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Inside

St. James Day 2023

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Lake Avenue, St. James

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**State DEC eyeing
acquiring 48 acres
of Gyrodyne site**

-See story, page 5

Marry me...



Justin Buell, of Kings Park, takes a knee at the finish line of the Great Cow Harbor 10-Kilometer Run in Northport Village Saturday, September 23 and asks Lexey Atherton, of Northport, to marry him. She said yes and the crowd went wild. See story, page 2

-Todd Falasco photo



ON THE SCENT: In May 2022, Head of the Harbor Village Trustee and St. James-Head of the Harbor Neighborhood Preservation Coalition spokeswoman Judith Ogden (below) announced a lawsuit to challenge the Town of Smithtown approval of a subdivision of the 75-acre Gyrodyne property (above) on the southeast corner of Route 25A and Mills Pond Road in St. James, which is also known as Flowerfield Fairgrounds. This week, Ms. Ogden announced that the New York State Department of Environmental Conservation is considering public acquisition of the 48-acre undeveloped portion of the site.

State eyes acquisition of Gyrodyne site

Supervisor Wehrheim offers 'no objection' to DEC purchase of St. James property

By David Ambro

After a long land-use battle that includes ongoing litigation, the Gyrodyne property, also known as the Flowerfield Fairground, on Route 25A in St. James is being eyed for acquisition and preservation by the State of New York.

According to documents released Monday, September 25 by the St. James-Head of the Harbor Neighborhood Preservation Coalition, the New York State Department of Environmental Conservation (DEC) Division of Lands and Forests, Bureau of Real Property Region 1 office in Stony Brook informed the Town of Smithtown June 20 that it is considering acquisition of the Gyrodyne site for conservation purposes. The state is considering funding the acquisition, in whole or in part, through the State Environmental Protection Fund.

The site is 75-acres however 27-acres is developed with industrial buildings, so the public acquisition would be 48-acres of undeveloped open space appraised at between \$16 to \$20 million.

The notification was sent by DEC Real Estate Specialist I Karen Mascio to Smithtown Town Supervisor Edward Wehrheim. New York State Environmental Conservation Law (ECL) requires that local governments be notified of land acquisitions funded through the Environmental Protection Fund.

Supervisor Wehrheim had 90-days to reply to the letter, a response of "no-objection" would allow acquisition work to proceed expeditiously, according to the Mascio letter. Mr.

Wehrheim replied June 27 notifying DEC that the town has "no objection," which is in bold letters, "to the state's proposal to acquire the property using State Environmental Protection Funds."

During an interview this week, Supervisor Wehrheim said he had not seen the statement released this week by the Neighborhood Preservation Coalition but that he has always supported acquisition of the Gyrodyne property to preserve open space. "From the start, and even during the furor, I said if someone can buy it for open space I would have no objection to that," Mr. Wehrheim said. "I didn't object then and I don't object now, which is why I wrote the letter."

Subdivision for purposes of development was approved by the town last year, but applications still have to be made to the town for specific development projects. "I think you would have had a major fight on your hands with anything a developer was proposing for that property," Mr. Wehrheim concluded.

The Smithtown Planning Board last year approved an eight-parcel subdivision of the Gyrodyne site for industrial development that includes a hotel, assisted living facilities, medical offices and an onsite sewage treatment plant. The Village of Head of the Harbor, the St. James-Head of the Harbor Neighborhood Preservation Coalition and 23 St. James area homeowners filed a lawsuit in New York State Supreme Court April 26, 2022 against the Town of Smithtown, its Planning Board and each of its members and Gyrodyne. The litigation alleges, among other things, that the

(Continued on page 12)





The building at Gyrodyne in St. James will not be included in the acquisition being considered by the state, which is expected to cost between \$16 to \$20 million.

State considers buying Gyrodyne open space

(Continued from page 5)
town and the developer did not properly comply with the New York State Environmental Quality Review Act (SEQRA) leading up to the planning board approval.

In a statement released Monday, the Neighborhood Preservation Coalition said the notification that DEC is seeking to acquire the Gyrodyne property may signal a breakthrough in the longstanding controversy over the Gyrodyne land, which the Coalition identifies as the town's last rural corridor.

"This is a huge step forward in the fight to preserve Flowerfield Fairgrounds for future generations," said Judith Ogden, an elected Head of the Harbor Trustee and spokesperson for the Coalition. "This progress is the result of a unified community and its elected leaders working together with a clear vision for the future. This area is defined by our last working farms in the Town of Smithtown, narrow two-lane roads and important historical resources. Our children and grandchildren deserve to have the same quality of life that we enjoy, and that means preserving what's left of the rural character of St. James."

Once the site of a World War II military complex that built duel propeller helicopters, the Gyrodyne property is zoned light industrial (LI). There is an industrial building on the site that is fully occupied, though most of the land, which runs along the south side of Route 25A, is open space. A portion of the site is included in the Mills Pond Historic District, which is listed on the National Register of Historic Places.

On the land subdivided by the Town Planning Board, Gyrodyne was proposing to build a multi-story 125-room hotel, 175,000 square feet of medical offices, 250 units of assisted living and

an 86,000-gallon-per-day sewage treatment plant with associated parking for 2,500 vehicles. Rather than subdivide the land, the litigants in the lawsuit have urged the town to return the property to residential zoning, which it was prior to being rezoned for the war effort.

The litigants also argue that the Gyrodyne proposed industrial development plan conflicts with important recommendations in the town's draft comprehensive plan update that has been in the works for many years. In addition, the Coalition and Head of the Harbor Village officials have been calling for years to have the land acquired by the government for open space and public recreational purposes. The neighboring Town of Brookhaven has been

opposed to the Gyrodyne development plan and Suffolk County Executive Steve Bellone, former Assemblyman Steve Englebright and the Peconic Land Trust, a land conservation organization, have all lobbied for the public acquisition of the Gyrodyne site. According to the Coalition, the Peconic Land Trust has completed an appraisal of the property as the first step to establish a value that will allow the state to acquire the land.

The Coalition, which now has more than 1,000 members, has advocated for two years for the site to become a park, even offering an alternative plan that includes equestrian activities and other outdoor hiking and recreational features. If the entire site

could not be acquired, the Coalition agreed to support a compromise plan, for the undeveloped 48-acre portion known as the Flowerfield Fairgrounds to be preserved as open space, with some limited development allowed on the portion of the site that was developed in the 1960s and is already occupied by buildings and parking lots.

In April 2021, Gyrodyne announced that it planned to sell the property and would consider offers for portions of the property or the entire site. The Planning Board then approved the industrial subdivision and the site became entangled in the current litigation.

Earlier this year, Supervisor Wehrheim took a hardline position in opposition to a proposal to develop an

assisted living facility on Bull Run Farm across Mills Pond Road from the Gyrodyne property citing the need to protect the rural character of the area. According to the Coalition, that stand by Supervisor Wehrheim led to discussions between DEC and the town regarding the state acquisition of the Gyrodyne site.

"We are grateful to Supervisor Werheim and the Town Board for the leadership they have demonstrated regarding both Bull Run Farm and Flowerfield Fairgrounds," Ms. Ogden said. "Through these actions, they have shown that they clearly understand how strongly community residents feel about the importance of protecting this rural area from overdevelopment."

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