

DIVISION OF CEMETERIES

STATE OF NEW YORK
DEPARTMENT OF STATE
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COMMISSIONER OF HEALTH

TO: NEW YORK STATE CEMETERY BOARD

FROM: LEWIS A. POLISHOOK, Director, Division of Cemeteries

CC: ROBERT VANDERBLES, Counsel

SUBJECT: PINELAWN MEMORIAL PARK, NO. 52-044

RE: MAJOR RENOVATION AMENDMENT-PARKING AREA

DATE: SEPTEMBER 24, 2021

At its August 11, 2020 Board meeting, the New York State Cemetery Board approved the application (the Application) of Pinelawn Memorial Park (the Cemetery) to rebuild 450 feet of road (Merritt Avenue) within the cemetery. The Cemetery now seeks to amend this Application to expand a parking area adjacent to Merritt Avenue for an additional cost of \$22,000.

The Division recommends approval.

Background

The Cemetery is the largest regulated cemetery in New York. It consists of 786 acres spanning Wellwood Avenue, and is located in the Town of Babylon, in Suffolk County. It has a series of mausoleum buildings, but is primarily a memorial park, although it also has lawn crypt sections and sections with upright markers. The cemetery appears to be in compliance with all Division regulations; the Cemetery is consistently well-maintained and generates few lot owner complaints.

The Cemetery maintains a conflict of interest policy. The cemetery reports that no related parties are involved in this transaction. Financial information about the Cemetery can be found in its August 10, 2021 application for approval of a major alteration to construct a wash-down station, also submitted to the Board for consideration this month.

Because this project is not an income-generating project, we have not had an accountant prepare a recommendation concerning the application.

The Project

There is a small parking area immediately to the south of the Cemetery's office. The Cemetery proposes to expand this area farther south to add parking spaces. The expanded parking area will abut the rebuilt Merritt Avenue.

Exhibits

- A. Letter from the Cemetery dated September 7, 2021, attaching:
1. Map showing the area;
 2. Aerial image of the area;
 3. Ground-level image of the area;

4. Reconstruction outline and budget previously provided by the Cemetery's contractor.

Major Alteration Factors

Result in or Avoid Destruction, Damage to, Modification or Interference with Existing Graves and Markers, Crypts, Mausoleums, Roadways and Pathways

The work in question will not affect existing graves, markers, crypts, mausoleums, roads, and paths. The parking area is not adjacent to any existing graves. The work will not disrupt use of the parking lot or adjoining roadways.

Location, Design and Duration

The locations of the road to be repaired are shown on the map. Repairs will not interfere with access to graves, roads, or the parking lot. The work will take less than a week.

Financial Impact

The project will have negligible financial impact on the Cemetery. It adds \$22,000 to a \$186,000 project. The Cemetery has over \$15 million in its general fund (from which the work will be paid for) and almost \$93 million in combined funds (all at cost).

Interference with Lots or Interests of Lot Owners

Negligible. There are no graves near the expanded parking lot. More parking will ultimately benefit lot owners. The parking lot will remain open for construction.

Appropriate for Cemetery Purposes

Improved parking is appropriate for cemetery purposes and should enhance the experience at the Cemetery for lot owners and visitors.

Community Impact

None.

Public Health, Safety, Environment, and Natural Resources

None.

Mitigation of Negative Impact

Not applicable because there are no negative impacts to mitigate.

Permits

The Cemetery reports that none are required for the parking lot.

Recommendation

Although I have never seen this particular parking lot full, while the Cemetery is doing other road work in the area, it makes sense to expand the parking area now to achieve economies of scale. The Cemetery has so much vacant land that using this small space for additional parking will not reduce its inventory of future graves and will enhance visitors' experience at very large funerals. I recommend approval.

EXHIBIT A



**FEATHERSTONHAUGH,
WILEY & CLYNE, LLP**
ATTORNEYS AND COUNSELLORS AT LAW

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September 7, 2021

VIA ELECTRONIC MAIL DELIVERY

Lewis Polishook, Esq., Director
New York State Division of Cemeteries
Department of State
99 Washington Avenue
Albany, New York 12210

**Re: Pinelawn Memorial Park and Arboretum (52044)
Requested Amendment to August 11, 2020 Approval**

Dear Director Polishook:

As previously discussed, Pinelawn Memorial Park and Arboretum respectfully requests an amendment to the August 11, 2020 State Cemetery Board approval for the construction and repair of its Merritt Avenue, in order to timely complete this project.

The proposed change involves the expansion of the existing guest parking lot connected to Merritt Avenue to add sixteen (16) spaces along with the additional curbing associated with the newly paved areas as well as new drainage. The drainage would be wholly within the parking area.

The Cemetery would also relocate two existing light poles to adequately cover the new area.

The additional costs for these changes is \$22,000 in addition to the approved \$186,000 project. Therefore, the amended project cost is \$208,000.

The proposed project revision is not adjacent to burial areas and will enable the Cemetery to better serve lot owners. Funding for the amended project will come from the Cemetery's ample Current Maintenance Fund.

Lewis Polishook, Esq.
September 7, 2021
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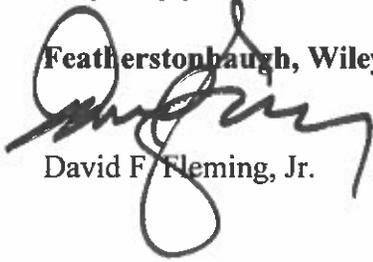
The area highlighted in yellow in the attached diagram indicates the subject area of the amendment. The area highlighted in blue is the approved project area. The attached pages provide the following:

- Project location designation
- Photographs of the location as it exists
- State Cemetery Board Approval Letter of August 12, 2020
- Project Application Overview from July 17, 2020

Our firm stands ready to answer any questions you might have in order to move this project forward for final approval of the State Cemetery Board as soon as possible.

Very truly yours,

Featherstonbaugh, Wiley & Clyne, LLP



David F. Fleming, Jr.

Attachments



Relocate Light Pole

New Drainage Inlet's

Concrete Walk
Concrete Ramp

Concrete Walk
Platform

Platform

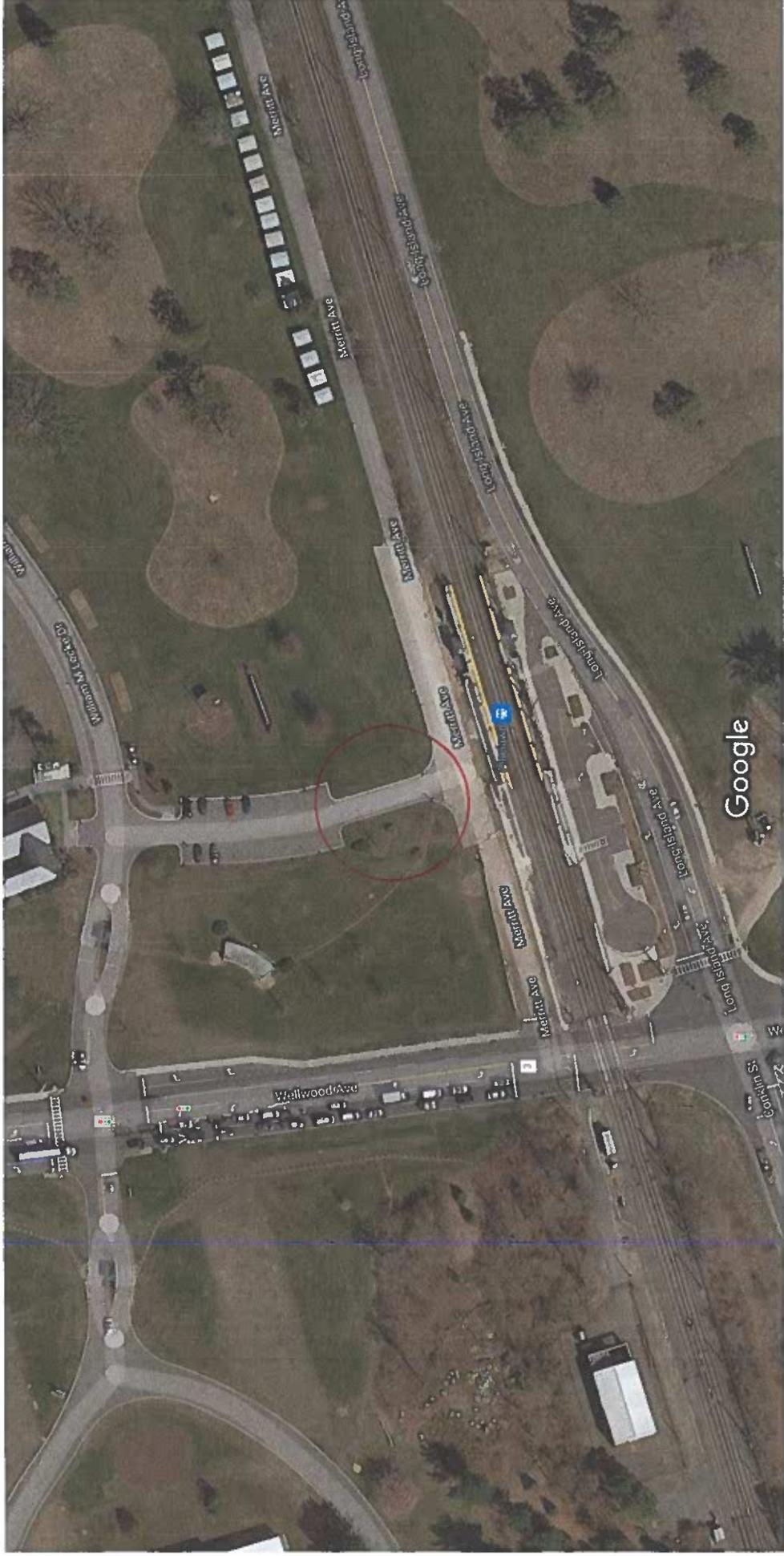
Platform

Platform

Platform

Concrete Ramp

Google Maps Pinelawn Memorial Park and Arboretum



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COMMISSIONER OF HEALTH

August 12, 2020

Mr. Justin Locke
President
Pinelawn Memorial Park and Garden Mausoleum
P.O. Box 420
Long Island, NY 11735

RE: Application re Roadways

Dear Mr. Locke:

The July 17, 2020 application (the Application) of Pinelawn Cemetery Association (the Cemetery) for approval of a proposed lawn crypt plan was reviewed at a meeting of the New York State Cemetery Board held on August 11, 2020.

The Cemetery proposes to repair two roadways, Merritt Avenue and an as-yet-unnamed stretch of road near newly-constructed mausoleum structures. The estimated total cost of the project is \$186,000 for Merritt Avenue and \$111,160 for the other road.

Motion was made, seconded and unanimously adopted by the New York State Cemetery Board approving to the Cemetery's application for approval of the road repairs.

Very truly yours,



Lewis A. Polishook
Director

Pinelawn Memorial Park

Reconstruction outline for Merritt Avenue

6/1/2020

Pinelawn Memorial Park, aka Pinelawn Cemetery, proposes to reconstruct a portion of the area known as Merritt Avenue, from Wellwood Avenue and running west approximately 450 feet (Appendix A). This road is a main artery within the cemetery. As part of a Roadway Management Program, conducted by Savik & Murray, LLP, it was determined that the road is currently in a state of deterioration (Appendix B). The project is expected to take approximately six (6) months, during which time, there will be no disruptions to plotholders as there are no adjacent grave locations. There will be no destruction, damage, modifications or interference with existing graves, markers, crypts, mausoleums, buildings or pathways. As the roadway is completely within the scope of Pinelawn's property, the construction will have no impact on the surrounding community and will have no adverse effects on public health, safety, the environment or natural resources. Pinelawn has received approval from its Board of Directors for this project (Appendix C). Below is an outline of the project along with the steps and procedures that will be used within the project.

Overview:

Project map: The area highlighted in black denotes the road to be reconstructed.



Construction Start date: TBD

Contractors: LaMay Construction

Metro Paving Corp

Pinelawn Memorial Park

Expected project cost: \$186,000.00

Merritt Avenue Reconstruction

Below is an outline of the steps that will be undertaken during the project;

1. Install road drainage pools and catch basins.
2. Remove and dispose of existing asphalt.
3. Remove and dispose of existing concrete curbs where necessary
4. Remove undesirable subgrade materials as needed to a depth not to exceed 36" from existing grade
5. Compaction of remaining subgrade materials by use of 10 ton vibratory roller
6. Backfill and compaction of subgrade to an elevation of minus 10" from final road elevation using recycled concrete aggregate (RCA) with compaction by 10 ton vibratory roller at each 6" lift
7. Replace concrete curbs using standard curb profile of 6" wide by 18" deep by length as needed.
8. Backfill and compaction of top subgrade to an elevation of minus 4" from final road elevation using New York State Department of Transportation (NYSDOT) approved recycled concrete aggregate (RCA) and 10 ton vibratory roller. Compaction to take place at each 6" lift.
9. Grade top subgrade to proposed road profile by use of road grading equipment.
10. Installation of 2.5" dense binder asphalt course using New York State Department of Transportation approved type 3F asphalt
11. Installation of 1.5" top paving course (wearing course) using New York State Department of Transportation approved type 6F asphalt.

