

**Community Preservation Fund  
Advisory Opinions Bureau Meeting Minutes  
April 10<sup>th</sup>, 2013**

Meeting started at 10:10am

**Present Members/Participants:** Mr. Kyle Collins, Ms. Anne Marie Prudenti, Ms. Melissa Spiro, Mr. Paul Brennan, Mr. Kevin McDonald, Mr. Bob DeLuca, Ms. Peri Grandone (on behalf of Mr. John Halsey), Mr. Jeff Bragman, Assemblyman Fred W. Thiele, Jr., Ms Joann Scalia (on behalf of Senator Kenneth LaValle), Ms. Mary Wilson, Mr. John Jilnicki, Mr. Scott Wilson, Ms. Laura Stephenson

**A. Welcoming & Opening Remarks**

Presented by Chair, Kevin McDonald

**B. Approval of January 11, 2012 Meeting Minutes as prepared by Secretary, Laury Dowd**

Motion to approve: Bob DeLuca; seconded by Kyle Collins; no objections or abstentions.

**C. Discussion, Review, Approval of Dog Park Written Description as prepared by Assemblyman Fred W. Thiele, Jr.**

- Melissa Spiro asked whether the Towns could amend their CPF project plan. Fred Thiele responded that you can but there needs to be a procedure in place to do so. You must have a public hearing and action by the Town Board via a local law. You can change from one CPF use to another.
- Anne Marie Prudenti asked why the Town's couldn't change via a public hearing and Town Board resolution only and skip the local law. Fred Thiele responded that the CPF project plan must be amended by local law. If you're at odd with your original plan, then you would have to amend it.
- *\*Clarification requested and made to the draft opinion: Public Hearing and local law needed to amend the Plan. Public hearing and resolution needed to change the purpose.*
- Kevin McDonald noted that Town's should ideally have dog park management plans in place in an effort to manage and safeguard against impulse decisions and to identify the best management process. His concern is whether or not public purposes are in clear violation of other uses of CPF funds. He cautioned needing to look at the original purpose of the CPF purchase.
- Anne Marie Prudenti doesn't agree that CPF funds can't be used for improvements. Kevin McDonald and Fred Thiele responded saying that stewardship funds cannot be used for active improvements because you must be managing for ecological purposes.
- Motion to approve with clarification noted above: Anne Marie Prudenti; seconded by Mr. Kyle Collins; no objections or abstentions.

**D. Old Discussion Items**

**1. 4-Poster Tick Management**

- Bob DeLuca noted that the problem of over abundance of deer is an ecological problem requiring an ecological management strategy.
- Group discussion noted that if you buy a piece of land specifically for public access, ticks may pose a public health threat that you impede and deter public access- the original intent of the purpose.

- Group discussion noted that if you buy a piece of land for open space, deer can be managed if they are destroying the ecological integrity of the parcel- the original intent of the purchase.
- *\*Action Item: Bob DeLuca and Jeff Bragman will draft an opinion.*

## **2. Offset Increased Density for Affordable Housing**

- CPF law does allow for TDR banks, but however.
- If the rights have been extinguished then no.
- Workforce/affordable housing is a public benefit.
- *\*Action Item: John Jilnicki and Kyle Collins will draft an opinion.*

## **E. New Discussion Items**

### **1. Beach Projects**

- The question comes from East Hampton Councilwoman Theresa Quigley. Councilwoman Quigley wanted to know if bay or ocean front properties could be purchased to protect communities and/or other resources from sea level rise, and could CPF funds be used to help repair dunes or renourish beach which had been purchased with CPF funds. Could management fund be used to protect them, with structures?
- The group decided that if funds were used to restore the natural habitat, then yes, but there was a lot of concern over hard structures.
- Kyle Collins brought up the scenario of a CPF parcel being threatened by surrounding revetments and bulkheads which were accelerating erosion of CPF parcel. Would it be OK to use in this instance?
- Most liked the use of language, if the project would protect the ecological system.
- There are other funding sources out there, besides the CPF, which could be utilized for beach protection, management, and stabilization.
- *\*Action Item: Mary Wilson and Anne Marie Prudenti will draft an opinion.*

### **2. Parcels Revisited**

- General thought was that this is matter to be determined by individual Town Boards. This issue is not applicable to the Advisory Opinions Bureau because it is “an issue of Local determination” (Mary Wilson).
- *\*Action Item: Kevin McDonald will draft an opinion.*

## **F. Action Items**

Two weeks to be draft:

- *\*4-Poster Opinion: Bob DeLuca and Jeff Bragman*
- *\*Affordable Housing Opinion: John Jilnicki and Kyle Collins*
- *\*Beach Project Opinion: Mary Wilson and Anne Marie Prudenti*
- *\*Parcel Revisited Opinion: Kevin McDonald*

## **G. Next Meeting**

To take place in mid June before the group breaks for summer. Wednesday morning seem to work well for the majority of the group.