr. Kaufman to approve the April 20, 2011 minutes.
The motion was seconded by Ms. Russo. Richard Machtay abstained. Tom Gulbransen
and Dan Pichney were not present at this time to vote. Motion carried.

CORRESPONDENCE:

- Long Island Native Plant Initiative – Plant Sale
- Comment letters on DGEIS that came in after the deadline date of April 29, 2011 from Robert and Audrey Kessler, the Yaphank Historical Society and NYSDOT.
- A Newsday article on Huntington’s proposed cell tower code change
- Legislator Ed Romaine’s email supporting the dedication of the Methodist Church of Manorville to the Historic Trust.
- Fax from Frank Petrone, Supervisor, Town of Huntington regarding the proposed cell tower at Vanderbilt.

HISTORIC TRUST DOCKET:

Richard Martin, Director, Historic Services, Suffolk County Department of Parks,
Recreation & Conservation updated the Council on the following:

On Housing:

- The County has rented the Oakley House in West Hills County Park.
- There are County employees interested in renting the Stimson House at West Hills County Park. If that doesn't go through there will be an open house tour.
- Work on other buildings proposed for the rental program will hopefully begin this summer.

On Custodial Agreements:

- A fully signed contract with the Splashes of Hope Group at Coindre Hall in Huntington has been signed.
- The new contract for The Maritime Museum at West Sayville is moving forward.
- The County is awaiting signatures from the Long Island Chapter of the Lighthouse Society in order to go ahead with the restoration of the Cedar Point Lighthouse.

On Historic Trust Dedications:

- Methodist Church of Manorville

Mr. Kaufman made a motion to dedicate the Methodist Church of Manorville and one acre parcel on which it sits to the Suffolk County Historic Trust as per the categories listed in the Historic Trust Committee's recommendation memo. Mr. Bagg added that the CEQ as members of the Historic Trust are making this recommendation and that in addition, the proposed dedication would be a Type II Action under SEQRA. Mr. Machtay seconded the motion. Motion carried.

PROJECT REVIEW:

1. Recommended Unlisted Actions

IR 1341-2011 Declaring Yaphank property surplus and authorizing its sale at public auction, Town of Brookhaven

Mr. Swanson was informed that Legislator Kennedy had not appeared for comment. Mr. Brown questioned if this was an issue of segmentation. Mr. Bagg informed the Council that this bill terminates Legacy Village so it's a standalone bill. If the property is purchased and the owner wants to develop, they will have to go to the Town of Brookhaven for review and approval at that time. Mr. Bagg reiterated that this proposal is not tied to any development. It's just a sale of property zoned light industrial. Mr. Mulé informed the Council that the item was tabled at CEQ in the past because it did not have the language that terminated the Legacy Village Proposal and therefore triggered segmentation at that time. Legislator Kennedy has since revised the bill to include that language.

The Council entertained comments from the audience.

Mr. Kaufman made a motion to classify the proposal as an unlisted action and issue a negative declaration. Ms. Russo seconded the motion. Motion carried.

SUNY Empire State College, Selden, Land Acquisition, Town of Brookhaven

The environmental assessment form indicated that the site in question is located within an area designated by the NY State Office of Parks, Recreation and Historic Preservation as having archeological significance. John Stalzer from Hirani Engineering stated that a request was sent to the State Historic Preservation Office (SHPO) requesting the nature of the designation and any necessary requirements. Ms. Spencer recommended that the Council table the project until a response from SHPO is received. Mr. Stalzer stated that any required archeological investigation would be conducted prior to any work being done on site.

Mr. Kaufman made a motion to table. Mr. Machtay seconded the motion. Motion carried.

2. Recommended Type I Actions

Review comments received and recommendation to proceed with FGEIS for declaration as surplus and subsequent sale of 255+ acres of County owned land in Yaphank for mixed-use development purposes, Town of Brookhaven

Mr. Swanson explained that a public hearing on the DGEIS was held on April 12, 2011 and that very few people had attended. He went on to state that the Council did receive a number of written comments including a letter from the NYSDOT that raises a number of issues with regards to the proposed sale. Mr. Swanson thought that the comments are of sufficient concern and raise legitimate issues that have not been adequately discussed in the DGEIS and that we probably need to proceed with a FGEIS.

Mr. Gulbransen raised the issue of timing in relation to the Carmans River Watershed Protection and Management Plan. He asked if there is something about the timing of the FGEIS that could be mindful of the plan or is it a race to see which document finishes first.

Mr. Swanson stated that he didn't think that the Carmans River Plan is something that we have to wait for but that doesn't mean the information that flows from it can't be used by the consultant as they develop their response.

Mr. Bagg explained that if the town adopts that watershed study they will have to review any proposed development on site in relation to that plan.

Ms. Russo made a motion to recommend the acceptance of all substantive comments and proceed with development of a FGEIS. Ms. Growney seconded the motion. Motion carried.

Proposed Suffolk Wireless public utility wireless communication facility at the Suffolk County Vanderbilt Museum, Town of Huntington

Mr. Bagg stated that this proposal of a privately owned antenna is currently on park property and he felt that the Council should request a determination from the County Attorney's Office as to whether or not this constitutes an alienation of parkland. In addition, since it is a private enterprise and the Town of Huntington has certain concerns, the County Attorney's office should also review the proposal as to whether or not it meets the public use needs of a higher level of government because if it does not then technically it is subject to town zoning. Mr. Bagg went on to voice his concerns with respect to the visuals. He stated that there are no visual simulations from the mansion itself, which is the historic landmark that is dedicated on the national register. He asked if the EAF was sent to SHPO requesting a review with respect to impacts on an historic site. Ms. Echevarria responded saying that VHB prepared the EAF but it was their understanding that the County was going to undergo the consultations with SHIPO for this site.

Mr. Gish gave an overview of how they decided on this specific location and what previous efforts were made to communicate with the public.

Mr. Kaufman noted that under SEQRA there is a clear responsibility to analyze impacts to historic sites which is the reason that this is a Type I Action. The Cooper bill did not strip the historic review that we are supposed to undertake.

Ms. Squires requested that a more current community meeting be held and that the Village of Northport be notified and sent the information on the project.

Mr. Brown stated that the Council cannot act until the issue of alienation is addressed.

Mr. Mulé agreed to submit a request to the County Attorney's Office on behalf of the Council.

Mr. Swanson made a motion to table the project until such time as an opinion is issued from the County Attorney. Ms. Growney seconded the motion. Motion carried.

3. Recommended Type II Actions

Ratification of Recommendations for Legislative Resolutions Laid on the Table April 26, 2011 and May 10, 2011

Mr. Kaufman made a motion to accept staff recommendations. Ms. Russo seconded the motion. Motion carried.

OTHER BUSINESS:

Sewer District Capacity Study – SEQRA Process

Mr. Wright and Mr. Rukovets gave a brief presentation regarding Suffolk County's Sewer District Capacity Study as it relates to the SEQRA process and the potential for segmentation. The project has been split between two teams, one to look at the feasibility of sewers in seven unsewered areas and the other to look at the feasibility of expanding four existing sewer areas. The expansion team is to develop a generic expansion EAF and draft EIS format and scoping outline should any of the projects be advanced. The theory was that those facilities had recently been completed and much of the environmental issues were dealt with at that time. The team dealing with the creation of new sewer districts is to prepare an EAF and is contracted to develop an environmental impact statement.

Mr. Gulizio gave a brief presentation on sewer efficiency and performance in Suffolk County and the need to look at the County's sewer policy in a comprehensive manner in order to assess the cumulative impacts associated with the individual studies, RFPs and plans currently underway. He feels that we must come up with a comprehensive approach to treating both the positive and negative impacts associated with this type of piece-meal program in order to get better direction in terms of how we might ensure the protection of this aquifer.

Mr. Bagg informed the Council that a feasibility study is a Type II Action in and of itself. However, he would like to see environmental goals, objectives and concerns included in these feasibility studies.

The Council agreed to entertain the two phases of the project separately and that as long as the environmental issues are addressed this would be no less protective of the environment and would not trigger segmentation.

West Meadow Stormwater Retention Issues:

Mr. Swanson discussed how the Town of Brookhaven construction project increasing the elevation of Trustees Road at West Meadow Beach is causing flooding impacts to the adjacent County property.

Mr. Gulbransen stated that the road work has been completed, the asphalt has been laid and all the catch basins are installed. The road that used to be submerged at high tide is actually elevated and was not underwater this past weekend during a major storm event. What that does to the drainage in the horse paddock area and the show grounds next door I don't know.

Mr. Brown reminded the Council that last year they discussed the pipe going underneath the show grounds to the roadway and how it was supposed to have been removed. One of our concerns was that the show grounds were going to leach into creek and I was

under the impression that that had been taken care of and now we're finding out that the high tides are still coming up and that they're washing out that road.

Our whole goal was to dismantle that pipe which should have taken care of the problem but obviously that has not happened. I think the parks department needs to take a look at what's going on with the County property.

Mr. Swanson recommended that Mr. Martin or Mr. Gibbons take a look at the site and speak to the people that lease the property from the County to get their opinion on the issue.

CAC Concerns

Ms. Squires informed the Council that on June 6th, 2011 from 9:30 to 4:00 there is a DEC update for EMCs and CACs and if anybody is in Albany at that time it will be a very informative meeting. She offered to send an agenda to anyone that is interested.

Mr. Swanson made a motion adjourn. Mr. Bagg seconded the motion. Motion carried.