



Town of Brookhaven Long Island

Mark Lesko, Supervisor

Minutes

Carmans River Study Group
October 27, 2010

Members Present: Dr. Lee Koppelman, Chair (Center for Public Policy, SUNY SB), Dick Amper (LI Pine Barrens Society), Tullio Bertoli (TOB PELM), Pelly Damianos (Long Island Builders Institute), Eva Greguski (TOB PELM), Julie Hargrave (Central PB Commission), Jeff Kassner (TOB PELM), Mike Kelly (Long Island Builders Institute), Liz Krolik-Alexander (TOB CD#4), Kevin McAllister (Peconic Baykeeper), Kevin McDonald (Nature Conservancy), Charles Mancini (Long Island Builders Institute), Matt Miner (TOB Sup's Office), John Pavacic (Central PB Commission), William Spitz (NYS DEC), Jim Tripp (Carmans River Partnership), John Turner (TOB PELM), Bob Wieboldt (Long Island Builders Institute), Tom Williams (Carmans River Partnership).

Members Absent: Peter Scully (NYS DEC).

Others: Karen Blumer (Open Space Preservation Trust), Robert Dooley (Attorney for Birchwood Civic Association), Marilyn England (Open Space Council), Mary Ann Johnston (ABCO), Robert Kessler (CSYL), Johan McConnell (SYCA), Michael Madigan (Open Space Council), Don Seubert (ABCO), Tom Talbot (MI Civic Association), Chic Voorhis (NP&V).

1. Introductions: Charge to Committee

- **Dr. Koppelman** outlined the charge to the Study Group and began by explaining the role of the Technical Advisory Committee (which meets earlier the same day). The TAC doesn't make policy – their role is to make scientific recommendations to the Study Group. **Bob Wieboldt** asked why there are only public officials on the TAC. **Dick Amper** expressed a concern that 90 days is too short a window to complete the tasks. **Dr. Koppelman** explained that so much work has been done on the technical side and their job is to review the data, cull out that which is relevant to the Carmans River Watershed, especially which could be used a representative data, and make recommendations moving forward. **Kevin McAllister** applauded the public comment portion of both

Department of Planning, Environment and Land Management

Tullio Bertoli, Commissioner

Brenda Prusinowski, AICP, Deputy Commissioner

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agendas and **Dr. Koppelman** underscored the open process both committees will follow.

- **Dr. Koppelman** further explained the Study Group’s responsibilities and the 90 day time limit to devise a protection plan. He stated that the study group is a governmental committee of the Town of Brookhaven and that this is a Town-sponsored plan. He stated that the plan must be a policy plan and even though some elements can be initiated within three months, not all will be completed. He said that the identification of research must continue (including, but not limited to, existing water sampling data, ongoing monitoring and establishing a permanent monitoring program). He also recommended that the group must look at existing laws and identify any new legislation that may be required (such as changes to county and state laws and/or zoning changes). He outlined specific items the group must focus on:
 - Compiling a history and current status of all hydrological data in the watershed.
 - Conducting an inventory of all existing conditions – including land use, zoning and vacant parcels (including vacant developable parcels).
 - Identifying an inventory of living resources.
 - Prioritizing land acquisitions.
 - Identifying any rezoning/upzoning recommendations.
 - Compiling a list of any new laws and/or regulations for recommendation.

2. Report from Technical Advisory Committee (Jeff Kassner)

- **Jeff Kassner** provided a report from the TAC. He discussed some of the issues being faced by the group which include where does groundwater go and the fact that the start of flow for the Carmans River was much further north this year than it has been in the past. He indicated what is necessary to refine the modeling for what we need for the plan.
 - Spacing is coarse – the area north of Middle Country Road will need to be refined – CDM can run the model to determine the direction of groundwater flow.
 - Elevations are critical to groundwater direction – the model needs to be refined (using LIDAR data provided by Suffolk County).
 - Even by using a 100 year contributing-area boundary, it is more important to model the wetter than average conditions we are experiencing. Suggested increasing annual precipitation to a 53” greater-than-average level.
 - If the model is run to a 100 year band, we need to determine where the water goes.

Jeff Kassner continued to mention that the TAC is doing a “data mining” exercise, and Suffolk County Department of Health Services is supplying the

Town with well and supply data. This should give us an accurate portrait of groundwater and natural resources.

- **Bob Wieboldt** said that the method and model is being “spun” and that the science isn’t necessarily neutral (i.e. weather can’t be predicted with any great accuracy). Dr. Koppelman stated that such comments can be put in writing and distributed to all. **Jeff Kassner** indicated that the since the start of flow varies, we can use a statistical model for prediction. **Dick Amper** said that at the end of the day, this is a preservation plan. **Dr. Koppelman** noted that it was unlikely that consensus could be achieved but added that there would also be no voting on plan provisions and any dissenting points of view would be discussed in the plan. **Dr. Koppelman** also wanted to make a point about the boundary in that it must be determined by scientific evidence.

3. Report on Vacant and Undeveloped Lands (John Turner)

- **John Turner** distributed a copy of a map of vacant lands analyzed by the Town’s Open Space Committee. He is trying to develop an accurate map of all public lands in the watershed and is developing a priority acquisition list. There are a few inaccuracies, but the map will be corrected and put on the website within 2 to 3 weeks.
- **John Turner** also said that he is trying to identify parcels suitable for sending areas for sanitary credits. **Bill Spitz** asked if John can depict what is developed. **Bob Wieboldt** asked that the river be highlighted (eliminate opaque colors).

4. Review of Goals and Objectives

- Three different sets of goals and objectives were distributed by **Dr. Koppelman, Jeff Kassner and Dick Amper**.
- **Dr. Koppelman** noted that some future suggestions might include a role for the Central Pine Barrens Commission in regard to expansion of the Central Pine Barrens boundary to include parts of the Carmans River currently outside the Pine Barrens and the use of Transfer of Development Rights, the last of which may be in conflict with objectives of the Commission.
- **Dr. Koppelman requested that all team members review the proposed goals and bring their comments and suggestions to the next meeting.**
- **Tullio Bertoli** asked that we review the difference between a comprehensive plan and a policy plan. **Dr. Koppelman** explained that a comprehensive plan is highly detailed and has greater specificity. A policy plan, which this should be, is more general and has broader objectives. **Dick Amper** asked if this is an action plan or a philosophical plan. **Dr. Koppelman** said this is both. **Jim Tripp** suggested that some ideas that have been enumerated may be more strategic than goals.

5. Public Comment

- **Karen Blumer** asked how decisions will be made – by vote? **Dr. Koppelman** replied that this must be a consensus document and that everyone’s point of view will be given exposure, but ultimately this group must reach a consensus. **Karen Blumer** asked why Councilman Panico’s aide has not been named to the committee when Councilwoman’s Kepert’s has. **Dr. Koppelman** said though he did not choose the committee, he would forward her remarks to the Supervisor’s Office.
- **Mary Anne Johnston** expressed displeasure that civic groups are not included. **Dr. Koppelman** once again stated that he did not choose the committee, but he encourages public comments, as they will be included if they are substantive. **Mary Ann Johnston** later questioned the validity of Chic Voorhis’s input, as he represents the development community. **Dr. Koppelman** stated that ALL comments are welcome and encouraged and noted that pursuant to a request from the member of the public regarding the Tracey O’Malley Master’s Thesis on the Carmans River, he had tasked the TAC to review the document and provide comments.
- **Johan McConnell** also expressed displeasure that civic groups have not been included and asked if their comments will be a part of the consensus document. **Dr. Koppelman** replied that all substantive comments will be considered. **Johan McConnell** continued to ask if the work of the Carmans River Working Group (invasive species committee) has been invited to present their findings. **Eva Greguski** confirmed that Adrienne Esposito, chair of the committee, has been invited and will be attending a future meeting of the TAC.
- **Robert Dooley**, attorney for the Birchwood Civic Association, stated that numerous DEC guidelines for writing watershed plans are available. He continued with a concern that the preservation of vacant land not only be considered, but that blighted properties are considered when making recommendations. **Tullio Bertoli** stated that a protection overlay district can address those issues (i.e. reconciling Blight to Light recommendations) during the implementation phase. **Robert Dooley** continued to ask about Law being involved in the committee, as recommendations in zoning will resonate through boundary changes. **Dr. Koppelman** stated that there are numerous attorneys on the committee, and the Town’s Law Department will be heavily involved after the recommendations are presented to the Town Board.
- **Karen Blumer** stated that the watershed is actually larger than what has been depicted and is actually closer to 40,000 acres, which is double the amount of area being considered in the plan. She also stated that every drop of water must be accounted for.
- **Chic Voorhis** asked that a generally the further one is away from the river, the more attenuation will occur. He also stated there needs to be a reasonable nexus between land use and the impact on the river is considered and that the TAC is wrestling with those very questions. He also added that MaryAnne Taylor from CDM is suggesting that the boundaries won’t change that much, as the area

north of Route 25 is an area of deep recharge, as suggested by the 208 Study (1978).

- **Tom Talbot** welcomed a detailed analysis and look at the Carmans River as it relates to both preservation and redevelopment.

6. Schedule next meeting

- Next meeting is scheduled for Wednesday, November 3 at 11:30AM in the WORK SESSION ROOM, THIRD FLOOR.

7. Adjourn