



Saint James - Head of the Harbor
NEIGHBORHOOD PRESERVATION COALITION

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FOR IMMEDIATE RELEASE

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SWORN TESTIMONY OF GYRODYNE WITNESSES PROMPTS CALL TO REZONE PROPERTY COMPANY'S EXPERTS TESTIFIED THAT SITE SHOULD NOT BE USED FOR COMMERCIAL DEVELOPMENT COALITION RENEWS CALL FOR MORATORIUM ON APPROVALS UNTIL COMPREHENSIVE PLAN IS DONE

Citing the sworn testimony of experts hired by Gyrodyne in a lawsuit against New York State indicating that the Flowerfield site should not be developed for commercial use, a coalition of community groups this week called on the Smithtown Town Board to use the Town's new Draft Comprehensive Plan to change the zoning of the property back to its original residential classification, and to enact a moratorium on approvals of major development proposals throughout the Town until the Comprehensive Plan is finalized.

"It's been clear for months that the Town's own Draft Comprehensive Plan includes numerous recommendations that would be violated if the Gyrodyne mega development is allowed to move forward," said Judith Ogden, a Head of the Harbor Village Trustee who leads the Saint James-Head of the Harbor Neighborhood Preservation Coalition. "Now, with the sworn testimony of Gyrodyne's own experts stating that the character of the community and local roads would be completely overwhelmed if the Flowerfield site is developed as Gyrodyne is proposing, it is clear that the Town's new Comprehensive Plan provides a sound and legally defensible basis for the Town Board to change the zoning of the site back to residential use, and to put a moratorium in place to make sure that major development projects that conflict with the Comprehensive Plan do not move forward while the Plan is completed. This is a common approach to land use planning used by local governments across Long Island to protect against irreversible decisions that would negatively impact communities."

Gyrodyne's controversial proposal to build a 125-room hotel, 225 housing units and parking for 2,000 cars on the Flowerfield site, much of which lies in the federally recognized Mills Pond National Historic District, has faced growing opposition from a broad range of stakeholders, including Village of Head of the Harbor officials, State Assemblyman Steven Englebright, Brookhaven Supervisor Ed Romaine, and residents of both Smithtown and neighboring Brookhaven who argue that the huge development would completely overwhelm the two-lane roads that provide the only access to the site and permanently altering the unique rural character of the Historic District and Village of Head of the Harbor. Last week, the Coalition's legal team released documents from 2005 lawsuit against the State that include sworn testimony by Gyrodyne's own experts stating that the highest and best use of the property would be for residential purposes because the local road network simply could not accommodate the amount of traffic that commercial development would generate.

The zoning of the Flowerfield site has been the source of controversy and legal battles since 1960, when the Smithtown Town Board called a special meeting without public notice to change the original residential zoning to industrial, prompting a lawsuit by the Village of Head of the Harbor and neighbors of the site against the Town and Gyrodyne that sought to nullify the Town's approval and change the zoning back to residential.

In January, members of the Head of the Harbor's Board of Trustees appeared at a meeting regarding the Town's new Draft Comprehensive Plan and called on the Town to change the zoning of the site back to the original residential classification as part of the Comprehensive Plan process, and to declare a moratorium on approvals of major developments until the Draft Comprehensive Plan is completed.

Local residents and Village officials established the Saint James – Head of the Harbor Neighborhood Preservation Coalition earlier this year to fight Gyrodyne's proposal, and have asserted that the ongoing environmental review of the Gyrodyne subdivision plan is flawed and does not meet the requirements of the State Environmental Quality Review Act (SEQRA). The Coalition, which has grown to include hundreds of local residents, has raised the funds to hire one of the State's most respected environmental law firms to challenge approval of the subdivision by the Town Planning Board in court if necessary.

“Across Long Island and across the nation, local governments that undertake Comprehensive Plans use those planning efforts to identify situations where the zoning of properties would allow development that is inconsistent with the goals of those plans, and use their authority to change the zoning of those properties to ensure adherence with their Comprehensive Plan and protect their communities,” said Ogden. “It is fortunate that the Town of Smithtown is now in the middle of the first update of its Comprehensive Plan since 1957. The Town should take steps to revert the zoning of the Flowerfield site to residential, consistent with the sworn testimony of Gyrodyne's own expert witnesses, and must implement a moratorium on approval of major developments like Gyrodyne until the Draft Comprehensive Plan is finalized.”