Summary of the lot known as “The excluded property”

A lot known as the “Conservation Area” or Lot A described on a deed from Long Island Park, LLC to Long Island Community Land Operating Company, LLC which includes the lot known as the “Excluded Property” which is a lot that contains 4.15 acres and as stated by Frank Stewart “has superb value and excellent long term potential for a variety of development and/or town uses (leach fields, buildings ,parking etc.), including sale of that land for revenue generating purposes and is not subject to the conservation easement placed on Lot A. This lot which was originally intended to be deeded to the town of long Island. This lot was set aside because there were no underground tanks, pipelines, valve pits or other things that would prevent its use or cause any future contamination.

In 2004 when the time came for the town to formally accept the property with the conservation easement there was still much anxiety and discussion at the town meeting over concerns with future liability for any problems that might occur and many people objected to the town itself taking ownership of the property consequently it was suggested that a separate entity be created to take ownership of the property therefore relieving the town of any liability for future problems. Thusly LICLOC was formed and the property was transferred to them on Dec 11 2006.

It should be noted that there were also many people who felt that this was unnecessary and that if better information had been presented at that time to clearly show who would’ve been held liable for any future problems (it would go back to those who created the problem in the first place) “the government” Not the town the vote might have gone the other way.

*NOTE In a letter from Frank Stewart he states: Northland has a Certificate of Compliance from the DEP. The Town of Long Island will be in our chain of title and receive full protection under the VRAP legislation should a future problem arise. The town would not be receiving an environmental or financial liability.

What is VRAP

Voluntary response action program
The Vrap legislation was set up by congress to insure that those actually responsible for hazardous spills or contamination are the ones held responsible and not third parties that may own the land in the future.

It should also be noted that because the land is currently owned by LICLOC and not the town it is subject to the zoning restrictions of the Recreation and Open Space Zone which allows only very limited uses.

Submitted by

Brad Brown