



Town of Brookhaven Long Island

Mark Lesko, Supervisor

Minutes

Carmans River Study Group
November 3, 2010

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

Others: Karen Blumer (Open Space Preservation Trust), Robert Dooley (Attorney for Birchwood Civic Association), Marilyn England (Open Space Council), Joseph Jannsen (Nature Conservancy), Robert Kessler (CSYL), Gail Lynch-Bailey (MI Civic Association), Johan McConnell (SYCA), Michael Madigan (Open Space Council), Dan Morris (Open Space Council), George Proios (TOB BZA), Don Seubert (ABCO), Tom Talbot (MI Civic Association), Dave Thompson (Open Space Preservation Trust), Chic Voorhis (NP&V).

1. General Remarks

- None.

2. Review of Goals and Objectives

- **Dick Amper** distributed "Additional Specifics on Goals and Objectives of the Carmans River Comprehensive Watershed Preservation and Management Plan." (see attached). He said all goals must be assigned to various members of the committee.

Department of Planning, Environment and Land Management
Tullio Bertoli, Commissioner

Brenda Prusinowski, AICP, Deputy Commissioner

One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6400 • Fax (631) 451-6419

www.brookhaven.org

Printed on recycled paper

- Discussion on TDR program. **Dr. Koppelman** said that there are two mechanisms for acquiring open space – outright acquisitions or through TDR's. **Jim Tripp and Bob Wieboldt were asked to prepare a plan for next week's meeting.**
- Discussion on conducting a natural resource inventory. DEC indicated they could provide fisheries data. **Dick Amper** suggesting creating a grid system to study the watershed, using the E-W boundaries and going as far north as the groundwater divide. **Dr. Koppelman** distributed the CDM/SCDHS delineation map presented at the TAC earlier in the morning. He asked the questions: Is using the groundwater divide problematic? Too conservative? He stressed that the Study Group needs agreement while the TAC determines the northern boundaries.
- Discussion on the adequacy of 2.5ppm limit. **Dr. Koppelman asked Kevin McAllister, Chic Voorhis, George Proios and staff from the Nature Conservancy to review the appropriateness of that recommendation and report back to the committee.**
- Discussion on using the New Jersey Pinelands Commission standards. Consensus: their standards need to be vetted to see if they are appropriate for our needs. **John Pavacic and Julie Hargrave can provide more information on the NJPC.**
- Discussion on land use restrictions. **Dick Amper** said if we want to buy all 3,000 acres of identified open space it will cost \$300 million. **Dr. Koppelman** asked if that estimate includes county parcels. **John Turner** replied yes.
- Discussion on expanding the core boundaries. **Peter Scully** said he understands that there is a concern that a proposed TOB Watershed Credit Program could be in competition with the Pine Barrens program. **Eva Greguski** said Planning is working with TOB Law on a possible program but that it is still under review. **Dr. Koppelman** stated expanding core boundaries is not in the Town's jurisdiction, although he acknowledged various stakeholders had issues and concerns. He asked how the committee wants to proceed. **Bob Wieboldt** said that the core boundaries were based upon negotiations, the current compatible growth area was meant to be developed and the TDR program is flawed. **Dick Amper** disagreed with the ineffectiveness of the current program. He stated that the original boundaries were based upon science. **Charlie Mancini** said that expanding the core should have nothing to do with this study group and would be affecting a 17 year land use program. **Jim Tripp** said that a TDR program for TOB could be established without expanding the core and could be just as effective. He also mentioned that 20% of land has been protected through TDR. **John Pavacic** expressed that the Pine Barrens Commission wouldn't propose expanding the core wholly on its own, but would need support from TOB. **Peter Scully** said legislation is unlikely if all stakeholders are not in support. **Dr. Koppelman asked Dick Amper, Bob Wieboldt, Peter Scully and John Pavacic to meet to discuss the boundary issue and any changes that might protect the river, including stands and guidelines.**

- Discussion of Wild and Scenic Rivers Regulations. **Peter Scully** said some regulations have potential applicability
- Discussion of SEQRA. **Bob Wieboldt** asked if an EIS needs to be done on the policy plan. **John Pavacic** and **Jeff Kassner** said no – a Part III will be done.
- **Bob Wieboldt** distributed LIBI's response to the Goals and Objectives distributed the week prior. (see attached) He questioned if all goals would be considered for the plan, even if they don't become recommendations. **Dr. Koppelman** said they would.
- **Dr. Koppelman** distributed **Jeff Kassner'** and **John Pavacic's** proposed plan outlines. **He stated that the discussion of these outlines will be an agenda item at the next meeting.**
- **Dr. Koppelman** asked if **Tom Williams** begin to organize the first chapter of the plan – **The History of the River.**
- Discussion of pending projects in watershed. **Eva Greguski** said a project list based upon the current CDM boundaries has been drafted and can be circulated. **Bill Spitz** asked that a list be compiled of projects north of Route 25. **Jeff Kassner** will have his staff compile an additional list.

3. Report from Technical Advisory Committee (Jeff Kassner)

- None.

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

- **John Turner** distributed updated maps and will work out the final details in time for the next meeting.

5. Public Comment

- **Robert Dooley** commented that the TAC should have responsibility over culling nitrate data. He further commented on LIBI's clause in their response "maximum extent practicable," as it allows for discretion. **Dr. Koppelman** said that though LIBI is an important stakeholder, this is primarily an environmental study. **Charlie Mancini** asked if they are mutually exclusive. **Dr. Koppelman** stated that all stakeholders have a responsibility for the document. **Dick Amper** said the LIBI clause is "business as usual."
- **Marilyn England** also expressed displeasure with the "maximum" clause and urged caution when using qualifying terms. She also asked that the group consider open space connectivity in their acquisition priorities. **John Turner** said that the Open Space Committee prioritizes properties that create linkages.
- **Karen Blumer** praised an expansion of the TDR program and acquisition strategies but land use regulations are just as important. She said the TAC didn't agree on East-West boundaries. **Dr. Koppelman** said that they did, as they butted up against other watersheds. She said that there is a discrepancy in the TOB list, as she counted more than 140 pending projects in the watershed.

Eva Greguski stated there were 32 site plans, changes of zone and subdivision applications within the CDM described boundaries.

- **Johan McConnell** asked how the plan affects projects moving forward – specifically, Blue Green Farms. **Jeff Kassner and Peter Scully** stated that the project is moving forward with review and analysis.
- **Gail Lynch-Bailey** asked how the Artist Lake Plaza project is being affected by this plan. **Jeff Kassner** stated that SEQRA review is being conducted.
- **George Proios** said the groundwater divide fluctuates, according to the 208 study. He said the group should be looking at leaching pools and tile fields instead of just cesspools. Finally, he said that upzoning doesn't affect General Municipal Law – there is no language to says these policy plans aren't mandated when it comes to BZA rulings. **Dr. Koppelman** agreed with the GML statement.
- **Don Seubert** asked for a critical look at the E-W boundaries.

6. Schedule next meeting

- Next meeting is scheduled for Wednesday, November 10 at 11:30AM in the OLD PELM CONFERENCE ROOM, FIRST FLOOR.

7. Adjourn

Prepared by Eva Greguski, TOB, PELM