

**FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR THE
SUBDIVISION APPLICATION OF REDCOTE FARM, LTD.
(A/K/A PORTION OF THE PULLING PROPERTY)
INCORPORATED VILLAGE OF OYSTER BAY COVE
NASSAU COUNTY, NEW YORK**

PROJECT LOCATION: 72.3±-acre parcel located on the north side of North Hempstead Turnpike (New York State Route 25A/Northern Boulevard) between Yellow Cote Road (to the west) and Oyster Bay Cove Road (to the east), Incorporated Village of Oyster Bay Cove, County of Nassau

**NASSAU COUNTY
TAX MAP NUMBERS:** Section 27 – Block L – Lots p/o 217, p/o 220, 226, 227 and p/o 229

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AVAILABILITY OF DOCUMENT: This document, together with the Draft Environmental Impact Statement (“DEIS”), represents a Final Environmental Impact Statement (“FEIS”). It has been prepared for the Lead Agency, and copies are available for public review at the offices of the Lead Agency at 25B Route 25A, Oyster Bay Cove, New York

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This document represents a Final Environmental Impact Statement (“FEIS”) for the proposed subdivision of 72.3± acres (representing a portion of the Pulling property) into a residential subdivision to be known as Redcote Farms.

This FEIS incorporates, by reference, the Draft Environmental Impact Statement (“DEIS”) for this proposed action, dated August 2005. The above-referenced DEIS was the subject of a Village of Oyster Bay Cove Planning Board Public Hearing on November 3, 2005, which was continued on December 1, 2005.

The Public Hearing Transcripts and Written Correspondence are provided in Appendices A and B of this FEIS, respectively.

I. INTRODUCTION

This document is a Final Environmental Impact Statement (“FEIS”) prepared in response to comments on the Draft Environmental Impact Statement (“DEIS”) for the application of Redcote Farm, Ltd., which is seeking subdivision approval of a portion of the Pulling property to permit a development to be known as the “Redcote Farms” subdivision.

The DEIS evaluated the potential impacts and proposed mitigation associated with the subdivision of 72.3± acres and subsequent development of 24 residential lots.¹ The comments include those that were made at the public hearing of November 3, 2005, which was continued on December 1, 2005 (designated with an “H” before the comment number) and other written comments (designated with a “C” before the comment number) received during the comment period that ended on January 10, 2006. The Public Hearing transcripts are included in Appendix A. All written correspondence is included in Appendix B of this FEIS.

This FEIS includes two sections -- Section I, of which this is a part, is the introduction to the document, which describes the purpose of the FEIS as well as what is included in the document. Section II includes a response to all comments made at the public hearing of November 3, 2005, which was continued on December 1, 2005, and the written correspondence received during the comment period.

Based upon the comments made on the DEIS and the enactment of amendments to the General Ordinance and the Building Zone Ordinance of the Village of Oyster Bay Cove during the review of the DEIS, a *Revised Preliminary Subdivision Map* (Joseph E. Dioguardi, Jr., Engineer/Land Surveyor, last revised 1-27-06) has been prepared and submitted to the lead agency, the Planning Board of the Incorporated Village of Oyster Bay Cove (hereinafter the “Planning Board”) (see Appendix C of this FEIS).

¹ As was explained in the DEIS, the initial step in the establishment of building lots on the 72.3 acres is to assemble the property from among a group of parcels owned by Pulling Family members, which will then be subdivided into the proposed building lots.

The aforesaid *Revised Preliminary Subdivision Map*, as will be described in greater detail later in this FEIS, has been developed to address various comments made on the originally-proposed subdivision, which was the subject of the DEIS, and to conform to the legislative changes referred to above.

Zoning Compliance Summary tables have been prepared for both the Oyster Bay Cove Road segment of the property and the Yellow Cote Road segment of the property (see Table 1 and Table 2). As can be seen on these tables, the proposed 22-lot subdivision is fully compliant with the recently-amended Village regulations.

As documented more fully below, the *Revised Preliminary Subdivision Map* does not create any new potential impacts or increase the magnitude or degree of those impacts that have already been identified, studied and mitigated. Instead, it serves only to reduce potential impacts from those associated with the 24-lot plan upon which the DEIS was based.

Specifically, the number of lots has been reduced from 24 to 22;² a “Passive Park Area” of 7.53 acres has been proposed, which can be used for hiking and passive recreational activities, and within which steep slopes and trees on the property will be preserved; the slope categories have been revised to reflect slopes of 0 – 15 percent, 15 – 25 percent and over 25 percent; and the access point on the eastern parcel has been relocated over 1,000 feet to the north of the original access point, and is now situated across from the Nassau County Stormwater Retention Basin located on the east side of Oyster Bay Cove Road. This access point has been reconfigured at the request of the Planning Board to be a single, paved, two-way access point rather than a dual-access point with a median dividing the ingress and egress. In addition, the access point on Yellow Cote Road has been moved to the north, farther away from the intersection with Route 25A.

² A 22-lot, reduced-density plan of a different configuration than is currently proposed was analyzed in the DEIS. Many of the quantitative impacts associated with the 22-lot plan that was evaluated in the DEIS are the same as those shown in Table 1 of this FEIS. As the layout of the *Revised Preliminary Subdivision Map*, last revised 1/27/06, is different from that analyzed previously, the site coverages differ from those found in the DEIS. It should be noted that the current 22-lot plan conforms to the Village’s building, zoning and environmental regulations, as amended, preserves steep slopes within a passive park and realigns the roadway on Oyster Bay Cove Road.

Table 1 – Zoning Compliance Summary (Oyster Bay Cove Road Segment)

Parcel No.	Lot Area In Acres	Contiguous Buildable Area in Square Feet (15,000 sf)	Front Lot Line* in Feet (200 ft)	Front Lot Line Cul-de-Sac in Feet (90 ft)	Lot Depth in Feet (250 ft.)	Lot Width in Feet (200 ft.)	Steep Slope Area in Acres	Very Steep Slope Area in Acres	Lot Area Less Than 100 Feet in Width in Acres	Wetland, Water Body or Water-course	Net Lot Area in Acres (2.00 ac)
1	2.24	34,697	220.83	-	440	210	-	-	-	-	2.24
2	2.33	34,603	200.85	-	410	230	-	-	-	-	2.33
3	2.27	33,362	250.00	-	400	240	-	-	-	-	2.27
4	2.24	32,745	278.31	-	408	240	-	-	-	-	2.24
5	2.34	32,958	243.61	-	365	265	-	-	-	-	2.34
6	2.35	33,634	226.56	-	380	265	0.07	-	-	-	2.31
7	2.37	31,295	220.26	-	430	240	0.21	-	-	-	2.26
8	3.18	54,815	-	90.0	580	220	0.10	-	0.04	-	3.09
9	3.00	55,385	-	90.0	450	270	0.44	-	0.05**	-	2.77
10	2.00	34,401	275.99	-	310	280	-	-	-	-	2.00
11	2.15	35,441	243.78	-	285	235	0.27	0.03	0.08**	-	2.00
12	2.73	53,346	373.58	-	320	390	0.85	-	-	-	2.30
13	3.11	47,896	653.67	-	270	550	0.99	0.15	-	-	2.50
14	2.62	58,128	211.89	-	500	260	0.10	-	-	-	2.57
15	2.48	54,290	-	152.32	280	330	-	-	0.01	-	2.47
16	3.52	71,395	380.80	-	330	500	0.76	-	-	-	3.14

() Indicates minimum zoning standard

* Proposed new road frontage in left column. Existing road frontage in right column

** Area is within steep slope area.

Table 2 – Zoning Compliance Summary (Yellow Cote Road Segment)

Parcel No.	Lot Area in Acres (ac)	Contiguous Buildable Area In Square Feet (sf) (15,000 sf)	Front Lot Line In Feet (ft) (200 ft)	Front Lot Line Cul-de-Sac in Feet (ft) (90 ft)	Lot Depth in Feet (ft) (250ft)	Lot Width in Feet (ft) (200 ft.)	Steep Slope in Acres (ac)	Very Steep Slope in Acres (ac)	Lot Area Less Than 100 Feet in Width in Acres (ac)	Easement Area In Excess Of Minimum Setback In Acres (ac)	Net Lot Area in Acres (ac) (2.00 ac)
1	2.00	23,887	305.77	263.92	305	280	-	-	-	-	2.00
2	2.03	36,008	264.92	-	325	265	0.05	-	-	-	2.00
3	2.14	37,679	-	129.78	340	240	0.15	-	0.06	-	2.00
4	3.45	35,255	181.65	394.90	410	345	0.37	-	0.02	0.83	2.43
5	2.74	27,275	267.73	268.39	445	265	0.09	-	-	0.61	2.08
6	2.72	16,387	245.06	792.29	480	230	0.02	-	-	0.44	2.27

() Indicates minimum zoning standard

* Proposed new road frontage in left column. Existing road frontage in right column.

An alternative means of providing access to Parcels 14, 15 and 16 has also been examined and developed, in the form of a common driveway off Redcote Farm Road, which will result in a reduction in tree removal and land disturbance (particularly the grading of steep slopes) (see Appendix D).

Eschbacher Engineering, P.C. (hereinafter “Eschbacher Engineering”) prepared a letter report regarding the sight distance of the relocated access points (see Appendix F of this FEIS). The access point on Oyster Bay Cove Road has been relocated to an area between Birch Court and Moores Hill Road, across from the Nassau County stormwater retention basin.

Eschbacher Engineering has indicated that drivers exiting Redcote Lane would have a sight distance of 500 feet looking south and 450 feet looking north. These distances comply with the recommended 445-foot standard set forth by the American Association of State Highway and Transportation Officials (“AASHTO”), based upon a 40 miles-per-hour (“MPH”) speed limit.

In addition, based upon the relocated access point, drivers exiting Yellow Cote Court would have a sight distance of 500 feet looking south and also 500 feet looking north. Again, this exceeds the 445-foot AASHTO standard.

A safety concern has also been expressed regarding vehicles traveling very fast when turning left from Route 25A onto Yellow Cote Road, thus affecting the required sight distance. Eschbacher Engineering conducted a study to evaluate the matter (see Appendix F of this FEIS). The results indicated that all observed vehicles had speeds no greater than 41 MPH, with 90 percent of the vehicles having speeds no greater than 37 MPH. While these speeds are above the posted 30 MPH speed limit, according to Eschbacher Engineering, they are within the prevailing speed conditions used in the sight distance analysis. Therefore, despite the observed speed of these vehicles, the sight distance will comply with the recommended standards determined to be sufficient to achieve safe driving conditions.

The relocation of the access road to the north and the reconfiguration of the driveway, as well as the reduction in the number of lots has led to changes in the internal roadways. The Redcote Lane cul-de-sac is proposed to be approximately 477 feet in length, and Redcote Farm Road is proposed to be approximately 2,269 feet in length. On the western parcel, the proposed Yellow Cote Court has been relocated approximately 50 feet to the north and has been internally realigned within the proposed subdivision. Yellow Cote Court is proposed to be 690 feet in length.

In addition, three alternative plans for a common driveway from the proposed Redcote Farm Road to serve Lots 14 – 16 as well as the grading plan for the preferred alternative have been prepared by the applicant in order to address the preservation of natural areas including steep slopes (see Appendix D of this FEIS). Furthermore, correspondence from the applicant's counsel to the Chairman of the Planning Board states the applicant's belief that the use of common driveways would be permitted under Village regulations.

The proposed Drainage Preserve in the northeastern corner of the proposed subdivision is approximately 4.73 acres in size (see Appendix E). Smaller drainage reserve areas ("DRAs") are proposed on individual lots within the subdivision. On the eastern parcel, Lots 1 through 8 would contain DRAs, and on the western parcel, Lots 1 and 6 would contain DRAs (as previously proposed).

Furthermore, the reduction of the number of lots in the proposed subdivision from 24 to 22 will result in a lessening of other potential impacts, as shown on the following table:

Table 3 - Comparison of 24-Lot Subdivision (DEIS) and Revised 22-Lot Subdivision (FEIS)

PARAMETER	24-LOT PROPOSED ACTION (DEIS)	22-LOT REDUCED DENSITY PLAN (FEIS)
Number of Units	24	22
Building Area (ac)	3.47	3.15
Paving Area (ac)	4.45	3.70 ³
Landscaped/Managed Area (ac)	13.78*	7.12*
Natural Area (ac)	48.05	51.34
Drainage Areas (ac)	2.55*	6.99*
Population	77	70
School Children	18	16
Domestic Water Use/ Sewage Generation (gpd)	18,000	16,500
Nitrogen Concentration (mg/l)	3.4	3.1
Solid Waste (pounds/day)	270±	245±
Traffic (vehicle trips)		
AM	19	17
PM	25	22

*The Drainage Preserve was previously included in the “Landscaped/Managed Area” category, but is now included within a separate “Drainage Area” category. The Drainage Preserve as well as other DRAs will be managed areas.

ac = acre
gpd = gallons per day
MGY = million gallons per year
mg/l = milligrams per liter

Moreover, since the time of the public hearing on the DEIS and the proposed subdivision, the applicant has engaged in discussions with Nassau County regarding the potential acquisition of the 15.98 acres (rounded to 16 acres) of property, situated on the east side of Yellow Cote Road, north of New York State Route 25A, which represents the western segment of the proposed subdivision (hereinafter the “western parcel”). For this reason, the applicant has asked the Planning Board to stay further action on the subdivision of that section pending the outcome of the County’s consideration of the purchase.

³ This figure is based upon the improvement of Redcote Lane. The “paved area” will be less if a common driveway is utilized to provide access to Parcels 14, 15 and 16.

The applicant is a willing participant in the negotiations with Nassau County, and if Nassau County purchases these 16 acres, constituting the western parcel, the land will be preserved as open space. If Nassau County does not purchase the western parcel, same will be subject to continued subdivision review. In any event, the potential impacts of a subdivision of the Yellow Cote Road segment of the property are considered herein.

The responses provided herein will address such substantial mitigation now embodied within the proposed action itself. Revisions incorporated into the 22-lot *Revised Preliminary Subdivision Map* mitigate many of the potential impacts raised in comments on the DEIS.

II. LIST OF COMMENTS AND APPLICANT'S RESPONSES TO COMMENTS

Mr. Weir
Public Hearing
November 3, 2005

Comment No. H1:

In the latest DEIS that we received from you on page 18, it does state that travel routes for truck traffic will use 25A and Oyster Bay Cove Road as access. There is no mention of Yellow Cote Road at all in there.

Now initially there was no need to. But obviously now there is since the Schwab parcel was no longer available. Maybe you could like to comment on that.

Response No. H1:

The DEIS addresses the issue of potential truck traffic on Yellow Cote Road, Specifically, Page 15 of the DEIS indicates the following:

“Access to the site for construction and delivery vehicles is intended to occur at the proposed subdivision locations. For Parcels 1 through 6, the proposed subdivision road accessed from Yellow Cote Road would be used to deliver construction materials. Delivery for Parcels 7 through 24 would occur at the future entrance at Oyster Bay Cove Road.”⁴

In addition, Page 192 of the DEIS provides a discussion of heavy construction vehicles and the weight limit on Yellow Cote Road. Page 193 of the DEIS indicates that the *primary* [emphasis added] truck routes would be along Route 25A and Oyster Bay Cove Road. However, the DEIS also notes the potential restriction of the use of Yellow Cote Road to the property frontage southerly to Route 25A.

⁴ It should be noted that Parcels 7 through 24 are now Parcels 1 through 16 on Oyster Bay Cove Road, as shown on the *Revised Preliminary Subdivision Map* in Appendix C of this DEIS.

The Traffic Impact Study, located in Appendix D of the DEIS, mentions Routes 25A and Oyster Bay Cove Road as the *primary* [emphasis added] road access to the area during the construction process. This is the case, as Yellow Cote Road is a more local road that construction vehicles would not be expected to use as a through road.

**Chairman Bralower
Public Hearing
November 3, 2005**

Comment No. H2:

[But] we all saw a lot of flooding recently. I know in one of the private communities over near Berry Hill Road it reached the point where there were two sections that were impassable.

Someone actually totaled their [sic] Mercedes by being unable to drive out. Route 25A was closed off by the Tower property. The rains that we had were obviously substantial.

Would those fit into the 40 and 50 year level? And would the plans that we have currently be adequate to deal with the type of rains that we just saw?

Response No. H2:

Unofficial rain gauges indicated that 18 to 26 inches of precipitation fell locally during the second week of October 2005. The rain gauge at the Cold Spring Harbor Laboratory indicated that more than three inches of rain fell during each of six consecutive days, including five consecutive days with the equivalent of a four-year storm. This type of event has the probability of occurring once every 1,000 years. The Redcote Farms development must (and has been) designed to meet the Nassau County Department of Public Works ("NCDPW") stormwater criteria of a minimum system storage capacity of eight inches of runoff. Based on local records, an eight-inch storm over a 24-hour period has the probability of occurring once every 100 years. The stormwater system would be designed to hold the runoff from such storm assuming that the runoff occurred instantaneously.

It should be noted that most failures that are experienced with drainage retention systems are the consequence of poor maintenance of the drainage facilities. This project will have a Homeowners' Association ("HOA") that will be responsible for maintenance and upkeep of the drainage on a continuing basis. Moreover, the HOA members will be on site, and, accordingly, will be better able to identify and address any drainage issues that may occur.

**Mr. Townsend
Public Hearing
November 3, 2005**

Comment No. H3:

In describing the architectural design of the proposed subdivision, the applicant asserts that the architecture of the proposed homes will not merely be compatible in terms of the Oyster Bay Cove's architecture and rich fabric but will draw their information from many of the architectural styles prevalent in the village.

I guess my question is, a couple of maybe practical things. First of all, this would suggest to me that you will be building all these houses. Is that correct?

Response No. H3:

It is the intention of the applicant to build all of the houses.

Comment No. H4:

And hypothetically if I came to you and said I wanted to, within the context of the setbacks and height restrictions and other things that we know do exist in Oyster Bay Cove, if I was inclined to build a mini White House or mini façade, how would you react to that in the context of what this paragraph suggests?

Response No. H4:

The applicant intends to adhere to the prevailing Code, at the time of development of each of the homes in the subdivision.

Presently, there is no architectural review board in Oyster Bay Cove. Site plan review would be required for each lot prior to the issuance of a Building Permit. At the time of application for a Building Permit, the site plan would show an actual building footprint of what is proposed, and the architectural drawings would include all features necessary for construction and New York State Building Code compliance. The plans would typically include elevation views. The plans would be reviewed by the Building Inspector, the Village Engineering Consultant and the Planning Board.

Furthermore, as discussed below, the applicant's commitment to construct homes that are in keeping with the architectural character of the community would be memorialized in a series of covenants and restrictions in the HOA Declaration for the project, which will mandate compliance with architectural standards and approval of the design of each house by an Architectural Review Committee within the HOA. The architectural design standards will govern such matters as architectural style, materials, windows, orientation of the garages, and such other matters as described more fully in Response to Comment No. H7.

In addition to the HOA Architectural Review Committee's control over the homes, the Village will have jurisdiction over the homes pursuant to its Site Plan Review Ordinance, which requires site plan review of (among other things) any new structures in the Village. Among the elements examined in the review of the site plan are architectural features and the location and dimension of buildings.

Comment No. H5:

So you'll be building all the houses? You won't just sell lots to other people?

Response No. H5:

Kean Development Company intends to build all of the homes. See the Response to Comment H6.

**Mr. Greenfield
Public Hearing
November 3, 2005**

Comment No. H6:

Mr. Kean, you said something which strikes me as curious. That you're going to be building all the houses.

Are you suggesting that any approval ultimately be conditioned upon your exclusive building and you're giving up the right of alienation of this property?

Response No. H6:

As previously indicated, the applicant intends to build out the subdivision. However, it has not and does not propose that any approval for this project be conditioned upon it building each of the homes in the subdivision. Rather, the applicant's commitment to construct homes that are in keeping with the architectural character of the community would be memorialized in a series of covenants and restrictions in the HOA Declaration for the project, which will mandate compliance with architectural standards and approval of the design of each house by an Architectural Review Committee within the HOA. The architectural design standards will govern such matters as architectural style, materials, windows, orientation of the garages, and such other matters.

Comment No. H7:

Well this representation is that all houses would be built based on the character of their neighbors. And I believe on the next paragraph it talks about with historical accuracy.

How would that be guaranteed since you have made that a basis in you DEIS, a representation of how you would meet the aesthetic and cultural resources components?

Response No. H7:

As indicated in Responses to Comment Nos. H4 through H6, above, the applicant, Kean Development Company, intends to build all of the residences within the Redcote Farms Subdivision.

Pages 182 through 184 of the DEIS discuss the proposed architecture and character that Kean Development Company intends to adhere to, as follows:

“In terms of architecture, context and community character, the proposed Redcote Farms subdivision is being designed to be in keeping with its immediate neighbors. This includes not only the design of the houses but the design of the overall lots, including driveways and accessory structures. In describing the architectural design of the proposed subdivision, the applicant asserts that the architecture of the proposed homes would not merely be compatible within the context of Oyster Bay Cove’s historic character and rich architectural fabric, but would draw their inspiration from many of the historic architectural styles prevalent in the Village.

The homes to be constructed would exhibit historically correct, authentic detailing derived from examples within the community. Appendix V of this DEIS contains four examples of homes indicating the range of architectural styles that the Redcote Farms subdivision would incorporate. Each style of home, whether it is French Country, Georgian, Colonial or Shingle-Style, will be detailed in an authentic fashion, appropriate to the historical style they seek to emulate. Both in the use of materials and detail, these homes would retain the unique qualities that make its particular style recognizable. The homes would be varied in massing and orientation on the lots, as each home would be custom-designed to accommodate the particular site condition of each lot. Furthermore, any accessory structure would be designed in a style to complement the style of the principal dwelling on that particular lot.

The general criteria for the residential architecture is as follows:

- Natural siding/finish materials, i.e., stone, stucco, wood clapboard, cedar shakes or handmade brick. No vinyl or composition materials would be permitted;
- Painted wood cornice detailed in an historically, appropriate manner;
- Roof shingle of slate, red clay, cedar or select fiberglass architectural, dimensional shingles;
- Use of roof dormers and open porches to break up the mass of the homes;
- True divided light, wood windows as manufactured by Marvin Windows or approved equal, in a design commensurate with the particular historic style being emulated;
- Exterior wood French doors appropriate to the architectural style of the home;
- Side facing garage doors, designed in a carriage house fashion; and
- Bluestone, slate or brick front walks and stoops.

In an effort to maintain the integrity of the architectural character of the community into the future, the Redcote Farms HOA Declaration would include covenants and restrictions dictating mandatory architectural and compliance within the community. This would be in addition to the Village of Oyster Bay Cove's architectural review process.

Subsequent to the community's initial development, the future HOA would have an Architectural Review Committee ("ARC") appointed by the HOA's Board of Directors. The ARC would require that *all* additions, alterations or new accessory buildings contemplated within the community must be approved in writing by the ARC, after review by same, and a finding that it be in keeping with the authentic historic context of the community. In addition, there would be requirements regarding the maintenance of the appearance of not only the homes, but also the landscaping within the community."

Also, see the Response to Comment No. H4.

**Mr. Shevchenko
Public Hearing
November 3, 2005**

Comment No. H8:

My question to the Village Engineer and the Board is, who will be doing the supervision of this project for the Village to make sure that everything is being inspected and constructed per your drawing, per the report?

Response No. H8:

The applicant would retain a construction manager. However, the Village Engineer or its designee is responsible for inspection of the property during and after the construction period. More specifically, the Village Building Department would perform the inspections pertaining to New York State Building Code issues, as well as site issues, with assistance from the Village Engineer, as required. The Village also requires certifications from the builder's appropriate professional for items not observed or inspected by Village officials.

**Mr. Rabin
Public Hearing
November 3, 2005**

Comment No. H9:

The subject property clearly plays a significant role within the water shed that drains into the harbor complex as well as a key function in protecting the quality of Long Island drinking water.

After all, the property lies in the head waters area of one of Tiffany Creek's tributaries. It has a steep sloping terrain and it lies within one of nine special ground water protection areas critical to the fresh water drinking.

Response No. H9:

The site is located within a "Special Groundwater Protection Area" as established under Article X of the Nassau County Public Health Ordinance, and as described in detail in Section 3.2 (Pages 53 – 56) of the DEIS.

In non-sewered areas Article X mandates that the minimum lot size for residential development is 40,000 square feet in area, in order to protect groundwater resources. All lots in the proposed Redcote Farm subdivision are a minimum of 2.0 acres in area or 218 percent greater than the lot area mandated by the NCDH.

Moreover, as stated in the DEIS (Pages 78 – 79):⁵

“The applicant respectfully asserts that the proposed development has been designed to preserve open space character and recharge potential as a) the property would not be developed to its maximum potential under the Village’s Zoning Code (i.e., the density over the 72.3-acre property is just over one unit per three acres), (b) conservation easements would be placed along the perimeter roadway, (c) approximately 15.77 acres of the 72.3-acre subdivision are proposed to be preserved through conservation easements and through the open space/drainage preserve area (these 15.77± acres do not include the preservation of open space on individual lots), and (d) recharge would occur on-site through the use of one principle drainage preserve and six smaller drainage reserve areas, which would be allowed to revegetate naturally after initial excavation.

The design of the stormwater management system (use of a large drainage preserve and smaller drainage reserve areas), the preservation of large areas of open space, the development of the property at a lower density than permitted by prevailing zoning as well as the overall layout of the property (providing large lots of over two acres in size) would further the goals of the Oyster Bay SGPA, while protecting the property rights of the landowner.”

Accordingly, it is the applicant’s opinion that the proposed subdivision has been designed to conform to those regulations specifically promulgated to ensure protection of groundwater within the SGPA.

Comment No. H10:

Among the ten, the Oyster Bay National Wildlife Refuge represents half the size of the complex. The refuge risk has become threatened by storm water runoff, habitable [sic] destruction, non-sustainable development and human storage [sic], inadequate septic systems and boat discharge.

Of course these human induced impacts affect the entire estuary. The proposed subdivision proposal will only add to these problems. It certainly won’t improve the current situation.

⁵ It should be noted that with the 22-lot subdivision, the density of the proposed development has been lowered to one unit per 3.3 acres and the number of smaller DRAs on individual lots has increased from six to 10.

Response No. H10:

The applicant believes that it has a right to improve the site under existing Village of Oyster Bay Cove requirements. The applicant will meet or exceed all existing codes and design parameters that have been established by the Nassau County Department of Health (“NCDH”), NCDPW, the Village of Oyster Bay Cove and the Village Engineer’s office for the proposed site improvement.

In addition, during construction, an erosion and sedimentation plan would be implemented as part of compliance with the NYSDEC and USEPA’s Phase II Stormwater Regulations. An erosion control plan for the construction of roads and other features relating to land development of the subdivision would have to be approved by the Village Engineer prior to subdivision approval by the Planning Board. Individual erosion control plans for each lot would be required by the Village Building Department as part of the Building Permit application. As part of site plan review, the Village Engineer would have to approve the plan, and Planning Board approval would also be required.

In order to address watershed protection after construction, a post-construction stormwater management plan is also required as part of compliance with the NYSDEC and USEPA’s Phase II Stormwater Regulations. The stormwater management plan for the construction of roads and other features relating to land development of the subdivision would have to be approved by the Village Engineer prior to subdivision approval by the Planning Board. As part of site plan review of the individual lots relating to the Building Permit stage, the Village Engineer would have to approve the plan, including roof drain systems and other stormwater-related site engineering. Planning Board approval would also be required.

Comment No. H11:

Redcote Farm simply cannot minimize the proposed environmental impact to the extent necessary to avoid being yet another cut in this depth [sic] by a new [sic] cut syndrome currently plaguing the harbor complex.

Response No. H11:

The comment is noted. As part of the design of the Redcote Farms subdivision, mitigation measures have been incorporated that would minimize the potential environmental impacts of the proposed residential development. The most significant mitigation measure is the reduction of density on the site. Whereas, in the applicant's opinion, 36 single-family homes could be built on the subject property, the DEIS proposed a subdivision plan with 24 lots, and this FEIS proposes a revised subdivision plan of only 22 lots, designed in accordance with the prevailing zoning, which further mitigates potential environmental impacts. As discussed in Section I of this FEIS, the impacts of the currently-proposed 22-lot subdivision are less than those of the previously-proposed 24-lot subdivision (see Table 3). Furthermore, more of the steep slopes areas on the site would be preserved in the passive park area proposed as part of the revised 22-lot subdivision, and less overall disturbance would occur across the subject property with that reduced-density plan.

Comment No. H12:

The community and municipalities that border the harbor complex are now confronted with an extremely important responsibility. That is to restore key properties, that owned [sic] by Redcote Farm rather than permit development.

Response No. H12:

Currently, the subject property is privately-owned and zoned for single-family residential development at a minimum lot size of two acres. The applicant has proposed to develop the property at a density less than that permitted by zoning, and has further proposed to reduce the density with the *Revised Preliminary Subdivision Map*, which is presented in Appendix C of this FEIS. Neither the Village nor any other municipality can "restore" the property, since it is within private ownership.

Notwithstanding this condition, Nassau County is seriously considering the acquisition of the 16-acre segment of the subdivision on Yellow Cote Road, and the applicant is cooperating in that effort. If the County decides to purchase the land, it will be “restored” as the commenter suggests, to public use.

Comment No. H13:

Certainly any development that has the potential to exacerbate problems, permanently alter the ecology of the community and negatively impact the harbor complex should be completely averted and carefully scrutinized.

Response No. H13:

The comment is noted. Although development cannot be “averted” on properties that are privately held and zoned for development, such developments can be carefully scrutinized as is being done through the State Environmental Quality Review Act (“SEQRA”) process. The extant application has been undergoing a comprehensive SEQRA review, and such review is ongoing through the preparation of this FEIS. Furthermore, in addition to SEQRA, communities have review requirements through subdivision and site plan approval processes. Therefore, developments, including the proposed Redcote Farms subdivision, will, by law, receive careful scrutiny.

Comment No. H14:

We appreciate the Planning Board’s consideration of this proposed subdivision and other matters. We appreciate the fact that this property belongs to the Pulling family and that the family should be compensated fairly for its value.

Response No. H14:

The comment is noted. The applicant agrees that the Pulling family should be compensated fairly for the value of its property.

Comment No. H15:

We would like to propose what we think a desirable alternative. That is the acquisition of the property to be financed through the Nassau County and Town of Oyster Bay Bond Act.

As we understand, the property will be nominated for acquisition and is under consideration. We hope that Pulling family will seriously consider this alternative. As protected open space, the land making up the Pulling property would play a vital function in preserving the federal Oyster Bay wildlife refuge, the State designated significant coastal wildlife habitat areas and the State regionally important national area.

Again these are all unique aspects. You would be hard pressed to find a similar situation anywhere else on Long Island.

A sale under the bond programs could provide valuable income, measurable tax savings and a lifelong legacy to the Pulling family and the residents of Oyster Bay Cove.

Response No. H15:

The applicant acknowledges that the subject property is included on a list of properties that Nassau County may be interested in purchasing for open space preservation reasons. In fact, the County has expressed an active interest in purchasing the 16-acre portion of the subdivision fronting on Yellow Cote Road, and the applicant has been actively pursuing the County's acquisition of that land. The applicant has provided the County with base and other maps of the 16-acre parcel and has cooperated with the County's on-site inspections of the site.

The applicant anticipates that the committee that recommends to the County Legislature that properties be acquired will favorably recommend the purchase of the 16-acre Yellow Cote Road segment of the subject property. The process is involved and lengthy, but progress has been made and the applicant is hopeful that the County will purchase the aforesaid 16 acres.

According to the applicant, it discussed with County representatives the acquisition of the balance of the subdivision that fronts on Oyster Bay Cove Road but the County has informed the applicant it has no interest in purchasing that portion of the subdivision.

Comment No. H16:

I want to start out by saying I clearly see that the consultant is trying to meet some of the concerns that you have raised. I can't say that across the Board because I was not able to review in depth the entire DEIS. But clearly they are trying. And this is no criticism to the consulting firm. But this area is being plagued by non-sustainable development.

Response No. H16:

The comment is noted. A copy of the DEIS was transmitted to Friends of the Bay and it was received by same on or around October 8, 2005 (return receipt was not dated), approximately 27 days in advance of the public hearing. The Redcote Farms subdivision, by proposing development at a density less than that permitted by prevailing zoning, and by incorporating extensive mitigation measures, is minimizing the potential impact on the environment. As evidenced by this FEIS, the applicant has proposed to further reduce the density of the proposed subdivision from 24 lots to 22 lots, incorporate a passive park of 7.35 acres (which will serve to protect many of the site's steep slopes), and realign the roadway and access on Oyster Bay Cove Road and Yellow Cote Road, all such that the potential environmental impacts of the proposed subdivision can be further mitigated.

Comment No. H17:

[And] sometimes that hurts what would be considered a more sound proposal. But the other concerns that you need to evaluate here or the consultant needs to evaluate is the cumulative effect. It's not just this proposal but what are the other developments in the area. There is no possibility for the consultant to foresee what's down the pike if it's not already in the process of being presented to the Board or what have you. So there is no clear way that they could foresee all the development that could be occurring in conjunction with this proposal.

Response No. H17:

The comment is noted. At the time of the preparation of the DEIS, the applicant requested information from both the Village of Oyster Bay Cove and the Village of Laurel Hollow regarding other proposed developments in the area. No other developments were identified by either village. Accordingly, there were no other pending developments with which to conduct a cumulative impact assessment.

However, it should be noted that pages 144 and 145 of the DEIS provided an analysis of undeveloped or underdeveloped properties within the immediate area, although none of these parcels is the subject of known development applications or is owned or controlled by the applicant, and the development of them would not be facilitated by the proposed action. The applicant believes that speculating on a property's potential future residential development is not appropriate to or meaningful in an evaluation of potential environmental impacts that might reasonably be expected to result from the proposed action. Nevertheless, the total number of potential lots is 37 and a cumulative impact analysis was performed based upon this figure. This analysis is contained on the above-referenced pages of the DEIS.

Comment No. H18:

There is also the growth inducing impact of this proposal. This proposal will beget more development. And it's a positive feedback. You'll have more and more development.

Response No. H18:

As noted on Page 229 of the DEIS, growth-inducing aspects are generally described as long-term secondary effects of the proposed action on the environment.

In discussing the potential growth-inducing aspects of the proposal, the DEIS indicates that the proposed subdivision would generate a 3.4 percent increase in population and 3.2 percent increase in the number of housing units in the Village. Other potential growth-inducing aspects that were discussed included traffic, water demand and sewage generation. The DEIS concludes that since the proposed action is consistent with zoning, it is not expected to result in significant growth-inducing impacts. In addition, since the density of the proposed subdivision has been proposed to be reduced further (from 24 lots to 22 lots), the associated impacts would not be as great as those discussed in the DEIS (see Section I and Table 3).

Moreover, none of the proposed access and infrastructure improvements would facilitate the development of neighboring properties and induce growth. Furthermore, the addition of 22 new residences would not likely require additional services and commercial uses that would arise in nearby communities.

Furthermore, any future individual development application brought before the Village is subject to review by the appropriate Village board. The approval of the proposed subdivision, should this occur, would have no bearing on any other application brought before the Village of Oyster Bay Cove.

Comment No. H19:

Our climate is changing. We are definitely going through a change in our global weather patterns. And what was considered unusual patterns years ago may be more common. You're going to be having heavier rains here.

Whatever regulations are on the books now may not apply to the weather that we're in for. You can't talk about a hundred year rain or a twenty year rain. That would mean [sic] out the window at this point.

You might be suffering from increased precipitation in this area that current regulations will not address. You're going to have the runoff and the subsequent storm water pollution in the Oyster Bay-Cold Spring Harbor estuary...And my understanding, looking at some of the paperwork in the DEIS, is the drainage patterns. For instance, I mentioned the Tiffany Creek. You have runoff that can flow into the creek.

Response No. H19:

Weather conditions change constantly. The only reasonable method to analyze anticipated precipitation is to conduct historical analyses. Using historical data, which have been reflected in the recently imposed upgrade in design parameters due to federal Phase II drainage requirements, the NCDPW now requires an eight-inch volumetric design parameter. It is the opinion of the applicant's engineer that this design parameter meets any reasonable historic or reasonably anticipated storm event.

Based upon local records, an eight-inch storm over a 24-hour period has the probability of occurring once every 100 years. The stormwater system would be designed to hold the runoff from such storms assuming that the runoff occurred instantaneously.

In order to ensure that drainage is properly accommodated on site, provision has been made to interconnect all drainage retention areas to permit controlled overflow after initial settlement into the existing Nassau County drainage system at the northerly end of Oyster Bay Cove Road. Runoff from this site into the Tiffany Creek watershed could only occur in an extremely unusual storm event (eight or more inches in a 24-hour period) that would exceed any standard design criteria.

Comment No. H20:

But you have 24 developments on a property that currently has one development that you're increasing the impervious surface area. That affects drinking water. It also affects the quality of the estuary as well.

Response No. H20:

The proposed subdivision was analyzed as a whole, in accordance with SEQRA, not as 22 separate developments on a single parcel. The DEIS indicated that there would be an increase in impervious surface on the subject property, from 0.11 acres to 7.92 acres. The increase in impervious surface would increase the amount of runoff from the subject property. However, a stormwater management system, including the use of DRAs and leaching pools, has been designed to retain and recharge stormwater runoff on-site. Furthermore, as the proposed project would disturb more than one acre of land, it is subject to the Phase II Stormwater Regulations promulgated by the New York State Department of Environmental Conservation ("NYSDEC"). These regulations require the preparation and implementation of a Stormwater Pollution Prevention Plan ("SWPPP"). Such plan is required to retain stormwater and to minimize the impacts of stormwater runoff on the site and surrounding properties.

In addition, regarding sewage disposal, according to Page 79 of the DEIS,

"The applicant respectfully asserts that the proposed subdivision meets the requirements of Article X for the construction of individual sewerage systems, as follows:

- the individual lots would range from two acres to over four acres in size, thereby exceeding the 40,000-square-foot lot area requirement;
- the site is not located within an existing public sewer district; and
- according to the project engineer, the site subsoil and groundwater conditions are such that they would allow the proper functioning of individual sewer systems, based upon the site-specific test holes and the fact that the existing septic system on the site functions properly."

In addition, the *Revised Preliminary Subdivision Map*, presented in Appendix C of this FEIS, provides a subdivision containing two fewer lots than were analyzed in the DEIS. Therefore, the potential impacts to groundwater resources would be less than previously indicated.

Therefore, it is the applicant's opinion that that the proposed project minimizes the impact to groundwater resources, and thus would minimize impacts to both drinking water and the estuary.

Comment No. H21:

I think we may be at a point where we need to look at even greater technology. I'm familiar with what's going on at the Cold Spring Harbor laboratory and how they have gone above and beyond in terms of how to mitigate some of their storm water runoff... We may be looking at technology that does a better job of capturing and filtering the storm water runoff. There is a topic called mean [sic] water technologies. I don't think that everybody is familiar with this. But they have filtering technology that they're making available. And that technology would be used not just on this development but throughout the North Shore and throughout Long Island to help reduce the impact on the estuary.

Response No. H21:

Current NCDPW and Village design parameters require that the storm water system be capable of "dewatering" within a 24-to-48-hour time period.

An empirical design method has been developed that utilizes soil percolation rate and vertical depth of an eight-foot diameter drainage ring used within the drainage area. The percolation (dewatering) rate is further impacted if the drainage ring is placed in "rateable" (sand and gravel) in-situ material, or if an annular collar is required to be placed around the drainage ring(s) to provide communication with "rateable" material below the drainage ring(s).

Until recently, a dewatering rate of 0.025 cfs per foot of an eight-foot diameter drainage ring has been utilized for drainage areas similar to the Redcote Farms system. Recently, data received from the Village Engineer has proposed that this rate be reduced to 0.010 cfs based on field observations collected at a similar installation.

A typical sample calculation for a drainage area with 140,000 cf of retention utilizing the 0.010 cfs dewatering rate would require 162 linear feet of 10 foot drainage ring (10 drywells at 16-foot effective depth) to dewater the 140,000 cf drainage area in a 24-hour period and 81 feet (five drywells at 16-foot effective depth) in a 48-hour period.

Final design plans for the Redcote Farms drainage system will utilize the design similar to the criteria noted above.

Comment No. H22:

Well as I understand, the original proposal was a cluster to help set aside.

Response No. H22:

As described in the DEIS (Page 12, Section 2.4.1), in 1990, Pulling family members applied for approval to subdivide 116.73± acres of their land (comprised mainly of the subject property and certain additional lands owned by them) into 45 single-family building lots pursuant to an average density or “open space” layout, sometimes referred to as a “cluster subdivision.” A negative declaration under the SEQRA was adopted for the proposal and preliminary subdivision approval was granted. As the comment notes, this prior development proposal pursuant to SEQRA, resulted in the setting aside of a considerable amount of open space, i.e. more than 35 acres.

Many of the Village residents did not want smaller lots in a more conventional cluster arrangement within the Village, where all other lots within the zone are a minimum of two acres. This was a major issue that became so political in 1996 that it led to the eventual replacement of the Village Mayor and Trustees. The Planning Board did not grant Final Subdivision approval for the proposed cluster development. Furthermore, the Village Board of Trustees, after the change in administration, revoked the Planning Board's authority to approve average density maps.

Under current Village regulations (which were recently revised), the Planning Board still has no authority to approve cluster or average density subdivisions.

Comment No. H23:

I mean, I would have to study it further. But I would definitely say that the cluster, you have to minimize the number of roads in I think and have at least a larger chunk of unaffected habitat area or land that's not broken up by the different properties [sic].

Response No. H23:

See the Response to Comment No. H22.

Comment No. H24:

But my point is that you kind of have to set aside this land, greater amounts of land where it's contiguous.

Response No. H24:

See the Response to Comment No. H22. It should also be noted that the *Revised Preliminary Subdivision Map*, dated 1/27/06, prepared by the applicant, contains a reduced number of lots (22 versus 24) and provides a 7.35-acre passive park, which will preserve steep slopes on the subject property.

Comment No. H25:

In terms of just looking at this particular property, I would say since you already have a non-contiguous aspect to it that maybe the part that is a small property should be set aside as open space and maybe not have development on it.

Response No. H25

The comment is noted. See the Response to Comment No. H15.

**Mr. Specce
Public Hearing
November 3, 2005**

Comment No. H26:

Do we have a regulation on the footprints of the house on two acres? Or is there any type of a percentage that you allow or don't allow?

Response No. H26:

The subject property is situated within the Residence A-1 zoning district of the Village of Oyster Bay Cove. In that zoning district, the minimum lot area required for the development of a single-family home is two acres. The maximum building area of a principal structure having a height of less than 18 feet is six percent of the lot area, and the maximum building area of all other principal structures is five percent of the lot area. The total maximum building area permitted for all principal structures, accessory dwellings and all accessory buildings, including decks and patios, is 15 percent of the lot area. These data are presented in Table 6 of the DEIS.

**Mr. McMeekin
Public Hearing
November 3, 2005**

Comment No. H27:

I heard you say that there is a conservation strip that runs along Northern Boulevard, then runs along Oyster Bay Cove [Road]. Is there one that runs along the north side of the property as well?

Response No. H27:

Conservation easements are provided/proposed along Route 25A, Oyster Bay Cove Road and Yellow Cote Road. These easements are 200 feet in width and 75 feet in width along Route 25A, and 50 feet in width along both Oyster Bay Cove Road and Yellow Cote Road. There is no conservation easement that runs along the north side of the property adjacent to the neighboring properties. However, it should be noted that there are required setbacks from property lines for existing houses as well as the proposed houses. Furthermore, only one residence (on Lot 16) and the Drainage Preserve are proposed along the northern property line in the eastern segment of the proposed subdivision, and three residences are proposed along the northern property line in the western segment of the subdivision (Lots 1, 2 and 3).

Comment No. H28:

Is this a plan to conserve some of the trees that are on the property itself? There is a tremendously wooded parcel...My concern is more around the fact that the trees, I don't want to look out my backyard and see nothing but a giant 56 acre prairie.

Response No. H28:

Approximately 5,400 existing trees at the subject site of eight inches in caliper or greater, and outside of the perimeter conservation areas have been located and are shown on the project plans. In addition, perimeter conservation areas (as described in Response to Comment H27) as well as a 7.35-acre passive park have been proposed, all of which will protect existing trees. Approximately 12 percent of the wooded area on the entire site is anticipated to be cleared.

Additionally, at the time of site plan approval for each individual lot, each dwelling and associated accessory structures will be subject to comprehensive review by the Village, which will serve to help preserve, wherever possible, existing significant trees.

It appears from the plans that construction of most of the road area would require tree removal, as well as the development of Parcels 1 through 5, 10 and 12 through 16 on the Cove Road portion of the property. Proposed Parcels 1 through 6 on Yellow Cote Road would require the removal of few, if any trees. Furthermore, as previously noted, the preferred alternative for the common driveway for Parcels 14-16 would result in the removal of only three trees.

**Mr. Weir
Public Hearing
November 3, 2005**

Comment No. H29:

I think Mr. Dioguardi had mentioned when he gave his presentation that there were certain no build areas that were being considered on certain parcels. And I know that this has been just briefly chattered about at previous meetings. But I didn't see any reference to that in any of the revised plans. I wondered.

Response No. H29:

Possible "no build" areas were originally considered by the applicant to protect steep slopes areas within the site that would not provide desirable building areas. The Village has now addressed this issue with revisions to its Code that restrict the use of steep (15 percent to 25 percent) and very steep (greater than 25 percent) slope areas. Additionally, the applicant has now proposed setting aside 7.35 acres as a passive park that includes a significant area of existing slopes that will be protected and undisturbed (see Appendix C of this FEIS).

Comment No. H30:

What I'm saying is I understand you're now saying or are we saying that what Mr. Dioguardi has said was wrong and that there is no no build zone?

Response No. H30:

See Response to Comment No. H29.

**Chairman Bralower
Public Hearing
November 3, 2005**

Comment No. H31:

Based on something that was said earlier this evening when we were talking about the gap and that is the reason that we now have an entrance on Yellow Cote since the Schwab portion was removed from the contract or the contract expired or was canceled or whatever happened.

One of the alternatives that I don't think we discussed up to now, there is a possibility of purchasing a portion of the Schwab property so as to have that link and thus eliminate the need for an entrance on Yellow Cote Road?...So there is no possibility or likelihood or effort to regain that connection?

Response No. H31:

The original proposal included a 2.8-acre segment of property owned by Mr. Herman Schwab. The Schwab segment was removed from this subdivision proposal in 2004 after, according to the applicant, its owner refused to renew the contract of sale for the property. As a result, the applicant redesigned the subdivision and laid out a new road for access from Yellow Cote Road. The applicant was also required to analyze, in the DEIS, the potential impacts associated with creating access from Yellow Cote Road, although this was not originally requested in the Final Scope for the proposed project, since the connection existed at that time.

The applicant understands that the Schwab property is currently for sale as a single unit, at an asking price of \$5 million. The applicant has advised the Planning Board that, given the cost it had to incur to redesign the subdivision to provide separate access from Yellow Cote Road and to study the impacts of that proposal in the DEIS, it does not consider such a price reasonable for the purpose for which the applicant would be purchasing the property. Therefore, it is the applicant's position that acquiring the Schwab segment is not a feasible alternative for it to pursue.

The applicant has further indicated to the Planning Board that the portion of the Schwab property that connects the segments at issue in this application is steeply sloping and contains numerous trees. It is the applicant's position that development of that portion for a road connection between the sections is inconsistent with the spirit of the newly-enacted amendments to the Village's zoning, subdivision and environmental laws and regulations.

Comment No. H32:

Well we do discuss all alternatives. It seems that would be one alternative to eliminate one of the problems. I just wanted to raise the question.

Response No. H32:

See the Response to Comment No. H31. Further, the applicant understands that its obligation to consider alternatives extends to feasible alternatives, and that an alternative on a site it neither owns nor controls is not feasible for it to implement.

**Mrs. Littman
Public Hearing
November 3, 2005**

Comment No. H33:

Is the only approach to the property existing [sic] going to be on Cove Road?

Response No. H33:

The proposed subdivision contains two access points -- one on Oyster Bay Cove Road to serve 16 lots, and one on Yellow Cote Road to serve six lots, if the 16 acres on Yellow Cote Road are not acquired by Nassau County.

**Chairman Bralower
Mr. Antonelli
Public Hearing
December 1, 2005**

Comment No. H34:

The other thing that I wanted to understand that came from the last meeting, I forgot who brought it up, it might have been the Friends of the Bay, the person who spoke from the audience, there was a discussion of the Cold Spring Harbor labs and the work that they're doing there. (Chairman Bralower)

It has to do with how they're handling the erosion control and runoff. Most of it is not any different than what you would find anywhere else. They're using hay bales and silt fence. They're doing it in what I think is a rather good and unique method. And, you know, they're rather fastidious about how they do it. And they want to make sure that they don't have problems. So they're working on steep slopes. They have a lot of land disturbed at one time.

And what they are doing is they are actually, within that disturbed area, rather than just go around the perimeter of the site and put up a silt fence or hay bales and have water flow from thousands of steep slopes and pick up velocity and so on which won't work, they have taken these features and moved them into the disturbed area.

They have terraced between them to cut down runoff velocities. And they have used them in a number of parallel systems. So that you may have six of them rather than just one set of hay bales and silt fence. They are used both together and have six in a row.

So really sediment is not getting through. The only thing that I saw that they are using that's a little more unique is they are taking storm water sediment, laden storm water from the construction site and putting them into four bays which are small settling basins prior to any discharge into any type of a water course channel or ponds. They do have some ponds over there that are made for storm water detention.

So they have been really good about that. And I know the erosion control plan that I had reviewed there also had some rather unique ways of handling planting and restoration for some of the disturbed areas.

The application that we have, I know that we didn't require a detailed erosion control plan for the SEQRA process. But we do have a conceptual plan. There is a lot of discussion about mitigation of these things. And at least in concept they are talking about those same type of things, hay bale, silt fence, a number of things that can be used.

And I think that once we get a plan that, you know, is before the Board and part of the subdivision plan that we can review, I think that we can talk about very similar types of things. And it's really not too terribly expensive. (Mr. Antonelli)

Response No. H34:

Pages 43 through 45 and Pages 190 through 192 of the DEIS discuss proposed erosion and sedimentation control measures that would be implemented as part of the construction of the proposed subdivision, in order to mitigate impacts during the construction period.

According to the DEIS:

“The following *general guidelines* would be observed:

- Remaining groundcover would be protected and would remain in their existing natural (either wooded or meadow) state;
- Grading would be carefully scheduled to minimize the size of exposed areas and the length of time that areas are exposed;
- The length and steepness of cleared slopes would be minimized to reduce runoff velocities of stormwater;
- Runoff would be diverted away from cleared slopes; and
- Sediment would be trapped on the site.

According to the project engineer, areas to remain undisturbed would be delineated on individual lot site plans and “public” improvement construction detail plans. Areas to be protected would be “fenced” prior to construction (snow fencing or PVC), and where undisturbed areas are downslope, silt fencing and/or haybales would be used to “fence” the protected areas in order to deter down-slope migration of materials.

Specific methods and materials employed in the installation and maintenance of erosion control measures would conform to the *New York Guidelines for Urban Erosion and Sediment Control*. Temporary material stockpiles will be placed throughout the site. Stockpiled material would not be placed where it can be in conflict with the deed-restricted areas. Stabilized slopes would be stabilized through the use of an erosion control blanket. Two construction entrances (along both Yellow Cote Road and Oyster bay Cove Road) would be maintained to prevent soil and loose debris from being tracked onto local roads. The construction entrances would be maintained until the site is permanently stabilized. Graded and stripped areas and stockpiles would be kept stabilized through the use of temporary seeding, as required. Seed mixtures to be used would be in accordance with Soil Conservation Service recommendations.

Sediment barriers (including silt fences, haybales or the approved equivalent) would be installed prior to any grading work along the limits of disturbance and would be maintained for the duration of the work. No sediment from the subject site would be permitted to wash onto adjacent properties. Furthermore, drainage inlets installed as part of the subdivision would be protected from sediment build-up through the use of sediment barriers, sediment traps, etc., as required.

Appropriate means, such as wetting down of soils, would be used to control the creation of fugitive dust during the demolition and construction period. Stockpiles of fill material to remain on site and well as stockpiles of other materials will be covered with tarpaulins or the equivalent when not being used.

Finally, proper maintenance of erosion control measures would be performed as indicated by periodic inspection and after heavy or prolonged storms. Maintenance measures include, but are not limited to, cleaning of sediment basins or traps, cleaning or repair of sediment barriers, cleaning or repair of berms and diversion and cleaning and repair of inlet protection.”

Furthermore, the proposed stormwater retention system proposes a series of DRAs that prevents surface water flow from lot-to-lot. Prior to construction at the site a SWPPP will have to be prepared and submitted to the NYSDEC for review and approval. This plan will detail the provisions for erosion and sedimentation control and will include provision for swale areas mentioned by the Village Engineer, Mr. Antonelli, in order to mitigate surface disturbance.

**Mr. Greenfield
Public Hearing
December 1, 2005**

Comment No. H35:

I don't know what impact this [the new laws] will have on the application that's before us. And I don't know whether or not that will give rise to non-conformities, to need for variances to change any plans. And what the impact of any of those may or may not be on the DEIS.

Now I believe that the Village Building Inspector has not yet finished a review of this application relative to the new laws. But I am concerned that we're at a rather unusual confluence of events tonight since we are here continuing the preliminary hearing, the SEQRA hearing, and we have in the background these new laws lurking.

Response No. H35:

The subdivision plan has been re-evaluated and redesigned to conform with the newly-enacted amendments to the Village's zoning, subdivision, and environmental laws and regulations. The *Revised Preliminary Subdivision Map* (see Appendix C) shows the subdivision of the property into 22 lots, 16 on the Oyster Bay Cove Road segment and six lots on the Yellow Cote Road segment; this is a reduction of two lots on the eastern parcel of the subject property.

The Village Engineer has evaluated the slopes map prepared by the applicant using the categories set forth in the amended regulations, and this map has been incorporated into the *Revised Preliminary Subdivision Map* (see Appendix C). The Village Building Inspector and Engineer have evaluated the revised subdivision proposal and have confirmed that each lot shown on the *Revised Preliminary Subdivision Map* conforms to the Village's laws and regulations, as recently revised.

**Mr. Antonelli
Public Hearing
December 1, 2005**

Comment No. H36:

Could we ask the applicant to provide one additional slope map? The one that we have now [has] zero to ten, ten to twenty and twenty and above slope categor[ies]. I [would] like to see the fifteen and twenty-five [percent] lines [if you] could. I don't know if you have that in your computer, if we could get that rather quickly, that's what we're going to need to analyze this.

Response No. H36:

A Revised Preliminary Subdivision Map has been prepared illustrating the slopes divided into the following categories: 0-15 percent; 15-25 percent; and over 25 percent (see Appendix C of this FEIS). Also, see the Response to Comment No. H35.

John I. Bralower, Chairman
Incorporated Village of Oyster Bay Cove Planning Board
January 19, 2006

Comment No. C1:

Provide a plan that would retain environmental features identified in applicant's report, such as rare plant, large trees, butterflies and habitat for migratory birds.

Response No. C1:

A Revised Preliminary Subdivision Map has been prepared and is included in Appendix C of this FEIS. This plan shows a reduction in the number of lots from 24 to 22 (two fewer in the eastern parcel) and includes a 7.35-acre passive park, located in such a manner as to preserve steep slopes and wooded areas on the subject property.

As noted in the DEIS, some representatives of the single rare plant species that was found on the site, Little-leafed Tick-Trefoil (*Desmodium ciliare*), would be lost to development (within proposed Parcel 2 of the Yellow Cote Road portion of the subdivision). However, some specific examples would be saved due to their locations along the perimeter of the proposed lots, within the large side yard setbacks (specifically at the eastern edge of proposed Parcel 3 on the Yellow Cote Road side and in between Parcels 2 and 3 on this portion of the subdivision). It is also possible the species could establish itself at the perimeter of the proposed passive park, due to the creation of the new "edge," although none were observed on the Cove Road portion of the proposed subdivision. The rare Red-banded Hairstreak butterfly (*Calycopis cecrops*) was observed in one location on the Cove Road side of the property. This location is along the Route 25A conservation easement within proposed Parcel 8. This butterfly was also observed within proposed Parcel 2 on the Yellow Cote Road side of the proposed subdivision.

Based upon the proposed subdivision, the Red-banded Hairstreak butterfly will probably disappear from the Yellow Cote Road portion of the subdivision, although it is possible that a few individuals of its purported larval food plant, Dwarf Sumac (*Rhus copallinum*), would survive on the fringes of the proposed buffers (as in proposed Parcel 8) and on the edges of the proposed passive park, since a new “edge” habitat would be created. The one rare species that was said by NHP to possibly occur on the site, the Tiger Salamander (*Ambystoma tigrinum*), was sought using NYSDEC-established trapping methods and was persuasively demonstrated to be absent. NYSDEC subsequently removed the Tiger Salamander from the lists regarding this site.

See the Response to Comment No. H28 regarding the protection and conservation of trees on the site. The reduction in the number of lots from 24 to 22 and the establishment of the passive park will help ensure the preservation of a greater number of trees on the subject property. The retention of trees and other vegetation on the subject property will ensure that the associated wildlife (including migratory birds) will remain on or continue to use the site.

Comment No. C2:

[Provide] analysis of the historical significance of any existing residence.

Response No. C2:

The New York State Office of Parks, Recreation and Historic Preservation’s (“OPRHP”) printout of the National and State Registers of Historic Places, as well as the National Park Service website containing the National Register of Historic Places, were examined. There are no National or State Register properties located on or adjacent to the subject site. According to telephone communication with the Village Clerk’s office, there are no locally-designated historic properties within the Village of Oyster Bay Cove. Therefore, there are no buildings or structures of historical significance located on the subject property.

Correspondence was forwarded to the OPRHP advising of the proposed action and requesting a determination of archaeological and historical significance. In a response dated January 5, 2004, OPRHP recommended that a Phase 1 archaeological survey be conducted for the subject site. OPRHP did not raise potential issues regarding historic resources on the subject property.

As requested by the OPRHP, a Phase (Stage) IA and IB archaeological survey was conducted on the subject property by Greenhouse Consultants Inc. A copy of the complete text was included as Appendix U of the DEIS.

The Phase I survey found that it was not until 1906 that a house appears within the project area. On the Hyde Atlas of 1906, one can see two houses, one marked Mrs. Wilton Wood and the other under the name Samuel Carll. Residential development continued in the early years of the twentieth century, as seen on atlases and maps from the teens and twenties. By the time the Hyde Atlas of 1927 was created, R.C. Leffingwell, chairman of the board of J.P. Morgan & Co. and a political figure, was in the process of purchasing land in the project area for his country house. This estate, which he called "Redcote," encompassed the entire project area by 1939.

The fieldwork did not encounter any definitive architectural or archaeological remains. There were no features or clear concentrations of artifacts recovered during fieldwork, and historic maps of the project area show no structures that might relate to the recovered artifacts. Lack of clear evidence of historical occupation may be traced to the creation of the Leffingwell estate in the 1930s. This construction may have destroyed evidence of earlier structures. During fieldwork, the presence of cleared areas and evidence of earthmoving activities were noted throughout the project area.

Greenhouse Consultants, Inc. recommended that based upon the findings of the Phase 1A and 1B investigations, no further archaeological work is warranted at the subject property. The Phase I testing revealed little evidence of occupation and no evidence of identifiable sites within the subject property. Therefore, the proposed subdivision is not expected to adversely affect archaeological resources. As previously indicated, this archaeological survey has been submitted to the OPRHP for its review and comment. Correspondence dated November 12, 2004 from OPRHP indicated that “the OPRHP has no further archaeological concerns regarding the project.”

See the Response to Comment No. C3, below, and Appendix K regarding the potential historic significance of any existing residence.

Comment No. C3:

[Discuss] impact on the adjacent Pulling property, including historic buildings.

Response No. C3:

As noted in Response to Comment No. C2, the OPRHP printout of the National and State Registers of Historic Places, as well as the National Park Service website containing the National Register of Historic Places, were examined. There are no National or State Register properties located on or adjacent to the subject site. Furthermore, there are no locally-designated historic resources within the Village, and, upon direct consultation, OPRHP did not raise concerns regarding historic structures on or adjacent to the subject property. An analysis of the potential historic significance of existing structures on or abutting the subject property was performed by John M. Collins (see Curriculum Vitae in Appendix K). The group of five buildings on the subject property was inspected as to historical and architecture significance. In addition, the lots surrounding the proposed areas of the subdivision were researched at the Nassau County Land and Tax Records office.

The report concluded that based upon the history, architecture and physical condition of the farm/maintenance/housing complex situated at 151 Cove Road on the Pulling Estate, it is Mr. Collins professional opinion that none of the buildings or the group of buildings on the subject site are of significant enough interest to warrant their preservation. Furthermore, it was found that with four exceptions, all the surrounding structures were built in the 1960s and 1990s. The other four structures were originally constructed between circa 1850 and 1918. These structures are either situated a great distance from the proposed subdivision or are heavily screened. Therefore, the proposed subdivision would have no significant adverse impact on these existing structures. See Appendix K for a copy of the complete text.

Comment No. C4:

[What is the] impact on deer population and deer habitat in light of recent events involving the sightings of deer on the property?

Response No. C4:

As part of the preparation of the DEIS, a series of ecological investigations were performed on the subject property during the Winter, Spring, and Summer of 2004 (on nine separate days), during which there was no evidence (i.e., sightings, droppings, tracks) indicating that deer utilize the site. The ecological investigation report and associated ecological inventories can be found in Section 3.3 and Appendix R of the DEIS, respectively. Furthermore, additional research conducted by the applicant as part of the preparation of the FEIS revealed little, if any, data regarding the presence of deer in Nassau County.

As reported by *NEWSDAY* in 2006, research by the NYSDEC and Cornell Cooperative Extension (“CCE”)⁶ indicates that there are approximately 1,053,000 deer throughout the State of New York. This figure, when divided by the acreage of land in the State, indicates that there are approximately 0.03 deer per acre in the State. It should be noted that the factor of 0.03 deer per acre is likely an underestimate due to the inclusion of acreage that is not suitable deer habitat.

Using a very conservative approach with this analysis, the subject property has been assumed to have an average per acre population comparable to that found in New York State, which, for the reasons set forth above, is unrealistically high. Using the factor of 0.03 deer per acre, it would be expected that three deer could inhabit the 72.3-acre subject site. This figure is very conservative, especially given that no deer nor evidence of deer have been found on the subject site.

Accordingly, the development of the subject property would result in the potential displacement of relatively few deer, if any at all. Deer are highly mobile animals and those that could exist on the subject property would not necessarily be resident to the subject site. As such, any deer that could potentially be present on the site when development begins can easily relocate to undisturbed wooded areas to avoid significant impacts related to development of the site.

It should be noted that of the 72.3 acres on site, the proposed development would leave approximately 20 acres as open space in the form of a park preserve, drainage preserve and wooded buffer areas. Depending on the development of individual lots, additional open space would also be available. Thus, any potential deer presently on-site could relocate to remaining, undisturbed wooded areas on-site or other wooded areas in the vicinity. If the deer move off-site to adjacent wooded areas during development, their relocation may only be temporary, as open space would be available on the subject site when development is complete. Therefore, given the small number of deer, if any, that could exist on-site, the presence of wooded areas adjacent to the subject site, and open space proposed to remain on-site, the anticipated impact with respect to deer displacement is at worst, minimal, and, at best, non-existent.

⁶Bryn Nelson 2006. *Deer Details*. *NEWSDAY*. Web address: <http://www.newsday.com/other/special/naturalworld/ny-nw9deer3525952nov09.0.6473335.story?coll=ny-nw-nav-promo>

Comment No. C5:

Could the traffic impact of Yellow Cote be mitigated by acquiring the Schwab parcel, or a portion thereof?

Response No. C5:

Under the currently-proposed subdivision plan, there would be no significant adverse impact on Yellow Cote Road. As presented in the traffic analysis, the number of vehicle trips added to Yellow Cote Road is very low, and will not have an effect on level of service or traffic safety conditions at its intersection with Route 25A. In addition, according to Eschbacher Engineering, the distance between the intersection of Route 25A/Yellow Cote Road and the proposed subdivision road is adequate to create a safe stopping distance for cars turning onto Yellow Cote Road from Route 25A.

Comment No. C6:

How can the prolonged impact on neighbors, of at least five years of construction noise, dust, traffic etc. be mitigated – limiting work days, hours, etc.?

Response No. C6:

The applicant will adhere to the prevailing regulations included in the Village Code regarding the permitted days and hours of construction. In addition, the applicant will adhere to the prevailing regulations regarding noise. Furthermore, Section 3.8 of the DEIS provides an analysis of potential construction impacts associated with the proposed development. Pages 232 - 238 of the DEIS include the following construction mitigation measures:

“During construction, certain guidelines would be observed that would assist in an efficient and orderly execution of the improvements. Typical, measures to be employed are as follows:

- Erosion and sediment control measures would be implemented prior to demolition and construction and maintained on a continuing basis during construction and upon permanent development;
- A stormwater drainage system would be installed and rendered functional as soon as possible;
- Grading and stabilization would be finalized and occur as soon as possible;
- Construction would be avoided in wet or frozen conditions; and
- Construction of the infrastructure system would be continuous, avoiding long lapses in time between components.

All work would be conducted in accordance with the *New York State Guidelines for Urban Erosion and Sediment Control Manual*, latest addition. BMPs for the control of erosion and sedimentation would be established, and specific erosion and sediment control measures proposed to be installed on the site include the following:

- Sediment barriers (silt fencing, hay bales or approved equivalent) would be installed as required along the limits of disturbance for the duration of the construction period. No sediment from the site would be permitted to wash onto adjacent roadways, properties or the existing wetland area. Individual lot improvements will be similarly treated to prevent sediment wash from lot to lot;
- Graded and stripped areas and stockpiles, while kept to a minimum, would be kept stabilized through the use of temporary seeding or salt hay as required. Seed mixtures would be in accordance with the National Resources Conservation Service recommendations;
- Drainage inlets would be protected from sediment buildup through the use of sediment barriers, sediment traps, etc., as required;
- Trees that are to remain in the immediate area of any proposed improvement would be protected by fencing that would be placed around the existing trees;
- Proper maintenance of erosion and sediment control measures would be ensured by periodic inspection after heavy or prolonged storm events. Maintenance measures include, but are not limited to, clearing of sediment basins or traps, cleaning or repair of sediment barriers, sediment traps, haybales, berms and diversions and inlet protection measures. Accumulated sediment from the above structures would also be removed, especially after storm events;
- Appropriate means would be used to control dust during construction. Highly-traveled areas and perimeter areas might require a sprayed-on adhesive consisting of an acrylic polymer or resin in water; and

- A stabilized construction entrance, the same access as the proposed roadways, would be maintained to prevent soil and loose debris from being tracked onto local roadways.

A schedule will be developed so that heavy construction vehicles will only travel to and from the subject property during certain times of the day, specifically before and after the peak hours for traffic on the area roadways. This would also reduce the number of trips per day, thereby reducing noise and other inconveniences associated with any construction on-site.

In addition, based upon an analysis of the anticipated construction operations by the developer and site engineers, it is anticipated that there would be approximately 16-20 heavy construction vehicles traveling to and from the site on a daily basis at the peak activity period. These vehicles, primarily large trucks, would have a maximum gross weight of 110,000 pounds (55 tons), and would comply with applicable regulations regarding travel routes and tonnage. It is noted that the weight limit on Yellow Cote Road is five tons. However, according to the Village Code, Section 260 ("Heavy Trucking"), there are provisions for obtaining a permit allowing heavier vehicles to operate on such streets. The developer will comply with the conditions set forth in section 260.02 of Code.

Generally, these vehicles would operate between 8:00 AM and 6:00 PM, Monday through Friday, in conformance with Village regulations. The trips generated by these vehicles, when distributed throughout the day, would not have a significant impact on traffic flow conditions during the peak hours. Although it is not possible to determine their specific travel routes at this time, it is likely that they would use Route 25A and Oyster Bay Cove Road as their primary road to access the area. While the frequency of construction vehicle trips during the build-out of the subdivision may be greater, at times, than that which currently occurs in the neighborhood on a day-to-day basis, the sizes and types of trucks are similar to the service trucks currently traveling on the public roads. Construction-related vehicle traffic can be restricted to the property frontage on Yellow Cote Road southerly to NYS Route 25A.

Construction vehicle trips are unavoidable, but short-term and temporary. If considered appropriate by the Village, a videotape survey can be made of the section of Yellow Cote Road used by construction vehicles before commencement of construction and this videotape can be reviewed and analyzed upon completion of work to assess any structural or other impact to the existing roadway.

Furthermore, in order to avoid possible conflicts between heavy construction vehicles and traffic associated with the drop-off and pick-up times as well as the Spring Fair and other events at the East Woods School, which is situated on Yellow Cote Road, the developer will establish a schedule of construction vehicle movement that addresses this issue. To accomplish this, the developer will meet with the Headmaster of the East Woods School at the beginning of each semester to determine the school's arrival and dismissal times as well as determine the dates and times of the Spring Fair and other major events, and to agree on a 30-minute period during which heavy construction vehicles will not be scheduled to enter or leave the site. Communication procedures will also be established so that any construction-related problems affecting the school can be reported to the developer in a timely manner.

It is expected that there would be noise associated with the construction of the infrastructure, as well as the individual homes of the site. Noise created during the construction process would be minimized by adhering to all regulations regarding noise set forth in the Incorporated Village of Oyster Bay Cove Code and by keeping all construction equipment outfitted with mufflers and in good repair...

Thus, with the distance to the nearest residence at approximately 200 feet, with the retention of the vegetated buffer and with maintenance of only the minimum required equipment on the site, noise from project construction would be minimized to the maximum extent practicable. Furthermore, this condition would create a short-term adverse impact but would be experienced for only a limited duration during day-time hours.

During the construction process, especially for the internal roadway and other infrastructure, there would be a temporary change in the visual resources of the area... However, the wide vegetated buffers maintained along the roadways would assist in screening a portion of the construction activity. The visual changes due to the construction process would be limited to the construction period, which is projected over a five-year period. However, it should be noted that the most intense construction period (that of the subdivision roads and associated infrastructure) is anticipated to last approximately 10 months. Individual house construction would occur after this intense period and would not involve more than a few houses at one time, since house construction would occur only after individual lots are sold.

In conclusion, the construction process would involve extensive grading due to the topography of the parcel. However, house construction will be typical of other developments in the area and the applicant does not anticipate a need to employ unusual construction techniques. In any event, a number of measures are proposed to be implemented as part of the project, including but not limited to the incorporation of Best Management Practices to control erosion and sedimentation, the coordination of construction vehicles entering or exiting the site with school-hour traffic, and the operation of construction equipment in accordance with the Village Code, such that the applicant believes it has mitigated potential temporary construction impacts to the maximum extent practicable.

Peter G. Schiff
November 2, 2005

Comment No. C7:

Please tell the Planning Board – that as a village resident, a former executor of an estate in this village that had to deal with a large amount of land, a former planning board member, and as a former trustee – I say...PLEASE move this process forward as quickly as possible... The Pullings have been patient for way too long and have diligently done everything that has been asked of them. They have very serious fiduciary/financial duties and obligations to deal with ... The Village has really given them the run around and it is time to be helpful to some of our finest long time residents and land owners and help them to achieve what needs to be done.

Response No. C7:

The comment is noted.

**Friends of the Bay
Kyle Rabin, Executive Director
November 3, 2005**

Comment No. C8:

The subject property clearly plays a significant role within the watershed that drains into the Harbor Complex, as well as a key function in protecting the quality of Long Island's drinking water supply. After all, the property lies in the headwaters area of one of Tiffany Creek's western tributaries, it has steep sloping terrain and it lies within one of nine, state-designated Special Groundwater Protection Areas, which are critical to the recharge of pure fresh drinking water for the current and future generations.

Response No. C8:

See the Response to Comment No. H9.

Comment No. C9:

Recently the Harbor Complex and the various threats it faces made it into the national spotlight. In October 2005, Defenders of Wildlife released a report titled *Refuges at Risk: America's Ten Most Endangered National Wildlife Refuges 2005*. Among the ten featured Refuges is the Oyster Bay National Wildlife Refuge, which represents approximately half the size of the Harbor Complex.

The *Refuges at Risk* report explains that the Oyster Bay Refuge has become threatened by polluted stormwater runoff; habitat destruction; non-sustainable development; and human sewage associated with failing sewer infrastructure, inadequate on-site septic systems, and boat discharge. (Of course, these human-induced impacts adversely effect the entire estuary.)

The proposed subdivision proposal will only add to these problems. It certainly won't improve the current situation. Redcote Farms, Ltd. simply cannot minimize the proposal's environmental impacts to the extent necessary to avoid being yet another 'cut' in this 'death by a thousand cuts' syndrome currently plaguing the Harbor Complex.

Response No. C9:

See the Response to Comment No. H10.

Comment No. C10:

The communities and municipalities that border the Harbor Complex are now confronted with an extremely important responsibility. That is, to protect and restore key properties, like that owned by Redcote Farms, Ltd., rather than permit more development.

Response No. C10:

See the Response to Comment No. H12.

Comment No. C11:

Certainly any development that has the strong potential to exacerbate the water quality problems, permanently alter the ecological community, and, in general, negatively impact the Harbor Complex, should be carefully scrutinized, if not completely averted. We anticipate the Planning Board's continued deliberate and informed consideration of this subdivision proposal, and all others before it.

Response No. C11:

See the Response to Comment No. H13.

Comment No. C12:

We understand and appreciate the fact that this property belongs to the Pulling family and that the family should be compensated fairly for its value. We would like to pose what we think would be a desirable alternative for the Pulling family to consider: The acquisition of the property to be financed through the Nassau County and Town of Oyster Bay environmental bond acts. As we understand, the property has already been nominated for acquisition and is under consideration.

We hope the Pulling family will seriously consider this alternative. As protected open space, the land making up the Pulling property would play a vital role in safeguarding the Oyster Bay/Cold Spring Harbor Estuary and the surrounding watershed, the federally-designated Oyster Bay National Wildlife Refuge, a state-designated Special Groundwater Protection Area, state-designated Significant Coastal Fish and Wildlife Habitat areas, and a state-recognized Regionally Important Natural Area.

Response No. C12:

See the Responses to Comment Nos. H14 and H15.

James J. Antonelli, P.E.
January 5, 2006

Comment No. C13:

The lot “net areas” must reflect the area of the lots that contain steep slopes. For example, according to my cursory calculations, proposed parcel 24 may have a net area of less than 2.0 acres. Additionally, it appears that proposed parcels 21 and 23 do not contain adequate contiguous buildable area in accordance with the newly adopted amendments to the Village Building Zone Ordinance Sections 2.0 and 4.0.

Response No. C13:

The *Revised Preliminary Subdivision Map* last, dated 1/27/06, has been revised to show that all lots now conform to current zoning (see Appendix C of this FEIS). Also, see Table 1 and Table 2 in Section I of this FEIS.

Comment No. C14:

The frontage shown for proposed parcel 20 is less than the required 90 feet along the street line for cul-de-sacs.

Response No. C14:

Lot 20 no longer exists. See the Response to Comment No. C13.

Comment No. C15:

The front yard setback for all proposed lots must be 100 feet in accordance with the newly adopted amendment to the Building Zone Ordinance. This would make proposed parcel 5 noncompliant with the new requirement for a continuous buildable area according to amendments to the Village Building Zone Ordinance Sections 2.0 and 4.0.

Response No. C15:

All proposed lots accommodate the required 100-foot front yard set back. Lot 5, as shown on *Preliminary Subdivision Map* presented in the DEIS, lacks 15,000 square feet of contiguous buildable area. This deficiency has been addressed on the *Revised Preliminary Subdivision Map*, last revised 1/27/06. A copy of this plan is included in Appendix C of this FEIS.

Comment No. C16:

The proposed entrance to the subdivision indicates a land disturbance that is approximately 120 feet wide and it includes a 20-foot wide center median. The applicant should consider modifications to the entrance to limit disturbance in order to preserve the bucolic character of the Village in this area.

Response No. C16:

The proposed entrance road has been revised to provide a right-of-way width of 50 feet and has been relocated to the north along Oyster Bay Cove Road, as shown on the *Revised Preliminary Subdivision Map*, last revised 1/27/06 (see Appendix C of this FEIS). The boulevard concept has been abandoned in order to reduce the extent of disturbance required to construct the road.

Comment No. C17:

The proposed road pavement width is 16 feet for all roads throughout the subdivision. I recommend a minimum road width of 18 feet for uncurbed roads per the American Association of State Highway and Transportation Officials (AASHTO) for low volume local roads. If roads would be curbed, AASHTO recommends a minimum 22-foot width. This allows emergency vehicle access for the purposes of public safety.

Response No. C17:

All proposed subdivision roads have been designed to be 18 feet in width. The applicant's engineer believes that this meets standards previously accepted in adjoining areas as well as standards set forth in "Residential Streets" jointly prepared the Urban Land Institute ("ULI"), National Association of Home Builders ("NAHB"), American Society of Civil Engineers ("ASCE") and the Institute of Transportation Engineers ("ITE") (see Appendix G).

Comment No. C18:

Portions of Redcote Lane (aka Redcote Lane North on the profile sheets) and Field Lane (Redcote Lane South) are designed at grades of 10%, which is in excess of the maximum allowable grade of 8%, per the Village Subdivision Regulations. The cul-de-sac at Redcote Lane requires an earthwork cut of 20 to 25 feet to limit the grade to 10%. This is within an area where the Planning Board expressed interest in saving trees. The Village regulations allow for exceedence of the 8% grade if warranted by extenuating circumstances. The applicant should consider a plan modification to address this issue.

Response No. C18:

A 10 percent grade meets Nassau County's and most accepted design criteria for residential roadways in subdivisions. Holding an eight percent maximum grade as noted in Sec. 411.01(a) of the 1960 edition of the Village's *Subdivision Rules & Regulations* will significantly increase the limits of disturbed area. A maximum 10 percent grade, will in the opinion of the project engineer, better facilitate surface drainage to outlets.

In order to minimize earthwork at the cul-de-sac at Redcote Lane, the applicant has proposed three alternatives using a shared (common) driveway (see Appendix D of this FEIS). Furthermore, as noted in Section I, correspondence from the applicant's counsel to the Chairman of the Planning Board states the applicant's belief that the use of common driveways would be permitted under Village regulations (see Appendix D).

Comment No. C19:

I am concerned regarding the sight distances on some of the roads at the crest of the proposed hills on Redcote Lane and Field Lane. I have calculated the K values for the vertical curves and found that they range from 8 to 18. According to AASHTO, a minimum K value of 20 is recommended for design speeds of 20 mph. I recommend that the applicant's engineer consider increasing the length of the vertical curves at critical locations.

Response No. C19:

Subdivision roadway speed limits will be posted at 15 mph and the vertical curvature of the proposed roads has been modified to make K values a minimum of 20.

Comment No. C20:

I have a safety concern regarding the length of total length of the "dead end" road system proposed. The length of Redcote Lane (approximately 1400 feet) is greater than the 900-foot standard provided in the Village Subdivision Regulations. The Village regulations have provisions for longer cul-de-sacs and there are other roads within the Village that are greater than 3,000 feet in length that access a similar number of homes (e.g., Coves Run and Woodland Drive). The applicant must obtain permission from the Planning Board to allow the longer cul-de-sac.

Response No. C20:

As noted on page 143 of the DEIS, many approved roadways in the Village exceed 900 feet in length. Possible mitigation could include intermediary turning areas, as shown on the map of Woodland Cove, just north of the subject property. However, the applicant believes that including such turning areas would necessitate additional disturbance, and, therefore, does not propose such mitigation. Exceeding the 900-foot length will not, in the opinion of the applicant, impact convenience to traffic or provide more effective police and fire protection.

Comment No. C21:

There is a 36-inch diameter stormwater pipe extending 100 feet into the property near the intersection of Yellow Cote Road and Route 25A. According to the information provided in the Drainage Calculations (in the application package) there is a 76-acre watershed that contributes runoff to this area of the site (passed under Route 25A through a culvert). There is a broad drainage swale parallel to Yellow Cote Road that passes through three future building envelopes on proposed parcel numbers 1 and 6. The proposed road profile of Yellow Cote Court does not indicate any provision for stormwater to pass across the roadway. No provisions to handle the off-site runoff have been indicated. During the pre-application stage of the project, I suggested a minimum 125-foot drainage easement along Yellow Cote Road to ensure that drainage would not be impeded. It should be noted that the existing buffer (required by the Village) along Yellow Cote Road for the Pulling West subdivision is 140 feet wide.

Response No. C21:

Drainage outflow from the 36-inch pipe at the southwest corner of the site is to be directed to DRAs on Lots 1 and 6 (on the Yellow Cote Road segment) as well as a catch basin - pipe system, which permits flow under the proposed subdivision road, as detailed on the *Street and Site Grading Plan*, dated July 21, 2004 (see Appendix E of the DEIS) and on the *Drainage Analysis* in Appendix E of this FEIS.

Comment No. C22:

According to Nassau County Department of Public Works records, the existing stormwater basin in the Tall Oaks subdivision is designed for 5-inches of runoff, with an overflow under NYS Route 25A onto the Pulling property. There is a 33.6-acre watershed located on the southeast corner of NYS Route 25A and Cove Road that drains toward Route 25A and the Pulling property. The applicant should provide an explanation of how the runoff from these areas would be handled.

Response No. C22:

Runoff from the 33.6-acre outside tributary area at the southeast portion of the project area is directed to the Tall Oaks recharge basin. Any overflow into the Redcote Farms site will be collected in the proposed positive pipe drainage system indicated on Sheet 1 of the *Street and Site Grading Plan*, dated July 21, 2004 (see Appendix E of the DEIS) and on the *Drainage Analysis* in Appendix E of this FEIS.

Comment No. C23:

I have a safety concern regarding the skewed nature of the existing intersection of Yellow Cote Road and Route 25A. As a general rule, square intersections are safer because they facilitate vehicle movements with fewer conflict points compared to skewed intersections. According to AASHTO, an intersection such as this should be not less than 60°. I have measured the angle of intersection on the Preliminary Plan provided by the applicant and found that it is approximately 50°. The intersection is therefore not designed to recommended standards. When the Final SEQRA Scope was adopted, the applicant did not propose access from Yellow Cote Road. I am concerned that adding as many as six new residents in the vicinity of this high traffic area of a State highway is a safety issue.

Response No. C23:

The intersection of Yellow Cote Road and Route 25A was analyzed by Eschbacher Engineering, P.C. in its Traffic Impact Study, which is included in Appendix D of the DEIS. Although the intersection is skewed (which is an existing condition that the applicant cannot change), there is no indication from the accident data that there is an existing pattern of accidents associated with the geometry of the intersection. In fact, the data show only five total accidents of various types over a three-year period. Furthermore, the very low volume of site-generated trips added as turning movements at this location (less than 0.3 percent of the existing traffic entering the intersection during either the AM or PM peak hours) will not result in any significant changes to the accident potential.

See Section I and Appendix F of this FEIS for an analysis of sight distance and safety concerns. Also, refer to Responses to Comment Nos. C5 and C19.

Comment No. C24:

Perimeter buffer areas are critical to ensure the preservation of the visual character of the area. The visual character of the Yellow Cote Road and Route 25A corridors is much different than that of Cove Road. The existing homes on Yellow Cote Road are generally located above the “ridge line,” on larger lots and set back from the road and thus are screened from view. The proposed homes on Yellow Cote Road would be “at grade” with Yellow Cote Road and highly visible through the sparse 50-foot buffer. Comment number 7 above addresses the setback issue on Yellow Cote Road. The homes on Route 25A in the area are also screened due to the hilly nature of the terrain. The applicant proposes a perimeter buffer of 200 feet along Route 25A near the Yellow Cote Road intersection in order to preserve an evergreen stand of mature trees. It should be noted that there are a few large evergreens in the vicinity of the Yellow Cote Road intersection that are located beyond the 200-foot buffer. If the buffer area were extended an additional 40 feet on proposed parcel 6, all off the evergreens shown on the tree survey would be preserved.

Response No. C24:

Locations of existing homes along Yellow Cote Road are indicated on a copy of a Nassau County Geographic Information System (“GIS”) map (see Appendix H). As indicated on the map, existing homes along the south and east sides of Yellow Cote Road vary from 10 to 160 feet from the existing pavement. Two proposed dwellings are proposed to be situated along the Yellow Cote Road frontage with a minimum set back of 115 feet from the pavement.

Buffer areas shown on the *Revised Preliminary Subdivision Map* were established to reflect the location of existing trees around the perimeter of the subject property (see Appendix C of this FEIS).

Also, as explained in Responses to Comment Nos. H12 and H15, Nassau County is considering the acquisition of the 16-acre property situated along Route 25A and Yellow Cote Road. If acquired by Nassau County, no additional homes would be constructed at that location.

Comment No. C25:

The proposed buffer along 25A in the Cove Road area is 75 feet. The Board should be aware that Village required a 125-foot perimeter buffer at the Tall Oaks subdivision on the south side of Route 25A.

Response No. C25:

The Tall Oaks at Oyster Bay Cove subdivision map provides for a 125-foot-wide “Woodland Preservation Easement” along the south side of Route 25A. For approximately 50 percent of the frontage opposite the proposed Redcote Farms subdivision, the “Woodland Preservation Easement” at The Tall Oaks at Oyster Bay is interrupted by a stormwater recharge basin. The proposed Redcote Farms conservation easement in this area (southeast) has been designed to protect existing trees along the north side of Route 25A. The other portion of the Route 25A frontage of the proposed Redcote Farms subdivision (located at the southwest corner of the property) is proposed to be 200 feet in width in order to protect the trees in this location.

Comment No. C26:

I suggest the use of conservation easements to ensure the preservation of resources such as the very steep slopes and perimeter buffers within the property.

Response No. C26:

The *Revised Preliminary Subdivision Map*, last revised January 27, 2006, includes “Conservation/Buffer Areas” proposed to be set aside to protect existing slope areas (see Appendix C of this FEIS).

Pat Collins
Electronic Mail
January 9, 2006

Comment No. C27:

At a recent planning board meeting the members were discussing the water that runs down Yellow Cote Road just south of the East Woods entrance, one reply was a problem closing the valve on the fire hydrant. My experience has proven that you can try and close all the fire hydrant valves in the world and you will not stop the underground springs that exist in the area. My family spent 60+ years maintaining the sides of Yellow Cote Road which included a trench between the picket fence and the blacktop. This trench was to allow the spring water to leach into the ground without flowing down the road. When the past administration made the decision to put in two dry wells and fill in the trench, a continuously fed ice skating rink was formed, providing the water table is high enough and the temperature is low enough, what a nice traffic hazard was formed. History will tell some of us that some things are better left alone, or if it's not broken don't fix it. That trench which my not have been the most eye appealing was definitely the most functional.

Response No. C27:

The applicant is not aware of any flooding condition along this portion of Yellow Cote Road. The area is beyond (north) of the proposed subdivision area. Improvement of the Redcote Farms subdivision, as proposed, including the proposed drainage infrastructure will not impact this area of Yellow Cote Road and may, in almost all storm events, reduce surface water flow to this area.

However, the Village Engineer investigated a specific surface water problem between the East Woods School driveway and the "Pulling West" driveway in 2003. The cause of excess water in the road was due to a partially-open hydrant that, according to the Jericho Water District, had apparently been used without the District's authorization.

A runoff problem that does occur periodically is due to a shallow silty clay layer (or “hardpan”) in the vicinity of Yellow Code Road. This is shown in the boring data provided on the proposed subdivision map, as well as documented excavations made when dry wells were installed near the entrance to East Woods School in the early 1980s. Water from a watershed that includes a large area south of Route 25A builds up on the clay layer and reaches the surface within a sloped portion of Yellow Cote Road. The Village is actively working on a road rehabilitation for Yellow Cote Road that includes a solution to drainage problems in the area.

Carlos A. Pareja, P.E.
Public Health Engineer
Division of Environmental Health
Nassau County Department of Health
January 20, 2006

Comment No. C28:

All land development in the Special Groundwater Protection Areas (SGPAs) of Nassau County must comply with the requirements of Article X of Nassau County Public Health Ordinance (NCPHO). This regulation limits the number of dwelling units to one per 40,000 square foot of net area for non-residential developments to no more than .00375 gallons per square foot, and prohibits all discharges of industrial wastewater, whether or not treated.

Response No. C28:

As explained on Page 79 of the DEIS,

“The applicant respectfully asserts that the proposed subdivision meets the requirements of Article X for the construction of individual sewerage systems, as follows:

- the individual lots would range from two acres to over four acres in size, thereby exceeding the 40,000-square-foot lot area requirement;
- the site is not located within an existing public sewer district; and
- according to the project engineer, the site subsoil and groundwater conditions are such that they would allow the proper functioning of individual sewer systems, based upon the site-specific test holes and the fact that the existing septic system on the site functions properly.”

Furthermore, the proposed project is for the development of single-family homes, not industrial uses.

Comment No. C29:

Engineering plans and specifications for the construction of new or modification of existing water mains which will serve the proposed development must be submitted, through the public water supplier, to the Department for review and approval.

Response No. C29:

The applicant will submit plans to the Jericho Water District, which is the public water supplier to the subject property. See the Response to Comment No. C30.

Comment No. C30:

Evidence must be provided to the Department indicating that all water mains constructed as part of the development will be deeded to the public water supplier, along with a dedicated easement as may be necessary, to assure proper operation, repair and maintenance.

Response No. C30:

Comment Nos. C29 through C32 deal with installation and construction details related to the water main supply for the project. The Jericho Water District has provided the applicant with a "letter of water availability," dated February 10, 2004 (see Appendix P of the DEIS). The Water District will prepare plans and specifications for the proposed water main system and will obtain approval from the NCDH prior to filing of the map or commencement of construction. The approved plans will address dead end water main, backflow prevention devices etc.

Comment No. C31:

Dead-end water mains shall not be proposed unless approved by the Department pursuant to conditions in Article VI of the NCPHO. All water mains should be connected to adjacent street mains or otherwise looped for improved water distribution.

Response No. C31:

See Response to Comment No. C30.

Comment No. C32:

The developer must comply with all water supply requirements for backflow prevention devices on water service lines.

Response No. C32:

See Response to Comment No. C30.

Comment No. C33:

Engineering plans and specifications for the construction of any new or modified public swimming pool must be submitted to the Department for review and approval.

Response No. C33:

The project is intended for construction of new single-family dwellings only. No public swimming pool is proposed as part of the application for approval.

Comment No. C34:

An application for approval or registration of a “Stationary Combustion Installation” must be submitted to the New York State Department of Environmental Conservation (NYSDEC) Region I Stony Brook Office for review, as required under article 19 of the New York State Environmental Conservation Law and the regulation promulgated thereunder 6NYCRR Part 201, for all combustion installations with a maximum heat input of 10 million BTU’s or greater burning fossil fuels.

Response No. C34:

This comment is not applicable to the proposed project. Existing and proposed combustion installations for heating systems are for single-family residential use and will not approach the threshold heat input that would require NYSDEC review.

Comment No. C35:

The installation, removal, or abandonment of all toxic and hazardous material storage tanks or areas containing fuel oil, waste oil and regulated petroleum or chemical products must be performed in accordance with the requirements of Article XI of the NCPHO and the Article XI NCPHO Regulations.

Response No. C35:

This comment deals with the installation or removal of proposed or existing fuel oil tanks. The only fuel oil believed to be at the site served one of the currently unoccupied dwellings. This tank was removed from the property in accordance with Article XI of the Nassau County Public Health Ordinance, and a NCDH Tank Abandonment/Removal Notification Form was prepared by East End Environmental Services (see Appendix I of this FEIS).

There are no existing tanks containing regulated petroleum or chemical products at the site. Any installation of new fuel oil tanks will be done in accordance with Article XI of the Nassau County Public Health Ordinance.

Comment No. C36:

Any hazardous materials encountered at the site must be removed by an industrial waste transporter registered with the NYSDEC and be taken to an approved hazardous waste disposal facility. The NYSDEC and the NCDH must be notified upon discovery of any hazardous substance in order to determine if further investigation is necessary.

Response No. C36:

The Phase I Environmental Site Assessment (hereinafter “ESA”) conducted by Anson Environmental, Ltd. and dated March 13, 2006, did not identify any hazardous materials on the subject property (see Appendix I of this FEIS). However, the ESA did conclude the following:

- Due to the age of the building, suspect asbestos containing building materials (“ACBM”) including roofing materials and a minor quantity of pipe insulation were observed. Prior to demolition the suspect ACBM should be sampled to determine if it contains asbestos; and
- Due to the age of the buildings, lead-based paint was likely used in the building construction.

Moreover, if undocumented hazardous materials were to be found on the site during construction, they would be removed by an approved industrial waste transporter registered with the NYSDEC and be taken to an approved hazardous waste disposal facility. The NYSDEC and the NCDH would be notified upon discovery of any hazardous substance in order to determine if further investigation is necessary. The protocol for the removal of ACBM is described in the Response to Comment C44, below.

Comment No. C37:

A Phase I Environmental Site Assessment (ESA) must be submitted to the Department for review prior to the approval of all realty subdivisions and other residential or property redevelopment projects. A Phase II and Phase III ESA must also be submitted to the Department if completed.

Response No. C37:

A Phase I Environmental Site Assessment (“ESA”) was prepared by Anson Environmental and dated March 13, 2006 (see Appendix I of this FEIS). The Phase I ESA will be forwarded to the NCDH for review.

Comment No. C38:

The following information must also be submitted to the Department as part of, or in addition to, the ESA:

- a) Information that describes the past use of the property including a site map, which shows the present and former locations of buildings, and subsurface structures including underground storage tanks, drywells, leaching pools, cesspools and any floor drains connected to these structures.
- b) The results of approved laboratory testing of soil and groundwater on the site below all drywells, leaching pools or cesspools which have received discharges of sanitary waste, waste water, interior drainage, petroleum products or toxic or hazardous waste.
- c) A map and a listing of the names and the addresses of all properties within 250 feet of the proposed development.

Response No. C38:

A site map indicating the features referenced above, if applicable, is included in the Phase I ESA (see Appendix I of this FEIS), which will be forwarded to the NCDH. Furthermore, as no evidence of soil or groundwater contamination was encountered, no additional testing was recommended. Finally, see Appendix J of this FEIS for a radius map and listing of property owners.

Comment No. C39:

Drywells, leaching pools or cesspools must be closed or permitted for use in accordance with all applicable federal, state or local regulations. The agencies regulate subsurface contaminant discharges include the USEPA, which administers the Underground Injection Control (UIC) program, the NYSDEC, which administers the State SPDES permitting program and the NCDH, which assists both agencies in the implementation of select program requirements.

Response No. C39:

Prior to demolition and during construction on the subject property, the applicant will comply with the requirements of the NCDH regarding the closure and/or installation of drywells, leaching pools and cesspools.

Comment No. C40:

The NYSDEC Region I Stony Brook Office must be contacted in order to obtain and then submit a record to the Department of the location of all petroleum and chemical spills and Inactive Hazardous Waste Sites within 0.25 miles of this site, and the status of the investigation or remediation of the contamination at these locations.

Response No. C40:

The Phase I ESA (see Appendix I of this FEIS) indicated that of the 14 sites located within one-half mile of the subject property that appear on the Leaking Storage Tanks (“LTANKS”) list, only one, which is located approximately 1,432 feet from the site (over one-quarter mile) remained open. This spill was opened in 1998 with a reported tank test failure of a 550-gallon underground tank. According to the Phase I ESA, it is highly unlikely that the spill on a residential property located over one-quarter mile to the southeast would affect the subject property. There is no indication in the NYSDEC record that there was soil or groundwater contamination from this spill, as the depth to groundwater is estimated approximately 70-75 feet below grade surface. The subject property is located cross-gradient to this property and would not be affected by groundwater contamination, if present.

In addition, no Inactive Hazardous Waste Sites were identified in the Phase I ESA (see Appendix I of this FEIS).

Comment No. C41:

All properties being considered for residential development should be surveyed for potential contamination sources (i.e. gas station, automotive repair shops, dry cleaners, manufacturing facilities, etc.) at the site and adjacent to or surrounding the property. If any sources of potential contamination are suspected in the proximity to the site, the property should be further investigated to determine the impact of this contamination in the soil, groundwater and soil gas beneath the site.

Response No. C41:

The subject property (residential and undeveloped) and surrounding area (residential and undeveloped) have been inspected, and no potential contamination sources have been identified. See the Phase I ESA included in Appendix I of this FEIS.

Comment No. C42:

The Department will require the removal of all contamination sources on the site and may require the completion of testing to determine if any organic or inorganic chemical contaminants are present in the soil or groundwater at the site. This includes soil vapor testing to determine if there is potential for contamination of indoor air by volatile organic chemicals. The Department may also request the installation of a soil gas ventilation system to protect indoor air quality in any proposed new or modified site buildings.

Response No. C42:

See the Response to Comment C41.

Comment No. C43:

A rodent survey and demolition permit must be obtained from the Department's Office of Community Sanitation prior to any demolition at the site.

Response No. C43:

As noted on Page 15 of the DEIS, a rodent-free certification would be obtained from the NCDH and the proposed demolition would be conducted in accordance with the relevant, prevailing regulations.

Comment No. C44:

A New York State Department of Labor (NYSDOL) licensed inspector must survey any existing buildings or structures for the presence of Asbestos Containing Building Material (ACBM) prior to demolition. If ACBM's are identified, they must be handled in accordance with NYSDOL and USEPA regulations.

Response No. C44:

As noted in the Phase I ESA (see Appendix I of this FEIS), ACBM is suspected in several buildings situated on the subject property that are proposed to be demolished.

A New York State Department of Labor (“NYSDOL”) licensed inspector will survey any existing buildings or structures for the presence of ACBM prior to demolition. If ACBM is identified, they will be handled in accordance with NYSDOL and United States Environmental Protection Agency (“USEPA”) regulations. Moreover, workers will have Occupational Safety and Health Administration (“OSHA”) training, and personal air sampling (breathing zone) is required. All suspect ACBM will be transported to and disposed of at an appropriately-licensed facility.

Appendix A

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PLANNING BOARD
INC. VILLAGE OF OYSTER BAY COVE

8:15 P.M.
November 3, 2005

East Woods School
Yellow Cote Road
Oyster Bay Cove, New York

A P P E A R A N C E S:

- JOHN BRALOWER, Chairman
- RICHARD WEIR
- SCOTT GREENFIELD
- ANDREW RAFUSE
- JAMES ECKEL
- DAVID TOWNSEND
- MAX GEDDIS
- A. THOMAS LEVIN, ESQ., Attorney
- BY: BRIAN STOLAR, ESQ.
- JAMES J. ANTONELLI, Engineer
- DONNA HARRIS, Village Clerk

JAMES F. GILL, C.S.R., R.P.R.
Official Court Reporter

INC. VILLAGE OF
OYSTER BAY COVE
2005 NOV 16 P 2:06

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THE CHAIRMAN: Good evening, everybody.
My name is John Bralower. I'm Chairman of
the Oyster Bay Cove Planning Board.

(Discussion off the record.)

THE CHAIRMAN: The first part of this
will be unfortunately boring. We have to get
to where we are tonight. Give you an
overview of where we are and why we're here.

We published the legal notice. We
mailed it to all of your homes, posted it in
the Village Hall.

And tonight we're holding a public
hearing on the application of Redcote Farm
for the preliminary approval of the 75.2
acres of the Pulling property into 24 single
family lots.

The hearing is also including a public
hearing on the draft of the Environmental
Impact Statement which we also refer to as
the DEIS.

It's a document that was prepared by the
applicant and it contains, among other
things, a description of the project and the
valuation of its potential significant

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adverse environmental impact and is indicated in the legal notice that DEIS has been available and is available for public review at the Village Hall in the Oyster Bay-East Norwich Public Library.

So let me just summarize how we got to where we are up to now. The applicant submitted its application in February of 2003, made some revisions in early March of 2003.

We placed this matter on our March 11, 2003 agenda for the Board to consider whether the application was complete and to hear comments from the public regarding the environmental impact of the proposed subdivision.

In accordance with the state law known as State Environmental Quality Review Act which is also known as SEQRA, we are required to assess the environmental impact of the proposed subdivision which is one of the points that I want to make clear.

This whole process is sort of carefully structured under our obligations outlined by

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the New York State law, Village rules and regulations. And we adhere to that approach.

And sometimes it's time consuming but we have certain obligations that we have to meet. Obviously the property is important to the applicant.

It's important to the village since it's large developed parcels in the village. And so we've been very mindful of making sure that everything is done in a well fought out property structured way.

After those proceedings that I mentioned, we had a March 11, 2003 meeting and determined that the application was complete.

And then we determined that we, the Board, intended to become the lead agency with respect to the environmental review of the project.

A lead agency coordinates the environmental review for a project of this type of is required to determine the environmental significance of the application.

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We provided notice of our intention to other agencies that are required to be notified. None of those agencies objected to our intention of serving as lead agency.

Having received no objections, on April 28, 2003 we determined that we would serve as the lead agency.

In that capacity and based on information contained in the application and the comments made by the public and the Village's consultants, we concluded that the proposed subdivision may have a significant environmental impact for numerous reasons including impact on traffic, community services, steep slopes, wetlands and construction related impact.

That doesn't mean that we reached a conclusion as to what those impacts will be or whether they are negative or positive or whether they be substantially negative. But it meant that those are all subjects that we felt had to be reviewed.

As a result of the determination, we required a Draft Environmental Impact

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Statement to assist the applicant in identifying the issues that would be addressed in the Draft Environmental Impact Statement.

We required a procedure called Scobek to take place. Scobek is a process by which the issues to be addressed in the Draft Environmental Impact Statement are identified to make sure that the issues considered are narrowed and the DEIS will be an accurate and complete document that is adequate for public review.

The applicant was notified that it should submit a draft Scobek to the Board. In November 2003 the applicant submitted a draft Scobek.

Under SEQRA the public was given an opportunity to participate in the impact in the Scobeking document. And we had that public hearing on December 3, 2004.

We received the public comment on the draft Scobek and in accordance with SEQRA we had a special meeting on February 23, 2004 and we adopted the final Scobek.

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In April of this year the applicant submitted the Draft Environmental Impact Statement. We along with our consultant reviewed the document, determined at our last meeting that the document was not adequate for public review in certain respects.

We notified the applicant in writing of the matters that were required to be addressed. And we submitted a revised DEIS or the applicant submitted a revised DEIS in June.

At our July meeting, after considering the recommendations of our consultant, we determined that some portions were still not adequate for public review.

Applicant submitted a second revised DEIS. And we determined that some portions of the DEIS still had to be clarified.

The applicant submitted a third Draft Environmental Impact Statement. And at our September meeting we determined that it was adequate and complete for public review.

At the September meeting we scheduled a public hearing on the Draft Environmental

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Impact Statement and the preliminary subdivision. And that's the meeting that we're attending tonight.

Because the hearings involved both the DEIS and the proposed subdivision, we'll be receiving comments from the public on both of those things, both on the Draft Environmental Impact Statement and the proposed subdivision.

Those can be done separately but we thought in the interests of keeping things moving we would do them simultaneously.

In reviewing the subdivision map, the Board is required to consider whether the proposed subdivision map is of sufficient character that it can be used without danger of fire or flood or menace to neighboring properties or the public health, safety and welfare. Thus we request that your comments regarding this subdivision address these issues.

With regard to the DEIS, the purpose is to hear the public statements on the DEIS and the applicant's position with regard to

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various issues discussed in the DEIS.

This is an appropriate opportunity to ask questions of the applicant concerning DEIS issues. Although the applicant is not expected to provide answers to questions at this meeting. They can but they are not obligated to.

When the public and the Board have moved all the questions and have made all the comments with respect to the DEIS, the DEIS hearing will be closed. Which because of the moratorium that we're under, that will be continued to a further meeting.

When the hearing is closed, the comment period of ten days begins during which time the public may submit additional comments in writing.

After the comment period is concluded, the applicant will be required to prepare a final Environmental Impact Statement which contains the Draft Environmental Impact Statement, all comments related to it and the Board's responsibilities. Thereafter the Board will make a determination on the

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application.

Since this is a public hearing, everyone who is here will have an opportunity to comment on this subdivision and Draft Environmental Impact Statement. We have a reporter here so there will be a public record.

The first thing that we're going to do is, the next step is to hear a presentation by the applicant in which the applicant will have an opportunity to explain the proposed subdivision in detail that it deems necessary to present the application.

After the applicant makes its presentation, the members of the Board will have an opportunity to ask questions of the applicant and its representatives.

After that is done, the Board will hear comments from the public. To facilitate this, we have a sign in sheet. Where is the sign in sheet?

MR. STOLAR: The Village Clerk has the sign in sheet, Mrs. Harris standing in the back.

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THE CHAIRMAN: It's over there. Anyone who wants to speak should sign this sheet. And just sign your name. We're going to try to limit the comments from the public to a few minutes.

Your comments will focus on any concerns or comments that you have with respect to the DEIS, the environmental impact contained in the DEIS and the details of the proposed layout.

Please identify yourself when you speak and give your address. Only one person will be able to speak at a time. We want to keep this orderly.

Thanks in advance for your cooperation. And we will not be closing this tonight.

Again I apologize for that long review but I think it's useful to understand what goes into this process and why we take the approach that we do, although it's somewhat time consuming.

For those of you that have looked at the documents that went to the Village Hall, there is a lot to them. It does require a

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lot of review.

So I am now going to turn this over to the applicant to make their presentation.

MRS. TORTORELLA: For the record, Geraldine Tortorella of Hocherman, Tortorella and Wekstein, attorneys for the applicant Redcote Farm Ltd.

As the Chairman indicated, this is an application for a 24 lot subdivision. And he referred to the fact that the application was formerly filed in 2003.

There is considerable history that predated that. That has been the subject of the relevant application since 1990.

And the reason that's relevant is because the plan that you see up on the Board has been the result of negotiations and discussions with the Village Planning Board and its consultants since 1990.

Originally there had been a proposal to subdivide about 116 acres of the Pulling property into 45 lots on an average density or conservation subdivision basis.

And that was reviewed for four years

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after which preliminary approval of that was granted.

However, before the final application for approval had been acted upon, the Village Board had retracted from the Planning Board the authority to review the cluster subdivision. And that basically negated the Village proceeding with that application.

Our client became contract vendee of the property in 2000. And in 2001 they started a pre-application review process with the Planning Board and its consultants to examine the 75 acres that was originally part of the application.

And that expanded over a period of about 20 months during which we had received comments and identified concerns of the Board and its consultants.

We had done a number of studies in connection with the development of the property. And after that 20-month period our client submitted the subdivision application that is essentially as the same as you see before you with small modifications.

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It reduced the original proposal of 30 lots that it had come in with in 2001 to 24 lots in response to questions and concerns and issues that had been identified.

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And it also enhanced the buffers that Mr. Dioguardi will speak about shortly along public streets, other modifications to the road design.

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There was increased open space and common space and other concerns had been incorporated into the design in an effort to answer those concerns.

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Following the submission we have done a very thorough analysis of the potential impact. We're here tonight to hear your comments.

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It's customary for the stenographer to record all of the comments including the ones that I agree with the previous speakers' questions and concerns.

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And those comments and concerns will be reflected and responded to in a final Environmental Impact Statement that will be prepared and that will be circulated and

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reviewed and you'll have an opportunity to respond and comment on that as well.

Customarily when we talk about various specific impact issues in the context of the Draft Environmental Impact Statement here, we are not accustomed and don't normally respond to those kinds of questions in detail this evening since they often require very long and expanded discussion.

But we are certainly happy to clarify any points that you may have or want clarified about the subdivision and its layout.

With that I would ask our surveyor Jeff Dioguardi to describe the layout and the configuration to you at this time.

MR. DIOGUARDI: Jeff Dioguardi.
Mr. Chairman, if it's acceptable to you, I'd like to move around a little bit rather than staying at the dais.

THE CHAIRMAN: Fine.

MR. DIOGUARDI: Thank you. Good evening, Mr. Chairman, members of the Board and the audience. As Mrs. Tortorella has

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indicated, my name is Jeff Dioguardi. I have an office in Bayville at 110 Bayville Avenue in Bayville. And I am the applicant's engineer and land surveyor.

It's been mentioned that the site consists of 27.3 acres, 16 acres of which are on the Yellow Cote Road side and 56.3 acres were on the Oyster Bay Cove Road side or Cove Road side of the project.

The property is located in the Village's A1-2 acre zone district. And I believe for record purposes it would be good to note that the preliminary plan and I believe it has the same date as appears on the dais, it's dated October 4, 2004.

Mrs. Tortorella briefly mentioned that if a typical developer's approach were applied to this particular site, it is our belief that you could develop or you could propose 32 acre lots that would conform in all respects with the Village's zoning ordinance.

And as I had hoped to address a little bit later in the presentation, that 32 acre

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theoretical yield has been reduced to 24 lots on the current visitation.

The proposed access to the site is one access from Yellow Cote Road and one from Cove Road. And again those access sites, particularly the site with respect to the Cove Road site, has been the product of much input both from the Board, from the applicant and studied by various traffic experts.

It should be understood that notwithstanding the fact that there is considerable frontage on Yellow Cote Road and Cove Road, there will be no direct access or no direct access is proposed to either road.

That is, all the access to the project will be internal on the two proposed roads that are indicated.

One of the initial studies that were made with respect to this site and it relates also to the access question was a tree study.

And there were 5,400 trees of eight inch caliber or larger that were located within the site.

And what that led to was a development

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of a concept that would provide conservation description around the existing perimeter of the site.

Those of you who are familiar and I think most everyone who is here this evening is aware that the site is rigged literally by a tree barrier both on Yellow Cote Road and Route 25A, Northern Boulevard, North Hempstead Turnpike and Oyster Bay Cove Road.

Again through the course of the development of the presentation of the particular plan, it has been proposed by the applicant that conservation description be provided along that perimeter 50 feet in width along Yellow Cote Road, 200 feet of a portion, the westerly portion of the site along Northern Boulevard, 50 feet along the entire length of Oyster Bay Cove Road and 75 feet along the easterly portion of Northern Boulevard.

The site topographically is split by a ridge that goes between the 56 acre site and the 16 acre site on the west.

On the Yellow Cote Road side of the

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site, the slope of the property is towards Yellow Cote Road from east to west on the easterly side of the site.

The slope is from, it reverses and it goes from west to east towards Cove Road.

With respect to the specifics of the topography of the site, 59 percent of the site has slopes of 10 percent or less. And 28 percent of the site has slopes of 10 to 20 percent. And 13 percent of the site has slopes in excess of 20 percent.

On the numerical or quantitative basis, that's 42.7 acres, 19.9 acres of 10 to 20 percent and 9.7 in excess of 20 percent.

The two roads that I had mentioned would provide access and frontage to the proposed lots. The proposed roadway from Yellow Cote Road would be just under 600 feet in length.

And the somewhat T shape road access from Oyster Bay Cove Road would be approximately 2,500 feet in total length.

And again that would provide for all interior access to the proposed lots. And it is proposed that the roads be maintained by a

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homeowners' association so that all the maintenance, snowplowing, et cetera, would be done effectively by the residents who would occupy the proposed new dwelling.

With respect to the lot configuration, the 24 lots as presented on the preliminary plan average on an average basis two and-a-half acres in size and an acre larger than what is mandated under the current zoning.

And again we would submit that all the lots as presented meet or exceed the current zoning requirements in terms of providing a reasonable buildable area within the site.

We have also taken a look at the topographic conditions that I previously mentioned and have averaged out and varied the size of the lots with respect to subdivision so that we have a cross section of lots that vary from two acres minimum to as large as 4.4 acres.

In addition to that, we have also proposed to the Village that they can be within some of the sites that are more steeply sloped that we have what we would

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call a no build area.

That is further protection of the steep slope area, the more steeply sloped areas that there would be areas that would be set aside again and would be prevented from improvement to protect and stabilize the existing ground cover. A very thorough analysis that has been made of the site with respect to the proposed drainage.

Many of you are very familiar that the requirements not only are a local basis but as mandated by the federal government in terms of storm water protection and sedimentation control have been greatly enhanced over the last several years.

The analysis that we have made of the site indicates that we will be able to meet all of those standards. We have detailed that information on a drainage and grading plan which is part of the submission this evening.

A notice of intent will also be required indicating what the specific storm water pollution and protection plan will be for the

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site when and if it approaches the construction phase.

Just in terms of numbers, the plan that is presently before you reflects what we call an eight inch volumetric storm water design.

That probably equates to in terms of what they call a storm water event, something in the magnitude of a 40 or 50 year storm water event.

That does not mean but it actually does indicate that there will be facilities provided so that eight inches of storm water within a 24 hour period would be retained on site.

And the design further goes into a basin wherein that eight inches of storm water, should it ever occur, would percolate down into the ground water system below the site within a 24 to 48 hour period.

The specifics of the retention is a series of small depressions or retention areas that we have indicated throughout the site that would collect the storm water as it comes across from the surface flow. It would

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retain it.

It would have within it dry wells that would permit percolation into the existing permeable sand and gravel that lies below the site.

And then it would lead to what we feel is slightly unique on this particular site, a six acre what we call preserve at the northeasterly corner of the site, the lowest portion of the easterly part of the site which would be a combination of a preserve or conservation area as well as a drainage reserve area that would collect the water and again permit percolation into the underlying permeable soil.

So we've done an extensive amount of soil testing within the site, 13 what we call test holes to date.

Those test holes have indicated that acceptable or permeable drainage soil is available at depths relevant to the existing grade of between three and-a-half feet to 29 feet.

The same type of testing would also

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apply to the proposed on site sanitary sewage

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disposal system which is a conventional

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septic tank, leaching pool system found

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through most of the northern portion of

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Nassau County.

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That system which is designed or will be

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designed and approved by the Nassau County

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Department of Health would rely on the soil

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testing that we have done to date.

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And I would certainly represent that the

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soil tests today indicate that that type of

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system is feasible, doable and most

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importantly acceptable to the Nassau County

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Department of Health.

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Water would be supplied by the Jericho

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Water District. We have received what they

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call a letter of water availability from the

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water district.

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They have indicated in 2004 that they

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have the facilities and services to provide

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the services to site to accommodate the

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proposed 24 dwelling sites.

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I believe at this point and time,

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Mr. Chairman, that's the extent of my

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presentation.

THE CHAIRMAN: Thank you.

MR. DIOGUARDI: Mrs. Tortorella.

MRS. ELKOWITZ: Good evening,
Mr. Chairman, members of the Board. For the
record my name is Terry Elkowitz. Our office
is responsible for the preparation of the
Draft Environmental Impact Statement.

And of course we assisted Mr. Dioguardi
in providing much of the information. We
have Bob Eschbacher. We're also assisted by
Greenhouse Consultants who prepared this.

As you explained, Chairman Bralower,
this has been a long process where we tried
to work with the Board to prepare a
comprehensive Environmental Impact Statement
that addressed all of the issues addressed by
the Board in its own set.

And the Draft Environmental Impact
Statement evaluated many issues, geology,
soil, topography, water resources, ecology,
transportation and access, land use and
zoning, community character, community
facilities and services, visual and cultural

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resources, construction impact.

And for every one of those issues we presented to you an existing condition analysis, an impact analysis of the development of this proposed subdivision.

We also attempted to provide for you mitigation measures that would minimize potential impact. We also presented to you alternatives that the Board has requested.

And at this time, Mr. Chairman, as you have suggested, the applicant and his consultants are here to listen to all of the comments of the Board and of the public so that we can address them in a Final Environmental Impact Statement. Thank you very much for your time and consideration.

THE CHAIRMAN: Has the applicant completed the presentation?

MRS. TORTORELLA: Yes, we have.

MR. STOLAR: Before you move on to the public, I want to make a couple of points. I know that Mr. Dioguardi referred to the six acre drainage area as I think he said we call it a preserve. I just want to qualify

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that it's not the Board. It's the applicants calling it a preserve.

Secondly, there was reference to the early application process here involving a negotiation with the Board. I don't believe there has been any sufficient negotiation.

And certainly the Board is going to be considering this application and this proposal on its merits. There has been no negotiation such as that there has been any consideration or predetermination essentially by this Board. And I just want to clarify that as well. That's it.

THE CHAIRMAN: Are there any other questions?

MR. STOLAR: There's a sign in sheet. I don't know if anyone actually signed it.

(Discussion off the record.)

THE CHAIRMAN: So there's a sign up sheet. If anyone does want to speak, sign the sign up sheet. I think we'll start with any questions that the members of the Board might have to this point. Are there any questions?

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(None.)

THE CHAIRMAN: We have several opportunities to ask questions. I'm sure that we'll have more. But as soon as the sign up sheet is signed, we'll go with the public.

Also if anyone does want, feel free to come and take a look at the map or the plan that's presented up there. Please feel free to do so.

MR. WEIR: John, I have one question.

THE CHAIRMAN: Richard Weir has a question.

MR. STOLAR: Let me just point out. Before the public speaks and while you're filling out the sheets, I just want to point out that what has been placed up here by the applicant I don't believe is part of the application.

If the applicant intends to submit the document, we certainly would accept it as an applicant's exhibit. It may very well be very similar to what we have.

But we don't have one that's in color.

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So this appears to be different than anything that we have based on the green color that I see on it. You're submitting that?

MRS. TORTORELLA: If I may.

THE CHAIRMAN: Absolutely.

MRS. TORTORELLA: Again Geraldine Tortorella. If I may just clarify the map that's up on the Board. It's actually the layout and configuration and the subdivision plan that's in the Draft Environmental Impact Statement.

The plan is entitled preliminary subdivision map. And it's dated April 15, 2004. And it's prepared by Mr. Dioguardi.

What is different between the plan that you see up on the board and the attachment in the DEIS is that the DEIS plan was not colored.

So that is one of the differences. Although there is no substantive difference in the preparation.

And the legends that are on the preliminary map such as the signatures of the various approving agencies are not included

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on the plan that's before you. But substantively the map is the same map.

MR. GREENFIELD: Mrs. Tortorella, can you address why the plan is configured as it is as opposed to the plan that had been submitted at the time that the scobeking session or the neg dec was declared?

MRS. TORTORELLA: Yes, I can.

MR. STOLAR: Pos dec.

MR. GREENFIELD: Pos dec, I'm sorry.

MRS. TORTORELLA: Yes, I can.

Originally there had been an intervening piece which is the white between the green square to the left hand side and the plan on the right hand side.

That connects those two pieces. That was owned by an individual by the name of Schwab.

Subsequent to the Scobeking session we had advised the Board that that piece of property was no longer available for opposition.

We informed you that the design would change by having originally or there was one

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access road from Oyster Bay Cove Road that brought access over to the property that fronts on Yellow Cote Road.

We informed your Board in writing that that piece was no longer available. That access would be modified.

One form of access from Yellow Cote Road to provide access to I think it's six lots that are off Yellow Cote Road. And then the access that was originally proposed off Oyster Bay Cove Road for 18 months.

At the time we explained that we would be expanding our analysis to include traffic impact because of the change in access as well as impact to soil and geology and trees, flora and fauna and all of the other issues.

We had asked you Board at the time to let us know whether there were any additional impacts that should be studied. And we got no response to that. So we had studied the subdivision that's on the board in the fashion that we had explained that we would.

And the plan that you have and the DEIS is the plan and the layout that we have up on

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the board.

MR. ANTONELLI: Mr. Chairman?

THE CHAIRMAN: Yes.

MR. ANTONELLI: I believe the statement was just made that the plan was dated April 15th of '04. That's the plan today.

But there are other revisions to the plan. The latest revision that's included in the DEIS is 10-04-04. And I just want to make sure that this is the same plan that that is.

MRS. TORTORELLA: Thank you, Jim. I appreciate that clarification. That is correct.

MR. WEIR: Could I ask a question then of you with regard to that? In the latest DEIS that we received from you on page 18, it does state that travel routes for truck traffic will use 25A and Oyster Bay Cove Road as access. There is no mention of Yellow Cote Road at all in there.

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Now initially there was no need to. But obviously now there is since the Schwab report was no longer available. Maybe you

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L could like to comment on that.

MRS. TORTORELLA: Just give me a minute and I'll refer to page 18. Is that arabic number 18?

MR. WEIR: No. Oh, yes, not roman numeral.

MRS. TORTORELLA: Arabic?

MR. WEIR: Yes.

MRS. TORTORELLA: I have the most current version of the DEIS in front of me. And I don't have a discussion of that on page 18.

MR. WEIR: The most current one, it may be page 17. Because we've gotten so many copies of this it's hard to keep track.

But I know in the most recent one it still did not include Yellow Cote Road on there. It's under truck traffic.

MR. ANTONELLI: Mr. Chairman, I may be able to clarify this. This looks like it has Eschbacher Engineering, P.C. written at the top. There may be a report in the appendix.

THE CHAIRMAN: There is a traffic report

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in the appendix. So maybe Richard --

MR. ANTONELLI: It may be a excerpt
from the appendix.

MR. GREENFIELD: It is the appendix.

MR. ANTONELLI: The FEIS can address
any corrections, revisions or additions.
So if there is some problem with that,
it may be able to be addressed at that time
if we can't resolve that tonight.

THE CHAIRMAN: Okay. We should be able
to find where it came from.

MR. GREENFIELD: It's the appendix.

MRS. TORTORELLA: I suspect that that's
correct. It's from the appendix. That when
the change occurred that that may not have
been updated.

If you would like, as people speak,
we will continue to look through the DEIS.
I know that there was a discussion of truck
traffic on both Yellow Cote Road and Oyster
Bay Cove Road.

I don't have the page reference readily
at hand, although I'm happy to provide it to
you as the evening goes along if you would

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like us to.

However, it isn't exactly the type of item which will be recorded in the transcript. We'll get it clarified.

THE CHAIRMAN: I have a question for Mr. Dioguardi just based on which hasn't come up in the past specifically because it hadn't occurred.

But we all saw a lot of flooding recently. I know in one of the private communities over near Berry Hill Road it reached the point where there were two sections that were impassable.

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Someone actually totaled their Mercedes by being unable to drive out. Route 25A was closed off by the Tower property. The rains that we had were obviously substantial.

Would those fit into the 40 and 50 year level? And would the plans that we have currently be adequate to deal with the type of rains that we just saw?

MR. DIOGUARDI: If I could respond to the latter comment, I would say that this is a very conservative design and it would be

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very responsive and very conservative even in light of the weather conditions that we recently experienced.

I find and I can't address all the situations that may have been impacted during these recent storm events. But it was a highly unusual storm.

To my knowledge we did not quite reach an eight inch volumetric rainfall in the 24 hour period even during that most recent storm.

Cumulatively I believe we had total rain during that period of something like 18 inches. So I would say that with respect to the design concept that we have put forth that you have a very conservative design and it would not have a problem even in the weather that we most recently experienced.

Beyond that, there is a comment that I think is a very obvious one. And that is that any drainage system, no matter what the design, is always responsive to proper maintenance.

And I would suggest that even in the

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event, the recent event and the problems that were a consequence of that, many have been somewhat maintenance related.

I am familiar with the Littauer site. And I know that, that there is a small pond there typically at the northeasterly corner. That is controlled by a culvert that goes under Northern Boulevard.

I personally witnessed that the culvert is really not maintained the way that it should be. And that's probably what occurred in that case. The Berry Hill Road site I'm not familiar with.

THE CHAIRMAN: Jim, do you have anything to say?

MR. ANTONELLI: Just to the magnitude of the storms of the week leading up I believe Friday the 14th. I am familiar with rain gauge information that came from the Cold Spring Harbor lab.

And I know that one local gauge there I believe indicated over 20 inches of rain for an eight day period.

I think that most of the Oyster Bay Cove

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and Laurel Hollow area probably was in the 18 and-a-half inch range.

But anyway I think that what Mr. Dioguardi said is correct. We did not see the eight inch 24 hour rainfall. For any 24 hour period we did not hit the eight inch rainfall.

But what we did have was several days in a row that were, we had received more than four inches. And that equates to I believe 5.2 inches in this area as a 25 year storm.

So you could figure somewhere like once in every 20 or 10 year event it happened three days straight. And I don't recall that ever happening. I have certainly studied records and I don't know of anything that extreme.

But that's the type of thing that we have to be very careful about here. Because when somebody says that they're designing for let's say a hundred year storm, the question comes up well what if you have a 25 year storm and it's followed by another one or even a ten year storm a few days later.

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That could be very, very difficult to design for. And that's one of the things that will be forthcoming in my comments on the subdivision.

I have a number of issues on grading, drainage and site disturbance. And I will submit something in writing. I'm not prepared to do that tonight for the DEIS.

THE CHAIRMAN: Thank you. Any questions?

MR. TOWNSEND: Yes.

THE CHAIRMAN: Go ahead.

MR. TOWNSEND: Mr. Kean, would you be able to answer any questions?

MR. KEAN: John Kean. If I can, I'll be glad to answer it.

MR. TOWNSEND: I'm obviously a resident of Oyster Bay Cove or I wouldn't be here on the Planning Board as an alternative member. Also somebody's property abuts this property. Like many in this room, I spent a lot of time driving on Yellow Cote Road.

I've taken a look at the old DEIS. But I was focusing on page roman 18 which speaks

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to aesthetics and cultural resources.

So I'm not boring anybody. This may be of interest to everybody in the room. I'd like to ask a question or two about the DEIS. It says in terms of architectural context and community character.

In terms of architecture, context and community character the proposed Redcote Farm's subdivision is being designed in keeping with its immediate neighbors.

This includes not only the design of the houses but the design of the overall lots including driveways and accessory structures.

In describing the architectural design of the proposed subdivision, the applicant asserts that the architecture of the proposed homes will not merely be compatible in terms of the Oyster Bay Cove's architecture and rich fabric but will draw their information from many of the architectural styles prevalent in the village.

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I guess my question is, a couple of maybe practical things. First of all, this would suggest to me that you will be building

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all these houses. Is that correct?

MR. KEAN: That's correct, yes.

MR. TOWNSEND: Okay. And hypothetically if I came to you and said I wanted to, within the context of the setbacks and height restrictions and other things that we know do exist in Oyster Bay Cove, if I was inclined to build a mini White House or mini facade, how would you react to that in the context of what this paragraph suggests?

MR. KEAN: Well I think at all times we're going to adhere to the local village codes as well, the same as everyone sitting in this room had to do at one time or another.

And the village code prohibits you from building a White House on a two-acre lot. That doesn't mean that we're going to get requests from time to time that we think are unreasonable for the lot that we're building on or not appropriate to the lot.

And I think that our work speaks for itself. That if you go around and look at our work, we try to persuade the people to

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build something that would be keeping the existing neighborhood in architectural style in size and character of the existing community.

That doesn't mean that new homes tend to be larger than some of the homes that were built in the 1950s. But I don't think that we're going to be building mini White Houses on any of the lots. Miniature lots.

H5

MR. TOWNSEND: So you'll be building all the houses? You won't just sell lots to other people?

MR. KEAN: No, we're going to build all the homes. We're going to deal with an architecture firm as well as a building firm. We only build traditional homes.

Again we try to draw from the North Shore in general as far as historical reference homes, whether they be shingle or whatever the style they be.

We try to stay with traditional things at all times. We don't criticize other developments but we don't want builders' colonial.

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That's what we try to stay away from.

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We try to build something of significant

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character and when you drive through the

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community you can say it was built a hundred

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years ago when in reality it was brand new.

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Our greatest compliment is when we get a

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truck driver saying I'm delivering something

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to your site and I like the renovation that

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you're doing. That's what we're going to

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hopefully come and do here.

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MR. TOWNSEND: Fine.

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MR. GREENFIELD: Mr. Kean, you said

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something which strikes me as curious.

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That you're going to be building all the

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houses.

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Are you suggesting that any approval

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ultimately be conditioned upon your exclusive

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building and you're giving up the right of

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alienation of this property?

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MR. KEAN: We can never guarantee that

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John Peters will be hit by the proverbial

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bus.

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MR. GREENFIELD: Well are you

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guaranteeing that other than being hit by the

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proverbial bus that you will be giving up
your right of annual generation?

MRS. TORTORELLA: No, we would not
consent to any sort of condition as to the
houses --

MR. GREENFIELD: He made a guarantee
a moment ago. I want to clarify what
guarantee he made.

MRS. TORTORELLA: I think he expressed
his plan of the build out of the subdivision.
If he is able to build out the subdivision,
his current plans would be to build the homes
on the subdivision.

MR. GREENFIELD: But if the sun comes
up one day, then maybe he won't build the
houses and somebody else will.

MRS. TORTORELLA: I think the point to
remember is that in the zoning context, the
zoning usage approval runs with the land. It
wouldn't matter if it's Mr. Kean or somebody
else. We would not consent to such a
condition if that's the question.

H7 [MR. GREENFIELD: Well this
representation is that all houses would be

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built based on the character of their neighbors. And I believe on the next paragraph it talks about with historical accuracy.

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How would that be guaranteed since you have made that a basis in your DEIS, a representation of how you would meet the aesthetic and cultural resources components?

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MRS. TORTORELLA: Might I say that we weren't intending to do that this evening and we're happy to take that particular comment and respond to it in the FEIS.

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I don't know that that can be responded to in a matter of a few sentences, Mr. Greenfield.

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MR. GREENFIELD: I haven't intended to get into it. I was just surprised by Mr. Kean getting up and saying that he's going to build all the houses.

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That kind of a sweeping declaration as we know couldn't be possibly guaranteed but yet he said it. That's why we're going to the question of what Mr. Townsend asked, how we're going to make assurances of other

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representations here.

MRS. TORTORELLA: I think I clarified that the plan by Redcote Farm Ltd. and Mr. Kean is that company will be the builder of the homes in the subdivision.

MR. GREENFIELD: It's his intention today to do that?

MRS. TORTORELLA: That is correct.

THE CHAIRMAN: Any other questions from the members of the Planning Board?

(None.)

THE CHAIRMAN: Okay. The first sign up question is from Victor Shedchenko.

MR. SHEDCHENKO: My name is Victor Shedchenko. I'm a registered licensed professional engineer in the State of New York. I have been a resident of Oyster Bay Cove for 23 years.

And the concern that I have is not so much the plans, the report which if finally approved will be okay and correct.

H8 [My question to the Village Engineer and the Board is, who will be doing the supervision of this project for the Village

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to make sure that everything is being inspected and constructed per your drawing, per the report?

Because I have very deep concerns on that because I have right next door to me a property being developed right now which is almost complete where the drawing was prepared by Mr. Giordano.

The drawing was fine except for a couple of things as to the drainage calculations which the Village Engineer corrected.

However, when the builder came in and started grading, it had no reference as to what the drawing looked like. To this day there is no drawing. To this day the dry wells are not what they should be.

The contours of the existing site, they do not look like what the drawings show. Eventually somebody has to sign off on the dry wells which were installed in violation of the code and of the drawing.

And I'm just very anxious to see who is going to sign off on these dry wells as they were installed against every code. Okay?

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And this is the concern that I have.

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Because I can't see one village inspector

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looking after all of this.

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And nobody at the point the dry wells

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are installed in a responsible charge being

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present to see that the permeability of the

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soil is what it is, that the water table is

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below the bottom of the dry well which it

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should be two feet for your drawing. Okay?

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And if there is nobody there except for

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the driver and an excavator, how can any P.E.

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later on come back and say, yes, it was

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installed per code unless you put something

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in to see how the water comes in?

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And this is the concern that I have

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about this project or any other project that

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may be going up.

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Also, and this is just a suggestion.

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I would not issue a permit for construction

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until every erosion and sedimentation control

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measure is in place before construction

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starts. Because in my situation --

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MR. GREENFIELD: We don't issue permits.

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MR. SHEDCHENKO: I understand that.

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MR. GREENFIELD: We have nothing to do with issuing permits.

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MR. SHEDCHENKO: Well somebody does.

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THE CHAIRMAN: Let me interrupt you for one second if I could. I think that you raised a very good point. And one of the things that we discussed at our previous meetings is that there are two levels.

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There is a level of what we're discussing and what the applicant agrees to and then there is one where the village is lightly staffed.

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I mean, it's an issue that we're aware of and we're trying to figure out how to deal with that. I think it's a good point.

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MR. SHEDCHENKO: These 20 diameter trees are being cut without permit. And this is only a two and-a-half acre site.

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THE CHAIRMAN: Since we asked at the beginning at the outline of the project, I'm curious what property you're talking about.

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MR. SHEDCHENKO: 94 Cove Road. One and three-quarters miles from here. It took me eleven months to get the erosion and

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sedimentation control measures in place after

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two and-a-half acres of sand, silt and mud

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wound up on my property. And nobody did

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anything about it.

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And there's letters in the files with

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numerous issues that have not been addressed

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today.

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THE CHAIRMAN: To the extent that it

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affects what we're talking about, that is one

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of the issues that we're considering. We

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want to make sure that there is proper

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controls.

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To the extent of the specific things

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you're talking about, that's not really our

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issue but there are many of those issues.

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MR. SHEDCHENKO: The drawings could be

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right. But it's not monitored or inspected,

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the reports --

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THE CHAIRMAN: We agree and the

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applicant agrees also.

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MR. GREENFIELD: Sir, we raised the

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issue. In the DEIS the question was raised

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as to the impact of the subdivision on

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village resources.

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And one of the questions that the Board put to the applicant was what would be the impact on our Building Inspector's ability or on our use personnel in order to maintain oversight of this development.

MR. SHEDCHENKO: That's right.

MR. GREENFIELD: The response that we received as I recall was that they pay taxes and it's not their problem. If our Building Inspector can't do it, the Village will simply have to deal with it.

THE CHAIRMAN: But one of the points that we plan in this process in looking into this is that we know of other scenarios and other situations in other villages where that cost of doing it properly was passed on to the applicant. And that's one of the issues that we're going to address.

MR. RAFUSE: And I just want to point out that it's the Planning Board's intention to be involved in the subdivision as it moves forward.

That not only are we involved in the DEIS and the Final Environmental Impact

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Statement and in the preliminary subdivision and final subdivision.

But through the construction process that we intend to look at each one of the individual site maps as the site of the houses on the lots and review each one of those houses as they go in to the subdivision. So this is an ongoing process.

MR. SHEDCHENKO: It's all fine and good if it gets approved. But once the contractor goes in, he does whatever he feels like. And this is my problem.

MR. GREENFIELD: We agree.

MR. SHEDCHENKO: The drawings show one thing. The codes say another thing which is consistent with the drawings. And everything is approved.

But that's not what is being built. Just like the foundation walls are being backfilled before the first floor framing is in. They can topple over.

This is how we get cracks. And, yes, the drawings, the engineer, he's not responsible for the supervision which is

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okay. That's understandable.

THE CHAIRMAN: Are you addressing the working of the village?

MR. SHEDCHENKO: No.

MR. GREENFIELD: We agree that this is a major concern as well.

MR. SHEDCHENKO: That's my concern.

THE CHAIRMAN: Jim, do you have a comment?

MR. ANTONELLI: Just for the record, I feel that I have to defend the village here on this. First of all, I'll take these in reverse order. Regarding the tree that was cut down by mistake --

THE CHAIRMAN: Who is 94 Cove Road?

MR. GREENFIELD: Is that about 94 Cove Road?

MR. ANTONELLI: Yes.

MR. GREENFIELD: Let's not go through that.

MR. ANTONELLI: If anybody wants to check the file. It's in writing.

THE CHAIRMAN: Any other comments from the Board members?

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(None.)

THE CHAIRMAN: Next is Kyle Rabin,
Friends Of The Bay.

MR. RABIN: My name is Kyle Rabin.
Mr. Chairperson Bralower and members of
the Planning Board and the audience here
tonight. Thank you for the opportunity to
provide comments regarding the Draft
Environmental Impact Statement for the
subdivision application of Redcote Farm.

Given the Friends Of The Bay mission
to preserve, protect and restore the
ecological integrity and productivity of the
Oyster Bay-Cold Spring Harbor complex and
water shed, Friends Of The Bay closely
monitors development that has the potential
either by itself or cumulatively with other
developments to preserve one of Long Island's
most treasured natural resources.

H9 [The subject property clearly plays a
significant role within the water shed that
drains into the harbor complex as well as a
key function in protecting the quality of
Long Island drinking water.

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After all, the property lies in the head waters area of one of Tiffany Creek's tributaries. It has a steep sloping terrain and it lies within one of nine special ground water protection areas critical to the fresh water drinking.

As you are aware, the Cold Spring Harbor complex is at a crucial juncture. The actions that we take today will determine whether this important estuary will continue to degrade or if we can place the complex on a fast track to recovery.

Recently the complex and the various phases made it into the national spotlight. In October 2005 defenders of wildlife released a report entitled "Refuges at Risk, American's Most Endangered Wildlife Refuges for 2005."

H10

Among the ten, the Oyster Bay National Wildlife Refuge represents half the size of the complex. The refuge risk has become threatened by storm water runoff, habitable destruction, non-sustainable development and human storage, inadequate septic systems and

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boat discharge.

Of course these human induced impacts affect the entire estuary. The proposed subdivision proposal will only add to these problems. It certainly won't improve the current situation.

H11

Redcote Farm simply cannot minimize the proposed environmental impact to the extent necessary to avoid being yet another cut in this depth by a new cut syndrome currently plaguing the harbor complex.

The Oyster Bay refuge and the harbor complex are blessed with many unique attributes and extraordinary beauty.

Theodore Roosevelt who founded the nation's refuge system fell in love with Oyster Bay and made his home at Sagamore Hill.

H12

Many years after Theodore Roosevelt walked the areas beaches, very little open space and habitat remains. The community and municipalities that border the harbor complex are now confronted with an extremely important responsibility.

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That is to restore key properties, that owned by Redcote Farm rather than permit development.

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Certainly any development that has the potential to exacerbate problems, permanently alter the ecology of the community and negatively impact the harbor complex should be completely averted and carefully scrutinized.

H14

We appreciate the Planning Board's consideration of this proposed subdivision and other matters. We appreciate the fact that this property belongs to the Pulling family and that the family should be compensated fairly for its value.

We would like to propose what we think a desirable alternative. That is the acquisition of the property to be financed through the Nassau County and Town of Oyster Bay Bond Act.

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As we understand, the property will be nominated for acquisition and is under consideration. We hope the Pulling family will seriously consider this alternative.

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As protected open space, the land making up the Pulling property would play a vital function in preserving the federal Oyster Bay wildlife refuge, the State designated significant coastal wildlife habitat areas and the State regionally important national area.

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Again these are all unique aspects. You would be hard pressed to find a similar situation anywhere else on Long Island.

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A sale under the bond programs could provide valuable income, measurable tax savings and a lifelong legacy to the Pulling family and the residents of Oyster Bay Cove.

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That completes my written comments which I'll submit. I have a few additional comments.

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I want to start out by saying I clearly see that the consultant is trying to meet some of the concerns that you have raised.

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I can't say that across the Board because I was not able to review in depth the entire DEIS.

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But clearly they are trying. And this

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is no criticism to the consulting firm. But this area is being plagued by non-sustainable development.

And sometimes that hurts what would be considered a more sound proposal. But the other concerns that you need to evaluate here or the consultant needs to evaluate is the cumulative effect.

H17 It's not just this proposal but what are the other developments in the area. There is no possibility for the consultant to foresee what's down the pike if it's not already in the process of being presented to the Board or what have you.

So there is no clear way that they could foresee all the development that could be occurring in conjunction with this proposal.

H18 There is also the growth inducing impact of this proposal. This proposal will beget more development. And it's a positive feedback.

You'll have more and more development. And we're losing all our valuable open space. I don't know if I'm preaching here. I know

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that you all know about this.

But Nassau County has so little open space left. And we sort of need to be going the other way. We should be taking property and restoring it to its natural condition, restoring habitat. As radical as that may sound.

With these bond acts and the money that is available, we need to be pushing for that. Friends Of The Bay has pushed for that with the Mill Pond Overlook property in The Hamlet of Oyster Bay.

And while I'm on the topic of that, I just want to second what the gentleman who was just up here speaking said. It's impossible to really monitor in a comprehensive fashion the pre-construction that goes on these properties with Mill Pond Overlook.

And we had the Town of Oyster Bay clearly wanted to do the right thing. We had a property owner that wasn't very responsible. We have a state agency that wants to do the right thing.

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But we found after a case of runoff from this property even after obstructions were removed. Runoff carrying with the silt, sediment, pollution into the national wildlife refuge.

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Numerous times we raised this concern. This is one of the things that is beyond the scope of the consulting firm. It's beyond the scope of the Planning Board.

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These things will happen. Our climate is changing. We are definitely going through a change in our global weather patterns.

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And what was considered unusual patterns years ago may be more common. You're going to be having heavier rains here.

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Whatever regulations are on the books now may not apply to the weather that we're in for. You can't talk about a hundred year rain or a twenty year rain. That would mean out the window at this point.

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You might be suffering from increased precipitation in this area that current regulations will not address. You're going to have the runoff and the subsequent storm

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water pollution in the Oyster Bay-Cold Spring Harbor estuary.

I wanted to leave you with those thoughts. I appreciate the opportunity to raise these points here tonight. I'll submit my written comments and I'm available to answer any further questions. Thank you.

THE CHAIRMAN: I'd like to ask you a few questions.

MR. RABIN: Yes.

THE CHAIRMAN: For my benefit and the benefit of the audience, it's obvious to me when I look at something like the Mill Pond Overlook how that affects Oyster Bay because it's right there.

MR. RABIN: Right.

THE CHAIRMAN: I'm just trying to understand. It's harder to see how something here on Yellow Cote Road actually has an impact. I mean, to the extent, yes, if you build nothing, it has less of an impact on the environment than if you build something.

But how does this putting aside aesthetics actually affect the Cold Spring

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Harbor or Oyster Bay estuaries?

MR. RABIN: I think to answer your question, our group monitors the water spread also around the estuary. Because you have drainage, basically drainage patterns that lead to Cold Spring Harbor-Oyster Bay up to a certain point.

H19
(cont.)

And my understanding, looking at some of the paperwork in the DEIS, is the drainage patterns. For instance, I mentioned the Tiffany Creek. You have runoff that can flow into the creek.

And from there it flows into the Oyster Bay-Cold Spring Harbor estuary complex. So it's not always directly visible. It's a tough question to answer.

In fact, non-point source pollution is one of our greatest problems that we're referencing today. And we can't pinpoint what it is.

H20

But you have 24 developments on a property that currently has one development that you're increasing the impervious surface area. That affects drinking water. It also

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affects the quality of the estuary as well.

THE CHAIRMAN: So beyond reduced density, are there ways to mitigate those impacts?

MR. RABIN: I think we may be at a point where we need to look at even greater technology. I'm familiar with what's going on at the Cold Spring Harbor laboratory and how they have gone above and beyond in terms of how to mitigate some of their storm water runoff.

H21

But even they couldn't predict these heavy rains that happened earlier this summer and of course later this summer and the runoff that occurred from that property.

That is really beyond their scope. How could they perceive something like that? But even the stronger technology that they're implementing there may not be adequate now. And the same for this property.

H21
(cont.)

We may be looking at technology that does a better job of capturing and filtering the storm water runoff. There is a topic called mean water technologies. I don't

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think that everybody is familiar with this.

But they have filtering technology that they're making available. And that technology would be used not just on this development but throughout the north shore and throughout Long Island to help reduce the impact on the estuary.

THE CHAIRMAN: This is currently available?

MR. RABIN: Currently technology is available. I can provide you with clean water technologies. There are also things that we can do to go far beyond what is required now on the regulations.

And I realize that most companies don't want to pay the extra costs. But we're at a point now where if we don't take these extra steps, it's not just about money. It's about the health of the environment which our economy is based on.

So ultimately by investing now, we will be protecting our economy and our community.

THE CHAIRMAN: Thank you.

MR. RAFUSE: I appreciate what you're

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saying. And I also appreciate the fact that you're recognizing that the Planning Board and the applicant are doing their due diligence and spending a great deal of time and effort trying to make sure that we are protecting the environment.

And you made mention that you thought that the engineering and the other consultants were doing a good job. Indeed I believe so too from certainly the paperwork that I have been reading and the amount of time that we have all spent with them.

But it seems like your position is that of course it would be better if it wasn't built. And that would be great. And I also share that position.

But the other side of that, barring that there is no one coming through to buy the property, and quite frankly I've been a resident of this village through the '80s and the '90s.

And I've seen everything that can happen to this piece of property and didn't and wished that someone would come along and

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purchase the property from the Pullings and give them a fair value for their property.

And I'm sure that the Pullings over the years would have dreamt of someone who did come along. And finally Mr. Kean did come along.

And their only avenue left was to look for a subdivision. Because nobody came to them and offered them the dollars.

So at the eleventh hour, hoping that the Oyster Bay new bond issue does come through, maybe, maybe not.

But we now have to look at reality and say many of the environmental organizations had 20 years that they could have come and purchased this property.

And I'm sure that the Pullings would have been very, very happy to have that happen. And we as Oyster Bay Cove planners would have been very happy to have it happen.

But now we need to look at reality and say that the Pullings need to develop the property in some manner because somebody is not going to come along.

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And we are going to do our best with the planners and experts and consultants to make sure that environmental issues are balanced.

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But we're going to have to look at the reality of the situation that there will be a development on this piece of property.

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MR. RABIN: I definitely see that. Some will say that it's easy for me to walk in and say what I'm saying.

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And I have to be completely sensitive of the fact that someone owns this property and there is an economic issue at hand too.

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But, you know, I laid out the mission of our organization. There is a very small voice that is out there to defend.

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MR. RAFUSE: We appreciate that.

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MR. RABIN: This estuary. Frankly it's my job to be that voice. And I understand that the development has been pared down from 45 units to 24 units.

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I don't know what the potential is for it to be pared down a little bit more. Set aside more open space.

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THE CHAIRMAN: Just for the record,

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2 it's 45 for this, the current parcel. Was it
3 ever that?

4 MR. RAFUSE: No, it was never that.

5 MR. GREENFIELD: It's a theoretical
6 30 which became 24.

7 MR. RAFUSE: But we understand. I
8 wanted to make sure that you understood the
9 reality.

10 MR. RABIN: Yes, I understand that.
11 Is there another question?

12 MR. GREENFIELD: Following up on what
13 you said though. Does Friends Of The Bay
14 have any comment with regard to the plan that
15 is on the table other than to say that it
16 would be better not to have anything built at
17 all?

18 H22 [MR. RABIN: Well as I understand, the
19 original proposal was a cluster to help set
20 aside.

21 MR. GREENFIELD: I've got a plan that
22 has been submitted as of 2003.

23 MR. RABIN: Yes.

24 MR. GREENFIELD: Ancient history is
25 nice. But this is the only plan that we can

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deal with.

MR. RABIN: I would say it might be worthwhile revisiting ancient history. Friends Of The Bay recently co-hosted a planning forum back in May with North Shore Lane Lines and nature conservancy.

My recollection is that we were being taught that tonight was something that looked very different from that.

MR. GREENFIELD: Is there anything concrete that you can offer with regard to this plan?

H23 [MR. RABIN: I mean, I would have to study it further. But I would definitely say that the cluster, you have to minimize the number of roads in I think and have at least a larger chunk of unaffected habitat area or land that's not broken up by the different properties.

MR. RAFUSE: You have to be aware of the fact that Oyster Bay Cove does not have a cluster zoning.

MR. RABIN: Right.

MR. RAFUSE: So they cannot in essence

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come with a cluster plan and change our zoning laws.

MR. RABIN: I realize that. Can I ask if any of your neighbors in this municipality have cluster zoning?

MR. GREENFIELD: I don't know. We're not on their planning board.

MR. RABIN: Well that might be a bigger issue. It seems to me that it's our job to raise the bigger issue and that will affect the developer.

H24 [But my point is that you kind of have to set aside this land, greater amounts of land where it's contiguous.

THE CHAIRMAN: Let me reverse a question that you asked and throw it back to you. Are you aware of any of the other villages that are within the water shed which I guess is Mill Neck and Cold Neck, Cold Spring Harbor that are dealing with these kind of issues beyond what we're doing? Or is it just the same kind?

MR. RABIN: I think that they're wrestling with the same issues. You couldn't

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answer the cluster zoning.

THE CHAIRMAN: Not cluster but you're raising general environmental issues, some of which are too big for anyone to ponder, no less you.

MR. RABIN: Right.

THE CHAIRMAN: I was wondering if there was anything specific that you're aware of.

MR. RABIN: Well I know looking at the sloping, I know the Town of Huntington recently passed an ordinance to deal with sloping terrain and tried to minimize that, given the issue of runoff and the carrying of sediment pollution into Cold Spring Harbor.

H25 [In terms of just looking at this particular property, I would say since you already have a non-contiguous aspect to it that maybe the part that is a small property should be set aside as open space and maybe not have development on it.

Again I'm just giving you on the spot comments here. I would need some more time to study it.

THE CHAIRMAN: Yes.

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MR. GREENFIELD: The hearing will remain open. If you choose to come in, read the DEIS and submit something in writing that is open to you.

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MR. RABIN: Thank you.

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THE CHAIRMAN: Thank you.

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MR. RABIN: I just want to quickly note that we got the DEIS in the mail obviously from the consulting firm.

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But I don't think that we got any notice from your Planning Board or from the municipalities regarding this meeting.

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Although I spoke with staff in advance and you about the meeting. But we didn't receive anything in the mail.

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THE CHAIRMAN: Brian, I'm just curious. Under what?

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MR. STOLAR: That notice would have been sent by the applicant.

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THE CHAIRMAN: But are they listed as an addressed party?

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MR. STOLAR: I believe they were on the list for distribution.

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MR. RAFUSE: Another representative

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from your organization did appear?

MR. RABIN: Yes. Maybe there was no communication between the gap. Louise Harrison had submitted comments.

THE CHAIRMAN: Let's say you received notice.

MR. RABIN: I saw her working in October. So between now and --

THE CHAIRMAN: 2005?

MR. RABIN: October of last year. Between October of last year and receiving the DEIS from the applicant I received nothing.

MR. STOLAR: I just want to let you know some information that we have here in the village records. Received on October 20th a letter containing an affidavit from the applicant indicating that the DEIS, the combined notice of completion and public hearing and the public hearing notice were all served on a number of entities including Friends Of The Bay.

MR. RAFUSE: You are listed.

THE CHAIRMAN: So maybe --

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MR. STOLAR: Let me just ask this question. The address that we have for your organization is P.O. Box 564, Oyster Bay, New York.

MR. RABIN: That's correct.

MR. GREENFIELD: Was that mailed to the DEIS?

MR. RABIN: Yes, I went through the DEIS. But my question was between October of last year and receiving the DEIS, any communications that we would have received?

THE CHAIRMAN: No, there haven't been.

MR. RAFUSE: No, we were reviewing the drafts until they got into a form.

MR. RABIN: Okay.

THE CHAIRMAN: Thank you. The next is John Specce.

MR. SPECCE: John Specce. Thank you. My question has been answered.

MR. GREENFIELD: If you have another question you can still come up.

MR. SPECCE: One quick one. Do we have a regulation on the footprints of the house on two acres? Or is there any type of

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L a percentage that you allow or don't allow?

THE CHAIRMAN: Yes. There are coverage limits.

MR. RAFUSE: Setbacks.

MR. SPECCE: So Mrs. Harrison's concern about the White House would be addressed that way?

MR. RAFUSE: Yes.

THE CHAIRMAN: I think the comment was about the size of the style.

MR. TOWNSEND: Focusing more on the style and the character of Oyster Bay.

THE CHAIRMAN: So your issue of the sizes is addressed whether it's adequate or not. That's another issue but it is addressed in our village regulations as to the aesthetics.

MR. GREENFIELD: We don't have any legislation that addresses the style of housing within the village which is why he had asked the questions about the representations in the DEIS that the aesthetics would match the neighboring properties.

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The problem is that it may very well be everyone's intention to do exactly what is said here. But it's not a bonding commitment.

It doesn't mean that if they don't, we get to knock them down and start over. It just means that this is how they feel today. And if something changes tomorrow, so it goes.

MR. SPECCE: Thank you.

THE CHAIRMAN: Robert McMeekin.

MR. MCMEEKIN: Bob McMeekin. I live at 24 Yellow Cote Road. My property abuts the northeast corner of the 56 acre plot.

H27 [I heard you say that there is a conservation strip that runs along Northern Boulevard, then runs along Oyster Bay Cove. Is there one that runs along the north side of the property as well?

MRS. TORTORELLA: Go ahead.

MR. DIOGUARDI: Well --

H28 [MR. MCMEEKIN: Is this a plan to conserve some of the trees that are on the property itself? There is a tremendously

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wooden parcel.

MR. DIOGUARDI: The answer would be no and yes. There is not a formal proposal as we speak to provide conservation needs along the northerly portion of the site.

The purpose of locating 5,400 plus trees is so that we could take a careful look at the trees and in particular with the individual sites and the proposed development so that they would be maintained.

I think that part of the question would be yes. So to some extent that would require some specific direction from the Board for individual site plan review.

MR. RAFUSE: If you're asking is there a conservation easement against a residential area to a residential area, the answer would be no.

But the reason for that is there's offsets. In other words, the house cannot be built any closer than 40 feet from the residential line.

So your house is 40 feet away. The new house is 40 feet away. So therefore there is

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80 feet span between the two houses.

MR. MCMEEKIN: Right.

MR. RAFUSE: So that in essence gives you the conservation. But I have never seen where there is a conservation easement between a residential area to a residential area.

There is one I guess from a commercial area to a residential area. And certainly one from the roadways where we're trying to protect the street vistas in the village in keeping a more rural area than we believe we have. But not against one residential area to another.

THE CHAIRMAN: I mean, taking what you said, there is also setback requirements along the road. So that would in effect provide the same buffer as the 80 feet.

So I think the question there is that you generally don't see it residential to residential. It doesn't mean that part of our evaluation of this plan can't or won't consider the impact.

I mean, most of this property doesn't

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really join anything. But to the extent that it abuts the existing properties that are occupied within the village, certainly that's an issue.

The plans, I think the tree identification plans are on file in the Village Hall. And to the extent that you have something that there is an issue with, you can certainly raise it and we'll try to address it.

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(cont.)

MR. MCMEEKIN: My concern is more around the fact that the trees, I don't want to look out my backyard and see nothing but a giant 56 acre prairie.

THE CHAIRMAN: Right. And that's something that we're mindful of and one of the issues that we're trying to address.

But if you have specific issues, you should come back at the next hearing and raise them or send us a letter.

MR. ANTONELLI: Mr. Chairman?

THE CHAIRMAN: Yes.

MR. ANTONELLI: What he's describing is something that could be done in the form of

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either greenbelt or a conservation easement,

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you know, where needed.

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And once we really look at the enlarged
view if you will, site plans and so on that

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show the more formal grading plan, that's

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basically what he's describing.

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That would be normally handled in that
type of a fashion more fully than just maybe

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setback requirements.

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THE CHAIRMAN: Right. Anyone else

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have any questions, comments?

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(None.)

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THE CHAIRMAN: There was one, I think

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we had one letter. Do we need to read that

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into the record?

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MR. STOLAR: It's not necessary to read

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it into the record. It's in the record.

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THE CHAIRMAN: Okay. If there is no

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other comments, I don't know if there is

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anything else that we need to cover.

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MR. WEIR: Yes, I have one other

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question.

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THE CHAIRMAN: Yes, Richard.

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MR. WEIR: I think Mr. Dioguardi had

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mentioned when he gave his presentation that there were certain no build areas that were being considered on certain parcels.

And I know that this has been just briefly chattered about at previous meetings. But I didn't see any reference to that in any of the revised plans. I wondered.

MRS. TORTORELLA: If I might clarify, I think that there was a jumbling of a couple of different concepts in that description. There are areas of no build along the abutting streets where we have the restrictive covenants and conservation areas that are buffered.

And I believe that that was kind of jumbled into the discussion where there were areas on the lots that Mr. Dioguardi was talking about, the fact that we have oversized certain of the lots, particularly the one that has stands of trees or steep slopes in those areas.

So that we can accommodate an appropriate development on that site while minimizing disturbance of those environmental

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features.

So I would respond to this and clarify that there is no build areas that have been marked off on some of those lots with the steeper slopes. And I think that there was a mixup in describing that.

MR. GREENFIELD: Mr. Dioguardi, I'm sorry. When you said that you gave your presentation. I thought that was absolutely clear that you were talking about no build zones on steep slopes.

In fact, I'm pretty sure that those were your words in specific. Can we clarify that?

H30

What I'm saying is I understand you're now saying or are we saying that what Mr. Dioguardi has said was wrong and that there is no no build zone? Because I heard the same thing that Mr. Weir heard.

MRS. TORTORELLA: I would be happy to have Mr. Dioguardi affirm my explanation. But I wanted to clarify the record in that respect. Go ahead.

MR. DIOGUARDI: I don't want to characterize anything that certainly is being

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prolonged. But I believe that Mrs. Tortorella's explanation is what I was intending to say.

MR. GREENFIELD: So the no build stops on the steep slopes when you put those words together --

MR. DIOGUARDI: There are none proposed on the record.

MR. GREENFIELD: So that entire statement was simply wrong. There are no no build steep slopes?

MR. DIOGUARDI: I would ask that you not use the wrong word. I would prefer misrepresented. -

MR. GREENFIELD: Misrepresented?

MR. DIOGUARDI: Misstatement.

THE CHAIRMAN: If no one has any other questions or comments.

MRS. TORTORELLA: I have promised to look through the DEIS and if I could just give Mr. Weir a couple of references.

If you wanted to refer to that, we have a couple of places in the DEIS where there was discussion of construction traffic.

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The first where it's discussed is on roman numeral, lower case roman numeral four in a section where it talks about access, construction access for parcels one through six. It would be from Yellow Cote Road.

And then if you refer later in the DEIS in the construction impact section on pages 192 and 193, there is also a discussion of the means of access for construction traffic.

I would at this point if there are no other comments ask that the Board close the hearing. The purpose of the evening was --

THE CHAIRMAN: Well I have another question. But I think also according to our counsel, can we not close the hearing under the moratorium?

MR. STOLAR: I would recommend because there is a moratorium in place and if nothing is submitted on this application that you not close the hearing at this time but continue it to the next regular meeting date or if you choose to have a special meeting. But I would recommend that it not be closed tonight.

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MRS. TORTORELLA: I don't understand how that relates to the moratorium. We understand that we can't get final approvals while the moratorium is pending.

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I know that it has been extended on a number of occasions. But the whole purpose of the public hearing process is that we notify everybody in the village. Anybody that wants to come could come.

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The public has been heard. And we ask that you close the hearing. We certainly understand the requirements of the law for a comment period.

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But I don't understand why we would leave it open when everybody has been afforded a fair opportunity to comment.

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MR. STOLAR: That's my recommendation.

THE CHAIRMAN: I'm going to go with counsel. I appreciate your advice but I'm going to go with counsel's recommendation.

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MRS. TORTORELLA: Is it possible to close the SEQRA portion of the hearing since that's not really affected by the moratorium and approvals?

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THE CHAIRMAN: We will not be closing tonight. We'll review the request but we won't be closing it.

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MRS. TORTORELLA: I'd like for the record to object to that. Simply because we brought a team of consultants here this evening. The public has been heard.

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We mailed notices to everybody in the village which on my experience is unprecedented. But we continued with the village.

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This document has been available for public review since September, early September. And we would like an opportunity to just abide by the process, the prospectus as much as it protects the public. And I think it's time for us, if the public has been heard, to close the hearing.

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THE CHAIRMAN: So noted. Thank you.

I have a question though. Based on something that was said earlier this evening when we were talking about the gap and that is the reason that we now have an entrance on Yellow Cote since the Schwab portion was removed

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from the contract or the contract expired or
was canceled or whatever happened.

One of the alternatives that I don't
think we discussed up to now, there is a
possibility of purchasing a portion of the
Schwab property so as to have that link and
thus eliminate the need for an entrance on
Yellow Cote Road?

MRS. TORTORELLA: If you recall, there
was a portion of the Schwab property that was
part of this application. And that's what
Mr. Greco was contract vendee of.

So that was originally part of the
proposal. It was only a portion. We haven't
been contract vendee for the entire site.

But it was a contractual relationship.
The contract had expired. And we were left
with these properties that we're able to have
a control.

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(cont.)

THE CHAIRMAN: So there is no
possibility or likelihood or effort to regain
that connection?

MRS. TORTORELLA: The possibility and
likelihood, I would say that there is none.

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I think there was an effort because we hadn't included it as part of our original proposal.

THE CHAIRMAN: Yes.

MR. SCHWAB: I'm George Schwab. The property is for sale, the whole property. So I'm not sure that I agree with the no possibility of purchasing the section between the two.

MR. RAFUSE: The property is for sale?

THE CHAIRMAN: Yes.

MR. SCHWAB: As of three weeks ago.

THE CHAIRMAN: Okay. So does that modify your answer or does the answer remain the same?

MRS. TORTORELLA: The answer remains the same. We have no control over that piece of property. I mean, that's new information to us I will tell you.

And I don't know of any contact that has been made to Redcote Farm. We're certainly not going to entertain that discussion this evening.

THE CHAIRMAN: So it would eliminate no possibility. So you have no information

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MRS. TORTORELLA: I'm not going to mince words. I mean, I think at this point I explained what the situation was and it is what it is.

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Now that we have this information, we will take it under advisement. But I certainly would not under the law require you to do something on property that we have no control over under SEQRA or under the statute.

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THE CHAIRMAN: Well we do discuss all alternatives. It seems that would be one alternative to eliminate one of the problems. I just wanted to raise the question.

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MRS. TORTORELLA: Actually under SEQRA there have to be alternatives that the applicant can do. We don't have a contract and we don't have any control over it.

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THE CHAIRMAN: Okay. Yes?

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MRS. LITTMAN: Barbara Littman. I'm just wondering. Is the only approach to the

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property existing going to be on Cove Road?

THE CHAIRMAN: For that parcel and for the parcel on Yellow Cote.

MR. GREENFIELD: Your best off looking at the map. It's really not the place to start describing the property now, Barbara.

MRS. LITTMAN: I will look at it. But is it just that one?

MR. GREENFIELD: No, it's really best to take a look and you'll see the properties, the accesses, all of that information.

THE CHAIRMAN: But there is one access. I mean, it was addressed earlier this evening. There is one access onto Cove Road and one access onto Yellow Cote Road under the current proposal.

MRS. LITTMAN: Because of the property I thought maybe there was nothing.

THE CHAIRMAN: I mean, unless it was on 25A. Was there someone else that wanted to speak?

(None.)

THE CHAIRMAN: All right.

MR. STOLAR: Continue it.

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THE CHAIRMAN: We have the minutes.

MR. STOLAR: But this hearing is still open. You're going to continue it?

THE CHAIRMAN: Yes.

MR. STOLAR: Until when?

THE CHAIRMAN: The next Board meeting.

MR. STOLAR: It's being continued to December 1, 2005 at East Woods School at 8 p.m.

THE CHAIRMAN: Thank you.

(Whereupon the hearing was concluded at 9:54 p.m.)

CERTIFIED TO BE AN ACCURATE TRANSCRIPT:



JAMES F. GILL, C.S.R., R.P.R.

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PLANNING BOARD
INC. VILLAGE OF OYSTER BAY COVE 2005 DEC 16 A 9: 44

8:00 A.M.
December 1, 2005

East Woods School
Yellow Cote Road
Oyster Bay Cove, New York

A P P E A R A N C E S:

- JOHN BRALOWER, Chairman
- SCOTT GREENFIELD
- ANDREW RAFUSE
- JAMES ECKEL
- DAVID TOWNSEND
- MAX GEDDIS
- A. THOMAS LEVIN, ESQ., Attorney
- BY: BRIAN STOLAR, ESQ.
- JAMES J. ANTONELLI, Engineer

Hearing: Redcote Farm

JAMES F. GILL, C.S.R., R.P.R.
Official Court Reporter

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THE CHAIRMAN: I guess we left off with Redcote last time. We left it open for continued comments and review.

I guess before I get to my part, does anyone have anything that they want to start off with? Any comments since the last hearing?

MR. RAFUSE: No, I think other than we had a good hearing. I think that many of the items were addressed. There was a very open forum. I'm very happy about it.

I guess the only thing that I have to question is, did anything come into the office in written form that should be incorporated into the hearing documents?

MR. STOLAR: Nothing that was sent over to our office. And the clerk would know to send anything on the application over.

So I would venture to guess that there has been absolutely nothing received that's relevant toward your consideration of both the preliminary subdivision portion and the DEIS portion of this application.

MR. RAFUSE: I think we gave everyone

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proper notice and ample time to do it prior to the hearing.

THE CHAIRMAN: I mean, the first question is so we can clarify it, the fees and where we stand on that since Donna sent it out.

MR. STOLAR: Yes, there was a letter sent to the applicant at the beginning of this month as I understand it advising what the outstanding fees were for consultant and requesting that they pay the fees and they deposit the future fees as well.

From what I understand, the applicant's attorney, correct me if I'm wrong, the applicant then made an effort after receiving that letter to try and find out.

They paid almost 50,000 in fees so they wanted to get a sense of what fees are they being charged for.

They have gotten some of that information. They haven't gotten all of it. They did come tonight with a check despite the fact that they don't know what the fees are, a check submitted on payment of the

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amount of the fees that are or the
outstanding fees that are owed. Not for the
deposit but just for the fees.

MR. GREENFIELD: Hold on a second.

The amounts, I believe, of \$1,061.78 was the
balance due and the deposit of \$25,000 was
requested. Is that correct?

MR. STOLAR: That's correct. That's
the letter I'm referring to.

MR. GREENFIELD: Okay. Well it's not
received. It should have gone to the Village
Clerk.

MR. STOLAR: It was delivered tonight,
that's correct. It should be filed with the
Village Clerk. But it was received by us and
delivered by the applicant in the amount that
you referred to, the \$1,061.78.

THE CHAIRMAN: Are these bills not
itemized or anything? There's just a bill
for an amount owed?

MR. STOLAR: That's the way it's
typically done. But the applicant also, in
attempting to get some information, got
copies, I understand, of checks that were

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paid to companies but no breakdown for any of the work invoices that were provided by the consultant that they may be entitled to in some form.

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MR. GREENFIELD: It's my understanding because this was put together by the Village Clerk who handles all the finances and breakdowns, budgetary things and who it's attributable to, I know that there was another application that also had substantial fee issues.

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Their attorney and the applicant both came in and were shown the complete breakdown. However, no one from Pulling or Mr. Kean's office came into the clerk's office.

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I spoke with Donna today. She told me that the only person she heard from was the attorney on the other application.

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MR. STOLAR: From what I understand, this was a request made by letter about a week after they received that letter from the village. So there is a letter in the file.

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MR. GREENFIELD: Who did that letter

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go to?

MR. STOLAR: The Village Clerk. I have not seen that letter but I was advised that the letter exists from the applicant's attorney.

THE CHAIRMAN: It seems like we should. It seems like we're asking people to pay something that should be a fairly straightforward system.

MR. STOLAR: They're given a bill for fees. This is typical for every village. If you want to find out what it's about, you request a copy of the invoices. So we request it.

MR. GREENFIELD: It took a few weeks to put it together. The problem is that a lot of the bills come en masse such as Jim's bills.

It's not as if there is a separate bill sent for each individual function. It's a monthly bill. That includes all functions and it's then broken down within that bill. So going back over the length of time that something like this has taken.

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MR. ANTONELLI: But it's a separate invoice from each project that we're working on. It's not just here is the bound expenses for various boards.

MR. GREENFIELD: I'm just giving you an example. You're one of the examples. But I know that it took her about a month to put this together.

MR. RAFUSE: And I'm sure that she's got to collect the bills, make copies of them and give them to the office.

MR. STOLAR: Which is one of the reasons why the applicant doesn't have all the information.

MR. RAFUSE: And I think because of the holiday last week they couldn't get it together. But I'm sure, I mean, this is only one step in still a road going forward.

And I'm sure that the applicant knows that we're not going to go into final hearings unless we know that bills are paid. And I don't believe that's an issue here. I think it's a matter of just getting the two parties together.

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THE CHAIRMAN: Well I don't want to have the feeling that I'm presiding over a board where people have to show up with a check in their hand. So I'd rather these things just be dealt with in some organized manner.

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MR. RAFUSE: A professional manner.

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THE CHAIRMAN: In a timely fashion.

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MR. GREENFIELD: It shouldn't involve us at all.

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MR. STOLAR: Correct. If there comes a time that they dispute the fees, that gets handled separately. It shouldn't stop you from going forward with the process.

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MR. GREENFIELD: There is an impact which affects us. That's the use of professionals going forward.

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At this moment there's a check there. I don't know, I assume that the clerk is correct in her amount, whether there's any errors.

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But we have no deposit going forward and the Village cannot finance the expenses of the application.

MR. STOLAR: That's correct. I think

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what we would essentially do or the Village Clerk would do is that after this night send another letter to the applicant in this letter, not in the other one where they get the same letter and also another subsequent letter from our office.

But that they submit a deposit so that the fees on a go forward basis will have a deposit.

THE CHAIRMAN: Here's a letter from October 27th.

MR. STOLAR: Right.

THE CHAIRMAN: Do we have anything or is it just kind of informal?

MR. STOLAR: The next letter will essentially say I think deposit the amount that's determined by the clerk in her discretion to be necessary. We're not going to continue to process the application.

MR. ANTONELLI: Right. I think that we're just talking about two different sets of fees here. Because there is the subdivision fee that's in the fee and deposit law. That was paid upfront.

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MR. GREENFIELD: That's not what we're talking about.

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MR. ANTONELLI: And we're running SEQRA and the subdivision review concurrently.

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THE CHAIRMAN: Right.

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MR. STOLAR: The fees we're referring to are essentially consultant fees in relation to the SEQRA.

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MR. ANTONELLI: The SEQRA review is reimbursable, isn't it? You have seen that where you have an agreed upon amount and you put something in escrow to draw from.

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THE CHAIRMAN: Right.

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MR. STOLAR: That's why we're talking about putting in another deposit on a go forward basis.

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THE CHAIRMAN: Just going forward for this matter and for every other matter. I just think that I'd like to see a system in place where we're not sitting here and spending time about a thousand dollar check. I just don't want to spend my time doing that.

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MR. RAFUSE: I think you're absolutely right.

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MR. ANTONELLI: Usually we're asked to provide an estimate of fees and we haven't been asked at this point.

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THE CHAIRMAN: Who usually asks you? Consider yourself asked.

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MR. ANTONELLI: Either a Board or the clerk.

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THE CHAIRMAN: Okay. Consider yourself asked. We'd like to see it. Thank you.

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MR. ANTONELLI: Certainly.

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MS. TORTORELLA: Good evening again. Angela Tortorella. Just to clarify,

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Mr. Chairman. I can share with you although I need to take them back because they're my only copies this evening.

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But I did submit a foil which I didn't have a chance to submit to Brian beforehand. But it did relate to that \$49,000 charge that has already been expended. And that was submitted on November 10th.

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And on November 21st we received just a list of the various checks and the amounts

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and the vendors to which the payments were

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made. But not what I would describe as

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backup or itemization of expenses.

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And so all we wanted to do was to be

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able to understand to whom the payment was

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made and for what purposes since they date

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back such a far period of time.

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And as Mr. Rafuse indicated, last week

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being the Thanksgiving holiday, that they

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didn't have much of an opportunity to follow

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up with the Village Clerk.

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We intend to do that and we intend to do

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the itemization. I think it's been clear

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that there hasn't been a payment issue in it.

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And we will replenish that amount within a

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reasonable period of time.

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THE CHAIRMAN: And I don't think it's

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unreasonable to want to know.

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MR. GREENFIELD: I don't know about

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that. I have a feeling that that's going

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to cripple the Village in order to provide

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the backup. We don't have the personnel to

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do that.

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MS. TORTORELLA: By law you have to.

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MR. GREENFIELD: That may be but that may take months and months. So we can continue the hearing.

MR. RAFUSE: I mean, they're all characterized. And we're only talking about four vendors, Clark, Brown, the Mayor. We're talking about the court reporter service. And a guardian for advertising, Long Island Communications for advertising. We're only talking about five.

THE CHAIRMAN: What I'd like to propose, in any event, is, I will assume, based on past experience, that all the information is there. You know, the answer is all there.

So I would like to get the deposit put up. We'll go forward tonight without it. But I want to have noted that for our next hearing I'd like the deposit up whether the answer has been provided or not.

And presumably that will be provided. But in any event, I don't view this deposit as subject to the verification of the previous numbers.

MR. STOLAR: And it really isn't.

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THE CHAIRMAN: Right. I just want to make it clear.

MR. STOLAR: So we understand.

THE CHAIRMAN: Okay. Well I think that we'll start at this time. Is there anyone that has any comments that they want to make? Jim?

MR. ANTONELLI: I do. Just one thing that I'd like to correct on the record. Since the meeting I know I was caught a little without the proper data when asked about the equivalency of the return period of the storms when we were talking about designing.

I think that the applicant's engineer made a representation that the DRA would be designed to hold 8 inches of runoff I guess was the big quote.

And I think that you had asked well what's that equivalent to, one. And two, how does that compare to the rain that we just had?

And I'm referring to the week ending October 14th where there was quite a bit of

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rain. And I think I mentioned an amount that

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I was aware of based on a phone call that

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came from engineers at the Cold Spring Harbor

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lab.

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Since the meeting they have provided me

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with a written report of those recordings.

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And basically what it was, just so that you

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would know and we could put it into

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perspective.

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THE CHAIRMAN: Right.

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MR. ANTONELLI: It was eight days of

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rain. And within that eight days there was a

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five day period, five consecutive days where

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there was approximately or an equivalent of

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four inches of rain for a 24 hour period.

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Now four inches of rain in a 24 hour

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period in this area of Long Island is

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approximately a four year storm.

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That would mean that you would

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statistically or in all probability at least

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mathematically it would show you that every

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four years you could expect that type of an

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event.

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Now we had five of those in five

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consecutive days. So I calculated the probability of, you know, how would you, I mean what would the probability be of having a four year storm for five consecutive days.

And it comes out to be one in one thousand years. It's a .001 probability. And that's basically what we had.

MR. RAFUSE: So it's four inches per day is what you're saying?

MR. ANTONELLI: Right. For example, the probability of the happening once in a given year is .25. You know, it's 25 percent.

But once you start to compound that, you have to calculate, you know, what are the chances of having that five consecutive days. It was five consecutive days and the data shows that.

THE CHAIRMAN: So I happened to be reading two interesting articles. There was an article today about what's going on with the current hurricane seasons and all that and the global warming.

We're in a period I think for the next

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few years where we're going to be in this very unusual intense thinking that they have seen happen before. It happens in cycles.

But the second thing was an argument about a municipality that has seen in the past year they saw five one hundred year events in one year.

MR. ANTONELLI: Right.

THE CHAIRMAN: So there was debate and thinking going on now about redefining what it's about. We're sitting here saying it's a hundred year event.

But in effect the definition hasn't changed because what a hundred percent means to people scientifically technically means what has to be evaluated now based on probability.

So what came out at the last hearing is how people in your field deal with it generally.

MR. ANTONELLI: Yes, unfortunately it's the most recent memory that we have.

THE CHAIRMAN: Right.

MR. ANTONELLI: So it's rather difficult

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to explain and justify, you know, something of a lesser design.

What used to be the U.S. Weather Bureau and for a while now has been Noah, they define averages as the past thirty years.

So they keep shifting along with what has happened over a thirty year period.

THE CHAIRMAN: Right.

MR. ANTONELLI: I have data in my office that's dated 1953.

THE CHAIRMAN: Right.

MR. ANTONELLI: And when I compare it to what they published in the late '90s, it's still essentially the same. It really hasn't shifted a lot even though I am aware of a couple of places that had two one hundred year storms in two years.

THE CHAIRMAN: Right.

MR. ANTONELLI: I mean, it happens. You know, at this point I'm not getting overly concerned about it. But it is something that we have to be aware of.

We have to be very cautious. We have to make sure, I think in terms of this

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particular application we have to make sure that, you know, if there is any type of an overflow, where does that go and how can we handle it and do those downstream facilities have the capability of handling it.

THE CHAIRMAN: So if we had those five days or four inches under the current drainage plan, would it have been adequate? Or if it wasn't adequate, what would the effects have been?

MR. ANTONELLI: It's hard to say. Because what would have to happen during that period, when we talk about eight inches of runoff, it's a volumetric description basically.

And it would assume that you had all of that runoff instantaneously and that's the volume.

THE CHAIRMAN: Right.

MR. ANTONELLI: But in reality it falls over a period of time. And during that time the ground has time to soak some of it up.

Now I know that I was present when they did one of the more recent test pits near

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this DRA. And I think that the soil was acceptable.

But the question is going to be how fast can the ground take the water and without the water table rising and this mounding effect would impact on how well this works.

It's very possible that four inches over 24 hours, it could keep raining for quite some time with no impact, no overflow.

THE CHAIRMAN: Right.

MR. ANTONELLI: But there are other factors that could come in. Like I said, a rising water table that would, you know, we would be concerned here because of the pond. We're in that area.

THE CHAIRMAN: Right.

MR. ANTONELLI: And if that would hold some water back, that's how the south shore flooded during this October period.

THE CHAIRMAN: Right.

MR. ANTONELLI: It was high tide, high water table, water table mound coming from the middle of the Island down onto the south shore peninsulas.

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THE CHAIRMAN: Right.

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MR. ANTONELLI: Like it hasn't since they built those peninsulas in 1960.

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THE CHAIRMAN: So do you mean the question that we're going to try to answer beforehand or when it happens we'll see?

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MR. ANTONELLI: No, it's something that I have to use professional judgment on and so would the applicant's engineer on design and possibly over design and safeguards and understanding that big picture.

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THE CHAIRMAN: So is it possible --

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MR. ANTONELLI: Certain things that we have done before.

THE CHAIRMAN: So it's possible to over design? It's just a question of cost? I mean, if someone suddenly or if we suddenly ascertain that every year there was going to be, I'm using this for an illustration, ten days of four inches of rain, there is a way to deal with it?

Or do you reach some point where the permeability and the ability to move the

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water --

MR. ANTONELLI: That's what I'm saying.

There could be that.

THE CHAIRMAN: You could?

MR. ANTONELLI: Yes.

MR. RAFUSE: Jim, isn't there

engineering standards for Nassau County?

MR. ANTONELLI: Right.

MR. RAFUSE: That all these subdivisions
meet?

MR. ANTONELLI: Right.

THE CHAIRMAN: That's what we're talking
about. We are trying to find out based on
this specific property and also what's
happened recently and whatever might be
happening is adequate.

What we don't want to have is like what
we had over on Cove Road, the road that
parallels Berry Hill. That's the one that
parallels Berry Hill. It comes off 25A just
to the west.

MR. GREENFIELD: Cove Edge Road.

THE CHAIRMAN: Where there were two
spots that were impassible.

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MR. ANTONELLI: Well that problem is something else. That's an undersized basin. It's a DOT basin.

THE CHAIRMAN: Right.

MR. ANTONELLI: It takes the 25A water. And there is not a lot of what's known as free board.

THE CHAIRMAN: Right.

MR. ANTONELLI: And that is area for the water to rise without something. There is a dip in the road in that location and there is also a catch basin. All of that backs up. And they have to close the road from time to time.

THE CHAIRMAN: I'm wondering for my future edification so we don't make the same mistakes. Was that because it was approved incorrectly or it wasn't built incorrectly?

MR. RAFUSE: I think it's lack of maintenance.

MR. ANTONELLI: I think when you find a failing basin, first of all that's in an area where I know we have a high water table.

People on High Meadow and Grace Lane

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both have water table problems. People on Twin Ponds have water table problems.

Also I know that typically when you have a basin like that that may have been designed well, it may have been constructed well, but somehow along the way, either when they built the road or afterwards it gets, the bottom, the absorptive quality of the soil gets covered with either a silt sediment, leaves or debris.

MR. RAFUSE: Right.

MR. ANTONELLI: And if they're not maintained, they fail. And that's what happens.

MR. RAFUSE: That basin is over thirty years old.

THE CHAIRMAN: I've heard a lot about that.

MR. RAFUSE: I don't think it's ever had any maintenance. On Sugar Toms they just did a basin closer to 106 where they went in and cleaned up the bottom and recertified the bottom and so forth to get better drainage.

MR. GREENFIELD: Right.

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MR. RAFUSE: It's a Nassau County basin, I believe, and they need to keep on top of that.

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THE CHAIRMAN: So the next question that comes from that is when they're doing it on a private basis, what kind of traditions can we properly have to make sure that they're properly maintained?

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MR. ANTONELLI: Well there are two things. The first thing is if it's a traditional basin, a sump, it would be dedicated to the County. And they are responsible. There's one way that it was traditionally done in this village.

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MR. GREENFIELD: That was the why for doing the sump.

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MR. RAFUSE: But this is a homeowner's association. And they are required to maintain it through the dues of the homeowner's association.

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THE CHAIRMAN: But that's what I want to understand.

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MR. ANTONELLI: That's something that I think we have to talk about as we go through

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the subdivision review.

THE CHAIRMAN: Okay.

MR. ANTONELLI: I don't think we've gotten to that point. I think there is something that is alluded to in the DEIS. But I think this is something that we have to discuss.

THE CHAIRMAN: Okay. The other thing that I wanted to understand that came from the last meeting, I forgot who brought it up, it might have been the Friends of the Bay, the person who spoke from the audience, there was a discussion of the Cold Spring Harbor labs and the work that they're doing there.

MR. ANTONELLI: Right.

THE CHAIRMAN: And how they've gone to a different sort of state of the art. I don't know if it's correct. That's what I want to know.

That they have to go to a different level of dealing with some sort of sanitary or waste issues beyond what has been traditionally done. Do you know anything about that?

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MR. ANTONELLI: Yes, I do. You're referring to testimony or at least a question given by Kyle Raven, I believe, from Friends of the Bay.

THE CHAIRMAN: Right.

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MR. ANTONELLI: It's unsanitary. It has to do with how they're handling the erosion control and runoff.

And since I am the Village Engineer in Laurel Hollow, I have done periodic inspections there.

THE CHAIRMAN: Right.

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MR. ANTONELLI: Most of it is not any different than what you would find anywhere else. They're using hay bales and silt fence. They're doing it in what I think is a rather good and unique method.

And, you know, they're rather fastidious about how they do it. And they want to make sure that they don't have problems.

So they're working on steep slopes. They have a lot of land disturbed at one time.

And what they are doing is they are

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actually, within that disturbed area, rather than just go around the perimeter of the site and put up a silt fence or hay bales and have water flow from thousands of steep slopes and pick up velocity and so on which won't work, they have taken these features and moved them into the disturbed area.

They have terraced between them to cut down runoff velocities. And they have used them in a number of parallel systems.

So that you may have six of them rather than just one set of hay bales and silt fence. They are used both together and have six in a row.

So really sediment is not getting through. The only thing that I saw that they are using that's a little more unique is they are taking storm water sediment, laden storm water from the construction site and putting them into four bays which are small settling basins prior to any discharge into any type of a water course channel or ponds.

They do have some ponds over there that are made for storm water detention.

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MR. GREENFIELD: Right.

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MR. ANTONELLI: So they have been really good about that. And I know the erosion control plan that I had reviewed there also had some rather unique ways of handling planting and restoration for some of the disturbed areas.

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The application that we have, I know that we didn't require a detailed erosion control plan for the SEQRA process. But we do have a conceptual plan.

There is a lot of discussion about mitigation of these things. And at least in concept they are talking about those same type of things, hay bale, silt fence, a number of things that can be used.

And I think that once we get a plan that, you know, is before the Board and part of the subdivision plan that we can review, I think that we can talk about very similar types of things. And it's really not too terribly expensive.

THE CHAIRMAN: Right.

MR. GREENFIELD: That's a little nitty

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gritty for this stage, isn't it?

MR. ANTONELLI: Very.

THE CHAIRMAN: I thought that he made reference to septic. Also there was nothing. I would have to go back and look.

MR. ANTONELLI: I'm not aware of anything in septic. I mean --

THE CHAIRMAN: Okay. Again --

MR. ANTONELLI: That are connected to sewers.

MR. GREENFIELD: Integrate system.

THE CHAIRMAN: Okay.

MR. GREENFIELD: They're connected to a ponding section.

THE CHAIRMAN: We'll address that in more detail.

MR. ANTONELLI: Correct.

THE CHAIRMAN: All right. I mean, I have a lot of questions. But it's not, I mean, I think the issue tonight is really just to finish dealing with the draft environmental impact statement. I assume, you know, there will be other opportunities to deal with the sort of issues.

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The one question that I had for you is if there are any outside experts that we desire to have brought in for a certain issue, when is the appropriate time to bring that up? Is that now? Is that in the final stage? When is the time to do that?

MR. STOLAR: So what you're saying is that if there is anything beyond what is already done, whatever is ultimately incorporated through your FEIS would have to be, it would become part of your FEIS.

So if you have a request for the applicant to come and put more information, to put a comment out there and they have to come back with it for consideration of the FEIS, the same thing if you want to have some consultant look something over.

THE CHAIRMAN: I'm asking the proper time to do that is when? Is it after the public portion is closed and during the comments?

MR. STOLAR: As soon as you become aware of it.

THE CHAIRMAN: I just want to know when

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the last opportunity to do that is. Is it now?

MR. STOLAR: Everything should be addressed sooner rather than later. If you have an issue that you want to be considered --

MR. GREENFIELD: Let us know when the door closes. When does the door close?

MR. STOLAR: When you adopt your final statement and when you adopt your figures. If you're talking about the first part, the FEIS. So you can have additional comments put in. If you want consultants' reports, put them in now.

THE CHAIRMAN: Could you just define now? Is that tonight?

MR. STOLAR: Do you have anything based on what you reviewed thus far in mind?

THE CHAIRMAN: It's hypothetical. I have potential things that may not be ready to go yet. And I may not request them. I just want to understand.

MR. GREENFIELD: We don't want to find

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ourselves missing an option.

THE CHAIRMAN: Is this not an answerable question or is it an answerable question? Putting it into the most narrow focus, what is the last point in the process?

That if we decided that we wanted it, it's not something that I want but if I wanted a belgian block estimate to determine what it should look like along Cove Road, what is the last time?

MR. STOLAR: As part of the SEQRA process you will be doing that now.

THE CHAIRMAN: Could you define the word "now"? Is that tonight?

MR. STOLAR: If you have something in mind tonight, you really should.

THE CHAIRMAN: I really may have to go down to Washington.

MR. RAFUSE: Could I jump in for a second?

THE CHAIRMAN: Yes.

MR. RAFUSE: I think if you're talking about subdivision matters such as the belgian block, all those are open to us.

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THE CHAIRMAN: Right.

MR. RAFUSE: There are engineering aspects of it. The way the houses sit on the lots are open to us. The drainage situations are open to us at this point. That's all beginning really for us at this point.

THE CHAIRMAN: Right.

MR. RAFUSE: Our opportunity to bring in experts if we wish and we did has been over the last year or better that we have been analyzing this.

And we brought in certainly in depth our engineering firm. We brought in Clark to review this and other people. So I think at this point it's closed.

THE CHAIRMAN: Okay. You're talking about something completely different than I'm talking about.

MR. RAFUSE: The beginning has ended. Now we go into the second stage which is to finalize SEQRA.

THE CHAIRMAN: There is a certain point that we are closed with options. And before we do that, I want to understand what that

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point is.

I mean, maybe this is a complex question. I'm reviewing it as a simple question.

MR. STOLAR: Mr. Rafuse is referring to it as the second part. There are two parts to the application. Compliance with the subdivision, the elements to be sure that the regulations are met.

The second part is the environmental impact. That's the second impact. That's what I think you're asking about.

THE CHAIRMAN: Right.

MR. STOLAR: I know you made reference to belgian block.

THE CHAIRMAN: Right. It was a bad example.

MR. STOLAR: Keep in mind, the FEIS that is ultimately acceptable is your document.

THE CHAIRMAN: Right.

MR. STOLAR: If there is information that comes to you that is not sufficient, you can then look into obtaining more information before you adopt your FEIS.

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THE CHAIRMAN: Okay. So if we were to vote on and close the draft environmental impact statement, take our period to make our comments, then go into the final, the FEIS phase, and it was decided that we want to get someone in who is an expert on rain quality in the area, is that more incremental than subdivision? Is that still within our purview?

MR. STOLAR: Again you go back to the FEIS issue. The FEIS will become when adopted and accepted by you, it will become your document.

If you put forth that your comments that are made during the public hearings or that are made within the comment during the public hearing things that you want responded to and those things are not adequately addressed to your satisfaction, you can go and get additional information on those facts.

It's not that you have to start anew and find something that you didn't find before. It really has to be thought about now and addressed now so that you could consider it

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when it comes time to adopt the FEIS. That's what I'm saying to you.

THE CHAIRMAN: I know. But I still don't know if now means tonight or before we close down.

MR. STOLAR: If you want certain things addressed, you have tonight to ask about them.

THE CHAIRMAN: Right.

MR. STOLAR: Or the comment period to ask about them. Beyond that you should not be asking for additional items to be addressed.

THE CHAIRMAN: So now until the end of the comment period?

MR. STOLAR: Right.

THE CHAIRMAN: That's what I want to see. Thank you.

MR. GREENFIELD: Now I have a question. I'm not sure how this exactly fits in. But given the fact that the Village has passed a number of new laws which I believe take effect December 15th --

MR. STOLAR: They have them.

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MR. GREENFIELD: Some of them. I don't know what impact this will have on the application that's before us. And I don't know whether or not that will give rise to non-conformities, to need for variances to change any plans. And what the impact of any of those may or may not be on the DEIS.

Now I believe that the Village Building Inspector has not yet finished a review of this application relative to the new laws.

But I am concerned that we're at a rather unusual confluence of events tonight since we are here continuing the preliminary hearing, the SEQRA hearing, and we have in the background these new laws lurking.

MR. STOLAR: As you said, to narrow it down, there are one of two things that will happen. The applicant's application, as presently put forward, will go forward.

Based on the new laws that come into effect on December 15th, there may very well be variances required.

Myself looking at it, I'm not the Building Inspector but just looking at it, I

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believe that there publicly will be, based on the current application, the variances required.

If that's the case, then ultimately the Zoning Board which has not been listed as an involved agency becomes what they call an involved agency.

All that requires really would be to give them notice of what's going on, give them the option in conformance with coordinated review, give them the option to make comments as to whether or not they should be the lead agency.

Presumably they know that you've done your work and they will probably just at some point say we consent to your being the lead agency. That still procedurally has to be done.

THE CHAIRMAN: Right.

MR. STOLAR: The other thing that can happen here is that the applicant can review the new laws that became effective on December 15th. See how they apply to the application, make revisions to the

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application to account for those so that no variances would be required.

THE CHAIRMAN: Right.

MR. STOLAR: Then you don't have that aspect with the Zoning Board. As it applies to impact and the laws in relations to the impact, in situations where the impact, new impacts are created or the impact potentially is increased by the adoption of the new laws, you typically required supplemental DEIS.

The situation here with regard to the new laws will actually, all of the impacts that are applicable in those new laws have, as far as I can tell, been addressed.

You may end up with either a reduced subdivision or you may end up with a subdivision that's the same. Either way the impact with regard to the wetlands, slopes, zoning issues, all have been addressed.

MR. GREENFIELD: Well I agree with you. But I'm not sure. Should there be a need for change, should there be a change, should there be non-conformities?

First of all, I'm not sure that I would

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be comfortable speculating as to what the outcome of the Building Inspector's review for conformity would be. I'm not the Building Inspector. I don't know if there is going to be any change.

But I do think in light of the significant changes in the law that we need to know that before we jump to conclusions.

MR. STOLAR: Well your conclusion is your FEIS ultimately.

MR. GREENFIELD: I understand that.

MR. STOLAR: Go ahead.

MR. GREENFIELD: The problem that I have is that I don't know what will flow out of that. You'll have a review. We'll find out if there is non-conformity, if there's variances, whatever.

I don't know what the applicant's position will be. The applicant can tell us that. It doesn't matter whatever it is. We're just going forward.

But the fact is that we've seen changes. And I don't think that it would be inappropriate for the applicant, whether it

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be minor or major, to adjust the application in light of the new laws and in light of whatever burdens and hurdles they may have to go through in order to accommodate the new laws.

And I don't know how exactly we speculate as to impacts at this point. It's a perfectly rational point of view to say that these laws will likely be beneficial. Because that was their intention.

But the laws have changed. There may be changes on the part of the application to accommodate the laws.

Look, we ended up with a very different scenario midway through the DEIS when the Schwab property got out of the middle. It was a huge change.

And did anyone anticipate that? No. You know, it happens. I don't begrudge the applicant doing what he needed to do to adjust in order to accommodate change of conditions. The problem is, what is today's date, December 1st?

THE CHAIRMAN: Yes.

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MR. GREENFIELD: On December 15th certain laws will go into effect. That's two weeks from today. We're not talking about let's see what happens a year from now.

I'm talking about laws that are going to impact two weeks from now that this Board ought to at least know if it's going to do its duty what it means.

And we ought to also know whether or not after the applicant has decided what he is going to do in response to the impact of those new laws whether or not anything needs to be done. Maybe the answer is nothing.

MR. STOLAR: And those issues can, unless there are laws that really truly impact us and I haven't looked at every single one to see all of the impacts.

But the more substantial ones as they relate to us in some of the discussions that we have had, specifically the slopes, I think that issue has been addressed.

Now the applicant can address and you can request that the applicant do so how the new laws, if and when they do become

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effective on December 15th, will address or will impact the application. Will there be revisions?

Those kinds of issues can be addressed in their responses to your comments. So you may not have to address it as part of your DEIS analysis or revision to the DEIS per se.

You can, I believe, instead consider it and make your comments, request the information, ask that they address all of these issues. And you can address that at a future time.

If they make changes to the plans, they will submit a revised plan and their response to your comment.

THE CHAIRMAN: Also since we're supposed to on some, officially if we close the meeting, the public hearing tonight, what's our amount of time in order to turn around comments?

MR. STOLAR: The resolution that you adopted previously provided for a ten calendar day notice. So fourteen days from today would be December 15th. That would be

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the time in which you would have to comment.

THE CHAIRMAN: Ten calendar days or
ten business days?

MR. STOLAR: I think it's ten business
days.

THE CHAIRMAN: Okay. So by
December 15th. All right, then I have
several questions that relate to that.
First of all, I'm not so sure that all of my
colleagues are aware of what the new laws are
and what their potential impact might be.

So I will put Jim on the spot to the
extent that I can. Can you give us, if
you're comfortable, you may not have had a
chance to do this yet?

MR. GREENFIELD: I don't think this
is a wise idea to do off the cuff.

THE CHAIRMAN: I'm not going to do it
off the cuff.

MR. GREENFIELD: He's not in a position
to do that.

THE CHAIRMAN: I just want to ask Jim
if I may.

MR. GREENFIELD: Okay.

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THE CHAIRMAN: If you know, which of the new laws would potentially have an impact? Not what the impact would be but which ones?

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MR. GREENFIELD: I think it's a terrible question. I think it's unfair to ask him.

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THE CHAIRMAN: Well I'm letting Jim decide.

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MR. GREENFIELD: It's not a guessing game.

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THE CHAIRMAN: Do you not want to answer it?

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MR. ANTONELLI: I don't know the answer. They were newly adopted.

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THE CHAIRMAN: So that goes to my point which is my colleagues on the Planning Board if they need to turn around my comments on this within ten days after we close this.

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I just want to make sure that you feel comfortable that you'll be able to know what the laws are, understand what the questions will be relating to them and ask them in the next ten days.

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So just have it in your head that we're

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talking about this. Yes?

MR. ANTONELLI: There's just one more thing on that. Scott, you made me think of something when you were voicing your concern here.

Keep in mind that the SEQRA process encourages, you know, some type of interaction back and forth between the lead agency and the applicant.

So that very typically a plan will be revised as we go through even after you accept the DEIS.

You know, I've seen plans revised up until the point of final acceptance of the FEIS in response to certain things, little hurdles as you say, to get over.

I have seen people increase their perimeter buffers by five times to make some issues go away.

THE CHAIRMAN: Right.

MR. ANTONELLI: And, you know, that's part of the process. And it means that the system is working. But to try to think that if you make a decision tonight on the DEIS or

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closing this part of the hearing, just keep in mind that we have the subdivision review to go through.

I think invariably this plan had been revised for one reason or another. Whether it's the new ordinances or other things, there are some, you know, outstanding review comments that had come from either me or David Portman in years past that we have to go through yet.

There is a lot of more finalized design, further conceptual design to go into.

MR. GREENFIELD: It strikes me that, I certainly think that's true. All that we have seen in the last two years that I have been on here is that the only impetus for change has been external.

That there has been no changes as a result of anything said by this Board. Which is unfortunate but it's the way that it's been.

MR. ANTONELLI: Typically you won't see a change through the DEIS process. The changes then come through the subdivision

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review, the act of review according to a board meeting. That type of thing.

MR. GREENFIELD: The only difference here is that this is both external to this Board process, it's Village law, and that it is not something which the applicant can pick or choose to comply with.

MR. ANTONELLI: Right.

MR. GREENFIELD: And once again I don't know entirely what the impact of it would be. I just can't see finding myself a month from now saying, gee wiz, we didn't know what happened two weeks ago when the law went into effect whether it was going to have this ramification.

MR. RAFUSE: Can I?

THE CHAIRMAN: Yes.

MR. RAFUSE: My understanding of the process is this period of examination was to put out enough intelligent comment that someone could look at the file and get a pretty good feel for what's happening here environmentally. And I think that we have accomplished that.

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I mean, I think we took a look at traffic. We took a look at wildlife. We took a look at drainage.

I think your concerns go back again to the splitting of the information that an intelligent person can glean from the information put before them and the DEIS and say I can make an intelligent decision on what impact this will have positively or negatively to the environment.

I think that the new laws that are coming into effect on December 15th will govern the subdivision and how it is shaped.

And perhaps there is going to be some tweaking and I think there is going to be some tweaking that needs to be done. We have not really even begun that process. Because we wish to get over the first step.

So my opinion is that enough information is out there. We've got to move forward. Let's close this aspect of it.

Let them work for the next few months both on their final environmental impact statement. They are going to see how the new

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laws govern their subdivision layout and what they choose to do about it and how they wish to approach it, whether to revise the map or look for variances. But let's move the process forward.

THE CHAIRMAN: I have a real concern, I'm only speaking for myself now, not all the Board members. I have a real concern that I cannot turn around my comments in a thoughtful way that I am properly serving the Village in the next ten days.

I mean, that's just where I am. I just feel that I need more time to digest it and think about it.

Does anyone else have any feeling on that? I mean, is everyone else ready to basically go with the comments in the next ten days?

MR. GREENFIELD: Does anyone feel that they need more information on any particular subject?

MR. ECKEL: Well I think ultimately they're going to have to abide by the new rules.

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THE CHAIRMAN: Regardless of the new rules.

MR. GREENFIELD: It's a given.

MR. RAFUSE: Right.

MR. GREENFIELD: With all due respect, my problem isn't so much that it's a given that they have to abide by it. My question is that I don't know what the impact, the changes that are going to be done as a result are going to be.

If we were talking about something six months down the road, who knows what's going to happen? We know that the laws are going to go into effect on December 15th.

And we know that it's going to require some adjustment period and here we are jumping ahead without having a clue what that is.

And I think we would be foolish and doing a future disservice. I mean, it's a shame that it's all happening at the same time. Just a bad confluence of events.

But without having a review by the Building Inspector of how the new laws impact

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on the application and what environmental

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impact, if any, they have, we're talking

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about a two-week differential here.

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And to ignore the fact that we have just

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done a two-year moratorium, changed all the

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laws and we have to wait, but we're going to

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forget about all that and we'll worry about

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it six months from now, that does not sound

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like a wise way to proceed.

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THE CHAIRMAN: Well I'll go a step

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further. Even if we didn't have the new laws

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coming, I would just again, you know, I agree

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with everything that you said, I don't feel

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that ten days is an adequate amount of time.

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Did we make the ten days up?

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MR. STOLAR: Well it's yours. But it's

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pursuant to the regulations that provide,

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you have to give a thirty day comment period.

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THE CHAIRMAN: Our options are obviously

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as we said last time, the applicant would

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like us to close it. And I would like to not

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keep it open any longer than necessary.

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But as it stands now, our option is

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to close it within ten days or to continue

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it?

MR. STOLAR: Or to continue it to the next hearing or to see if the applicant would consent to an extension of the ten days up to the thirty days that's permitted by statute.

THE CHAIRMAN: Right.

MR. RAFUSE: Your comments pertain to the new regulations?

THE CHAIRMAN: No. One of the issues I have, you know, I don't know enough about the new regulations. I know what I heard from the kids on the street.

But I haven't read them and I don't know. I'm ignoring that fact because I have no idea.

I agree with you that probably most of the impact will be things that we'll get to in the other phases of this, the subdivision.

MR. RAFUSE: Subdivision.

THE CHAIRMAN: I haven't gotten any kind of official report. I haven't seen the new laws. I don't know what they say. I've heard that there's a slope ordinance. So I'm aware of that.

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But, you know, I'm assuming, I'm not getting any expert advise here on any real input as to what they are and whether I should be concerned about their impact.

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But I'm concerned without that, I'm concerned that ten days isn't enough for me. That's a secondary factor. I can't answer that one because I don't know.

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So I'm ignoring that one. I guess with Scott that it's two weeks ago. But I'm putting it aside and saying even without that I think there's a lot to digest here.

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I haven't read this yet which is from the last time. I don't know if you guys read it. I would be impressed if you had.

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MR. GREENFIELD: I have.

THE CHAIRMAN: I know that you have. But in any event, that's all I'm saying. I understand what the hurry is in a sense. But I also don't understand what the hurry is and I'm not going to put all this time that I have put into this unless all my colleagues really want to.

I'm not going to take all the time that

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I have put into this and all the importance of this both to the applicant and to the community and then say, okay, I've got ten days. I'm just not comfortable with it.

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If I did, obviously I would be comfortable. But I have an option which is to continue the hearing.

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And so I'm trying to understand why not to go beyond the fact that we would just like it closed. And so as Brian just summarized, we could either get additional time or leave it open.

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MR. STOLAR: Or close it and go with the ten days.

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THE CHAIRMAN: Well I'll see what everyone else wants to do.

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MR. ANTONELLI: Not to put words in your mouth, just so I understand. When you say that you need more than ten days, you're saying that you want to make comments on the DEIS on this process that you would like to have the applicant address.

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THE CHAIRMAN: Right.

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MR. ANTONELLI: As part of the DEIS

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stage. But you don't want to be limited to

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the ten day period to do that. Is that

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correct?

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THE CHAIRMAN: That is correct. I mean,

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as I said --

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MR. GREENFIELD: Excuse me.

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MR. ANTONELLI: But the comments would

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have to be addressed. These are comments to

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be addressed. So it would still be comments.

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Understood.

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THE CHAIRMAN: I feel like we have

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spent, as everyone has pointed out, so much

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time. Again maybe I'm slow.

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But I don't feel that I'm at the point

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where I feel that in ten days I'm going to

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have all my thoughts and comments prepared in

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a way that's fair to the process.

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MS. TORTORELLA: Mr. Chairman, perhaps

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we can bring this discussion to closure.

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If you were to close the public hearing this

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evening, we would consent to a period, a

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comment period to expire at the end of

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December.

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And we have no objection to doing that,

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particularly considering the intervening holiday period. So we're willing to do that if that's helping you.

THE CHAIRMAN: Well it's certainly very helpful.

MR. GREENFIELD: Can I ask? I hate to look at gift horse in the mouth. But since I'll be away for the latter half of December, it's a religious thing, what's the chances of doing like a January 15th closing and have January 15th for a comment period? That might give us the opportunity.

MS. TORTORELLA: Well what I was really doing is suggesting the extension only for the Chairman but for you December 15th.

THE CHAIRMAN: And we'll all vote in favor of that.

MR. GREENFIELD: I happen to like that idea. Thank you.

MS. TORTORELLA: Well I mean, you just admitted that you read the transcript. You're starting to digest the codes. It's obvious that you spent a lot of time looking at the DEIS.

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Look, you know, there's got to be a rule of reasonableness that applies here. This has been, the document has been in the public for quite a period of time.

We would like not to have to go into a January date. We'd like to be able to go forward with the FEIS.

We understand that there are some additional events that you want to be able to digest a little bit. But we would really like to be able to close it by the end of the year.

THE CHAIRMAN: As you can see, we're grappling with this.

MS. TORTORELLA: I'm just responding to Mr. Greenfield's request.

MR. STOLAR: And let me just add something to that. You can't go beyond thirty days maximum according to the regulation.

MR. GREENFIELD: We could also continue the hearing to December 15th.

MR. STOLAR: It would be ten days from there unless you get the consent of the

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applicant.

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MR. GREENFIELD: Well we can talk to

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Ms. Tortorella. She's very amenable.

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THE CHAIRMAN: Well again your

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perspective is the legal side of things.

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We could basically just continue it?

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MR. STOLAR: If that's the route that

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you want to go, that's one of your options.

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THE CHAIRMAN: Okay. Well before we

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resolve that issue, does anyone in the

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public have any other comments that they

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want to make or anything that they want?

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(None.)

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THE CHAIRMAN: Does anyone up here have

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any issues before we decide whether we're

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closing this or we're going to take more

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time, more than thirty days?

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MR. GREENFIELD: Are we going to be

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able to do this?

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MR. TOWNSEND: This means December 31st.

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THE CHAIRMAN: Well it won't be

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December 31st. I'm not going to be here and

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no one else is going to be here.

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MR. RAFUSE: To close the hearing with

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the understanding that we have a comment period to December 31st.

THE CHAIRMAN: Right.

MR. RAFUSE: I think that's what they're saying. I'm in favor of that.

MR. ECKEL: We need more time.

THE CHAIRMAN: I'm trying to understand.

MR. GREENFIELD: My view is that come about December 20th that period is lost.

MR. RAFUSE: Right.

MR. GREENFIELD: So I mean, it doesn't really add to the time. So it's basically from now until whenever everybody goes away for the holidays. The rest of it is kind of meaningless.

MR. RAFUSE: Well will it give you enough time? That's the question.

THE CHAIRMAN: Well I mean, again I'll deal with, ten days will not give me enough time. Thirty days would probably give me enough time.

The next thing that comes up to mind is that none of us are really allowed to then, what's the time once we go into

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the comment period?

This night would really be the last opportunity that we have to discuss it, right? I mean, unless we have a public meeting.

MR. GREENFIELD: A work session.

THE CHAIRMAN: Unless we get together physically in public again to discuss it. This is our last opportunity, is that correct?

MR. RAFUSE: Yes. Unless we call another meeting. That's exactly correct.

THE CHAIRMAN: Right. So I don't want to sound like a school teacher. But I would be happy if we all read what happened last time and really digested it and done that.

But that's water under the bridge so to speak. So I mean, the issue before us is whether we close it and take the thirty days or whether we just continue it. I keep asking the question but I'm not getting an answer.

MR. RAFUSE: I voiced my opinion.

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MR. ECKEL: I mean, the next meeting is January 5th. It's not that far away. So if you want to delay it until then, that's fine.

MR. STOLAR: If you follow through with the ten days from January 5th, I think from January 19th.

THE CHAIRMAN: Right.

MR. ECKEL: It's not that much different than what Scott was talking about.

THE CHAIRMAN: Right.

MR. GREENFIELD: My guess is that if we close it now, we're going to find ourselves scrambling to complete this under the circumstances.

And as for me, I'm sure that I would put in the time to do so. But I think that the Board would always find this difficult to coordinate.

And in the month of December it's going to be nearly impossible. Once again it's just a bad confluence of events. I would be happier.

I think we would be as a Board doing a

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much better job if we had a period before we could sit down, we have another opportunity and just get it done so that we can focus on what we need to move forward.

I don't know in the long run that we'll have a million comments that need to be addressed. I do know that it's too big an issue to treat sloppily.

THE CHAIRMAN: Having heard that input, I mean, I want to be clear that we're being mindful of everyone's desire including our own to keep things moving here. Mr. Kean.

MR. KEAN: John Kean, the applicant. Mr. Chairman, as you know, we have been doing this for many, many years, longer than most of you on the Board have been here.

THE CHAIRMAN: Right.

MR. KEAN: And we have addressed every concern that you've had. We have tried to diligently do it.

We have gone I think well beyond as you envisioned yourself what other applicants in front of the Board have done in the past as far as our thoroughness and our

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professionalism.

And the new codes as I think we are all well aware, we may not have had a chance to read the nitty gritty. But I think that we all know what the intent of the new codes are.

And we all know that it's not like we're going from two acres zoning to quarter acre zoning. We're going to actually make it much more difficult to build on this piece of property.

So as far as the environment is concerned which is really what this whole thing in the DEIS is involved, we're really only going to have a lesser impact on the new codes with the environment.

And we're happy to address all the new codes in the FEIS. And we can say right here that we can show you what the consequences are of these new codes in the FEIS.

I don't know what more information you're going to get by reading this because you're just going to say well what impact would this have.

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And you're saying we'll show you what impact each of those things will have on our map.

THE CHAIRMAN: Right.

MR. KEAN: And it will only make the map I think more pleasurable towards this Board. So I think in delaying it another thirty days so that we can just, I really think to come back with the same thing, I do think that's an awfully harsh thing to do to us after the years and the time and the money.

I have all my consultants here for the second time on this. I do think that you're putting a hardship on this. We have tried to give you the additional thirty days.

In Scott's case we're giving you three weeks before you have to go away. You just said that you read it thoroughly.

As I said, we will address all of those things in the FEIS. And this FEIS process is going to go for some time.

So I would ask that we close the meeting and as I said, we will address all these

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issues and I think that we all know it's not

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going to make the property more developable.

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It's going to make it less developable.

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THE CHAIRMAN: Okay. As I said, I

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appreciate everything that you just said.

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My concern is not, I mean, I'm interested in

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it but my concern is not the new laws.

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That's a secondary issue.

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My concern is just what we have.

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Granted it can't be reviewed in ten days.

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You're amenable to thirty days.

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Then the question goes, if we go out

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to December 31st, you know, the hardship

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level is having to wait another two weeks. I

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view it as probably irritating but actually

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minimal hardship.

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MR. KEAN: It is to the extent that we

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have to all meet and do the same thing again

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if the meeting doesn't close.

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THE CHAIRMAN: Right.

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MR. KEAN: I mean, we're willing to give

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you time. Brian, you can't allow it

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additional time, more than thirty days?

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MR. STOLAR: The comment period has to

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be within ten and thirty days.

MR. KEAN: My intents are,
Mr. Chairman, --

THE CHAIRMAN: If they consent to it,
you can't go along? That's just the
statutory?

MR. STOLAR: It doesn't provide what
they can or cannot consent to. Based on the
regulations which provide ten to thirty days
and your typical ability to make or get an
agreement from the applicant to give you an
additional time period, I think that you
still have to come within those constraints
of the time period.

THE CHAIRMAN: Right.

MR. STOLAR: If there was no outside
date of thirty days, I would say fine.
Whatever they were to provide to you would be
acceptable.

MR. GREENFIELD: If we were to vote
tonight and close the hearing to go to
December 15th?

MR. STOLAR: No, you can't do that.
It really bring you to the same time frame.

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But you may want to have another meeting where at least you have a quorum.

Getting together in a week or two weeks and carry it out so maybe the first full week in January, I've heard one of your concerns was the time period in the holiday period which makes sense.

So if you have the extra week in January, three weeks up to the holiday plus the fourth week and the first week in January subject to your schedules, of course. That's an option if you want to consider that.

But really what you're getting at is do you have, from what I'm hearing is A, do you have enough time between now and December 31st because the applicant has already indicated its consent to prepare comments?

MR. GREENFIELD: Right.

MR. STOLAR: Or do you need the extra ten days to get to January 19th and provide comments? Or is something in between going to be good for you, another week let's say if you want to have a meeting a week from today

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and go thirty days out from there? Something in between.

MR. GREENFIELD: It's not a matter of two days is going to make it better or three days. December 31st we're all going to be away. It's a silly day as far as that's concerned.

MS. TORTORELLA: If I can.

THE CHAIRMAN: Yes.

MS. TORTORELLA: Do you have your regulations there? If you look at Section 617.3, Subsection lower case I, roman numeral I, it's a general rule section of the SEQRA regulations.

And it provides that the time period in this part may be extended by mutual agreement between a project sponsor and lead agency with notice to all other involved agencies by the lead agency.

THE CHAIRMAN: Okay.

MS. TORTORELLA: So what I would say in this instance, and I appreciate your intent to be strict with the time limitations in here. we do appreciate that, I rarely find

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myself in a situation of going farther and beyond what we normally do.

THE CHAIRMAN: It's the holiday season.

MS. TORTORELLA: This is my holiday. Can we agree if you would agree to close the hearing this evening, we would agree to January 10th. Does that work for you?

THE CHAIRMAN: Probably.

MS. TORTORELLA: As the expiration of the comment period. And we will assist in providing that notice to the other involved agencies that that time period has been extended.

MR. GREENFIELD: I think that does work.

MS. TORTORELLA: It meets these requirements.

MR. GREENFIELD: We'll have a January 5th meeting. If there is anything left to hash out, we'll get it done. I think that's a practical way for this Board to function.

THE CHAIRMAN: I appreciate the attempt to accommodate anybody else. Does that

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become a public hearing?

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application, then could we ask the applicant to provide one additional slope map?

The one that we have now is a zero to

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ten, ten to twenty and twenty and above slope category.

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MR. GREENFIELD: You mean ten to fifteen?

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(cont.)

MR. ANTONELLI: I'd like to see the fifteen and the twenty-five lines on there if we could. I don't know if you have that in your computer, if we could get that rather quickly, that's what we're going to need to analyze this.

MR. GREENFIELD: I think we would want between now and the January 5th meeting to have you and have Joe Richardson.

MR. ANTONELLI: So the sooner we have this in our hand knowing that this is coming up in two weeks, I'd like to have that if you could.

MR. GREENFIELD: This may well inure to the applicant's benefit if we have this. Because the issues that exist will be no longer.

THE CHAIRMAN: So do you have it all so you can turn it around?

MS. TORTORELLA: We're working on it.

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THE CHAIRMAN: You're working on it?

MS. TORTORELLA: Right.

MR. RAFUSE: Are those dates still okay with you being able to generate that plan?

MS. TORTORELLA: Yes.

MR. RAFUSE: Then I would like to make a motion that we close the draft environmental impact statement hearing period with the understanding that all interested parties have until January 10th to give any additional written comments.

MR. STOLAR: It's actually anybody.

MR. RAFUSE: That would be an interested party.

MR. GREENFIELD: We'll notify interested parties.

MR. RAFUSE: Interested parties or non-interested parties.

MR. GREENFIELD: Who becomes involved.

MS. TORTORELLA: Involved.

MR. GREENFIELD: Right.

THE CHAIRMAN: I'll second it.

MR. GREENFIELD: Aye.

MR. RAFUSE: Aye.

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MR. ECKEL: Aye.

MR. TOWNSEND: Aye.

MR. GEDDIS: Aye.

MR. STOLAR: Five-zero. And the preliminary subdivision, we'll carry that to January 5th.

THE CHAIRMAN: Right. Any members of the public have any comments?

MS. TORTORELLA: You know, this is not going to be new news to you. But we submitted the documents. We mailed notices to everyone in the Village of these hearings.

We had a session on November 4th. All the public was heard. We had a second session. No public wants to be heard. Nobody wanted to be heard this evening further.

THE CHAIRMAN: By the way, you may be right. But there was no, as is the practice, second notice. So there may be people if they are really aware. I mean, most people don't follow this as closely as we are.

MS. TORTORELLA: I would be surprised. If someone is interested, I have never been

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in a situation where someone has been interested and hasn't followed from meeting to meeting.

And you announced the date of this meeting at the last session. So, you know, the point is that there is no reason to leave the public hearing open.

THE CHAIRMAN: It's closed.

MS. TORTORELLA: No, the subdivision.

THE CHAIRMAN: The subdivision, I was very happy with our spirit of compromise and where we got this evening. I'd like to leave it on that happy note.

We're not closing that down. But I don't think that we should pursue it. I mean, you can if you want to.

MR. GREENFIELD: I think it's a very worthy effort.

MS. TORTORELLA: I don't understand why it's left open.

MR. RAFUSE: Because we want to see the impact of the new laws on your preliminary subdivision map.

THE CHAIRMAN: We were really focusing

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on the environmental side and the SEQRA side.

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We were running this simultaneously just

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because it was logical.

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While you have a tremendous

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understanding of everything that's going on

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and some of us do, the public's

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understanding, I'm not going to read into the

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public.

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We're not closing that part tonight. We

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have done the other part which I know is of

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importance to all of you.

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MS. TORTORELLA: They both are.

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THE CHAIRMAN: I understand that. But

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we are addressing that also.

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MS. TORTORELLA: Will we continue to

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have a reporter at the January 5th meeting?

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MR. STOLAR: It's a public hearing.

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THE CHAIRMAN: Yes.

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MS. TORTORELLA: Thank you.

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THE CHAIRMAN: Any other issues about

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anything that anybody would like to bring up?

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(None.)

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THE CHAIRMAN: Okay, the meeting is

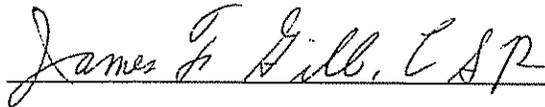
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concluded.

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(Whereupon the hearing was concluded at
9:30 p.m.)

CERTIFIED TO BE AN ACCURATE TRANSCRIPT:



JAMES F. GILL, C.S.R., R.P.R.

Appendix B

Re: Red Cote Farms DEIS

My additional comments are:

- C1 Provide a plan that would retain environmental features identified in applicant's report, such as rare plant, large trees, butterflies and habitat for migratory birds.
- C2 Analysis of the historical significance of any existing residence,
- C3 Impact on the adjacent Pulling property, including historic buildings.
- C4 Impact on deer population and deer habitat in light of recent events involving the sightings of deer on the property,
- C5 Could the traffic impact on Yellow Cote be mitigated by acquiring the Schwab parcel, or a portion thereof
- C6 How can the prolonged impact on neighbors, of at least five years of construction noise, dust, traffic etc .be mitigated – limiting work days, hours, etc.

John I. Bralower
Chairman

Peter G. Schiff
70 Sandy Hill Road
Oyster Bay, NY INC. VILLAGE OF
OYSTER BAY COVE

2005 NOV -2 A 10: 59

November 2, 2005

TO: Rosemary Bourne, Mayor
Members of the Planning Board
Donna Harris, Village Clerk
Village of Oyster Bay Cove

FROM: Peter G. Schiff

RE: Pulling Property

DATE: November 2, 2005

VIA FACSIMILE: (516) 922-1761

DATE 11/2/05
MAYOR ✓
TRUSTEE 4
POLICE _____
BUILD. DEPT. _____
OTHER Planning Board x
Village Attorney

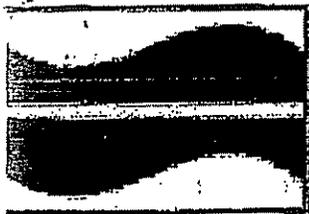
I know there is a hearing regarding the Pulling Property on Cove Road that will come before the Planning Board tomorrow night. Unfortunately I cannot attend due to a prior engagement.

c7 However, please tell the Planning Board - that as a village resident, a former executor of an estate in this village that had to deal with a large amount of land, a former planning board member, and as a former trustee - I say...PLEASE move this process forward as quickly as possible... The Pullings have been patient for way too long and have diligently done everything that has been asked of them. They have very serious fiduciary/financial duties and obligations to deal with... The Village has really given them the run around and it is time to be helpful to some of our finest long time residents and land owners and help them to achieve what needs to be done.

Sincerely,

Peter G. Schiff

PGS/cw



Friends OF THE Bay

Working to keep the oyster in Oyster Bay

Post Office Box 564 • Oyster Bay, NY 11771

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Christopher Pasquucci
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Frances Schmidlapp
Antonio Smith
Frances R. Stotts

Executive Director

John M. Rabin

November 3, 2005

John Bralower
Chairperson
Incorporated Village of Oyster Bay Cove Planning Board
25B Route 25A
Oyster Bay Cove, NY 11771

Re: DEIS for the Subdivision Application of Redcote Farm, Ltd. (A/K/A the Pulling Property)

Dear Mr. Bralower:

Thank you for the opportunity to provide comments regarding the Draft Environmental Impact Statement (DEIS) for the Subdivision Application of Redcote Farm, Ltd.

Given our mission to preserve, protect and restore the ecological integrity and productivity of the Oyster Bay/Cold Spring Harbor Complex and the surrounding watershed, Friends of the Bay closely monitors development that has the potential – either by itself or cumulatively with other development – to adversely impact an area that is one of Long Island's most treasured natural resources.

The subject property clearly plays a significant role within the watershed that drains into the Harbor Complex, as well as a key function in protecting the quality of Long Island's drinking water supply. After all, the property lies in the headwaters area of one of Tiffany Creek's western tributaries, it has steep sloping terrain and it lies within one of nine, state-designated Special Groundwater Protection Areas, which are critical to the recharge of pure fresh drinking water for the current and future generations.

As you are aware, the Oyster Bay/Cold Spring Harbor Complex is at a crucial juncture. The actions we take today will determine whether this important estuary continues to slowly degrade or if we can collectively place the Complex on a fast track to recovery.

Recently the Harbor Complex and the various threats it faces made it into the national spotlight. In October 2005, Defenders of Wildlife released a report titled *Refuges at Risk: America's Ten Most Endangered National Wildlife Refuges 2005*. Among the ten featured Refuges is the Oyster Bay National Wildlife Refuge, which represents approximately half the size of the Harbor Complex.

The *Refuges at Risk* report explains that the Oyster Bay Refuge has become threatened by polluted stormwater runoff, habitat destruction, non-sustainable development, and

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human sewage associated with failing sewer infrastructure, inadequate on-site septic systems, and boat discharge. (Of course, these human-induced impacts adversely effect the entire estuary.)

The proposed subdivision proposal will only add to these problems. It certainly won't improve the current situation. Redcote Farms, Ltd. simply cannot minimize the proposal's environmental impacts to the extent necessary to avoid being yet another 'cut' in this 'death by a thousand cuts' syndrome currently plaguing the Harbor Complex.

The Oyster Bay Refuge and the Harbor Complex are blessed with many unique attributes and extraordinary beauty. Theodore Roosevelt, who founded the nation's refuge system, fell in love with Oyster Bay and made his summer home at Sagamore Hill. Many years after Theodore Roosevelt walked the areas's woods and beaches, very little open space and habitat remains.

c10 [The communities and municipalities that border the Harbor Complex are now confronted with an extremely important responsibility. That is, to protect and restore key properties, like that owned by Redcote Farm, Ltd., rather than permit more development.

c11 [Certainly any development that has the strong potential to exacerbate the water quality problems, permanently alter the ecological community, and, in general, negatively impact the Harbor Complex, should be carefully scrutinized, if not completely averted. We anticipate the Planning Board's continued deliberate and informed consideration of this subdivision proposal; and all others before it.

c12 [We understand and appreciate the fact that this property belongs to the Pulling family and that the family should be compensated fairly for its value. We would like to pose what we think would be a desirable alternative for the Pulling family to consider: The acquisition of the property to be financed through the Nassau County and Town of Oyster Bay environmental bond acts. As we understand, the property has already been nominated for acquisition and is under consideration.

We hope the Pulling family will seriously consider this alternative. As protected open space, the land making up the Pulling property would play a vital role in safeguarding the Oyster Bay/Cold Spring Harbor Estuary and the surrounding watershed, the federally-designated Oyster Bay National Wildlife Refuge, a state-designated Special Groundwater Protection Area, state-designated Significant Coastal Fish and Wildlife Habitat areas, and a state-recognized Regionally Important Natural Area.

A sale under the Bond programs could provide valuable income, measurable tax savings and a lifelong legacy to the Pulling family and the residents of Oyster Bay Cove.

If I may provide any clarification regarding the attached comments, or additional information, please contact me.

Sincerely,



Kyle Rabin

Executive Director

Friends of the Bay

P.O. Box 564

Oyster Bay, NY 11771

Tel: 516-922-6666

Fax: 516-706-8750

E-mail: k.rabin@friendsofthebay.org



Friends OF THE Bay

Working to keep the oyster in Oyster Bay

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Oyster Bay/Cold Spring Harbor Estuary Complex

Background Information

Located on the north shore of Long Island, the Oyster Bay/Cold Spring Harbor Estuary Complex – approximately 6,000 acres in size – is recognized as a vital natural, economic, cultural, historical and recreational resource.

And there is so much more to know about the Oyster Bay/Cold Spring Harbor Estuary Complex:

- The Oyster Bay/Cold Spring Harbor Estuary Complex is an embayment of Long Island Sound. (In 1987, the Sound was officially designated an Estuary of National Significance under the National Estuary Program.)
- The U.S. Fish & Wildlife Service maintains a National Wildlife Refuge (NWR) within the Oyster Bay/Cold Spring Harbor Estuary Complex. In fact, the Oyster Bay NWR – which encompasses part of Cold Spring Harbor – is the largest of the Long Island Complex's eight refuges. The NWR consists of 3,209 acres of bay bottom, saltmarsh, and a small freshwater wetland. Nationally, Oyster Bay NWR is one of the few bay bottom Refuges owned and managed by the U.S. Fish and Wildlife Service.¹

The Oyster Bay NWR – which was established in 1968 via land donation from the Town of Oyster Bay and several local villages under the Migratory Bird Conservation Act – consists of high quality marine habitats that support a variety of aquatic-dependent wildlife. The refuge's waters and marshes surround Sagamore Hill National Historic Site, home of Theodore Roosevelt – father of the National Wildlife Refuge System.²

Subtidal (underwater up to mean high tide line) habitats are abundant with marine invertebrates, shellfish and finfish.³ The Refuge is located off of the Long Island Sound and the sheltered nature of the bay makes it extremely attractive as winter habitat for a variety of waterfowl species, especially diving ducks.⁴

In 2005, Defenders of Wildlife included the Oyster Bay NWR on their list of the ten most endangered Refuges in the country. The *Refuges at Risk: America's Ten Most Endangered National Wildlife Refuges 2005* report explains that the Oyster Bay NWR has become threatened by polluted stormwater runoff; non-sustainable development; habitat destruction; and human sewage associated with failing sewer infrastructure, inadequate on-site septic systems, and boat discharge.

¹ <http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563>

² <http://refuges.fws.gov/profiles/index.cfm?id=52563>

³ <http://refuges.fws.gov/profiles/index.cfm?id=52563>

⁴ <http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563>

What is a Significant Coastal Fish & Wildlife Habitat?

The New York State Department of Environmental Conservation evaluates the significance of coastal fish and wildlife habitats, and following a recommendation from the DEC, the Department of State designates and maps specific areas.

A habitat is designated "significant" if it serves one or more of the following functions: (a) the habitat is essential to the survival of a large portion of a particular fish or wildlife population; (b) the habitat supports populations of species which are endangered, threatened or of special concern; (c) the habitat supports populations having significant commercial, recreational, or educational value; and (d) the habitat exemplifies a habitat type which is not commonly found in the state or in a coastal region.

In addition, the significance of certain habitats increases to the extent they could not be replaced if destroyed.

What is a Regionally Important Natural Area?

Regionally important natural areas are defined geographic areas within the Long Island Sound coastal boundary and generally are composed of a variety of smaller, natural ecological communities that together form a landscape of environmental, social, and economic value to the people of New York. A regionally important natural area would meet the following three conditions:

- 1) The area contains significant natural resources.
- 2) The resources are at risk.
- 3) Additional management measures are needed to preserve or improve the significant resources, or sustain their use.



Sidney B. Bowne
& Son, LLP

211 E. 2nd St. Suite 200
PO Box 100
Manhasset Neck, NY 11501
Phone: 516.216.2100
Fax: 516.216.1192
www.bowne-son.com

January 5, 2006

Village of Oyster Bay Cove Planning Board
25B Route 25A
Oyster Bay, NY 11771

Re: Redcote Farms
Proposed Subdivision of the Pulling Property
Section 27, Block L, Lots p/o 217, p/o 220, p/o 226, 227 & p/o 229

Dear Planning Board Members:

Pursuant to the recently adopted local laws passed by the Village, I have reviewed the Slope Analysis for Redcote Farms, dated December 21, 2005, prepared by Cameron Engineering; the Preliminary Subdivision Plan last dated October 4, 2004, prepared by Jed Dioguardi; and the Street and Site Grading and Drainage Plans last dated July 21, 2004, prepared by Jed Dioguardi. I have also plotted the site boundary on the Village tax map and I believe that the application should reference *a portion of lot 226* rather than all of lot 226.

I have a number of comments regarding the plans, as follows:

- c13 1. The lot "net areas" must reflect the area of the lots that contain steep slopes. For example, according to my cursory calculations, proposed parcel 24 may have a net area of less than 2.0 acres. Additionally, it appears that proposed parcels 21 and 23 do not contain adequate contiguous buildable area in accordance with the newly adopted amendments to the Village Building Zone Ordinance Sections 2.0 and 4.0.
- c14 2. The frontage shown for proposed parcel 20 is less than the required 90 feet along the street line for cul-de-sacs.
- c15 3. The front yard setback for all proposed lots must be 100 feet in accordance with the newly adopted amendment to the Building Zone Ordinance. This would make proposed parcel 5 noncompliant with the new requirement for a continuous buildable area according to amendments to the Village Building Zone Ordinance Sections 2.0 and 4.0.
- c16 4. The proposed entrance to the subdivision indicates a land disturbance that is approximately 120 feet wide and it includes a 20-foot wide center median. The applicant should consider modifications to the entrance to limit disturbance in order to preserve the bucolic character of the Village in this area.
- c17 5. The proposed road pavement width is 16 feet for all roads throughout the subdivision. I recommend a minimum road width of 18 feet for uncurbed roads per the American Association of State Highway and Transportation Officials (AASHTO) for low volume

Sidney B. Bowne & Son, LLP

25B Route 25A

Date: January 5, 2006

Page: 2

- local roads. If roads would be curbed, AASHTO recommends a minimum 22-foot width. This allows emergency vehicle access for the purposes of public safety.
- C18 6. Portions of Redcote Lane (aka Redcote Lane North on the profile sheets) and Field Lane (Redcote Lane South) are designed at grades of 10%, which is in excess of the maximum allowable grade of 8%, per the Village Subdivision Regulations. The cul-de-sac at Redcote Lane requires an earthwork cut of 20 to 25 feet to limit the grade to 10%. This is within an area where the Planning Board expressed interest in saving trees. The Village regulations allow for exceedence of the 8% grade if warranted by extenuating circumstances. The applicant should consider a plan modification to address this issue.
- C19 7. I am concerned regarding the sight distances on some of the roads at the crest of the proposed hills on Redcote Lane and Field Lane. I have calculated the K values for the vertical curves and found that they range from 8 to 18. According to AASHTO, a minimum K value of 20 is recommended for design speeds of 20 mph. I recommend that the applicant's engineer consider increasing the length of the vertical curves at critical locations.
- C20 8. I have a safety concern regarding the length of total length of the "dead end" road system proposed. The length of Redcote Lane (approximately 1400 feet) is greater than the 900-foot standard provided in the Village Subdivision Regulations. The Village regulations have provisions for longer cul-de-sacs and there are other roads within the Village that are greater than 3,000 feet in length that access a similar number of homes (e.g., Coves Run and Woodland Drive). The applicant must obtain permission from the Planning Board to allow the longer cul-de-sac.
- C21 9. There is a 36-inch diameter stormwater pipe extending 100 feet into the property near the intersection of Yellow Cote Road and Route 25A. According to the information provided in the Drainage Calculations (in the application package) there is a 76-acre watershed that contributes runoff to this area of the site (passed under Route 25A through a culvert). There is a broad drainage swale parallel to Yellow Cote Road that passes through three future building envelopes on proposed parcel numbers 1 and 6. The proposed road profile of Yellow Cote Court does not indicate any provision for stormwater to pass across the roadway. No provisions to handle the off-site runoff have been indicated. During the pre-application stage of the project, I suggested a minimum 125-foot drainage easement along Yellow Cote Road to ensure that drainage would not be impeded. It should be noted that the existing buffer (required by the Village) along Yellow Cote Road for the Pulling West subdivision is 140 feet wide.
- C22 10. According to Nassau County Department of Public Works records, the existing stormwater basin in the Tall Oaks subdivision is designed for 5-inches of runoff, with an overflow under NYS Route 25A onto the Pulling property. There is a 33.6-acre watershed located on the southeast corner of NYS Route 25A and Cove Road that drains toward Route 25A and the Pulling property. The applicant should provide an explanation of how the runoff from these areas would be handled.

Sidney B. Bowne & Son, LLP

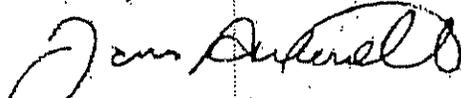
25B Route 25A

Date January 5, 2006

Page: 3

- c23 11. I have a safety concern regarding the skewed nature of the existing intersection of Yellow Cote Road and Route 25A. As a general rule, square intersections are safer because they facilitate vehicle movements with fewer conflict points compared to skewed intersections. According to AASHTO, an intersection such as this should be no less than 60°. I have measured the angle of intersection on the Preliminary Plan provided by the applicant and found that it is approximately 50°. The intersection is therefore not designed to recommended standards. When the Final SEQRA Scope was adopted, the applicant did not propose access from Yellow Cote Road. I am concerned that adding as many as six new residents in the vicinity of this high traffic area of a State highway is a safety issue.
- c24 12. Perimeter buffer areas are critical to ensure the preservation of the visual character of the area. The visual character of the Yellow Cote Road and Route 25A corridors is much different than that of Cove Road. The existing homes on Yellow Cote Road are generally located above the "ridge line," on larger lots and set back from the road and thus are screened from view. The proposed homes on Yellow Cote Road would be "at grade" with Yellow Cote Road and highly visible through the sparse 50-foot buffer. Comment number 7 above addresses the setback issue on Yellow Cote Road. The homes on Route 25A in the area are also screened due to the hilly nature of the terrain. The applicant proposes a perimeter buffer of 200 feet along Route 25A near the Yellow Cote Road intersection in order to preserve an evergreen stand of mature trees. It should be noted that there are a few large evergreens in the vicinity of the Yellow Cote Road intersection that are located beyond the 200-foot buffer. If the buffer area were extended an additional 40 feet on proposed parcel 6, all of the evergreens shown on the tree survey would be preserved.
- c25 13. The proposed buffer along 25A in the Cove Road area is 75 feet. The Board should be aware that Village required a 125-foot perimeter buffer at the Tall Oaks subdivision on the south side of Route 25A.
- c26 14. I suggest the use of conservation easements to ensure the preservation of resources such as the very steep slopes and perimeter buffers within the property.

Sincerely,



James J. Antonelli, P.E.
Village Engineer

Cc: Donnu Harris, Village Clerk
A Thomas Levin, Village Attorney

T:\Village\Oyster Bay Cove\25A\00-PullingEstate\Doc\Pulling Prelim Plan rev 03 Jun 06.doc

Donna Harris

From: Collins, Pat M. [pm.collins@ngo.com]
Sent: Monday, January 09, 2006 8:44 AM
To: oysterbaycove@optonline.net
Subject: YellowCote Road water

Hello Rosemary,

C27

At a recent planning board meeting the members were discussing the water that runs down Yellow Cote Road just south of the East Woods entrance, one reply was a problem closing the valve on the fire hydrant. My experience has proven that you can try and close all the fire hydrant valves in the world and you will not stop the underground springs that exist in that area. My family spent 60 + years maintaining the sides of YellowCote Road which included a trench between the picket fence and the blacktop. This trench was to allow the spring water to leach into the ground without flowing down the road. When the past administration made the decision to put in two dry wells and fill in the trench, a continuously fed ice skating rink was formed, providing the water table is high enough and the temperature is low enough, what a nice traffic hazard was formed. History will tell some of us that some things are better left alone, of if it's not broken don't fix it. That trench which my not have been the most eye appealing was definitely the most functional.

Happy New Year!
&
Good Luck!
Pat Collins

1/9/2006



**NASSAU COUNTY
DEPARTMENT OF HEALTH**
240 OLD COUNTRY ROAD
MINEOLA, NEW YORK 11501-4250
VOICE: 516 571-3410
FAX: 516 571-3828

January 20, 2006

Ms. Donna Harris, Village Clerk
Incorporated Village of Oyster Bay Cove
25B Route 25A
Oyster Bay, New York 11771

Re: Redcote Farm Ltd.
Subdivision \approx 72.3 Acres of the Pulling Property
DEIS/Notice of SEQRA

Dear Ms. Harris:

Department staff have reviewed the above referenced DEIS/Notice of SEQRA prepared by Freudenthal & Elkowitz Consulting Group, Inc. and have the following comments and recommendations:

- C28 1. All land development in the Special Groundwater Protection Areas (SGPAs) of Nassau County must comply with the requirements of Article X of the Nassau County Public Health Ordinance (NCPHO). This regulation limits the number of dwelling units to one per 40,000 square feet for residential developments, limits the daily design rate of sewage discharged per square foot of net area for non-residential developments to no more than .00375 gallons per square foot, and prohibits all discharges of industrial wastewater, whether or not treated.
- C29 2. Engineering plans and specifications for the construction of new or modification of existing water mains which will serve the proposed development must be submitted, through the public water supplier, to the Department for review and approval.
- C30 3. Evidence must be provided to the Department indicating that all water mains constructed as part of the development be deeded to the public water supplier, along with a dedicated easement as may be necessary, to assure proper operation, repair and maintenance.

Donna Harris
January 20, 2006
Redcote Farm Ltd

- c31 4. Dead-end water mains shall not be proposed unless approved by the Department pursuant to conditions in Article VI of the NCPHO. All water mains should be connected to adjacent street mains or otherwise looped for improved water distribution.
- c32 5. The developer must comply with all water supply requirements for backflow prevention devices on water service lines.
- c33 6. Engineering plans and specifications for the construction of any new or modified public swimming pool must be submitted to the Department for review and approval
- c34 7. An application for approval or registration of a "Stationary Combustion Installation" must be submitted to the New York State Department of Environmental Conservation (NYSDEC) Region I Stony Brook Office for review, as required under article 19 of the New York State Environmental Conservation Law and the regulation promulgated thereunder 6NYCRR Part 201, for all combustion installations with a maximum heat input of 10 million BTU's or greater burning fossil fuels.
- c35 8. The installation, removal, or abandonment of all toxic and hazardous material storage tanks or areas containing fuel oil, waste oil and regulated petroleum or chemical products must be performed in accordance with the requirements of Article XI of the NCPHO and the Article XI NCPHO Regulations.
- c36 9. Any hazardous materials encountered at the site must be removed by an industrial waste transporter registered with the NYSDEC and be taken to an approved hazardous waste disposal facility. The NYSDEC and the NCDH must be notified upon discovery of any hazardous substance in order to determine if further investigation is necessary.
- c37 10. A Phase I Environmental Site Assessment (ESA) must be submitted to the Department for review prior to the approval of all realty subdivisions and other residential or property redevelopment projects. A Phase II and Phase III ESA must also be submitted to the Department if completed.
- c38 11. The following information must also be submitted to the Department as part of, or in addition to, the ESA:
 - a) Information that describes the past use of the property including a site map, which shows the present and former locations of buildings, and subsurface structures including underground storage tanks, drywells, leaching pools, cesspools and any floor drains connected to these structures.

- b) The results of approved laboratory testing of soil and groundwater on the site below all drywells, leaching pools or cesspools which have received discharges of sanitary waste, waste water, interior drainage, petroleum products or toxic or hazardous waste.
 - c) A map and a listing of the names and the addresses of all properties within 250 feet of the proposed development.
12. Drywells, leaching pools or cesspools must be closed or permitted for use in accordance with all applicable federal, state or local regulations. The agencies regulate subsurface contaminant discharges include the USEPA, which administers the Underground Injection Control (UIC) program, the NYSDEC, which administers the State SPDES permitting program and the NCDH, which assists both agencies in the implementation of select program requirements.
- c39
13. The NYSDEC Region I Stony Brook Office must be contacted in order to obtain and then submit a record to the Department of the location of all petroleum and chemical spills and Inactive Hazardous Waste Sites within 0.25 miles of this site, and the status of the investigation or remediation of the contamination at these locations.
- c40
14. All properties being considered for residential development should be surveyed for potential contamination sources (i.e. gas stations, automotive repair shops, dry cleaners, manufacturing facilities, etc.) at the site and adjacent to or surrounding the property. If any sources of potential contamination are suspected in the proximity to the site, the property should be further investigated to determine the impact of this contamination in the soil, groundwater and soil gas beneath the site.
- c41
15. The Department will require the removal of all contamination sources on the site and may require the completion of testing to determine if any organic or inorganic chemical contaminants are present in the soil or groundwater at the site. This includes soil vapor testing to determine if there is potential for contamination of indoor air by volatile organic chemicals. The Department may also request the installation of a soil gas ventilation system to protect indoor air quality in any proposed new or modified site buildings.
- c42
16. A rodent survey and demolition permit must be obtained from the Department's Office of Community Sanitation prior to any demolition at the site.
- c43
17. A New York State Department of Labor (NYS DOL) licensed inspector must survey any existing buildings or structures for the presence of Asbestos Containing Building Material (ACBM) prior to demolition. If ACBM's are identified, they must be handled in accordance with NYSDOL and USEPA regulations.
- c44

Donna Harris
January 20, 2006
Redcote Farm Ltd

The developer or project consultant must submit a written response to the Department regarding the itemized comments within 30 days. Please contact me at 516-571-2339 should you need additional information or have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Carlos A. Pareja', with a long horizontal flourish extending to the right.

Carlos A. Pareja, P.E.
Public Health Engineer
Division of Environmental Health

cc. Freudenthal & Elkowitz
Attn: Gail A. Pressner, Project Manager ✓

New York State Department of Environmental Conservation Region I
Attn: Walter Parish, P.E., Karen Gomez, P.E.

Nassau County Department of Health
Attn: Michael J. Alarcon, P.E., Robert Weitzman, P.E., Sal Caruso, P.H.Eng. I

Appendix C

**THE PLAN IS AVAILABLE
FOR REVIEW
IN THE OFFICE
OF THE LEAD AGENCY
AT THE
VILLAGE OF OYSTER BAY COVE**

Appendix D

HOCHERMAN TORTORELLA & WEKSTEIN, LLP

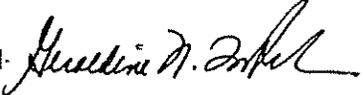
ONE NORTH BROADWAY, SUITE 701
WHITE PLAINS, NEW YORK 10601-2319
(914) 421-1800
FAX: (914) 421-1856

HENRY M. HOCHERMAN
GERALDINE N. TORTORELLA
ADAM L. WEKSTEIN

OF COUNSEL
MARSHALL S. SCHIFF

MEMORANDUM

TO: Hon. John Bralower, Chairman and Members of the Planning Board

FROM: Geraldine N. Tortorella, Esq. 

DATE: February 16, 2006

RE: *Application of Redcote Farms, Ltd. for Subdivision Approval*
Redcote Farm Subdivision

This Memorandum is submitted to address two legal points raised at the continuation of the public hearing on this application on February 2, 2006, concerning whether access to Parcels 14, 15, and 16 on the proposed subdivision map can be provided by way of a common driveway instead of an improved road, and how the "Proposed Passive Park Area" and "Drainage Preserve" shown on the subdivision map would be owned.

We believe that access to Parcels 14, 15, and 16 by way of a common driveway is permitted under the Village's Regulations. The frontage and access requirements for lots is set forth in Section 400.4 of the Village's Subdivision Rules and Regulations, which requires that each proposed lot have "frontage on and direct access to a street duly placed on the Official Map and, if such street is private, it shall be improved to the satisfaction of the Board." However, Section 531.1 of the Subdivision Regulations gives the Board the right to "waive, pursuant to 179-1 of the Village Law [recodified as Village Law Section 7-730] for such period as it may determined, the provision of any or all such improvements as . . . are not requisite in the interests of the public health, safety and general welfare." Similar waiver language is set forth in Village Law Section 7-730(7).

In this instance, frontage on a road could be provided for each lot but the Board would be waiving the requirement that the road be improved. In place of the road, our client would construct a common driveway that is sufficiently wide and of an appropriate grade to accommodate ordinary vehicular traffic and emergency vehicles. Such driveway would be located within an easement that would be shown on the plat and memorialized in a written Declaration of Common Driveway Easement and Maintenance Agreement that would be recorded against Parcels 14, 15, and 16 (the "Common Driveway Easement") at the time the plat is filed.

Maintenance and upkeep of the common driveway would be shared by the owners of those parcels in accordance with the terms of the Common Driveway Easement. Typically, we would prepare a draft of such an Agreement for review and approval by your counsel and the Village Engineer.

Since safe and adequate access to the Parcels can be provided over a common driveway, your Board has the authority to waive the requirement that Parcels 14, 15, and 16 have frontage on and access to an improved street.

As respects the ownership of the Proposed Passive Park Area and Drainage Preserve, our client plans to transfer title to that property to a Homeowners Association that would be formed to own and maintain all common areas in the Subdivision. A Declaration of Homeowners Association would be recorded against all the lots in the subdivision, pursuant to which owners of the lots would automatically become members of the Association and be subject to the terms and conditions of the Declaration.

We hope this clarifies your questions. We would be pleased to discuss these items further with you and/or your counsel at the continuation of the hearing on March 2, 2006.

GNT:mc

cc: Mr. John Kean
Giorgio Citarella
Joseph Dioguardi, P.E., L.S.
Ms. Theresa Elkowitz
Gail Pesner, AICP

S:\MATTERS\Kcan 0038\Oyster Bay Cove 001\memos\Bralower 1.wpd

**THE PLAN IS AVAILABLE
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Appendix E

**THE PLAN IS AVAILABLE
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VILLAGE OF OYSTER BAY COVE**

Appendix F



February 15, 2006

Mr. Giorgio A. Citarella
Redcote Farm, Ltd.
5 Main Street
Cold Spring Harbor, NY 11724

Re: Redcote Farm Application
Village of Oyster Bay Cove

Dear Mr. Citarella:

In response to your request, we have conducted an analysis of the sight distance for the two roads providing access to the above, as shown on the Revised Preliminary Subdivision Map dated 1/12/06, prepared by Joseph E. Dioguardi, Jr.

The proposed Redcote Lane will intersect Oyster Bay Cove Road as shown on the subdivision map, between Birch Court and Moores Hill Road. Our field observations and measurements have determined that drivers exiting Redcote Lane will have a sight distance of 500' looking south, and 450' looking north. These distances comply with the recommended 445' standard set forth by the American Association of State Highway and Transportation Officials (AASHTO), based on a 40 mph prevailing speed. The existing sight distances can be increased by the removal of roadside vegetation (all within the subdivision's property) along the west side of Oyster Bay Cove Road for a distance of approximately 150' on each side of the proposed Redcote Lane. It is noted that there are several utility poles along the west side of Oyster Bay Cove Road. However, these do not significantly impact visibility, because a driver can pull the vehicle forward slightly if necessary to readjust the line of sight.

The proposed Yellow Cote Court will intersect Yellow Cote Road approximately 600' north of Route 25A, as shown on the subdivision map. Our field observations and measurements have determined that drivers exiting Yellow Cote Court will have a sight distance of 500' looking south and also 500' looking north, exceeding the AASHTO recommendations presented above. Removal of roadside vegetation along the east side of Yellow Cote Road for a distance of approximately 150' on each side of the proposed Yellow Cote Court is also recommended at this location.

During our recent conversation, you told me that a safety concern has been expressed by the Planning Board that vehicles are traveling very fast when they make a left turn from Route 25A onto Yellow Cote Road, thus possibly affecting the required sight distance. In order to evaluate this matter, we studied this situation in the field using a radar gun. The results indicated that all of the observed vehicles had speeds of no greater than 41 mph, with 90% of the speeds no greater than 37 mph. These observed speeds (most of which are above the posted 30 mph speed limit) are within the prevailing speed conditions used in our sight distance analysis. Therefore, despite the observed speed of these vehicles, the sight distance will comply with the recommended standards.

Very truly yours,

ESCHBACHER ENGINEERING, P.C.



Robert M. Eschbacher, P.E.

(23144)

Appendix G

Residential Streets

THIRD EDITION

NOTCHWOOD CT



Urban Land
Institute



NAHB
NATIONAL ASSOCIATION
OF HOME BUILDERS

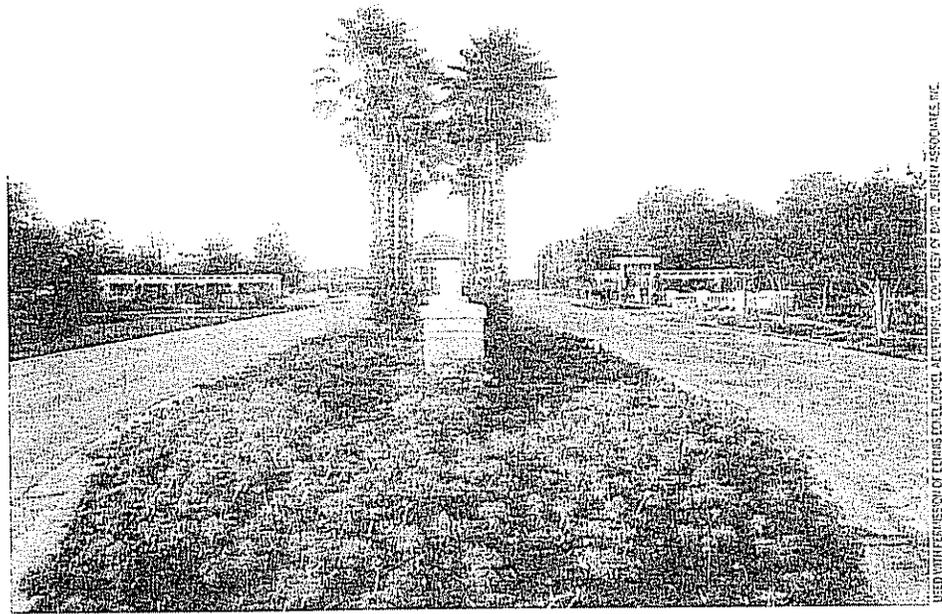
ASCE

American Society of Civil Engineers



FIGURE 2-12

Residential streets can be divided with a median to provide an attractive entryway.



A major distinction between local streets and residential collector streets revolves around parking considerations. Local streets allow parking even if doing so reduces the street to a single moving lane. The parking on residential collector streets, on the other hand, must be located in dedicated parking lots, leaving two unobstructed moving lanes at all times to accommodate greater traffic volumes.

Residential streets can be divided with a median to preserve a desirable natural feature, minimize the necessity of grading on steep terrain, or provide an attractive entryway (Figure 2-12). When medians are used, planners must design for nighttime visibility, particularly at the ends of the median. Paired one-way residential streets, even single-frontage streets, may be necessary in areas characterized by steep terrain.

Pavement Widths

Residential street designers should select the minimum width that will reasonably satisfy all realistic needs, thereby minimizing construction and annual maintenance costs, while at the same time maximizing the livability of the community (Figure 2-13 and Table 2-3). The tendency of many communities to equate wider streets with better streets and to design traffic and parking lanes for free-flow traffic is a highly questionable practice. Certainly providing for the free flow of traffic in two 11- or 12-foot lanes that are never occupied by parking can encourage traffic to speed (Figure 2-14). Encouraging slower traffic speeds through narrower streets can improve the safety of streets for residents. Some studies indicate that as a street becomes wider, accidents per mile increase exponentially; and that the safest residential street may be a narrow street



FIGURE 2-13
Street widths should be consistent with traffic needs.

On most local streets, a 24- to 26-foot-wide pavement is the most appropriate width. This provides either two parking lanes and a traffic lane (yield-flow operation) or one parking lane and two moving lanes (slow-flow operation). For lower-volume streets with limited parking, a 22- to 24-foot-wide pavement is adequate.

For low-volume local streets where no parking is expected (for example, large-lot, rural communities), an 18-foot pavement is adequate. Widening access streets a few more feet does not significantly increase capacity, but it does permit wider moving lanes that tend to encourage higher driving speeds. A wide access street also lacks the intimate scale that makes an attractive setting for housing.



FIGURE 2-14
Streets that are too wide are unattractive and encourage unsafe speeds.

TABLE 2-4

RECOMMENDED PAVEMENT WIDTHS

	Pavement Width
Local Streets	
• No Parking Expected	18 feet
• Low or Restricted Parking	22-24 feet
• Normal Residential Parking	24-26 feet
Residential Collector	32-36 feet

Once traffic from tributary local streets has reached a volume needing two clear traffic lanes, a street becomes a residential collector. A residential collector street should be designed for higher speed than local or access streets, permitting unrestricted automobile movements. Residential collector streets with a pavement width of 36 feet provide for adequate traffic movement and two curb parking lanes (Figure 2-15). Where houses do not front on the residential collector street and parking is not normally needed, two moving lanes of pavement are adequate, with shoulders graded for emergency parking. Table 2-4 summarizes these pavement width recommendations.

Right-of-Way Widths

The right-of-way should be only as wide as necessary for the street pavement and other facilities and uses, including sidewalks, utilities, drainage, street trees, snow storage, and grading (Figure 2-16). The width of rights-of-way is often mandated by ordinances, and requirements should reflect the real needs of the selected design.

A right-of-way width allowance for future street widening is unnecessary in well-planned residential neighborhoods. Since true residential streets are not subject to widening, the prospect of future widening is not a factor in specifying right-of-way dimensions. If a street is subject to future widening by virtue of its location and traffic routing, it should not be functionally classified or treated as a residential street.

When the public right-of-way includes sidewalks or bicycle paths, it needs to be wide enough to accommodate these uses. If additional right-of-way is desired for utility maintenance, an additional one foot outside these improvements is sufficient. Another option is to locate pedestrian walks and bicycle paths on land owned in common by the community association or on easements on private property rather than in the right-of-way.

Many jurisdictions require the removal of all trees within a very wide right-of-way. In developments built on wooded land, such a practice results in a great loss of trees and increased expense in clearing. Limiting the width of the right-of-way to only what is necessary for the safety of the traveling public and clear-

Appendix H

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Appendix I

PHASE I ENVIRONMENTAL SITE ASSESSMENT

SITE LOCATION:

Redcote Farms
Oyster Bay Cove Road
Oyster Bay Cove, New York

Prepared by:

Anson Environmental Ltd.
771 New York Avenue
Huntington, NY 11743

Prepared Exclusively for:

Redcote Farm, Ltd.
5 Main Street
Cold Spring Harbor, NY

Report Date:

March 18, 2006

Project No 06050



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Report Specifications

This report contains (24) pages of text.

Copies and circulation of this report are as follows:

(1) Bound Copy to Redcote Farm, Ltd.

(1) Copy in the confidential client file at Anson Environmental Ltd. (AEL).

This report is prepared for the exclusive use of the principal noted above and is considered private and confidential. AEL shall not release this report or any of the findings of this report to any person or agency except with the authorization of the named principals.

The accuracy of presenting the findings of this environmental audit was considered of paramount importance during the formulation of this report. However, the reports accuracy is limited to the information available from interviews, records and plans released by the property owner or his representatives and the respective regulatory agencies, their attorneys and information officers whose interest in issues presented herein is unknown to AEL.

1.0 Summary

The subject property was observed by Anson Environmental Ltd. (AEL) in order to determine if potential environmental or public health concerns were present. This report is intended to identify Recognized Environmental Conditions (as defined in ASTM Standards on Environmental Site Assessments for Commercial Real Estate) on the subject property based on the four (4) basic components of a Phase I Environmental Site Assessment (ESA): records review, site reconnaissance, interviews and evaluations and reporting.

The subject site is located at Redcote Farm, Oyster Bay Cove Road, Oyster Bay Cove, New York on the western side of Oyster Bay Cove Road, north of North Hempstead Turnpike, (Route 25A). The subject property is 72.3+/- acres in size and has a County Tax Map designation of Section 27, Block L, Lots part of 217, part of 220, 226, 227, and part of 229 (Figure # 1) herein identified as subject property. The subject property is located in a residentially zoned area of the Village of Oyster Bay Cove. There are five buildings on the property-two residences that are occupied, one house that is currently unoccupied, a chicken house and a barn/garage building.

Fritzi Gros-Daillon, Certified Environmental Inspector, of Anson Environmental Ltd. (AEL) observed the subject property in February 2006. Mr. Pat Collins, caretaker of the property who has lived there for 70 years, provided access to the houses and barn. During the March visit, Mr. Pat Collins, Jr. who has lived there for 50 years provided access to the premises.

The main house is currently occupied. There is a 275-gallon fuel oil tank in the basement for heating. The vent and fill pipe are located near the rear stoop. The second house is also heated with fuel oil that is stored in a 275-gallon tank located above ground on the side of the house. There is also a propane tank for cooking. In the basement, there was approximately 30 linear feet of suspect asbestos containing pipe insulation. This house was originally moved from a Yellow Cote Road location by the original owner. The third house has been abandoned; as a result, the roof damage has created severe moisture condition inside the house. The paint is peeling from the walls and there is evidence of mold growth. The house was originally heated with fuel oil stored in a 550-gallon underground tank located on the northern side of the house. The underground tank was removed in accordance with Nassau County Article 12 in March 2006. There was no evidence of tank leak or soil contamination during the removal. All of the homes were serviced by on-site sanitary cesspools.

There is a small outbuilding for chickens near the barn. The barn is now used for storage of classic cars and boats. There are workshop areas for personal auto repair and maintenance and the storage of lawn mowers and other equipment. There is one drain in the barn. There are no sanitary facilities in the barn.

There is a wooden ski jump near the houses, built by the son of the owner. There are hiking trails into the wooded area. The vegetation was observed under snow conditions and again in March. There are indigenous trees including oaks and maples.

Considering the observations noted during the site reconnaissance, environmental concerns were recognized:

1. Due to the age of the buildings suspect asbestos containing building materials including pipe insulation and non-friable roofing materials were observed. Prior to demolition, the small quantity of friable asbestos material should be removed.
2. Due to the age of the buildings lead based paint was likely used in the buildings.

The properties surrounding the subject site that were listed in the environmental database search, were not located directly up gradient (hydrologically) to the subject site and should not pose adverse impacts on the environmental quality of the subject property.

2.0 Introduction

2.1 Purpose

This report is intended to meet the format and requirements of the ASTM Standard Practice for Environmental Site Assessments, as published in ASTM E 1527-00. Banks, insurance companies and prospective property purchasers require an understanding of existing and past property conditions and uses in order to assess the potential liabilities associated with a site. A qualified environmental professional as defined in ASTM Standards has completed this assessment. The objectives of this Environmental Site Assessment are stated as follows:

- Establish a basis of understanding of past and present use in order to determine potential environmental and/or public health risk.
- Establish a basis of understanding of surrounding uses, and area environmental resources in order to determine if such uses or resources affect the property.
- Identify, to the extent feasible, recognized environmental conditions (i.e., potential risk caused by the presence of Hazardous Substances or Petroleum Products) in connection with the site and adjoining properties.
- Identify any known or potential items in noncompliance with applicable Local, State or Federal laws and regulations.
- Specify how any items in noncompliance with applicable Local, State or Federal laws and regulations can be brought into compliance.
- Confirm the absence of environmental problems or quantify potential environmental liabilities. In the event such findings cannot be made, recommend further environmental sampling.

The final purpose of the report is to utilize the information gained to report 'Recognized Environmental Conditions'; a very important term defined and utilized in the ASTM Standards. Recognized Environmental Conditions are defined as follows:

The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substance or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimus* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

2.2 Special Terms and Conditions

It is the responsibility of the user of this report (for example, the purchaser, potential tenant, owner lender or property manager) to provide certain segments of information utilized in the report. This would include reporting of any environmental liens (i.e. consideration property for response action, cleanup or remediation of hazardous substances or petroleum product) encumbering the property or specialized knowledge or experience that would assist in the identifying recognized environmental conditions.

It must be recognized that the level of inquiry is variable for each Phase I Environmental Site Assessment, depending upon the availability of information and quality of the information received. As per the ASTM Standards, it should be noted that the "environmental professional is not required to verify independently the information provided but may rely on information provided unless he or she has actual knowledge that certain information is incorrect based on other information obtained in the Phase I Environmental Site Assessment or otherwise actually known to the environmental professional". Personnel involved in report preparation will make judgments on the accuracy of information and conduct additional research as necessary in order to meet the requirement of identifying recognized environmental conditions on the site. ASTM Standards provide a number of standards of historic information. Anson Environmental Ltd. will seek to research as many sources of historic information as may be available as a means of cross confirmation. Based on ASTM Standards, the Phase I Environmental Site Assessment is not intended to include any sampling or testing of materials associated with the project site (i.e. soil, water, air, or building materials). Accordingly, this report will conform to this intent and no testing will be conducted.

2.3 Limitations and Exceptions

This report is dated, and is only valid for activities, which occurred prior to the date of facility inspection. Activities, liabilities and alterations to environmental conditions

documented in this report that may have occurred subsequent to the date of inspection are not included in this analysis.

There are several limitations of this study, which should be understood. The study is intended to assess the potential for public health or environmental liabilities based upon examination of the subject property in accordance with the ASTM Standards. The ASTM Standards provide specific guidance with regard to radon, asbestos, lead in drinking water and lead based paint.

It must be noted that the accuracy of any Environmental Site Assessment is limited to the information available during the time of the site survey, and from the records, files and drawings provided by the owner and released by government agencies; and, the accuracy and completeness of the information provided during interviews. Appendix 1 of this report contains a Supplemental Statement of Conditions for Phase I Environmental Audits established by the Environmental Assessment Association (EAA) in order to standardize procedures and understanding with regard to the scope of environmental audits. Anson Environmental Ltd. may be contacted if there are any questions regarding this analysis or the methods involved. The resumes of key personnel involved in the preparation of this report are included in Appendix 2.

2.4 Audit Methodology

Anson Environmental Ltd., in accordance with ASTM Standards, has completed this ESA. The following documentation is intended to provide the financing institution with information related to the environmental and public health integrity of the subject property.

This report was completed utilizing a variety of techniques and sources of information. The following is a procedural account of the methodology for report preparation:

1. Field observations of the subject property were conducted including indoor and outdoor facilities and interviews of site personnel, to document facilities and operations, and determine applicable Federal, State and Local laws and regulations.
2. Inspections of areas surrounding the subject property were conducted in order to document surrounding uses as related to the integrity of the subject property.
3. Federal government records were researched including NPL site list, the CERCLIS site list, and RCRA Hazardous Waste TSD Facilities and Generator Lists, and ERNS lists to determine if the subject property or adjacent sites are included in listings.
4. State government records were researched (New York State Department of Environmental Conservation (NYSDEC)) including Inactive Hazardous Waste Disposal site lists, landfills and solid waste disposal facilities, registered underground storage tanks (UST), wastewater disposal sites, air

emission sources, and leaking UST/materials spill lists, to determine if the site or adjacent sites are included in the listings.

5. County and Town government records were researched including tank and drum registration and violations/enforcement action files.
6. Local government records were researched including zoning and Certificate of Occupancy to determine site compliance and history.
7. Records involving Transfer of Property were reviewed as available to determine site ownership and history where possible.
8. Published literature concerning on-site soils, and groundwater resources were reviewed as related to environmental audits to establish environmental resource information.
9. Additional interviews were conducted, as necessary.
10. Conclusions regarding the site were formulated based upon the above tasks.

The date of the inspection, key personnel in the preparation of the report, and a list of persons interviewed is provided below in order to provide further insight into methodology.

Project Commenced: February 13, 2006
Inspection Date: February 24, 2006
Report Date: March 18, 2006
Inspectors/Preparers: Fritzi Gros-Daillon
Persons Interviewed: Mr. Collins

This assessment was performed in accordance with good commercial and customary practice as defined by the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ASTM Designation: E 1527-00). The level of inquiry for the Phase I ESA is as follows:

3.0 Site Reconnaissance

The site reconnaissance consisted of a visual inspection of the subject property including interior building spaces, the exterior property, and surrounding properties.

3.1 Subject Property

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There is a wooden ski jump near the houses, built by the son of the owner. There are hiking trails into the wooded area. The vegetation was observed under snow conditions and again in March. There are indigenous trees including oaks and maples.

3.2 Surrounding Properties

Land uses of the surrounding properties may have an effect on the environmental quality of the subject property. Accordingly, a visual inspection was performed on the subject properties immediately adjacent to the subject property. The following information was noted:

3.2.1 North of the Subject Property

Oyster Bay Cove Road runs in an approximately north/south direction. The northern boundary of the subject property is contiguous with additional properties on Oyster Bay Cove Road. They are the following properties:

<u>Address</u>	<u>Owner(s)</u>	<u>Use</u>
191 Cove Road	Jeremy & Lindsay Surry	Single Family
177 Cove Road	Robert & Susan Greco	Residential
22 Yellow Cote Road	David & Elizabeth Townsend	Single Family
24 Yellow Cote Road	Robert McMeekin	Single Family

3.2.2 East of the Subject Property

Oyster Bay Cove Road runs in an approximately north/south direction. The eastern boundary of the subject property is contiguous with Oyster Bay Cove Road. The properties to the east are across the road and can be further described as follows:

<u>Address</u>	<u>Owner(s)</u>	<u>Use</u>
Laurel Hollow	Nassau County	Utilities
9 Birch Ct	Ronald & Jane Sonenshein	Single Family
1 Birch Ct	Lem & Sylvia Horowitz	Single Family
47 Timber Ridge	Maurice & A Lucas	Single Family

3.2.3 South of the Subject Property

Oyster Bay Cove Road runs in an approximately north/south direction. The southern boundary of the subject property is contiguous with North Hempstead Turnpike (Route 25A). On the southern side of Route 25A and directly across the street from the subject property are the following properties:

<u>Address</u>	<u>Owner(s)</u>	<u>Use</u>
N Hempstead Tpk & White Oak Tree Road	Tall Oaks Ltd	Vacant Land
3 White Birch Road	Mr. & Mrs. Arthur Bloch	Single Family
7 White Birch Road	Ranjeeta Subudhi	Single Family
11 White Birch Road	Steve & Madalyn Kates	Single Family
5 Tall Oak Court	Joseph Bellantuono	Single Family
15 Tall Oak Court	Vincent & Mitzi Testaverde	Single Family

3.2.4 West of the Subject Property

Oyster Bay Cove Road runs in an approximately north/south direction. The western boundary of the subject property is contiguous with the properties that front Yellow Cote Road. The properties can be further described as follows:

<u>Address</u>	<u>Owner(s)</u>	<u>Use</u>
Yellow Cote Road	L L Pulling	Residential
33 Yellow Cote Road	Lucy Leffingwell Pulling	Land-tax exempt
34 Yellow Cote Road	Thomas L Pulling	Residential
34 Yellow Cote Road	P & Polly Duke	Residential

4.0 Review of Corporate Records and Personnel Interviews

Personal interviews were conducted with Mr. Collins who provided access to the buildings and discussed the history of the property.

4.1 Waste Management Audit

Legislation enacted under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) establishes hazardous material generators forever legally liable for their byproducts and/or wastes produced. This encompasses the transport and destination of these materials. The following is a summation of the available corporate data relating to the transport and disposal of all hazardous materials utilized on the subject property.

1. No documentation regarding the transport or disposal of hazardous materials utilized at the subject site was observed during the site inspection. Given the history of the residential property, there was no commercial generation of hazardous waste.

4.2 Nassau County Tax Map Information

According to information obtained from the Tax Map, the subject property is comprised of several lots, designated as Section 27, Block L, Lots part of 217, part of 220, 226, 227, and part of 229. The tax map information is included in Appendix 3. The listed owner of the subject property is the Estate of TJ Edward Pulling.

According to the tax map information the subject property is approximately 72.3+/- acres in size. The use of the property is listed as residential. The tax map information is included in Appendix 3.

5.0 Government Record Inventory

The Freedom of Information Act/Law (Public Officers Law, Section 84-90) provides rights of access to all government documents not exempt from disclosure. Accessible records include paper documents such as video/audio tape recordings, microfilm, and computer disks. AEL examined relevant government documentation so as to define implicit parameters affecting the environmental quality of the subject property. The government documentation was queried using the services of Toxics Targeting of Syracuse, NY (TT). TT has combined environmental database searches, extensive regulatory analysis and sophisticated mapping techniques to produce a site specific Computerized Environmental Report. The complete environmental reports are contained in Appendix 4.

5.0.1 Executive Summary: Target Property Search Results

Toxics Targeting (TT) conducted a search of available records. The report meets the government records search requirements of ASTM Standard for Environmental Site Assessments, E1527-00. Search distances are per ASTM Standard or custom distance requested by the user.

The target property was not listed in the databases searched by TT.

5.1 Federal Government Database Review for Surrounding Properties

The following sections describe the Federal government databases reviewed for the Phase I ESA and the results of the database search.

5.1.1 National Priority List Sites

The EPA's list of Superfund sites represents the worst of all identified uncontrolled and/or abandoned hazardous waste sites. National Priority List (NPL) sites are classified as Final, Proposed or Deleted. The information source for NPL sites is the U.S. Environmental Protection Agency (EPA) National Priority List (NPL) for Federal Superfund Cleanup. These sites have been nominated for cleanup under the Federal Superfund program. This annual compilation includes a special two-page detailed profile of NPL sites. The compilation contains known hazardous material waste sites, which are described by the Federal Government as needing immediate clean-up action under the Federal Superfund program. Such sites usually will affect the environmental quality of a large area.

A review of the aforementioned list revealed the following information:

1. There are no sites within a one-mile radius of the subject property that appear on the NPL database.

5.1.2 CERCLIS Sites

The EPA's list of potential Superfund sites currently or previously investigated for release or threatened release of hazardous waste materials. The information source for CERCLIS Sites is the toxic sites listed in the Federal Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS).

The CERCLIS database is a comprehensive listing of known or suspected uncontrolled or abandoned hazardous waste sites. These sites have either been investigated, or are currently under investigation by the Federal EPA for the release, or threatened release of hazardous substance. Once a site is placed in CERCLIS, it may be subjected to several levels of review and evaluation, and ultimately placed on the National Priorities List. As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from the CERCLIS database.

A review of the aforementioned database revealed the following information:

There are no sites within a one-half mile radius of the subject property that appear on the CERCLIS database.

5.1.3 RCRIS: Resource Conservation and Recovery Information System

The EPA's list of all registered hazardous waste generators. They are classified as TSD (treatment, storage, disposal), LGN (large quantity), VGN (very small quantity) and /or NLR (no longer regulated) generator facilities. CMEL (Compliance Monitoring and Enforcement List), RAATS (RCRA Administrative Action Tracking System) and CORRACTS (RCRA Corrective Action Activity) information is also included.

5.1.3.1 RCRA Treatment, Storage, Disposal

A review of the RCRIS database revealed the following information:

1. There are no sites within a one-half mile radius of the subject property that appear on the RCRIS TSD database.

5.1.3.2 RCRA Generator

A review of the RCRIS database revealed the following information:

There are no sites within a one-quarter mile radius of the subject property that appear on the RCRA Large Quantity Generator database.

There are no sites within a one-quarter mile radius of the subject property that appear on the RCRA Small Quantity Generator database.

5.1.3.3 RCRA CORRACTS

A review of the CORRACTS database revealed the following information:

1. There are no sites within a one-mile radius of the subject property that appear on the RCRA CORRACTS database.

5.1.4 Emergency Response Notification System

The EPA's spills database showing all EPA response action to emergency spill incidents. The information source for the Emergency Response Notification System (ERNS) is a national computer database system that is used to store information on the sudden release of hazardous substances, including petroleum, into the environment. The ERNS reporting system contains preliminary information on specific releases, including the spill location, the substance released, and the responsible party.

A review of the aforementioned database revealed the following information:

1. There are no sites within a one hundred foot radius of the subject property that appears on the ERNS database.

5.1.5 United States Brownfields (US Brownfields)

The Environmental Protection Agency (EPA) maintains a database of Brownfield listed sites addressed by The Cooperative Agreement Recipients and The Targeted Brownfields Assessments. A Brownfields site is an abandoned, idled, or under used industrial and commercial site where expansion or redevelopment is complicated by real or perceived environmental contamination. EPA's Brownfields initiative helps communities mitigate potential health risks and restore the economic viability of such sites.

A review of the aforementioned database revealed the following information:

1. There are no sites within a one-half mile radius of the subject property that appears on the US Brownfields database.

5.2 New York State Government Database Review for Surrounding Properties

5.2.1 New York State Sites

New York State (NYS) maintains a database of known or potential hazardous waste sites. The State Hazardous Waste Sites (SHWS) records are the states' equivalent to CERCLIS. These sites may or may not already be on listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent to Superfund) are identified along with sites where potentially responsible parties will pay for cleanup. The database also lists sites delisted (DEL SHWS) from the Registry of Inactive Hazardous Waste Disposal Sites. The data comes from the Department of Environmental Conservation's Inactive Hazardous waste Disposal Sites in New York State.

A review of the aforementioned databases revealed the following information:

There are no sites within a one mile radius of the subject property that appears on the NYS SHWS database.

5.2.2 New York State Spills (NY Spills) and Leaking Storage Tanks (LTANKS)

New York State maintains a database of spills and hazardous leaking incidents (NY SPILLS) that were responded to by NYS Department of Environmental Conservation (NYSDEC). It includes spills active as of April 1, 1986, as well as spills occurring since this date. LTANKS can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills.

A review of the aforementioned databases revealed the following information:

1. There are five (5) sites within a one-eighth mile radius of the subject property listed on the NY SPILLS database (Appendix 4). Of the five (5) sites, none remain open at the time of this report.
2. There are fourteen (14) sites within a one-half mile radius of the subject property that appear on the LTANKS database (Appendix 4). Of the fourteen (14) sites only one (1) remained open at the time of this report. The aforementioned open site is listed as follows:

<u>Facility Name</u>	<u>Facility Address</u>	<u>Distance and Direction (feet)</u>
Abrams Property	32 Vista Drive	1432 feet to the SE

This spill was opened in 1998 with a reported tank test failure of a 550-gallon underground tank at the above residence. It is highly unlikely that a spill on a residential property located ¼ mile to the southeast would affect the subject property. There is no

indication in the NYSDEC record that there was soil or groundwater contamination on the Abrams property, as the depth to groundwater is estimated to be approximately 70-75 feet below grade surface. The subject property is located cross gradient to the Abrams property and would not be affected by groundwater contamination, if present.

5.2.3 Registered Underground Storage Tanks/Aboveground Storage Tanks

New York State maintains a database of registered underground storage tanks (UST), aboveground storage tanks (AST) and chemical bulk storage aboveground storage tanks (CBS AST) and chemical bulk storage underground storage tanks (CBS UST).

A review of the aforementioned databases revealed the following information:

1. There are eleven (11) sites within a one quarter-mile radius of the subject property that appear on the Petroleum Bulk Storage (PBS) database.

Address	Tank Information	Status
3 Birch Ct.	1000 gal propane UST	Active
88 White Oak Tree Road	(2) 100 gal propane AST	Active
Timber Ridge Road	100 gal propane AST	Active
12 Timber Ridge Road	1000 gal propane UST 500 gal propane UST	Active Active
64 White Oak Tree Road	100 gal propane AST	Abandoned
East Woods School	2500 gal #2 fuel oil UST 500 gal #2 fuel oil AST (3) 285 gal #2 fuel oil AST	Active Active Active
62 Woodland Drive	500 gal propane UST	Active
58 Woodland Drive	200 gal propane AST	Active
43 Woodland Drive	100 gal propane AST	Abandoned
14 Hemlock Ct	500 gal propane AST 116 gal propane AST	Active Active
45 Wildwood Drive	500 gal propane AST	Abandoned

The sites listed on the PBS UST and PBS AST databases should not have an adverse impact on the environmental quality of the subject property.

5.2.4 Solid Waste Facilities/ Landfill Sites (SWF/LF) and Solid Waste Recovery Sites (SWRCY)

New York State maintains a database for solid waste facilities or landfills operating in the state. New York State maintains a database for register recycling facilities operating in the state.

A review of the SWF/LF and SWRCY databases for revealed the following information:

1. There are no sites within a one-half mile radius of the subject property that appear on the NYSDEC database for SWF/LF.
2. There are no sites within a one-half mile radius of the subject property that appear on the NYSDEC database for SWRCY.

5.2.5 Consent/ Records of Decision (RODS)/ and Delisted NPL

The Consent/Records of Decision and Delisted NPL database contains information about major legal settlements that establish responsibility and standards for cleanup at NPL sites. The Records of Decision (RODS) database contains documents that mandate a permanent remedy at an NPL site containing technical and health information to aid in the cleanup. The Delisted NPL database contained information from the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which establishes the criteria that the EPA uses to delete sites from the NPL.

A review of the aforementioned database revealed the following information:

1. There are no sites listed within a one mile radius of the subject property that appear on the Consent, RODS or Delisted NPL databases.

5.2.6 New York State Voluntary Cleanup (NYSVCP)

New York State (NYS) maintains a database of sites listed in the NYC VCP database. The voluntary remedial program uses private monies to get contaminated sites remediated to levels allowing for the sites productive use. The program covers virtually any kind of site and contamination.

A review of the aforementioned database revealed the following information:

There are no sites within a one-half mile radius of the subject property that appear on the NY VCP database.

5.3 Local Agencies

Freedom of Information (FOIL) requests were submitted to the Nassau County Department of Health and the Nassau County Fire Marshal. A copy of the FOIL requests is included in Appendix 5. The following information was obtained from those requests:

1. The Nassau County Department of Health did not respond to the request at the time of this report. If pertinent information is obtained from the request, AEL will issue an addendum to this report.
2. The Nassau County Article 12 tank removal forms are included in Appendix 5.

3. The Nassau County Office of the Fire Marshal did not respond to the request at the time of this report. If pertinent information is obtained from the request, AEL will issue an addendum to this report.
4. The Village of Oyster Bay Cove and Nassau Property information was secured from the online resources. Copies of the cards are included in Appendix 5.

6.0 Land Use History

The land use history of the subject property was compiled by using the following sources:

- Fire Insurance Maps (Sanborn Maps)
- United States Geological Survey (USGS) 7.5 Minute Topographic Maps
- City Directories
- Aerial Photograph

6.1 Fire Insurance Maps (Sanborn Maps)

Sanborn maps were requested from TT; however, no coverage was available for the subject property (Appendix 6).

6.2 United States Geological Survey (USGS) 7.5 Minute Topographic Maps

USGS 7.5 Minute topographic map was reviewed from the Hicksville Quadrangle. The subject property has flat and hilly terrain. The general area topography has a slow decrease in elevation as you head south and a slight increase in elevation as you head north. The actual topographic map is attached to this report in Appendix 7.

6.3 City Directory Review

There were no city directories available for the subject property.

6.4 Aerial Photograph

The aerial photograph is attached in Appendix 5.

7.0 Geological Background Study

This section describes the regional subsurface geology, soils and hydrogeology.

7.1 Subsurface Geology

Long Island is underlain by a mass of wedge-shaped unconsolidated geological deposits of sand, gravel, silt and clay that overlie southward-sloping consolidated bedrock. The

thickness of these unconsolidated glacial and deltaic deposits ranges from a few hundred feet in the northwestern sections of Nassau County to over 2,000 feet along the south shore barrier beaches of Suffolk County. These deposits are thinnest in the northern part of Queens County (northwestern Long Island), where bedrock crops out, and increases to a maximum thickness of 2,000 feet in southeastern Long Island. This sequence of unconsolidated deposits consists of several distinct geological units ranging from late Cretaceous through Pleistocene, with some recent deposits near shores and streams.

On Long Island and in the subject property area, unconsolidated sediments of Quaternary and Cretaceous age rest on a crystalline bedrock surface that slopes to the southeast. The bedrock is probably of Precambrian age. The Late Cretaceous deposits, mostly of terrestrial origin are the Raritan and Magothy formations. Pleistocene deposits of pre-Wisconsin age are the Jameco gravel and Gardiners clay, both of small extent in the subject property area. The bulk of the Pleistocene deposits are till and outwash sequences associated with two ice advances within the Wisconsin stage. Shoreline, swamp, and alluvial deposits of recent age locally mantle the older deposits.

The unconsolidated sediments, saturated with water from the weathered bedrock upward to the water table, yield water to wells screened in the more permeable zones.

According to information from the 7.5 Minute USGS Topographic Map of the Huntington quadrangle, the subject property is approximately 100-120 feet above sea level.

7.2 Soil Component Identification

According to a soil survey of Nassau County conducted by the United States Department of Agriculture, the lithology at the subject site has been classified as Montauk-Enfield soils.

This soil classification consists of dominantly nearly level to strongly sloping, well drained, medium-textured and moderately coarse textured soils, predominantly present on knolls and hills. Most areas of this soil are low density residential or commercial areas. Some areas are in native grasses and a few are used for crops or horse farms.

7.3 Hydrology and Hydrogeology

Long Island, which includes Nassau County, is comprised of a wedge-shaped mass of unconsolidated sand, gravel, silt and clay underlain by consolidated bedrock. The thickness of these unconsolidated glacial and deltaic deposits ranges from a few hundred feet in the northwestern sections of Nassau County to over 2,000-feet along the south shore barrier beaches of Suffolk County. These unconsolidated deposits constitute the groundwater reservoir for Long Island. Essentially, three aquifers underlie the region and they are known as the Upper Glacial, Magothy and Lloyd Aquifers.

The Upper Glacial Aquifer lies from the surface of Long Island to depths up to 400-feet below grade. The depth of the Magothy Aquifer ranges from 100 to 1200-feet below grade.

The depth to the Lloyd Aquifer from the land surface ranges from 200-feet along the north shore of Long Island to over 1,800-feet along the south shore.

The Upper Glacial Aquifer is used widely for water supply in Nassau and Suffolk County. The Upper Glacial Aquifer in Kings County is generally of degraded quality due to past and/or present sanitary and industrial waste disposal practices.

The Lloyd Aquifer principally supplies water to the south shore barrier beach communities where the Magothy Aquifer has become contaminated by salt water intrusion.

Suffolk County obtains the majority of its water supply from the Magothy Aquifer at depths ranging from 600 to 1,200-feet below grade. The Upper Glacial Aquifer, in Suffolk County, is generally of degraded quality due to past and or present sanitary and industrial waste disposal practices. The Lloyd Aquifer lies below the Magothy Aquifer and rests on the consolidated bedrock.

The altitude of the surface water above mean sea level on Long Island ranges from a few feet along the shorelines to over 100-feet in the central parts of the island. Groundwater flow is principally towards the shorelines of Long Island. The dividing line for the north/south flow of groundwater generally follows the route of the Long Island Expressway.

Site specific hydrogeology can only be determined through a program of on-site drilling and core sampling to confirm groundwater depth, groundwater flow direction, and soil composition. Such a site-specific program is beyond the scope of this Phase I ESA for the subject property.

In the absence of onsite well data, site-specific groundwater depth and flow direction can be generalized. According to the Topographic Map of the Huntington Quadrangle (Figure # 2) and from the map of Water Table Contours of the Upper Glacial Aquifer March-April 1997 (Figure # 3), groundwater flows northeast toward the Oyster Bay Harbor and is approximately 70 to 75 feet below grade surface.

8.0 Limited Scope Identification of Possible Lead Containing Surface Paints and Lead in Drinking Water

Lead can have poisonous effects on human organs and the nervous system, causing a variety of toxic reactions. Since lead accumulates in the body more rapidly than it can be removed, repeated exposures, even to small amounts, and may produce lead poisoning. In addition, deteriorating lead components may allow lead to become airborne. The

American Conference of Governmental Industrial Hygienists has established threshold limit values at 150 micrograms per cubic meter of air.

Lead in drinking water occurs generally as a result of a past use of high lead solder. Water left stagnant in pipes overnight or longer, may leach lead from these joints and affect drinking water quality. As a general rule, water should be run for several minutes in the morning where such plumbing is present.

No lead survey was performed at the subject property. Due to the age of the building lead based paints may have been used in the construction of the buildings. The paint is likely to have encapsulated by several layers of paint and wallpaper, given the age of the homes.

9.0 Limited Scope Identification of Suspect Asbestos Containing Material

Asbestos has been linked to various types of lung diseases. Various regulatory agencies have tolerance limits of one percent by volume of asbestos in material. Any material, which contains asbestos levels above one percent, is considered asbestos containing material.

Suspect asbestos containing building materials were observed in the building in the form of roofing materials and a minor quantity of pipe insulation.

10.0 Limited Scope Identification of PCB Containing Oils

This report cannot identify all sources of PCB containing oils. Common sources of these materials include transformers and fluorescent lamp ballast. Electric service transformers may include ground level or pole-mounted units. These transformers are owned and maintained by Long Island Power Authority, the entity responsible for their uses and integrity. Transformers are inventoried and periodically inspected. Aggressive and destructive testing would be required for definitive identification of PCB's is beyond the scope of this study.

11.0 Radon Investigation

Radon is colorless, odorless, inert gas, which has become an air contaminant in certain geographic areas. Radon is a natural isotope, which is most commonly present in association with crystalline bedrock and occasionally other geological deposits. Naturally occurring isotope decay can emit radiation, which causes health concerns from inhalation. Radon levels generally increase in areas where bedrock is close to the land surface, generally only creates a health problem where underground basements are constructed.

The United States Environmental Protection Agency has developed a "Map of Radon Zones" indicating the levels of radon concentrations from testing and aerial surveys

conducted throughout New York State. As a result of this testing, Long Island is designated and included in "Zone 3 ". Zone 3 areas contain the lowest concentrations of radon in New York State (Appendix 10).

12.0 Evaluation of Data Obtained During the Assessment

The following sections summarize the conclusions and recommendations for further investigation, if warranted.

12.1 Conclusions

AEL has performed a Phase I ESA of the property in accordance with good commercial and customary practice and generally accepted protocols within the consulting industry (ASTM Standard Practice for Environmental Site Assessments, Designation: E 1527). The assessment included a thorough visual inspection of the property, the examination of publicly available records concerning the current and prior uses of the property and interviews with the property owner.

Findings are presented in this site assessment are based on data obtained under the scope of this investigation. The conclusions represent the professional judgment of qualified AEL staff scientists and engineers using available information.

Considering the observations noted during the site reconnaissance, several environmental concerns were recognized:

1. Due to the age of the building suspect asbestos containing building materials including roofing materials and a minor quantity of pipe insulation were observed. Prior to demolition, the minor quantity of suspect friable asbestos containing pipe insulation should be removed.
2. Due to the age of the buildings lead based paints were likely used in the construction of the building.

13.0 Signature of Environmental Professional

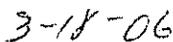
Anson Environmental Ltd. (AEL) has completed this Phase I Environmental Site Assessment of the subject properties located in the municipality of Town of Oyster Bay, Village of Oyster Bay Cove, Nassau County, New York. The subject property is a 72.3+/- acre parcel of primarily undeveloped land assigned tax map identification number Section 27, Block L, Lots part of 217, part of 220, 226, 227, and part of 229.

The assessment was performed at the Client's request using the methods and procedures consistent with good commercial or customary practice designed to conform to acceptable industry standards

This report is expressly and exclusively for the sole use and benefit of the client identified on the cover of this report and is not for the use and benefit of, nor may any other person or entity rely it upon without the advance written consent of AEL.

The work reported herein was conducted to generally assess the physical characteristics of the site with respect to the presence of visible contamination. The conclusions summarized herein were based on observations made by our staff and the limited exploration as stated herein at the time these services were conducted. Future events and/or investigations could change the findings stated herein. Future events and/or investigations encounter different conditions; sections of this report may require modification. This report was prepared in accordance with current generally acceptable engineering practices. No other warranty, expressed or implied is made.


Prepared by:
Fritzi Gros-Daillon, CEI
Principal
Environmental Assessment Association # 7338


Date: March 18, 2006

Photographs



Photo 1- Main House



Photo 2- Main House



Photo 3- Main House



Photo 4- Abandoned Building



Photo 5- Abandoned
Building



Photo 6- Abandoned
Building

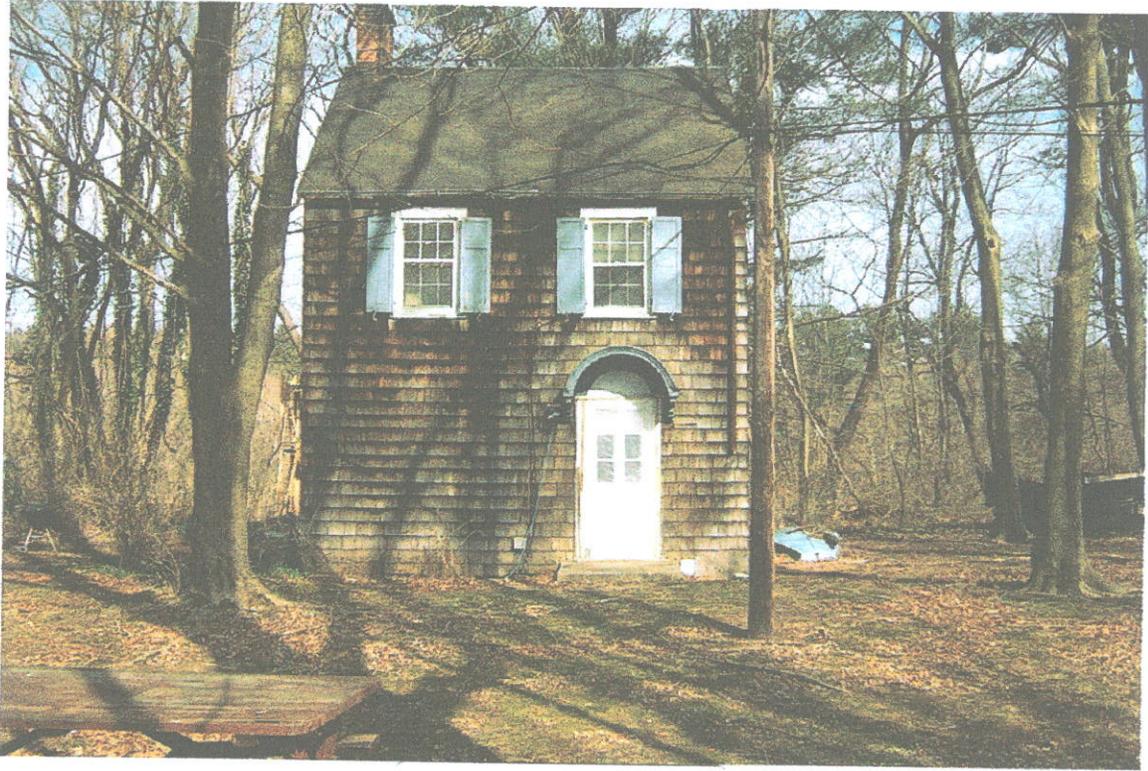


Photo 7- Second House

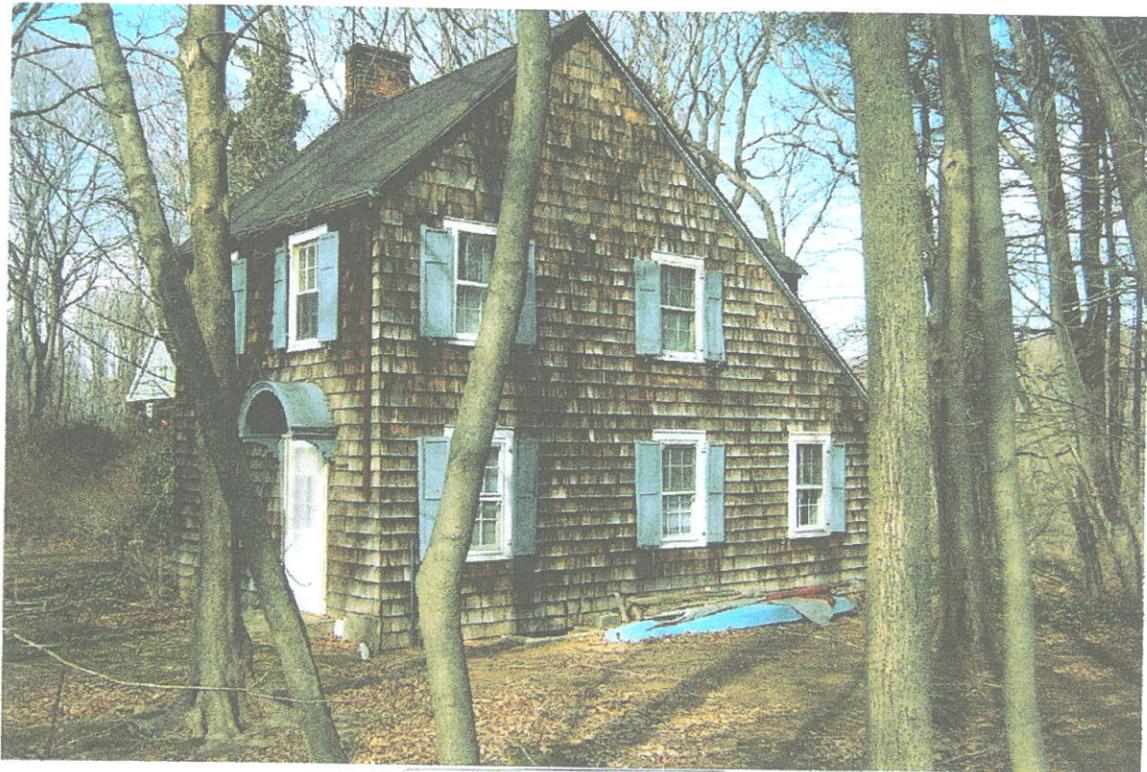


Photo 8- Second House



Photo 9- Second House



Photo 10- Aboveground
Tank/ Propane Tank



Photo 11- Indigenous
Vegetation



Photo 12- Wood Siding



Photo 13- Cesspool
Cover



Photo 14- Barn

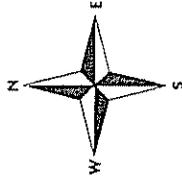
Figures

Toxics Targeting 1 Mile Buffer Search Map

Redcote Farms
Oyster Bay, NY 11771



Nassau County



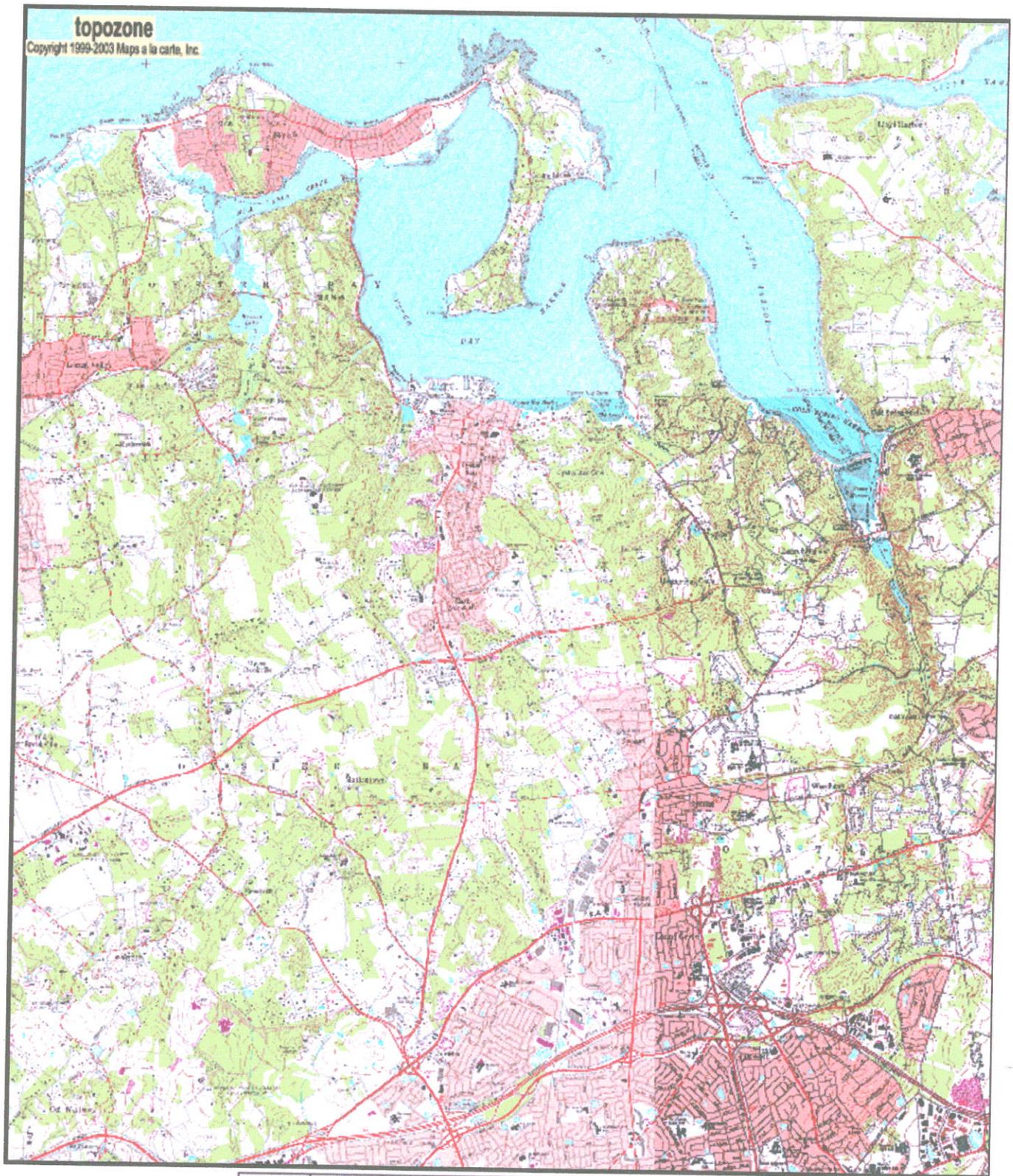
- NPL, CERCLUS, NYSDEC Inactive Hazardous Waste Disposal Registry or Registry Qualifying Site
- Hazardous Waste Treater, Storer, Disposer
- Hazardous Substance Waste Disposal Site
- Major Oil Storage Facility
- RCRA Corrective Action Facility
- Solid Waste Facility
- Brownfields Site

- Subject Area
- Minor Roads
- Major Roads
- Expressways
- 1 Mile Radius
- 1/2 Mile Radius
- 1/4 Mile Radius
- Waterbody
- County Border
- Railroad Tracks



Scale: 1 inch = 2061 feet

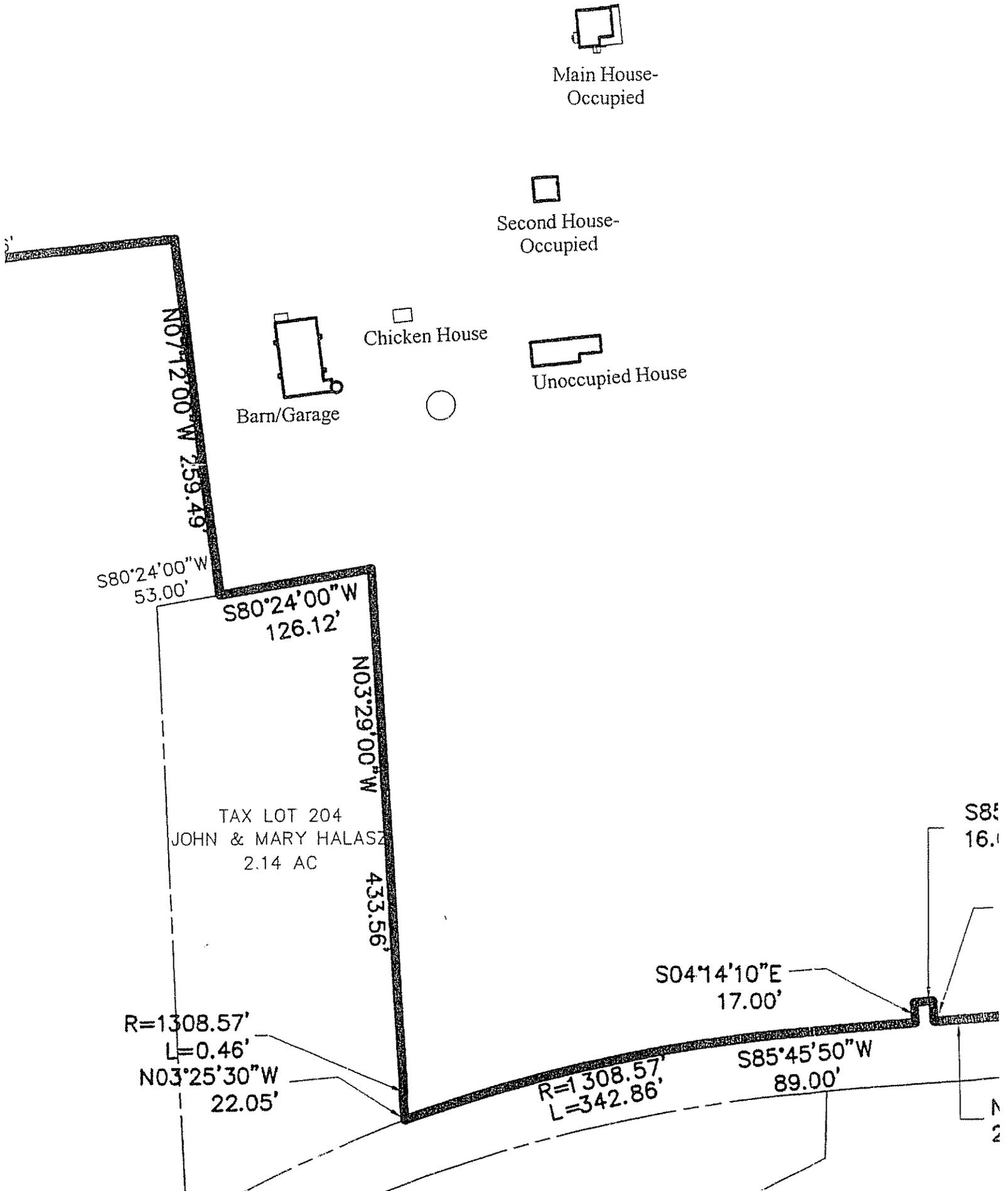
Figure #1



0 1 2 3 4 5 km
0 0.8 1.6 2.4 3.2 4 mi
Map center is UTM 18 624474E 4523244N (WGS84/NAD83)
Hicksville quadrangle
Projection is UTM Zone 18 NAD83 Datum

M *
G
M=-13.735
G=0.966

Figure #3



Appendix 1
Supplemental Statement of Conditions
Environmental Audits

Supplemental Statement of Conditions Environmental Audits

The Environmental Assessment Association (EAA) provides technical support and is acting to standardize the industry with regard to procedures and techniques for report preparation. The EAA has established an outline of responsibilities for the Environmental Inspector as well as a Statement of Limiting Conditions. This information is reproduced below in order for clients and loan agencies to understand responsibilities and limitations under this contract.

Certification: The Environmental Inspector certifies to the Buyer, Seller and/or Lender in a transaction as named in the inspection report "Principal Parties"; and the Inspector and the Principal Parties agree that.

1. The Environmental Inspector has no present or contemplated future (a) partnership with Principal Parties nor (b) an interest in the property inspected which could adversely affect the Inspector's ability to perform an objective inspection, and neither the employment of the inspector to conduct the inspection, nor the compensation for it, is contingent on the results of the inspection.
2. The Environmental Inspector has no personal interest in or bias with respect to the subject matter of the inspection report or any parties who may be part of a financial transaction involving the property. The conclusions and recommendations of the report are not based in whole or in part upon the race, color, creed, sex or national origin of any of the Principal Parties.
3. The Environmental Inspector has personally inspected the property, both inside and out and has made visual inspection of adjacent properties, to the extent possible by readily available access. The inspection does not include the removal of any soil, water or air samples, the moving of furniture or fixtures, or any type of inspection that would require extraordinary efforts to access.
4. All contingent and limiting conditions are contained herein (imposed by the terms of the inspection assignment or by the undersigned affecting the conclusions and recommendations contained in the report).
5. This Environmental Inspection report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics of the Environmental Assessment Association.
6. All opinions, conclusions and recommendations concerning the inspected property that are set forth in the inspection report were prepared by the Environmental Inspector whose signature appears in the report. No change of any item in the report shall be made by anyone other than the Inspector, and the Inspector shall have no responsibility for any such unauthorized change.

Contingent and Limiting Conditions: The certification of the Environmental Inspector appearing in the environmental inspection report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Inspector in the report.

1. The Inspector assumes no responsibility for matter of legal nature affecting the property inspected or the title thereto. The property is inspected assuming responsible ownership.
2. Any sketch appearing in or attached to the inspection report, or any statement of dimensions, capacities, quantities or distance, are approximate and are included to assist to assist the reader in visualizing the property. The inspector has made no survey of the property.
3. The Inspector is not required to give testimony or appear in court because of having made the inspection with reference to the property in question, unless arrangements have been previously made therefore.
4. This report is not intended to have any direct effect on the value of the property inspected but simple to provide a visual Environmental Assessment solely for the benefit of the Principal Parties.
5. The Inspector assumes that there are no hidden, unapparent, or latent conditions or defects in or of the property, subsoil, or structures, other than those noted on the inspection report or any addendum to the report, which the Inspector has included. The Inspector assumes no responsibility for such conditions, or for the inspection, engineering or repair, which might be required to discover or correct such factors.
6. Information estimated and opinions furnished by the Inspector, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, the Inspector has made no independent investigation as to such matters and undertakes no responsibility for the accuracy of such items.
7. These reports may be relied upon by our client and or his assigns, in determining whether to make a loan evidenced by a note (the "Property Note"), which is further secured by the Property. Any purchaser or assignee of the Property Note in determining whether to acquire the Property Note or an interest therein may rely upon these reports. In addition, these reports may be relied upon by any rating agency involved in rating securities secured by, or representing an interest in, the Property Note. These reports may be used in connection with materials offering for sale the Property Note, or an interest in the Property Note, and in presentations to any rating agency. With respect to the foregoing, these reports speak only as of the origination date of these reports unless specifically updated through a supplemental report.

Appendix 2
Resumes of Key Personnel

FRITZI MAZZOLA GROS-DAILLON

PRINCIPAL/SENIOR ENVIRONMENTAL SCIENTIST

Experience Summary:

Over 25 years of experience: President of Anson Environmental, President of Transitions USA (a senior move and management firm). Responsible for project management, quality control and assurance, contractor coordination and administrative management. Independent Management Consultant; Vice President at Bankers Trust Company, District Manager for Consolidated Edison Company.

Education:

B.S. Business Administration, Bloomfield College, 1979

M.S. Business Policy, Columbia University, 1981
In Situ and On-Site Bioreclamation Symposium, 1993

Professional Licenses:

New York State Certified Asbestos Inspector;
Since 2003

New York State Certified Project Monitor;
Since 1998

New York State Certified Project Designer
Since 1998

New York State Certified Air Sampling
Technician; Since 1992

OSHA Certification 40 Hour Hazardous Waste
Operations Emergency Response
(HAZWOPER); Since 1997

Environmental Assessment Association (EAA)
Certified Environmental Inspector; Since 1991

Certified Mold Inspector; Since 2004

Certified Mold Specialist; Since 2004

American Industrial Hygiene Association
(AIHA) Member Since 2002

Key Projects:

- Performed environmental assessments in over fifty industrial and commercial buildings on Long Island. Assessments included identification of operations out of compliance with environmental regulations, searches of regulatory databases and files, site reconnaissance, and report preparation.
- Principal in charge of asbestos surveys in 60 Suffolk County-owned buildings where over 1,500 samples were collected for laboratory analysis. Sample data were entered into a computerized database for the prioritization of abatement activities.
- Quality Assurance/Quality Control Officer, providing technical oversight and guidance on variety of environmental projects including resource allocation, hazardous material contamination, proposal, and work plan preparation.
- Coordinated the removal of over fifty (50) underground storage tanks in Nassau and Suffolk Counties.
- Project Manager for the groundwater investigation and subsequent delisting petitions for forty-two properties within the State Superfund New Cassel Industrial Area. Delisting petitions have been successful in thirty-seven cases with the balances under review by the NYSDEC.
- Project Manager of groundwater investigation at former drycleaning site. Investigation includes sampling of eleven groundwater monitoring wells located in the Upper Glacial Aquifer and delineation of contaminant plume. Alternative remediation technologies under consideration by client.

FRITZI MAZZOLA GROS-DAILLON
PRINCIPAL
SENIOR ENVIRONMENTAL SCIENTIST (CONT)

- Evaluated laboratory data for groundwater remediation project in Great Neck, Long Island. Site was contaminated by leaking underground storage tanks which discharged volatile organic compounds that have contaminated the Upper Glacial Aquifer.
- Responsible for oversight of all data validation, field schedules, laboratory analyses, and report production at Anson Environmental.
- Site Manager for Federal Superfund site during installation of monitoring wells and soil borings. Coordinated sample shipment to laboratories and correspondence with USEPA. Conducted data evaluation and assisted in preparation of Remedial Investigation Report.
- Coordinated several underground storage tank removal projects for local clients in small commercial and residential properties, including coordination with appropriate County officials.
- Conducted asbestos surveys and prepared specification documents for 23 New York City schools under auspices of the New York City School Construction Authority.
- Performed extensive indoor air quality investigations for hospitals, schools, clinics, small businesses and industrial clients.

Appendix 3
Tax Map Information

PROPERTY INFORMATION

12) Property: 33 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006

APN: 2419-27-L-00-0217-0 Alt APN:
Card#: Municipality: OYSTER BAY COVE Use: SFR
County: NASSAU, NY Property Tax: \$24,629.70 Total Value: \$11,112
T/R/S: Tax Year: 2004 Delinq: Land Value: \$5,795
Map Page: 27-00L-00 Tax Area: Imprv Value: \$5,317
Map Ref 2: 27-00L-00 Exemptions: Assd Year: 2005
Census: 5182.01 Taxable:
Subdiv: % Improved: 48%
Owner: SANDS PATRICIA P Phone:
Owner Vest: / /

Mail: YELLOWCOTE ROAD; OYSTER BAY COVE NY 11771

Owner Transfer = Date: Price: Doc#: Type:

SALE & FINANCE INFORMATION

	LAST SALE	PRIOR SALE
Recording/Sale Date:		
Sale Price/Type:		
Document #:		
Deed Type:		
1st Mtg Amt/Type:		
1st Mtg Rt/Type/Term:	/	/
1st Mtg Lender:		
2nd Mtg Amt/Type:		
2nd Mtg Rt/Type/Term:	/	/
Title Company:		
Seller:		
New Construction:		
Other Last Sale Info =	# Parcels:	Type 2: Pend:

IMPROVEMENTS

Bldg/Liv Area: 4,533
Gross Area:
Tot Adj Area:
Base/Main:
Ground Flr: 1,431
Bsmnt Area:
Bsmnt Type: FULL
\$/SqFt:
Yrblt/Eff: 1960
Stories: 2.00
Rooms: 11
Bedrooms:
Full/Half Bath: 4 1
Ttl Baths/Fixt: 5.00
Fireplace: Y 3
Porch Type: ENCLOSED FRAME PO
Patio Type: STONE/TILE PATIO
Construct:
Foundation:
Ext Wall: FRAME
Int Wall:
Floor Type:
Floor Cover:
Roof Shape:
Roof Type:
Roof Matl:
Air Cond: CENTRAL
Heat Type:
Fuel Type:
Pool:
Style: COLONIAL

SITE INFORMATION

Res. Units: 1 Acres: 9.07
Comm Units: Lot Area: 395,089
Buildings: 1 Site Influence:
Zoning:
County Use: 210.01 Sewer Type: PUBLIC SERVICE
State Use: 210 Water Type: PUBLIC
Bldg Type: Park Type: GARAGE
Legal Blk/Bldg: L Park# /SF: 1199
Legal Lot/Unit: 217 Park Spaces:
Legal Plat BkPg: Garage Cap#:
Legal:

PROPERTY INFORMATION

18) Property: **YELLOW COTE RD, OYSTER BAY NY 11771**
APN: **2419-27-L-00-0226-0** Alt APN:
Card#: Municipality: **OYSTER BAY COVE** Use: **VACANT LAND (NEC)**
County: **NASSAU, NY** Property Tax: **\$3,625.11** Total Value: **\$1,969**
T/R/S: Tax Year: **2004** Delinq: Land Value: **\$1,969**
Map Page: **27-00L-00** Tax Area: Imprv Value:
Map Ref 2: **27-00L-00** Exemptions: Assd Year: **2005**
Census: **5182.01** Taxable:
Subdiv: % Improved:
Owner: **PULLING THOMAS L** Phone:
Owner Vest: / /
Mail: **254 E 68TH ST; NEW YORK NY 10021-6012 C021**
Owner Transfer = Date: Price: Doc#: Type:

SALE & FINANCE INFORMATION

	LAST SALE	PRIOR SALE
Recording/Sale Date:		
Sale Price/Type:		
Document #:	9876-74	
Deed Type:		
1st Mtg Amt/Type:		
1st Mtg Rt/Type/Trm:	/	/
1st Mtg Lender:		
2nd Mtg Amt/Type:		
2nd Mtg Rt/Type/Trm:	/	/
Title Company:		
Seller:		
New Construction:		
Other Last Sale Info = # Parcels:	Type 2:	Pend:

IMPROVEMENTS

Bldg/Liv Area:
Gross Area:
Tot Adj Area:
Base/Main:
Ground Flr:
Bsmnt Area:
Bsmnt Type:
\$/SqFt:
Yrbit/Eff:
Stories:
Rooms:
Bedrooms:
Full/Half Bath:
Ttl Baths/Fixt:
Fireplace:
Porch Type:
Patio Type:
Construct:
Foundation:
Ext Wall:
Int Wall:
Floor Type:
Floor Cover:
Roof Shape:
Roof Type:
Roof Matl:
Air Cond:
Heat Type:
Fuel Type:
Pool:
Style:

SITE INFORMATION

# Res. Units:	Acres:	3.60
# Comm Units:	Lot Area:	156,816
# Buildings:	Site Influence:	
Zoning:	Sewer Type:	
County Use: 311.11	Water Type:	
State Use: 311	Park Type:	
Bldg Type:	Park# /SF:	
Legal Blk/Bldg: L	Park Spaces:	
Legal Lot/Unit: 226	Garage Cap#:	
Legal Plat BkPg:		
Legal:		

PROPERTY INFORMATION

19) Property: **YELLOW COTE RD, OYSTER BAY NY 11771**
 APN: **2419-27-L-00-0227-0** Alt APN:
 Card#: Municipality: **OYSTER BAY COVE** Use: **VACANT LAND (NEC)**
 County: **NASSAU, NY** Property Tax: **\$596.06** Total Value: **\$324**
 T/R/S: Tax Year: **2004** Delinq: Land Value: **\$324**
 Map Page: **27-00L-00** Tax Area: Imprv Value:
 Map Ref 2: **27-00L-00** Exemptions: Assd Year: **2005**
 Census: **5182.01** Taxable:
 Subdiv: % Improved:
 Owner: **SANDS PATRICIA PULLING** Phone:
 Owner Vest: / /

Mail: **YELLOW COTE ROAD; OYSTER BAY COVE NY 11771**
 Owner Transfer = Date: Price: Doc#: Type:

SALE & FINANCE INFORMATION

	LAST SALE	PRIOR SALE
Recording/Sale Date:		
Sale Price/Type:		
Document #:	9876-67	
Deed Type:		
1st Mtg Amt/Type:		
1st Mtg Rt/Type/Trm:	/	/
1st Mtg Lender:		
2nd Mtg Amt/Type:		
2nd Mtg Rt/Type/Trm:	/	/
Title Company:		
Seller:		
New Construction:		
Other Last Sale Info =	# Parcels:	Type 2: Pend:

IMPROVEMENTS

Bldg/Liv Area:
 Gross Area:
 Tot Adj Area:
 Base/Main:
 Ground Flr:
 Bsmnt Area:
 Bsmnt Type:
 \$/SqFt:
 Yrbt/Eff:
 # Stories:
 Rooms:
 Bedrooms:
 Full/Half Bath:
 Ttl Baths/Fixt:
 Fireplace:
 Porch Type:
 Patio Type:
 Construct:
 Foundation:
 Ext Wall:
 Int Wall:
 Floor Type:
 Floor Cover:
 Roof Shape:
 Roof Type:
 Roof Matl:
 Air Cond:
 Heat Type:
 Fuel Type:
 Pool:
 Style:

SITE INFORMATION

# Res. Units:	Acres:	1.57
# Comm Units:	Lot Area:	68,389
# Buildings:	Site Influence:	
Zoning:	Sewer Type:	
County Use: 311.11	Water Type:	
State Use: 311	Park Type:	
Bldg Type:	Park# /SF:	
Legal Blk/Bldg: L	Park Spaces:	
Legal Lot/Unit: 227	Garage Cap#:	
Legal Plat BkPg:		
Legal:		

PROPERTY INFORMATION

20) Property: 33 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
APN: 2419-27-L-00-0228-0 Alt APN:
Card#: Municipality: OYSTER BAY COVE Use: VACANT LAND (NEC)
County: NASSAU, NY Property Tax: \$6,450.20 Total Value: \$3,504
T/R/S: Tax Year: 2004 Delinq: Land Value: \$3,504
Map Page: 27-00L-00 Tax Area: Imprv Value:
Map Ref 2: 27-00L-00 Exemptions: Assd Year: 2005
Census: 5182.01 Taxable:
Subdiv: % Improved:
Owner: CUTTING LUCY PULLING Phone:
Owner Vest: / /
Mail: 33 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006
Owner Transfer = Date: Price: Doc#: Type:

SALE & FINANCE INFORMATION

	LAST SALE	PRIOR SALE
Recording/Sale Date:		
Sale Price/Type:		
Document #:	9876-67	
Deed Type:		
1st Mtg Amt/Type:		
1st Mtg Rt/Type/Trm:	/	/
1st Mtg Lender:		
2nd Mtg Amt/Type:		
2nd Mtg Rt/Type/Trm:	/	/
Title Company:		
Seller:		
New Construction:		
Other Last Sale Info =	# Parcels:	Type 2: Pend:

IMPROVEMENTS

Bldg/Liv Area:
Gross Area:
Tot Adj Area:
Base/Main:
Ground Flr:
Bsmnt Area:
Bsmnt Type:
\$/SqFt:
Yrblt/Eff:
Stories:
Rooms:
Bedrooms:
Full/Half Bath:
Ttl Baths/Fixt:
Fireplace:
Porch Type:
Patio Type:
Construct:
Foundation:
Ext Wall:
Int Wall:
Floor Type:
Floor Cover:
Roof Shape:
Roof Type:
Roof Matl:
Air Cond:
Heat Type:
Fuel Type:
Pool:
Style:

SITE INFORMATION

# Res. Units:	Acres:	4.90
# Comm Units:	Lot Area:	213,444
# Buildings:	Site Influence:	
Zoning:	Sewer Type:	
County Use: 311.11	Water Type:	
State Use: 311	Park Type:	
Bldg Type:	Park# /SF:	
Legal Blk/Bldg: L	Park Spaces:	
Legal Lot/Unit: 228	Garage Cap#:	
Legal Plat BkPg:		
Legal:		

PROPERTY INFORMATION

21) Property: 34 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
APN: 2419-27-L-00-0229-0 Alt APN:
Card#: 0 of 3 Municipality: OYSTER BAY COVE Use: RESIDENTIAL (NEC)
County: NASSAU, NY Property Tax: \$44,975.07 Total Value: \$22,361
T/R/S: Tax Year: 2004 Delinq: Land Value: \$21,236
Map Page: 27-00L-00 Tax Area: Imprv Value: \$1,125
Map Ref 2: 27-00L-00 Exemptions: Assd Year: 2005
Census: 5182.01 Taxable:
Subdiv: % Improved: 5%
Owner: PULLING T J EDWARD Phone:
Owner Vest: / /
Mail: 34 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006 (No Mail)
Owner Transfer = Date: Price: Doc#: Type:

SALE & FINANCE INFORMATION

	LAST SALE	PRIOR SALE
Recording/Sale Date:		
Sale Price/Type:		
Document #:	9876-63	
Deed Type:		
1st Mtg Amt/Type:		
1st Mtg Rt/Type/Trm:	/	/
1st Mtg Lender:		
2nd Mtg Amt/Type:		
2nd Mtg Rt/Type/Trm:	/	/
Title Company:		
Seller:		
New Construction:		
Other Last Sale Info =	# Parcels:	Type 2: Pend:

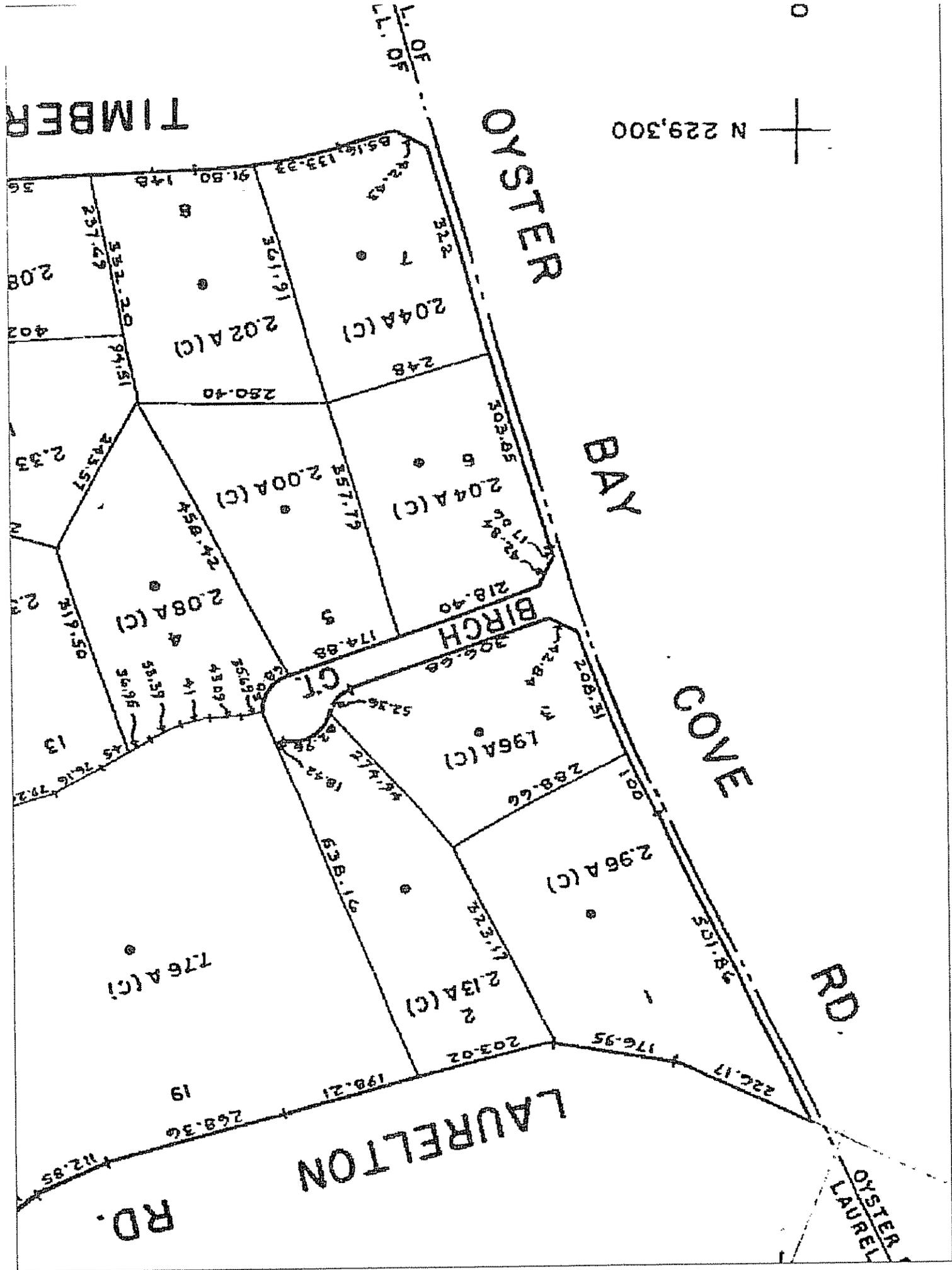
IMPROVEMENTS

Bldg/Liv Area: 3,304
Gross Area:
Tot Adj Area:
Base/Main:
Ground Fir: 756
Bsmnt Area:
Bsmnt Type: FULL
\$/SqFt:
Yrblt/Eff: 1913
Stories: 2.00
Rooms: 17
Bedrooms:
Full/Half Bath: 3
Ttl Baths/Fixt: 3.00
Fireplace: 1
Porch Type: OPEN FRAME PORCH
Patio Type:
Construct:
Foundation:
Ext Wall: FRAME
Int Wall:
Floor Type:
Floor Cover:
Roof Shape:
Roof Type:
Roof Matl:
Air Cond:
Heat Type: CENTRAL
Fuel Type:
Pool:
Style: OLD

SITE INFORMATION

# Res Units: 3	Acres: 54.55
# Comm Units:	Lot Area: 2,376,198
# Buildings: 3	Site Influence:
Zoning:	Sewer Type: PUBLIC SERVICE
County Use: 250.01	Water Type: PUBLIC
State Use: 250	Park Type: GARAGE
Bldg Type:	Park# /SF: 240
Legal Blk/Bldg: L	Park Spaces:
Legal Lot/Unit: 229	Garage Cap#:
Legal Plat BkPg:	
Legal:	

N 229,300



3) Situs: 25 WILDWOOD DR, SYOSSET NY 11791-1215 R001
 APN: 2413-25-064-00-0003-0 Rec/Sale Dt: 07/08/2003 07/01/2003 Total Value: \$11,527
 County: NASSAU, NY Sale Price: \$2,035,000 Land Value: \$3,723
 Use: SFR Doc #: 11637-236 Imprv Value: \$7,904
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax: \$23,354.97
 Munic: LAUREL HOLLOW State Use: 210 Lot Area: 88,688
 Township: Cnty Use: 210.01 Zoning:
 Owners: SADANA SALONIA Census: 5182.01
 Phone:
 Mail: 25 WILDWOOD DR; SYOSSET NY 11791-1215 R001

31) Situs: N HEMPSTEAD TPKE, SYOSSET NY 11791
 APN: 2413-25-064-00-0034-0 Rec/Sale Dt: 03/01/2004 01/15/2004 Total Value: \$3,351
 County: NASSAU, NY Sale Price: \$710,000 Land Value: \$3,326
 Use: SFR Doc #: 11743-574 Imprv Value: \$25
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax: \$7,550.57
 Munic: LAUREL HOLLOW State Use: 210 Lot Area: 43,560
 Township: Cnty Use: 210.01 Zoning:
 Owners: BENDRIS SALIM & JANICE Census: 5182.01
 Phone:
 Mail: 533B COLD SPRING RD; SYOSSET NY 11791-1206 C023

32) Situs: 1709 ROUTE 25A , SYOSSET NY 11791-9648 R001
 APN: 2413-25-064-00-0035-0 Rec/Sale Dt: 12/09/1993 11/29/1993 Total Value: \$5,636
 County: NASSAU, NY Sale Price: \$390,000 Land Value: \$3,635
 Use: SFR Doc #: 10375-260 Imprv Value: \$2,001
 Card #: Map Pg: 25-064-00 1st Mtg \$: \$250,000 Prop Tax: \$15,879.63
 Munic: LAUREL HOLLOW State Use: 210 Lot Area: 80,150
 Township: Cnty Use: 210.01 Zoning:
 Owners: PERRONE DEBORAH Census: 5182.01
 Phone: 516/692-9742
 Mail: 1709 ROUTE 25A; SYOSSET NY 11791-9648 R001

33) Situs: 1707 N HEMPSTEAD TPKE, SYOSSET NY 11791
 APN: 2413-25-064-00-0036-0 Rec/Sale Dt: 05/10/2004 04/12/2004 Total Value: \$4,241
 County: NASSAU, NY Sale Price: \$999,000 Land Value: \$3,385
 Use: SFR Doc #: 11779-216 Imprv Value: \$856
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax: \$10,152.93
 Munic: LAUREL HOLLOW State Use: 210 Lot Area: 50,530
 Township: Cnty Use: 210.01 Zoning:
 Owners: HATCHER JOSEPH & CONSTANCE B Census: 5182.01
 Phone:
 Mail: 1707 N HEMPSTEAD TPKE; LAUREL HOLLOW NY 11791

34) Situs: RTE 25A , SYOSSET NY 11791
 APN: 2413-25-064-00-0037-0 Rec/Sale Dt: Total Value: \$11,674
 County: NASSAU, NY Sale Price: Land Value: \$11,435
 Use: CEMETERY Doc #: Imprv Value: \$239
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax:
 Munic: LAUREL HOLLOW State Use: 695 Lot Area: 36,900
 Township: Cnty Use: 695.04 Zoning:
 Owners: ST JOHNS MEMORIAL CEMETERY Census: 5182.01
 Phone:
 Mail: ROUTE 25A; SYOSSET NY 11791

35) Situs: , NY
 APN: 2413-25-064-00-0038-0 Rec/Sale Dt: Total Value: \$25,681
 County: NASSAU, NY Sale Price: Land Value: \$25,681
 Use: VACANT LAND (NEC) Doc #: Imprv Value:
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax:
 Munic: LAUREL HOLLOW State Use: 311 Lot Area: 1,159,132
 Township: Cnty Use: 311.14 Zoning:
 Owners: NATURE CONSERVANCY Census: 5182.01
 Phone:
 Mail: 415 RIVER ST FL 4TH; TROY NY 12180-2834 C004

45) Situs: 591 COLD SPRING RD, SYOSSET NY 11791-1206 C023
 APN: 2413-25-064-00-0051-0 Rec/Sale Dt: 05/07/1998 04/17/1998 Total Value: \$188
 County: NASSAU, NY Sale Price: \$35,000 Land Value: \$188
 Use: VACANT LAND (NEC) Doc #: 10906-66 Imprv Value:
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax: \$5,893.30
 Munic: LAUREL HOLLOW State Use: 311 Lot Area: 6,360
 Township: Cnty Use: 311.11 Zoning:
 Owners: GAGLIARDI ROSE Census: 5182.01
 Phone:
 Mail: 103 PINE HOLLOW RD; OYSTER BAY NY 11771-4703 C009

46) Situs: 1710 ROUTE 25A A, SYOSSET NY 11791-9648 R001
 APN: 2413-25-064-00-0054-0 Rec/Sale Dt: 02/16/2005 01/17/2005 Total Value: \$5,475
 County: NASSAU, NY Sale Price: \$700,000 Land Value: \$3,425
 Use: SFR Doc #: 11915-348 Imprv Value: \$2,050
 Card #: Map Pg: 25-064-00 1st Mtg \$: Prop Tax: \$12,138.99
 Munic: LAUREL HOLLOW State Use: 210 Lot Area: 55,321
 Township: Cnty Use: 210.01 Zoning:
 Owners: MINKOVSKY GEORGE Census: 5182.01
 Phone:
 Mail: 1710 ROUTE 25A; SYOSSET NY 11791-9648 R001

47) Situs: 1712 ROUTE 25A , SYOSSET NY 11791-9648 R001
 APN: 2413-25-064-00-0055-0 Rec/Sale Dt:
 County: NASSAU, NY Sale Price:
 Use: SFR Doc #:
 Card #: Map Pg: 25-064-00 1st Mtg \$:
 Munic: LAUREL HOLLOW State Use: 210
 Township: Cnty Use: 210.01
 Owners: MELILLO GEORGE
 Mail: 1712 ROUTE 25A; SYOSSET NY 11791-9648 R001

Total Value: \$4,018
 Land Value: \$3,273
 Imprv Value: \$745
 Prop Tax: \$10,543.67
 Lot Area: 37,335
 Zoning:
 Census: 5182.01
 Phone:

48) Situs: LAURELTON RD, SYOSSET NY 11791
 APN: 2413-26-001-00-0001-0 Rec/Sale Dt:
 County: NASSAU, NY Sale Price:
 Use: UTILITIES Doc #: 9265-731
 Card #: Map Pg: 26-001-00 1st Mtg \$:
 Munic: LAUREL HOLLOW State Use: 822
 Township: Cnty Use: 822.04
 Owners: COUNTY OF NASSAU
 Mail: 1 WEST ST; MINEOLA NY 11501-4813 C007

Total Value: \$19,145
 Land Value: \$19,018
 Imprv Value: \$127
 Prop Tax:
 Lot Area: 128,938
 Zoning:
 Census: 5182.01
 Phone:

50) Situs: 9 BIRCH CT, OYSTER BAY NY 11771-4201 C006
 APN: 2413-26-001-00-0003-0 Rec/Sale Dt: 10/11/1994 09/22/1994
 County: NASSAU, NY Sale Price: \$700,000
 Use: SFR Doc #: 10475-784
 Card #: Map Pg: 26-001-00 1st Mtg \$:
 Munic: LAUREL HOLLOW State Use: 210
 Township: Cnty Use: 210.01
 Owners: SONENSHEIN RONALD & JANE
 Mail: 9 BIRCH CT; OYSTER BAY NY 11771-4201 C006

Total Value: \$7,300
 Land Value: \$3,711
 Imprv Value: \$3,589
 Prop Tax: \$15,169.00
 Lot Area: 87,251
 Zoning:
 Census: 5182.01
 Phone:

53) Situs: 1 BIRCH CT, OYSTER BAY NY 11771-4201 C006
 APN: 2413-26-001-00-0006-0 Rec/Sale Dt: 10/1979
 County: NASSAU, NY Sale Price: \$67,500
 Use: SFR Doc #: 9224-629
 Card #: Map Pg: 26-001-00 1st Mtg \$:
 Munic: LAUREL HOLLOW State Use: 210
 Township: Cnty Use: 210.01
 Owners: HOROWITZ LE M MILLER SYLVIA
 Mail: 1 BIRCH CT; OYSTER BAY NY 11771-4201 C006

Total Value: \$6,828
 Land Value: \$3,713
 Imprv Value: \$3,115
 Prop Tax: \$12,595.62
 Lot Area: 87,425
 Zoning:
 Census: 5182.01
 Phone:

54)	Situs: 47 TIMBER RIDGE DR, OYSTER BAY NY 11771-4207 C006			
APN:	2413-26-001-00-0007-0	Rec/Sale Dt:	05/05/1997	05/05/1997
County:	NASSAU, NY	Sale Price:	\$175,000	Total Value: \$6,684
Use:	SFR	Doc #:	10772-751	Land Value: \$3,710
Card #:	Map Pg: 26-001-00	1st Mtg \$:		Imprv Value: \$2,974
Munic:	LAUREL HOLLOW	State Use:	210	Prop Tax: \$15,125.58
Township:		Cnty Use:	210.01	Lot Area: 87,120
Owners:	LUCAS MAURICE & A			Zoning:
				Census: 5182.01
				Phone: 516/922-2151
Mail:	47 TIMBER RIDGE DR; OYSTER BAY NY 11771-4207 C006			
81)	Situs: 44 TIMBER RIDGE DR, OYSTER BAY NY 11771-4204 C006			
APN:	2413-26-002-00-0011-0	Rec/Sale Dt:		Total Value: \$6,213
County:	NASSAU, NY	Sale Price:		Land Value: \$3,712
Use:	SFR	Doc #:	9907-671	Imprv Value: \$2,501
Card #:	Map Pg: 26-002-00	1st Mtg \$:		Prop Tax: \$12,700.76
Munic:	LAUREL HOLLOW	State Use:	210	Lot Area: 87,338
Township:		Cnty Use:	210.01	Zoning:
Owners:	SWITZMAN RITA			Census: 5182.01
				Phone: 516/922-9048
Mail:	44 TIMBER RIDGE DR; OYSTER BAY NY 11771-4204 C006			
82)	Situs: 48 TIMBER RIDGE DR, OYSTER BAY NY 11771-4204 C006			
APN:	2413-26-002-00-0012-0	Rec/Sale Dt:	12/1978	Total Value: \$6,361
County:	NASSAU, NY	Sale Price:	\$180,000	Land Value: \$3,710
Use:	SFR	Doc #:	9158-341	Imprv Value: \$2,651
Card #:	Map Pg: 26-002-00	1st Mtg \$:		Prop Tax: \$12,735.11
Munic:	LAUREL HOLLOW	State Use:	210	Lot Area: 87,120
Township:		Cnty Use:	210.01	Zoning:
Owners:	SINOWITZ JACK & CATHY			Census: 5182.01
				Phone:
Mail:	48 TIMBER RIDGE DR; OYSTER BAY NY 11771-4204 C006			
83)	Situs: NORTHERN BLVD, SYOSSET NY 11791			
APN:	2413-26-002-00-0013-A	Rec/Sale Dt:		Total Value: \$19,039
County:	NASSAU, NY	Sale Price:		Land Value: \$18,753
Use:	CEMETERY	Doc #:		Imprv Value: \$286
Card #:	Map Pg: 26-002-00	1st Mtg \$:		Prop Tax:
Munic:	LAUREL HOLLOW	State Use:	695	Lot Area: 90,779
Township:		Cnty Use:	695.14	Zoning:
Owners:	ST JOHNS MEMORIAL CEMETERY			Census: 5182.01
				Phone:
Mail:	PO BOX 266; COLD SPRING HARBOR NY 11724-0266 B003 C/O RECTOR CHURCHWARDENS & VESTEYMEN			

84) Situs: NORTHERN BLVD, SYOSSET NY 11791
 APN: 2413-26-002-00-0013-B Rec/Sale Dt: Total Value: \$314,019
 County: NASSAU, NY Sale Price: Land Value: \$296,474
 Use: CEMETERY Doc #: Imprv Value: \$17,545
 Card #: Map Pg: 26-002-00 1st Mtg \$: Prop Tax:
 Munic: LAUREL HOLLOW State Use: 695 Lot Area: 51,967
 Township: Cnty Use: 695.14 Zoning:
 Owners: ST JOHNS MEMORIAL CEMETERY Census: 5182.01
 Phone:
 Mail: PO BOX 266; COLD SPRING HARBOR NY 11724-0266 B003 C/O RECTOR CHURCHWARDENS & VESTRYMEN

122) Situs: 191 COVE RD, OYSTER BAY NY 11771-3408 C010
 APN: 2419-27-L-00-0101-0 Rec/Sale Dt: 08/16/2002 07/30/2002 Total Value: \$6,138
 County: NASSAU, NY Sale Price: \$1,250,000 Land Value: \$3,395
 Use: SFR Doc #: 11515-387 Imprv Value: \$2,743
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$11,041.53
 Munic: OYSTER BAY COVE State Use: 210 Lot Area: 87,120
 Township: Cnty Use: 210.01 Zoning:
 Owners: SURRY JEREMY & LINDSAY Census: 5182.01
 Phone:
 Mail: 191 COVE RD; OYSTER BAY NY 11771-3408 C010

123) Situs: 35 ROUTE 25A , OYSTER BAY NY 11771-4104 C006
 APN: 2419-27-L-00-0204-0 Rec/Sale Dt: 08/17/2004 05/19/2004 Total Value: \$4,503
 County: NASSAU, NY Sale Price: \$900,000 Land Value: \$3,432
 Use: SFR Doc #: 11829-948 Imprv Value: \$1,071
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$9,386.21
 Munic: OYSTER BAY COVE State Use: 210 Lot Area: 91,912
 Township: Cnty Use: 210.01 Zoning:
 Owners: FAZZALARI ROBERT Census: 5182.01
 Phone:
 Mail: 35 ROUTE 25A; OYSTER BAY NY 11771-4104 C006

125) Situs: 24 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0208-0 Rec/Sale Dt: 04/05/2001 03/22/2001 Total Value: \$4,840
 County: NASSAU, NY Sale Price: \$795,000 Land Value: \$3,527
 Use: SFR Doc #: 11321-235 Imprv Value: \$1,313
 Card #: Map Pg: 27-00L-00 1st Mtg \$: \$595,000 Prop Tax: \$10,370.45
 Munic: OYSTER BAY COVE State Use: 210 Lot Area: 104,108
 Township: Cnty Use: 210.01 Zoning:
 Owners: MCMEEKIN ROBERT Census: 5182.01
 Phone:
 Mail: 24 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006

126) Situs: 178 COVE RD, OYSTER BAY NY 11771-3408 C010
 APN: 2419-27-L-00-0209-0 Rec/Sale Dt: 07/17/2001 06/29/2001 Total Value: \$8,562
 County: NASSAU, NY Sale Price: \$1,300,000 Land Value: \$4,234
 Use: SFR Doc #: 11355-638 Imprv Value: \$4,328
 Card #: Map Pg: 27-00L-00 1st Mtg \$: \$575,000 Prop Tax: \$18,525.57
 Munic: OYSTER BAY COVE State Use: 210 Lot Area: 194,713
 Township: Cnty Use: 210.01 Zoning:
 Owners: KELLY KENNETH & GRACE Census: 5182.01
 Phone:
 Mail: 178 COVE RD; OYSTER BAY NY 11771-3408 C010

128) Situs: 22 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0213-0 Rec/Sale Dt: 08/10/1989 06/14/1989 Total Value: \$8,411
 County: NASSAU, NY Sale Price: \$755,000 Land Value: \$3,938
 Use: SFR Doc #: 10009-242 Imprv Value: \$4,473
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$19,062.82
 Munic: OYSTER BAY COVE State Use: 210 Lot Area: 156,816
 Township: Cnty Use: 210.01 Zoning:
 Owners: TOWNSEND DAVID & ELIZABETH Census: 5182.01
 Phone:
 Mail: 22 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006

129) Situs: 177 COVE RD, OYSTER BAY NY 11771-3408 C010
 APN: 2419-27-L-00-0214-0 Rec/Sale Dt: 08/19/1998 08/06/1998 Total Value: \$8,762
 County: NASSAU, NY Sale Price: \$1,050,000 Land Value: \$4,532
 Use: RESIDENTIAL (NEC) Doc #: 10947-593 Imprv Value: \$4,230
 Card #: 0 of 2 Map Pg: 27-00L-00 1st Mtg \$: \$660,000 Prop Tax: \$19,131.25
 Munic: OYSTER BAY COVE State Use: 250 Lot Area: 233,046
 Township: Cnty Use: 250.01 Zoning:
 Owners: GRECO ROBERT & SUSAN Census: 5182.01
 Phone:
 Mail: 177 COVE RD; OYSTER BAY NY 11771-3408 C010 (No Mail)

134) Situs: 33 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0218-0 Rec/Sale Dt: Total Value: \$9,511
 County: NASSAU, NY Sale Price: Land Value: \$5,731
 Use: RESIDENTIAL (NEC) Doc #: 7455-235 Imprv Value: \$3,780
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$15,979.84
 Munic: OYSTER BAY COVE State Use: 250 Lot Area: 386,813
 Township: Cnty Use: 250.01 Zoning:
 Owners: CUTTING LUCY P Census: 5182.01
 Phone:
 Mail: 33 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006

135) Situs: 33 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0220-0 Rec/Sale Dt: Total Value: \$15,310
 County: NASSAU, NY Sale Price: Land Value: \$11,081
 Use: RESIDENTIAL (NEC) Doc #: Imprv Value: \$4,229
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$34,757.65
 Munic: OYSTER BAY COVE State Use: 250 Lot Area: 1,073,318
 Township: Cnty Use: 250.01 Zoning:
 Owners: PULLING L L Census: 5182.01
 Phone:
 Mail: YELLOWCOTE ROAD; OYSTER BAY NY 11771

136) Situs: 33 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0222-0 Rec/Sale Dt: Total Value: \$5,728
 County: NASSAU, NY Sale Price: Land Value: \$5,728
 Use: TAX EXEMPT Doc #: Imprv Value:
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$5,903.64
 Munic: OYSTER BAY COVE State Use: 692 Lot Area: 38,170
 Township: Cnty Use: 692.04 Zoning:
 Owners: PULLING LUCY LEFFINGWELL Census: 5182.01
 Phone:
 Mail: PO BOX 33; OYSTER BAY NY 11771-0033 B001

137) Situs: 34 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0223-0 Rec/Sale Dt: Total Value: \$9,802
 County: NASSAU, NY Sale Price: Land Value: \$5,079
 Use: RESIDENTIAL (NEC) Doc #: 9010-374 Imprv Value: \$4,723
 Card #: Map Pg: 27-00L-00 1st Mtg \$: Prop Tax: \$22,328.72
 Munic: OYSTER BAY COVE State Use: 250 Lot Area: 303,178
 Township: Cnty Use: 250.01 Zoning:
 Owners: PULLING THOMAS L Census: 5182.01
 Phone:
 Mail: 34 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006 (No Mail)

138) Situs: 34 YELLOW COTE RD, OYSTER BAY NY 11771-4111 C006
 APN: 2419-27-L-00-0224-0 Rec/Sale Dt: 08/13/2001 08/03/2001 Total Value: \$6,448
 County: NASSAU, NY Sale Price: \$1,125,000 Land Value: \$3,432
 Use: RESIDENTIAL (NEC) Doc #: 11365-840 Imprv Value: \$3,016
 Card #: Map Pg: 27-00L-00 1st Mtg \$: \$843,750 Prop Tax: \$12,317.49
 Munic: OYSTER BAY COVE State Use: 250 Lot Area: 91,868
 Township: Cnty Use: 250.01 Zoning:
 Owners: DUKE P & POLLY Census: 5182.01
 Phone:
 Mail: 34 YELLOW COTE RD; OYSTER BAY NY 11771-4111 C006

147) Situs: 34 ROUTE 25A , OYSTER BAY NY 11771-4105 C006
APN: 2419-27-L-00-0231-0 Rec/Sale Dt:
County: NASSAU, NY Sale Price:
Use: SFR Doc #: 9767-780
Card #: Map Pg: 27-00L-00 1st Mtg \$:
Munic: OYSTER BAY COVE State Use: 210
Township: Cnty Use: 210.01
Owners: SCHWAB HERMANN C & C M
Mail: 34 ROUTE 25A; OYSTER BAY NY 11771-4105 C006

Total Value: \$11,119
Land Value: \$6,577
Imprv Value: \$4,542
Prop Tax: \$25,280.12
Lot Area: 495,364
Zoning:
Census: 5182.01
Phone:

Appendix 4

Toxics Targeting

Computerized Environmental Report

*Toxics Targeting
Environmental Report*

**Redcote Farms
Oyster Bay, NY 11771**

March 17, 2006

LIMITED WARRANTY AND DISCLAIMER OF LIABILITY

Who is Covered

This limited warranty is extended by Toxics Targeting, Inc. only to the original purchaser of the accompanying Environmental Report ("Report"). It may not be assigned to any other person.

What is Warranted

Toxics Targeting, Inc. warrants that it uses reasonable care to accurately transcribe the information contained in this Report from the sources from which it is obtained. This limited warranty is in lieu of all other express warranties which might otherwise arise with respect to the Report. No one is authorized to change or add to this limited warranty.

What We Will Do

If during the warranty period there is shown to be a material error in the transcription of the information contained in this Report from the sources from which it was obtained, Toxics Targeting, Inc. shall refund to the original purchaser the full purchase price paid for the Report. The remedy stated above is the exclusive remedy extended to the Purchaser by Toxics Targeting, Inc. for any failure of the Report to conform with this Warranty, or otherwise for breach of this Warranty or any other warranty, whether expressed or implied.

What We Won't Cover

Toxics Targeting, Inc. has not and can not verify the accuracy, correctness or completion of the information contained in this Report. Information is obtained from government agencies, site owners, and other sources, and errors are common in such information. Because Toxics Targeting, Inc. can not control the accuracy of the information contained in this Report, or the uses which may be made of the information, TOXICS TARGETING, INC. DISCLAIMS LIABILITY TO ANYONE FOR ANY EVENTS ARISING OUT OF THE USE OF THE INFORMATION. TOXICS TARGETING, INC. SHALL NOT BE LIABLE FOR ANY DAMAGE CAUSED BY THIS REPORT, WHETHER DIRECT OR INDIRECT, AND WHETHER OR NOT TOXICS TARGETING, INC. HAS BEEN ADVISED OF OR HAS KNOWLEDGE OF THE POSSIBILITY OF SUCH DAMAGES. TOXICS TARGETING, INC. EXPRESSLY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE. Some jurisdictions do not allow the exclusion or limitation of incidental or consequential damages, so the above exclusion or limitation may not apply to you.

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The period of warranty coverage is ninety days from the date of purchase of this Report. There shall be no warranty after the period of coverage. ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR PARTICULAR USE SHALL HAVE NO GREATER DURATION THAN THE PERIOD OF WARRANTY STATED HERE, AND SHALL TERMINATE AUTOMATICALLY UPON THE EXPIRATION OF SUCH PERIOD. Some jurisdictions do not allow limitations on how long an implied warranty lasts, so the above exclusion or limitation may not apply to you.

PLEASE REFER TO PAGES ONE AND FOUR FOR A DESCRIPTION OF SOME OF THE LIMITATIONS OF THIS ENVIRONMENTAL REPORT.

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Introduction

Toxics Targeting has combined environmental database searches, extensive regulatory analysis and sophisticated mapping techniques to produce your *Computerized Environmental Report*. It checks for the presence of 18 categories of government-reported toxic sites and provides detailed, up-to-date information on each identified site. The findings of your report are presented in an easy-to-understand format that:

1. *Maps* the approximate locations of selected government-reported toxic sites identified on or near a specified target address.
2. *Estimates* the distance and direction between the target address and each identified toxic site.
3. *Reports* air and water permit non-compliance and other regulatory violations.
4. *Profiles* some aspects of the usage, manufacture, storage, handling, transport or disposal of toxic chemicals at individual sites.
5. *Summarizes* some potential health effect information and drinking water standards for selected chemicals reported at individual sites.

The Three Sections Of Your Report

The first section highlights your report's findings by summarizing identified sites according to: a) distance intervals, b) direction, c) proximity to the target address and d) individual site categories. In addition, the locations of all identified toxic sites are illustrated on individual maps for each radius search distance used in your report. Finally, a close-up map illustrates the locations of all identified toxic sites at the shortest radius search distance used in your report.

The second section of your report contains *Toxic Site Profiles* that provide detailed information on each identified toxic site. The information in each *Toxic Site Profile* varies according to its source. Some toxic site categories have extensive information, some have limited information. All the information is updated on a regular basis.

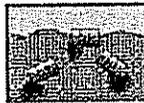
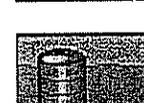
The third section of the report contains appendices that identify: 1) on-site spills reported to the national Emergency Response Notification System (ERNS), 2) various toxic sites that cannot be mapped due to incomplete or erroneous addresses or other mapping problems, 3) codes that characterize hazardous wastes reported at various facilities, 4) methods used to map toxic sites identified in your report and 5) information sources used in your report.

How to Use Your Report

- Check Table One to see the number of identified sites by distance intervals.
- Check Table Two to see identified sites sorted by direction.
- Check Table Three to see identified sites ranked by proximity to the target address.
- Check Table Four to see identified sites sorted by site categories.
- Refer to the various maps to see the locations of identified toxic sites. Refer to the *Toxic Site Profile* and *Appendix* sections for additional information.

Toxic Site Databases Analyzed In Your Report

Search Radius

- | | | |
|-----------|---|---|
| One-Mile |  | 1) <i>New York Inactive Hazardous Waste Disposal Site Registry</i> : a state listing of sites that can pose environmental or public health hazards requiring investigation or clean up |
| One-Mile |  | 2) <i>CERCLIS</i> (Comprehensive Environmental Response, Compensation and Liability Information System): a federal listing of sites that can pose environmental or public health hazards requiring investigation or clean up |
| One-Mile |  | 3) <i>National Priority List for Federal Superfund Cleanup</i> : a listing of sites known to pose environmental or health hazards that are being investigated or cleaned up under the Federal Superfund program. |
| One-Mile |  | 4) <i>New York Hazardous Substance Disposal Site Draft Study</i> : a state listing of sites contaminated with toxic substances that can pose environmental or public health hazards. These sites are not eligible for state clean up funding programs. |
| One-Mile |  | 5) <i>New York State Brownfield Cleanup Sites</i> : a listing of sites that are abandoned, idled or under-used industrial and commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination |
| One-Mile |  | 6) <i>New York Solid Waste Facilities Registry, including New York City 1934 Sites</i> : active and inactive landfills, incinerators, transfer stations or other solid waste management facilities. |
| One-Mile |  | 7) <i>New York State Major Oil Storage Facilities</i> : sites with more than a 400,000 gallon capacity for storing petroleum products. |
| One-Mile |  | 8) <i>New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities</i> : sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Act Information System (RCRIS). Also includes the following database: <ul style="list-style-type: none"> • <i>RCRA violations</i>: waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act |
| One-Mile |  | 9) <i>RCRA Corrective Action Activity (CORRACTS)</i> : waste facilities with RCRA corrective action activity reported by the USEPA. |
| Half-Mile |  | 10a) <i>Toxic Spills: active</i> stationary source spills reported to state environmental authorities, including unremediated leaking underground storage tanks. |
| Half-Mile |  | 10b) <i>Toxic Spills: closed</i> stationary and non-stationary source spills reported to state environmental authorities, including remediated leaking underground storage tanks. |

Quarter-Mile



11) *New York and Local Petroleum Bulk Storage Facilities*. sites with more than an 1,100 gallon capacity for storing petroleum products.

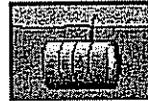
Quarter-Mile



12) *New York and Federal Hazardous Waste Generators and Transporters* sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Act Information System (RCRA). Also includes the following database:

- *RCRA violations*: waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act

Quarter-Mile



13) *New York Chemical Bulk Storage Facilities* Sites storing hazardous substances listed in 6 NYCRR Part 597 in aboveground tanks with capacities of 185 gallons or more and/or underground tanks of any size

Quarter-Mile



14) *Federal Toxic Release Inventory Facilities*. discharges of selected toxic chemicals to air, land, water or treatment facilities.

Quarter-Mile



15) *Federal Permit Compliance System Toxic Wastewater Discharges* permitted toxic wastewater discharges.

Quarter-Mile



16) *Federal Air Discharges*: Air pollution point sources monitored by U.S. EPA and/or state and local air regulatory agencies

Quarter-Mile



17) *Federal Civil and Administrative Enforcement Docket* judiciary cases filed on behalf of the U. S. Environmental Protection Agency by the Department of Justice.

Property only



18) *ERNS: Federal Emergency Response Notification System Spills* a listing of federally reported spills.

Limitations Of The Information In Your Report

The information presented in your *Computerized Environmental Report* has been obtained from various local, state and federal government agencies. Please be aware that: 1) additional information on individual sites may be available, 2) newly discovered sites are continually reported and 3) all map locations are approximate. As a result, this report is intended to be the FIRST STEP in the process of identifying and evaluating possible environmental threats to specific properties and can only serve as a guide for conducting on-site visits or additional, more detailed toxic hazard research.

Toxics Targeting tries to ensure that the information in your report is presented accurately and with minimal alteration. The only systematic changes that are made correct obvious address errors in order to allow sites to be mapped. Any address changes that are made are noted in the map information section at the top of each corresponding *Toxic Site Profile*. Since the information presented in your report is not edited, please be aware that it can contain reporting errors or typographical mistakes made by the site owners/operators or government agencies that produced the information. Please be aware of some other limitations of the information in your report:

- The computerized map used by *Toxics Targeting* is the same one used by the U. S. Census. While the map is generally accurate, no map is perfect. In addition, *Toxics Targeting's* mapping methods estimate where toxic site addresses are located if the address is not specifically designated on the Census map. FOR THESE REASONS, ALL MAP LOCATIONS OF ADDRESSES AND REPORTED TOXIC SITES SHOULD BE CONSIDERED APPROXIMATE AND SHOULD BE VERIFIED BY ON-SITE VISITS;
- UNDISCOVERED, UNREPORTED OR UNMAPPABLE TOXIC SITES MIGHT NOT BE IDENTIFIED BY THIS REPORT'S CHECK OF 18 TOXIC SITE CATEGORIES. TOXIC SITES REPORTED IN OTHER GOVERNMENT DATABASES MIGHT ALSO EXIST. FOR THESE REASONS, YOUR REPORT MIGHT NOT IDENTIFY ALL THE TOXIC SITES THAT EXIST IN THE AREA IT SEARCHES;
- The appendix of your report contains a listing of sites that could not be mapped due to incomplete or erroneous address information or other mapping problems. This listing includes unmappable toxic sites in zip code areas within one mile of the target address as well as toxic sites without zip codes reported in the same county. IF YOU WOULD LIKE INFORMATION ON ANY OF THE LISTED SITES, PLEASE CONTACT *TOXICS TARGETING* AND REFER TO THE SITE ID NUMBER.
- Some toxic sites identified in your report may be classified as **known hazards**. Most of the toxic sites identified in your report involve **potential hazards** related to the on-site use, manufacture, handling, storage, transport or disposal of toxic chemicals. Some of the toxic sites identified in your report may be the addresses of parties responsible for toxic sites located elsewhere. YOU SHOULD ONLY CONCLUDE THAT TOXIC HAZARDS ACTUALLY EXIST AT A SPECIFIC SITE WHEN GOVERNMENT AUTHORITIES MAKE THAT DETERMINATION OR WHEN THAT CONCLUSION IS FULLY DOCUMENTED BY THE FINDINGS OF AN APPROPRIATE SITE INVESTIGATION UNDERTAKEN BY LICENSED PROFESSIONALS;
- Compass directions and distances are approximate. Compass directions are calculated from the subject property address to the mapped location of each identified toxic site. The compass direction does not necessarily refer to the closest property boundary of an identified toxic site. The compass direction also can vary substantially for toxic sites that are located very close to the subject property address.
- The information presented in your report is a summary of the information that *Toxics Targeting* obtains from government agencies on reported toxic sites. YOU MAY BE ABLE TO OBTAIN ADDITIONAL INFORMATION ABOUT REPORTED SITES WITH THE FREEDOM OF INFORMATION REQUEST FORM LETTERS THAT ARE PROVIDED ON THE INSIDE OF THE BACK COVER.

Section One:

Report Summary

- *Table One: Number of Identified Toxic Sites By Distance Interval*
- *Table Two: Identified Toxic Sites By Direction*
- *Table Three: Identified Toxic Sites Ranked By Proximity*
- *Table Four: Identified Toxic Sites By Category*
- *Map One: One-Mile Radius Map*
- *Map Two: Half-Mile Radius Map*
- *Map Three: Quarter-Mile Radius Map*
- *Map Four: Quarter-Mile Radius Close up Map*

NUMBER OF IDENTIFIED SITES BY DISTANCE INTERVAL

Database Searched	0 - 100 ft	100 ft - 1/8 mi	1/8 mi - 1/4 mi	1/4 mi - 1/2 mi	1/2 mi - 1 mi	Site(s) Category Totals
NYS Inactive Haz Waste Registry or Reg. Qualifying Sites *	0	0	0	0	0	0
CERCLIS Sites *	0	0	0	0	0	0
National Priority List Sites *	0	0	0	0	0	0
Hazardous Substance Waste Disposal Sites *	0	0	0	0	0	0
Brownfields Sites *	0	0	0	0	0	0
NYS Solid Waste Facilities *	0	0	0	0	0	0
NYS Major Oil Storage Facilities *	0	0	0	0	0	0
RCRA Hazardous Waste Treatment, Storage, Disposal Sites *	0	0	0	0	0	0
RCRA Corrective Action Sites *	0	0	0	0	0	0
NYS Toxic Spills incl. Leaking Undergrnd Storage Tanks **	5	1	6	6(10)	Not searched	18(10)
Local & State Petroleum Bulk Storage Sites ***	1	3	4	Not searched	Not searched	8
RCRA Hazardous Waste Generators & Transporters ***	0	0	0	Not searched	Not searched	0
NYS Chemical Bulk Storage Sites ***	0	0	0	Not searched	Not searched	0
Toxic Release Inventory Sites (TRI) ***	0	0	0	Not searched	Not searched	0
Permit Compliance System Toxic Wastewater Discharges ***	0	0	0	Not searched	Not searched	0
NYS Air Discharges ***	0	0	0	Not searched	Not searched	0
Civil & Administrative Enforcement Docket Facilities ***	0	0	0	Not searched	Not searched	0
ERNS (Onsite) *****	0	Not searched	Not searched	Not searched	Not searched	0
Distance Interval Totals	6	4	10	6(10)	0	26(10)

Search Radius: * 1 Mile Search Radius ** 1/2 Mile Search Radius *** 1/4 Mile Search Radius **** 1/8 Mile Search Radius ***** on-site only

Numbers in () indicate spills not mapped and profiled, and are found in the tables at the end of the active and closed spills sections. See these tables for a description of the parameters involved with identifying these spills.

Identified Toxic Sites by Direction

Redcote Farms
Oyster Bay, NY 11771

* Compass directions can vary substantially for sites located very close to the subject property address.

Sites less than 100 feet from subject property sorted by distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
3		NORTHERN BLVD/COVE ROAD	0 feet	Closed Status Spill (Unk/Other Cause)
10	UNKNOWN	NORTHERN BLVD/COVE ROAD	0 feet	Closed Status Spill (Misc. Spill Cause)
11	UNKNOWN	RTE 25A & YELLOW COAT ROAD	0 feet	Closed Status Spill (Misc. Spill Cause)
4	UNK	COVE RD & MORRIS HILL RD	2 feet to the N*	Closed Status Spill (Unk/Other Cause)
12	GAGNON	COVE RD & MOORE'S HILL RD	2 feet to the N*	Closed Status Spill (Misc. Spill Cause)
19	BHLENSON, HOWARD	3 BIRCH CT	92 feet to the NE*	Petroleum Bulk Storage Site

Sites between 100 ft and 660 ft from the subject property sorted by direction and distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
21	MARVIN STRAUSS	TIMBER RIDGE DR	317 feet to the ESE	Petroleum Bulk Storage Site
22	KLUBERDANZ, W.	12 TIMBER RIDGE DR	490 feet to the ESE	Petroleum Bulk Storage Site
20	VILLANI	88 WHITE OAK TREE ROAD	292 feet to the SSE	Petroleum Bulk Storage Site
5	LEVITT RESIDENCE	80 WHITE OAK TREE ROAD	526 feet to the SSE	Closed Status Spill (Unk/Other Cause)

Sites equal to or greater than 660 ft from subject property sorted by direction and distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
24	ENGRASSIA, CATHY	14 HEMLOCK CT	1146 feet to the ENE	Petroleum Bulk Storage Site
9	LOBB RESIDENCE	1211 MOORSHILL ROAD	2351 feet to the ENE	Closed Status Spill (Unk/Other Cause)
13	KAUFMAN RESIDENCE	50 VISTA DRIVE	678 feet to the SE	Closed Status Spill (Misc. Spill Cause)
16	LAUREL GROUP FINE LAND	50 WILDWOOD DRIVE	1010 feet to the SE	Closed Status Spill (Misc. Spill Cause)
25	HAMBERGER, NEIL & KATHY	45 WILDWOOD DR	1163 feet to the SE	Petroleum Bulk Storage Site
18		VISTA DRIVE	1237 feet to the SE	Closed Status Spill (Misc. Spill Cause)
1	ABRAMS PROPERTY	32 VISTA DRIVE	1432 feet to the SE	Active Tank Test Failure
23	SWENDSEN, JACK	64 WHITE OAK TREE ROAD	991 feet to the SSE	Petroleum Bulk Storage Site
14		15 WHITE BIRCH ROAD	720 feet to the S	Closed Status Spill (Misc. Spill Cause)
6	PASTON RESIDENCE	27 PALATINE COURT	1711 feet to the S	Closed Status Spill (Unk/Other Cause)
8	RESIDENCE	26 URSULINE COURT	2038 feet to the WSW	Closed Status Spill (Unk/Other Cause)

2	EASTWOOD SCHOOLS	YELLOW COTE ROAD	1833 feet to the W	Closed Status Tank Test Failure
7	EAST WOOD SCHOOL	31 YELLOW COTE ROAD	1833 feet to the W	Closed Status Spill (Unk/Other Cause)
17	NAPALITANO RESIDENCE	55 WOODLAND DRIVE	1080 feet to the NW	Closed Status Spill (Misc. Spill Cause)
26	BELASKY, MIKE	62 WOODLAND DR	1211 feet to the NW	Petroleum Bulk Storage Site
15	UNKNOWN	YELLOW COAT ROAD & COVE ROAD	1009 feet to the NNW	Closed Status Spill (Misc. Spill Cause)

Identified Toxic Sites by Proximity

Redcote Farms, Oyster Bay, NY 11771

* Compass directions can vary substantially for sites located very close to the subject property address.

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
3		NORTHERN BLVD/COVE ROAD	0 feet	Closed Status Spill (Unk/Other Cause)
10	UNKNOWN	NORTHERN BLVD/COVE ROAD	0 feet	Closed Status Spill (Misc. Spill Cause)
11	UNKNOWN	RTE 25A & YELLOW COAT ROAD	0 feet	Closed Status Spill (Misc. Spill Cause)
4	UNK	COVE RD & MORRIS HILL RD	2 feet to the N*	Closed Status Spill (Unk/Other Cause)
12	GAGNON	COVE RD & MOORE'S HILL RD	2 feet to the N*	Closed Status Spill (Misc. Spill Cause)
19	BHLENSON, HOWARD	3 BIRCH CT	92 feet to the NE*	Petroleum Bulk Storage Site
20	VILLANI	88 WHITE OAK TREE ROAD	292 feet to the SSE	Petroleum Bulk Storage Site
21	MARVIN STRAUSS	TIMBER RIDGE DR	317 feet to the ESE	Petroleum Bulk Storage Site
22	KLUBERDANZ, W.	12 TIMBER RIDGE DR	490 feet to the ESE	Petroleum Bulk Storage Site
5	LEVITT RESIDENCE	80 WHITE OAK TREE ROAD	526 feet to the SSE	Closed Status Spill (Unk/Other Cause)
13	KAUFMAN RESIDENCE	50 VISTA DRIVE	678 feet to the SE	Closed Status Spill (Misc. Spill Cause)
14		15 WHITE BIRCH ROAD	720 feet to the S	Closed Status Spill (Misc. Spill Cause)
23	SWENDSEN, JACK	64 WHITE OAK TREE ROAD	991 feet to the SSE	Petroleum Bulk Storage Site
15	UNKNOWN	YELLOW COAT ROAD & COVE ROAD	1009 feet to the NNW	Closed Status Spill (Misc. Spill Cause)
16	LAUREL GROUP FINE LAND	50 WILDWOOD DRIVE	1010 feet to the SE	Closed Status Spill (Misc. Spill Cause)
17	NAPALITANO RESIDENCE	55 WOODLAND DRIVE	1080 feet to the NW	Closed Status Spill (Misc. Spill Cause)
24	ENGRASSIA, CATHY	14 HEMLOCK CT	1146 feet to the ENE	Petroleum Bulk Storage Site
25	HAMBERGER, NEIL & KATHY	45 WILDWOOD DR	1163 feet to the SE	Petroleum Bulk Storage Site
26	BELASKY, MIKE	62 WOODLAND DR	1211 feet to the NW	Petroleum Bulk Storage Site
18		VISTA DRIVE	1237 feet to the SE	Closed Status Spill (Misc. Spill Cause)
1	ABRAMS PROPERTY	32 VISTA DRIVE	1432 feet to the SE	Active Tank Test Failure
6	PASTON RESIDENCE	27 PALATINE COURT	1711 feet to the S	Closed Status Spill (Unk/Other Cause)
2	EASTWOOD SCHOOLS	YELLOW COTE ROAD	1833 feet to the W	Closed Status Tank Test Failure
7	EAST WOOD SCHOOL RESIDENCE	31 YELLOW COTE ROAD	1833 feet to the W	Closed Status Spill (Unk/Other Cause)
8	LOBB RESIDENCE	26 URSULINE COURT	2038 feet to the WSW	Closed Status Spill (Unk/Other Cause)
9		1211 MOORSHILL ROAD	2351 feet to the ENE	Closed Status Spill (Unk/Other Cause)

Identified Toxic Sites by Category

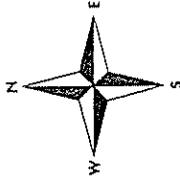
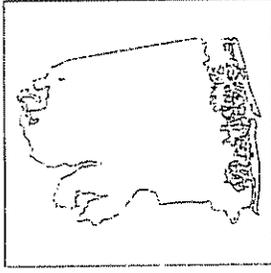
Redcote Farms
Oyster Bay, NY 11771

* Compass directions can vary substantially for sites located very close to the subject property address.

MAP ID	FACILITY ID	FACILITY NAME	DISTANCE & DIRECTION
Active Tank Test Failures			
1	9813478	ABRAMS PROPERTY	1432 feet to the SE
Closed Status Tank Test Failures			
2	8803384	EASTWOOD SCHOOLS	1833 feet to the W
Closed Status Spills (Unknown Causes & Other Causes)			
3	9801167	UNKN	0 feet
4	9010326	LEVITT RESIDENCE	2 feet to the N*
5	0311559	PASTON RESIDENCE	526 feet to the SSE
6	0007629	EAST WOOD SCHOOL	1711 feet to the S
7	8902863	RESIDENCE	1833 feet to the W
8	9611947	ROBB RESIDENCE	2038 feet to the WSW
9	9407561	UNKN	2351 feet to the ENE
Closed Status Spills (Miscellaneous Spill Causes)			
10	0502120	UNKNOWN	0 feet
11	9212084	UNKNOWN	0 feet
12	8909177	GAGNON	2 feet to the N*
13	0013180	KAUFMAN RESIDENCE	678 feet to the SE
14	0300582	UNKNOWN	720 feet to the S
15	0308662	LAUREL GROUP FINE LAND	1009 feet to the NNW
16	0000243	NAPALITANO RESIDENCE	1010 feet to the SE
17	9402357	UNKNOWN	1080 feet to the NW
18	0404626	UNKNOWN	1237 feet to the SE
Petroleum Bulk Storage Sites			
19	LG5500208	BHLENSON, HOWARD	92 feet to the NE*
20	LG5800332	VILLANI	292 feet to the SSE
21	LG5500190	MARVIN STRAUSS	317 feet to the ESE
22	LG5500193	KLUBERDANZ, W.	490 feet to the ESE
23	LG5800424	SWENDSEN, JACK	991 feet to the SSE
24	LG5500246	ENGRASSIA, CATHY	1146 feet to the ENE
25	LG5800485	HAMBERGER, NEIL & KATHY	1163 feet to the SE
26	LG5500227	BELASKY, MIKE	1211 feet to the NW

Toxics Targeting 1 Mile Buffer Search Map

Redcote Farms
Oyster Bay, NY 11771



Nassau County

- NPL, CERCLIS, NYSDEC Inactive Hazardous Waste Disposal Registry or Registry Qualifying Site
- RCRA Corrective Action Facility
- Hazardous Waste Treater, Storer, Disposer
- Solid Waste Facility
- Hazardous Substance Waste Disposal Site
- Major Oil Storage Facility
- Brownfields Site

- Subject Area
- Minor Roads
- Major Roads
- Expressways
- 1 Mile Radius
- 1/2 Mile Radius
- 1/8 Mile Radius
- Waterbody
- County Border
- Railroad Tracks



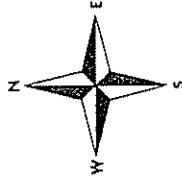
Scale: 1 inch = 2061 feet

Toxics Targeting 1/2 Mile Buffer Search Map

Redcote Farms
Oyster Bay, NY 11771



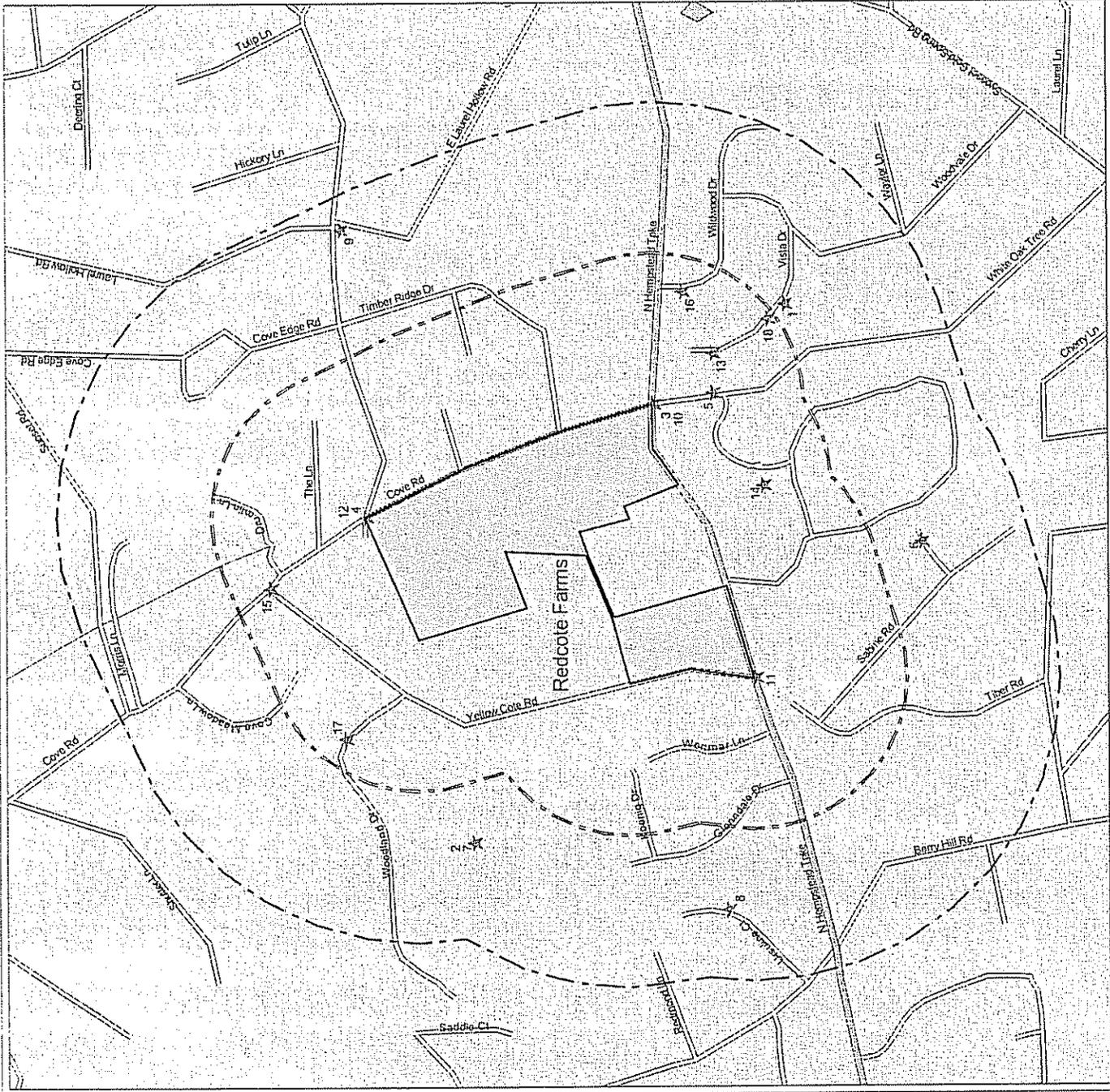
Nassau County



Hazardous
Material Spill



- | | | | |
|--|-----------------|--|-----------------|
| | Subject Area | | Waterbody |
| | Minor Roads | | County Border |
| | Major Roads | | Railroad Tracks |
| | Expressways | | 1/2 Mile Radius |
| | 1 Mile Radius | | 1/8 Mile Radius |
| | 1/4 Mile Radius | | |



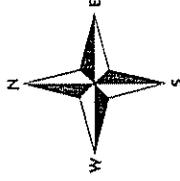
Scale: 1 inch = 1280 feet

Toxics Targeting 1/4 Mile Buffer Search Map

Redcote Farms
Oyster Bay, NY 11771

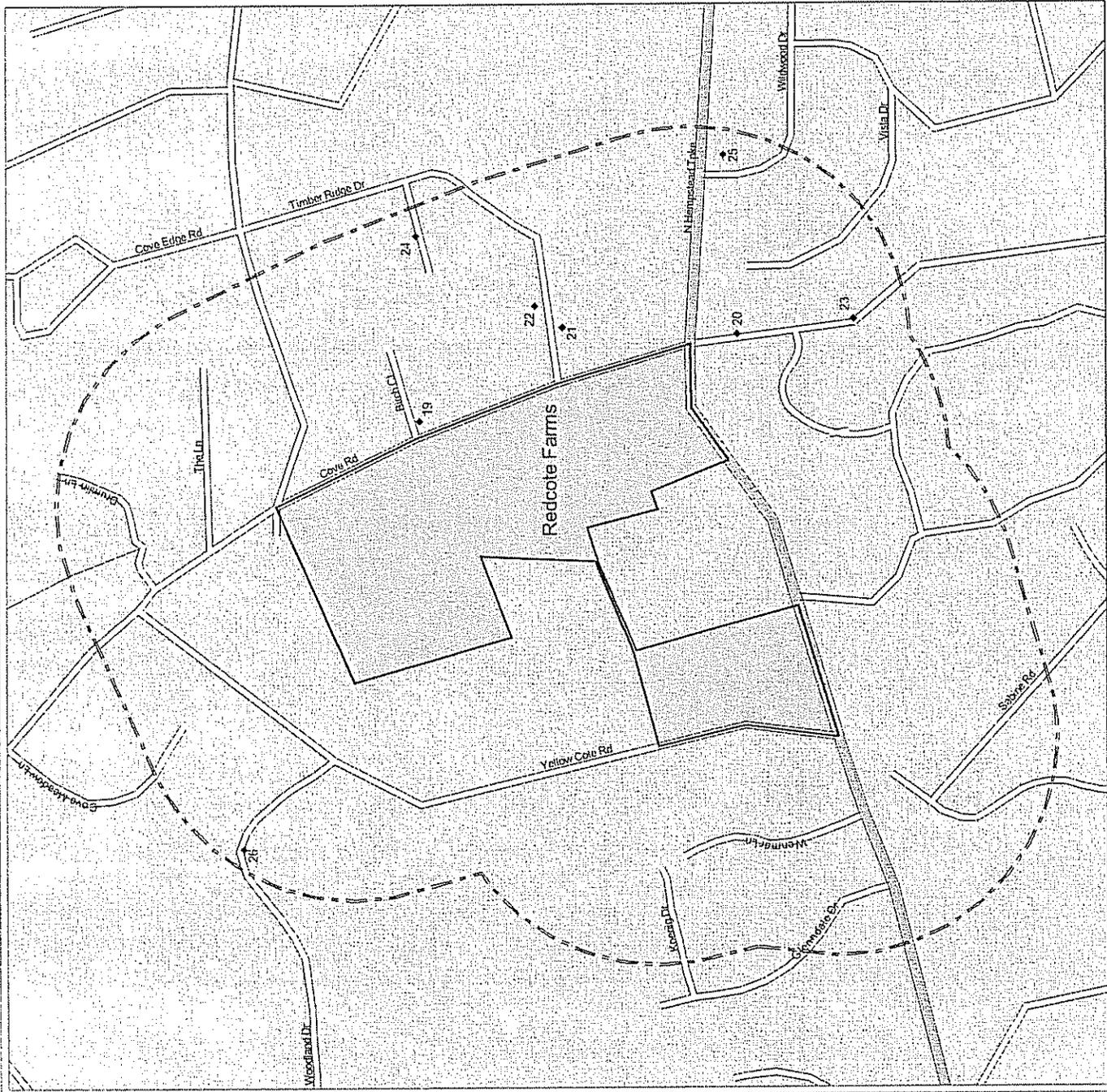


Nassau County



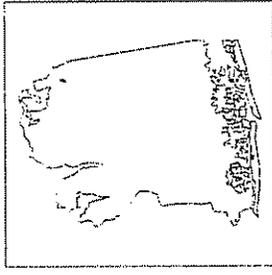
- | | |
|---------------------------|------------------------------------|
| Chemical Storage Facility | Air Release |
| Toxic Release | Enforcement Docket Facility |
| Wastewater Discharge | Petroleum Bulk Storage Facility |
| | Hazardous Waste Generator, Transp. |

- | | |
|-----------------|-----------------|
| Subject Area | Waterbody |
| Minor Roads | County Border |
| Major Roads | Railroad Tracks |
| Expressways | 1/8 Mile Radius |
| 1/4 Mile Radius | |

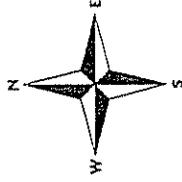


Scale: 1 inch = 890 feet

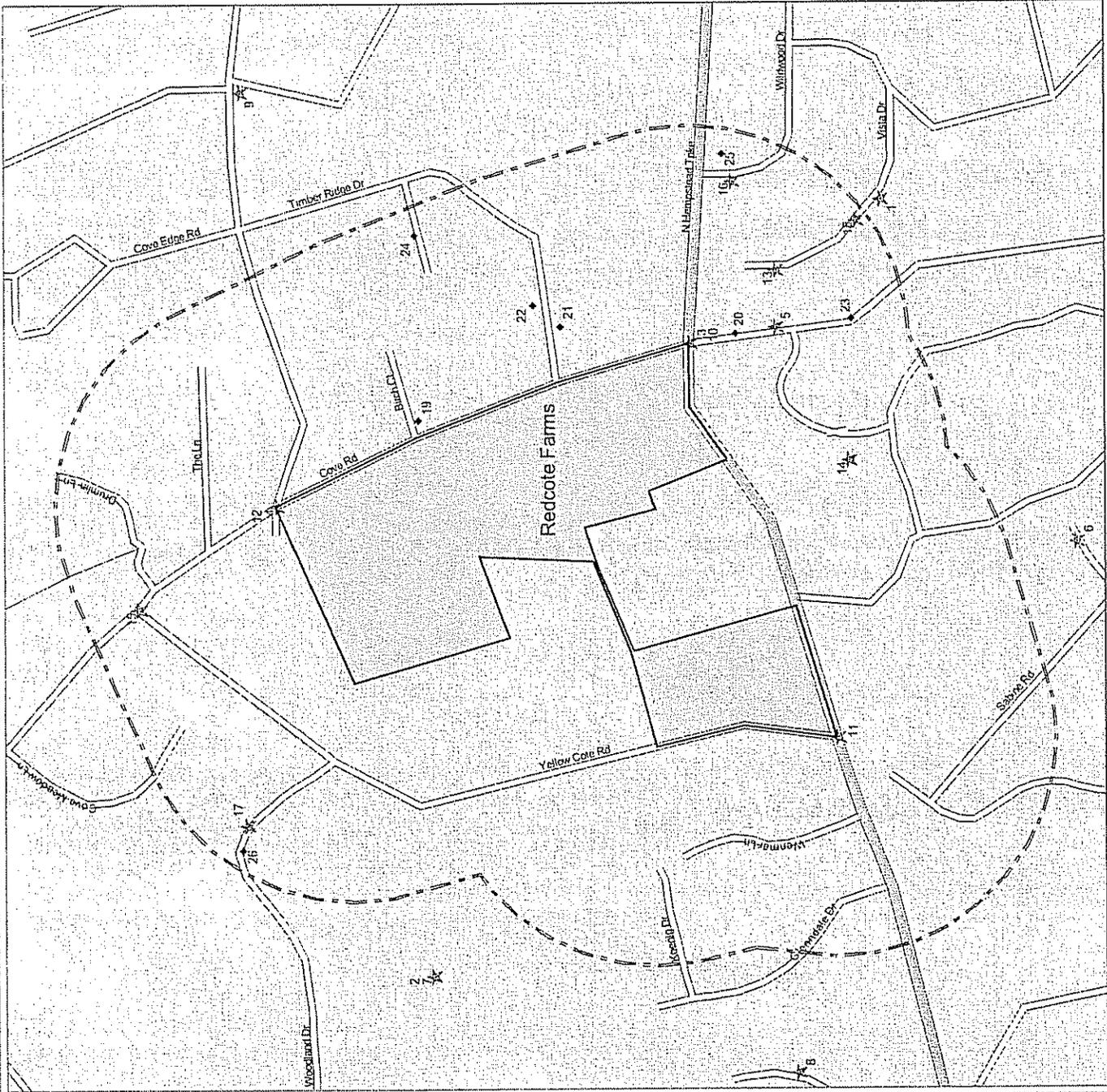
Toxics Targeting
1/4 Mile Buffer Closeup Map
 Redcote Farms
 Oyster Bay, NY 11771



Nassau County



- | | | | | | | | | |
|---|---|------------------------------|-------------------------------|---------------------------------|-------------------------------------|--|-----------------|-----------------|
| NPL, CERCLIS, NYSDEC Inactive Hazardous Waste Disposal Registry or Registry Qualifying Site | RCRA Corrective Action Facility * | Solid Waste Facility * | Brownfields Site * | Hazardous Material Spill ** | Petroleum Bulk Storage Facility *** | Hazardous Waste Generator, Transp. *** | Air Release *** | Waterbody |
| Hazardous Waste, Treater, Storer, Disposer ** | Hazardous Substance Waste Disposal Site * | Major Oil Storage Facility * | Chemical Storage Facility *** | Toxic Release *** | Wastewater Discharge *** | Enforcement Docket Facility *** | Air Release *** | Subject Area |
| Major Oil Storage Facility * | Chemical Storage Facility *** | Toxic Release *** | Wastewater Discharge *** | Enforcement Docket Facility *** | Subject Area | Minor Roads | Major Roads | Expressways |
| Minor Roads | Major Roads | Expressways | 1/4 Mile Radius | 1/2 Mile Search Radius | 1/4 Mile Search Radius | County Border | Railroad Tracks | 1/8 Mile Radius |



Scale: 1 inch = 890 feet

** 1/2 Mile Search Radius
 *** 1/4 Mile Search Radius

Section Two: Toxic Site Profiles

The heading of each *Toxic Site Profile* refers to the site's map location and details:

- The facility name, address, city, state, and zip code (This information does not appear in the headings for Inactive Hazardous Waste Disposal Sites).
- Any changes that were made to a site's address in order to map its location.
- The site mapping method that was used (see *How Sites are Located*, at the end of this section for more information).

Toxic Site Profiles summarize information provided by site owners or operators and government agencies regarding various toxic chemical activities reported at each site, such as:

- Whether chemicals were stored, produced, transported, discharged or disposed of.
- The name of chemicals and their Chemical Abstract Series (CAS) numbers;
- The amount of chemicals and the units (gallons/pounds) the chemical was measured in.
- Whether the site or storage tanks at the site are currently active or inactive.
- Special codes used by government agencies to regulate hazardous waste activities at some sites (A complete description of the codes follows the profiles section).

For selected individual chemicals reported at various toxic sites, some potential health effect summary information appears below the site profile. Each potential health effect summary identifies chemicals by name and by Chemical Abstract Series (CAS) Number. An "x" under each potential health effect heading indicates positive toxicity testing results reported by the National Institute of Occupational Safety and Health's Registry of Toxic Effects of Chemical Substances (RTECS). Some chemicals (mostly appearing in profiles of Hazardous Waste facilities), are reported as mixtures, and RTECS health effect information is only available for individual chemicals. In addition, RTECS only provides information on approximately 100,000 common chemicals. Consequently, the absence of potential health effect summary information for a particular chemical identified in a Toxic Site Profile does not necessarily mean that the chemical does not pose potential health effects.

The Maximum Contaminant Level (MCL) in drinking water allowed for selected chemicals is also noted. In most cases, the only applicable MCL has been set by the New York State Department of Health (NYSDOH). Where NYSDOH has not set an MCL, the federal standard, if one exists, is listed and is marked by an asterisk.

Presented below are column headings that describe the health effect definitions used in RTECS and applicable New York State and federal drinking water standards. Reference sources for information presented in this section are also provided.

ACUTE TOX: **Acute Toxicity:** Short-term exposure to this chemical can cause lethal and non-lethal toxicity effects not included in the following four categories.

TUMOR TOX: **Tumorigenic Toxicity:** The chemical can cause an increase in the incidence of tumors.

MUTAG TOX: **Mutagenic Toxicity:** The chemical can cause genetic alterations that are passed from one generation to the next.

REPRO TOX: **Reproductive toxicity:** May signify one of the following effects: maternal effects, paternal effects, effects on fertility, effects on the embryo or fetus, specific developmental abnormalities, tumorigenic effects, or effects on the newborn (only positive reproductive effects data for mammalian species are referenced)

IRRIT TOX: **Primary Irritant:** The chemical can cause eye or skin irritation

MCL: **Drinking Water Standard - Maximum Contaminant Level (MCL)** listed under Drinking Water Supplies, 10 NYCRR Part 5, Subparts 1.51(f),(g), and (h) for NYDOH MCL's and under the Safe Drinking Water Act, 40 CFR 141, Subparts B and G, (* indicates value for total trihalomethanes) for federal MCL's.

Reference Source for Toxicity Information:

Registry of Toxic Effects of Chemical Substances (RTECS), NIOSH (on-line database); For further information, contact: NIOSH, 4676 Columbia Parkway, Cincinnati, OH, 45226, 800/35-NIOSH.

Reference Source for Drinking Water Standards:

New York State Department of Health, Bureau of Toxic Substances Assessment, 2 University Place, Room 240, Albany, NY 12203, 518/458-6373.

U.S. Environmental Protection Agency, Office of Drinking Water, 401 M St SW, Mailstop WH-556, Washington, DC, 20460, 202/260-5700.

Inactive Hazardous Waste Disposal Site Classifications: 1 -- Causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or the environment -- immediate action required;

2 -- Significant threat to the public health or environment -- action required;

3 -- Does not Present a significant threat to the environment or public health -- action may be deferred;

4 -- Site properly closed --requires continued management;

5 -- Site properly closed, no evidence of present or potential adverse impact -- no further action required;

2a -- This temporary classification has been assigned to sites where there is inadequate data to assign them to the five classifications specified by law.

D1, 2, 3 -- Delisted Site (1: hazardous waste not found; 2: remediated; 3: consolidated site or site incorrectly listed)



* NO NPL, CERCLIS, INACTIVE HAZARDOUS WASTE REGISTRY SITES AND/OR REGISTRY QUALIFYING SITES *
* IDENTIFIED WITHIN 1 MILE SEARCH RADIUS *



*** NO HAZARDOUS SUBSTANCE WASTE DISPOSAL SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS ***



*** NO BROWNFIELDS SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS ***



*** NO SOLID WASTE FACILITIES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS ***



*** NO OIL STORAGE FACILITIES LARGER THAN 400,000 GALLONS IDENTIFIED WITHIN 1 MILE SEARCH RADIUS ***



*** NO HAZARDOUS WASTE TREATMENT/STORAGE/DISPOSERS IDENTIFIED WITHIN THE 1 MILE SEARCH RADIUS ***



*** NO RCRA CORRECTIVE ACTION SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS ***



HAZARDOUS MATERIAL SPILLS INTRODUCTION

The Hazardous Material Spills in this section are divided into eight spill cause groupings. These include:

Active Spills Section: Spills with incomplete paperwork that may or may not be cleaned up (See Date Cleanup Ceased)

- 1) Tank Failures
- 2) Tank Test Failures
- 3) Unknown Spill Cause or Other Spill Cause Hazardous Spills
- 4) Miscellaneous Spill Causes: Equipment Failure, Human Error, Tank Overfill, Deliberate Spill, Traffic Accidents, Housekeeping, Abandoned Drum, and Vandalism.

Closed Status Spills Section: Spills with completed paperwork that may or may not be cleaned up (See Date Cleanup Ceased)

- 5) Tank Failures
- 6) Tank Test Failures
- 7) Unknown Spill Cause or Other Spill Cause Hazardous Spills
- 8) Miscellaneous Spill Causes: Equipment Failure, Human Error, Tank Overfill, Deliberate Spill, Traffic Accidents, Housekeeping, Abandoned Drum, and Vandalism.

All spills within each spill cause category are presented in order of proximity to the subject site address.

Please note that spills reported within 0.25 mile (or one-eighth mile in Manhattan) are mapped and profiled.

Between 0.25 mile (or one-eighth mile in Manhattan) and 0.5 mile, only the following spills are mapped and profiled:

- * Tank Failures;
- * Tank Test Failures;
- * Unknown Spill Cause or Other Spill Cause;
- * Spills greater than 100 units of quantity; and
- * Spills reported in the NYSDEC Fall 1998 MTBE Survey.

A table at the end of each section presents a listing of reported Miscellaneous Spills with less than 100 units located between 0.25 mile (or one-eighth mile in Manhattan) and 0.5 mile. These spills are neither mapped nor profiled.



NO ACTIVE TANK FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



ACTIVE TANK TEST FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS

Please Note: * - Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number 1 ABRAMS PROPERTY
32 VISTA DRIVE

Spill Number: 9813478
Close Date:
LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
Site location mapped by: ADDRESS MATCHING
Approximate distance from property: 1432 feet to the SE

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11791

Source of Spill: PRIVATE DWELLING
Notifier Type: Tank Tester
Caller Name: JOHN LEDDY
DEC Investigator: T/T/F

Spiller: MR ABRAMS - ABRAMS PROPERTY
Notifier Name: A LOPEZ
Caller Agency: PROTEST ENTERPRISES
Contact for more spill info: MR ABRAMS
Spiller Phone: (000) 000-0000
Notifier Phone: (516) 321-4670
Caller Phone: (516) 321-4670
Contact Person Phone: (000) 000-0000

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date 01/28/1999 Date Cleanup Ceased Meets Cleanup Standards NO Penalty Recommended

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	PETROLEUM	0	GALLONS	0	GALLONS	GROUNDWATER

TANK TEST INFORMATION

Tank Number	Tank Size	Tank Test Method	Leak Rate	Gross Leak or Failure
1	550	Hornor EZ Check I or II	0.00	UNKNOWN

Caller Remarks:

GROSS FAILURE. NO FURTHER INFO. DELAY IN REPORTING DUE TO CONFUSION WITH CONTRACTOR OVER WHO WAS TO REPORT.

DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.



NO ACTIVE UNKNOWN CAUSE SPILLS AND OTHER CAUSE SPILLS IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO ACTIVE HAZARDOUS SPILLS - MISC. SPILL CAUSES - EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, AND VANDALISM - IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS.
 All spills mapped and profiled within 1/4 mile. Between 1/4 mile and 1/2 mile search radius, spills reported to be greater than 100 units and spills reported in the NYSDEC Fall 1998 MTBE Survey are mapped and profiled. Spills reported to be less than 100 units are listed in a table at the end of this section.

THE FOLLOWING ACTIVE SPILLS FOR THIS CATEGORY WERE REPORTED BETWEEN 1/4 MILE AND 1/2 MILE SEARCH RADIUS FROM THE SUBJECT ADDRESS. THESE SPILLS WERE REPORTED TO BE LESS THAN 100 UNITS IN QUANTITY AND CAUSED BY: EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, OR VANDALISM. THESE SPILLS ARE NEITHER MAPPED NOR PROFILED IN THIS REPORT.

FACILITY ID FACILITY NAME
 No dropped spills found for this category

STREET

CITY



NO CLOSED STATUS TANK FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



CLOSED STATUS TANK TEST FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS

Please Note: * - Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number 2 EASTWOOD SCHOOLS
YELLOW COTE ROAD

Spill Number: 8803384 Close Date: 11/02/1994
OYSTER BAY, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
Site location mapped by: MANUAL MAPPING (2)
Approximate distance from property: 1833 feet to the W

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11771

Source of Spill: INSTITUTIONAL, EDUC, GOV, OTHER
Notifier Type: Tank Tester
Caller Name: GEORGE SCHAURIAH
DEC Investigator: T/T/F

Spiller: EASTWOOD SCHOOLS
Notifier Name:
Caller Agency: GND TESTING
Contact for more spill info:

Spiller Phone: (516) 922-4400
Notifier Phone:
Caller Phone: (516) 933-1085
Contact Person Phone:

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
07/19/1988	11/02/1994	TANK TEST FAILURE	UNKNOWN	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	PETROLEUM	0	GALLONS	0	GALLONS	GROUNDWATER

TANK TEST INFORMATION

Tank Number	Tank Size	Tank Test Method	Leak Rate	Gross Leak or Failure
		Unknown	0.00	UNKNOWN

Caller Remarks:

2K FAILED AT -.078 GPH. INITIAL PETROTITE SYTEM FAILURE. WILL EXCAVATE, ISOLATE AND RETEST. GND TESTING TESTER.

DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.



CLOSED STATUS UNKNOWN CAUSE SPILLS AND OTHER CAUSE SPILLS IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS

Please Note: * - Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number 3 NORTHERN BLVD/COVE ROAD Spill Number: 9801167 Close Date: 05/21/1998
 LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 0 feet

Source of Spill: COMMERCIAL VEHICLE Spiller: UNK Spiller Phone:
 Notifier Type: Local/Agency Notifier Name: Notifier Phone:
 Caller Name: TED HORISHREY Caller Agency: NCFM Caller Phone:
 DEC Investigator: BMFORD Contact for more spill info: Contact Person Phone:

Spill Class: KNOWN RELEASE THAT CREATES A FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date Date Cleanup Ceased Cause of Spill Meets Cleanup Standards Penalty Recommended
 04/27/1998 UNKNOWN YES NO

Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
PESTICIDES	0	GALLONS	0	GALLONS	SEWER

Caller Remarks:

LANDSCAPE TRUCK ON FIRE RUNOFF CONTAINS UNKNOWN PESTICIDES

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "FORD"

Map Identification Number 4 UNK
 COVER RD & MORRIS HILL RD

Spill Number: 9010326 Close Date: 12/28/1990
 OYSTER BAY COVE, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 2 feet to the N*

ADDRESS CHANGE INFORMATION
 Revised street: COVE RD / MOORES HILL RD
 Revised zip code: 11771

Source of Spill: UNKNOWN
 Notifier Type: Citizen
 Caller Name: NORMAN SOULE
 DEC Investigator: KAKISPER

Spiller: UNK
 Notifier Name:
 Caller Agency: COLD SPRING HARBOR
 Contact for more spill info:

Spiller Phone:
 Notifier Phone:
 Caller Phone: (516) 692-6768
 Contact Person Phone:

Spill Date 12/24/1990 Date Cleanup Ceased 12/28/1990 Cause of Spill UNKNOWN
 Meets Cleanup Standards UNKNOWN Penalty Recommended NO

Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
UNKNOWN PETROLEUM	0	GALLONS	0	GALLONS	SURFACE WATER

Caller Remarks:

OIL SPILL ON HIGHWAY

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead DEC Field was "KISPRT"
 12/28/90: NCDPW SANDED HIGHWAY. GIFFORD REMOVED CONT SOIL FROM DRAIN, PADDED OUT DRAIN, APPLIED SPEEDI DRY TO HWY. NO NEED FOR FURTHER ACTION.

Map Identification Number 5 LEVITT RESIDENCE
 80 WHITE OAK TREE ROAD

Spill Number: 0311559 Close Date: 02/06/2004
 SYOSSET, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: ADDRESS MATCHING
 Approximate distance from property: 526 feet to the SSE

ADDRESS CHANGE INFORMATION
 Revised street: NO CHANGE
 Revised zip code: 11791

Source of Spill: PRIVATE DWELLING
 Notifier Type: Other
 Caller Name: RAY BERGSTROM
 DEC Investigator: BXDONOVA

Spiller: MR. LEVITT - LEVITT RESIDENCE
 Notifier Name: RAY BERGSTROM
 Caller Agency: PETRO OIL
 Contact for more spill info: MR. LEVITT

Spiller Phone: (516) 349-4139
 Notifier Phone: (516) 686-2024
 Caller Phone: (516) 686-2024
 Contact Person Phone: (516) 349-4139

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	
01/13/2004		OTHER	YES	NO	
Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	0	GALLONS	0	GALLONS	GROUNDWATER

Caller Remarks:

while excavating around home ,noticed oil smell from a old oil tank that was removed a few years.. homeowner will take care of clean up.

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead DEC Field was "BRIAN D"
AS PER BERGSTROM-SERVICE WAS CALLED FOR AN OIL SMELL, SERVICE REP FOUND AN ABANDONED (WITH SAND) TANK THAT APPEARS TO HAVE LEAKED

SUPPLY LINE REPAIRED, CONTAMINATED OIL EXCAVATED AND PROPERLY DISPOSED

Map Identification Number 6 PASTON RESIDENCE
27 PALATINE COURT

Spill Number: 0007629 Close Date: 10/20/2000
SYOSSET, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
Site location mapped by: ADDRESS MATCHING
Approximate distance from property: 1711 feet to the S

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11791

Source of Spill: PRIVATE DWELLING
Notifier Type: Other
Caller Name: JIM CLEMENTE
DEC Investigator: HMCIRRI

Spiller: MR PASTON - PASTON RESIDENCE
Notifier Name: JIM CLEMENTE
Caller Agency: SLOMINS OIL
Contact for more spill info: MR PASTON

Spiller Phone: (516) 922-6610
Notifier Phone: (516) 932-7000 ext. 2
Caller Phone: (516) 932-7000 ext. 2
Contact Person Phone: (516) 922-6610

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
09/28/2000		OTHER	YES	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	PETROLEUM	0	GALLONS	0	GALLONS	SOIL

Caller Remarks:

POOL HEATER WAS PUT IN PLACE BY OUTSIDE COMPANY-RETURN LINE WAS CUT AND PUTTY PUT IN PLACE - OIL TANK WAS HIGHER THAN POOL HEATER WHICH CAUSED OIL TO BE SIPHONED OUT ONTO GROUND.

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "CIRRITO" CONTAMINATED SOIL EXCAVATED, TOTAL 2 DRUMS GENERATED, NO FURTHER ACTION

Map Identification Number 7 EAST WOOD SCHOOL
31 YELLOW COTE ROAD

Spill Number: 8902863
OYSTER BAY COVE, NY NO ZIP PROVIDED

Close Date: 05/09/1991

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (2)
Approximate distance from property: 1833 feet to the W

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11771

Source of Spill: INSTITUTIONAL, EDUC, GOV, OTHER
Notifier Type: Health Department
Notifier Name: PAT MOUNT
Caller Name: MIRZA
DEC Investigator: MIRZA

Spiller: EAST WOOD SCHOOL
Notifier Name: NCDH
Caller Agency: NCDH
Contact for more spill info:

Spiller Phone:
Notifier Phone:
Caller Phone: (516) 535-2404
Contact Person Phone:

Spill Date 06/19/1989 Date Cleanup Ceased 05/09/1991 Cause of Spill OTHER

Meets Cleanup Standards UNKNOWN Penalty Recommended NO

Material Spilled UNKNOWN PETROLEUM

Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
0	GALLONS	0	GALLONS	GROUNDWATER

Caller Remarks:

5 U/G TANKS REMOVED 6/19, INSPECTED BY NCDH. 1K F/O TANK AT GATE HOUSE HAD 1-1/4" HOLE. SOIL HAS PETROLEUM ODOR BUT NOT FUEL OIL. DEC TO CHECK AND CONTACT PAT MOUNT

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "MIRZA WELL"

Map Identification Number 8 RESIDENCE
26 URSULINE COURT

MAP LOCATION INFORMATION
Site location mapped by: ADDRESS MATCHING
Approximate distance from property: 2038 feet to the WSW

Source of Spill: PRIVATE DWELLING
Notifier Type: Responsible Party
Caller Name: BOB MAGUIRE
DEC Investigator: UNASSIGNED

Spiller: JOHN GRAY - PETRO OIL
Notifier Name: ROY BROULLIARD
Caller Agency: PETRO OIL
Contact for more spill info: MR FLYNN

Spiller Phone: (516) 576-0254
Notifier Phone: (516) 576-0254
Caller Phone: (516) 576-0254
Contact Person Phone: (516) 624-0271

Spill Number: 9611947 Close Date: 01/06/1997
OYSTER BAY, NY NO ZIP PROVIDED

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11771

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;NO DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
01/03/1997		OTHER	YES	NO	1.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:

DRIVER MADE DELIVERY TO RESIDENCE WHEN VENT CAP BLEW OFF
SPRAYING 2 OUNCES OF FUEL AND WATER ONTO SIDING OF HOUSE
HAS BEEN CLEANED UP

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "NONE"
SPRAY ON SIDING NOTHING HIT GROUND, CLEANING SIDE OF HOUSE. NO ENV IMPACT.NO RESPONSE NEEDED

Map Identification Number 9 LOBB RESIDENCE
1211 MOORSHILL ROAD

Spill Number: 9407561 Close Date: 12/06/1996
LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (3)
Approximate distance from property: 2351 feet to the ENE

ADDRESS CHANGE INFORMATION
Revised street: 1211 MOORES HILL ROAD
Revised zip code: 11791

Source of Spill: PRIVATE DWELLING

Notifier Type: Other

Caller Name: PAT FARMER

DEC Investigator: ACLAMANN

Spiller: LOBB RESIDENCE Spiller Phone: (516) 623-6206

Notifier Name: Notifier Phone:

Caller Agency: ANS TANK Caller Phone: (516) 249-5443

Contact for more spill info: Contact Person Phone:

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;UNABLE/UNWILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
09/02/1994		OTHER	YES	NO

Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	0	GALLONS	0	GALLONS	SOIL

Caller Remarks:

CONT SOIL & SOME PRODUCT OBSERVED ON TOP OF TANK DURING TANK REMOVAL. CONTRACTOR TO CONTINUE EXCAVATION

DEC Investigator Remarks:

Prior to Sept. 2004 data translation this spill Lead_DEC Field was "LAMANNO"



CLOSED STATUS HAZARDOUS SPILLS - MISC. SPILL CAUSES - EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, AND VANDALISM - IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS.
 All spills mapped and profiled within 1/4 mile. Between 1/4 mile and 1/2 mile search radius, spills reported to be greater than 100 units and spills reported in the NYSDEC Fall 1998 MTBE Survey are mapped and profiled. Spills reported to be less than 100 units are listed in a table at the end of this section.

Please Note: * - Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number 10 UNKNOWN Spill Number: 0502120 Close Date: 10/24/2005
 NORTHERN BLVD/COVE ROAD LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 0 feet

Source of Spill: COMMERCIAL VEHICLE Spiller: Spiller Phone:
 Notifier Type: Fire Department Notifier Name: ALBRES Notifier Phone: (516) 742-3191
 Caller Name: ALBRES Caller Agency: NASSAU CTY FIRE Caller Phone: (516) 742-3191
 DEC Investigator: KMYAGER Contact for more spill info: ALBRES Contact Person Phone: (516) 742-3191

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date Date Cleanup Ceased Cause of Spill Meets Cleanup Standards Penalty Recommended
 05/23/2005 TRAFFIC ACCIDENT NO NO

Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
DIESEL	400.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:

unk if any other resources affected. overturned tractor trailer carrying carnival rides.

DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.

Map Identification Number 11 UNKNOWN Spill Number: 9212084 Close Date: 01/25/1993
 RTE 25A & YELLOW COAT ROAD OYSTER BAY COVE, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 0 feet

Source of Spill: COMMERCIAL VEHICLE Spiller: UNK Spiller Phone:
 Notifier Type: Police Department Notifier Name: Notifier Phone:
 Caller Name: P.O. PROBST Caller Agency: NC EM SERV Caller Phone: (516) 573-3333
 DEC Investigator: RICE Contact for more spill info: Contact Person Phone:

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
01/22/1993	01/25/1993	TRAFFIC ACCIDENT	UNKNOWN	NO

Material Spilled	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
DIESEL	60.00	GALLONS	0.00	GALLONS	SEWER

Caller Remarks:

TRACTOR TRAILER IN TRAFFIC ACCIDENT, SADDLE TANK RUPTURED, DIESEL FUEL ENTERED S.D, NCEMS ON SCENE

DEC Investigator Remarks:

Prior to Sept. 2004 data translation this spill Lead_DEC Field was "RICE"
 01/25/93: DEC ON SITE, RESPONSIBLE PARTY (PLANET WASTE MGT) HIRED F&N FOR CLEANUP, CLEANUP SATISFACTORY.

Map Identification Number 12 GAGNON Spill Number: 8909177 Close Date: 12/19/1989
 COVE RD & MOORE'S HILL RD OYSTER BAY COVE, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 2 feet to the N*

ADDRESS CHANGE INFORMATION
 Revised street: COVE RD / MOORES HILL RD
 Revised zip code: 11771

Source of Spill: PASSENGER VEHICLE Spiller: JEANNE GAGNON Spiller Phone:
 Notifier Type: Fire Department Notifier Name: Contact for more spill info: Spiller Phone:
 Caller Name: MR WELT Caller Agency: NASS CTY FIRE MARSHAL Caller Phone: (516) 566-5277
 DEC Investigator: NCFM Contact for more spill info: Contact Person Phone:

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
12/19/1989	12/19/1989	TRAFFIC ACCIDENT	UNKNOWN	NO	PETROLEUM	15.00	GALLONS	13.00	GALLONS	SEWER

Caller Remarks:
 GASOLINE ON ROAD AND IN DRAIN. NCFM ON SCENE. NCDPW CLEANED OUT DRAIN AND REMOVED CONTAMINATED SOIL FROM SITE.
 DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.

Map Identification Number 13 KAUFMAN RESIDENCE Spill Number: 0013180 Close Date: 05/24/2001
 50 VISTA DRIVE LAUREL HOLLOW, NY NO ZIP PROVIDED
 MAP LOCATION INFORMATION
 Site location mapped by: ADDRESS MATCHING
 Approximate distance from property: 678 feet to the SE
 ADDRESS CHANGE INFORMATION
 Revised street: NO CHANGE
 Revised zip code: 11791

Source of Spill: PRIVATE DWELLING Spiller: RICHARD KAUFMAN - KAUFMAN RESIDENCE Spiller Phone: (516) 692-6411
 Notifier Type: Local Agency Notifier Name: LEE SELINGER Notifier Phone: (631) 360-8901
 Caller Name: LEE SELINGER Caller Agency: WINDMILL Caller Phone: (631) 360-8901
 DEC Investigator: HMCIRRI Contact for more spill info: RICHARD KAUFMAN Contact Person Phone: (516) 692-6411

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
03/16/2001		EQUIPMENT FAILURE	YES	NO	PETROLEUM	0	GALLONS	0	GALLONS	SOIL

Caller Remarks:

return line failed - spilling unk amount of oil onto ground
will be excavated - and will be stockpiled

DEC Investigator Remarks:

Prior to Sept. 2004 data translation this spill Lead_DEC Field was "CIRRITO"
CONT SOIL EXCAVATED TANK REMOVED DURING EXCAVATION REC'VD DISPOSAL MANIFESTS,NO FURTHER ACTION

Map Identification Number 14

15 WHITE BIRCH ROAD

OYSTER BAY, NY NO ZIP PROVIDED

Close Date: 02/05/2004

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (3)
Approximate distance from property: 720 feet to the S

ADDRESS CHANGE INFORMATION
Revised street: 15 WHITE BIRCH RD
Revised zip code: 11791

Source of Spill: COMMERCIAL/INDUSTRIAL
Notifier Type: Responsible Party
Caller Name: KATHY WHITTEMORE
DEC Investigator: UNASSIGNED

Spiller: CALLER - PETRO
Notifier Name: KATHY WHITTEMORE
Caller Agency: PETRO
Contact for more spill info: PAUL AUERSPERG

Spiller Phone:
Notifier Phone: (516) 349-4114
Caller Phone: (516) 349-4114
Contact Person Phone: (516) 922-9527

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
04/16/2003		TANK OVERFILL	YES	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
#2 FUEL OIL	PETROLEUM	2.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:

DRIVER OVERFILLED THE HOME HEATING OIL FUEL TANK - EMPLOYEES CLEANING SPILL AT THIS TIME

DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.

Map Identification Number 15 UNKNOWN Spill Number: 0308662 Close Date: 02/16/2005
 YELLOW COAT ROAD & COVE ROAD COVE NECK, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: ADDRESS MATCHING
 Approximate distance from property: 1009 feet to the NNW

ADDRESS CHANGE INFORMATION
 Revised street: YELLOW COTE RD / COVE RD
 Revised zip code: 11771

Source of Spill: COMMERCIAL VEHICLE Spiller: CALLER - LIPA Spiller Phone: (646) 235-0406
 Notifier Type: Responsible Party Notifier Name: GLENN Notifier Phone: (646) 235-0406
 Caller Name: SHAWN DAVIS Caller Agency: KEYSpan Caller Phone: (646) 235-0406
 DEC Investigator: UNASSIGNED Contact for more spill info: SHAWN DAVIS Contact Person Phone: (646) 235-0406

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;NO DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
11/14/2003		EQUIPMENT FAILURE	NO	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
HYDRAULIC OIL	OTHER	50.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:
 HOSE ON BUCKET TRUCK RUPTURED, EMPTYING HYDROLIC OIL TANK. SPILL IS SPEEDI DRY CONTAINED. CREW ENROUTE FOR CLEAN UP.
 DEC Investigator Remarks:

11/14/03 TELECON WITH SHAWN DAVIS FROM KEYSpan, APPROX 20-30 GALS OF HYDRAULIC OIL SPILLED ONTO SURFACE AREA, NO DRAINS OR PRIVATE WELLS NEARBY AFFECTED. SPEEDI DRI WAS APPLIED BY KEYSpan CREW, TRADEWINDS IS ENROUTE FOR CLEANUP, NO CALL BACK REQUESTED BY SHAWN DAVIS

Map Identification Number 16 LAUREL GROUP FINE LAND Spill Number: 0000243 Close Date: 04/06/2000
 50 WILDWOOD DRIVE LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (4)
 Approximate distance from property: 1010 feet to the SE

ADDRESS CHANGE INFORMATION
 Revised street: NO CHANGE
 Revised zip code: 11771

Source of Spill: COMMERCIAL VEHICLE Spiller: PAUL BURNS - LAUREL GROUP FINE LAND Spiller Phone: (631) 421-5774
 Notifier Type: Fire Department Notifier Name: JOE GEIMAN Notifier Phone: (516) 572-1095
 Caller Name: JOE GEIMAN Caller Agency: NASSAU CO FIRE MARSHAL Caller Phone: (516) 572-1095
 DEC Investigator: UNASSIGNED Contact for more spill info: JOE GEIMAN Contact Person Phone: (516) 572-1095

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;NO DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	Resource(s) Affected
04/06/2000		TRAFFIC ACCIDENT	YES	NO	
Material Spilled		Material Class	Quantity Spilled	Quantity Recovered	Units
DIESEL		PETROLEUM	5.00	5.00	GALLONS

Caller Remarks:

saddle tank of truck became hung up spilling it open - spill is on driveway and was cleaned up with speedi dry

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "NONE"

Map Identification Number 17 NAPALITANO RESIDENCE
55 WOODLAND DRIVE

Spill Number: 9402357
OYSTER BAY COVE, NY NO ZIP PROVIDED

Close Date: 11/30/1999

MAP LOCATION INFORMATION
Site location mapped by: ADDRESS MATCHING
Approximate distance from property: 1080 feet to the NW

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11771

Source of Spill: PRIVATE DWELLING
Notifier Type: Other
Caller Name: FRANK KELLY
DEC Investigator: BPAUSTIN

Spiller: NAPALITANO RESIDENCE
Notifier Name:
Caller Agency: SENTRY UTILITIES
Contact for more spill info:

Spiller Phone: (516) 922-7946
Notifier Phone:
Caller Phone: (516) 277-2244
Contact Person Phone:

Spill Class: KNOWN RELEASE THAT CREATES POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended	Resource(s) Affected
05/17/1994		EQUIPMENT FAILURE	YES	NO	
Material Spilled		Material Class	Quantity Spilled	Quantity Recovered	Units
#2 FUEL OIL		PETROLEUM	0	0	GALLONS

Caller Remarks:

275 GAL U/G TANK, SENTRY WAS TO REPAIR VENT BUT SMELLED ODOR & FOUND STAIN NEAR FILL PIPE. NEEDS DEC INSPECTION.

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "AUSTIN"
 MINIMAL POTENTIAL FOR IMPACT TO SENSITIVE RECEPTORS. NO FURTHER ACTION AT THIS TIME

Map Identification Number 18 VISTA DRIVE

Spill Number: 0404626 Close Date: 09/14/2004
 LAUREL HOLLOW, NY NO ZIP PROVIDED

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (5)
 Approximate distance from property: 1237 feet to the SE

ADDRESS CHANGE INFORMATION
 Revised street: VISTA DR
 Revised zip code: 11791

Source of Spill: INSTITUTIONAL, EDUC, GOV, OTHER
 Notifier Type: Responsible Party
 Caller Name: ROB LOWE
 DEC Investigator: UNASSIGNED

Spiller: ROB LOWE - KEYSpan
 Notifier Name: ROB LOWE
 Caller Agency: KEYSpan
 Contact for more spill info: ROB LOWE

Spiller Phone: (516) 545-5589
 Notifier Phone: (516) 545-5589
 Caller Phone: (516) 545-5589
 Contact Person Phone: (516) 545-5589

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;NO DEC RESPONSE;WILLING RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
07/29/2004		EQUIPMENT FAILURE	YES	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
DIELECTRIC FLUID	PETROLEUM	2.00	GALLONS	2.00	GALLONS	SOIL

Caller Remarks:

bushing leaked, on pad mount concrete: all cleaned up; non pcb

DEC Investigator Remarks: NO DEC INVESTIGATOR REMARKS GIVEN FOR THIS SPILL.

THE FOLLOWING CLOSED SPILLS FOR THIS CATEGORY WERE REPORTED BETWEEN 1/4 MILE AND 1/2 MILE FROM THE SUBJECT ADDRESS. THESE SPILLS WERE REPORTED TO BE LESS THAN 100 UNITS IN QUANTITY AND CAUSED BY: EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, OR VANDALISM. THESE SPILLS ARE NEITHER MAPPED NOR PROFILED IN THIS REPORT.

FACILITY ID FACILITY NAME

STREET

CITY

0004097
0106399
9810676
9301881
9313017
9100351
9503953
9207562
9401214
0401877

LORI COHEN RESIDENCE
BRADLEY BERGA RESIDENCE
EAST WOOD SCHOOL
EAST WOODS SCHOOL
COMMANDER
LILCO
JOAN MILLER RESIDENCE
MILLHAUSER RESIDENCE
BRIAN BRODERICK

20 KOENIG DRIVE
130 TALL OAK CRESENT
31 YELLOW COTE ROAD
31 YELLOW COTE ROAD
145 TALL OAK CRESCENT
9 WOODALE DRIVE
70 TALL OAKS CRESCENT
10 MORRIS LANE
RTE 25A W/O BARRY HILL RD
RTE 25A/BERRYHILL ROAD

OYSTER BAY
SYOSSET
OYSTER BAY
OYSTER BAY
OYSTER BAY
LAUREL HOLLOW
SYOSSET
OYSTER BAY
SYOSSET
OYSTER BAY COVE



*** PETROLEUM BULK STORAGE FACILITIES LESS THAN 400,000 GALLONS IDENTIFIED WITHIN THE 1/4 MILE SEARCH RADIUS ***

PLEASE NOTE. * Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number	Facility Name	Facility Id	Source
Map Identification Number 19	BHLENSON, HOWARD 3 BIRCH CT	LG5500208	NASS. FIRE MARSHALL
<p>MAP LOCATION INFORMATION Site location mapped by: MANUAL MAPPING (3) Approximate distance from property: 92 feet to the NE*</p>			
TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS
HB01	ACTIVE	PROPANE (LPG)/BUTANE	1000
<p>ADDRESS CHANGE INFORMATION Revised street: NO CHANGE Revised zip code: 11791</p>			
TANK NUMBER	TANK STATUS	TANK LOCATION	INSTALL DATE
HB01	ACTIVE	OUTDOOR UNDERGROUND HORIZONTAL	
TEST DATE	CLOSE DATE		
Map Identification Number 20	VILLANI 88 WHITE OAK TREE ROAD	LG5800332	NASS. FIRE MARSHALL
<p>MAP LOCATION INFORMATION Site location mapped by: ADDRESS MATCHING Approximate distance from property: 292 feet to the SSE</p>			
TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS
EB01	ACTIVE	PROPANE (LPG)/BUTANE	100
EB02	ACTIVE	PROPANE (LPG)/BUTANE	100
<p>ADDRESS CHANGE INFORMATION Revised street: NO CHANGE Revised zip code: 11791</p>			
TANK NUMBER	TANK STATUS	TANK LOCATION	INSTALL DATE
EB01	ACTIVE	OUTDOOR ABOVEGROUND VERTICAL	051887
EB02	ACTIVE	OUTDOOR ABOVEGROUND VERTICAL	051887
TEST DATE	CLOSE DATE		
Map Identification Number 21	MARVIN STRAUSS TIMBER RIDGE DR	LG5500190	NASS. FIRE MARSHALL
<p>MAP LOCATION INFORMATION Site location mapped by: MANUAL MAPPING (4) Approximate distance from property: 317 feet to the ESE</p>			
TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS
EB01	ACTIVE	PROPANE (LPG)/BUTANE	100
<p>ADDRESS CHANGE INFORMATION Revised street: 7 TIMBER RIDGE DR Revised zip code: 11791</p>			
TANK NUMBER	TANK STATUS	TANK LOCATION	INSTALL DATE
EB01	ACTIVE	OUTDOOR ABOVEGROUND VERTICAL	050587
TEST DATE	CLOSE DATE		

Map Identification Number 22 KLUBERDANZ, W. Facility Id LG5500193 Source: NASS. FIRE MARSHALL
 12 TIMBER RIDGE DR LAUREL HOLLOW,

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (4)
 Address: 490 feet to the ESE
 Revised street: NO CHANGE
 Revised zip code: 11791

TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS	TANK LOCATION	INSTALL DATE	TEST DATE	CLOSE DATE
HB01	ACTIVE	PROPANE (LPG)/BUTANE	1000	OUTDOOR UNDERGROUND HORIZONTAL	052987		
HB02	ACTIVE	PROPANE (LPG)/BUTANE	500	OUTDOOR UNDERGROUND HORIZONTAL			

Map Identification Number 23 SWENDSEN, JACK Facility Id LG5800424 Source: NASS. FIRE MARSHALL
 64 WHITE OAK TREE ROAD LAUREL HOLLOW,

MAP LOCATION INFORMATION
 Site location mapped by: ADDRESS MATCHING
 Address: 991 feet to the SSE
 Revised street: NO CHANGE
 Revised zip code: 11791

TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS	TANK LOCATION	INSTALL DATE	TEST DATE	CLOSE DATE
DX01	ABANDONED	PROPANE (LPG)/BUTANE	100	OUTDOOR ABOVEGROUND HORIZONTAL			

Map Identification Number 24 ENGRASSIA, CATHY Facility Id LG5500248 Source: NASS. FIRE MARSHALL
 14 HEMLOCK CT LAUREL HOLLOW,

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Address: 1146 feet to the ENE
 Revised street: 14 HEMLOCK CT
 Revised zip code: 11771

TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS	TANK LOCATION	INSTALL DATE	TEST DATE	CLOSE DATE
DX01	ACTIVE	PROPANE (LPG)/BUTANE	500G	OUTDOOR ABOVEGROUND HORIZONTAL			
DX02	ACTIVE	PROPANE (LPG)/BUTANE	116	OUTDOOR ABOVEGROUND HORIZONTAL			

Map Identification Number 25 HAMBERGER, NEIL & KATHY
45 WILDWOOD DR

Facility Id LG5800485 Source: NASS, FIRE MARSHALL

LAUREL HOLLOW,

MAP LOCATION INFORMATION
Site location mapped by: MANUAL MAPPING (4)
Approximate distance from property: 1163 feet to the SE

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11791

TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS	TANK LOCATION	INSTALL DATE	TEST DATE	CLOSE DATE
DX01	ABANDONED	PROPANE (LPG)/BUTANE	500	OUTDOOR ABOVEGROUND HORIZONTAL			

Map Identification Number 26 BELASKY, MIKE
62 WOODLAND DR

Facility Id LG5500227 Source: NASS, FIRE MARSHALL

OYSTER BAY COVE,

MAP LOCATION INFORMATION
Site location mapped by: ADDRESS MATCHING
Approximate distance from property: 1211 feet to the NW

ADDRESS CHANGE INFORMATION
Revised street: NO CHANGE
Revised zip code: 11771

TANK NUMBER	TANK STATUS	TANK CONTENT	CAPACITY GALLONS	TANK LOCATION	INSTALL DATE	TEST DATE	CLOSE DATE
HB01	ACTIVE	PROPANE (LPG)/BUTANE	500	OUTDOOR UNDERGROUND HORIZONTAL			



*** NO HAZARDOUS WASTE GENERATORS/TRANSPORTERS IDENTIFIED WITHIN THE 1/4 MILE SEARCH RADIUS ***



*** NO CHEMICAL STORAGE FACILITIES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS ***



*** NO TOXIC AIR, LAND AND WATER RELEASES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS ***



*** NO WASTEWATER DISCHARGES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS ***



*** NO AIR DISCHARGE FACILITIES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS ***



*** NO CIVIL & ADMINISTRATIVE ENFORCEMENT DOCKET FACILITIES IDENTIFIED WITHIN THE 1/4 MILE SEARCH RADIUS ***

U.S. EPA EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS)
AT THE LOCATION OR POTENTIALLY AT THE LOCATION OF
Redcote Farms
Oyster Bay, NY 11771

* Any ERNS Spills listed below are NOT mapped in this report *

ONSITE ERNS (A count of these spills can be found in the distance interval table)
THIS SITE IS NOT FOUND IN THE ERNS DATABASE

POTENTIALLY ONSITE ERNS:
THIS SITE IS NOT FOUND IN THE ERNS DATABASE

NASSAU COUNTY FIRE MARSHALL TANK DATABASE
AT THE LOCATION OF
Redcote Farms
Oyster Bay, NY 11771

* Any NC Fire Marshall Tank Sites listed below are either updated data for a mapped site or the site(s) are NOT mapped in this report *

None Identified.

Unmappable facilities for 'Nassau' County

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
Solid Waste Facilities				
30S11	MEDI-PHYSICS, INC. NUCLEAR			UNKNOWN
30T09	WARREN BROTHERS/COES NECK			UNKNOWN
30W13R	V & G RUBBISH REMOVAL			UNKNOWN
30W17R	OLD BETHPAGE WOOD WASTE P			UNKNOWN
30W19R	TWIN COUNTY RECYCLING COR			UNKNOWN
30T27R	JP EQUIPMENT CONTRACTING			UNKNOWN
30S15	CONROC RECYCLING			UNKNOWN
	OYSTER BAY SLF (T)	150 MILLER PLACE	HEMPSTEAD	11791
	OYSTER BAY SLF (T)		SYOSSET	
Hazardous Spills - MISC. SPILL CAUSES - Active				
0505968	FACILITY NAME	STREET	CITY	ZIP
0225336	COMMANDER TERMINALS	COMMANDER LANE	OYSTER BAY	11771
	CUNNINGHAM RESIDENCE	114 IVY COURT	OYSTER BAY	11771
Hazardous Spills - TANK FAILURES - Closed				
8807618	FACILITY NAME	STREET	CITY	ZIP
0209558	LAUREL HOLLOW VILLAGE HAL	LAURAL HOLLOW ROAD	LAUREL HOLLOW	11791
0203010	LONG ISLAND SOUND	PIPE LINE STATION 601 PLU	OYSTER BAY	11771
9209202	OYSTER BAY WATER DIST	BERRY HILL RD - PLANT #6	OYSTER BAY	11771
	FELDMAN RESIDENCE	29 WILTON DRIVE	SYOSSET	11791
Hazardous Spills - TANK TEST FAILURES - Closed				
9203178	FACILITY NAME	STREET	CITY	ZIP
9601325	MCKAY ESTATE	GARAGE BLDG	MUTTONTOWN	UNKNOWN
9003329	TOWN OF OYSTER BAY	TAPEN BEACH	OYSTER BAY	11771
	PALACE ESTATES	THE DRAWBRIDGE	SYOSSET	UNKNOWN
Hazardous Spills - UNKNOWN CAUSE OR OTHER CAUSES - Closed				
8300974	FACILITY NAME	STREET	CITY	ZIP
8710514	LILCO	NO STREET #/WANGS ESTATE	COVE NECK	UNKNOWN
9205606	UNK	6254 EIGHTLY ROAD	GLENDAL	UNKNOWN
7801000	LEVY RESIDENCE	1634 SERENCE COURT	MATTIACE	UNKNOWN
9112762	UNK/INCINERATOR PLANT	NASSAU	MUTTONTOWN	11791
9505922	UNK	INCINERATOR PLANT	NASSAU	UNKNOWN
9002447	UNK	NASSAU	NASSAU	UNKNOWN
8706738	VESSEL EKLOF E31	65 WEST CHESTNUT/CEDAR	NASSAU	UNKNOWN
9706921	UNK	RTE 106	OYSTER BAY	11771
9009715	UNK	FIELD #6	OYSTER BAY	11771
9003872	UNK	EAST MAIN STEET	OYSTER BAY	11771
8912069	UNK	UNKNOWN	OYSTER BAY	11771
8600131	COMMANDER OIL	COMMANDER OIL	OYSTER BAY	11771
8301480	ROOSEVELT MARINA	OYSTER BAY HAMLET	OYSTER BAY	11771
0104512	COHEN RESIDENCE	20 WENDY ROAD	OYSTER BAY	11791
0025097	SYOSSET SCHOOL DISTRICT	WOODS ROAD	SYOSSET	11791
9406557	UNK	OYSTER BAY ROAD MOBIL S/S	SYOSSET	11791
9314051	UNK		SYOSSET	11791
8605732	UNK		SYOSSET	11791
8200901	UNK		SYOSSET	11791
Hazardous Spills - MISC. SPILL CAUSES - Closed				
9811498	FACILITY NAME	STREET	CITY	ZIP
	NEAR HORIZON GATE	WOODSIDE AVENUE	BELLFORT	UNKNOWN

9315119	CW POST	NORTHERN BLVD	UNKNOWN
0012205	KERESEY	PINEVALLEY ROAD	11771
9610191	MARTIN VIETTE NURSERY	EAST NORWICH	UNKNOWN
9112776	GAMBLING FARM	RTE 25A	UNKNOWN
9608152	LILCO OPERATION CENTER	LINEMAN ACADEMY ROAD	UNKNOWN
9708961	PORT JEFFERSON TRACK 2	MILE POST 28.2	UNKNOWN
9903964		WILDWOOD DRIVE	11791
9213984	JOSE CORAES	RTE 25A/MILE MARKER 11548	UNKNOWN
9007823	COMMANDER OIL	35 HILLTOP DIRVE	11791
8806364	LILCO	LAUREL HOLLOW	UNKNOWN
8709012	MEENAN OIL CO	WEST HEMPSTEAD TURNPIKE	11791
8707836	LILCO	LAUREL HOLLOW ROAD	UNKNOWN
9212339	MCDONAL RESIDENCE	114 WILLETS ROAD	UNKNOWN
9912406		SHERWOOD DRIVE NORTH	UNKNOWN
9504569	OYSTER BAY LANDFILL	CLAREMONT RD	11771
9412159	GLIEM RESIDENCE	EAST HUNTER LANE	11771
9408754	OHLMAN RESIDENCE	10 TENNESSEE COURT	11771
9309852	LIRR	WEST END TRACK #2.ENG 152	11771
9203575	LOPEZ RESIDENCE	8 GREENWAY DRIVE	UNKNOWN
8400806	RAPPIN RESIDENCE	60 AMP AVENUE	11771
0500122	UNK GAS STATION	1 BARTER LANE	UNKNOWN
0207090	COMMANDER OYSTER BAY LOAD	1 COMMANDER SQUARE	11771
0202597	COMMANDER OIL	1 COMMANDER SQUARE	11771
0111257	COMMANDER OIL	1 COMMANDER SQUARE	11771
9913055	LIPMAN USA	50 GORDON DRIVE	11791
9803067		SOUTH WOODS ROAD	11791
9603605	INDUSTRIAL PARK	WEST OF SOUTH OYSTER BAY	UNKNOWN
9504213	RESIDENCE	OAK ST & INDUSTRIAL	11791
9500714	UNK	50 GURSON DRIVE	11791
9309171	LILCO	14 WARREN ST	11791
9306556		WINDMERE AVE	11791
9301373	HARBOUR RIDGE	10 ALDINE DRIVE	11791
9211661	KALRA RESIDENCE	1706 NORTHERN BLVD	11791
912768	UNK	62 COLONIAL DRIVE	11791
9107753	MICHAEL VARONE	BRUSHHOLLOW ROAD	11791
9103256	GREGORY TELLONE	PARKING LOT AT UNDERHILL	UNKNOWN
9009719	PAT M ACH	SOUTH WOODS ROAD	UNKNOWN
8902267	HUB TRUCK RENTAL	SOUTHWOODS RD & DRAW BRID	11791
8702459	OYSTER BAY DPW	WHITE OAK TREE ROAD	11791
8604290	RESIDENCE	23 SEARINGTOWN ROAD	11791
0111606	RESIDENCE	25 COVES RUN	11791
9410779	EXXON STATION #38673	1734 RIVERA LANE	UNKNOWN
9512532	MELTZER RESIDENCE	ROUTE 25A	UNKNOWN
9402919	REMSEN ESTATES	LAUREL WOODS DRIVE	11771
9109034	KING KULLEN	REMSENS LANE	UNKNOWN
9314463		WANTAGH AVENUE	UNKNOWN
8806544		SEAFORD OYSTER BAY EXPWY	UNKNOWN
	Petroleum Bulk Storage Facilities		
	FACILITY ID	STREET	CITY
GS5500038	INACTIVE - BENEDETTO, J	MOORES HILL ROAD	LAUREL HOLLOW
GS5500047	INACTIVE - SINOWITZ	TIMBER RIDGE DR	LAUREL HOLLOW
GS5800025	NORTHVILLE	NORTH HEMPSTEAD TPK	LAUREL HOLLOW
GS5800071	MEMORIAL CEMETERY OF ST	NORTHERN BLVD	LAUREL HOLLOW
LG5500229	KEAN DEVELOPMENT CO	LOT B-1 TREVOR CT	LAUREL HOLLOW
LG5800445	NORTHVILLE INDUSTRIES C	NORTHERN BLVD	LAUREL HOLLOW
GS5800042	UNDERHILL, ARTHUR	WILLIS LA	MUTTONTOWN
GS5800100	JERICHO W.D. WELL # 25	KIRBY LA	MUTTONTOWN
001130	OYSTER BAY W.D. PLANT 2	OYSTER BAY COVE ROAD	OYSTER BAY

056735 TOB-M. L. KING PROJECTS
 G55100048 PLANTING FIELDS ARBRET
 G55500004 INACTIVE
 G55500043 SCHWAB, H.
 G55800062 OYSTER BAY COVE VILL P
 LG5500206 SCHWAB, H.
 LG5500301 DEMING, JAMIE
 LG5800462 ORTHODOX CHURCH IN AMER
 053073 JERICHO W.D. WELLS 25
 LG5100059 HALLMAN, ERIC
 LG5100238 SEROTA, CHARLES
 LG5800547 BARKOFF, BARRY

Hazardous Waste Generation or Transport Facilities
 FACILITY NAME
 NYP000145100 BUSH INDUSTRIES
 NYR000070854 BIRMINGHAM ESTATES
 NYD005801345 EXXON COMPANY U S A 37374
 NYP000907642 JERICHO WATER DISTRICT
 NYP000932590 PATHMARK STORES INC
 NYP000879568 NYSDEC
 NYR000924225 NYSDOT
 NYP000937169 BELL ATLANTIC-NY
 NYD981180607 SUN REFINING & MARKETING CO
 NYD013016373 OYSTER BAY GARAGE INC
 NYP000944751 PETROLEUM HEAT & POWER CO
 NYP000920173 NYNEX

Wastewater Discharges
 FACILITY NAME
 NYR082020 FACILITY ID
 NY0227030 LIRR - OYSTER BAY YARD

Air Releases
 FACILITY ID
 3605912225 FACILITY NAME
 3605900149 FAA-ILS/MM-22L-JFK

Civil & Admin. Enforcement Docket Sites
 FACILITY NAME
 NYD986986495 SYOSSET LANDFILL
 NYD986981850 EMPIRE CONTROL ABATEMENT
 NYD986987097 A 1 FUEL CO OR NOBEK FUEL CO

LEXINGTON-ORCHRD-GLEN COVE
 PLANTING FIELDS ROAD
 67 MAIN ST
 34 NORTHERN BLVD
 NORTHERN BLVD
 OYSTER BAY COVE ROAD
 84 OYSTER BAY COVE ROAD
 675 NORTHERN BLVD
 KIRBY LANE
 REMSENS LA
 6 BEL AIR CT
 161 YUKON DR

STREET
 20 SCHOOL HOUSE RD
 1200 SMITH STREET RM 31100
 PUMP HOUSE 4
 NASSAU COUNTY
 N/S
 NE/LINDEN STS
 WATERMILL RD
 PO BOX 60
 COMMANDER OIL TERM-RT106 107
 W SIDE OF OYSTER BAY RD

STREET
 1 RAIL ROAD PLAZA

STREET
 BROOKVILLE BLVD.

STREET
 ONE SPRUCE ST
 NOT AVAILABLE

OYSTER BAY 11771
 OYSTER BAY 11771
 OYSTER BAY 11771
 OYSTER BAY COVE UNKNOWN
 OYSTER BAY COVE 11771
 OYSTER BAY COVE 11771
 OYSTER BAY COVE 11771
 OYSTER BAY COVE 11791
 SYOSSET UNKNOWN
 UPPER BROOKVILLE UNKNOWN
 UPPER BROOKVILLE 11791
 WOODBURY

CITY
 EAST NORWICH UNKNOWN
 HOUSTON UNKNOWN
 JERICHO UNKNOWN
 MUNSEY UNKNOWN
 N/S UNKNOWN
 N/S UNKNOWN
 NY UNKNOWN
 NEOLA UNKNOWN
 NEW YORK 11771
 OYSTER BAY UNKNOWN
 OYSTER BAY UNKNOWN
 SYOSSET 11791

CITY
 OYSTER BAY

CITY
 BROOKVILLE

CITY
 OYSTER BAY 11771
 SYOSSET 11791
 UNKNOWN UNKNOWN

Hazardous waste codes presented in individual Toxic Information Profiles are defined below.

Source: U. S. Environmental Protection Agency

Information Source Guide

Toxics Targeting's Computerized Environmental Reports contain government information compiled from 17 categories of reported known or potential toxic sites. Each toxic site database is described below with information detailing a) the source of the information, b) the date when each database is covered to and c) when *Toxics Targeting* obtained the information.

1) **Inactive Hazardous Waste Disposal Site Registry**: New York State database that maintains information and aids decision making regarding the investigation and cleanup of toxic sites. The Registry's data includes two-page profiles noting site name, ID number, description, classification, cleanup status, types of cleanup, owner information, types and quantities of contaminants, and assessment of health and environmental problems. ASTM required * Fannie Mae required **
Source: New York State Department of Environmental Conservation ²
Profile data updated through: 8/20/2004 Data obtained by Toxics Targeting: 08/23/2004
New Facilities updated to: 8/20/2004 Data obtained by Toxics Targeting: 08/23/2004

2) **CERCLIS**: Toxic sites listed in the Federal Comprehensive Environmental Response, Compensation and Liability Information System. NPL sites are also included in CERCLIS. ASTM required * Fannie Mae required **
Source: U. S. Environmental Protection Agency ¹
Profile data updated through: 07/14/2004 Data obtained by Toxics Targeting: 08/06/2004
New Facilities updated through: 07/14/2004 Data obtained by Toxics Targeting: 08/06/2004

3) **National Priority List for Federal Superfund Cleanup**: Toxic sites nominated for cleanup under the Federal Superfund program. Annual compilation of special two-page detailed profiles of NPL sites. ASTM required * Fannie Mae required **
Source: U. S. Environmental Protection Agency ¹
Profile data updated through: 07/27/2004 Data obtained by Toxics Targeting: 07/28/2004
New Facilities updated through: 07/27/2004 Data obtained by Toxics Targeting: 07/28/2004

4) **Hazardous Substance Waste Disposal Site Study**: NYS database of waste disposal sites that may pose threats to public health or the environment, but cannot be remediated using monies from the Hazardous Waste Remedial Fund.
Source: New York State Department of Environmental Conservation ²
Data updated to: 5/16/2000 Data obtained by Toxics Targeting: 5/16/2000

5) **Brownfield Cleanup Sites**: NYS database of sites that are abandoned, idled or under-used industrial and/or commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination.
Source: New York State Department of Environmental Conservation ²
Data updated to: 1/21/2005 Data obtained by Toxics Targeting: 2/28/2005

6) **Solid Waste Facilities**: NYS database of solid waste facilities, including, but not limited to, landfills, incinerators, transfer stations, recycling centers. ASTM required * Fannie Mae required **
Source: New York State Department of Environmental Conservation ²
Data updated to: 12/31/2001 Data obtained by Toxics Targeting: 3/16/2002

Also includes a listing of solid waste disposal sites operated by New York City municipal authorities circa 1934.
Source: City of New York Dept. of Sanitation (1984) The Waste Disposal Problem in New York City: A Proposal For Action

7) **Major Oil Storage Facilities**: NYS database of facilities licensed pursuant to Article 12 of the Navigation Law, 6NYCRR Parts 610 and 17NYCRR Part 30, such as onshore facilities or vessels, with petroleum storage capacities equal to or greater than four hundred thousand gallons. Data withheld by NYSDEC as of 4/1/2002. Fannie Mae required **
Source: New York State Department of Environmental Conservation ²
New facilities updated through: 1/1/2002. New facilities data obtained by Toxics Targeting: 1/11/2002
Tank data updated through: 1/1/2002. Tank data obtained by Toxics Targeting: 1/11/2002

8) **RCRA Hazardous Waste Treatment, Storage or Disposal Facility Databases:**
(a) **Manifest Information**: New York State database of hazardous waste facilities and shipments regulated by the DEC's Bureau of Hazardous Waste Facility Compliance pursuant to New York State Law and the Resource Conservation and Recovery Act (RCRA). ASTM required * Fannie Mae required **
Source: New York State Department of Environmental Conservation ²
New facilities updated through: 6/14/2004 New facilities obtained by Toxics Targeting: 6/21/2004
Manifest transactions data updated to: 6/14/2004 Manifest transactions data obtained by Toxics Targeting: 6/21/2004

(b) **RCRA Notifier, Violations, and Corrective Action Activity (CORRACTS) Information:** U S Environmental Protection Agency database of hazardous facilities regulated pursuant to the Resource Conservation and Recovery Act (RCRA) ASTM required * Fannie Mae required **
Source: U S Environmental Protection Agency¹
New facilities updated through: 6/15/2004
Data attributes updated through: 6/15/2004
New facilities obtained by Toxics Targeting: 6/21/2004
Data obtained by Toxics Targeting: 6/21/2004

9) **Spills Information Database:** Spills reported to the DEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from Petroleum Bulk Storage Regulations) or 6 NYCRR Section 595.2 (from Chemical Bulk Storage Regulations) The database includes *active* and *closed* spills reported on or before 11/08/2005
Data updated on a rolling basis ASTM required * Fannie Mae **
Source: NYS Department of Environmental Conservation²

Spill attribute data through: 11/08/2005

New spills through: 11/08/2005

Active spills: paperwork not completed.

Closed spills: paperwork completed

Both active and closed spills may or may not have been cleaned up (see Date Cleanup Ceased in spill profiles)

10) **Petroleum Bulk Storage Facilities:** Local and State databases of aboveground and underground petroleum storage facilities with a combined storage capacity over 1,100 gallons ASTM required * Fannie Mae required **

All New York Counties except Cortland, Nassau, Rockland, and Suffolk:

Source: NYS Department of Environmental Conservation²

Update schedule: rolling basis; Data has been withheld by the NYSDEC since 4/1/2002

Facility data updated through: 1/1/2002 (10/1/98 for Westchester Co)

Facility data obtained by Toxics Targeting: 1/11/2002

Tank data updated through: 1/1/2002 (10/1/98 for Westchester Co)

Tank data obtained by Toxics Targeting: 1/11/2002

Nassau County:

Heat producing products and other products with less than 1,000 gallons storage capacity:

Source: Nassau County Department of Health³ Data update schedule: rolling basis

Data updated through: 04/1/2001

Data obtained by Toxics Targeting: 01/02/2002

Generally non-heat producing products with more than 1,000 gallons storage capacity:

Source: Nassau County Fire Marshall⁴ Data update schedule: rolling basis with annual update

Data updated through: 9/27/1996 for mapped sites; 03/21/2000 for on-site checks.

Rockland County:

Source: Rockland County Department of Health⁵ Data update schedule: rolling basis

Data updated through: 04/13/2004

Data obtained by Toxics Targeting: 04/16/2004

Suffolk County:

Source: Suffolk County Department of Health Services⁶ Data update schedule: annual update

Data updated through: 1/12/1999

Data obtained by Toxics Targeting: 2/26/1999

11) **RCRA Hazardous Waste Generators and/or Transporters Databases:**

(a) **Manifest Information:** New York State database of hazardous waste facilities and shipments regulated by the New York State Department of Environmental Conservation's Bureau of Hazardous Waste Facility Compliance pursuant to New York State Law ASTM required * Fannie Mae required **

Source: New York State Department of Environmental Conservation²

New facilities updated through: 6/14/2004

New facilities obtained by Toxics Targeting: 6/21/2004

Manifest transactions data updated to: 6/14/2004 Manifest transactions data obtained by Toxics Targeting: 6/21/2004

(b) **RCRA Notifier, Violations, and Corrective Action Activity (CORRACTS) Information:** U S Environmental Protection Agency database of hazardous facilities regulated pursuant to the Resource Conservation and Recovery Act (RCRA) ASTM required * Fannie Mae required **

Source: U S Environmental Protection Agency¹

New facilities updated through: 6/15/2004

New facilities obtained by Toxics Targeting: 6/21/2004

Data attributes updated through: 6/15/2004

Data obtained by Toxics Targeting: 6/21/2004

12) **Chemical Bulk Storage Facilities:** New York State database of facilities compiled pursuant to 6NYCRR Part 596 that store regulated substances listed in 6NYCRR Part 597 in aboveground tanks with capacities greater than 185 gallons and/or in underground tanks of any size Data withheld by NYSDEC as of 4/1/2002 ASTM required * Fannie Mae required **
Source: New York State Department of Environmental Conservation²
Data updated through: 1/1/2002
Data obtained by Toxics Targeting: 1/11/2002

13) **Toxic Release Inventory**: Federal database of manufacturing facilities required under Section 313 of the Federal Emergency Planning and Community Right-to-Know Act to report releases to the air, water and land of any specifically listed toxic chemical See Fannie Mae requirement** below
Source: U S Environmental Protection Agency¹ / NYS Department of Environmental Conservation²
Data updated through: 3/8/2004 Data obtained by Toxics Targeting: 3/25/2004

14) **Air Discharge Facilities**: EPA AIRS database containing address information on each air emission facility and the type of air pollutant emission it is Compliance information is also provided on each pollutant as well as the facility itself
See Fannie Mae requirement** below Source: U S Environmental Protection Agency¹
Data updated through: 11/24/1999 Data obtained by Toxics Targeting: 1/06/2000

15) **Toxic Wastewater Discharges (Permit Compliance System)**: Federal database of discharges of wastewater to surface waters and groundwaters See Fannie Mae requirement** below
Source: U S Environmental Protection Agency¹
Data updated through: 6/17/2004 Data obtained by Toxics Targeting: 7/19/2004

16) **Civil Enforcement & Administrative Docket**: This database is the U S EPA's system for tracking administrative and civil judiciary cases filed on behalf of the agency by the Department of Justice Fannie Mae required.**
Source: U S Environmental Protection Agency¹
New Sites through: 10/14/1999
Data updated through: 10/14/1999 Data obtained by Toxics Targeting: 11/18/1999

17) **Emergency Response Notification System (ERNS)**: Federal database of spills compiled by the Emergency Response Notification System. On-site searches only ASTM required * See Fannie Mae requirement** below
Source: U S Environmental Protection Agency¹
Data updated through: 1/31/2000 Data obtained by Toxics Targeting: 2/15/2000

*American Society of Testing Materials Standards on Environmental Site Assessments for Commercial Real Estate (E 1527-93, E 1528-93)

** Fannie Mae's Part X Environmental Hazards Management Procedures specify 1 0 mile searches for "any state or Federal list of hazardous waste sites (e g CERCLIS, HWDMS etc) " Searches for the property and adjacent properties are specified for "chemical manufacturing plants," "obvious high risk neighbors engaging in storing or transporting hazardous waste, chemicals or substances" and " .. any documented or visible evidence of dangerous waste handling . (e g stressed vegetation, stained soil, open or leaking containers, foul fumes or smells, oily ponds, etc " Searches for property and adjacent properties can include sites up to a quarter mile away (W Hayward, Director, Multi-Family Business Planning and Control, Fannie Mae, personal communication, 5/94)

¹U S Environmental Protection Agency, 290 Broadway, NY, NY 10007-1866

²NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233

³Nassau County Department of Health, Bureau of Land Resources Management, 240 Old Country Road, Mineola, NY 11501

⁴Nassau County Fire Commission, Office of the Fire Marshall, 899 Jerusalem Avenue, P O Box 128, Uniondale, NY 11553

⁵Rockland County Department of Health, The Dr Robert Yeager Health Center, Building D, Sanitorium Road, Pomona, NY 10970

⁶Suffolk County Department of Health, Hazardous Materials Management, 15 Horseblock Place, Farmingville, NY 11738-1220

Appendix 5
Aerial Photographs



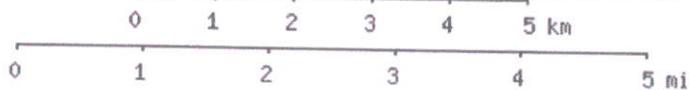
Cold Spr



Image © 2006 New York GIS

© 2006
Google

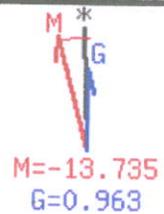
Appendix 6
Topographic Maps

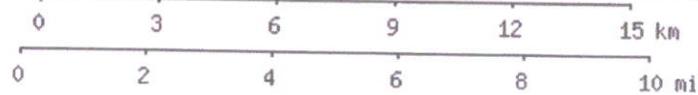


Map center is UTM 18 624017E 4524209N (WGS84/NAD83)

Hicksville quadrangle

Projection is UTM Zone 18 NAD83 Datum





Map center is UTM 18 624017E 4524209N (WGS84/NAD83)
Hicksville quadrangle
 Projection is UTM Zone 18 NAD83 Datum

M*
 G
 M=-13.735
 G=0.963

Appendix 7

Freedom of Information Requests

THOMAS S. GULOTTA
COUNTY EXECUTIVE

DAVID M. BARTOW
FIRE MARSHAL



NASSAU COUNTY FIRE COMMISSION
OFFICE OF FIRE MARSHAL
899 JERUSALEM AVENUE
P.O. BOX 128
UNIONDALE, NEW YORK 11553-0128
516-572-1000

APPLICATION FOR PUBLIC ACCESS TO RECORDS

TO: Records Access Officer

DATE: 2/20/06

I hereby apply to inspect the following record: (Exact address including Number & Street)

Redcote Farms (pulling property) Section 27, Block L, Lot 229
oil tanks and propane tanks

Reason for inspection: (Be specific)

Due diligence for Phase I Environmental Site Assessment

Fritzi Gros-Daillon
Name (Please Print)

Pending Litigation YES NO

Fritzi Gros-Daillon
Signature

Anson Environmental Ltd
Person or Firm your office represents

Anson Environmental Ltd.
Representing (Business Name)

Mailing Address: 771 NY Ave
Phone No.: (516) 351-3555

Address
Huntington, NY 11743

FOR FIRE MARSHAL USE ONLY

- Approved
- Denied for reason(s) checked
- Confidential Disclosure - Part of Investigatory Files
- Unwarranted Invasion of Personal Privacy

- Record of which this Agency is Legal Custodian. cannot be found
- Record is not Maintained by this Agency
- Exempted by Statute other than Freedom of Information Act
- Other _____

Signature

Title

Date

NOTICE: You have a right to appeal denial of this application to the head of this agency.

Fire Marshal _____, 899 Jerusalem Avenue, PO Box 128, Uniondale, NY 11553, who must fully explain his reasons for such denial in writing within seven days of receipt of an appeal.

I hereby Appeal: _____
Signature

_____ Date

**APPLICATION FOR PUBLIC ACCESS TO ENVIRONMENTAL HEALTH RECORDS
NASSAU COUNTY DEPARTMENT OF HEALTH**

TO: Records Access Officer
Nassau County Department of Health
240 Old Country Road
Mineola, New York 11501

Date of Request: 2-20-06

Fax: (516) 571-1475, 571-3369

I Fritz Cross-Dillon
Print your name

Fritz Cross-Dillon
Signature

REPRESENTING Firm Anson Environmental Ltd.

Client Redick Farms, Ltd.

Your Mailing Address 771 New York Avenue Huntington NY 11743

Phone Number 631 351 3555

Fax Number 631 351 3615

HEREBY APPLY TO INSPECT RECORDS FOR THE FOLLOWING ESTABLISHMENT:
Complete One Application For Each Establishment

Name Redick Farm

Previous Name _____

Address Oyster Bay Cove Road, Oyster Bay Cove
No., Street, Community

(We cannot identify parcels by their Section/Block/Lot)

Is the Establishment still in business? Yes X or No _____

If no, enter year closed _____ (This is necessary to retrieve the file)

REASON FOR REQUEST: phase 1 due diligence

PLEASE CHECK THE BUREAUS WHOSE FILES YOU REQUEST TO BE SEARCHED:

Note: Requests for Lead Files MUST use separate Lead FOIL Form available from Records Access Officer

- Bureau of Environmental Protection has files concerning: Drinking Water; Private Wells; Ground Water Quality; Backflow Prevention Devices; Bottled Water; Realty Subdivision; Private Sewage Disposal; Sewer Extensions, Sewer Connections, Underground Injection Control; Petroleum & Chemical Tanks & Bulk Storage, including Spills and Leaks; Medical Wastes; Solid Wastes; Air Emission Permits; Road Salt Storage;
- Bureau of Environmental Investigation has files concerning: Environmental Investigations and Complaints including Odors; Asbestos; Tobacco Smoking; Housing; Rodent Control; Heat; General Nuisance; Animal Bites.
- Bureau of Environmental Sanitation has files concerning: Food Protection; Summer Camps; Temporary Residences; Bathing Facilities; Radiological Health; West Nile Virus and Mosquito Control.

FOR HEALTH DEPARTMENT USE ONLY BELOW THIS LINE

Signature	Date	<input type="checkbox"/> Approved
		<input type="checkbox"/> Denied

East End Environmental Services

P.O. Box 234
Mastic, NY 11950
631-744-3400

Date of Job: March 17, 2006

Contractor: East End Environmental Services

Phone Number: 631-744-3400

Name of Property Owner: Redcote Farm, Ltd.

Address: 511 Cove Road, Oyster Bay Cove, NY 11771

Section: 27, Block: L, Lot: 229

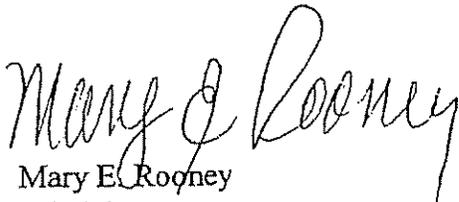
Telephone: 631-367-9696

Existing Tank Information:

Tank Size: ___275___ __X__ 550 ___ 1,000

Fill Material: N/A RCA N/A Concrete N/A Approved Foam

The above formentioned tank was properly removed in accordance with Nassau County Article 12 Tank Closure Program.



Mary E. Rooney
Administrator

Nassau County Department of Health Tank Abandonment/Removal* Notification Form

Date of Job** 03/17/06

**All notifications must be received by NCDH 7 days prior to the date of the job accompanied by a fee of \$150.00 per tank over 1,100 gallons and \$35.00 per tank 1,100 gallons or less abandoned in place or \$60.00 per tank 1,100 gallons or less removed.

Contractor EAST END ENV. SVCS.

Phone # 631-744-3400

Facility ID# _____

Facility Name: Redcote Farm LTD.

Address 511 Cove Road SECTION 27, Block L, LOT: 229

Village Oyster Bay Cove Telephone 631-367-9696

Existing Tank Information:

Tank Size: 550 R Tank Contents: #2 Fuel oil

Abandonment Removal

Monitoring: Well Borings Tested on 1/1

DEC Spill# (if applicable) N/A

Other _____
(explain)

New Installations:

Tank Size _____ Flats Approved _____

Location:

Above ground on pad/containment

Below ground N/A

Indoors

Conversion to gas

*All removals/abandonments, installations etc must be done in accordance with Article XI of the Nassau County Public Health Ordinance. This form is to be used for the abandonment of a fuel oil tank of more than 1,100 gallon capacity, the abandonment of any size non-fuel oil tank or the removal of any tank including fuel oil tanks of 1,100 gallon capacity or less.

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Roll Year	2007-2008	Liber & Page (Deed#)	7452-226
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	210.01	Land Category	Residential
Item Number	67	Land Title	One Family Year-Round Residence
NYS School Code	282406	Land Description	A One Family Dwelling Constructed To Accommodate Year-Round Occupancy, I.E., Adeq Insulation, Heating, Etc. Includes Duplex Type One Halfownership And Row Type Indivk Owned. Note: If Not Constructed To Accommodate Year-Round Occupancy, See Propert
NYS SWIS Code	282419		260.
Lot Grouping			
View Property Record Cards 1938-1985			

Tax Year	2008	Total Living Area	4533
Card/Bldg	1	Total Rooms	11
School District	OYSTER BAY	Full Bathrooms	4
Acres	9.07	Half Bathrooms	1
Lot Square Footage	395089	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fctures	1
Location		Attic	FUL
Lot Frontage		Basement Area	
Lot Depth		Basement	FULL
Living Units	1	Basement Garage	
Style	COLONIAL	Attached Garage	Yes
Story Height	2	Detached Garage	No
CDU	VERY GOOD	Pool	No
Grade	A+	Fuel	OIL
Condition	GOOD	Heat/AC	A/CON
Exterior Walls	FRAME		
Year Built	1960		
Year Remodeled	1970		

Addition and Out-Building Structures			
Line	Area	Code	Description
1	54	12	FFP ENCL FRAME PORCH
1	1	TC1	TENNIS CRT
2	500	10	1s FR FRAME
3	160	32	CANPY CANOPY
4	1199	13	FR GR FRAME GARAGE
5	40	11	OFF OPEN FRAME PORCH
6	280	10	1s FR FRAME
7	297	10	1s FR FRAME
8	22	10	1s FR FRAME
10	168	34	ST_PT STONE OR TILE PATIO

217 OYSTER BAY 1/2

ASSESSMENT SUMMARY	
LAND	9377
BLOGS	16603
TOTAL	26000
LAND	9528
BLOGS	16603
TOTAL	26150
LAND	9528
BLOGS	21150
TOTAL	31150
LAND	9528
BLOGS	24144
TOTAL	33650

ADDRESS	CARD NO.	REMARKS
YELLOW COVE RD.	777	
LOTS 217		APPORTIONED 1966
JAN 28 '68 CO# 64582		162
1051 WINNISTERS		
3470 SKECHING MEASUREMENTS TRANSFERRED FROM		
CARD 1/2 TO 1/2 PERCENT ANNO. M.D.L. SET REPORT		
IN FILES 4/12/68		

9 528. 33,650. OC 520
 P P SANDS CO-64582
 SEC 27 BLK L EV3 1770
 LOT 217

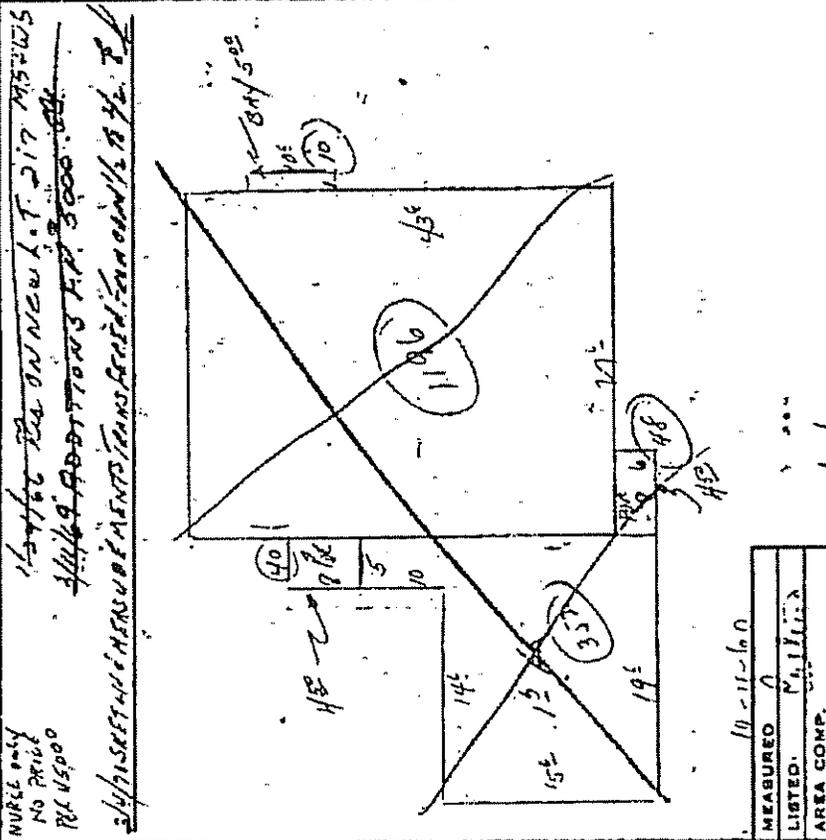
9 528. 31,150. OC 520
 P P SANDS CO-64582
 SEC 27 BLK L EV3 1369
 LOT 217

SECTION	BLK.	LOT	ADDRESS	CARD NO.	REMARKS
27	L	217	YELLOW COVE RD.	777	

LAND VALUE COMPUTATIONS											
NO UTILITIES	LOW	HIGH	FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT FT. PRICE	COR. INFL.	TOTAL	% DEPR.	VALUE
NO SEWER			9.074	32	1500	100	13611		13611	-30%	9528
NO WATER											
NO GAS											
NO ELECTRICITY											
NO STREET											
DIRT STREET											
SEMI-IMPROVED ST.											
NO SIDEWALK											

2508 27 50

OCCUPANCY	CONSTRUCTION	SIZE	GRADE	AGE	REMODL/COND	PRY. DEP. FUNCT. DEF	REPL. VALUE	PHYSICAL VALUE	SOUND VALUE
R-15	2 1/2 Story	10x120	A-1	140	B	3	16436	15943	
TENNIS COURT - CLAY & FENCE 10x120			B	7	F	50	1330	660	
TOTAL									
FOUNDATION CONCRETE WALLS <input checked="" type="checkbox"/> ATTIC FL. & STAIRS <input checked="" type="checkbox"/> CEMENT BLK. WALLS <input checked="" type="checkbox"/> FIN. ATTIC AREA FULL <input checked="" type="checkbox"/> BRICK WALLS <input checked="" type="checkbox"/> FIN. BSMT. AREA NA <input checked="" type="checkbox"/> STONE WALLS <input checked="" type="checkbox"/> RECREATION RM. BSMT. <input checked="" type="checkbox"/> PIERS <input checked="" type="checkbox"/> GARAGE IN BSMT. <input checked="" type="checkbox"/>									
BASEMENT AREA 1st 2nd 3rd EXTERIOR WALLS 1st 2nd 3rd CLAPBOARDS COLONIAL SIDING SINGLE SIDING WOOD SHINGLES 1 COMPO. SHINGLES STUCCO ON FRAME STUCCO ON TILE OR C.B. 1 FACE BRICK VENEER FACE BR. ON TILE OR C.B. 4 COM. BRICK VENEER SOLID COM. BRICK STONE VENEER SOLID STONE									
ROOFING ROOF INSULATION BLANKET INSULATION ROOF TYPE HIP GABLE MANARD GAMBREL ASPHALT SHINGLE WOOD SHINGLE ASBESTOS SHINGLE SLATE - STD. WT. SLATE - HEAVY TILE METAL									
HEATING STEAM HOT WATER VAPOR AIR COND.									
FIREPLACES FIREPLACE STACKS FIREPLACES ARTIFICIAL FIREPLACE INCINERATOR									
LIGHTING NO ELECTRIC LYG. GAS LIGHTING PRIVATE LYG. SYST.									
WATER ONLY NO PLUMBING									
MEASURED 0 LISTED 0 AREA COMP. PRICED R-15 B R-10 2000 DK PLUMBING BATHROOMS STALL SHOWER BATH ROOM STALL SHOWER EXTRA TOILET ROOMS WATER CLOSET EXTRA LAVATORY EXTRA SINK EXTRA FIREPLACES FIREPLACE STACKS FIREPLACES ARTIFICIAL FIREPLACE INCINERATOR									
TOTAL COST FACTOR REPLACEMENT VALUE WALL FOUNDATION PIER FOUNDATION SINGLE WALL SDG. DOUBLE WALL SDG. SHINGLE WALLS STUCCO ON CEMENT BLOCK BRICK UNIT PRICE #1									
BUILDING COMPUTATION 1196 S.F. 9890 352 S.F. 1510 48 S.F. 400 40 S.F. 450 10 S.F. 500 S.F. S.F. S.F. BSMT. AREA WALLS ROOF FLOORS FLOORS ATTIC FIN 1270 INT. FIN. HEATING 320 FIREPLACES 740 PLUMBING 1380 TILING 300 15653 743 16436									



10-11-60

R-15 B R-10 2000 DK

PLUMBING

TILING

BATH FLOOR & WAINSCOT

BATH FLOOR & WALLS

BATH FLOOR ONLY

TOILET RM. FL. & WAINS.

TOILET RM. FL. & WALLS

TOILET RM. FL. ONLY

KITCHEN WAINSCOT

LOCATION

GOOD FAIR POOR

INCOME

UNIT PRICE #1



[Department Home](#) [Property Search](#) [Map](#)

Section	27	Block	L	Lot	218	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	33 Yellowcote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
	Enlarge photos					View Area Maps					View Tax Map

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	7455-235
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	250.01	Land Category	Residential
Item Number	68	Land Title	Estates
NYS School Code	282406	Land Description	Luxurious Residence And Auxiliary Buildings Containing At Least 5 Acres Of Land.
NYS SWIS Code	282419		
Lot Grouping	View Property Record Cards 1938-1985		
Tax Year	2008	Total Living Area	4002
Card/Bldg	1	Total Rooms	13
School District	OYSTER BAY	Full Bathrooms	4
Acres	8.88	Half Bathrooms	1
Lot Square Footage	386813	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fixtures	0
Location		Attic	NONE
Lot Frontage		Basement Area	
Lot Depth		Basement	FULL
Living Units	1	Basement Garage	
Style	OLD STYLE	Attached Garage	No
Story Height	2	Detached Garage	No
CDU	GOOD	Pool	No
Grade	A-	Fuel	OIL
Condition	GOOD	Heat/AC	CNTRL
Exterior Walls	FRAME		
Year Built	1958		
Year Remodeled	1962		
Addition and Out-Building Structures			
Line	Area	Code	Description
1	50	11	OFF OPEN FRAME PORCH
1	96	RS1	FRAME SHED
2	935	10	1s FR FRAME
3	27	11	OFF OPEN FRAME PORCH

218

JAN 20 66

SECTION	DESCRIPTION	BLK.	LOT	ADDRESS	REMARKS	LAND	BLDGS.	TOTAL									
1	120,989.	202,900.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
2	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
3	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160

SECTION	DESCRIPTION	BLK.	LOT	ADDRESS	REMARKS	LAND	BLDGS.	TOTAL									
1	120,989.	202,900.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
2	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
3	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160

SECTION	DESCRIPTION	BLK.	LOT	ADDRESS	REMARKS	LAND	BLDGS.	TOTAL									
1	120,989.	202,900.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
2	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160
3	120,989.	194,700.	OC 520	1959 GONSTEN		120989	57776	171160	120989	57776	171160	120989	57776	171160	120989	57776	171160

ASSESSMENT RECORD NASSAU COUNTY, NEW YORK

18745

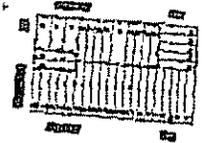
18183

OCCUPANCY		CONSTRUCTION		SIZE	GRADE	REMODL	COND	PHY. DEPT.	FUNCT. DEPT.	REPL. VALUE	PHYSICAL VALUE	SOUND VALUE
Dwelling		Y-Construction		145' x 60'	A-5	1968	G	31		110298	2589	
TOTAL												
4-1-58 - DWELLE/S-YELLOW. 074 RD APPROX 1500' NORTH-ROUTE 25-A-62-2000 10145 23500 145' x 60' HEDENPUSSEL P... 145' x 60' FROM 6500 OFFICE DWELL ON NEW LOT 218 N44W5. 218												
MEASURED 12/1/68 LISTED 1-0 AREA COMP. 1-0 PRICED R B B PLUMBING 12/1/68 TILING 12/1/68												
BATHROOMS 4 BATH FLOOR & WALLS STALL SHOWER BATH ROOM BATH FLOOR ONLY TOILET ROOMS TOILET RM. FL & WALLS TOILET RM. FL & WALLS IN TOILET RM. FL ONLY KITCHEN WAINSCOT NO LOCATION GOOD FAIR POOR												
TOTAL COST FACTOR REPLACEMENT VALUE												
OUTBUILDINGS CONC. FLOOR EARTH FLOOR SHINGLE ROOF ROLL ROOFING ELECTRIC LIGHTS FINISHED INT. UNIT PRICE #2												

27 L 218 E2139827 N228941



[Department Home](#) [Property Search](#) [Map](#)

Section	27	Block	L	Lot	220	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	33 Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
Enlarge photos			View Area Maps				View Tax Map				

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	250.01	Land Category	Residential
Item Number	69	Land Title	Estates
NYS School Code	282406	Land Description	
NYS SWIS Code	282419	Luxurious Residence And Auxiliary Buildings Containing At Least 5 Acres Of Land.	
Lot Grouping			

View Property Record Cards 1938-1985

Tax Year	2008	Total Living Area	5424
Card/Bldg	1	Total Rooms	20
School District	OYSTER BAY	Full Bathrooms	6
Acres	24.64	Half Bathrooms	2
Lot Square Footage	1073318	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fixtures	0
Location		Attic	UNF
Lot Frontage	24.3	Basement Area	
Lot Depth	0	Basement	1/2 PART BSMT
Living Units	1	Basement Garage	
Style	COLONIAL	Attached Garage	No
Story Height	2	Detached Garage	Yes
CDU	AVERAGE	Pool	No
Grade	B+	Fuel	OIL
Condition	AVERAGE	Heat/AC	CNTRL
Exterior Walls	FRAME		
Year Built	1880		
Year Remodeled	1931		

Addition and Out-Building Structures

Line	Area	Code	Description
1	130	32	CANPY CANOPY
2	775	10	1s FR FRAME
2	320	AB2	FLAT BARN
3	221	10	1s FR FRAME
3	140	PH2	PUMP HS
4	90	12	EFP ENCL FRAME PORCH
4	464	AD1	DAIRY BARN
5	250	33	MA_PT CONC/MAS PATIO
5	87	CP6	CANOPY
6	276	12	EFP ENCL FRAME PORCH
6	112	RS1	FRAME SHED
7	576	20	1SMAS MASONRY
7	176	RS1	FRAME SHED
8	336	RS1	FRAME SHED
9	1920	RG1	DET GARAGE

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ASSESSMENT SUMMARY		CARD NO.	REMARKS
LAND	25550	17	NEW MAP
BLDGS.	16145		MAR 10 1957
TOTAL	41700		

SECTION	BLK.	LOT	ADDRESS
27	L	220	66015
25	550	41,700	DC 520
29	41,700	41,700	OC 530
150	550	41,700	OC 530

LAND RECORD		LAND VALUE COMPUTATIONS						
FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT PT. PRICE	COR. INFL.	TOTAL	D DEPR.	VALUE
2433	acres @	1500	per acre			36500	-30%	25550

L. L. PULLING
 CO-66015
 PULLING CO-66015
 SEC 1507 BLDK L
 SEC 1520 BLDK L
 IR 618 84
 CLASS 250.11

OCCUPANCY	CONSTRUCTION	SIZE	GRADE	AGE	REMODEL/COND.	PHY. DEP.	PUNCT. DEP.	REPL. VALUE	PHYSICAL VALUE	SOUND VALUE
TOTAL										
FOUNDATION		ATTIC & BSMT. FIN.								
CONCRETE WALLS	ATTIC FL. & STAIRS									
CEMENT BLK. WALLS	FIN. ATTIC AREA									
BRICK WALLS	FIN. BSMT. AREA									
STONE WALLS	RECREATION RM. BSMT.									
PIERS	GARAGE IN BSMT.									
BASEMENT AREA		ROOMS								
X	X	BSMT.	1ST							
EXTERIOR WALLS		2ND	3RD							
CLAPBOARDS										
INTERIOR FINISH										
COLONIAL SIDING	1ST	2ND	3RD							
SINGLE SIDING	PIRE									
WOOD SHINGLES	SHARPLED									
COMPO. SHINGLES	CHESTNUT									
STUCCO OR FRAME	HARDWOOD									
STUCCO ON TILE OR C.B.	WALL BOARD									
FACE BRICK VENEER	HATCH BOARD									
FACE BR. ON TILE OR C.B.	URFIN. TRY									
COM BRICK VENEER										
COM BR. ON TILE OR C.B.										
SOLID COB. BRICK										
STONE VENEER										
SOLID STONE										
ROOFING										
ASPHALT SHINGLE	HOT AIR									
WOOD SHINGLE	PIPELESS									
ASBESTOS SHINGLE	NO HEATING SYST.									
SLATE - STD. WT.	OIL BURNER									
SLATE - HEAVY	COAL STOKER									
TILE	GAS BOILER									
METAL										
COMPOSITION										
FIREPLACES	FIREPLACES									
FIREPLACE STAGES	FIREPLACE STAGES									
FIREPLACES	ARTIFICIAL FIREPLACE									
ARTIFICIAL FIREPLACE	INCINERATOR									
INCINERATOR										
FLOORS										
CEMENT	CONC. FLOOR									
EARTH	EARTH FLOOR									
PINE	SHINGLE ROOF									
HARDWOOD	ROLL ROOFING									
SINGLE PL	ELECTRIC LIGHTS									
	FINISHED INT.									
	UNIT PRICE #/3									
HEATING										
STEAM										
HOT WATER										
VAPOR										
AIR COND.										
PLUMBING										
BATHROOMS	BATH FLOOR & WAINSCOT									
STALL SHOWER BATH ROOM	BATH FLOOR & WALLS									
STALL SHOWER EXTRA	BATH FLOOR ONLY									
TOILET ROOMS	TOILET RM. FL. & WAINS.									
WATER CLOSET EXTRA	TOILET RM. FL. & WALLS									
LAVATORY EXTRA	TOILET RM. FL. ONLY									
SINK EXTRA	KITCHEN WAINSCOT									
SEPTIC TANK OR CESSPOOL	LOCATION									
DRILLED WELL	GOOD	FAIR	POOR							
PRIVATE WATER BYST.	WATER ONLY									
GAS LIGHTING	NO PLUMBING									
PRIVATE LTC. SYST.										
ROOFING										
HEATING										
PLUMBING										
REPLACEMENT VALUE										
OUTBUILDINGS										
TOTAL										
COST FACTOR										
REPLACEMENT VALUE										
OUTBUILDINGS										
CONC. FLOOR										
EARTH FLOOR										
SHINGLE ROOF										
ROLL ROOFING										
ELECTRIC LIGHTS										
FINISHED INT.										
UNIT PRICE #/3										

PROPERTY DESCRIPTION	REMARKS	LAND	BLDGS.	TOTAL
R.C. Leffingwell Yellow Cote Rd. Oyster Bay, L.I.	1/5/228	116145		116145
Vol. 1 p. 47 9 O.B. Cove Inc.	1/19/59	185800		185800
N. Yellow Cote Rd. E. O.B. Cove Rd. & Lutz S. N.H. Tpke W. Yellow Cote Rd.	1/17/821	191507		191507
120,989. 170,900	NO CHANGE	177800		177800
9. L. 115.228 OC 520	1947 appa @ 120,983 - 170,920. Note - 1948 ASSESSMENT ADDED TO 113078 TOTAL REFERENCE LIES IN BLDG VALUE. HANDED ASSESSM. GNT BEING KEPT AT 170,900	115228		115228
OC LEFFINGWELL, RUSSELL C OC SEC 27-BLK L OC LOT 109	116:06	116065		116065

LAND RECORD	FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT FT. PRICE	COR. INFL.	TOTAL	% DEPR.	VALUE
LAND RECORD 1	116.065	116.065	116.065	22.00	255343		255343	35%	177507
	116.065	116.065	116.065	30%	177863		177863		177863
	115.228	115.228	115.228	3.02	120989		120989		120989

OCCUPANCY	CONSTRUCTION	SIZE	GRADE	AGE	REMODEL	COND.	PHY. DEP.	FUNCT. DEP.	REPL. VALUE	PHYSICAL VALUE	OUND VALUE
GARAGE + 9 PUMP HO EQUIP. - PUMP MOTOR + TANK	1st + 1/2 S BR + FR 1 1/2 S FR ATTIC & BSMT. FIN.	10' x 14'	B B	15	G F	20 50	75	44.1	5489 44.1	4391 220	4391 55
TOTAL											

FOUNDATION	BASMENT AREA	ROOMS	INTERIOR FINISH	ROOFING	ROOF TYPE	WANSARD	ROOFING	FLOORS	REPLACEMENT VALUE
CONCRETE WALLS CEMENT BLK. WALLS BRICK WALLS STONE WALLS PIERS	CONCRETE WALLS CEMENT BLK. WALLS BRICK WALLS STONE WALLS PIERS	BSMT. 2ND 3RD 1ST	PINE ENAMELED CHESTNUT HARDWOOD WALL BOARD MATCH BEAD JUNFIR. INT.	ASPHALT SHINGLE WOOD SHINGLE ASBESTOS SHINGLE SLATE - STD. WT. SLATE - HEAVY TILE METAL	SHIP GABLE FLAT	WANSARD GAMBREL	ASPHALT SHINGLE WOOD SHINGLE ASBESTOS SHINGLE SLATE - STD. WT. SLATE - HEAVY TILE METAL	CONC. FLOOR EARTH FLOOR SHINGLE ROOF ROLL ROOFING ELECTRIC LIGHTS FINISHED INT.	988 924

ROOFING	FLOORS	REPLACEMENT VALUE
ASPHALT SHINGLE WOOD SHINGLE ASBESTOS SHINGLE SLATE - STD. WT. SLATE - HEAVY TILE METAL	CONC. FLOOR EARTH FLOOR SHINGLE ROOF ROLL ROOFING ELECTRIC LIGHTS FINISHED INT.	5489

REPLACEMENT VALUE	OUTBUILDINGS	UNIT PRICE #1	UNIT PRICE #2
5489	WALL FOUNDATION PIER FOUNDATION SINGLE WALL SDG. DOUBLE WALL SDG. SHINGLE WALLS STUCCO ON CEMENT BLOCK BRICK	3.00	3.00

MEASURED	LIBTED	AREA COMP.	PRICED
BATHROOMS STALL SHOWER BATH ROOM STALL SHOWER EXTRA TOILET ROOMS WATER CLOSET EXTRA LAVATORY EXTRA SINK EXTRA	BATH FLOOR & WAINSCOT BATH FLOOR & WALLS BATH FLOOR ONLY TOILET RM. FL. & WAINS. TOILET RM. FL. ONLY	111	66057

PLUMBING	TILING
SEPTIC TANK OR CESSPOOL DRILLED WELL PRIVATE WATER SYST. WATER ONLY NO PLUMBING	LOCATION GOOD FAIR POOR INCOME

PLUMBING	TILING
NO HEATING SYST. OIL BURNER COAL STOKER GAS BOILER	BATH FLOOR & WAINSCOT BATH FLOOR & WALLS BATH FLOOR ONLY TOILET RM. FL. & WAINS. TOILET RM. FL. ONLY

FIREPLACES	FIREPLACES
ARTIFICIAL FIREPLACE INCINERATOR LIGHTING NO ELECTRIC LTG. GAS LIGHTING PRIVATE LTG. STAT.	FIREPLACE STACKS FIREPLACES ARTIFICIAL FIREPLACE INCINERATOR LIGHTING NO ELECTRIC LTG. GAS LIGHTING PRIVATE LTG. STAT.

FLOORS	FIREPLACES
CEMENT EARTH PINE HARDWOOD SINGLE FL.	FIREPLACE STACKS FIREPLACES ARTIFICIAL FIREPLACE INCINERATOR LIGHTING NO ELECTRIC LTG. GAS LIGHTING PRIVATE LTG. STAT.

REPLACEMENT VALUE	OUTBUILDINGS	UNIT PRICE #1	UNIT PRICE #2
5489	WALL FOUNDATION PIER FOUNDATION SINGLE WALL SDG. DOUBLE WALL SDG. SHINGLE WALLS STUCCO ON CEMENT BLOCK BRICK	3.00	3.00

21 1/2 S BR (9.24)
22 1/4 S FR (9.68)
44

219 1/2 S BR (9.24)
22 1/4 S FR (9.68)
44

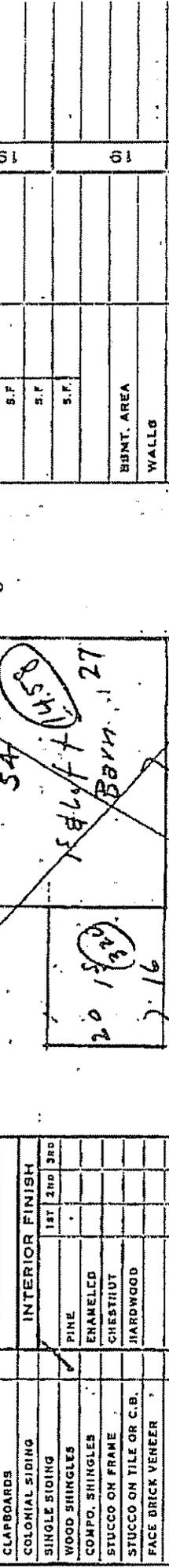
WATER SYSTEM OBSOLETE
66057

219 1/2 S BR (9.24)
22 1/4 S FR (9.68)
44

OCCUPANCY	CONSTRUCTION	SIZE	GRADE	REMOD'L	COND.	PHY. DEP.	FUNCT. DEP.	REPL. VALUE	PHYSICAL VALUE	ROUND VALUE
Barn	15' x 20' x 7'	B	B	F	F	4-0		323.1	1999	288
Tool & Wood Shed	13' x 7'	B	B	F	F	5-0		373	171	469

TOTAL

1/24/66 All 01019's
 ON NEW BLDG. 2.19' 15' 30"
 MS & WS
 2.24' 47" IN BLDG.
 OF NEW FOR 200
 74 - 7 P.



FOUNDATION	CONCRETE WALLS	✓	ATTIC & BSMT. FIN.	✓
CEMENT BLK. WALLS	FIN. ATTIC AREA		FIN. ATTIC AREA	
BRICK WALLS	FIN. BSMT. AREA		RECREATION RM. BSMT.	
STONE WALLS	GARAGE IN BSMT.			
PIERS				
BASEMENT AREA	ROOMS			
EXTERIOR WALLS	1ST 2ND 3RD			
CLAPBOARDS	INTERIOR FINISH			
COLONIAL SIDING	PINE			
SINGLE SIDING	ENAMELED			
WOOD SHINGLES	CHESTNUT			
COMPO. SHINGLES	HARDWOOD			
STUCCO ON FRAME	WALL BOARD			
STUCCO ON TILE OR C.B.	HATCH BEAD			
FACE BRICK VENEER	UNFIN. INT.			
'FACE BR. ON TILE OR C.D.				
COM. BRICK VENEER				
COM. BR. ON TILE OR C.B.				
SOLID CON. BRICK				
STONE VENEER				
SOLID STONE				
ROOF INSULATION	HEATING			
BLANKET INSULATION	STEAM			
ROOF TYPE	HOT WATER			
HIP	VAPOR			
GABLE	AIR COND.			
FLAT				
GAMBREL				
ROOFING				
ASPHALT SHINGLE	HOT AIR			
WOOD SHINGLE	PIPELESS			
ASBESTOS SHINGLE	NO HEATING SYST.			
SLATE - STD. WT.	OIL BURNER			
SLATE - HEAVY	COAL STOKER			
TILE	GAS BOILER			
METAL				
COMPOSITION	FIREPLACES			
	FIREPLACE STACKS			
	FIREPLACES			
	ARTIFICIAL FIREPLACE			
	INCINERATOR			
	LIGHTING			
	NO ELECTRIC LIG.			
	GAS LIGHTING			
	PRIVATE LIG. SYST.			

MEASURED	BATHROOMS	BATH FLOOR & WAINSCOT	TILING	TOTAL	66050
LIGHTED	STALL SHOWER	BATH FLOOR & WALLS		COST FACTOR	
AREA COMP.	STALL SHOWER EXTRA	BATH FLOOR ONLY		REPLACEMENT VALUE	
PRICED	TOILET ROOMS	TOILET RM. FL. & WAINS.		OUTBUILDINGS	
	WATER CLOSET EXTRA	TOILET RM. FL. & WALLS		WALL FOUNDATION	✓
	LAVATORY EXTRA	TOILET RM. FL. ONLY		PIER FOUNDATION	✓
	SINK EXTRA	KITCHEN WAINSCOT		SINGLE WALL SDG.	✓
	SEPTIC TANK OR CESSPOOL	LOCATION		DOUBLE WALL SDG.	✓
	DRILLED WELL	GOOD		SHINGLE WALLS	✓
	PRIVATE WATER SYST.	FAIR		STUCCO ON	✓
	WATER ONLY	INCOME		CEMENT BLOCK	✓
	NO PLUMBING			BRICK	✓
				CONC. FLOOR	✓
				EARTH FLOOR	✓
				SHINGLE ROOF	✓
				ROLL ROOFING	✓
				ELECTRIC LIGHTS	✓
				FINISHED INT.	✓
				UNIT PRICE #3	

SECTION 27 BLOCK 1 LOT 1-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

PROPERTY DESCRIPTION: [Large blank area with faint markings]

ADDRESS: [Large blank area]

REMARKS: [Large blank area]

CARD NO. 257

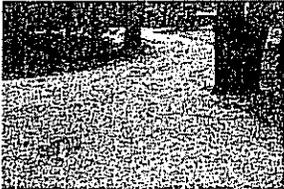
ASSESSMENT SUMMARY

LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	
LAND	
BLDGS.	
TOTAL	

LAND RECORD		LAND VALUE COMPUTATIONS								
NO UTILITIES	LOW	FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT FT. PRICE	COR. INFL.	TOTAL	\$ DEPR.	VALUE
NO BEWER	HIGH									
NO WATER	ROUGH									
NO GAS	ROCKY									
NO ELECTRICITY	SWAMPY									
	HILLSIDE									
NO STREET	WOODED									
DIRT STREET	BRUSH LAND									
SEMI IMPROVED ST.	TILLABLE									
NO SIDEWALK										



[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	222	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	33 Yellowcote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
	Enlarge photos					View Area Maps					View Tax Map

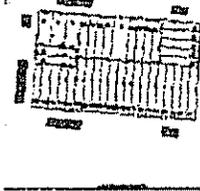
[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	
Property Dimensions	110 X 347 R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	692.04	Land Category	Community Services
Item Number	70	Land Title	Roads, Streets, Highways And Parkways, Express Or Otherw Adjoining Land
NYS School Code	282406	Land Description	
NYS SWIS Code	282419		
Lot Grouping	View Property Record Cards 1938-1985		

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[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	223	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	34 Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
Enlarge photos						View Area Maps				View Tax Map	

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	9010-374
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	250.01	Land Category	Residential
Item Number	71	Land Title	Estates
NYS School Code	282406	Land Description	
NYS SWIS Code	282419	Luxurious Residence And Auxiliary Buildings Containing At Least 5 Acres Of Land	
Lot Grouping	223		
View Property Record Cards 1938-1985			

Tax Year	2008	Total Living Area	6125
Card/Bldg	1	Total Rooms	14
School District	OYSTER BAY	Full Bathrooms	5
Acres	6.96	Half Bathrooms	0
Lot Square Footage	303178	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fixtures	0
Location		Attic	NONE
Lot Frontage		Basement Area	
Lot Depth		Basement	1/4 PART BSMT
Living Units	1	Basement Garage	
Style	OLD STYLE	Attached Garage	Yes
Story Height	1.5	Detached Garage	Yes
CDU	GOOD	Pool	No
Grade	B+	Fuel	OIL
Condition	GOOD	Heat/AC	CNTRL
Exterior Walls	FRAME		
Year Built	1900		
Year Remodeled	1975		

Addition and Out-Building Structures			
Line	Area	Code	Description
1	14	11	OFF OPEN FRAME PORCH
1	400	RG1	DET GARAGE
2	22	10	1s FR FRAME
3	16	10	1s FR FRAME
4	968	SP3	POOL CONC
5	252	10	1s FR FRAME
6	744	11	OFF OPEN FRAME PORCH
7	75	12	EFP ENCL FRAME PORCH
8	912	13	FR GR FRAME GARAGE
9	20	11	OFF OPEN FRAME PORCH

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JAN 20 1977

Arden Bay Cove

Yellow Cove Rd

PROPERTY DESCRIPTION		BLK.	LOT	ADDRESS	CARD NO.	REMARKS	ASSESSMENT SUMMARY		
7,317		L	223	75176	107		LAND	7317	
28,500							BLDGS.	17950	
7,317							TOTAL	25270	
28,500							LAND	7317	
7,317							BLDGS.	17950	
28,500							TOTAL	25270	

APPORTIONED 1877
 223
 3/15/85 CARD 3/5 REPRICE: PORCH 1964 AS ENCL.
 PORCH 14x19 1/2 - 2 1/2 x 7 + 2 3/4 ADD: PORCH 2 1/2 x 7
 2 1/2 x 3 1/2
 24x38 1/2
 PEN 7/20/84 IN

505 DC 1520
 5010 374 CO-75176
 CLASS NO. 11
 REASON CODE 05

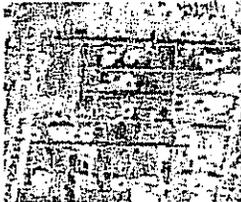
LAND RECORD		LAND VALUE COMPUTATIONS								
NO UTILITIES	LOW	FRONTAGE FIGURED	AVERAGE DEPTH	UNIT PRICE	UNIT PERCENT	FRONT FT. PRICE	COR. INFL.	TOTAL	% DEPR.	VALUE
NO SEWER	HIGH	6.96	4.00	1500	100	10454	-30	7317		
NO WATER	ROUGH									
NO GAS	ROCKY									
NO ELECTRICITY	SWAMPY									
NO STREET	HILLSIDE									
DIRT STREET	WOODED									
SEMI IMPROVED ST.	BRUSH									
NO SIDEWALK	TILLABLE									

ASSESSMENT RECORD NASSAU COUNTY, NEW YORK

OCCUPANCY		CONSTRUCTION		AGE	REMODL. COMD.	PRV. DEP. FUNCT. DEP.	REPL. VALUE	PHYSICAL VALUE	SOUND VALUE
Swimming Pool Concrete		Concrete		1982	6	3	1926	1878	
TOTAL									
<p>Pool Pump & Filter 22' x 44' x 6' place 968</p>									
<p>MEASURED LISTED AREA COMP. PRICED 1/17/83 3/16/83</p>									
<p>PLUMBING TILING BATHROOMS BATH FLOOR & WALLS STALL SHOWER BATH ROOM STALL SHOWER EXTRA TOILET ROOMS WATER CLOSET EXTRA LAVATORY EXTRA SINK EXTRA SEPTIC TANK OR CESSPOOL DRILLED WELL PRIVATE WATER SYST. WATER ONLY NO PLUMBING</p>									
<p>FIREPLACES FIREPLACE STACKS FIREPLACES ARTIFICIAL FIREPLACE INCINERATOR LIGHTING NO ELECTRIC LTG. GAS LIGHTING PRIVATE LTG. SYST.</p>									
<p>ROOFING ASPHALT SHINGLE WOOD SHINGLE NO HEATING SYST. OIL BURNER COAL STOKER GAS BOILER METAL</p>									
<p>ROOF TYPE STEAM HOT WATER VAPOR AIR COND.</p>									
<p>HEATING BLANKET INSULATION HOT WATER VAPOR AIR COND.</p>									
<p>INTERIOR FINISH PINE EMBELED CHESTNUT HARDWOOD WALL BOARD MATCH BEAD UNFIN. INT.</p>									
<p>ROOMS 1ST 2ND 3RD</p>									
<p>BASEMENT AREA BSMT. 2ND 3RD</p>									
<p>EXTERIOR WALLS COLONIAL SIDING SINGLE SIDING WOOD SHINGLES COMPO. SHINGLES STUCCO ON FRAME STUCCO ON TILE OR C.D. FACE BRICK VENEER FACE BR. ON TILE OR C.B. COM BRICK VENEER COM BR. ON TILE OR C.B. SOLID CON. BRICK STONE VENEER SOLID STONE</p>									
<p>FOUNDATION CONCRETE WALLS CEMENT BLK. WALLS BRICK WALLS STONE WALLS RECREATION RM. BSMT. GARAGE IN BSMT. PIERS</p>									
<p>ATTIC & BSMT. FIN. ATTIC FL. & STAIRS FIN. ATTIC AREA FIN. BSMT. AREA RECREATION RM. BSMT. GARAGE IN BSMT.</p>									
<p>REPLACEMENT VALUE WALL FOUNDATION PIER FOUNDATION SINGLE WALL SDB. DOUBLE WALL SDB. SHINGLE WALLS STUCCO ON CEMENT BLOCK BRICK UNIT PRICE #1</p>									
<p>TOTAL COST FACTOR REPLACEMENT VALUE OUTBUILDINGS CONG. FLOOR EARTH FLOOR SHINGLE ROOF ROLL ROOFING ELECTRIC LIGHTS FINISHED INT. UNIT PRICE #2</p>									



[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	226	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
	Enlarge photos						View Area Maps				
											
										View Tax Map	

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	9876-074
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5096
Property Class Code	311.11	Land Category	
Item Number	73	Land Title	
NYS School Code	282406	Land Description	
NYS SWIS Code	282419		
Lot Grouping	View Property Record Cards 1938-1985		



[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	227	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
	Enlarge photos					View Area Maps					View Tax Map

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	9876-067
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	311.11	Land Category	
Item Number	74	Land Title	
NYS School Code	282406	Land Description	
NYS SWIS Code	282419		
Lot Grouping			

© Nassau County Department of Assessment



[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	228	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
	Enlarge photos					View Area Maps					View Tax Map

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	9876-067
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5096
Property Class Code	311.11	Land Category	
Item Number	75	Land Title	
NYS School Code	282406	Land Description	
NYS SWIS Code	282419		
Lot Grouping			

© Nassau County Department of Assessment



[Department Home](#) [Property Search](#) [Map](#) :

Section	27	Block	L	Lot	229	Condo-Bldg		Condo Unit		Town	Oyster Bay
Address	34 Yellow Cote Rd, Oyster Bay, 11771										
Village	Incorporated Village of Oyster Bay Cove					School	Oyster Bay				
											
Enlarge photos						View Area Maps				View Tax Map	

[Market Value](#) [Comparable Sales](#) [General and School Taxes](#) [Property Description](#)

Roll Year	2007-2008	Liber & Page (Deed#)	9876-063
Property Dimensions	X R	Change Order Number	
Property Size Code		Change Date	5352
Property Class Code	250.01	Land Category	Residential
Item Number	76	Land Title	Estates
NYS School Code	282406	Land Description	Luxurious Residence And Auxiliary Buildings Containing At Least 5 Acres Of Land.
NYS SWIS Code	282419		

Lot Grouping

Card/Bldg : 1 | 2 | 3

Tax Year	2008	Total Living Area	1512
Card/Bldg	1	Total Rooms	6
School District	OYSTER BAY	Full Bathrooms	1
Acres	54.55	Half Bathrooms	0
Lot Square Footage	2376198	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fixtures	0
Location		Attic	UNF
Lot Frontage		Basement Area	
Lot Depth		Basement	FULL
Living Units	3	Basement Garage	
Style	OLD STYLE	Attached Garage	No
Story Height	2	Detached Garage	Yes
CDU	AVERAGE	Pool	No
Grade	C	Fuel	OIL
Condition	AVERAGE	Heat/AC	CNTRL
Exterior Walls	FRAME		
Year Built	1913		

Year Remodeled

Addition and Out-Building Structures			
Line	Area	Code	Description
1	294	11	OFF OPEN FRAME PORCH
1	240	RG1	DET GARAGE
1	150	RS1	FRAME SHED
2	2196	AB2	FLAT BARN

Card/Bldg : 1 | 2 | 3

Tax	2008	Total Living Area	998
Year		Total Rooms	5
Card/Bldg	2	Full Bathrooms	1
School District	OYSTER BAY	Half Bathrooms	0
Acres	54.55	Number of Bedrooms	
Lot		Additional Fixtures	0
Square Footage	2376198	Attic	NONE
Land Code	PRIMARY SITE	Basement Area	
Location		Basement	FULL
Lot Frontage		Basement Garage	
Lot Depth		Attached Garage	No
Living Units	3	Detached Garage	No
Style	CAPE	Pool	No
Story Height	1.7	Fuel	OTHER
CDU	GOOD	Heat/AC	CNTRL
Grade	B-		
Condition	GOOD		
Exterior Walls	FRAME		
Year	1913		
Built			
Year Remodeled			

Addition and Out-Building Structures			
Line	Area	Code	Description
1	240	RG1	DET GARAGE
1	150	RS1	FRAME SHED
2	2196	AB2	FLAT BARN

Card/Bldg : 1 | 2 | 3

Tax Year	2008	Total Living Area	794
Card/Bldg	3	Total Rooms	6
School District	OYSTER BAY	Full Bathrooms	1
Acres	54.55	Half Bathrooms	0
Lot Square Footage	2376198	Number of Bedrooms	
Land Code	PRIMARY SITE	Additional Fixtures	0
Location		Attic	NONE
Lot Frontage		Basement Area	
Lot Depth		Basement	3/4 PART BSMT
Living Units	3	Basement Garage	
Style	BUNGALOW,COTTAGE	Attached Garage	No
Story Height	1	Detached Garage	No
CDU	GOOD	Pool	No
Grade	D+	Fuel	OIL
Condition	AVERAGE	Heat/AC	CNTRL
Exterior Walls	FRAME		
Year Built	1921		
Year Remodeled			

Addition and Out-Building Structures			
Line	Area	Code	Description
1	220	12	EFP ENCL FRAME PORCH
1	240	RG1	DET GARAGE
1	150	RS1	FRAME SHED
2	2196	AB2	FLAT BARN

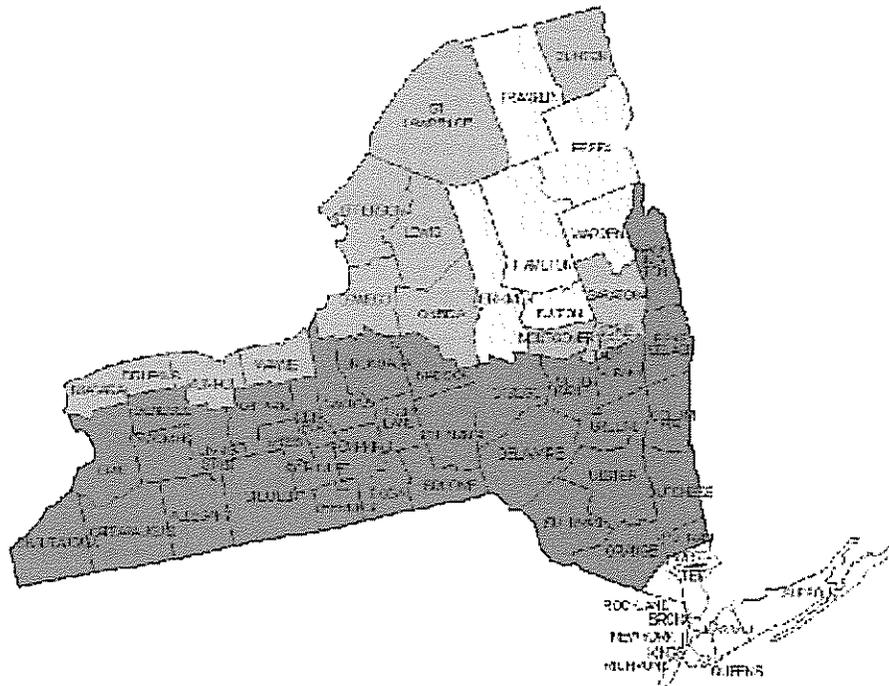
Appendix 8
Map of Radon Zones

EPA Map of Radon Zones

NEW YORK

The U.S. EPA and the U.S. Geological Survey have evaluated the radon potential in the U.S. and have developed this map to assist National, State, and local organizations to target their resources and to assist building code officials in deciding whether radon-resistant features are applicable in new construction. This map is not intended to be used to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones. All homes should be tested regardless of geographic location. The map assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. The radon zone designation of the highest priority is Zone 1.

-  **Zone 1** Highest Potential (greater than 4 pCi/L)
-  **Zone 2** Moderate Potential (from 2 to 4 pCi/L)
- Zone 3** Low Potential (less than 2 pCi/L)



Appendix J

**THE PLAN IS AVAILABLE
FOR REVIEW
IN THE OFFICE
OF THE LEAD AGENCY
AT THE
VILLAGE OF OYSTER BAY COVE**

List of Owners of Property Within 200 Feet of Applicants' Property

<u>Section, Block & Lot</u>	<u>Name of Owner (s)</u>	<u>Mailing Address</u>
Section 25, Block C-1 Lot 44F	Nature Conservancy	250 Lawrence Hill Road P.O. Box 72 Cold Spring Harbor, NY 11724
Lot 44F	Nat'l Audobon Society	139 Cove Road Oyster Bay, NY 11771
1045	Steven & Sheryl Tell	120 Tiber Road Syosset, NY 11791
Section 25, Block 63 Lot 2	Tall Oaks, Ltd.	10 Jackson Avenue Syosset, NY 11791
Lot 3	Arthur and Judith Bloch	3 White Birch Road Syosset, NY 11791
Lot 4	Monoj & Ranjetta Subudhi	7 White Birch Road Syosset, NY 11791
Lot 5	Madalyn Bottone Steve & Madalyn Kates	11 White Birch Road Syosset, NY 11791
Lot 54	Vincent and Mitzi Testaverde	15 Tall Oak Ct. Syosset, NY 11791
Lot 57	Joseph Bellantuono	5 Tall Oak Ct. Syosset, NY 11791
Lot 10	Tall Oaks, Ltd. Vincent Napolitano	15 Tall Oak Court Syosset, NY 11791
Section 25, Block 64 Lot 39	Joseph & Antoinette Greco	99 White Oak Tree Syosset, NY 11791

Section 27, Block L Lot 101	Jeremy & Lindsay Ann Hayward Surrey	191 Cove Road Oyster Bay, NY 11771
Lot 231	Hermann C. Schwab C. Meteer Schwab	34 No. Hempstead Tpke. Oyster Bay, NY 11771-4105
Lot 208	R. McMeekin	24 Yellow Cote Road Oyster Bay, NY 11771
Lot 213	David Townsend	22 Yellow Cote Road Oyster Bay, NY 11771
Lot 214	Robert and Susan Greco	177 Cove Road Oyster Bay, NY 11771
Lot 224	P. Benjamin Dewitt Duke Polly Rimer Duke	34A Yellow Cote Road Oyster Bay, NY 11771
Lots 218 & 228	Lucy P. Cutting	35 Yellow Cote Road Oyster Bay, NY 11771
Lots 223 & 226	Thomas L. Pulling	34 Yellow Cote Road Oyster Bay, NY 11771
Lots 217 & 227	Patricia P. Sands	33 Yellow Cote Road Oyster Bay, NY 11771
Lot 220 & 229	Thomas L. Pulling & Morgan Guaranty Trust Company of New York Executors and Trustees under the will of	T.J. Pulling 9 West 57th Street New York, NY 10019
Lot 230	Katharine Kimmick	20 Northern Blvd. Oyster Bay, NY 11771
Lot 204	Robert Fazzalari	35 North Hempstead Turnpike Oyster Bay, NY 11771

Section 26, Block A Lot 99	Michael & Laura Zagarino	190 Cove Road Oyster Bay, NY 11771
Lot 101	Michael Marolda	6 Moore's Hill Road Oyster Bay, NY 11771
Lot 1084 & 204	Mr. Wilsey	142 Cove Road Oyster Bay, NY 11771
Section 26, Block 1 Lot 1	County of Nassau Office of County Attorney	1 West Street Mineola, NY 11501
Lot 3	Joanne Georgacopoulos	9 Birch Court Oyster Bay, NY 11771
Lot 3	Ronald & Jane Sonensheid	9 Birch Court Oyster Bay, NY 11771
Lot 6	Sylvia and Morris Horowitz	1 Birch Court Oyster Bay, NY 11771
Lot 7	M. & Annette Lucas	47 Timber Ridge Drive Oyster Bay, NY 11771
Lots 13B & 39	Martina Murray	1695 Rte. 25A Syosset, NY 11791
Section 26, Block 2 Lot 12	Jack & Cathy Sinowitz	48 Timber Ridge Drive Oyster Bay, NY 11771
Lot 13A	St. John's Memorial Cemetery	P.O. Box 266 Cold Spring Harbor, NY 11724

**Section 27, Block G
Lots 1564 & 1565**

Spring Hill Est., Inc.

**156 Duffy Avenue
Hicksville, NY 11801**

Lot 1594

Richard and Randi Hayat

**40 Woodland Drive
Oyster Bay, NY 11771**

Lot 1652

**John Rizzo
Frances Iengo**

**26 Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1653

Denise & Robert Schreiber

**20 Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1759

John Bralower

**30 Yellow Cote Road
Oyster Bay, NY 11771**

Lots 1640 & 1758

Eastwood Schools, Inc.

**31 Yellow Cote Road
Oyster Bay, NY 11771**

Lots 1640 & 1758

Eastwood Discovery Camp

**31 Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1762

Elia and Marissa Lizza

**42 Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1768

**Nigam Agam Suga
M.Shavanam, Inc.**

**Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1769

Joshua and Judith Hauser

**46 Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1566

Robert and Elizabeth Stefania

**41 Woodland Drive
Oyster Bay, NY 11771**

Lot 1766B

Robert & Nancy Dunigan

**73 Hidden Ridge Drive
Syosset, NY 11791**

Lot 1766B

Robert & Nancy Dunigan

**Yellow Cote Road
Oyster Bay, NY 11771**

Lot 1766 A

Robert Dunigan, Jr.

**218 Fox Hill Drive
Baiting Hollow, NY 11933**

Lot 1767

**Thomas L. Pulling & Morgan Guaranty
Trust Company of New York
Executors and Trustees under the will of**

**T.J. Pulling
9 West 57th Street
New York, NY 10019**

Appendix K

JOHN M. COLLINS

P.O. BOX 167

ROSLYN, NY 11576

TEL. (516) 625-4060

FAX. (516) 621-2171

WORK EXPERIENCE

1984 - Present **ARCHITECTURAL HISTORIAN AND PRESERVATION CONSULTANT, SELF-EMPLOYED**

- Condition evaluations of historical structures. Stabilization and restoration proposals including mechanical drawings, work programs, and bid specifications for proposed work;
- General space planning and detailing of alterations to traditional residential and commercial structures;
- Emphasis on continuity of the existing structure's lines: Upgrading and refining of architectural details, with special attention given to choice of building materials to simulate and/or match antique wood, brick, glass and hardware;
- New structures of traditional design;
- Engineering consultant services and plan approvals available.

1996 - 1999

**DIRECTOR - ROSLYN LANDMARK SOCIETY
ROSLYN, NY (PART TIME)**

Responsibilities:

- Plan annual lecture series of eight distinguished speakers in the fields of preservation and antiques connoisseurship;
- Plan annual August Architectural History Bus Tour;
- Coordinate educational programs for fourth grade students, and adults to tour the village and historic buildings;
- Liaison with the Village of Roslyn's Historic District Board

1998 - Present **CONSULTANT - INCORPORATED VILLAGE OF ROSLYN'S HISTORIC DISTRICT BOARD, ROSLYN, NY (PART TIME)**

- Review incoming building permit applications for completeness and appropriateness;
- Advise the Board on design details and choices of construction materials.

1979 - 1984

ASSISTANT RESTORATION PROJECT MANAGER - NASSAU COUNTY MUSEUM, SYOSSET, NY

Responsibilities:

- Planning and supervision of restoration and maintenance of approximately fifty county owned historic structures at ten different facilities;

- Acting facility supervisor at "Cedarmere", the William Cullen Bryant Mansion, Roslyn Harbor, NY; the Robeson-Williams Grist Mill (ca. 1715), Roslyn, NY; the Saddle Rock Grist Mill (ca. 1800), Saddle Rock, NY.

1976 - 1979

CURATOR, NASSAU MUSEUM

OLD BETHPAGE VILLAGE RESTORATION, OLD BETHPAGE, NY

Responsibilities:

- Plan and supervise the cyclical maintenance of 35 historic structures;
- Development and supervision of volunteer program;
- Assist with administrative and visitor service related activities.

1971 - 1976

**DIRECTOR, HUNTINGTON HISTORICAL SOCIETY,
HUNTINGTON, NY**

Responsibilities:

- Plan program for a society of 1000+ members;
- Supervise staff of seven;
- Administer two house museum facilities;
- Plan and supervise ongoing restoration and site development activities.

Summers
1969 - 1970

**HEAD SAILING INSTRUCTOR - HUNTINGTON YACHT CLUB
HUNTINGTON, NY**

Responsibilities:

- Plan course outline and instruction for sixty junior sailors in basic sailboat handling, racing, techniques, seamanship and elementary navigation.

ACTIVITIES

1996 - 2001 •
2001 - present

ROSLYN PRESERVATION CORPORATION, ROSLYN, NY

Secretary

President

1974 - Present •
1972 - 1985

TOWN OF OYSTER BAY, OYSTER BAY, NY

Landmarks Commission

- Bicentennial Commission

1974 - 1992
1985 - 1989
1980 - 1982

THEODORE ROOSEVELT ASSOCIATION, OYSTER BAY, NY

- Executive Committee
- Chairman, Sagamore Hill Committee
- First Vice President

JOHN M. COLLINS

Page Three

- 1976 - 1986
1996 - 1999
- ROSLYN LANDMARK SOCIETY, ROSLYN, NY
- Trustee
 - Director

- 1968 - 1985
1981 - 1984
- OYSTER BAY HISTORICAL SOCIETY, NY
- Trustee and Chairman Architectural Committee
 - President

- 1978 - 1983
- SEAWANHAKA CORINTHIAN YACHT CLUB, OYSTER BAY, NY
- Trustee and Chairman, Maintenance and Capital Improvements Committee

- 1981 - 1982
1977 - 1978
- LONG ISLAND MUSEUM ASSOCIATION
- President
 - Vice-President

- 1974 - 1980
- WHALING MUSEUM SOCIETY, COLD SPRING HARBOR, NY
- Trustee

- 1991 - 1993
1975 - 1977
1969 - 1972
- OLD FIRST PRESBYTERIAN CHURCH, HUNTINGTON, NY
- Trustee
 - Trustee and Chairman of Property Council
 - Elder

EDUCATION

- 1977 - 1982
- COLUMBIA UNIVERSITY, NEW YORK, NY
Masters Program in Historic Preservation

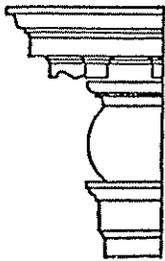
- 1976
- UNIVERSITY OF DELAWARE
H.F. DuPont Winterhur Museum, Summer Institute

- 1967 - 1971
- NEW YORK INSTITUTE OF TECHNOLOGY, OLD WESTBURY, NY
Major: Fine Arts Degree: BFA

Courses and Seminars

- 1976
- AMERICAN MANAGEMENT ASSOCIATION, NEW YORK, NY
Management Seminar

- 1977
- NATIONAL PARK SERVICE TRAINING INSTITUTE, NEWPORT, RI
Historic Preservation Maintenance Workshop



• JOHN M. COLLINS • HISTORIC BUILDING DESIGN •

P.O. BOX 167
ROSLYN, N.Y. 11576-0167

PHONE (516) 625-4060
FAX (516) 621-2171

Kean Development Company Inc.
Redcote Farm Ltd.
Five Main Street
Cold Spring Harbor, New York 11724

May 30, 2006

**Historical and Architectural Assessment of the Structures
on and abutting the Pulling Estate**

The group of five building on the subject property was inspected on Saturday, May 17, 2006. The group of buildings appears to have been built as an early twentieth century farm that was adapted into a maintenance and housing complex for the Pulling Estate in the 1920s and 1930s. The group of buildings is vernacular in style and has been poorly maintained for several decades.

None of the buildings, or the group as a whole, has architectural significance and all are built of modern light frame-type construction and sit on modern poured concrete foundations.

The Superintendent's House is the oldest of the group and was built in 1911. The house is a later vernacular interpretation of the Queen Anne style of architecture. It has been determined by the New York State Office of Historic Preservation that this House and the other buildings that make-up the farm group are not of sufficient quality to be eligible for listing on the National Register of Historic Places.

The following is a detailed evaluation of each of the five structures on the site:

1. Superintendent's House (built in 1911)

This wood-frame residence is of "Balloon" frame-type construction. It sits on a raised brick and poured concrete foundation. The brick portion is laid in the American bond. The house is two stories with a moderately pitched gable roof. The ridge runs east-west. A two story wing projects from the south side of the house and has a gable roof with a pitch matching the main roof. The wing ridge is perpendicular to the main house roof ridge.

The house originally had clapboard siding at the first and second floors, but is now shingled with cedar shingles. The gable ends retain their original staggered butt shingles. The roof edges and projecting gable rakes are finished with classic box cornices.

The house survives with its original two-over-two wooden windows and adjustable slat louver shutters. The front and side doors have a glazed upper panel and molded lower wood panels. The back door is a modern replacement.

The front porch wraps around the south side of the house and retains its original turned and fluted columns. At the top of the porch posts are brackets and a decorative spandrel. The balustrade between the porch columns is built of heavy turned wood balusters that are not original to the porch and are too large in scale. The porch deck and steps are modern replacements made of dimensional lumber.

The exterior of the house is in extremely poor condition. The asphalt shingle roof is long past its life expectancy and has begun to leak. The cedar shingle siding is completely weathered away due to rain splashing and moss growth in areas above the side and rear porches. The exterior trim has not been painted in many years. The brick chimney and brick foundation are badly deteriorated and require major repointing work. An unsightly exposed metal fire box and flue has been attached to the north wall of the house providing the living room with a make-shift fireplace. The rusting flue blocks the second floor window above.

2. Salt Box Cottage

This small wood frame residential building appears to date from the late 1920s or early 1930s. It is a simple Colonial Revival style structure of the side hall-type plan. The simple gable roof is asymmetrical. The front (west) side of the house is a full two stories and the rear (east) side is one story with the roof creating a long slope on this side of the house.

The front door has a nicely detailed semi-circular hood with a fan louver panel above the door. The hood is, unfortunately, badly deteriorated at its south side. The windows are wood with six-over-six sash. They have 5" wide flat exterior casings and are fit with flush panel shutters.

The house is sided with wide exposure cedar shingles. The roof is covered with conventional three tab black asphalt shingles.

The house sits on a poured concrete foundation. This house is extremely small, less than 1,000 square feet on both floors. Its design is simple but undistinguished and is not old enough to be of historic interest.

3. Abandoned Cottage

This small one story wood frame residential building also appears to date from the late 1920s or early 1930s. It is built of light wood frame-type construction and sits on a poured concrete foundation. It consists of a low pitched gable roof main block with a small low pitched, gable roof living room wing to the east and a shed roof kitchen wing to the west.

The housing has two-over-two wood windows and is sided with cedar shingles. The house originally had a wood shingle roof that is now covered with black asphalt shingles.

The house has not been occupied for many years; the roof is leaking badly, and in general, is in an advanced state of deterioration!

4. Barn

This large agricultural building is of light wood frame-type construction. Its walls are covered with stucco and it has a corrugated steel roof. Two large steel ventilators provide air circulation in the attic hay loft. The roof has not been painted in many years and has begun to rust. A small lean-to at the southeast corner of the barn has collapsed due to its leaking roof.

The stucco and metal roofed barn is a vernacular and utilitarian agricultural structure that appears to date from the 1910s or 1920s. Unlike other barns on neighboring estates from the same time period, whose architecture complimented the other buildings on the estate, this barn is extremely plain. The barn may pre-date the creation of the Pulling Estate and was built to serve the needs of the original farm – hence its lack of distinguished architectural style.

The barn has not been maintained in many years. Doors and windows are unpainted, rotting, and/or missing. Some large areas of stucco siding have broken off and, as mentioned earlier, the corrugated steel roof is badly rusted.

5. Chicken House

This little wood frame shed is modern. Its light wood framing and tongue-and-groove sheathing suggest a construction date of about 1950. The building does not have a proper masonry foundation and the sills are badly rotted at the east wall.

The simple low-pitched gable roof main block has a small lean-to addition on its west side. The west slope of the roof is badly deteriorated. The irregular roof surface

suggests rotted sheathing below. The building was poorly built and is in extremely deteriorated condition.

6. Structures on Abutting Properties

The tax lots surrounding the two proposed areas of the subdivision were researched at the Nassau County Land and Tax Records Office. It was found that with four exceptions, all the surrounding lots have residential structures on them that were built in the 1960s and 1990s.

The original Edward Pulling Estate House at 33 Yellow Cote Road (ca. 1850) will be preserved unchanged. The house is located about 720 feet north of the Yellow Cote Road part of the subdivision. The Pulling Estate House is the oldest and most architecturally significant building in the immediate area of the proposed subdivision. The great distance from the nearest proposed new residence assures that there will be no adverse effect on this historic structure.

The Herman Schwab residence at 34 Northern Blvd. was built in 1913 and was extensively remodeled in 1987. The house is over 160 feet east of the Yellow Cote part of the subdivision. The new lot has an additional 40 feet set-back requirement at its east lot line, giving at least 200 feet between the Schwab House and the new house on parcel 3 of Yellow Cote Road.

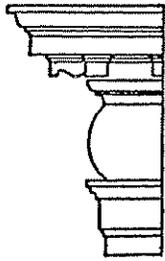
The residential structure owned by Robert Fazzalairi at 35 Northern Blvd. was built in 1918. It is presently half demolished and is in the process of being rebuilt. It was remodeled in 1966 and again in 1970. Very little is left of the original part of this house.

The T. Pulling residence at 34 Yellow Cote Road was built in the early 1900s and was extensively renovated in 1975 and again in 1984. The house is located more than 200 feet from the proposed Redcote Lane, lot 14. The land is heavily forested and is well screened from the new subdivision.

Summary

The farm/maintenance/housing complex at 151 Cove Road on the Pulling Estate is a random collection of buildings. The group of buildings was not developed as a support group of outbuildings on the Pulling Estate by an architect and has no cohesive architectural style. They are, in fact, a random grouping of vernacular buildings, stylistically unrelated to one another. The lack of maintenance on these buildings for several decades has made some unsafe and the others excessively expensive to restore.

Based on this history, architecture, and physical condition of this group of buildings it is my opinion that none of them are of significant enough interest to warrant their preservation. Rather, given the age of the structures on the surrounding properties and the distance of new homes on the proposed lots, it is my opinion that the subdivision will not adversely affect any such structures.



• JOHN M. COLLINS • HISTORIC BUILDING DESIGN •

P.O. BOX 167
ROSLYN, N.Y. 11576-0167

PHONE (516) 625-4060
FAX (516) 621-2171

Criteria used to assess architectural style of buildings in the farm/maintenance/residential group at the Pulling Estate:

Sources:

American Architecture Since 1780 – A Guide to the Styles

By: Marcus Whiffen
The M.I.T. Press 1969

The Shingle Style and the Stick Style

By: Vincent J. Scully, Jr.
Yale University Press 1955, 1974 (Third Printing)

Long Island Country Houses and Their Architects 1860 – 1940

By: Robert B. MacKay, Anthony Baker & Carol A. Traynor
Society for the Preservation of Long Island Antiquities in Association with
W.W. Norton & Co. 1997

Buildings assessed cannot be labeled as distinctive examples of any particular style. They are vernacular interpretations of Queen Anne (Superintendent's House) and Colonial Revival (Salt Box Cottage) style buildings.

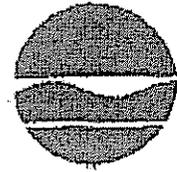
Appendix L

New York State Department of Environmental Conservation

Building 40 - SUNY, Stony Brook, NY 11790-2356

Telephone: (631) 444-0275

Facsimile: (631) 444-0272



Denise Sheehan
Commissioner

July 17, 2006

Charles Bowman
Land Use
209 West Main St.
Riverhead, NY 11901

Re: Freshwater Wetland Delineation
Redcote Farms - North Hempstead Turnpike/ Yellow Cote Rd
Village of Oyster Bay Cove

Dear Mr. Bowman

The freshwater wetland boundary was recently inspected by this office and verified.

The freshwater Wetlands Act, Article 24 of the Environmental Conservation Law, regulates most development activities within 100 feet of this boundary. For application purposes your site plan must depict the NYSDEC wetland boundary on a survey. The boundary should be denoted, verbatim, on the survey or site plan as follows:

The NYS Freshwater Wetland Boundary is equal to the orange flags numbered FW1-9 found onsite by R. Marsh and D. Lewis on 6/21/06.

In addition, the site plan must also depict a line labeled as the proposed "limit of clearing, grading, and ground disturbance". All submissions must be sent to the Division of Environmental Permits and the application number must be clearly identified

Bureau of Habitat

Robert F. Marsh

Regional Habitat Manager

TERMINATION OF WILDLIFE PROTECTION AGREEMENT

TERMINATION AGREEMENT, made as of the *1st* day of *APRIL*, 2002, by and between **Thomas L. Pulling** and **JPMorgan Chase Bank**, successor to Morgan Guaranty Trust Company of New York, as Executors of the Last Will and Testament of T. J. Edward Pulling, 345 Park Avenue, New York, New York 10154-1002 (hereinafter referred to as "*Owner*"), and the **Department of Environmental Conservation**, Building 40 – SUNY, Stony Brook, New York 11790-2356, 40 Wolf Road, Albany, New York 12233 (hereinafter referred to as "*the DEC*").

W I T N E S S E T H :

WHEREAS, the Owner and the DEC entered into a Wildlife Protection Agreement, dated as of July 18, 1996 ("*the Agreement*"), which was thereafter recorded at Liber ____, page ____ of conveyances in the Nassau County Clerk's Office and which pertains to the property described in Schedule A annexed hereto ("*the Premises*"); and

WHEREAS, paragraph 7 states that the Agreement, which had an initial term of three (3) years, shall be automatically renewed for successive one (1) year terms; and

WHEREAS, paragraph 7 further states that the Owner may apply to the DEC for termination of the Agreement if the Owner provides evidence to the reasonable satisfaction of the DEC that the Premises is not the habitat of Tiger Salamanders; and

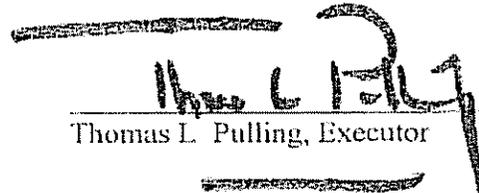
WHEREAS, on May 19, 2000 Dru Associates, Inc., ecological consultants, submitted to the DEC on behalf of the Owner a study conducted over three breeding seasons concluding that the Premises is not the habitat of Tiger Salamanders; and

WHEREAS, on January 28, 2002 the Owner applied to the DEC for termination of the Agreement;

NOW, THEREFORE, IT IS AGREED:

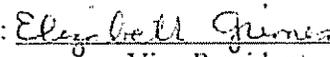
1. The aforesaid Wildlife Protection Agreement, dated as of July 18, 1996 shall be, and hereby is, terminated in all respects, and neither the Owner nor the DEC shall have any further obligation thereunder to the other.

IN WITNESS WHEREOF, the parties have executed this termination agreement as of the date first above written.



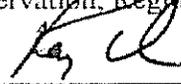
Thomas L. Pulling, Executor

JPMorgan Chase Bank, Executor

By: 

Vice President

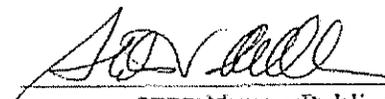
Department of Environmental
Conservation, Region 1

By: 

Regional Director

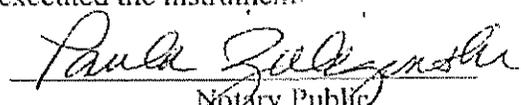
STATE OF NEW YORK)
COUNTY OF NASSAU) SS:

On the 23rd day of April, in the year Two Thousand ^{Two} ~~One~~, before me the undersigned, personally appeared THOMAS L. PULLING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


STEPHEN J. PULLING
Notary Public, State of New York
No. 30-9410910
Qualified in Nassau County
Commission Expires October 31, 2002

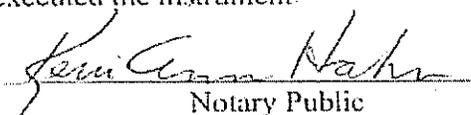
STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

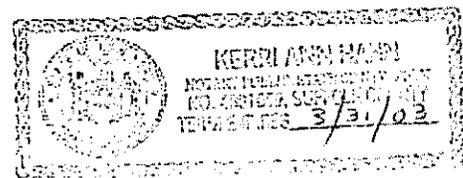
On the 11th day of April, in the year Two Thousand ^{Two} ~~One~~, before me the undersigned, personally appeared ELIZABETH GRIMES, personally known to me or proved to me on the basis of satisfactory evidence to be the individual ~~(s)~~ whose name ~~(s)~~ is ~~(are)~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ capacity ~~(ies)~~, and that by ~~his~~/her/~~their~~ signature ~~(s)~~ on the instrument, the individual ~~(s)~~ or the person upon behalf of which the individual ~~(s)~~ acted, executed the instrument.


Notary Public
PAULA ZIELEZINSKI
Notary Public, State of New York
No. 01215024097
Qualified in ~~Queens County~~ New York
Certificate Filed in New York County
Commission Expires June 11, 2002

STATE OF NEW YORK)
COUNTY OF) SS:

On the 1st day of April, in the year Two Thousand ^{Two} ~~One~~, before me the undersigned, personally appeared Ray E. Cowen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public



DESCRIPTION OF WILDLIFE PROTECTION AREA
(No Disturbance 12.76 acres)

Beginning at a point on the westerly side of Oyster Bay Cove Road 1983.28 feet northerly from the intersection of said westerly side of Oyster Bay Cove Road with the northerly side of North Hempstead Turnpike (Northern Boulevard) and running thence South 81° 52' 31" West 252.05 feet;

thence North 06° 28' 53" East 111.85 feet;

thence North 14° 01' 00" West 326.81 feet;

thence South 69° 59' 00" West 297.53 feet;

thence South 20° 55' 34" East 298.39 feet;

thence South 16° 39' 43" West 181.75 feet;

thence South 24° 02' 19" West 152.85 feet;

thence along the arc of a curve to the left having a radius of 225.00 feet a distance of 56.05 feet;

thence South 09° 45' 56" West 53.54 feet;

thence along the arc of a curve to the right having a radius of 25.00 feet a distance of 36.46 feet;

thence along the arc of a curve to the left having a radius of 325.00 feet a distance of 149.81 feet;

thence along the arc of a curve to the right having a radius of 1197.15 feet a distance of 103.08 feet;

thence North 18° 16' 38" East 97.70 feet;

thence North 18° 38' 05" West 183.93 feet;

thence North 54° 11' 17" West 148.23 feet;

thence North 04° 28' 30" East 170.00 feet;

thence North 76° 08' 34" West 90.00 feet;

thence South 37° 41' 33" West 170.00 feet;

thence South 75° 05' 46" West 59.23 feet;

thence North 20° 27' 55" West 206.29 feet;

thence North 69° 59' 00" East 1258.22 feet to the westerly side of Oyster Bay Cove Road;

thence along the westerly side of Oyster Bay Cove Road the following three (3) courses and distances to the point or place of beginning.

1. Along the arc of a curve to the right having a radius of 1774.57 feet a distance of 164.22 feet;
2. South 15° 32' 00" East 444.39 feet;
3. Along the arc of a curve to the right having a radius of 2530.64 feet a distance of 20.02 feet.

Dru Associates, Inc.

Ecological Consultants

40 Hitching Post Lane, Glen Cove, NY 11542
21 Mt. Ponds, Box 779, Wilmington, VT 05363

(516) 676-7107
(802) 464-3341

New York State Department of Environmental Conservation
Attn. Steve Lorence, Div Fish and Wildlife
SUNY Bldg 40
Stony Brook, NY 11790

May 19, 2000

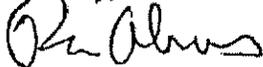
Re: Pulling Estate Final Report

Dear Steve:

Dru Associates has completed the three years of required research at the Pulling Estate pond in Oyster Bay Cove. As the attached report shows, there were again this past year no Tiger Salamanders found. The site continues to support a population of Spotted Salamanders, to the exclusion of Tigers. In fact, the annual migration numbers over three years of Spotted Salamanders is so consistent as to indicate a stable population, and it is my opinion that this population has persisted for many years.

Please let me know if I can be of further assistance.

Sincerely,



Dr. R.W. Abrams, CEP

cc. Special License Bureau

Dru Associates, Inc.

Ecological Consultants

40 Hitching Post Lane, Glen Cove, NY 11542
21 Mt. Ponds, Box 779, Wilmington, VT 05363

(516) 676-7107
(802) 464-3341

May 19, 2000

NYS Department of Environmental Conservation
Special Licenses Unit
50 Wolf Rd
Albany, NY 12233

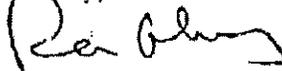
Re: Salamander Research Report, Pulling Estate, Nassau County
License No. ESP97-0030

To the Administrator:

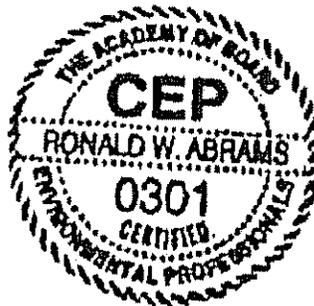
Dru Associates has been conducting salamander monitoring for the presence/absence of Tiger Salamanders at the referenced site for the past three years (1997, 1998, 1999). This report presents the data from the third year of this study, as well as summarizing our findings from all three years. As in previous years, during 1999, animal activity began in March, and the fence-line monitoring was stopped at the end of the summer, as in previous years. As in previous years, there have been zero (0) captures of endangered or threatened species at the site. Also as in previous years, the site has been active for Spotted Salamanders, and these data are included for completeness.

If there is further information you require, please contact us. The project has now reached the conclusion of the three year study period agreed upon with Steve Lorence in 1996 and is not expected to continue. The license renewal was submitted, so that the drift fence can be removed and the land restored along the monitoring line.

Sincerely,


Dr. R. W. Abrams, CEP

cc. Steve Lorence, Region 1.



Dru Associates, Inc.

Ecological Consultants

40 Hitching Post Lane, Glen Cove, NY 11542
21 Mt. Ponds, Box 779, Wilmington, VT 05363

(516) 676-7107
(802) 464-3341

Pulling Estate

Tiger Salamander Population Survey Report: December '96' - August '99'

Introduction:

The Pulling Site is located in the town of Oyster Bay Cove, Nassau County, New York. It is accessible by a private drive/dirt road from Cove Road, which abuts the property on its eastern side. The site is north of Route 25A and is otherwise surrounded by privately held residential properties and a pond adjacent to the property on the north side. This pond was originally determined and listed by NYS DEC to be a potential breeding site of *Ambystoma tigrinum*, specifically the Eastern Tiger Salamander, *Ambystoma tigrinum tigrinum*. *Ambystoma tigrinum tigrinum*, a subspecies of *Ambystoma tigrinum*, can be identified as a stoutly built, broad headed salamander with small eyes, darkly colored with olive spots and normally occurring at a length of 15.2 - 40 cm.

Dru Associates, with the consent of the property's landowner and under license granted by the Special Licenses Bureau of the New York State Department of Environmental Conservation, performed a carefully proscribed study of the presence/absence and movements of a Tiger Salamander population at the pond adjacent to (north of) the Pulling Estate on Cove Road, in the Town of Oyster Bay, Nassau County. The purpose of this survey was to assess whether or not a population of Tiger Salamander, *Ambystoma tigrinum*, exists at this location, and to what extent such a population would make use of the lands south of the pond (i.e., the Pulling Estate).

Methods

Dru Associates employed a drift fence/pitfall capture method in order to capture and count the salamander population moving southwards from the pond into the Pulling Estate land. Seasonal inspections of the pond margin for egg masses, larvae and other indicators of mole salamander activity were searched for. A drift fence was installed along the south side of the pond lying just north of the boundary of the Pulling Estate on December 23, 1996. The fence was left open at intervals when trapping was not being performed (i.e., the trapping season was generally from the end of January through August or into early September of each of the three study seasons (1997-99)), of approximately 50', to ensure that the fence would not interfere with the movement of animals when the site was not being monitored daily. The drift fence was constructed of 4 foot wide aluminum flashing, with its bottom portion buried to 18-24 inches below the ground surface to prevent salamanders from burrowing underneath it, ensuring their capture in the pitfall traps. On January 16, 1997 twenty-four (24) buckets were dug into the ground along the drift fence, twelve on each side for the purpose of pitfall capture, and these buckets were maintained for the duration of the study, being replaced when damage from ice degraded them. Each winter, the openings in the fence were closed at the start of daily monitoring, pursuant to the licensee agreement

All animals found were released on the side of the fence opposite their capture, and recorded, with specific detailed data and photographs of each salamander (i.e., sex, length, mass, noteworthy marks or behaviors, including the trap number in which each animal was found). Animals found were released, near their point of capture, immediately after their assessment and in the direction in which they were traveling (ie. approaching or moving away from the pond).

Results

The climatic conditions for the three years exhibited a range of hydrological and ecological conditions typical of Long Island. A considerable snow cover occurred in the winter of 1996-97, with a relatively wet spring following. There was less snow in the winter of 1997-98, but the spring was not particularly dry, although in the summer of 1998 the pond

level was fairly low. The winter of 1998-99 was light and, although the spring was not excessively dry, the 1999 year was considered on the dry end of the normal range. Therefore, the study period bracketed the range of hydrological conditions that can be expected on Long Island.

The drift fence/pitfall system worked well, as a full inventory of the animals expected at the pond was captured, and these activities occurred in appropriate seasonal order (i.e., spring "bloom" of frogs and toads, cold weather migrations of rodents). The density of wildlife was not particularly high overall, but was also not depauperate, indicating a pond and woodland system in "normal" ecological condition. The efficacy of the fence/trap system was confirmed by the consistency of seasonal patterns from year to year, both in species composition and abundance.

Throughout the three year study, no Tiger Salamanders were captured or observed, and no egg masses were located that indicated the presence of the species at the site. However, the study showed that the pond supports a robust population of Spotted Salamanders, *Ambystoma maculatum*, and a breeding colony of this species was confirmed by three forms of data:

1. The temporal cycle of adult salamander migration coincides precisely with that expected of a breeding migration.
2. Most larger females captured showed significant weight loss between time of entry to the pond and exit from the pond (i.e., presumed to be weight shed by egg deposition).
3. Juveniles of different ages classes were captured, with some very small yearlings as well, and a size frequency analysis supports the presence of different year classes in the capture population.

The activities of the Spotted Salamanders reflect both efficacy of the field methods, and consistency of the population's ecology, as well as consistency of the adult mole salamander population. Each year, between March 3 and 10, the first migrants showed up in the traps, in small numbers. Thereafter, between mid-March and April 10, the largest influx of

salamanders to the pond occurred, as well as the first few emigrants leaving the pond. Generally, by the end of April, most of the adults had left the pond, although in two of the years it appears that only half of the animals were captured exiting the pond. This can be explained by three possible factors:

1. A high mortality occurred in the pond, but this is not considered correct because each year the population would then have declined significantly, a finding contradicted by the fact that in 19998 and 1999 there were slightly more adults entering the pond than in 1997.
2. Animals continue to leave the pond after the termination of monitoring by September, meaning that they are remaining in the pond well past the breeding and rearing of young, an explanation that is consistent with our data.
3. Animals are exiting the pond from a different route, avoiding the fence/trap system, and returning to their burrows in a circuitous manner, another explanation that is consistent with our data, except that the drift fence was run far up the woodland slope to a point where it crossed the natural watercourse along which animals might have been expected to migrate.

The further interpretation of these data would require in situ live tracking of the animals using radio-tracking methods. However, one spatial pattern did emerge from the data: mole salamanders are burrowing primarily along the mid to lower range of the hillside extending southwards from the pond into the Pulling property. This finding is based on the preponderance of the captures in traps located between the toe and mid-slope, with few captures occurring further uphill, and only limited numbers captured in the pine woods along Cove Road.

Conclusions:

The study performed by Dru Associates provides the following conclusions:

1. The field study undertaken between 1997 and 1999 is representative of a normal range of hydrological and ecological conditions.
2. The field study accurately represents the relative abundance and seasonal behavior of mole salamanders at the site, judging by the consistency reflected in the Spotted Salamander data.
3. The pond located just north of the Pulling Estate boundary on Cove Road in Oyster Bay supports a breeding population of Spotted Salamanders. The pond does not support Tiger Salamanders, a conclusion based on the two factors cited above: the study spanned the range of climatic factors available and the field methods successfully captured species with the same behavior as the target species. In addition, the general wisdom amongst ecologists is that Spotted and Tiger Salamanders do not share breeding ponds despite the similarity of their ecological requirements (or perhaps because of the similarity).

Annual Data Summaries

Table 1. 1997 Animal capture data for the Pulling Estate, Oyster Bay Cove.

Date	Species Encountered and #'s				
	<u>Tiger Salamanders</u>	<u>Spotted Salamanders</u>		<u>Newts</u>	<u>Frogs/Toads</u>
		<u>In</u>	<u>Out</u>		
2/27/97	0	0	0	2	0
2/28/97	0	0	0	2	0
3/2/97	0	0	0	1	0
3/3/97	0	1	0	0	0
3/6/97	0	0	0	0	2
3/16/97	0	0	0	0	3
3/18/97	0	1	0	0	4
3/20/97	0	0	0	0	1
3/26/97	0	27	0	6	1
3/27/97	0	2	0	3	1
3/29/97	0	4	0	4	2
3/30/97	0	23**	0	0	0
4/1/97	0	1	0	0	2
4/7/97	0	7	0	12	40
4/8/97	0	0	0	5	60
4/13/97	0	7	49	0	0
4/22/97	0	0	0	1	0
5/2/97	0	0	5	0	0
5/19/97	0	0	1	0	0
5/20/97	0	0	0	0	3
5/21/97	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>
Totals	0	73	56	36	119

* Note : Missing dates imply that no animals were found in pitfall traps.

** Field Note : Numbers of Salamanders may be inaccurate due to reported trap tampering.

Table 2. 1998 Animal capture data for the Pulling Estate, Oyster Bay Cove.

Date Species Encountered and #'s

Date	<u>Tiger</u>	<u>Spotted</u>		<u>Newts</u>	<u>Frogs/Toads</u>
	<u>Salamanders</u>	<u>Salamanders</u>	<u>Salamanders</u>		
		<u>In</u>	<u>Out</u>		
3/9/98	0	1	0	0	9
3/10/98	0	10	0	0	0
3/19/98	0	8	0	2	1
3/30/98	0	1	0	25	6
4/3/98	0	58	2	3	0
4/10/98	0	7	15	0	0
4/11/98	0	0	1	0	0
4/15/98	0	1	0	0	0
4/20/98	0	0	21	0	0
4/24/98	0	0	3	0	0
5/3/98	0	5	0	0	0
5/7/98	0	0	1	0	0
Totals	0	91	43	30	16

* Note : Missing dates imply that no animals were found in pitfall traps.

Table 3. 1999 Animal capture data for the Pulling Estate, Oyster Bay Cove.

Date Species Encountered and #'s

Date	<u>Tiger</u> <u>Salamanders</u>	<u>Spotted</u> <u>Salamanders</u>	
		<u>In</u>	<u>Out</u>
3/4/99	0	5	0
3/7/99	0	1	0
3/22/99	0	52	0
3/25/99	0	2	0
4/2/99	0	4	0
4/3/99	0	2	0
4/7/99	0	9	2
4/10/99	0	3	1
4/12/99	0	1	0
4/20/99	0	2	0
5/4/99	0	0	15
5/7/99	0	0	1
5/8/99	0	0	8
5/19/99	0	0	4
5/20/99	0	0	1
5/24/99	0	0	1
6/13/99	0	0	1
Totals	0	81	34

* Note : Missing dates imply that no animals were found in pitfall traps.