

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson
Chairperson
CEQ

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MEETING SUMMARY

DATE: May 8, 2019

TIME: 9:30 am – 12:50 pm

LOCATION: Arthur Kunz Library

H. Lee Dennison Bldg. – 2nd Floor

Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Larry Swanson, Chair
Michael Kaufman, Vice Chair
Robert Carpenter Jr.
Frank De Rubeis
Michael Doall
Eva Growney
Thomas Gulbransen
Hon. Kara Hahn
Constance Kepert
Hon. Al Krupski
Mary Ann Spencer
Andrea Spilka

ABSENT:

None

CAC REPRESENTATIVES:

None

STAFF:

Andy Freleng, Chief Planner
John Corral, Senior Planner

GUESTS:

Christina DeLisi, Suffolk County Legislative Aide, Presiding Officer Gregory
Diego De La Rocha, Intern, Suffolk County Department of Economic Development and
Planning

Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic
Development and Planning

Andrew Amakawa, Senior Planner, Suffolk County Department of Economic
Development and Planning

Melissa Kangas, Planning Aide, Suffolk County Department of Economic Development
and Planning

Joseph Prokop, Village of Islandia Attorney

Lee Snead, Attorney for Pal-O-Mine Equestrian, Inc.

Tom Iwanejko, Director, Division of Vector Control, Suffolk County Department of Public
Works

Moses Cucura, Entomologist, Division of Vector Control, Suffolk County Department of
Public Works

Minutes:

- March 13, 2019 and April 17, 2019

A motion was made by Mr. Kaufman to approve the March 13, 2019 minutes. The motion was seconded by Ms. Kepert. Motion carried.

A motion was made by Ms. Spencer to approve the April 17, 2019 minutes. The motion was seconded by Ms. Kepert. Legislator Hahn, Mr. Doall, Mr. Kaufman and Mr. Carpenter Jr. abstained. Motion carried.

Correspondence:

- None

Public Portion:

- The public comments that were received are summarized in the project review section of this meeting summary.

Historic Trust Docket:

Director's Report:

Mr. Martin, Director of Historic Services, was not present at the meeting.

As part of the Historic Trust Docket, Mr. De Rubeis brought up that he received an email from former CEQ member, Dan Pichney, regarding the Marian Carl Farmhouse. Mr. Pichney noted his concern regarding the condition of the house and whether the historic items within the house could be preserved. It was noted that this property was owned by the Commack

School District. The CEQ decided that Ms. Spencer would discuss this issue with Mr. Martin and then he can report back to the CEQ.

Project Review:

Recommended Unlisted Actions:

A. Proposed 2019 Suffolk County Annual Agricultural District Modifications

A presentation was given on the project by Laretta Fischer, Chief Environmental Analyst, with the Suffolk County Department of Economic Development and Planning. The project involves the SEQRA review for the proposed 2019 Suffolk County Agricultural District Modifications. As part of the project presentation, Ms. Fischer provided a brief description of each of the 9 applications that were recommended by the Suffolk County Agricultural and Farmland Protection Board for inclusion into an existing certified Agricultural District. Due to CEQ questions and the public comments received on two of these applications the CEQ decided to handle these two applications separately. The CEQ's review of the Agricultural District Modification applications is outlined below:

Proposed Inclusion of the Pal-O-Mine Equestrian Inc Property (SCTM # 0504-004.00-01.00-017.000) into a Certified Agricultural District for 2019

After Ms. Fischer's description of Pal-O-Mine Equestrian Inc. application to be included into a certified agricultural district, the CEQ received public comments on this application from Joseph Prokop, the Attorney for the Village of Islandia. Below is a summary of Mr. Prokop's main points:

- Mr. Prokop noted that the Village of Islandia is currently in litigation with Suffolk County regarding the 2018 Agricultural District inclusion of the two Pal-O-Mine Equestrian parcels to the south of the currently parcel proposed for inclusion.
- Mr. Prokop noted that the Village is an Involved Agency in this process and that based on the nature of the Village's involvement it should be the SEQRA Lead Agency
- Mr. Prokop noted that no comments were sought by the Village for the Suffolk County SEQRA review
- That the Village believes that a separate EAF should be completed for each of the properties being considered and not have all of the properties combined on one EAF form.
- The Village does not believe the County completed the EAF correctly for the inclusion of the property for the Village of Islandia Property
- Mr. Prokop noted that the headwaters of the Connetquot river should be considered as part of the SEQRA review for the Pal-O-Mine Property

In response, to the Mr. Prokop comments, CEQ Staff noted that, as is the standard process for all CEQ applications, an Interested/Involved Agency notification seeking comment

was sent out to all of the local municipalities where the proposed action is located and this included the Village of Islandia. It was clarified that this email was sent to the Village of Islandia on Friday May 3, 2019. CEQ staff also noted that it is their understanding that because the Village of Islandia does not make an approval related to the inclusion of a property into an existing Agricultural District the Village does not qualify as an Involved Agency or Lead Agency. The CEQ also had a discussion regarding what it means for a property to be included into an Agricultural District.

- After the above discussion Mr. Prokop said that he would recommended to the CEQ that a separate Short Form EAF be completed for the inclusion of the Pal-O-Mine property.

Following the above discussion, Lee Snead, the representative for the Pal-O-Mine Property, also provided public comments to the CEQ. Below is a summary of Mr. Snead's comments:

- Mr. Snead provided a summary of the history of previous parcels for Pal-O-Mine property that have been included into the Agricultural District Projects
- Mr. Snead provided a description of the current parcel being proposed to be included into an Agricultural District
- Mr. Snead noted that there are no plans to have to change the use on the subject property
- Mr. Snead noted that there have not been complaints from surrounding neighbors regarding the Pal-O-Mine properties.
- Mr. Snead noted that the Village of Islandia does not qualify as an Involved Agency
- Mr. Snead summarized the purpose of the Agricultural Districts Program
- Mr. Snead noted that he does not have an issue with a separate EAF being completed for the different properties being considered to be included within an Agricultural District.

After the extended discussion regarding the inclusion of the Pal-O-Mine Property, Mr. Gulbransen made a motion that a separate EAF for the Pal-O-Mine Equestrian Inc. property should be forwarded to the Suffolk County Legislature along with the CEQs SEQRA Recommendation for the Pal-O-Mine property. The motion also included that any comments received by the Village of Islandia and/or the representative from the Pal-O-Mine Equestrian, Inc. Property within 7-10 days after the May 8, 2019 CEQ meeting be included with the EAF. The motion was seconded by Ms. Growney. Motion carried.

A second motion was then made by Ms. Growney to recommend classification of the inclusion of the Pal-O-Mine property into an Agricultural District as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Kaufman. Motion carried.

Proposed Inclusion of the Town of Brookhaven Underwater Lands Property (SCTM # 0200-985.60-01.00-001.001) into a Certified Agricultural District for 2019

After the discussion on the inclusion of the Town of Brookhaven Underwater Lands Property, a motion was made by Ms. Keper to table the CEQ review and request that a separate EAF be done for this property and that the Town of Brookhaven provide a plan for the proposed aquaculture activities for the Great South Bay. The motion was seconded by Mr. Gulbransen. Mr. Kaufman, Mr. Doall, and Mr. Carpenter voted against the motion. Motion carried.

After tabling the Town of Brookhaven underwater lands property into a certified Agricultural District application, the CEQ continued its review of the inclusion of lands into an Agricultural District as outlined below:

Proposed inclusion of the following 7 applications totaling 18 parcels of land (identified by SCTM #'s: 0200-670.00-02.00-022.000, 0400-055.00-03.00-004.001, 0400-055.00-03.00-005.000, 0400-055.00-03.00-007.000, 0400-055.00-03.00-010.001, 0400-055.00-03.00-019.000, 0400-055.00-03.00-020.000, 0400-055.00-03.00-025.000, 0400-055.00-03.00-026.001, 0400-055.00-03.00-026.002, 0400-055.00-03.00-027.001, 0400-055.00-03.00-027.002, 0500-211.00-02.00-013.000, 0900-105.00-01.00-014.016, 0908-006.000-01.00-035.000, 0908-008.00-02.00-019.000, 1000-079.00-05.00-020.012, and 1000-121.00-01.00-004.003) into a Certified Agricultural District for 2019:

After the discussion a motion was made by Mr. Kaufman to recommend classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Ms. Growney. Motion carried.

After this vote, Mr. Carpenter asked that a representative from New York State Agriculture and Markets address the CEQ on the implications and the related review process involved in adding a parcel into an Agricultural District. The CEQ members agreed that this was a good idea.

B. Proposed Pilot Tick Control Project at Indian Island County Park, Town of Riverhead

A presentation on this project was given by Tom Iwanejko, Director, Division of Vector Control, Suffolk County Department of Public Works and Moses Cucura, Entomologist, Division of Vector Control, Suffolk County Department of Public Works. The CEQ members had a number of questions regarding this project that were discussed as part of the review of this project. In summary, the questions involved whether the proposed project would be an effective way to control the tick and deer population and also what the related environmental effects of this pilot project would be. There were also questions related to how this Pilot Plan relates to the existing Suffolk County Vector Control Plan.

A motion was made by Legislator Krupski to table the CEQs review of the project so that the Suffolk County Vector Control Division can provide answers to questions raised by the CEQ. The motion was seconded by Ms. Growney. Motion carried.

Other Business:

The CEQ requested that the Suffolk County Health Department provide the CEQ with an update on the performance of Innovative and Alternative On Site Wastewater Treatment Systems (I/A OWTS). CEQ Staff indicated that they would communicate same to the SCDHS and coordinate a presentation.

CAC Concerns:

No CAC concerns or comments were raised.

The regular CEQ Meeting Adjourned