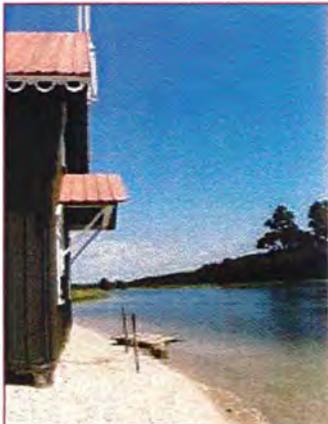




# WEST MEADOW BEACH RESTORATION MASTER PLAN



Prepared for the  
**TOWN OF BROOKHAVEN**



Prepared by  
**Cameron Engineering & Associates, LLP**



**MARCH 2007**

This project is supported by the New York State Department of State  
with funding provided under Title 11 of the Environmental Protection Fund Act

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Appendix C – Ecological Resources Report

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## **ACKNOWLEDGEMENT**

This report was prepared with funding assistance from the New York State Department of State, Division of Coastal Resources, under Title 11 of the Environmental Protection Fund.

## **1. Introduction**

The Town of Brookhaven authorized the preparation of a Master Plan for West Meadow Beach as part of an overall Restoration Plan. The planning study is funded by both the Town of Brookhaven and a New York State Environmental Protection Fund (NYS EPF) grant. The preparation of the West Meadow Beach Restoration Master Plan is needed to comply with the provisions of New York State Legislation, Chapter 594 of the Laws of New York, 1996, which resolved a long-standing controversy associated with the 98 cottages formerly leased on property owned by the Town. The West Meadow Beach Restoration Master Plan will delineate access areas and synthesize a series of strategies to simultaneously achieve the goals of ecological restoration, public use and access, and environmental education as anticipated in the 1996 State Law.

The 7,000-foot long West Meadow Beach Peninsula is one of the largest and most diverse coastal ecosystems on the north shore of Long Island. The peninsula, adjoining tidal waters, and salt marshes are owned by the Town and the Ward Melville Heritage Organization (WMHO). The Town removed 93 of 98 cottages in 2004 as well as removing large debris, deposited fresh sand and fine-cleaned the existing beach. The remaining cottages are to be used for public safety and educational purposes. The existing Ernst Conservation Center is operated by the WMHO.

In the spring of 2005, the Town initiated the planning of the West Meadow Beach Restoration by holding two (2) public informational meetings. The meetings yielded important public feedback including the community's desired goals and needs. That input helped guide the development of the Master Plan.

In addition to the community programming, the Town Technical Advisory Committee prepared a Report, (West Meadow Beach Report-August 2, 2005), which outlines the environmental goals, objectives, conclusions and recommendations for the West Meadow Beach Restoration (Appendix A). The principal objectives for the restoration plan include:

- To return the majority of West Meadow Beach into a marine nature area with increased opportunities for environmental education and passive recreation;
- To preserve the historic resources of West Meadow Beach including the use of the remaining cottages for cultural and environmental education;
- To enhance recreational opportunities in the bathing beach portion of West Meadow Beach as an existing Town owned and operated recreational facility;
- To maintain and restore the ecological integrity of West Meadow Beach including revegetation of cleared and unvegetated areas, removal of non-native species, and protection and enhancement of colonial water bird breeding areas.

## 2. Site Analysis

### 2.1. Site Description

West Meadow Beach is a 7,000 foot long peninsula adjacent to the Long Island Sound and Smithtown Bay. Ownership of the peninsula is divided between the Town of Brookhaven, Suffolk County, and the Ward Melville Heritage Organization (WMHO). The Town of Brookhaven ownership is approximately 60 acres of the peninsula primarily on the western side of Trustees Road from the bathing beach parking lot south to the West Meadow Creek channel that opens to the Long Island Sound. The WMHO owns most of the West Meadow Creek tidal wetlands to the east.

### 2.2. Significant Coastal Fish and Wildlife Habitat

The New York State Department of State Division of Coastal Resources has prepared an assessment of the significance of coastal habitats across the State. Stony Brook Harbor and the West Meadow area were evaluated on March 15, 1987 (Appendix B). It is considered a "Significant Coastal Fish and Wildlife Habitats" in New York State. The site ranks high for overall 'significance value' (115.0), high for 'ecosystem rarity' (25), high for 'species vulnerability' (54.8) and is considered 'irreplaceable.' The document cites the Stony Brook Harbor and the West Meadow system as "one of the largest and most diverse coastal wetland ecosystems on the north shore of Long Island [and] of regional significance."

### 2.3. Historic Designation

West Meadow Beach was designated as an historic district (#4001195) by the National Register of Historic Places in 2004. The National Register of Historic Places is the official list of cultural resources worthy of preservation. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register is administered by the National Park Service, which is part of the Department of the Interior.

Table 2-1. West Meadow Beach Historic District

Historic Significance:	Event, Architecture and Engineering
Architectural Style:	Bungalow/Craftsman
Area of Significance:	Social History, Architecture, Community Planning And Development
Period of Significance:	1900-1924, 1925-1949, 1950-1974
Owner:	Local Government
Historic Function:	Domestic
Historic Sub-function:	Camp
Current Function:	Domestic
Current Sub-function:	Camp

From the National Register of Historic Places

#### **2.4. Site Designation, Location, Ownership, and Access**

The Town-owned portion of the peninsula from the bathing beach to the north to the southern tip of the peninsula is known as West Meadow Beach. Vehicular access to the site is via West Meadow Road. Access to the parking area is from Trustees Road at the approximate mid point of the bathing beach parking area. The parking area is paved with asphalt and extends the length of the bathing beach, approximately 1,200 feet.

The Town property line extends north-south from the Suffolk County horse farm property to the north into West Meadow Creek near the southern end of the peninsula (see Figure 2-1).

A narrow and long portion of Town owned land extends eastward toward the creek just below the horse farm (see Figure 2-1, below).



**Figure 2-1. Town ownership near County horse farm (inside red line)**

The Town owns the access area to the creek near the middle of the peninsula and just south of the Ward Melville Heritage Organization's Dr. Erwin J. Ernst Marine Conservation Center (see Figure 2-2 below).

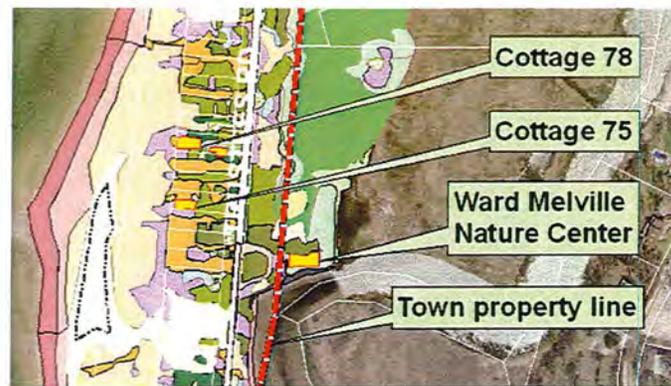


Figure 2-2. Town ownership of creek access near creek bend.

The Town also owns access to the creek near the Gamecock Cottage at the south end of the peninsula (see Figure 2-3 below).



Figure 2-3. Town ownership of creek access near Gamecock Cottage

### 2.5. Ernst Marine Conservation Center

The Dr. Erwin J. Ernst Marine Conservation Center, owned and operated by the Ward Melville Heritage Organization (WMHO), is situated approximately at the midpoint of the peninsula on the east side of Trustees Road on WMHO property, just south of Cottage 75 (see Figure 2-2 above).

## 2.6. Field Ecological and Natural Resource Survey

Ecological communities were identified and mapped according to the designations developed by Reschke<sup>1</sup> and utilized by the New York State Natural Heritage office. Ecologically sensitive communities as well as the locations of waterfowl and turtle nesting areas were mapped (Figure 2-4).

A wetland delineation was conducted utilizing GPS. Coordinates were added to the GIS map. The delineation was used to define the ecological limitations imposed by wetlands on the project site and to establish an adequate setback for the recommended improvements.

A report describing the ecological resources of West Meadow Beach is found in Appendix C.

## 2.7. Shorebirds and Waterbirds

The salt marshes, intertidal flats, and shallows of the West Meadow Beach peninsula are used extensively as feeding areas for breeding and migrating upland and waterbirds. Since the dredged sand was placed on the site in 2005, additional area has become available to support birds such as piping plovers and least terns. During the nesting season, the Town in cooperation with the New York State Department of Environmental Conservation (DEC), fences off two (2) areas to protect the birds (see Figure 2-4).

There is a sandbar and shallow offshore area in the Long Island Sound near the middle of the peninsula. A large portion of this area is exposed at low tide. It provides an extensive feeding area for wading birds (see Figure 2-4). The US Fish and Wildlife Service letter of October 17, 2006 (Appendix D) made the following statement regarding shore birds:

“West Meadow and the nearby Stony Brook Harbor make up one of the most important waterfowl wintering areas in northern Suffolk County (New York State Department of State, 1987<sup>2</sup>). ... Anecdotal reports from birders who frequent the site, suggest that the following shorebird and waterbird species use West Meadow Beach as a migratory stopover or wintering area: sanderling (*Calidris alba*), ruddy turnstone (*Arenaria interpres*), semi-palmated plover (*Charadrius semipalmatus*), least sandpiper (*Calidris minutilla*), black tern (*Chlidonias niger*), and black-crowned night heron (*Nycticorax nycticorax*)... Numerous other species, including neotropical migrants, have also been documented on the site such as yellow warbler (*Dendroica petechia*), yellow-billed cuckoo (*Coccyzus americanus*), yellow-rumped warbler (*Dendroica coronata*), palm warbler (*Dendroica palmar*), and cedar waxwing (*Bombycilla cedrorum*).”

<sup>1</sup> Reschke, C. 1990. *Ecological Communities of New York State*. New York Natural Heritage Program. New York State Department of Environmental Conservation. Latham, N.Y. 96p. +xi.

<sup>2</sup> New York State Department of State, 1987. As provided at the following website

[http://nyswaterfronts.com/dovmloads/pdfs/sig\\_hab/LongIsland/Stony\\_Brook\\_Harbor\\_West\\_Meadow.pdf](http://nyswaterfronts.com/dovmloads/pdfs/sig_hab/LongIsland/Stony_Brook_Harbor_West_Meadow.pdf)

## **2.8. Diamond Back Terrapins**

Diamond Back Terrapin (*Malaclemys terrapin*) have been designated as a species of special concern by New York State. Research conducted by scientists at the CW Post campus of Long Island University found that the Diamond Back Terrapin population at West Meadow Beach is one of the largest and healthiest on Long Island. The Friends of Flax Pond also recently completed research on the local turtle population.

Nests were observed in the dredged sand areas. The female turtles prepare these nests between June and July. The nests are four to eight (4-8) inch deep cavities into which the females deposit an average of nine (9) eggs. The eggs usually hatch in 9 to 15 weeks releasing 1 to 1.25-inch long hatchlings. The eggs and hatchlings are extremely vulnerable to mammalian predators such as domestic dogs and cats, skunks, raccoons and foxes. The young can also be eaten by gulls, crows, and black-crowned night-herons. Although the hatchlings are less vulnerable once they reach the water, they are still preyed on by herons and predatory fish.

## **2.9. Horseshoe Crabs**

The DEC recently amended the regulations governing crustacean fisheries management. According to the recent rule-making, pursuant to Section 44.7(1)(ii) of Title 6 of the NYS CRR, the DEC may designate closed areas to the harvest of horseshoe crabs where “the area is managed by a local, state, or federal agency as a public recreation area, and such agency has requested the Department to restrict horseshoe crab hand-harvesting.” As managers of West Meadow Beach, a public recreation area, the Town has requested through Board resolution that the DEC close the area to harvesting. Additionally, the Town has documented the important use of the area for feeding by shore birds.

## **2.10. Rare, Endangered, and Threatened Species and Critical Habitat**

A search of rare, endangered, and threatened species and critical habitats was conducted by soliciting official responses from natural resource agencies and by reviewing databases. A site reconnaissance was conducted to confirm the reported results and to determine whether critical habitats exist that could support state or federally listed endangered or threatened wildlife and plant species.

The New York State Department of Environmental Conservation Division of Fish, Wildlife, and Marine Resources, Natural Heritage Program reviewed their databases for rare or state listed animals and plants, significant natural communities, and other significant habitats. The agency’s database report is considered sensitive and can not be released to the public without

permission from the Natural Heritage Program. The agency did acknowledge the presence of the following species near or on the site: the endangered Piping Plover (*Charadrius dominicus*) and Roseate Tern (*Sterna dougallii*); the protected Great Egret (*Ardea alba*); the threatened Least Tern (*Sterna antillarum*) and Common Tern (*Sterna hirundo*), and the threatened Northern Gamma Grass (*Tripsacum dactyloides*). The letter from the agency is not included in the appendices due to its sensitive nature.

The US Fish and Wildlife Service letter of October 17, 2006 (Appendix D) made the following statement regarding federally protected bird species:

“The New York State Department of Environmental Conservation's Long Island Colonial Waterbird and Piping Plover Survey Data provides information on the occurrence and breeding status of the Federally- and New York State-listed piping plover at this site. Historically, the site generally supported between one and three pairs of piping plovers.

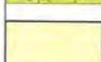
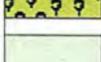
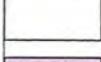
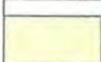
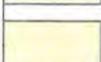
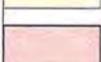
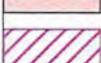
### 2.11. Exotic and Invasive Species

A number of exotic and invasive plant species were identified during the site analysis. The former cottage owners brought many of these plants to the site for ornamental purposes. Other exotic plants are opportunistic invaders and have occupied portions of the site naturally. A partial list of these plants is found in Table 2-2 below.

Table 2-2. Exotic and Invasive Plants of West Meadow Beach

Common Name	Scientific Name	Exotic	Invasive
Asiatic Bittersweet	<i>Celastrus orbiculata</i>	X	X
Black Locust	<i>Robinia pseudoacacia</i>		X
Common Reed	<i>Phragmites australis</i>	X	X
Dodder	<i>Cuscuta</i> sp.	X	X
Japanese Black Pine	<i>Pinus thunbergiana</i>	X	
Japanese Knotweed	<i>Polygonum cuspidatum</i>	X	X
Perennial Pepperweed	<i>Lepidium latifolium</i>	X	X
Russian Olive	<i>Elaeagnus angustifolia</i>	X	X
Tree of Heaven	<i>Ailanthus altissima</i>	X	X
Trumpet Vine	<i>Campsis radicans</i>	X	X
Yucca	<i>Yucca</i> sp.	X	

# Legend

-  Unpaved Road/Path
-  Successional Southern Hardwoods
-  Successional Shrubland
-  Salt Panne
-  Successional Old Field
-  Successional Maritime Forest
-  Salt Shrub
-  Rock Riprap
-  Rock Groins
-  Reedgrass Marsh
-  Paved Road/Path
-  Maritime Shrubland
-  Maritime Redcedar Forest
-  Mowed Lawn
-  Maritime Intertidal Beach
-  Maritime Heathland
-  Maritime Grassland
-  Maritime Dunes
-  Maritime Beach
-  Japanese Knotweed
-  Intertidal Marsh/Low Salt Marsh
-  High Salt Marsh
-  Freshwater Tidal Marsh
-  Dredge Spoil
-  Bare Sand
-  Terrapin
-  Nesting Area
-  Urban Structure Exterior



**Figure 2 4. Ecological Communities**

## **2.12. Dredged Sand**

Approximately 38,000 cubic yards of sand dredged from Stony Brook harbor was reused on West Meadow Beach in 2005-2006. The material was distributed over the site primarily over the former cottage locations from the beach to the road.

In some areas, the dredged sand placement has raised the ground elevation to the point where the material obscures the view from Trustees Road to the Long Island Sound. Park users indicated that they wished this view were restored in a number of locations.

The dredged sand also tends to drift across Trustees Road. The drifting sand causes a problem for bicyclists and those with strollers that try to cross it.

In some areas, the dredged sand placement has created a ridge between the upland and water. This may be a problem for the movement of certain bird species between upland nesting areas and shallow water feeding areas. It may also be a problem for the Diamond Back Terrapin hatchlings attempting to cross from the land to the sea.

## **2.13. Park Access**

### **2.13.1. Pedestrian Access**

Pedestrians can access the southern end of the West Meadow Beach peninsula from Trustees Road. There are numerous access points from the road to the beach and the Long Island Sound in those locations where dredged sand was placed. A number of these access points cross piping plover, least tern, and turtle nesting areas. These are not desirable areas for pedestrian access.

The distance from the parking lot to the Gamecock Cottage is approximately one (1) mile. The two (2) mile walk to the end of Trustees Road and back to the parking lot may be challenging for the infirm or some of the elderly. Families that wish to picnic and fishers expressed an interest in bringing supplies and equipment, respectively to the end of the peninsula.

Some individuals expressed a desire to have a 'natural,' unpaved path that meandered through the various ecological communities and permitted occasional views of the Long Island Sound. Others wanted to be sure that access to the new park by pedestrians was not too restricted.

### 2.13.2. Canoe, Kayak, Sailboat, Windsurfer, and Kite Surfer Access

Access to the creek from the Town-owned portion of the peninsula is limited to two (2) areas. Access is possible from the middle of the peninsula approximately 150 feet south of the WMHO's Ernst Marine Conservation Center. Creek access is also possible approximately 150-200 feet north of the Gamecock Cottage at the southern end of the peninsula known as "Shipman's Point."

Canoeists and kayakers can also access the mouth of the creek from another Town-owned park at Stony Brook Beach on Shore Road, which is approximately ¼ mile northwest of the Stony Brook village shopping area. The beach has a public parking area and a boat launch. The distance to the mouth of West Meadow Creek is approximately 1200 feet.

Sailboats, windsurfers, and kite surfers can access the bay from the southern end of the bathing beach. Most public bathing beaches segregate boating from swimming by delineating the swimming area with lines and floats.

The most accessible location for creek access is through the Suffolk County horse farm property directly across from the Town bathing beach parking lot. This location would allow kayakers, canoeists, and tubing enthusiasts to park in the existing Town lot and carry or cart their kayak or canoe across the street and into the creek. The waters of the creek are calm at this location making entry easy. Entry here would also allow a long run down the full length of the creek. This location, however, is not owned by the Town and would require access approval.

### 2.13.3. Bicycle Access

People frequently ride their bicycles to West Meadow Beach and down the length of Trustees Road. Bicyclists indicated that they would prefer an access arrangement for Trustees Road that would make it easy for them to bicycle south of the bathing beach, while excluding motor vehicles. They were also concerned about drifting sand on the road creating unsafe conditions. Bicyclists also expressed a desire for racks to lock their bikes while they enjoy the park.

### 2.13.4. Vehicle Access

Park access is via West Meadow Road to Trustees Road. Vehicles must park at the bathing beach lot at the northern end of the peninsula. New York State law Chapter 594 references Trustees Road and the conditions under which it could be used. That section of the law is reproduced below:

§ 5. *Notwithstanding any provision of law, such utilities as may exist and the road bisecting the sandspit along its axis called Trustees Road may remain and be repaired by the town as needed. Such road shall be gated or otherwise modified such that ready access will only be for pedestrians and non-motorized vehicles except for such vehicles that may be necessary to provide access for organizations or groups visiting the park, under direct supervision of the town or Stony Brook community fund to the extent delegated by the town and/or as necessary for public safety and health or conservation officers, and authorized personnel of the town, involved in the supervision, repair, maintenance, research, interpretation or other functions necessary for the operation of such park except that the Stony Brook community fund shall always be granted road passage to the West Meadow Marine Conservation Center.*

As per State law, only pedestrians are permitted to access Trustees Road through the gates south of the bathing beach parking lot. Motorized vehicles are prohibited on Trustees Road unless they are emergency or public safety vehicles or vehicles authorized by the Town. Vehicle use is permitted by the WMHO (formerly the Stony Brook Community Fund) to access their Ernst Conservation Center (formerly the West Meadow Conservation Center).

Residents indicated that there is occasional high tide flooding on West Meadow Road where it bends just south of the entrance to the Old Field Club cabana beach. The flooding is reportedly related to low road elevations as well as a non-functional one-way valve associated with a stormwater pipe that passes beneath the road.

#### **2.14. Roadway**

Trustees Road is paved with asphalt, but sustained considerable damage during the demolition and removal of the cottages and dredging operations. It has no traffic lights or sidewalks. The road does not appear to pitch uniformly to either side of the adjacent sand. The road requires replacement. There is no provision for stormwater collection and recharge.

#### **2.15. Parking**

Residents have indicated that the paved parking lot at the bathing beach is frequently almost full during the busy summer season. The public has raised concerns that the newly restored park will attract more visitors who would add to the parking needs. Fishers that access the channel at the southern end of the peninsula at night must leave their vehicles at the parking lot. Some have begun to utilize bicycles or wagons to transport their gear.

## **2.16. Utilities**

There are no fire hydrants on the peninsula south of the bathing beach. A public water line runs the length of Trustees Road. According to the Town Department of Parks, a clay water pipe lies less than 18 inches below grade and was damaged by the heavy vehicle traffic during the cottage demolition and removal and during the placement of dredged sand. The pipe originates from a Suffolk County Water Authority meter located at the southern end of the bathing beach. The pipe is not buried at a depth sufficient to protect it from freezing.

According to the Town Department of Parks, there is no gas line or public wastewater collection piping in the area. Electric, cable television and telephone services are routed parallel to Trustees Road, via overhead lines from utility poles.

### **3. Architectural Analysis**

An architectural analysis was conducted of the remaining five (5) cottages. The report is found in Appendix E and cottage photographs at the end of this section.

#### **3.1. Site**

The site includes Trustees Road, which is an asphalt paved public right-of-way that runs in a North-South direction along the entire West Meadow Beach peninsula. Town employees and public safety personnel can open gates at the southern end of the bathing beach parking lot. The elevation of the entire peninsula is approximately five (5) to six (6) feet above mean high tide. Sand and natural vegetation abut the road, extending throughout the cottage parcels and continuing westerly towards the Long Island Sound.

#### **3.2. Building Exteriors**

The existing single-story buildings resemble bungalow style architecture, with many additions and alterations throughout the years. The cottages are all built using light wood frame construction with members being nailed together without the use of metal ties, anchors, or strapping. All of the remaining cottages have an outside porch or deck. The exterior walls are clad with an array of materials including, cedar shingles, clapboard, vinyl, decorative plywood, cementitious/asbestos shingles, etc. and rooflines are typically low.

#### **3.3. Building Interiors**

The exterior walls, ceilings, and underside of roofs consist largely of exposed wood framing members with little or no thermal insulation. A wide variety of flooring materials were used such as painted plywood, roll vinyl, vinyl composite tile, carpet, and wood planking. All of the remaining cottages except Cottage 106 have masonry chimneys with provisions for wood burning stoves. The building interiors appear to have remained resistant to the weather. However, there is significant interior damage due to repeated acts of vandalism.

#### **3.4. Cottage 109**

Cottage 109 is the Northern most building, abutting the parking lot of West Meadow Beach directly to the North. The cottage is approximately 22' wide x 44' deep, irregular in shape with the lowest portion of floor framing sitting approximately 3'-4" above grade. The cottage may have had multiple additions over time. Two small rooms, which appear to have been used as bedrooms, are located in the northeastern corner and abut a small bathroom and kitchen located to the south. The main space is a large open room in the center of the building and abuts the kitchen and bedrooms to the east and an enclosed porch to the west.

The cottage is built on top of laterally braced locust posts, set directly in the sand. No concrete or masonry foundations were visible other than the six-foot wide brick fireplace on the north side of the structure.

Cottage 109 is built on a 2" x 6" wood-framed floor platform. The building consists of a 2" x 6" wood framed roof with an open ceiling and collar ties spaced approximately every 4'-0" o.c. (on center). The roof covering is asphalt shingles and bears upon partially finished wood stud walls.

The exterior is clad with both painted and unfinished wood clapboard on the front and side elevations. An enclosed porch in the rear is clad in "Texture 111" plywood on both the interior and exterior.

The small covered wood deck in the front of the cottage serves as the point of entrance and is elevated three (3) steps from grade. The approach is unobstructed and accessible directly from the front yard. The rear deck is finished with composite planking and steps down to a wood walkway that leads directly to the beach.

The detached 15'-6" x 19'-6" garage sits approximately 40 feet from the roadway and to the south side of the parcel. The structure appears to sit on wood posts at grade with no visible concrete foundation. The wood framed structure is clad in vinyl. The roof covering consists of asphalt shingles.

### **3.5. Cottage 106**

Cottage 106 is located approximately 200 feet south of cottage 109. The cottage is approximately 18' wide x 45' deep, with a 9' x 4' notch in the northeastern corner. The lowest portion of floor framing sits approximately 3'-0" above grade and may have had multiple additions over time. Access to the interior was unavailable.

The cottage is built on top of locust posts, set directly in the sand below. No concrete or masonry foundations were visible. Cottage 106 is built on a wood framed floor platform. The building appears to consist of a wood framed roof and the roof covering is asphalt shingles bearing upon wood stud walls.

The exterior is clad with both painted wood clapboard and painted "texture 111" plywood. Hinged plywood shutters cover most of the windows.

A narrow set of wood steps set atop a wood platform at grade serves as the point of entrance. The narrow concrete walkway leading from the front yard to the front entrance is obstructed with overgrown vegetation. The rear wood deck is elevated less than one foot, and is

detached from the main structure. All decks and walkways are severely weathered and rotting in many spots. There are no accessory structures on lot number 106.

### **3.6. Cottage 105**

Cottage 105 sits south and adjacent to cottage 106. The cottage is approximately 20'-6" wide x 40' deep, with a 4' x 8' notch in the northeastern corner. The lowest portion of floor framing sits approximately 2'-4" above grade and appears to have had multiple additions over time. The front door enters into a small kitchen. A small room in the front of the cottage, which appears to have been used as a bedroom, is accessed via a larger room to the west. A small bathroom is located in the southeastern corner and is accessed from this room. The main space is a large open room in the center of the building and abuts the kitchen and bedroom to the east and an enclosed porch to the west.

The cottage structure is built on top of locust posts, set directly in the sand below. No concrete or masonry foundations were visible other than the five-foot wide brick masonry fireplace on the north side of the structure.

Cottage 105 is constructed on a wood framed floor platform. The ceiling and walls are finished with painted gypsum board and limited access to the attic is provided through a small hatch in the ceiling. The roof rafters bear upon the exterior wood stud walls and are likely framed with 2" x 6" studs. The roof covering is asphalt shingles.

The exterior structure, including the rear enclosed porch, is clad with cedar shingles. Two (2) wood columns support a small portico on the rear of the enclosed porch. The columns have severely deteriorated and are in danger of collapse.

A wood walkway and ramp from the front yard leads to the small wood platform in the front of the cottage. This serves as the point of entrance and is elevated four (4) steps from grade. The narrow wood walkway leading from the front yard to the front entrance is obstructed with overgrown vegetation. The large wood deck in the rear of the cottage has a wood ramp that leads to a wood walkway towards the beach. There are no accessory structures on lot number 105.

### **3.7. Cottage 78**

Cottage 78 is located in the mid section of the peninsula. The cottage is rectangular, approximately 22' wide x 43' deep, with the lowest portion of floor framing sitting approximately 1'-0" – 1'-6" above grade. It appears as though an addition was added in the front of the cottage. Access to the interior was unavailable, however previous photographs

indicate the interior is fully finished with painted drywall on all walls and ceilings. The small loft towards the front of the cottage with access via a ladder.

Approximately three-quarters of the cottage is constructed on a poured concrete foundation with windows into a crawl space. The addition in the front of the cottage sits atop wood posts set directly in the sand below.

Cottage 78 is built on a wood framed floor platform, most probably 2" x 6" studs. The walls and roof appear to be wood framed and the roof bears upon the exterior walls.

The entire exterior is clad with horizontal vinyl siding with the exception of the rear gable where it appears to have been recently removed. The roof covering is tin.

The covered wood porch in the front of the cottage serves as the point of entrance and is elevated less than one foot from grade. The approach is unobstructed and accessible directly from the front yard. There is a continuous wood walkway at grade on the North side of the cottage that leads to the rear deck. The rear deck is approximately 22'-0" x 12'-0" and elevated three steps from grade.

The detached 18'-6" x 21'-6" garage sits approximately 45 feet from the roadway and is situated on the south side of the parcel. The structure appears to sit on wood posts at grade with no observed concrete foundation. The wood framed structure is clad in vinyl and the roof covering is tin. Several sections of roofing material are missing.

### **3.8. Cottage 75**

Cottage number 75 is located in the mid section of the peninsula. The cottage is rectangular, approximately 22' wide x 38' deep, with the lowest portion of floor framing sitting approximately 4'-6" above grade and appears to have had multiple additions over time. The front door enters into the kitchen with a small bathroom in the northeastern corner. The main space is an open room in the center of the building that abuts two small rooms that were most likely used as bedrooms. An enclosed porch extends the width of the cottage and is accessed from the main space.

The middle one-third of the cottage is constructed on a concrete block foundation with exterior access to a sand floor crawl space. The remaining two-thirds of the cottage is constructed on top of locust and 4" x 4" posts, set directly in the sand below.

Cottage 75 is built on a 2" x 6" wood framed floor platform. The building has a 2" x 6" wood framed roof with an open ceiling in the rear enclosed porch. The remaining ceilings are covered with composite tiles. The roof covering is asphalt shingles and bears upon partially enclosed wood stud walls.

The entire exterior is clad with painted cementitious (possibly asbestos) shingles. The roof covering is asphalt shingles.

An elevated wood deck and set of wood steps set atop a lower wood platform at grade serves as the point of entrance to the cottage. The approach is unobstructed and accessible directly from the front yard. The rear wood deck is elevated eight (8) steps. The rear deck and stairs are severely weathered, and rotting in many spots. There are no accessory structures on lot number 75.

### **3.9. Gamecock Cottage**

This small cottage with Victorian trim was built in 1864 and was part of the Shipman estate. Some residents indicated that it might have been moved to the beach from the mainland in the 1880's to store rowing sculls. It is a 1 ½ story structure located at the southern tip of the peninsula. It has been given landmark status by the Town board, but lies outside the Federal Historic District. The Town has recently applied for State and Federal Historic Registry status for the cottage, following the recommendations of State law.

The Gamecock Cottage is within a few feet of the mouth of the Creek at normal high tide. It sits on a concrete block foundation. Higher high tides pass partially under the building. The building is supplied by electricity from the overhead power lines. Trustees Road ends near the cottage in a turn-around. New York State Law states "...the Gamecock Cottage located on the lot at Shipman's Point shall not be removed and shall be preserved and maintained for its historic quality and be eligible for the state register for historic places..."

**SECTION 3 PHOTOGRAPHS**



**Photograph 3-1. Cottage 109**



**Front Elevation**



**View of Garage from Front Porch**



**View of Garage from the Street**



**View of West Meadow Beach from Rear Deck**



**View of Main Space looking East**



**View of Main Space looking North**

**Photograph 3-2. Cottage 109 details**



**Photograph 3-3. Cottage 106**



Cottage 105 & 106 viewed from Trustees Road.



Front elevation viewed from front walk.



North elevation viewed from Cottage 109.

**Photograph 3-4. Cottage 106 details**



Photograph 3-5. Cottage 105



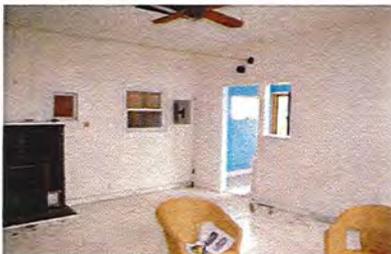
Rear elevation viewed from beach



Front elevation viewed from front walk



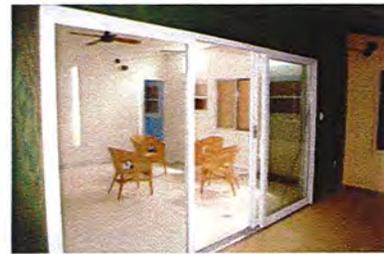
View of Enclosed Porch



View from Main Space



View from Front Door



View from Enclosed Porch

Photograph 3-6. Cottage 105 details



Photograph 3-7. Cottage 78



Front elevation



View of walkway on right side



Rear elevation



View of main space looking towards the front



View of main space looking towards the rear



View of garage from front porch

Photograph 3-8. Cottage 78 details



Photograph 3-9. Cottage 75



View from front yard



View from front deck  
looking south



Front steps



Enclosed rear porch



View of main space  
from enclosed porch



View from kitchen

Photograph 3-10. Cottage 75

## **4. Master Planning Process**

### **4.1. Project Advisory Committee**

The Town of Brookhaven assembled a Project Advisory Committee (PAC) to help guide the planning process. The committee members included representatives from the following organizations:

- Ward Melville Heritage Organization
- West Meadow Conservancy
- Three Village Community Trust
- Town of Brookhaven Parks and Planning
- Suffolk County Office of the Environment
- New York State Department of Environmental Conservation
- New York State Department of State Division of Coastal Resources

Three (3) PAC meetings were planned. The first meeting was held on September 18, 2006 to review the draft master plan. The draft master plan was amended based on the comments received from that meeting. Master plan revisions were made based on comments received at the public meeting planning process held on November 14, 2006 (see below).

A second PAC meeting took place on January 23, 2007 to review the final draft of the master plan. Changes to the final draft of the master plan were made according to PAC comments. That draft final master plan was presented to the public on January 24, 2007.

Additional adjustments to the plan were made as a result of the public's input at the January 24, 2007 meeting. The third and final PAC meeting was held on March 7, 2007 after the public meeting to present the master plan for final review.

### **4.2. First Public Meeting**

A public information meeting was held the evening of November 14, 2006. After introductory remarks by Town and State representatives, Cameron Engineering presented the results of the site analysis in PowerPoint format along with recommendations for the master plan. Multiple copies of a draft master plan in GIS format were posted during the meeting for public review. After the presentation of the site analysis, the approximately 75 attendees were assigned to one (1) of six (6) groups to discuss the draft plan in detail. Each 'station' had a color poster-size master plan along with a large sketch pad to record their positive and negative thoughts about the draft plan. After 45 minutes of discussion, a representative from each group presented the group's top five (5) or six (6) positive and negative thoughts about the draft master plan. The table on the following page lists the thoughts submitted by all six (6) groups of citizens.

**Table 4-1. Comments Received from First Public Meeting**

Group	Positive Reactions	Concerns
1	Town site cleanup commendable	Consider lifeguards south of existing beach
	Recreation options, walking, biking	Need to reduce lighting as part of "dark sky" initiative
		Need 'Universal Access' – follow ADA guidelines
		Picnic area is too far south
		Need more information on marine sanctuary status
		What is timetable for project
		Need nighttime fishing permits, access/parking south of lot
		Dredge spoils should be removed
		Solve road flooding need beach access area
		Study all aspects of clearing creek sediments and debris
		Utilities? Creeping expansion!
		Cell phone access important for safety
		Bridge – are you kidding?
2	Kayaking and canoeing	What is cost and effectiveness of security
	Burying electric lines	No mention of beach facilities (showers, etc. for swimmers). Existing facilities not well maintained
	Provisions for special needs	Has the beach been extended for swimmers?
	Boardwalks	
	Nature walks	
	Undoing damage of dredging	
3	Remove only invasive species	Leave it the way it is, why remove all
	Usage by everyone	Shallowness of creek
	Want recreational use for all	Runoff from street into creek (21 spots)
	Handicapped access	Restoration of creek
	Kayak storage	Angry about not allowing animals, want a place for dogs
		Need community advisory committee
		Would like long, meandering boardwalk for easier access to afford view of the Sound
		Too many buildings
		Cell phone access needed for safety
	Parking	
4	Walking without cars (fumes, accidents, etc.)	Want vehicle access
	Handicapped access facilities (for all kinds of disabilities)	Night fishing, kayaking, etc.
		Want pets allowed (leashed before 10 AM and after 6 PM)
		Want adequate security
		Dredge spoil – piled so high!
		Public access is too severely limited

Group	Positive	Concerns
5	Regrading of dredge to enhance view from Trustees Road	Kayak access ½ mile down – how do you get there?
	Kayak access from County land	Flooding near Horse Farm
	Remove invasive plants	There are 5 cottages now, law states only 3
	Year-round restroom	Canoe access at point?
	Restore native plants	Total lack of place for dogs – community needs
	Picnic table at point “dog-free”	Enhanced dog run – center park
	Night fishing access - parking	Dogs being walked on beach
	Keep 78 & 75 as is with restroom	Entrance to Trustees Road for bicycles – full of sand now
	Move Gamecock Cottage higher and move 10-20 ft.	
	Boardwalks	
6	Kayak/Canoe Launch Areas	Night fishing areas
	Windsurfing/Kite Sailing	Pets
	No further development	Seasonal use
	Post issue on website for comments	Redundant environmental centers
	Meandering, unpaved walkway	Less access than before
	Tubing through creek	Swimming permitted?
		Time frame for construction
		Flooding at entrance
		Expanded Parking

**4.3. Town Project Website and Request for Comments**

The Town posted the public meeting PowerPoint presentation along with the map showing the draft master plan. Comments from the public were welcomed. A contact name and address were provided along with an email address at Cameron Engineering. In addition, comment forms were made available for those attending the public meetings. Fifty-six letters, comment forms, and emails were received from the public and are reproduced in Appendix F.

The PowerPoint presentation and map of the draft master plan that were presented at the 11/14/2006 public meeting were made accessible through the town’s website at [www.brookhaven.org](http://www.brookhaven.org) and a hard copy was provided to the Emma Clark Public Library in Setauket and the Port Jefferson Public Library. All comments made at the meeting by residents were recorded.

The modifications to the draft master plan summarized on the following page were made as a result of public comments (Table 4-2).

**Table 4-2. Draft Master Plan Changes Made from Public Comments Received**

<b>RECOMMENDED ITEM</b>	<b>DETAILS/BENEFIT</b>
Boating concession removed	No 'commercial activity' Reduced activity in Creek
Cottages 75 and 78 for environmental center	Central location to explore nature preserve Accessible to Creek Cottage 78 garage good for public restrooms Near WMHO educational center
Cottage 78 garage for restroom	Include drinking water, emergency phone
Cottages 105 or 106 for caretaker use	Resident caretaker to increase security
Cottages 105 or 106 for special needs visitors center	Close to parking lot
Cottage 109 for Town park and security personnel	Close to parking lot and bathing beach
Need for additional parking to be reviewed	Consider spill-over parking onto County horse farm Lot is often near full during summer peak period Restored park may draw additional visitors
Meandering 'Nature Trail' added	Pedestrian experience through natural areas Separates some walkers from bicyclists Improved views Educational experience Natural path materials or marking only
Kiosks modified and located	Seating added to reduce number of 'structures' Shade provided as part of kiosk One at entrance and two on road Three at 'Nature Trail' and boardwalk intersections
Improvements to cell phone reception to be examined	Improve security and emergency communication
Bicycle racks added	At Gamecock and Cottage 78 garage
Continue dialogue with County on creek access	Access through horse farm to creek desirable
Safety striping to be added to road	Improve pedestrian/bicycle separation
Replace two gates with one set of removable bollards	Better access for bicyclists
Review existing bathing beach lighting needs	Comply with dark-skies initiative by reducing lighting
Extend role of Advisory Committee	Include scientific and community representatives

#### **4.4. Second Public Information Meeting**

The draft master plan was modified as a result of the feedback received from the public at the first meeting and the comments subsequently received by mail and email (Appendix F). A second public meeting was held on January 24, 2007. The positive and negative comments on the initial draft master plan from the first public meeting were presented along with the revised master plan. The public was asked to divide into groups in a manner similar to the first public session and comment on the revised plan. The final master plan and the final draft of this report are the result of modifications made in response to public comment and review at the January 24, 2007 meeting. A summary of the comments received from the second public meeting are presented in Table 4-3, below. The final Master Plan is described in the following sections and is summarized in map form in Appendix G.

**Table 4-3. Comments Received from Second Public Meeting**

<b>Group</b>	<b>Positive Reactions</b>	<b>Concerns</b>
<b>1</b>	Please be firm about dog prohibition	Would like access to artesian well by car
		Would like access to creek bend by car to launch kayaks
		Would like access to Trustees road by car at night
		Decisions made regarding access through the County horse farm for kayakers should involve the concessionaire
<b>2</b>	Phone service	Phone service
	No dog access	No dog access
	No concessions	
	Nature Trail	
	Access for seniors	
	No buildings	
<b>3</b>		[Would like] access to WMB for pets within constraints of migrating/nesting birds and turtles such as early morning and evening
		[Would like] possible fee to ensure that debris [dog waste] containers (garbage cans) are emptied in a timely manner
		[Concerned that] access will be limited for extended periods of time
		Wonderful property – should not be treated as a national park, not DW
<b>4</b>	Native plant demonstration garden	Construct Nature Trail with less environmental damage than Cedar Beach Trail in Mt. Sinai
	Environmental Center	Don't bring too much attention [to the park] so it doesn't get overcrowded
	[Would like] environmental webcams (osprey, marsh, etc)	Cost of maintenance [should not be] dropped from budget in future
	Exclusion of pets is a good idea	Possible consequences of overuse and traffic
	Education Center mandate: bird feeding/nesting/demo	Future dredging in stony Brook Harbor is unavoidable. What to do with the dredged material? Need to consider

## **5. Environmental Recommendations**

### **5.1. Regrade Dredged Sand**

The dredged sand placed throughout the site requires regrading or removal in areas to restore views of the Sound from Trustees Road and to soften unnatural hard edges. It may be possible to utilize some of the sand during the road re-construction to elevate the road. This would improve views and reduce potential flood-related damage to the road.

Fine grading should also be conducted to create more a gradual transition from the dredged sand to the water to make the journey from land to sea easier for young shorebirds and Diamond Back Terrapin turtle hatchlings. Leaving swales or undulations along the seaward edge may create mobility problems for young hatched chicks and turtle hatchlings.

### **5.2. Re-vegetate With Native Non-Invasive Plants**

The areas that received dredged sand in 2005 are relatively devoid of vegetation. Some of those areas should be revegetated with species appropriate to such an environment. Some of these areas are utilized by piping plovers and least terns (see Figure 2-4), which prefer relatively open areas to avoid predators. Planting plans for these dredged sand areas must therefore retain open areas. However, some perimeter screening of these nesting areas with low shrubs would help avoid disturbing the birds. Trees and tall shrubs should be avoided as shorebird predators could use them. Unvegetated areas of dredged sand should also be retained for use by terrapins for nesting. Potential areas have already been identified.

Dredged sand areas in the former cottage footprints and roadway access should be restored to a more natural condition with a variety of native grasses, shrubs, and trees. Appropriate vegetation should be used to create visual and pedestrian barriers in the former access drives to the cottages that are now covered with dredged sand. Such barriers would encourage visitors to use the designated access areas.

Native grass and shrub plantings in the dredged sand along the road's western side would help trap blowing sand before it accumulates on the road. Trees planted in some of the open areas would also act as wind breaks.

### **5.3. Control Exotic and Invasive Vegetation on and off Site**

A long-term phased exotic and invasive vegetation control program should be developed by the Town with input from its Scientific Advisory Committee (see section 5.7). Additional management information can be obtained from the New York State Invasive Species

Force and the Nature Conservancy's Long Island Weed Watchers group located at the Conservancy's Uplands Farm.

The following species should be removed *immediately*: Perennial Pepperweed, Japanese Knotweed, Asiatic Bittersweet, Russian Olive, Trumpet Creeper, Dodder, Tree-of-Heaven, and Black Locust. Areas where exotics and invasives have been removed should be planted with native, noninvasive communities, such as the maritime red cedar community. Removal areas should be monitored and maintained for a minimum of two (2) years to control re-invasions.

The Town should work cooperatively with the owners of the areas adjacent to the Town-owned property (WMHO, Suffolk County, and private parties) to remove and control invasive plants, as the seeds from these plants could take root on the Town-owned portion.

For example, the common reed, *Phragmites*, thrives adjacent to a free-flowing spring by WMHO's Ernst Environmental Center. A device (such as large drywell) should be installed by WMHO to recharge the groundwater that flows from the spring. The common reed should then be removed and the area restored with native non-invasive plants. Japanese Knotweed growing in the Ernst Center driveway should also be removed.

#### **5.4. Protect Threatened and Endangered Species**

##### **5.4.1. Prohibit Pets**

Pets are prohibited in all Town of Brookhaven public parks. However, the Town recognized the historical (though unauthorized) use of West Meadow Beach by cottage owners and area residents with dogs. Consequently, an attempt was made in 2005-2006 to allow dogs on West Meadow Beach, if they were leashed, remained on Trustees Road, and their owners picked up their waste. The Town provided plastic waste receptacles along the beach for use by dog owners.

The trial period proved unsuccessful. Many dog owners allowed their dogs to run free and unleashed and others did not pick up after the dogs. Waste not removed by dog owners had to be picked up by Parks staff.

The Town has consequently banned pets from West Meadow Beach as in all of its other parks. The Town is, however, pursuing the establishment of an off-site "dog park" as it recognizes a clear need for such a facility by many of its residents.

The Town's decision to prohibit pets in West Meadow Beach is supported by the U.S. Fish and Wildlife Service (FWS) and the New York State Department of Environmental Conservation and is in conformance with the policy of the National Park Service. The

FWS recommended measures for the protection of piping plovers, emphasizing to restrict access to nesting areas by humans and particularly by dogs (Appendix

#### 5.4.2. Protect Rare Plants

Future dredged sand placement programs should be linked to the preparation of a yearly survey for rare plants (e.g., seabeach amaranth or seaside knotweed) that would be coordinated with the New York Natural Heritage Program (NHP). The Park Interpretive Specialist (*ie* Park Ranger) that would be assigned to West Meadow Beach (see section 6.4) would be trained in the identification of rare plants. All new occurrences would be plotted using GPS and reported immediately to NHP so that adequate protection could be put in place. Populations of those rare plant species that could adapt to West Meadow Beach should be planted in appropriate locations. Successful plantings could be transplanted by the Town to other suitable park locations.

#### 5.4.3. Establish Seaside Demonstration Garden

The areas around one or two of the remaining cottages should be planted as “seaside demonstration gardens” utilizing native seaside plants and residential gardening landscape design. The demonstration garden would inform the public about the benefits of utilizing native plants in their home or office gardens. Selected plants would be highlighted that thrive with limited or no supplemental water and fertilizer and are disease resistant. The benefits of reduced irrigation, pesticide, and fertilizer use would be presented as they relate to environmental protection and public health. The garden would be designed with no irrigation and all plants would be labeled with their common and botanical names. Plants would be obtained from a native plant garden that is planned by the Town at another of its park facilities.

#### 5.4.4. Delineate, Screen, and Protect Shorebird and Turtle Nesting Areas

The Town, in cooperation with the NYSDEC has, and should continue to, install temporary fencing around piping plover nesting areas. The Town should also plant shrubs to create a natural screen (shelterbelt) around the perimeter of the nesting areas to reduce disturbances. The shrubs should be relatively low to medium height, such as beach plum and bayberry, so that they do not serve as perching sites for predators. The screening should be planted in such a manner that visual access is available from selected vantage points. The separation distance between overlook areas and reported shorebird nesting areas should be a minimum of 300 feet, though 500 feet is optimal. These overlooks should be accessible from the proposed ‘Nature Trail’ (see section 7.3).

The shelterbelts should also screen nesting shorebird areas along those Trustees Road where current topography already limits direct visual access to the wetland. These 'shelterbelts' should be composed of native maritime shrub species.

A long-term vegetation management plan should be prepared to maintain optimal shorebird and terrapin nesting areas in early successional habitats. The plan should be developed in cooperation with the USFWS, DEC, and the Nature Conservancy. The Town should coordinate annual monitoring with the DEC Colonial Waterbird Surveys.

The Town should continue to locate and enclose Diamond Back Terrapin nesting areas with metal fencing to protect the eggs and hatchlings from predators. Signage should be installed to describe the birds and turtles and their habitat and the need for protection.

#### 5.4.5. Institute a Predator Control Program

A predator trap and release program should be instituted to control feral cat, red fox, and raccoon populations on the peninsula.

### **5.5. Provide Osprey Nesting Areas**

An osprey nesting platform should be provided on the east side of Trustees Road at the northerly end where the Town property juts into the tidal wetland. Its placement should be coordinated with the US Fish and Wildlife Service to avoid conflicts with nesting shorebirds.

### **5.6. Provide Creek Shoreline Protection**

There is a sharp bend in the creek just south of the WMHO's Dr. Erwin Ernst Marine Conservation Center. The outer bank of the creek bend appears to be eroding. The erosion will continue and could impact Trustees Road if not stabilized with an approach such as combination of geotextiles and native wetland plants. Species such as *Spartina alterniflora*, *S. patens*, *Distichlis spicata* and *Juncus gerardii* and various salt shrubs should be used along with degradable erosion control blankets and fiber logs.

The bank stabilization is more likely to succeed if an area is designated for kayakers, canoers, and tubing enthusiasts to put ashore. Visitors will always want to use this location given its proximity to the road, the Long Island Sound, the proposed Environmental Education Center, and the proposed restroom, water and emergency phone. A narrow boat ramp should be installed to provide a designated place for kayaks and canoes to be dragged out of the Creek. The ramp should be only wide enough for kayaks and canoes to discourage use by others. In addition, a pole should also be provided at the shoreline for those who simply want to tie up their canoe or kayak while they come ashore.

**5.7. West Meadow Creek**

Shore stabilization would be more successful and the likelihood of future erosion decreased, if the deposition of sediments into the Creek were reduced. Residents indicated that there are a number of stormwater discharges into the Creek. Many of these discharges are untreated, releasing stormwater-borne sediments into the Creek. The sediments have shallowed the Creek, accelerated bank erosion, introduced stormwater-borne contaminants, and potentially impacted benthic habitats. A shallower Creek also makes boating more difficult in low water. Although outside the scope of the project, discussion of this and other Creek issues should be investigated further by a ‘Scientific Advisory Committee.’

**5.8. Extend Role of Advisory Committee**

The existing Project Advisory Committee should be retained and expanded to oversee the successful operation of West Meadow Beach as a park and preserve. As the park’s recreational and nature preserve functions may sometimes conflict, it will be important to have professional and community input in resolving potential conflicts. Because it is an ecologically sensitive area, scientific expertise will be valuable in its preservation and management.

Members should be selected from relevant Town departments, faculty of the State University of New York, professionals from non-profit environmental organizations, and organizational members of the Project Advisory Committee (see Table 5-1, below).

**Table 5-1. Potential Advisory Committee Member Entities**

Stony Brook University Marine Science Research Center
Stony Brook University Department of Ecology and Evolution
Stony Brook University Geology Department
Ward Melville Heritage Organization
West Meadow Conservancy
Three Village Community Trust
Town of Brookhaven Parks, Recreation, Sports & Cultural Resources
Town of Brookhaven Environmental Protection and Land Management
Suffolk County Department of Parks, Recreation, and Museums
New York State Department of Environmental Conservation
The Nature Conservancy

## 6. Environmental Education Recommendations

The following recommendations are made to enhance the opportunities for environmental education at West Meadow Beach (see Master Plan map Appendix G)

### 6.1. Investigate Nature Preserve Status

West Meadow Beach is a unique and delicate natural resource and one that should be protected. Chapter 77 of the Code of the Town of Brookhaven Many states:

*Areas of the Town of Brookhaven contain natural resources which are vital to, and enhance the quality of, the life of its residents. These natural resources include significant populations of wildlife; important natural communities; rare, endangered, unique or locally significant species of plants and wildlife; ponds, lakes, streams, estuaries and other surface waters; important geological formations; prehistoric, aboriginal and historic cultural resources; and pristine potable groundwater. These areas are important for displaying scenic beauty, providing habitat for significant species of wildlife and vegetation, furnishing habitat for commercially important species such as shellfish and finfish, protecting the Town's groundwater and drinking water supply, supplying passive recreational opportunities for Town residents, offering opportunities for education and scientific study and providing other important environmental benefits. Accordingly, it is recognized that many parts of the Town which contain important natural resources and which are either in public or private ownership, should be maintained in or as near as possible to their existing natural state in order to ensure the continued ecological benefits of these areas for Town residents.*

The Town should therefore investigate designating West Meadow Beach as Nature Preserve to manage and protect it in its existing natural or as near to natural state as possible for the benefit of present and future Town residents.

### 6.2. Construct Nature Trail

A number of public meeting attendees and correspondents requested a meandering trail through the park. They felt that such a trail would create a very different experience for walkers and nature observers than that offered by Trustees Road. A trail would also provide separation between bicyclists and pedestrians. The trail should be constructed from the southern end of the beach parking lot to the Gamecock Cottage through a variety of ecological communities. A suggested route is shown on the Master Plan (Appendix G). The trail should meander from the 'interior' of the park toward the beach intersecting the proposed boardwalks (see section 2.13.4). An expanded area for more in-depth educational

use should be constructed in the area surrounding the Environmental Education Center. A schematic of that portion of the trail is shown in Figure 6-1.

The path itself should be of natural materials - no surfacing should be used. The edges of the sand path should be demarcated with logs, roping, or other suitable material where necessary. Wooden posts would serve as mile posts and educational markers. Numbers should be engraved into the posts that should be referenced on printed material available at the Environmental Education Center (see below).

### **6.3. Provide Boardwalks with Overlooks**

Three (3) boardwalks should connect Trustees Road to the beach and a view over the Long Island Sound. The boardwalks should be roughly perpendicular to the road and located adjacent to three (3) different ecological communities. The boardwalks should be constructed with recycled plastic lumber and made universally accessible. An overlook platform should be constructed at a high point with a water view. The platforms should be simple expansions of the boardwalk with a single bench facing the water. Binoculars could be made available at the Environmental Education Center for use by visitors at the overlooks to observe birds from a safe distance.

### **6.4. Establish a Environmental Education Center with Interpretive Programs**

Cottages 75 and 78 should be converted into an 'Environmental Education Center.' The Center should have information on West Meadow Beach natural history and ecological communities. Common plants and animals (aquatic and terrestrial) should be described and preserved specimens on view. The information should be presented inside one of the Cottages in a self explanatory manner and the facility unmanned. Locked storage closets should contain additional materials for instructor-led programs. Nature Trail brochures should be available that explain the significance of each of the trail markers.

The other cottage should be converted into an open gazebo-style structure with seating for many (for at least an average school class of 25). It would be useful for outdoor discussions and lectures with a view of the water, if possible. Alternatively, cottage 75 might be used for additional educational activities (retention of this cottage in addition to the others recommended for retention, would exceed the number of cottages allowed by the State law and would therefore require an action by the State legislature).

The grounds of the Center should be planted with the native species commonly found in the park. Plants should be discretely labeled with common and botanical names. The grounds and all parts of the Center should be universally accessible. A men's and women's restroom

- Legend**
-  WMHO Ownership
  -  Parcels
  -  Access Paths
  -  Urban Structure Exterior
  -  Nesting Area
  -  Bare Sand
  -  Dredge Spoil
  -  Freshwater Tidal Marsh
  -  High Salt Marsh
  -  Intertidal Marsh/Low Salt Marsh
  -  Japanese Knotweed
  -  Maritime Beach
  -  Maritime Dunes
  -  Maritime Grassland
  -  Maritime Heathland
  -  Maritime Intertidal Beach
  -  Mowed Lawn
  -  Maritime Redcedar Forest
  -  Maritime Shrubland
  -  Paved Road/Path
  -  Reedgrass Marsh
  -  Rock Riprap
  -  Salt Shrub
  -  Successional Maritime Forest
  -  Successional Old Field
  -  Salt Panne
  -  Successional Shrubland
  -  Successional Southern Hardwoods
  -  Unpaved Road/Path

**Shoals and Mudflats  
Shorebird Feeding Area**

**Beach Access,  
Overlook, Benches**

**Interpretive Footpath  
Connected to Nature Trail**

**Environmental Education Center**

**Public Restrooms,  
Drinking Water, Telephone**

**Native Plant Demonstration Garden**

**Environmental Education Center**

**Native Tree & Shrub Screening**

**Invasive & Exotic Species Control**

**Creek Bank Stabilization**

**Kayak and Canoe Creek Access**

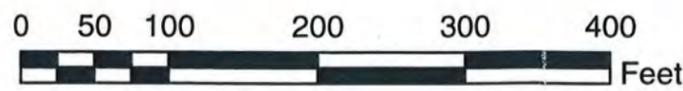
**ECOLOGICAL INTERPRETIVE WALK**

1. Maritime Beach
2. Maritime Intertidal
3. Maritime Dune
4. Russian Olive (invasive)
5. Japanese Black Pine (exotic)
6. Native Plant Demonstration Garden
7. Beach Plum/Maritime Shrub
8. Maritime Heath
9. Pin Oak
10. Scenic Overlook
11. Successional Maritime Forest
12. Maritime Red Cedar/Prickly Pear

**WMHO Ownership**



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Town of Brookhaven  
 Department of Planning,  
 Environmental and Development

**Figure 6-1. Nature Trail Route  
 by Environmental Education Center  
 March 2007**

should be available. Parking for the Environmental Education Center should be adjacent to the bathing beach parking lot. Only maintenance or emergency vehicles should have access.

### **6.5. Provide Informational Kiosks and Signage**

The Town received an Environmental Protection Fund, Local Waterfront Revitalization Program grant for 2006-2007 for the design and installation of three (3) kiosks and five (5) signs for West Meadow Beach. Kiosk 1 should be located at the entrance to the preserve at the head of the Nature Trail and Trustees Road. It should overlook and provide an overview of the West Meadow Beach ecosystem. Kiosk 2 should be located where the middle boardwalk meets Trustees Road on the Creek side of the road. It should have information about West Meadow Creek salt marsh ecology. The third kiosk should be located by the Gamecock Cottage and should describe the coastal geology and formation of West Meadow Beach. The kiosks should incorporate shade and seating for up to four (4) people.

Five (5) signs were proposed in the grant application. Three (3) of the signs should be located at the intersections of the Nature Trail and boardwalks and should be devoted to specific environmental education topics. Another sign should be located within view of shorebirds and colonial waterbirds and should have information on particular species. Another sign should speak to the recovery of osprey populations following the banning of DDT and should overlook the proposed osprey pole.

## 7. Recreational Recommendations

A matrix of proposed activities is found in Table 7-1. The following recreational activities are recommended.

### **7.1. Provide for Use of Non-Motored Watercraft**

Kayaking, canoeing, rowing, tubing, windsurfing, kite surfing, and sailing have historically been enjoyed at West Meadow Beach. The southern end of the bathing beach should be designated for use by these non-motorized watercraft. Lines and floats should separate the bathing beach from the watercraft area.

Access to the Creek is proposed for three (3) areas only. The best and highest priority location is at the northern end of the creek. This location would allow kayakers and canoeists to park at the bathing beach lot and carry or easily cart their boats to the creek. The waters of the creek are quiet at this location. From there, the boaters would be able to travel the entire creek length. Access to the creek from this location would require an agreement with Suffolk County Department of Parks, the owner of the horse farm, to cross their property. Access to the creek from the horse farm property may also require approval from the WMHO (see section 10.4). If Suffolk County and WMHO approvals were granted, a small portion of the berm that surrounds the Creek at this location would be removed to make access easier for kayaks and canoes. A formal raised dock or floating dock might be required as the sediments may be mucky and the basin is steep-sided.

A second haul out area should be available at mid-peninsula where the Creek bends. This location is less desirable than the head of the creek, because kayakers and canoeists would have to carry or wheel their boats about one half mile to access the creek. This location would be opposite the proposed environmental education center and restroom proposed for the Cottage 78 garage. It is a natural place for a stop given the proximity of the restroom, emergency phone, and drinking water. A haul out here would discourage use of the WMHO's private dock and would instead encourage haul out in the designated area only. This would also avoid potential damage to the areas undergoing shoreline restoration.

With approval from Suffolk County, storage racks might be provided for canoes, kayakers, and windsurfers in the under-utilized horse stables. Transport carts for canoes and kayakers (Figure 7-1) could be provided by the Town and stored in the cottage 109 garage. There would be less need for these devices if boaters could access the head of the creek through the horse farm.



Figure 7-1. Typical Transport Cart for Kayaks or Canoes

### **7.2. Prohibit Motorized Boats and Access to Sandbar**

Jet skis and other motorized boats should be prohibited within 500 feet of the West Meadow Beach bathing and non-motorized boating areas. All vessels should be prohibited from the sand bar area located mid-peninsula in the Sound. This area is utilized extensively by shorebirds for feeding. Signage and buoys should be provided to delineate the off-limits areas. Approval would be required from the State to delineate the area as these waters are under State control.

### **7.3. Encourage Walking and Running**

Walking and running are very popular activities along Trustees Road. The road should be reconstructed as described in section 9.1 to make the experience more pleasant and safer. A number of attendees at the public meetings indicated a desire to have an unpaved trail through the park. A 'Nature Trail' should be provided as described in section 6.1. Seating should be provided at the proposed overlook areas at the boardwalks and at the three (3) proposed kiosks.

### **7.4. Improve Bicycling Experience**

The Town received a number of comments from the public concerning the use of bicycles in West Meadow Beach. The Town will implement a suggestion made to improve the bicycle access to Trustees Road by replacing the gates with removable bollards (see section 9.3). Vegetation will be planted to reduce the accumulation of wind blown sand on the road. Bicycle racks will be installed at the bathing beach, by the cottage 78 garage and near the Gamecock Cottage.

### **7.5. Provide Fishing Opportunities**

Fishing is a popular activity at West Meadow Beach. Fishers cast from the Long Island Sound shore and fish in the channel. Access to the beach and channel would remain virtually unrestricted. However, fishing at or near the bathing beach has always been and will

continue to be prohibited. Fishing near the bird nesting areas should be discouraged. Fishing in the channel should continue to be permitted.

Access to the channel via Trustees Road by motorized vehicle should not be permitted. However, the use of bicycles and adult tricycles equipped with baskets should be encouraged during normal park operating hours. Storage for loaner cycles should be available in the cottage 109 garage or in the County's under-utilized horse stables, if authorization were granted by Suffolk County Parks. Night fishing by permit should continue to be authorized by the Town.

#### ***7.6. Encourage Stargazing and Reduce Lighting***

Visitors will be able to walk the length of Trustees Road and the beach for star gazing. The Town will examine the existing beach lighting to determine if it provides security without causing undue light pollution. No street lighting should be provided along Trustees Road. Minimal outdoor security lighting should be installed at the Gamecock Cottage.

#### ***7.7. Provide for Picnicking***

Two (2) or three (3) single picnic tables and associated benches should be provided near the Gamecock Cottage amongst the cedar trees. Visitors should be asked to haul out all garbage.

Table 7 1. Proposed Activities Matrix		
Activity	Benefit	Comments
<b>Habitat Protection and Restoration</b>		
Revegetate cleared former cottage areas	Provide habitat, reduce sand movement	Retain some open areas to enhance view
Stabilize and revegetate creek bank at bend near Ernst center	Reduce likelihood of erosion, potential road damage	Use natural materials, native plants, remove concrete along creek
Remove exotic and invasive species	Replace with natives	Remove certain species immediately and phase in other removals
Designate plover/tern areas	Enhance breeding habitat	Screen area with vegetation
Regrade dredged material; lower elevations, land to water transition	Restore water view; enable water/land transition for birds/turtles	May require some removals
Prohibit dogs	Reduce bird/turtle predation, eliminate waste products	Consider creating off-site dog park
Create boat exclusion zone around sand bar at mid peninsula	Limit disturbance of feeding birds	Requires State approval; buoy and sign designation
Provide osprey nesting pole on Town property near head of creek	Encourage osprey nesting	
<b>Environmental and Cultural Education</b>		
Gamecock Cottage for cultural resources learning	History of WMB cottage community	Operated by Three Village Community Trust; occupied by caretaker
Cottages 75 & 78 for environmental education	Exhibits and indoor space for programming	Operated by Town - daily in summer, by appointment in school year
<b>Structures</b>		
Gamecock for WMB cultural history center	Documentation of WMB cottages and area history	Adapt interior for museum and caretaker use
Gamecock - elevate 18 inches and shift 20 feet inland	Reduce flooding potential	Town & Three Village Community Trust agreement needed
Cottage 109 for Town Parks and Public Safety offices	Maintenance and security oversight	Parking in Town bathing beach lot
Cottage 106 for special needs visitors center	Provide "Universal Access" for special needs visitors	Operation by non-profit licensee; feasible if five cottages can remain
Cottage 105 for resident park ranger	Provide security and typical 'ranger' functions	Employee of Town Parks department
Cottage 106 garage for Town equipment storage	Electric golf cart for maintenance stored there	Golf cart could also transport the disabled by special arrangement
Cottages 75 & 78 for nature center	For exhibits, classes; Cottage 75 may be converted to open 'kiosk'	Operation by Town; feasible if 5 cottages remain
Cottage 78 garage for restroom, water, emergency phone	Improve comfort facilities	Access from Trustees Road, Nature Trail, and creek by boaters
<b>Utilities</b>		
Bury utilities from Town Beach to Gamecock	Improve aesthetics by removing utility poles	Bury lines as part of Trustee Road reconstruction
Provide power to Gamecock	Power needed for Gamecock resident, programming, security	
Provide water line to Gamecock, restroom, and cottages	Water needed for sanitary use, drinking water, and fire protection	Install under road during reconstruction
Improve cell phone reception	Important for security and emergency use	Install amplifier in building; replace flagpole with antenna flagpole?
<b>Pedestrian &amp; Vehicle Access</b>		
Provide 'Universal Access' according to ADA guidelines	Access to road and from boardwalks to LIS and to cottages	
Construct meandering Nature Trail through natural areas	Encourage access only to designated areas	Trail from natural materials (wood chips, shells, stabilized sand)
Reconstruct Trustees Road	Provide safer road for pedestrian, bicyclists	Provide striping to separate bicyclists from pedestrians
Investigate need for additional parking at bathing beach	Park may draw additional visitors during busy season	Consider overflow parking on County property if needed
Replace two gates with one set of removable/locked bollards	Restricts vehicle access while allowing safer bicycle access	
Provide emergency vehicle turnaround at Gamecock Cottage	Improve safety	Provide only minimum required
Reconstruct West Meadow Beach Road with County	Investigate stormwater pipe valve; reduce high tide flooding	Consider elevating road with excess dredged material
Construct three boardwalks from road to Long Island Sound	Encourage access in designated areas	Three perpendicular 6-foot wide boardwalks allowed by law
Motorized vehicle road use for emergencies, maintenance, programs	Required by legislation; enhances nature preserve	Some vehicle use to Ernst Center & Gamecock; golf carts for disabled
Limit educational group access to pedestrian only	No bus/van use of road enhances preserve experience	Occasion scheduled van use for disabled
Provide adult tricycles for public use	Access for visitors preferring to ride; use by fishers, picnickers	Loaned by Town; consider storage in stable (need County approval)
Provide electric cart for limited mobility visitors, maintenance use	Quiet, non-polluting; visitor use on scheduled days	Schedule for set days/hours, store in Cottage 109 garage
<b>Creek &amp; Sound Access</b>		
Canoe and kayak access to creek through County property	Most viable location, convenient to parking and head of creek	Needs County and possibly WMHO approval
Canoe, kayak, and windsurfer access to Sound at south end of lot	Convenient to parking and at southern edge of swimming area	Consider storage in County stable (requires County approval)
Canoe and kayak access to creek at bend by WMHO Ernst Center	Convenient to Cottage 78 garage restroom	May require haul out structure to protect bank
Canoe and kayak access to creek at Gamecock	Easy in and out	
<b>Amenities</b>		
Provide restroom, water emergency phone at Cottage 78 garage	Provide comfort facility between Gamecock and active beach	Access also for kayakers and canoeists
Provide 2 kiosks along road; 3 at trail/boardwalk; 1 at entrance	Information on natural and cultural history	Six permitted; vandal resistant; provides shade, seating
Provide seating as part of wetland overlook kiosks	Rest area for walkers	Reduces need for additional structures
Provide seating as part of kiosks along Nature Trail	Rest area for hikers	Reduces need for additional structures
Provide picnic table, benches near Gamecock	Provide limited picnic option for families; carry trash out	Maintenance part of Gamecock licensee responsibility
Provide signage with park rules & regulations at entrance	Clearly define appropriate activities	Signage to be discreet and vandal resistant
Provide educational signage - historical, environmental	Interpretive signage along trail and road	Numbered post on trail with pamphlet; small limited signs on road
Provide bicycle stands near Gamecock and restroom	Allows bicyclists to walk to beach and lock bicycles	Provide stands for at least six bicycles
<b>Recreation</b>		
Swimming	Permitted anywhere in Long Island Sound	Lifeguards only at Town bathing beach
Walking, running, hiking	On unpaved meandering Nature Trail or on road	Some separation from bicyclists
Bicycling, skating, wheelchair and stroller use	On Trustees Road	Separation from Nature Trail users
Kayaking, canoeing, tubing in creek	Continue current usage	Agreement needed with County for creek access through horse farm
Windsurfing, day sailing, kayaking, kite surfing in Sound	Expand current usage per legislative goals	Access from southern end of parking lot; roped off from bathing area
Fishing, days and nights in Sound and channel	Continue current usage; night fishing by permit	Provide use of tricycles for daytime use
Stargazing	Continue current usage; pedestrian access by permit at night	Investigate parking area lighting to comply with dark skies initiative
<b>Legal</b>		
MOU/contract with County & possibly WMHO for creek access	Priority location - easiest kayak and canoe access to creek	
MOU/contract with County for overflow parking and stable use	Possible boat or tricycle storage in stable	
MOU/contract with TVCT to operate Gamecock Museum	Include provisions for caretaker residence	
Update survey and define access to and ownership of creek	Provide public access to creek	
<b>Advisory Committee</b>		
Add members from scientific, regulatory, and nonprofit community	From SUNY Stony Brook MSRC and E&E and from DEC, DOS, TNC	Recommend/review studies and inventories
Retain representation from community groups and Town departments	Continue existing committee	Represent greater user community, interact with Town
Investigate environmental problems/ recommend solutions	Improve protection and restoration efforts	

## 8. Cottage Recommendations

New York State law requires that only the Gamecock cottage and three (3) other cottages remain. Consequently, two (2) of the existing cottages must either be removed, converted into open kiosks (gazebo-like structures), combined with two (2) other cottages to create two (2) larger structures, or the law must be amended to permit them to remain. According to the architectural analysis, cottages 109, 105 and 78 appear to be most suitable for restoration and reuse. A State legislative effort would be needed to retain all five (5) of the cottages for the uses outlined below in order to accomplish all the objectives of the proposed park. The language of the State law is reproduced below:

*§ 8. Notwithstanding any other section of law, the Gamecock Cottage located on the lot at Shipman's Point shall not be removed and shall be preserved and maintained, for its historic quality and be eligible for the state register for historic places; pursuant to section 14.07 of the parks, recreation and historic preservation law.*

*§ 9. Notwithstanding any other section of law, the town may acquire and maintain one of the cottages to serve as a local museum with the purpose of interpreting the land use history of the beach and the cottage era. Such cottages may be contracted by the town to the Stony Brook community fund or other appropriate not-for-profit organization for operation.*

*§ 10. Notwithstanding any other section of law, the town may keep for security purposes two cottages so long as said cottages are either retained or relocated among those lots numbered between one hundred one to one hundred seven and may enter into a reciprocal use contract for park protection purposes with such not-for-profit organizations as the town may find appropriate. There shall be no actual moneys collected or exchanged under such contract.*

### 8.1. Cottage 109

Cottage 109 is located closest to the bathing beach and would be most suitable for Parks and Public Safety offices. The Town Parks department employee would likely be a Park Interpretive Specialist with responsibilities similar to the National Park Service's Park Rangers. A restroom should be provided in the cottage for the employees' use. The garage associated with the cottage should be utilized for park maintenance equipment storage and storage of loaner recreational equipment such as adult tricycles and kayak carts.

### **8.2. Cottages 105 and 106**

One cottage should be set aside as a residence for the Town's Park Interpretive Specialist. The presence of a resident park caretaker would enhance park security.

If more than three (3) cottages were allowed to remain by the State legislature, the second of these cottages should be modified for use by park visitors with special needs. Such visitors might include disabled veterans, hospice patients, children with life-threatening diseases, and others unable to utilize typical public parks and beaches. A non-profit organization or group of organizations should be licensed to design and operate such a facility.

### **8.3. Cottages 75 and 78**

Cottages 75 and 78 should be utilized for an Environmental Education Center as described in section 6.4. Cottage 75 might be converted into a covered kiosk (a gazebo-like structure) or covered amphitheater. Cottage 78 should be utilized for informational displays and cottage 75 for classroom/group activity use.

If more than three (3) cottages were allowed to remain by the State legislature, cottage 75 might be utilized for additional enclosed environmental education space.

The cottage 78 garage should be retained in place and converted into a public restroom in its current location. One (1) men's bathroom and one (1) woman's bathroom should be provided for public use. Drinking water should be available as well as an emergency phone.

### **8.4. Gamecock Cottage**

The Gamecock Cottage should be elevated approximately 18 inches and shifted 15-20 feet to the west and upland to help significantly reduce potential flooding damage to the structure.

Although the Town of Brookhaven declared the Gamecock Cottage as a Town landmark, it should also be listed on the National Registry of Historic Places. The Town Historian investigated the requirements of the registry process. She found that shifting and elevating the Cottage would have no effect on the National Register application as long as the Cottage remained within the bounds of the property and the move was for safety reasons.

The Town has discussed leasing the building to the Three Village Community Trust. The organization would utilize the building for historic and possibly environmental programming to complement other programs available at West Meadow Beach. Full-time occupancy by a caretaker under the employ of the organization would help reduce vandalism, insure regular maintenance, and provide a presence for emergencies.

### **8.5. Rehabilitate Cottages**

A detailed architectural/engineering design would have to be completed after an in-depth programmatic plan was developed by the Town for the environmental center and facility for people with special needs. The architectural/engineering design should also include an analysis of the structural adequacy of the cottages for public use.

The historic district designation for a portion of the West Meadow Beach may play a role in the rehabilitation requirements. For example, the cottages inside the historic district may not be required to comply with the flood design requirements for new construction. Final determination would be made by the governing code officials.

On-site sanitary systems should be installed as determined by the Suffolk County Department of Health Services.

### **8.6. Restore or Resurface Building Exteriors**

All existing windows and doors should be replaced with impact resistant glazing for coastal construction and protected by approved storm shutters. The cottages' roofing appears to be at the end of its lifecycle and should be replaced as soon as possible. General repairs and maintenance would be necessary, such as siding, painting, and intermittent framing replacements. Acceptable guardrails and handrails should be provided at all existing elevated decks, porches, and stairs that are to remain. All the cottages, entrance ramps, and walkways should be made fully accessible to those with disabilities according to ADA guidelines.

### **8.7. Modify Building Interiors**

All areas containing exposed non-metallic plastic sheathed wire should be either concealed within the wall cavities or replaced with metal conduit. The entry doors should be enlarged in width. Automatic sprinklers should be installed in the cottages.

### **8.8. Provide Adequate Electric, Heating, Ventilation, and Air Conditioning**

The current electric services appear to be adequate to meet the demands of the project. New permanent lighting should be installed in each cottage. In lieu of electric heat, self contained fuel tanks such as LP gas or fuel oil could be installed if heated buildings are desired. Local air conditioning units may be installed as required.

## 9. Roadway and Utility Recommendations

### 9.1. Repave Trustees Road

Trustees Road should be repaved. Stormwater runoff would be relatively free of contaminants other than bird waste and should be directed to the area adjacent to the roadway. No stormwater collection system should be required.

### 9.2. Bury Utilities and Remove Overhead Lines

Utilities (phone, cable, fiber, electric, and water) should be buried beneath the roadway between the bathing beach and the Gamecock Cottage. Utilities should be provided to the cottages, cottage garage proposed as a restroom (see section below), and Gamecock Cottage. The existing utility poles and the associated lines should be removed. As of this writing, discussions are underway with various utility companies to participate in the cost of burying the utilities.

### 9.3. Utilize Roadway for Pedestrians and Non-Motorized Vehicles

The State law offers the following guidelines for the use of Trustees Road:

*§ 6. Notwithstanding any provision of law, such utilities as may exist and the road bisecting the sandspit along its axis called Trustees Road may remain and be repaired by the town as needed. Such road shall be gated or otherwise modified such that ready access will only be for pedestrians and non-motorized vehicles except for such vehicles that may be necessary to provide access for organizations or groups visiting the park under direct supervision of the town or Stony Brook community fund to the extent delegated by the town and/or as necessary for public safety and health or conservation officers, and authorized personnel of the town, involved in the supervision, repair, maintenance, research, interpretation or other functions necessary for the operation of such park except that the Stony Brook community fund shall always be granted road passage to the West Meadow Marine Conservation Center.*

Access restrictions to Trustees Road for motorized vehicles should remain in place. However, the gates at the entrance to the road should be replaced with removable bollards. The spacing between the bollards should allow passage of wheelchairs, bicycles, strollers, and golf carts. Public safety staff would be able to remove the bollards in the event of an emergency or for authorized vehicles.

A number of public comments referenced the need for some form of transport from the bathing beach parking area to the end of Trustees Road and back, a distance of two (2) miles.

A number of non-motorized vehicles are available that might be considered. Adult tricycles (Figure 9-1) should be made available by the Town for park visitors. A 'pedicab' and

electric golf cart should also be made available to transport the physically challenged and elderly to the Gamecock Cottage (Figure 9-1). The pedicab could be operated by park staff. The golf cart would be operated by park staff by special arrangement with individual visitors and groups. Alternatively, it might be operated by the facility for special needs by special arrangement with their staff. Larger groups of special needs visitors could make special arrangements with the town to transport visitors by minivan down Trustees Road.



**Figure 9-1. Adult Tricycle and Pedicab**

#### **9.4. Investigate Need for Additional Parking**

Attendees at the first public meeting indicated that during the summer, the bathing beach parking lot is frequently full or nearly so. Additional parking was recommended. A parking needs study should be conducted to document the existing parking use and determine the actual requirement during the busiest parts of the year (usually the two summer holiday weekends). The striping in the existing lot should be reviewed to determine if re-striping could add additional spaces.

If additional spaces are required, but only for the busiest of days during the season, it may be possible to utilize the County horse farm property for overflow parking. This option should be investigated as part of the overall discussions with Suffolk County Parks on coordinating adjacent uses.

#### **9.5. Investigate Improving Cell Phone Reception**

A number of individuals suggested that park safety might be improved if cell phone reception were improved. It may be possible to improve reception through the use of signal amplifiers. Amplifiers might be installed in one or more of the cottages or in the existing bathing beach building. Alternatively, it may be possible to replace the existing flagpole with a one that also serves as a cell phone antenna.

## **10. Regulatory and Other Approvals**

### **10.1. State Environmental Quality Review Act**

The development and adoption of this comprehensive management plan for West Meadow Beach must undergo State Environmental Quality Review (SEQR). The Town has declared itself as Lead Agency for the project. The project is a Type I action as the site is designated as an Historic District (#4001195) by the National Register of Historic Places.

Parts I and II of an Environmental Assessment Form (EAF) were completed and are found in Appendix H. No potentially large adverse impacts were identified. A few potentially small impacts were identified along with appropriate mitigation measures. Based on the items identified in the EAF and a review of this report by the Town's professional staff, a narrative was prepared to substantiate the preparation of a Negative Declaration of Significance (Appendix H).

### **10.2. State Agencies**

Most of the improvements proposed for the park fall within the jurisdiction of the New York State Department of Environmental Conservation (DEC) Division of Marine Habitat Protection. A tidal wetlands permit was approved by the DEC for the removal of the cottages and associated improvements. The Town will submit an application to modify that permit for the additional proposed improvements. The application will be filed jointly with DEC, NYS Department of State, Division of Coastal Resources, and the Army Corps of Engineers.

### **10.3. Suffolk County Agencies**

An agreement will be sought from the Suffolk County Parks Department and its licensee to grant West Meadow Beach visitors access to the creek through the horse farm property. The Town should also request the use of one of the unused stables for boat and other equipment storage. Use of a portion of the grassed area adjacent to the stables in the southwest corner of the property may be requested for overflow parking on particularly busy weekends. Such an agreement should also include language to avoid creating a conflict with horse farm events.

The Suffolk County Health Department would review and approve proposed sanitary systems.

#### **10.4. Ward Melville Heritage Organization**

Access to West Meadow Creek through the horse farm may also require approval from the Ward Melville Heritage Organization (WMHO). The horse farm property was sold in 1981 by the Stony Brook Community Fund (a predecessor of the WMHO) to Mr. Hugh Cassidy (Appendix I). The property was sold to Suffolk County and the Town of Brookhaven by the estate of Mr. Cassidy on March 10, 1989. Suffolk County and the Town of Brookhaven paid \$999,500 to acquire the property. According to former Town officials, the Town paid half of the acquisition cost. The ownership interest of the Town's was transferred the same day to the County for \$10 (Appendix I).

A rider to the sale of the property by the Stony Brook Community Fund to Mr. Cassidy stipulated conditions that, according to the document, applied to the purchaser's "successors or assigns" and that these conditions would "run with the land in perpetuity." Among the various conditions enumerated in the rider to the sale (Appendix I) is the following:

*"That no dock, wharf, or shoreside facility of any kind shall be constructed, nor permitted to be constructed, along the shore of West Meadow Creek by the owner; nor shall any boat of any kind or nature be moored along the shore of West Meadow Creek, it being understood that each lot owner has title to the high mean water mark only, and that title to the creek is vested in the party of the first part [Stony Brook Community Fund]."*

The Town will work with the WMHO to secure creek access approval for park visitors. The Town will design the Creek access in such a manner that there would be little to no ecological impact to the creek and the surrounding wetlands. The Town Attorney is currently reviewing similar access issues in New York State for guidance (Appendix I).

## 11. Implementation Strategies and Estimated Costs

The restoration of West Meadow Beach will be accomplished in phases. Some of the items should be completed in the suggested sequence to avoid conflicts and damage to items completed earlier. The implementation strategy is broken into three (3) phases and is found below in Table 11-1, Table 11-2, and Table 11-3. Costs are conceptual estimates and only for planning purposes as all project components are not clearly defined. An estimate of construction observation is included. Estimates followed by a '(T)' could be completed by the Town with in-house staff. Total costs are estimated at \$3,525,000.

**Table 11-1. Phase One Implementation Strategy – First Twelve Months**

Item	Description	Comments	Estimated Cost
1	Prepare and sign Gamecock Cottage license agreement with Three Village Community Trust	Identify the responsibilities of both parties and the nature and extent of programming to be provided by the licensee	By Town personnel
2	Prepare and sign license agreement with non-profit to plan/operate special needs visitor's center	Nonprofit may be consortium/association of non-profit entities representing different groups with different needs	By Town personnel
3	Rehabilitate cottage 109 for Town offices	Occupy soon for security purposes	\$250,000
4	Rehabilitate cottage 105 or 106 for caretaker residence	Occupy as soon as possible by Interpretive Specialist (park ranger) residence	\$250,000
5	Determine feasibility and cost of shifting, elevating, modifying Gamecock Cottage	Determine programming and occupancy requirements of TVCT for use of Gamecock Cottage	\$10,000 (T)
6	Investigate improving cell phone reception	Consider on-site signal amplifiers	\$3,000 (T)
7	Complete metes and bounds survey and title search	Clarify ownership and creek access. Last survey in 1970	\$50,000
8	Secure access to West Meadow Creek	By independent counsel or Town & County Attorney's offices	\$15,000 (T)
9	Discuss use of abandoned stable with Suffolk County Department of Parks	Determine suitability of stable for storage of canoes, kayaks, and other equipment	\$5,000 (T)
10	Assemble Advisory Committee; Hold meeting	Review wildlife inventory and protection, creek issues, erosion, usage impacts on preservation needs, other matters	By Town personnel
11	Advance programmatic agenda for Environmental Education Center	Parks and Environmental to assist with Center activities/ requirements	\$10,000 (T)
12	Advance programmatic agenda and building requirements for Special Needs Visitor's Center	Meet with non-profits to advance plan and estimate construction costs	\$10,000 (T)
13	Secure State legislation to retain five cottages	Two cottages to be removed if legislation fails to pass	By State legislator
14	Prepare detailed site design	Boardwalks, kiosks, paths, trail, structures	\$50,000
15	Apply for modification to DEC Tidal Wetland Permit	Permit modification to include all proposed work except cottages (cottages scheduled for Phase II)	\$8,000 (T)
16	Regrade dredged sand	Complete before road reconstruction	\$25,000 (T)
17	Elevate and shift Gamecock Cottage	Complete before utility burial work	\$100,000
18	Bury utilities beneath road	All utilities to be included	\$400,000 (T)
19	Rebuild Trustees Road	Include gate replacement with bollards	\$500,000
<b>TOTAL ESTIMATED COST</b>			<b>\$1,686,000</b>

**Table 11-2. Phase Two Implementation Strategy – Six to 24 Months**

Item	Description	Comments	Estimated Cost
1	Replace exotic and invasive plants with native non-invasives	Contact WMHO for efforts on their property	\$30,000
3	Install native plant demonstration garden	Integrate with remaining cottages	\$20,000
4	Plant Trustees Road adjacent areas	Use native shrubs, grasses, trees	\$15,000
5	Construct boardwalks and overlooks	Include benches; picnic tables at Gamecock	\$175,000
6	Convert cottage 78 garage into restroom	Include drinking water, emergency phone	\$125,000
8	Construct/delineate Nature Trail	Natural path	\$50,000
9	Construct six kiosks and signage	Include shading and benches	\$150,000
10	Grade kayak/canoe launch area at Creek head	May require approval from WMHO; approval required from Suffolk County	\$10,000
11	Stabilize West Meadow Creek bank	At creek bend, include kayak launch	\$85,000
12	Delineate non-motorized boating area	Utilize area at southern end of bathing beach	\$3,000
13	Conduct parking needs analysis	Investigate restriping existing lot and overflow parking option on County property	\$5,000
14	Prepare conceptual plans for Environmental Education Center	Include programmatic elements, facility requirements, cost estimate.	\$30,000
15	Prepare conceptual plans for Special Needs Visitor's Center	Include programmatic elements, facility requirements, cost estimate.	\$15,000
<b>TOTAL ESTIMATED COST</b>			<b>\$713,000</b>

**Table 11-3. Phase Three Implementation Strategy – 24-36 months**

Item	Description	Comments	Estimated Cost
1	Prepare architectural/engineering plans for Environmental Education Center	Include availability of grants and donations, operation by non-profit, detailed cost estimate	\$60,000
2	Prepare architectural/engineering plans for Special Needs Visitor's Center	Include availability of grants and donations, operation by non-profit, detailed cost estimate	\$30,000
3	Seek internal and external construction and operating funding	Consider operating fees for non-profits	By Town personnel
4	Construct Environmental Education Center In Cottages 75 and 78	Commence operations. Estimate is very speculative as Center is undefined	\$600,000
5	Construct Special Needs Visitor's Center In Cottage 105 or 106	Commence operations. Estimate is very speculative as Center is undefined	\$300,000
6	Construction observation	Includes Phases II and III construction	\$136,000
<b>TOTAL ESTIMATED COST</b>			<b>\$1,126,000</b>

## **12. Management, Funding, and Operational Guidelines**

The operation and management of West Meadow Beach will be accomplished by the Town in cooperation with the State and one or more non-profits. A key element of the park management should be the hiring of a Park Interpretation Specialist whose duties should be similar to those of the National Park Service's Park Ranger. The Specialist should be asked to make his/her residence in Cottage 105/106 and to act as a park caretaker. The individual's responsibilities would include environmental protection and oversight, and establishment and management of the environmental education center. Additionally, he/she would interact with Town and County public safety staff on relevant park operational issues. The Park Interpretation Specialist should have overall responsibility for the operation, maintenance, and protection of the park and should report to the Town's Commissioner of Parks, Recreation, Sports, and Cultural Resources.

The interest generated by the West Meadow Beach Endowment Fund should be applied toward funding of the Park Interpretation Specialist position. This account was established by State law in 1996 and funded by the lease fees paid to the Town by the former cottage owners. Interest from the account was transferred to the West Meadow Beach capital restoration reserve fund through 10/1/2004. The capital restoration reserve fund was established in 1993 to pay for cottage removal and park restoration. According to State law, interest earned by the fund after that date is to be used for "environmental education and preservation activities and programs and may enhance public understanding of or access to the West Meadow Park and ecosystem." A table of park management and operating guidelines is found below (Table 12-1).

**Table 12-1. Management and Operating Guidelines**

<b>Requirement</b>	<b>Management and Operating Details</b>	<b>Responsible Entity</b>
Parking	Open to all; no fees in off-season	Town
Pets	Prohibited	Town
Motorized Vehicles	Prohibited on Trustees Road; exceptions for emergencies and maintenance; limited vehicle access to WMHO Ernst Conservation Center. Electric golf carts for routine maintenance and seasonal transport of impaired visitors	Town
Non-motorized Vehicles	Bicycles, tricycles, strollers, pedicabs, in-line skates, skateboards, and other non-motorized vehicles permitted on Trustees Road	Town
Boating in Sound	Motorized boating prohibited within 500 feet of the bathing beach, bird nesting and feeding areas, and non-motorized boating area. Windsurfing, canoeing, kayaking and kite surfing permitted in designated non-motorized boating area	Town
Boating in Creek	Canoeing, kayaking, and tubing permitted. Access granted through the County property (assuming approval granted), at Creek bend, at Gamecock Cottage	Town, SC, WMHO
Fishing	Fishing permitted in all areas except bathing beach (during season and beach hours) and bird nesting area (during season). Night fishing allowed with Town permit. Access to beach and inlet from designated access walks and Gamecock Cottage. Vehicles prohibited.	Town
Star Gazing	Permitted with Town permit	Town
Public Safety	Provided by Town Public Safety and supplemented by Suffolk County Police as needed.	Town County
Security	Provided by caretaker in cottage 105/106 Provided by onsite Parks staff during daytime seasonal hours Provided by caretaker in Gamecock Cottage	Town Town TVCT
Environmental Protection	Natural resource management provided by onsite Parks staff	Town
Environmental Education	Provided by appointment by onsite Parks staff during daytime seasonal hours Provided by non-profit staff by arrangement	Town non-profit

# **Appendix A**

## **Technical Advisory Committee Report**

# **West Meadow Beach Report**

## **Town of Brookhaven Technical Advisory Committee**

Henry Bokuniewicz

DeWitt Davies

Lee E. Koppelman

Mitchell Pally

Michael E. Russell

Peter Scully

John Turner

August 2, 2005

August 2, 2005

Honorable John J. LaValle, Supervisor, and  
Members of the Town Board  
Town of Brookhaven  
1 Independence Hill  
Farmingville, NY 11738

Re: West Meadow Beach

Dear Members of the Board:

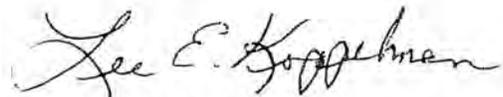
On behalf of the Technical Advisory Committee (TAC), I am pleased to submit the findings and recommendations relative to the above.

The TAC held three public meetings where members of the public were invited to submit their thoughts and concerns relative to the proper design and use of West Meadow Beach. In addition two field trips were held, led by the Town's Director of Environmental Affairs, Mr. John Turner, to acquaint interested citizens as to the environmental features of the peninsula and the policy actions necessary to protect the integrity of the beach and its environmental values.

This report covers the seventeen issues that have been under discussion, along with the TAC's recommendations for the program that the design consultant should follow. The organization of the report leads off with a brief discussion of the environmental goals and objectives. The main body of the report then covers the seventeen topic issues, with the program recommendations of the TAC.

The TAC wishes to thank the entire Town Board for the opportunity to have served.

Sincerely,



Lee E. Koppelman  
Chairman

enc.

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## Issues

The following seventeen issues were evaluated by the TAC and constitute the major substance under consideration.

1. Gamecock Cottage
2. Removal of electric line poles
3. Repaving of Trustees Road
4. Restroom Facilities
5. Benches
6. Placement of access boardwalks
7. Picnic tables and benches at point
8. Better signage
9. Fitness stations
10. Dog run
11. Reconstruction of West Meadow Creek Road with drainage control
12. Canoe and kayak launching site
13. Night fishing
14. Security
15. Jitney service
16. Disposition of dredge spoil
17. Monitoring

## Environmental Goals and Objectives

**Goal: Maintain and restore the ecological integrity of the West Meadow Beach Preserve**

**Objective 1: Re-vegetation of cleared and un-vegetated areas.** The removal of the cottages, and disturbance to the areas immediately surrounding the cottages during cottage removal, has created extensive sandy, un-vegetated areas which total approximately 15 acres. These areas should be extensively re-vegetated utilizing native species, preferably with locally derived genotypes. Species used should include, but not be limited to, Beach grass (*Ammophila breviligulata*), Beach plum (*Prunus maritima*), Red cedar (*Juniperus virginiana*), Bayberry (*Myrica pennsylvanica*), and Prickly pear cactus (*Opuntia humifusa*).

The west side of West Meadow Creek, immediately south of the WMHO Marine Education Center, has been slowly eroding. At the present an approximately 100 yard section is devoid of vegetation. If this situation remains unaddressed, the road bed may, in the future, be at risk of being undermined. Using plugs of salt marsh cordgrass (*Spartina alterniflora*), the Town should stabilize the un-vegetated creek edge and establish a band of salt marsh vegetation in this area. The Town should also consider removing the concrete rip-rap that has been placed along the shore, presumably in an effort to stem the erosion.

**Objective 2: Removal of non-native species.** A number of non-native plant species have colonized the West Meadow Beach peninsula. Some of these species, such as Catalpa (*Catalpa speciosa*), Yucca (*Yucca spp*), and Trumpet vine (*Campsis radicans*) were intentionally introduced as ornamental plants, undoubtedly by cottage owners. Other species such as Asiatic bittersweet (*Celastrus orbiculata*) likely became established via bird introduction. This species and a few others are classified as invasive species and, if left unchecked, could proliferate and displace more desirable native species. Non-native species should be controlled and removed, to the greatest extent practicable.

**Objective 3: Increase number of piping plover and re-establish breeding populations of colonial water bird species (common and little terns).** This should be done by enhancing breeding habitat for these species, continuing to fence and post breeding areas during the breeding season, and placement of interpretive signage to promote public understanding and appreciation of these species.

West Meadow Beach provides suitable breeding habitat for piping plover (*Charadrius melodus*); in most years one to several pairs of piping plovers nest at West Meadow Beach. The beach also provides potential breeding habitat for several species of colonial water birds, including common and little terns (*Sterna hirundo*, *Sterna albifrons*), and American oystercatcher (*Haematopus palliatus*). Suitable areas in the park should be managed in a way to establish/enhance the conditions preferred by these bird species. These areas include the section of the beach west of the former Brookhaven Bathing Association parking lot and the currently largely un-vegetated section in the vicinity of where cottage lots 17-41 were located. These species generally nest in open, sandy, lightly vegetated areas; therefore, activities which establish these conditions, including selective vegetation removal and deposition of dredge spoil, should be considered.

The Town should continue to work with the NYS Department of Environmental Conservation and other groups to monitor, post and fence plover and tern nesting sites.

The Town should place interpretive signage at key sites in the park to promote public awareness of the presence and the ecological/biological requirements of these birds.

## Conclusions and Recommendations

1. **Gamecock Cottage** - The cottage at the southerly tip of the peninsula has become a cultural icon in the view of many of the citizens who attended the hearings. At the present time the cottage is subject to periodic flooding during neap tide periods.

Alternative considerations included moving the cottage northerly to the Ernst Nature Center, which would enable the elimination of utility lines from the northern point to the southern tip of the peninsula.

Another alternative explored was to move the cottage a short distance to a higher elevation at the point.

The third alternative was to maintain the cottage at its current site, but raise the foundation 18" to eliminate the flooding problem.

It is the recommendation of the TAC, broadly supported by the general public, to follow the third alternative.

2. **Elimination of utility poles** - The utility poles which run along Trustees Road detract significantly from the magnificent vistas afforded by the removal of the cottages. Since there are no cottages other than Gamecock south of the Ernst Nature Center, it is recommended that the utilities from the Nature Center to the tip of the peninsula be removed in their entirety. This means that an arrangement for security and fire alarms at the Gamecock Cottage be provided from an alternative source in order to provide protection for the cottage. It is further recommended that the balance of the utility lines, from the existing Brookhaven Town Beach to the Nature Center be placed underground in order to maintain electric service to the three remaining cottages and the Nature Center.
3. **Repaving of Trustees Road** - This road requires improvement and should be repaved to a two-lane width (16 feet) in order to provide access for emergency vehicles and walking, bicycling, roller skating access for the entire length of the peninsula. Given the high volume of use of the roadway by bikers and joggers, it is recommended that the roadway be marked in such a way as to designate lanes for individual user groups to minimize the potential for safety concerns resulting from conflicts between user groups.
4. **Restroom Facilities** - The existing restroom facilities at the northern end of the peninsula, which serve the existing Town Beach, are not adequate for

support the passive recreational uses of the peninsula authorized by State law. It was observed that one of the remaining cottages includes an outbuilding, located directly adjacent to the roadway, about midway down the peninsula, which includes an existing bathroom and sanitary system. It is recommended that consideration be given to the use of this existing structure to meet the need for a restroom facility on the peninsula for users of the park.

5. **Benches** - It is recommended that five benches be provided at approximately even spacing between the road barrier at the Town Beach and the southern point of the peninsula.
6. **Access Boardwalks** - The State law provides that boardwalks may be constructed at no more than three access points, built at ninety degrees to the water edge. The placement should be selected at locations that will not compromise areas of sensitive ecological importance (such as plover or tern nesting areas).
7. **Picnic Tables and benches at point** - It is recommended that no more than six picnic tables and benches be installed at the southern end of the peninsula to accommodate those residents who wish to spend sufficient time at the point to enjoy the vistas and picnic.
8. **Signage** - It is important that attractive and easily readable signage be provided so that all visitors to the beach will have adequate notification of the rules and regulations that must be followed by users of the park.

In view of the fact that West Meadow Beach is listed on The National Register of Historic Sites, it would be desirable if this fact was also noted on any signage leading to or at the beach.

9. **Fitness Stations** - The prime purpose of the beach is for passive recreation whereby hiking or jogging on Trustees Road would be the prime form of exercise. It may be desirable to have a limited number of fitness stations to further the exercise opportunities that would be in harmony with the passive nature park.

It is also important not to install uses that may interfere with the scenic vistas that currently exist. Therefore, such fitness stations should be limited near the remaining cottages and/or where there is currently tree cover so that these stations would not block any views toward the west.

10. **Dog Runs** - All pet dogs are required to be on a leash, with the owners responsible for cleanup. However, there are citizens who can not physically walk but nevertheless would like to exercise their dogs. It is therefore

recommended that the design consultant examine the issue to see if such a use can be accommodated without compromising the requirements of the State Act.

11. **West Meadow Creek Road** - The road access from Mt. Grey Road, past the Suffolk County Horse Farm Park to the Brookhaven Town Beach is subject to periodic tidal flooding and is not up to modern design standards. It is recommended that this road be reconstructed to eliminate the flooding problem. Since this road also provides access to the County Park holdings, it is further recommended that the Town initiate discussion with the County for the County's participation in this reconstruction.

It is also important that provision be made for a footpath/bikeway, separated from the vehicular lanes, from Mt. Grey Road to the parking lot at the Town beach.

12. **Canoe and Kayak Launching** - There presently is no safe access to West Meadow Creek for canoe or kayak enthusiasts. The only current access is at the mouth of the creek, near the marina. The proximity of the Suffolk County parkland known as the Old Field Farm, which is not currently accessible for use by the general public, may provide a solution. The TAC evaluated the use of a small access site at the southerly end of the Suffolk County Horse Farm Park, where such a facility could be installed without interfering in any way with the County's current use of its park holdings. An exploratory meeting was held between the Chair of the TAC and Town and County officials to explore the feasibility of this recommendation. It is understood that there may be covenants which restrict the use of the horse farm, but it is unclear what those restrictions are and whether they are binding on the County. Providing for canoe and kayak access to the creek is viewed as an important part of an overall plan for appropriate recreational uses. It is recommended that an intermunicipal agreement with Suffolk County allowing for coordinated use of facilities to achieve this goal, be aggressively pursued.

13. **Night Fishing** - The TAC received very strong input from residents who engage in night fishing. Although the general Town policy at Town parks is to close the facility at dusk, the Town does issue permits to accommodate night fishermen at other park facilities, and should do so at West Meadow. The permit system allows the Town to facilitate the use while providing a means of controlling the activity in the event issues should arise. This will require that the area towards the tip of the peninsula, which is a desired spot for night fishing, be accessible. The problem is that Trustees Road, under the Act, does not provide for private automobiles. This presents logistical difficulty for fishermen who quite often have gear that must be readily

transportable. The implication is that the Town be responsible for adequate access opportunity. This leads to the next issue -

14. **Jitney Service** - It became clear during the public meetings that a primary concern of older residents and the physically challenged is the lack of any apparent ability to access the park in the face of restrictions on the use of Trustees Road by private vehicles. The Committee recommends that the Town be sure to provide to meet this need in planning for the management of the park by providing a transportation mechanism for those who are not capable of walking long distances. It was observed that the demand for this service might not justify dedicated, full-time staff. A practical solution might be to instruct staff at the beach to provide this upon request on an as-needed basis, and advise the public accordingly. In the alternative, enhanced security staffing could help to address this need (see below).
15. **Security** - A major concern of both the TAC and the citizens who attended the various meetings was the need for adequate training and supervision of park staff, and that adequate security be provided on a twenty-four hour basis. This was deemed essential in order to protect the remaining structures as well as the sensitive environmental resources at the park. It was noted that regulations regarding permitted uses and prohibited activities are meaningless unless staff is directed, equipped/trained and required by management to enforce these regulations. As envisioned in the State law, one of the cottages should be established as a base for security personnel, providing an around-the-clock presence. Equipment provided to transport seniors, fishermen and the physically challenged to provide access the length of the peninsula could be operated by security personnel.

The Committee wishes to emphasize that in addition to the general responsibilities of security, there has to be far more vigorous enforcement of the rules pertaining to the beach. In other words, addition to the general protection there should be proactive enforcement.

- 16 and 17. **Monitoring and Dredging** - These last two issues were discussed extensively. West Meadow Beach is an especially dynamic and fragile park environment. Depending upon who you talk to, it has been stated that a house or groups of houses along a dune line can either have a benign impact on sand transport/dune preservation; or that such development is anathema to dune stability and maintenance. At West Meadow, the development situation has been reversed. Undoubtedly, the dune/back dune area will change in the future, given the removal of the structures. In order to better manage the park over the long term, the Town should document the rate and extent of change due to wind sediment transport and changes in vegetation. We suggest that the Town enter into a long-term MOU with the Marine Sciences Research

Center of Stony Brook University for monitoring, research and educational programs associated with the park. Within its Marine Sciences Research Center (MSRC) the University possesses expertise in monitoring coastal processes, coastal hydrodynamics erosion, water quality and marine ecology. The MSRC maintains the appropriate facilities and resources necessary to develop and implement appropriate projects at West Meadow Beach. MSRC has a long history of experience in Stony Brook Harbor and West Meadow. In addition, the educational program is well established for the training of new professionals needed for staffing of regional and local management and regulatory agencies. Studies at WMB could be an important component of this training.

Under the MOU, we would suggest that the University, through MSRC, manage appropriate projects with the overall direction of the Town. MSRC would be responsible for acquiring all necessary materials and support and for the supervision of students for the purposes of conducting monitoring and research. An annual scope of work would be developed jointly by the Town and MSRC. Appropriate topics might include but not be limited to:

1. An annual, short intensive effort to inventory all macroscopic species.
2. An assessment of morphological changes in the beach and dune
3. Documentation of the impacts of dredging and human issues of the park
4. Connections with the surrounding environment (Long Island Sound, West Meadow Creek, Stony Brook Harbor and the what is known as the subterranean estuary, that is, the groundwater system under the parkland).
5. Long-term monitoring of selective birds (e.g. plovers, gulls, terns, osprey), fish and shellfish
6. Annual spring/fall inventories of migrating birds

We envision two annual gatherings hosted by the MSRC: one technical workshop to review the results of research, provide progress reports on ongoing projects and develop a research agenda for the coming year and one public conference perhaps, held at the Conservation Center for annual outreach for the community.

**Beneficial Use of Dredged Material** - The landscape along the spit has been changed by the removal of the cottages. The envelopes of site disturbance were graded with sand trucked to the area from the Town of Brookhaven landfill. The area along the western side of Trustees Road now consists of multiple, vegetated strips of land that alternate between the barren sites formerly occupied by the cottages. The dune is not yet a natural one; it is artificially low, composed, in part, of non-native sediments and vegetation. Precisely how the form and shape of these disturbed corridors will change in the future is not known with any degree of certainty, but it is likely that they

will re-adjust over time in response to strong prevailing northwest winds during the winter. Given the low-lying nature of the present landforms, it seems likely that major storm could erode the beach washing sand over Trustees Road and onto the West Meadow Creek marsh, especially through existing gaps in the duneline.

The periodic availability of clean sand from maintenance of navigation channels servicing near-by Stony Brook Harbor poses a unique opportunity for the future management of West Meadow Beach. Maintenance dredging at Stony Brook occurs on a cycle of three to five years.

Nuisance sand clogging the channel should be used to nourish the Town bathing beach, as needed; to fill and selectively restore gaps in the dunes: to restore back beach and dune areas at the sites of the former cottages; and to enhance/create natural habitat.

Maritime shrub vegetation, e.g., beach plum; American beach grass, bayberry, etc., should be planted to restore dune/swale habitat, and also to stabilize fill placed at sites of the former cottages. This recommendation also applies to the south end of the barrier spit, where elevation of the land surface is low. Temporary snow fencing could also be installed to control drifting sand.

Between 15 September and 1 December, 2005, sand is scheduled to be removed from both the Yacht Club Spur (27,000 cubic yards) and Porpoise Channel (3,000 cubic yards). Up to 3,000 cubic yards may be used at Long Beach in the Town of Smithtown, but the rest of the sand from this project will be used for beach nourishment above mean high water at West Meadow Beach, The north end of Town of Brookhaven bathing beach stretching to the south, but north of sand bar at the former Brookhaven Bathing Association site would receive between 25,000 to 28,000 cubic yards along a 2,500-foot strand. Two thousand cubic yards are to be stockpiled at north end of Town bathing beach for potential use as beach fill at Old Field Beach Club. If the Town of Brookhaven wants some material for use at the southern end of barrier to the north of the Gamecock Cottage, permit conditions would have to be changed. Such an arrangement would cost less, as pumping distance would be smaller, but it would have to be arranged quickly

**Long Term Opportunity - Fill the deep hole at north end of West Meadow Creek** - The topic is beyond the present scope of the West Meadow Creek Advisory Committee, but it deserves some mention, especially as a potential research study.

The dredged hole at the head of West Meadow Creek creates conditions that significantly reduce tidal flushing, degrade water quality, and trap sediment about 20 feet deep at mean low water and would take about 130,000 cubic yards of sediment to fill this deep hole. (Bokuniewicz, H. et al. 1996. The hydrography of West Meadow Creek as it relates to its management. MSRC, Stony Brook.) Sand from future channel dredging cycles could be used to mitigate the existing condition at the north end of West Meadow Creek by filling the hole itself to some extent. While this solution may be novel at this location, the feasibility of such an action should be considered as the opportunity arises.

Under a different approach, the slope of the bottom profile could be reduced by placement of fill along the present shoreline near the deep hole as an alternative to replacement of old bulkheads when they fail. Buffer wetlands/mud flat habitats could be created along the profile.

The TAC recognizes that the management of West Meadow Creek, including disposition of dredge spoil, is beyond the more narrow scope of developing a design program for the peninsula itself. However, the issue of where the spoil that will accrue from the forthcoming dredging of the harbor should be placed is part of the overall treatment of West Meadow Beach. Thus, the discussion above is meant to suggest one solution that should improve flushing action in the creek.

## **Administrative Requirements**

This report is meant to serve as the program input to guide the consultant who will be retained by the Town to prepare the detailed design and specifications for the implementation of the program. It is therefore important for the Town Board to consider the required resources in staffing and infrastructure costs in the forthcoming budget cycle.

## **Appendix B**

### **Coastal Fish and Wildlife Habitat Rating Form**



COASTAL FISH & WILDLIFE HABITAT RATING FORM

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Name of Area: **Stony Brook Harbor and West Meadow**

Designated: **March 15, 1987**

County: **Suffolk**

Town(s): **Brookhaven, Smithtown**

7½' Quadrangle(s): **Saint James, NY**

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<u>Score</u>	<u>Criterion</u>
25	Ecosystem Rarity (ER) One of the largest coastal wetland ecosystems on the north shore of Long Island, unusual in the region.
54.8	Species Vulnerability (SV) Least tern (E), common tern (T), and piping plover (T) nesting. Additive division: $36 + 25/2 + 25/4 = 54.75$ .
0	Human Use (HU) Area provides locally significant opportunities for birdwatching, fishing, nature study, etc.; not known to be significant at the county level.
16	Population Level (PL) Concentrations of nesting least terns in 1983 and 1984 were among the 5 largest on Long Island, of statewide significance. Populations of herons and egrets of regional significance.
1.2	Replaceability (R) Irreplaceable.

---

SIGNIFICANCE VALUE = [( ER + SV + HU + PL ) X R]

= 115.0



### \*\*\*SIGNIFICANT COASTAL FISH AND WILDLIFE HABITAT\*\*\*

#### PROJECT DESCRIPTION

#### STONY BROOK HARBOR AND WEST MEADOW

##### LOCATION AND DESCRIPTION OF HABITAT:

Stony Brook Harbor and West Meadow are located on the north shore of Long Island, between the Villages of Nissequogue, Head of the Harbor, and Stony Brook, and the hamlet of Setauket, in the Towns of Smithtown and Brookhaven, Suffolk County (7.5' Quadrangle: Saint James, N.Y.). This approximate 1200 acre area is generally defined by the mean high water elevation on all sides. The fish and wildlife habitat includes all of the wetland area behind Long Beach and West Meadow Beach, which contain extensive areas of undeveloped salt marsh, tidal flats, dredge spoil islands, and open water. Also included is the eastern end of the Long Beach barrier peninsula. Water depths in the bay are generally less than 6 feet below mean low water, except in dredged navigation channels. The bay is bordered on the west, south, and east by residential development and undeveloped woodlands. Small craft harbor facilities predominate the north shore of Stony Brook Harbor, including the Town of Smithtown's Long Beach Marina and Boat Launch.

##### FISH AND WILDLIFE VALUES:

Stony Brook Harbor and West Meadow comprise one of the largest and most diverse coastal wetland ecosystems on the north shore of Long Island, of regional significance. This area is important to many fish and wildlife species through-out the year. Least tern (E), common tern (T), and piping plover (T) nest in several locations within Stony Brook Harbor, including Long Beach Point, Porpoise Channel Island (Youngs Island), and dredge spoil areas near the Long Beach Marina and the Long Beach boat launch. An estimated 200-300 breeding pairs of least terns 50-150 pairs of common terns and 4-9 pairs of piping plovers were observed in the area in 1983, 1984 and 1985. In all three years, the population of least terns nesting at Stony Brook Harbor was among the five largest on Long Island, of statewide significance. Stony Brook Harbor and West Meadow are also inhabited by a variety of nesting heron species, including snowy egret, great egret, black-crowned night heron, and yellow-crowned night heron. The primary heronry is located on the eastern end of Long Beach. As of 1977, this area contained some of the largest nesting concentrations of snowy egret and black-crowned night heron on Long Island, with estimates of 128 and 160 nesting pairs, respectively. Other species nesting in the Stony Brook Harbor and West Meadow area include Canada goose, herring gull, great black-backed gull, wood duck, black duck, mallard, fish crow, red-winged blackbird, and horned lark. The salt marshes, intertidal flats, and shallows in this area are used extensively as feeding areas for birds nesting here, and for many other species during migration (shorebirds in particular).

Stony Brook Harbor and West Meadow is one of the most important waterfowl wintering areas (November - March) in northern Suffolk County. Mid-winter aerial surveys of waterfowl abundance



for the ten year period 1975-1984 indicate average concentrations of over 375 birds in the area each year (784 in peak year), including approximately 125 black ducks (418 in peak year), along with lesser numbers of scaup, mallard, Canada goose, oldsquaw, bufflehead, common goldeneye, red-breasted merganser, and mute swan. Waterfowl use of the area during winter is influenced in part by the extent of ice cover each year. Concentrations of waterfowl also occur in Stony Brook Harbor and West Meadow during spring and fall migrations (March - April and October - November, respectively).

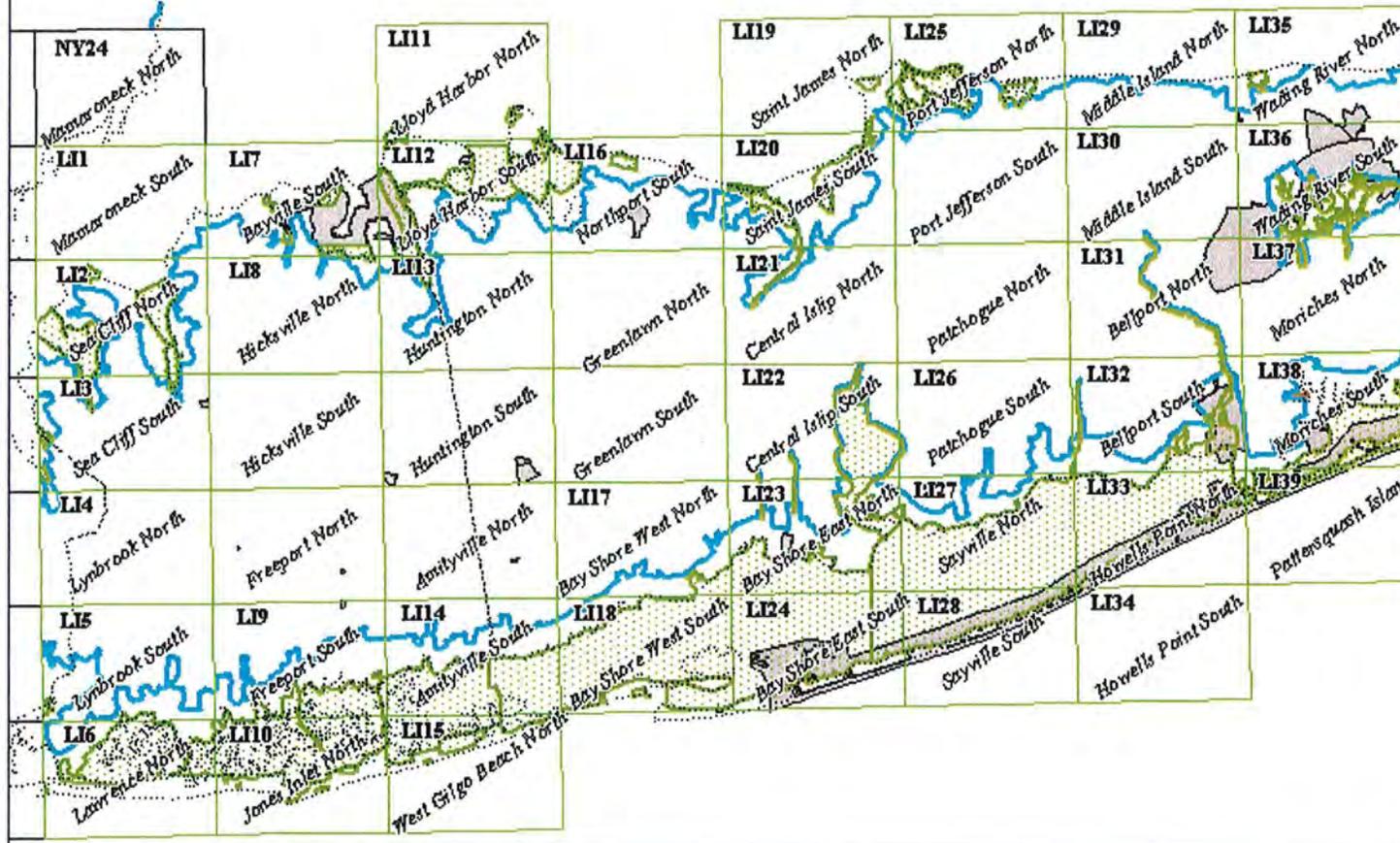
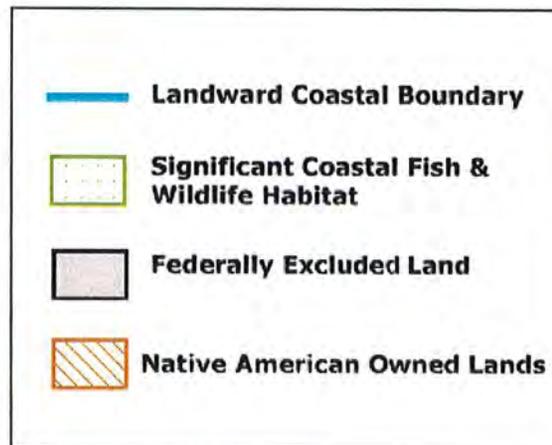
In addition to having significant bird concentrations, Stony Brook Harbor and West Meadow are productive areas for marine finfish, shellfish, and other wildlife. The bay and creeks serve as nursery and feeding areas (from April - November, generally) for winter flounder, bluefish, blackfish, and forage fish species, such as Atlantic silverside and striped killifish. The harbor is inhabited by concentrations of hard clam, soft clam, American oyster, ribbed mussel, and blue mussel, but most of the area is not certified for shellfishing. Stony Brook Harbor and West Meadow are readily accessible for a variety of fish and wildlife related recreational uses, and are popular among local residents for fishing, birdwatching, and nature study.

#### IMPACT ASSESSMENT:

Any activity that would substantially degrade the water quality in Stony Brook Harbor or West Meadow Creek would adversely affect the biological productivity of this area. All species of fish and wildlife would be affected by water pollution, such as chemical contamination (including food chain effects), oil spills, excessive turbidity or sedimentation, sewage discharges, and waste disposal. Efforts should be made to improve water quality for shellfishing in the harbor, including reducing vessel waste discharges. Alteration of tidal patterns in Stony Brook Harbor or West Meadow could also have major impacts on the fish and wildlife communities present. Dredging to maintain boat channels in the bay should be scheduled in late summer and fall to minimize potential impacts on aquatic organisms, and to allow for spoil disposal when wildlife populations are least sensitive to disturbance. Elimination of salt marsh and intertidal areas, through excavation or filling, would result in a direct loss of valuable habitat area. Unregulated dredge spoil disposal in this area could be detrimental, but such activities may be designed to maintain or improve the habitat for certain species of wildlife. Nesting birds inhabiting Stony Brook Harbor are highly vulnerable to disturbance by humans from mid-April through July. Recreational activities (e.g., boat landing, picnicking) in or near bird nesting areas should be minimized during this period, through the use of fencing and/or annual posting. Construction of shoreline structures, such as docks, piers, bulkheads, or revetments, in areas not previously disturbed by development (i.e., natural salt marsh, tidal flats, or beach), may have a significant impact on the fish and wildlife resources of Stony Brook Harbor and West Meadow.



# Long Island Region



# Saint James (South)

2500 0 2500 5000 feet



M I T H T O W N

B A Y

Sony Brook Harbor and West Meadow Creek

Nissequogue River Inlet Beaches

Nissequogue River

Head of the Harbor

San Romo

North  
Smifhtown

Saint James

Saint James

See Northport (South)

See Saint James (North)

See Central Islip (North)

# Saint James (North)



See Northport (North) ▲

L O N G I S L A N D S O U N D

Conscience Bay, Little Bay & Setanket

Flax Pond

Stony Brook Harbor and West Meadow Creek

S M I T H T O W N

B A Y

See Port Jefferson (North) ▼

See Saint James (South) ▲

# **Appendix C**

## **Ecological Resources Report**

# **Appendix D**

## **State and Federal Correspondence**

**New York State Department of Environmental Conservation**  
**Division of Fish, Wildlife & Marine Resources, Region One**  
**Bureau of Wildlife**  
Building 40 - SUNY, Stony Brook, New York 11790-2356  
**Phone:** (631) 444-0305 • **FAX:** (631) 444-0272  
**Website:** www.dec.state.ny.us



Director John Turner  
Town of Brookhaven  
Environmental Protection and Land Management  
One Independence Hill  
Farmingville, NY 11738



April 20, 2006

Dear Director Turner,

The Department of Environmental Conservation currently conducts management for State and Federally protected shorebirds at several locations throughout the Town of Brookhaven. While most sites are either remote (East and West Inlet Island) or privately owned (Shoreham Power Plant, Old Field Beach), there are three public sites that have a history of shorebird nesting that are currently monitored and managed by the Department when birds are present. These sites are Shoreham Town Beach, Cedar Beach in Mount Sinai and West Meadow Beach in Setauket. West Meadow is the primary site where birds routinely return to nest.

The Department would like to provide some guidance on the Town's management of West Meadow Beach. Due to the repeated nesting of State and Federally listed birds at West Meadow, the Department recommends that the Town bans pets at West Meadow Beach to protect the State of New York's migratory bird resource. To avoid potential liability for any damage to listed species that may result from disturbance from unleashed pets, I urge you to adopt, at a minimum, a seasonal ban on all pets at West Meadow Beach. In addition, the concentration of migratory shorebirds and overwintering waterfowl in the Stony Brook Harbor/West Meadow Beach vicinity makes this area vulnerable to detrimental impacts from pets year round. As all shore birds and migratory waterfowl are protected under the Federal Migratory Bird Treaty Act as well as New York Environmental Conservation Law, the Town could still incur liability on these properties if pets were allowed to roam these beaches at any time of the year. A year round ban on pets at West Meadow Beach should be seriously considered.

The primary reason for the recommendation to keep pets off of this beach stems from the nesting history of the federally threatened and New York State endangered Piping plover and the State threatened Least tern at this site. Specifically, dogs and cats are viewed as potential predators by the birds. Regardless of whether or not an animal is on a leash, any dog or cat in close proximity to a migratory bird will be perceived as a potential predator. The response of many birds, including piping plovers and terns, to the presence of a potential predator is to leave the nest unattended and approach the potential predator in the hopes of leading or driving it away

from the nest. Though pets under the control of their owner may not directly take any protected birds, the continued presence of pets on the beach can result in the failure of nests due to the continued absence of the adult from the nest. While the attending parent is away from the nest interacting with the pet, the nest is left unprotected. This can result in other predators such as gulls or crows taking the undefended eggs or young. The absence of an attending adult also can lead to nest failure if the eggs or young are left exposed for a prolonged time to high heat or cold. I have enclosed a copy of our 1998-99 Long Island Colonial Waterbird and Piping Plover Survey which includes maps and the survey data for all locations on Long Island. Regrettably, our 2000-05 publication will not be published for at least another year.

Though the breeding season (April 1 - September 1) is the most critical season to protect habitats, dozens of species of shorebirds including migrating piping plovers and terns, waterbirds, waterfowl, raptors and song birds utilize West Meadow Beach as either migratory stop over habitat or overwinter foraging habitat. Many of these species use these areas as a last chance fuel stop to load up on food before setting out to more northerly breeding grounds or, in the Fall, across the Atlantic Ocean for wintering sites in the Carribean or South America. Keeping these areas free of pets year round helps improve the percentage of migratory birds that successfully return the following year by removing a major source of stress. Each time a dog or cat is seen, the birds may halt their feeding behavior and be forced to move considerable distances to avoid the potential threat. The end result is that it takes birds a longer time to feed and prepare for their migratory flights. In addition to the beneficial effects on migratory birds, a year round ban at West Meadow Beach would also make it easier to enforce the ban during the critical breeding season. Signs can be up year round and there would be no confusion over when pets could be allowed. For these reasons, the Department would be supportive of a year-round ban on pets at the West Meadow Beach facility.

The Department encourages the Town to become more involved in managing nesting shorebirds at Town facilities. We are eager to work with the Town to make this happen. In addition to two training sessions on piping plover management, the Department also has a small grant program in place that can provide materials to the Town for management purposes. I have enclosed a copy of the training session announcement as well as a copy of the grant program announcement.

If you have any further questions regarding endangered species management or the impacts of pets on wildlife, please do not hesitate to contact either Michelle Gibbons or myself in our Bureau of Wildlife at (631) 444-0270. The Department looks forward to working with Town of Brookhaven staff in continuing and enhancing the admirable efforts being undertaken by the Town to protect New York's natural resources.

Thank you for taking this recommendation under advisement.

Sincerely,



Dan Rosenblatt, Ph.D.  
Regional Wildlife Manager

file West Me beach



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

3817 Luker Road  
Cortland, NY 13045

April 21, 2006

Honorable Brian Foley  
Town Supervisor  
Town of Brookhaven  
Town Hall  
1 Independence Hill  
Farmingville, NY 11738

Dear Supervisor Foley:

In accordance with recommendations the U.S. Fish and Wildlife Service (Service) provided on the Town of Brookhaven's (Town) beach and shorebird habitat restoration project undertaken this winter at West Meadow Beach, Stony Brook, we are writing to assist you in developing a piping plover and shorebird management program at this site. This correspondence will focus on measures specifically pertaining to presence of unleashed pets, primarily dogs, on the beach. These measures should be undertaken to avoid adverse impacts to the Federally-listed piping plover (*Charadrius melodus*) which is protected under the Endangered Species Act of 1973 (87 Stat. 884, as amended; 1531 *et seq.*) and other breeding and migratory shorebirds protected under the Migratory Bird Treaty Act of 1918 (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703 *et seq.*). Before discussing these measures in detail, the Service would like to recognize the positive efforts of the Town in assisting the Service in working towards recovery of this and other Federally-listed species. The Service also looks forward to building off those positive actions by working with the Town on this and other projects of mutual interest.

### Site Location and Species Use

West Meadow Beach is located in Stony Brook, New York. Recently, the Town removed the majority of vacant cottages lining Trustee Road, south of the public beach area, as a first step in restoring the habitat to a more natural state. The West Meadow Beach site contains a variety of habitats including sand beach, intertidal flats, saltmarsh, and uplands.

The salt marshes, intertidal flats, and shallows in this area are used extensively as feeding areas for breeding and migrating birds. The New York State Department of Environmental Conservation's annual Long Island Colonial Waterbird and Piping Plover Survey Program provides information on the occurrence and breeding status of piping plover at this site. From the period between 1994 and the present, the site has generally supported between one and three pairs. Town records indicate that West Meadow Beach once supported an active least tern (*Sterna antillarum*) colony involving several dozen pairs of birds. Least terns are listed as threatened by the State of New York.

Furthermore, anecdotal reports identify the following shorebird and waterbird species at Meadow Beach as a migratory stopover or wintering area: sanderling (*Calidris alba*), ruddy turnstone (*Arenaria interpres*), semi-palmated plover (*Charadrius semipalmatus*), least sandpiper (*Calidris minutilla*), black tern (*Chlidonias niger*), and black-crowned night heron (*Nycticorax nycticorax*). West Meadow and the nearby Stony Brook Harbor are also one of the most important waterfowl wintering areas in northern Suffolk County (New York State Department of State). Numerous other species, including neotropical and short-distance migrants, have also been documented on the site including, but not limited to, yellow warbler (*Dendroica petechia*), yellow-billed cuckoo (*Coccyzus americanus*), yellow-rumped warbler (*Dendroica coronata*), palm warbler (*Dendroica palmarum*), and cedar waxwing (*Bombycilla cedrorum*).

The value of this site to various bird species is indicative of its inclusion in a variety of habitat designations for this area including the New York Audubon's Important Bird Areas Initiative, New York State Department of State-designated Stony Brook Harbor and West Meadow Significant Coastal Fish and Wildlife Habitat, and the Service identified Significant Coastal Habitat - Port Jefferson and Stony Brook Harbor Complex.

### **Recommendations to Avoid Adverse Impacts to Listed Species and Sensitive Species**

Numerous human-related recreational activities are known to adversely impact breeding piping plovers, their eggs, and chicks, including off-road vehicles, kite-flying, pedestrian incursions into breeding areas, presence of pets on the beach, predators, and fireworks (U.S. Fish and Wildlife Service 1996 and 1997). In addressing the issue of enforcing pet restrictions, the Service, in conjunction with other Federal and State biologists on the Atlantic Coast Piping Plover Recovery Team, developed Recovery Task 1.312 - Implement and enforce pet restrictions (found within the Revised Piping Plover Recovery Plan dated 1996) which states:

“Unleashed pets, primarily dogs, are known to chase piping plovers, destroy nests, and kill chicks. A study conducted on Cape Cod found that the average distance at which piping plovers were disturbed by pets was 46 m, compared to 23 m for pedestrians. Furthermore, the birds reacted to the pets by moving an average of 57 m, compared with 25 m when the birds were reacting to a pedestrian. The duration of the disturbance behavior stimulated by pets was also significantly greater than that caused by pedestrians (Hoopes 1993, as referenced in U.S. Fish and Wildlife Service 1996).

Pets should be leashed and under control of their owners at all times from April 1 to August 31 on beaches where piping plovers are present or have traditionally nested. Pets should be prohibited on these beaches from April 1 through August 31 if, based on observations and experience, pet owners fail to keep pets leashed and under control. A half-page information sheet entitled "Why Dogs and Plovers Don't Mix" has been prepared by The Nature Conservancy, Rhode Island Office.”

Additionally, one of the Service's key partners in recovery efforts for the Atlantic Coast population of the piping plover is the State of New Jersey who oversees protection of piping plovers in the New Jersey portion of the New York - New Jersey Piping Plover Recovery Unit. In terms of pet activities on beaches supporting plovers, the New Jersey Department of Environmental Protection advises first that “dogs are especially disruptive, as plover adults react to dogs as they would a fox or similar predator. Dogs also will prey on plover chicks and eggs.”

It recommends that beach managers and the public "Keep pets off the beach or far from nesting areas. Even leashed dogs are a major disturbance, and dogs are prohibited on most beaches during the summer months." (See <http://www.state.nj.us/dep/fgw/ensp/somjuly.htm>)

Dogs can also pose threats to other migratory shorebirds protected under the MBTA such as least terns (*Sterna antillarum*) and American oystercatchers (*Haematopus palliatus*). In fact, the North Atlantic Regional Shorebird Plan identifies one of the highest priority management objectives as controlling recreational disturbance from, among other activities, dogs, by regulations and area closures (Clark and Niles 2000).

An evaluation of the information presented in this letter should provide the basis for the Town to restrict the presence of pets on West Meadow Beach. The Service strongly recommends restricting pets on beaches that support listed or sensitive species or in areas that provide habitat for other species of special concern such as those identified in regional shorebird or landbird conservation plans, which the Service can make available to the Town.

If you have any questions or require further assistance, please call Steve Papa of the Long Island Field Office at (631) 581-2941.

Sincerely,



David A. Stilwell  
Field Supervisor

References:

Clark, K.E. and L.J. Niles. 2000. North Atlantic Regional Shorebird Plan. Endangered and Nongame Species Program in conjunction with Northern Atlantic Shorebird Habitat Working Group. New Jersey Division of Fish and Wildlife, Woodbine, NJ.

U.S. Fish and Wildlife Service. 1996. Piping Plover (*Charadrius melodus*) Atlantic Coast Population Revised Recovery Plan. Hadley, MA. 258 pp.

New York State Department of State. 1987. As provided on [http://nyswaterfronts.com/downloads/pdfs/sig\\_hab/LongIsland/Stony\\_Brook\\_Harbor\\_West\\_Meadow.pdf](http://nyswaterfronts.com/downloads/pdfs/sig_hab/LongIsland/Stony_Brook_Harbor_West_Meadow.pdf)

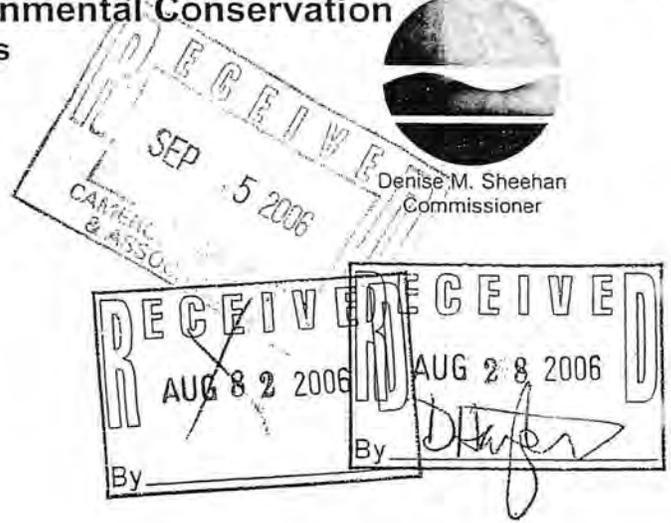
**New York State Department of Environmental Conservation  
Division of Fish, Wildlife & Marine Resources**

**New York Natural Heritage Program**  
625 Broadway, Albany, New York 12233-4757  
Phone: (518) 402-8935 • FAX: (518) 402-8925  
Website: www.dec.state.ny.us



August 24, 2006

Jill A Olin  
EEA, Inc  
1239 Rte 25A, Suite 1  
Stony Brook, NY 11790



Dear Ms. Olin:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed West Meadow Beach Restoration, area as indicated on the map you provided, located in the Town of Brookhaven, Suffolk County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

This project location is adjacent to a designated Significant Coastal Fish and Wildlife Habitat. This habitat is part of New York State's Coastal Management Program (CMP), which is administered by the NYS Department of State (DOS). Projects which may impact the habitat are reviewed by DOS for consistency with the CMP. For more information regarding this designated habitat and applicable consistency review requirements, please contact:

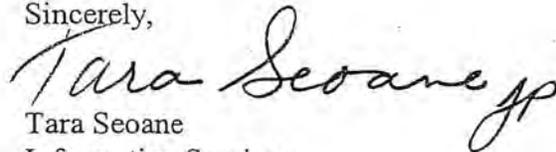
Jeff Zappieri or Vance Barr - (518) 474-6000  
NYS Department of State  
Division of Coastal Resources and Waterfront Revitalization  
41 State Street, Albany, NY 12231

The presence of rare species may result in your project requiring additional permits, permit conditions, or review. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should NOT be substituted for on-site surveys that may be required for environmental impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,



Tara Seoane  
Information Services  
NY Natural Heritage Program

Encs.

cc: Reg. 1, Wildlife Mgr.  
Reg. 1, Fisheries Mgr.  
Peter Nye, Endangered Species Unit, Albany

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935

This report contains SENSITIVE information that may not be released to the public without permission from the NY Natural Heritage Program. Refer to the User's Guide for explanations of codes, ranks and fields.

Location maps for certain species and communities may not be provided if 1) the species is vulnerable to disturbance, 2) the location and/or extent is not precisely known, and/or 3) the location and/or extent is too large to display.

Natural Heritage Report on Rare Species and Ecological Communities



IRDS

*Ardea alba*

Great Egret

NY Legal Status:	Protected	NYS Rank:	S2; Imperiled	Office Use	1892
Federal Listing:		Global Rank:	G5; Demonstrably secure		
Last Report:	1998-05-21	EO Rank:	Poor		
County:	Suffolk				
Town:	Smithtown				
Location:	Youngs Island				
Directions:	The egrets nested on Youngs Island, ENE of the Long Beach Boat Basin, between Stony Brook Harbor and the Long Island Sound. Access is by boat only. To get to the town marina from North Smithtown, follow the Nissequogue River Road north to Moriches Road. Go east to Long Beach Road, then north to Stony Brook Harbor. The birds have nested in the middle of the island at the northeast end.				
General Quality and Habitat:	The rank is based on 5 pairs for the first year active. A dredge spoil island in the channel connecting Stony Brook Harbor to the Long Island Sound. Most of the island is covered with successional growth with some isolated bare patches. Some tall trees are in the center. Narrow beaches are on the east end. The south side of the harbor is residential. On the north side is a yacht harbor with some residences. There is a large gull colony at the south end of the island. Associated species: <i>Charadrius melodus</i> , <i>Sterna antillarum</i> , <i>Sterna hirundo</i> , <i>Larus argentatus</i> .				

*Charadrius melodus*

Siping Plover

NY Legal Status:	Endangered	NYS Rank:	S3B; Vulnerable	Office Use	5576
Federal Listing:	Endangered	Global Rank:	G3; Vulnerable		
Last Report:	**	EO Rank:	**		ESU
County:	Suffolk				
Town:	Brookhaven				
Location:	West Meadow Beach				
Directions:	The birds were observed at West Meadow Beach. From Route 25A in Stony Brook, take Quaker Path Road north. Head west on West Meadow Road until it turns into Trustees Road and follow it to the end of the road. Walk seaward on the path from house number 74. The birds nest on the beach.				
General Quality and Habitat:	**For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.				

*Charadrius melodus*

Siping Plover

NY Legal Status:	Endangered	NYS Rank:	S3B; Vulnerable	Office Use	7788
Federal Listing:	Endangered	Global Rank:	G3; Vulnerable		SL
Last Report:	**	EO Rank:	**		ESU
County:	Suffolk				
Town:	Smithtown				
Location:	Long Beach Peninsula, Long Beach Point, Long Beach Point (Seatuck), Long Beach Point Tern Subcolony (Seatuck), Long Beach Point Point Subcolony (Seatuck)				
Directions:	Long Beach peninsula on Smithtown bay, Long Island Sound. From Moriches road in Nissequogue, take Long Beach Road north to the dirt road (marked private drive) to Nissequogue wildlife preserve. Walk east to the harbor mouth. The birds nest at the tip of the peninsula.				
General Quality and Habitat:	**For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.				

Natural Heritage Report on Rare Species and Ecological Communities

*Charadrius melodus*

Piping Plover  
 NY Legal Status: Endangered  
 Federal Listing: Endangered  
 Last Report: \*\*  
 County: Suffolk  
 Town: Smithtown  
 Location: Youngs Island, Porpoise Channel Island (Seatuck)  
 Directions: The plovers nested at Youngs Island, ENE of the Long Beach Boat Basin between Stony Brook Harbor and the Long Island Sound. Access is by boat only. To get to the town marina from North Smithtown, follow Nissequogue River Road north to Moriches Road. Go east to Long Beach Road, then north to Stony Brook Harbor. Plovers have mostly nested on the eastern part of the island.  
 General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

*Sterna antillarum*

Least Tern  
 NY Legal Status: Threatened  
 Federal Listing:  
 Last Report: \*\*  
 County: Suffolk  
 Town: Smithtown  
 Location: Long Beach Peninsula, Long Beach Point, Long Beach Point (Seatuck), Long Beach Point Tern Subcolony (Seatuck), Long Beach Point Point Subcolony (Seatuck)  
 Directions: Long Beach peninsula on Smithtown bay, Long Island Sound. From Moriches road in Nissequogue, take Long Beach Road north to the dirt road (marked private drive) to Nissequogue wildlife preserve. Walk east to the harbor mouth. The birds nest at the tip of the peninsula and forage over the sound and harbor.  
 General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

Office Use  
 2560  
 SL  
 ESU

*Sterna antillarum*

Least Tern  
 NY Legal Status: Threatened  
 Federal Listing:  
 Last Report: \*\*  
 County: Suffolk, New York State Waters  
 Town: Brookhaven, Ny State Waters  
 Location: West Meadow Beach  
 Directions: The birds were observed at West Meadow Beach. From Route 25A in Stony Brook, take Quaker Path Road north. Head west on West Meadow Road until it turns into Trustees Road. Follow to the end of the road. Walk seaward on the path from house number 74. The birds nest on the beach.  
 General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

Office Use  
 8188  
 ESU

*Sterna antillarum*

Least Tern  
 NY Legal Status: Threatened  
 Federal Listing:  
 Last Report: \*\*  
 County: Suffolk  
 Town: Smithtown  
 Location: Youngs Island, Porpoise Channel Island (Seatuck)  
 Directions: The terns nested at Youngs Island, ENE of the Long Beach Boat Basin between Stony Brook Harbor and the Long Island Sound. Access is by boat only. To get to the town marina from North Smithtown, follow Nissequogue River Road north to Moriches Road. Go east to Long Beach Road, then north to Stony Brook Harbor. The terns nest on the east end of the island.  
 General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.



*Sterna dougallii*

Roseate Tern

NY Legal Status: Endangered

NYS Rank: S1B; Critically imperiled

Office Use  
91

Federal Listing: Endangered

Global Rank: G4; Apparently secure

Last Report: \*\*

EO Rank: \*\*

ESU

County: Suffolk

Town: Smithtown

Location: Youngs Island

Directions: The terns nested at Youngs Island, ENE of the Long Beach Boat Basin between Stony Brook Harbor and the Long Island Sound. The island is accessible by boat only. To get to the town marina from North Smithtown, follow Nissequogue River Road north to Moriches Road. Go east to Long Beach Road, then north to Stony Brook Harbor. The terns nest on the east end of the island.

General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

*Sterna hirundo*

Common Tern

NY Legal Status: Threatened

NYS Rank: S3B; Vulnerable

Office Use  
386

Federal Listing:

Global Rank: G5; Demonstrably secure

Last Report: \*\*

EO Rank: \*\*

ESU

County: Suffolk

Town: Smithtown

Location: Youngs Island, Porpoise Channel Island (Seatuck)

Directions: The terns nested on Youngs Island, ENE of the Long Beach Boat Basin, between Stony Brook Harbor and the Long Island Sound. Access is by boat only. To get to the town marina from North Smithtown, follow Nissequogue River Road north to Moriches Road. Go east to Long Beach Road, then north to Stony Brook Harbor. The birds have nested all over the island. In recent years (1995-1996), they have nested on the northeast end of the island.

General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

VASCULAR PLANTS

*Tripsacum dactyloides*

Northern Gamma Grass

NY Legal Status: Threatened

NYS Rank: S2; Imperiled

Office Use  
5320

Federal Listing:

Global Rank: G5; Demonstrably secure

Last Report: 1991-08-03

EO Rank: Fair

SL

County: Suffolk

Town: Brookhaven

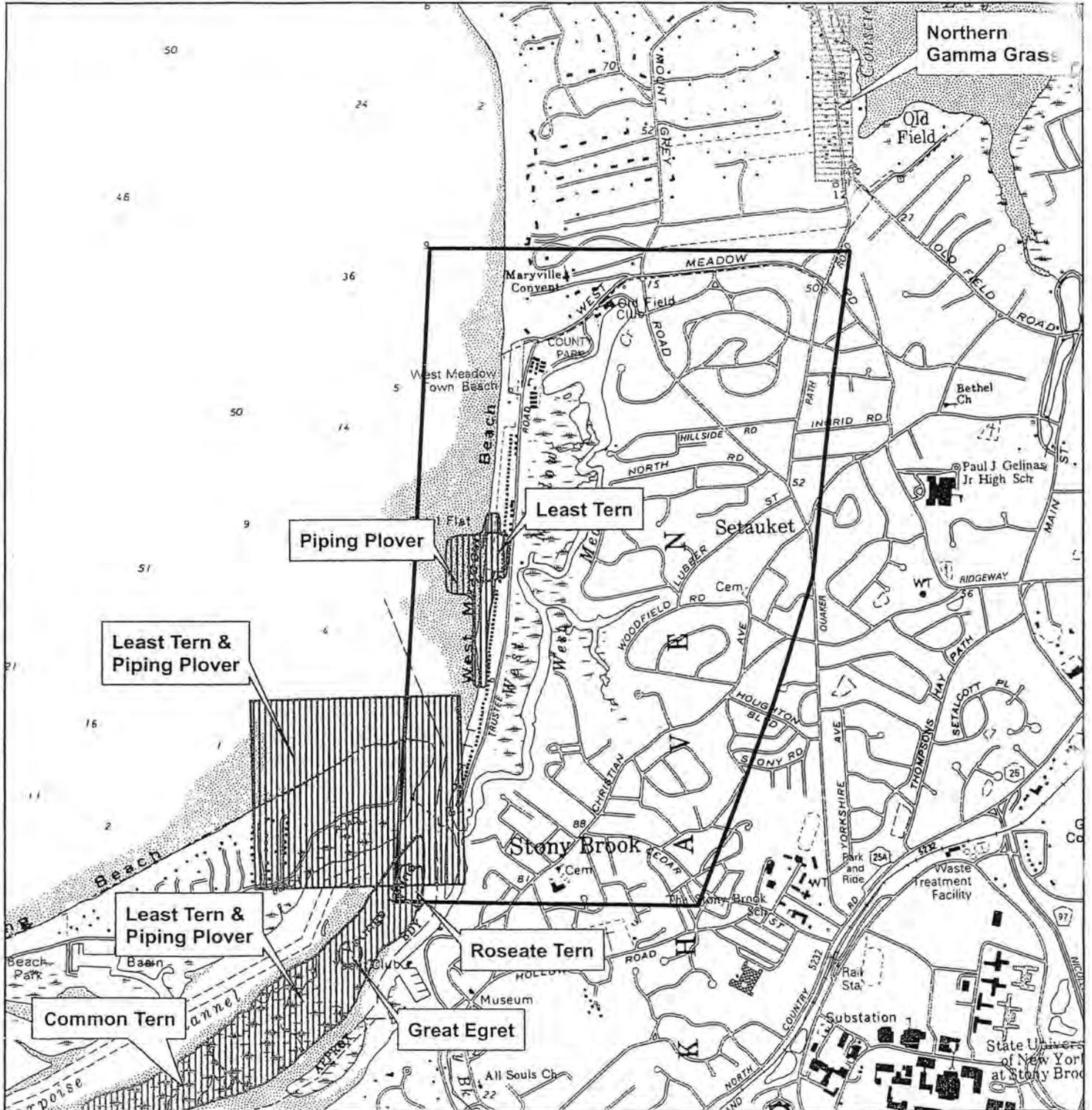
Location: Old Field Road

Directions: From Route 25A in Stony Brook, go east to Quaker Path Road, north on Quaker Path Road to the junction with Old Field Road. The plants are on the west side of the junction and north on Old Field Road just before next road to the north, on the east side of the road next to the bay.

General Quality and Habitat: Small population, roadside but could be more. Roadside vegetation. Associated species: *Spartina* spp., and other grassy vegetation.

# Natural Heritage Map of Rare Species and Ecological Communities

Prepared August 23, 2006 by NY Natural Heritage Program, NYS DEC, Albany, New York



## Legend

Project Site

NY Natural Heritage Program Database Records\*

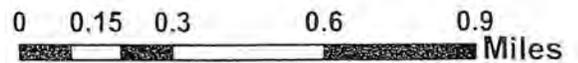
Animal Concentration Area

Animal

Plant

Community

1:24,000



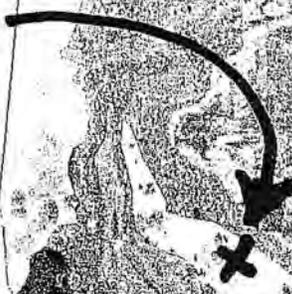
\*The locations that are displayed are considered sensitive and cannot be released to the public without permission.



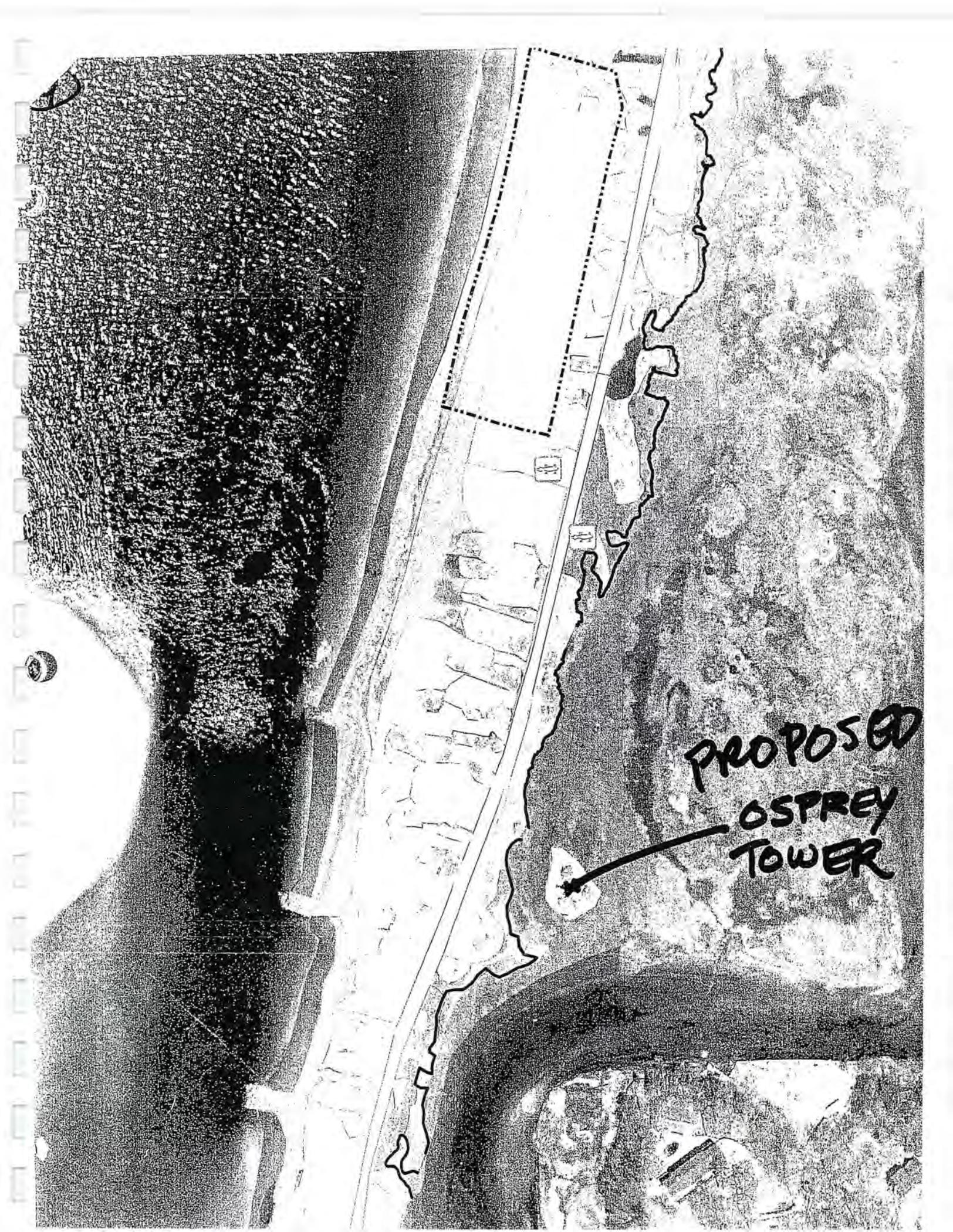
PROPOSED  
OSPREY  
TOWER

SEP 15 2008

RE FILE







PROPOSED  
OSPREY  
TOWER



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

3817 Luker Road  
Cortland, NY 13045

In Reply Refer To:  
FWS/R5/ES-LIFO/2006-FA-0191



October 17, 2006

Ms. Laura Schwanof  
EEA, Inc.  
1239 Route 25A  
Stony Brook, NY 11790



Dear Ms. Schwanof:

This responds to your July 17, 2006, letter requesting information on the status of Federally-listed species within the vicinity of the Town of Brookhaven's (Town) West Meadow Beach Restoration project located in Stony Brook, Suffolk County, New York. Apart from the map which accompanied your correspondence identifying the general area around West Meadow Beach, and a map showing piping plover (*Charadrius melodus*) foraging areas furnished by you via FAX on August 31, 2006, the U.S. Fish and Wildlife Service (Service) has not received any formal plans for review at this time. For your information, the Service also provided information to the Town in a letter dated April 26, 2006, concerning protection of threatened and endangered species at West Meadow Beach.

These preliminary comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 1531 *et seq.*) and the Migratory Bird Treaty Act of 1918 (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703 *et seq.*).

#### Project Description

As described in your letter, the newly-designated preserve at West Meadow Beach will be restored for the purposes of maintaining and restoring its ecological integrity. Further, the project purposes also include the following objectives:

- Re-vegetation of cleared and un-vegetated areas resulting from removal of the cottages;
- Removal of non-native species; and
- Enhancement of habitat for breeding populations of shorebirds and colonial waterbird species including piping plover (*Charadrius melodus*), least tern (*Sterna antillarum*), and common tern (*Sterna hirundo*).

### **Site Location and Species Use**

West Meadow Beach is located in Stony Brook, New York. The Town recently removed the majority of vacant cottages which lined Trustee Road south of the public beach area, beginning the first step in the process of restoring the habitat to a more natural state. The site contains a variety of habitats including sand beach, mud and intertidal flats, saltmarsh, and uplands. The salt marshes, intertidal flats, and shallows in this area are used extensively as feeding areas for breeding and migrating upland and waterbirds.

West Meadow and the nearby Stony Brook Harbor make up one of the most important waterfowl wintering areas in northern Suffolk County (New York State Department of State 1987). The New York State Department of Environmental Conservation's Long Island Colonial Waterbird and Piping Plover Survey Data provides information on the occurrence and breeding status of the Federally- and New York State-listed piping plover at this site. Historically, the site generally supported between one and three pairs of piping plovers. Anecdotal reports from birders who frequent the site, suggest that the following shorebird and waterbird species use West Meadow Beach as a migratory stopover or wintering area: sanderling (*Calidris alba*), ruddy turnstone (*Arenaria interpres*), semi-palmated plover (*Charadrius semipalmatus*), least sandpiper (*Calidris minutilla*), black tern (*Chlidonias niger*), and black-crowned night heron (*Nycticorax nycticorax*).

Numerous other species, including neotropical migrants, have also been documented on the site such as yellow warbler (*Dendroica petechia*), yellow-billed cuckoo (*Coccyzus americanus*), yellow-rumped warbler (*Dendroica coronata*), palm warbler (*Dendroica palmar*), and cedar waxwing (*Bombycilla cedrorum*).

### **Preliminary Suggestions for Inclusion in the Restoration Project**

The habitat restoration project should incorporate a robust plan to address the numerous human-related recreational activities which are known to adversely impact breeding piping plovers, their eggs, and chicks, including, but not limited to, off-road vehicles, kite-flying, pedestrian incursions into breeding areas, presence of pets on the beach, predators, and fireworks (U.S. Fish and Wildlife Service 1996). In addition, planning of this habitat restoration project should include definitive goals and objectives, such as types of habitat to be restored (e.g., berm, dune, backshore, overwash flats, ephemeral pools, sand flats, saltmarsh, etc.), selection of native vegetation, density of planting, and maintenance schedules to control colonization by invasive species, etc. Population goals and objectives should also be considered as measures of the success or failure of the restoration project.

In addressing the issue of enforcing pet restrictions as mentioned above, the Service provided technical assistance to the Town in a letter April 26, 2006. As noted in that letter, the Service, in conjunction with other Federal and State biologists on the Atlantic Coast Piping Plover Recovery Team, developed "Recovery Task 1.312 - Implement and enforce pet restrictions," which is found within the Revised Piping Plover Recovery Plan dated 1996. This task states:

Unleashed pets, primarily dogs, are known to chase piping plovers, destroy nests, and kill chicks. A study conducted on Cape Cod found that the average distance at which piping plovers were disturbed by pets was 46 m, compared to 23 m for pedestrians. Furthermore, the birds reacted to the pets by moving an average of 57 m, compared with 25 m when the birds were reacting to a pedestrian. The duration of the disturbance

behavior stimulated by pets was also significantly greater than that caused by pedestrian activity (Hoopes 1993, as referenced in U.S. Fish and Wildlife Service 1996).

Pets should be leashed and under control of their owners at all times from April 1 to August 31 on beaches where piping plovers are present or have traditionally nested. Pets should be prohibited on these beaches from April 1 through August 31 if, based on observations and experience, pet owners fail to keep pets leashed and under control. A half-page information sheet entitled "Why Dogs and Plovers Don't Mix" has been prepared by The Nature Conservancy, Rhode Island Office.

Additionally, one of the Service's key partners in recovery efforts for the Atlantic Coast population of the piping plover is the State of New Jersey which oversees protection of piping plovers in the New Jersey portion of the New York-New Jersey Piping Plover Recovery Unit. In terms of pet activities on beaches supporting plovers, the New Jersey Department of Environmental Protection advises first that "dogs are especially disruptive, as plover adults react to dogs as they would a fox or similar predator. Dogs also will prey on plover chicks and eggs" and recommends that beach managers and the public "Keep pets off the beach or far from nesting areas. Even leashed dogs are a major disturbance, and dogs are prohibited on most beaches during the summer months." (See <http://www.state.nj.us/dcp/fgw/ensp/somjuly.htm>)

Dogs can also pose threats to other migratory shorebirds protected under the MBTA such as least terns and American oystercatchers (*Haematopus palliatus*). In fact, the North Atlantic Shorebird Plan identifies controlling recreational disturbance from dogs, among other activities, by regulations and area closures as one of the highest priority management objectives (Clarke and Niles 2000).

Additionally, domestic and feral cats pose a threat to piping plovers and other birds. To educate the public and provide suggestions to cat owners and land managers for controlling these species in bird breeding habitats, the Service developed an informational brochure found at <http://www.fws.gov/northeast/pipingplover/pdf/catseat.pdf>. Further, information on this issue can be found at the American Bird Conservancy's *Cats Indoors!* campaign website at <http://www.abcbirds.org/cats>.

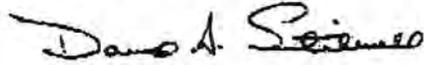
### Summary

- 1) The West Meadow Beach project area includes a diverse variety of fish and wildlife habitat.
- 2) The project should include development and implementation of a "human" recreational activities plan to maximize the potential for project success. We provided a number of sources of advice/information on how other land owners/managers have balanced human recreational use of beach front habitat and wildlife conservation.
- 3) The habitat restoration plans should specify types of habitat to be restored, the types of plantings likely to be established, and measures to control invasive plants.

The Service looks forward to working with you and the Town on this restoration project during its planning and implementation phases.

If you have any questions or require further assistance, please contact Steve Papa, Long Island Field Office at (631) 581-2941.

Sincerely,



David A. Stilwell  
Field Supervisor

References:

- Clark, K.E. and L.J. Niles. 2000. North Atlantic Regional Shorebird Plan. Endangered and Nongame Species Program in conjunction with Northern Atlantic Shorebird Habitat Working Group. New Jersey Division of Fish and Wildlife, Woodbine, NJ.
- New York State Department of State. 1987. As provided at the following website  
[http://nyswaterfronts.com/downloads/pdfs/sig\\_hab/LongIsland/Stony\\_Brook\\_Harbor\\_West\\_Meadow.pdf](http://nyswaterfronts.com/downloads/pdfs/sig_hab/LongIsland/Stony_Brook_Harbor_West_Meadow.pdf)
- U.S. Fish and Wildlife Service. 1996. Piping Plover (*Charadrius melodus*) Atlantic Coast Population Revised Recovery Plan. Hadley, MA. 258 pp.
- cc: Town of Brookhaven, Farmingville, NY (Hon. B.X. Foley, Supervisor; J. Turner, Div. Env. Prot.)

# **Appendix E**

## **Site and Building Report**



**SITE  
AND  
BUILDING REPORT  
FOR  
WEST MEADOW BEACH  
COTTAGE REUSE  
STONY BROOK  
NEW YORK**

PREPARED: AUGUST 25, 2006

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Prepared for:  
Cameron Engineering & Associates, LLP  
100 Sunnyside Blvd., Suite 100  
Woodbury, NY 11791  
Contact: Janice Jijina, PE, AICP  
Tel: 516-827-4900

Prepared by:  
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10-1 Technology Drive  
Setauket, NY 11733  
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Tel: (631) 689-8450

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Recommendations.....	Page 13-14
Cost Estimate.....	Page 14

## **EXISTING CONDITIONS**

### **OVERVIEW**

#### **Site**

West Meadow Beach is a 7,000 foot long peninsula adjacent the Long Island Sound and Smithtown Bay. The Site includes Trustees Road - an asphalt paved public right-of-way that runs in a North-South direction along the entire West Meadow Beach peninsula. The road is currently gated and closed to general vehicular traffic at the southern most point of The West Meadow Beach public parking lot. The elevation of the entire peninsula is approximately five to six feet above mean high tide. Sand and natural vegetation abut the road, extending throughout the cottage parcels and continue Westerly towards the Long Island Sound.

#### **Building Exteriors**

The existing single story buildings resemble bungalow style architecture, with many additions and alterations throughout the years. The cottages are all built using light wood frame construction with members being nailed together without the use of metal ties, anchors or strapping. All of the remaining cottages have an outside porch or deck. The exterior walls are clad with an array of materials including, cedar shingles, clapboard, vinyl, decorative plywood, cementitious/asbestos shingles, etc. and rooflines are typically low.

#### **Building Interiors**

The exterior walls, ceilings and underside of roofs consist largely exposed wood framing members with little or no thermal insulation. A wide variety of flooring materials were used such as painted plywood, roll vinyl, vinyl composite tile, carpet, and wood planking. All of the remaining cottages except cottage 106 have masonry chimneys with provisions for wood burning stoves. The building interiors appear to remain weatherproof, however there is significant interior damage due to, what appears to be from vandalism.

#### **Adjacent Properties**

At the Northern most point of the peninsula, and located directly North of cottage number 109 is West Meadow Town Beach. Vehicular access to the beach is provided via Trustees Road, at approximate mid point of the parking area which is paved in asphalt and extends the length of the beach, approximately 1200 feet long.

The Dr. Erwin J. Ernst Marine Conservation Center, run by the Ward Melville Heritage Organization, is situated approximately at the midway point of the peninsula on the East side of Trustees Road, just South of cottage number 75.

At the Southern most tip of the peninsula is a 1 ½ story structure named the Gamecock Cottage. It is our understanding that the facility will be run, occupied and maintained by others.

#### **Adjacent Roadways & Utilities**

Trustees Road is asphalt paved with no traffic lights and does not have a public sidewalk. The surrounding area is "flat" and the road does not appear to be pitching to the adjacent sand. No fire hydrants exist on the peninsula South of the developed portion of West Meadow Beach. There was no indication of a public water main in the street, and gas and sewer services were not observed. Electric, cable television and telephone services are routed parallel to Trustees Road, via overhead lines from utility poles bisecting each property.

#### **Cottage #109**



**General:**

Cottage number 109 is the Northern most building, abutting the parking lot of West Meadow Beach directly to the North. The cottage is approximately 22' wide x 44' deep, irregular in shape with the lowest portion of floor framing sitting approximately 3'-4" above grade and may have had multiple additions over time. Two small rooms which appear to have been used as bedrooms are located in the Northeastern corner and abut a small bathroom and kitchen located to the South. The main space is a large open room in the center of the building and abuts the kitchen & bedrooms to the East and an enclosed porch to the West.



Front Elevation



View of Garage from Front Porch



View of Garage from the Street



View of West Meadow Beach from Rear Deck



View of Main Space looking East



View of Main Space looking North

- **Foundation:**

The cottage is built on top of laterally braced locust posts, set directly in the sand below. No concrete or masonry foundations were visible other than the six-foot wide brick masonry fireplace on the North side of the structure.
- **Floor and Roof Construction:**

Cottage 109 is built on a 2 x 6 wood framed floor platform. The building consists of a 2x6 wood framed roof with an open ceiling and collar ties spaced approximately every 4'-0" o.c. The roof covering is asphalt shingles and bears upon partially enclosed wood stud walls.
- **Exterior Closure:**

The exterior is clad with both painted and unfinished wood clapboard on the front and side elevations. An enclosed porch in the rear is clad in "Texture 111" plywood both on the interior and exterior.
- **Exterior Decks, Stairs, Ramps & Walkways:**

The small covered wood deck in the front of the cottage serves as the point of entrance and is elevated 3 steps from grade. The approach is unobstructed and accessible directly from the front yard. The rear deck is finished with composite planking and steps down to a wood walkway that leads directly to the beach.
- **Accessory Structures:**

The detached 15'-6" x 19'-6" garage sits approximately 40 feet from the roadway and is situated to the South side of the parcel. The structure appears to sit on wood posts at grade with no observed concrete foundation. The wood framed structure is clad in vinyl. The roof covering consists of asphalt shingles.

**Cottage #106**



▪ **General:**

Cottage number 106 is located approximately 200 feet South of cottage 109. The cottage is approximately 18' wide x 45' deep, with a 9' x 4' notch in the North East corner. The lowest portion of floor framing sits approximately 3'-0" above grade and may have had multiple additions over time. Access to the interior was unavailable.



Cottage 105 & 106 viewed from the Street.



Front Elevation viewed from Front Walk.



North Elevation viewed from Cottage 109.

▪ **Foundation:**

The cottage is built on top of locust posts, set directly in the sand below. No concrete or masonry foundations were visible.

▪ **Floor and Roof Construction:**

Cottage 106 is built on a wood framed floor platform. The building appears to consist of a wood framed roof and the roof covering is asphalt shingles bearing upon wood stud walls.

▪ **Exterior Closure:**

The exterior is clad with both painted wood clapboard and painted "texture 111" plywood. Hinged plywood shutters cover most of the windows.

▪ **Exterior Decks, Stairs, Ramps & Walkways:**

A narrow set of wood steps set atop a wood platform at grade serves as the point of entrance. . The narrow concrete walkway leading from the front yard to the front entrance is obstructed with overgrown vegetation. The rear wood deck is elevated less than one foot, and is detached from the main structure. All decks and walkways are severely weathered, and rotting in many spots.

▪ **Accessory Structures:**

There are no accessory structures on lot number 106.

**Cottage #105**



▪ **General:**

Cottage number 105 sits south and adjacent to cottage number 106. The cottage is approximately 20'-6" wide x 40' deep, with a 4' x 8' notch in the Northeast corner. The lowest portion of floor framing sits approximately 2'-4" above grade and appears to have had multiple additions over time. The front door enters into a small kitchen. A small room in the front of the cottage, which appears to have been used as a bedroom, is accessed via a larger room to the West. A small bathroom is located in the South East corner and also accessed from this room. The main space is a large open room in the center of the building and abuts the kitchen & bedroom to the East and an enclosed porch to the West.



Rear Elevation viewed from Beach



Front Elevation viewed from Front Walk



View of Enclosed Porch



View from Main Space



View from Front Door



View from Enclosed Porch

▪ **Foundation:**

The cottage structure is built on top of locust posts, set directly in the sand below. No concrete or masonry foundations were visible other than the five-foot wide brick masonry fireplace on the North side of the structure.

▪ **Floor and Roof Construction:**

Cottage 105 is constructed on a wood framed floor platform. The ceiling and walls are finished with painted gypsum board and limited access to the attic is provided through a small hatch in the ceiling. The roof rafters bear upon the exterior wood stud walls and are most probably framed with 2 x 6's. The roof covering is asphalt shingles.

▪ **Exterior Closure:**

The exterior structure, including the rear enclosed porch, is clad with cedar shingles. Two wood columns that have severely deteriorated to the point where they are in danger of collapse support a small portico on the rear of the enclosed porch.

▪ **Exterior Decks, Stairs, Ramps & Walkways:**

A wood walkway and ramp from the front yard leads to the small wood platform in the front of the cottage. This serves as the point of entrance and is elevated 4 steps from grade. The narrow wood walkway leading from the front yard to the front entrance is obstructed with overgrown vegetation. The large wood deck in the rear of the cottage has a wood ramp that leads to a wood walkway towards the beach.

▪ **Accessory Structures:**

There are no accessory structures on lot number 105.

**Cottage #78**



▪ **General:**

Cottage number 78 is located in the mid section of the peninsula. The cottage is rectangular, approximately 22' wide x 43' deep, with the lowest portion of floor framing sitting approximately 1'-0" – 1'-6" above grade. It appears as though an addition was added in the front of the cottage. Access to the interior was unavailable, however previous photographs indicate the interior is fully finished with painted drywall on all walls and ceilings. There is a small loft towards the front of the cottage with access via a ladder.



Front Elevation



View of Walkway on Right Side



Rear Elevation



View from Main Space Looking towards the Front



View of Main Space Looking towards the Rear



View of Garage viewed from Front Porch

▪ **Foundation:**

Approximately three-quarters of the cottage is constructed on a poured concrete foundation with windows into a crawl space. The addition in the front of the cottage sits atop wood posts set directly in the sand below.

▪ **Floor and Roof Construction:**

Cottage 78 is built on a wood framed floor platform, most probably 2x6's. The walls and roof appear to be wood framed and the roof bears upon the exterior walls.

▪ **Exterior Closure:**

The entire exterior is clad with horizontal vinyl siding with the exception of the rear gable where it appears to have been recently removed. The roof covering is tin.

▪ **Exterior Decks, Stairs, Ramps & Walkways:**

The covered wood porch in the front of the cottage serves as the point of entrance and is elevated less than one foot from grade. The approach is unobstructed and accessible directly from the front yard. There is a continuous wood walkway at grade on the North side of the cottage that leads to the rear deck. The rear deck is approximately 22'-0" x 12'-0" and elevated three steps from grade.

▪ **Accessory Structures:**

The detached 18'-6" x 21'-6" garage sits approximately 45 feet from the roadway and is situated on the South side of the parcel. The structure appears to sit on wood posts at grade with no observed concrete foundation. The wood framed structure is clad in vinyl and the roof covering is tin. Several sections of roofing material are missing.

Cottage #75



▪ **General:**

Cottage number 75 is located in the mid section of the peninsula. The cottage is rectangular, approximately 22' wide x 38' deep, with the lowest portion of floor framing sitting approximately 4'-6" above grade and appears to have had multiple additions over time. The front door enters into the kitchen with a small bathroom in the Northeast corner. The main space is an open room in the center of the building that abuts two small rooms that were most likely used as bedrooms. An enclosed porch extends the width of the cottage and is accessed from the main space.



View from Front Yard



View from Front Deck Looking South



Front Steps



Enclosed Rear Porch



View of Main Space from Enclosed Porch



View from Kitchen

▪ **Foundation:**

The middle one-third of the cottage is constructed on a concrete block foundation with exterior access to a sand floor crawl space. The remaining two-thirds of the cottage is constructed on top of locust and 4x4 posts, set directly in the sand below.

▪ **Floor and Roof Construction:**

Cottage 75 is built on a 2x6 wood framed floor platform. The building consists of a 2x6 wood framed roof with an open ceiling in the rear enclosed porch. The remaining ceilings are covered with composite tiles. The roof covering is asphalt shingles and bears upon partially enclosed wood stud walls.

▪ **Exterior Closure:**

The entire exterior is clad with painted cementitious (possibly asbestos) shingles. The roof covering is asphalt shingles.

▪ **Exterior Decks, Stairs, Ramps & Walkways:**

An elevated wood deck and set of wood steps set atop a lower wood platform at grade serves as the point of entrance to the cottage. The approach is unobstructed and accessible directly from the front yard. The rear wood deck is elevated eight steps. The rear deck and stairs are severely weathered, and rotting in many spots.

▪ **Accessory Structures:**

There are no accessory structures on lot number 75.

## **RECOMMENDATIONS**

### **Overview**

The scope of work involves the existing unconditioned cottages. Work is limited to rehabilitating three of the five existing cottages. The remaining two shall be demolished and removed from the site. Recognized by The New York State Office of Parks, Recreation and Historic Preservation, and The United States Department of the Interior National Park Service, the buildings are of historical significance.

The historic recognition of these structures plays an important role in the rehabilitation requirements, as our preliminary investigation indicates that the existing structures need not comply with the flood design requirements for new construction. Final determination shall be made by the governing code officials.

A full Structural Analysis must be performed to determine structural adequacy, and the cottages must be made fully accessible to those with disabilities. Approved sanitary systems must be installed as determined by The Suffolk County Department of Health Services. It has been requested that Automatic Sprinklers or other fire suppression devices be installed in the remaining cottages, however further investigation of the existing water supply will be required. All cottages and their access are required to comply with ADA guidelines.

Of the five remaining structures, it is our understanding that The Town of Brookhaven intends to reuse three cottages and, either demolish the remaining two, or convert them to open structures. Cottages 109, 105 and 78 appear to most suitable for restoration and reuse.

### **Site**

The proposed occupancies raise several issues that must be addressed. All existing walkways are not adequate to meet the demands of the new occupancy and ADA guidelines. They will have to be replaced and constructed to meet minimum code requirements, including but not be limited to creating acceptable walkways and ramps into the buildings. An area in the front yards should be graded and leveled and a substrate provided to allow for adequate access to all walkways. New sanitary systems will be required for each cottage.

### **Building Exteriors**

It is the recommendation of William F. Collins AIA Architects, LLP that all existing windows and doors be replaced with impact resistant glazing for coastal construction and that these be protected by approved storm shutters. The roofing materials on the cottages appears to be at the end of its lifecycle and should be replaced as soon as possible. General repairs and maintenance will be necessary such as siding repairs, painting, intermittent framing replacements, etc. Acceptable guardrails and handrails shall be provided at all existing elevated decks, porches, stairs, etc. that are to remain.

### **Building Interiors**

All areas containing exposed non-metallic plastic sheathed wire should be either concealed within the wall cavities or replaced with metal conduit. The entry doors must be enlarged in width, and an accessible toilet facility will need to be provided in each cottage.

### **Electric, Heating, Ventilation and Air Conditioning**

The current electric services appear to be adequate to meet the demands of the project. New permanent lighting should be installed in each cottage. In lieu of electric heat, self contained fuel tanks such as LP Gas or Fuel Oil will need to be installed if heated buildings are desired. Local air conditioning units may be installed as required.

### **COST ESTIMATE**

The estimated preliminary estimated cost to rehabilitate three cottages as described above is \$250,000.

Appendix F Comments Received from the Public:  
Available upon request

Appendix G Master Plan Map: Unavailable

## **Appendix H**

### **Environmental Assessment Form and Negative Declaration of Significance**

**617.20  
Appendix A  
State Environmental Quality Review  
FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project:       Part 1       Part 2       Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

**Restoration of and Public Access Improvements to West Meadow Beach**

Name of Action

**Town of Brookhaven**

Name of Lead Agency

**John Turner**

Print or Type Name of Responsible Officer in Lead Agency

**Director, Environmental Protection & Land Management**

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

## PART 1--PROJECT INFORMATION

### Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3. It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action <b>Restoration of West Meadow Beach Master Plan</b>		
Location of Action (include Street Address, Municipality and County) <b>West Meadow Beach, Trustees Road, Stony Brook, NY 11790</b>		
Name of Applicant/Sponsor <b>Town of Brookhaven, Dept. of Environmental Protection &amp; Land Management</b>		Business Telephone: <b>631-451-6455</b>
Address <b>One Independence Hill</b>		
City/PO <b>Farmingville</b>	State: <b>NY</b>	Zip Code <b>11738</b>
Name of Owner(if different) <b>NA</b>		Business Telephone ( )
Address <b>NA</b>		
City/PO <b>NA</b>	State	Zip Code
Description of Action <b>Master Plan for retention and rehabilitation of five (5) cottages and the Gamecock Cottage (Gamecock Cottage for museum and caretaker residence; cottage 106 for park ranger residence; cottage 109 for parks and public safety offices; cottage 105 for visitors with special needs; cottages 75 and 78 for environmental education center); reconstruction of paved roadway and burial of utilities; regrading of areas where dredged material deposited in 2005; removal of invasive and exotic plant species; planting of native, non-invasive grasses and shrubs in some non-vegetated areas; protection of nesting plovers and terns and diamondback terrapins; stabilization of portion of Town-owned creek bank; erection of osprey pole; Installation of three (3) kayak and canoe access areas; at Gamecock Cottage, at creek bend by Cottage 78, through County horse farm (with approvals); construction of three (3) wooden boardwalks and six (6) kiosks; delineation of unpaved Nature Trail from parking area to Gamecock Cottage.</b>		

Please Complete Each Question--Indicate N.A. if not applicable

### A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use:     Urban             Industrial             Commercial             Residential (suburban)  
 Rural (non-farm)     Forest             Agriculture             Other Public Park

2. Total acreage of project area: 56.7 acres

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>17.8</u> acres	<u>22.8</u> acres
Forested	<u>8.7</u> Acres	<u>8.7</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0.0</u> acres	<u>0.0</u> acres
Wetland(Freshwater or tidal as per Articles 24,25 of ECL)	<u>8.0</u> acres	<u>8.0</u> acres
Water Surface Area	<u>0.0</u> acres	<u>0.0</u> acres
Unvegetated (Rock, earth or fill)	<u>19.2</u> acres	<u>14.2</u> acres
Roads, buildings and other paved surfaces	<u>3.0</u> acres	<u>3.0</u> acres
Other	<u>0.0</u> acres	<u>0.0</u> acres

3. What is predominant soil type(s) on project site? Beaches (Bc) and Dune Land (Du)
- a. Soil drainage:     Well-drained 100 % of site     Moderately well drained \_\_\_\_\_ % of site  
 Poorly drained \_\_\_\_\_ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? NA acres (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site?     Yes             No
- a. What is depth to bedrock? NA (in feet)

5. Approximate percentage of proposed project site with slopes:  0-10% 100 %  10-15% \_\_\_\_\_ %  15% or greater \_\_\_\_\_ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places?  Yes  No listed on the State/National Register (West Meadow Beach Cottages Historic District)
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?  Yes  No
8. What is the depth of the water table? ~4 (in feet)
9. Is site located over a primary, principal, or sole source aquifer?  Yes  No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?  Yes  No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
 Yes  No According to New York State Department of Environmental Conservation  
 Identify each species Piping Plover (*Charadrius melodus*), Roseate Tern (*Sterna dougallii*), Great Egret (*Ardea alba*),  
 Least Tern (*Sterna antillarum*), Common Tern (*Sterna hirundo*), Northern Gamma Grass (*Tripsacum dactyloides*)
12. Are there any unique or unusual landforms on the project site? i.e., cliffs, dunes, other geological formations)  
 Yes  No Describe Tidal wetland, beach, groins, small sand dunes
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
 Yes  No If yes, explain In use as a Public Park
14. Does the present site include scenic views known to be important to the community?  
 Yes  No
15. Streams within or contiguous to project area West Meadow Creek  
 a. Name of Stream and name of River to which it is tributary Discharges to Long Island Sound
16. Lakes, ponds, wetland areas within or contiguous to project area:  
 a. Name West Meadow Creek wetland – contiguous to site b. Size (In acres) +/- 43
17. Is the site served by existing public utilities?  Yes  No  
 a. If Yes, does sufficient capacity exist to allow connection?  Yes  No  
 b. If Yes, will improvements be necessary to allow connection?  Yes  No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  
 Yes  No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?  Yes  No
20. Has the site ever been used for the disposal of solid or hazardous wastes?  Yes  No

## B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 56.7 acres.
- b. Project acreage to be developed: 0 acres initially; 0 acres ultimately. (No development proposed)
- c. Project acreage to remain undeveloped 56.7 acres.
- d. Length of project, in miles: one (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed NA %
- f. Number of off-street parking spaces existing +/- 337; proposed +/- 337
- g. Maximum vehicular trips generated per hour +/- 92 trips on Sunday to/from Park,  
however, Trustees Road open only by permission (upon completed of project).
- h. If residential, Number and type of housing units: NA  
 One Family      Two Family      Multiple Family      Condominium  
 Initially \_\_\_\_\_  
 Ultimately \_\_\_\_\_
- i. Dimensions (in feet) of largest proposed structure \_\_\_\_\_ height; \_\_\_\_\_ width; \_\_\_\_\_ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? ~5600 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 100 tons/cubic yards. (dredged material)
3. Will disturbed areas be reclaimed?  Yes  No  N/A Some of dredged material areas to be revegetated
- a. If yes, for what intended purpose is the site being reclaimed? For natural areas
- b. Will topsoil be stockpiled for reclamation?  Yes  No NA
- c. Will upper subsoil be stockpiled for reclamation?  Yes  No NA
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
 Yes  No
6. If single-phase project: Anticipated period of construction \_\_\_\_\_ months.
7. If multi-phased: 48 months
- a. Total number of phases anticipated 4 (number).
- b. Anticipated date of commencement phase 1 3 month 2007 year, (including demolition).
- c. Approximate completion date of final phase 3 month 2012 year.
- d. Is phase 1 functionally dependent on subsequent phases?  Yes  No
8. Will blasting occur during construction?  Yes  No
9. Number of jobs generated: during construction? +/-10; after project is complete? 1-3 (
10. Number of jobs eliminated by this project? 0
11. Will project require relocation of any projects or facilities?  Yes  No If yes, explain Shift & elevate Gamecock Cottage
12. Is surface liquid waste disposal involved?  Yes  No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_
- b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved?  Yes  No Type Sanitary Sewerage
14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No  
 Explain \_\_\_\_\_
15. Is project, or any portion of project, located in a 100-year flood plain?  Yes  No
16. Will the project generate solid waste?  Yes  No (from cottages used for caretakers, education, visitors)
- a. If yes, what is the amount per month? 500 cy.
- b. If yes, will an existing solid waste facility be used?  Yes  No
- c. If yes, give name Town of Brookhaven; location local Town facility
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No
- e. If yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste?  Yes  No
- a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/day permitted capacity.
- b. If yes, what is the anticipated site life: \_\_\_\_\_ years.
18. Will project use herbicides or pesticides?  Yes  No  May (possibly for control of invasive plants)
19. Will project routinely produce odors (more than one hour per day)?  Yes  No
20. Will project produce operating-noise exceeding the local ambient noise levels?  Yes  No
21. Will project result in an increase in energy use?  Yes  No  
 If yes, indicate type(s) Minor increase associated with educational, security, and residential use of cottages
22. If water supply is from wells, indicate pumping capacity NA gallons/minute.
23. Total anticipated water usage per day \_\_\_\_\_ gallons/day.
24. Does project involve Local, State or Federal funding?  Yes  No  
 If yes, explain, Town and State support used to fund Master Plan

**25. Approvals Required:**

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Site Plan - Town	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Sanitary disposal - NC DOH Water supply - SCWA	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Wetland Permit - DEC, DOS	_____
Federal Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Wetland Permit - ACOE	_____

**C. ZONING and PLANNING INFORMATION**

- Does proposed action involve a planning or zoning decision?  Yes  No  
If Yes, indicate decision required:  
 zoning amendment     zoning variance     special use permit     subdivision     site plan  
 new/revision of master plan     resource management plan     other \_\_\_\_\_
- What is the zoning classification(s) of the site? Residential
- What is the maximum potential development of the site if developed as permitted by the present zoning?  
NA
- What is the proposed zoning of the site? Residential
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
NA
- Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?  
Residential
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4-mile?  Yes  No
- If the proposed action is the subdivision of land, how many lots are proposed? NA  
a. What is the minimum lot size proposed? NA
- Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?  
 Yes  No Recreation, police, fire protection, similar to existing conditions  
a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No
- Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No  
a. If yes, is the existing road network adequate to handle the additional traffic?  Yes  No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_  
Signature \_\_\_\_\_ Title \_\_\_\_\_

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

## Part 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

### General Information (Read carefully)

- In completing the form, the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The Examples provided are to assist the reviewer by showing types of impacts and, wherever possible, the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

### Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur, but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact, then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

### IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?  
 No     Yes

#### Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts:

#### Four project phases over 48 months

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)     No     Yes

- Specific land forms:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

### IMPACT ON WATER

3. Will the proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)  
 No  Yes

**Examples that would apply to column 2**

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts:

**Activities will be adjacent to tidal wetlands**

4. Will proposed action affect any non-protected existing or new body of water?  
 No  Yes

**Examples that would apply to column 2**

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts:

5. Will Proposed Action affect surface or groundwater quality or quantity?  
 No  Yes

**Examples that would apply to column 2**

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No



- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff).
- Other impacts:

**IMPACT ON AESTHETIC RESOURCES**

11. Will proposed action affect aesthetic resources?  No  Yes  
(If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from, or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate, or significantly reduce, their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination, or significant screening, of scenic views known to be important to the area.
- Other impacts:

Views from roadway to shorebird nesting areas to be screened with vegetation. Some dredged material to be removed/regraded to improve water views.

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance?  No  Yes

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts:

Portion of site designated as West Meadow Beach Historic District

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?  No  Yes

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?  No  Yes  
 List the environmental characteristics that caused the designation of the CEA.

High rank for overall significance

High rank for ecosystem rarity

High rank for species vulnerability

Considered irreplaceable

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts:

Threatened and endangered species to be protected

**IMPACT ON TRANSPORTATION**

15. Will there be an effect to existing transportation systems?  No  Yes

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts:

**IMPACT ON ENERGY**

16. Will proposed action affect the community's sources of fuel or energy supply?  No  Yes

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
<input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/> Yes  <input type="checkbox"/> Yes  <input type="checkbox"/> Yes  <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No  <input type="checkbox"/> No  <input type="checkbox"/> No  <input type="checkbox"/> No  <input type="checkbox"/> No
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<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/> Yes  <input type="checkbox"/> Yes  <input type="checkbox"/> Yes	<input type="checkbox"/> No  <input type="checkbox"/> No  <input type="checkbox"/> No

**NOISE AND ODOR IMPACTS**

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? No Yes

**Examples** that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: \_\_\_\_\_

**IMPACT ON PUBLIC HEALTH**

18. Will Proposed Action affect public health and safety? No Yes

**Examples** that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.).
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: \_\_\_\_\_

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

19. Will proposed action affect the character of the existing community? No Yes

**Examples** that would apply to column 2

- The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)
- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with officially adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: \_\_\_\_\_

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? No Yes

If any action in Part 2 is identified as a potential large impact, or if you cannot determine the magnitude of the impact, proceed to Part 3

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

**Date:** March 1, 2007

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Brookhaven, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**I. NAME OF ACTION:**

Restoration of and Public Access Improvements to West Meadow Beach  
Stony Brook, NY

**II. SEQRA STATUS:**

Unlisted Action

**III. CONDITIONED NEGATIVE DECLARATION**

No

**IV. DESCRIPTION OF ACTION:**

Master Plan for retention and rehabilitation of five (5) cottages and the Gamecock Cottage (Gamecock Cottage for museum and caretaker residence; cottage 106 for park ranger residence; cottage 109 for parks and public safety offices; cottage 105 for visitors with special needs; cottages 75 and 78 for environmental education center); reconstruction of paved roadway and burial of utilities; regrading of areas where dredged material deposited in 2005; removal of invasive and exotic plant species; planting of native, non-invasive grasses and shrubs in some non-vegetated areas; protection of nesting plovers and terns and diamondback terrapins; stabilization of portion of Town-owned creek bank; erection of osprey pole; Installation of three (3) kayak and canoe access areas; at Gamecock Cottage, at creek bend by Cottage 78, through County horse farm (with approvals); construction of three (3) wooden boardwalks and six (6) kiosks; demarcation of unpaved Nature Trail from parking area to Gamecock Cottage.

## **V. LOCATION:**

West Meadow Beach is a Town of Brookhaven park on a 7,000 foot long peninsula adjacent to the Long Island Sound and Smithtown Bay. It is approximately 57 acres and is located in Stony Brook in Suffolk County.

## **VI. REASONS FOR SUPPORTING THE DETERMINATION:**

Parts I and II of the State Environmental Assessment Form (EAF) were completed by the Town's consultant, Cameron Engineering & Associates, LLP and reviewed by the Town's professional staff. No potentially large adverse impacts were anticipated by the action. A few potentially small impacts were identified along with appropriate mitigation measures. Following are highlights of those aspects of the EAF.

### **A. IMPACT ON LAND**

The project is anticipated to include four (4) phases. Most of the land disturbance would occur in Phase I when the road will be re-constructed and utilities buried. In addition, some minor regrading and removal of some of the dredged material placed on the site in 2005 will be conducted.

### **B. IMPACT ON WATER**

The entire site is adjacent to tidal wetlands, beach, and intertidal areas. Special erosion and sediment control measures will be taken and vegetation protected to minimize any impacts on the waters and wetlands that surround the site.

### **C. IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

A portion of West Meadow Beach has been registered on the National Register of historic places. The Gamecock Cottage is a Town registered landmark. Activities will be coordinated with the New York's State Historic Preservation Office, the Town Historian and Parks and Recreation offices.

### **D. IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

The proposed action will occur within a State designated Critical Environmental Area (CEA). The CEA was ranked high for overall significance, high for ecosystem rarity, high for species vulnerability and is considered irreplaceable. As a result of the action, the area's plants and animals will be protected. Non-native and invasive species will be replaced with natives and non-invasives over time. Threatened and endangered species will be protected. Educational signage will highlight the sensitivity of the site and will list park usage guidelines that recognize its environmental significance.

### **E. CONSTRUCTION RELATED**

Heavy construction vehicles will be on site during the first phase of the project for the road repair, utility burial, and dredged material removal and regrading. Other construction vehicles will be on site for the modifications required to the cottages. Potential construction related impacts will be short term. Vegetation and wildlife will be protected from construction vehicles and related damage.

## **Appendix I**

### **Horse Farm Acquisition Documents and West Meadow Creek Access**

## APPENDIX H - HORSE FARM ACQUISITION DOCUMENTS AND CREEK ACCESS

A rider to the sale of the horse farm property by the Stony Brook Community Fund (predecessor to the WMHO) to Mr. Hugh Cassidy has been cited by the WMHO as evidence that it has legal authority to grant or restrict access to the creek for kayakers, canoers, and tubing enthusiasts. The Town Attorney's office is investigating similar access scenarios in New York State for guidance. One such case is described briefly below.

In a discussion of the Public Trust Doctrine, the New York State Department of State, Division of Coastal Resources ([http://www.nyswaterfronts.com/waterfront\\_public\\_trust.asp](http://www.nyswaterfronts.com/waterfront_public_trust.asp)) cites a legal case that addressed this issue stating the following:

*Rivers whose bed and banks are in private ownership may also provide opportunities for public use, including incidental portage on riparian lands, if they are navigable-in-fact. The ability of a river to accommodate recreational uses, such as canoeing and kayaking, can establish that a river is navigable-in-fact, Adirondack League Club v. Sierra Club, 92 N.Y. 2d 591 (1998).*

The New York Court of Appeals in deciding this case stated that if a river has been shown to be "navigable" by its use for recreational canoeing and kayaking, it could then be accessed by the public even if access required crossing a privately held river bank or river bed:

*"The right to navigate carries with it the incidental privilege to make use, when absolutely necessary, of the bed and banks, including the right to portage on riparian lands (People ex rel. Erie R.R. Co. v State Tax Comm'n, supra, at 454; People v Kraemer, 7 Misc2d 373, 383-384, aff'd, 6 NY2d 363; see also, Restatement (Second) of Torts § 193 comment d).*



# Town of Brookhaven Long Island

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3/6/07  
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**Brian X. Foley**, Supervisor

February 28, 2007

Ms. Gloria Rocchio  
President  
Ward Melville Heritage Organization  
Box 572  
Stony Brook, NY 11790

Dear Ms. Rocchio:

As you know, over the past year the Town of Brookhaven has been developing a Master Plan for West Meadow Beach. The purpose of the Master Plan is to provide a policy framework to guide the town in implementing strategies to protect the significant natural resources and environmental setting at West Meadow Beach while simultaneously providing appropriate levels of public access and educational opportunities.

With regard to public access and educational opportunities, one of the proposals in the draft plan is the establishment of a small canoe/kayak launch site on West Meadow Creek on the shoreline of the Suffolk County Old Field Horse Farm Property. The placement of the launch site would also extend onto property owned by the Ward Melville Heritage Organization. The intent of the site is to provide the public an opportunity to enjoy, access, and learn about the natural environment and resources of West Meadow Creek and Beach. To ensure that we achieve this last objective we envision working in concert with your organization in establishing what we believe would be only the second interpretive water trail on Long Island. We believe this trail would be consistent with, and complementary to, your organization's very successful environmental education programs.

At one of the recent Advisory Committee meetings, Mr. Charles Pieroth recommended that I write to you to gain your organization's perspective on the proposed launch site. Thus, I would appreciate it if you could bring this issue to the attention of your governing board for deliberation and inform the Town of WMHO's position on this

**Department of Planning, Environment and Land Management**  
Division of Environmental Protection  
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6455  
[www.brookhaven.org](http://www.brookhaven.org)

EXHIBIT B

NORTH SHORE HORSE SHOW GROUNDS

(OLD FIELD FARM COUNTY PARK)

COVENANTS

As described in a deed dated June 26, 1981 between the Stony Brook Community Fund and Hugh J.B. Cassidy, III, recorded July 31, 1981 in Liber 9045 of Conveyances at page 382 at the Office of the County Clerk.

SUBJECT to the following covenants and restrictions, which shall be construed as real covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, devisees, legal representatives, successors and assigns.

The Stony Brook Community Fund ("party of the first part"), established under the terms of a charitable trust executed by Ward Melville on December 29, 1939 to foster and maintain the tradition and heritage of the Three Village area of Setauket, Stony Brook and Old Field, hereby sets forth these covenants in order to foster to the extent possible, the continuity of the North Shore Horse Show Grounds as a show place for the staging of horse shows and as a significant property within the Three Village; specifically, it is the intention of the Trustees of the party of the first part to retain and maintain the demised "horse show grounds" as a property for the staging of horse shows, and for such other limited purposes as are in keeping with the traditional usage of the demised premises. It is the further desire of the party of the first part to maintain the premises in its natural state as a horse show grounds due to the ownership by the party of the first part of the adjacent wetlands located to the south of the subject premises. The party of the first part does, however, recognize the possibility that the demised premises may not, due to circumstances beyond the control of the "owner", be maintained as a horse show grounds in perpetuity and, accordingly, covenants and restrictions are herein provided for the development of the demised property for housing:

(a) That the demised premises will be utilized solely: for the operation of a maximum of six (6) horse shows per year (the maximum length of any show to be five (5) consecutive days); the stabling of a maximum of eighteen horses on a permanent basis at times other than horse shows (during horse shows the number of horses allowed to be stabled shall be unlimited); and the operation of a limited riding/training school which is to accommodate and be for the benefit of the owners of stabled horses; the operation of a limited riding/training school is to be permitted, provided that there are no more than six (6) students in the class.

(b) That there shall not be constructed on the demised premises any building or facility without the express written approval of the party of the first part, its successors or assigns, except

(j) That no change or alteration made to the exterior of any of the facilities on the grounds shall be permitted without the written approval of the party of the first part, its successors or assigns, which approval will not be unreasonably withheld; specifications showing the nature, kind, shape, height, material and location of any alteration to existing facilities will be provided to the party of the first part, its successors or assigns, by the owner.

(k) That the owner, his successors and assigns shall make every effort to maintain the demised premises as a horse show grounds; it being recognized by the party of the first part, however, that the death of the purchaser or conditions beyond his control relative to the staging of horse shows and the undertaking of a limited riding/training school may, in the future, not be possible and, accordingly, the following covenants shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, devisees, legal representatives, successors and assigns: \* (i) that the owner shall have the right to develop the demised premises for a maximum of nine (9) residential units; (ii) that any subdivision map of the demised premises for the construction of nine or less houses must be approved by the party of the first part, its successors or assigns; (iii) that no structure shall be used or erected or altered and no part of any subdivision lot shall be used for any purpose except as a dwelling house for a single family usage without the consent of the party of the first part, its successors or assigns; (iv) that no house or building shall be erected or maintained upon any part of said premises, nor any change or alteration made in the exterior thereof unless the plans and specifications thereof showing the nature, kind, shape, height, material and location of the said structure shall have been submitted to and approved in writing by the party of the first part, its successors or assigns; (v) that the said premises shall not be used for any business purpose whatsoever, nor for any purpose other than for a strictly private residence, and that no goods or merchandise of any kind shall be manufactured, sold or kept for sale or exhibition therein and that no business or trade shall be carried on or practiced on said premises or any part thereof; (vi) that no animals, poultry or livestock of any kind, except such as are commonly known as household pets, shall be kept and maintained on the said premises or any part thereof unless, in each instance, written permission shall first be obtained from the party of the first part, its successors or assigns; (vii) that no signs of any kind or description shall be exhibited or displayed, nor any fence be erected upon any part of the property set forth on the subdivision map without the written consent of the party of the first part, its successors or assigns; (viii) that no sewage, treated or untreated, or refuse of any kind shall be emptied or allowed to be emptied, into the waters of West Meadow Creek from or through any part of the property hereby restricted; (ix) that no dock, wharf or shoreside facility of any kind shall be constructed along the shore of West Meadow Creek by any owner, nor shall any boat of any kind or nature be moored along the shore of West Meadow Creek, it being understood that each lot owner has title to the high mean watermark only and that title to the creek

\*In the event the demised premises are not used for the purposes set forth in letter (a) of these covenants and restrictions.





RIDER

- (f) That no sound amplification system will be utilized by the owner other than in conjunction with the staging of horse shows; during horse show events no sound amplification system will be utilized prior to 8:00 a.m. on any Sunday, or after 9:00 p.m. on any day of the week.
- (g) That dust control of the grounds will be maintained by the owner during all horse show events using reasonable methods taking into consideration weather conditions.
- (h) That no permanent sign other than an "owner identity" sign of residential size shall be erected or placed on any structure located on the grounds except for days of horse shows when signs of the type traditionally used shall be permitted.
- (i) That no dock, wharf, or shoreside facility of any kind shall be constructed, nor permitted to be constructed, along the shore of West Meadow Creek by the owner; nor shall any boat of any kind or nature be moored along the shore of West Meadow Creek.
- (j) That no change or alteration made to the exterior of any of the facilities on the grounds shall be permitted without the written approval of the party of the first part, its successors or assigns, which approval will not be unreasonably withheld; specifications showing the nature, kind, shape, height, material and location of any alteration to existing facilities will be provided to the party of the first part, its successors or assigns, by the owner.
- (k) That the owner, his successors and assigns shall make every effort to maintain the demised premises as a horse show grounds; it being recognized by the party of the first part, however, that the death of the purchaser or conditions beyond his control relative to the staging of horse shows and the undertaking of a limited riding/training school may, in the future, not be possible and, accordingly, the following covenants shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, devisees, legal representatives, successors and assigns: (i) that the owner shall have the right to develop the demised premises for a maximum of nine (9) residential units; (ii) that any subdivision map of the demised premises for the construction of nine or less houses must be approved by the party of the first part, its successors or assigns; (iii) that no structure shall be used or erected or altered and no part of any subdivision lot shall be used for any purpose except as a dwelling house for a single family usage without the consent of the party of the first part, its successors or assigns; (iv) that no house or building shall be erected or maintained upon any part of said premises, nor any change or alteration made in the exterior thereof unless the plans and specifications thereof showing the nature, kind, shape, height, material and location of the said structure shall have been submitted to and approved in writing by the party of the first part, its successors or assigns; (v) that the said premises shall not be used for any business purpose whatsoever, nor for any purpose other than for a strictly private residence, and that no goods or merchandise of any kind shall be manufactured, sold or kept for sale or exhibition therein and that no business or trade shall be carried on or practiced on said premises or any part thereof; (vi) that no animals, poultry or livestock of any kind, except such as are commonly known as household pets, shall be kept and maintained on the said premises or any part thereof unless, in each instance, written permission shall first

\* in the event the demised premises are not used for the purposes set forth in letter (a) of these covenants and restrictions.

A. AS  
Per. KO  
att. [unclear]  
5/1/51

be obtained from the party of the first part, its successors or assigns; (viii) that no signs of any kind or description shall be exhibited or displayed, nor any fence be erected upon any part of the property set forth on the subdivision map without the written consent of the party of the first part, its successors or assigns; (viii) that no sewage, treated or untreated, or refuse of any kind shall be emptied or allowed to be emptied, into the waters of West Meadow Creek from or through any part of the property hereby restricted; (ix) that no dock, wharf or shoreside facility of any kind shall be constructed along the shore of West Meadow Creek by any owner, nor shall any boat of any kind or nature be moored along the shore of West Meadow Creek, it being understood that each lot owner has title to the high mean water mark only and that title to the creek is vested in the party of the first part; (x) that all restrictions, reservations, conditions, covenants, easements, charges and agreements contained in this declaration shall run with the land in perpetuity; (xi) that no owner of any plot or any grantee of any owner of any plot shown upon the subdivision map shall grant the right of ingress or egress over said plot as a public or private roadway to or from any of the public roads surrounding the premises shown on said map, nor grant the right to extend any of the public utilities over said plot to the property surrounding the premises shown on the subdivision map without the written approval of the party of the first part, its successors or assigns.

(l) That the party of the first part/shall maintain the property it has retained, i.e. the bed of West Meadow Creek from the creek's high mean water mark to its center line, in a natural state and undeveloped in perpetuity. It is provided, however, that the party of the first part may, at some point, transfer title to that part of West Meadow Creek which it owns to the Long Island Nature Conservancy or such similar organization.

(m) That it is understood that in the event the owner, his successors or assigns, or the party of the first part, its successors or assigns, shall violate or fail to carry out any of the foregoing covenants and restrictions on their parts to be carried out, proceedings to enforce compliance therewith by injunction or other means may be brought by the party of the first part, its legal representatives, successors or assigns, or by the owner, his successors or assigns, as the case may be; and failure to bring any such action shall not be held to be a waiver of any rights of the party of the first part, its successors or assigns or of the owner, his successors or assigns, as the case may be, to enforce compliance therewith.

(n) That anything hereinbefore contained to the contrary, notwithstanding the party of the first part, its successors or assigns, shall have at all times the right and power to extinguish, modify, cancel or release any one or more of the foregoing covenants, restrictions or reservations except those set forth in letter (l) of these covenants and restrictions.

*A.B.S.  
Per K.G. [unclear]  
atty. for [unclear]  
Beard [unclear]*

18743 9-15-86

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any income and rents showing the above described premises to the center lines thereof.

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" wherever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF



THE STONY BROOK COMMUNITY FUND

By: \_\_\_\_\_

A. Bernard Shea/Secretary

104 3045 387

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SUFFOLK

On the 26<sup>th</sup> day of June, 19 81, before me personally came *A. Bernard Shea* to me known, who, being by me duly sworn, did depose and say that he resides at No. *Stony Brook, N.Y.*

that he is the *Secretary* of THE STONY BROOK COMMUNITY FUND, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

*Priscilla W. Smith*  
Notary Public

PRISCILLA W. SMITH  
Notary Public, State of New York  
No. 525080300, Suffolk County  
Term Expires March 30, 19 82

STATE OF NEW YORK, COUNTY OF

On the day of 19 before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

**Bargain and Sale Deed**  
WITH COVENANT AGAINST GRANTOR'S ACTS  
TITLE No. 9100 - 02129  
THE STONY BROOK COMMUNITY FUND

TO  
HUGH J. B. CASSIDY, III

SECTION 085.00  
BLOCK 01.00  
LOT 001.001  
COUNTY OR TOWN

*Suffolk*  
CHICAGO TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

DONALD KETTALIATA, ESQ.  
285 W. Main Street  
Sayville, N.Y. 11782

Zip No.

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SUFFOLK COUNTY  
 EXECUTOR'S DEED

THIS INDENTURE, made the 12<sup>th</sup> day of March, 1989

BETWEEN DONALD A. KETTALIATA, residing at 8 DeMarre Lane, Sayport, New York, as executor of the ESTATE OF HUGH J. B. CASSIDY III, the last will and testament of Hugh J. B. Cassidy III, late of 90 West Meadow Road, East Secaucus, Town of Brookhaven, County of Suffolk, deceased, party of the first part,

AND the COUNTY OF SUFFOLK, a municipal corporation, having its principal offices at County Center, Riverhead, New York, and the TOWN OF BROOKHAVEN, a municipal corporation, having its offices at 3233 Route 112, Medford, New York, party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of NINE HUNDRED NINETY-NINE THOUSAND FIVE HUNDRED (\$999,500.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL, that certain plot, piece, or parcel of land, with the buildings and improvements thereon erected, situate, lying, and being in the Town of Brookhaven, County of Suffolk and State of New York known and being more particularly bounded and described as follows:

**BEGINNING** at a point on the southerly side of West Meadow Road where the same is intersected by the westerly side of land now or formerly of Hugh J. B. Cassidy III; said point or place of beginning being also distant 1015.19 feet westerly as measured along the southerly side of West Meadow Road from the corner formed by the intersection of the southerly side of West Meadow Road with the westerly side of Mt. Gray Road;

**RUNNING THENCE** from said point or place of beginning along the westerly side of land now or formerly of Hugh J. B. Cassidy III, south 50 degrees, 58 minutes 48 seconds east (south 50 degrees, 26 minutes, 00 seconds east deed) 220.47 feet to the mean high water mark of West Meadow Creek;

**THENCE** along the mean high water mark of West Meadow Creek along a tie line the following 7 courses, curves and distances:

- 1) South 10 degrees, 54 minutes, 38 seconds west (south 11 degrees, 27 minutes, 26 seconds west deed) 391.24 feet;
- 2) Southwesterly along the arc of a curve bearing to the right having a radius of 87.08 feet a distance of 90.78 feet;
- 3) South 70 degrees, 38 minutes, 09 seconds west (south 71 degrees, 10 minutes, 57 seconds west deed) 552.34 feet;
- 4) South 62 degrees, 24 minutes, 16 seconds west 115.86 feet;
- 5) South 45 degrees, 56 minutes, 24 seconds west (south 46 degrees, 29 minutes, 12 seconds west deed) 59.87 feet;
- 6) Southwesterly along the arc of a curve bearing to the left having a radius of 167.68 feet a distance of 141.05 feet;
- 7) South 02 degrees, 15 minutes, 25 seconds east (south 01 degrees, 42 minutes, 37 seconds east deed) 291.69 feet to land now or formerly of the Town of Brookhaven;

DISTRICT  
 0200

SECTION  
 085.00

BLK  
 01.00

LOT  
 001.003



108:2 1213

**THENCE** along said last mentioned land, south 63 degrees, 13 minutes, 32 seconds west (south 63 degrees, 46 minutes, 20 seconds west deed) 272.38 feet to the easterly side of Trustees Road;

**THENCE** along the easterly side of Trustees Road the following 3 courses, curves and distances:

- 1) North 03 degrees, 52 minutes, 02 seconds east (north 04 degrees, 24 minutes, 50 seconds east deed) 417.22 feet;
- 2) North 15 degrees, 09 minutes, 02 seconds east (north 15 degrees, 41 minutes, 50 seconds east deed) 476.62 feet;
- 3) Northeasterly along the arc of a curve bearing to the right having a radius of 346.69 feet a distance of 342.33 feet to the southerly side of West Meadow Road;

**THENCE** along the southerly side of West Meadow Road the following 3 courses, curves and distances:

- 1) North 71 degrees, 43 minutes, 32 seconds east (north 72 degrees, 16 minutes, 20 seconds east deed) 104.83 feet;
- 2) Easterly along the arc of a curve bearing to the left having a radius of 1103.25 feet a distance of 356.86 feet;
- 3) Easterly along the arc of a curve bearing to the left having a radius of 1472.96 feet a distance of 150.54 feet to the point or place of beginning.

**BEING AND INTENDED** to be the same premises conveyed by The Stony Brook Community Fund to Hugh J. B. Cassidy III, by deed dated June 26, 1981, and recorded July 31, 1981 in Liber 9045, cp. 382.

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**THE WORD "PARTY"** shall be construed as if it read "parties" whenever the sense of this indenture so requires.



1982 1988

THIS RESOLUTION, made the 10th day of March, nineteen hundred and eighty-eight BETWEEN the Town of Brookhaven, a Municipal Corporation with offices at 3333 Route 11, Medford, New York 11761

party of the first part and the County of Suffolk, a municipal corporation with principal offices at County Center, Riverhead, New York.

party of the second part.

WITNESSETH, that the party of the first part in consideration of ten dollars and other valuable considerations paid by the party of the second part, does hereby grant and release unto the party of the second part, the full and complete title and interest of the party of the second part herein.

ALL that certain piece, piece or parcel of land, with the buildings and improvements thereon, being and being in the Town of Brookhaven, County of Suffolk and State of New York known and being more particularly bounded and described as follows:

See Schedule A annexed.

This transfer is authorized by resolution of the Town Board of the Town of Brookhaven dated December 6, 1988 which resolution authorizes this transfer pursuant to General Municipal Law §72-(h).



TAX MAP  
DESCRIPTION

0200

085.09

01.00

001.003



TOGETHER with all rights, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the extent hereinafter set forth; TOGETHER with the appurtenances and all the estate and right of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 11 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as it is read "parties" whenever the sense of this instrument so requires. IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN WITNESS OF:

TOWN OF BROOKHAVEN

By: PETER A. SCULLY  
Deputy Supervisor

STATE OF NEW YORK, COUNTY OF  
On the day of 19 before me personally came

STATE OF NEW YORK, COUNTY OF  
On the day of 19 before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SUFFOLK  
On the 10th day of March 1989, before me personally came Peter A. Scully to me known, who, being by me duly sworn, did depose and say that he resides at No. 47 Lubber Street, Stony Brook, New York 11790 that he is the Deputy Supervisor of the Town of Brookhaven

STATE OF NEW YORK, COUNTY OF  
On the day of 19 before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No that he knows

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

*Adriana E.*  
**ADRIANA E. FINE**  
Notary Public, State of New York  
No. 0000000  
Qualified in Suffolk County  
Commission Expires March 30, 1997

**Receipt and State Seal**  
Without Coverlet Finest Charter Act  
No. 7

SECTION 085.00  
ALERT 01.00  
LOT 001.003

COUNTY OR TOWN  
STREET ADDRESS  
TAX BILLING ADDRESS **CHICAGO TITLE INSURANCE COMPANY**

Revised At Request of The Tax Guaranty Company  
**RETURN BY MAIL TO:**



**CHICAGO TITLE INSURANCE COMPANY**  
87 EAST 43RD STREET  
NEW YORK, NEW YORK 10017

10822 N210

SCHEDULE A

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF WEST MEADOW ROAD WHERE THE SAME IS INTERSECTED BY THE WESTERLY SIDE OF LAND NOW OR FORMERLY OF HUGH J. B. CASSIDY III; SAID POINT OR PLACE OF BEGINNING BEING ALSO DISTANT 1015.19 FEET WESTERLY AS MEASURED ALONG THE SOUTHERLY SIDE OF WEST MEADOW ROAD FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF WEST MEADOW ROAD WITH THE WESTERLY SIDE OF MT. GRAY ROAD;

RUNNING THENCE FROM SAID POINT OR PLACE OF BEGINNING ALONG THE WESTERLY SIDE OF LAND NOW OR FORMERLY OF HUGH J. B. CASSIDY III, SOUTH 50 DEGREES, 53 MINUTES, 48 SECONDS EAST (SOUTH 50 DEGREES, 26 MINUTES, 00 SECONDS EAST DEED) 220.47 FEET TO THE MEAN HIGH WATER MARK OF WEST MEADOW CREEK;

THENCE ALONG THE MEAN HIGH WATER MARK OF WEST MEADOW CREEK ALONG A TIE LINE THE FOLLOWING 7 COURSES, CURVES AND DISTANCES:

1) SOUTH 10 DEGREES, 54 MINUTES, 38 SECONDS WEST (SOUTH 11 DEGREES, 27 MINUTES, 26 SECONDS WEST DEED) 391.24 FEET;

2) SOUTHWESTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 67.08 FEET A DISTANCE OF 90.78 FEET;

3) SOUTH 70 DEGREES, 38 MINUTES, 09 SECONDS WEST (SOUTH 71 DEGREES, 10 MINUTES, 57 SECONDS WEST DEED) 552.34 FEET;

4) SOUTH 62 DEGREES, 24 MINUTES, 16 SECONDS WEST 115.80 FEET;

5) SOUTH 45 DEGREES, 56 MINUTES, 24 SECONDS WEST (SOUTH 46 DEGREES, 29 MINUTES, 12 SECONDS WEST DEED) 59.87 FEET;

6) SOUTHWESTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 167.68 FEET A DISTANCE OF 142.05 FEET;

7) SOUTH 02 DEGREES, 15 MINUTES, 25 SECONDS EAST (SOUTH 01 DEGREES, 42 MINUTES, 37 SECONDS EAST DEED) 291.69 FEET TO LAND NOW OR FORMERLY OF THE TOWN OF BROOKHAVEN;

THENCE ALONG SAID LAST MENTIONED LAND, SOUTH 63 DEGREES, 13 MINUTES, 32 SECONDS WEST (SOUTH 63 DEGREES, 46 MINUTES, 20 SECONDS WEST DEED) 272.38 FEET TO THE EASTERLY SIDE OF TRUSTEES ROAD;

THENCE ALONG THE EASTERLY SIDE OF TRUSTEES ROAD THE FOLLOWING 3 COURSES, CURVES AND DISTANCES:

1) NORTH 03 DEGREES, 52 MINUTES, 02 SECONDS EAST (NORTH 04 DEGREES, 24 MINUTES, 50 SECONDS EAST DEED) 417.22 FEET;

2) NORTH 15 DEGREES, 09 MINUTES, 02 SECONDS EAST (NORTH 15 DEGREES, 41 MINUTES, 50 SECONDS EAST DEED) 476.62 FEET;

10822 N211

PAGE 2

SCHEDULE A CONTINUED

3) NORTHEASTERLY ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 346.69 FEET A DISTANCE OF 342.33 FEET TO THE SOUTHERLY SIDE OF WEST MEADOW ROAD;

THENCE ALONG THE SOUTHERLY SIDE OF WEST MEADOW ROAD THE FOLLOWING 3 COURSES, CURVES AND DISTANCES:

- 1) NORTH 71 DEGREES, 43 MINUTES, 32 SECONDS EAST (NORTH 72 DEGREES, 16 MINUTES, 20 SECONDS EAST DEED) 104.83 FEET;
- 2) EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 1103.25 FEET A DISTANCE OF 356.86 FEET;
- 3) EASTERLY ALONG THE ARC OF A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 1472.96 FEET A DISTANCE OF 150.54 FEET TO THE POINT OR PLACE OF BEGINNING.

FOR INFORMATION ONLY: DISTRICT 0200 SECTION 085.00 BLOCK 01.00 LOT 001.001.

RECORDED

Nov 23 11 02 AM '83  
JULIETTE A KINSELLA  
CLERK OF  
SHERIFF'S OFFICE

2133