

**PRINCIPLES FOR REVIEW OF APPLICATIONS
FOR DEVELOPMENT WITHIN THE
SUFFOLK COUNTY PINE BARRENS ZONE**



**SUFFOLK COUNTY
PINE BARRENS REVIEW COMMISSION
1989**



INTRODUCTION

The County of Suffolk, in enacting Articles 13 and 37 of the Suffolk County Charter, has recognized that protection of the Pine Barrens is of vital importance. In so doing, the County has found that:

- The Pine Barrens is a significant groundwater recharge area;
- The Pine Barrens is a unique natural ecological community;
- The Pine Barrens incorporates a variety of natural, recreational, ecological, and aesthetic resources;
- The Pine Barrens are under increasing development pressures and competing demands that threaten to impair these resources.

In accordance with the authorizing legislation (C37-3D) the ideal way to effect comprehensive protection of the Pine Barrens is to prepare a master plan which would be implemented through the cooperative authority of local, county, and state governments. Until such time that a master plan is prepared, the Pine Barrens Review Commission will use the following policies and standards when reviewing applications for land uses and development within the Pine Barrens Zone.

These principles have evolved from interim principles that have been used since 1985. In formulating many of the standards for review of applications the Commission depended on theories developed in the *Long Island Comprehensive Waste Treatment Management Plan*, LIRPB, 1978.

The Pine Barrens Review Commission encourages developers and design professionals to contact the staff of the Review Commission in the preliminary and conceptual stages of development to ensure that the project will be consistent with these standards.

Joseph Fischetti P.E.
Chairman
Standards Committee
October 1989

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POLICIES AND STANDARDS

1. GROUNDWATER

The primary purpose in protecting the Pine Barrens Zone is to prevent contamination of the groundwater. Nitrate-nitrogen, a contaminant which emanates from numerous types of land uses, is a recognized indicator of groundwater quality. Primary factors determining the concentration of nitrogen loading are the area of fertilized turf and the density of dwelling units generating sewage effluent. The Suffolk County Department of Health Services abides by the State of New York nitrate-nitrogen standard for drinking water from public wells of 10 ppm. To ensure that the probability of nitrate-nitrogen concentrations exceeding this standard remains less than 90%, the Suffolk County Pine Barrens Review Commission has established a maximum nitrogen loading factor of 6 ppm. It is the policy of the Pine Barrens Review Commission to recommend disapproval of any development proposal where the nitrogen loading factor will exceed 6 ppm on the site. Furthermore, the Commission may recommend disapproval of all development proposals that are in contravention of Article 6 of the Suffolk County Sanitary Code. Sewage treatment plants may be recommended for subdivisions in Hydrogeologic Zones III, V, and VI where the proposed density is greater than 1 unit per acre and the size of the proposed development justifies their use.

2. WETLANDS

Freshwater wetlands which exist within the Pine Barrens are considered to be an important natural resource providing for flood and erosion control, the filtering of contaminants and sediments from storm water runoff, and the habitat for plants and wildlife. The Pine Barrens Review Commission may recommend disapproval of any development proposal where freshwater wetlands are not protected by a minimum 100 foot non-disturbance buffer area (measured horizontally from the wetland edge as defined by the New York State Department of Environmental Conservation or local ordinance) or when, based on supporting evidence, freshwater wetlands will be negatively impacted. Buffer areas shall be delineated on the plat and a conservation easement thereon shall be dedicated to the Town or its designee.

Tidal wetlands existing within the marine environment bordering portions of the Pine Barrens Zone are equally valuable natural resources. These wetlands support the reproduction of finfish and shellfish, provide habitat for waterfowl, and contribute a scenic quality that supports recreational economies. The Pine Barrens Review Commission may recommend disapproval of development proposals where tidal wetlands are not protected by a minimum 100 foot non-disturbance area (measured horizontally from the identified wetland edge) or where, based on supporting evidence, tidal wetlands will be adversely impacted.

3. SURFACE WATERS

Surface waters, which include freshwater ponds, lakes, streams, and rivers as well as saline ponds, creeks, and bays, occur throughout the Pine Barrens Zone. These water bodies are considered to be resources of significant value in economic, esthetic and ecological terms. Their protection is judged to be vital to the dynamics of the Pine Barrens. The Pine Barrens Review Commission may recommend disapproval of any development proposal which does not provide a 100 foot non-disturbance buffer (measured horizontally from the water or wetland edge) or which may, based on supporting evidence, negatively impact the integrity of a surface waterbody in terms of its quality, quantity, or natural function.

4. RARE AND ENDANGERED SPECIES

The Pine Barrens ecosystem encompasses several species of rare, endangered, and threatened animal and plant species, as well as species of special concern, including the buck moth, tiger salamander, and lady slipper. The State of New York has identified such species and has enacted laws to protect their number and habitat. The Pine Barrens Review Commission may recommend disapproval of any development proposal that may negatively impact a habitat essential to those species identified as rare, endangered, or threatened species by New York State maintained lists.

5. NATIVE VEGETATION DISTURBANCE

The vegetation association that defines or characterizes the Pine Barrens includes pitch pines and various species of oak trees, plus numerous understory and ground cover plants such as blueberry and bearberry and grasses such as prairie bluestem and indian grass. Excessive, and often unnecessary, clearing of this native vegetation can result in severe soil erosion, excessive stormwater runoff, and destroyed plant and wildlife habitat. Furthermore, the replacement of native vegetation by plants and lawns requiring artificial fertilization increases the risk of groundwater contamination. Please see Table 2 for suggested species. It is the policy of the Pine Barrens Review Commission to encourage minimal clearing of native vegetation. Development proposals may not be recommended for approval if the disturbance/removal of vegetation on the site exceeds the standard in Table 1. These percentages shall be taken over the total site inclusive of roads, building sites and drainage structures. The clearance standard that would be applied to a project site if developed under the existing residential zoning category, should be applied if the proposal involves multi-family units, attached housing, clustering or modified lot designs. Submissions to the PBRC for subdivisions shall contain calculations for clearing limits. These limits shall become part of the filed map.

Furthermore, subdivision and site design should encourage preservation of natural vegetation in large unbroken blocks or greenbelts that allow contiguous open spaces to be established when adjacent parcels are developed.

TABLE 1 - PBRC Clearance Standards

Total site clearance including lots, roads, drainage and other improvements.

<i>Residential Zoning Category</i>	<i>Proposed Max. Recommended Site Clearance</i>
<i>Lot Size Acreage</i>	
10,000 s.f. - 1/4 Acre	90%
15,000 s.f. - 1/3 Acre	70%
20,000 s.f. - 1/2 Acre	60%
30,000 s.f. - 2/3 Acre	58%
40,000 s.f. - 1 Acre	57%
60,000 s.f. - 1 1/2 Acre	46%
80,000 s.f. - 2 Acres	35%
120,000 s.f. - 3 Acres	30%
160,000-200,000+ s.f. - 4 - 5 Acres	25%
<i>Commercial and Industrial</i>	65%

Note: In calculating the percentage of land cleared the preserved areas in a development should be good quality native vegetation.

6. FERTILIZED VEGETATION AND LANDSCAPING

The 208 Wastewater Treatment Management Plan indicated that fertilizers are a significant source of nitrogen and phosphorous contamination to ground and surface waters. Because of low natural fertility, soils common to the Pine Barrens (Carver, Haven, Plymouth, and Riverhead) require both irrigation and fertilizer application

for establishment and maintenance of turf and non-native vegetation. As native Pine Barrens vegetation is replaced with turf, through residential development, increased contamination may be expected along with a general change in the ecosystem. The 205j Special Groundwater Protection Areas study discussed limiting the amount of land devoted to turf as a way to limit the amount of nitrogen leached from low density residential development (greater than or equal to 1 acre/unit).

It is the policy of the Pine Barrens Review Commission to discourage extensive establishment of turf and fertilizer dependent non-native vegetation. The Commission may recommend disapproval of applications proposing to place more than 15% of each lot in vegetation requiring fertilization or 15% of the entire site for attached residential, commercial or industrial development. Table 2 should be consulted for examples of vegetation species appropriate as alternatives to the establishment of turf in the Pine Barrens.

For more specific landscaping and fertilization recommendations the chapter on "FERTILIZER," 208 *Nonpoint Source Management Handbook, LIRPB, 1984*, should be consulted.

7. STEEP SLOPES

Disturbance of and construction on steep slopes within the Pine Barrens Zone can require considerable removal of native vegetation resulting in excessive surface water runoff and severe soil erosion. Additionally, steep sloped areas are subject to more rapid spread of wildfire than flat ground. Ideally, all land clearing and construction should be confined to sites where slopes are no greater than 10%.

The PBRC will require that clearing envelopes be drawn for lots within a subdivision containing slopes greater than 10 percent. These envelopes should be located on the lots to minimize the disturbance of those slopes to the greatest extent possible. Construction of homes, roadways and private driveways on slopes greater than 10% may be approved if technical review shows that sufficient care has been taken in the design of stabilization measures, erosion control practices and structures so as to mitigate any negative environmental impacts.

PBRC review would be facilitated if submissions contain a slope analysis showing slopes 0-10%, 11-15% and 15% and greater. In areas with steep slopes slope analysis maps may be required. This can be done with cross hatching or shading on the site plan for the appropriate areas. In addition, erosion and sediment control plans may be recommended in steeply sloped areas.

8. RUNOFF WATER

Development of lands within the Pine Barrens Zone inevitably results in an increase of runoff water following precipitation. Runoff water originating from the roofs of buildings and from driveways is usually discharged directly to subsurface dry wells situated on the building lot. However, the great volume of runoff water originating from paved streets and roads is usually discharged by pipes into large open recharge basins or sumps. These basins may cover several acres and require the removal of much native vegetation to the detriment of the site's ecology and aesthetics.

The Pine Barrens Review Commission may discourage the construction of large excavated recharge basins and may encourage the use of alternative natural recharge areas and/or drainage system designs that will cause less disturbance of the site. Such alternatives include, but are not limited to, the use of natural swales and depressions and/or the installation of perforated pipe, vertical drains or dry wells.

The Pine Barrens Review Commission may recommend disapproval of a proposal if all stormwater runoff originating from development on the property is not recharged on site. Ponds should only be created in place of recharge basins, not for aesthetic purposes. They should be constructed and planted to create a shallow marsh habitat to filter runoff to the maximum extent possible. A management plan should be developed which requires minimal augmentation and attempts to balance evaporation with size limitation of the pond.

9. FARMLAND

Scattered throughout the Pine Barrens Zone are parcels of farmland. Some of the parcels may consist entirely of active farmland, whereas others may encompass farmland and mature forest. While the Pine Barrens Review Commission is sensitive to and supportive of the need to preserve prime farmland, its primary responsibility is to protect the groundwater quality and native vegetation/habitat of the Pine Barrens. The Pine Barrens Review Commission may give its highest priority to preserving the woodlands. For parcels

are entirely in active agriculture and within Hydrogeologic Zones III and V and contain prime agricultural soils. the Commission recommends the clustering of structures on the poorest soils and retention of the remaining prime farmland for agricultural use of a nature that will cause minimal impact on the groundwater quality. For parcels consisting of both active farmland and forest, within Hydrogeologic Zones III and V the Commission recommends that preservation of the woodlands be given the higher priority. Furthermore, if active farming is planned for the underdeveloped area, the density standard of one dwelling unit per two acres adopted by the Suffolk County Department of Health Services must be met. Any area outside Hydrogeologic Zones III and V may contain active farming.

10. REZONING OF LAND

The protection of groundwater quality and native vegetation/habitat are two paramount goals of the Pine Barrens Review Commission. Both of these goals may be threatened by rezonings that increase density or intensity of land use (such as rezoning from large-lot single-family residential to high-density multiple-family residential or rezoning from low-density residential to commercial or industrial use). The Pine Barrens Review Commission may recommend disapproval of any rezoning applications that increase density or intensity of use, unless applicants are able to demonstrate that rezoning will not have a greater threat to groundwater quality and/or native vegetation/habitat than existing zoning. Proposed rezoning should comply with all other policies and standards of the Commission.

Due to the sensitive nature of the Pine Barrens, and their resulting ecological and environmental importance in the protection of our sole source aquifer, the compatibility of increased density in those areas to create an affordable price is not justified, if it compromises those standards and policies deemed necessary to protect the Pine Barrens.

If a town board decides to endorse a change of zone to MF or PRC for affordable housing within the Pine Barrens, the Commission will work to insure that standards and criteria are followed for aquifer protection.

The Commission suggests that these projects could be sited more advantageously in less sensitive areas outside the Pine Barrens Zone.

11. COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Throughout the Pine Barrens Zone are numerous parcels of land that are zoned for industrial use. Future development of these parcels by industries that store and use toxic and hazardous chemicals could increase groundwater contamination. It is the policy of the Pine Barrens Review Commission to encourage the rezoning of vacant industrial sites within the Pine Barrens Zone to less intensive/less potentially hazardous uses, and the concentrating of industrial development outside the boundaries of the Zone. Furthermore, the Commission may recommend disapproval of any industrial/commercial development which contravenes the provisions of Articles 7 and 12 of the Suffolk County Sanitary Code.

12. CLUSTERING

The use of the clustering technique within the Pine Barrens Zone will be required when large open space tracts can be preserved through coordination between contiguous projects. The developer should contact the staff of the PBRC for assistance prior to designing the site plan.

It is the recommendation of the PBRC to dedicate all open space resulting from clustering, if possible, to public or private groups whose interests are the preservation of natural areas.

Clustering can be used in site planning to minimize disturbance of sensitive portions of the site. The following should be used as guidelines in clustering residential subdivisions:

- 1. Wooded Parcel - with slopes less than 10% on parcel.

Recommendations - The development on a parcel, if adjacent to other parcels to be reviewed or adjacent to existing dedicated open space, should be clustered to take advantage of increasing natural open space.

- 2. Wooded Parcel - more than 50% of parcel has slopes less than 10%; remainder of parcel has slopes greater than 10%.

Recommendations - Lots should be clustered on slopes less than 10%.

- 3. Parcel Partly Wooded and Partly Old Field/Agricultural -

Recommendations - Clustering shall occur on the open field portion of the site first with the intent of preserving as much of the natural Pine Barrens as possible.

- 4. Wooded or Field - with slopes greater than 10% throughout site.

Recommendations - Cluster lots to keep building envelopes (per town zoning) on slopes less than 10%.

Roads and driveways should be designed to minimize the transversing of slopes of greater than 10% and to minimize cuts and fills.

Details of retaining walls and erosion control structures shall be provided for roads and driveways which transverse slopes greater than 10%.

No retaining wall or erosion control structure shall be constructed beyond the R.O.W. or 8' beyond the edge of roadway whichever is less.

For private driveways the limits of retaining walls and erosion control structures shall conform to the clearing limits set forth by the PBRC.

Any subdivision applications which contain building envelopes with slopes greater than 10% or which, based on technical review, contain extensive use of retaining walls for the roadway system, may require a DEIS to analyze the impact of erosion and the changing of the character of the land. The Commission may disapprove an application where a tighter cluster than proposed is possible and preferable.

13. COORDINATED DESIGN

Comprehensive, coordinated planning and design of development proposals, especially residential subdivisions, within the Pine Barrens Zone is essential to ensure maximum preservation of open space. Frequently, landowners design their subdivisions without adequate consideration of the existing development and/or of future plans for the adjacent parcels. This can result in inefficient road patterns that may require unnecessary clearing and lot layout which may prevent the preservation of large, unbroken tracts of forest. The developers should contact the staff of the PBRC or Town for input on coordination of open spaces between adjacent parcels.

It is the policy of the Pine Barrens Review Commission to review all development proposals for individual parcels in light of the potential or existing layout of all adjacent parcels to ensure that the designs are coordinated and that minimal clearing and maximum open space preservation can be achieved. The owners of parcels are urged to consult with the town planning personnel before designing their subdivisions.

14. OPEN SPACE MANAGEMENT

The preservation of open spaces and the conservation of native vegetation within the Pine Barrens Zone is a central goal of the Pine Barrens Review Commission. Such open spaces may be configured as buffer areas, green belts, slope management areas, or wetland protection areas. However, proper management of these areas is essential in order to protect open spaces from illegal dumping, clearing, motor vehicle trespass and other abuses of the environment. The Pine Barrens Review Commission may recommend that proposed open space be designated with easements that specify proper restrictions on its use. Additionally, these easements shall be in favor of an entity properly organized for the management of the resource such as a homeowners association, local government agency, or not-for-profit land trust.

15. WELLHEAD PROTECTION

Given the variability in subsurface geology and the movement of water through the unsaturated and saturated zones and the differences in well depth, capacity and pumpage patterns, the application of a general formula for calculation of the zone of contribution may result in overprotection of certain well sites and insufficient protection of others.

For many years the New York State Department of Health has advocated the exclusion of potentially contaminating activities from an area extending for 200 feet in all directions from the well site. Although this may have been considered adequate to prevent the rapid drawdown of bacterial contamination or its entry into ground water through poorly constructed wells, it seems unlikely to provide an appropriate level of protection against the suite of organic and inorganic pollutants that threaten the community water supplies.

Pine Barrens Review Commission will consider the location of nearby public supply wells and consult with the purveyor. Suffolk County Dept. of Health Services guidelines for private wells will be used for wellhead protection. If it can be demonstrated by staff that a project may impact water quality at a public well site, the project may be disapproved.

Table II. Suitable Groundcover Alternatives for Long Island***

Plants Suitable for Sandy or Loamy Soils, Areas Near Salt Water and Dune Areas (Also good for General Use)

Common Name	Scientific Name	Evergreen	Low Growing Groundcover	Shrub Form
Dusty Miller	Artemisia stelleriana		X	
Beach Grass (Dunes only)				
Sea Oats (Dunes only)**	Ammophila breviligulata		X	
Bayberry	Uniola paniculata		X	
Rugosa Rose	Myrica pensylvanica			X
White Rugosa Rose	Rosa rugosa			X
Virginia Creeper	Rosa rugosa alba			X
Beach Plum	Parthenocissus quinquefolia	X	X	
Japanese Rose	Prunus maritima			X*
Memorial Rose	Rosa multiflora			X*
Shore Juniper	Rosa wichuriana		X	
Bearberry	Juniperus conferta	X	X	
	Arctostaphylos uva-ursi	X	X	
General Use Groundcover				
Juniper	Juniper Species	X	varies	varies*
Bugle Weed	Ajuga reptans	X	X	
Myrtle or Periwinkle (Partial shade)				
Japanese Spurge (Partial shade)	Vinca minor	X	X	
Purple-Leaf Wintercreeper	Pachysandra terminalis	X	X	
	Euonymus fortunei			
	radicans coloratus	X	X	
English Ivy (Partial shade)	Hedera helix	X	X	
Baltic Ivy (Partial shade)	Hedera helix baltica	X	X	
Curly-Leaf Ivy (Partial shade)	Hedera helix conglomerata	X	X	
238th Street Ivy (Partial shade)	Hedera helix cultivar 238	X	X	
Steep Banks-Slopes-Low Maintenance Areas				
Crown Vetch	Coronilla varia		X	
Plant the Following Shrubs in Large Numbers to Achieve Effect of Groundcover				
Azalea	Rhododendron species	X	X	X*
Rock Cotoneaster	Cotoneaster horizontalis	X	X	
Early Cotoneaster	Cotoneaster praecox	X	X	
"Skogsholmen" Cotoneaster	Cotoneaster skogsholmen	X	X	
Mountain Laurel (Part shade)	Kalmia latifolia	X		X*
Wilson Rhododendron (Part shade)	Rhododendron wilsoni	X		X
Japanese Skimmia (Shade)	Skimmia japonica	X		
English Weeping Yew	Taxus repandens	X	X	
Potentilla	Potentilla species			X
Blackberries, Blueberries, Raspberry	Rubus and Vaccinium Species			X*

NOTE: All plants in this chart are perennials

*Tall shrubs - over five feet

**In addition to meadow grass mixes, the native pine barrens'

Bluestem Grasses (Andropogon virginicus, gerardi and scoparius) and Indian Grass (Sorghastrum nutans) may also be used.

***Source: 208 Nonpoint Source Management Handbook, LIRPB, 1984.

ACTION(S) OF THE S.C.P.B.R.C.

**ACTION(S) OF THE S.C.P.C. TO
OVERRIDE THE S.C.P.B.R.C.**

Local determination

Majority (8 votes)

Approval

Majority (8 votes)

Approval with conditions

2/3 membership *(12 votes)

Disapproval

2/3 membership (12 votes)

*In the review of certain applications, eight (8) votes are sufficient if accompanied by additional conditions in conformance with concerns of the Planning Commission.

sec sc Charter
C4-13

Intro. Res. No. 1167-98

Laid on Table 2/10/98

Introduced by the Presiding Officer at the request of the County Executive

RESOLUTION NO. 215 - 1998, ADOPTING LOCAL LAW NO. -1998, A CHARTER LAW ABOLISHING THE PINE BARRENS REVIEW COMMISSION AND TRANSFERRING FUNCTIONS OF THE PINE BARRENS REVIEW COMMISSION TO THE COUNTY PLANNING COMMISSION

WHEREAS, there was duly presented and introduced to this Legislature at a regular meeting held , 1998, a proposed Local law entitled, "A CHARTER LAW TRANSFERRING FUNCTIONS OF THE PINE BARRENS REVIEW COMMISSION TO THE COUNTY PLANNING COMMISSION" and said Local Law in its final form is the same as when presented and introduced; now therefore, be it

RESOLVED, that said Local Law be enacted in form as follows:

LOCAL LAW NO. , YEAR 1998, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TRANSFERRING FUNCTIONS OF THE PINE BARRENS REVIEW COMMISSION TO THE COUNTY PLANNING COMMISSION

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent

This Legislature hereby finds and determines that the size and scope of County government has grown large and costly as a result of the proliferation of agencies whose functions, duties and responsibilities could be more economically and efficiently carried out under a more streamlined organization of government.

This Legislature further finds Article 37 of the Charter requires that the Suffolk County Pine Barrens Review Commission refer their report to the Suffolk County Planning Commission for its consideration under Article 14 of the Suffolk County Charter. In 1992 the New York State Temporary Commission for Tax Relief on Long Island unanimously agreed that the Suffolk County Pine Barrens Review Commission was duplicative of work done by the Suffolk County Planning Commission and recommended the elimination of the Suffolk County Pine Barrens Review Commission based on its reporting functions in the Charter.

This Legislature further finds that the recent enactment of State law designed to impose uniform standards for the preservation and development of the Central Pine Barrens and the subsequent adoptions of uniform standards by the Towns in the Central Pine Barrens have made the review of applications in these areas by a separate County Pine Barrens Review Commission an unnecessary and time consuming duplication of effort. Necessary review can be adequately carried out by the existing County Planning Commission using standards for development that are specifically designed for the protection of Pine Barrens. At a joint meeting of the Central Pine Barrens Joint Planning and Police Commission and their Advisory Committee in June of 1998, it was stated that there is an opportunity to remove an extra level of development review from the Central Pine Barrens area that could be accomplished through the abolition of the Suffolk County Pine Barrens Review Commission. A motion was passed to eliminate the dual jurisdiction of both the Central Pine Barrens Joint Planning and Police Commission and the Suffolk County Pine Barrens Review Commission in the Central Pine Barrens area by recommending abolishment of the Suffolk County Pine Barrens Review Commission.

Therefore, the purpose of this Law is to reorganize the review process and transfer the functions of the Pine Barrens Review Commission to the County Planning Commission.

Section 2. Abolition of Pine Barrens Review Commission

The Pine Barrens Review Commission is hereby abolished and Sections 37-1 through 37-7 of the SUFFOLK COUNTY CHARTER are hereby repealed in their entirety.

Post-It Fax Note	7871	Date	6/9 1998
To	Barbara	From	Ann Marie
Co./Dept.		Co.	
Phone #		Phone #	34077

Section 3. Transfer of Duties, Powers and Responsibilities to the Suffolk County Planning Commission

Article 14 of the Suffolk County Charter is hereby amended to add the following new sections 14-11 and 14-12 to read as follows:

Section 14-11. Creation of the Suffolk County Pine Barrens Zone

The Suffolk County Pine Barrens Zone is hereby created, lying and being in the County of Suffolk, which zone is more particularly described and bounded as follows:

- A. Beginning at a point where the southerly side of Route 25A intersects the easterly side of Miller Place Road; thence southward along the easterly boundary of Miller Place Road to Helme Avenue; thence southward along the easterly boundary of Helme Avenue to Miller Place-Middle Island Road; thence southward along the easterly boundary of Miller Place-Middle Island Road to Whiskey Road; thence westward along the southerly boundary of Whiskey Road to Mount Sinai-Coram Road; thence southward along the easterly boundary of Mount Sinai-Coram Road to Middle Country Road (Route 25); thence westward along the southerly boundary of Route 25 to Patchogue-Mount Sinai Road (County Route 83); thence southward along the easterly boundary of County Route 83 to Bicycle Path Drive; thence southeastward along the easterly side of Bicycle Path Drive to Mt. McKinley Avenue; thence southward along the easterly boundary of Mt. McKinley Avenue to Granny Road; thence northeastward along the northerly boundary of Granny Road to Port Jefferson-Patchogue Road (Route 112); thence southward along the easterly boundary of Route 112 to Horse Block Road (County Route 16); thence eastward along the northerly boundary of County Route 16 to Maine Avenue; thence northward along the westerly boundary of Maine Avenue to Fire Avenue; thence eastward along the northerly boundary of Fire Avenue to John Roe Smith Avenue; thence southward along the easterly boundary of John Roe Smith Avenue to Jeff Street; thence eastward along the northerly boundary of Jeff Street to Hagerman Avenue; thence southward along the easterly boundary of Hagerman Avenue to the Long Island Expressway (Route 495); thence eastward along the northerly boundary of Route 495 to Southaven County Park; thence southward along the westerly boundary of Southaven County Park to Gerard Road; thence southward along the easterly boundary of Gerard Road to Route 27; thence eastward along the northerly boundary of Route 27 to the easterly boundary of Southaven County Park thence northward along the easterly boundary of Southaven County Park to Route 495; thence eastward along the northerly boundary of Route 495 to the William Floyd Parkway (County Route 46); thence southward along the easterly boundary of County Route 46 to the Long Island Railroad tracks; thence eastward along the northerly boundary of the Long Island Railroad tracks 7,500 feet; thence southward 500 feet; thence eastward 625 feet to the intersection of North Street and Manor-Yaphank Road; thence southward along the easterly boundary of Manor-Yaphank Road to Moriches-Middle Island Road; thence eastward along the northerly boundary of Moriches-Middle Island Road to Sunrise Highway (Route 27); thence eastward along the northerly boundary of Route 27 to an old railroad grade (unpaved); thence southeastward along the northerly boundary of the old railroad grade (unpaved) to Old Country Road (Route 71); thence eastward along the northerly boundary of Route 71 to the Long Island Railroad tracks; thence eastward along the northerly boundary of the Long Island Railroad tracks to Montauk Highway (Route 24); thence northward along the westerly boundary of Route 24 to Sunrise Highway (Route 27); thence eastward along the northerly boundary of Route 27 to Squiretown Road; thence northward along the westerly boundary of Squiretown Road to Upper Red Creek Road; thence westward along the southern boundary of Upper Red Creek to Lower Red Creek Road; thence southward along the easterly boundary of Lower Red Creek Road to Hubbard County Park; thence westward along the northern boundary of Hubbard County Park to Riverhead-Hampton Bays Road (Route 24); thence westward along the southerly boundary of Route 24 to Peconic Avenue; thence northward along

the westerly boundary of Peconic Avenue to the centerline of the Peconic River; thence westward along the centerline of the Peconic River to the Forge Road Bridge; thence northward along the westerly boundary of the Forge Road Bridge to Forge Road; thence northwestward along the westerly boundary of Forge Road to the railroad tracks; thence northward along the westerly boundary of Forge Road (unpaved) to the intersection of Route 25 and River Road; thence westward along the southerly boundary of River Road to Edwards Avenue; thence northward along the westerly boundary of Edwards Avenue 3,800 feet; thence westward 4,400 feet to an unnamed; unpaved road; thence northward along the westerly boundary of the unnamed, unpaved road 150 feet; thence westward and northwestward along the eastern boundary of the U.S. Navy/Grumman Aerospace Corporation property (as of 1982) up to the intersection of North Country Road and Sound Avenue (Route 25A); thence westward along the southerly boundary of Route 25A to the point or place of Beginning.

B. Beginning at a point where the westerly boundary of Old Town Road intersects the southerly boundary of Lower Sheep Pasture Road; thence westward along the southerly boundary of Lower Sheep Pasture Road to Upper Sheep Pasture Road; thence westerly along the southerly boundary of Upper Sheep Pasture Road to King Arthurs Court; thence southward along the easterly boundary of King Arthurs Court to Cinderella Lane; thence westward along the southerly boundary of Cinderella Lane to Robin Hood Lane; thence southward along the easterly boundary of Robin Hood Lane to Storyland Lane; thence westward along the southerly boundary of Storyland Lane to Pond Path Drive; thence southward along the easterly boundary of Pond Path Drive to 34th Street; thence westward along the southerly boundary of 34th Street to Sycamore Circle; thence southward and westward along the easterly boundary of Sycamore Circle to Sycamore Drive; thence westward along the southerly boundary of Sycamore Drive to Nicholls Road (County Route 97); thence southward along the easterly boundary of Nicholls Road to Nesconset-Port Jefferson Highway (Route 347); thence southwestward along the southerly boundary of Route 347 to Lakeside Avenue; thence southward along the easterly boundary of Lakeside Avenue to Twisting Drive; thence southward along the easterly boundary of Twisting Drive to Tulp Grove Drive; thence southward along the easterly boundary of Tulp Grove Drive to Pond Path Drive; thence northward along the westerly boundary of Pond Path Drive to Wood Road; thence southward along the easterly boundary of Wood Drive to Spruce Street; thence eastward along the northerly boundary of Spruce Street to Hammond Lane; thence southward along the easterly boundary of Hammond Lane to Florence Street; thence eastward along the northerly boundary of Florence Street to Washington Avenue; thence southward along the easterly boundary of Washington Avenue to Forest Road; thence northward and eastward along the westerly and northerly boundaries of Forest Road to Mark Tree Road; thence northward along the westerly boundary of Mark Tree Road to Bette Anne Drive; thence eastward along the northerly boundary of Bette Anne Drive to Bain Avenue; thence northward along the westerly boundary of Bain Avenue to Chester Street; thence eastward along the southerly boundary of Chester Street to Wireless Road; thence southward along the easterly boundary of Wireless Road to Strathmore Village Drive; thence eastward along the northerly boundary of Strathmore Village Drive to Milbury Lane; thence northeastward along the northerly boundary of Milbury Lane to Patricia Lane; thence northeastward along the northerly boundary of Patricia Lane to Doe Lane; thence eastward along the northerly boundary of Doe Lane to Fawn Lane West; thence northeastward along the westerly boundary of Fawn Lane West to Arrowhead Lane; thence northward along westerly boundary of Arrowhead Lane to Nesconset-Port Jefferson Highway; thence eastward along the northerly boundary of Nesconset-Port Jefferson Highway to Old Town Road; thence northwestward along the westerly boundary of Old Town Road to the point or place of beginning.

C. Beginning at a point where Mecox Road intersects Majors Path; thence north along the east side of Majors Path until it meets Mary's Lane; thence

northeast along the east side of Majors Path to its intersection with the southern boundary of the North Sea Landfill (Town of Southampton property); thence east, then north, following the perimeter of the landfill and directly north along a line to its intersection with Great Hill Road; thence west along the north side of Great Hill Road to its intersection with Majors Path; thence north along the east side of Majors Path to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road to its intersection with Old Sag Harbor Road; thence east along the south side of Old Sag Harbor Road to its intersection with Water Mill Towd Road; thence northwest along the northeast side of Water Mill Towd Road to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road to its intersection with Rose Grove Road; thence east along the south side of Rose Grove Road to its intersection with Weidner Lane; thence north along a line extending from the point of intersection of Weidner Lane and Rose Grove Road to the southeastern most point of Peconic Hills Drive; thence north along the east side of Peconic Hills Drive to its intersection with Woodland Drive; thence northeast along the southeast side of Woodland Drive to a 90 degree northwest turn in said road; thence northwest along the northeast side of Woodland Drive and directly along a line extending to Noyack Road at a point where Lake Drive N. intersects Noyack Road; thence northeast along the south side of Noyack Road to its intersection with Hartwell Lane; thence southeast along the southwest side of Hartwell Lane to its intersection with Chester Drive; thence northeast along the southeast side of Chester Drive to its intersection with Wilson Road; thence northwest along the northeast side of Wilson Road to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road until it merges with Deerfield Road; thence north along the eastern side of Noyack-Deerfield Road to its intersection with Noyack Road; thence east along the southern side of Noyack Road to its intersection with the western boundary of the Noyack Golf and Country Club; thence following the perimeter of the club, to its intersection with Noyack Road; thence east along the southern side of Noyack Road to a point adjacent to Poplar St., which lies north of Noyack Road; thence southeast along a line extending from said point on Noyack Road through the terminal points of Crown Lane, Laurel Trail and Island View Drive, respectively; thence east along a line extending from the terminal point of Island View Drive to Stony Hill Road at a point where Hillside Ave. intersects Stony Hill Road from the east; thence southeast along the southwestern side of Stony Hill Road to its intersection with Brick Kiln Road; thence northeast along the southeastern side of Brick Kiln Road to its intersection with Carroll St., thence southeast along the southwestern side of Carroll St. to its intersection with Sag Harbor-Bridgehampton Turnpike; thence north along the east side of the Sag Harbor-Bridgehampton Turnpike to the Village of Sag Harbor boundary of Sag Harbor; thence southeast along the southern side of the Village boundary until it meets the western side of Round Pond; thence north around the perimeter of Round Pond and east along the southern side of the village boundary to its intersection with Sagg Road (Madison St.); thence south along the western side of Sagg Road to its intersection with Mt. Misery Dr.; thence east along the southern side of Mt. Misery Dr. to its intersection with Denise St.; thence southeast along the southwestern side of Denise St. to its intersection with Town Line Road (the Southampton-East Hampton Town boundary); thence northwest along the northeastern side of Town Line Road to a point 1000 feet south of the intersection of Town Line Road with Middle Line Highway (the Sag Harbor Village boundary); thence northeast along a line extending from said point on Town Line Road to the Sag Harbor-East Hampton Turnpike at a point adjacent to the southern boundary of the Sag Harbor Golf Course; thence following the southern perimeter of the golf course and continuing along southern perimeter of Northwest Harbor County Park to its intersection with Northwest Landing (Swamp) Road; thence north along the eastern side of Northwest Landing Road, which follows the eastern boundary of the Northwest Harbor County Park, to a point where the park crosses over to the northern side of Northwest Landing Road; thence north along the boundary of the park until it meets the Northwest Harbor shoreline; thence north along the harbor shoreline until it meets Alewife Brook Road; thence southeast along the

southern side of Alewife Brook Road to its intersection with Cedar Point Road; thence north along the eastern side of Cedar Point Road until it meets Bearing East Road; thence east along the southern side of Bearing East Road to its intersection with North Pass Road; to its intersection with Landfall Road to its intersection with Hedgebanks Dr.; thence directly north to the Gardiners Bay shoreline; thence south along the bay shoreline to a point directly north of a 90 degree turn in Milna Drive to the south; thence south from said point to Milna Drive and then south along the western side of Milna Dr. to its intersection with Old House Landing Road; thence southwest along the north side of Old House Landing Road to its intersection with Alewife Brook Rd.; thence southeast along the southwest side of Alewife Brook Road to its intersection with Hands Creek Road; thence south along the western side of Hands Creek Road to its intersection with Springy Banks Road; thence northwest along the northeastern side of Springy Banks Road to its intersection with Ely Brook to Hands Creek Road; thence south along the western side of Ely Brook to Hands Creek Road to where it intersects Hands Creek Road; thence south along the west side of Hands Creek Road to its intersection with Middle Hwy.; thence east, then southeast along the southern side of Middle Hwy. to its intersection with Rivers Road; thence east along the southern side of Rivers Road to its intersection with Springy Banks Road; thence southeast along the southwestern side of Springy Banks Road to its intersection with Hides Road; thence east along the southern side of Hides Road to its intersection with Three Mile Harbor Road; thence north along the east side of Three Mile Harbor Road to its intersection with Copeces Lane; thence east along the southern side of Copeces Lane to its intersection with Acabonack Road; thence northeast along the southeastern side of Acabonack Road to its intersection with Neck Path; thence southeast along the southwestern side of Neck Path to its intersection with Amagansett Springs Road, thence south along the western side of Amagansett Springs Road to its intersection with Barnes Hole Road; thence northeast along the southeast side of Barnes Hole Road until it meets the Napeague Bay shoreline (at Barnes Landing); thence southeast following the bay shoreline until it meets Fresh Pond Road; thence southwest along the northwestern side of Fresh Pond Road to its intersection with Cross Hwy.; thence southeast along the southwestern side of Cross Hwy. to its intersection with Abrahams Landing Road; thence southwest along the northwestern side of Abrahams Landing Road to its intersection with Stone Road; thence northwest along the northeastern side of Stone Road to its intersection with Town Lane and Amagansett Springs Road; thence southwest along its northeastern side of Town Lane to its intersection with Stony Hill Road; thence northwest along the northeastern side of Stony Hill Road to its intersection with Acabonack Road; thence south along the western side of Acabonack Road to its intersection with Abrahams Path; thence southeast along the southwestern side of Abrahams Path to its intersection with Town Lane; thence west along the northern side of Town Lane to its intersection with Spring Close Hwy. (Jenny's Path); thence north along the eastern side of Jenny's Path to its intersection with Acabonack Road; thence south approximately 100' along the northwestern side of Acabonack Road to its intersection with Queens Lane; thence north along the eastern side of Queens to a point where it intersects Spring Fireplace Road; thence directly west along a line extending from said point to a point on Three Mile Harbor Road approximately 1400' south of the intersection of Springy Banks Road with Three Mile Harbor Road; thence south along the western side of Three Mile Harbor Road to its intersection with Oak View Hwy.; thence west along the northern side of Oak View Hwy. to its intersection with Hands Creek Road; thence south along the western side of Hands Creek Road to its intersection with Cedar St.; thence northwest along the northeastern side of Cedar St. to its intersection with Stephen Hands Path; thence southwest along the northwestern side of Stephen Hands Path to its intersection with the Sag Harbor-East Hampton Turnpike; thence southeast along the southwestern side of the Sag Harbor-East Hampton Turnpike to its intersection with Cove Hollow Road; thence south along the western side of Cove Hollow Road until it meets the village boundary of East Hampton (approximately 375' north of Montauk Hwy.); thence westerly along the village boundary until it intersects Daniel's

Hole Road; thence northwest along the northeastern side of Daniel's Hole Road to its intersection with the L.I.R.R.; thence westerly along the northern side of the L.I.R.R. to its intersection with Wainscott Harbor Road; thence northwest along the northeastern side of Wainscott Harbor Road to a point approximately 600' north of the L.I.R.R.; thence southwesterly along a line extending from said point on Wainscott Harbor Road to Sagg Road at a point where it is intersected by Narrow Lane; thence north along the eastern side of Sagg (Sageponack Main St.) to its intersection with Haines Path; thence southwesterly along the northwestern side of Haines Path to its intersection with Old Farm Road; thence northwest along a line extending from the Old Farm Road terminus to a point where Huntington Crossway intersects the Bridgehampton-Sag Harbor Turnpike; thence north eastward along the western side of the Bridgehampton-Sag Harbor Turnpike to Scuttle Hole Road, thence westward along the southerly boundary of Scuttle Hole Road (or Huntington Path) to Head of Pond-Scuttle Hole Road; thence southwestward along the northeast side of Head of Pond-Scuttle Hole Road to Deerfield Road; thence northward along the easterly side of Deerfield Road to an extension of Edge of Woods Road; thence westward along the northerly side of the extension of Edge of Woods Road to Water Mill-Towd Road; thence southward along the westerly side of Water Mill-Towd Road to Edge of Woods Road; thence westward along the northerly side of Edge of Woods Road to Private Road; thence southward along the westerly side of Private Road to Mecox Road; thence westward along the northerly side of Mecox Road to the intersection of Mecox and Majors Path to point or place of beginning.

- D. Beginning at a point where Montauk Point State Boulevard meets the eastern boundary of the Hither Hills State Park; thence north along the east side of the park boundary until it meets the Napeague Bay (Block Island Sound) shoreline; thence east following the confluence of the bays shoreline to a point where the L.I.R.R. intersects Navy Road; thence southward along the westerly side of Navy Road to Fort Lane; thence southwestward along the westward side of Fort Lane (terminus) following a line to the intersection of Lincoln Road and Montauk Point State Parkway; thence westward along the northerly side of Montauk Point (Rt. 27) State Parkway to the eastern boundary of the Hither Hills State Park.

Section 14-12. Adoption of Standards for Review of Applications for Development Within the Pine Barrens Zone

The Suffolk County Planning Commission shall by resolution adopt, at its annual organizational meeting, standards for review of municipal zoning and subdivision actions proposed within the Pine Barrens Zone.

Section 4. Transition Provisions.

A.) Any reference to the Pine Barrens Review Commission or any reference to Article 37 of the Suffolk County Charter in any other resolution, local law, Charter law, ordinance, rule or regulation of the County of Suffolk or in any state or federal law, rule or regulation, shall be construed in the first instance as reference to the Suffolk County Planning Commission or as a reference to Article 14 of the Suffolk County Charter, anything in any other laws or regulation to the contrary notwithstanding.

B.) Any reference to the Pine Barrens Review Commission in Article 14 of the SUFFOLK COUNTY CODE shall be construed as reference to the Suffolk County Planning Commission.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person,

individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(C)(20) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration and management. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability in accordance with this law.

Section 7. Applicability.

This law shall supersede all prior inconsistent enactments relating to the abolition of the Suffolk County Pine Barrens Commission.

Section 8. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if, within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the MUNICIPAL HOME RULE LAW, and upon filing in the Office of the Secretary of State.

DATED: March 31, 1998

APPROVED BY:



County Executive of Suffolk County

Date of Approval: 5-1-98