

Mayor's Report September 6, 2016

The best news of the month was that Hurricane Hermine remained far enough off shore as to cause no problems for the Village. The storm had the potential to have caused a series of very high tides had it followed its initially predicted forecast. So although Labor Day weekend was cloudy and breezy on balance it was a terrific holiday.

There is much to report on the ASDRP much of which has been shared with the residents via email already. On August 10th the Village received from the NYSDEC a copy of the letter it received from Colonel Caldwell of the USACOE. The letter reiterated the USACOE position that access points and parking would be required every half mile. The amount of parking required is still under review. The letter also requested that the Village send a letter committing to "providing five public access points, located approximately every one half mile within 30 days of the date of the letter". This letter clearly indicated that the USACOE was not willing to consider the proposal of Congressman Steve Israel and Town Supervisor Frank Petrone that public access be limited to two areas as a trade off for the public benefit of protecting Asharoken Avenue. The Village previously submitted a draft public access plan noting these requirements.

The morning of August 12th in response to the ACOE letter Deputy Mayor Pierce and I had a phone conversation with Sue McCormick and Matt Chelbus of the NYSDEC. Their input was that the USACOE was not going to back down from their requirements. They did say that the Village and the USACOE would have to work out the parking but that very limited parking in the three middle access points might be acceptable.

The afternoon of August 12th I met with Supervisor Petrone and discussed the need to have the project done for the benefit of both the Village and Town. Supervisor Petrone and I reached out to Senator Chuck Schumer asking for his help. A Joint letter was written requesting that the Senator reach out to the USACOE to try to make every effort to negotiate the public access component of the plan. That letter was sent to Senator Schumer on August 26th.

On September 2nd I was informed by Sue McCormick with NYSDEC that Colonel David Caldwell, Head of the New York District of the U.S. Army Corp of Engineers would like to have a phone call with the Village on September 13th. This conference call is confirmed. She also informed me that the ACOE did not grant the 30 day extension in spite of the fact that the NYSDEC also requested an extension. I informed her that the Village was not in a position to make any response until we speak to Colonel Caldwell.

In my conversations with both the DEC and Supervisor Petrone I made it very clear that the opposition to public access is so strong among Village residents that the project is in jeopardy of not being constructed.

I received a letter that was distributed by the Asharoken Property Owners Association. The letter points out all of the issues that the property owners are faced with if this project is approved.

- Increased costs to all Village Property Owners if the project is approved.
- Losing your private beach if the project is approved.
- Possible additional liability if the project is approved.
- Increased security measures if the project is approved.
- Potential home value adjustments if the project is approved.

- Zero flooding plan for bayside homeowners if the project is approved.

The Village Board has heard your concerns at many monthly and special meetings, I and the entire board have read your letters and all your email correspondence on this project. We are making every effort to convince the ACOE to agree to this project for the public benefit of the roadway, which we hope will remove the public access component. We have brought in Congressman Israel, Town Supervisor Petrone and recently Senator Schumer to help change the ACOE's interpretation of the Statue.

The Village Board knows that ideally a beach replenishment project is what Asharoken needs but the price of giving up our private beaches is not acceptable. We know this because of your input. If we cannot change the minds of the ACOE, then our only course of action left is to;

- Complete the Feasibility study. The original agreement to commence the Feasibility Study and obligation to pay the local share was signed by Mayor Kelly in 2001.
- The Feasibility study does not obligate or bind the village to do this project; it is a prerequisite for any coastal beach project and is required. Completing and securing the study will help future projects down the road. If conditions change and the village is in need of a future project the finished study will be required and expedite the process. By completing the study does not obligate the village to the beach project.
- The cost of the completed Feasibility Study is approximately \$300,000; the village has \$345,000 set aside under the Feasibility Reserve Account. This money is owed whether the study is finished or not.
- In order to complete the study the Village will have to submit an acceptable public access plan which as of today needs 5 access points with parking. This could be subject to modification based on our discussion with Colonel Caldwell next week.
- Other communities have faced similar situations. In Long Beach their study was done but the residents did not want to do the project because the proposed dunes were going to block their view of the ocean. Following Sandy there was nothing people in Long Beach wanted more than giant sand dunes protecting them from future flooding. By having a completed study, Long Beach was able to move forward quickly with its project. During the meeting I mentioned that Bayville did a similar thing. I want to make this correction. **Correction:** Months back the mayor of the Village of Bayville, indicated that they were completing their study; several days ago NYSDEC informed me that they made a decision not to complete the study. Per the NYSDEC this was not recommended.

Timeline:

Nine to Twelve Months from now (August 2017) the Village Board will make a decision to either sign the Project Partnership Agreement to design and build the beach project or walk away from the agreement. The board's decision will be based on the residents and property owners input. Public hearings will be scheduled; surveys will be distributed asking for input from all property owners. The Board understands that there is much opposition to this project based on public access, required easements, liability, security and uncertainties in cost both for the initial placement of sand as well as replenishment. But also we would be irresponsible if we did not point out that we are a seaside community that has one-time permission from the NYSDEC to dredge LI Sound as well as federal and state funding to cover 89.5% of the project. This should not be discounted too quickly. The Village just

dodged a bullet with Hurricane Hermine. Your property values will certainly change for the worse if a severe storm damages the village. This is a given. What may happen to your property values if the ASDRP is constructed is far less objective.

As Mayor all I ask is that you make your decision on the facts, not on rumor or hear say, keep an open mind until all of the facts are known. I assure you that you will be kept informed every step of the way. I would just like to close by repeating what I said earlier, the ultimate decision to move forward with the construction of the beach project will be made by the residents via their input to the Board of Trustees.

Thank you