

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

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

Tom Gulbransen
Chairperson
CEQ

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MEETING SUMMARY

DATE: May 11, 2022
TIME: 9:35 AM – 11:47 AM
LOCATION: ZOOM Video Conference

PRESENT:

Thomas Gulbransen, Chair
Michael Kaufman, Vice Chair
Rob Carpenter Jr
Frank De Rubeis
Anthony Graves
Mark Haubner
DawnMarie Kuhn, Hon. Anthony Piccirillo Designee
Mary Ann Spencer
Herbert Strobel

ABSENT:

Kaetlyn Jackson
Constance Kepert

CAC REPRESENTATIVES:

None

STAFF:

Sarah Lansdale, Director of Planning
Andrew Freleng, Chief Planner
John Corral, Environmental Projects Coordinator
Christine DeSalvo, Principal Office Assistant
Maria Nida, Assistant County Attorney, Suffolk County Department of Law

GUESTS:

Hon. Al Krupski, Suffolk County Legislator, District 1
Frank Castelli, Chief Environmental Analyst, Suffolk County Department of Economic Development and Planning, Division of Water Quality
August Ruckdeschel, Farmlands and Open Space Administrator, Suffolk County Economic Development and Planning, Division of Planning and Environment
Andrew Amakawa, Senior Planner, Suffolk County Economic Development and Planning, Division of Planning and Environment
Melissa Kangas, Planner, Suffolk County Economic Development and Planning, Division of Planning and Environment
Jade Killean, Environmental Planner, Suffolk County Economic Development and Planning, Division of Planning and Environment
Michael Brown, Land Management Specialist VI, Suffolk County Department of Economic Development and Planning
Catherine Stark, Legislative Aide, Suffolk County Legislator Hon. Krupski, District 1
Richard Martin, Director of Historic Services, Suffolk County Departments of Parks, Recreation and Conservation
Nick Gibbons, Chief Environmental Analyst, Suffolk County Department of Parks, Recreation and Conservation
Russell Mackey, Senior Civil Engineer, Suffolk County Department of Public Works
Elizabeth Torres, Senior Civil Engineer, Suffolk County Department of Public Works
Jeff Dawson, Associate Civil Engineer, Suffolk County Department of Public Works
Dorian Dale, Sustainability Director, Suffolk County Department of Economic Development and Planning
Michael Iasilli, Legislative Aide, Suffolk County Legislator Hon. Bridget Fleming, District #2
John Purga, LKB
Tom Polsinelli

CEQ Chair, Tom Gulbransen, read the following opening Meeting statement:

“This is the regularly scheduled CEQ meeting for May 11, 2022 meeting of the Suffolk County Council on Environmental Quality and for the record we do have a quorum present.

Instead of a public meeting open for the public to attend in person, members of the public may listen to or log into the video conference. This meeting and its notice follow the Open Meetings Law as amended by Chapter 417 of the Laws of 2021, signed into law by Governor Hochul on 9/2/2021, which law, in part, authorizes County committees and bodies to hold meetings remotely via videoconferencing or teleconferencing, provided the public has the ability to view or listen to the meeting and the meetings are recorded and later transcribed. In this instance, we will be using ZOOM and will be recording the entirety of the meeting.

Additionally, we will be following the voting protocol used by the Suffolk County Legislature at its March 17, 2020 meeting. All voting on Board Actions and Resolutions will be done via a roll call and we ask that all Board Members clearly state their name when making a motion and clearly state their vote when their name is called.”

Minutes:

April 13, 2022 Meeting Summary

After a brief discussion, a motion was made by Mr. Kaufman to approve the April 13, 2022 CEQ minutes as amended. The motion was seconded by Mr. De Rubeis. Motion carried.

Correspondence:

John Corral, staff to the CEQ, noted that correspondence was submitted to the Suffolk County Department of Economic Development and Planning by the Town of Southampton on the Polsinelli Property. Mr. Corral noted that this correspondence was included in the EAF for the Polsinelli Agricultural District inclusion application and that this EAF was sent to the CEQ members. Mr. Gulbransen noted that the CEQ will discuss this correspondence later in the Agenda when the CEQ reviews the Polsinelli Ag District inclusion application.

Public Portion:

None

Historic Trust Docket:

Director's Report:

Richard Martin, Director of Historic Services with Suffolk County Parks, noted one new housing vacancy. The vacancy is a small one bedroom house at the Robert Cushman County Park. The property will be cleaned and painted and then the property will be reappraised by the County. Mr. Martin noted that he was not sure if this property will be considered by the Parks Housing Committee on May 23, 2022.

Mr. Martin noted that the Parks Housing Committee will meet via Zoom on May 23, 2022. This Housing Committee will review four rental appraisals of Suffolk County Parks' vacant housing properties. These appraisals include: two houses at Blydenburgh County Park, a cottage at Meadow Croft in West Sayville and the Indian Island Ranger Station. The Housing Committee will review these properties and then provide their comments to the Suffolk County Parks Commissioner.

Updates on Historic Trust Custodial Agreements

Mr. Martin, informed the CEQ that the Parks Department is close to completing the custodial agreement for the Long Island Maritime Museum.

The CEQ also discussed the possible need for dredging by the Long Island Maritime Museum. Mr. Martin noted that that there is a need for dredging and

that the location is on the County dredging list. Mr. Martin also noted that he did not know the exact timeframe for when the dredging will take place at this location.

Legislator Krupski, also thanked Mr. Martin for the good work that Suffolk County Parks has done improving the Manorville Church historic property.

Project Review:

Recommended Unlisted Actions:

- A. Proposed Improvements to CR 38, North Sea Road from CR 39 to the vicinity of Noyack Road, Town of Southampton

A presentation regarding the proposed improvements to County Road 38, North Sea Road from County Road 39 to the vicinity of Noyack Road was given by Russ Mackey, Senior Civil Engineer with the Suffolk County Department of Public Works and John Purga, Senior Civil Engineer with Lockwood, Kessler and Bartlett. The proposed project involves improvements to CR 38 which include milling off the existing asphalt pavement, resurfacing the roadway with at least three inches of new asphalt and simplifying the intersection of CR 38 and CR 52 (Sandy Hollow Road). The proposed project also includes improving stormwater drainage at isolated low points and improving the quality of stormwater runoff to Alewife Creek – a tributary to North Sea Harbor – which runs under CR 38 through a culvert. The CR 38 road improvement project also involves providing sidewalks for pedestrians and road shoulder widths to accommodate bikers.

As follow up to CEQ member questions, Mr. Mackey clarified that the stormwater runoff improvement component of the project at Alewife Creek will involve the installation of a New York State Department of Environmental Conservation (NYSDEC) approved drainage structure which will eliminate untreated, direct stormwater discharge to Alewife Creek. Mr. Mackey also clarified that the proposed project will not alter the existing culvert under CR 38 that Alewife Creek flows through.

After the above discussion, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. Mr. Graves seconded the motion. Motion carried.

- B. Proposed Inclusion of the Below Listed Properties into an Existing Certified Agricultural District Pursuant to New York State Agriculture and Markets Law Section 303-b (Note-SEQRA reviews were done for each property and the project EAFs posted on the CEQ website contain property details for each property)

Prior to the review of the individual applications, Mr. Gulbransen, as Chair of the CEQ, described the work that the CEQ has done over the past few months in preparation for the CEQ review of this year's proposed Agricultural District inclusion applications. Mr. Gulbransen noted that this preparation included receiving legal guidance from the

Suffolk County Department of Law, reviewing how other New York State Counties conduct their SEQRA reviews and reviewing existing Suffolk County Farmland Programs and Plans including the Suffolk County Agricultural Stewardship Program. Mr. Gulbransen noted that these existing Farmland Programs such as the Suffolk County Agricultural Stewardship Program have the ability to address many of the environmental issues that the CEQ considers when reviewing the Agricultural District Applications.

Mr. Gulbransen then asked Augie Ruckdeschel, Farmland and Open Space Administer with Suffolk County Department of Economic Development and Planning, to discuss the Suffolk County Agricultural Stewardship Program and how it may have been considered for this year's applications and how it may be utilized when the CEQ reviews Ag District applications in the future. Mr. Ruckdeschel gave a synopsis of the Suffolk County Agricultural Stewardship Program. Mr. Ruckdeschel also noted that this year his team worked to put a larger emphasis in the EAFs regarding consistency with the Suffolk County Farmland Protection Plan which has references to Agricultural Stewardship Plan and the Plan's best management practices. Mr. Ruckdeschel also noted an added emphases in this year's EAF regarding the proposed actions consistency with the Town/Village master plans and/or Local Waterfront Revitalization Plans.

After the above discussion, Mr. Ruckdeschel then provided an overview of each of the below Agricultural District applications. This overview included a description of the subject property, the surrounding properties and the on the subject property's existing and/or anticipated farm operations.

For each property, the CEQ discussed the subject property and the proposed Ag District application. The CEQ then considered the environmental criteria listed in Part II of the EAF to determine whether the proposed Ag District Inclusion application may have a significant adverse impact on the environment.

1. *Nuns of the Order of St. Dominick, Town of Babylon*

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Strobel. Motion carried.

2. *Malik Farms, Town of Brookhaven*

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

3. *MLHH Farms LLC, Town of Brookhaven*

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

4. *Country Farms, LLC, Town of Brookhaven*

After the above noted review, Mr. Kaufman made a motion to recommend the

classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Graves. Motion carried.

5. ***Robert and MaryAnn Anderson (aka Emerald Flora, LLC), Town of Brookhaven***

In addition to the above noted review, the CEQ also discussed the residential houses located to the north and south of the subject property and the implications of adding the subject property into an Agricultural District. As part of this consideration the CEQ discussed the anticipated agricultural uses presented regarding the Ag District application, the Town zoning and regulations that will still apply pursuant to the New York State Agricultural District Program, and the existing character of the area including the large amount of farming that currently exists in the area. After the above noted review and discussion, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Carpenter. Motion carried.

6. ***Cuomo Brothers Farms, Town of Brookhaven***

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

7. ***Keil Alvahs Lane Farm, LLC, Town of Huntington***

After the above noted review, Mr. Strobel made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Kaufman. Motion carried.

8. ***Peconic Land Trust, Inc., Town of Riverhead***

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

9. ***William and Ionnis Zoumas, Town of Riverhead***

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

10. ***Polish Hen Enterprises, LLC, Town of Riverhead***

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

11. ***1070 Boisseau Avenue, LLC, Town of Southold***

After the above noted review, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

12. *Pal-O-Mine Equestrian Inc., Village of Islandia, Town of Islip*

In addition to the above noted review, the CEQ discussed the history of the inclusion of the Pal-O-Mine properties into a New York State Agricultural District Program. It was also clarified that this is a new application and the CEQ should consider the application as such. As part of its review, the CEQ discussed in detail the surrounding land uses, the Village of Islandia's Comprehensive Plan recommendations as well as the proposed action's potential implications related to traffic, nature resources, existing infrastructure and human health. After the above noted discussion, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried.

13. *Polsinelli Management Co., Town of Southampton*

In addition to the above noted review, the CEQ also considered the Town of Southampton's Adopted Pre-Submission Report dated February 24, 2022 for the Polsinelli Management pre-application Site Plan proposal (included as an attachment in the EAF) and two letters dated May 3, 2022 from the Town of Southampton's Assistant Town Attorney to the Suffolk County Department of Economic Development and Planning (included as attachments in the EAF). The CEQ noted that the CEQ minutes should reflect that the CEQ has considered the above referenced documents and that the Council believes the Town of Southampton's environmental recommendations in the Town of Southampton's Adopted Pre-Submission Report dated February 24, 2022 has considered and addressed through mitigations the relevant environmental concerns associated with the proposed development of the farm operation at the subject property. The CEQ also wanted to clarify in the minutes that the CEQ does not have an opinion related to the site plan approval itself only on the above noted environmental recommendations that are part of the Town's site plan approval process.

The CEQ also discussed the legal guidance that the Council has received, the need to consider the information that is being presented in the Agricultural District Application, the above noted Town Site Plan process and that the Town zoning and regulations will still apply pursuant to the New York State Agricultural District Program.

After the above review and discussion, Mr. Kaufman made a motion to recommend the classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. DeRubeis. Motion carried. Mr. Graves voted no on the motion.

Recommendations for LADS Report:

Recommendations for Legislative Resolutions Laid on the Table April 12, 2022 and May 2, 2022

After a discussion of the April 12, 2022 LADS Report, Mr. Kaufman made a motion to accept the staff recommendations on Legislative Resolutions Laid on the Table April 12, 2022. The motion was seconded by Mr. De Rubeis. Motion carried.

After a discussion of the May 2, 2022 LADS Report, Mr. Kaufman made a motion to accept the staff recommendations on Legislative Resolutions Laid on the Table May 2, 2022. The motion was seconded by Mr. De Rubeis. Motion carried.

Other Business:

None

CAC Concerns:

None

The CEQ adjourned the Meeting