[Date]

Hon. Edward R. Wehrheim, Supervisor

Town of Smithtown

99 West Main Street

Smithtown, NY 11787

Dear Supervisor Wehrheim,

Early last year, the Saint James community spoke with a unified voice to express strong opposition to a developer’s proposal to build a massive assisted living facility on Bull Run Farm.

Though a loophole existed in the Town Zoning Code at that time, the developer’s plan could not have been approved based on that loophole unless the Town Board could find that proposed assisted living facility would not change the character of the surrounding community. In addition, the Town’s new Comprehensive Plan states explicitly that assisted living facilities should not be permitted in residential areas like the Mills Pond Road rural corridor.

The community is grateful that under your leadership, the Town Board took action to stop the proposal from moving forward by approving a longstanding proposal to modify the Town Zoning Code to eliminate the loophole that the developer was hoping to use to get his project approved.

Unfortunately, neither Town officials nor residents could have known that instead of moving on to find a more suitable location for the project, the developer would declare war on the community and attempt to get a federal court to approve the project even though it would violate the Town’s Comprehensive Plan.

To thwart the developer’s scheme, the Town Board should schedule a public hearing and then deny the application by finding that it could not meet the requirements for approval that were in place at the time the application was submitted.

Please move quickly to schedule a public hearing to deny the application on the merits so that decision is not left in the hands of the court. Once that is accomplished, Suffolk County and the Peconic Land Trust can work cooperatively with the landowner to make sure that Bull Run Farm is preserved.

Thank you for your strong leadership and responsiveness.

Sincerely,

[Your Name]

cc: Councilwoman Lisa M. Inzerillo

 Councilman Thomas W. Lohmann

 Councilwoman Lynne C. Nowick