

# 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:** November 3, 2010  
**TIME:** 12:00 P.M.  
**LOCATION:** Town of Babylon Board Room

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### The tentative **AGENDA**

1. Adoption of minutes for August & September 2010
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
  1. Hon. Steve Bellone, Supervisor, Town of Babylon
  2. John McNally, Rauch Foundation & Jessica Sargent, Trust for Public Lands - Fiscal Benefits of Land Preservation
  3. Tullio Bertoli, Commissioner of Planning, Environment & Land Management - Ronkonkoma Hub
  4. Jeanmarie Buffett, Deputy Planning Commissioner – Central Islip Planning Department
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
  - Land Use & Implementation Plan for the Ronkonkoma Hub (Town of Brookhaven)
  - Wetlands Overlay District (Town of Brookhaven)
  - TBOM – Central Islip PDD 0500 20700 0100 004016 (Town of Islip)
7. Section A14-24 of the Suffolk County Administrative Code

NONE
8. Discussion:
  - a) Comprehensive Plan – Seth Forman, Chief Planner – L.I.R.P.C. “A Long Way from Levittown... Race, Community & Schools in Suffolk County”
  - b) “Energy & Environment Taskforce-Consideration of Municipal Guidance Document on Green Methodologies for Storm Water Runoff”
9. Other Business
  - a) Guidelines Committee
  - b) Nominations/Rules Committee

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, **December 1, 2010, at the Legislative Auditorium in Riverhead**

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  3. Tullio Bertoli, Commissioner of Planning, Environment & Land Management, Town of Brookhaven - Ronkonkoma Hub
  4. Gene Murphy, Planning Commissioner – Town of Islip Planning Department – Central Islip PDD
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
  - Land Use & Implementation Plan for the Ronkonkoma Hub (Town of Brookhaven)
  - Wetlands Overlay District – Chapter 81 of Town of Brookhaven Code (Town of Brookhaven)
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NONE
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4 meeting of the Suffolk County Planning Commission.  
5 We've got a quorum present. I would ask Secretary  
6 Esposito 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 minutes from August 2010. I  
10 provided my edits to the court reporter and to the  
11 Editor-in-Chief, Commissioner Holmes. Any other  
12 comments or thoughts on that?

13 COMMISSIONER HOLMES: Well, you always find  
14 more errors than I do. There are only fifteen I found  
15 they were pretty minor, most of them. Some of them  
16 were word omissions and whatnot. So if you agree, I  
17 would move the adoption pending the corrections.

18 THE CHAIRMAN: Any other thoughts on the  
19 minutes from August 2010?

20 COMMISSIONER HOLMES: Can we give the copy  
21 of --

22 THE CHAIRMAN: My perspective, they were de  
23 minimus edits. I appreciate the work that you are  
24 doing. Seeing no other comments, I entertain a motion  
25 to adopt the minutes. Commissioner Kelly, and second

3

1  
2 by Commissioner Esposito. All in favor, raise your  
3 hands. Unanimous. Passes ten to zero.

4           With the permission of the commission, I  
5 would ask you to put off the minutes of September 2010  
6 until we have a chance to fully review those.

7           COMMISSIONER HOLMES: I found ninety-one  
8 errors. The Chairman will have a daunting task.

9           THE CHAIRMAN: Without objection, I will put  
10 this on at the next meeting. The public portion, I  
11 don't have any cards. Anyone from the public at this  
12 time wish to be heard? Mr. Sondack is here. Cliff,  
13 you have three minutes. Please begin.

14           MR. SONDOCK: S-O-N-D-O-C-K first name is  
15 Clifford, President of the Land Use Institute, here to  
16 speak on the study that was done funded by the Rauch  
17 Foundation on Open Space Policy. As many of you may  
18 know, you know me and our institute. I've been  
19 critical of the open space policy on Long Island for  
20 about two decades. I'm here really speaking as an  
21 economist. Three minutes cannot -- obviously, I cannot  
22 make a case and critique the research study. But I  
23 will say that we will want to come and speak to you at  
24 length and discuss it with you.

25           The two things, economically speaking, about

4

1  
2 the policy, the study was very problematic. It's a  
3 simple concept of the law of diminishing returns. I

4 assume many of you know what that is, but for the sake  
5 of explaining, as you increase the production of any  
6 product or goods or services, at some point the utility  
7 of the value of it diminishes. The case that we made  
8 at the institute is that Long Island has plenty of  
9 parks, wineries and farms, and in the study the two  
10 point seven four million dollars a year in economic  
11 value it presumes is created by the existing number of  
12 wineries, farms and parks would not be diminished if  
13 you took the remaining idle land and allowed it to be  
14 developed.

15 The other concept, as there are many of them,  
16 the other concept I want to mention is called the  
17 production function. It's a classic economic principal  
18 of returns. For every dollar that you invest of  
19 capital into the economy, what is returned. I would  
20 make an argument that for every dollar that you invest  
21 in government buying more land, there is no economic  
22 value. As a matter of fact, you probably destroy  
23 capital.

24 In economics, production is created by three  
25 components, natural resources, labor and capital. What

1  
2 we must be mindful of is land is a natural resource and  
3 production is produced mostly by labor and capital, not

4 natural resources. The continent of Africa is filled  
5 with amazing natural resources, but it's very poor. If  
6 you destroy the future capital, you're making a grave  
7 economic decision. I claim when you take land and take  
8 it out of the private sector and either have government  
9 own it or control it and keep it vital, you're  
10 destroying its future production of capital.

11 THE CHAIRMAN: Your time has expired.

12 MR. SONNDOCK: What I want to do is I would  
13 be happy to speak to you all in more detail. I think  
14 it's very disruptive what Long Island is doing. I  
15 really do like parks. I like the wineries; I go there  
16 myself. I think you're making a very grave mistake by  
17 taking more funds that you derive from the county of  
18 Suffolk County.

19 THE CHAIRMAN: It is fair, from an economic  
20 perspective, it's fair the marginal cost, the marginal  
21 benefit of additional land. We will hear from the Land  
22 Trust and Rauch Foundation in a few minutes and get  
23 their perspective on it, and the question becomes what  
24 going forward.

25 MR. SONNDOCK: I would encourage the Board

6

1

2 to allow more than three minutes of time. This is  
3 unbelievably economically disruptive. I can't over

4 emphasize that.

5 THE CHAIRMAN: First of all, thank you for  
6 being here. It's important to hear that perspective.  
7 We have today the Rauch Foundation and Land Trust  
8 folks. We will hear from them. I certainly understand  
9 there is a variety of sides to this issue. The  
10 critical issue for Suffolk County is how much more and  
11 when. You can answer that one.

12 MR. SONNDOCK: I have no problem with the  
13 private sector donating money, the Nature Conservancy  
14 or Sustainable Long Island to raise money to buy  
15 lands. You are giving a full session to the other  
16 side.

17 THE CHAIRMAN: Your time expired.

18 SUPERVISOR BELLONE: I would love to talk  
19 with you more about that. What would be your economic  
20 assessment of Central Park? It's rhetorical. I'd like  
21 to have that conversation.

22 THE CHAIRMAN: Moving on. Next item on the  
23 agenda, the Chairman's report. I want to briefly  
24 update you on a few things from last month. Being on  
25 Shelter Island to here, being in Babylon, our meetings

7

1  
2 are spanning the county. I want to thank Babylon for  
3 hosting us here. I want to thank Supervisor Bellone

4 for hosting us. More than half of the town halls, this  
5 is one of the nicer ones. Thank you, and Supervisor  
6 Bellone will be speaking in a few minutes.

7 Thank you all for coming to Babylon today.  
8 As Mr. Sondock mentioned, we have the Rauch Foundation  
9 and the Trust for Public Land to brief us on their  
10 report on the economic value of parkland and open space  
11 and they will be reporting in a few minutes as well.

12 Just a brief update on the commission  
13 activities. It's been a busy month and there is a lot  
14 going on. I will give a quick overview, and if any of  
15 our task force chairs want to jump in, feel free to do  
16 so. Since we met four weeks ago, we had Suffolk County  
17 Sewer Summit 2, which we hosted along with the County  
18 Executive. I made my annual presentation to the East  
19 End Supervisors and Mayors Association on the  
20 activities of the commission. We also had some good  
21 progress on the Suffolk Unified Permit Portal and a  
22 press conference was held on that.

23 The Suffolk County Comprehensive Plan;  
24 Director Isles will give an update on that. We have  
25 had a substantial movement on a couple of things. The

1  
2 solar permit streamlining effort, we are starting to  
3 reach out to the key towns and villages on that. LIPA

4 has confirmed that their 2011 budget will include funds  
5 for municipalities to participate. Babylon Village  
6 indicated they are definitely on board. The Town of  
7 Hempstead also indicated an interest. Islip and  
8 Brookhaven are looking at it now. I'm hoping the Town  
9 of Babylon will take a look at that, given they have  
10 been historically leaders in these issues.

11           Once we get the five municipalities on board,  
12 we are hoping to get together a press event rolling it  
13 out, and we hope to do that by the end of the year.  
14 Regarding the model wind power application is  
15 essentially done. The East End Supervisors and Mayors  
16 Association has agreed to join us in hosting an East  
17 End symposium to give guidance on what issues are that  
18 policymakers should be aware of. Southampton is going  
19 to host that on December 15th in the afternoon. It's  
20 either going to be at Hampton Bays High School or  
21 Southampton College. The four East End towns named one  
22 council member to be on the steering committee;  
23 Councilman Graboski from Southampton, Councilman  
24 Stanzone from East Hampton, Councilwoman Giglio from  
25 Riverhead, Councilman Brown from Shelter Island. We

1  
2 are just waiting on someone from Southold, and Islip  
3 Town Councilman John Edwards offered to help. I know a  
Page 8

4 few of you around the table offered to help.

5 We are putting together a first call to  
6 organize that in the next week now that the election is  
7 over.

8 Native vegetation and natural habitats, we  
9 have the green methodologies for storm water runoff  
10 guidance document that we are going to consider later  
11 today. We hope that the commission endorses that. We  
12 will get that out to the municipalities next month.

13 Our Planning Department staff and the Nature  
14 Conservancy worked together to gather the current  
15 municipal clearing standards. If time permits, we will  
16 start a little discussion and start on some of that  
17 data today. We are planning a symposium in the spring  
18 for green methodologies on storm water runoff to let  
19 the municipalities know about what is going on. I had  
20 a chance to mention that to the supervisors and town  
21 council members, and there is a lot of interest.

22 There are some new state regs going into  
23 effect with regard to storm water runoff. Hopefully in  
24 the spring, nothing has been planned specifically, but  
25 Adrienne and her group will take a lead on the

1  
2 commercial energy efficiency building codes. Vice  
3 Chairman Constantine Kontokosta and Commissioner John  
Page 9

4 Finn are going to be leading the effort. Now that the  
5 elections are over. We are hoping to schedule a first  
6 meeting on that. The hope is to bring the towns  
7 together to discuss a standard building code. If we  
8 don't do that, everybody will do their own thing.

9 There has been great success in the  
10 residential front in bringing the towns together for  
11 the energy STAR program, and we had some conversations  
12 with Babylon. Dorian Dale from Babylon will be  
13 involved. Huntington, Southampton expressed an  
14 interest, LIPA, LIA. CDC also said they want to work  
15 with us on that. We will start working on some  
16 commercial building standards for the whole county.

17 There some good things in place in some of  
18 the towns. Babylon was one of the leaders in that. As  
19 things are developing, different towns are going in  
20 different ways. We want to see if we can get everyone  
21 on the same page.

22 On Sewer Summit 2, I want to thank Adrienne  
23 for her work. She was one of the organizers of the  
24 event. Director Isles and I were the two main  
25 presenters. We focused on the challenges facing the

11

1  
2 county as well as potential innovative financing  
3 methods for funding sewers going forward. Despite the

4 fact that he's on a business trip in China now, I want  
5 to thank the vice chairman for his help in presenting  
6 our part of the presentation. He did most of the work  
7 and deserves most of the credit.

8 We are going to plan a private brainstorming  
9 meeting of the elected officials in the county to  
10 discuss what is possible. The thing that came out of  
11 it, I want to note, is the idea of an infrastructure  
12 bank for either Suffolk County or Long Island. It's  
13 something that the regional council mentions in the  
14 Draft 2035 Plan. Since we talked about it quite a bit  
15 at the Sewer Summit, we had a lot of interest from John  
16 Durso from the Long Island Federation, Jim Castallane  
17 from the Building Trades Council, Kevin Law from LIA.  
18 Also the Nassau County Planning Commission is  
19 interested in pursuing that.

20 We will be meeting with the County executive  
21 in about a week or so to discuss how we want to move  
22 forward in exploring the Suffolk Unified Permitting  
23 Portal. The Commission has been working on it about a  
24 year now. It's become a number one economic  
25 development priority in the county. Mike Kelly is our

12

1  
2 point person. Ms. Roberts and John Finn and Andy  
3 Freleng from the Planning Department have been

4 involved.

5 The county executive had a press conference  
6 two weeks ago about it. I want to thank John Finn for  
7 attending on behalf of the Planning Commission, as Mike  
8 and myself were out of town. I want to thank two folks  
9 who are in the room, the planning directors from  
10 Brookhaven and Islip for leading the charge on this  
11 from the municipal side. Both Tulio and Gene and their  
12 staffs have been working with the county closely on it.  
13 Smithtown and Southampton have been involved as well.  
14 We are taking baby steps.

15 This will be a six to twelve month process at  
16 least to get to initial goals. This is something that  
17 is happening around the country and it should be  
18 happening here.

19 Charla has historic preservation work if you  
20 want to update on that.

21 COMMISSIONER BOLTON: As most of you know, I  
22 have been quite ill, so that our committee has not --  
23 there has been a long hiatus in our meeting. There  
24 probably will be for the next month or two. However,  
25 even though I will be leaving the commission, I would

13

1  
2 I like to continue to chair with Vince the historic  
3 preservation effort.

4                   And I did want to mention, I don't know how  
5 many people were there, but the Planning Federation  
6 Conference included a presentation that I prepared;  
7 hopefully, it stirred up some interest. There will be  
8 a continuation of that, an effort to conclude. It is a  
9 little bit unpredictable at this point, but thank you.

10                   THE CHAIRMAN: Thank you, Charla, for being  
11 here. It's good to see you again. I appreciate all  
12 the work that you have done. In regard to historic  
13 preservation, I hope that we can get something that we  
14 can finalize and get out to the municipalities as soon  
15 as we can within reason. I know there was an interest  
16 at the Planning Federation about that.

17                   On the task forces, public safety, we have  
18 the draft design code that we are hoping to get out to  
19 the elected officials on the task force who have a  
20 public safety background. Tom McAdam provided edits on  
21 that. We are hoping to get it out this month to the  
22 electeds to get their feedback.

23                   We are trying to get into the municipal codes  
24 ideas of public safety. Basic public safety  
25 considerations are taken into account. The District

1  
2                   Attorney, Tom Spota, spoke about this and is very  
3 supportive, and we are hoping to keep that ball

4 rolling.

5 Diana Weir has been confirmed by the county  
6 legislature as the member from East Hampton. She is  
7 actually speaking at a housing conference in D.C. so we  
8 will swear her in at the next meeting.

9 We have two committees that we need to form,  
10 the nominating and rules committee under county law  
11 needs to make a report in January. I ask for folks  
12 interested in serving on that. Today I will appoint  
13 Josh Horton as Chair and ask Matt Chartrand and Vince  
14 Taldone to join him. Josh is at a funeral, but hopes  
15 to be here a little later. This is something that is  
16 going forward. Anybody interested in an officership  
17 position next year should reach out to Josh, Matt or  
18 Vince.

19 Guidelines committee, every two years we set  
20 the goal for ourselves updating the Planning Commission  
21 guidelines. It's almost two years. We had a few  
22 commission members express an interest in serving on  
23 the committee. I will formally appoint the committee  
24 next meeting. I want to thank Mike Kelly, John Finn,  
25 Diana Weir, Linda Holmes for participating in that. If

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1  
2 any other members wish to participate, please let me  
3 know.

4                   Finally, we have our annual report on the  
5                   status of Suffolk County. Director Isles and I  
6                   discussed this. My thinking is we should probably do a  
7                   joint annual report for 2009-2010, the reason being we  
8                   were quite late in getting the 2009 out and the 2010  
9                   will be due in three months. We will do a joint update  
10                  on the status of the commission and county and get that  
11                  out shortly after the new year.

12                  Next month we will be in Riverhead. There  
13                  have been a lot of changes in EPCAL since we toured the  
14                  facility a few months ago. We are hoping Supervisor  
15                  Walter will be able to give us an update on that.

16                  That concludes my report. Any questions,  
17                  I'll entertain them now. Seeing none, I defer to  
18                  Director Isles.

19                  DIRECTOR ISLES: I'll keep this brief since  
20                  we have a full agenda. Let me begin. We have  
21                  submitted with your package the completed Sunrise  
22                  Highway Corridor Study. I take this opportunity to  
23                  thank Islip and Brookhaven, Gene Murphy and Tulio  
24                  Bertoli. It was not an easy process. It's important  
25                  from the standpoint that it's a true intermunicipal

1  
2                  effort. It comes from two towns, from the county DPW  
3                  as well as the state DOT. It's been referred to the

4 elected officials for their consideration.

5 I would like to keep you updated on the  
6 Aquaculture Program on the Peconic Bay system. The  
7 County has originally given authorization in 1969 to  
8 allow leases for aquaculture. It's a contentious  
9 matter for the last two years. The county was given  
10 the authority, in 2004, to proceed. It had a cutoff in  
11 2010 to complete a lease. I'm happy to report that the  
12 program was approved last year. We began  
13 implementation and signed the first lease two weeks  
14 ago. It was recorded with the County Clerk's Office,  
15 so we have complied with the state law.

16 The one hundred ten thousand acres of land  
17 will remain in county ownership based upon that lease  
18 execution.

19 Next I would like to briefly mention the  
20 chapter eight amendments to the County farm land  
21 program. We will keep you posted on that. The  
22 legislature approved that in September. As you may  
23 have heard, there has been a lawsuit challenging that  
24 amendment. We are joined today by two members of the  
25 farmland committee, Gene Murphy and Ann Marie Jones.

17

1  
2 The farm land committee put a lot of time in that. We  
3 believe we have a rock solid case in terms of defending

4 the County Legislature's action. There was a comment  
5 that wine tasting and catering halls are being built on  
6 county preserved property; that is incorrect. It is  
7 not permitted. These laws actually strengthen and  
8 improve the protection of agriculture. I think this is  
9 maybe a misunderstanding in terms of what this law will  
10 do.

11 We would like to make you aware on the Pine  
12 Barrens, there is an amendment to the land use plan.  
13 The plan was adopted in 1995. This is a significant  
14 process of the Pine Barrens Commission is going  
15 through. Both Deputy Director Dan Gulizio and Chief  
16 Planner Andy Freleng will be participating next week to  
17 review the amendments from a regional and county  
18 planning perspective. It's highly important.

19 Similarly, the county's conference on water  
20 resources management plan is nearing completion. This  
21 is an important study document that can lead to changes  
22 in the county sanitary code and the development  
23 policies. There is an important meeting on that on  
24 December 8th. We expect that project to be completed a  
25 few months thereafter.

1

2 Last on the Comprehensive Plan, I would like  
3 to update the commission at the end of the meeting to

4 give an update on where we are on that.

5 THE CHAIRMAN: Any questions for Director  
6 Isles? Seeing none, we will go to the updates on the  
7 Comprehensive Plan at the end of the meeting. We want  
8 to acknowledge and thank Supervisor Bellone for letting  
9 us use the table and for his leadership, not only in  
10 the town but across Suffolk County. It's good to be  
11 here. Thank you for joining us. I want to turn the  
12 floor over to you to say a few words.

13 SUPERVISOR BELLONE: Thank you, Dave. It's  
14 actually the first time I'm actually watching another  
15 board sit at the table from the audience. You look  
16 good in my chair.

17 First I want to welcome the commission here.  
18 Thank you for joining us. I think it's a wonderful  
19 idea to be traveling around to the different towns  
20 because the partnership is so important between the  
21 county and towns. You guys have been doing a wonderful  
22 job traveling to Shelter Island. You are an intrepid  
23 bunch. It's not easy to get over there.

24 I want to, on behalf of my planning staff,  
25 Ann Marie Jones, our commissioner, and many members of

1  
2 our staff who are here today are excited that you are  
3 here and will be able to see some of the presentations

4 today and that we can continue the collaboration. We  
5 consider planning essentially the most important thing  
6 we do here. As town supervisor, I don't have formal  
7 training in planning. I fundamentally believe that if  
8 you are going to serve in this position, then you need  
9 to understand and be deeply involved in planning  
10 because it is the most important thing you do. There  
11 is nothing that we do here that will leave a greater  
12 legacy than the built environment that we allow during  
13 our tenure.

14 I will tell you there are things that I see  
15 around that have been built I cringe at, that I say  
16 that was a mistake and you should not allow that.  
17 There are things that we have done that we are very  
18 proud of. It's a constant reminder to me how  
19 important that function is. The buildings that are  
20 built while we are here will be here long after I'm  
21 gone and other leaders in other towns are gone.

22 Planning is critical to us. We have made a  
23 big commitment to planning. When I came into office in  
24 2002 we created what we call the Downtown  
25 Revitalization Office because we knew we wanted to

1  
2 focus a lot of our planning effort in downtown areas.  
3 That started with Ann Marie Jones. It was an office of

4 one person. She did a great job by herself in my  
5 office. That has expanded today to six people in that  
6 office, including a full-time urban designer on staff.  
7 That is how important we consider planning.

8 And probably one of the three biggest areas  
9 are TOD's. Going back to when we founded the Downtown  
10 Revitalization Office in 2003, Wyandanch, Copaugue,  
11 East Farmingdale, all of them very different from one  
12 another, different challenges from one another, but the  
13 one thing they all have -- well, one of them doesn't  
14 have it yet, but we are working on it -- transportation  
15 hubs, the train stations. East Farmingdale doesn't  
16 have a train station, it has a shuttered train station  
17 that we are seeking to reopen. That is the one common  
18 denominator of building density around the train  
19 stations.

20 This past weekend one of your members joined  
21 us at the groundbreaking for the Wyandanch sewers. The  
22 town is putting in the sewers in partnership with the  
23 county and federal and state government. We are  
24 building sewers in the downtown of Wyandanch that will  
25 make revitalization possible. It was a great day. We

21

1  
2 are really, I think -- this is the last thing I'll  
3 say -- in Wyandanch in particular, a community that

4 has so many problems and difficulties that run across  
5 the board. If there is an issue that prevents  
6 development, Wyandanch has it, but we are engaged in an  
7 experiment there that essentially boils down to this:  
8 Can you achieve really fundamental revitalization in a  
9 way that will change the trajectory of community  
10 through great planning.

11 That has been the focus from the very  
12 beginning, not just seeking development, but doing  
13 great neighborhood planning. And I believe that  
14 through planning, this kind of revitalization can be  
15 achieved, and that is what we are aiming for and that  
16 is where we are headed.

17 We thank you all, the members of the  
18 commission, for the work that you do; it is so  
19 important, and I look forward to continuing to  
20 strengthen the partnership between the town and  
21 commission so we can move these projects forward.  
22 Thank you very much, and Tom, thank you for your great  
23 work.

24 THE CHAIRMAN: Thank you, Supervisor. I  
25 appreciate your leadership and you having us here.

4 impacts of parks and open space from the Trust for  
5 Public Land.

6 MR. McNALLY: We weren't able to bring  
7 anyone from Massachusetts from the Trust for Public  
8 Land. Hopefully, I will be able to answer your  
9 questions; if not, I will make sure, I'll write them  
10 down and get back to you. First I would like to give  
11 you guys a little bit of contact where this report came  
12 from. It was commissioned 2008 as a response to -- it  
13 was commissioned as a response to a white paper that  
14 was issued by Dowling College, Marty Cantor, funded by  
15 the building community that really spoke to the cost  
16 associated with the land preservation effort that Long  
17 Island accomplished thus far. While Long Islanders  
18 have always innately known the value of preserved lands  
19 and have taxed themselves millions of dollars over the  
20 course of the past thirty years to preserve the lands  
21 that we have, we never really knew what these economic  
22 benefits were.

23 In light of the Cantor report and in response  
24 to some of the voices that we have heard throughout the  
25 region that said we can't afford to spend millions of

23

1  
2 dollars on land preservation in this economy, both the  
3 Rauch Foundation and the Long Island Community

4 Foundation asked the Trust for Public Land to conduct a  
5 study that really pointed to the fiscal and economic  
6 benefits that we received from preserving the lands  
7 that we have on Long Island.

8 In response to some of the comments earlier,  
9 I think what I will show today is that the efforts that  
10 have been made have been anything but unproductive. So  
11 a little bit of just an explanation of what goes into  
12 this. The report frequently uses the terms "parks,"  
13 "open space" and "protected open space," and it's  
14 important to know the difference. Parks are defined as  
15 all publicly accessible recreation areas. I'm  
16 including schools, publicly owned managed land are  
17 included as parks, so natural wildlife refuges, public  
18 golf courses, state owned, state managed tidal wetlands  
19 and in rare instances privately held lands that are  
20 publicly available or publicly accessible.

21 Open space is defined as undeveloped publicly  
22 owned land that is not publicly accessible and  
23 privately owned land and farmlands, and protected open  
24 space is defined as conservation, agricultural and  
25 historic preservation easements held by any government

1  
2 entity or land trust.

3 The first thing I want to do is speak to the  
Page 23

4 physical impacts of land preservation. To do this, we  
5 look at both revenues and government expenditures that  
6 goes into preserved land. We can compare the cost of  
7 providing government services against the property tax  
8 revenue that comes in that are generated for both  
9 residential, commercial, industrial vacant land and  
10 parks and open space.

11 What Trust for Public Land found on average,  
12 our typical residential development on Long Island  
13 single family development costs approximately thirty  
14 thousand dollars a year per acre more than it generates  
15 in tax revenue for the government. If you compare that  
16 to parks and open space, which is that equation, is  
17 about four thousand dollars. It's eight times more  
18 costly for the government, in terms of government  
19 services, to develop lands, single family home  
20 development per acre than for open spaces. Residential  
21 development costs thirty thousand two hundred dollars a  
22 year more than it collects in revenues. Parks and  
23 protected spaces cost three thousand seven hundred  
24 fifty dollars per year per acre.

25 Studies show that parks and open space has a

1  
2 positive impact on land values. Residents are willing  
3 to pay more for land if it's in close proximity to

4 parks and open space. Across two counties it's shown  
5 that parks and protected open space add five billion  
6 dollars in residential real estate value in 2009. That  
7 is a one time occurrence. That increase in market value  
8 results in additional property tax revenue of  
9 fifty-eight million dollars a year.

10 Long Island beaches, cultural facilities,  
11 heritage places and parks attract visitors and tourists  
12 from around the country. Using data from the Long  
13 Island Conventions and business bureau, TPL estimated  
14 four million overnight visitors come to Long Island.  
15 Their primary purpose to come here was to visit our  
16 parks and open spaces. Another one million day  
17 visitors came here for those purposes. Together, those  
18 people spent six hundred fifteen million dollars into  
19 our economy and generated twenty-seven point three  
20 million dollars in sales tax revenue.

21 For direct use, to determine the value that  
22 residents gain from engaging in activities in parks and  
23 open spaces, TPL conducted a phone survey. They looked  
24 at models put together by the U.S. Army Corps of  
25 Engineers that is able to ascribe values to activities

1  
2 that take place. What they found that residents of  
3 Long Island engage in four hundred sixty-four million

4 activities per year in our parks and open spaces. When  
5 they ascribe a value to that, it means it generates one  
6 point five billion, with a "b" in value in direct use  
7 for the Island.

8 Obviously, if people are using the parks, we  
9 are obviously improving our health. When people have  
10 access to parks, they're three times more likely to  
11 engage in physical activity in the parks. What we  
12 found was six hundred thousand Long Island residents  
13 use parks and engage in physical activity to a degree  
14 where they are getting measurable improved health  
15 benefits from it. There are equations out there that  
16 show that the parks yield the six hundred thousand  
17 residents improving their health end up saving us a  
18 hundred sixty-four million dollars in medical costs a  
19 year.

20 Agricultural land is obviously one of of the  
21 more productive uses of our lands. Farming is a huge  
22 industry on Long Island. We're the number one  
23 agriculture producing region in the state. The farming  
24 industry generates two hundred eighty-eight million  
25 dollars in annual sales and directly employs over two

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1  
2 thousand people. This also supports our tourism  
3 industry, which is the wine country and whatnot. One

4 point two million visitors come every year to visit our  
5 wineries and when they come, they spend ninety million  
6 dollars in our local economy.

7 Now we start getting into some of the avoided  
8 costs of what we achieve with our land preservation.  
9 Mainly we will talk about the water quality and  
10 quantity. When we don't have to treat water, we end up  
11 saving money. So, Suffolk County Water Authority ran  
12 an analysis saying how much does it cost us to pump  
13 protected water out of a well that is good quality  
14 drinking water versus areas above wells which have been  
15 developed and we need to treat the water because it's  
16 contaminated. We found it's ten times more costly to  
17 treat water that has been affected by development and  
18 what happens above it. Our preserved lands are able to  
19 protect our drinking water.

20 Stormwater runoff is obviously a significant  
21 problem. TPL ran some data to show how preserved land  
22 can capture water versus what happens when land is  
23 developed. Parks and protected open space reduce storm  
24 water runoff thirty-three to thirty-eight percent.

25 COMMISSIONER ESPOSITO: Is everyone paying

1  
2 particular attention to that part?

3 MR. McNALLY: This speaks perfectly to your  
Page 27

4 new initiative of green solutions to storm water  
5 runoff. The best way is to capture it at its source.  
6 That is what land preservation does. Parks and open  
7 spaces that exist on Long Island today capture enough  
8 storm water that reduces the cost of management by  
9 twenty-four million dollars each and every year.

10 Air pollution is obviously a significant  
11 problem. TPL did a GIS analysis of the topography and  
12 measured the vegetation on Long Island. Then ran that  
13 against what kind of vegetation is removed, what kind  
14 of pollutants does our vegetation remove from the air,  
15 and what would it otherwise cost to remove the  
16 pollutants from the air absent the vegetation that we  
17 have on Long Island. Having the open space reduces the  
18 cost of cleaning our air by nineteen million dollars a  
19 year.

20 Here's our grand total. It comes to if you  
21 add up everything that I just ran through, amounts to  
22 two point seven four billion dollars a year over a  
23 thirty year period to preserve sixty thousand acres of  
24 land. Long Island spent one point five billion dollars  
25 in taxes to preserve the land. Each and every year we

1  
2 are getting back an economic benefit of two point seven  
3 four billion dollars a year. We have sixty thousand

4 acres of unprotected open space left on Long Island.

5 This report was not commissioned or put out  
6 here or to say all of it needs to be preserved or open  
7 space or farmland is the best use for all those acres  
8 of land, but it was a direct answer to the Cantor  
9 report and others out there saying it's a bleed and  
10 drain on our economy. Clearly, it's not a drain on our  
11 economy but with our sixty thousand acres of open space  
12 left, we need to figure out what the best uses are. We  
13 are trying to use the report as an impetus to have some  
14 proactive planning, which is one of the reasons we  
15 were glad that you guys invited us to speak today.

16 To figure out which lands from an ecological  
17 standpoint, having enough land to support our  
18 agricultural industry, I don't know that that's a  
19 foregone conclusion that we have enough land so the  
20 industry will keep being able to maintain itself. What  
21 can we do to protect our open space, protect our  
22 ecological assets and at the same time set aside the  
23 lands that we need to develop. Find out what the best  
24 uses are for the benefit of the region and do that  
25 process in a forward thinking, proactive way so it's

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1  
2 not Long Island's current development pattern of death  
3 by a thousand developments. That we have a

4 comprehensive assessment of what is the best for Long  
5 Island.

6 We have one shot to get it right. Final  
7 build-out was supposed to be seven years from now, but  
8 with the downturn in the economy, I think it will be  
9 longer than that. It gives us a little more breathing  
10 room to think it through and get it right.

11 THE CHAIRMAN: Thank you, John. I think  
12 this is an important report. It certainly provides the  
13 other side of the balance sheet. To be fair, Marty  
14 Cantor's report, which I had a chance to read, was  
15 careful in saying that look, I'm looking at costs and  
16 not making any kind of affirmative value judgment going  
17 forward. I think you guys are saying the same  
18 thing. There are costs. The question is when you  
19 balance those, what comes next. No one going to deny  
20 there are significant benefits to the land that was  
21 acquired. There are benefits. You can quibble over  
22 numbers and how you judge what assumptions go into it.  
23 I don't think there is a doubt there is a benefit. I  
24 don't think there is a doubt there is a cost.

25 The question is, do the benefits outweigh the

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1  
2 costs. The question is, now what comes next. In that  
3 regard, I think it's important here. I want to respond

4 to something. Mr. Sondock left this here. Rauch  
5 Funded Open Space Study is Nonsense. I think this is  
6 incredibly unhelpful. I don't think it's nonsense, I  
7 think it's part of the equation. At the same time, I  
8 don't think anyone that feels there are benefits of  
9 open space should be demonizing anybody that points out  
10 that there are costs to it, because there are, so you  
11 can talk about the benefits. It doesn't mean you  
12 preserve all the land. There is probably some kind of  
13 bell curve or some kind of diminishing return. Mr.  
14 Sondock touched on that and he is probably right.

15 To the extent that these folks that demonize  
16 those folks that point out the cost, that is not  
17 helpful either. Those are just my thoughts and I open  
18 it up to the members of the commission.

19 COMMISSIONER BOLTON: Is the Rauch  
20 Foundation or some entity thereof planning on doing  
21 that Phase 2, so to speak, which would look at a matrix  
22 of parameters, issues, et cetera, to kind of highlight  
23 what really should be emphasized, maybe in the future  
24 in terms of purchases, some sort of quasi-acquisition?

25 MR. McNALLY: I'll try and channel my

1  
2 (inaudible) on this one. There is an appropriate role  
3 for private foundation money to help informed debates.

4 This is something that we feel is a government mandate,  
5 that the government needs to decide what is best within  
6 its boundaries. We saw the Builders Institute put  
7 forth information that we felt was very much one sided  
8 and needed to be responded to. That is what we have  
9 done here.

10 We are not a bunch of tree hugging hippies in  
11 the foundation, we are lobbying for hard core downtown  
12 development and economic development in the right  
13 places, as we are for preservation in the right places.  
14 We don't have the kind of money that we would need to  
15 do a study like this. I give away half to three  
16 million dollars a year help fund environmental causes.  
17 That is a pittance for what government lays out, or  
18 even a Suffolk County Planning Department runs on. We  
19 think it's a more appropriate role for county  
20 government to figure out.

21 COMMISSIONER BOLTON: Obviously, to do that  
22 sort of comprehensive kind of plan would be, I'm  
23 thinking an intermediate step which would be to  
24 highlight and give tools to planners to use in  
25 evaluating their specific purchases and specific plan

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1  
2 for those purposes. That was my only question.

3 MR. McNALLY: That is something that I would d

4 like to look into.

5 THE CHAIRMAN: The categories you identified  
6 are clearly among the benefits of additional open  
7 space. The question is on the margin for each new  
8 piece of property of ten acres that comes available,  
9 are the benefits of that outweighed by the costs, from  
10 a utility perspective. I think Marty Cantor's report  
11 kind of lays out the cost considerations. If you put  
12 the two together, you put them on the table, here are  
13 the cost considerations and here are the benefit  
14 considerations, there are probably some things we can't  
15 quantify.

16 To Charla's point, I think that is a role  
17 that either this commission -- all this open space that  
18 is available is in Suffolk County. I know your report  
19 covered Nassau and Suffolk County. It is ninety-nine  
20 percent Suffolk. Eighty percent of that is Brookhaven  
21 and east issue. To the extent we can play a role, one  
22 of the great things about our body is we have folks  
23 from the environmental and development community, and  
24 some folks that are trying to figure all this out. To  
25 the extent that we can, you don't need a decision now,

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1  
2 it's something to think about. Any other thoughts or  
3 comments?

4 MS. HOLMES: I wondered if we could get a  
5 copy of at least our summary.

6 MR. McNALLY: I will bring you all copies of  
7 the report. It's all in my car. To what you were  
8 saying Dave, we really view ourselves as a convenor  
9 role. Any role we can play in bringing the parties  
10 together, we have productive discussions with the  
11 construction community and the preservation community,  
12 Two different folks at the table. We would be happy to  
13 help in that effort.

14 COMMISSIONER KELLY: I think you made a good  
15 point in terms of the balance between the two reports.  
16 One of the things that I think as a commission we need  
17 to be mindful of is the restrictions that are on the  
18 development world, how difficult it is to get something  
19 approved, whether it's via time or the various hurdles  
20 that we have to get through, and the costs involved  
21 with getting a project approved. That is one thing  
22 that we have to be mindful of.

23 Conversely, the cost of or the restrictions  
24 of preserving open space. We want the balance as well.

25 THE CHAIRMAN: When you say "we."

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2 COMMISSIONER KELLY: As a citizen. I'm  
3 saying I think there has to be a balance to ensure we

4 can afford to live here. We want to make sure we can  
5 provide not necessarily affordable housing, but to  
6 allow people to afford to live here, but also to ensure  
7 we have open space. I think this type of dialogue is  
8 one of the keys to striking that balance.

9 MR. McNALLY: I agree with Mike too. The  
10 development process on Long Island is clearly insane.  
11 It should not take seven years to get a project built.  
12 I think part of the process, if we can be proactive in  
13 figuring out what we want to do with what is left and  
14 suggest some zoning in place and saying increased  
15 density is allowed here and you do it with a permitting  
16 process. There are several steps you can take to give  
17 a developer some more certainty. This is the kind of  
18 development we want in this particular area and we are  
19 going to put the zoning in place to make sure that it  
20 happens at a quicker rate.

21 COMMISSIONER KELLY: That goes back to the  
22 report that you did on building on a parking lot. It's  
23 a good idea. If you do the math, it's twenty units to  
24 an acre. I don't know where you are going to put that  
25 it. Maybe Nassau County can get some of that going.

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2 THE CHAIRMAN: There are three economic  
3 inputs, natural resources, labor and capacity. Land is

4 a natural resource. Simply preserving land doesn't  
5 necessarily impact the ultimate economic output  
6 necessarily. The question is how do you put the  
7 capital to more productive use. You can argue that you  
8 can allow increase usage in downtown land resources,  
9 increase your capital labor working on the downtown  
10 area and you can get the same economic output while  
11 preserving the natural resource that you care about.

12 COMMISSIONER KELLY: It's the environmental  
13 impacts.

14 COMMISSIONER FINN: Doing some reading about  
15 your Rauch Foundation and the Long Island Index, I  
16 thought was a powerful piece of information that kind  
17 of incorporated into this dialogue. You mentioned  
18 several times Marty Cantor's report. When we go from  
19 this point going forward, the affordability component  
20 has to be paramount for us on Long Island in its  
21 future.

22 The Rauch Foundation has come out with  
23 reports that seventy-five percent of residents that you  
24 polled, affordable housing is the number one point is  
25 the number one issue with most people on Long Island

1  
2 because we can't afford to live here. When you talk  
3 about costs, I think we have to talk what it does cost

4 for open space and the impact and benefit. When we  
5 talk about terms, not to go through the number and  
6 financial matrix, the costs around one and a half  
7 million dollars to preserve the land. We floated  
8 bonds, which the taxpayers are forever paying interest  
9 on. That debt, coupled with the fact that there was  
10 somewhere in the neighborhood of seventy million  
11 dollars' worth of tax revenue that is now off the tax  
12 rolls.

13 To echo Mike's point about the trials that  
14 you go through trying to develop a piece with the aura  
15 that open space is an economic benefit and economic  
16 vehicle, when you go into the future, when you go to  
17 develop an open piece of property, most municipalities  
18 are we aren't going to allow you to develop that, we  
19 are going to purchase it for open space. I think we  
20 need to talk about what the dollars are, what the  
21 expenses are once this land is taken off the tax rolls  
22 and out of the equation for developable land.  
23 Basically we will slowly drown in the costs that are  
24 outside that are forced upon the residents of, now we  
25 are talking mostly Suffolk County.

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2 MR. McNALLY: Clearly you need to grow your  
3 tax base on Long Island. I don't argue with that. I

4 think we need to look at the individual properties.  
5 Some lands, there is no business preserving it  
6 whatsoever. I would argue the benefits in the tax  
7 roll, one of the slides in here, the fiscal impacts  
8 part of it. If it's single family homes on quarter  
9 acre lots, you're saving the town money by not  
10 developing that.

11 COMMISSIONER FINN: My background is  
12 commercial.

13 MR. McNALLY: That pays for itself.

14 COMMISSIONER FINN: That is not really  
15 reflected in that point. We argue we will expand the  
16 tax base and be a job creator. I think you have to  
17 factor not only the land residential component, but  
18 also the job growth and commercial. I think these are  
19 positive steps to create a dialogue how we can set the  
20 platform to go forward. It is crucial. We enjoy open  
21 space. We want to make sure we're on the same page.

22 MR. McNALLY: It's all fine in the right mix.  
23 The report shows that commercial is a tax positive. If  
24 you look at the land that is preserved on Long Island,  
25 I don't think any of it was slated for commercial

1  
2 development. It was almost all single family  
3 residential that was slated to preserve. I agree with

4 your comments.

5 THE CHAIRMAN: Where there is environmental  
6 sensitivities and other pieces of land, that is part of  
7 the matrix. I think these are all very good points  
8 around the table. Director Isles, and Commissioner  
9 Esposito.

10 COMMISSIONER ESPOSITO: Mine is a comment.  
11 This discussion goes on in the days ahead and months  
12 ahead. I would hope and caution us not to limit the  
13 discussion about land preservation solely to economic  
14 reasons. Some things, as Supervisor Bellone pointed  
15 out, you can define on a spreadsheet and some things  
16 you can't. Part of the discussion about what happens  
17 to the land is what do we want to look like in ten  
18 or twenty years. Part of it we want greater economic  
19 opportunity. What about the quality of life and things  
20 that brings stability and keeps us here? That is a  
21 multiple choice question in which economic factors are  
22 important, but it's not the only one.

23 As we discuss the value of the land  
24 preservation program, we should incorporate values as  
25 well as economic impacts.

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2 DIRECTOR ISLES: I want everyone to remember  
3 Suffolk County's program is strictly voluntary. It's

4 not a case where someone is prohibited from developing  
5 a property. County's program is based on environmental  
6 circumstances. That is the criteria for the open space  
7 program.

8 I would like to make a point. I agree with  
9 Adrienne, this is a really a fundamental planning  
10 question. It is not a question should there be  
11 development or not development. Should we do  
12 additional sprawl is the focus on downtown. Focus on  
13 DOT's and so forth. I don't think it's a question of  
14 competition of land.

15 If we spend a billion and a half dollars  
16 total on all the different entities to buy open space,  
17 Suffolk County's (inaudible) over the past thirty years  
18 has been about fifty billion dollars, so we spent a  
19 billion of that. I'm not convinced that had it been  
20 developed, that our cost of living would be less today  
21 as a result of that. I think those are important  
22 points.

23 I think your point about the final build-out,  
24 we have about twenty percent left to build in Suffolk  
25 County. That is a critical choice. These central

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1  
2 questions are aspects for this commission to review.  
3 How do we shape that growth, how do we avoid the

4 problems of small and expensive development and motor  
5 development patterns and so forth? How do we preserve  
6 an island, separated from the mainland, the highest  
7 populated suburban county in the United States as it  
8 is, how do we go about the rest of the county and  
9 accommodate potentially three hundred thousand people.  
10 It's not just open, it's how do we plan the future.

11 THE CHAIRMAN: Amen. I wish we had more  
12 time to talk about it. Maybe we should give ourselves  
13 some time to talk about it at some point in the  
14 future. To bring up the points that John and Adrienne  
15 make of course the study has provided. Thank you very  
16 much for your time.

17 We have the Commissioner of Planning of  
18 Brookhaven, Tulio Bertoli.

19 COMMISSIONER BERTOLI: I was reminded about  
20 something that Mark Twain said facing an intimidating  
21 audience. Homer is dead, Shakespeare is dead, and  
22 myself, I'm not feeling all too well. I quote Twain a  
23 lot because I think he is funnier dead than I am alive.

24 I was listening to the comments being made  
25 and of course now we will be presenting the Ronkonkoma

4 projects that came out of Brookhaven.

5 I would say that Brookhaven has fifty million  
6 dollars slated for land acquisition. Much of that is  
7 being slated for the Carmans River. We are in the  
8 process of creating a protection district, a plan that  
9 is supposed to come out within the next ninety days, in  
10 joint combination with the Pine Barrens Commission.  
11 Next month I will come before you for amendments to the  
12 multi-family code which will tie into increased  
13 development to land acquisitions and redemption of Pine  
14 Barren credits.

15 We will make this kind of a monthly thing. I  
16 understand that need for that balance where we balance  
17 development with open space. So, I just want to make  
18 you aware that we are thinking very much of that being  
19 the largest township I think by land area, I think we  
20 are the largest in New York State and second behind  
21 Hempstead in New York State.

22 The project began before I came here and  
23 consisted of an area that was from the LIE down to the  
24 train tracks, and encompassed a hundred eighty-one  
25 acres, three hundred forty-nine parcels, three hundred

1  
2 twelve structures, one point one million square feet of  
3 built space. When I came on board and saw the plan, I

4 immediately realized not only the potential but the  
5 need that we had to reduce down the project to a level  
6 that started to allow us to better shape or at least  
7 control some of the components.

8 What we did is we reached out to our Islip  
9 neighbors, to Suffolk County, to the MTA and isolated  
10 primarily an area around the station. You see some  
11 land owners that are shaded here, and that particular  
12 area it came out to about forty-two acres so that the  
13 implementation plan we have before you, really  
14 encompasses that and leaves this as a neighborhood  
15 preservation area. The intent was, of course, to  
16 develop that component and let the market forces  
17 upgrade everything around it.

18 The plan itself is the first time that form  
19 based zoning is used. It doesn't define the actual  
20 units and retail, but for our purposes of the GEIS to  
21 give you some sense, we were looking at a composite of  
22 about six hundred fifteen units, sixty thousand square  
23 feet of retail and office and health club component.  
24 That gives you a framework. We are using form based  
25 zoning.

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One of the primary reasons is we needed  
flexibility in design. Too often our codes are rigid

4 and not made for the designers in giving flexibility.  
5 What form based zoning does is primarily focus on the  
6 form as opposed to the use.

7 That diagram discusses it. These are some  
8 bullet points about it. The most important to me is  
9 the notion of the public realm. The distinction  
10 between the public and private realm is at this time  
11 completely distinct. The private realm refers really  
12 to your house. It's the public realm that gets a little  
13 squeaky once you get out of your car and you have to  
14 drive anywhere and there is no notion of a street or  
15 activity along it.

16 We feel the form based code would allow us to  
17 better shape the urban context, that feeling we were  
18 trying to attract. It comes to a series of components  
19 which is first a regulating plan. The building form  
20 standards are the notion of the public space and street  
21 standards and administrative and definitions. In a  
22 graphic form it will have its regulating plan and we  
23 will do it, the particular components in a much more  
24 graphic rather than a text form.

25 To the plan itself. That is the train

1  
2 station, this is the garage that you see. We decided  
3 to concentrate our development as two nodes, here, and

4 a little bit more easterly. There was the MTA property  
5 is between us. We incorporated that as part of our  
6 plan. Again, the notion, form based zoning as you  
7 define the actual shape of the project, the heights  
8 that you want, the setbacks, things of that nature.  
9 And the idea, once again, was to create a synergy at  
10 the core and let it start to run out.

11 This is an aerial looking easterly, I  
12 believe. You see the train station here with the  
13 overpass to the garage. We wanted to create a civic  
14 space here right next to the train station. Coming  
15 down Hawkins Avenue you have a sense of an entry into  
16 that whole space. We wanted to define the street and  
17 then going further down into a much more residential  
18 type of component.

19 This is the location of the sewage treatment  
20 plant. At a later date, if Islip so chose, there was,  
21 as part of the study area, the location of another  
22 garage structure and STP is oversized which will allow  
23 them to attach on for their development at a later  
24 date.

25 COMMISSIONER ESPOSITO: Is there a

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2 Brookhaven owned STP?

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COMMISSIONER BERTOLI: The STP, I was  
Page 45

4 working with Jim Morgo and Paul Pontieri and we were  
5 looking for funding. We decided the only way to do it  
6 was private development. It is very much a private  
7 development effort. What also happened, there are  
8 critically five owners and they banded together, so the  
9 intent was to find a master developer that will build  
10 the STP in conjunction with the other lenders.

11 This is a rendering looking eastward, I  
12 believe. The train station is right there. This is  
13 looking up Mill Road. The intent was to create a more  
14 residential component, four stories max, with the  
15 emphasis on creating a streetscape component. That is  
16 the implementation area. This is actually a little out  
17 of sequence, but it gives you some idea of the focus  
18 that we are placing on it.

19 Right now, we are actively working with the  
20 landowners. There has been a lot of development  
21 interest in this. And I guess we are before you once  
22 again to accept the document. I would be happy to  
23 answer any questions that you have.

24 COMMISSIONER BOLTON: Is the study available  
25 online?

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2 THE FLOOR: Yes. The GEIS is available on  
3 the town's Website.

4 THE CHAIRMAN: We have a staff report on  
5 this as well.

6 COMMISSIONER BOLTON: Has the form based  
7 code been used in Brookhaven before?

8 COMMISSIONER BERTOLI: I don't think it's  
9 used on Long Island.

10 COMMISSIONER BOLTON: I don't think so  
11 either, and that is why I'm interested.

12 COMMISSIONER BERTOLI: In a lot of the  
13 projects that we are gradually developing, we have been  
14 pulling out all the tricks. Last month we took the  
15 whole idea of Blight to Light. When Mark asked me to  
16 be commissioner, he wanted me to think out of the box.  
17 I'm trying to look at different ways to implement and  
18 try to get a better built environment.

19 COMMISSIONER BOLTON: It would be  
20 interesting if it became a precedent for other  
21 communities to adopt. It's high time, in my view. I  
22 would be interested in looking at your background  
23 studies on creating a form based code.

24 COMMISSIONER BERTOLI: I would agree with  
25 you. Codes are mostly written by attorneys. Am I

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1  
2 going to offend any attorneys here?

3 COMMISSIONER ESPOSITO: Just the Chair.  
Page 47

4 THE CHAIRMAN: We recognize our limitations.

5 COMMISSIONER BERTOLI: I think form based  
6 building gives you the flexibility that you need.

7 THE CHAIRMAN: I'm sure this doesn't relate  
8 to our particular approval or disapproval.

9 COMMISSIONER FINN: Again, for Tulio, is  
10 this on the town's own motion?

11 COMMISSIONER BERTOLI: Yes. We decided to  
12 be very proactive on this. As with Blight to Light, as  
13 with some of the amendments that came before you, we  
14 felt we are at a point in time now that we needed to be  
15 very proactive to do the environmental impact. To  
16 basically have a project ready and something all the  
17 town council people would buy into. This was accepted  
18 unanimously last week at the town board meeting.

19 COMMISSIONER ESPOSITO: Is this one of the  
20 areas close to where the solar farm is being planned?

21 THE CHAIRMAN: It's still happening. It's on  
22 the Islip side.

23 COMMISSIONER LANSDALE: I want to commend  
24 the Town of Brookhaven's efforts on this. I want to  
25 note that a couple of years ago, we as a planning

1  
2 commission accepted the Wyandanch -- the Town of  
3 Babylon's efforts for the Wyandanch process. I think

4 they're using form based codes. I want to commend the  
5 leadership of the Town of Babylon on that.

6 COMMISSIONER BERTOLI: About twenty-five  
7 years ago I worked on an architectural project. When I  
8 mentioned Lee Koppleman, he worked on this forty or  
9 fifty years ago. There has been a lot of positive  
10 energy from the development community in listening to  
11 the discussion that we just had from the previous  
12 speaker. This is a study in contrasts in terms of  
13 locating density core elements at places where we have  
14 the transportation. Thank you very much. I'll see you  
15 next month.

16 THE CHAIRMAN: Thank you very much. I  
17 welcome Gene Murphy from the Town of Islip. They have  
18 been tremendously helpful and leaders in the Suffolk  
19 Unified Permitting Portal. I want thank the Town of  
20 Islip for their leadership and moving forward with the  
21 plan on a county-wide basis.

22 MR. MURPHY: It is a pleasure to be in  
23 another town board room talking about a site that is no  
24 longer no stranger to many people in the room.  
25 Director Isles was commissioner when the 1989 master

1  
2 plan was done. Deputy Commissioner Gulizio was  
3 involved in many zoning applications. So, with that

4 basis, this is a site and application that involves  
5 three elements. It's an amendment to the master plan.  
6 It's a town board's own motion to rezone two portions  
7 of town owned property.

8           Essentially, the first parcel involves lands  
9 owned by the town, thirty-six acres. Just by context,  
10 as many of you know, the Central Islip Planned  
11 Development District comprises approximately  
12 sixty-seven acres. Former Central Islip State Hospital  
13 bounded on the south by Southern State Parkway, and  
14 extends northward along County Road 17. In the 1989  
15 plan, a proposal went forward to divide the seven  
16 hundred acres into seven sub-districts.

17           Some of the parcels were retained in public  
18 ownership, and what is before us today are two in  
19 particular thirty-six acre parcel owned by the Town of  
20 Islip on the west side of Carleton Avenue. It has two  
21 uses, a portion of it is used for the Department of  
22 Public Works. Two acres on the south area, this is  
23 Carleton Avenue and Southern State Parkway. The  
24 northern twenty-seven acres comprise some vacant land.  
25 What is proposed at this time is to amend the master

1  
2 plan on the southern portion from Research Industrial  
3 to Recreational and amend the zoning from Municipal to

4 Recreation. In the northern portion, the master plan  
5 already recommends recreational, but the zoning is  
6 municipal.

7 The third portion has to do with fourteen  
8 point eight acres owned by the town on the east side of  
9 Eastern Boulevard, proposed to be retained by the town  
10 and constructed by Belford Open Sports as mitigation to  
11 the project.

12 The first portion of the project, probably  
13 the most different, is the construction on the eastern  
14 end of the Department of Public Works yard of a large  
15 building about, two hundred seven thousand square feet  
16 peaking about ninety-seven feet in height, a  
17 multi-story building. On the first floor, indoor field  
18 games, soccer, baseball. Also includes seating for a  
19 maximum of thirty-two hundred occupants. Other uses  
20 include a gymnasium, a snack bar, day care center.  
21 That would have both an indoor and outdoor component  
22 and some storage areas, so the parcel is significant.

23 A second portion of the same development  
24 involves where I think we can see from the aerial those  
25 fields would be leased at this portion of the property

1  
2 line for fifty years to the Town of Islip to construct  
3 a building and provide the sports facility, Ultimate

4 Sports facility, which includes basically five baseball  
5 fields and two playing fields for soccer and lacrosse  
6 and accessory uses, such as batting cages. That is one  
7 element of the process.

8 One key issue that we dealt with is the  
9 Little League fields and how that can be done. The  
10 main negotiation is in process to try and share the  
11 uses and it was deemed it was probably not practical as  
12 a mitigation measure in line with the master plan. In  
13 order for Central Islip to have playing fields in the  
14 fourteen point eight acre site, Ultimate Sports will be  
15 obligated to construct those fields. This involved  
16 eight playing fields and parking, between Eastern  
17 Boulevard and residential neighborhoods.

18 As a further mitigation, during the  
19 construction period there is an agreement with the  
20 Central Islip School District that Ultimate Sports  
21 would have to improve four particular ball fields in  
22 four elementary schools in Central Islip. That is the  
23 essentially the proposal.

24 There was a public hearing and much concern  
25 about this application very positive comments from the

1  
2 community. Civic council, coalition of neighbors, the  
3 planning board, Planning Department had basically nine

4 concerns, first being consistent with the master plan.  
5 When the master plan was adopted in 1989 and updated in  
6 2005, there were many issues in terms of the community  
7 by far as the provision of recreation uses. That was  
8 the perception of events that may not happen with  
9 construction of facilities in the communities. That  
10 plan identified certain recreation uses through a park  
11 fund that would now basically provides one dollar fifty  
12 cents per square foot for a building permit. The  
13 building fund is considerable.

14 One recommendation was to construct a field  
15 on the east side of these two. A second recommendation  
16 was to create a recreational area in a thirty acre area  
17 here. It should be noted where the building is now was  
18 not a recommendation at that time. That required  
19 careful evaluation. In light of that, we looked at  
20 basically our situation, industrial property both in  
21 Central Islip and elsewhere. We know Tech Park  
22 development, approximately a million acres, exists.  
23 There is an additional vacant lot of seven acres that  
24 could be involved by New York Tech. We have a  
25 reasonable amount of industrial development left.

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In evaluating the consistency with the master  
plan, it was deemed by changing basically nine acres in  
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4 the overall town plan only balanced by the other  
5 elements, it was not unreasonable. That was a very  
6 fundamental criteria.

7 The second criteria had to do with  
8 compatibility use. The building is large and high.  
9 It's probably fair to say there are very few sections  
10 where this would be reasonable. It was important to  
11 site the building as far away from residences on the  
12 other side at Champlin's Creek as possible. It's in  
13 excess of twelve hundred feet from the residences.

14 It's an interesting coincidence that there is  
15 a cluster of high buildings in that area, the county  
16 court, the federal court complex is approximately two  
17 hundred forty feet up; corporate center is a tall  
18 building as well. Visually we felt the impact would  
19 not be unreasonable.

20 A traffic study was done. There were two  
21 comments received by the County Department of Public  
22 Works. The two salient points, although the building  
23 is large and permitted as-of-right, the trip generation  
24 is less. Thanks to the county and some mitigation  
25 measures, obviously there has been improvements to

1  
2 Southern State Parkway and Carleton Avenue, and on that  
3 basis, there were no objections from either department.

4           In terms of the scale of the project, certain  
5           comments are being reviewed now. One significant issue  
6           was that the original plan called for construction of  
7           DPW Drive eastward to the intersection to Carleton  
8           Avenue. The premise of this project is that it would  
9           be an integrated use. In an effort to minimize  
10          parking, there is one thousand three parking spaces  
11          proposed. It still requires parking variance of  
12          several hundred spaces. This was felt to be a  
13          reasonable use at that point.

14           In conversations with Traffic Safety and with  
15          the Department of Public Works, they had no objection  
16          to routing their uses north on Research Drive is the  
17          location for Tech Park and the Islip Town Center, which  
18          was constructed as a retail center. It's anchored by  
19          Home Depot and Target. While there is a certain amount  
20          of traffic, the fact of the matter is, the road -- we  
21          don't have problems with the traffic. There is  
22          sufficient capacity at Research Drive to take care of  
23          that. That was the second issue.

24           Third issue is the parking was noted, they're  
25          asking for a parking variance of several -- actually

1  
2           about four hundred parking spaces. It's not a small  
3           number. Mitigations that would be involved in that,

4 the number was mainly driven from the development, is  
5 thirty-two hundred seats. We looked at similar  
6 developments, the developer involved with baseball had  
7 been involved in Baseball Heaven in Brookhaven. We do  
8 not believe there would be a parking issue. We were  
9 concerned certainly about the amount of having more  
10 parking than needed.

11 Some of the way that is being mitigated is  
12 peak events would not occur when Ducks stadium is in  
13 use. There would also be a threshold for other peak  
14 events. Seating capacity could not go above fifteen  
15 hundred. The third issue is the general phasing of the  
16 project which would be greater uses for the fields in  
17 different times of year. That being said, there may be  
18 events that will require special mitigation. At that  
19 point it would have to be specified through the  
20 planning board and provision would have to be made for  
21 additional parking.

22 We have the county complex for use of the  
23 Ducks stadium. Some other issues had to do with  
24 lighting based on the impact on residences; these  
25 fields will be lit. The area along Carleton Avenue,

1  
2 this area is not that far away, it's several hundred  
3 feet, but it's not twelve hundred feet. There are

4 negotiations going on about the level of lighting that  
5 would have an impact on residents.

6 The other element that we looked at was the  
7 element of mitigation. The fact that it is the eastern  
8 portion, this was an important component to the  
9 comprehensive plan. What occurs, the existing fields  
10 will be upgraded and the Central Islip community will  
11 have use of the fields and the actual Little League  
12 field will be owned by the town for that use and  
13 constructed. We feel that is something that we wanted  
14 to achieve in the master plan for quite some time and  
15 it allows us to use resources to achieve other goals as  
16 well. The Police Athletic League, there is some  
17 clearing and two thirds of the site has been cleared.

18 In terms of site design, basically there  
19 will be a landscape buffer along Carleton Avenue.  
20 There has been additional landscaping through the  
21 interior parking lot. In terms of other factors to be  
22 considered, a key element the extension of South  
23 Technology Drive would have to be constructed. It may  
24 be expected that a traffic signal at Carleton Avenue  
25 will be installed there and there may be some

1  
2 additional lane adjustment there as well. Courthouse  
3 Drive will be redesigned. That is under review by our

4 traffic people.

5 I also want to say Tim Shea, representing the  
6 developer, is here to answer any questions you may  
7 have.

8 THE CHAIRMAN: I appreciate your  
9 presentation. Also I direct the commission members, we  
10 have a visual here of the proposed indoor athletic  
11 facility. We will have a presentation in a minute from  
12 our staff. Any comments?

13 COMMISSIONER ROBERTS: Is this a private  
14 facility and is it minor league baseball? I didn't  
15 understand what the use was.

16 COMMISSIONER MURPHY: It's in a lease with  
17 the town. The model is Baseball Heaven, where  
18 basically it's not a minor league ball park, it's  
19 leased primarily to leagues and clubs. Other people  
20 who want to go in as well.

21 COMMISSIONER ROBERTS: Is there an estimate  
22 on how many jobs will be created by the project?

23 COMMISSIONER MURPHY: I believe it was  
24 several hundred. I can get you a detail on that.

25 COMMISSIONER KELLY: The use of the

1  
2 thirty-two hundred seats, what use is that? That is  
3 like a small concert hall.

4                   COMMISSIONER MURPHY:   That was one of the  
5                   more, I think, interesting points of negotiation  
6                   between the town and applicant. It is used for  
7                   selected events. And it might be more appropriate for  
8                   Mr. Shea to speak

9                   THE CHAIRMAN:   We are not supposed to get input from  
10                  the outside applicant. If it's a critical question we  
11                  can ask our staff about it. My assumption would simply  
12                  be it would be a big high school football game.

13                  COMMISSIONER MURPHY:   Those kinds of events,  
14                  possibly a graduation event. It's not for musical  
15                  concerts.

16                  COMMISSIONER KELLY:   Having been involved  
17                  with one of the redevelopments in the master plan, I  
18                  want to commend the town. There are a number of  
19                  residential units and more in the pipeline. This is a  
20                  good use down there. It's well needed.

21                  COMMISSIONER MURPHY:   One of the things we  
22                  looked at in terms of master plan, the idea of a  
23                  commercial center. There is no question, Central Islip  
24                  had been stigmatized for many years. It's a soft  
25                  effect as much as a hard effect. When people come now

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2                  they get a different view, renewed interest.

3                                  That is not the only reason for it. Now with  
  Page 59

4 the Ducks stadium and the courthouses, the hotel  
5 proposal, people will be coming in for tournaments and  
6 for eating and lodging.

7 THE CHAIRMAN: I apologize to Mr. Shea, but  
8 our rules are pretty specific, as our attorney will  
9 tell us. We need to be careful about what we consider  
10 as part of the record. Anything the town provides to  
11 us can be part of the record, but anything outside of  
12 that we have to be careful.

13 I thank you, the Town of Islip and the  
14 presentation we will move onto the regulatory part of  
15 our agenda. The Ronkonkoma Hub. Commissioner Kelly,  
16 is recusing himself from this application, Andy.

17 MR. FRELENG: Mr. Chairman, thank you  
18 members of the board. As stated the first item on the  
19 regulatory agenda is the application of a land use  
20 implementation plan of the Ronkonkoma Hub Transit  
21 Oriented Development and TOD code referred from the  
22 Town of Brookhaven. The jurisdiction for the  
23 commission is this is a comprehensive plan amendment  
24 and that the subject area is adjacent to County Road  
25 29. This is a rather lengthy staff report, so what I

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1  
2 won't do is go through it since we had the benefit of  
3 presentation from the Town of Brookhaven.

4                   We know the location as described the access,  
5                   environmental conditions, very minimal environmental  
6                   constraints in the area. It's the belief of the staff  
7                   that in general, the Town of Brookhaven should be  
8                   commended for its effort to address the Long Island  
9                   Railroad Ronkonkoma train station as a valuable  
10                  resource.

11                  As you may know, there has been some history  
12                  with regard to the planning and comments to this  
13                  initiative as it rolled along over the years. Pursuant  
14                  to Suffolk County planning commission policy, the  
15                  department has consistently recommended that the Town  
16                  of Brookhaven consider amending the study boundary to  
17                  include relevant portions of the Town of Islip in the  
18                  hub plan. The department asks that the study include  
19                  data to support the underlying assumption that  
20                  increased density in the hub would reduce dependency on  
21                  single occupancy automobile use.

22                  The final concern of the department it was  
23                  unclear how the stated goal of redirected growth from  
24                  outside the region to the hub would be accomplished  
25                  absent a program for some sort of density shifting.

1  
2                  Staff reviewed the Suffolk County Planning Commission  
3                  guidebook. We noted issues relating to cooperation,

4 specific transportation policies. Again, density  
5 shifting. We noted issues regarding the sewage  
6 treatment plant. We highlight specific housing  
7 policies out of the commission guidelines, specific  
8 energy efficiency policies and specific public safety  
9 policies.

10 The staff is recommending an approval subject  
11 to conditions and comments. The first condition,  
12 slightly different from the staff report, is what is  
13 shown as Comment Number 3 in the staff report and  
14 recommending that this be a condition. After further  
15 discussion this morning that a cooperative effort  
16 between the Towns of Brookhaven and Islip shall be  
17 established to unify an approach for density shifting  
18 into the hub and tied to preservation of open space and  
19 protection of the region's natural resources with  
20 increased intensification of the TOD.

21 We had some discussion this morning about  
22 open space acquisitions and density and it is a  
23 commission policy when you have a change of zone for  
24 additional intensity or density, that that be shifted  
25 from outlying areas into the hub -- I'm sorry, into the

1  
2 node. That is increasing the additional density. That  
3 is Condition Number 1 being recommended.

4 In Condition Number 2, at this time,  
5 Brookhaven Town Board legislatively considers the  
6 change of zone for the fifty-four acre hub area, that a  
7 referral be made to the Suffolk County Planning  
8 Commission. I'm sure this is known at the local level,  
9 but I want to stress that is a planning amendment and  
10 code adoption and there are other referrals that will  
11 be necessary and other procedures that will be  
12 necessary to be followed by the commission at such time  
13 that the town board legislatively approves a change of  
14 zone for the hub.

15 Condition 3, that the TOD ordinance shall be  
16 revised to have performance standards related to public  
17 safety. Condition 4, next condition, that is the TOD  
18 ordinance be revised to have performance standards  
19 related to energy efficiency, and we are also  
20 recommending another condition that is not listed, that  
21 the TOD be revised to include some sort of framework of  
22 conventional standards related to use and density.

23 While we understand this is a form based  
24 code being proposed for the area, the proposed  
25 ordinance provides little guidance on preferable land

1  
2 uses within the TOD and standards related to them.  
3 Staff believes that standards should be fleshed out to

4 provide some sort of floor area ratio guidance and  
5 density for performance standards for dimensional  
6 framework.

7 In addition, the staff is recommending the  
8 following comments: that the town consider amending  
9 the study boundary to include relevant portions of the  
10 Town of Islip. This reiterates the condition prior and  
11 speaks to the railroad parking areas and to give  
12 consideration to the development of perhaps a uniform  
13 design standard between the two towns for the hub area.

14 Secondly, continued coordination with the  
15 Suffolk County Department of Public works is in order.  
16 This relates from the staff report, the discussion  
17 which discusses substantiating a twenty-five percent  
18 reduction in the capture of trips coming in and out of  
19 the hub. And this relates to that traffic of possibly  
20 going onto County Road 29.

21 Third comment is that the township continue  
22 discussions with Suffolk County DPW regarding the  
23 creation of a proposed sewage treatment plan and  
24 coordinate with the Town of Islip on development of the  
25 Ronkonkoma hub, if it's expanded into the Town of

1  
2 Islip, then a larger sewage treatment plant would be in  
3 order and all that would be under the review of the

4 Department of Public Works. I'm sure that the town  
5 will continue discussions with DPW.

6 Staff is also recommending that the proposed  
7 TOD code. Which is applicable to the Ronkonkoma hub,  
8 ideally variations on the TOD code could be provided  
9 for other railroad stations in the town and staff is  
10 suggesting that the town consider applying a similar  
11 type of TOD ordinance to other railroad stations within  
12 the town. That is the staff report.

13 THE CHAIRMAN: Thank you, Andy, I appreciate  
14 it. This is a Brookhaven project. Commissioner Kelly  
15 is recused. Secretary Esposito, do you have a  
16 particular comment on that?

17 COMMISSIONER ESPOSITO: At the risk of being  
18 predictable and redundant, I was wondering if we could  
19 add to the comments that we recommend some storm water  
20 mitigation. Hopefully late today we will be adopting  
21 the new storm water guidelines document.

22 THE CHAIRMAN: Green methodologies for.

23 COMMISSIONER ESPOSITO: Storm water  
24 runoff.

25 THE CHAIRMAN: I appreciate that is a

1  
2 comment for the TOD at the railroad station. We had  
3 that as a condition at one other time for the

4 Huntington railroad station and for some inexplicable  
5 reason, it flumoxed the town, and I appreciate that as  
6 a comment not a condition, given how much difficulty it  
7 caused with the Town of Huntington. Other thoughts?

8 COMMISSIONER TALDONE: Andy, I would like to  
9 ask a question regarding the transfer of density. That  
10 went by me a little fast. What does that actually  
11 result into this project? What type, I didn't quite  
12 understand what the requirement is in terms of transfer  
13 of density to the TOD location and they're making it a  
14 condition which didn't appear in the draft that I  
15 reviewed.

16 MR. FRELENG: Section 4.2B of the commission  
17 guidelines talks about density shifting or some form of  
18 absorbing density when you increase intensity in the  
19 nodes; that is a commission policy. We felt that is a  
20 strong commission policy, in light of discussion we had  
21 this morning, it's probably good to keep in mind.  
22 Staff feels that it's important to shift density when  
23 you create higher density nodes. Does that address  
24 your question?

25 COMMISSIONER TALDONE: We are not requiring

1  
2 a specific -- there is no formula of transferring  
3 density. They increase by X, we require as a condition

4 that they transfer X. We are just saying they do some  
5 movement of density into the TOD pursuant to our  
6 guideline.

7 MR. FRELENG: That's correct.

8 THE CHAIRMAN: I don't have a huge issue  
9 with it. I guess my main concern is aspect of the  
10 cooperative effort with the Town of Islip should be  
11 established. No offense with the town, if the town  
12 doesn't agree for whatever reason, that condition fails  
13 and they need a super majority to override. We might  
14 say that the Town of Brookhaven discuss or seek to tie  
15 preservation of open space with the increased  
16 intensification of the two, something like that.

17 The notion that Brookhaven and Islip work  
18 together is valid, but it creates a variable. I think  
19 we mentioned elsewhere that the town, the two towns --  
20 encourage the towns to look at this together in Comment  
21 Number 1. Of course, do members of the commission have  
22 any thoughts on that? Is there any objection to making  
23 that change?

24 COMMISSIONER BOLTON: No.

25 COMMISSIONER ROBERTS: Clarify it as a

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2 comment?

3

THE CHAIRMAN: I'm fine with it being a  
Page 67

4 condition. I'm having a problem with the wording of  
5 the condition. My proposal is we make it the Town of  
6 Brookhaven should seek to tie the preservation of open  
7 space and protection of the region's natural resources  
8 with intensification of the region's TOD. Any comment?  
9 John, did you have anything?

10 COMMISSIONER FINN: Again, I want to commend  
11 the Town of Brookhaven for taking this on their motion  
12 to come up with a plan. I just want to be careful for  
13 us not to put any conditions on this project after the  
14 fact. From that point going forward, there is going to  
15 be a long time line of dollars spent for design and  
16 site plan, and I understand there are multiple property  
17 owners involved in this. There is going to be a lot of  
18 leg work that is going to go on until it comes back to  
19 this commission again.

20 I want to give a word of caution, if we put  
21 conditions at the finish line, it's going to come back  
22 before this commission and there will be problems in  
23 that regard.

24 As far as transfer of density, the whole key  
25 is here. We want to see the density in certain places.

1  
2 We don't want to see density in the vineyards, but we  
3 want to see density next to a train station. Here is a

4 town that is coming in on its own motion, without  
5 having to encumber it with development rights, it might  
6 put it out of reach. I want the commission to be  
7 mindful of the economic matrix with regard to the  
8 density. They will take care of it on site with an STP  
9 will be properly sized. That will be no small feat to  
10 get that constructed, approved and built.

11 From what I understand, that is going to be  
12 done through private dollars. Transferring development  
13 rights to a project of this size could make it cost  
14 prohibitive.

15 COMMISSIONER TALDONE: I would suggest  
16 changing that to a comment to point out that it is our  
17 intention to see some land preserved so that the  
18 overall saturation of population remains constant based  
19 on our planning, but I would not really want, and I  
20 believe there isn't a specific formula -- so we are not  
21 asking for a one-to-one transfer of density, we are  
22 leaving it up to the municipality to determine what  
23 level of transfer is needed, if any.

24 THE CHAIRMAN: At least that they should  
25 seek to do this.

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2 COMMISSIONER TALDONE: I would be very happy  
3 with that word.

4 THE CHAIRMAN: I think it's an important  
5 consideration. This topic goes both ways. If you  
6 preserve land, you need to allow density. There is a  
7 tie, there is not a regional TDR now and they are  
8 taking care of the waste water with the STP. Until  
9 such point that we have some sort of regional program,  
10 I agree with staff, if you can't -- and you, Vince --  
11 that you don't want to say you have to do X. But the  
12 notion is important enough, from a regional  
13 perspective, that I think we need to continue  
14 mentioning it and putting it in as a condition in a  
15 soft way.

16 MR. FRELENG: Staff did point out density  
17 shifting is not only TDR. Municipalities can change  
18 the zone and acquire open space in the surrounding  
19 areas. Density shifting, I think while on a regional  
20 level might make certain projects easier, density  
21 shifting in my opinion should be localized. Because  
22 it's the local community that sees the impacts of the  
23 increased density, and therefore it's the local  
24 community that should derive certain benefits from  
25 shifting that density. While we are looking for a

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1  
2 regional plan for density shifting, the nodes should  
3 acquire the open space from as close to the density as

4 possible.

5                   COMMISSIONER TALDONE: I agree with you  
6 totally. By adding the word "seek," they can figure  
7 out and propose later on exactly how to do that.  
8 Hopefully, the local community taking the extra density  
9 will, in some way, benefit through some sort of open  
10 space. Let them come to us and propose what they think  
11 is best for their area. We are making the point that  
12 we think it's an important regional issue.

13                   One point that I would like to make because  
14 Ronkonkoma is the second busiest or third busiest  
15 station in the county and growing fast, a TOD is ideal.  
16 Those units, by nature of their accessibility to the  
17 rail, we would love to see them comply with universal  
18 design standards in the guidebook as a condition as  
19 well. I understand public safety is important, but I  
20 think in particular this site, and I don't ask for that  
21 on every location, those units that are built should be  
22 as accessible as possible because they're ideal for  
23 people with limited mobility.

24                   THE CHAIRMAN: I think your point is well  
25 taken. The question is, how do we work that the energy

1  
2 efficiency and public safety relate to how you design  
3 the development. I guess universal design is like

4 energy efficiency.

5 COMMISSIONER TALDONE: Access to those  
6 buildings, not just the interior layout.

7 THE CHAIRMAN: Add the condition relating to  
8 the universal design guidelines is the proposal?

9 COMMISSIONER TALDONE: That can be as a  
10 comment; I just want it stated.

11 MR. FRELENG: We can add it to the condition  
12 TOD issues related to public safety and related to  
13 universal design.

14 THE CHAIRMAN: That is fine. Gives the town  
15 a lot of flexibility. It just says keep in mind in an  
16 explicit way public safety and universal design.

17 Let's recap where we are. Condition 1 is  
18 this tying of the intensification of TOD to open space  
19 and protection of regional natural resources. Two is,  
20 we discussed that -- we have not discussed two. I  
21 don't know if it requires any discussion. It's really  
22 a note to the town that change of zone needs to come  
23 forth. Three we just discussed, which as the  
24 performance standards of public safety and universal  
25 design. These are critical things that we often talk

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1  
2 about.

3 Four is energy efficiency, make sure energy  
Page 72

4 efficiency is a piece of that TOD. Five is one we  
5 haven't talked about, one that staff raised. That is  
6 there be specific performance measures with respect to  
7 the form based code; is that right, Andy?

8 MR. FRELENG: Yes. Well, the form based  
9 code provides certain guidance. It doesn't provide  
10 enough guidance in the opinion of staff, in that we  
11 felt that some more discussion should be fleshed out  
12 regarding floor area ratios and particularly uses that  
13 are preferred within the form based code area.

14 We did note that the code is broken down into  
15 two general areas. We felt that perhaps within those  
16 two general areas there should be a little more  
17 specificity.

18 COMMISSIONER BOLTON: It does need a little  
19 clarification. My understanding, just from our brief  
20 discussion today, was form based codes generally they  
21 seek certain kinds of flexibility, where in use it's  
22 not the most important criteria that actual form of the  
23 building and how it sits within the context is the  
24 important goal.

25 And so I'm wondering if this is going to

1  
2 undermine using the form based code, add a way of  
3 addressing urban design and planning issues. And

4 personally, I feel a little reluctant to sort of tailor  
5 in that this is a big attempt to use a new kind of tool  
6 on Long Island, to address what many have considered  
7 over the years not the finest design examples in many  
8 cases. So I personally would be a little reluctant to  
9 vote for that.

10 MR. FRELENG: Just a comment from staff.  
11 The town may believe that they have sufficient  
12 guidelines within what they're preparing, and I do  
13 understand that they are providing a graphic code along  
14 with the form based code recommendation. Staff was  
15 concerned that maybe they would want to establish a  
16 uniform setback from the street, some cap on floor  
17 area, ratios caps on density, of certain other minor  
18 design standards that might be required.

19 It's just in our experience that often times  
20 staff gets brought into these things and staff isn't  
21 always cognizant of good design standards or floor area  
22 ratios, and when it's that wide open it could result in  
23 incompatible land uses adjacent to each other. We're  
24 just recommending that they take a look at that.

25 THE CHAIRMAN: I would feel a lot better if

1  
2 it was a comment rather than a condition. We became  
3 acutely aware of the impact that. There are certainly

4 valid reasons we put conditions on things. There are  
5 things on there appropriately so. Maybe the issues  
6 that staff is talking about might be certainly worth  
7 mentioning to the town, but the statement, if the town  
8 chooses not to go along with that, it needs an extra  
9 vote on the Town Board. I would be concerned about  
10 that. Any thoughts on that?

11 COMMISSIONER BOLTON: I support a comment,  
12 not a condition.

13 COMMISSIONER TALDONE: I agree with the  
14 Chairman.

15 THE CHAIRMAN: Let's be clear on what we are  
16 commenting on. The notion that the town should  
17 consider, how would you word it. First of all, are  
18 there any objections to making it a comment from a  
19 condition? Seeing none, we will make it a comment, as  
20 to the wording specifically what we will say.

21 MR. FRELENG: Staff tried to make it vague  
22 at the same time providing some sort of guidance. We  
23 wrote the TOD shall be revised to provide a framework  
24 of dimensional standards related to use and density.  
25 We wrote the proposed ordinance provide as little

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1  
2 guidance on preferable land uses in the TOD and  
3 standards related to them.

4                   We felt that the ordinance should be further  
5                   fleshed out to provide floor area ratio designs for  
6                   preferred particular uses and design performance  
7                   standards for dimensional frameworks. That was  
8                   language that we wrote.

9                   THE CHAIRMAN:    Rather than "should," maybe  
10                  we should say that "the town consider" that. We don't  
11                  have this in writing. We are doing this a little bit on  
12                  the fly. I want to make sure we have accurate notes.  
13                  Andy, you read it verbatim?

14                 MR. FRELENG:    I read what we had here.

15                 THE CHAIRMAN:    Other than the edits to  
16                  consider rather than "should," any other additions or  
17                  comments? Four conditions. We have Comment 3 is gone;  
18                  it's been moved to a condition. Our new Comment 3 is  
19                  the one that was four. Our new Comment 4 is the one  
20                  that was five, and Adrienne's motion, we are adding a  
21                  comment on green methodologies for storm water runoff.  
22                  That would be new Number 5, and six is this one that we  
23                  just discussed.

24                 Comments or questions? Seeing none, I will  
25                  entertain a motion to adopt the staff report as

1  
2                  amended. Motion by Commissioner Talone and second by  
3                  Charla. All in favor raise, your hand. (Show of

4 hands) Ten to zero. Thank you very much. Next item  
5 is the Brookhaven Wetlands Overlay District.

6 MR. FRELENG: Wetlands and Waterways,  
7 Chapter 81 is referred to us from the Town of  
8 Brookhaven. Jurisdiction of that, this is an adoption  
9 or amendment of the ordinance of the local law.  
10 Referral to the Suffolk County Planning Commission by  
11 the Brookhaven Town Board is related to a proposed  
12 local law to repeal and replace Chapter 81 of the code  
13 entitled Wetlands and Waterways, amend Chapter 85 of  
14 the code entitled Zoning by further amending Article  
15 22-B entitled Wetland Overlay District.

16 The purpose of the local law is to reorganize  
17 said chapters as well as to create additional  
18 mitigation measures applicable to the wetland  
19 applications. The proposed amendments also redefines  
20 buffer requirements in wetland overlay districts. A  
21 review of the amendments to Chapter 85 "Zoning." The  
22 Town of Brookhaven zoning law, which we included with  
23 the staff report, we believe that the changes to the  
24 Chapter 85 "Zoning" are minor, include additional  
25 definitions, a section on applicability and references

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1  
2 to Chapter 81.

3 Repeal and revision of Chapter 81 includes a  
Page 77

4 substantive rewrite of the chapter and includes an  
5 elaboration over the pre-existing chapter regarding  
6 policy on the protection of vegetation and wildlife,  
7 surface water wetlands and shorelines. That includes  
8 additional information related to issues and terms  
9 associated with shoreline and wetland development.

10 The rewrite expands on the definition of  
11 enumerated activities and provides an explicit and  
12 revised list of exempt activities. The revised Chapter  
13 81 maintains the same regulatory framework and  
14 structures for regulated activities utilizing a  
15 category A and B permit process, and elaborates the  
16 sections on procedures for approvals and development  
17 standards for subdivisions and commercial structures.

18 It's the belief of the staff that the  
19 proposed local law is reasonable and improves upon the  
20 Town of Brookhaven regulatory framework for controlling  
21 shoreline development. Agriculture is defined in the  
22 chapter definitions, and the continued tilling or  
23 cultivation of agricultural lands is exempt, pursuant  
24 to Section 81-5.

25 The definitions do not include

1  
2 characterization for aquaculture. It's recommended  
3 that the following definition be added to the local law

4 and that it be included in the standards related to  
5 aquaculture.

6 It's also noted that Section 81-6,  
7 application for permits, was revised to eliminate  
8 registered landscape architects from those licensed  
9 professionals enumerated as being able to stamp and  
10 certify plans for proposed activities. It's  
11 recommended by staff that registered landscape  
12 architects would have a significant background and  
13 would not need to undergo a certification waiver by the  
14 director. It is recommended that landscape architects  
15 should be listed along with licensed engineers,  
16 architects and land surveyors that are licensed in the  
17 State of New York as professionals able to complete  
18 projects plans for proposed activities.

19 Staff also had a concern, when we reviewed  
20 the A and B approval process, we took a look at  
21 essentially a permit process A as a town board  
22 approval. Town board would hear any rejections from  
23 the department director for any issues for subdivision  
24 development where they don't meet wetland buffer  
25 setbacks. However, for the most part, a Permit B, what

1  
2 should be necessarily administrative approval by the  
3 director, also allows nonconforming projects to go

4 before the director, and the director does have the  
5 ability to waive or mitigate some of the aspects of the  
6 project that don't conform to the regulations.

7 Staff had a slight concern that that might  
8 provide too much discretion for an administrative  
9 process, and we would like to include a comment that is  
10 not in the staff report that the town look at that  
11 process and perhaps provide more discretion to the  
12 legislative body and less discretion to the  
13 administrative process and director.

14 Staff is recommending approval with the  
15 following comments: Number 1, that definition for  
16 aquaculture be added to the proposed Chapter 81 and  
17 that registered landscape architects should also be  
18 listed as licensed professional allowed to submit  
19 plans, and that the third comment would be that the  
20 town should check the A and B approval process and  
21 investigate whether there is too much discretion  
22 allowed to the director for Type B permits. That is  
23 the staff report.

24 THE CHAIRMAN: This is a Brookhaven matter.  
25 Mr. Kelly, any thoughts on this?

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1  
2 COMMISSIONER KELLY: A couple. Do you know  
3 if there was an economic impact analysis done by the

4 town?

5 MR. FRELENG: I don't know offhand.

6 COMMISSIONER KELLY: That would be one of  
7 my questions. Also the registered landscape  
8 architect. It sounds like they're in a different class  
9 and sounds pretty -- it sounds as if you want to make  
10 sure they're almost exempt or sounds like they're  
11 prohibited under the legislation.

12 MR. FRELENG: In the original Chapter 81,  
13 landscape architects were called licensed professionals  
14 allowed to submit sketches, drawings and plans. In the  
15 revised Chapter 81, registered landscape architects are  
16 not in there. We don't know if that is an oversight.  
17 We feel that because of their background in terrain and  
18 flora, vegetation issues, they would be a licensed  
19 professional that might be suitable for submitting  
20 plans.

21 COMMISSIONER KELLY: We should make it  
22 stronger in terms of a condition versus a comment.  
23 That would be my recommendations. I would like to see  
24 some type of type of economic impact statement. We  
25 talked about it today in terms of a balance to ensure

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1  
2 additional hurdles aren't imparted onto the development  
3 community. I would like to see some type of economic

4 impact statement attached to this.

5 MR. FRELENG: We can put that comment in the  
6 commission interpretation. I think it was their intent  
7 to expedite these types of permits by giving the  
8 director as much discretion as they have. The ability  
9 of the director, to allow, through recommended  
10 mitigations, an application to move ahead without being  
11 in direct compliance with the ordinance rather than  
12 going through the town board and rather than having a  
13 discretion heard at the town level.

14 I don't know, but I believe it was the  
15 attempt to streamline and expedite the process rather  
16 than put the burden on the developer.

17 COMMISSIONER KELLY: It would depend on who  
18 the director would be.

19 THE CHAIRMAN: They're a carve out. Can the  
20 applicant go to the town board if they wish to object?

21 COMMISSIONER KELLY: Override the director's  
22 decision.

23 MR. FRELENG: There is an appeal. Type A  
24 permit first listens to appeals from a director.

25 THE CHAIRMAN: If it's a B and the director

1  
2 turns it down and you think you have grounds, you can  
3 come to A?

4 MR. FRELENG: Our concern is that the  
5 director can be too lenient. It could go either way.

6 THE CHAIRMAN: I don't know if you want to  
7 make the proposal on this.

8 COMMISSIONER KELLY: I would like it see it  
9 in the comments as well, registered landscape  
10 architect; make that a condition versus a comment.

11 MR. FRELENG: Staff didn't know why it was  
12 taken out.

13 COMMISSIONER HOLMES: Aren't we calling it  
14 to their attention by making it a comment?

15 THE CHAIRMAN: In the sense that this should  
16 not move forward unless you do that. If it's that  
17 important, we should consider that if it's an issue,  
18 but it's not --

19 COMMISSIONER HOLMES: If they by chance  
20 overlooked this.

21 COMMISSIONER KELLY: I would be okay with it  
22 as a comment, but it was in the report, but I thought  
23 it had additional emphasis that maybe it rose to the  
24 level of condition. I'm okay with a comment.

25 THE CHAIRMAN: We have four comments. New

1  
2 Comment Number 3 is emphasize to the town the issue  
3 whether there is discretion, look at the discretion

4 given the director. Four is the one that Commissioner  
5 Kelly suggested with regard that the town should review  
6 this proposed legislation with respect to the economic  
7 impact. Any objection to the new comment, by the way?  
8 Seeing none, I have a question about storm water  
9 runoff.

10 COMMISSIONER BOLTON: On the impact economic  
11 comment. I'm wondering if that really is necessary.  
12 Isn't there some presumption that this does have a  
13 positive -- it addresses positive economic balances in  
14 the legislation itself?

15 THE CHAIRMAN: Andy is saying he thinks it  
16 was done for that purpose.

17 COMMISSIONER BOLTON: The activity  
18 underneath it -- I'm wondering if there is something  
19 additional and it's not necessary.

20 COMMISSIONER ESPOSITO: I think if it's left  
21 as a comment, it's okay. To me, we do an economic  
22 analysis, you can't just do it how, you have to do it  
23 what is the economic benefit to the bays and clamming  
24 and everything else. If it's left as a comment, it's  
25 okay. If we put it as a condition, I think it's

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1  
2 probably not good.

3 THE CHAIRMAN: Seeing no objection, it's a  
Page 84

4 comment. Anything else anyone wants to discuss? My  
5 only question is with regard to storm water runoff. I  
6 wondered if it was covered by this or other parts of  
7 their code.

8 MR. FRELENG: I think I remembered reading  
9 in Section 81 there were standards for storm water  
10 runoff. I can't be sure. We can add a comment that  
11 makes sure they address storm water runoff.

12 THE CHAIRMAN: If it's covered in Chapter  
13 81, they also look at the inclusion of or explore the  
14 inclusion of an agreement or methodologies for storm  
15 water runoff. Without objection to Comment 5, any  
16 other thoughts on this? If not, I'll entertain a  
17 motion to adopt the staff report as amended moved by  
18 Commissioner Holmes. Seconded by Commissioner  
19 Esposito. All in favor please raise your hand. (Show  
20 of hands) It's eleven.

21 We are onto your last item. That passed  
22 eleven to zero. Last item, Central Islip PDD.  
23 Commissioner Chartrand recuses himself.

24 MR. FRELENG: It's the town board's own  
25 motion for the Central Islip PDD. It's a master plan

1  
2 amendment as well as the fact that the subject area is  
3 adjacent to County Road 17. This is a town board's own

4 motion for a change of zone on two parcels from PDD  
5 Municipal to PDD Recreational in order to permit  
6 playing fields for the Central Islip Planned  
7 Development District to change the land use  
8 recommendation for Parcel A from office to recreational  
9 use.

10 Because we had the Town of Islip here giving  
11 their very detailed presentation, I will breeze through  
12 the staff report. Go right to the recommendations of  
13 staff. Staff is recommending an approval with the  
14 following conditions and comments. Again, this  
15 morning, having another staff review, we thought that  
16 we needed to amend the report to the commission. Staff  
17 is recommending approval with the following conditions:  
18 The first condition being that the petitioner shall  
19 continue discussions with the Suffolk County Department  
20 of Public Works. This is related to two issues, the  
21 first being the -- can you go to the site plan?

22 THE CHAIRMAN: This a condition, Andy?  
23 Right now we all have comments.

24 MR. FRELENG: Yes, this is being offered as  
25 a condition. This is related to any replacement or

1  
2 modifications to the traffic circle -- I'm sorry, to  
3 the traffic signal over here on Carleton Avenue, as

4 well as the necessity to provide some sort of safety  
5 valve for left turn movement heading north. Where you  
6 can see from the staff report that they propose to take  
7 DPW Drive and separate it from the plan in order to  
8 provide access into the DPW yard.

9 Staff felt after discussions perhaps there  
10 should be a way to make northbound trips from here,  
11 rather than having to go onto Carleton Avenue. As a  
12 condition, we felt they should continue discussions  
13 with DPW in case there were any kind of trip generation  
14 issues that should have a vent, if you will, heading  
15 north.

16 THE CHAIRMAN: Where is DPW Drive, is that a  
17 dead-end now?

18 MR. FRELENG: DPW Drive is, I believe this  
19 road here, and it's providing informal access to the  
20 DPW yard. I think what is proposed, instead of coming  
21 in here, it will be routed into the back of the DPW  
22 yard. It's proposed to loop behind the Lacrosse field.

23 DIRECTOR ISLES: Just to point out another  
24 point, there is a shopping center here with  
25 restaurants. For people, up to three thousand people,

1  
2 whatever it is that might be using the facility, it  
3 would be two left turns on the county road into the

4 site as opposed to using a back road. There is a back  
5 road here that was designed to reduce the internal  
6 trips. We feel that should be reopened in terms of a  
7 connection in the future.

8 COMMISSIONER KELLY: Is it the same type of  
9 buffer that is on the east side, along the west side?  
10 Along the east side you have a strip of land between  
11 existing residential.

12 DIRECTOR ISLES: Champlin's Creek exists  
13 here. There is a buffer and freshwater wetlands there.

14 MR. FRELENG: I misspoke, that was actually  
15 the second condition, so there are actually two  
16 conditions. The first is regarding the bus shelter at  
17 the proposed sports complex. There are county bus  
18 lines that run up and down Carleton Avenue, but we  
19 didn't notice anything in the site plan where they  
20 discuss some sort of accommodation for mass transit.  
21 They should continue discussions with regard to any  
22 work permit that needs to be done, and Condition Number  
23 2 would be the access.

24 THE CHAIRMAN: North access.

25 MR. FRELENG: Right.

1

2 THE CHAIRMAN: Certainly the first one we  
3 always include, and it's especially appropriate when

4 there are county buses and an important new development  
5 being put in that will attract people. Commissioner  
6 McAdam, did you have a question?

7 COMMISSIONER McADAM: My concern, I'm kind  
8 of familiar with the area, Carleton Avenue and Suffolk  
9 Avenue is kind of a bottleneck up there. Is there  
10 another road that runs parallel to Carleton Avenue on  
11 the east that would take some of the traffic off  
12 Carleton Avenue? Obviously, there are courthouses and  
13 everything else now. When I go there there is always  
14 problems because if you are going northwest or  
15 northeast, you go up Carleton Avenue and you hit that  
16 spot.

17 I guess the question is if Islip or anybody  
18 else in the state or county has plans to take some of  
19 the traffic out of that area other than Carleton  
20 Avenue.

21 MR. FRELENG: It wasn't in the referral.

22 DIRECTOR ISLES: It's part of the master  
23 plan. County did redevelop Belt Drive East that  
24 connects to Laurel Avenue, which connects up to Suffolk  
25 Avenue and provides east-west movement access, so it's

1  
2 essentially a parallel road to Carleton Avenue. You  
3 may not have been aware of that; it's a relief valve.

4 Also Southern State Parkway is another way if you go  
5 south. The purpose of that was to provide distribution  
6 east and west.

7 MR. FRELENG: Staff also had certain  
8 comments, the first comment being that we have the  
9 creek over here, lower left-hand corner of the site.  
10 That there may be some work activity going on here. We  
11 had the wetlands associated with Champlin Creek should  
12 be flagged in the field. Even though this activity may  
13 be more than two hundred fifty feet away, we want to  
14 make sure all setbacks and everything are the most  
15 proper limit from the wetland vegetation.

16 The second comment is no parking be allowed  
17 to overflow onto the right-of-way of County Road 17.  
18 Islip gave us a presentation on the concept relating to  
19 the parking. We feel that the town should carefully  
20 monitor the parking on site, particularly during peak  
21 operating hours. Essentially this is a comment that  
22 the town should just monitor parking on site to make  
23 sure it doesn't go into the county right-of-way.

24 Third comment, more detailed as to pedestrian  
25 circulation should be incorporated into the site

1  
2 design. The site plan is pretty much a big field of  
3 asphalt. While there may be some pedestrian sidewalks

4 or something to get to the ball fields, we felt that  
5 more attention to pedestrian amenities should be made  
6 in the parking areas to channel pedestrians to ball  
7 fields and other amenities on site. In that comment we  
8 added similar to that previous review that we include  
9 the bulletin on universal design as part of that  
10 comment.

11 The next is incorporate public safety  
12 measures into the design. The fifth comment is that  
13 the consolidation, or particularly the relocation of  
14 the town DPW yard acreage should be detail further in  
15 the SEQRA analysis. Part of the DPW yard is being  
16 removed as part of the proposed action. It's not clear  
17 if it's going to be consolidated onto the remaining  
18 area or moved off site. It's part of the overall  
19 review process that the relocation of the yard be  
20 addressed.

21 The last comment, greater attention to energy  
22 efficiency should be incorporated into the design of  
23 the site there. Was some reference to solar paneling  
24 and efficient insulation being used on site. We felt  
25 that the petitioner should be advised to review

1

2 planning commission guidelines on energy efficiency.

3

THE CHAIRMAN: I think we typically make  
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4 energy efficiency a condition. If they have gone a  
5 good ways towards doing it, we might make it a  
6 comment. I believe on both of those I would  
7 editorially term it as a soft condition and they're  
8 easily met. We do raise the issues, these are both  
9 county-wide. I would propose raising both public  
10 safety comment and energy efficiency, Comment 5 and 7,  
11 to conditions.

12 MR. FRELENG: Conditions 3 and 4.

13 THE CHAIRMAN: Make Conditions 3 and 4,  
14 which I think is consistent with what we have done in  
15 the past. Any objection to that? Seeing none, make  
16 those conditions. The other two conditions that staff  
17 suggests really seemed to be splitting Comment 2 in  
18 half and making them both conditions, one with respect  
19 to the bus shelter, which is something consistent with  
20 our past practice, and another regionally significant  
21 issue, and the other being the north access.

22 Anyone want to discuss either of those? Any  
23 conversation about either of those?

24 COMMISSIONER TALDONE: Just to be clear,  
25 there are four conditions and four comments.

1

2 COMMISSIONER FINN: I have one comment.

3 First off, I want to say it's great to see an area kind

4 of evolve. I know this started with Director Isles  
5 back on his watch and it's continuing with the Town of  
6 Islip continuing on with the mission. It's great to  
7 see when you don't have anything, what can you  
8 achieve. You have all walks, you have recreation,  
9 government, retail, industrial.

10 Now the most important thing is the  
11 recreational piece, so I think the residents of the  
12 area can enjoy. The only thing I question just comes  
13 to mind in the aerial, I guess that is north on  
14 Carleton Avenue, there is an office building. Is that  
15 the zero lot line? How does that fit into the site  
16 plan from parking and what have you?

17 MR. FRELENG: I'm not sure which building.  
18 What is being proposed is access to the parcel here  
19 formalized as access into the ball fields here, so this  
20 office building is an out parcel. It's not part of the  
21 proposal.

22 COMMISSIONER MURPHY: There is a condition  
23 that use of that parking field during working hours  
24 remain only for the use of the office building itself.  
25 That was consistent with the condition when it was

1  
2 built. They can have access in off peak. During  
3 working hours they cannot use it. That is in the site

4 plan conditions.

5 THE CHAIRMAN: Any other thoughts or  
6 comments? If not, I'll entertain a motion. Motion by  
7 Commissioner Finn to adopt the staff report as amended.  
8 Seconded by Commissioner McAdam. All in favor, raise  
9 your hand. (Show of hands) That's nine to zero.

10 That ends the regulatory items. We have a  
11 few last things to discuss. First thing I would like  
12 to take out of order, I want to get it on the  
13 record, I would like to appoint the rules and  
14 nominating committee, Josh Horton, Chair, Vince Talone  
15 and Matt Chartrand as members. Any objection to that?  
16 Seeing none -- by the way, I should have mentioned  
17 this. John made a good point, this is a great  
18 development in Islip and it's exciting.  
19 Congratulations. Our comments and conditions are  
20 important. Nothing takes away from the fact that is an  
21 exciting development in Central Islip.

22 No objection to the nominating rules  
23 committee appointments. Guidelines committee we will  
24 appoint at the next meeting. Commissioner Isles will  
25 give a brief update on the Comprehensive Plan and

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2 managing storm water, natural vegetation and green  
3 methodologies in your packet. I e-mailed that around

4 on Monday. Let me congratulate Adrienne and her group  
5 on the work they did on that. We are going to make a  
6 few minor edits. Just putting acknowledgments on there  
7 as well as contact numbers.

8 COMMISSIONER HOLMES: Can we also make an  
9 amendment that the Town of Shelter Island does have a  
10 regulation about runoff and vegetation?

11 THE CHAIRMAN: That should be clear. There  
12 are two aspects to this conversation, one is the  
13 guidance to the municipalities that is a fact-based  
14 document that shares what the new practices are. The  
15 methodologies for storm water runoff; that is Piece 1.  
16 Piece 2 is the work that the town, excuse me, the  
17 Nature Conservancy and Planning Department staff did on  
18 gathering information. Firstly I want to deal with the  
19 draft. Adrienne.

20 COMMISSIONER ESPOSITO: All I want to add is  
21 what changed today from the last time we saw this a  
22 month ago, we took the input provided by the commission  
23 members and included a couple of specific scenarios.  
24 The Save the Rain Program in Syracuse, New York, also  
25 some local scenarios, the Village of Lindenhurst where

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2 they used a lot of green technologies which they got  
3 funding for perma pavements to prevent flooding, and

4 also Hicksville.

5 We cited a few significant examples of where  
6 it was used on the Island and then the program in  
7 Syracuse. It's a little more in context to the  
8 document. Everything else is the same.

9 THE CHAIRMAN: Other than the  
10 acknowledgments and putting the planning commission's  
11 name on it, I think it's good to go.

12 COMMISSIONER ESPOSITO: I'm pretty much done  
13 myself. If somebody wants to take over.

14 THE CHAIRMAN: Anybody else have comments or  
15 questions about the guidance document? I'll entertain  
16 a motion to formally adopt this simply as a planning  
17 commission document that we will instruct staff, after  
18 the minor edits we talked about, to send out to the  
19 municipalities in the coming weeks. Accept the motion,  
20 Secretary Esposito and second from Commissioner Holmes.  
21 All in favor, please raise your hand. (Show of hands)  
22 Unanimous. This is just providing the guidance of what  
23 other places are doing with green methodology for storm  
24 water runoff.

25 COMMISSIONER KELLY: Does this go to DEC as

1  
2 well or just municipalities?

3 THE CHAIRMAN: We can send it to the DEC,  
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4 but our charge is the municipalities.

5 COMMISSIONER ESPOSITO: A lot of information  
6 was obtained through EPA.

7 COMMISSIONER KELLY: They should already  
8 have this.

9 COMMISSIONER ESPOSITO: I'll make sure they  
10 get it.

11 THE CHAIRMAN: Maybe once it's in formalized  
12 format that we send a copy. The second piece is the  
13 data that we our staff has collected and Nature  
14 Conservancy. We asked them to go online and they  
15 identified ten villages on the water and on estuaries  
16 that are probably the ones we need to know about what  
17 their clearing standards are. We thank them for  
18 gathering the information. No interest in having a  
19 deep discussion about this today. We did want to get  
20 the information out on what I suggest we do. I don't  
21 know if anyone had a chance to look at it.

22 COMMISSIONER ESPOSITO: I read through some  
23 of it. Thank you, Andy and everything else.

24 THE CHAIRMAN: Commissioner Holmes' point,  
25 we need to include in here Shelter Island.

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2 THE CHAIRMAN: To the extent that folks are  
3 aware, the one that the staff put together, I know

4 there are a few that said they had no clearing  
5 standards. I was surprised at that. Can you take a  
6 look and see what the clearing standards are? The ones  
7 that said they don't have any are Huntington,  
8 Smithtown, Islip and -- I was a little bit surprised.  
9 Maybe that is something we can check out at the staff  
10 level. Certainly if anyone has experience in any of  
11 those and can identify it, that would be great.

12 COMMISSIONER HOLMES: The reason I know  
13 about Shelter Island, since I was on the committee that  
14 made the recommendations to the town.

15 THE CHAIRMAN: What we need to do is take a  
16 look and see what the commonality is. We will revisit  
17 this conversation. Thank you to your staff and the  
18 Nature Conservancy. I forgot who made the point, maybe  
19 it was Commissioner Finn, it's hard to have a rational  
20 conversation without knowing what the standards are.

21 MR. CORALL: If I could mention about the  
22 clearing standards on the town, all of them have  
23 clearing standards for wetlands, setbacks and coastal.  
24 The ones sited, Southampton and Brookhaven, that is for  
25 an entire lot.

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2 MR. FRELENG: We e-mailed to you two pages.  
3 Probably only one was reproduced in the packet. I'll

4 send it out again.

5 COMMISSIONER FINN: I had a question.  
6 John, are you saying basically by virtue of their  
7 setbacks it's de facto that we have percentages of  
8 clearing limit?

9 MR. CORALL: In the review online code, it  
10 seems all towns it appeared had setbacks from  
11 wetlands. Some towns had a full lot in say a  
12 residential district. That whole lot, regardless of  
13 wetlands or adjacent to a water body, would have an  
14 overall clearance standard.

15 COMMISSIONER FINN: It's not defined in  
16 percentages, but other ways, you're saying it's defined  
17 by just setbacks.

18 MR. CORALL: Setbacks from wetlands.

19 THE CHAIRMAN: I don't want to get into a  
20 conversation about this. It might make sense to dig in  
21 on this a little before we have any sort of  
22 conversation. It is complicated. At least we got the  
23 information to get started. That is step one. That is  
24 all I think we wanted to discuss about storm water.  
25 The conversation around this table about the open space

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2 thing, it was great and exciting. I'm hopeful we can  
3 bring together the parties I have to talk to

4 Mr. Sonntock about saying the study is nonsense. It's  
5 not to say he doesn't have anything he can bring to the  
6 table in terms of conversation. I think his viewpoint  
7 is important to be considered in terms of all these  
8 issues, the comprehensive plan. Any other comments?

9 COMMISSIONER FINN: I agree about the  
10 conversation about open space. The gentlemen from the  
11 Rauch Foundation recognized Mr. Cantor's report several  
12 times as a direct counter to that. I think it would  
13 make some sense if the commission had an opportunity to  
14 hear what Mr. Cantor's report entails so we can examine  
15 from both sides of the equation.

16 THE CHAIRMAN: We need a regular meeting or  
17 some sort of special meeting where we have the folks  
18 together to discuss it. Let's discuss that. We have a  
19 number of speakers, and let me recognize Councilman  
20 Cuthbertson from Huntington. I think a conversation  
21 about it would make some sense bringing Mr. Cantor and  
22 Mr. Sonntock and others. I hope that we would be able  
23 to have a conversation about this where all folks'  
24 thoughts are included. There certainly is a cost piece  
25 of this and benefit piece of this. If we are going to

1  
2 figure out a county-wide plan going forward, it's  
3 important to have all the voices at the table.

4                   COMMISSIONER ESPOSITO: I think when you  
5 bring voices to the table, you want to think about who  
6 are those voices representing. You can bring forty  
7 people to the table. If it's forty individuals who may  
8 or may not have an expertise in the field, I don't  
9 think you bring people in because they said something.  
10 I think you want to look at their expertise, what they  
11 have contributed to the discussion, what is the point  
12 of your meeting.

13                   I guess I feel, like many of us have been  
14 having this discussion for twenty years. So it's not a  
15 new discussion to us, it's been the same people having  
16 the same discussion. I think I would look towards  
17 again thinking outside the box a little bit, how to  
18 maybe develop the discussion into something better than  
19 it's been over the last couple of decades, or more  
20 fruitful, I guess is the objective.

21                   COMMISSIONER ROBERTS: David, I also would  
22 have a sense that the conversation for the five East  
23 End towns would be very different than a conversation  
24 with the five west end towns.

25                   THE CHAIRMAN: This is a Brookhaven and east

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2 conversation. There is eighty to ninety percent of  
3 what you are going to preserve is out there.



4 Foreman's presentation which has been held a couple  
5 over months based on the commission calendar.  
6 Certainly we can schedule that for December, if you  
7 wish. The second point, I have been previously working  
8 on Volume 1. All the writing research is done. For  
9 the past three or four weeks it's been in graphic  
10 production. One chapter has forty-nine charts in it.  
11 I've seen the first cut of the graphics, the report  
12 laid out. I hope to have a second cut ready in terms  
13 of the changes by next week. So, barring unforeseen  
14 problems, we would love to have a draft for you at the  
15 December meeting for your review and comment at that  
16 point.

17 Motion to adjourn.

18 COMMISSIONER HOLMES: Motion.

19 COMMISSIONER TALDONE: Second.

20 (Time noted: 2:50 p.m.)

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STATE OF NEW YORK)  
 )  
COUNTY OF SUFFOLK)

ss:

I, JUDI GALLOP, a Stenotype Reporter and  
Notary Public for the State of New York, do hereby  
certify:

THAT this is a true and accurate  
transcription of the Suffolk County Planning  
Commission meeting held on November 3, 2010.

I further certify that I am not related,  
either by blood or marriage, to any of the parties  
in this action; and

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

IN WITNESS WHEREOF, I have hereunto set my  
hand this 1st day of December, 2010.

\_\_\_\_\_  
JUDI GALLOP

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