

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Planning Department
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Thomas A. Isles, Director of Planning

NOTICE OF MEETING

DATE: April 7, 2010
TIME: 12:00 P.M.
LOCATION: S.C. Legislative Auditorium, Hauppauge

The tentative **AGENDA** includes:

1. Adoption of minutes for January 2010
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers
 - Ann Golob, Director
L.I. Index/Rauch Foundation "The Clock is Ticking"
 - Town of Southold (invited) - Local Law, Water Supply Plan
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Moratorium on Development in Coastal Barrier District Town of Shelter Island
 - Local Law to Amend Town of Southold Water Supply Plan Town of Southold
 - Fairfield at Southampton 0900 15800 0200 013000 Town of Southampton
7. Section A14-24 of the Suffolk County Administrative Code

-none-
8. Discussion
 - Comprehensive Plan – Provide Update
9. Other Business

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **WEDNESDAY, May 5, 2010, in the Legislative Auditorium in Riverhead, NY.**

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SUFFOLK COUNTY PLANNING COMMISSION
PUBLIC MEETING
held on Wednesday, April 7, 2010
12:15 p.m.
Suffolk County Legislative Building
Hauppauge, New York

FINAL

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P R E S E N T:

DAVID L. CALONE, Chairman

THOMAS ISLES, Director, Planning Department
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5 BARBARA ROBERTS, Southampton
6 LINDA HOLMES, Shelter Island
7 THOMAS McADAAM, Southold
8 SARAH LANSDALE, At Large
9 CHARLA BOLTON, At Large
10 MICHAEL KELLY, Brookhaven
11 MATTHEW CHARTRAND, Islip
12 DANIEL J. GULIZIO, Planning Department
13 ANDREW P. FRELENG, Planning Department
14 JOHN CORRAL, Planning Department
15 THEODORE KLEIN, Planning Department

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1 SC Planning Commission meeting - 4/7/10

2 THE CHAIRMAN: I apologize for the late
3 start, but welcome to the April, 2010 meeting of the
4 Suffolk County Planning Commission. I note that we have
5 a quorum present and I would ask Commissioner Lansdale
6 to lead us in the pledge.

7 (Recitation of the Pledge of Allegiance)

8 THE CHAIRMAN: First item on the agenda is
9 the adoption of the January, 2010 minutes. We have not
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10 yet received the amended version of those. Do we have
11 an update on that?

12 COMMISSIONER HOLMES: Not that I know of. We
13 don't have the minutes. I know the court reporter had
14 questions and was working through them, but I don't
15 believe we have received them yet.

16 THE CHAIRMAN: The next item is the public
17 portion. I don't believe we have public testimony
18 today.

19 COMMISSIONER HOLMES: I recollect that you
20 said that the Planning Commission hearing that you had
21 in February, that although we got minutes from that,
22 that we don't have to approve those minutes; is that
23 correct?

24 THE CHAIRMAN: That was my perspective on it.
25 I'll defer to Director Isles on that. It wasn't a

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1 SC Planning Commission meeting - 4/7/10
2 formal meeting of the Planning Commission so much as the
3 purpose of the minutes was to make sure everyone's
4 comments were captured.

5 COMMISSIONER HOLMES: We did have the court
6 reporter there, so I was wondering, but I found
7 fifty-eight errors in that short hearing, so I just
8 wanted to correct them.

9 MR. ISLES: We should correct those.

10 THE CHAIRMAN: We will take those minutes and
11 correct that transcript, but we will not worry about
12 bringing that before the whole commission for approval
13 since it was not a formal meeting of the Planning
14 Commission. Anything else on that? If not, we will

15 move on the Chair's report.

16 Today we have from the Long Island Index here
17 Dr. Golub and her team. We will be hearing from her in
18 a few moments. Thank you for being here. Couple of
19 items on our priorities. As you know, the Comprehensive
20 Plan is continuing to roll along. We had the second
21 public forum at Riverhead on March 11th. I want to
22 particularly thank Barbara, Vince, Josh, Linda, Tom,
23 Charla and Matt for being there on behalf of the
24 Commission.

25 For those of you that weren't there, we had Deputy

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1 SC Planning Commission meeting - 4/7/10
2 County Executive Chris Kent presented on behalf of
3 County Executive Levy. He gave basically the same
4 presentation that Bob Braun gave at the initial kick-off
5 of the Comprehensive Plan. Of course, Director Isles
6 presented on behalf of the Department. We will have an
7 update at the end of the agenda on just the latest on
8 the staff's work on the Comprehensive Plan. Onto
9 our inter-municipal task force effort. We have made
10 some progress on the public safety task force. I'd like
11 Commissioner McAdam to say a few words on how things are
12 going on that.

13 COMMISSIONER McADAM: I circulated a draft of
14 the public safety guidelines. Right now, Ted and Dave
15 have a copy of it and will be going through the detail,
16 and then probably in the month of May we will be
17 circulating that to the other members of the task force
18 as well as the elected officials and trying to get any
19 comment or any input. So the plan really is to try to

20 adopt this by the June meeting.

21 THE CHAIRMAN: Thank you for your leadership
22 in that. I know you looked through a bunch of public
23 safety design standards from a lot of different areas.
24 I don't know if there were any in particular you wanted
25 to highlight. I certainly appreciate all the work you

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2 have done.

3 COMMISSIONER McADAM: Bob Braun, when he was
4 here, he started it by printing -- having printed about
5 five or six reports from different parts of the United
6 States as well as the world. The two that I looked at,
7 one was from Singapore, another was from Australia, also
8 the Department of Justice; they also have standards on
9 it.

10 What we were trying to do was incorporate not only
11 the physical aspects of public safety, like boundaries,
12 fences, trees and so on, we were trying to get into how
13 people feel when they're in particular situations and
14 how, like if they're isolated in an area, how that could
15 translate into having some kind of boundary or some kind
16 of security system set up. We were kind of looking at
17 it in a different way. Most of these reports have gone
18 into it that way.

19 THE CHAIRMAN: Thank you, Tom. Any questions
20 on the public safety task force effort? If not, you
21 will probably see a draft in about a month or so.

22 Next, the energy and environment task force. Just
23 to save time, I'll do an update on that. We have solar
24 model code permit applications. We haven't made a lot

25 of progress since November, but it has gotten back on

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2 track. We have a meeting tomorrow to work on the
3 standardized permit application form. That will involve
4 Nassau County, various towns and LIPA. We are kind of
5 in the home stretch there on finalizing the application,
6 so we are excited about that.

7 Brookhaven Town may be the first to utilize it
8 because they're looking at the process right now, and
9 actually Freeport Village in Nassau County is actually
10 looking at it there because they are looking at how to
11 approve solar panels. Our wind group is working on the
12 draft permit form in the model code, they're actually
13 meeting this Friday to work through kind of first steps
14 on that.

15 The solar process is moving kind of ahead and wind
16 is kind of following behind in terms of the process.
17 LIPA indicated that they would like to also support the
18 wind standardization process, so they are involved as
19 well. Adrienne has been heading up the group on native
20 vegetation and stormwater runoff, and she and some of
21 her staff members are working on it, taking what her
22 working group has done and tweak that a bit, and she had
23 to be at a meeting with the Attorney General Coumo
24 today, but she will report back at the next meeting.
25 Again, looking to do kind of model codes and standard

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2 practices across Suffolk County. Constantine was not

3 able to be here.

4 Just an update on housing. He and I presented to
5 the Long Island Association a few weeks ago on the work
6 that we're doing on housing. That was very well
7 received. I think next month he will have a fuller
8 update on what the task force is up to.

9 Our fourth task force, economic development and
10 smart growth, we just passed our model code on universal
11 design incentive code. That has now, thanks to the
12 staff, gotten out to the towns and will soon be going
13 out to all the villages, and we are compiling an e-mail
14 list of all the town electeds so we can get this model
15 code to them in the future. There has also been a press
16 release drafted with the county executive, and we are
17 hoping that will go out soon.

18 One of the exciting new things we are working on
19 now is the economic development and historic
20 preservation code, and Charla has been working on that.
21 Charla, if you would like to give us a brief update on
22 that.

23 MS. BOLTON: Vince Taldone and myself, who
24 are co-chairs of the historic preservation task force,
25 have used the past month to invite representative number

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2 of stakeholders to the task force, gather information
3 and focus the agenda in anticipation of a kick-off
4 meeting on April 23rd, which is going to be held at the
5 H. Lee Dennison building.

6 Task force members currently consist of Planning
7 Commission members Bolton, Taldone, Roberts, Lansdale

8 and Holmes. Members from the historic preservation
9 community include Alex Wolfe, SPLIA, Robert Hughes,
10 Huntington Town Historian, Richard Wines, Chair,
11 Riverhead Historic Preservation Commission, Mary Ann
12 Spencer, Chair, CEO and former Brookhaven Landmarks
13 Chair. Elected officials include Jodi Giglio, Riverhead
14 town board member. We will continue to reach out to
15 other potential members.

16 The task force advisory group will consist of
17 Robert MacKay, SPLIA, Nancy Douzinas from the Rauch
18 Foundation, Michael Watt from the Long Island Business
19 Institute and Julian Adams from the State Historic
20 Preservation Office. Participation in both the working
21 group and advisory group will be expanded as needed.

22 The material and information accumulated, to be
23 furnished to historic preservation task force members at
24 the first meeting, is directed toward the following
25 inquiries:

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2 Existing laws and their effectiveness and existing
3 incentives and their effectiveness. Meaningful
4 preservation incentives, which encourage property owners
5 to designate their properties are needed on a broader
6 scale. Residential structures represent over ninety
7 percent of landmarks on Long Island. Currently, there
8 is no incentive program which uniformly benefits
9 homeowners of historic properties.

10 The task force will review current incentive
11 structures and discuss at its first meeting how
12 incentives may improve the climate and acceptability of

13 local landmarking, if the task force wishes to go in
14 this direction.

15 Before the initial meeting, task force members will
16 be asked to consider current barriers to historic
17 preservation and potential remedies, which the landmark
18 preservation committee may take a leadership role in
19 promoting.

20 Task force Chairs Bolton and Taldone attended a
21 workshop on historic preservation tax credits held in
22 Riverhead Town Hall on April 6th, sponsored by SPLIA and
23 the State Historic Preservation Office. The purpose was
24 to be informed of the most recent rehabilitation tax
25 credit incentives. Task force Chair Bolton will attend

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2 a workshop on historic preservation and energy
3 efficiency to be held in Sag Harbor on April 10th. This
4 was brought to my attention by task force member
5 Roberts.

6 THE CHAIRMAN: Thank you Charla and Barbara.
7 This is exciting, and you know, most importantly, it
8 wouldn't be happening without Charla's leadership.
9 Thank you for that. I look forward to hearing more
10 about that as we move through the month.

11 COMMISSIONER ROBERTS: Perhaps I should add a
12 comment about what is happening in Sag Harbor, in case
13 other commissioners are interested in attending or know
14 of other people. The Green Seven Two Five, which is our
15 green community group had sponsored a seminar to talk
16 about the issue of making historic preservation green,
17 and there are so many issues that if you put solar

18 panels on top of historic buildings, it may not be a
19 good plan. The woman that was speaking did a major
20 program on that in Nantucket, so it's sort of an
21 information session on that. It's interesting for
22 people interested in green and historic preservation.

23 THE CHAIRMAN: Maybe you can send a reminder
24 on the date on that. Gigi Morris, who I think is the
25 head of Seven Two Five, if it makes sense to pull her

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2 into this effort. Thanks, Barbara, for that.

3 Another thing that we are working on is the smart
4 growth task force, which is best practices and smart
5 growth. We had the opportunity to have Huntington
6 Station come here a month or so ago. At that time, the
7 commission voted that was potentially a model. Vince is
8 heading up the effort to look at what other TOD type
9 programs are available, or code, or I should say, exists
10 here on the Island as well as elsewhere and what they
11 can learn from that, and what we can bring back to the
12 towns and villages in Suffolk County.

13 One other thing we have been working on with the
14 task force, Sewer Summit 2. Thanks to Adrienne's
15 effort, there is going to be a Sewer Submit 1.5 at
16 Farmingdale May 21st. The EFC Environmental Facilities
17 Corp. is coming down from Albany. Thanks to the effort
18 around this table and Adrienne's leadership, we are
19 doing -- they are going to have a meeting on Long
20 Island. They actually were not planning on that. There
21 was going to be one upstate and Westchester. There is
22 going to be one here on May 21st. Our role was to

23 simply get the ball rolling. Now EFC and Adrienne's
24 organization and a few others are coordinating it. It
25 will be an opportunity for the town and villages here on

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2 Long Island to understand exactly what the state funding
3 process is.

4 As you know, we have actually been talking about a
5 Sewer Summit 2, and the county executive agreed with us
6 that that would be a good idea. That will be in the
7 fall. We will focus on optimizing sewer revenues and
8 looking at other funding sources for sewers so we can
9 optimize the downtown development. Adrienne is going to
10 be our point person on that and Constantine is going to
11 be working on some aspects of that as well. Yves
12 Michel, the new Director of Economic Development, will
13 be heading that up.

14 The last project we are working on under that task
15 force is SUP, the Suffolk Unified Permit Portal. A
16 reminder that there will be an online way for people to
17 apply for building permits and go through the planning
18 process. No matter what town you are in in Suffolk
19 County, there will be the same kind of entryway. Five
20 towns have expressed an interest in exploring this idea;
21 East Hampton, Southampton, Riverhead, Brookhaven and
22 Huntington. Rauch Foundation and LIBI have been
23 supportive in providing us useful materials.

24 The next step is putting together a working group
25 among the towns. The first meeting will be in late

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2 April. From the Commission standpoint, Barbara is going
3 to be our point person and Constantine also is going to
4 be involved. Again from the County Executive's Office
5 we have Yves Michel from Economic Development will be
6 the point person. We have a lot of different things
7 going on. I think it's exciting.

8 I want to give you a few other quick notes. The
9 MTA letter that the Commission authorized at the last
10 meeting went out. I signed that and it went out to
11 various elected officials. I think it may be in your
12 packet. Various federal and state officials indicating
13 the Commission's thoughts on some of the issues
14 effecting the MTA and funding. I was asked to give a
15 brief update at the Suffolk Village Officials
16 Association on what the Commission is working on. I did
17 that a few weeks ago and that went well. Village
18 officials continue to be appreciative of all the work
19 that we are doing.

20 There has been a suggestion that there be a joint
21 meeting with the Nassau County Planning Commission.
22 That came from the Nassau County folks. We will work
23 that out on the staff level. They just finished their
24 master plan process. We can certainly learn something
25 from them. They are interested in our task force effort

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2 and how we brought the towns and villages together to
3 work on these issues, so there may be something that we
4 can share with them.

5 We are working with the Nassau County Planning
6 Commission on the solar effort. It doesn't matter

7 whether you're from Merrick or Montauk, it's same solar
8 panels, so they are actually kind of piggybacking on our
9 effort. A couple of things to note. I want to let you
10 know unfortunately, Job Potter has stepped down from the
11 Commission. We will certainly miss him. He was an
12 important voice here, as you know. He has a lot of
13 things going on and we will be looking to get a new East
14 Hampton representative very shortly. Director Isles and
15 I are going to meet with Deputy County Executive Chris
16 Kent on Thursday to discuss candidates.

17 Lastly, Riverhead, next month, our meeting will be
18 on Wednesday. We are exploring the possibility of doing
19 a bus tour of the Epcal property. Riverhead Supervisor
20 Walter will join us on the bus as well as other town
21 officials. We will do what we did at Heartland a year
22 plus ago, where we go through the development, and
23 everyone gets to see it with their own eyes, and
24 ultimately those projects will be coming through here.
25 I don't know if Director Isles has an update on that.

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2 We will probably be doing it starting around nine-thirty
3 or so the morning of the Commission meeting.

4 We have to get our annual report out, which we are
5 required by county law to do, annual report on Suffolk
6 County. We are working on that. Hopefully, we will
7 have that next month for approval at our next meeting.

8 That's all I have. Does anyone have any questions?
9 If not, I'll turn it over to Director Isles.

10 MR. ISLES: Thank you, Mr. Chairman. Epal,
11 with regard to that Riverhead tour, we do not have

12 funding for a bus, but we have requested one through the
13 County Public Works Department, which does run the
14 county bus system, if they can provide one as a
15 courtesy. We are not sure that is going to happen. If
16 we can't get a bus, we will look at Plan B, some
17 bicycles or something.

18 The tour is a good idea. Certainly Epcal is a good
19 regional project. There is a pending subdivision
20 application on part of the property involving over three
21 hundred acres. They are commencing the SEQRA process.
22 There is also a property known as the Riverhead Resorts
23 property. There will be an application before the
24 Commission involving upwards of eight hundred acres. We
25 will keep you updated on that well in advance of the

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2 next meeting.

3 In terms of updates for the Commission, in no
4 particular order, I just want the Commission to be aware
5 that we are hosting a public hearing tomorrow night on
6 the aquaculture lease program. Last year was the
7 culmination of the planning efforts to get the program
8 put into effect and get it adopted by the Legislature.
9 It's now in the implementation phase. The first cycle
10 has twenty-five applications, which will be the subject
11 of the hearings tomorrow evening.

12 Another project is the Yaphank Legacy Village
13 proposal, which is a resolution to declare certain land
14 owned by the county as surplus and authorizing a
15 contract of sale. That went through the Legislature
16 from the initial review, and the Legislature issued a

17 positive declaration, which requires the preparation of
18 an Environmental Impact Statement. Based upon that,
19 both Public Works and Planning have progressed on the
20 solicitation and securing of a consultant to assist the
21 county into completing that.

22 In March, we went to the Legislature to secure
23 funding for that, and at this point the Legislature has
24 decided to table that and they are further evaluating
25 that request. We have suspended activity at the moment.

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2 We completed the scoping hearing process in March and
3 scoping comment period, but we will not issue a
4 recommended final scope until we know where we are on
5 the funding. I will keep you posted on that as it
6 progresses.

7 In terms of several other items of update, I have
8 updated you periodically on the amendment to the
9 county's development rights program update, known as
10 Chapter 8 in the county code. It is something that the
11 department has been working on for quite a while. We
12 have been working with both the Law Department and
13 Department of Energy as well. We have also been working
14 with the Suffolk County Farmland Committee.

15 What I provided for you today is a summary of the
16 information that is currently before the Legislature,
17 which includes the actual draft amendments as well as a
18 summary of those amendments in a more convenient form,
19 as well as a copy of the existing code. The Legislature
20 conducted a public hearing on this on March 2nd, and
21 recessed the hearing. There were comments submitted

22 and the department is addressing the comments.

23 We did have a meeting with of the Farmland
24 Committee last night. This is extremely important, we
25 feel, from a departmental standpoint, in terms of

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2 updating and modernizing the program. We have a few
3 issues that we are trying to wrestle with, including lot
4 coverage and so forth for permanent structures, such as
5 certain types of greenhouses.

6 The legislature is expected to take this under
7 consideration after the meeting on April 27th. Whether
8 that moves out of committee at that point, we don't know
9 at this point. Once we have consensus of all parties,
10 we will have it ready for the legislature soon. After
11 reading the draft, if you have any questions, please
12 contact me. I will be happy to discuss it in more
13 detail at a subsequent meeting.

14 In terms of the universal model design codes
15 adopted by the Commission, the Chair asked if this could
16 be posted on the county Website, and we have done so.
17 As a matter of practice, as the Commission adopts other
18 products, both model codes and otherwise, the task force
19 products, we can certainly post those as well so they
20 will be accessible to any interested party.

21 The last item that I would like to bring to your
22 attention, the Commission is aware that the Long Island
23 Regional Planning Council is conducting and completing a
24 sustainability plan for Nassau and Suffolk County. They
25 have retained a consultant for this purpose as of last

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2 summer and they were well engaged in that process.
3 County Planning has been invited to a couple of the
4 meetings on this and we have received some summary
5 materials on this as well, including one that was
6 presented yesterday at a meeting of the Regional
7 Planning Council is marked "confidential draft" on it.
8 I did ask at the meeting if this could be shared at this
9 point with the Suffolk County Planning Commission and it
10 was indicated that it could be, but I call your
11 attention to it in your packet. It's called Plan 2035
12 on the cover of it. It's entitled "Sustainable
13 Strategies for Long Island 2035."

14 What this presents are summaries of the
15 recommendations that are emerging at this point in time
16 from the Regional Planning Council's work. They
17 indicated that there are five technical volumes that
18 provide backup and supporting materials for this. We
19 asked for copies of these. When they become available
20 to us, we will be happy to share them with you.

21 What I would like to ask your consideration of is
22 that you take a look at this carefully. I would also
23 like to circulate it to the members that are not present
24 today and take it up for discussion at the next
25 meeting. This is great work that is being done, but

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2 it's also significant work in terms of how it affects
3 Long Island and how it affects our future, and it should
4 not be underestimated in any shape or form. So we will

5 be reviewing it from a staff standpoint and providing
6 comments, but certainly if the Planning Commission would
7 like to provide comments or to react to this or support
8 it, whatever you chose to do, I want you to be aware
9 that it's out there.

10 The Council has indicated that it's their intention
11 to begin having public meetings in the near future and
12 the sense I get is towards the end of April or going
13 into May. So here again, it's going to be out there.
14 We are certainly interested in it from the county
15 comprehensive plan standpoint, and here again, we will
16 be analyzing the information once we receive it and
17 providing input to this commission as well.

18 That completes what I had today. Thank you very
19 much. If you have you any questions, I'll try to answer
20 the questions.

21 THE CHAIRMAN: Any questions for Director
22 Isles at this point? Commissioner McAdam.

23 COMMISSIONER McADAM: On the amendment to the
24 agricultural land development rights, I have a quick
25 question. There is one section on farmstands. Living

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2 in Southold, I know that in Southold and Riverhead there
3 may be a difference on what each of those towns consider
4 a farmstand, depending on the amount of product that is
5 grown there or the product that they get from other
6 areas. So the question I had is whether this gets into
7 any of that, or if you just defer this to the town based
8 on whatever their standards are.

9 MR. ISLES: This does get into that. The

10 county has been regulating farmstands on lands to which
11 it owns the development rights since the early '90's, so
12 farmstands are presently allowed on county PDR upon
13 approval of the Suffolk County Farmland Committee, with
14 a limitation of five hundred square feet for the
15 structure, and it's defined as being semi-permanent
16 seasonal type structure.

17 In addition, the current code states that no more
18 than twenty percent of the products that are sold and
19 the value of those products can be from off farm
20 location, so eighty percent of the value of the products
21 must be from on farm production.

22 What is proposed in the amendments is to address a
23 couple of problems we have. The five hundred square
24 foot limit for structures will remain. We are also
25 suggesting that there be a thousand square foot outdoor

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2 display area limitation. Right now it's not defined and
3 it could be rather extensive and some times problematic.

4 In terms of the eighty percent rule, we found that
5 rule is impossible, or difficult at best to enforce in
6 terms of proving that someone is selling more than
7 twenty percent of product not grown on their farm. We
8 are suggesting basing it on square footage, and we are
9 acknowledging that up to forty percent of the products
10 be grown on Long Island, so one of the things we learned
11 in this process, and we met with every one of the
12 agricultural advisory committees in each of the towns,
13 Peconic Land Trust, Farm Bureau, so forth, is a lot of
14 the farmers, in order to have a complete farmstand, they

15 may grow tomatoes, corn and squash, but the guy next
16 door may grow carrots. They will work with that owner
17 to exchange products. It supports agriculture, which is
18 the primary purpose of the county's program.

19 We have tried to accommodate that in terms of the
20 relationship to local zoning. None of the county's
21 rules have any effect on local zoning. Anything in
22 terms of the town's requirements, if the town doesn't
23 allow farmstands, the town zoning code would trump the
24 county's zoning requirement here, so the county's local
25 requirements stand separate. What we have tried to do

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2 is talk to the towns about this and get their input and
3 also talk to the farmers in trying to make this workable
4 without conflict with local planning objectives.

5 COMMISSIONER McADAM: Thank you very much.

6 THE CHAIRMAN: Anything else for Director
7 Isles? If not, I'll note that the letters that we
8 authorize to go out are in the packet. There is also a
9 letter from Matt Whelan and Avalon Bay, as well as
10 members of the Commission. As Director Isles indicated,
11 all the stuff on Chapter 8 on ag is in there. You also
12 have a hand-out or from the Long Island Index.

13 At this point, we will welcome Dr. Golub to make a
14 presentation. We certainly appreciate your being here.

15 MS. GOLUB: I'm Ann Golub, the Director of
16 the Long Island Index, which is a project of the Rauch
17 Foundation. I also have with me Robert Freudenberg, who
18 is the Long Island Director of the Regional Planning
19 Association.

20 What we are going to do today is go through a
21 presentation that we gave at the Long Island Index
22 launch in January of this year when we were talking
23 about the research that we just completed.

24 COMMISSIONER ROBERTS: Could you explain to,
25 at least myself, about what the Rauch Foundation is? Is

25

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2 this a government project or are you privately funded?

3 MS. GOLUB: It's a private family foundation
4 located in Garden City. The foundation has been around
5 since the 1990's and has been funding projects
6 specifically on Long Island as well as in other places
7 around the country, but predominantly Long Island,
8 focusing on issues relating to children and families,
9 the environment, and for the last seven years we have
10 been funding a project called Long Island Index.

11 The goal of the Index is to indicate in a report,
12 and you have a copy of our last printed report, which
13 came out in '09, and looked to do a holistic analysis of
14 how is Long Island doing. Our goal is to do it from a
15 regional perspective, so we don't look at the two
16 counties separately, we combine them together and look
17 at a series of indicators.

18 Additionally, we have been doing surveys for a
19 number of years. One of the early findings is the very
20 high number of young people that were thinking of
21 leaving Long Island. We have made that a really big
22 focus of much of our work, to focus on what can be done
23 to sustain Long Island going forward and to make it a
24 place where jobs are there and the housing and the kind

25 of vibrant living situation that young people are

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2 looking for, and the kind of businesses that can grow
3 here.

4 What we will do is take you through the most recent
5 research that we did. It was done by Rob and a team at
6 the Regional Planning Association, so we will split this
7 presentation as we go. We have been talking about how
8 suburban communities need to be planning for their
9 future, which you guys are very familiar with. We have
10 been concerned with the degree to which this has been
11 taking place in the various municipalities on Long
12 Island, in the villages towns and at the county level.
13 What we are focusing on is looking at things from the
14 regional perspective. When we do, there are things that
15 we find troublesome.

16 For example, we know how expensive is it to live
17 here on Long Island. The percent of people who are
18 spending more than one-third of their income on housing
19 is twenty-nine percent of the U.S. level, but
20 thirty-eight percent here on Long Island, which is
21 nearly four out of every ten Long Islanders for whom
22 housing costs are just not sustainable.

23 Across the country, we know that thirty-three
24 percent of the homes are rentals and in the areas
25 surrounding New York City, excluding New York City

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2 itself, it's thirty-one percent. But on Long Island,
3 it's only seventeen percent. This becomes a major issue

4 for understanding why young people can't make a home
5 here. Most young people would not consider the basement
6 of their parents' house an appropriate home for where
7 they want to be living. By limiting these rentals,
8 we're only encouraging this kind of migration.

9 A little later we will be showing you more from the
10 interactive maps that we have developed, but this is one
11 of the maps that we have. I have to thank Director
12 Isles. A lot of the information that has been collected
13 by the Suffolk County Planning Department has been
14 invaluable to us in putting these maps together. This
15 is an analysis showing the multi-family housing on Long
16 Island. If you notice the gray represents those areas,
17 census block groups that have no multi-family housing.
18 That is a heck of a lot of gray on that map.

19 In the 1950's, when Long Island was really seeing
20 its major growth, families tended to be quite different
21 than they are today. People tended to have a single
22 career, tended to marry young. There were fewer
23 environmental concerns and driving tended to be pretty
24 cheap and easy, and most importantly to me, fifty
25 percent of households have kids. Today it's much

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2 different. Today, only thirty percent of households
3 have kids. What demographers are anticipating for the
4 future by 2020, new households, only fourteen percent of
5 those new households will have kids.

6 That puts pressure on us to think differently about
7 how we are building and what kind of housing we are
8 providing. The needs of the 1950's are different

9 today. So we know from the research that we have been
10 doing that there is tremendous interest in the downtown.
11 We have done surveys to ask, well, what do you think
12 about living in a single family house versus in a
13 downtown or some other kinds of option. I have to say
14 honestly, I was surprised at the large number of people
15 that were asking to move away from the single family
16 house and have more options. It is typically the
17 families that have young children, growing children that
18 are here for the school districts that want the single
19 family houses. Then the older people and younger people
20 are asking for more alternatives about places to live in
21 order to be able to stay here in the region.

22 MR. FREUDENBERG: If you talk to most Long
23 Islanders, you probably find that most of them think the
24 Island is built out, particularly in our downtowns.
25 People look around and say it's built out.

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2 We wrote a report for the Rauch Foundation for the
3 Long Island Index a couple of years ago, looking at
4 downtown potential. We estimate what kind of potential
5 there was. We wanted to dig down and find out what
6 potential really exists downtown. We had the
7 opportunity to work with the Rauch Foundation to find
8 out what kind of potential was in these kinds of places.
9 We looked at a hundred fifty-six places around Long
10 Island, some downtowns and some station areas, and
11 sometimes those overlapped and sometimes they didn't,
12 and I'll get into the methodology of how we did that.

13 The first thing we did is we looked at one hundred

14 fifty-six locations and drew a half mile radius circle
15 around these downtowns. Within the circles we looked at
16 what kind of space, using county data, vacant and
17 unprotected open space there is in these places. These
18 were the areas we saw the most opportunity for.

19 In addition to those spaces and parking areas, we
20 looked at -- used Google Earth to analyze any additional
21 parking areas, surface parking. We looked at where are
22 people parking cars, is it a municipal lot, a private
23 lot. In a lot of redevelopment projects that you do,
24 those are the greatest potential for redevelopment.

25 Once we looked at that and added all that up, you

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2 basically come up with eighty-three hundred acres of
3 parking, either vacant land or unprotected open space in
4 these downtowns, one hundred fifty-six locations. That
5 is a lot of acreage.

6 Here is an example of how the CUNY mapping center,
7 New York mapping center is using that information. We
8 worked closely with them to print this data to use, so
9 you can go online to the Long Island interactive maps,
10 through the Long Island Index and look at these places
11 yourself. You can zoom in and click in on these places
12 all across the Island to see what the acres of parking
13 vacant land and unprotected spaces are in the downtowns.

14 There are a couple of caveats. This is a bird's
15 eye view that we are looking at for areas of potential.
16 A lot of on the ground analysis would be necessary.
17 This is a first step to say these are the areas of
18 opportunity here, but how are these areas actually being

19 used downtown. This is a good way to start a
20 conversation. You guys are considering a master plan
21 and model TOD codes. This is a model that you can use
22 to start this conversation.

23 Let's look a little bit at that eighty-three
24 hundred acres. It essentially represents eleven percent
25 of all the areas that we analyzed. If you add up the

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2 amount of area in those little circles, this is only
3 eleven percent of that total. Let's look a little more
4 closely at that eleven percent. What we found was that
5 fifty-two percent of that eighty-three hundred acres was
6 surface parking, twenty-six percent is vacant land and
7 twenty-two percent is unprotected open space, like
8 little pocket parks or things that are not protected.
9 Golf courses fell into that in a small degree, but that
10 is a very small amount.

11 What that says, over half of the land is being used
12 for parking in Long Island downtown. There is
13 tremendous opportunity in the parking. Suffolk County
14 has taken the lead for using the parking lots for solar
15 as well. That is a good thing and we think those things
16 can be done together.

17 This eleven percent, these eighty-three hundred
18 acres is only one percent of the total Long Island land
19 mass. It sounds like a tiny number, but you can do a
20 lot of things with that one percent. That eighty-three
21 hundred acres, if you look at that in terms of
22 Manhattan, it's essentially all of Manhattan below 50th
23 Street. We are not saying we want to make this

24 eighty-three hundred acres into Manhattan; it just shows
25 the potential for development use. How do we use this

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2 space; is that is available for development.

3 We tried to take a look at that ourselves. We put
4 it through the lens of a suburban downtown. What is a
5 good kind of mix. What would preserve the suburban
6 downtown and accommodate the kind of housing that would
7 open up opportunities. We came up with a rough
8 estimate. We said we are not going to use all
9 eighty-three acres; let's use half of that. If you put
10 forty percent garden apartments, forty percent town
11 homes and twenty percent mid-rise apartments, you could
12 accommodate ninety thousand units in those downtowns.

13 Just by comparison, if you wanted to develop, keep
14 developing single family homes on Long Island, it would
15 require using the remaining unprotected space on Long
16 Island to do that to accommodate ninety thousand homes.
17 It's a stunning contrast to consider. It wasn't just
18 coming up with the amount of units that we could
19 accommodate on the Island. We wanted to get the
20 conversation going and looked at a number of factors to
21 come up with high and moderate potential in downtowns on
22 Long Island.

23 We looked at that number, the amount of unbuilt
24 land in each downtown, the mixed uses and density and
25 the ridership of the Long Island Railroad. We wanted to

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2 make sure that the downtowns were connected to the mass
3 transit. Using that criteria, we came up with
4 twenty-nine high potential downtowns. Thirteen of them
5 are in Suffolk County. Thirty-one of the moderate
6 potential downtowns, twenty-five of them are in Suffolk
7 county. According to this first blush bird's eye view
8 analysis, there is a lot of potential for downtown
9 development on Long Island.

10 THE CHAIRMAN: How did you define high
11 potential; what was the criteria?

12 MR. FREUDENBERG: The criteria was the mix of
13 uses. Was there a good, fair mix of uses. How much
14 unbuilt land was in there, the acreage. You can look in
15 the report. It has it laid out pretty clearly, the
16 acreage, the number of Long Island Railroad commuters.

17 THE CHAIRMAN: So if everyone sees it, it's
18 the places to grow, darker covering there. It's on Page
19 10.

20 MR. FREUDENBERG: It's the existing density
21 and the mix of uses within there. That gave a good
22 sense of what kind of potential is there for growth. I
23 should point out also another caveat. This only looks
24 at those spaces that are currently either vacant or
25 parking. This didn't even consider the redevelopment

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2 potential of existing buildings or commercial strips.
3 That is a whole 'nother area that we can get into and
4 look at as well. This purely looks at the potential of
5 the unbuilt places.

6 We are working on the master plan in Freeport.

7 This process came along as we were working on that
8 project, but I did overlay where we did the development
9 potential in Freeport and we used fifty percent of the
10 parking lots to get about thirteen hundred units. Those
11 are the numbers that we came up with actually panned out
12 extremely well in Freeport.

13 MS. GOLUB: To show you a little bit of the
14 view then, we will go live and I will show you the maps
15 that we developed. About a year and a half ago we came
16 out with the Long Island Index interactive maps, which
17 you can access from our Website. We added a tab on
18 downtown. You can chose a particular downtown and find
19 out where the yellow areas of development are and you
20 can click and see what is on each one of these. When I
21 was clicking around, what I found was parking lot,
22 parking lot. Honestly, it was stunning. I knew we had
23 a lot of parking lots. When you see the screen all of a
24 sudden begin to fill with parking lots, it's a little
25 bit stunning.

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2 I live in Port Washington. I was looking on the
3 map and there was a yellow area and I clicked it on it
4 to see what it was. It was a parking lot. I thought
5 that we can't build there, that is where we have excess
6 parking for the high school. Wait a second. With the
7 right design, why couldn't you park there? Why couldn't
8 you come up with a design that accommodated the parking
9 needs as well the housing needs that we have in Port
10 Washington and maybe even some small retail stores.

11 At our launch, Galina Tachieva, who is from a

12 design firm in Miami, she gave like forty minutes of
13 examples from around the country of exactly what is
14 being done with this kind of development. We walked out
15 of there saying oh my word, there is so much that can be
16 done.

17 The last thing the Index has come up with, or the
18 most recent thing is we decided to start a design
19 competition. We don't have a piece of land. We
20 wouldn't come in here asking for zoning authority or
21 anything. What we do have is, we think that Long
22 Islanders really benefit from having their eyes opened
23 to what the design potential might be. What could
24 things look like. It could be quite different than it
25 is today. We decided to have this ideas competition.

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2 We launched it last Wednesday. Our hope is by the time
3 the submission period ends by June 21st, that we would
4 have two hundred submissions, which is a lot for this
5 kind of competition.

6 We already had a hundred people register that they
7 plan to submit plans. It has caught on like wildfire.
8 We have had people register from around the world. We
9 have three people from Taiwan as well as from all Long
10 Island, California, Boston, Chicago. I have been
11 fascinated by the kind of interest that we have gotten
12 so far. Sarah tells me there is a group of school kids
13 that are working on an idea that they're going to
14 submit. My son tells me and his college roommates are
15 going to submit a plan.

16 Over the summer you will see a lot of our

17 advertising where we will try to get people, everyone to
18 vote. We are calling this the Long Island Index
19 People's Choice Award. That is to try to get the idea
20 out there widely and have people take a look at these
21 designs, see what they think.

22 THE CHAIRMAN: Thank you Ann and Rob. We
23 will all have to register, I guess. How to build a
24 better burb. A fantastic presentation. Also, it's
25 exciting that you guys are pulling the information

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2 together needed to move policy forward.

3 I had a question or two. One of them relates to
4 just the areas of high potential and moderate potential,
5 I'm interested in looking through the list to see what
6 you identified, particularly in Suffolk County, with
7 specific emphasis, which ones are in villages. As you
8 know, if you have a political entrepreneur like Paul
9 Pontieri in Patchogue, in a village you can move things
10 quite quickly. A town often has additional --it's a
11 little bit more cumbersome. At the same time, if a
12 village doesn't want to grow, it's impossible to move
13 forward. I think engaging the villages in this,
14 particularly in Suffolk County, will be important. The
15 village is particularly where the Long Island Railroad
16 stations are. I look forward to looking through the
17 list a little more closely.

18 MS. GOLUB: I just chose Patchogue, just to
19 show you what it looks like on the maps and how you can
20 zoom into a particular area. You can choose a
21 particular spot. Typically you would do the aerial

22 view, a parking lot.

23 THE CHAIRMAN: Another question is, have you
24 guys thought about what kind of policies are needed to
25 help drive it? Design is critical. When people see

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2 something that is cool and worth doing, it can move the
3 political process. At the same time, you need policies
4 to move that forward. I was wondering if you have given
5 any thought to that.

6 MS. GOLUB: I will have Rob talk more on
7 that. That is one of the pieces that we are considering
8 for the Index. It's great when you have the ideas, but
9 how do you make it happen, move it through the political
10 processes.

11 MR. FREUDENBERG: The fact that we are here
12 talking with you; we are glad that you invited us. This
13 is a key conversation that we need to have. I also
14 presented to the MTA because of their involvement in a
15 lot of these communities. The next step is really
16 broadcasting to people, getting a conversation together
17 and working together with you guys as you write your
18 codes and your master plan, to really let us be a part
19 of that.

20 THE CHAIRMAN: I appreciate that and look
21 forward to that. Commissioner Bolton.

22 MS. BOLTON: I haven't had a chance to read
23 your latest report, and so I'm going to ask you a
24 question which actually may not be addressed in it.
25 Since there is an obvious need for housing, alternative

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2 housing, so to speak, alternative for the single family,
3 house alternative to the single family house, since you
4 identified areas where there is a potential for
5 development, there is also a lot of areas in downtowns
6 that may have antiquated buildings of one type or
7 another that are suitable for adaptive use.

8 I'm wondering where there could be a real historic
9 potential to create units, and I'm wondering if that is
10 at all part of this report.

11 MS. GOLUB: It is not part of this report,
12 but we absolutely agree with you that that is a
13 potential. We were trying to get -- it's an overview of
14 what is the potential over Long Island. When you try to
15 do the entire two counties, we have to rely on the tools
16 that would allow us to come up with these numbers. We
17 know developers often say trying to retrofit a building
18 is difficult. That is why we said what is the flat land
19 that we could be working on.

20 MS. BOLTON: Are you saying this is the path
21 of least resistance?

22 MS. GOLUB: It's one important component that
23 shows an awful lot of what the potential might be.

24 MS. BOLTON: Do you think the Rauch
25 Foundation will take any type of leadership role in

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2 identifying those types of resources in the future?

3 MS. GOLUB: If you know how you can help me
4 do that, I would be happy to do that. Off the top of my
5 head, I don't know how to, but I would be glad to

6 discuss it with you.

7 COMMISSIONER BOLTON: That sounds good.

8 Thank you.

9 THE CHAIRMAN: Commissioner McAdam.

10 COMMISSIONER McADAM: You discussed parking
11 spaces quite a bit in the presentation. Have you dealt
12 with the parking garage situation? Can you reduce
13 parking spaces by building parking garages and
14 eliminating spaces that way?

15 MS. GOLUB: Exactly. That would definitely
16 be one of the major possibilities that you could
17 consider. In fact, in my village, in Port Washington,
18 they are talking about connecting a whole number of the
19 parking lots and building a multi-level structure behind
20 the stores behind Main Street and be able to use the
21 parking lots for other purposes, which would be
22 fabulous.

23 MR. FREUDENBERG: I think the key is to push
24 the old idea of parking garages out of peoples' minds.
25 We're talking about buildings behind stores, so you

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2 don't even see it. You see a car disappear in there,
3 you don't even know it, but there is a garage behind the
4 stores.

5 THE CHAIRMAN: One of the issues we have here
6 is the water table. You can't always go down. Michael,
7 you have done a lot of downtown development,
8 particularly in Patchogue. That has been an issue,
9 right?

10 COMMISSIONER KELLY: Trying to put a cost of
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11 going down below grade as opposed to above grade is a
12 huge cost differential. Parking garages, you typically
13 prefer to go up because it's less expensive. It's a
14 large number per unit per parking space. I guess the
15 balance and the challenge will be how do you offset the
16 cost of that. Can you bond it? Can you create a
17 parking district? How can a parking structure generate
18 revenue to offset the cost. If you figure that out --

19 MS. GOLUB: Sometimes it also gets offset by
20 what else you might have on the property. If you're
21 taking another parking lot and putting up some kind of
22 revenue generating facility, then that helps to offset
23 the cost of the garage. There is an exhibition down in
24 Washington, D.C. There is a building museum, the
25 history of the parking garage.

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2 THE CHAIRMAN: Sounds very exciting.

3 MS. GOLUB: I wanted to do a competition on
4 designing a parking garage but we decided we will start
5 with this.

6 MR. FREUDENBERG: Another reason we focused
7 on the downtowns, we want people to live in the new
8 residences, not necessarily to have a car, maybe using
9 the railroad more. I think that is another element is
10 how many cars are encouraged with the new developments
11 that go up. Obviously, it's a balance between what
12 people need and what you can do with the TOD
13 development. You would hope there would be a little
14 less car use.

15 COMMISSIONER KELLY: Robert, in your

16 research, did you find in your specific locations, did
17 you find any municipality that actually had a zoning
18 code that allowed for twenty or twenty-one units per
19 acre?

20 MR. FREUDENBERG: We didn't analyze the
21 zoning codes, since this is the whole Island. We just
22 threw the idea out there. No, we didn't look at zoning.

23 THE CHAIRMAN: Any other thoughts or comments
24 or questions? If not, thank you so much for being here
25 and for the work that you are doing and for sharing with

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2 it us.

3 What is on the CD; what is contained on that?

4 MS. GOLOB: We gave the presentation in
5 January. It's a short video that we put together which
6 is called The Clock is Ticking. The goal is to scare
7 people in terms of what is happening on Long Island. We
8 put an electronic copy of the report, Places to Grow,
9 and we did a series of interviews with three of our
10 elected officials, talking about how they were able to
11 achieve building in the downtown, so we have that video
12 on there.

13 Everything is on our Website. If there is anything
14 else you would like, I'd be happy to help you.

15 THE CHAIRMAN: Thank you. We look forward to
16 working with you. Moving on, next item we have,
17 originally on your agenda we had an item from Shelter
18 Island. We still want to have a presentation, overview
19 on what is going on on Shelter Island that Commissioner
20 Holmes is going to share with us. The procedural

21 aspect, there is a moratorium that the town board
22 already adopted. From a process standpoint, it did not
23 come through here before adoption.

24 Commissioner Holmes has been involved to some
25 degree on some of the deliberations on Shelter Island.

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2 While she is not able to participate in the
3 deliberations here, she can update us. We're not going
4 to actually consider the resolution. Because of our
5 numbers here, it will be a local determination back in
6 Shelter Island, which is okay, given the circumstances
7 that they already adopted a week or so ago.

8 Commissioner Holmes did want to, and I appreciate
9 her having thought through her presentation, so she will
10 give us a brief overview of what Shelter Island is doing.

11 COMMISSIONER HOLMES: Thank you,
12 Mr. Chairman. Our town supervisor asked me to represent
13 the town since the staff invited the town to come and
14 make a presentation about the moratorium, which, as
15 David mentioned, the public hearing on the moratorium
16 was January 17th, I think. Then on March 19th, the
17 town board passed the moratorium. One of the main
18 reasons they did that, you have that map up there of the
19 coastal, the coastal barrier. The town board became
20 aware at the public hearing that the public hearing was
21 on an application by the one individual who owns a home
22 along the first Ram Island Causeway there, the blue
23 outlined area down to the right of the top of the map
24 over there, a little further up.

25 That is because the building inspector, back in the

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2 nineteen sixties issued a building permit to the
3 original owner of the property, of a two acre parcel,
4 and that owner took advantage of a loophole in our town
5 code which said you couldn't build on a flood plain
6 unless you have an elevation of six feet. And since it
7 didn't say a natural grade elevation. The individual
8 brought in six feet of fill and gave himself eight feet
9 of elevation and built a house, which eventually the
10 family sold to the present owner. And in the interim,
11 the Health department allowed reverse osmosis, so that
12 is the water system they are using.

13 One of the issues that came up at the public
14 hearing was that in the reverse osmosis procedure the
15 waste from the reverse treatment plant will be flushed
16 in to Coecles Harbor, which is adjacent to the south
17 side of that causeway and is a major shellfishing and
18 clamming area, so some concern was made about that.

19 But the property owner had applied in December to
20 the town for a permit to remove the damaged house, which
21 was damaged by fire a couple of years ago. And he had
22 to get a permit from the town to intrude on the wetlands
23 to remove the damaged structure. And he also was asking
24 the town for a permit to rebuild.

25 The DEC told him that he couldn't rebuild in that

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2 same location because it was too near the wetlands and
3 the house was constructed before Shelter Island had a

4 wetlands ordinance. That was part of the problem. The
5 DEC told him to build seventy-five feet away, and what
6 he decided to do was build a hundred feet away from the
7 wetland, so he's nearer the road, and he wanted the town
8 to give him a permit for the new structure, and the town
9 board said they wanted the Zoning Board of Appeals to
10 review the application and decide whether to issue a
11 permit.

12 The ZBA did issue a special exception permit to
13 this individual on March 24th. They felt they had no
14 choice because he already had what was considered the
15 only building lot on that causeway. So the individual
16 had indicated in the January public hearing that if he
17 got both of his permits, then he might be willing to
18 negotiate with the Group for the East End and the Town
19 of Shelter Island and even the county, but Director
20 Isles tells me the county is not really interested. So,
21 some of us anticipate that now that he has both permits
22 in hand, he will begin to negotiate, because he did
23 indicate that he would be willing to sell the property.

24 However, one of the major reasons for the
25 moratorium is that an individual who owns two acres of

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2 open land right adjacent to this home spoke at the
3 hearing and said if this guy got his permits, he might
4 ask for a building permit for his property. But on the
5 other hand, he said, I want to get in line to maybe sell
6 my property to the Group for the East End. But the town
7 board issued, or enacted the temporary moratorium
8 because they were aware that the parcel adjacent on the

9 causeway there, there are several other small parcels
10 along that causeway that are privately owned. They're
11 less than an acre, most of them, but there were several
12 other privately owned parcels.

13 Most of our coastal barrier is on our Mashomack
14 Preserve, which the Nature Conservancy owns that, is two
15 thousand acres down toward the other end of Shelter
16 Island. But there are other small parcels around
17 Shelter Island that are in private hands, and the town
18 board is aware that in recent years the Suffolk Board of
19 Appeals has issued at least three other special permits
20 to people who have property on the underdeveloped
21 coastal barrier and they wanted to take a breather and
22 take a six month moratorium in order to strengthen the
23 town code with regard to undeveloped coastal barriers
24 because they could see this problem coming up again and
25 again and again.

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2 And that is why they felt they had to enact the
3 moratorium quickly because once he got his permits,
4 other individuals might begin to apply. Given the ZBA's
5 record, they didn't want to have those permits
6 continue. So, that is the background of why they did
7 it.

8 I must say I don't think the town board was aware
9 that they needed to wait until the Planning Commission
10 acted because they felt they had to enact their
11 moratorium very quickly in order to preclude any further
12 permit applications. So I just wanted to clarify that
13 for staff and for the Commission, as to why this was

14 done the way it was and why it was done now. Thank
15 you.

16 THE CHAIRMAN: Thank you, Commissioner
17 Holmes. We all appreciate your update on that and
18 clarification. Does anyone have any questions about the
19 moratorium? If not, thank you. What we will do, we
20 have it on our agenda and I note for the record that we
21 don't have a quorum with respect to this application.
22 Therefore, that will go back to Shelter Island as a no
23 action. It would be helpful for all of us to remember
24 to try and remind our towns and villages about the
25 process. Most towns and villages are very good about

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2 it. There certainly are situations where the process
3 isn't followed and we want to try and change that.

4 COMMISSIONER HOLMES: I might add that both
5 our town clerk and a board member asked me this week why
6 did the moratorium go to the Planning Commission. They
7 really didn't understand that because it involved
8 coastal barriers adjacent to water, that that was one
9 major reason. They didn't understand that.

10 THE CHAIRMAN: They do now and we know that
11 you will keep on top of it in the future. The next item
12 is a local law to amend the local water supply plan in
13 Southold.

14 MR. FRELENG: This is a referral from the
15 Town of Southold amending their water supply map
16 extending a water transmission main to Browns Hill
17 subdivision. Jurisdiction for the Commission is that
18 this matter is similar to the previous matter as a local

19 law, as well this matter is an amendment to the town's
20 comprehensive plan. This is, as indicated, a referral
21 from the Southold Town Board which adopted Local Law
22 2010 relating to the amending of the town water supply
23 map to include an extension of a water main to the
24 Browns Hill subdivision.

25 We have attached the existing water supply plan map

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2 that you can see up on the screen. They're a little
3 difficult to see, but the dark blue lines are existing
4 water mains within the Town of Southold. The proposed
5 Browns Hill subdivision is way up over here, and the
6 transmission main would start from here and work its way
7 to the subdivision.

8 THE CHAIRMAN: Is everything on the other
9 side of the causeway not connected right now?

10 MR. FRELENG: That is correct. Everything on
11 the east side of the causeway is not connected to the
12 public water system as managed by the Suffolk County
13 Water Authority. We have no knowledge of anything
14 unique or private there. But as far as public water
15 works managed by the Water Authority, there is nothing
16 there.

17 Let me just indicate to you the reason why this is
18 an extension of the existing main, through this area all
19 the way up to the Browns Hill subdivision, the question
20 might be asked why does the Browns Hill subdivision show
21 public water mains in the subdivision if we are going to
22 be extending the transmission main? The reason is the
23 Suffolk County Water Authority put together a public

24 water supply system. They're a system of wells pumping
25 water being treated at well heads, and the water is

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2 being distributed to the subdivision.

3 The folks are technically on what would be called a
4 public community water supply system, but in common
5 terms it's really private wells. That is a little bit
6 of a confusing answer.

7 THE CHAIRMAN: They pay the Water Authority
8 now?

9 MR. FRELENG: That is correct. The Water
10 Authority maintains the well heads in order to supply
11 potable water and treat the contaminants there. The
12 transmission main extension is proposed from Truman's
13 Path in East Marion eastward along Route 25 along
14 Brown's Hill. The route stretches approximately
15 seventeen thousand linear feet and includes a twelve
16 inch pipe drilled horizontally under Dam Pond, a
17 sensitive coastal pond habitat.

18 I just wanted to show you from the aerial, it's
19 going to go along the causeway across the Dam Pond
20 area. There are some DEC issues with regard to wetlands
21 there. In terms of the staff analysis, the proposal in
22 terms of the transmission main is intended to supply
23 existing development only and is not intended to result
24 in additional development in the area. So the
25 transmission main is intended to go from this point to

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2 this point and supply, if requested, public water to

3 only those properties that are existing that are on a
4 private well. It's not intended to supply any vacant
5 land with public water.

6 The Suffolk County Department of Health Services
7 and the Suffolk County Water Authority have represented
8 to the town that the groundwater quality of the existing
9 wells supplying the Browns Hills area are inadequate and
10 causes significant concern that requires extension of
11 public water to the area. This local law is a
12 reflection of the goals of the Suffolk County Water
13 Authority and Suffolk County Department of Health
14 Services to provide safe drinking water to the Browns
15 Hills subdivision.

16 And upon the town's consideration of
17 recommendations made by Southold's environmental
18 consultant and public comments taken at a town hall
19 hearing, Town of Southold road opening permits will be
20 required. And New York State DEC wetland permits are
21 likely to be required to traverse the route through Dam
22 Pond.

23 Staff is recommending approval of the local law to
24 amend the Town of Southold water supply plan map subject
25 to the following comments: Development of the

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2 transmission main should be in accordance with best fire
3 protection practices. That may be obvious to all those
4 who engineered the water supply transmission mains. I
5 wanted to make sure that was highlighted.

6 The second comment is all proper local permits,
7 road opening permits, et cetera, be secured prior to

8 commencement of the extension, and that all New York
9 State DEC permits should be secured prior to
10 commencement of the extension.

11 That is the staff report.

12 THE CHAIRMAN: Thank you, Andy. This is a
13 Southold matter, so I will ask Commissioner McAdam if
14 you have any thoughts or comments.

15 COMMISSIONER McADAM: I want to say up front
16 that I support the local law, also the staff report,
17 which is better. It hit all the issues right on the
18 head. There are a couple of things that I wouldn't say
19 it's an official position, but to use a military term,
20 it's like scuttlebutt. There are lot of things that go
21 out there that happened in the newspaper are not
22 necessarily a position that the town board takes. One
23 is that water main extensions are used -- are perceived
24 to be used as form of curtailing development. In other
25 words, if water mains are brought into a particular

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2 area, what many of the people feel is that their
3 particular area is going to be turned into a
4 subdivision. So that is always on everybody's mind
5 every time they try to amend the water map.

6 The other thing that happened with this particular
7 application, that I read -- by the way, they had a
8 public hearing on this last night. For the record, I
9 didn't go to it it, nor have I been to any meetings
10 regarding this subject. But initially, there was word
11 that federal stimulus money may finance the extension of
12 the water main. I'm not sure if that is a fact. At the

13 the beginning, it was a fact, and whether it's
14 available, I don't know. I would like to support the
15 local law and the report.

16 THE CHAIRMAN: I received an e-mail from
17 Commissioner Horton, who is on vacation with his family.
18 He sent his regrets about not being able to attend the
19 meeting. He also indicated his support for the staff
20 report and for the comments.

21 He had one question. He noted that when he was
22 supervisor, the map would be amended from time to time
23 by resolution, but there was no formal local law. He
24 indicated in his note that after he was supervisor, the
25 new supervisor, Supervisor Russell, felt that the

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2 process for updating the map, which had been kind of an
3 add hoc process, starting in 2000, which is when the map
4 was first adopted. Josh was supervisor from 2002 to
5 2005.

6 After Josh was out of office, he said Supervisor
7 Russell, to his credit, found the method of updating the
8 map too vague, and in 2007 he adopted and updated the
9 process. The question for Josh was do they know whether
10 it was actually codified as law by the Town of
11 Southold.

12 MR. FRELENG: I can't comment to that. I
13 don't know if it was adopted by law. What they referred
14 to us was a local law, and therefore we're obligated to
15 process it. I don't know how that was done in the past
16 and how that might change. I just would say that de
17 facto, the water supply map is part of their

18 Comprehensive Plan. No matter how they amend it, it
19 should technically be referred to the Commission.

20 THE CHAIRMAN: Josh was concerned generally
21 with the town having the right to decide who may or may
22 not have access to the public water, particularly when
23 there are health issues involved. Here, clearly, the
24 town is looking to extend public water to an area where
25 there might be public issues of health involved. His

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2 general issue with it isn't dispositive against the
3 recommendation in any way.

4 He talked about how the Town of Southold has the
5 initial right to approve or disapprove development,
6 which is independent of the water map, and questioned
7 whether Southold should be involved in passing water
8 maps. But he can run for office again if he would
9 like. Maybe we should suggest that to him.

10 Bottom line, I wanted to report his comments to you
11 for the record and finish with the note that he does
12 support the recommendation.

13 Any other thoughts or comments on the staff
14 report? Seeing none, I'll entertain a motion.

15 COMMISSIONER McADAM: Motion.

16 COMMISSIONER HOLMES: Second.

17 THE CHAIRMAN: All in favor of adopting the
18 staff report as written, please raise your hands. That
19 is eight to zero. The next item is Fairfield at
20 Southampton.

21 MR. FRELENG: This application comes to us
22 from the Town of Southampton. It is referred because it

23 is adjacent to County Road 39, which is also known as
24 Tuckahoe Street, if you're a local.

25 The applicants are seeking town planning board site

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2 plan approval for the construction of a fifty unit
3 non-age restricted condominium development, which
4 includes 15 community benefit units on a seven point two
5 eight eight acre parcel. The density is roughly 6.8
6 units per acre. The proposal also includes a two
7 thousand square foot community building and pool, one
8 point five acres of open space and construction of an
9 individual Cromaglass sewage treatment system.

10 Pursuant to Town of Southampton zoning law, a
11 minimum of 106 parking stalls is required. The
12 applicant has proposed a hundred ten parking stalls. It
13 should be noted that twenty of the parking spaces are
14 accounted for in garage space, which is permitted by the
15 town.

16 The parcel is located on the southeast corner of
17 Tuckahoe Street, which is County Road 39 and Tuckahoe
18 Lane which is a town street, in the Hamlet of
19 Tuckahoe. The subject property is in a corridor of
20 highway business zoning. Take a look at the zoning map
21 designated as RPDD, which is a residential planned
22 development district. Predominantly the land uses
23 surrounding the property, the subject property, is
24 adjacent to right-of-way on three sides, County Road 39
25 to the north, Tuckahoe Lane to the west and Long Island

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2 Railroad right-of-way to the south.

3 The property is separated from recreational use;
4 that is a driving range to the east, I should say, by
5 county land dedicated to street drainage. The subject
6 application, if we take a look at the site plan, is
7 proposing two points of access to Tuckahoe Lane,
8 unsignalized and unrestricted. There are no significant
9 environmental conditions or constraints on the
10 property. You can take a look here. You can see the
11 swale that separates -- the county swale and recharge
12 basin, which is over here, which is adjacent to the
13 driving range. You can see this is a recharge basin.
14 When we were here it was filled with water. And this
15 area was filled with water.

16 Briefly the staff analysis. If you take a look at
17 the staff report, you can see there was some history
18 with the referral and change of zone. It came to the
19 Commission and the staff prior to the adoption of your
20 guidelines, so it was processed under the old criteria.
21 It's the belief of staff that the premises may be
22 remotely situated from multi-residence purposes. As you
23 know, we like to locate attached houses closer to county
24 centers or mixed business, but the applicants have
25 proposed to mitigate that concern by the incorporation

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2 of construction of a bus shelter in front of the site.

3 Staff believes all sidewalks on the site are
4 designed to be ADA compliant. The parking lot aisles
5 are a tempting straight away for motor vehicle speeders.

6 This makes pedestrian safety a concern. Staff believes
7 that the town should pay careful attention to traffic
8 calming mitigation measures. You can see on the site
9 plan, if you come off the road, you can zip right in and
10 zip right out again. It looks like they pinched out
11 some of the curbs in some areas. They should take a
12 look at closer look at that to maintain pedestrian
13 safety.

14 The view shed of County Road 39 could be better
15 enhanced with more detail to landscaping within the open
16 space and setback areas along the right of way. In
17 addition, the buildings themselves should be treated in
18 such a way that they do not look like blank facades
19 facing the county right-of-way. If you look at these
20 here, this is the county right-of-way. If there was
21 screening or some treatment of the backs of the
22 buildings so it didn't look like the back of a
23 building. For example, when Tanger was first built, you
24 went down Route 25, you saw the blank facade along the
25 back; it was very unappealing. Over the years, the

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2 Landscaping has grown. We think the applicants and town
3 should pay some attention to that along the county
4 right-of way.

5 The height and placement of luminaries should pay
6 attention to the Town of Southampton dark sky
7 requirements. Southampton has been a pioneer in dark
8 sky requirements. We also believe that the applicant
9 should be directed to county guidelines for public
10 safety. There was nothing in the referral material that

11 indicated that public safety was a consideration in the
12 design of the project.

13 Staff is going to recommend approval with some
14 comments, the first comment being that all the sidewalks
15 are ADA compliant. Second comment being that the
16 parking lot island should be treated with traffic
17 calming mitigations. Third comment, County Road 39
18 should be protected and backs of buildings treated.
19 Fourth is the height and placement should be directed to
20 look at guidelines on public safety, and the last
21 comment is that the community benefit unit should be
22 affordable public policy on workforce and affordable
23 housing.

24 The staff has some relatively minor comments
25 relative to the design of the projects, but we felt it

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2 was a good application to discuss with the Commission
3 and get a clarification of the Commission's regionally
4 significant policy. I do not know how you want to do
5 that. Essentially what the staff is looking for is a
6 clarification. The guidelines say that the Commission
7 should review projects that include sewage treatment
8 works that exist at the time of habitation, the existing
9 community sewage system that is in existence at the time
10 of habitation. Staff is trying to figure out do we mean
11 by a community sewage system a sewer district.

12 If you look at the black and white, the words, you
13 can see if an applicant proposes a sewage treatment
14 plan, if they build that and then they build the units
15 and everything is functioning at the time of habitation,

16 if that could be construed as a community sewage
17 treatment facility at the time of habitation. I guess
18 staff is looking for clarification. Do you want to see
19 all projects fifty units or more, whether attached or
20 not attached to a community sewage system that are
21 outside the municipal district, or is your criteria if
22 the Health Department and Public Works have approved a
23 plan, then you are not interested in looking at that
24 project further.

25 Thinking of a fifty-one unit system all on

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2 individual sanitary systems, you might want to see that,
3 but an municipal. This particular project had
4 affordable housing. It had some good elements to it.
5 At a time it came in, it was prior to the regionally
6 significant standard, so the Department felt it was a
7 good project.

8 THE CHAIRMAN: Let's focus on the merits of
9 the project itself and then we can get into some
10 questions about a project like that on the East End. If
11 we will deal with the project first and go on to the
12 regionally significant. Commissioner Roberts.

13 COMMISSIONER ROBERTS: Actually, it ties to
14 Andy. I'm having difficulty figuring out exactly which
15 lot this is. If you would go back to the aerial, what
16 is the white building across from here?

17 MR. FRELENG: I think it would help you if we
18 went to the photos.

19 COMMISSIONER ROBERTS: What is that white
20 building across the --

21 MR. FRELENG: That is a boat dealership.
22 This is a small shopping area, there is a pizzeria.
23 COMMISSIONER ROBERTS: I know where I am.
24 MR. FRELENG: This is the subject property
25 looking southeast of the railroad right-of-way. This is

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2 the existing buffer that is present. This is the
3 railroad right-of-way looking northeast at the corner of
4 the subject property. Not much in the way of buffer if
5 the property itself at the southwest corner, looking
6 north and east. This is an industrial park and light
7 industrial park.

8 This is the center of the property. There is a
9 pizzeria right in the middle that measures the height of
10 the water table. The property slopes off in the back.
11 We believe that the applicant is taking a look at the
12 groundwater to see which way it is flowing. I believe
13 this is looking east. The property rises up to the
14 south in the back. This is looking north of Tuckahoe
15 Lane. There is a highway business here, and a highway
16 business barn here. This is the local road that the
17 access points would come out to.

18 Directly opposite the northwest corner of the
19 subject property is a highway business use. If you look
20 across County Road 39, you see the strip commercial
21 area. It has a bar, pizzeria, bagel place. John and I
22 were talking as far as bachelors go, this is probably
23 all you need. This is not a classic hamlet center;
24 there is no shopping. It's not a classic downtown.
25 There is, looking south along Tuckahoe Road, you can see

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2 some of the highway business uses. It conforms with the
3 zoning. Looking west along County Road 39, there is a
4 sidewalk. Along this section of 39, there is no
5 shoulder. That has been commented on in the past.

6 This is the retail across the street. This the
7 other side of Tuckahoe property looking east down County
8 Road 39. This is a close up of the front of the
9 property. There is a sidewalk, no shoulder, subject
10 property again. Another shot of the property. This is
11 on the property and in this area you can see this line
12 of trees that drains down in the county swale and
13 recharge basin in the back. That is it.

14 THE CHAIRMAN: Anything else from staff?
15 Commissioner Roberts.

16 COMMISSIONER ROBERTS: Putting the two points
17 together, to me this is considered significant
18 regionally significant because it's on County Road 39.
19 I personally believe on the East End, any major
20 development on any of the county or state roads should
21 be coming in front of us, whether or not it had to do
22 with the sewer. What we are talking about is the area
23 of the highway after you come off Route 27 past
24 Southampton College, and that wild strip coming into
25 Southampton. It's the major road coming into

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2 Southampton. It has many names. I think it's called
3 Tuckahoe Lane for maybe a hundred feet, but it's known
4 as the road.

5 The Village of Southampton is further east and
6 south. Along the strip we kind of call it Shinnecock
7 Hills, Tuckahoe, North Sea, Water Mill. They're not
8 really villages, but they're areas that people call
9 whatever.

10 The key thing about this project, there is a
11 moratorium on building on County Road 39, and this is
12 the first of many projects that we are going to see.
13 There were two projects that were exempted from the
14 moratorium, this project and another project called The
15 Ponds. Both of them have an affordable community
16 benefit aspect to them. Basically, the moratorium was
17 lifted early because of the economic collapse, that the
18 town trustees thought that the moratorium should be
19 lifted. They put in a process for any large projects in
20 the area they could be reviewed by the Land Use
21 Department before they came before the Planning Board.

22 You should know that twelve weeks ago a twelve acre
23 development, including a King Kullen, ten retail stores,
24 four restaurants came up in front of the Planning
25 Commission, which will be working their way towards us,

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2 which will be right down the street from them. I
3 checked with the supervisor and she told me that the
4 written report on the study for County Road 39 should be
5 completed in the next sixty to ninety days, and I think
6 that is kind of a critical thing for us to be looking
7 at. There is also conversation for Southampton Hospital
8 to be moved to this area.

9 Today I totally support what the staff is

10 recommending about this particular development. It has
11 tremendous support in the community. What I sense the
12 community is attempting to do is start a hamlet in this
13 area of the highway which will be very appealing to the
14 year round residents, more of a middle to lower middle
15 class, nice development area for year round people to
16 live. When they use the word "community development,"
17 they tend to have a requirement that somebody serve on
18 the police, fire, teacher, so that in answer to your
19 question, I personally believe that we should have a
20 guideline on anything coming on a county road in the
21 East End should be coming in front of us.

22 THE CHAIRMAN: Let's hold that and focus on
23 this project. My question to staff was two things.
24 One, they call it a community benefit unit. I was
25 wondering what that means. I understand that we're

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2 going back and saying tell us if that means affordable
3 basically. What are they saying about it?

4 MR. FRELENG: In a nutshell, it's essentially
5 affordable units. They do break them down. Fifty
6 percent of mean, a hundred twenty percent of mean. It's
7 similar to the county guidelines on affordable housing.
8 It's their term for workforce affordable housing.

9 THE CHAIRMAN: It's essentially a parallel.

10 MR. FRELENG: I believe it's very close to
11 the county's guidelines on affordable housing.

12 THE CHAIRMAN: It would be good to know for
13 the future there may be some more of these. There may
14 be exceptions to the income guidelines if, as Barbara is

15 saying, you're employed in certain occupations. It's
16 good to know what they mean by this.

17 COMMISSIONER ROBERTS: I did some review of
18 some of the news coverage on this area. The other
19 developments that we may be seeing, they specifically
20 use community benefit saying if somebody was a
21 policeman, fireman, EMT, nurse, they would have priority
22 to come into the house, so we should clarify what they
23 mean.

24 THE CHAIRMAN: Any other thoughts?

25 COMMISSIONER McADAM: Since Vince isn't here,

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2 I'll ask his question. Is there a railroad station, is
3 there a Tuckahoe railroad station?

4 MR. FRELENG: There isn't. The closest
5 station is Southampton, which I don't believe is
6 operating at this time.

7 COMMISSIONER ROBERTS: There is a Southampton
8 College stop which runs in the summer, and there is
9 conversation during the summer to get trains running
10 regularly along there.

11 MR. FRELENG: That is more than a half mile
12 away.

13 THE CHAIRMAN: There is a bus route on 39.

14 COMMISSIONER ROBERTS: It's that horrible bus
15 service on the South Fork, but we do use bikes.

16 COMMISSIONER KELLY: Andy, are these for sale
17 units or rental units?

18 MR. FRELENG: I believe they're for sale
19 units. I will double check that.

20 COMMISSIONER KELLY: There is condominium
21 notation in the report.

22 THE CHAIRMAN: I note that we don't have
23 anything on the energy efficiency in there. Do they
24 talk about that in some meaningful way, or is that
25 something that we should add?

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2 MR. FRELENG: In the referral material and in
3 my conversations with the town, they talk about being
4 energy star efficient.

5 COMMISSIONER McADAM: Andy, this is more for
6 information, but I think it falls into what Mike asked.
7 If we have an application for rentals and it gets
8 approved and five years down the line they decide
9 they're going to convert to a condominium. Let's say
10 the rentals didn't have an affordable component. Do we
11 get that back again once they do a conversion from
12 rental condominium? Do we normally get it back and be
13 able to impose the affordable requirement?

14 MR. FRELENG: I think technically it would be
15 referred to the condominium is a form of subdivision.
16 It should be referred under 814-24.

17 COMMISSIONER ROBERTS: In one of the
18 newspaper reports I have it's a condo and the range
19 would be a hundred sixty thousand to two hundred ten.

20 THE CHAIRMAN: That seems reasonable to me.

21 COMMISSIONER ROBERTS: That would be very
22 reasonable in the community.

23 COMMISSIONER KELLY: That is the price of the
24 community benefit unit?

25 COMMISSIONER ROBERTS: Yes.

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2 COMMISSIONER KELLY: We built a community in
3 West Hampton as well. We had a ten percent requirement
4 for community benefit units and that was approximately
5 the price. The price was maybe one fifty to two
6 hundred. It's right in the ball park.

7 THE CHAIRMAN: They actually have thirty
8 percent community benefit.

9 COMMISSIONER ROBERTS: There is clearly a
10 movement in the community to make this area an
11 affordable middle class, where people working in the
12 community can live year round. That is the movement
13 around everything that is designed there.

14 COMMISSIONER BOLTON: I just want to ask
15 Barbara, is there any indication in the newspaper the
16 size of the units being proposed like one bedroom, two
17 bedrooms. Do you know that, Andy?

18 MR. FRELENG: I don't know that off the top
19 of my head. If you want to give me ten or fifteen
20 minutes, I can flip through the file and see if I can
21 find something.

22 COMMISSIONER BOLTON: I don't think it's
23 important enough to hold up the meeting for fifteen
24 minutes. I was curious what was really being offered.

25 COMMISSIONER KELLY: Just to answer that, I

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2 can go back to my experience in the Town of Southampton

3 where the community benefit units on the front
4 elevation, this would look almost identical to any other
5 unit that was built. The interiors tended to be a
6 little bit smaller, but not by much. Looking at the
7 site plan, it's probably two bedroom, two bath, or one
8 and a half bath.

9 COMMISSIONER ROBERTS: There is a mention of
10 four two bedroom units about eleven hundred square
11 feet. I would like to make it clear, this is coming
12 from public reports, if anything is not accurate.

13 THE CHAIRMAN: It's not a basis for our
14 decision. The basis for our decision is the staff
15 report and information that folks have brought to the
16 table based on their personal knowledge. I think we
17 have had sufficient conversation about it, unless anyone
18 else want to add anything. Entertain a motion.

19 COMMISSIONER ROBERTS: Motion.

20 COMMISSIONER KELLY: Second.

21 THE CHAIRMAN: All in favor of adopting the
22 staff report as written, please raise your hand. It's
23 eight to zero. Let's briefly talk for a second about
24 the regional significance issue. There are two pieces.
25 One is the sewage issue. Generally that is a question,

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2 doesn't matter if it's on the east or west end of the
3 county. I prefer we hold that conversation until next
4 time, unless there is a serious question. I know
5 Adrienne had a thought on this. I don't know what she
6 was thinking. I don't think I would want to denigrate
7 her by reminding you that the county executive has

8 called Adrienne the sewer queen. If you have thoughts,
9 save them. If you want to e-mail me with your thoughts,
10 please do, if you think it's worthwhile;

11 MR. FRELENG: That's fine. I note your
12 comment. There is a typo in the staff report. The
13 criteria would actually be twenty-five units. Since
14 it's in the Town of Southampton, it meets the regional
15 significant criteria. Do you want them?

16 THE CHAIRMAN: I wanted to make sure that we
17 are opining the correct criteria on the East End. I
18 think we need to be real careful about that definition.
19 We have at Commissioner Roberts' suggestion a year and a
20 half ago used half of the existing criteria for the rest
21 of the county.

22 COMMISSIONER ROBERTS: I would like to know
23 on the record, I still believe in the actual formal
24 intermunicipal agreement sent to the East End towns.
25 The actual document that we sent, we did not use the

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2 lower numbers, so there is confusion on this locally.

3 THE CHAIRMAN: We should look at that; if we
4 need to fix it, we should fix it.

5 COMMISSIONER ROBERTS: I believe we sent the
6 same inter-municipal agreement to all the towns and
7 villages and there was no change of the lower criteria.
8 This came up when we met with the East Hampton planning
9 group and they felt there was absolutely nothing that
10 would be coming to us from the East End.

11 MR. ISLES: I just want to make a comment
12 that we're talking about two different things. One is

13 the projects of regional significance that you asked to
14 screen applications for and refer those to you that are
15 above that threshold. In terms of the inter-municipal
16 agreement, that is defined as relatively low bar of
17 applications that the municipality would not have to
18 send to us, area variances associated with single family
19 residences, change of one permitted use to another with
20 no changes in parking requirement, minor additions less
21 than a thousand square feet with no change to use or
22 occupancy minor site plan applications proposing less
23 than five thousand square feet of new or renovated floor
24 area, or less than ten thousand square feet of land
25 disturbance. That is the current IMA standard. If that

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2 bar is not low enough or needs to be adjusted for the
3 East End, we can do that.

4 THE CHAIRMAN: Why don't we have a
5 conversation off line about that after the meeting. We
6 will save the sewer piece of this for our next meeting.
7 Lastly, Barbara's point simply being that let's make
8 sure that the regional significance definition, which
9 again are the things actually coming to our table here,
10 is appropriate, clearly should meet the standard because
11 it should be twenty-five units for the East End, but
12 there is nothing that ties us to the regional
13 significance standard that is our internal rule. If
14 Barbara or other folks on the East End feel strongly
15 that most everything from that thirty-nine corridor
16 should be before us and we all agree with that, that is
17 fine. We can see anything in the thirty-nine corridor

18 if we think it's important enough.

19 The concern on the other side of that is we don't
20 want to see fifty things if a bunch are going to be
21 diminished. Is our current definition with the
22 twenty-five units, is that still too high for this
23 situation? It's a unique situation in Southampton.

24 MR. FRELENG: That is a separate two issues
25 then on the regional significance criteria. One is the

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2 threshold; is the bar too high for the East End, and the
3 second one is what type of community sewage treatment
4 projects do you want to see.

5 THE CHAIRMAN: The sewage thing is a
6 cross-county thing. We will save that conversation.

7 COMMISSIONER ROBERTS: This would have come
8 in front of us regardless of the sewage situation
9 because it's twenty-five units on a county road,
10 correct?

11 MR. FRELENG: No. We have different levels.
12 The town is required to refer because it's an action
13 along a county right-of-way. They are required to refer
14 it to staff. The planning commission has internal
15 guidelines on what you want to see; that is the
16 discussion we are having. This is fifty units not to be
17 connected at the commencement of habitation to an
18 existing community or public sewage system, including
19 sewage treatment works. We need clarification on what
20 that means.

21 THE CHAIRMAN: Putting the sewer piece aside,
22 just the fact that it's fifty units and our East End

23 criteria is twenty-five isn't sufficient?

24 MR. FRELENG: No, because the twenty-five
25 units is tied to sewage.

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2 COMMISSIONER ROBERTS: In my mind,
3 twenty-five units on County Road 39, regardless, should
4 have been. Obviously, anything that is going to
5 generate traffic in that area of the highway is
6 extremely dangerous. We have had a number of fatalities
7 in the last two years.

8 MR. FRELENG: Staff can note that right now.
9 Anything on County Road 39.

10 THE CHAIRMAN: Unless there is an objection,
11 we can make that our standard for the next month. Let's
12 look at it. The only thing I'm hearing, we start seeing
13 a pump moved at a gas station. We just want to make
14 sure we are not inundating ourselves. Maybe we do some
15 thinking in the next week or two, what is a good
16 standard that doesn't include diminimus stuff that we
17 don't really need to see. Without objection, we will
18 make that our standard of going forward.

19 Last item on the agenda is the Comprehensive Plan
20 update. Director Isles.

21 MR. ISLES: We did have the public hearing on
22 the East End in March. I thank the members of the
23 Commission that attended that meeting. We had a good
24 turnout. We appreciate that. I would like to thank the
25 department, Chrissy, who made the arrangements. It went

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2 well. Good attendance. Input was important to us,
3 where we are at this point. Dan Gulizio is overseeing
4 the work in the Department, working with Seth Forman and
5 Peter Lambert. Peter has been called to assist on the
6 county bond effort. He will be freed up soon to get
7 back to the plan.

8 In terms of what we would like to do, Andy
9 Freleng's unit has been working on a review of the local
10 plan. We will shoot to have a brief report on that in
11 the meeting in May. Then here again, we're getting into
12 high gear as we get into late spring completing the
13 first part of the inventory section so that we can
14 present that to you probably in the beginning of the
15 summer. In terms of our draft documents, that is where
16 we are. Any questions, I'll try to answer.

17 THE CHAIRMAN: Any questions? Seeing none,
18 reminder, our next meeting is in Riverhead at the county
19 legislature, which we haven't been at in many years. We
20 will get the bus tour going. We will get information on
21 that out. Please hold the morning. Probably start at
22 nine-thirty, lasts about an hour. That will get us back
23 to the legislature by eleven and then we will get on our
24 way with our regularly scheduled meeting.

25 COMMISSIONER HOLMES: One thing I forgot to

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2 mention regarding the Shelter Island moratorium, that
3 one house is the only exception for that moratorium.
4 That is the only exception and it was because he applied
5 before the moratorium was considered.

6 THE CHAIRMAN: Thank you, Commissioner
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7 Holmes. We will get to see Shelter Island at our
8 October meeting.

9 COMMISSIONER ROBERTS: It sounds like our
10 agenda is very hefty. Is it at all possible for us to
11 start putting some times on the agenda, particularly
12 with special speakers, that they're told that they only
13 have a certain amount of time, so we have some clue as
14 to when the meetings are going to end?

15 THE CHAIRMAN: That is a good point. What
16 Tom and I discussed is trying to invite folks later. We
17 don't know until about a week ahead of time what is
18 going to be on the agenda, but we have to invite the
19 speakers, because of their own schedules, further in
20 advance. I think we will try to keep it at fifteen
21 minutes. I think we did a good job of that. I think we
22 need to be sensitive to that.

23 MR. ISLES: I have extra copies of the
24 Di Napoli open space studies.

25 THE CHAIRMAN: Without any further comment --

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2 COMMISSIONER LANSALE: Motion to adjourn.

3 THE CHAIRMAN: Second by Commissioner Kelly.

4 (Time noted: 2:15 p.m.)

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CERTIFICATION

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STATE OF NEW YORK)

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COUNTY OF SUFFOLK)

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I, JUDI GALLOP, a Stenotype Reporter and

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Notary Public for the State of New York, do hereby

10

certify:

11

THAT this is a true and accurate transcription

12

of the Suffolk County Planning Commission meeting

13

held on April 7, 2010.

14

I further certify that I am not related,

15

either by blood or marriage, to any of the parties

16

in this action; and

040710.TXT

17 I am in no way interested in the outcome of
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 7th day of May, 2010.

21

22

JUDI GALLOP

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