

## APPENDIX L

### LETTERS, PETITIONS, CARDS, AND E-MAILS

*Note: See flash drive or CD in front pocket of Volume I of FEIS for access to this appendix.*

**Appendix L-1**  
**Letters Opposed to Project (24 letters)**

*Note: See flash drive or CD in front pocket of Volume I of FEIS for access to this appendix.*

Grace M. Cole  
6 Whitewood Court  
East Quogue, NY 11942

February 4, 2017

Honorable Jay Schneiderman and Town Council  
Members of the Town of Southampton  
Southampton Town Hall  
116 Hampton Road  
Southampton, NY 11968

Dear Mr. Schneider and Council Members:

This letter is in opposition to the Hills proposal by Discovery Land. I have been a resident of East Quogue for 17 years.

Here is some personal background information that may help you understand why I feel this way: My aunt and uncle made Hampton Bays their home in the mid 1960's and I visited them often. In 1999, I built my home on property that my parents purchased in 1967. They are now deceased, but I was able to fulfill their dream when my job in the New York State Courts in Riverhead, brought me to East Quogue. I have since retired and work part-time in the Hampton Bays Library.

The decision to preserve our land, water, and quality of life in this community and surrounding communities rests solely in your hands.

My google search of Mike Meldman, the owner and founder of Discovery Land, was disturbing. Wall Street Journal article dated January 14, 2016 and titled "Real Estate Party Boy", Mr. Meldman describes his homes as "frat houses for families." He personally owns 5 or 6 houses on Discovery properties. He plays Beer pong! whatever that is.

We deserve better. I urge you to review and consider the alternative proposals for land use of this property and to do what is right for the community.

Grace Cole



TOWN OF SOUTHAMPTON  
TOWN HALL OFFICE

2017 FEB 14 PM 3:20

RECEIVED

March 13, 2017

Mr. Jay Schneiderman  
Supervisor, Town of Southampton  
116 Hampton Road  
Southampton, New York 11968

Dear Mr. Schneiderman,

The PDD/Hills at Southampton debacle has been going on for years, much to the dismay of many of us here in East Quogue. I am aware that this nightmare began under the tutelage of Anna Throne-Holst and that you had inherited this proposal.

I am well aware how familiar you are with the language of XXVI and its Development Standards. As I read it, I am continually stopped by the line that says:

*The RPDD is predominantly intended to encourage flexible residential development with provisions for recreational, agricultural, community uses, services and activities normally accessory to residential use, while maximizing the preservation of natural vegetation and resources.*

There is not one 'community' benefit to The Hills. There will be zero 'residential use' permitted in The Hills, as it is a private club. Only billionaires need apply. I have lived in East Quogue for over 20 years and I have yet to meet one billionaire that lives here year around.

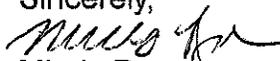
There is no 'maximizing of preservation of natural resources' when you are talking an 18 hole golf course, 118 homes, clubhouse, olympic sized pool and restaurant. The best way to 'maximize the preservation' would be to buy the land and preserve it forever.

The PDD was meant as a way to work with existing zoning laws for the benefit of the public. Instead, PDD's are being used as a developer loophole. So I am writing to ask that you please recognize that The Hills does not qualify to utilize a PDD and, therefore should be soundly denied.

This has gone on long enough.

I thank you very much for allowing the public such ample opportunity to speak and be heard. I truly feel that you are listening.

Sincerely,

  
Mindy Reyer

7 Foster Crossing  
East Quogue New York 11942

# KILL THE HILLS

Dear Mr. Schneiglerman + The Town Board,

please do not allow the golf course and 418 homes on the hills property. There is already too much structure on Long Island. And all the animals will lose their home. They will property die. It's up to you to save them and our water. Imagine you had to lose your home. How would you feel? You'd property die cause all your food is loaded with pesticides. please say NO to the hills project. And would about our future children on long island? They would have nothing to drink. We are an island and we can't handle it. THINK about all the animal lives you can save if you say NO to the hills project and THINK about our future children with nothing to drink. Even 4 home and five acres and so on is better than 418 homes and a golf course. And just for summer people! You CAN SAVE LIVES. DON'T BE SELFISH. You will have nothing to drink and animals

SAVE THE ANIMALS.

will lose their home. →

SAVE OUR DRINKING WATER

Sincerely,

Nico Felice Casone

631-445-

4084

Mommy's #

age: 9

address:

20 Rolling woods Ln. Hampton  
Bays, N.Y. 11946

Remember: FUTURE PEOPLE,  
US, AND MOST IMPORTANTLY  
THE ANIMALS DEPEND ON  
YOU.

Don't be selfish.

its up to you

make the right choice

SAY  NO to the hills.

RECEIVED

*William P. Casey*  
*PO Box 1559*  
*East Quogue, NY 11942*

2017 MAR 31 AM 11:34

March 25, 2017

TOWN OF SOUTHAMPTON  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

The Honorable Jay Schneiderman  
Supervisor of the Town of Southampton  
116 Hampton Road  
Southampton, NY 11968

RE: PPD Vote

Dear Supervisor Schneiderman:

I am writing today to ask that you not approve the PDD request for The Hills at Southampton for one simple reason. To paraphrase James Carville, "It's the environment, stupid!"

Sure, there are many other arguments both pro and con but basically this is an environmental decision. Will you really vote to allow development of a golf course, a proven environmental hazard, above a sensitive aquifer? Do you really believe the unproven environmental "safeguards" that the Discovery Land Company is claiming? Why are you willing to risk the future quality of our water? Doesn't the current condition of Weesuck Creek concern you?

It is time for you to vote for the future of all of the residents of Southampton. You represent US.

The PDD program is a failure that even your moratorium recognizes. Don't use this flawed law to cover for a more than likely environmental disaster.

You have had a fairly good environmental record as a county legislator and you ran on an environmental/affordable housing platform in 2015. The 2015 Newsday Editorial endorsing you cited "Water quality and environmental protection are critical. Development must continue but not go too far. Housing that's affordable is needed for the middle and working classes currently priced out of the East End."

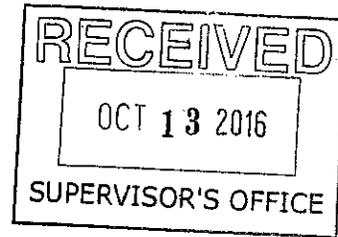
The Hills at Southampton is not the answer and you know it.

Yours truly,



William P. Casey

Hon. Dominic J. Lodato  
Justice of the Supreme Court, State of New York (Retired)  
12 Barracuda Road  
East Quogue, New York 11942



Town Supervisor Jay Schneiderman  
116 Hampton Rd  
Southampton, New York 11968

Dear Mr. Schneiderman,

I have been a homeowner in East Quogue for over 27 years. And have always been interested in the welfare of our community.

I join with so many of my community owners in opposing the "Hills Project", and respectfully request that it be rejected by the town board.

Experts have been very vocal in their warnings concerning the harmful effects it will have to our general area. I will only name one of the serious negatives that they cited, which is the dangerous affect to our drinking water and bays. Of course overcrowding of our roads and the rising of our taxes going forward is just a given. I and many others of our communities feel that it is essential that we take seriously the numerous and very reasonable warnings.

Please allow members of our local communities the respect in allowing them sufficient time to be heard at the town board meeting so that they may voice their opposition, in person, to the "Hills Proposal".

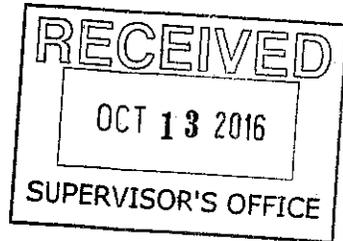
Respectfully submitted,

A handwritten signature in dark ink, appearing to be "D. Lodato", written over a horizontal line.

Dominic J. Lodato

28 Marlin Rd  
East Quogue NY 11942  
10-10-16

Jay Schneiderman, Supervisor  
Town of Southampton  
116 Hampton Rd  
Southampton, N.Y. 11968



Re: ① Discovery Land PDD East Quogue  
② Densieski Development Rights Purchase 9/16

Dear Supervisor Schneiderman,

① Please do not support Discovery Land's PDD in E. Quogue. The increased nitrogen in Shinnecock Bay is already killing the crabs and destroying the clams. Our bay is very seriously endangered.

② Congratulations on the purchase of the Densieski Development Rights on their 76 acre farm.

- Now it would be good if you get them to stop using fertilizer with nitrogen!

Very truly yours,  
Karl Olson

TO: SO. TOWN BOARD

RECEIVED

FEB. 22, 2017

2017 MAR 10 AM 11:34

There are many reasons for  
rejecting - VOTE NO - on Discovery  
Lands, Cated Mesa Complex Golf  
Course, Garage and Multi-Story  
Buildings:

I've listed them below - Please  
read them.

If Mark Hickey thinks there are  
Large Dunes in East Phoenix like  
the Sonoran Desert in Southern Arizona  
then he's subtly mistaken.

1) 5 Ac. ZONING - Good reason  
by various Town Boards decades  
ago in their wisdom to limit  
density and overpopulation.

2) A golf course over a sole source  
aquifer? Water contamination  
from golf course pesticides etc.?

50.00 = 11.11.17 IN THE

537 01.1  
↑  
↓

- 3) A golf course on a well head of SCWA, contaminating thousands of customers homes miles away from its source?
- 4) Two premium golf courses proposed in that area were defeated by previous Town Boards and not built.
- 5) SCWA cannot control Disney Sands contamination, they will be their largest customer. Irrigation demands will cause huge drops in water pressure for thousands of customers.
- 6) SO Town will have to spend Tens of thousands of dollars from the newly passed CPF to remediate water contamination.
- 7) SO Town will have to upgrade and provide new roads.
- 8) Current private roads = paved and unimproved can't handle all traffic

- 9) S O Town will need more police protection in the frontlets of Smeads, Flanders, Purcell, Northampton, East Quogue and Houghton Bays which are currently underserved and lack proper patrols.
- 10) Population density is already moved out in the western frontlets of S O Town with summer population that triples every year with summer residents, part time and migratory residents.
- 11) There is no benefit to the school system as their funding is controlled by N.Y.S. formulas for funding local school districts not one shot money from a private developer.
- 12) Inadequate waste disposal and no sewerage sewer system.

- 13) "New" waste disposal systems are experimental and have not been shown to work on private mega-complexes built over a sole source aquifer.
- 14) A gated "super rich" playground for a tiny fraction of outsiders doesn't belong in a middle class working community.
- 15) East Q zone will lose its identity and will be taken over by a multi-billion dollar corporation.
- 16) So Town will be stuck with a huge clean-up bill that it cannot afford.
- 17) Defeat this A D D now.  
Vote NO!

F. Masin  
1 Beach St. East Quogue

Sp TB Meeting 12/5/16  
P.H. #1

## **The Hills at East Quogue: Some Important Considerations**

### **--Weesuck Creek/Western Shinnecock Bay**

Already grave trouble—on DEC's max. polluted list

### **--Groundwater Quality**

Already compromised; high nitrates; SCWA well near site—needs treatment

### **--Pesticide List Scary**

All Golf courses need to apply some kind of pesticides (see possible list) in Appendix

### **--Truck Loads of Soil Moved**

As many as 160 dump truck loads per day for 32 days on public road

### **Excessively Drained Soils**

Site is 90 per cent Plymouth-Carver soils, notoriously porous!

### **Existing Mess on Site**

Needs to be further investigated—cleaned up before any approvals granted

### **Per Day Water Usage**

As many as 144,300 GPD for condos, clubhouse, etc.

### **25 Per Cent Prime Pine Barrens Habitat Loss**

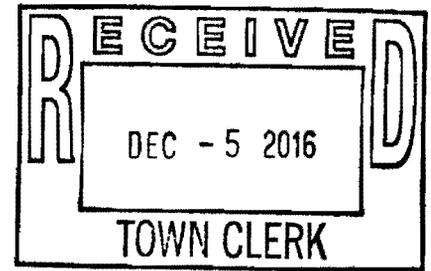
Long Island Pine Barrens already taking terrific losses from southern pine borer beetle

**These are just a few of the reasons to deny this application flat out and purchase the land for for eternal open space preservation**



Sincerely, Larry Penny, Enviromeasurements LLC; S F Groundwater Task Force

December 5, 2016



Sp TB Meeting 12/5/16  
P.H. #1

Dear Town Board Members,

As a very concerned full time resident of Westhampton I am writing to urge you all to vote against the Hills development.

It is shameful how the developers have been marketing this planned resort. All the science, with empirical evidence, makes clear that this will be disastrous for our environment, and our precious water sources.

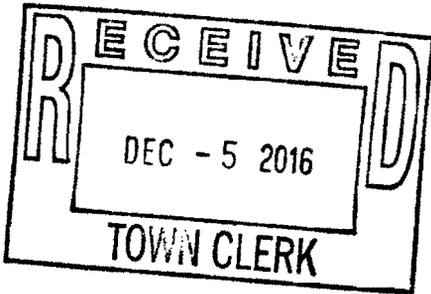
It is my hope that you will all vote your conscience, and honor the trust we, your constituents, have placed in you.

Thank you for your attention.

Yours truly,

Laurie Corey

10 Windwood Court  
Westhampton, NY 11977



# A blueprint for Suffolk water quality

BY JOAN GRALLA  
joan.gralla@newsday.com

Cutting nitrogen pollution in Suffolk's eastern South Shore Estuary Reserve will require a mix of solutions as the source of the contamination varies among the watersheds, according to a new report.

Wastewater has long been pegged as the prime culprit in curbing nitrogen pollution, which since 1985 has spawned algae blooms and killed fish and shellfish in Long Island waters.

Released yesterday, the new study for the first time quantified how much nitrogen wastewater contributes — 65 percent

of the total — followed by fertilizer at 20 percent and air pollution that mixes with water particles at 15 percent.

The analysis by the Stony Brook University School of Marine and Atmospheric Sciences offers policymakers a blueprint for seven watersheds from the Moriches to Shinnecock inlets. The study ranked the seven by priority: Moriches West, Quantuck Bay near Westhampton, Shinnecock Bay West, the Heady and Taylor creeks by Southampton, Moriches East, Moriches Middle and Shinnecock Bay East.

The costliest approach, building new sewers, was recommended as the top strategy for

only two areas — Moriches West and Shinnecock Bay West.

Upgraded cesspools and septic tanks, recommended for all areas, were the first priority in Quantuck Bay, Moriches Middle and Shinnecock Bay East.

Controlling development was recommended as a second priority for Shinnecock Bay West and Quantuck Bay.

Only in two areas — Heady and Taylor creeks and Moriches East — was "controlling buildout" the top recommendation, according to the study, undertaken for the New York State Department of State, which plays a role in regulating the coast.

However, some environmentalists say tighter building limits are needed.

Much of Suffolk's water pollution resulted from antiquated rules that allowed too many residences and commercial buildings to go up without sufficient wastewater treatment.

While 1.5 million people live in Suffolk, around 70 percent of homes lack sewers.

"We're not going to build our way out of a water crisis, we built our way into a water crisis," said Adrienne Esposito, executive director of Citizens Campaign for the Environment, an advocacy group based in Farmingdale.

The quickest and least expensive

solution cited by other environmentalists — using less fertilizer — was recommended for only two areas: Heady and Taylor creeks and Moriches Middle.

County Executive Steve Belone views cleansing Suffolk's waters as a signature issue and his spokeswoman says the new report confirms his policy.

"It is yet another science-based study that finds the largest single threat to water quality are cesspools and septic systems," she said by email.

At stake is Suffolk's quality of life as well as the multibillion industries of tourism, recreational boating and fishing, officials said.

Newsday  
12-21-16

NEWSDAY, WEDNESDAY, DECEMBER 21, 2016

RECEIVED

DEC 21 4 23 PM '16

Dear Supervisor Schneiderman

Shinnecock Bay West cannot afford "The Hills Project" 118 homes NOR the proposed golf course. Water quality will suffer greatly.

Stony Brook Univ. Sch of Marine and Atmospheric Sciences states here that second to building costly sewers "Controlling development was recommended...for Shinnecock Bay West and Quantuck Bay.

Be on the side of logical forethought for the future. Vote NO for the Hills Project.

Very truly yours,  
Carolyn Olson and Harold Wilson

28 Marlin Road  
East Quogue NY 11942  
12-28-16



RECEIVED

2017 JAN -4 PM 2:31

38 East Poplar Street  
Floral Park, New York  
11008  
December 24, 2016

Dear Supervisor Schneiderman &  
Members of the Town Council,

As a resident of Hampton Bays since 1984, I have seen many changes in our environment. The proposed HILLS at SH project must be stopped - our precious environment cannot support this development - YOU KNOW THIS IN YOUR HEART!! Stand up for your constituents! BE FIRM! We need to PRESERVE our precious surroundings for the greater good. VOTE against BLEEDS!

Sincerely,

Laura O'Homan

Sp. TB Meeting 2/7/17  
P.H.#1

Southampton Town Board Meeting  
February 7, 2017

My name is Justine Diianni, a homeowner in Hampton Bays since 2002 and a lifelong visitor to the south shore. What brought me to this area was the ocean, the bays and the beaches.

You've heard reports from marine biologists about the declining health of the Baker's Bay reefs near the golf course and resort where Discovery Land Company promised zero-impact in the Bahamas.

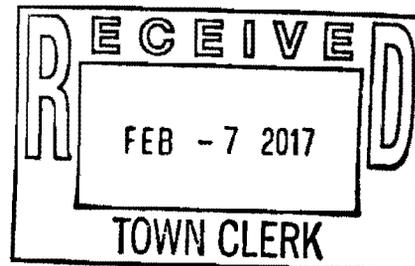
Suffolk County already is home to over 35 public golf courses and 24 private. Our community does not need another golf course promoting the nitrogen loading that has put our bays in crisis.

Toxic algae already plague our local waters. Brown tide, rust tide, toxic blue green algae, hypoxia, ulna, diarrhetic and shellfish poisoning have killed off plant and marine life. There have been bans from harvesting shellfish from the Ponquogue bridge to Moriches Bay.

Our waters, waterfront and beaches are the reason people want to come here. They are crucial to the livelihood of our our local economy and the value of our homes and property. Please do what is in the best interest of our sole source aquifer, the health and viability of our marine resources and ultimately our whole community.

With the evidence you've heard during these sessions, it is critical that you do not approve this PDD.

Respectfully submitted,  
Justine Diianni  
9 Atlantic Avenue  
Hampton Bays NY



SAY  TO

THE

HILLS

SAVE ALL THE  
ANIMALS, PLANTS, AND TREES  
THAT LIVE THERE. SAVE  
OUR DRINKING WATER.

ALL OF US ARE DEPENDING ON YOU

You can save lives!

FUTURE LONG ISLANDERS NEED WATER  
TOO.

*(9 years old)*  
FROM, NICO CARONE, THE ANIMALS,  
AND EVERYONE ELSE SAYING NO TO  
THE HILLS.

*THANK YOU*

TOWN OF SOUTHAMPTON  
TOWN OF FRENCH CREEK

2017 MAR 23 AM 9:51

RECEIVED

Sp. TB Meeting Jan. 10, 2017  
P.H. #1

To: Southampton Town Board

January 10, 2017

My name is Vicki Greenbaum and I live in East Quogue. The meeting that was held on Saturday 1/7/17 by several of our civic associations finally gave the opposition an opportunity to share many facts about this project that should, and must, be considered. The blizzard forced shortened versions of presentations, and the last 3 speakers were canceled. So there is still more to share. I urge the board to view the video of the meeting as soon as it is made available - to experience its full impact. Just reading the texts of the meeting that have been submitted is not the same as experiencing it. It's a shame that this information was not shared with the public during the open Town Board meetings. It puts those of us in the opposition at a clear disadvantage.

I won't waste time repeating what was said since the video speaks for itself. What I will add to the mix tonight is some simple arithmetic. The Hills 118 homes are anticipated to sell for 3 to 5 million dollars each. So 118 times an average of 4 million is \$472 million. The developer has never said what it will charge for golf course memberships, but we expect from comparing to other golf course memberships that it will range from \$500,000 to \$1 million each. Let's take the lower number. 118 homeowners paying \$500,000 each is another \$59 million. They are also planning to sell around 130 golf course memberships to the exclusive members of the Dune Deck Hotel they are building on Dune Road. So 130 times \$500,000 is another \$65 million.

Let's add this up. \$472 million + \$59 million + \$65 million = \$596 million dollars. Quite a chunk of change. And that doesn't include the annual golf fees expected to be around \$30,000 per member per year to actually play golf. Also not included is the clubhouse and catering hall ongoing profits. But you see where I'm going. They throw around \$5 million or so in the neighborhood and it's not even 1% of what they will profit.

On the other hand, if the golf course is not approved, they will be able to build maybe 85 homes after SEQRA and other environmental laws are applied. It is the golf course that will attract buyers for the developer's homes at elevated prices. Southampton Pines, which is right next door to the Hills property, still has homes available selling for around \$1 million. Without a golf course Discovery will be selling at local market prices. If they are lucky enough to sell all 85 homes they build they will get \$85 million. That's a far cry from \$600 million plus.

There is currently a moratorium on PDDs and the S/H Press had an article on the board's recent meetings on the subject. Here is a quote from that article:

"The supervisor said he believes the PDD legislation should be limited to projects that are, in themselves, community benefits—such as a change of zone to clear the way for an assisted living facility, museum or library, projects that typically would be sponsored by the town or a not-for-profit."

"That way developers couldn't use the PDD for private personal profit by changing the code to enrich themselves," Mr. Schneiderman said. "Currently, it allows for it. I never liked the idea that you could gain through zoning but give back through external community benefits that were not related to the project. It looks like you're buying the zone change."

Buying the zone change indeed. And in this case, the community benefit is less than 1% of the profits!

We know that it is a technicality that the Hills application for a PDD was accepted before the moratorium. It is also a technicality under that law that the Town has the right to reject it at any time. So why does one technicality seem to hold more weight than the other? The developer has taken full advantage of the law; I see no reason why the Town board shouldn't also take full advantage of the law: reject this PDD now. You have every right to do so. Else you are closing the barn door after the horses are gone.



Hills S.T.B Meeting Jan 10, 2017 Al Algieric  
P.H. #1

RECEIVED  
JAN 10 2017  
TOWN CLERK

WEDNESDAY JANUARY 8, 2017

# Opposition for The Hills

BY JESSE COBURN  
jesse.coburn@newsday.com

Civic leaders in East Quogue outlined their opposition to a controversial development proposal during a public meeting yesterday in advance of a Southampton Town Board hearing on the project.

The Hills at Southampton, as the development is called, would add 118 high-end homes, a golf course, an underground parking lot and other amenities to a 167-acre site in the pine barrens.

Opponents of the plan say it will imperil the region's groundwater and ecosystem, and change the character of the area.

About 80 people came despite the snowstorm brewing yesterday morning to hear presentations on the plan by elected officials, community leaders and legal, planning and environmental specialists.

"It's clear-cut that this is a bad project for East Quogue; it's a bad project for the Town of

Southampton, and it's a bad project for the region," said Assemb. Fred Thiele Jr. (I-Sag Harbor).

"It does not fit in the character of our community," Suffolk Legis. Bridget Fleming said.

Representatives of Discovery Land Company, the Arizona-based firm proposing the development, attended the meeting but did not speak. The company did not respond to a request for comment.

Christopher Gobler, a professor of marine biology at Stony Brook University, said the proposal could increase the amount of nitrogen that seeps into the groundwater and Shinnecock Bay. Nitrogen already has damaged the local ecosystem, he said, by degrading salt marshes that protect the land from coastal flooding.

Lisa Liquori, former director of planning in East Hampton, presented an alternative proposal that she said would de-



Grace Cole, left, and Ginnie Alestra examine an alternative plan for the East Quogue project yesterday.

GORDON M. GRANT

velop far less of the site and include less fertilized turf, among other differences with the company's design.

Discovery Land first proposed the project in May 2013, according to Al Algieri, president of the East Quogue Civic Association, which organized the meeting.

Since then, he said the company has submitted four draft environmental impact statements, only the last of which was finally accepted as complete by the Southampton Town Board, in late 2016.

The board has not approved any other aspects of the plan so far, he said, including a zoning

code exemption to build the 18-hole golf course.

The meeting yesterday was cut short before the public comment section due to the intensifying snowstorm.

The Town Board hearing will be held at 6 p.m. Tuesday at East Quogue Elementary School.

NEWSDAY, SUNDAY, JANUARY 8, 2017 newsday.com

++

Sp TB Meeting 12/5/16  
P.H. #1

Dear Town Board Members,

As a very concerned full time resident of Westhampton I am writing to urge you all to vote against the Hills development.

It is shameful how the developers have been marketing this planned resort. All the science, with empirical evidence, makes clear that this will be disastrous for our environment, and our precious water sources.

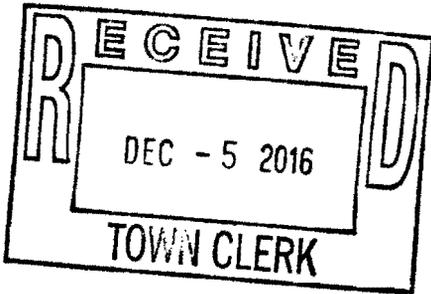
It is my hope that you will all vote your conscience, and honor the trust we, your constituents, have placed in you.

Thank you for your attention.

Yours truly,

Laurie Corey

10 Windwood Court  
Westhampton, NY 11977



Special Town Board Meeting 2/7/17 P.M.#1

To Southampton Town Supervisor Schneiderman and Members  
of the Southampton Town Board.

OFFICIALS/ORGANIZATIONS THAT HAVE PLEDGED THEIR  
OPPOSITION TO THE HILLS IN EAST QUOGUE

NYS Assemblyman Fred Thiele

Suffolk County Legislator Bridget Fleming

Former SH Town Trustee Fred Havemeyer

League of Women Voters of the Hamptons

Hampton Bays Civic Association

East Quogue Citizens Advisory Committee (CAC)

East Quogue Civic Association

HUSH Quiet Skies

Southampton Town Civic Coalition

Save Sag Harbor

Flanders/Riverside/Northampton Community Association (FRNCA)

Water Mill CAC

Speonk/Remsenburg Civic Association

Remsenburg Eastport Speonk Communities United (RESCU)

Group for the East End

Pine Barrens Society

Southampton Water Protection Alliance



Submitted by  for the East Quogue Civic Association

February 7, 2017

Jay Schniederman, Southampton Town Supervisor  
and Town Council Members  
John Bouview, Stanley Glinka,  
Julie Lofstad,  
Christine Scalera

Dear Supervisor Schniederman and Town Council Members,

The Board of Trustees of the East Quogue Historical Society is opposed to the Planned Development District known as The Hills at Southampton. This 118-home, luxury golf course development will affect our community in ways we find undesirable.

We do not believe it is possible to build a golf course and high-density housing over our drinking water source and not have any ground water pollution as a result, no matter how effective the measures taken to prevent it. Only the golf course will be monitored for nitrogen and chemicals seeping into the groundwater. Most of the remainder of the Hills and the Kracke properties will be landscaped and will require maintenance, including the use of fertilizers and pesticides, the same as an "as of right" housing development.

We do not want to see our heritage and our community altered and diluted by an unrelated, part-time community in our midst. Our heritage is important to us. East Quogue was founded by farmers and fishermen. It has always been home to mostly working-class families who take pride in their history and their community. A private golf-course resort that East Quogue residents will be excluded from is not a good "fit" for our hamlet.

We fear that The Hills will bring gentrification to East Quogue. Gentrification means rising home prices, new construction, more children in our school, and an increase in the cost of living that will adversely affect many East Quogue families. The jobs promised by The Hills will not offset the economic effects of gentrification. We do not want our hamlet to become too expensive for current and future families to live in.

We do not believe that the Community Benefits proposed by The Hills' developers will either compensate for, or mitigate against, what we see as the adverse effects that this development will have on East Quogue.

For all of these reasons, we urge you to reject The Hills PDD application.

My name is Bonnie Doyle and I am speaking on behalf of the Hampton Bays Civic Association.

The PDD legislation was designed to be used judiciously as a planning tool to meet an overwhelming community need that traditional zoning could not accomplish. It was not intended to allow developers to circumvent established zoning and the Town of Southampton's long-term comprehensive plan.

Yet all of the comments in support of the Hills pointedly ignore this very basic fact. Comments in support of this project ignore the danger posed by this project to the entire Town of Southampton, now and for future generations. Approval of this project is wholly incompatible with the recent vote to use Community Preservation Funds for the improvement of water quality. This project is not proposed for an *ordinary* plot of land in East Quogue; it is proposed for the *most environmentally sensitive* plot of land.

The Hills project covers the largest unprotected tract of privately held Pine Barrens forest remaining in the Town of Southampton Pine Barrens "Compatible Growth Area", an area where only limited environmentally compatible development is allowed. This area is designated a "Special Ground Water Protection Area" by NY State, a "Critical Environment Area" by Suffolk County and targeted by the Nature Conservancy for permanent protection. Yet those commenting in support of the Hills have ignored these special designations and what they mean for the quality of our drinking water and of the water bodies that provide unparalleled recreational and business opportunities for all of the residents of the Town of Southampton.

Since 2010, both Shinnecock Bay and Quantuck Bay have been declared impaired water bodies by the NYS DEC due to high nitrogen levels. These water bodies have been buffeted by the collapse of shellfish populations, the disappearance of ninety percent of eel grass beds, which function as nurseries for both shell and fin fish, and the emergence of toxic brown, red and rust tides harmful to both human and aquatic life alike.

This issue does not just impact the East Quogue community. In five years, ground flow from water on the Hills property will reach Weesauck Creek, the epicenter for toxins and brown tides contaminating Quantuck and Shinnecock Bays. Applying the nitrogen loading model used by the DEC in the newly released Long Island Nitrogen Action Plan, Professor Chris Gobler has stated that the developer has underestimated the nitrogen leaching by a factor of at least three times the listed percentage and needs to be reevaluated. Some of the public comments in support of the Hills project have challenged the assessments of independent scientists like Professor Gobler, and instead point to the Hills' paid consultants for a different point of view. But can we afford to so cavalierly ignore the statements of independent scientists? If we do, and we are wrong, the entire Town will suffer the long-range consequences of that decision.

And even if the current development involves environmentally sensitive practices now, how long will that last? Who will be monitoring the activities at the golf resort to make sure the barriers are in place, that the systems are functioning properly, and that only environmentally sensitive fertilizers are used? Can anyone guarantee that five, ten, fifteen years down the line the then owners of this golf course and the dense luxury housing will not be less diligent in keeping up these practices and instead loading nitrogen from the septic and phosphorus from the fertilizers into our water?

In good conscience, the Town Board and the residents of Southampton have to consider whether the so-called benefits to the community offered by the Hills are worth the long-term impact on our water. A private golf course and luxury homes are not a critical community need. But clean water is.

The “critical community benefits” offered by the Hills are short-term, short-sighted and inure to the residents of East Quogue at the expense of water quality impact affecting the entire Town of Southampton. The major annual benefit cited is the estimated \$9.4 million in income from permanent seasonal operational jobs created over four years. But how much of a benefit will that be when the water quality becomes so degraded that the recreational water activities cease to attract summer visitors and future residents? When the fishing, boating, and swimming activities become threatened, how much benefit will a private luxury golf resort be to the year-round residents?

But regardless of the quality of the benefits, are they the type authorized under the PDD legislation as “community benefits”? Our reading of the legislation says they are not, and we urge the Town Board members to carefully consider whether they believe such benefits fit the definition in the legislation.

The Hills developer has also threatened to build “as of right” housing if its golf resort project is not approved. But all building must be in compliance with state and local requirements. “As of right” numbers are not a given. Under NYS law “As of right” computation is only finalized after the environmental impact is analyzed.

What was the point of creating the comprehensive zoning plan if we allow the PDD process to be used by developers to get one-off approval of their projects? Each of these approvals is another hole in the comprehensive zoning plan, and effectively render it a nullity. This is not an issue for East Quogue, but for the entire Town of Southampton. It is not a “zoning” issue, but an issue of the Town’s priorities and policies, as well as its interpretation of law and exercise of judgment.

Developers should not be allowed to buy the right to threaten our water quality and way of life.

Ellen Sanders – full time resident of East Quogue near Lewis Rd

1. I am opposed to the use of the PDD's and especially for this application.
2. I am opposed to a commercial use of the golf & catering/club house.
3. Our water resources are already being over burdened with the over population of this island. The drought issues and deeper well drilling nationwide must be a wakeup call to our officials.
4. The increased volume of water to sustain a commercial use exceeds the as of right development usage of water.
5. The property tax assessed value of the as of right development will provide the town with 1.9 to 2.4 million and East Quogue School will receive close to 1.5 to 1.9 million.
6. The proposed selling value per home of close to 1 million for the as of right zoning are not affordable homes, for young families with children. The fear factor that these new homes will burden the East Quogue School is incorrect. Young families just cannot afford homes in this price range. The as of right zoning will bring in second home owners and vacation home buyers.
7. The "Hills" proposed benefits to the school for a few hundred children are NOT for the benefit of the majority of the over 5000 East Quogue residents.
8. It's our WATER there is not an endless supply, please reject this PDD.

Ellen Sanders  
P O Box 191  
Westhampton NY 11977  
5164436237

Victoria Greenbaum  
17 Dolphin Road  
East Quogue, NY 11942  
(631) 728-3294

February 20, 2017

Jay Schneiderman, Supervisor  
Christine P. Scalera, Councilperson  
John Bouvier, Councilperson  
Julie Lofstad, Councilperson  
Stan Glinka, Councilperson  
Sundy A. Schermeyer, Town Clerk

Dear Southampton Town Board,

The Hills at Southampton DEIS version that was finally accepted by the Southampton Town Board listed seven alternatives (8 if you count that there was a 2a and 2b) to the PDD application. It stated on page S-35: "SEQRA requires the consideration of alternatives to a proposed project. For the subject application, the following alternatives were specified in the Final Scope:"... The DEIS goes on to itemize the 7 alternatives.

Yet, the public generally sees a binary choice of the PDD -or- the As-of-Right zoning of 118 homes on five acre lots. This is no accident, since this incorrect perception is perpetuated by the disingenuous marketing of Discovery Land Company. See the advertisement on page A3 of the February 16, 2017 issue of the Southampton Press, where the developer gives center stage to the statement "The property is already zoned for a 118 home subdivision." This despite the fact that SEQRA and other environmental laws currently on the books would prevent some 30 plus houses from being built, leaving the developer with approval for less than 88 homes.

Many people who testified for the PDD at the Town public comment meetings focused on this binary choice. Others were enthralled with the beauty of the design or the money it would bring to the area. All sincere opinions however misguided. Those against the PDD focused mostly on analysis of traffic issues and the science for the preservation of our water supply and health of our bays.

None of the people who commented were privy to the volume of information on this application that has been submitted to the Town Board. It really isn't about the number of people who are for or against the Hills. Even a 1% chance that this PDD will damage our environment is a risk too high to take. No one would ever play the lottery if they didn't believe in low percentage chances.

I applaud the Town for putting up a proposition in November to use 20% of CPF funds to protect our water. The people overwhelmingly voted yes. It is also good that it appears you are leaning towards eliminating the PDD law. Now we are depending on you to weed through the many pro and con comments on the Hills PDD and give attention to those based on facts, not emotion. It's about doing the right thing to save us from self-destruction. I appeal to you, our Town Board, to look to the future and reject the Hills at Southampton PDD so we can continue on our path to a healthy, flourishing community.

Vicki Greenbaum

Victoria Greenbaum  
17 Dolphin Road  
East Quogue, NY 11942  
(631) 728-3294

March 24, 2017

Jay Schneiderman, Supervisor  
Christine P. Scalera, Councilperson  
John Bouvier, Councilperson  
Julie Lofstad, Councilperson  
Stan Glinka, Councilperson  
Sundy A. Schermeyer, Town Clerk

Dear Southampton Town Board,

After April 1 you will be faced with making a decision on the Hills at Southampton PDD. The issues at hand are complex and simple at the same time:

1. ENVIRONMENT is the primary concern. Any potential risk of damage to:
  - a. the Aquifer and drinking water supply
  - b. the Bays' health, compounding the problems we already struggle with: algae blooms, health and supply of shellfish and fin fish and questionable swimming safety
  - c. the habitats of wildlife, displacing and disrupting them through clearing the trees and re-grading the land
  - d. the Pine Barrens' beauty and natural function of nitrogen absorption

should immediately end any further discussions of approving the PDD.

2. TRAFFIC
  - a. Our roads and bridges cannot safely handle the uncountable volume of vehicles that will travel from points west, Gabreski airport and the Westhampton Dune Deck hotel to the Hills by their homeowners, golfers, guests and attendees at affairs held at the event hall (with parking beneath for 130 vehicles.)
  - b. Congestion in the summer on the Long Island Expressway, Sunrise Highway and ancillary roads used by visitors to as far as Montauk will be affected with unknown impact on the businesses east of here.
  - c. Noise and air pollution from helicopters, planes, jets, trucks and cars will impact the quality of life for everyone within earshot.
  - d. Wear and tear will shorten the life expectancy of our local roads and bridges.
3. TOWN ENFORCEMENT AND FINANCIAL BURDENS
  - a. Any violations of Hills Homeowners Association covenants (especially that limiting the attendance of children in our schools) will be enforced by the Town of Southampton, at our expense.
  - b. Any costs incurred related to the Hills development with a golf course (which pay very low property taxes) will be borne by the citizens of Southampton. These include the Fire Department, Police Department, Code Enforcement, Legal expenses, Post Office and mail delivery, road maintenance, street lighting, etc...

#### 4. COMMUNITY BENEFITS

The benefits to the community worth a few million dollars are dwarfed by the benefits to the developer, estimated to be in excess of half a Billion dollars. That's \$500,000,000 plus, which is an unbalanced 100 times the benefits to the community.

#### 5. ALTERNATIVES

The developer has an "as-of-right" to build homes, not a private golf resort. A PDD rejection would result in a smaller development or a "reduced impact alternative". Since SEQRA and the Town should require more stringent guidelines, either choice will have less impact on traffic and the environment.

Complex in that there are many issues at hand - but simple in that it is plain to see that this PDD is a bad idea on many levels and must be rejected. The time has come.

Thank you for your consideration,

Vicki Greenbaum

**TO:** SOUTHAMPTON TOWN BOARD

**SUBJECT:** Final Statement with respect to The Hills, East Quogue, DEIS

**DATE:** 03-31-2017

This is my last comment to the Town Board with respect to the DEIS for the PDD, The Hills, considered by East Quogue.

The DEIS is thick, well written, but leaves a lot of environmental and traffic questions unanswered.

- 1) The DEIS states that the wastewater will be depolluted at the source, but doesn't explain how. Also, it is not a big deal to pump up groundwater from under the site and the proposed golf course and condominiums to use for fertilization as well as removing nitrogenous and other pollutants including golf course maintenance chemicals, but such will simultaneously recirculate toxins, medical wastes and other pollutants simultaneously. Some of these will go back into the groundwater and empty into Shinnecock Bay, some will remain in the atmosphere and be transported to other nearby areas depending upon the wind velocity and direction.
- 2) Shinnecock Bay is on the NYS DEC's impaired water body list. Indeed, professor Gobler's work based at the SUNY at Southampton marine station and laboratory over the years has shown progressive deterioration of the bay waters and its tributaries, with little sign of recover. Great South Bay to the west of Shinnecock and Moriches Bays used to be the largest hard clam producer in the world, but no longer. Shinnecock Bay is destined to follow in suit, notwithstanding the efforts of mariculturists and oyster growers. There is no guarantee that the proposed condominiums will forever only be occupied during the summer months as suits brought to the state's supreme court system by condo owners and occupiers could strike down such a covenant or restriction.
- 3) NYS 27, Old Country Road and Montauk Highway are parallel arteries leading to the South Fork that receive backed up traffic easterly in the morning and westerly in the late afternoon. The traffic to be added by golf players, those enjoying the clubhouse atmosphere and those occupying and/or visiting the condominiums will definitely worsen future traffic problems locally and in the greater Southampton Town area.
- 4) Part of the site lies in the Long Island Pine Barrens Marine Forest, almost all of it in New York States "Special Groundwater Protection Area". The groundwater under the site is already sullied, per readings at the nearest SCWA water supply well, and can only get worst should the site be developed as planned.

5) The PDD concept has proven to be a big disaster as a “planning tool”. The members of the Town Council are already beset with a ton of day-to-day problems and don’t have the time or the wherewithal to tackle such multifaceted developments which are better left to a dedicated subsidiary board, in this case, to the Southampton Planning Board, where “as of right” is subject to greater scrutiny and modified depending upon the board’s findings and judgment.

6) There already are at least ten well-developed golf courses in Southampton Town, three of which, in Quogue, Westhampton Beach and “Northhampton”, are proximate to the East Quogue site.

7) The Community Preservation Fund is designed specifically to protect such areas as the instant site for ecological, passive recreational and groundwater protection reasons. There is no better example of a large undeveloped site in Southampton Town that is more deserving of CPF-ed open space status. A cursory examination of the latest Hagstrom Suffolk County Atlas, shows very little green denoting open space in the East Quogue hamlet, while to the northeast, north and northwest there is a great deal of green denoting dedicated open space.

8) Consequently, I would advise the Town of Southampton’s Town Council to opt, instead, for an open space solution to the question presently before it, but not for a PDD golf course-condominium development or nor as-of-right residential development via the Planning Board.

Sincerely

Larry Penny  
South Fork Goundwater Task Force, Enviromeasurements, LLC  
3662 Noyac Road, Sag Harbor, NY 11963

Special Town Board Meeting 2/7/17  
P.M. #1

To Southampton Town Supervisor Schneiderman and  
Members of the Southampton Town Board

"IF YOU VOTE TO APPROVE THIS PROJECT ...."

I am Anne Algieri, a resident of East Quogue.

This Town Board will vote on Discovery Land's application for a change of zoning, the largest change of zoning ever applied for in Southampton Town and over an environmentally sensitive piece of land.

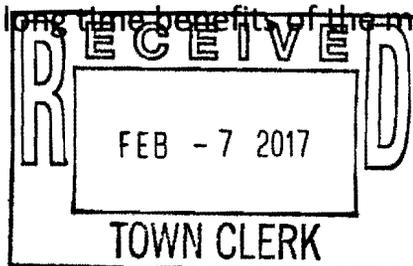
If you vote to approve this project, please don't insult us with the hollow arguments that this proposal would be better for the environment because there would be more controls in place than those in place for the current zoning. Not true.

If you vote to approve this project, please don't use the excuse of community benefits. They are a sham.

If you vote to approve this project, please don't use the excuse of costly suits. The Town has liability insurance to cover just that.

If you vote to approve this project, please don't use the excuse previous boards have given to approve unpopular projects - that the developer has been working on this for a long time. That was and is the developer's choice.

If you vote to approve this project, please don't use the excuse that the community is divided. That is exactly what Discovery Land would like you to think. They have filled these hearings with people from all over Long Island and with the direct help of the Long Island Builders Association. These hearings do not represent our community. Yes, a few from East Quogue are for this project, many of whom will benefit from it or think they will. But they are the vocal minority. Keep in mind that the short lived benefits of a few should not outweigh the long time benefits of the majority.



So when you, vote on this project, keep in mind that we did not elect you to represent an out of state corporation coming here to get a change of zoning to make a 1/2 billion dollar profit (according to their figures) for themselves.

When you vote on this project, keep in mind that we did not elect you to represent the Long Island Builders Association.

When you vote on this project, keep in mind that we did not elect you to represent the realtors from Westhampton.

When you vote on this project, keep in mind that we did elect you to represent us, and, yes, we vote here, most of those others do not.

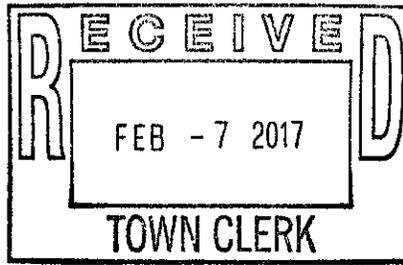
In summary, there are no excuses to approve a flawed PDD law that will compromise forever our drinking water and surface water.

Respectfully,

A handwritten signature in cursive script, appearing to read "Anne Hickey Algieri".

Anne Hickey Algieri  
East Quogue Resident

Special Town Board Meeting 2/7/17  
P.H. #1



February 7<sup>th</sup>, 20017

To: Southampton Town Board

Re: The Hills Development Project

The following is my complete statement which is a compilation of my previous statements I gave at the last 2 Town Hall meetings with regards to proposed The Hills development project.

I bring a unique perspective on the Hills project which I draw comparisons with the development I have been living in for almost the past 2 years, Southampton Pines (SHP). Attached please find several documents and survey maps I secured from the Southampton Town Hall records.

The point that I have been attempting to make in my 2 brief statements before the Town Board is that even though the Hills developers may have all good intentions, their so-called facts and science for which I have serious concerns about, especially after hearing many of the residents and informed opponents and once the individual plots are sold. As I have observed with the conditions of SHP, the developers and/or many of the new owners most certainly blatantly ignored the Town regulations for only clearing individual properties up to 50 %.

Now with regards to the Hills project, if the Town has allowed and continues to allow SHP's developer and property owners to flagrantly disregard the regulations with regard to over clearing, how can we expect the Town and it's oversight agencies to keep the Hills developer and it's new residents to not over clear as has been done at SHP. Additionally, as I have been informed by various Town agency personnel, over clearing is a common practice in the past and continues to occur with numerous other properties all over the Township. I believe and that the Town should do a study to analysis and quantify the numerous violations by simply pulling all on the Town computer records.

Further, since various agency personnel have informed me that there is little monitoring or enforcement by the oversight agencies, including Code Enforcement, the actual number of over clearing violators should be considerably more than the actual recorded violations. Actually, my assessment of this over clearing situation is that it has been a dirty little secret for years which not only Southampton Town authorities and agencies, but also other townships in the area, have swept under the manicured landscaped properties all over the South Fork.

With regard to SHP's developers and/or residents, I can attest to the over clearing of the Pine Barren forest which was carved up in the early 2000's and replaced with the SHP development, comprised of a network of roads for the new houses in which many individual developers/builders and residents cleared large portions of their properties for their houses and lawns and their own non-native trees and hedges in their expensive landscaping. As previously mentioned, I was specifically able to ascertain from the various Town agencies that there is hardly any monitoring and enforcement of the regulations on the books for retaining generally 50% of the property with a 25' frontal Conservation Buffer in its native state of mostly pine and oak trees forest and ground cover..

Therefore, what is to prevent the Hills developer and its residents from over clearing similar to SHP as the Town has allowed the SHP developer and residents to do? Without any consequences and enforcement of deterrents, other than offenders receiving a violation which only remains on the Town's books and only has to be cleared before sale of the house and property many years later, the over clearing is basically left un-monitored, unchecked and unenforced.

Actually, another long time SHP resident who spoke at the Town Board meeting, Maria DeDino (sp?), confirmed what I had also discovered that more than 50% of the 145 SHP or so residents have either over cleared more than 50% of their properties and/or their 25' Conservation Buffer at the front of the properties.

As an example of a few of the more blatant over clearing offenders, our 2 next door neighbors are actually in gross violation of the regulations, as is pointed out in the attachments below for 139 and 140 Maggie Dr. and the Town's letters. All though they have done extensive and expensive landscaping, they have also cleared their frontage Conservation Buffer and much of the original forest trees which now only border their expansive lawns around the perimeter of their properties. I also have photos of both properties, as well as, 159 Malloy which is named after the original SHP developer and is the very first house on the access road over the train tracks in SHP and is also another blatant over clearer who was one of the very few properties who received a violation years ago and has only done minimal work for the required reforestation, as described in the attached Town letters.

What compounds the environmental damage by removing these nitrogen fixing trees is that many of owners use chemical nitrogen fertilizers and herbicides in order to maintain their new lawns, exotic trees and plants. All these new chemicals eventually find their way into the aquifer or runs off into the streams which eventually flow into the Shinnecock Bay. The result is further contamination of the aquifer and runoff into the streams which eventually finds its way to the Bay which has in event become one huge septic tank for all the ever increasing development by the ever increasing residents. Is it any wonder that the our streams, estuaries and bays are becoming so contaminated that it is effecting the shellfish and fish which we continue to consume from this food chain ecological cycle of life.

So as my father would say, "the past is prolog", and therefore one must expect that even though the develops to clear the forest for golf fairways, new houses and roads to a minimum, once the new property owners come in, there will be further considerable clearing of natural forests which are critical in maintaining the quality of the aquifers and naturally fertigation the nitrogen. Something further to consider with all this development is that these Pine Barren forests have been a major factor in a natural fertigation system since the Ice Age glaciers receded some 20-30,000 years ago when the forest first appeared. By the way, I have been aware that glaciers covered this entire region since I was a youth because of the huge boulder which is the largest rock on all of Long Island and was in our backyard on the 500 acre John H. Whitney Estate where there is a sign alongside of Shelter Rock in Manhasset, named for the Indians who lived around the rock for shelter from as far back as 1000 B.C or older.

With my own extensive knowledge and experience of history and nature, I ask since civilization has transformed the Earth to support our species over all others and the ecosystems which supports all life, are we not fulfilling one of the earliest environmentalist's, Rachel Carson's, warning in her ground-breaking book, "Silent Spring"? I can remember reading this ground breaking book at my grandmother's Southampton house/artist studio on the Shinnecock Bay, just across from the Indian Reservation and it instilled a reverence and understanding of nature and our fragile ecosystem which has been being threatened by the new residents of North America since the 1500's and now as some environmentalists have stated, we have gone beyond the tipping point or point of no return of our Earth's fragile ecosystems.

In my view this Hills project is just the type of risky experiment in which self-assured and well-meaning developers have convinced themselves and many in the community, as well as, members of the pro-development Town Board of the economic and scientific viability of the Hills project, while many residents still remain skeptical of unproven projections. The question that I pointed out in my statement to the Board at the last meeting is that before they give the green light to the developers, they should be thorough and responsible enough to study and analysis all of the information from both sides before making a decision because the Board has the burden to serve the interests of all the residents and future generations of residents who may very well regret their actions if the plan is approved as presently proposed and submitted and it doesn't live up to the promotional economic and scientific prove of the developers..

In order for the members of the Board to attempt to understand the complex mechanism of our local fragile ecosystem in which the Nitrogen Cycle is one of the most important components and which may very well be in conflict with the unproven projections of the Hills project, the Board should at least read and attempt to comprehend the attached copy of this link, <http://www.biologydiscussion.com/ecosystem/5-stages-of-nitrogen-cycle-with-diagram/4790>. Since these members of the Board are basically bureaucrats and not environmental scientists, they should attempt to get a rudimentary knowledge of our ecosystem in order to be able to comprehend the significance of having the Hills developers alter the natural cycle by drastically changing the land and use an experimental nitrogen fertigation process which has little real world results over long periods of time.

At the community meeting on that snowy day, I listened very intently to Stonybrook U Professor, Chris Goble, and feel very strongly that he has studied and analyzed the science of the developers nitrogen fertigation model and that he has raised significant and irrefutable flaws of the efficacy and viability of the Hills project based on their limited so-called scientific proof. Additionally, I recommend that the Board take into account the past so as not to repeat the same mistakes of the similar proposed original SHP project with their golf course/development which went bust in the 2007/8 sub-prime mortgage market collapse because of the folly of a greedy financial industry as portrayed in the movie, "The Big Short".

I have had many experiences over decades of working with my father, John Reagan "Tex" McCrary, in the circles of power, especially with regard to government, business, finance, science and real estate promoters and developers. Trust me, I've seen my fair share of all of the above and more and the old saying that, "liars figure and figures lie" comes to mind. As I mentioned, my father, Tex, worked with some of the top developers in the world, such as, Bill Zechendorf Sr. & Jr., Bill Levitt and Sam LeFrak. He helped produce a multimedia presentation for Zechendorf's Jr's proposed high rise building in a park on the site of the soccer stadium in Madrid, Spain which never got of the ground. He also helped Bill Levitt to integrate Levittown by getting Thurgood Marshall to approve of his development, the first affordable housing development for WWII veterans returning from the war under the G.I Bill.

My father, along with Guy Tozzoli, <http://www.nytimes.com/2013/02/07/nyregion/guy-f-tozzoli-who-led-team-that-built-twin-towers-dies-at-90.html> also helped to convince the Rockefeller brothers on financing and building the World Trade Center which became the number one target of Islamic terrorists who brought it down with airplanes. Years earlier, my father convinced Sam LeFrak to be the first developer in Battery Park City and which had laid fallow for a couple decades after NYC and bond market almost collapsed and which on 9/11/01 as my father and I observed everything from the apartment building complex which he convinced Lefrak to build. My father also helped create Lafayette Place project in run down part of Boston in the late 1970's and which didn't quite come out as planned by the developers as described in the following Boston Globe article: <https://www.bostonglobe.com/opinion/2012/11/13/fall-and-rise-lafayette-place-mall/ayc3sy5gGpfkOaXOUVXC8N/story.htm>

My father also attempted to develop Grand Bahamas Island in the 1970's, but instead wound up helping to expose the corrupt British rule thru a Newsweek writer who won a Pulitzer Prize for his cover story and which contributed to the end of British control. He also conceived of and co-developed the Porte Liberte project across NY Harbor on the New Jersey shore near to the Statue of Liberty, despite. The project went belly due tp the Saving & Loan scandal and collapse in the early 90's and under new ownership was finally completed, but without the canals which my father had planned for and as described in the following NY Times article: <http://www.nytimes.com/1990/01/16/nyregion/a-storybook-development-with-an-uncertain-ending.html?pagewanted=all> and [https://en.wikipedia.org/wiki/Port\\_Libert%C3%A9,\\_Jersey\\_City](https://en.wikipedia.org/wiki/Port_Libert%C3%A9,_Jersey_City).

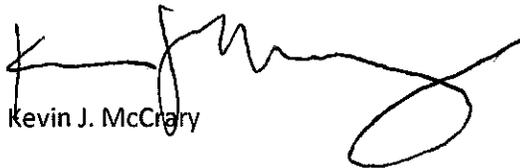
And finally in another one of my father's notable clients back in the 1980's was when he helped Aristotle Onassis with his plan to build the first offshore deep water oil terminal for supertankers off the shores of New Hampshire. I was the photographer and flew up with Onassis and party in his jet for the press conference with the NH Governor. Fortunately and somewhat similar to the many of the resident's resistance to The Hills project, residents were up in arms about having such a huge project off their shores and when we were flying in to land, I could see big letters of SOS in snow all over the area, so, fortunately, it was dead on arrival, despite the support of the Governor and business community. The SOS stood for Save Our Shores.

In my almost 1/2 century of my association with my father, starting with working with him at his WOR Radio program from the 1964 World's Fair at age 16, I have seen and knew many of the developers my

father had been associated with, as well as, his own co-venture projects in the Bahamas and Port Liberte, as described in some of these articles. My point here is as the old saying goes, sometimes or in many instances it is almost impossible to predict the future and to know what the unintended consequences of one's actions will turn out to be in the future or as an old saying aptly puts it, "the best laid plans of mice and men often go awry". But then, sometimes the results of actions meet with great success, like with my father's convincing Eisenhower to run for President as described in the following NY Times 2003 obit on my father: <http://www.nytimes.com/2003/07/30/arts/tex-mccrary-dies-at-92-public-relations-man-who-helped-create-talk-show-format.html>

As I pointed out in my brief statement to the Board, who can predict the future and who is to say that in the next few years when the developers have cleared a huge swath of the remaining forests and have their development as projected, their fate won't be similar to that of the developers of SHP and then who will be responsible for the damage the developers have caused if their project doesn't turn out as planned and maybe even also goes belly up like SHP did in 2008. As my own life experience and with my father's involvement with many developers demonstrates, things don't always come out as planned and expected and history certainly will attest to the unpredictability of future events and the outcome of actions of mere mortals. Therefore, I sincerely hope that the Town Board and residents of the entire surrounding area of the Hills project takes into account all of the evidence and facts, including mine, before making a decision which they might not regret in their term on the Board, but in the years to come, we may all very well regret the environmental damage which could the result from actions taken now!

And finally one other item to consider as unintended consequences of mankind's actions, please note my last attachment of the Conservationist article about pine beetle. As stated, this infestation of pine beetles to more northern regions, including Long Island, the Pine Barrens of Suffolk County in right here in East Quogue, is now being attributed to global warming and could in the coming years or decades threaten the natural fertigation system of our aquifer and as previously pointed out has been in existence since the glaciers receded some 20,000 years ago. With the continuing increase of the population and development of Long Island's East End and especially the South Fork, the question the Board and residents should ask before making a fateful decision, is the Hills project part of the problem of climate change or is it part of the solution and what will the unintended consequences be if the Hills project is approved and is built as presently planned?



Kevin J. McCrary

138 Maggie Dr.

East Quogue, NY 11942

Ph. # 631-800-1202

# 5 Stages of Nitrogen Cycle (With Diagram)

Article Shared by Sonali Priyadarshin

Nitrogen being 79 per cent of the atmosphere, the atmospheric phase is predominant in the global nitrogen cycle. It is required by organisms in the synthesis of proteins, nucleic acids, and other nitrogenous compounds.

Atmospheric nitrogen serves as the ultimate source. But aerial nitrogen, the most abundant component of air, is rather inert chemically and actually cannot be used as such by the majority of organisms.

It must first be “fixed” by specialized organisms or by industrial processes.

**From an ecological perspective, the nitrogen cycle consists of the following stages:**

ADVERTISEMENTS:



Ammonification is a process in which the organic nitrogen of plants and animals after their death is converted to ammonium ions ( $\text{NH}_4$ ) by the action of saprotrophic fungi and bacteria. The saprotrophs use the ammonia ( $\text{NH}_3$ ) to synthesize their own proteins and other nitrogen-containing organic compounds.

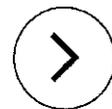
### **Nitrification:**

ADVERTISEMENTS:

Download This To PDF

It's Free to Download and Convert. Get It In Seconds,  
Download Now.

fromdoctopdf.com



Ammonium ions added to the soil by ammonification, are soon oxidized by a process known as nitrification. It takes place in two stages. In the first stage, ammonium ( $\text{NH}_4^+$ ) is converted to nitrite ( $\text{NO}_2^-$ ). This reaction involves the addition of oxygen to ammonia, giving rise to hydroxylamine ( $\text{NH}_2\text{OH}$ ), which is further oxidized to nitrite. This reaction is completed by the bacteria such as Nitrosomonas,

Nitrospira, Nitrosolobus and Nitrosococcus (Hamilton, 1988).

The second stage of nitrification involves the oxidation of nitrite ( $\text{NO}_2$ ) to nitrate ( $\text{NO}_3$ ) by bacteria of the genera Nitrobacter, Nitrospira and Nitrococcus. The reaction proceeds by the addition of water followed by the removal of hydrogen (Hamilton, 1988). The bacteria responsible for these reactions occur in the same soil. The association between Nitrosomonas and Nitrobacter has been described as one of commensalism (Goody, 1988).

### **Nitrogen uptake by Plants:**

Nitrate ( $\text{NO}_3^-$ ) formed in the process of nitrification is used by most plants as a mineral metabolite and may be converted by them into amino groups and other nitrogen-containing compounds. Nitrates are also added to the soil through rock dissolution and combination of atmospheric nitrogen with oxygen by lightning (nitrates so formed reach the soil by rain). However, many plants also absorb ammonium from the soil.

ADVERTISEMENTS:

**PERSONALITY QUIZ**

What don't you know about yourself?

**TAKE QUIZ**

\*Download of the DeluxeQuiz.com extension is required

## **Fixation of Nitrogen:**

The reduction of atmospheric nitrogen ( $N_2$ ) to the ammonium ion ( $NH_4^+$ ) is called nitrogen fixation. This process can only be carried out by certain species of bacteria and cyanobacteria (Postgate, 1988). Some of these bacteria are free-living, occurring in soil or water (saprophytic bacteria like *Azotobacter* and *Clostridium* ; others exist in symbiotic relationship with plants of the Family Leguminosae, e.g., nodule bacteria *Rhizobium leguminosarum*).

Species of the genus *Rhizobium* occur in the soil until they infect a damaged epidermal cell or root hair. The plant responds to this infection by producing root nodules, about 1 to 3 mm in diameter. These root nodules contain leg hemoglobin, which functioning like hemoglobin, transports oxygen.

As these bacteria are aerobic, some oxygen is required for the bacteria to survive, but too much oxygen inactivates the enzyme nitrogenase that catalyses nitrogen fixation. The nitrogen molecule ( $N_2$ ) is very stable and 16 molecules of ATP are needed for each molecule of nitrogen that is fixed. In the soil microorganism *Klebsiella pneumoniae* a total of 17 genes, called 'nif' genes are known to be responsible in nitrogen fixation.

Researches in biotechnology are now attempting transfer of 'nif' genes from prokaryotes to crop plants so that yield of crops like rice and wheat may be increased. However, scientists have not yet succeeded in this attempt.

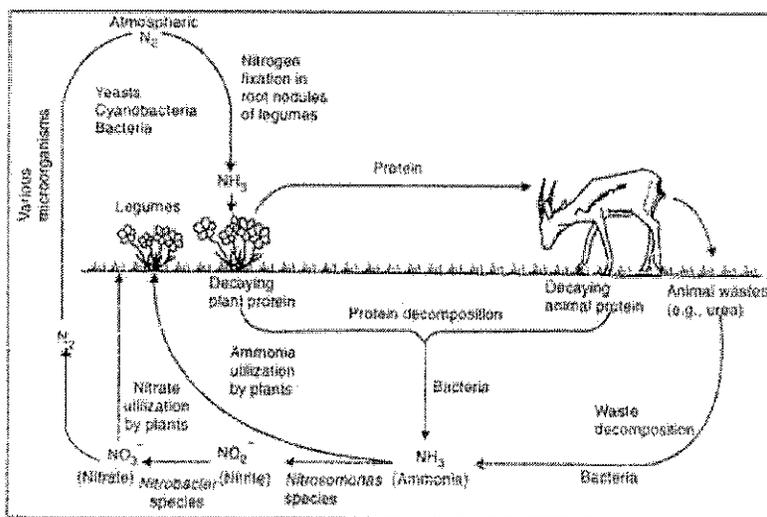


Fig. 5.8. The Nitrogen cycle (after I.E. Alcamo, Fundamentals of Microbiology, 1994). The amount of nitrogen in the atmosphere is maintained by a balance between the processes that withdraw nitrogen from it (nitrogen fixation) and those which add nitrogen to it (denitrification).

## Denitrification:

It is a process in which the nitrate ion ( $NO_3^-$ ) is reduced to nitrogen dioxide ( $NO_2$ ), di-nitrogen oxide ( $N_2O$ ), nitrogen monoxide

(NO) or nitrogen ( $N_2$ ) by certain soil bacteria like *Pseudomonas denitrificans*. Thus, nitrogen is liberated into the atmosphere. Plants also lose small amounts of nitrogen to the atmosphere as gaseous ammonia,  $N_2O$ ,  $NO_2$  and NO especially when well fertilized with nitrogen (Wetselaar and Farquhar, 1980).

Thus, nitrogen cycle (Fig. 5.8) depends upon at least four different kinds of bacteria known as the decay causers, the nitrifiers, the denitrifiers, and the nitrogen-fixers and there is a regular circulation of nitrogen through the air, soil, plants and animals.

[Home >>](#)



## Town of Southampton

116 Hampton Road  
Southampton, NY 11968

DEPARTMENT OF LAND MANAGEMENT

DAVID A. CASCIOTTI, AICP  
TOWN PLANNING AND DEVELOPMENT ADMINISTRATOR

JEFFERSON V. MURPHREE, AICP  
ASST TOWN PLANNING AND DEVELOPMENT ADMINISTRATOR

Telephone 631 287-5707  
Fax 631 287-5706

August 30, 2000

Jane Ann R. Kratz, Esq.  
Esseks, Hefter & Angel  
P.O. Box 279  
Riverhead, NY 11901

Re: The Pines (East Parcel)/Chardonnay Acres (formally known as Chardonnay Woods) Sections I and II

Dear Ms. Kratz:

On June 29, 2000, the Planning Board met with you and Neil Rego to discuss the clearing that has taken place as a result of road construction within the required conservation buffer areas of the above referenced subdivisions. This subdivision is located within the Aquifer Protection Overlay District and the Compatible Growth Area of the Central Pine Barrens. The clearing of these conservation buffer areas is a violation of the subdivision covenants approved by the Planning Board and § 247-21 and § 330-67 of the Town Code.

On July 6, 2000, an 8 ½ x 11 inch sketch entitled "Re-vegetation Proposal for Southampton Pines Over-cleared Area" dated July 3, 2000 prepared by Landtech Design was submitted to the Town for our review. This plan shows a "typical" 40-foot wide by 20-foot disturbed area. This plan does not show the overall extent of clearing within both of the above-named subdivisions nor does it accurately delineate the amount of disturbance that has taken place within the required conservation buffer areas. In some of the disturbed areas of these subdivisions, the over-clearing extends beyond twenty feet from the roadway. Staff cannot calculate a bond estimate based on this sketch.

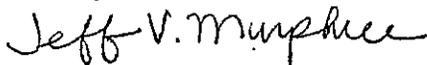
At the June 29, 2000 Planning Board meeting, the board requested the applicant to submit an "as-built" plan for both the Pines East and Chardonnay Acres (Sections I and II), certified by a New York State Land Surveyor, showing the entire amount of clearing that has taken place to date in both of the above-named subdivisions. We have not received this plan to date. Land disturbance calculations must also be provided in square feet. Once we have the as-built plan, our office will calculate a performance bond to be posted by the developer in an amount to re-vegetate the disturbed areas. This information is essential in order for the developer to begin correcting the violations that have taken place.

Jane Ann K. Kratz, Esq.  
August 30, 2000  
Page 2

Given the extensive amount of over-clearing that has taken place in the Aquifer Protection Overlay District, it is our recommendation to the Town Board and to the Planning Board that no further approvals be granted for these subdivisions and that enforcement of these violations be actively pursued. It is our further recommendation that the Chief Building Inspector not issue any Certificates of Occupancies or additional building permits for these subdivisions until the violations are corrected.

Should you have any questions, call me at 287-5735.

Sincerely,



Jeff V. Murphree, AICP  
Assist Town Planning and Development Administrator

cc: Vincent Cannuscio, Town Supervisor  
Town Board  
Planning Board  
David Casciotti, AICP, Town Planning and Development Administrator  
David Gilmartin, Town Attorney  
Kieran Pape, Assistant Town Attorney  
Paul Houlihan, Chief Building Inspector  
Thomas Talmage, P.E., Town Engineer  
Marty Shea, Chief Environmental Analyst  
David Wilcox, Principal Planner

DECLARATION

THIS DECLARATION, made the 23<sup>rd</sup> day of January, 2001, by M AND R LAND ASSOCIATES, LTD., a New York Limited Partnership with offices c/o Malloy Enterprises, Inc., Bay Street at the Waterfront, Sag Harbor, New York 11963 (hereinafter referred to as "Declarant").

W I T N E S S E T H:

WHEREAS, the Declarant is the owner of real property situate at East Quogue, Town of Southampton, Suffolk County, New York; and

WHEREAS, the Declarant has made application for and has received approval from the Planning Board of the Town of Southampton to subdivide said real property into 52 lots, as shown on the "Major Subdivision Planned Residential Development Map of Chardonnay Acres, Section Two," prepared February 1, 1999, by Barrett, Bonacci & VanWeele, P.C., Licensed Land Surveyors, bounded and described in Schedule "A" annexed hereto; and

WHEREAS, for and in consideration of the granting of said approval, the Planning Board of the Town of Southampton has deemed it to be in the best interests of the Town of Southampton and the owners and prospective owners of said lots that the within covenants and restrictions be imposed on said lots, and as a condition of said approval, said Planning Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, the Declarant has considered the foregoing and determined that the same will be for the best interests of the Declarant and subsequent owners of said lots;

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That the Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the lots within said subdivision map shall hereafter be subject to the covenants and restrictions, as herein cited, which shall run with the land and shall be binding upon all purchasers and holders of said lots, their heirs, executors, representatives, distributees, successors and assigns, to wit:

1. That at no time hereafter shall there be any further subdivision or modification to the 52 lots, as approved by the Planning Board of the Town of Southampton, and as shown on the aforesaid subdivision map.

2. All electric, cable TV and telephone utility services shall be installed underground and no overhead utility poles shall be erected within any street right-of-way or upon any of the 52 lots, as shown on the aforesaid subdivision map.

3. The dimensional setback requirements of the CR-40 Zoning District shall apply to the placement and construction of all buildings and structures on all lots.

4. No driveway for lots 45, 50, 23 and 52 shall be located less than 50 feet from the ends of the short radius curves which form the adjoining street intersections.

5. Lots 20 and 21, as shown on the aforesaid subdivision map, shall utilize and share a singular common driveway for vehicular access to and from the subdivision street, Malloy Drive. Said common driveway shall have one point of access onto Malloy Drive and vehicular access to and from said lots shall be limited to said singular access point and common driveway. Said common driveway shall extend from Malloy Drive a distance of 215 feet and shall be constructed in accordance with the Planning Board's Specifications for Common Driveway Construction and shall be constructed prior to conveyance of lots. Appropriate access easements shall be established by the developer over lots 20 and 21, which provides for the shared and continued use of said common driveway. Title to lots 20 and 21 shall be subject to said easements and future owners of lots 20 and 21 shall jointly share in the construction and maintenance of said common driveway. Utilities to service the said lots shall be installed prior to construction thereof.

6. The twenty (20) foot wide strips of land on lots 20 and 21 which provide access to and from Malloy Drive for said lots, as shown on the aforesaid subdivision map, shall not be made available or be used as legal access for any lot, plot, piece or parcel of land other than lots 20 and 21, pursuant to the provisions of Chapter 330 of the Code of the Town of Southampton, Section 82, unless such access is approved by the Planning Board of the Town of Southampton, or its successors.

7. At no time hereafter shall greater than 15% of the lot area of each of the 52 lots, as shown on the aforesaid subdivision map, be placed into fertilized vegetation, as such is defined in the Zoning Ordinance of the Town of Southampton.

8. Clearing and grading within each of the 52 lots, as shown on the aforesaid subdivision map, shall be limited to that which is minimally necessary for siting and constructing a single-family dwelling and normal accessory structures. In no case, however, shall greater than 50% of the area of naturally occurring vegetative cover which existed at the time of the subdivision approval (excluding clearing which is necessary for

grading and construction of the street) on each parcel, be cleared or disturbed for development.

9. All stormwater run-off which may occur during or after the site preparation and development of this subdivision or its lots and from roads, driveways, sidewalks, walkways, decks, patios, tennis courts, roofs or other impervious surfaces, shall be retained by adequate drainage structures in such a way that there shall be no direct discharge to any street right-of-ways.

10. Prior to the issuance of building permits on each of the 52 lots, as shown on the aforesaid subdivision map, any slope easement or conservation buffer areas shall be delineated at the site in accordance with the Code of the Town of Southampton.

11. The area designated on the aforesaid subdivision map as "Conservation Buffer" shall be subject to the following conditions and restrictions:

A. No regrading shall be conducted on the said premises and no fill or spoil shall be placed thereon.

B. No top soil, loam, sand, gravel, rock or minerals shall be excavated or removed therefrom.

C. Nothing shall be permitted to occur thereon which would contribute to the erosion of said premises.

D. No streets, roadways or other rights of way or easements for vehicular use shall be constructed or granted thereon.

E. No trees, plants or other vegetation located thereon, shall be killed, destroyed, cut or removed therefrom.

F. No trees, plants or other vegetation shall be artificially transplanted into the said premises.

G. No fertilizer, herbicide or insecticide may be utilized within the said premises.

H. No liquid or sewage waste or other objectionable or offensive material or refuse shall be permitted to be discharged into the said premises nor shall any portion thereof be used as a leaching field for sewage disposal or for the placement, construction or maintenance of individual or shared septic systems.

I. No dumping, placement, storage or burning of any liquid or solid waste, garbage, ashes, sawdust, trash, rubbish, refuse or other objectionable, unsightly or

offensive material shall be permitted on or within the said premises.

J. The said premises will forever be kept open and free of all buildings and other structures, including but not limited to walls, fences and berms.

K. The said premises will forever be kept open and free of all signs, bill boards or other forms of visual advertisement or display, except for individual lot "For Sale" signs which are sized and located in accordance with Chapter 330-89 of the Code of the Town of Southampton, as same may be amended from time to time.

Notwithstanding the above provisions to the contrary, the Grantor reserves the right to a total of one access driveway, on and over the said premises for each lot which is encumbered by said easement(s) as shown on said subdivision map so that each such parcel will have one driveway for ingress and egress from and to an improved road over the said premises. The width of each driveway shall not exceed fifteen (15) feet, except for the removal of such dead, diseased or decayed trees, plants or vegetation which may be required for conservation purposes and except for the minimal clearing and grading which may be necessary to allow for the construction of a singular driveway access point for each of the aforesaid lots.

Notwithstanding any provisions of this Declaration to the contrary, nothing herein shall be construed as precluding the party of the second part from instituting necessary conservation measures to protect and conserve the natural resources and features which are the subject of this Declaration, provided that said conservation measures are part of a CONSERVATION MANAGEMENT PLAN which has been submitted to and approved by the Southampton Town Planning Board. Said plan may include the removal of noxious and dead or decayed vegetation, tree trunks and limbs, shrubbery and other vegetation, and clearing for walkways and paths.

Notwithstanding the provisions hereof, the Declarant reserves the right to the exclusive use and possession of said premises, insofar as such use and possession is not inconsistent with the conditions, covenants, agreements, provisions and use restrictions hereinabove set forth and the Declarant may exclude the general public or any designated person or persons from the use of or entry upon said premises, except that the Town of Southampton shall have the continuing right to inspect said premises, for the purpose of monitoring compliance with the conditions, covenants, agreements, provisions and use restrictions hereof, and to assure that such conditions, covenants, agreements, provisions and use restrictions of this

Declaration have not and are not being violated, shall be to be to the extent reasonably required, at reasonable times, on reasonable notice and by mutual arrangement, if possible.

Failure of the Town of Southampton to insist upon the strict performance of any of the conditions, covenants, agreement, provisions or use restrictions contained therein, shall not be deemed as a waiver of any subsequent breach or default as to such or any other of the conditions, covenants, agreements, provisions or use restrictions contained herein.

These covenants and restrictions contained herein shall be construed to be in addition to and not in derogation or limitation upon any local, state or federal laws, ordinances, regulations or provisions in effect at the time of execution of this agreement, or at the time such laws, ordinances, regulations and/or provisions may hereafter be revised, amended or promulgated.

These covenants and restrictions contained herein shall be enforceable by the Town of Southampton by injunctive relief or by any other remedy in equity or at law. The failure of the Town of Southampton or any of its agencies to enforce same shall not be deemed to affect the validity of this covenant nor to impose any liability whatsoever upon the Town of Southampton or any officer or employee whereof.

These covenants and restrictions shall run with the land and shall be binding upon the Declarant, its successors and assigns, and upon all persons or entities claiming under them, and may be terminated, revoked or amended by the owner of the premises only with the written consent of the Town.

If any section, subsection, paragraph, clause, phrase of provision of these covenants and restrictions shall, by a Court of competent jurisdiction, be adjudged illegal, unlawful, invalid or held to be unconstitutional, the same shall not affect the validity of these covenants as a whole or any other part or provision hereof other than the part so adjudged to be illegal, unlawful, invalid or unconstitutional.

That the within Declaration is made subject to the provisions of all laws required by law or by their provisions to be incorporated herein and they are deemed to be incorporated herein and made a part hereof, as though fully set forth.

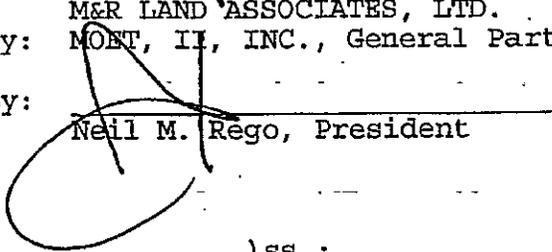
~~That the within Declaration may not be annulled, waived, changed or modified unless and until approved by resolution with a majority plus one vote of the Planning Board of the Town of Southampton or its successors.~~

be incorporated herein and they are deemed to be incorporated herein and made a part hereof, as though fully set forth.

That the within Declaration may not be annulled, waived, changed or modified unless and until approved by resolution with a majority plus one vote of the Planning Board of the Town of Southampton or its successors.

IN WITNESS WHEREOF, the Declarant above-named has executed the foregoing Declaration the day and year first written above.

M&R LAND ASSOCIATES, LTD.  
By: MOET, II, INC., General Partner

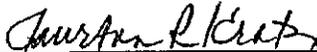
By:   
Neil M. Rego, President

STATE OF NEW YORK)

) ss.:

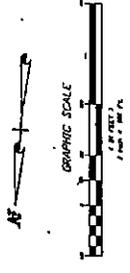
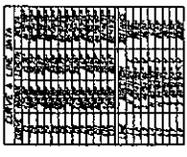
COUNTY OF SUFFOLK)

On the 23rd day of January, 2001, before me, the undersigned, personally appeared NEIL M. REGO, 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, he executed the instrument.

  
Notary Public

127766

JANE ANN R. KRATZ  
Notary Public, State of New York  
No 02KR4861916  
Qualified in Suffolk County  
Commission Expires May 19, 20 02



The subdivision has been approved by the Planning Board of the Town of Southhampton, New York, on the 14th day of February, 1989, and the subdivision map was filed for recording in the Office of the County Clerk of Suffolk County, New York, on the 14th day of February, 1989.

This is to certify that the subdivision map has been approved by the Planning Board of the Town of Southhampton, New York, on the 14th day of February, 1989, and the subdivision map was filed for recording in the Office of the County Clerk of Suffolk County, New York, on the 14th day of February, 1989.

By John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

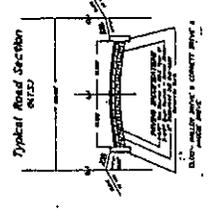
Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

Attest: John P. Conklin, Secretary of the Town of Southhampton, New York.

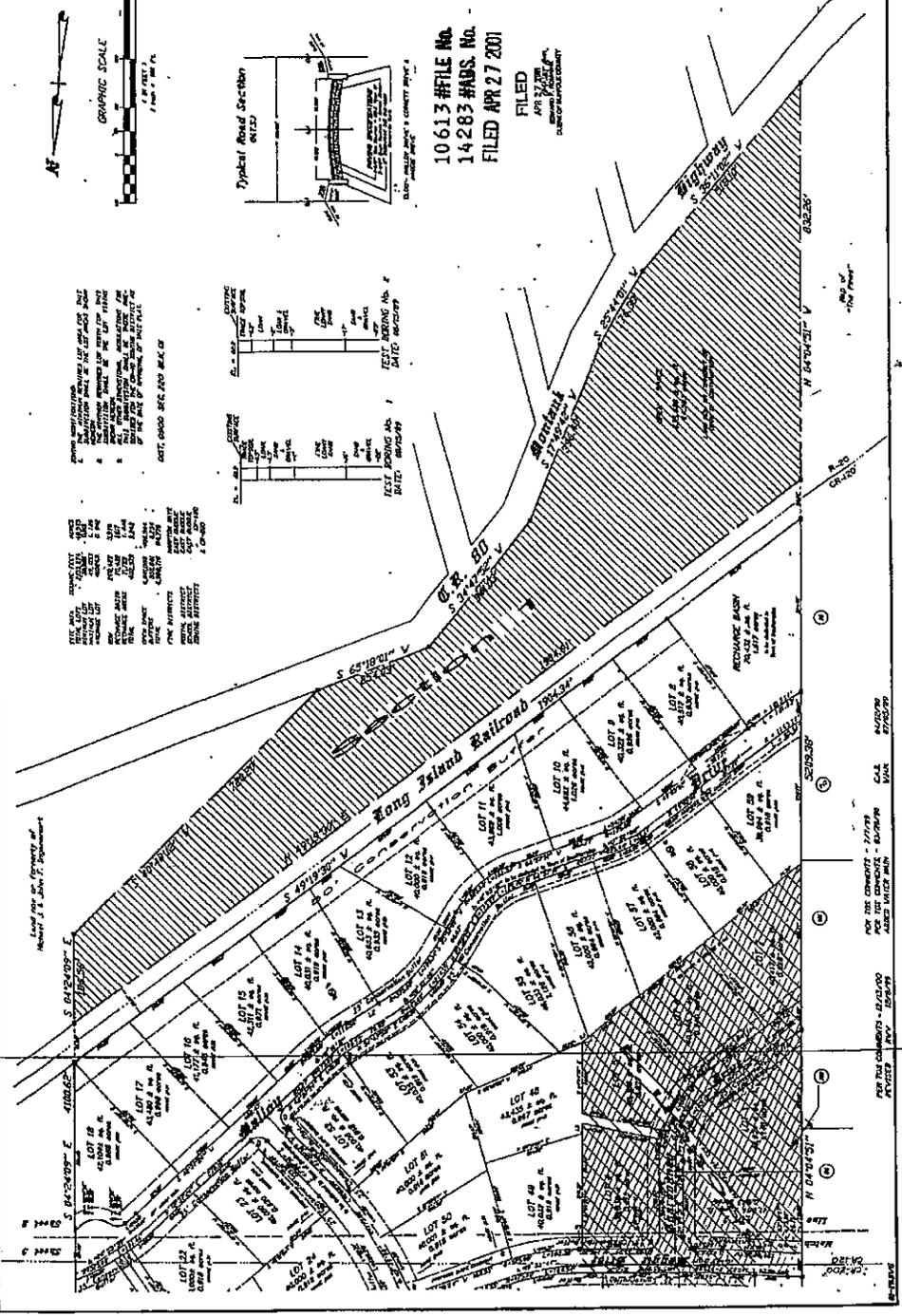
10613 FILE NO.  
14283 HABS. NO.  
FILED APR 27 2001

FILED  
APR 27 2001  
COUNTY CLERK  
SUFFOLK COUNTY



- 1. ALL LOTS SHALL BE CONVEYED TO THE BUYER BY DEED.
- 2. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 3. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.
- 4. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
- 5. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TITLE INSURANCE.
- 6. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
- 7. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
- 8. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
- 9. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
- 10. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.

TEST NO.	DATE	TESTING AGENCY	TEST RESULTS
1	1/15/89	ABC	Pass
2	2/15/89	DEF	Pass
3	3/15/89	GHI	Pass
4	4/15/89	JKL	Pass
5	5/15/89	MNO	Pass
6	6/15/89	PQR	Pass
7	7/15/89	STU	Pass
8	8/15/89	VWX	Pass
9	9/15/89	YZA	Pass
10	10/15/89	BCD	Pass



FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89

FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89

FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89

FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89  
FOR THE COMMISSIONER - 2/17/89

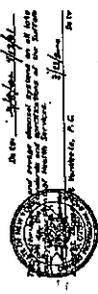


- 1. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY DATA AND INFORMATION FOR THE PREPARATION OF THIS PLAN.
- 2. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY DATA AND INFORMATION FOR THE PREPARATION OF THIS PLAN.
- 3. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY DATA AND INFORMATION FOR THE PREPARATION OF THIS PLAN.
- 4. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY DATA AND INFORMATION FOR THE PREPARATION OF THIS PLAN.

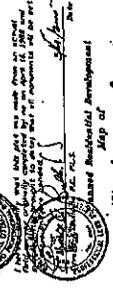
The Engineer has reviewed the information submitted in this application and has determined that the same is in accordance with the provisions of the Health Law and the Regulations thereunder. The Engineer's approval is given on the condition that the applicant shall be responsible for the provision of all necessary data and information for the preparation of this plan.

This is to certify that this subdivision plan has been approved by the Health Officer of the Town of Scarborough, New York.

By John J. Conroy, Health Officer  
 In the presence of John J. Conroy, Health Officer  
 Town of Scarborough, New York

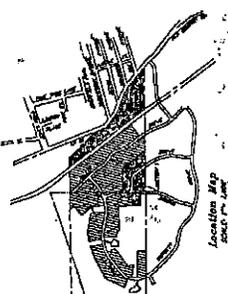


This plan complies with all laws and regulations which apply to the subdivision of land in the Town of Scarborough, New York. The applicant is responsible for the provision of all necessary data and information for the preparation of this plan.



Map of  
 Wards Industrial Development  
 Section 2  
 East Quogue  
 Town of Scarborough  
 Suffolk County, New York

Scale: 1" = 100'  
 Date: 4/27/79  
 Sheet 1 of 1

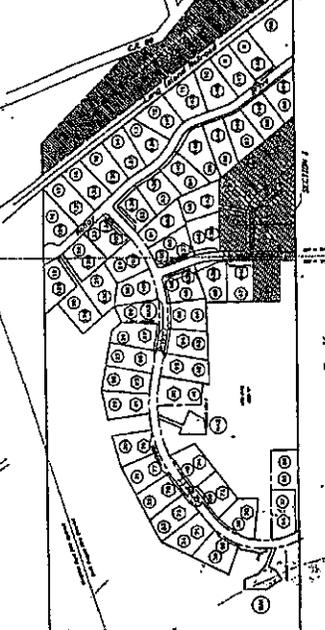
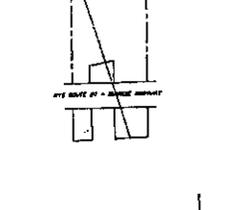


**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES**  
 100 N. STATE ST., SUITE 207, SUFFERN, N.Y. 11780  
 DATE: 4/27/79

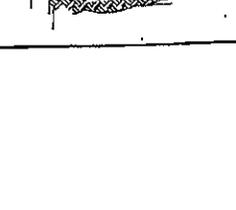
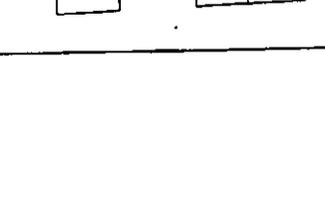
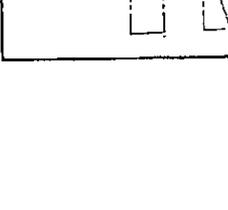
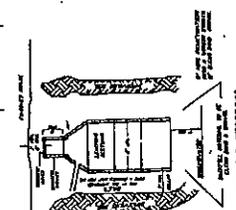
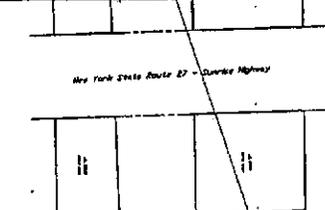
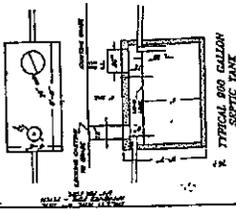
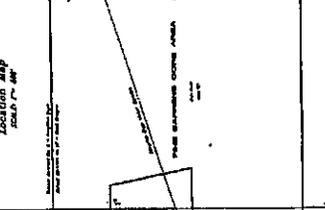
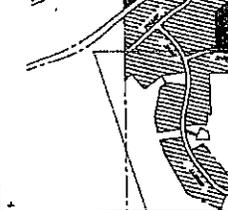
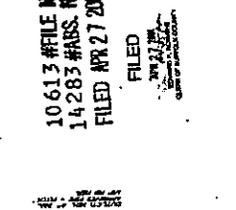
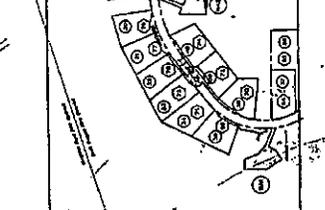
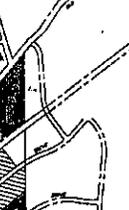
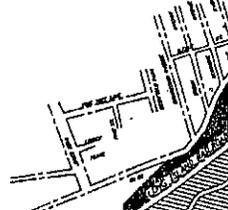
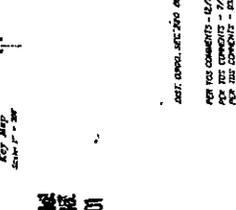
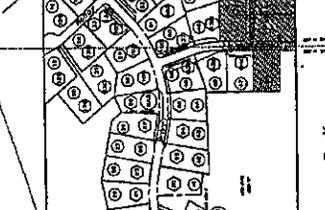
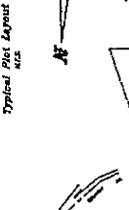
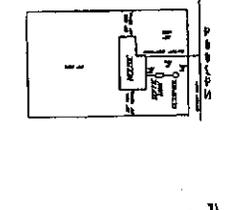
This is to certify that the proposed health services plan is in accordance with the provisions of the Health Law and the Regulations thereunder. The Health Officer's approval is given on the condition that the applicant shall be responsible for the provision of all necessary data and information for the preparation of this plan.

Health Officer  
 In the presence of  
 Town of Scarborough, New York

NO.	AREA	AREA NO.	AREA NAME	AREA TYPE	AREA NO.	AREA NAME	AREA TYPE
1	INDUSTRIAL	101	INDUSTRIAL	INDUSTRIAL	101	INDUSTRIAL	INDUSTRIAL
2	RESIDENTIAL	201	RESIDENTIAL	RESIDENTIAL	201	RESIDENTIAL	RESIDENTIAL
3	COMMERCIAL	301	COMMERCIAL	COMMERCIAL	301	COMMERCIAL	COMMERCIAL
4	RECREATION	401	RECREATION	RECREATION	401	RECREATION	RECREATION
5	UTILITY	501	UTILITY	UTILITY	501	UTILITY	UTILITY
6	WATER	601	WATER	WATER	601	WATER	WATER
7	SEWER	701	SEWER	SEWER	701	SEWER	SEWER
8	ROAD	801	ROAD	ROAD	801	ROAD	ROAD
9	RAILROAD	901	RAILROAD	RAILROAD	901	RAILROAD	RAILROAD
10	WATERWAY	1001	WATERWAY	WATERWAY	1001	WATERWAY	WATERWAY
11	UNDEVELOPED	1101	UNDEVELOPED	UNDEVELOPED	1101	UNDEVELOPED	UNDEVELOPED
12	WATERWAY	1201	WATERWAY	WATERWAY	1201	WATERWAY	WATERWAY
13	RAILROAD	1301	RAILROAD	RAILROAD	1301	RAILROAD	RAILROAD
14	WATERWAY	1401	WATERWAY	WATERWAY	1401	WATERWAY	WATERWAY
15	RAILROAD	1501	RAILROAD	RAILROAD	1501	RAILROAD	RAILROAD
16	WATERWAY	1601	WATERWAY	WATERWAY	1601	WATERWAY	WATERWAY
17	RAILROAD	1701	RAILROAD	RAILROAD	1701	RAILROAD	RAILROAD
18	WATERWAY	1801	WATERWAY	WATERWAY	1801	WATERWAY	WATERWAY
19	RAILROAD	1901	RAILROAD	RAILROAD	1901	RAILROAD	RAILROAD
20	WATERWAY	2001	WATERWAY	WATERWAY	2001	WATERWAY	WATERWAY



10613 #FILE 146  
 14283 #ABS. 146  
 FILED APR 27 2001  
 FILED  
 APR 27 2001  
 SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES







**Town of Southampton**

116 Hampton Road  
Southampton, NY 11968

DEPARTMENT OF LAND MANAGEMENT  
ENVIRONMENT DIVISION

JEFFERSON V. MURPHREE, AICP  
TOWN PLANNING AND DEVELOPMENT ADMINISTRATOR

MARTIN E. SHEA  
CHIEF ENVIRONMENTAL ANALYST

Telephone 631 287-5710  
Fax 631 287-5706

PO 49693

December 27, 2002

William A. Paturalski  
Carriage Hill Associates, Inc.  
T/A Landmark Builders  
299 Duffy Avenue  
Hicksville, NY 11801

RE: Lot 49, Map of Chardonay Acres Section 2  
SCTM No.0900-251-5-8  
139 Maggie Drive, East Quoque  
Property of James T. Burns

Dear Mr. Paturalski:

At your request, I inspected the above referenced property on December 26, 2002. There is additional clearing within the 25 ft conservation buffer, which is not presently shown on the survey. As such, the property survey, which was last revised August 27, 2002, needs to be updated, particularly to show the additional encroachment between the septic location and the road. The overall clearing calculations should also be revised to verify conformance with the 50 percent restriction. Any additional clearing which will be needed to complete the driveway should also be shown. The clearing limits should be shown as a continuous line, rather than as a broken line, to allow for verification of accuracy on-site. Lastly, areas proposed for re-vegetation should be highlighted on the survey.

With regards to revegetation requirements, all area of disturbance within the conservation buffer need to be planted with native trees and shrubs in accordance with the following specifications. Northern bayberry (*Myrica pensylvanica*) or highbush blueberry (*Vaccinium corymbosum*) (container grown, at least 2-3 gallon pot containers) should be planted on four ft centers through the revegetation areas. Native oaks, at least 2 ½-3 inch caliper, balled and burlapped (either scarlet oak (*Quercus coccinea*), white oak (*Quercus alba*), or chestnut oak (*Quercus prinus*)) should be planted on ten foot centers within the restoration area. At least two oaks will be needed to address the disturbance in the central portion of the buffer. Mulching should be completed with natural leaf litter. Compliance inspections will be performed to ensure survival of planted stock.

Please let me know if you have any questions regarding these requirements. Thanks for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin E. Shea". The signature is fluid and cursive, with a large initial "M" and "S".

Martin E. Shea  
Chief Environmental Analyst

CC: Lester Bakiewicz, Building Inspector

PO49693

**Town of Southampton**

116 Hampton Road  
Southampton, NY 11968

DEPARTMENT OF LAND MANAGEMENT  
ENVIRONMENT DIVISION

JEFFERSON V. MURPHREE, AICP  
TOWN PLANNING AND DEVELOPMENT ADMINISTRATOR

MARTIN E. SHEA  
CHIEF ENVIRONMENTAL ANALYST

Telephone 631 287-5710  
Fax 631 287-5706

---

TO: Lester Bakiewicz, Building Inspector

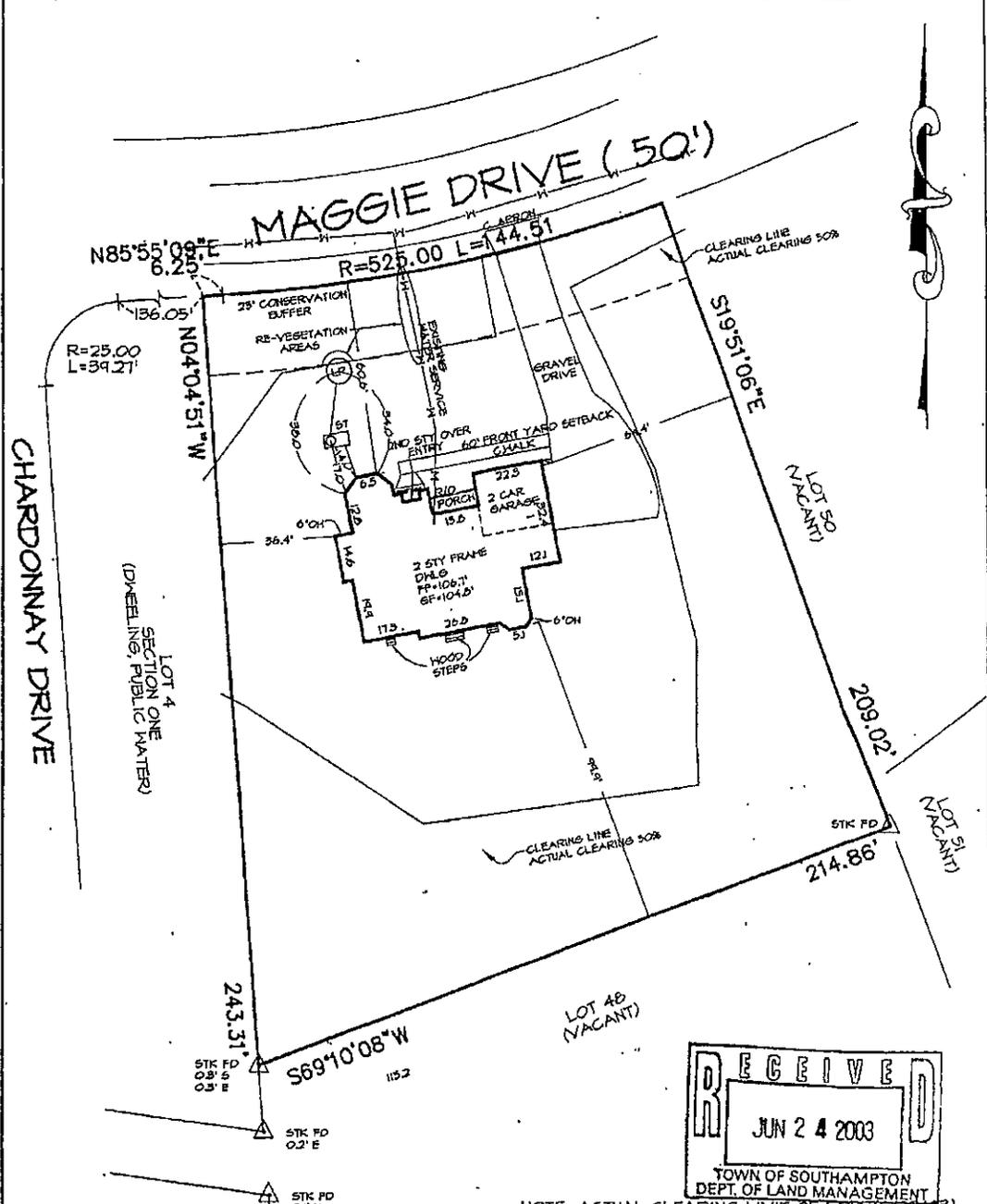
FROM: Martin E. Shea, Chief Environmental Analyst *MES*

RE: James & Margaret Burns  
139 Maggie Drive, East Quogue  
Chardonnay Acres, Lot 49, Section 2  
Permit Number PO49693

DATE: June 26, 2003

Please be advised that the above referenced landowner has satisfied all of the Town Environment Division restoration and re-vegetation requirements in relation to the roadside conservation buffer and overall lot disturbance. As such, a Certificate of Occupancy may now be issued for the residence without further direction from this office. Please contact me if you have any questions or need additional information.

Attached please find a copy of a revised survey for the site, which has been verified for accuracy by site inspection conducted Wednesday, June 25, 2003.



**RECEIVED**  
 JUN 24 2003  
 TOWN OF SOUTHAMPTON  
 DEPT. OF LAND MANAGEMENT

NOTE: ACTUAL CLEARING LIMIT OF 50% (8/23/03) INCLUDES A SMALL AREA OF RE-PLANTING

© H.W.J. ALL RIGHTS RESERVED.

HEALTH DEPARTMENT FINAL 3/20/03 139 MAGGIE DRIVE

<p>Unauthorized alteration or addition to this document is a violation of Section 7209 of the New York State Education Law.</p> <p>Certifications indicated hereon shall run only to the person for whom it is prepared and on his behalf to the Title Company, Governmental Agency and Lending Institution listed hereon, and to the assignee of the lending institutions. Certifications are not transferable to additional institutions or subsequent owners.</p> <p>Copies of this document not bearing the professional's inked seal or embossed seal shall not be considered a valid true copy.</p> <p>The offsets (or dimensions) shown hereon are not intended to guide the location of fences, retaining walls, pools, etc. unless specifically stated otherwise on any other construction.</p>	<p>PROJECT: <b>LOT 49</b>  <b>M/O CHARDONNAY ACRES</b>  <b>SECTION 2</b></p> <p>SITUATE AT: EAST QUOGUE, NY</p> <p>DATE: AUGUST 2002 SCALE: 1"=40'</p>
<p>CERTIFIED ONLY TO _____</p> <p>By <b>WILLIAM L. JAEGER II N.Y.S. LIC. NO. 046148 P.E., L.S.</b></p> <p>PARTY CHIEF _____ DRAWN <b>K.M.</b> CKD. <b>M.C.</b></p>	<p>SURVEY DATE: 8/27/02 AREA 40.032 Sq.Ft.</p> <p>FILED MAP NO. 10613 DATE FILED 4/27/01</p> <p>FIELD BOOKS 447/16 DATA DISC 02-0769</p> <p>FND. _____ UND. CONST. 12/4/02 FINAL 4/14/03</p> <p><b>HAWKINS WEBB JAEGER Assoc</b>          ENGINEERS-ARCHITECTS-SURVEYORS-PLANNERS          200 EAST BROADWAY, PORT JEFFERSON, NEW YORK          PHONE (516) 473-0400, N.Y.S. LICENSE NO. 048148          ESTAB. 1872</p>

S.C.T.M. NO. DISTRICT: 800 SECTION: 251 BLOCK: 5 LOT(S): 7

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

APPROVAL OF CONSTRUCTED WORKS FOR A SINGLE FAMILY RESIDENCE

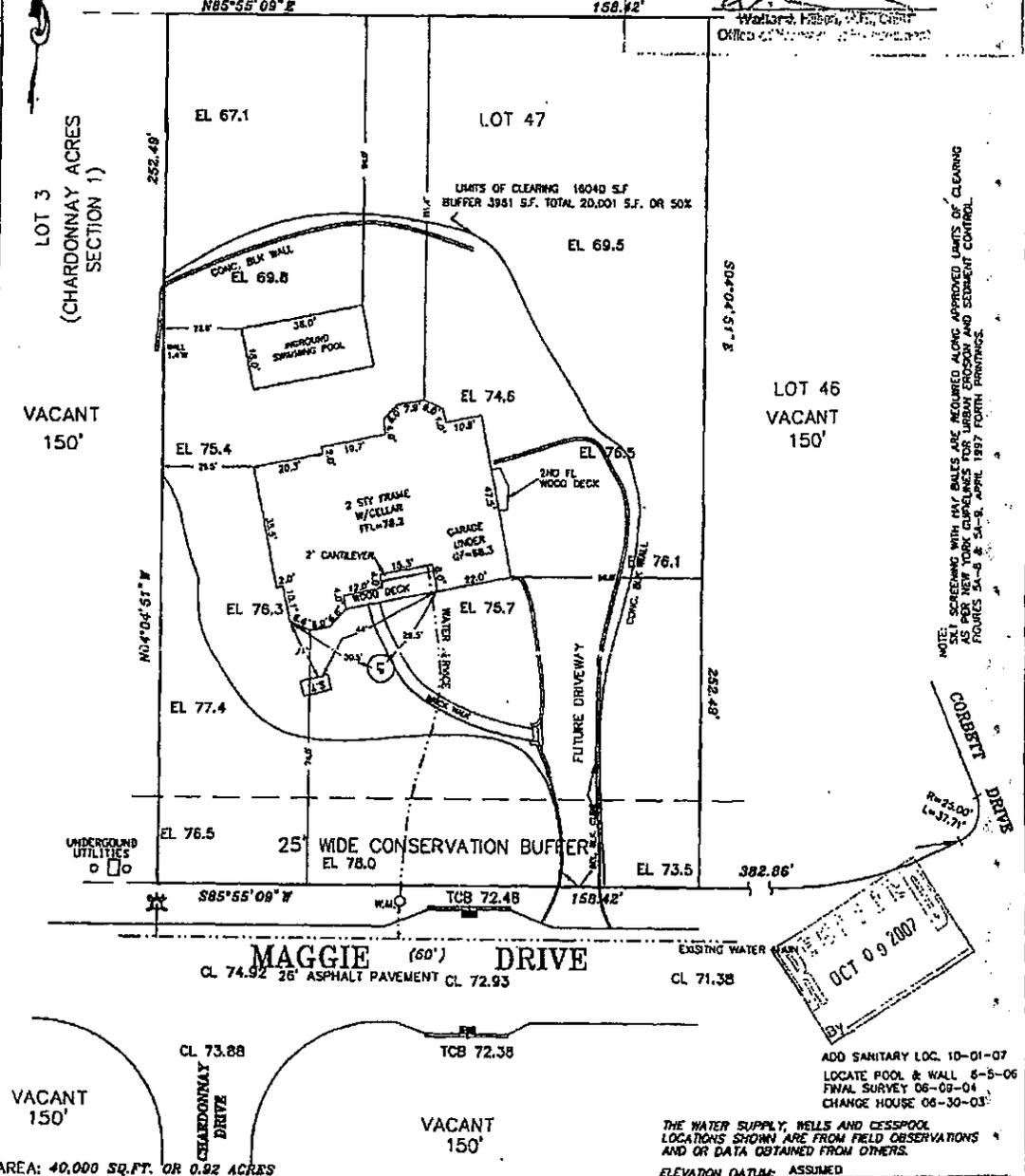
Date **NOV 21 2007** H.S. PER. NO. 510-2-1-1-1-1

The sewage disposal and water supply facilities at this location have been inspected and/or certified by this Department or other agencies and found to be satisfactory FOR A SINGLE FAMILY RES. 2 BEDROOMS.

OPEN SPACE AREA "B"  
(TO BE DEDICATED TO THE TOWN OF SOUTHAMPTON)

PROPOSED LIMITS OF CLEARING  
NOT TO EXCEED 50% TOTAL AREA INCLUDING BUFFER

Walter A. Hibon, P.E., Civil  
Office of Professional Regulation



NOTE: CONFORMANCE WITH N.Y. SALES ACT REQUIRED ALONG APPROVED LIMITS OF CLEARING AS PER NEW YORK SALES ACT, § 208 AND SEWERAGE CONTROL REGULATIONS SA-8 & SA-9, APRIL 1987 FOURTH EDITION.

OCT 09 2007

ADD SANITARY LOC. 10-01-07  
LOCATE POOL & WALL 6-5-06  
FINAL SURVEY 06-09-04  
CHANGE HOUSE 06-30-03

THE WATER SUPPLY, WELLS AND CESSPOOL LOCATIONS SHOWN ARE FROM FIELD OBSERVATIONS AND OR DATA OBTAINED FROM OTHERS.  
ELEVATION DATUM: ASSUMED

AREA: 40,000 SQ.FT. OR 0.92 ACRES

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE.  
THE OFFSETS OR DIMENSIONS SHOWN HEREON FROM THE PROPERTY LINES TO THE STRUCTURES ARE FOR A SPECIFIC PURPOSE AND USE THEREFORE THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR AND OTHER IMPROVEMENTS. EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF SURVEY

SURVEY OF: LOT 47  
MAP OF: CHARDONNAY ACRES SECTION 2  
FILED: APRIL 27, 2001 No.10613  
SITUATED AT: EAST QUOGUE  
TOWN OF: SOUTHAMPTON  
SUFFOLK COUNTY, NEW YORK

*Kenneth M. Woychuk*  
K. S. LIC NO. 90227

CERTIFIED TO:  
MOON BAY DEVELOPMENT CORP.;  
EXETER HOLDING LTD.;  
**KENNETH M. WOYCHUK, L.S.**  
Land Surveying and Design  
P.O. Box 3, Mattituck, New York, 11952  
PHONE (631) 298-1088 FAX (631) 298-1556  
maintaining the records of Robert J. Ronsavay

FILE # 23-44 SCALE: 1"=30' DATE: APRIL 29, 2003

Department of Land Management  
Environment Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

Phone: (631) 287-5710  
Fax: (631) 287-5706

## TOWN OF SOUTHAMPTON



PATRICK A. HEANEY  
TOWN SUPERVISOR

JEFFERSON V. MURPHREE  
TOWN PLANNING AND  
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA  
CHIEF ENVIRONMENTAL ANALYST

October 22, 2007

Leanora Pandolfelli  
c/o Jake Buchheit  
Dolliver Associates  
Hampton Bays, NY

**RE: Pandolfelli Property**  
159 Malloy Drive, East Quogue  
Lot No. 18, Subdivision Map of The Pines (East Parcel)  
SCTM No. 900-251-3-80

Dear Ms. Pandolfelli,

In response to your request, I inspected and reviewed the current extent of clearing and disturbance of natural vegetation on the above-referenced property. This property is currently overcleared and woodland restoration and native re-vegetation will need to be undertaken, in order to bring the property into conformance and allow for the Building Division to issue a Certificate of Occupancy.

There are several steps that need to be taken to accomplish his goal:

1. The wire fence that has been placed in the woods near the railroad tracks will need to be accurately displayed on the survey.
2. The 25 ft wide Natural Vegetation Buffer that runs along Malloy Drive will need to be restored.
  - a. You are allowed one driveway, no greater than 20 ft wide, through the Natural Vegetation Buffer. In calculating the 20 ft, to be designated as driveway access, you must also include all materials related to the driveway including curb blocks, ornamental vegetation, lights, etc.
  - b. The area that had formally been disturbed to be used for driveway access will need to be reforested. This includes native, area specific trees, shrubs, groundcover AND mulch as described below.
  - c. There are also several areas of partial disturbance within the Natural Vegetation Buffer. In these areas, there are still native trees standing, however the understory plants have been disturbed. I have included several photos that identify these regions. You will need to remove any gravel or sand that may have been deposited in the area and re-vegetate with Black Huckleberry and/or Bayberry in addition to Lowbush Blueberry and/or Bearberry.
3. Excess mounds of fill will need to be carefully removed from along the current edge of clearing/disturbance in the backyard. To prevent erosion into the non-disturbed area, the grade will need to be restored to its natural state.

## Restoration Requirements

### **Trees**

Oak Trees (2 ½ - 3 ½ inches caliper; 10 feet on center, balled and burlapped):

**Black Oak** (Quercus velutina)

**Chestnut Oak** (Quercus prinus)

**Scarlet Oak** (Quercus coccinea)

**White Oak** (Quercus alba)

Pine Trees (minimum 4-5 feet in height, balled and burlapped)

**Pitch Pines** (Pinus rigida) ONLY!!

### **Shrubs**

(minimum 2-3 gallon container; 4 feet on center):

**Bayberry** (Myrica pensylvanica)

**Black Huckleberry** (Gaylussacia baccata)

**Staggerbush** (Lyonia mariana)

### **Ground Cover**

(minimum 1 gallon containers; 2 feet on center):

**Lowbush Blueberry** (Vaccinium angustifolium)

**Bearberry** (Arctostaphylos uva-ursi)

### **Mulching**

with native leaf litter, pine needles, or very finely shredded wood.

(The newly planted areas will also require temporary irrigation to increase survivability.)

---

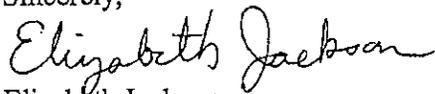
As represented on the most recent survey, this parcel is currently in compliance with respect to overall lot clearing. As calculated by Dolliver Associates, the total area available for development on this parcel is 37,712 square feet [(Total Lot Area – Area of 25 ft Wide Natural Vegetation Buffer) x .54]. The current calculations estimate actual clearing to be 33,353 square feet. This number will need to be revised, as there are regions which are currently disturbed that have been excluded from current clearing calculations. Any areas where there has been removal and/or disturbance of the natural groundcover should be added to into the clearing calculation. These areas would require re-vegetation similar to that required within portions of the front yard buffer. If in fact, the revised clearing calculations remain less than 37,712 square feet, then these areas not need to be revegetated.

Based on the information provided in this letter, you should be able to proceed in creating a proposed planting plan. This sketch will simply show which plants you have chosen to purchase, how many you plan on planting and where they will generally be located. Please fax or deliver this planting plan to the Environment Division for approval. Once we have approved your design, you are free to implement that plan using exactly those plant species that you listed. If you have any questions or concerns about additional alternatives, please contact me for additional clarification.

Once you have finished planting each of the areas previously described, you will need to update your survey to show the following: driveway calculations, accurate line of clearing, restored Natural Vegetation Buffer, location of wire fence, and the new clearing calculations. Once this survey has been received and approved by the

Environment Division, we will notify the Building Division that you are in compliance. Assuming that you have satisfied all other requirements, a Certificate of Compliance can be issued at that time. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Jackson".

Elizabeth Jackson  
Environmental Technician

CC: Marty Shea, Chief Environmental Analyst

Attached: Photos and Sketches of Current Disturbance  
Town Reforestation Requirements and Specifications

Environment Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

Phone: (631) 287-5710  
Fax: (631) 287-5706



PATRICK A. HEANEY  
TOWN SUPERVISOR

JEFFERSON V. MURPHREE  
TOWN PLANNING AND  
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA  
CHIEF ENVIRONMENTAL ANALYST

To: Lester Bakiewicz, Senior Building and Zoning Inspector

From: Elizabeth Jackson, Environmental Technician

EG

RE: **Pandolfelli Property**  
**159 Malloy Dr, East Quogue**  
**Lot 18, The Pines (East Parcel) Subdivision**  
**SCTM No. 900-251-3-80**

DATE: October 25, 2007

After final inspection of the above-referenced lot, the Environment Division has determined that the 25 ft Natural Vegetation Buffer has been successfully revegetated with native species, specific to the area. The area has been re-planted and the buffer region has been restored to the original grade and substrate. A final survey has been submitted to the Environment Division and shows that remainder of the lot is in compliance, in respect to overall clearing percentages. The applicant understands that they will be responsible for maintaining this property, in such a way as to ensure success of newly planted vegetation and prevent future encroachment in the buffers or excessive clearing overall for years to come.

This property is in compliance and a Certificate of Occupancy can be issued by the Building Division, assuming all other requirements have been satisfied and documents submitted.

CC: Martin Shea, Chief Environmental Analyst  
Leanora Pandolfelli

TOWN OF SOUTHAMPTON

7 Department of Land Management  
Environment Division  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

Phone: (631) 287-5710  
Fax: (631) 287-5706



PATRICK A. HEANEY  
TOWN SUPERVISOR

JEFFERSON V. MURPHREE  
TOWN PLANNING AND  
DEVELOPMENT ADMINISTRATOR

MARTIN SHEA  
CHIEF ENVIRONMENTAL ANALYST

Fax Cover Sheet

To: Leandra Pandolfelli

Fax #: 212-877-0943

From: E. JACKSON

Date: 10/23/07

Pages (including cover sheet): 11

RE: Information for Forest Restoration

9 TREES Needed for area 25x17 ft  
"10 Ft ON center"

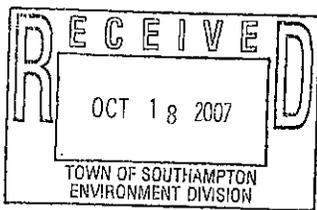
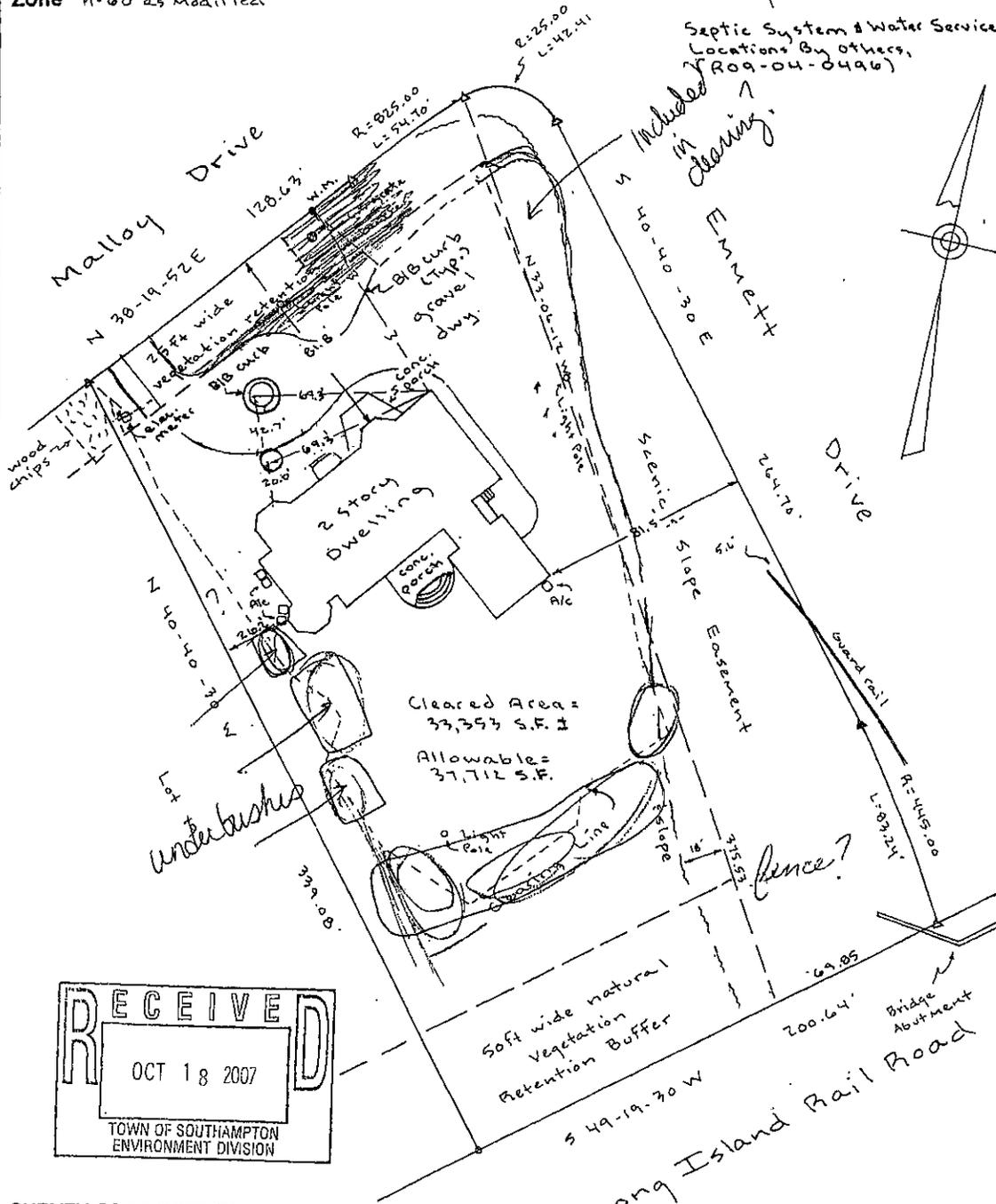
more info to come on numbers for  
shrubs & groundcover

Tax Map No. 900-251-03-80  
Area = 74,379 s.f.  
Zone R-60 as modified

Refer to Documents Recorded in  
Suffolk County Clerk's Office

Filed Map 8889 (Jan. 24, 1990)

Septic System & Water Service  
Locations By Others,  
(R09-04-0446)



**SURVEY OF PROPERTY  
SITUATE**

Lot 18  
"The Pines - East Parcel"  
East Queue

**TOWN OF SOUTHAMPTON  
SUFFOLK COUNTY, NEW YORK**

**CERTIFIED TO:**  
Leandra Pandolfelli  
The Suffolk County National Bank  
The Judicial Title Ins. Agency

Updated for Cesspool  
Relocation 10-16-07  
Updated for B10 curbing At  
Cesspool Area 10-09-2007  
Final Survey 9-04-2007

**JACOB M. BUCHHEIT**  
LICENSE NO. 47400

**WILLIAM G. LOWE**  
LICENSE NO. 49476  
*William G. Lowe*

UNAUTHORIZED ALTERATION OR ADDITION TO  
THIS SURVEY IS A VIOLATION OF SECTION  
7208 OF THE NEW YORK STATE EDUCATION  
LAW.  
COPIES OF THIS SURVEY MAP NOT BEARING  
THIS LAND SURVEYOR'S INKED SEAL OR EM-  
BOSSED SEAL SHALL NOT BE CONSIDERED TO  
BE A VALID TRUE COPY.  
GUARANTEES INDICATED HEREON SHALL RUN  
ONLY TO THE PERSON FOR WHOM THE SURVEY  
IS PREPARED AND ON HIS BEHALF TO THE  
TITLE COMPANY, GOVERNMENT AGENCY AND  
LENDING INSTITUTION LISTED HEREON AND  
TO THE ASSIGNEES OF THE LENDING INSTI-  
TUTION. GUARANTEES ARE NOT TRANSFERABLE  
TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT  
OWNERS.  
R.O.W. EASEMENTS, AND UNDERGROUND UTIL-  
ITIES WHETHER ABANDONED OR IN USE UNLESS  
OTHERWISE NOTED ARE NOT SHOWN ON THIS  
SURVEY.

**DOLLIVER ASSOCIATES**  
LAND SURVEYORS  
HAMPTON BAYS, N. Y.

PREPARED 10-27-00 SURVEYED Oct. 27, 2000  
SCALE 1" = 50 ■ DENOTES MONUMENTS

▲ DENOTES STAKES

201 104-107  
98-100  
BK 183 PG 84

Landowner: LEANDRA PANDOLFELLI  
Location: 69 MALLOY DRIVE, EAST QUOGUE  
SCTM No. 0900-257-3-80  
Approved by: MARTY SHEA Date: 10-19-07

## Southampton Town Environment Division Reforestation Requirements and Specifications

(Last Revised July 9, 2007)

Checkmark indicates required planting specs

The Town of Southampton reforestation requirements should be tailored to individual sites so as to re-establish as much as possible the vegetation cover types that are characteristic of the surrounding natural areas.

### General Planting Specifications:

- Deciduous Trees 2 ½ - 3 ½ inches caliper, 10 feet on center, balled and burlapped
- Evergreen Trees (only pitch pines and American holly are permitted, not white pines), minimum 4-5 feet in height, balled and burlapped
- Shrubs minimum 2-3 gallon container or, where required, 4-6 gallon container grown, 4 feet on center.
- Groundcovers, minimum 1 gallon container grown, 2 feet on center.
- Natural grasses plugs only, 12 inches on center.
- Mulching with native leaf litter, pine needles, or finely shredded wood.
- Temporary irrigation but typically, no permanent irrigation.
- 85 % survival rate over two year, and where required, 3-5 years.
- Allowance for supplementation with native wildflowers 12 inches on center.
- Required seeding specifications where appropriate.

### Recommended native plants:

#### NATIVE TREES

- American Beech (*Fagus grandifolia*)
- American Holly (*Ilex opaca*)
- American Hornbeam (*Carpinus caroliniana*)
- American Linden (*Tilia americana*)
- Black Cherry (*Prunus serotina*)
- Black Oak (*Quercus velutina*)
- Black Birch (*Betula lenta*)
- Black Gum (*Nyssa sylvatica*)
- Chestnut Oak (*Quercus prinus*)
- Common Alder (*Alnus serrulata*)
- Eastern Red Cedar (*Juniperus virginiana*)
- Flowering Dogwood (*Cornus florida*)
- Gray Birch (*Betula populifolia*)
- Hackberry (*Celtis occidentalis*)
- Hawthorne (*Crataegus crusgalli*)
- Ironwood (*Carpinus caroliniana*)
- Persimmon (*Diospyros virginiana*)

Suitable trees

- Pignut Hickory (*Carya glabra*)
- Pitch Pine (*Pinus rigida*)
- Post Oak (*Quercus stellata*)
- Quaking Aspen (*Populus tremuloides*)
- Red Oak (*Quercus rubra*)
- Red Maple (*Acer rubrum*)
- Sassafras (*Sassafras albidum*)
- Scarlet Oak (*Quercus coccinea*)
- Shadbush (*Amelanchier canadensis*)
- Speckled Alder (*Alnus rugosa*)
- Swamp Magnolia (*Magnolia virginiana*)
- Swamp White Oak (*Quercus bicolor*)
- Sweet Bay Magnolia (*Magnolia virginiana*)
- Sweet Gum (*Liquidambar styraciflua*)
- Tulip Tree (*Liriodendron tulipifera*)
- White Oak (*Quercus alba*)
- White Ash (*Fraxinus americana*)
- Witch Hazel (*Hamamelis virginiana*)

NO WHITE PINE!!

#### NATIVE SHRUBS

- American Elder (*Sambucus canadensis*)
- Arrowwood (*Viburnum dentatum*)
- Bayberry (*Myrica pensylvanica*)
- Black Chokeberry (*Aronia melanocarpa*)
- Black Haw (*Viburnum prunifolium*)
- Black Huckleberry (*Gaylussacia baccata*)
- Fetterbush (*Leucothoe racemosa*)
- Highbush Blueberry (*Vaccinium corymbosum*)
- Inkberry (*Ilex glabra*)
- Maleberry (*Lyonia ligustrina*)
- Maple-leaved Viburnum (*Viburnum acerifolium*)
- Mountain Laurel (*Kalmia latifolia*)
- Nannyberry (*Viburnum lentago*)
- Northern Arrowwood (*Viburnum recognitum*)
- Pasture Rose (*Rosa virginiana*)
- Pussy Willow (*Salix discolor*)
- Red Chokeberry (*Aronia arbutifolia*)
- Scrub Oak (*Quercus ilicifolia*)
- Shadbush (*Amelanchier canadensis*)
- Shining Sumac (*Rhus copallina*)
- Sheep Laurel (*Kalmia angustifolia*)
- Steeplebush (*Spiraea latifolia*)
- Staggerbush (*Lyonia mariana*)
- Swamp Rose (*Rosa palustris*)
- Swamp Azalea (*Rhododendron viscosum*)
- Sweetfern (*Comptonia peregrina*)
- Sweet Pepperbush (*Clethra alnifolia*)
- Spicebush (*Lindera benzoin*)
- Virginia Rose (*Rosa virginiana*)
- Winterberry (*Ilex verticillata*)

Suitable shrubs

Witherod (*Viburnum nudum*)

NATIVE GRASSES, WILDFLOWERS, GROUNDCOVERS, ETC.

- Blue-eyed Grass (*Sisyrinchium angustifolium*)  Suitable groundcover
- Broom Sedge (*Andropogon virginicus*)
- Bearberry (*Arctostaphylos uva-ursi*)
- Beebalm (*Monarda didyma*)
- Bergamot (*Monarda fistulosa*)
- Butterfly Weed (*Asclepias tuberosa*)
- Blazing Star (*Liatris spicata*)
- Blue Lupine (*Lupinus perennis*)
- Birds Foot Violet (*Viola pedata*)
- Bracken Fern (*Pteridium aquilinum*)
- Canada Mayflower (*Maianthemum canadense*)
- Cardinal Flower (*Lobelia cardinalis*)
- Common Hairgrass (*Deschampsia flexuosa*)
- Cinnamon Fern (*Osmunda cinnamomea*)
- Golden Heather (*Hudsonia ericoides*)
- Horsemint (*Monarda punctata*)
- Hay-scented Fern (*Dennstaedtia punctilobula*)
- Lowbush Blueberry (*Vaccinium angustifolium*)
- New England Aster (*Aster novae-angliae*)
- New York Aster (*Aster novi-belgii*)
- New York Fern (*Dryopteris cristata*)
- NY Ironweed (*Vernonia noveboracensis*)
- Pennsylvania Sedge (*Carex pennsylvanica*)
- Royal Fern (*Osmunda regalis*)
- Sensitive Fern (*Onoclea sensibilis*)
- Stiff Aster (*Aster linariifolius*)
- Sweet Goldenrod (*Solidago odora*)
- Trailing Arbutus (*Epigaea repens*)
- Wild Indigo (*Baptisa tinctoria*)
- Wintergreen (*Gaultheria procumbens*)
- Wild Columbine (*Aquilegia canadensis*)
- Wild Geranium (*Geranium maculatum*)

ARTS

# Tex McCrary Dies at 92; Public Relations Man Who Helped Create Talk-Show Format

By RICHARD SEVERO JULY 30, 2003

## Correction Appended

Tex McCrary, a legendary New York public relations man and political strategist who with his wife, the actress and model Jinx Falkenburg, helped create and popularize the talk-show format on radio and television in the 1940's and 50's, died yesterday in Manhattan. He was 92 and lived in Manhattan.

In their prime in the 1950's, "Tex and Jinx," as they were widely known, had two radio shows, a five-day-a-week television show, a syndicated column in The New York Herald Tribune and still found time to make many personal appearances. They broadcast some of their shows from Peacock Alley in the Waldorf-Astoria where they interviewed guests as glamorous as they were.

Mr. McCrary, who started his career as a journalist and was rarely without a newspaper column as a base of operations, always seemed more comfortable helping to shape opinion than to report it, and 1952 was a banner year for him. He was convinced that Gen. Dwight D. Eisenhower could be prevailed on to run for president on the Republican ticket and that he could beat the favorite for the

nomination, Senator Robert A. Taft of Ohio. To convince the skeptical general that a groundswell of enthusiasm existed for his candidacy, Mr. McCrary staged a huge "public outpouring" rally in Madison Square Garden that moved the general to tears.

The rally took place on Feb. 8 after a basketball game and featured thousands of supporters chanting in unison, "We Want Ike!" and waving "I Like Ike" signs and banners.

Mr. McCrary also arranged to have Mary Martin, a fellow Texan who was appearing in the London production of "South Pacific," to sing "I'm in Love With a Wonderful Guy" to the general by way of short-wave radio while Richard Rodgers accompanied her on the piano in New York.

Eisenhower was nowhere near Madison Square Garden when all this was going on. He and his wife, Mamie, were residing in Paris where he was supreme commander of NATO. That did not deter Mr. McCrary, who got the aviator Jacqueline Cochran to fly a three-hour kinescope of the Madison Square Garden rally to Paris in her own plane and deliver it personally to the Eisenhowers' apartment, accompanied by Spyros Skouras, the movie mogul.

The general offered her a drink after the long flight and the first thing she did was to offer a toast "to the president." Eisenhower watched the kinescope with tears in his eyes and on Feb. 20, 1952, he wrote to Mr. McCrary: "While, as you know, I firmly believe that American interests demand that for the moment I remain outside the swirl of domestic political activity, it would be idle as well as false for me to attempt to deny that I am deeply touched by the obvious energy and conviction that you devoted to the Garden effort and by the extraordinary enthusiasm shown by the great crowd of Americans who gathered there. Even a clear personal knowledge of unworthiness of such confidence cannot overreach the pride that I feel."

A few weeks later Eisenhower entered the New Hampshire primary. Aided by Mr. McCrary, Gov. Sherman Adams and Senator Henry Cabot Lodge of Massachusetts he beat Senator Taft and was on his way to the White House.

A 1957 feature story in The New York Post said Mr. McCrary had the knack "for making, manipulating and pyramiding friendships." Indeed, Mr. McCrary was his

own fable, a publicist's publicist, proud of his expertise in the uncertain and sometimes volatile art of shaping public opinion.

Perhaps Mr. McCrary's biggest public relations coup was producing an exhibit for the United States Exhibition in Moscow in 1959 of his client Herbert Sadkin's "typical American house." The kitchen of that house became the scene of the famous debate on the merits of capitalism between Vice President Richard M. Nixon, the official American host, and General Secretary Nikita S. Khrushchev of the Soviet Union.

William Safire, who was then a member of the McCrary team and later a Nixon aide and now a columnist for The New York Times, maneuvered the two protagonists into the kitchen. The photographer Elliot Erwitt of Magnum captured the image of Mr. Nixon poking the Soviet leader in the chest, which was used the following year when the vice president ran against John F. Kennedy as a man who could stand up to the Russians.

Among his clients were The New York Herald Tribune (he helped the Reid family sell it to John Hay Whitney); developers, builders and entrepreneurs like William Zeckendorf William Levitt and Samuel J. LeFrak; Chris-Craft, Learjet, and, for a time, the government of Argentina. Mr. McCrary also helped broker the deals that led to the creation of Place Lafayette in downtown Boston and Port Liberté in Jersey City, just west of the Statue of Liberty.

John Reagan McCrary was born on Oct. 13, 1910, in Calvert, Tex., the son of John Reagan McCrary, a cotton farmer who fell on hard times during the Depression, and Margaret Duggins Adoune McCrary. Mr. McCrary's grandfather was John H. Reagan, a United States senator and first chairman of the Texas State Railway Commission.

He left the Calvert public schools for Phillips Exeter Academy in New Hampshire and then went off to Yale, where he wrote for the humor magazine, boxed and was quarterback on Yale's football team for men who did not weigh over 150 pounds.

Jack Howard, a contemporary of Mr. McCrary at Yale who later became president of the Scripps-Howard newspaper chain, marveled at Mr. McCrary's social skills. "He covered a lot of ground at Yale," Mr. Howard remembered. Mr. McCrary, who was a member of the Delta Kappa Epsilon fraternity as well as Skull and Bones, the most famous of Yale's secret societies, graduated in 1932.

He he landed a \$19-a-week copy boy's job at The New York World-Telegram, a Scripps-Howard paper. Soon he became a \$21-a-week cub reporter there. He left to join The New York Daily Mirror, where he caught the attention of Arthur Brisbane, its editor. Mr. McCrary married Mr. Brisbane's daughter, Sara, in 1935.

Mr. Brisbane died the next year, and Mr. McCrary became The Mirror's chief editorial writer. He and his wife had a son, but the marriage fell apart and they were divorced in 1939. He began writing a column called "Only Human" and met Jinx Falkenburg in 1941 when he interviewed her for his column. She was playing a cowgirl in a Broadway musical starring Al Jolson called "Hold Onto Your Hats" and was regarded as one of the most beautiful women in America.

Within a year after the United States entered World War II, Mr. McCrary joined the Army Air Corps and became a photographer and public relations officer in the Mediterranean. In 1945 he became one of the first Americans to visit Hiroshima after the atomic bomb was dropped. He advised journalists not to write about what they had seen because he did not think Americans could stand to know "what we've done here." John Hersey later told the story for The New Yorker. "I covered it up, and John Hersey uncovered it," Mr. McCrary said years later. "That's the difference between a P.R. man and a reporter."

After the war Mr. McCrary edited the American Mercury magazine. He soon renewed his friendship with Ms. Falkenburg, who had become a starlet under contract at MGM and who was one of the nation's highest-paid models. She was also a tennis and swimming star and the first Miss Rheingold. They were married in June 1945. Although they were separated years later, they never divorced. Miss Falkenburg, who lives on Long Island, survives him, as do three sons: Michael, of Hunter, N.Y., from his first marriage; and, from his marriage to Miss Falkenburg, Kevin, of Manhattan, and John, of Mill Neck, N.Y.

In 1946 the McCrarys began their own radio talk show called "Hi Jinx." It was successful, and Mr. McCrary, who did the planning and writing, was praised by the critic Harriet van Horne in The World-Telegram for his thoughtful programs on the atom bomb, venereal disease and the United Nations, subjects not usually mentioned on entertainment shows.

In 1947 they began a Sunday television show called "At Home." They also had another television program called the "Swift Home Service Club," in which they offered household hints and conducted chatty interviews. That same year their radio show "Meet Tex and Jinx" achieved such a following that it was run as a summer replacement for "Duffy's Tavern," then one of radio's most popular situation comedies.

By the middle 1950's Mr. McCrary and Ms. Falkenburg were conducting their talk show from Peacock Alley, abutting the lobby of the Waldorf-Astoria, where they snared celebrities as they picked up or dropped off their room keys.

The husband-and-wife talk show team eventually ran its course, and Mr. McCrary participated in his own radio shows for a time. He also continued to advise a variety of clients in business and politics.

At 85 and 43 years after the Eisenhower rally, Mr. McCrary tried no less forcefully to induce Gen. Colin L. Powell to run for the presidency in 1996. Mr. McCrary first met General Powell while recruiting him to speak at an Eisenhower centennial event in 1980. He said he saw in the general a second coming of Eisenhower -- a trusted individual who could lead the nation. Mr. Powell thought about running but after discussing it with his family, said absolutely not.

Mr. McCrary refused to accept the limitations of aging and turned several publishers down when they asked him to write his autobiography. "I don't want to live what life I have left in the rear-view mirror," he told them.

Asked once what he wanted as his epitaph, he said he would like it to read, "To be continued."

**Correction:** August 8, 2003, Friday Because of an editing error, an obituary of the public relations man and political strategist Tex McCrary on July 30 misstated the year in which he first met Gen. Colin L. Powell, whom he was recruiting as a speaker for a centennial celebration of Dwight D. Eisenhower's birth. It was 1990, not 1980.

---