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Minutes of a Public Hearing held by the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Monday, June 19, 1995, at 2:00 p.m.

Present:

James Stark,	Deputy Supervisor
Victor Prusinowski,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

Also Present:

Barbara Grattan,	Town Clerk
Robert Kozakiewicz, Esq.,	Town Attorney

Deputy Supervisor Stark called the Hearing to order at 2:00 p.m. and the Pledge of Allegiance was recited.

Deputy Supervisor Stark: "Thank you. The format we will have here this afternoon is that if you expect to speak at this Public Hearing and have not done so at this moment, we are registering outside. You must be on the list in order to be recognized.

We will allow a five minute comment and then we will move onto the next speaker. There will be a recall if you want to come up again for which we will allow three minutes for a recall comment. After that, hopefully, we will have heard all of your comments and we will move on.

At this time, I would ask the Town Clerk to submit into record any written comment that was delivered to us, not to be read, but just submit them into the record and those will be available to anybody who wishes to get a copy of the minutes of this particular Public hearing. You might announce who you've heard from."

Barbara Grattan: "I got 71 letters."

Deputy Supervisor Stark: "You got 71 letters. Okay. And anybody else's comments because I've got a couple of them here. Any--"

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Barbara Grattan: "I just got one today from Edward Ledergar (phonetic)."

Deputy Supervisor Stark: "Ledergar?"

Barbara Grattan: "Right. Stating that he cannot attend the hearing scheduled today, but submit my remarks to members of the Town Board."

Deputy Supervisor Stark: "Okay. Thank you. The first person to be heard from would be Sandra Mott. The microphone on top is the recording microphone, the one that's kind of leaning to the right there is the one so that the audience can hear your comments, so if you bring them kind of basically towards you, we would appreciate it."

Sandra Mott: "Fine. Can you hear me? Can you hear me?"

Deputy Supervisor Stark: "Yes, ma'am."

Sandra Mott: "Okay. Good afternoon. I find it to be a great honor to represent no one except my family. My parents moved here recently, two years ago, and within a two year period of time, extensive overdevelopment of the Town of Riverhead has been overwhelming.

I, personally, have traveled extensively throughout the United States and the world. I've been to mainland China, Central America, Egypt. I've seen what overdevelopment can do. Slash and burn, logging, in Guatemala at the border of (inaudible) has destroyed the habitat of numerous animals as well as bird life, vegetation that could be utilized in a pharmaceutical way.

We don't know what the Pine Barrens has to offer in some areas. We do have the knowledge of our personal satisfaction when we travel through it either on foot or even by car. It's a seasonal situation that changes. My basic concern is for the animals, the aquifer and the basic attitudes of the people who come to the island.

I grew up in Baldwin in Nassau County. It's like Queens now. I'm quite certain that you people who have lived here your entire life -- I've talked to a number of people out in the lobby-- "

(Unidentified): "Point of order, please. Would you mind to

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Speak a little louder."

Sandra Mott: "I'm sorry."

Deputy Supervisor Stark: "Just pull-- there are no point of orders here, sir. If you have a question, please address the secretary up front. This meeting will be run by the Chair up here. If you will just bring the microphone close-- the bent over one there -- just kind of. Thank you."

Sandra Mott: "I'm sorry if you couldn't hear me. I'm going to conclude simply by saying please protect the Barrens. I don't have any children. I don't have any grandchildren. But I do have a great interest in what's been going on that I've read in the papers and here at the Town Hall. It's important that you protect it. Once it's gone, it's gone. Nassau County did not protect what it has. There are no open spaces outside of several parks. It's your cherished opportunity to protect what we have. I could have moved to Montana. I could have moved to Virginia. I moved here because I could stay at my home base and if you don't protect it, no one will."

I thank you very much for your time. The people who are representing the various agencies and concerns you can come to a consensus. Remember what happened in Oklahoma City. Everyone (inaudible) together. People died there. You could be dying from pollutants in the waters. Protect what we have. As I said, I thank you very much for the honor."

Deputy Supervisor Stark: "Thank you. Buzz?"

Edward M. Schwenk: "Thank you very much, Mr. Stark. It's a pleasure to be here with the Riverhead Town Board today. My name is Edwin M. Schwenk. I represent 558 Long Island Builder Institute members out of 560."

I'd like to start off by passing out an economic analysis that was set forth by the Commission on June 12th. All of which leads up to the point about there's been five of these economic analysis that have been forthcoming so far. One of August, 1994, one of January 12th, January 12th, May 23rd, June 12th of 1995. Unfortunately, in the instance of the first three, were not given out to the public nor were they given out to Long Island Builders Institute. We filed

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Freedom of Information request. Freedom of Information request was turned down for no reason. There was \$95,000 of taxpayers money that was spent for these economic analysis, so we finally had to sue. We sued in the New York State Supreme Court. We had several judges recuse themselves because evidently they didn't want to face the issue. Perhaps they thought there was the secret of the atomic bomb involved or something rather than just a yes or no as to whether or not we should be entitled to have \$95,000 worth of taxpayers dollars revealed in an economic analysis.

All during this time, I had spoken to Newsday and I had asked them that I thought that this was a major import, the economic analysis. I thought it involved school districts, fire districts, the Town of Riverhead, certainly the Towns of Brookhaven and Southampton had great interest in what should be revealed in the analysis.

Newsday chose to black out that information. I talked to Mr. Bob Tiernan (phonetic), Mr. (inaudible). I spoke to the editor himself, Mr. Tony (inaudible). I said, you're doing a disservice to the community of Long Island and the three Towns that are involved. The response was none. To this day, there has been nothing stated about this lawsuit.

Finally, Judge William Underwood saw fit to make this economic analysis public. I have his decision here that I'd like to read and leave for the Town Board to read. I don't have to read it, it speaks for itself. But then yesterday, all of a sudden we get a big editorial in Newsday and you know what? That was faceless and it was nameless. Just an editorial.

But now I believe in freedom of the press, I certainly do. But I also believe that the press has a responsibility. Newsday is falling short. And I want you all to know that and I want everybody here to know it and I'm going to spend a lot of time making all of these three Towns know it. They have this blackout, locked out, they don't want the people to know. That's wrong. That's wrong for the taxpayers, it's wrong for the public, it's wrong for the school districts, it's wrong for everybody. They are supposed to be the media to tell both sides of the story.

Now I have with me also a letter from Senator LaValle and assemblyman DiNapoli, both of whom were co-sponsors of the legislation.

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And there's been a lot bandied around about the fact that 95%-- 75% of the core area should be purchased so it relieves school schools, fire districts, of more growth, relieves the problem-- "

Deputy Supervisor Stark: "Buzz, I'm going to have to give you 30 seconds to wind up on this particular round."

Edward M. Schwenk: "Okay. All right. Then let me just finish. I want to read one paragraph. This is from DiNapoli and Senator La Valle. I'm going to leave this letter.

Perhaps the most important observation on this point is that there is nothing in this Plan that requires the Commission to meet the 75% acquisition goal or for that matter that prevents 75 transfer -- 75% of transfer of development right. That's their letter.

Finally, I have here a certified copy from the Riverhead Central School District today, certified copy, asking the Riverhead Town Board as well as the Southampton Town Board, the Brookhaven Town Board, please delay any finality to this legislation, give us some time to swallow it and understand what's going to happen to us. That's what's contained in this Resolution. I leave this also with you and I thank you very much."

Deputy Supervisor Stark: "If you would give that to Barbara, I'd appreciate it. Thank you, Buzz. Again, you'll be able to come up for further comments later on. Richard?"

Again, if anybody has any written comments or they are going to read from a written statement, if you have a copy you could do our Town Clerk a service in the recording of these minutes if you can leave those copies with her. Thank you."

Richard Amper: "Deputy Stark, members of the Riverhead Town Board. My name is Richard Amper and I am really honored to be here today on behalf of the thousands of Long Islanders represented by what has become known as the Pine Barrens Consensus Group, whose members are listed on this board over here. In fact, we may well represent the 84% of Suffolk citizens who twice voted to preserve Long Island's Pine Barrens.

Most of us are among the hundreds of people from government,

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private industry and the environmental and civic communities who have toiled tirelessly for more than two years to produce a fair and balanced Plan that protects the environment and encourages growth, and preserves community character.

We are here to explain why we support the Plan, how it addresses the concerns of the many constituencies and stakeholders, and why we ask you to ratify it. We are also here to debunk the myths that have been spread about exactly what the Pine Barrens Plan would do and what it would not do.

First, the Plan will provide solid protection for Long Island's purest drinking water supply for the indefinite future -- the number one environmental priority for the people of Long Island.

This Plan in no way threatens the quality of water in the Compatible Growth Area or anywhere else in Suffolk. Instead it encourages increasing the supply of public water, increasing the use of sewage treatment plants and increasing access to pristine sources of drinking water. At the same time, the Plan preserves the habitat of the greatest diversity of plants and animals anywhere in the state, and it creates New York's third State Forest Preserve.

Second, the Plan encourages needed development in the least sensitive areas in a planned and organized fashion. It replaces the uncertainty of litigation and costly approval delays with a predictable concurrent review of proposed projects in areas specifically identified for development and re-development.

The Plan's clear standards and procedures will reduce the time required for municipal review and eliminate redundant environmental and economic evaluations, since most of the work will already have been completed in the Plan and its attendant Generic Environmental Impact Statement. This will encourage investment, reduce construction time and expense, and make the entire process more dependable for business. It also creates a well-designed and properly funded program involving transferring development rights which serves the purposes of inexpensive land preservation, economic opportunity, and fairness to private property owners.

Third, the Plan preserves community character while it ensures quality of life -- essential objectives of good professional planning.

Unprecedented citizen input has been built into this process from the focus on compact, center-oriented development to its ultimate manifestation -- "Planned Unit Development," which will finally come to the East End as part of the comprehensive approach to land use. Traffic congestion, noise, and suburban sprawl are all reduced by the designation of well-planned receiving districts reflecting density maximums close to existing practice in each of the towns.

The final economic analysis ensures that no school district including the Riverhead one, will be negatively impacted nor will development be directed to any district beyond its capacity. In fact, through the acquisition program, the cost of regional and district education alike will be reduced relative to the school costs to taxpayers if the Plan is not enacted.

Before I conclude, I'd just like to respond to a few persuasive myths that have been irresponsibly circulated by stating the true facts.

- 1) Private property owners are helpful, not hurt under this plan.
 - A) For the first time, they have a real buyer for their land, much of which is landlocked and expensive or impossible to build on. The buyer: The state and the county.
 - B) Owners of road-front property will be permitted to develop, thereby saving taxpayers from buying this expensive land while posing no threat to the environment.
 - C) The United States Constitution, the Pine Barrens Protection Act, and this Plan explicitly state that no land will be taken without just compensation whether by acquisition, TDR, or land swap. If this is not done, the prohibition from development will be lifted.

Crazy stories about how homeowners in the Core will be prevented from building additions, rebuilding after a fire or replacing their septic systems are simply false. Private property owners benefit, plain and simple. There are no windfalls and no wipeouts in this plan.

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2) Redevelopment of the Navy/Northrup-Grumman airfield at Calverton is encouraged and expedited under this Plan - not discouraged or delayed. Economic development consistent with environmental responsibility is the touchstone of this Plan and everyone agrees that rebuilding the Calverton site makes as much economic as environmental sense. This Plan offers the best possible way to achieve it. In fact, the Calverton redevelopment component of the plan is possibly the best example of the benefits of a Planned Development District.

3) We can afford to preserve the Pine Barrens. The state and county have honored their commitment to match Long Island's commitment to this landmark legislation with real dollars for acquisition, transfer of development and operational funding. In fact, we can't afford not to do it.

More than \$150,000,000 has already been spent by Suffolk government under the Clean Drinking Water Protection and Open Space Programs. An additional \$10,000,000 will be spent in '95 and a minimum of \$3,000,000 more per year has been pledged through the end of this century.

At the same time, New York State has already spent \$5,000,000 with \$15,000,000 more approved for acquisitions this year as well as \$5,000,000 to fund the transfer of development rights program just in the first year. And there is \$6,000,000 in additional funds from the Northville settlement in 1996 and '97 and commitments of \$10,000,000 for three more years, a pledge twice honored and never denied.

In the absence of additional sources these revenues will produce a total of \$83,000,000 more than ample to acquire 100% of the remaining unprotected core, let alone the 75% on which the Plan is based. It is preposterous to assert that having protected 70% of the core already and 85% by year's end, that government will suddenly abandon a 10 year commitment.

Those of us associated with this great coming together view it as one of the most significant and meaningful accomplishment of our lives. The endorsement of this Plan by your Supervisor, the County Executor, by the Governor, by the Assembly and Senate pave the way for you to share in this historic agreement. I personally believe it will be among the most important actions you will ever take an an

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elected official and it will be a true source of personal and professional pride just as it will be historically important for the people you represent now and in generations to come.

We urge your approval of the Pine Barrens Preservation Plan, the culmination of all our most fruitful efforts.

Thank you very much."

Deputy Supervisor Stark: "Thank you, Richard. As the speakers come up, you will be noticing that Kim will put up a yellow folder. And that means there's about one minute left. And then when the red one goes up, that's when we hope you will wind up very quickly. Seth Morgan."

Seth Morgan: "Ladies and gentlemen of the Riverhead Town Board. I appreciate being here today. I don't live in Riverhead-- "

Deputy Supervisor Stark: "If you would just bend that one microphone in towards you."

Seth Morgan: "How is this? Better level?"

Deputy Supervisor Stark: "Can we hear in the back pretty well? Very good. Thank you."

Seth Morgan: "Thank you very much. As I look at the Town Board today, I realize I've been around a long time. I remember your father when he was a young lawyer and that's back in the 50's."

Deputy Supervisor Stark: "That's my cousin."

Seth Morgan: "Oh, is he your cousin? Excuse me. I used to know practically everybody on the Riverhead Town Board and-- "

Deputy Supervisor Stark: "My first cousin. I'm not as young as I look."

Seth Morgan: "And over the years, indeed, I think I helped to get some of them elected. In any event, I'm from Manorville, right on the Riverhead line, and I object strenuously to the passage of this legislation that's being called for."

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One of the main reasons is because of constitutional rights of citizens. I heard Mr. Ledergar's name mentioned before, I hope you had a chance to read his letter. I haven't seen it but I think I know what he is going to refer to. It has to do with lawsuits and so forth like that over constitutional rights.

And we heard a litany from Mr. Amper about this pie in the sky routine that he's got with all his supporters, his want-a-bees, and I can tell you that the other day in Brookhaven Town, I thought Mrs. Strebel who on her side of the family is related to Davy Crockett, that's her maiden name, I thought she was going to punch him out and she openly called him a liar when it came to his assessment of what you could do with your property and what you couldn't do."

Deputy Supervisor Stark: "I would only ask that you keep your remarks on a professional basis, not on a personal basis."

Seth Morgan: "Not on a personal basis at all."

Deputy Supervisor Stark: "I will not allow degrading remarks or anything else in this forum here this afternoon. Thank you."

Seth Morgan: "Well, I can think of nothing more degrading than individual American citizens having their constitutional rights abridged. I'm sure you will agree with me, sir, because you're a lawyer as I understand it. Correct? You're not? Okay."

Deputy Supervisor Stark: "No, it's my cousin-- my first cousin."

Seth Morgan: "All right. Well, if, however, if anyone on this-- "

Deputy Supervisor Stark: "Actually, he's a judge right now."

Seth Morgan: "Okay. If anyone on this Town Board were ever indicted by a Grand Jury for misfeasance or malfeasance in office, would any of you give up your right to your constitutional rights under the Bill of Rights? Your right to a trial by jury? I doubt it. And I'm not authorizing anyone to usurp my rights as an American citizen, my constitutional rights, which are clearly enumerated under the Bill of Rights. You would have to be an idiot not to be able to understand it."

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Getting back to this current issue here. The Town Board-- well, let me just take one other point here. I knew Dave Willmott from Riverhead, that's why I'm mentioning his name and, of course, I'm sure you have all read his current editorial on this mess. I hope you take him serious because he knows what he's talking about there. The devil is in the details. There are no details here to protect the rights of American citizens, their constitutional rights are in great jeopardy. And Dave Willmott started right here in Riverhead. I knew him when he started in a garage up here with his little publication. Thank God, he's come a long way since.

However, there are people who have owned property and have invested in property as though it were their IBM's of the future, of their retirement, or their xerox's or their whatever company you want to mention that's done good over the years, and they're going to be discriminated against. They're going to have their properties confiscated. They're going to have to go to a tribunal that is Marxist and left-wing oriented. Don't take my word for it. It's right out of the Communist Manifesto. I couldn't say that if it was not so.

And with that, I thank you for your indulgence. I appreciate being able to come here today and I hope you will take these constitutional matters which are very grave indeed into your consideration when you make a decision here."

Deputy Supervisor Stark: "Thank you. I also grew up with Dave Willmott. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. The Town Board. Our rights started to be taken away from us in 1962 when Bill Bianchi and Frederick (inaudible) created the 18 man legislature. Then again it came along when they come up with the DEC. It infringed on our rights and our property. 1983 they came along and come up with the landfill. Infringed again on us.

Now, the biggest propaganda machine in the world was (inaudible) in World War II. Paul (inaudible) Munchen, Germany, Tokyo Rose and Miss Sally. They put out all kind of propaganda about us and our good commanders forged ahead and even though they put up blocks in our paths but we became victors. And as a result of that, I defend and uphold the constitution.

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Now, as a result of what I've heard here today and even Mr. (inaudible) has stated, we don't have enough information here. We have the propaganda machine's information. We want if Dave Willmott has put it into his paper as Mr. Morgan has said, we want more answers, we want better answers, and we want honest answers. And we don't want our property taken away, infringed upon, and tell you what you can do with it and what you can't do and pay taxes on it and a result-- and a good example is a piece right in Calverton, Sue Jaeger (phonetic) owns it, it's taken by Mr. LaValle's company on his Wild Scenic River Act which belongs upstate. It don't even have no business on Long Island. But that poor girl can't do nothing with that property except pay the tax bill you give her every year. Now that ain't right.

So you people today on the Town Board, you are our commanders and we're the troops and we are asking you to defeat the enemy here. And I want to submit Dave Willmott's editorial in evidence. I know you've all read it but I want this copy submitted in evidence so it will be on the record. It can be referred to as you go along. Thank you very much."

Deputy Supervisor Stark: "Thank you, Steve. It's got to set a record. You held it well inside of five minutes. Thank you."

Steve Haizlip: "Oh yeah. I'm usually a little over."

Deputy Supervisor Stark: "That's right. Walter Olsen?"

Walter Olsen: "My name is Walter Olsen. I'm the co-founder of CPR, Civil Property Rights Movement. I've been urged by most of our 150 current members to please speak for them today since the timing of this meeting makes their appearance impossible. Most of our members work tirelessly, five, six, sometimes seven days a weeks to be honest contributors to our society. They pay their taxes, their mortgages and yes, most of them vote. This Pine Barrens Act is the reward they get for their endless toil and efforts. I don't think it is much of a reward and they don't either.

Today I will offer you the same solution to this problem that I offered Ray Corwin and the Commission approximately one and a half years ago.

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1. I propose that if the pine barrens is of statewide significance, important to all New Yorkers as stated repeatedly in the Pine Barrens Act, then we should support a statewide bond issue in an amount sufficient to purchase only those properties critical to the preservation goal. These properties must be purchased at fair market value to be determined at the market before the deliberate interference of those who sought to undermine those values through lawsuits aimed at discouraging development.

2. Change the core boundaries to exclude all those properties already developed and those vacant lands directly adjacent to roads.

3. Simply abandon the Act and the Plan since current zoning more than adequately protects the developed areas and we do not need added regulation or bureaucracy in our already bloated government. Last November's election should have told us that.

Simply put, the proponents of this Pine Barrens Act got too greedy for control over what they did not own and could not afford to buy.

Riverhead, I believe, already got burned by the Wild Scenic and Recreational Rivers Act, which you trustingly agreed to with all good and honorable intentions. This Act was sponsored by Ken LaValle, the same legislator sponsoring the Pine Barrens Act. In conversations with many from Riverhead I find that hardships were realized under the Rivers Act with no relief granted despite numerous attempts at negotiations. You may have made an honest mistake once, but shame on you if you believe Mr. LaValle that your problems will be addressed later.

At the Brookhaven Public Hearing on the Pine Barrens last Thursday, many urged an extension of the Plan deadline. I discourage this, first because it will only further degrade the process as more time will be given for political pressure which will result in the wrong vote for all the wrong reasons.

I sincerely hope and believe that all of you will vote your conscience and not your political careers.

Secondly, two years have passed since this Act was passed and one extension has already been granted. The Legislature, I believe,

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fully recognized that more elapsed time increases the risk of an interim taking victory in the courts. They do realize that even a five year time frame, human nature being as it is, would result in the same scramble in the final weeks that we see now. Please, no extension. Simply vote no. Your taxpayers have been tortured long enough. Let them get on with their lives. These taxpayers whom I represent and who are here today, and whom I have heard expressing their concerns at all the hearings are the only voices you should heed. They hired you and they pay you. Not the bureaucrats with grandiose ideas seeking an epitaph by which to be remembered even beyond their tenure.

One final caution. I believe the home rule issue has been seriously understated and I direct your attention to page 56 of the Central Pine Barrens Handbook (the green book) Article 57-0123. Implementation of the Central Pine Barrens comprehensive land use plan. 1. Revision of Local Land Use and Zoning Regulations. And it states: "Within three months after the Land Use Plan has been adopted by the Commission, each Town Board and Village Board with jurisdiction within the Central Pine Barrens area shall adopt and amend as necessary land use and zoning regulations by local law or ordinance, rule or regulation to conform its land use regulations to the land use plan."

No matter how they seek to diffuse this issue, it is crystal clear to me that though your planning department can write its own plan, it must meet the requirements set by the State. It will be reviewed by the State and the day will come when just as in the Rivers Act, you will find yourself in a regrettable situation despite your good intentions.

In closing, I urge you to vote NO on this Plan. I know arm twisting is being applied to all of you to vote yes at this point. The advocates of this Plan have said that they know that any one Town will be hesitant to be the one to cast the no vote. They are counting on your embarrassment. However, in conversations with Board members from all three Towns, I continually hear the same concerns that I have about the fairness and legality of this Plan. I suggest that you meet with the other Board members of the other Towns and you will quickly that you all share the same distrust for this Plan. There will be no need for any one Town to vote no and be embarrassed. All three Towns should reject this Plan as they have rejected similar assaults on their home rule in the past. I believe that you are all

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honorable men and women and I believe you will do right by us and vote NO."

Deputy Supervisor Stark: "Thank you, Walter. John Bodkin, did I pronounce that correctly?"

John Bodkin: "Yes, you did."

Deputy Supervisor Stark: "Thank you."

John Bodkin: "Hi, my name is John Bodkin. I am not a public speaker or paid by anyone to speak. I just happen to be one of a great number of small private landowners, owners who are looking to build their dream home. I attended the last meeting in the Town of Brookhaven and was appalled to learn what the Pine Barrens Commission Plan compensation is for myself or any small landowner.

The Commission feels \$7,000 is good compensation for anyone who paid \$80,000 to \$50,000 for an acre or more of land. I am not a rich man. I am a Corrections Officer with a wife and three kids. I cannot afford to lose \$63,000 of my money for which I've save all my life.

In Brookhaven, Richard Amper said your land is no longer worth what you paid for it. No kidding. Who would buy a lot for \$70,000 and not be able to build a house on it? I wouldn't pay \$5.00 for it.

I feel our Town Zoning Boards have done a good job in protecting our water simply by increasing the building lot sizes. We do not need a separate piece of government, one that answers to none of the people in the Towns affected. We elected you, not the Pine Barrens Commission, to decide what's best for our Towns. Don't put the decisions of our Towns into the hands of someone else.

In closing, as always, the small people are the ones who will lose again. The winners will be the unelected paid Board members, the water authorities who will get free land to utilize to make money from, the environmentalists who to save everything, the big builders who will swap land so they can build more homes than they could before, all of which will be paid for by the individuals like myself, hundreds of landowners losing tens of thousands of dollars.

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Please read this Plan carefully, like between the lines and see who the real winners and the real losers are. Vote no. Don't put the future of our Towns in someone else's hands. If you have more questions, please speak to Councilwoman Patricia Strobel of Brookhaven. She was in the core area and she doesn't believe the lies told by the Pine Barrens Commission. Thank you."

Deputy Supervisor Stark: "Thank you. Edward Foster?"

Edward Foster: "Hi. My name is Eddie Foster. My mother did that to me."

Deputy Supervisor Stark: "Okay."

Eddie Foster: "But that's okay. My mother also gave me two acres of land in Manorville. At one point, my family owned 338 and a half acres in Manorville and Brightwoods. I personally own two acres in my name but I am no less important than those who own hundreds of acres in the proposed Pine Barrens or those who would develop the Grumman site. My land is just as important to me as anybody else's land is important to them.

As a matter of fact, there are hundreds of people who, like myself, own just enough property to build my house on. But I can't build. For six years I've been unable to build upon the land that my father and mother deeded to me. But I must pay taxes. Year after year I have to pay those taxes. I can't build next to my brother. I can't build next to my sister because being older than I, they built before this scheme was put into place.

I was born and raised here. I don't come from another county. I also think that the two acre, five acre, and 10 acre zoning will more than adequately take care of any overdevelopment that people from other counties or elsewhere moving out here are worried about at this point.

I have what I call a real job. I don't get voted in or voted out every two, four or six years. And I often wonder what kind of person would want to subject himself or herself to public office. And I don't know that much about politics. But it seems to me every September and October we get promises from candidates, how they are saying they are going to do this for us or that for us for our good.

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I ask, what good would it be to remove hundreds of acres from the tax rolls by this buyout? I pay over \$400 a year in taxes. Let me build my house on my two acres and I'll pay you over \$4,000 a year in taxes. My two acres and my house are not going to destroy any groundwater. The people in Amityville and the people in Montauk Point will get no more groundwater or no less groundwater by my one house on my two acres.

We were told at the Brookhaven Town Board meeting last week that groundwater wasn't an issue. Someone please tell me what the issue is. The county has no money. The country has no money. The state has no money. How can you possibly say you are going to buy my land when you don't have any money? You make me wait, and wait and wait for years. It will be past the year 2,000 and I'm a lot older than I look, too. I don't have that kind of time. Buy my land or let me build on it. Let me do it now.

Now we the people elected you to look out for our best interests. How can this Plan possibly be in anyone's best interests? I basically don't oppose the Plan in theory, but I oppose the Plan in the way it's being practiced right now. My two acres and people who have smaller parcels, we will be the very last on the list. You've already bought hundreds of acres from people and if people want to sell to the Pine Barrens, fine, let them. If they have 100 acres at six or \$7,000 an acre, that looks like big money to them.

But before this scheme came into being, my land was valued at \$55,000 an acre. That's \$110,000 for what you plan to give me \$12,000. We pledged the flag before we started this meeting and it did remind me that we were still in America. But sometimes I have trouble remembering that when I think about the Pine Barrens. I hope you are listening."

Deputy Supervisor Stark: "Again, I would ask because of the length of this meeting, please, hold your applause."

Edward Foster: "I hope you are listening. I hope we elected people who really have our best interests at heart and if so no more delay. No more postponements. Vote this plan down and vote it down now. Thank you very much."

Deputy Supervisor Stark: "Thank you. George Pryor?"

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George Pryor: "Mr. Supervisor, members of the Town Board. I'm here on behalf of County Executive Bob Gaffney. I'm an Assistant to him and I've been working on the Pine Barrens Plan since its inception almost two years ago. I'd like to read a letter he had sent you individually. He asked me to read it into the record.

The Central Pine Barrens Joint Planning and Policy Commission recently released its proposed Final Comprehensive Plan and Supplemental Draft Generic Environmental Impact Statement and held another round of hearings in the towns of Brookhaven, Riverhead and Southampton.

As you know, many people have worked long and hard on a plan that you will be considering before June 30th. Your Town, through your Supervisor, Planning Department and environmental personnel have labored long hours during the last two years to bring us to a point where we have a document that addresses the concerns of all three Towns and which this Commission fully supports. This document represents the diverse views of many individuals and organizations and has attempted to reach compromises with all parties without sacrificing the goals set forth in the State statute that created the Commission.

We believe the Plan will preserve drinking water and pine barrens habitat, safeguard the rights of property owners, and provide economic incentives for developers. It places little or no burden on the infrastructure of the receiving district communities or school districts and maximizes the cooperation among the many levels of local government charged with managing and protecting what is now New York State's Third Forest Preserve.

I am also please to report that we now have definitive appropriations from the State that together with the funds committed by the County, will allow the Commission to continue to purchase sensitive vacant lands from private property owners.

I understand that you have recently scheduled Public Hearings on this issue. Please be aware that the Commission has set aside Wednesday, June 28th, 1995 for its final vote and would appreciate receiving your final decision on this Plan prior to that date. We further understand that certain misconceptions regarding the impact of this Plan continue to circulate within the individual Towns and for this reason, we are, again, offering an opportunity for you to

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meet with the Commission staff to have all those questions answered.

Let me close by again commending all of your staff that have labored long and hard, under sometimes difficult conditions, in the belief that the goals of this Plan will provide all of us with the best opportunity to protect that which we believe is important to be protected, while allowing for orderly and sensible growth to occur where it is most appropriate.

Your support and ratification of the Plan will ensure that the cooperation and consensus that has developed over the past two years will continue into the future and make the Plan a working reality.

I would like to thank you personally for your support. Signed, Robert Gaffney, Chairman of the Commission.

I also wanted to add some personal observations since I've been on many of these meetings over the last two years. Some of the points have been raised previously but I just want to reemphasize as far as the misinformation has been spreading throughout some of the regions in the area.

In terms of homeowners in the core, this Plan does not directly affect them other than in a positive way by protecting land around them. They can rebuild, they can add on, they can put in their new septic tanks, they can put in swimming pools, garages. This includes condominiums, and apartment complexes. This Plan just deals with open space. The Plan does not usurp home rule. If you look under the State constitution, land use planning is something that is delegated by the State, given to localities with the provision, and it says, quote, that local planning done in accordance with comprehensive planning. That's exactly what this does.

The Peconic River passes through three different townships. We're dealing with one resource that has three, four, five different municipal boundaries. It has three townships, a county and a state. And we're developing for the first time a comprehensive plan to look at it from that perspective.

If you find something in this blueprint that we've presented you with, that needs some modifications, bring it back to the Commission and the Commission will try to explain as best it can, it's through

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your Town Board Supervisors. Three of the five members on this Commission are local representatives and that's what the Commission is made up of. You make a majority of that Board. We will try to address any last minute concerns in our findings statements that we are working on. You have until September to actually-- any changes that are necessary and if there are no problems with the way that you have implemented that in terms of meeting the goals of the Plans, you are in the driver's seat and the Commission doesn't even exist as far as you are concerned.

And there is a hardship provision for anybody who can't meet any of the goals of the Plan to still come before us and one example of that was the road front parcels where we've identified lands that you have submitted to us. Each Town gave us a list of parcels that they thought should be allowed to develop. We've passed this list onto the State, but if the State doesn't act, the Commission is ready to act on those through a hardship provisions that are allowed for in the law.

The money issue has been raised before and you heard some speakers talk about what has been allocated by the County and the State. The County is finishing up its first \$10,000,000. We're going back to our Legislature to ask for different appropriations from the quarter percent, \$2,000,000 from last year, \$2,000,000 for this year and we will prioritize lands that the Towns tell us are important in terms of the school district issue.

In the Towns of Brookhaven, we know there are five districts of concern and I think Riverhead has a couple properties that they're interested in and so does Southampton. They will not be prioritized in our acquisition list for the next round of funding.

In addition to the money that the State has directly allocated, nobody has mentioned, I think, today that there is also the Environmental Protection Fund that this year has \$42,000,000 and next year should double to around \$80,000,000. Now, there's a provision for purchasing open space and the people in the Adirondacks and the Catskills are fighting, they don't want any more land purchase there. Most of the other regions of the state have not put in very much requests for that money which leaves Long Island in a good position to get additional money above the thirty-six that the state has put towards this goal. So we have money available.

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And, finally, where does this leave us if we don't adopt this Plan? If you recall the Court of Appeals decision, the decision that turned down the Pine Barrens suit, said that there was no comprehensive plan. We have a comprehensive plan. Not the one before you, but the SCPA Plan was approved by the State so if this Plan does not supersede that, we have an existing one which goes in effect which means litigation could start all over with a good chance that it may succeed.

So we are asking you to give this your due consideration in a way to ending that litigation and preserving open space. Thank you."

Deputy Supervisor Stark: "Thank you, George. Christine Chase."

Christine Chase: "Thank you, Mr. Stark. Members of the Board, thank you very much for your consideration. My name is Christine Chase and I am certain to set the record for brevity because I'm reading a letter on behalf of Joseph Nemeth who could not be here today, and it's pretty short.

Gentlemen and lady: I am happy writing to you today to encourage you to vote to adopt the Comprehensive Plan for the development of the Long Island Pine Barrens. Until recently, I was the owner of a 16 parcel in the core area of the Pine Barrens, just west of County Road 31 and adjacent to the Hampton West Estates housing development.

I acquired the parcel in 1987 and have been trying to develop the property for nearly six years when I learned that the Pine Barrens litigation had been concluded and the Pine Barrens legislation adopted. Since my parcel had been previously used as a trailer park and contain roads, water mains and the remnants of electrical service, I applied for a hardship exemption under the new law. I submitted my application in October, 1993. On December 8, 1993, my preliminary hearing took place. Numerous parties including the Long Island Pine Barrens Society and various neighbors who lived adjacent to the site attended the meeting and opposed the application.

Notwithstanding this opposition, on March 8, 1994, the Pine Barrens Commission unanimously voted to grant my application for a hardship exemption.

Gentlemen, I'm writing to you today to encourage you to adopt the Comprehensive Plan. My exemption proved to me, and I hope it will

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prove to you, that the new law with built in mechanisms to mitigate harshness in meritorious cases. As we are all aware, the Plan will provide a badly needed blueprint for the future development of this vast undeveloped area to the benefit of developers and environmentalists alike.

Please vote yes for this landmark Plan. Since I will be unable to attend this various Town meetings at which this Plan will be considered, I hereby authorize that this letter be read. Very truly yours, Joseph G. Nemeth, Jr. Thank you."

Deputy Supervisor Stark: "Thank you, Christine. Could you give a copy of that to our Town Clerk?"

Christine Chase: "I did already."

Deputy Supervisor Stark: "Okay, thank you. Lee Snead."

Lee Snead: "Supervisor Stark, members of the Board. My name is Lee Snead. I am a member of the Environmental Defense Fund. I've been asked to speak on EDF by Jim Tripp, General Counsel. Unfortunately he could not be here and he regrets that.

I have a letter that I'll read into the minutes and provide a copy to the Clerk.

We have reviewed the Commission's April 26, 1995, Proposed Final Central Pine Barrens Plan and Supplemental Draft Generic Environmental Impact Statement. The Commission has produced a high quality plan that achieves the land preservation, growth management, environmental quality and economic goals set forth in the State's Long Island Pine Barrens Protection Act. We urge the Town of Riverhead to adopt and ratify the Plan and pursue its implementation through adoption of specific ordinances. At the same time, we recognize that further refinements are needed as the Plan goes through the implementation process.

We support this Plan because it can and will help the Town of Riverhead together with the Towns of Brookhaven, Southampton and Suffolk County to achieve the shared vision for Central Pine Barrens with the following benefits:

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- . a highly protected groundwater supply with an estimated 80 million gallons per day recharged through the 52,000 acre core;
- . a large unfragmented forested pine barrens ecosystem;
- . lower costs for future infrastructure - transportation, water supply, sewerage and utilities - resulting from regionally clustered development;
- . more development in hamlet communities with mixed use center;
- . resolution of the status of large numbers of small, largely undevelopable lots in the interior of the Pine Barrens;
- . an increase in zoning and development pattern certainty and predictability.

The State Act provided for two basic tools to preserve Pine Barrens land and to foster compact, efficient development outside the core - acquisition and a transfer of development rights (TDR) program. EDF is interested in economic incentive measures to achieve environmental goals, and the Pine Barrens TDR program is such a measure. In combination with acquisition, it constitutes a cost effective approach to preserving environmentally sensitive land and focusing residential and commercial growth in a desirable way.

The Pine Barrens Credit (PBC) program set forth in the Plan has many features that the Advisory Committee's TDR Committee identified as critical to its vitality. For PBC's to have significant value, it is essential that each town have enough receiving areas that are economically viable. Chapter 6.5.2 provides, as the TDR Committee was urged, that each town must put together a receiving area program that can absorb or accommodate at least 2.5 times the number of PCB's available for allocation in the Town. According to the June 12, 1995, Fiscal and Economic Evaluation of the Central Pine Barrens Plan Table 1, with 268 PBC's to be allocated in the sending area in Riverhead and an absorption capacity of 1543 PBC's in non-residential receiving sites, this ratio in the Town of Riverhead is 5.76. In addition, this same Evaluation estimates the value of a PBC to be about \$12,500,

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a reasonable value, in our view.

In contrast to Brookhaven and Southampton, Riverhead has only one school district. Thus Riverhead faces no issue of cross school district transfers of PBC's. According to the June 12th evaluation, Riverhead could potentially add 564 residential units in the core area. With the Plan in place, these units will not be built, with resulting consequences for future lower school enrollments. While the Riverhead school district could lose up to 2.66% of its tax base if all core area parcels requested PBC allocations and recorded conservation esements concurrently (a highly unlikely occurrence), increased assessments in commercially zoned receiving areas should more than offset this.

Finally, we urge the Town to pursue the planning for the future of the Calverton site in the context of the Commission's Plan and not seek exemption. Part of the Calverton site lies within the core area. If this site is carved out of the Plan, evaluation of appropriate conditions to assure environmentally sensitive use of this land will have to take place in the context of the federal evaluation process. It would be vastly preferable for all concerned to do this in the context of the Plan and its implementation processes.

Thank you very much."

Deputy Supervisor Stark: "Thank you. Henry Dittmeir."

Henry Dittmeir: "My name is Henry R. Dittmeir and I am co-founder of CPR, a Civil Property Rights movement. This is a partial list of some 450 of our members, their names, addresses, and telephone numbers."

Deputy Supervisor Stark: "I hope you are going to pick that up."

Henry Dittmeir: "Okay. And that's not an up-to-date list. CPR is an organization formed to protect property rights has guaranteed by the Fifth Amendment of the United States Constitution. That all of you as officers of this Town Board have taken an oath to defend. We are very angry and very concerned with the Central Pine Barrens Joint Policy and Planning Commission and the way this entity has ignored our suggestions and our property rights. I call the Commission an entity because it is not yet a state agency.

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We are upset about something known as a regulatory taking. Our land is still there, but our rights are gone. There has been a de facto confiscation. De facto because on paper it appears as though rights have been protected. In the economic reality of the commercial world, they have been erased by such factors as time and money.

In truth, the Comprehensive Land Plan is a scheme. Even its ostensible goal of pure drinking water has been discredited. People are beginning to catch on and are starting to ask questions. Why is the Plan so deliberately vague and what is missing? Let's look at page 39 of the Plan in volume 1. It says that the long range plan-- it says that this is a long range plan. What is missing? The time frame. There is no time frame.

The best we can determine is County Executive Gaffney's statement on July 13, 1994, at a Commission meeting and press conference where he said land purchases could take five years, 10 years, or 20 years. As quoted in Newsday, on July 14, 1994, on page 23A, he was speaking as the Chairman of the Commission.

Ladies and gentlemen, this is totally unacceptable. Five, 10 or 20 years is not just compensation. Mr. Gaffney is just like former President George Bush. He just doesn't get it. Turning his back on his constituents. We want a time frame in the Plan.

What else is missing? Page 39 says there is a goal to acquire 15% of the privately held land. A goal is not a mandate. It means nothing. It is not a standard.

What else is missing? Well, again, page 39, acquisitions will be made as public funds become available. Governor Pataki recently restored five million for this year and ten million for next year's budget. At \$7,000 per acre, \$84,000,000 more is missing. Where and when is the rest of the money coming from? It is not spelled out in the Plan. I repeat it's not spelled out in the Plan.

We also dispute the figure of \$7,000 per acre. It is a fantasy dreamed up to fit the Plan. Do you really believe that someone who paid \$50,000 for an acre building plot is going to accept \$7,000 without a fight? The \$7,000 average is a fraud and you all know it. Where is the beef? The Plan is unfunded.

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What else is missing? The Plan has not addressed whether the transferable development rights or TDR's will be treated as personal property or real property for tax purposes. This is important and should be in the so called Plan.

What else is missing? Have you read the TDR manual? Of course not. It has not been completed yet, yet it is another piece of the puzzle you have not seen. This manual or handbook is a continuation of the Plan. This handbook is the bureaucratic obstacle course applicants for TDR's will be subjected to."

Deputy Supervisor Stark: "I'm going to ask you to sum up now, please."

Henry Dittmeir: "It is missing. Could I take my three minutes now or-- "

(Unidentified): "I will surrender-- "

Deputy Supervisor Stark: "No. No. Sir. I'll do the recognizing here, please."

(Unidentified): "May I-- "

Deputy Supervisor Stark: "No, please. No, you'll do your three minutes after recall."

Henry Dittmeir: "Okay. I'll continue it then. Thank you."

Deputy Supervisor Stark: "Thank you. James Zizzi."

James Zizzi: "Thank you very much. My name is Jim Zizzi. I'm the president of the Long Island Builders Institute. And I'm the individual that Newsday refers to as the voice in the wilderness. Okay. I'm not voice in the wilderness. I'm here. I think the people need a voice to see themselves through this wilderness. It strikes me as very, very peculiar that when you attend the Brookhaven meeting the other day and you see civics, you see the Longwood School District, the Miller Place School District, the Eastport School District, the South Manor School District, the South Country School District, and hundreds of property owners, there's not one word about that incident in Newsday. There's not one word about a lawsuit that's been going

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on now and a problem under the Freedom of Information request for information now for five months. The question is why? What is the problem with what was done for \$95,000? It's the public's right to know is being denied. It's a constitutional issue. It's a question of conspiracy. It's a question of the people's right to know.

Why isn't the information being provided? I did not write, nor did the Long Island Bulders write these six volumes of economic analysis. I did not pay with my own money \$95,000 for this document to be created. Why can't these documents see the light of day? Has this Board reviewed these documents? Has the school districts-- has your own school district requested additional time to review these documents?

If I were a developer and coming into Riverhead and said that I wanted to build 500 homes in Calverton and I said to you I can't tell you what the economic analysis is. I can't tell you what the impact on taxes is. I can't tell you what the impact on taxes is. I can't tell you what the impact on school districts is. I can't tell you the impact on special districts, fire districts, ambulance districts. You would laugh me out of this room and you would take this document and you would send me home to have it done correctly.

But you have the unmitigated gall to sit here to accept a Plan that is so flawed and so imperative to hurt people's rights that you sit here and you have politicians twisting your arms day and night to approve it. If you are truly representatives of these people, you will stand up and speak your voice and not be intimidated. Because that's what's happening.

To give you another example, you want to turn your rights into commercial and industrial rights. Read the Plan. Page 4. Owners of nonresidential properties in the core are provided no direct assurances that their economic interest will be incorporated into land use plan. There is no provision for any commercial, industrial rights of people.

Another very, very sad statement is one of the sponsors and if you read the letter Buzz gave you he talked about a 75-25% right under the acquisitions and its impact. One of the sponsors wrote this: We along with the members of the consensus group clearly understand (inaudible) concern and will not tolerate any upzoning that jeopardizes IDR program. In fact, the Towns have been put on notice that such an

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action will result in the loss of state protection afforded to them the indemnification provisions.

Are you aware of the fact that you have been put on notice by Kenny LaValle and Mr. DiNapoli (phonetic) that your indemnification if you do not buckle under and follow this law, you are not protected under the state? Have you hired private counsel to research that? I believe you have and I believe your private counsel has told you, you better watch out.

We have fully supported the legislation in Albany. But this Plan is corrupt and if you provide for this to be approved, the questions will go on now and for many years to come. Think about it."

Deputy Supervisor Stark: "Thank you. We are going to take a 10 minute recess and resume at 3:15.

Recess

Public Hearing reconvened: 3:27 p.m.

Deputy Supervisor Stark: "The Public Hearing has now been reopened. Arlene Zeh."

Arlene Zeh: "Good afternoon. On Thursday, 6/15, I attended and addressed the Brookhaven Town Board. I was the first person to sign up to speak, but called upon as the 19th speaker. I was totally appalled that Michael LoGrande, Chairman of the Suffolk County Water Authority was the first speaker. I was further appalled to find that Mr. LoGrande has spent over \$300,000 of Water Authority money for the Pine Barrens Commission Plan. Who's minding the store?

Secondly, Mr. LoGrande stated that he would like to drill wells in the core area so that he would not have to use filters. Preservation to me means do not use.

Thirdly, Mr. LoGrande's speech leads me to believe that these properties will ultimately belong to the Suffolk County Water Authority, whose Board is appointed by the Suffolk County Legislature. The Board is subject to adhere to the Public Service Commission but they are not regulated by the Public Service Commission. They are an autonomous body and their ownership would allow our water to be piped anywhere.

Four. On November 21, 1982, Newsday publication, "The Newsday Magazine" published an article on water. In this article, quote, in addition to the County's water master plan, yet to be adopted, proposes that Nassau draw about 10% of its water from Suffolk by the turn of the century.

Environmental Conservation Law. Page 159, item 6. The Commission shall have the power, end of quote.

Page 162, item 3(c). Prohibiting and redirecting new construction or development, end of quote.

Chapter 10.2 of the Plan states, quote, upon final ratification of this Plan, the Commission will remain a permanent, functioning government entity. Does this involve elected or appointed positions, paid or unpaid? The Plan does not address this.

The Plan discusses wildland fire management, but does not indicate who will do this controlled burning. Are there plans for a paid staff or will the burning fall under the local volunteer fire departments? The Plan does not address this.

Do the owners of the improved property in the core area have an easement of right? Should an existing home within the core area burn down, can the owner rebuild? Can a swimming pool be installed? Can a shed be erected, animals harbored? The Plan does not address this.

The Commission did not notify landowners in the core area nor any landowners in the compatible growth area of the Public Hearings held. Why? Denying the right of the landowners use of their land and not compensating them monetarily immediately, could be an act of illegal confiscation, according to the Fifth Amendment, quote, the right to eminent domain.

There are many more questions not addressed by the Commission but too numerous to list at this time.

We recommend the following to the Town Board;

1. Request a vote postponement for at least 90 days.
2. Have the County or State float a bond issue to compensate

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the landowners.

3. Delete the TDR's, their impact on the school districts will turn into a financial nightmare.

4. Limit the Pine Barrens Commission to regulate the core area which they have purchased and leave the compatible growth area under the jurisdiction of the Towns, who already have 2, 5 and 10 acre zoning.

5. We must demand our water not be shipped across the Suffolk County lines.

Thank you."

Deputy Supervisor Stark: "Thank you. Joan Komino."

Joan Komino: "Thank you. I'm Joan Komino from Manorville. I feel that the property owners have many valid questions and concerns which need to be addressed by our Town leaders. And since these public meetings are being held so close to the vote deadline, I think a postponement of at least 90 days is in order to give you time to assimilate all the information being given to you now.

Implementing a measure of this magnitude in a haphazard manner and expecting to work out the bugs later is not responsive government. Thank you."

Deputy Supervisor Stark: "Thank you. Carol Penna."

Carol Penna: "My name is Carol Penna. I'm a member of the Calverton Hamlet Study Task Force. I have a letter from the Task Force to the Town Board, regarding the Pine Barrens Comprehensive Land Use Plan.

The Riverhead Town Board is currently in the process of reviewing the land use policies adopted almost 20 years ago by the Town of Riverhead. To this end, the Town Board has charged the Calverton Hamlet Study Task Force with the responsibility of providing to the board, recommendations for future land use within the Calverton Hamlet.

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The Calverton Hamlet Study Task Force has recently submitted its report on industrially zoned land to the Planning Board. This report recognizes the Pine Barrens Credit Program as an important attribute of the Central Pine Barrens Comprehensive Land Use Plan and has recommended those zoning amendments necessary to affect the TDR program as envisioned by the Plan. The Task Force's newly created industrial C zoning use district will be identified as the TDR receiving area for those pine barrens credits originating within the Town of Riverhead. It is the Task Force's view that the Pine Barrens Credit Program will promote the development of industrially zoned property within the Hamlet which is both balanced and orderly.

The Calverton Hamlet Study Task Force has carried with it some of the goals sought by the Pine Barrens Land Use Plan in its recommendation of Industrial C. Retaining the integrity of the environment has been sought by limiting the sanitary wastewater flow, by upzoning and by providing large setbacks from roadways to buildings. Scattered development has been discouraged by proposing rezoning of contiguous properties to the same zoning and patterns of development were encouraged that will maintain the character of the hamlet.

A further recommendation of the task force, in its report on industrially zoned land, was to provide for a Planned Unit Development Zoning Use District upon those lands of the Calverton Naval Weapons Testing Facility, which are to be conveyed to the Town of Riverhead early in 1996. This district will provide for a mixture of commercial and industrial uses designed to take maximum advantage of the infrastructure and improvements existing upon the site.

It is the position of this Task Force that the appropriate redevelopment of the Calverton facility is critical to the Calverton hamlet, the Town of Riverhead and the region. It is imperative that the Central Pine Barrens Commission Land Use Plan and its attending Generic Environmental Impact Statement provide for development standards and operating procedures designed to encourage the professionally mandated development of the Calverton property facility. The Task Force has projected that the Grumman property will fill the role as our economic generator and industrial development area. With the onsite sanitation facility, existing infrastructure and access to transportation arteries, the potential for economic development is only limited by the restrictions of the Pine Barrens Protection legislation and the Wild Scenic and Recreational Rivers Act.

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Your decision regarding acceptance or refusal of this plan has far reaching implications. A balance needs to be achieved that will both protect our environment while making economic use of the Calverton Naval Weapons site. Since 3000 acres of the Grumman property will remain forever wild through congressional legislation, this balance can be achieved by the development of the 2900 acres within the fence line perimeter.

Your decision will also dictate to the Calverton Hamlet Study Task Force how to proceed with regard to future recommendations for the rezoning of the Calverton hamlet.

We appreciate the time you have taken to hear our views.

Thank you.

I left copies for each of you and a copy for Barbara."

Deputy Supervisor Stark: "Thank you. Stuart."

Stuart R. Lowrie: "My name is Stuart Lowrie. I work for the Nature Conservancy on Long Island. And as many of you know, the Nature Conservancy has been very active on Long Island for over 40 years and we now represent membership of about 20,000 individuals and families.

Most of you may not be aware of the Nature Conservancy's stated mission which we try to follow in all of our work, and that mission is to preserve rare and endangered plants, animals, and natural communities that represent the diversity of life by saving the lands and waters they need to survive. And on Long Island, one of our highest priorities for many years has been the preservation of a contiguous segment of the Long Island Pine Barrens.

Some of you may also be aware of the fact that the Long Island Pine Barrens is home to one of the highest concentrations of rare and endangered species to be found anywhere in New York State. And I might point out that area is split between Brookhaven Town and Riverhead in the vicinity of Calverton. We have worked in the Conservancy for many years to try to protect these natural resources and we are pleased and support that the Long Island Pine Barrens Plan has come along and we support it. It is an important step towards the long

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term protection and management of these unique natural areas.

The Plan protects the 52,000 acre core area from further development and it recognizes the need to prevent further fragmentation of that forest and what that means for preserving the natural resources depend on an (inaudible) forest.

Also the Plan sets the stage for the establishment of important management elements. Fire management, fire help maintain the mosaic of habitats that Pine Barrens species need to survive. There will also be the establishment of a protected lands council so that all the conservation goals in the preserve can be better coordinated between the various agencies that have management enforcement responsibilities there. There is also a law enforcement council so that the agencies charged with protecting the pine barrens can work together more effectively.

While this Plan is not perfect, and what plan is, the Nature Conservancy supports it and, indeed, we've worked very hard over the last two years to see this Plan to this point. We consider it the necessary and important next step in preserving one of Long Island's most important natural areas and we urge the Riverhead Town Board to approve it. Thank you."

Deputy Supervisor Stark: "Thank you. Thomas Riley."

Thomas Riley: "Town Board. My name is Thomas Riley. I'm a business agent for Local 638 Steamfitters and the Pipefitters of North American and Canada and a seated member of the Nassau/Suffolk County Building Trades. I've been going to these meetings for years now regarding the water table, the groundwater, environmental impact study. You know, I honestly feel in my heart that what was done here was a fair compromise to everybody. Now, I've heard stories about the tiger salamander, birds, and every other species, but the one species that we're forgetting here is the children-- our children and the people who live in this area who desperately need jobs.

We have 60,000 members in the Nassau/Suffolk County building trades. Half of them are out of work. We are not looking for hand-outs. And we're not looking for you to bend some law. Our children are going to drink this water. They are going to play in the streets. We need this just as much as anybody else and we don't want anybody to

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get hurt.

We have to pay taxes also. But the economy of this county and the country right now is in a desperate state. If we don't do something, if we chase business away from this area, we're going to get labeled in this area don't go there, they don't want you. They'll go someplace else. Instead of worrying about building a house, we'll be losing our houses and going someplace else. And that's a fact.

I would recommend you to support this and I just want to say one thing. When we're out of work, our children don't get medical care. Nobody turns around and gives us medical care and we have to work for the man hours to accumulate enough man hours so we have children. I stand up-- I stay on the phone sometimes until 10:00 or 11:00 at night. I don't want to sound like I'm crying, but I'm telling you the God's honest truth.

What was done here, I honestly believe was a fair thing after all the years. Amper-- I must have fought with this guy a dozen times. I don't agree with him all the time. I don't agree with my wife all the time. But we have to have a fair balance. Some have, some don't have. Right now, the construction worker in this area and the children. If the jobs go in that area, it will be like the butcher, the baker, the candlestick maker. It will have a rippling affect. Your child might work there. Your mother might work there. Your father might work there. Somebody is going to take home some bacon. And with jobs with dignity.

Thank you very much."

Deputy Supervisor Stark: "Thank you. Bobby."

Bobby Goodale: "I'm Bobby Goodale, Chairman of the Calverton Air Facility Joint Planning and Redevelopment Commission. Back in February, before the deadline was extended, the Commission passed a Resolution advising the Town of Riverhead that it favored the removal of the Calverton inside the fence site from jurisdiction by the Pine Barrens Commission. That issue now is moot. I believe it has been determined that there will not be any change in the basic law on this matter.

But I did want to put on the record the concern that the Commission

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had that led them to make that recommendation. Concerns which the members of the Town Board know very well and have been working very hard to deal with in their consideration of this matter.

The Pine Barrens Commission has been very accommodating over the past couple of months in attempting to assure us all that there can be full economic development inside the fence to replace the economic activity we've lost with the loss of Northrup Grumman. And we appreciate their efforts to assure us and the Town that we will be able to under correct planning and zoning, to redevelop that vital site economically.

The problem we had at the time and it's still a concern, which is somewhat of a legal matter, that the more accommodating the Pine Barrens Commission is in their Plan, the more likely we were afraid would lead to a situation where a third party could come in and challenge their interpretation of the basic law, saying that the Commission had gone beyond its competence in making these arrangements to further the economic development of the Calverton site. And that this issue of them trying to help us may in the long term lead to a situation where we could get involved in litigation under the interpretation of the Pine Barrens Law by the Commission, by a third party not interested in the economic development of the Calverton site.

A second concern that we had and we still have is that while the present Commission has proven to be very accommodating toward the development of the property inside the fence at Calverton, it is the present Commission. The question we had, and it may be able to be answered, is to what degree can the present Commission in establishing the basic plan bind future Commissioners in following the directions that are laid out in this plan. It is a natural thing for once a new bureaucracy gets established and new regulations, the people interpreting those regulations tend to want to have as much say as they can. That's just a natural law of politics and it concerns us that down the road they may forget the accommodating spirit that we've heard from the present Commission.

And, finally, we have the problem of more perception perhaps than reality although it does have-- it's based upon reality. Eastern Long Island-- Long Island in general, but certainly Eastern Long Island, is known not only nationwide but I swear worldwide as perhaps one of the least inviting places for economic development. Every time

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we have a major customer come in and look at that site, they know and they ask us, now we know when we want to go out there, we know that out there, east Long Island, they'll fight us tooth and nail that whatever we want to do, they are out there, they'll sue us, they'll testify against us. Why the heck should we establish ourselves, try to establish ourselves out there in Calverton regardless of the quality of the site, when we're going to have to face the antagonism that we are hearing about, that goes on there all the time.

What we're concerned about, and yet, this concern may be able to be addressed-- what we're concerned about is that the (inaudible) regulations that will be perceived as new regulations and that the Pine Barrens Act will just make this perception even worse out there. When we're trying to market this site, what we hear we have one strike against us just as we're at the beginning, that we have to overcome. And to the degree that these Pine Barren regulations hurt that or make it worse, it makes our problem that much more difficult.

If there's ways in which this can be done that would enhance the marketing of the place it would be of great value to the Commission and to the Town of Riverhead.

Thank you."

Deputy Supervisor Stark: "Thank you, Bobby. I don't know whether I've got this right. Bill Segal?"

Bill Swan: "That's Bill Swan."

Deputy Supervisor Stark: "How do you spell the last name, sir?"

Bill Swan: "S-W-A-N."

Deputy Supervisor Stark: "Swan."

Bill Swan: "My comment is brief. I think the scope of the preserve includes much known critical land. I think the scope of the tax burden is more than our economy can support and the scope of the preserve should be tailored to meet the scope of our pocket. The TDR's remind me of revolutionary script that was paid to our soldiers after the Revolutionary War. The holders got discouraged, sold to speculators, and it wasn't long after that the full faith in credit

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of the government went behind those but it wasn't the original holders of the script that benefited by that.

Thank you."

Deputy Supervisor Stark: "Thank you, sir. Bill, are you from Quogue?"

Bill Swan: "I'm from Quogue. I give any excess of time to Walter Olsen."

Deputy Supervisor Stark: "That's fine. That's not your privilege. Martha DiPalmer."

Walter Olsen: "I've been asked to read into the record something she left. May I do that?"

Deputy Supervisor Stark: "Who's that? Walter, all right. Read it into the record at this particular time. Did Victor DiPalmer go with her?"

Walter Olsen: "Yes."

Deputy Supervisor Stark: "Both of them left?"

Walter Olsen: "Yes. And I just have a couple of brief sentences."

Deputy Supervisor Stark: "No problem."

Walter Olsen: "I appreciate your indulgence. I just hope I can read their writing."

Her name is Martha DiPalmer and she lives in Manorville. And she says: I am a small landowner, senior citizen, lived in Manorville over 50 years. My land is all I own and I am concerned about its value if the proposed land use plan is adopted. Please vote no on the proposed plan.

And Victor DiPalmer writes: I am voting no on the land use plan. I am 100% disabled-- I am a 100% disabled World War II veteran. I bought under the Stars and Stripes to acquire a small piece of land in Manorville. Now I am wondering if all my efforts were in vain. This

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land use plan is very unfair. If you want to buy my land, I want full price in full cash. Thank you.

I'll give those to the-- "

Deputy Supervisor Stark: "Give those to the Clerk, please. The time has arrived, George. You're up. We go to battle with George every two weeks."

George Schmelzer: "Where to start. I just want to remind you that-- "

Deputy Supervisor Stark: "George, you are under a strict time rule today and you can start now, Kim. Thank you, George."

George Schmelzer: "The Nature Conservancy doesn't pay any taxes. Don't forget that. Wait until the lady goes away. I was time out. Okay."

This Pine Barrens Commission is responsible to no one. They can change their rules anytime they want. They have changed their rules several times in the past year. A couple few weeks ago, I bought one of the books, about a inch and a half thick, \$25. And, so, any agency that's created that way is by itself. They do what they damn please. And also if they say money is coming from the state, if any money is coming from the state to buy the land, the state has the right to the water. If Nassau and Queens needs any of that water, that's where it will go. Of course, they deny that. Mr. Gaffney said, Oh it would be cheaper for them to have desalinazation. Come on. What an answer. If it's cheaper down there, it's cheaper here.

Also, people like the Nature Conservancy, if they want to save water, let them plug off the (inaudible) Montauk Harbor. That was a freshwater lake before 1926. Let them make it a freshwater lake again. And before we dug-- I didn't dig it-- before the Shinnecock Canal was dug, Shinnecock Bay was a freshwater lake. Let them fill in the canal, fill in the inlet, fill in the Quogue canal, pump out the salt water, make it a freshwater lake again. All the freshwater you want. And many of these little streams and rivers and brooks in Southampton, East Hampton, and Southold, dam them up like the Peconic River was done a century and a half ago. Now, the Peconic River goes from Peconic Avenue back to Brookhaven Lab, I guess they got at least

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a half a dozen dams within the Riverhead Town itself to create water power. So there's more wetlands there than there was in colonial times.

Now, some of these I call them environmental arsonists and environmental nitwits, say they want to bring the water back to where it was at colonial times. If they do that, they have to blow up all these dams on the Peconic River. The Peconic River will be about eight - 10 feet wide.

And, now they're talking about burning the woods. First they want to save the woods; now they want to burn them.

Of course, we've got the greatest concentration of deer ticks anywhere in the country. That's different though.

I have a petition here. It was very difficult to find people home. Because you go in the middle of the day, most people work. They have to pay taxes. Sometimes both of them and you go in the afternoon and visit with them. If it gets dark, you can't knock at people's doors after dark. I even went down to see Mr. Amper to see if he would sign a petition. I think he-- I couldn't find him. I think he was hiding in his cesspool when I was there."

Councilman Prusinowski: "Okay, George. That's-- all right. Let's stick-- you've only got about a minute left. So."

George Schmelzer: "A minute left? I urge you to turn it down. This is worthless. It's against the people's rights, their land rights. There's no provision to pay for it fully. It's only nebulous. And it's really not needed. We say it's needed for water, this and that. All kinds of nebulous excuses they give. Of course, the bureaucracy would like to preserve itself for its own benefit. So I give you copies of this petition, several sheets I have. I'm still collecting them. The people recommend that you turn it down. I'll read it to you. Not the names, but what it says.

We, the undersigned, being citizens of the United States of American and residents of the Town of Riverhead, New York, hereby respectfully ask of the Town Board of the Town of Riverhead that they reject and disapprove of the Central Pine Barrens Comprehensive Land Use Plan. By the time this is printed, I guess they might have

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changed their plan already. So, I'll give you those photocopies. Okay."

Councilman Prusinowski: "Okay. Thanks, George. Time's up."

George Schmelzer: "You're welcome."

Councilman Prusinowski: "Tom Whalen."

Tom Whalen: "My name is Thomas Whalen. I am a resident of Wading River, Riverhead. I'm speaking here today as Chairman of the Independent Party of Riverhead. To those of you that might not know, the Independence Party is a new third party in the state and in this town. It was created in the last election with-- through the efforts of Tom (inaudible), but through his efforts we've now become Row D. We're the fourth-- just behind the Republican, Democratic, Conservative and the Independent Party.

And speaking here on behalf of the Riverhead Independence Party and in opposition to this plan.

I'd first like to-- the reason why did this plan evolve. And we'd like to debunk the myth that this plan is necessary for groundwater protection. In 1992, the Long Island Region Planning Board issued its Long Island Comprehensive Groundwater Protection Area Plan and examined the nine groundwater-- special groundwater protection areas in Nassau and Suffolk County, concentrating also on the Central Pine Barrens.

And what this plan demonstrated was that there is absolutely no reason that the protected groundwater cannot justify not even five acre zoning in these towns, never mind the total prohibition on development that this plan-- this new plan is calling for under the Pine Barrens Plan. I'd like to read just some of the pages from this plan-- has indicated the protection of water quality clearly cannot support the plan recommendatin calling for five acre zoning for most of the undeveloped tracts. With the exception of the project director, members of the advisory council who are health engineering and planning professionals were in almost total agreement they could not support five acre zoning based on a need to protect the aquifers. They could not accept more than one or two acre zoning as necessary for water quality protection. In fact, it was the position of the County

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health agencies, that one acre would provide the requisite groundwater protection.

What we're saying here then is-- what this plan said in 1992, was that even with one acre zoning, the aquifers underneath the special ground protection areas, can remain pristine. One home per one acre.

What this plan is calling for is the total prohibition of any development in major portions in not only this Town, but two other towns. With that-- once you eliminate that issue of protection of groundwater, that myth, what is left? What is left in particular for the residents of Riverhead?

The way we look at it, the Independence Party, is some real serious concerns with this plan as it is being proposed to be sent to you for adoption. First the Riverhead School Board is certainly worried, and we're worried about the anticipated loss of over \$15,000,000 in tax base and I'm not even sure if that even includes the Southampton portion of the Riverhead School District. That's why I believe they sent you a Resolution of the Riverhead School Board asking please hold this up for a while and let us see just what the problems will be with the School Board-- for the School District. And we know what happens when the Riverhead School District loses \$15-- at least \$15,000,000 in taxes, who's going to pay that difference-- the rest of us.

Our second concern is that what this plan does is create a new bureaucracy. Another level of government. That is another level of government that will be unresponsive to our local concerns. And who's going to pay for these new jobs? Who's going to pay for, you know, these new positions that will be created at this-- at the new commission agency that's going to be overseeing these Pine Barrens for many years to come. I think we know the answer to that question, who's going to pay for those jobs?

But more important, the Independence Party is very concerned with the loss of sovereignty of this Town. That you as elected Town board members, you are giving up your zoning and land use powers to this Commission, over this section of the Town, and in a reality through other sections of the Town because if you rezone properties in other sections of the Town, it's going to affect the plan, the TDR nature of the plan, and it affects the TDR's, it affects the values

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f these credits, these purported credits, and it's just going to have a never ending cycle of what happens to these credits.

But more importantly as elected Town Board members, why would you want to give up your rights, your powers as our elected officials to the Commission? Is it simply a matter that, well, you know, we can pass the buck that way? It's not really our fault anymore. It's the Commission. They're the bad guys. Go to see the Commission if you have a problem. We hope not. We hope that you have, you know, more strength to fight that sort of what has been happening in the past of just passing the buck, and making the tough decisions here for Riverhead at our local level.

The Independence Party of Riverhead is really drawing the line in the sand on this issue. We-- the Republican Party and the Democratic Party will not listen and do the right thing for Riverhead and vote this plan down, we will actively oppose candidates that support this plan in the upcoming elections and we will offer the voters a new choice-- "

Deputy Supervisor Stark: "I ask you to sum up."

Tom Whalen: "-- third party choice. Thank you very much."

Deputy Supervisor Stark: "Ida Cruham? Something like that. We'll start with Ida. That concludes the list. If the Board wants to take a 10 minute recess before we start the second round."

Councilman Prusinowski: "Mr. Chairman, I just want to make the record-- that the petition that was handed to the Town Board to oppose the Plan, contains 227 signatures and I reviewed the petition because a lot of times things are misreported and I see the overwhelming majority of people that signed this petition, many people that I know personally are from Riverhead. So I just wanted to state that for the record."

Deputy Supervisor Stark: "All right. We will recess until 4:15 and then I will open up the floor for a recall."

Recess

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Public Hearing re-opened: 4:15 p.m.

Deputy Supervisor Stark: "Let the record show that the hour of 4:15 has arrived. This Public Hearing is now back in session. Is there anybody that would like to be recalled to the microphone? Buzz?"

Edward Schwenk: "I just want to reiterate a couple of things and add one thing more. You know, the school board still wouldn't know anything about the economic analysis if we didn't sue. At the Brookhaven Town Board meeting the other day, Longwood, Eastport, South Manor, Patchogue-Medford, all were requesting a delay with respect to getting this Plan in shape before it has to be acted upon.

However, you know, with the information being withheld overtly, we're being told by government, trust me, trust me, trust me. We're government and we're here to serve you and more importantly, we know that's right for you. Yes, the public's right to know is being denied. Instead, we're being blindsided by smoke and mirrors but, again, remember, trust me, trust me, trust me. Thank you very much."

Deputy Supervisor Stark: "Thank you, Buzz. Anybody else at this particular time? George, you-- later on. Walter, did you want to come up again. You are higher up on the list."

Walter Olsen: "I'd just like to cover three brief things that came up during the meeting. One thing I had wanted to do earlier was when you received your copy of the economic analysis, you probably didn't receive a cover sheet which on my speech is attached to it and here's a highlighted portion that I'd like to direct your attention to and it's the last sentence of it in which it says: That the Commission will seek to refine and correct certain factually incorrect portions of the economic analysis.

Basically what they're saying is the economic-- we don't like what the economic analysis says. We would like it to sound better for our case so we're going to make those corrections and we'll get back to you. I don't think you'd accept that from me if I gave you a EIS on a parcel of my land that I was trying to develop and the report wasn't favorable to me and I said to you, well, I'll change it and I'll give it back to you and then you'll let me go ahead. And I don't think you should let them go ahead either. That's one point.

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The second, a couple of speakers alluded to allegations of misconceptions as far as what the Land Use Plan was doing and this and that and I'd just like to reassure you that just because these speakers told you that what some of us have said are misconceptions, doesn't make them misconceptions. That's just their smokescreen to try to discredit what we're saying. I let you weigh whether or not what we say are misconceptions.

And, thirdly, you've heard mentioned a couple of times the road front parcels as far as they say they made this list of road front parcels and that stuff will be allowed to be developed and that the property owners are just whistling in the wind making trouble because that's been taken care of. Well, let me assure you that that list of road front parcels have not yet even been presented to the legislature. It has not been ratified by them. It is not part of the Plan, and already I hear signs of backing off from that list when one of the speakers said that well, if it doesn't go through as road front exempted parcels, then it can always go for a hardship. So we already see that maybe that's slipping away from us also.

Those are just three points. Thank you very much."

Deputy Supervisor Stark: "Thank you, Walter."

Walter Olsen: "And God speed."

Deputy Supervisor Stark: "Steve. We're down to three minutes now, Steve."

Steve Haizlip: "Steve Haizlip of Calverton. Mr. Deputy Supervisor and the Town Board. When we elect the people here, we elect them to lead us and we expect them to come out at the front and tell us what's going on, not let somebody get in and then let him do what he wants and then try to cover up later. This here Pine Barrens Plan, I don't know anything about it. But I do know one thing, I do know that there's a lot of misconception, misunderstanding, and saying what they want to say. But we don't know what-- how it's going. Now, there's one thing in there that I read and I don't care for, when I elect somebody on this Town Board to take care of zoning in my Town, I want him to take care of zoning in my Town. I don't want some top third layer of government come in and have control of zoning over some kind of fancy word of TDR's. I mean, that is a disguise in

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disguise so to speak.

Now, I want my Town Board that I elected, whether I voted for them or not, I want them to run my zoning and take care of my Town and last, Mr. Goodale can never be more right. With all this bureaucracy and layers of government coming around, we ain't never going to get our man developed. Because they're afraid to come in.

And last, Mr. Zeh was right. Don't let the State and the County tell you you've got to vote for this. We are not living in a police state anymore."

Deputy Supervisor Stark: "Thank you. Richard."

Richard Amper: "I can't tell you how frustrated I get when I hear so much misinformation. Let me just run through a short laundry list."

The Riverhead School District should look at it very, very carefully. It's going to benefit from this Plan. Take a look at the economic analysis. Take a look at the acquisition prioritization. The Riverhead School District is going to do extremely well in this process. Much better than if we build all those houses and send all those kids to school.

The economic analysis, if I understand correctly, the builders are opposing the Plan because an economic analysis that isn't even reflect the Plan, wasn't given to us early. We all wanted it to be given earlier. There's no one who's even argued that the current economic analysis is incorrect or that it doesn't respond to these things. Let's look at what we're really operating with and not shoot down a Plan because somebody didn't do something they should have done a long time ago.

The road front property. We really cannot ask the legislature to exempt these lots until we have a Plan. Let's have a Plan and the legislature will do it. What the County promised today, what the Commission promised today was that in the meantime they're willing to give the hardship exemption to those. They're saying, whether you get it from the State or you get it from the Commission, you're going to get it. We just need to trust each other and take the assurances that folks who are here-- "

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Deputy Supervisor Stark: "I would ask that the audience please extend the same courtesy to this speaker everybody extended to them."

Richard Amper: "We're out here fighting to produce money to pay these private property owners and we're delivering. We've delivered \$150,000,000 from the County and \$30,000,000 from the State, and we're still doing it. When we stop, their right to build is granted. We cannot prevent their using the land if we don't. We have to deliver on the promise. Maybe we're doing it for preservation purposes, but they end up paid. If the property is worth \$50,000, the law says they have to be paid \$50,000 for it. Fair market value as appraised. If we can't pay it, we must let them build it. It's in the law. Not our idea. It's not a promise. It's built into the law. There's no laws of home rule. The Town of Riverhead was not told by Brookhaven or Southampton what its Plan in Riverhead would look like. It looks the way the Town of Riverhead wanted it to look. You're not giving up zoning powers, you're simply exercising them now and saying this is what we want Riverhead to look like in the future."

The last thing that I want to say is that we heard terms like unconstitutional takings, the violations of citizens rights, and un-American activities. You know who they are being attributed to? They're being attributed to the Governor of the State of New York, to every member of the New York State Assembly and Senate, to our Suffolk County Executive, to your Town Supervisor when he supported the Plan. I don't believe that these public officials are engaged in trying to rip off their citizens or violate the constitution, or anything else. I think there's still an enormous amount of misunderstanding. I want everybody, please, to reread the Plan, look at the law, and understand that if we all work together, if we look out after the interests of schools and private citizens and the developers and the environmentalists and Town powers of home rule, if we consider all of these issues together, we can make this work. And it is supportable. Thank you very much."

Deputy Supervisor Stark: "Yes, sir."

Seth Morgan: "Yes. Seth Morgan, Manorville. Thank you for this extra time. I am going to read something if I can here. It's very brief but I think it exemplifies the real life situation of what is going on here. This was sent to me from somebody in Huntington recently dated 5/24--24 of May, '95. And I'm interested in whether

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anybody from Riverhead has read this letter to the editor, or anybody from Brookhaven has read it, or anybody from Southampton has read it cause it's pertinent and that's where it should have been printed. I'm really interested in it.

But this gets to the nitty-gritty of-- "

Councilman Prusinowski: "It was printed in Riverhead."

Seth Morgan: "It was?"

Councilman Prusinowski: "Yes. That letter went in all of our editions."

Seth Morgan: "The landowners dilemma. That one?"

Councilman Prusinowski: "Right."

Seth Morgan: "About-- "

Councilman Prusinowski: "I recognize-- it's on our letters to the editor. I work at Suffolk Life. That went in all of Suffolk County, just so you know."

Seth Morgan: "About this 97 year old woman."

Councilman Prusinowski: "Well, go ahead, read it."

Seth Morgan: "All right. Let me just be brief. I am writing this letter on behalf of my mother. I won't mention her name, who is 97 years old and unable to write the letter herself. She owns 130 acres in Ridge, that's Brookhaven Township, in the core area of the new Barrens. She has borrowed and has spent most of her savings to pay the real estate tax on the property. The 94/95 tax amounts of 2,212.07. She cannot sell this land. She lives with me and her monthly income is her Social Security check of \$347. Who will help? Will she abandon the land? At 96, she has no time to wait for better times. TDR's do not help. Why? Who would buy real estate where there are no sound resolutions, a lot of confusion, and only one thing certain. The Town of Brookhaven, the County of Suffolk, and the State of New York officials protect the environment by ignoring the hardships that their aspirations cause every day law-

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biding citizens. Where are their priorities? Not only are they robbing us of our property, but they are also forcing us to pay enormous taxes all without any compensation.

Five to six years have passed by. Officials have had enough time to consider the landowners, to reduce the taxes, and to find some other way of compensation before they declare the Pine Barrens a protected area.

Do we have a dictatorship style government in the Town of Brookhaven, Suffolk County and New York State? I am writing to ask you-- not to have you feel sorry for my mother or to criticize the government, but to point out that in order to improve human life, public officials must consider the impact their endeavors have on the every day hard working individuals. We do not live in barbarian times when it did not matter how many persons have died as long as the pyramid has been built. Will you find a solution to my mother's dilemma. Please help.

That's a real life situation. And it represents I can tell you with all honesty and candor, because I've been through condemnations for 5-30 years-- "

Deputy Supervisor Stark: "I'm going to have to wind you up."

Seth Morgan: "All right. Thank you. All right. I just want as much time as he had, if you don't mind. And I can tell you that it is not easy, it is not fair, and if you don't have the money to go to court-- "

Deputy Supervisor Stark: "Thank you."

Seth Morgan: "You are iced out of the system."

Deputy Supervisor Stark: "Thank you very much."

Seth Morgan: "Thank you."

Deputy Supervisor Stark: "George?"

George Schmelzer: "We're somewhat returning to the feudal age when the king decided to take the land from the people in return to

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protect them. They are doing the same thing here. At that time, I don't think the serfs paid any taxes. They just worked their serfs and slaves. Well, we're slaves through taxes. You work like hell to earn something and then they come and steal it from you. Land taxes, income taxes. Right now every year it takes more days per year to pay taxes in the United States. And when it reaches half the year, something is going to happen.

Now, these birds that comprise the Pine Barrens Commission, when they have a meeting and the public's invited, they spend about two hours glorifying each other with words and glorifying their program, when the people are never allowed to ask any questions. What the hell are they afraid of? They're afraid of something. They're afraid the truth might come out by questions. So the people speak. Others, maybe myself, expressing their dislike for what is going on and half of these birds they leave the room. They don't care what you say. So when it's all over, they come back in the room. So, you can figure out what it is.

Turn it down. We don't need something like that. If you want to go back to the Middle Ages, go back to East New York. Why should we go back to that. Thank you."

Deputy Supervisor Stark: "Thank you, George."

Henry Dittmeir: "I'd just like to finish my speech. What else is missing in the Plan? Honesty is missing. Dr. James Nicholas from Florida, the original creator of the TDR program, I say original because he might have been fired, clearly and repeatedly stated the TDR bank and program was doomed to failure. He said that TDR's must cross school district lines and township lines to be successful. As you know, there are eight school district lines and three town lines. He said that in New Jersey, they erased 52 lines. He said that just erasing the school lines would not make it workable, but it would be better than having 11 lines that would create TDR's with 11 different dollar values. This was said at the Moriches Library conference room meeting. But Supervisor Thiele said erasing these lines was politically impossible and that sometimes you've got to make lemonade out of lemons. Dr. Jim, as he was affectionately called, repeated his warnings later that day at another meeting in Great River. I heard Dr. Jim was paid \$18,000 and would like to know why the Commission staff wrote the program and is still working on the TDR

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annual. What happened to Dr. Jim? I thought he was supposed to do the work.

Gentlemen, the Commission went forward with this knowing it will not work and time will prove Dr. Jim right.

What else is missing? Future changes to the Plan. It has been revised so often everyone is confused. This Plan is like Showboat. That old man river, he just keeps flowing along. Do you know that the law in the green book requires that a review must be made every five years to make changes consistent with the goals set forth in the legislation? But they can do so any time. How many revisions will be made in the future? They are not locked in.

Do you know that high tech cesspools have been discussed twice in the ecology committee. They were talking about requiring homes in the core to upgrade cesspools and possibly giving them loans and putting liens on houses. Is this a change you would like to see?

How about fire management? The Fire Management Committee having controlled burnings of the Pine Barrens. Everything is so inconsistent. You need a pollution control device for a wood burning stove. What about burning 1,000 acres?

By the way, how dangerous is a residential cesspool anyway? In China they use raw sewage, raw human sewage to fertilize rice patties according to National Geographic."

Deputy Supervisor Stark: "Again, I would ask you to summarize. If you have that in a written statement, it can be-- the balance of it can be given to the Clerk."

Henry Dittmeir: "I can do it in 30 seconds. Environmentalism has become fanatical and everyone knows extremism is crazy. Over 600,000 has been spent by the Commission and what have you got to show for it? A two volume Plan that is an OTB jobs program. There should be a dedication clause that requires the money be limited and restricted to buying land first.

Do those two volumes look like less government and less regulations as promised by Governor Pataki and John Powell? Please, please,

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lease. Defeat the Plan that destroys property values. Thank you."

Deputy Supervisor Stark: "Thank you. We have pretty much gone through-- we will wind this Public Hearing up. I apologize to anybody whose feelings may have been hurt by my stiffness of the Chairmanship up here this morning, but there are a lot of emotions on both sides and in order to keep a sense of order here, I didn't want to sound too rough, but you have to maintain some order.

So I thank you for coming on behalf of the Town Board. We will be making our decision in the next week, two weeks. I think June 28th we have scheduled a meeting of the Town Board, a Special Town Board meeting to consider the ratification of the acceptance of the findings.

That does not necessarily say that this particular Town Board is going to find-- accept the findings and ratify. If anybody wants to make comments to the Town Board, I certainly-- we're all available on a daily basis.

Without objection, I consider this Public Hearing be closed."

Public Hearing closed: 4:35 p.m.

Barbara Tutton
Town Clerk