

## OUR TOWNS

HALESITE

# BOARD'S RETRACING ITS STEPS

Town of Huntington reverses approval of development after lawsuit cites errors

BY DEBORAH S. MORRIS  
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The Huntington Planning Board has rescinded preliminary approval for a developer to build eight houses in Halesite after a lawsuit pointed out procedural errors in approving the project, according to documents and the developer's attorney.

In March, the Nathan Hale Nature Preserve Committee, comprising neighbors who live near the proposed Vineyard Bay Estates development, sued Huntington's planning board, the Village of Huntington Bay and the developers to stop the development. The lawsuit, among other things, alleged the planning board didn't follow its procedures.

Michael McCarthy, the lawyer for the developer, said after he and planning board attorney Ed Gathman reviewed the lawsuit, they concluded a public hearing was held out of order. The two sides have entered into a stipulation agreement to reset the approval process.

## Development delay

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Paul Thomson, a member of the Nathan Hale Nature Preserve Committee, said the application is stalled for now but said they will keep up the pressure. "They need to expect that we will stay steadfast in our resistance," Thomson said. "We want the planning board to comply with the law."

In May, the neighbors agreed



Paul Thomson, of Halesite, opposes construction on this parcel next to his home. He and other neighbors suing town say the area's home to an endangered species and culturally significant to Native Americans.

to discontinue the lawsuit if the planning board rescinded the preliminary approval, reexamined the environmental impact associated with the development, let them speak at a June 26 meeting about the environmental study and scheduled a public hearing for July 24.

At the June 26 meeting, where the board was to vote on an environmental review of the development, residents raised concerns about disturbing the northern long-eared bat, which lives in the area and is an endangered species under federal law.

The area is also archaeologically sensitive and of cultural significance to Native Americans, and any development could have other environmental impacts such as noise, erosion and water runoff, residents said.

The plaintiffs cited information they received from the New York State Office of Parks, Recreation and Historic Preservation saying the area is sensitive for

Native American archaeological resources. While it doesn't mean archaeological sites are located within the footprints of the proposed development, there is potential for such sites being there, the plaintiffs said.

McCarthy, who represents developers Stanley Weissberg and Walter Morris — the principals in Vineyard Bay Estates LLC and Vineyard Estates LLC — said he and the developers' environmental consultant decided to ask the planning board to hold off on the vote.

"The residents raised issues that were worthy of re-examination and we want to make sure we get it right," McCarthy said.

The developer will now conduct a cultural resources study regarding Native Americans on land between Bay Avenue and Vineyard Road, where the project is to be built, McCarthy said. It will then be presented to the planning board before it votes on the environmental review.

McCarthy said a public hearing on the application was held Aug. 3. At the planning board's Feb. 21 meeting, the board voted on the environmental study and gave preliminary site plan approval at the same time.

"Both should not have been done at the same meeting," McCarthy said.

He said because the developers planned to preserve 6.4 acres of the 10 acre-property, a planning board environmental review determined there would be no significant environmental impact if the project moved forward, something residents have pushed back on.

McCarthy said his client will need to supply a supplemental environmental assessment form. The town's planning department and planning board will review it to determine whether the project will have a significant impact on the environment. He said the July 24 hearing will have to be rescheduled.

## ISLANDWIDE

# Heat settling in; air quality alert in effect

BY DARWIN YANES AND GRANT PARPAN  
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A heat advisory issued for large swaths of Long Island on Monday and Tuesday means high humidity and hot temperatures to start the workweek before a reprieve of cooler air and possible showers.

The National Weather Service issued the heat advisory for northern Nassau and northwest Suffolk as the muggy conditions will make it feel like the mid- to upper 90s.

The heat is forecast to peak both Monday and Tuesday between noon and 6 p.m. The weather service warned of an increased risk of heat-related ill-

ness for vulnerable populations, including young children, the elderly and people who work outdoors.

So, what's causing Long Island in mid-July to feel like Miami in late August?

"A combination of high temperatures and the additional moisture that is coming up from the south . . . is causing these

very warm and humid, uncomfortable conditions," said David Radell, a meteorologist with the weather service's Upton office.

The forecast for Monday also includes fog for some areas of Long Island during the morning commute, which then will gradually burn off and be replaced by cloudy skies. Light variable winds are forecast, but

despite temperatures in the 80s, the heat index will be near 97. Nighttime temperatures will dip into the 70s with fog into Tuesday morning.

The New York State Department of Environmental Conservation issued an air quality alert for Monday. The agency forecasts "moderate" air quality conditions on Long Island.