

Dear Concerned Huntington Station Resident:

I have attached a letter that is all factually true. Please check the NYS Board of Elections Website and view campaign finance disclosure reports. From January 1, 1999 to March 15, 2015, Oheka Castle owner, Gary Melius gave Susan Berland at least \$24,000. On March 12, 2012, Susan Berland voted to approve a change of zone at Oheka Castle, so that Gary Melius could build 190 luxury houses for wealthy seniors. (Huntington Town Board Resolution attached) On March, 20, 2012 (only one week later) Gary Melius thanked Susan Berland for her vote and gave her another \$2,500. This is a disgrace.

Gary Melius has been repeatedly cited by NEWSDAY as a political influence peddler making enormous contributions to political campaigns across Long Island – to get what he wants, whenever he wants it.

Susan Berland is one of the biggest recipients of his largesse.

We need to vote out this do nothing council person. She is depending that the Huntington Station community to not even bother to vote at all. She has done nothing to help Huntington Station because Huntington Station can not help her.

Let's show her that she is wrong. Take the letter I sent, tool it to fit your needs and style and send it out asking YOUR friends and relatives not to vote for Susan Berland. Go through your memory bank. Check every list: Boy Scouts, Girl Scouts, Pre-school, Nursery school, Church groups, High School Alumni, elementary, middle school and high school lists, sports teams, fellow employees, neighbors, local merchants who live locally, friends and relatives, relatives of friends and neighbors. Try to hit every single person you know in the town of Huntington and ask them to vote out Susan Berland.

The best way to do this is to ask them to vote for someone else. Personally, I am voting for Keith Barrett, only. He is a small business owner in Huntington Station. He has been instrumental in improving the quality of life in Huntington Station by being the President of the Huntington Station Business Improvement District. He is a lifelong Huntington resident and truly cares about the quality of life here. But to show that I really don't care -- please vote for anyone – other than Susan Berland, friend and great supporter of her influence peddling friend, Gary Melius.

Together we can rid the town of this very poor councilperson and show Gary Melius his political influence peddling days are over in this Town.

CONCERNED CITIZENS OF HUNTINGTON  
WHO EXPECT GOOD GOVERNMENT BUT  
DON'T BELIEVE YOU HAVE TO BUY  
POLITICIANS TO ACHIEVE THAT GOAL  
HUNTINGTON, NEW YORK

This should concern you. Contributions from Gary Melius, political influence peddler and owner of Oheka Castle to Susan A. Berland, your Town of Huntington Councilwoman:

May 26, 2001	\$1,000
May 3, 2006	\$1,000
February 2, 2007	\$2,000
July 13, 2007	\$2,000
May 29, 2008	\$2,500
September 28, 2008	\$2,000
July 27, 2009	\$2,000
May 5, 2010	\$2,500
October 18, 2011	\$1,500

The Huntington Town Board, including Councilwoman Susan A. Berland voted in a Special Town Board meeting to approve a zone change for political influence peddler and owner of Oheka, Gary Melius to build 190 luxury condominiums, for rich seniors, at "The Residences at Oheka" on MARCH 12, 2012, and the following was her thank you gift from Gary Melius.

MARCH 20, 2012	\$2,500
April 17, 2013	\$2,500
February 18, 2014	\$2,500

How much have you given Susan A. Berland? And as a result of those contributions you gave to her, what has she done for you?

A bamboo law  
Painting hydrants law

Susan Berland bought and paid for by Gary Melius, political influence peddler and owner of Oheka Castle.

She ran down and took on New York State Department of Transportation crying about a much needed rest stop on the LIE and stopped it for the residents of Dix Hills (actually Frank Petrone is taking credit for this) What has she done for you in Huntington Station? Can you hear her telling you "There is nothing I can do" when questioned about problems in the Station?

THERE IS SOMETHING YOU CAN DO -- Return the favor to her. VOTE HER OUT!

THIS SHOULD CONCERN YOU  
CONTRIBUTIONS FROM GARY MELIUS TO YOUR TOWN BOARD

MARK CUTHBERTSON

11-3-13	2500
3-25-14	2500
2-27-12	2500
3-6-2013	2500
3-10-2008	2500
9-22-2009	2500
10-29-2009	1200
3-10-2009	2500
3-1-2011	2500
3-1-2007	2500

FRANK PETRONE

9-22-2006	2000
2-9-2007	5000
11-4-2013	500
4-3-2014	2500
3-16-2011	2500
11-7-2011	2500
4-23-2008	2500
2-20-2012	2500
9-23-2008	2500
5-1-2006	4500

SUSAN BERLAND

5-26-2011	1000
10-18-2011	1500
9-28-2007	2000
5-29-2008	2500
2-18-2014	2500
5-5-2010	2500
4-17-2013	2500
7-13-2007	2000
1-27-2009	2000
2-2-2007	2000
3-20-2012	2500
5-3-2006	1000

TRACEY EDWARDS

9-17-2013	1000
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HAVEN'T WE HAD ENOUGH ----- VOTE THE BUMS OUT --- START WITH BERLAND.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 31-2011, CONSIDERING ZONE CHANGE APPLICATION #2011-ZM-387, KNOWN AS THE RESIDENCES AT OHEKA CASTLE, TO CHANGE THE ZONING FROM R-80, R-40, R-20 & R-10 RESIDENCE DISTRICTS AND C-6 GENERAL BUSINESS DISTRICT TO R-OSC RESIDENCE - OPEN SPACE CLUSTER DISTRICT FOR THE PROPERTY LOCATED ON THE WEST SIDE OF EAST GATE DRIVE, NORTH OF COLONIAL DRIVE, WEST HILLS, SCTM# 0400-188-01-(001, 002, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001 & 109) AND 0400-132-04-(007, 008 & 009), AND ISSUING A NEGATIVE DECLARATION FOR SAID ACTION TO REZONE.

Resolution for Town Board Meeting dated: March 12, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, COLD SPRING HILLS DEVELOPMENT, LLC, 135 West Gate Dr., Huntington, NY 11743, applicant, submitted application #2011-ZM-387 for a change of zone from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District for property located on the west side of West Gate Dr., north of Colonial Dr., West Hills, designated as 0400-188-01-(001, 002, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001 & 109) and 0400-132-04-(007, 008 & 009) on the Suffolk County Tax Map; and

WHEREAS, said application was forwarded to the Department of Planning and Environment by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, this action meets the criteria of a Type I Action in accordance with SEQRA, 6 NYCRR Part 617.4(b)(9), as a residential development on a portion of a property (Oheka Castle) on the National Register of Historic Places; and

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 established itself as Lead Agency on November 9, 2011 following coordination of the EAF Part I with involved and interested agencies, none of which requested Lead Agency status; and

WHEREAS, the applicant submitted a Voluntary Draft Environmental Impact Statement (VDEIS), to be treated as an Expanded Environmental Assessment Form (EEAF) in accordance with 6 NYCRR Part 617.6(a)(4) in connection with the application, and which was also coordinated with all involved and interested agencies, and the Department of Planning and Environment has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Town of

Huntington Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and these documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: [planning@HuntingtonNY.gov](mailto:planning@HuntingtonNY.gov); and

WHEREAS, the property for the new residential development is considered part of the Otto H. Kahn Estate, a designated historic landmark by the Town of Huntington, and therefore will be subject to the historic landmark regulations found in Article VI of the Town of Huntington Zoning Code; and

WHEREAS, by resolution dated January 18, 2012 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a Negative Declaration under SEQRA, and approve the application subject to the following conditions:

- (1) The new residential development, Oheka Castle, and the Cold Spring Country Club Clubhouse shall all be connected to the Nassau County public sewer system at the applicant's or property owners' own cost and expense; and
- (2) If the traffic signal at the intersection of Jericho Turnpike and East Gate Drive is approved by the New York State Department of Transportation, the applicant shall install the signal at their own cost and expense, and the applicant shall also be responsible for the cost of any other associated improvements at the intersection, such as new lane striping, curb realignment, road widening or narrowing, and in addition any signal timing adjustments to nearby traffic signals affected by the new signal installation; and
- (3) The applicant shall be responsible for the cost of any improvements to the South Huntington Water District pipe network that are necessary to provide sufficient water service to the new development; and
- (4) During any future site plan application the developer must submit a Soil Management Plan for review, and shall be required to place money in escrow with the Town to enable the Town to hire an independent professional consulting firm to review the Soil Management Plan and suggest any changes that may be necessary, and all required mitigation must be completed before the issuance of any building permits for new construction on the property; and
- (5) A Conservation Easement or Declaration of Covenants and Restrictions shall be filed on the Cold Spring Country Club property that will be used to transfer development rights onto the Residences at Oheka parcel to permanently protect the open space, and the land in the jurisdiction of the Town of Oyster Bay, although not eligible to be used to transfer development rights, shall also be maintained as open space and protected by the Easement or Declaration; and

- (6) No subdivision or site plan approvals shall be granted by the Planning Board until yield maps are provided for Oheka Castle and the Cold Spring Country Club that show that the proposed subdivision or site plan would not make the parcels and the uses nonconforming to any section of the Town of Huntington Zoning Code, unless the Zoning Board of Appeals has first granted variances or special use permits to legalize the nonconformities; and
- (7) All garbage produced by the development, whether collected by the Town or a private carter, must be brought to the Town's Resource Recovery Facility for disposal; and

WHEREAS, the zone change application was referred to the Suffolk County Planning Commission in accordance with New York State General Municipal Law Section 239-m, and by resolution dated February 1, 2012 the Suffolk County Planning Commission recommended approval of the application subject to the following conditions:

- (1) Applicants shall contact the New York State DOT and seek all appropriate approvals; and
- (2) Petitioners shall contact the Suffolk County Department of Health Services and Nassau County Department of Public Works to address the need for sewer connection; and

WHEREAS, these approval conditions of the Suffolk County Planning Commission have been incorporated into the first two Town Board approval conditions listed below; and

WHEREAS, the Town Board determines that the requested zone change is harmonious with the spirit and intent of the Residence-Open Space Cluster District inasmuch as the privately owned and maintained golf club (Cold Spring Country Club, hereinafter the club or "CSCC") will provide for a private recreational endeavor while the preservation of open space in general is maintained pursuant to a conservation easement and/or covenants and restrictions, as contemplated by Town Code Sections 198-21.3(A)(1) and 198-21.3(B)(2); and

WHEREAS, the spirit and intent of the Residence-Open Space Cluster District as to a private golf club is that access to said private club and its property be limited to a person or persons who are legally permitted by the club to be on said property, the subject property not open to the public except as permitted by CSCC; and

WHEREAS, the Town Board determines that the change in zoning classification of the private recreational facilities to Residence-Open Space Cluster District will not preclude the continued use of the premises as a private golf club, nor prohibit any changes, additions, or amendments to the golf course facilities;

## NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Expanded Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that this Type I action will not have a significant effect upon the environment because the rezoning action and subsequent development of the property in accordance with the proposed site plan will incorporate measures, provided for in present town standards and regulations, and offered as improvements by the applicant in the EEAF, to effectively mitigate potential impacts, including the installation of a traffic signal to relieve traffic impacts, the connection to public sewer to minimize groundwater impacts, the clustering of development and permanent preservation of open space to greatly lessen impacts to the land, open space, and community character, and the architectural review of any buildings on site to decrease aesthetic impacts; and further finds that the proposed action, is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts, the Town Board hereby:

- (1) Issues a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law based on the reasons outlined above and in the EAF, Parts II and III, which is hereby appended and made part of this resolution and Negative Declaration; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 13th day of December, 2011, at 7:00 PM to consider adopting Local Law Introductory No. 31-2011 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, which rezones from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence – Open Space Cluster District property located on the west side of West Gate Dr., north of Colonial Dr., West Hills, designated on the Suffolk County Tax Map as 0400-188-01-(001, 002, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001 & 109) and 0400-132-04-(007, 008 & 009), and due deliberation having been had;

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance

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with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 31-2011, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW NO. \_\_\_\_\_ - 2012  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)  
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

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§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

The premises located on the west side of East Gate Drive, north of Colonial Drive, West Hills, designated on the Suffolk County Tax Map as 0400-188-01-(001, 002, 005, 021.001, 023.001, 024.001, 024.002, 025.001, 057.001 & 109) and 0400-132-04-(007, 008 & 009), to be rezoned from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence - Open Space Cluster District, more particularly described in the attached Schedule "A".

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions, to run with the land, in a form acceptable to the Town Attorney. Such deed and Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk.

- (1) If the traffic signal at the intersection of Jericho Turnpike and East Gate Drive is approved by the New York State Department of Transportation, the applicant shall install the signal at their own cost and expense, and the applicant shall also be responsible for the cost of any other associated improvements at the intersection, such as new lane striping, curb realignment, road widening or narrowing, and in addition any signal timing adjustments to nearby traffic signals affected by the new signal installation; and
- (2) The new residential development, Oheka Castle, and the Cold Spring Country Club Clubhouse shall all be connected to the Nassau County public sewer system at the applicant's or property owners' own cost and expense. If the means of sanitary disposal is changed by the inability to connect to the Nassau County Public Sewer System, the applicant or property owner shall develop and implement a plan in accordance with the Suffolk County Department of Health Services requirements and comply with any additional SEORA review requirements; and
- (3) The applicant shall be responsible for the cost of any improvements to the South Huntington Water District pipe network that are necessary to provide sufficient water service to the new development; and
- (4) During any future site plan application the developer must submit a Soil Management Plan for review, and shall be required to place money in escrow with the Town to enable the Town to hire an independent professional consulting firm to review the Soil Management Plan and suggest any changes that may be necessary, and all required mitigation must be completed before the issuance of any building permits for new construction on the property; and
- (5) A Conservation Easement or Declaration of Covenants and Restrictions shall be filed on the Cold Spring Country Club property that will be used to transfer development rights onto the Residences at Oheka parcel to permanently protect the open space; and
- (6) No subdivision or site plan approvals shall be granted by the Planning Board until yield maps are provided for Oheka Castle and the Cold Spring Country Club that show that the proposed subdivision or site plan would not make the parcels and the uses nonconforming to any section of the Town of Huntington Zoning Code, unless the Zoning Board of Appeals has first granted variances or special use permits to legalize the nonconformities; and
- (7) All garbage produced by the development, whether collected by the Town or a private carter, must be brought to the Town's Resource Recovery Facility for disposal; and

