

Judge upholds Meadows at Yaphank zoning

by David Winzelberg

Published: August 17th, 2012

Like

1 person likes this. Sign Up to see what your friends like.

A state Supreme Court judge has ruled in favor of the Town of Brookhaven and the developer in a case brought by opponents of the 335-acre mixed-use Meadows at Yaphank project.

The Open Space Council and Yaphank resident Diane Schneider filed the Article 78 lawsuit against the town and the Meadows, a subsidiary of Yonkers-based AVR Realty, in November 2011, claiming that the town's rezoning was "arbitrary, capricious and unlawful."

In its complaint, the open space group said the proposed Meadows at Yaphank development was too dense and threatened the ecological balance in the area that adjoins the Carmans River watershed.

The Meadows at Yaphank proposal calls for 327,500 square feet of retail, 5,000 square feet of restaurant space, 550,000 square feet of office space for industrial or commercial use, a 150,000-square-foot, 220-room hotel and a residential component including 332 townhouse units, 294 condominiums and 224 rental apartments.

About 10 percent of those residences will be designated as work force housing for individuals making up to 80 percent of the median income for the area.

In addition, the project will include two baseball fields, one multipurpose athletic field, a pavilion, restrooms and a community building. The project will also result in \$4.2 million in improvements to the nearby Dorade Sewer Treatment Plant to service the new development.

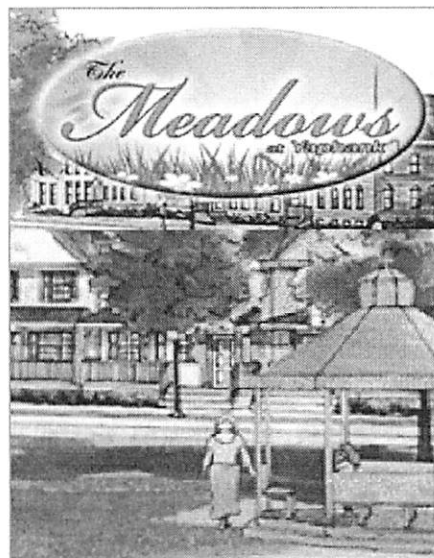
Brookhaven officials said the project would take 10 years to build, generating 811 construction jobs, along with 2,681 permanent jobs and 1,908 indirect jobs.

Attorney Mark Cuthbertson, who defended the town in the lawsuit, was pleased with the court's decision.

"This ruling vindicates the town's decision to approve this important project," he said.

John Wagner, of Certilman Balin Adler & Hyman, represented the developer. Denis O'Leary, of Manhattan-based law firm Neufeld & O'Leary, who represented the Open Space Council, couldn't be reached for comment.

It's unknown whether the group will appeal the ruling.



Complete URL: <http://libn.com/2012/08/17/judge-upholds-meadows-at-yaphank-zoning-change/>