

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Planning
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Thomas A. Isles, Director of Planning

NOTICE OF MEETING

DATE: December 1, 2010
TIME: 12:00 P.M.
LOCATION: Maxine S. Postal Auditorium of the Evans K. Griffing Building, at 300 Center Drive,
Town of Riverhead.

Tentative Agenda Includes:

1. Adoption of minutes for September 2010
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
 - a) Hon. Sean Walter, Supervisor, Town of Riverhead
 - b) Seth Forman, Chief Planner, "A Long Way From Levittown...Race, Community & Schools in Suffolk County"
 - c) Tullio Bertoli, Commissioner of Planning, Environment & Land Management, Town of Brookhaven
 - d) Town of Islip Representatives
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Gordon Heights Land Use Plan Town of Brookhaven
 - Amendment Chapter 85 Multiple Family Res. District Town of Brookhaven
 - New Village Patchogue 0204 00900 0500 064000 et al. Village of Patchogue
 - RAM Associates LLC 0204 01300 0200 012000 et al. Village of Patchogue
 - Village Place LLC 0500 41900 0100 043000 et al. Town of Islip
7. Section A14-24 of the Suffolk County Administrative Code

NONE
8. Discussion:
 - Suffolk County Comprehensive Plan – Volume 1
 - Review of Native Vegetation Clearing Standards Across Suffolk County
9. Other Business

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, January 5, 2011 in the Rose Caracappa Auditorium of the William Rogers Building, located at 725 Veterans Memorial Highway in Hauppauge.

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SUFFOLK COUNTY PLANNING COMMISSION
Evans K. Griffing Building
Riverhead, New York
December 1, 2010
12:00 p.m.
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MEMBERS PRESENT:

- DAVID CALONE, Chairman
- CONSTANTINE KONTOKOSTA, Vice Chairman
- ADRIENNE ESPOSITO, Secretary
- MATTHEW CHARTRAND, Town of Islip
- VINCENT TALDONE, Town of Riverhead
- CHARLA BOLTON, At-Large
- BARBARA ROBERTS, Town of Southampton
- LINDA HOLMES, Shelter Island
- JOSH HORTON, At-Large
- THOMAS McADAM, Town of Southold
- SARAH LANSDALE, Town of Huntington
- MICHAEL KELLY, Town of Brookhaven
- JOHN FINN, Town of Smithtown

- THOMAS YOUNG, ESQ., County Attorney for
Planning Department
- DANIEL J. GULIZIO, Deputy Planning Director
- ANDREW FRELENG, Chief Planner
- JOHN CORRAL, Planning Department
- THEODORE KLEIN, Planning Department

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2 THE CHAIRMAN: Before we get started, Sarah
3 Lansdale is not here yet. Welcome to the December 2010
4 meeting of the Suffolk County Planning Commission. I
5 note a quorum is present. I would ask the vice
6 chairman to lead us in the pledge.

7 (Recitation of the Pledge of Allegiance.)

8 THE CHAIRMAN: Director Isles is
9 unfortunately under the weather, but we have his deputy
10 here to bring us the department's point of view. And
11 so we wish Tom well.

12 The first order of business is we have a new
13 member with us today, Diana Weir, representing the Town
14 of East Hampton. Welcome, Diana. She was confirmed by
15 the county legislature a few weeks ago, so we will do
16 the swearing in.

17 (Diana Weir was sworn in as a Commissioner.)

18 THE CHAIRMAN: Welcome.

19 COMMISSIONER WEIR: Thank you.

20 (Applause)

21 THE CHAIRMAN: We welcome Diana, and it's
22 great to have her from East Hampton, and as many of you
23 know, Diana has an illustrious background in the public
24 sector and private sector. She's executive vice
25

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2 president of the Long Island Housing Partnership and
3 her experience, in years past, has included elected
4 official in the Town of East Hampton on the town board
5 and also chief of staff for Congressman Michael Forbes,
6 among other endeavors. It's great to have her with us.

7 First item on the agenda is the adoption of
8 the minutes for September 2010. Without objection we
9 are going to hold those over. Both the editor-in-chief
10 and I, we had a number of edits which we shared with
11 the reporter, and given the volume of those from the
12 September meeting, we thought it best to have those
13 edits made by the court reporter who took the minutes
14 in September and bring those back, and we will look at
15 those again and adopt those or consider those,
16 hopefully, at our next meeting.

17 Without objection, we will move through the
18 public portion. We have two cards. I have David
19 Sloane regarding New Village in Patchogue. Mr. Sloane,
20 would you like to speak? Would you please come to the
21 podium, and you will have three minutes.

22 MR. SLOANE: I don't have anything at this
23 point. Thank you.

24 THE CHAIRMAN: We also have Ron LaScaiso.

25 MR. SLOANE: He is not here yet. He doesn't

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2 have anything either.

3 THE CHAIRMAN: Just to be clear, this is the
4 public portion. We will move on. Next item on the
5 agenda is the Chair report. Just a couple of updates
6 for you. Supervisor Sean Walter will be here a little
7 later to discuss the latest on the EPCAL property. As
8 you may recall, we took a tour a few months ago, and a
9 lot has changed since that time with regard to the
10 potential development project. The supervisor is going
11 to come and give us a brief overview of where things
12 stand and where things will be leading with that
13 obviously very significant regional development.

14 Dr. Seth Forman is going to give us an update
15 on the latest installment of the Comprehensive Plan.
16 It's our last meeting for our esteemed colleague Charla
17 Bolton. We will miss Charla and give her a little
18 presentation a little bit later, but certainly I'll
19 talk a little bit later about Charla, but we know we
20 will miss her dearly.

21 A brief update on the Commission's
22 activities. A brief overview. If any of the task
23 force chairs wants to jump in, please do so. Director
24 Isles and I met with the County Executive yesterday.
25 He's very supportive of everything that is going on.

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2 He promised that he is moving to fill the vacancies and
3 look at reappointments. He will probably make the
4 decisions by the end of the calendar year, by the end
5 of this month and may have the new vacancies filled by
6 February. We actually have one or two vacancies left
7 now. We are moving in the direction of having a full
8 commission. It's certainly good to see as many faces
9 around the table as we have.

10 With regard to the Comprehensive Plan, Seth
11 is going to give us an update in a little bit about a
12 critical piece of that that he has been working on.

13 The task forces. Energy and environment.
14 The solar permit streamlining effort is done. I'm
15 presenting on Friday to the Clean Energy Leadership
16 Task Force, which is a group of the towns from Nassau
17 and Suffolk brought together by Molloy College and the
18 Sustainability Institute there. I'm going to present
19 on the solar permitting and the idea now it's ready for
20 towns and villages to decide whether they want to get
21 on board.

22 LIPA has said definitely that they will
23 provide funding for the first municipalities that get
24 on board, the town and villages. That will provide
25 some incentive for folks to adopt this streamlining

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2 effort.

3 We had some interest already from a couple of villages
4 and towns, and a bunch of them are looking at this
5 right now. It's exciting that we are getting to the
6 end of the process and we have some financial backing
7 from the LIPA side.

8 On the wind symposium, we are co-hosting on
9 December 15th in Hampton Bays. I will send you all the
10 invite on that later today. I forgot to do that. We
11 are co-hosting with the East End Mayors and Supervisors
12 Association. The Town of Southampton is hosting that.
13 Four town board members from Riverhead, Southampton,
14 East Hampton and Shelter Island kind of on the steering
15 committee, so we can make sure that what we present on
16 December 15th is actually useful to the towns and the
17 idea is to give them information that they need on how
18 to approach wind energy issues. You are all invited.
19 I know a handful of you mentioned that you are able to
20 attend.

21 On native vegetation, green methodologies for
22 stormwater runoff, the guidance document we passed last
23 month in Babylon is now done except for the county
24 executive saw it yesterday and said he likes it and
25 wants to include a letter from himself in the packet.

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2 He is going to put that together in the next couple of
3 days and it will be sent out. That is in the process.
4 Obviously, great to have the county executive's backing
5 on that.

6 Later in the meeting Andy will present from
7 the Planning Department an overview on the municipal
8 clearing standards in Suffolk. We got the information
9 that staff developed as well as the Nature Conservancy.
10 We have all the background data and we will have a few
11 minutes at the end of the meeting to have Andy give an
12 overview. We talked about next year talking about
13 having a green methodologies for stormwater runoff
14 event or symposium. The county executive was in favor
15 of us doing that and basically said however he can
16 help, he would like to help. That is something we will
17 turn to after the holidays.

18 Then the commercial energy efficiency
19 building codes, Constantine, John Finn, will lead up an
20 effort to bring the towns together to discuss more
21 efficient energy codes for the commercial building.
22 The towns are starting to splinter on that. We are
23 trying to get them together. A few towns are
24 interested in working on that. The county executive
25 also expressed interest yesterday in being involved in

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2 that effort.

3 On economic development, Sewer Summit 2, the
4 county executive wants to bring together a follow-up
5 meeting to Sewer Summit 2 which we co-hosted a month
6 ago. The idea is to have a closed door meeting of
7 electeds to discuss funding, financing for sewer
8 infrastructure and other kinds of infrastructure. My
9 guess is it won't happen before the end of the year,
10 but probably early next year. That is the result of
11 all of the work we did on Sewer Summit 2.

12 One of the last items on that, economic
13 development, is the Suffolk Unified Permitting Portal.
14 That is an idea that we have been working on for over a
15 year. It's definitely become the number one kind of
16 economic development priority in the county
17 administration. It's now sort of been taken over by
18 the Economic Development Department, and Andy Freleng
19 has been the point person from the Planning Department
20 perspective, and has had a bunch of internal meetings
21 on that. We have been involved from the steering
22 committee perspective. John Finn, Barbara Roberts and
23 I are involved; Mike Kelly is the point person. It's
24 important what has happened. The County Executive kind
25 of latched on this and kind of made it a priority and

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2 put county authority behind it. That is critical for
3 it going forward. I think it's exciting that something
4 we came up with around the table is a priority for the
5 county now.

6 Historic preservation incentives, Charla is
7 going to leave us but she said, I guess, we're all
8 volunteers -- but in her volunteer volunteer
9 capacity --

10 COMMISSIONER BOLTON: In my future volunteer
11 capacity.

12 THE CHAIRMAN: She will help us finish up
13 with that project. Public safety, we have the draft
14 design standards. I met with a couple of the
15 supervisors in the last month or so and we started
16 informally circulating that, just to get some feedback.
17 I hope to get that done hopefully early next year. So
18 far the feedback has been hey, this makes a lot of
19 sense. We should have public design safety standards
20 in our design codes. It's just that when it becomes a
21 fact in all the jurisdictions.

22 The other exciting thing we learned -- Vince,
23 I'll let you fill us in on universal design, some of
24 the updates.

25 COMMISSIONER TALDONE: Thank you, Chairman.

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2 Just a quick update. The Town of Babylon has adopted
3 our universal design incentive ordinance almost
4 completely intact, minus one provision regarding the
5 zoning bonus. Otherwise, it's pretty much there lock,
6 stock and barrel. I couldn't be happier. It has been
7 adopted using most of our own text, which was our
8 intention. It was to provide something that is ready
9 to go, easy for villages and municipalities to adopt it
10 right off the shelf.

11 We are now moving with Smithtown. I'm
12 talking with members of the planning staff there. John
13 Finn will be joining me. We will be meeting with some
14 elected officials shortly and hopefully move that
15 through a successful adoption in Smithtown as well.

16 THE CHAIRMAN: Thank you, Vincent, and
17 congratulations not only on the effort but on the
18 fruits of the efforts, which is the towns actually
19 doing it and adopting it and recognizing these regional
20 issues are real and that we have been able to provide
21 some resources to get them to address them; that is
22 really great.

23 The last thing on housing, the County
24 Executive expressed an interest on possibly doing some
25 kind of housing summit next year. Our vice chairman

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2 has a wealth of knowledge about that, as does our
3 newest member, Commissioner Weir, and Commissioner
4 Horton was on the County Executive's workforce housing
5 task force. We have some good knowledge around the
6 table, and the County Executive expressed interest in
7 thinking about this after the new year, whether we
8 should have a housing summit at some point in 2011.
9 Something we should keep on our Radar screen and we
10 should talk about going forward.

11 We have the nominating and rules committee.
12 You have the 2010 rules were e-mailed out. Our
13 counsel, Tom Young has informed me that the version
14 that was sent out by e-mail yesterday was actually a
15 dated version.

16 MR. YOUNG: It doesn't have the three
17 changes that we made last year.

18 THE CHAIRMAN: You can ignore my e-mail and
19 we will have to get the latest version and circulate
20 that to everyone. Our rules are just a couple of pages
21 long, but they do define how we do our jobs. Just take
22 a look at them in the course of the next month and let
23 the nominating rules committee know if there are any
24 specific changes that you wish to suggest we make.

25 COMMISSIONER ROBERTS: Are the rules in the

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2 packet correct then?

3 THE CHAIRMAN: No. Tom determined this this
4 morning. Thank you to our eagle-eyed counsel. We will
5 get the new one out by e-mail. In our January meeting
6 the nominating committee will report on nominations if
7 we elect new officers in February. We have the
8 guidelines committee which I will appoint today.
9 That will be myself, Mike Kelly, John Finn, Linda
10 Holmes and Diana Weir. Read them through over the
11 course of the next month or so and come back with some
12 discussion or ideas where we need to tweak the
13 guidelines going forward. I'm talking with the rest of
14 the members of the committee about that in the next
15 week or two.

16 January we are back in Hauppauge. We expect
17 County Economic Director Yves Michel will speak to us
18 about some of the activities that his department is
19 working on regarding economic development in the
20 county. One of the priorities is the unified
21 permitting portal.

22 That is the update. Anyone have anything
23 they want to add? Any questions? If not, we will move
24 on to the director's report. I don't know if you have
25 anything from Tom.

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2 MR. GULIZIO: Comprehensive Plan, the first
3 draft of the first portion of the inventory is nearing
4 completion. We hoped to have it today. That is going
5 to focus on demographics, the economy, and quality of
6 life sections. Hopefully, we will have that in the
7 immediate future. I know that is being reviewed
8 intensively right now.

9 We are also hoping in the next month or so to
10 begin scheduling meetings with each of the ten towns to
11 discuss the information that has been gathered to date
12 and solicit some additional direction from those towns,
13 in terms of additional work that we can start to focus
14 on as part of the ongoing Comprehensive Plan process.
15 We are really just looking at first section of the
16 inventory, which is the first component of the plan.

17 The second thing we have been working on
18 fairly diligently in recent weeks has been a HUD
19 sustainable communities grants. We put in a proposal
20 with a consortium of municipalities, including several
21 municipalities from Connecticut, New York City, Nassau
22 County. HUD did award that consortium a grant, between
23 three and four million dollars, I think three point
24 eight million dollars. We are finalizing our specific
25 portion of the grant right now with HUD. It's going to

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2 the deputy director?

3 COMMISSIONER HOLMES: Just a comment that
4 the Nature Conservancy is boasting in their current
5 magazine on how they have been involved with the county
6 and the Pine Barrens review. They feel that it's
7 because of them.

8 MR. GULIZIO: I'm glad that they're proud of
9 their efforts and we are happy they're at the table.

10 COMMISSIONER ESPOSITO: The sustainability
11 grant from the federal government, is there a tie into
12 our work to the work the other municipalities are
13 doing? Is there any kind of regional sense about the
14 plan, or was it individual municipalities doing
15 individual things?

16 MR. GULIZIO: It's a great question. It's
17 tied to the NYMTC sustainable growth plan for the
18 region; New York Metropolitan Transportation Council.
19 Our regional and transportation planning entity at the
20 federal level is kind of the glue to all the individual
21 plans. We have one component to the overall vision.
22 Yes, it's part of that ongoing process.

23 THE CHAIRMAN: If I remember right, what
24 Suffolk County was looking to do was look at regional
25 TDR's and things of that nature that obviously have

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2 significant cross-county but really kind of regional
3 impact.

4 MR. GULIZIO: Absolutely. We see the
5 efficiency and effectiveness of the various TDR
6 programs being critical to a whole host of regional
7 planning issues, including workforce housing, open
8 space preservation, downtown revitalization and really
9 the key to a sustainable economic strategy going
10 forward. That has to be one of the linkages between
11 all of the individual programs.

12 THE CHAIRMAN: Would the money if we get for
13 Suffolk, would that be to fund a study?

14 MR. GULIZIO: The intent of the study is to
15 analyze all the existing TDR programs and how to
16 optimize the effectiveness of the TDR programs.

17 COMMISSIONER WEIR: I have a copy of the
18 sustainable grant, if you want to see what it
19 encompasses. The regional planning council is involved
20 with that as well.

21 THE CHAIRMAN: Yes, the Regional Planning
22 Council, Michael White, has been involved with those
23 conversations with NYMTC.

24 COMMISSIONER WEIR: I think it's about three
25 million dollars for the whole area so we will get

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2 about a dollar fifty.

3 THE CHAIRMAN: Without any comments or
4 questions, thank you, Dan, we will move on to the guest
5 speaker portion.

6 As I mentioned earlier, Supervisor Walter
7 will be here a little bit later. For now I wanted to
8 invite Dr. Forman up to talk about some of the work
9 he's been doing related to the Comprehensive Plan.

10 DR. FORMAN: Thanks Dave. Good morning,
11 Commission. I just want to take a minute to explain
12 some of the efforts with regard to the Comprehensive
13 Plan to tell you my appreciation for Dave, Tom and
14 Dan's leadership on the Comprehensive Plan. A lot of
15 people serving on planning commissions at the town or
16 municipal level, especially, but even at the county
17 levels, don't realize that a lot of the basic research
18 that goes into our understanding of our quality of life
19 or our existence takes place during the comprehensive
20 planning process. Most of the other times you're
21 talking about more narrow details of planning, which
22 are obviously day-to-day, the important ones, but it's
23 also interesting and important to take a step back to
24 review and get a little bit of a notion about the
25 broader patterns of the way, in this case, Suffolk

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2 County is living and is evolving.

3 So the comprehensive planning allows us to do
4 this. One of the topics that Tom, Dan and I believe
5 was essential for us to work on was the issue of racial
6 segregation. And in regards to that, governmental
7 structure and educational opportunity. It's something
8 that some other agencies and non-profit groups have
9 looked at in the past, but being a county planning
10 agency, and the research arm of that agency, I think it
11 gives us a chance to look at an issue like this, which
12 obviously is hotly contested, in a more sort of
13 detached and more objective way, perhaps even though we
14 know we never really achieve complete objectivity.

15 Most of the other studies done in this area
16 are done by advocacy groups that may be very useful,
17 but clearly from a certain position or standpoint. Not
18 excluding myself from having a certain position or
19 standpoint, we do try and use social science methods,
20 indices that anyone can construct and replicate to
21 determine whether they really exist or do not exist.

22 It was agreed upon that we would produce a
23 report pertaining to school districts and their racial
24 composition, but it is still undetermined whether this
25 will end up as part of the Comprehensive Plan or in

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2 what segment of the Comprehensive Plan, but some of
3 the findings that we have from the work are very
4 interesting because, as you know, and I wanted to share
5 them with you today, race and racism and racial
6 segregation have a long history on Long Island. Nassau
7 and Suffolk counties have been dogged by the question
8 of racial inequality and segregation for decades, going
9 back to Herbert Ganz's book, *The Levittowners*, in 1967.
10 There has been a whole dearth of studies that revealed
11 the details of exclusionary policies of, quote,
12 America's first suburban post-war development,
13 Levittown. In fact, the title of the report that I'm
14 giving you a section of right now is called *A Long Way
15 From Levittown*, because it discusses so many of the
16 changes that have taken place since that time.

17 And the nature of recent immigration from
18 overseas to Suffolk County has given added resonance to
19 the stark, uniquely American drama of white privilege
20 and non-white exclusion. Community change along racial
21 lines or ethnic lines is a complex matter. In the
22 United States there is a mesmerizing array of
23 distinctions upon which sits location based decisions.
24 The writer David Brooks, some of you may be familiar
25 with, a columnist from the *New York Times* wrote, and I

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2 quote, "Maybe it's time to admit the obvious. We
3 really don't care all that much about diversity in
4 America, even though we talk about it a great deal.
5 Maybe somewhere in this country there is a truly
6 diverse neighborhood in which a black Pentacostal
7 minister lives next to a white anti-globalization
8 activist who lives next to an Asian short order cook
9 who lives next to a professional golfer who lives next
10 to a literature professor who lives next to a
11 cardiovascular surgeon, but I have never been to or
12 heard of that neighborhood. Instead, what I have seen
13 is people all over the country making strenuous efforts
14 to group themselves with people who are basically like
15 themselves."

16 We know there is a great deal of truth in
17 what he says. There is a practical purpose in this
18 obsessive grouping. Retirees like to live next to
19 retirees and parents of young children like to live
20 next to parents of young children because they're at
21 points in their lives where they value the same things,
22 good schools for the parents or transportation for the
23 aged. Orthodox Jews can't support Kosher food markets
24 if they don't live in large numbers next to each other.
25 You need a critical mass.

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2 Often this complexity is ignored by critics.
3 The emotionally powerful narrative of the post-war
4 decades persists. According to the narrative, any
5 separation by race or disparity in social outcomes
6 should be seen primarily in terms of racism and
7 historic exclusion of blacks and other non-whites from
8 desirable places to live. The codicils from the
9 original Levittown leases which exclude occupation of
10 houses to, quote, any person other than members of the
11 Caucasian race, end quote, may be gone, but for a lot
12 of critics they have merely been superseded by
13 institutional evils of local control, fragmented
14 government and complex regulations that are designed to
15 reinforce existing inequalities.

16 But this also ignores the vast, and in many
17 respects, impressive demographic changes in Suffolk's
18 communities. So for example, I put it up as the first
19 slide, in 1991 there were twelve school districts in
20 the county that had a black and/or Hispanic which we
21 will be calling minority, for historic reasons -- we
22 typically don't include Asians in that group -- but
23 black or Hispanic population of twenty percent or more.
24 By 2008, that number more than doubled to twenty-six,
25 which constitutes thirty-eight percent of all the

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2 school districts in Suffolk County. There are
3 sixty-nine high school districts.

4 There is little evidence, by the way, this is
5 important, that large consolidated jurisdictions are
6 not as fully capable of laying out segregated
7 neighborhoods as small jurisdictions. We hear from
8 folks like David Rusk and other advocates that much of
9 our segregation issue is tied up in local zoning and
10 local control, but if you take New York City, for
11 example, it's the largest public school system in
12 America, there are a million kids in it. It's part of
13 the consolidated government of New York City. In 2008,
14 four of the boroughs of New York City, that is the
15 Bronx, Kings, Queens, and Manhattan, all had higher
16 segregation indices for their high schools than Suffolk
17 County high schools did.

18 What this means is, we will talk about the
19 indices in a minute, basically this means Suffolk has a
20 segregation index of fifty-nine point five percent
21 between white and black students. That means
22 fifty-nine point five percent of black or white pupils
23 would have to move to attain full racial balance in
24 Suffolk County high schools. That number is sixty-six
25 percent in Manhattan, sixty-four percent in the Bronx,

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2 sixty-five percent in Brooklyn and sixty percent in
3 Queens. This does not even address the very high
4 utilization among whites of private schools in New York
5 City, which adds an additional private public dimension
6 to educational opportunity in New York City.

7 You can see that, these are the rates of
8 private school utilization in New York City and
9 Suffolk. In Suffolk, actually it's not private school,
10 it's students not enrolled in K through twelve public
11 schools. This could also include special facilities.
12 Seven percent in Suffolk in Richmond and Staten Island,
13 twenty-four percent, Bronx, twenty-four point two,
14 Brooklyn, twenty-four. In New York it skyrockets to
15 almost thirty-nine percent. That is a third to have
16 the students not utilizing public schools. That has a
17 detriment effect on citizens' willingness to fund
18 public schools adequately when the schools are not
19 being utilized by one-third of the population.

20 There appears to be several instances in
21 which Suffolk residents may be bypassing the proverbial
22 white flight that occurs, or is said to occur when the
23 number of non-white residents reaches the so-called
24 tipping point of twenty percent. That is standard in
25 sociological literature; once non-whites become twenty

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2 percent of the population, it's the tipping point and
3 whites move. There are today, in fact, sixteen school
4 districts in Suffolk, twenty-three percent, where
5 blacks and Hispanics make up between twenty percent and
6 fifty percent of the student body and in which whites
7 make up the other half. An increase of eight districts
8 since 1991.

9 That means districts are getting twenty,
10 thirty, forty percent non-white and whites are not,
11 with any visible urgency, leaving those school
12 districts. Whites seem not to have migrated in large
13 numbers away from these school districts, including
14 some of the small East End school districts, East
15 Hampton, Springs, Riverhead, Tuckahoe, Montauk, Hampton
16 Bays, Southampton and Greenport, all with substantial
17 numbers of minority children. Deer Park, Huntington,
18 Longwood, North Babylon, South Country, South
19 Huntington and William Floyd now have minority
20 populations that exceed twenty percent or more with
21 white populations that exceed fifty percent.

22 The complicated mix of factors that result in
23 racial imbalance is hard to decipher. For years,
24 scholars of racial segregation have subscribed to the
25 belief that white racial animus towards blacks is more

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2 determinative of black segregation levels than income.
3 There is a debate. Blacks and whites still live apart
4 to a large degree because of income or because they
5 don't want to live next to each other or what have you.
6 It's not the idea that whites and blacks are segregated
7 mostly because of racial animus is not precisely what
8 the data tells us.

9 Blacks are proportionately over-represented
10 relative to their household income in some of Suffolk's
11 wealthiest school districts. Take Half Hollow School
12 District. The median cost of a home in 2008 was six
13 hundred ten thousand dollars. The threshold income
14 necessary to afford a mortgage on the median cost of
15 that home is around a hundred thirty-eight thousand
16 dollars. Only an estimated three point four percent of
17 black households in Suffolk County make this threshold
18 amount, yet the Half Hollow Hills School District has a
19 student body that is thirteen percent black. That is
20 what I mean when I say that Half Hollow Hills has an
21 over-representation of blacks according to income.
22 Nobody can determine the perfect balance; according to
23 income, they're about six point nine percent
24 over-represented in Half Hollow Hills.

25 Other communities where blacks are

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2 over-represented include several East End school
3 districts, Elwood, Harborfields, Huntington, South
4 Huntington, West Babylon, Babylon and blacks remain
5 extremely over-represented in some districts,
6 Wyandanch, Copiague, Amityville and Brentwood, but
7 these schools combined make up twenty-eight percent of
8 the total black public school student population. As
9 the exposure indices indicate, the other seventy-two
10 percent of black students remain fairly well exposed to
11 white and Hispanic districts.

12 Several solidly middle class districts, such
13 as Northport, Smithtown, Commack and Connetquot remain
14 under-represented of blacks. This is also true that no
15 school district in the county exceeds five percentage
16 points under-representation. Suffolk's score of
17 fifty-nine point five percent on the segregation index
18 leaves it in the middle of the mix in terms of
19 comparable counties. For example, we have done this
20 throughout the Comprehensive Plan, with our comparable
21 counties it's higher than comparable counties in
22 Montgomery, Maryland and Fairfax, Virginia but lower,
23 more integrated than similarly situated Monmouth County
24 in New Jersey, Prince Georges County in Maryland,
25 Bergen County, New Jersey, Westchester County, Nassau

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2 County and Rockland County.

3 Other measures of racial separation and
4 imbalance are more favorable to Suffolk than those of
5 Montgomery and Fairfax. I bring those two counties up
6 because those two counties have consolidated
7 county-wide school systems and are often compared
8 favorably by critics to the more fragmented system in
9 Suffolk County.

10 The exposure index is another tool that we
11 use that calculates the percentage of a particular
12 group present in the community of the average resident
13 or student of another racial group. Comparing public
14 high schools, the percentage of white students in the
15 high school attended by the average black student in
16 Suffolk is forty-seven point three percent. In
17 Fairfax, that's forty-four percent white. In
18 Montgomery, it's thirty-two point six percent white.
19 We really have higher exposure to white students by
20 that measure. Minority students, according to the
21 exposure unit index, are slightly more mingled in
22 Suffolk than the percentage of Hispanic students
23 attending the high school of the average black student.
24 In Suffolk, it's twenty-four point one, while in
25 Montgomery, it's twenty-two point five, in Fairfax,

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2 eighteen point four.

3 Hispanics show slightly greater integration
4 with whites in Suffolk than Montgomery and Fairfax.
5 The percentage of white students attending the high
6 school of the average Hispanic student is fifty point
7 six percent. In Fairfax, it's forty-three point eight,
8 Montgomery, only thirty-three point four percent. The
9 average Hispanic student in Suffolk attends a high
10 school that is sixteen point nine percent black. In
11 Fairfax, it's thirteen point six percent. It's higher
12 in Montgomery, twenty-seven point two percent.

13 The data is mixed clearly not as unfavorable
14 as has been presented in the past. Suffolk also
15 demonstrates slightly less racial exposure for public
16 school white students than Montgomery and Fairfax.
17 This is an important point about consolidated school
18 systems. Often this data is brought up. Exposure
19 indices for white students in Montgomery and Fairfax
20 should be interpreted with caution, because many whites
21 in Montgomery and Fairfax do not attend public schools.
22 It's a phenomenon we see with large centrally
23 controlled school systems, a high utilization of
24 private schools. The percentage of total K through
25 twelve pupils in Montgomery, Maryland that attend

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2 private schools is almost triple the percentage that do
3 in Suffolk County. And Fairfax is close to double the
4 percentage. Suffolk, we have about four point nine
5 percent in private schools compared to nine point four
6 percent in Fairfax and thirteen percent in Montgomery.

7 When students who are home schooled or in
8 special learning facilities are included, it's higher.
9 Suffolk is seven percent, Fairfax is thirteen point
10 nine percent and Montgomery, it's eighteen point four
11 percent. Most of the utilization of non-public schools
12 are white, seventy percent roughly in Montgomery,
13 Maryland. As we have seen with New York City and again
14 with the county-wide school systems in Maryland and
15 Virginia, it's common in centralized decision making
16 over a wide area, we see high percentages of families
17 with the resources to do so, seek private schools.
18 This resulted in a drop in support among local
19 taxpayers for public schools.

20 In New York City, for example, while the city
21 schools are a majority minority and contain forty
22 percent of all of the high needs pupils in New York
23 State, school districts in Suffolk County that are
24 twenty percent or more minority enrollment out spend
25 New York City schools. Even when the property wealthy

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2 East End is taken out of the equation, Suffolk high
3 minority schools spend an average of twenty-three
4 thousand eight hundred dollars per pupil compared to
5 New York City's eighteen thousand dollars per pupil.

6 So desperate were public school advocates in
7 New York City for more funding that they went to the
8 courts for relief. In 2001, the State Supreme Court
9 ordered the State of New York to shift roughly two
10 billion dollars in school operating aid annually to the
11 New York City schools. It's important to note that
12 large sums of money do get spent in an effort to
13 address unequal outcomes in Suffolk County. Suffolk
14 school districts with high minority enrollment, which
15 I'm calling twenty percent or more, average
16 thirty-seven thousand eight hundred twelve dollars per
17 pupil in 2009 compared with almost twenty-six thousand
18 per pupil as an average for Suffolk County. That is
19 almost a twelve thousand dollar per capita or per pupil
20 difference in spending.

21 When you remove the high wealth areas on the
22 East End with the seasonal homes which brings some of
23 the per pupil spending to fifty-seven thousand dollars
24 per pupil. If you remove them, the high minority
25 schools spent slightly less than the average. But that

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2 could also be a function, and probably is, of the
3 enormously large size of the high minority districts,
4 including Brentwood, Longwood and William Floyd, all of
5 which contain around ten thousand pupils. Seventeen
6 thousand in Brentwood is the largest in the county,
7 probably in the top five in the state. The West End
8 school districts with majority minority pupil
9 populations, meaning fifty percent or more, spend
10 roughly the same as the county average, twenty-six
11 thousand per pupil. They contain roughly double the
12 number of pupils as the average school district. The
13 average for the county is three thousand eight sixty.

14 In school districts where minorities make up
15 a majority of students, those that have under four
16 thousand pupils spend an average of twenty-nine
17 thousand dollars per pupil, while those with over four
18 thousand pupils spend an average of twenty-four
19 thousand dollars per pupil. It seems size is a
20 determining factor for district resource utilization.
21 We have determined that the very high spending in some
22 very high minority districts on the East End provides a
23 good testing ground for the idea that more money
24 equalizes outcomes. We have an analysis in the report
25 of academic outcomes by the amount spent per pupil in

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2 each district, East End to the West End districts.
3 That is the kind of data that we produced for the
4 analysis. I think it clarifies the existing situation
5 a little bit better than perhaps you might see in some
6 other reports or advocate type publications.

7 I appreciate the opportunity to present it to
8 you. I appreciate any comments and suggestions.

9 THE CHAIRMAN: Great report and very
10 thorough. Does dollars equal --

11 DR. FORMAN: It's interesting, it's kind of
12 a mix. On the East End in the high minority school
13 districts where spending is roughly double per pupil on
14 the West End, they don't equalize outcomes. They do
15 under-perform the county average, but they do
16 out-perform the large West End high minority school
17 districts.

18 It could be that money makes a difference to
19 some degree; it doesn't completely equalize things.
20 But I would also point out the small school size, it
21 could be just the size of the high minority districts
22 on the West End are enormous. I would ask anybody if
23 they know of a high school in the United States with
24 five thousand students or more, if you can show me an
25 over-performing high school that size, I would be very

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2 surprised. I haven't found one yet.

3 THE CHAIRMAN: Thanks, Seth. Comments,
4 questions? Matt.

5 COMMISSIONER CHARTRAND: Seth, did you
6 include the charter schools in New York City when you
7 did this?

8 DR. FORMAN: No, only as a part of the
9 percentage that does attend public school because those
10 would be still public school, publicly funded.

11 COMMISSIONER CHARTRAND: In Fairfax when
12 they consolidated the schools, was the money
13 distributed equally among the districts?

14 DR. FORMAN: No, it's still a political
15 body, it's a legislature. There are always some
16 distribution issues involved. Like the New York State
17 aid formula it's supposed to take place by wealth
18 calculations. You know it's the hold harmless which
19 keeps the well-heeled districts from losing any aid
20 every year.

21 COMMISSIONER KONTOKOSTA: I always respect
22 your work a lot. I have a few questions that we can
23 talk about later. I think that school segregation and
24 racial segregation are driven by two very different
25 things, not to mention the concept that self-selection

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2 is really driving kind of the residential locational
3 segregation patterns in Suffolk County is kind of a
4 tough one to swallow.

5 I can understand the Asian populations in
6 Flushing, for example. On Long Island we have a
7 different experience and very different situation
8 between what might be an enclave situation versus
9 exclusionary areas here where access to housing
10 opportunities could be limited, and that is what is
11 really driving it.

12 I'm sure you have seen the work by Peter
13 Marcuse at Columbia, who was one of my mentors.
14 Research on residential segregation on Long Island is
15 pretty stark. It doesn't necessarily jive with some of
16 things that are coming out of this.

17 DR. FORMAN: That is why you should listen
18 to me.

19 COMMISSIONER KONTOKOSKA: That is why we
20 should debate. The index of the similarity that you
21 calculated was black-white populations. You didn't
22 account for Hispanic populations, which might skew
23 things on the East End especially.

24 DR. FORMAN: That data is contained but I
25 didn't discuss it here.

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2 COMMISSIONER KONTOKOSKA: One thing I might
3 suggest you look at is the (inaudible) Index, which is
4 a multi-group measure of segregation that might work a
5 little bit better on this in terms of getting a better
6 handle. I question the comparison to New York City
7 schools. I think you need to control, I'm sure you did
8 the racial characteristics of those attending public
9 schools and those not attending public schools. In New
10 York you have a situation where of the people mostly
11 attending non-public schools are mostly white. That
12 skews some of the numbers that you might see here on
13 Long Island. I'd like to talk to you about it more.

14 DR. FORMAN: On the most basic level, it's
15 not determined by anyone. It's a hotly contested area.
16 Do people need to live next to people of different
17 races to do well in school. No one has convinced me
18 that that is the case.

19 COMMISSIONER ROBERTS: An observation. I've
20 been involved in the New York City school system and
21 business partnerships. A few things this distorts is
22 one-third of the students in New York City high schools
23 were not born in this country and two thirds of them,
24 their parents were not born in this country and there
25 are a hundred thirty-four languages spoken in New York

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2 City schools. To think in terms of black and white is
3 simplistic. The issue is far more complex.

4 DR. FORMAN: That is okay. I want to make
5 clear this wasn't an analysis of New York City schools.
6 We get most of our residents who migrate here
7 domestically from Queens and Brooklyn and almost all of
8 the households have children reaching the age of five.
9 We understand what is going on. New York City public
10 schools have an enormous challenge with so many
11 different things. I want to say anybody with the means
12 to do so either leaves or goes private.

13 COMMISSIONER BOLTON: Two historical
14 observations. One is I participated in a lot of
15 research of African-American settlement in the Town of
16 Huntington in particular and in other areas as well.
17 In doing some sort of informal oral histories, it was
18 more than once sort of reported to me that people were
19 not steered to, I'm talking about people who --
20 African-Americans who migrated here maybe fifty years
21 ago, forty years ago were not steered into a particular
22 already concentrated community, but in many cases felt
23 that they would be safe there and selected those
24 communities to live in.

25 It's a little bit more complex than just

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2 saying there is this pervasive racial segregation.
3 It's hard to say which came first, the chicken or egg.
4 In fact, there is a large degree of participation and
5 selection, individual selection by people seeking a
6 comfortable place to live in the suburbs.

7 DR. FORMAN: That is important. Especially
8 involved in this involved analysis too is Prince
9 Georges County in Maryland, which is a principally
10 black, and solidly middle class, so even middle class
11 households self-segregate to a certain degree. There
12 is a somewhat comfort level.

13 COMMISSIONER BOLTON: Two other observations
14 in connection with that. Suffolk County has a ton of
15 deeply historical African-American communities whose
16 origins began in the eighteenth and seventeenth
17 centuries and those communities are still there in some
18 form. The only thing that has altered that particular
19 pattern that was set very early, of course change of
20 social patterns over time, but also the institution of
21 urban renewal which did a lot to, in my view, looking
22 at things that happened in Huntington, in my view to
23 actually further concentrate African-American
24 settlement out of original settlement areas into a
25 particular kind of place that was chosen as the kind of

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2 place to move people during the urban renewal
3 activities.

4 Those are two things that I didn't hear.
5 This isn't a Ph.D. it's a report. I appreciate the
6 work, I think it's excellent, you're doing things which
7 haven't been done before. They're quite, I wouldn't
8 say risk taking, but forward looking.

9 DR. FORMAN: It's nice of you to recognize
10 it since Constantine didn't.

11 COMMISSIONER KELLY: In the city schools
12 there is a lot more opportunity for private school.
13 There is just a larger number of private schools,
14 especially on the Catholic side, with a lot shorter
15 commute, so the availability is a lot greater, along
16 with the economic impact. The taxes for a single
17 family home or any type of residential home in the
18 boroughs is a little cheaper in terms of taxes which
19 typically allow a family to make that choice to send
20 the kid to a private school, where out here in
21 Nassau-Suffolk, the high taxes that are driven to our
22 schools really makes it difficult to send a child to a
23 private school.

24 DR. FORMAN: Thank you. I would only add to
25 that that New York City public schools, before the

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2 World War, drew the admiration of the rest of the
3 world. I don't see why it still couldn't be that way.
4 I'm sure we knew people who attended when there were
5 good educational opportunities in New York City.

6 COMMISSIONER TALDONE: Quick question
7 regarding performance as it relates to expenditure per
8 pupil. For a fleeting moment I was feeling rather
9 smug hearing fifty-six thousand dollars spent per child
10 on the East End. I was thinking about some of the tiny
11 districts on the East End where there are hoards of
12 administrators, a few students, large classes, no
13 supplies, so the actual expenditure, if you divide the
14 overhead into the number of students, looks like we are
15 spending a fortune on our students, but in fact, if you
16 looked a little bit into what is being spent on the
17 students, comparing that to other districts, you might
18 find a different story.

19 One example I have is Fire Island, which is a
20 district that has more administrators than students.
21 If you do the math, those students are getting more
22 money spent on them than anywhere else on the Island,
23 when in fact, they're not getting any more services
24 than anywhere else.

25 I'm wondering how you evaluate the

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2 relationship between the total spending in the East End
3 districts and performance, if that total spending is in
4 large part those districts trying to lock out different
5 groups from their communities, or at least from their
6 educational process.

7 DR. FORMAN: I think that is crucial.
8 When we do the government structure segment, we will
9 have to determine teachers per pupil, percentage,
10 non-teaching staff and all the rest for the districts.

11 THE CHAIRMAN: Thank you for the good
12 conversation around the table, and thank you, Seth, for
13 your work on this. This is why we do a Comprehensive
14 Plan. Clearly a lot of nuance in the data. Thank you
15 so much.

16 Next item is the -- moving toward our
17 administrative agenda -- Town of Brookhaven. Diane is
18 here. And if we can get a brief overview of where we
19 are heading with the Gordon Heights Land Use Plan.

20 MS. MAZARAKIS: Good afternoon, thank you
21 for the opportunity to present our planning effort of
22 the Gordon Heights areas. Tom Chawner is the project
23 manager of this particular land use plan, working with
24 the land use. Tom will present the land use plan in
25 the context of where we have been, where are we now and

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2 where are we going.

3 I want to briefly talk about why prepare a
4 land use plan regarding land use decisions in Gordon
5 Heights. Gordon Heights is a hamlet in a minority
6 community defined by a few subdivision maps and fire
7 district created in 1947 in response to racism fears,
8 when the town began.

9 The disproportionate number of sex offenders,
10 housing, a fire district tax burden and predatory
11 mortgage lending program, and significant number of
12 abandoned houses, the land use plan details a number of
13 land use demographics and provides guidance for a well
14 supported plan. Tom Chawner will begin the
15 presentation.

16 MR. CHAWNER: Hi, everyone. I have to
17 apologize, I'm short on copies I have one copy if
18 anyone needs it. We have quite a few slides. I'm
19 going to try and move fairly quickly. I know you have
20 a time frame of about ten minutes or so.

21 Just quickly, it was founded in 1927, by a
22 fellow named Louis Fife to provide African-American
23 people in New York City access to land and country
24 living. A few of the historical notes. Davis House,
25 located across the street. Gordon Heights was the seat

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2 of Brookhaven government for over a hundred years. The
3 boundaries that we are using are the traditional Gordon
4 Heights boundaries, which are different from the fire
5 district boundaries and different from the Zip code
6 boundaries. North is Middle Country Road, east and
7 west Bartlett Road, south it's a thousand feet short of
8 Granny Road and on the west is Mill Road.

9 Where are we now. This is, when you do a
10 land use plan, you have to understand the nature of the
11 population. We did a considerable amount of work
12 looking at the population and demographics. I want to
13 point out a couple. If you look at the average income,
14 household income, it's about thirty percent less than
15 it is in the Town of Brookhaven and somewhat less than
16 the county as a whole. I think that is a significant
17 thing. If you drop down and look at the owner occupied
18 stock, it's very considerably less than the town and
19 county, at fifty-five percent, and renter occupied
20 stock is correspondingly higher. These were items that
21 came up through our planning process which the land use
22 plan seeks to address.

23 Couple of items here. It does rank eleventh
24 of thirty places that were identified by Suffolk County
25 Long Island Regional Planning Board as economically

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2 distressed. I spoke with Peter Lambert yesterday. He
3 said they will be coming up with updated information,
4 as soon as the census data comes out in the fall. It's
5 entirely located in a CGA. Hydro Zone 3, which is
6 important to consider when we plan. There are three
7 fire districts that cover Gordon Heights and four
8 postal zips, and even though the Longwood School
9 District covers the entire area, there are no school
10 facilities located within Gordon Heights, forcing
11 everyone to leave their home and go elsewhere to go to
12 school.

13 This slide shows that it's primarily a
14 residential zone. This is the example, there are three
15 different fire districts. The red zone is the Gordon
16 Heights Fire District and there are two other fire
17 districts and right next to it, there is another fire
18 district.

19 THE CHAIRMAN: There is a big thing in the
20 middle that looks like Central Park. That is not part
21 of the Gordon Heights fire districts?

22 MR. CHAWNER: That is another district. I
23 don't know who drew these lines. It's part of the
24 planning challenge when you have an area that has been
25 subjected to this kind of rather like arbitrary

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2 decision.

3 MS. MAZARAKIS: It's important to note that
4 fire district was carved out of the other districts
5 because of feared racism that their homes, if there
6 were fires, would not be extinguished, so they formed a
7 fire district.

8 MR. CHAWNER: That is the rationale. This
9 is a very distressing slide. It shows you homes that
10 are distressed, properties that are distressed. They
11 broke it down into four or five different categories.
12 It's one of the major problems that the land use plan
13 seeks to address. This is a picture of Councilwoman
14 Keppert and two of the neighbors who are boarding up a
15 home. That is about a year ago. Unfortunately, we
16 have several pictures like this. This shows this is
17 something that hopefully the land use plan will turn
18 around. These homes that are vacant are really assets,
19 they're not really liabilities, and the land use plan
20 seeks to take these abandoned homes and transform them
21 into asset homes.

22 We had about three hundred people, residents
23 who came together on about six or eight occasions over
24 about a three year period, and out of this process we
25 came up with a vision for the community. The community

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2 came up with its own vision. Let me give you
3 highlights of it. The community wanted two mixed use
4 neighborhood centers. There is an existing center in
5 the north, but it doesn't meet a lot of their needs.
6 The community needed more of a change of housing to
7 meet the needs of single mothers, et cetera, old
8 people, young people. The community also wanted to
9 rehabilitate the abandoned housing rather than board it
10 up. We will go into more of this later. When I
11 inserted this slide, I inserted it yesterday, it's
12 bright and sunny. It's a visualization of what happens
13 in the community. If you go to the next slide, we have
14 the town elected officials, congressman, state elected
15 officials. We had a coming together of all the levels
16 of government to really get behind what we were trying
17 to do in Gordon Heights.

18 Just briefly, how are we able to do this?
19 It's a six thousand person community. How do we get
20 the resources to do this. We wrote a grant. We got a
21 grant from New York State for a hundred eighty thousand
22 dollars and devoted the resources to this project.
23 What we plan to do hopefully have it adopted by the
24 Town Board in February 2011. Before we wanted to do a
25 land use plan, we wanted to figure out what was the

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2 housing demand and what was the need for retail and
3 other kinds of commercial services, so we contracted
4 actually, Cameron contracted with AECOM and they did an
5 analysis which kind of set the overall parameters of
6 how many units would be needed by 2012 and how much
7 retail space would be needed.

8 You can see it's summarized up there we also
9 took a look at what would be the sewer capacity. How
10 could we provide sewers to the future development,
11 which I should add behind all this is the idea that we
12 want to focus and concentrate growth and prevent
13 sprawl. I don't want to mention the covenants of
14 planning we are going to seek and focus on
15 concentrating growth, so we can prevent sprawl in the
16 future. There are thirty recommendations. If you
17 would like a copy of the plan, maybe the staff could
18 give me your e-mail and we can send you one.

19 THE CHAIRMAN: We will get an overview from
20 our staff in a few minutes.

21 MR. CHAWNER: There are thirty
22 recommendations. The first recommendation is that
23 there would be two neighborhood centers. Existing
24 north center is in red. A new neighborhood center in
25 green on the south. It's basically the northeast

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2 corner of Granny and Mill Roads, forty acres. That is
3 a close-up of the south neighborhood center which is
4 currently vacant. What is good about the site, it's in
5 common ownership. There are forty acres. It's zoned
6 A-1. What the plan recommends is PDZ or Planned
7 Development Zoning, which would give the flexibility to
8 a future developer. Mixed use single family, two
9 family houses, granny flats, live work units. We don't
10 have granny units or live work units in our current
11 code. Once we get into the implementation phase, we
12 will have to work on this minimum twenty percent
13 affordable housing.

14 This is a depiction of what the community
15 center would look like from Granny Road. Part of the
16 requirement that the town will be looking for in the
17 future development is a village green. The building in
18 the center is a community center which we will be
19 looking to be denoted as a community benefit from the
20 developer. This is the second neighborhood center.
21 This is an existing neighborhood center. The proposal
22 is to diversify this into a mixed use main street
23 center. It's based on prior work that we did in the
24 Middle Country Road Land Use Plan adopted by the town
25 board in 2006. The idea is to achieve the mixed use

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2 center, recommends J-6 zoning. It will have an
3 affordable housing component and we will achieve what
4 we need to achieve from a proposed overlay district.

5 There is a depiction of what it would like
6 like. The main thing is the parking in the rear.
7 Parking now is parking in the front. We would like
8 people to visit the center, park their cars and shop on
9 foot. This is a depiction of the sewer capacity in the
10 immediate vicinity. There are two existing county
11 sewer districts which are possible for us to hook
12 into. One would be Selden and one would be
13 Medford. The third possibility would be that the
14 developer of the south neighborhood center would
15 construct their own sewage treatment plant. There is a
16 fourth possibility. There is a condo facility south,
17 which is constructing their own sewage treatment center
18 plant right now. That is just south of the proposed
19 community center.

20 What the plan recommends is rezoning of
21 certain parcels along Middle Country Road and transfer
22 of development rights to the center. Obviously, our
23 goal is to concentrate future development. That is
24 something we talk about a lot in the town of
25 Brookhaven. Over the next twenty years, we will be

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2 receiving between seventy-five and a hundred thousand
3 people. We don't want to have more sprawl. We want to
4 concentrate and focus on growth. This is in line with
5 our efforts at the town level to wrap up our
6 Comprehensive Plan.

7 This is an example of the type of a granny
8 flat which the plan is recommending. The code does not
9 currently permit granny flats. This is something we
10 will work on in the next phase of the project. Live
11 work units, it was felt within the community that there
12 are a lot of young entrepreneurs that want to start
13 businesses and they can't afford to pay a rental and
14 pay for a home at the same time. Part of the future
15 development will be to provide live work units. That
16 would be a first for us.

17 That is an example of a rather nice live work
18 unit. We already covered this. Twenty percent
19 affordable housing, it's twice what we currently
20 require. We require ten percent; we're saying twenty
21 percent. There are a bunch of small lot clusters in
22 Gordon Heights. In the past there was a problem
23 because the owners of small lots go to the BZA, get
24 very large variances, they build houses, they're sold
25 or rented to people who can't afford them. They walk

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2 away from the houses, houses are boarded up. There is
3 a cycle that repeats itself not only in Gordon Heights
4 but North Bellport and other sites.

5 We want to change the way we do business as a
6 town. We need to encourage the accumulation or
7 aggregation of the small lots so we can build other
8 kinds of housing with other amenities. That will
9 require some code change and we will be meeting with
10 the board of zoning appeals on that too. There is an
11 industrial area along Mill Road on the west side of the
12 highway where there are a number of industrial uses
13 which are underutilized which could, in fact, expand
14 and could provide jobs for members of the communities,
15 so there is a recommendation in there for that.

16 The whole history of the housing being
17 boarded up. There is a whole section in the plan which
18 refers to the multiplicity of programs that exist. The
19 town does not have a housing authority, nor does it
20 plan for one. The town is a little tentative about
21 getting involved in housing. The suggestion is that
22 the town provide a leadership role in pulling together
23 the various non-profit housing agencies to try and
24 apply through the non-profits for these housing funds
25 which exist. The town has not really applied itself

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2 because it does not have a housing authority. The
3 town's role would be to pull people together.

4 This is an example of where we would have
5 priority sidewalk installation. There is two miles of
6 sidewalks which have been proposed. There is also
7 trails. The trail is the blue line that goes into the
8 Overton Preserve which is across the street, which is
9 about ninety-eight percent preserved. Traffic calming,
10 we have identified streets on which there should be
11 traffic calming. An issue with the approved street
12 lighting, there is a recommendation in the plan for
13 improved street lighting.

14 Sex offenders, that is your quarter mile
15 around what the current law says. There are some
16 recommendations in there about the enforcement of
17 current sex offender laws, better coordination between
18 the town and county laws. This is a vexing problem for
19 people who live in the community because there is an
20 overconcentration.

21 THE CHAIRMAN: Any questions? We will move
22 onto the administrative agenda and the first item is
23 the Gordon Heights and our consideration of it.

24 MR. FRELENG: Thank you. The first
25 regulatory item was referred to us from the Town of

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2 Brookhaven. The Gordon Heights Land Use Plan. From the
3 perspective of staff, we believe that the Gordon
4 Heights Land Use Plan is an important effort by the
5 town to address the Hamlet of Gordon Heights. The town
6 should be recognized for its efforts to address the
7 issues of the community.

8 The plan raises a number of questions from
9 the perspective of staff with respect to the impact on
10 the Pine Barrens Comprehensive Management Plan and
11 local and state roadway work. As indicated, the
12 subject application is the referral from the Town of
13 Brookhaven Town Board for the Gordon Heights Land Use
14 Plan is based upon earlier community visioning and
15 extensive community outreach by the town. The Gordon
16 Heights Land Use Plan elaborates and further develops
17 the results of the community visioning process
18 conducted by the Town of Brookhaven land use process.

19 In addition, the plan reviews those elements
20 of the Middle Country Road Land Use Plan that pertain
21 to Gordon Heights, specifically the proposed
22 Westfield-Fife neighborhood transitional corridors east
23 and west of it. Moreover, the Gordon Heights Land Use
24 Plan focuses on the creation of the north and south
25 neighborhood centers as proposed by the community

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2 during the visioning, and modified based on the
3 economic report conducted for the land use plan.
4 Gordon Heights Land Use Plan makes
5 recommendations for new and modified residential and
6 commercial land uses. Zoning and building code
7 modifications are also recommended in support of the
8 plan. From the perspective of staff, the specific
9 significant recommendations of the Gordon Heights Land
10 Use Plan include rezoning approximately forty-two acres
11 of vacant A-1 residentially zoned land on the northeast
12 corner of Mill and Granny Roads to a Mixed Use Hamlet
13 Center PDD. Also rezoning approximately eleven acres
14 of residential A-1 and low intensity commercially zoned
15 land J-2, Neighborhood Business along Middle Country
16 Road identified as the Westfield-Fife Neighborhood
17 Center to J-6, Main Street Business District, as well
18 as designating the center as a Hamlet Overlay District,
19 in accordance with the Middle Country Road Land Use
20 Plan.
21 In addition, they want to rezone
22 approximately thirty-five acres of residential and low
23 intensity commercially zoned land along Middle Country
24 Road to J-Transitional District, and finally, from the
25 perspective of staff, they would like to designate the

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2 transitional corridors of Middle Country Road as
3 sending areas for the potential sale of transfer of
4 development rights credits. They would like to
5 designate the Westfield-Fife Neighborhood Center as a
6 receiving area for sanitary credits, Pine Barrens
7 credits and potential future Town of Brookhaven TDR
8 credits.

9 As Brookhaven staff indicated, the Gordon
10 Heights Land Use Plan is supported by an economic
11 analysis, environmental review, public safety and
12 infrastructure investigations and land use credits.
13 From the perspective of staff, all of the Gordon
14 Heights land use plan is situated in the Compatible
15 Growth Area of the Pine Barrens. The development of
16 high density hamlet centers may violate the clearing
17 standards established by the Pine Barrens Commission.
18 Moreover, the Gordon Heights Land Use Plan recommends
19 the creation of sending and receiving areas for TDR's,
20 sanitary credits and Pine Barrens credits.

21 Gordon Heights Land Use Plan may
22 significantly alter the existing State Pine Barren
23 Commission program ratios sending and receiving
24 districts. The availability of adequate receiving
25 sites for Pine Barrens credits may be considered prior

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2 to adoption of this plan by the Town of Brookhaven. In
3 addition, the Town of Brookhaven is recommending
4 density transfers or transfer of development rights as
5 a means of density treatment. We believe this is a
6 good thing in accordance with commission policy. The
7 plan is recommending sewage treatment options. We
8 believe sewage treatment options should emphasize a
9 regional approach. Moreover, staff notes that plan
10 proposed to increase development potential along the
11 Middle Country Road corridor.

12 The Gordon Heights Land Use Plan should be
13 reviewed by the New York State DOT in order to
14 determine the potential impact and required mitigation
15 associated with the additional development along the
16 corridor. Staff is recommending to the commission a
17 conditional approval, and the conditions are as
18 follows:

19 Number one, that the Gordon Heights Land Use
20 Plan should be referred to New York State DOT so the
21 DOT can review potential impacts to the state right of
22 way. The second staff recommendation is for
23 conditional approval is that the Gordon Heights Land
24 Use Plan be referred to the Central Pine Barrens Joint
25 Planning and Policy Commission. There is a TDR

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2 component and the hamlet is within the Central Pine
3 Barrens Compatible Growth Area. We believe that the
4 commission should have a look at that.

5 Third, that the Gordon Heights Land Use Plan
6 should be referred to the Suffolk County Department of
7 Health Services and Suffolk County Department of Public
8 Works. From staff's perspective, we believe that the
9 commission should be looking at sewage treatment from a
10 regional perspective. The Department of Health
11 Services and DPW are doing studies in the area, and the
12 plan should reflect that and all waste water in the
13 future should be directed to regional treatment.

14 Mr. Chairman, that is the staff report.

15 THE CHAIRMAN: Thank you, Andy. This is a
16 Brookhaven matter. Commissioner Kelly, any thoughts
17 from a Brookhaven perspective about the area?

18 COMMISSIONER KELLY: Thank you,
19 Mr. Chairman. I would like to commend Tom and Diane
20 for their work. This is an area that can use
21 revitalization and redevelopment, and I think their
22 efforts go a long way to that.

23 With regard to Comment Number 2 in the staff
24 report regarding the Central Pine Barrens, this area is
25 in the compatible growth. This is something that

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2 really has to be discussed and vetted. There has to be
3 a motivation to get in there, and as a practical matter
4 redevelop this area. Hurdles such as compatible
5 growth, I should not call it a hurdle, how can we find
6 a way to incent a developer to get in there and make
7 this plan practical. I think we have to consider that.

8 The compatible growth area is very important
9 to everyone. This redevelopment is important as well.
10 I just want to make sure that we can do our best
11 efforts to make some type of compromise in there. Is
12 this really high density or is this high density in
13 comparison to what.

14 I think the town has to be recognized for
15 attempting to connect to a regional plant or sewage
16 plant of some type. I think that is the only way it's
17 going to work to make this a practical matter. How can
18 we help them.

19 MR. FRELENG: The Central Pine Barrens
20 Comprehensive Land Use Plan, which is promulgated by
21 the Pine Barrens Joint Policy Commission, is a plan
22 which is a supply and demand based plan for a transfer
23 of development rights. The Gordon Heights Land Use
24 Plan as well as the Coram Middle Island Plan for Route
25 25 are TDR plans which may upset the balance, the

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2 required balance in the plan for sending to receiving
3 areas.

4 The Suffolk County Planning Commission and
5 Suffolk County itself and Town of Brookhaven are all
6 rati fiers of the Central Pine Barrens Comprehensive
7 Land Use Plan and they are all obligated to implement
8 the plan. When a municipality proposes a subset of a
9 TDR program, it's necessary to analyze the land use
10 plan to see if there is a disturbance to the TDR ratios
11 which have to be ratified. We feel it's a recurring
12 and important issue with regard to the transfer of
13 development rights, specifically within the Central
14 Pine Barrens zone.

15 COMMISSIONER TALDONE: In regard to
16 Condition 2, I have a bit of a concern. I'm sensing
17 litigation down the road when this has to be referred
18 to the Central Pine Barrens Joint Policy Commission.
19 Their determinations have to be considered prior to
20 adoption. If they take five years to think about this,
21 this whole area sits and waits. There seems to be no
22 limitation how long the Pine Barrens Commission can
23 take to come to some kind of calculation and move
24 forward. I don't know how to address that. It seems
25 we would be delivering the whole plan to the Central

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2 Pine Barrens Commission for as long as they like and it
3 can't move forward.

4 Am I misreading that? One would argue if you
5 didn't get the recommendations of the commission, how
6 could you carefully consider them. I can see people
7 down the road trying to block whatever moves out of
8 there.

9 MR. GULIZIO: Just to be clear, I think it's
10 important we put this in context. The Pine Barrens
11 Commission on which the county has a seat on the
12 commission, is a regional regulatory body empowered to
13 protect a critical resource, our groundwater resource.
14 I don't think by requiring that this application, like
15 any other application that impacts the Pine Barrens
16 region referred, as it's required to be referred,
17 should be looked at as a negative.

18 In order to ensure that the proper balance is
19 struck between economic development sought by the town
20 and preservation of the resource, the process, as
21 statutorily established, is referral to the
22 commission. There are statutory requirements as far as
23 the time the commission has to review the application.
24 Like with any other governmental body, there are
25 statutory time frames for reviewing the application in

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2 accordance with SEQRA and statutory time frames
3 associated with that process.

4 I don't understand; with all due respect,
5 it's not a black hole where they can take five or ten
6 years to arbitrarily consider the application. It's a
7 process that has been in place for over ten years.
8 There is a rational and procedural aspect that is
9 applied to every application referred to the
10 commission.

11 THE CHAIRMAN: This has to go to the Pine
12 Barrens Commission under the law. Whether we make it a
13 condition or not is irrelevant. The issue of making it
14 a condition is simply sort of raising the issue. It's
15 our method of highlighting it as a concern.
16 Commissioner Kelly's point about there needing to be a
17 balance is clearly true. It's built into the policy.
18 It's also why we need to have the money to do a more
19 regional TDR study to make sure it works together
20 because we have the possibility of programs growing in
21 different directions. You see here in Brookhaven, it
22 may make sense in Gordon Heights, but it may not make
23 sense in terms of the whole. Those are my thoughts.
24 Michael.

25 COMMISSIONER KELLY: I wasn't debating going

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2 to the Pine Barrens Commission. My point was what can
3 we do to ensure that plan can actually be implemented
4 as a practical matter. I'm not debating going to the
5 commission; I understand that. I want to make sure
6 that doesn't become another land use plan that sits on
7 a shelf we can't implement for whatever reason. I
8 think we have the ability to not necessarily hand hold,
9 but to help the commission to understand the practical
10 issues before when it comes to a matter like this.

11 Gordon Heights is an important area that we
12 can redevelop. I think it would be a great shining
13 star for the town to make that happen. That was my
14 only point.

15 COMMISSIONER ESPOSITO: Couple of points.
16 One is I think it's important to remember that
17 Brookhaven Town has a seat on the Pine Barrens
18 Commission and a vote. The second thing is to remind
19 some that the commission was set up to create the
20 balance. That was the response to what people have
21 called for in the past. I hate to be the one that
22 provides the historical perspective when the battle was
23 do you develop or preserve, this was the system created
24 to foster a balance between development and
25 preservation so we have a system in place.

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2 I think we are being asked to follow a system
3 to highlight it because there are some elements of the
4 plan that would create a precedent setting nature. I
5 think Andy is right to flag that and say I think it
6 needs to be reviewed and highlighted, to look at those
7 particular viewpoints. I think it's an important
8 condition of this project.

9 COMMISSIONER FINN: I want to echo a couple
10 of points that have been made. Understanding that
11 there is a process and Pine Barrens Commission is part
12 of the process, when you are talking about the people
13 in Gordon Heights and what the practicality is of
14 getting the project off the ground, we can talk about
15 having procedures and policies, but the rubber is not
16 going to hit the road if you have to start transferring
17 TDR's because it will make the cost per unit
18 prohibitive and it will sit until the next regime
19 decides to fund another study to report on it.

20 If you look at from whatever this is, fifteen
21 thousand feet above, you notice a large percentage of
22 the area has been preserved. That is the Overton
23 Preserve. When was that preserved? Who preserved
24 it? How is that taken care of? Once land like this is
25 preserved, what do you do with the development rights

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2 of the land that is taken off the grid, so to speak.
3 Is there a bank that that goes into that a developer
4 can pull from and allocate in a different area in
5 Gordon Heights to make his project sustainable?

6 MR. FRELENG: The Overton Preserve is west
7 of Mill Road. Technically, it's outside the study area
8 for the Gordon Heights Land Use Plan. The Overton
9 Preserve is in the process of being preserved. It's
10 not entirely preserved. In addition to that, there is
11 a TDR component being proposed for the Overton
12 Preserve. It's the Town of Brookhaven that is
13 recommending the transfer and absorption of development
14 rights. I'm not sure I answered all your questions.

15 COMMISSIONER FINN: Once that land is
16 preserved as open space, there will be land use credits
17 that can be transferred within that area.

18 MR. FRELENG: My understanding there are
19 credits that can be pulled off the preserve and held
20 for future development use, yes.

21 THE CHAIRMAN: Any other thoughts or
22 comments?

23 COMMISSIONER HORTON: My question is
24 straightforward. It's by statute or by law that that
25 this plan has to be referred to the Pine Barrens

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2 Commission, correct?

3 MR. FRELENG: Yes.

4 COMMISSIONER HORTON: I guess there is a
5 concern by the Planning Department and if we adopted
6 this, with your statement of concern by the commission,
7 do we have a concern that the Town of Brookhaven will
8 not follow the law and refer it?

9 MR. FRELENG: I wouldn't want to
10 characterize it that way, Mr. Horton, but we want to
11 make sure everything is procedurally accurate, and we
12 believe that while land use plan is comprehensive and
13 it does impact the comprehensive land use plan for the
14 Pine Barrens. We feel it's imperative that it be
15 referred and we shouldn't miss the opportunity to
16 remind the town that it should be referred.

17 COMMISSIONER HORTON: The next obvious
18 question is, should we put in conditions that they be
19 obligated to follow every other law that they should
20 abide by in advancing this application?

21 COMMISSIONER ESPOSITO: I would say the ones
22 where perhaps they would be setting a precedent on the
23 policies would be a good idea. If there was an
24 application that was a precedent setting nature, I
25 would be happy to address the other agencies that it

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2 would be precedent setting with.

3 COMMISSIONER HORTON: I maintain that every
4 time a municipality makes a decision there, is the
5 possibility that it will set a precedent.

6 COMMISSIONER ESPOSITO: I would disagree.

7 COMMISSIONER HORTON: That is legal fact.
8 I'm not sure I want to be, at least this commissioner,
9 in the position of starting to add conditions on rules
10 and regulations, particularly laws that the
11 municipality has to follow anyway.

12 THE CHAIRMAN: That is a valid point. I
13 think the core issue is not so much whether it's a
14 condition or for that matter a comment, but I think the
15 key, if we include it as a comment, what we need to
16 make sure that gets conveyed is there is a concern
17 about this is precedent setting in the sense that it's
18 a big precedent. I guess your point is right. Any
19 time you are making a decision you are in the position
20 of perhaps setting a precedent. In this case dealing
21 with fundamental issues that concern the Pine Barrens
22 Commission, this would simply be this commission
23 highlighting that. You can do that as a condition or a
24 comment. It doesn't really make a big difference
25 procedurally because they have to do it anyway.

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2 That would be the issue of whether it's a
3 condition or comment. Personally, I don't feel
4 strongly either way. I feel it's important that we
5 mention to the town that it is clear there is a
6 regional consideration here.

7 COMMISSIONER KELLY: I didn't want to be
8 misconstrued. I want to make sure we can help the town
9 try and implement the land use plan. If we are in
10 favor of it, what can we do to help them; that was my
11 point. At this point, I would make a recommendation or
12 motion to approve the staff report as written.

13 COMMISSIONER ESPOSITO: I'll second.

14 THE CHAIRMAN: All in favor of adopting the
15 staff report as written, please raise your hand.
16 (Show of hands) Eleven. Opposed? Abstentions? One
17 abstention.

18 We move onto the next item, New Village of
19 Patchogue. Commissioner Kelly recuses himself and from
20 the subsequent item, Ram Associates. Andy?

21 MR. FRELENG: Thank you. Incorporated
22 Village of Patchogue referred to us New Village
23 Patchogue, otherwise known as Downtown Patchogue
24 Re-developers, LLC. You may recognize this is the
25 project originally known as Tri-Tech. This is a bird's

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2 eye view of the proposed project area. You can see to
3 the south is Main Street, Village of Patchogue. This
4 is an oblique view of the same site.

5 It's interesting to point out that what is
6 predominantly different on the development proposal is
7 the connection of the proposed buildings in this area.
8 This is the original referral. This area was open.
9 Now they will be enclosing this whole area with a
10 building and subsurface parking. This is the zoning
11 for the site. We don't have the current zoning for the
12 property. The Incorporated Village of Patchogue
13 approved the zoning and special permit request that you
14 heard two months ago. This is the site plan. You can
15 see it's a mix of ground floor retail and residential
16 on top. There are varying heights. The highest of the
17 buildings is five stories.

18 The petitioner has submitted an application
19 to the Patchogue Board of Trustees to modify prior
20 approval granting mixed use development, which consists
21 of two hundred forty residential units, twenty-eight
22 thousand four hundred sixty square feet of retail
23 space, a hundred eleven room hotel and parking. The
24 recent submittal modification is that the hotel
25 component has been eliminated and fifty-one residential

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2 units, seventy-six hundred square feet of retail space
3 and subsurface parking area have been added. The two
4 hundred ninety-one residential units, that is
5 eighty-eight units of workforce, thirty-six thousand
6 one hundred forty-nine square feet of retail space and
7 redevelopment of Lot 44 with surface parking and
8 improvements to Havens Avenue.

9 The proposed changes also include a reduction
10 in height of the tallest of the proposed buildings to
11 five stories. We attached the prior staff report which
12 you can take a look at. Our original concerns with the
13 first referral focused around the average height of the
14 buildings. We believe that the average height was
15 still significantly higher than the two or three story
16 general height pattern in the area. We had a concern
17 that the increase of density was not tied in with a
18 shift in density. We had some concerns about the
19 adequacy of the parking on the subject property.

20 We still have similar concerns with regard to
21 the parking. They have addressed a lot of the parking
22 concerns. They have a surplus of required parking. We
23 still believe that this is a precedent setting project
24 and therefore staff is recommending approval with the
25 following comments: .

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1 12/1/10 Suffolk Planning Commission
2 The first comment is that the village
3 carefully consider the precedent setting nature of the
4 proposed change of zone in order to ensure that the
5 increased scale of development is consistent with the
6 community character. We believe as part of that
7 condition, we believe that the village should take a
8 hard look at the existing infrastructure, roadways and
9 sewers to make sure they can adequately handle the
10 proposed project.

11 In the staff report you see condition number
12 two, that it was a misprint. Recommend that Condition
13 Number 2 reads the village should consider energy
14 efficient design standards with the proposed
15 development consistent with Suffolk County Planning
16 Commission guidelines. Consider public safety and
17 universal design standards.

18 The proposed development should be consistent
19 with the Suffolk County Planning Commission guidelines
20 and four, that the village should consider a diversity
21 of retail unit types.

22 I apologize for going through this fast. We
23 did hear this two months ago.

24 THE CHAIRMAN: These are comments.

25 MR. FRELENG: Yes, I'm sorry, these are

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2 comments

3 THE CHAIRMAN: I'm looking at the first one.
4 Just to clarify, the one in the back of the packet was
5 the original staff report from when this came through a
6 year or so ago.

7 MR. FRELENG: Yes.

8 THE CHAIRMAN: The front is the revised
9 staff report and the only significant change is the
10 hotel aspect.

11 MR. FRELENG: That's correct. I substituted
12 that, as indicated, with retail and residential. Staff
13 recommended a conditional approval. Commission
14 deliberated and felt that the conditions were better
15 related as comments, so staff in this case picked up on
16 that and are recommending it as comments.

17 THE CHAIRMAN: This reflects what we passed
18 last time, and just so everyone is clear, we are taking
19 out Comment Number 2, so there are only four comments.
20 That's that. Okay. Is that the end of the staff
21 report?

22 MR. FRELENG: Yes.

23 THE CHAIRMAN: This is a Brookhaven project.
24 Secretary Esposito.

25 COMMISSIONER ESPOSITO: Andy, before I

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1 12/1/10 Suffolk Planning Commission
2 comment, can you elaborate. We were actually
3 discussing the proposal, a little bit more on the
4 parking issue. Obviously, when the original proposal
5 came in for the hotel, it had allowances for up to two
6 hundred fourteen parking spaces. I don't think you
7 really went into the fact that they changed it to two
8 hundred forty residential units.

9 What would be the parking requirement? How
10 much are they short? What are they going to do to
11 arrange for adequate parking?

12 MR. FRELENG: They're proposing five hundred
13 parking spaces. The parking is subsurface, under the
14 buildings. That is how they plan on accommodating the
15 majority of parking. This lot here is going to be --
16 Lot 44 is going to be surface parking and internally
17 there is going to be a whole bunch of surface parking
18 as well.

19 COMMISSIONER ESPOSITO: I missed that while
20 you were giving the presentation. Overall, I'm a
21 little disappointed that the hotel is not going to
22 work. I think it could have really worked well, given
23 the location and amenities nearby, which we talked
24 about at the last couple of meetings. I still believe
25 it as a viable proposal for the village. It will bring

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2 more traffic, but my sentiment is if you live in a
3 village, there will be traffic, so I think it will be
4 the another big boost.

5 My only other question is, which you may have
6 mentioned, does the sewer treatment plant -- I know
7 it's undergoing upgrades, will it have the capacity for
8 the increase in residential units?

9 MR. FRELENG: It's going through an
10 upgrade. The only information we have is that the
11 village indicated it will have the capacity at the time
12 it needs to hook up.

13 THE CHAIRMAN: They were developing with
14 extra capacity. It may take away from what they can do
15 in other places, like East Patchogue.

16 VICE CHAIRMAN KONTOKOSKA: Will thirty
17 percent of those additional units be workforce housing?

18 MR. FRELENG: Percentage of the total.

19 VICE CHAIRMAN KONTOKOSKA: I think the
20 energy efficiency guideline should be a condition, not
21 a comment. I think it's consistent with how we handled
22 applications in the past.

23 THE CHAIRMAN: That is a good point.
24 Without objection, we will move Comment Number 2, which
25 is the consider energy efficient design standards, we

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2 will make that Condition Number 1. Any objections to
3 that? Seeing none, we will amend the staff report.
4 Commissioner Bolton?

5 COMMISSIONER BOLTON: I was wondering, do
6 you have any information on the proportion on rental
7 and owner occupied units?

8 MR. FRELENG: I believe that was provided to
9 us, but I don't know that offhand. We have project
10 sponsors that can answer that, but I'm not able to read
11 their lips at the moment.

12 THE CHAIRMAN: Andy, why don't you find out
13 the answer and get back to us. In the meantime, any
14 other comments or questions around the table? Seeing
15 none, Commissioner Finn.

16 COMMISSIONER FINN: I just want to have a
17 couple of points. I think this is an exciting project
18 for Patchogue. As a sitting board member of the YMCA,
19 we just opened a flagship, as this commission moves
20 about and looks for future applications, the two to
21 three story which was commented on is one of the things
22 that we learned to love about Patchogue, which doesn't
23 happen that often on Long Island. We have the three
24 things that we need to have in almost every
25 municipality, parking, sewers and the most important

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2 one is political will.

3 Down in the village they seem they realize
4 they have assets and are putting them to good work. As
5 much as the hotel would have been a good component, I
6 think this is a reflection of what market conditions
7 are. When we talk about costs are, to see we can plan
8 it and talk about it how do we get these things to
9 actually happen. I think that was some of the issues
10 that was creating problems on Long Island.

11 Here we have a project which I think will
12 become a precedent setting to the plus side, and I
13 think we should embrace it and look to make future
14 examples of this in other communities.

15 THE CHAIRMAN: All good points. I think
16 this is reflected in that when this project came before
17 the commission last time, we changed conditions to
18 comments. I think we were supportive of the
19 application. I personally feel we should still be very
20 supportive and what I'm hearing around the table is we
21 are.

22 COMMISSIONER ESPOSITO: As a point of
23 interest, there have been, in some of the co-op and
24 condominium and apartment projects constructed in
25 Patchogue over the last five years, most of them are

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2 occupied. It's very high, the occupancy right.
3 Clearly it means that bodes well for any future
4 projects as well.

5 THE CHAIRMAN: Andy, do you have an answer
6 to the question Commissioner Bolton posed?

7 MR. FRELENG: Yes. All the original
8 proposed units are to be rental units, fifty-one units
9 can be converted to owner occupied units.

10 THE CHAIRMAN: Unless there are any comments
11 or questions, I'll entertain a motion to adopt the
12 staff report with three comments and one condition as
13 amended.

14 COMMISSIONER BOLTON: Motion.

15 COMMISSIONER HOLMES: Second.

16 THE CHAIRMAN: All in favor, please raise
17 your hand. (Show of hands) That is eleven to zero. I
18 note for the record that Commissioner Diane Weir
19 recused herself at the beginning of the deliberations.

20 Speaking of sewers, parking, political will
21 we have the Supervisor of Riverhead here. As I
22 mentioned earlier, he was to going to drop by to give
23 us a few minute update about what is going on with
24 EPCAL. This is a critical development parcel.
25 Supervisor Walter, I appreciate you coming here and

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2 taking a few minutes out of your busy schedule to hop
3 the rail and join us.

4 SUPERVISOR WALTER: I love the stuff in
5 Patchogue. Riverhead, just wait. Political will in
6 the downtown area, we are going to move things like
7 this and we are working on a couple of things.
8 Mr. Chairman asked me to come in to speak about EPCAL
9 because we are moving in a completely different
10 direction.

11 As I said to Dick Amper -- Dick and I are
12 friends. A lot of times we don't agree with one
13 another, but we agree on this point. There has been no
14 end of ridiculous projects proposed at EPCAL from ski
15 mountains -- I should not say this, I do like quarter
16 mile drag racing, however, NASCAR tracks, polo ponies,
17 housing developments. There has been no end of these
18 crazy projects with this recreational resort zoning
19 that we have.

20 The town board said they were going to make
21 decisions quickly. It took a bit of time to end the
22 Riverhead Resorts thing. Frankly, when you're laying
23 off employees, getting that three point one million
24 dollars would have saved people's jobs. It wasn't
25 going to happen; we're moving. Two things happened.

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2 The Rechler project died for one simple reason, they
3 wanted to put housing, roughly a thousand units of
4 housing less than a thousand feet from the main runway.
5 There was no way that the board was dealing with that.
6 Then they wanted to change it from a mixed use zoning.
7 Maybe we have something to change but we were not
8 putting housing a thousand feet from the runway.

9 This is a commercial industrial area. The
10 recreational zone property, we turned around and we
11 gave Riverhead Resorts every opportunity to come up
12 with the money. Mr. Nivin invested lot of money in
13 this, some eighteen million, and almost seven and half
14 million dollars to the town. It's rough to kick
15 somebody to the curb who gave us seven and a half
16 million dollars. We gave him every opportunity to do
17 what we wanted to do. It's over; we are not looking
18 back.

19 There are a couple of projects that we are
20 looking at. Everyone knows financing is a problem, but
21 we will overcome those problems. We are, as a board,
22 we interviewed all while this was going on. I had been
23 vetting a certain environmental firm. Certainly the
24 environmental firms that we hired in the past as a town
25 didn't cut the mustard. For a while, I was vetting

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2 Terry Elkowitz. She is very well received, both at the
3 DEC, Suffolk County Health Department, the state level.
4 It is our desire as a board to bring Ms. Elkowitz on to
5 do a couple of things. First, there is a project we
6 are working on that we are going to look to move
7 forward as a priority. I can't speak to it but I have
8 been courting this firm for eleven months, as I have
9 the movie theater. Both of them are coming to fruition
10 and I'm hoping this firm decides to locate at EPCAL.

11 If that happens, guess what? They want a
12 shovel in the ground May, June of next year. We will
13 get past the site plan, past this commission and DOT
14 and we will have building permits. I committed to them
15 that we will do that. It will be tough, I understand.
16 What is happening is people that want to come to EPCAL
17 to do big things, they go online and see all the
18 negative press, whether they are environmental
19 comments, news review articles. It doesn't help. We
20 have to overcome that. We have to make something
21 happen. Here is where Terry Elkowitz's firm, I say
22 this to you, because we're going to do three things.

23 First and foremost we are moving this one
24 project forward. If we get it, once that is done, we
25 are going to evaluate the zoning on both parcels. I

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2 think the commercial industrial zoning works. I've
3 come to know of another company that wants to come
4 there that would be a fantastic addition to EPCAL.
5 Unlike other supervisors -- well, I won't say unlike
6 other supervisors -- I go out and solicit people to
7 come to the town and I have Supervisor Horton to do
8 some things in downtown. We have another potential
9 firm that wants to come. The commercial industrial
10 zone we believe works. We are going to finally do what
11 the town has not done in eleven years, subdivide the
12 property.

13 How do you enter into all these contracts
14 when you don't have a legal lot to sell? We will do
15 the bird study. We will probably sue the DEC on the
16 wildlife regulations which are the most onerous job
17 killing regulations that have ever been passed in a
18 vacuum without any substantive public input. I don't
19 want to be an adversary of the DEC, but we don't have a
20 choice. If you look at the new Part 182 regulations,
21 it's almost silly what they are asking everybody to
22 do. We are going to be moving forward probably with
23 that litigation. At the same time, we are going to
24 comply with it as best we can.

25 For those of you that don't know the Part 182

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2 regulations, let me leave you with one thing. Not only
3 do you have to have -- set aside your buffers and your
4 thousand feet for the tiger salamanders, as a private
5 property owner you have to set up an annuity to fund
6 the preservation of that property and show the DEC how,
7 if you had two endangered species, how it's going to
8 turn into four. Listen, people in glass houses should
9 not throw stones. The DEC wanted to do this. The Otis
10 Pike preserve is right across the street. Mow the
11 grass over there, maybe the birds will go there. That
12 has become a problem.

13 I don't come to challenge the DEC or
14 challenge the commission; that is one of the things on
15 the radar screen. The other thing is to subdivide the
16 property. It may be that we subdivide the commercial
17 industrial into lots of ten or fifteen acres. It may
18 be that we block subdivide them into twenty or thirty
19 acres. You're talking about three hundred acres total.

20 The second side is the resort zoning. It may
21 be that we keep some of the resort zoning, but we have
22 almost a thousand acres of resort zoning. I think what
23 we are looking to do is what Terry Elkowitz's firm is
24 doing at the Shoreham plant and the Ronkonkoma Transit
25 Hub, I want them to look at the zoning and look at what

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2 works in other places. There is the equivalent of a
3 base closure. We are going to look at the zoning and
4 we may wind up rezoning a large tract of the zoning and
5 subdividing it off. I hope that happens in the time
6 frame of two years or so.

7 I plan on keeping you guys very busy. We are
8 sowing the seeds right now. It's a little early to
9 reap the harvest in eleven months. I am going to be
10 here on my knees begging you to move quickly on
11 projects that you may have have not moved before. But
12 I assure you I will have my ducks in a row. I will
13 have my environmental studies done and Terry Elkowitz
14 and VHB next to me. The people looking to do the
15 projects are not from Scotland, they're people that you
16 know and love and have done very good projects.

17 THE CHAIRMAN: Thank you. I appreciate you
18 coming, especially on a rainy day like today. Since we
19 have been on the bus tour a few months ago and heard a
20 different vision and obviously everything changed, we
21 appreciate you take a few minutes out of your schedule
22 to come down. Any questions?

23 COMMISSIONER ROBERTS: Can you clarify what
24 you mean by the firm and companies that you are talking
25 about? Are they really site developers or are you in

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2 conversation with an existing company to move into the
3 property.

4 SUPERVISOR WALTER: Both.

5 COMMISSIONER ROBERTS: Can you share the
6 kind of industries that you are looking at?

7 SUPERVISOR WALTER: Not yet. Good ones,
8 things that were there before. You can trust me, it's
9 not going to be something that is out of the norm for a
10 commercial industrial airport. It's not going to be a
11 ski mountain.

12 THE CHAIRMAN: I'm sure we will hear a lot
13 more specific proposals. Any more questions for the
14 supervisor? If not, thank you for your time. The
15 next item is Ram Associates. Andy.

16 MR. FRELENG: It's being referred to us from
17 the Incorporated Village of Patchogue. Five hundred
18 feet from the shoreline of the Patchogue River and five
19 hundred feet of County Road 19. Let me quickly go
20 through the slides. This is the subject property.
21 Bird's eye view. This is an oblique view of the
22 subject property. You can see the Patchogue River off
23 to the left of the slide. This slide, this is the
24 subject property in relation to the flood zones
25 relative to the Patchogue River. This is the zoning

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2 for the subject property.

3 As indicated, the parcel at the bottom right
4 was the subject of a change of zone application two
5 months ago, I believe it was. This is the site plan
6 being proposed. The petitioner submitted a site plan to
7 the village planning board for approval to construct
8 one hundred sixty-three units of attached homes. You
9 might recognize this. Two months ago we had this for a
10 change of zone special permit referral from the Board
11 of Trustees Village of Patchogue. Suffolk County
12 Planning Commission approved the preceding with the six
13 conditions and two comments.

14 Subsequent to Suffolk County Planning
15 Commission's approval, the Patchogue Village Board of
16 Trustees overrode the County Planning Commission. They
17 overrode all the conditions of the approval. In
18 addition to the override, the Suffolk County Department
19 of Public Works sponsored a resolution before the
20 Suffolk County Legislature to transfer ownership and
21 maintenance to the Village of Patchogue for a portion
22 of County Road 19 associated with the proposed
23 development. Said resolution was approved by the
24 Legislature.

25 The portion of County Road 19 that was

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2 transferred over to the Village of Patchogue starts
3 here and goes to here. This portion of County Road 19
4 is still going to be the four lane road that you see as
5 well as this piece down here. It will close off to one
6 lane in each direction with a center median. It is
7 staff's belief that those issues that were identified
8 during the change of zone process and overridden by the
9 board of trustees remain identical.

10 Staff is recommending approval with the
11 following conditions:

12 The planning board shall consider reducing
13 the number of units associated with the current
14 petition for -- I'm sorry, I should say for site plan
15 to allow for greater flexibility and design of Phase 2.
16 As you recall from last time we looked at this, the
17 subject property, Phase 2, is in a flood zone. It's
18 adjacent to wetlands associated with the river. And
19 staff felt that recommended to the commission that we
20 believe that that phase is rather dense and it should
21 be readjusted to move away from the wetland.

22 The second condition is some sort of
23 established bond or monetary sum be provided to the
24 Village of Patchogue so all the mitigations proposed in
25 Phase 2 will be done.

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2 The third condition is that the petitioner be
3 directed to consult the commission's guidebook related
4 to energy efficiency, and the fourth condition that the
5 applicant be directed to consult the public safety
6 guidelines of the commission.

7 Number 5, that the applicant be required to
8 look at the Model Universal Design Code promulgated by
9 the commission. And the last condition, Number 6, left
10 turn lanes be established from the median at the four
11 proposed stop signs on West Avenue.

12 If you recall the last time around, staff had
13 a concern that the lack of congestion flow devices
14 would cause the section of County Road 19 to back up,
15 in staff's opinion, intolerably. We still feel this is
16 an appropriate recommendation. Suffolk County is no
17 longer involved in the development of this road. We
18 believe left turn lanes at the stop signs will help the
19 traffic move safely and will not cause congestion.

20 Those are the recommendations of staff.

21 THE CHAIRMAN: I note for the record that
22 you have amended the staff report in Condition 1 to
23 delete zone change and special permit change at the
24 site plan as part of your recommendations; is that
25 correct?

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2 MR. FRELENG: Yes.

3 THE CHAIRMAN: Other than that, it's exactly
4 what we voted on and approved last month. I had the
5 chance to read the transcript of the village board.
6 They kicked them over to the planning board to
7 determine. For our purposes, I don't think there is
8 any change in our circumstances. That is just a
9 different board looking at the recommendations. I
10 don't know if there is any desire to add any other
11 comments.

12 MR. FRELENG: I must be fair, and I really
13 don't want to open up the issue again. There is one
14 significant change from the adoption of the
15 commission's resolution last time as contrasted to what
16 staff is recommending now. When the commission
17 deliberated last time, the need to condition the left
18 turn lane, the commission chose that that would be a
19 comment and better left to be decided by the village.

20 Staff still strongly feels that congestion
21 management would require a left turn lane just to keep
22 the traffic moving safely. I did want to point out we
23 are recommending that as a condition again and opening
24 it up for deliberation.

25 THE CHAIRMAN: Conditions are the same, but

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2 Number 6 was a comment rather than a condition when we
3 adopted it a month ago.

4 COMMISSIONER ESPOSITO: I want to support
5 that change. As someone who lives on that road I can
6 tell you that is a very important condition. It would
7 really help with the traffic flow there. Thank you for
8 raising that.

9 THE CHAIRMAN: Adrienne was not at the
10 meeting when we talked about that.

11 COMMISSIONER TALDONE: I believe I was the
12 leading opponent to making that a condition. I think
13 sacrificing pedestrian safety for vehicle movement is a
14 mistake. The village is trying to get away from a
15 thoroughfare to the ferry and create a road for people
16 to wander along from shop to shop and multi-unit
17 dwelling to multi-unit dwelling. I believe trying to
18 move vehicles faster for a walkable community, which is
19 what I believe they are trying to create, I hope that
20 the commission will keep it as a comment.

21 Let the village decide what is their focus.
22 Getting vehicles to move faster or for getting
23 pedestrians to move around safely. I think that should
24 be a comment and not a condition.

25 COMMISSIONER ESPOSITO: I don't think the

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2 objective is to move vehicles fast, but rather to allow
3 vehicles to move. I think there is a little bit of
4 difference there, Vince. As I understand, somebody
5 correct me if I'm wrong, taking the two lanes and
6 putting them down to one; is that right?

7 MR. FRELENG: That's correct.

8 COMMISSIONER ESPOSITO: I have to tell you
9 that is absurd. I can't believe this is going through
10 like this. As a resident, you can't go now. As you
11 put in two hundred forty more apartments on Main Street
12 and the Clare Rose development, now they want to reduce
13 the ability to move.

14 I can tell you if they move it to one lane,
15 we won't be moving. I'm not interested in going fast,
16 I'm interested in going forward a little bit to get out
17 of the village. It takes me an extra ten minutes
18 between the train tracks and lack of roadway to get out
19 of the village in the morning, and I can't imagine what
20 it will be like with one lane.

21 MR. FRELENG: It's been staff's experience
22 that people who want to move through will go around a
23 left turn movement. We believe without a left turn
24 lane it creates an unsafe condition for pedestrians
25 traveling in the shoulder of the road. Somebody who

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2 wants to go through around into the shoulder to go
3 straight through with that left turn lane, we believe
4 what would happen is you will have queueing of through
5 traffic in the shoulder of the road, which would not be
6 a safe condition.

7 THE CHAIRMAN: If you want to make a motion
8 to make it a comment, please do it and we will vote on
9 it.

10 COMMISSIONER TALDONE: I would like to make
11 a motion that we change Condition Number 6 to a
12 comment.

13 THE CHAIRMAN: There is a motion. Is there
14 a second? The motion is to make Condition 6 into a
15 comment. That comment would be consistent with what we
16 did last time, but Andy and Adrienne feel to the
17 contrary.

18 COMMISSIONER HORTON: Second.

19 THE CHAIRMAN: All in favor of changing
20 Condition 6 into a comment, raise your hand. (Show of
21 hands) Six. Opposed? It doesn't matter, the motion
22 fails. It will remain as a condition. Any other
23 conversation about this development? We talked about
24 this at length on Shelter island. If there is not,
25 entertain a motion to adopt the staff report as

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2 written.

3 COMMISSIONER HORTON: Motion.

4 COMMISSIONER ESPOSITO: Second.

5 THE CHAIRMAN: All in favor of adopting the
6 staff report. (Show of hands) Ten. Opposed is one.
7 Village Place LLC, Town of Islip.

8 MR. KLEIN: Village Place LLC is located at
9 the northwest corner of Main Street, Montauk Highway
10 and Park Avenue, downtown Bay Shore. Subject property
11 consists of four continuous tax map parcels totaling
12 twelve thousand sixty-six square feet of land,
13 presently improved with two unoccupied commercial
14 buildings.

15 The applicant seeks town board approval for
16 change of zone from Business District classification to
17 Downtown Development District, which is a floating
18 incentive zone classification only in downtown Bay
19 Shore. They intend to construct two mixed use
20 buildings on site. Parking, landscaping and drainage
21 relaxations are being requested as part of the
22 application.

23 The character of the land use and zoning
24 patterns indicates that the subject property is located
25 in a corridor or Business District Zoning on Main

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2 Street and overall within the specified boundaries of
3 the downtown development district, which is more mixed
4 use zoning than land use. An observation of the area
5 shows newly renovated buildings with parking on both
6 sides of the main street. Similar land uses in the
7 vicinity of the subject property include professional
8 offices, decent number of restaurants mixed with retail
9 and VH Hall for rent and the Bolton Theater.

10 Just to the northeast of the subject property
11 is the site of a proposed forty unit affordable housing
12 condominium complex known as Courtroom Square and to
13 the southeast is an inactive fifty-six unit residential
14 project that is the floating zone of the Downtown
15 Development District access onto the site. There is no
16 motor vehicle access. Pedestrian access is Main Street
17 and Park Avenue and existing proposed walkway from
18 municipal parking.

19 (Commissioners Kontokosta and Roberts left at
20 2:20 p.m.)

21 There are no major environmental issues on
22 the site and it's in Groundwater Management Zone 7.
23 The property is in the Southwest Sewer District. The
24 project is consistent with the Town's Comprehensive
25 Plan as amended to encourage high density residential

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2 in a downtown area. The referral to the commission is
3 change of zoning from Business District to Downtown
4 Development District which would enable the demolition
5 of the existing buildings and construction of two mixed
6 use buildings, with the restaurant retail and office
7 spaces on the first floor and residential above. Any
8 subsequent site plan and certificates of occupancy
9 applications will be subject to the deeds and covenants
10 restrictions required by the town to be substantially
11 in conformance with the conceptual site plan before you
12 today for the change in zoning.

13 Four tax map parcels will be consolidated to
14 one single tax map lot. Conceptual plan as shown as
15 Village Place takes two proposed buildings, Building A,
16 which would be a four story building consisting of two
17 thousand six hundred ninety-nine square feet of
18 commercial floor space on the first floor, and
19 seventeen apartment units, which would be situated to
20 the north along -- adjacent to the municipal parking
21 lot. Building B would be three stories, consisting of
22 two thousand nine hundred seventy-five square feet and
23 fifteen apartment units situated along Main Street and
24 Park Avenue.

25 The total building square footage is

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2 twenty-nine thousand thirty-five square feet, which
3 would be on twelve thousand sixty-six square feet that
4 would equate to a floor area ratio two point four, and
5 the Downtown Development District allows a maximum FAR
6 of two point five and maximum building height of five
7 stories.

8 Minimum gross area for an apartment of five
9 hundred square feet. Therefore, based on the subject
10 site area of twelve thousand sixty-six square feet
11 divided by five hundred square feet, maximum number of
12 units would be twenty-four apartments. The proposal
13 equals call for thirty two apartments. Therefore, the
14 proposal is requesting a density increase of greater
15 than fifty percent.

16 The Downtown Development District has a
17 provision for development bonuses for providing certain
18 specific amenities designed to improve the working,
19 shopping and living environment of the downtown.
20 According to the information from the town, the Village
21 Place proposal addresses six of the nine mitigation
22 areas identified to qualify for development bonuses.
23 Mitigation areas include improvement in pedestrian
24 circulation, encourage application of land uses and
25 housing types which take advantage of the nearby mass

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2 transportation facilities, improving traffic
3 circulation and parking, arrange and design buildings
4 to provide light and air to streets and other
5 properties and preserve and enhance scenic views.
6 Encourage development of attractive pedestrian oriented
7 retail areas and create and preserve interior
8 architectural design.

9 The areas not addressed are encourage
10 retention of open space encouraging an active and
11 passive recreation areas and quantity and quality of
12 landscaping.

13 THE CHAIRMAN: We have the staff report.
14 Why don't you just touch on the highlights of it?

15 MR. KLEIN: Let me finish this one point.
16 As required with all downtown residential development
17 projects, the application must provide a minimum of
18 twenty percent of the units deemed affordable, which
19 the application is doing. Seven dwelling units, off
20 street parking required for the conceptual plan
21 requires ninety-seven stalls, and proposed currently
22 provides no on site parking. The town has required
23 that the applicant provide funds to mitigate the
24 parking shortfall and applicants agreed to pay
25 thirty-eight thousand in mitigation fees to accomplish

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2 the improvements.

3 According to the DDD zoning designation, the
4 zoning would theoretically yield twenty-four
5 residential units. And the proposal as set forth is
6 asking for thirty-four units, twelve greater than the
7 as-of-right yield to commercial. Without the transfer
8 of density, the proposal is considered an unwarranted
9 over intensification of use. The referral material
10 includes or incorporates some universal design
11 elements, public safety and energy efficiency in
12 accordance with commission guidelines.

13 The proposal is designed to strengthen the
14 social and economic stability of downtown Bay Shore.
15 While there is adequate public transportation in the
16 area, the off street parking shortfall will continue to
17 be a problem in downtown. The staff recommendation is
18 for approval with the following conditions necessary
19 for good planning:

20 The town shall consider that increasing
21 density be tied to the purchase and transfer of
22 development rights to a one-to-one density offset
23 through upzoning of vacant privately owned land.
24 In accordance with the commission guidelines,
25 sustainable development pattern can best be achieved

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2 when increase in commercial and residential development
3 densities are tied to the preservation of open space
4 and the protection of the region's natural resources.
5 Without the transfer of density, the proposal is
6 considered an unwarranted over intensification of the
7 use of the premises.

8 The applicant shall provide a concept plan
9 for improvements to the adjacent Town of Islip
10 municipal parking lot that indicates that the stated
11 amount of thirty-eight thousand dollars in mitigation
12 fees would, in fact, be adequate to accomplish the
13 objective.

14 All specific amenities designed to improve
15 the working shopping and living environment of downtown
16 Bay Shore shall be equally accessible to the general
17 public. That it is.

18 THE CHAIRMAN: This is an Islip matter.
19 Commissioner Chartrand, do you have any thoughts on the
20 project?

21 COMMISSIONER CHARTRAND: Thank you. Good
22 proposal. Downtown Bay Shore was a blighted area.
23 They started with the YMCA and went down the street and
24 brought in new stores and businesses. I think it
25 should go forward. As far as parking goes, there is

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2 plenty of municipal parking in the rear as well as the
3 building to the right. The density, you will have the
4 density. You will have the parking. There is a train
5 station. We are looking directly at one car at each
6 apartment available. That would be my comments.

7 THE CHAIRMAN: Any other thoughts or
8 comments?

9 COMMISSIONER FINN: As a sitting member of
10 the board of the YMCA, it is exciting. We have had
11 some good events down there. I think we need to look
12 at the idea of stimulating the project by -- I know
13 there is additional density here. If we are going to
14 saddle the project with the need to condition to put
15 the transfer development rights, by some quick math,
16 you're looking at an additional million dollars. You
17 spread those costs over this number of units, again, it
18 becomes a non-starter. All this work, all these
19 attorneys, all these architects and planners, it
20 doesn't pencil out. You can't make this project come
21 to fruition.

22 As Matt pointed out, Bay Shore is on the
23 turn. We have to do everything possible to make these
24 projects come to fruition, not saddle them with
25 additional costs to make them unmarketable. Why in

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2 this instance are we having it be a condition to
3 transfer the development rights?

4 MR. CORRAL: If you read the first sentence
5 of the first comment, the town shall consider.

6 COMMISSIONER FINN: Maybe we should turn the
7 page to the other side and say as a commission, let's
8 encourage this versus identifying it as a negative. I
9 see it as a positive and we should focus on this versus
10 the negative, that they should offset it through a
11 thing that would make the project a non-starter.

12 MR. GULIZIO: Not to belabor the point. I
13 know the hour is late. Number one, what the staff is
14 doing in consistently bringing this condition forward
15 is essentially reciting what the commission adopted
16 unanimously as part of its guidelines. It's a
17 difficult issue. What the guidelines indicate is that
18 increase in density should be offset in one of two
19 ways, either through transfer of development rights, or
20 through an offset in density through zoning actions.
21 That would be something that wouldn't add to the bottom
22 line necessarily. That would be the town looking at
23 their overall zoning policy and saying in these areas
24 and downtowns you want to see additional development in
25 order to offset the impacts in terms of growth. We

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2 will decrease density in other areas where we don't
3 want to see development.

4 Natural resources such as environmentally
5 sensitive areas, we want to see development in the
6 downtowns, but we want to make sure from an overall
7 planning standpoint we are not just promoting higher
8 density, we are using that to preserve the sensitive
9 areas to preserve for future generations and for our
10 natural resource protections.

11 COMMISSIONER WEIR: I have a few questions.
12 Forgive me because I'm new and I haven't read
13 everything yet. There is a water supply and sewers. I
14 don't understand at what the issue with density is. Is
15 it the policy of the commission and/or the town and
16 state and county that there is zero population growth
17 ever in Suffolk County, that everything that is density
18 has to have a total loss? I'm just asking a question.

19 I think if we are not growing, we are dying
20 eventually. I have that question. If our goal is
21 smart growth, it's smart growth. I think that, my
22 opinion again, being new, forgive me, I think there has
23 to be intelligent compatible growth to be able to do
24 these types of developments. If we talk about
25 infrastructure, that you have the Southwest Sewer

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2 District.

3 I'm questioning what is the ultimate goal.
4 If we're looking for zero population growth; I'm just
5 not sure.

6 COMMISSIONER ESPOSITO: One thing that you
7 have to consider, I know you had to step out because
8 you recused yourself from the last two projects, we
9 approved them, which were quite large and quite dense.
10 There is a demonstrated interest in approving smart
11 growth from the commission and one we continue to
12 pursue and advocate for, but smart growth has two
13 components. Growth that is smart. Yes, we are trying
14 to incorporate both of them. It is very challenging.

15 I think the point that the deputy
16 commissioner was making when we do these densities and
17 we look for something in addition to offset it to
18 continue in our mind frame to continue the balance of
19 preservation and smart growth in areas where it makes
20 sense and has the resources that you are talking about,
21 the sewers and other things that are needed for a
22 sustainable community, we are working hard to find that
23 balance and conditions.

24 COMMISSIONER WEIR: My question is is that a
25 one-for-one situation; that is my concern.

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2 THE CHAIRMAN: The answer is no. At the end
3 of the day, the town needs to determine this, until we
4 come up with a regional plan, which is what we need to
5 do. Some of the funding that we get can lead in that
6 direction. We still have people running in different
7 directions on this stuff. I find the commission's
8 guideline, which I voted for and helped edit, is sort
9 of broad and in some ways not as tailored as it should
10 be. I think the guidelines committee needs to take a
11 look at this.

12 We consider what is sustainable, true, but
13 where. If you're going to incentivize downtown
14 development, you may want to take a nuanced approach
15 to that. The piece of property that is in Wading River
16 that is a farm is probably a different conclusion as
17 opposed to something downtown. Speaking only for
18 myself it's -- the statement needs to be worked on. I
19 think we have -- Andy had some ideas on this line,
20 Constantine does as well. The general notion is true,
21 we want to make sure we preserve what needs to be
22 preserved and incentivizing development where it needs
23 to be and we want to be able to grow in certain pockets
24 where there is sewers and transportation.

25 All those things for this particular one, if

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2 this condition were stronger, I would be more opposed
3 to it. Right now it says the town shall consider
4 increases in density. It's a very light condition. I
5 think it's as strong as it could be that I would
6 support because I think John's point is well taken. We
7 want to be affirming. When we send back things saying
8 they're approved but we sent back conditions that they
9 can't meet, that is not approving. This is approval
10 with a very soft condition. It's the most that I would
11 support. If we changed it to it to a comment, I don't
12 think that is a problem either. I think that is within
13 the range of reasonableness.

14 We can talk about that if people want to
15 change it to a comment or something like that. Vince,
16 you were the next person.

17 COMMISSIONER TALDONE: Thank you, Chairman.
18 I wanted to address Commissioner Weir's point regarding
19 population growth. As I understand it, and I'm sure
20 the staff can correct me if I'm wrong, we have
21 estimates of build-out in different towns, what the
22 saturation point is, what the roads and what the
23 groundwater can handle, so we expect to get to that
24 point. In Riverhead, it may mean an extra ten thousand
25 people may be living there.

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2 The issue is if we allow density to go sky
3 high without transfer of development rights, that will
4 not take away the development rights in any other part
5 of the town which will ultimately result in more
6 population than the town can support.

7 This is not an attempt to keep population
8 where it is today, it's an attempt, as I understand it,
9 to keep population where we project it to be suitable
10 for a thriving economy.

11 My other point, I am pained by this because I
12 know how much it costs to buy these credits and I wish
13 there were a bank that the town could apply to worthy
14 projects using up some of its own endless supply of
15 development rights from buying properties for
16 preservation, so individual developers are not faced
17 with paying a hundred thousand dollars development
18 right in order to build something that they are barely
19 able to finance. As it is, I understand credits should
20 be transferred in an overall picture, but I'm seeing
21 the obstacle created by the transfers when it comes
22 down to a project financing situation.

23 COMMISSIONER WEIR: The county has a
24 transfer bank for affordable, they give free, and there
25 are affordable units within. My concern was the

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2 one-to-one density offset; that was my question.

3 THE CHAIRMAN: There could be a middle
4 ground where you say consider increase in density type
5 and/or transfer of development rights or through
6 upzoning. Are there other comments?

7 COMMISSIONER HORTON: I'll be brief. Thank
8 you, Mr. Chairman. Just broadly, without getting too
9 far into the meat of this, when we start to talk
10 development rights, it's my understanding of our intent
11 behind the supporting aspect of development rights is
12 in no way, shape or form is a transfer development
13 rights about population control, ever. It's not. If
14 it is, I will resign from the commission because I
15 think that is a horrific goal to achieve through zoning
16 and land use.

17 Transfer of development rights is certainly
18 about smart growth. It's about farmland preservation,
19 groundwater protection, it's about natural habitat and
20 things that are important to a thriving environment.
21 However, they have to be looked at in a way that makes
22 sense broadly and on a project by project basis.
23 They're not about population control.

24 You have your sanitary flow credits, which
25 are different from your standard transfer

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2 development rights. Until Long Island as a whole
3 understands that, we have a very uphill battle. I want
4 to assert myself in that regard, that a transfer of
5 development rights is not about population control or
6 transferring population, for that matter.

7 COMMISSIONER KELLY: I agree. Josh, if we
8 are in the business of social engineering, we have
9 bigger issues then. Just from a practical matter, when
10 we do condition any items, it becomes a super majority
11 to the local boards, which goes back to John's point
12 earlier. We want to encourage development in
13 downtowns, especially where there are sewers, so I
14 think the condition may be too harsh. Although it's
15 not burdensome, it will still require a super majority.

16 THE CHAIRMAN: It wouldn't. The idea behind
17 making it as soft as it is is that it doesn't require a
18 super majority because they can easily consider it. In
19 other words, they have a conversation and they met the
20 condition. If it was something like you shall increase
21 density and they decide that they didn't want to do
22 that they, would need a super majority. By making it
23 you shall consider increasing density, if you're on the
24 board you can say do you think we should increase
25 density? No, I don't. Okay.

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2 COMMISSIONER KELLY: If that is the way it's
3 interpreted.

4 THE CHAIRMAN: It should be; that is the
5 law.

6 COMMISSIONER KELLY: Item Number 2, is that
7 our issue, does that come back to us in terms of what
8 is the proper mitigation use? Then in Number 3, I
9 assume this developer would have to abide by the ADA
10 requirements anyway to make whatever improvements
11 accessible to the general public. I'm not sure if that
12 is necessarily --

13 THE CHAIRMAN: What was the thinking behind
14 three? It's not one that we have seen before.

15 MR. KLEIN: When I reviewed this particular
16 application, it was a little vague regarding the
17 pedestrian walkways and who they were going to be
18 availed to. Part of the mitigation to allow for the
19 bonus density was to increase the pedestrian
20 circulation. So I was a little concerned, it wasn't
21 clear to me whether the walkways would be accessible to
22 the general public. So I just threw that together to
23 have the town take a hard look at whether it's going to
24 be a true benefit and meet some of the mitigations for
25 the bonus density.

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2 It's purposely vague. If you want me to take
3 it out or change it in some way, we can do it now.

4 THE CHAIRMAN: I think it makes some sense.
5 The way it's worded, all certain specific amenities
6 shall be equally accessible to the general public. If
7 required during hours of operation, I think that might
8 be confusing. If there is a specific thing like the
9 walkways, they should be actually a public and not
10 private amenity. Perhaps that can be more narrowly
11 tailored toward what you were talking about.

12 MR. KLEIN: Correct. I spoke to someone
13 from the town and I wasn't quite sure because they are
14 providing ground floor apartments to address the ADA, I
15 guess, and to allow for wheelchair occupants. I wasn't
16 sure if they wanted to make those accessible to the
17 general public and when they would be available. We
18 can tighten it up.

19 THE CHAIRMAN: We can tighten it up or take
20 it out. We don't want to take out something that is
21 in there for a good purpose, like an ADA purpose.

22 MR. KLEIN: It was in there for one of the
23 mitigations.

24 COMMISSIONER ESPOSITO: I appreciate the
25 explanation that you just gave. You're saying they put

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2 it in as part of how they got the bonus density, but
3 they weren't clear as to how that translates to the
4 public benefit. What you want to make clear is what is
5 the public benefit and what is the value to this
6 proposal. I think if it's not clear in this particular
7 instance, rephrasing might be in order, but I think
8 it's a good point to have raised.

9 THE CHAIRMAN: If someone wants to come up
10 with a tighter sentence, Number 2 with regard to
11 mitigation features, it just sounds like you wanted
12 to -- they agree to pay thirty-eight thousand. The
13 town agrees it's appropriate. You're saying there
14 should be some indication that that thirty-eight
15 thousand actually accomplishes what you want to
16 accomplish.

17 MR. KLEIN: That is correct. That was
18 calculated two years ago. I asked the town how it was
19 calculated. Based on the cost to mitigate the runoff
20 from the proposed buildings. I didn't know how that
21 was going to be a public benefit regarding realigning
22 the public parking stalls and the parking in the public
23 parking lots behind the buildings.

24 I thought they should provide a plan that
25 would show it was actually going to cover the benefit

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2 one of the other mitigating measures.

3 MR. FRELENG: From the perspective of the
4 commission, the regional consideration, when we think
5 about parking so that a shortfall of parking doesn't
6 result in an overflow onto the county right of way. In
7 keeping traffic moving, not necessarily fast, but
8 moving in terms of congestion management we always look
9 at the parking to make sure it appears to be adequate
10 in accordance with the local code and from your own
11 staff's perspective.

12 THE CHAIRMAN: Any other comments or
13 questions? Vince.

14 COMMISSIONER TALDONE: Mr. Chairman, I have
15 been called much worse than a social planner in my
16 history. I want to jump back to that point. The town
17 of Riverhead came up with a comprehensive plan which
18 sets a future density, which we call build-out. It's
19 an estimated population and overall development that
20 can be sustained and still keep our rural character and
21 smaller roads, the township that we want, and that is
22 what we established. We are mindful when there are
23 density increases in one part of the town that the
24 density increases get offset in another part of the
25 town. I don't know, if that is social planner, then I

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2 sign up, I'm a social planner.

3 We do, in fact, know what the build-out will
4 look like and we know what the roads can sustain and we
5 don't want to get to the point and do what a lot of
6 Long Island is doing now, going around saying now what
7 do we do. We can't get the cars on the road, we can't
8 do this or that because we didn't plan it, I think our
9 job as a group is to look at what these communities
10 have done in their comprehensive plans and should
11 support them. If they don't want Riverhead to turn
12 into Levittown, then we should be backing them and
13 saying no, then you can't increase your density beyond
14 a certain level without a mitigating factor such as a
15 transfer of development rights.

16 That is what I understand what the concept
17 has been with this planning department and I don't
18 think anyone called it social planning. If it is, I
19 sign up.

20 THE CHAIRMAN: I don't think we need to get
21 too deeply into this debate.

22 COMMISSIONER ESPOSITO: I have suggested
23 wording on three. How about, Number 3, amenities
24 designed to improve downtown Bay Shore resulting from
25 increased density, shall be -- amenities designed to

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2 improve downtown Bay Shore shall be equally accessible
3 to the general public.

4 THE CHAIRMAN: I think that is better.

5 COMMISSIONER BOLTON: That is extremely
6 straightforward.

7 COMMISSIONER ESPOSITO: Add "during regular
8 working hours."

9 THE CHAIRMAN: If you have an ADA compliant
10 thing and it's an enhanced walkway and you want to
11 close it off during night hours so only residents can
12 use it --

13 COMMISSIONER ESPOSITO: That is a bad
14 example.

15 MR. KLEIN: I like the way it was written.

16 THE CHAIRMAN: That is because you had the
17 pen.

18 COMMISSIONER KELLY: Dan, coming from Islip,
19 what do you think?

20 MR. GULIZIO: I think the intent is that
21 amenities used as a basis for increase in density
22 should be accessible to the public. If the public
23 benefits, they should be accessible to the public. I
24 think that was the intent behind the conditions. If it
25 said amenities used as a basis for increase in density

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2 and designed to improve the walking, shopping, living
3 environment in downtown Bay Shore shall be accessible
4 to the general public, I think that would address --

5 COMMISSIONER HORTON: If the density increase
6 is derived through the developer purchasing development
7 rights --

8 THE CHAIRMAN: Or they are doing five or six
9 other things too?

10 COMMISSIONER HORTON: They would all be part
11 of a package.

12 THE CHAIRMAN: How do you define what is
13 part of amenities and what is part of what they do
14 otherwise?

15 MR. GULIZIO: The density that is being
16 considered in connection with this application is
17 approximately a hundred fifteen units to the acre.
18 It's the least restrictive, highest zoning district in
19 the town of Islip by far. Amenities being proposed, if
20 they can be clearly be established, is going to be
21 difficult at best. I'm not sure how any development in
22 downtown Bay Shore wouldn't improve the living,
23 shopping, working environment in the town.

24 I don't know if we can quantify exactly how
25 many amenities depend on the increase in density. I

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2 think it's a generic condition that states if you are
3 going to have amenities or use amenities as a basis for
4 increasing density, they ought to be accessible to the
5 public.

6 THE CHAIRMAN: This is like, we are trying
7 to figure this out in a way too high level. I would
8 either delete it or say that the amenities -- we might
9 as well just delete it. They can determine whether or
10 not. How do you say the commission wants to encourage
11 that amenities, public amenities actually be public and
12 open to the public at appropriate times. Leave it at
13 that so you flag the issue. We don't know what
14 exactly amenities are going to come out of this and we
15 feel it's a pretty de minimus point.

16 COMMISSIONER BOLTON: I don't think it's a
17 minor point because there is also always that question
18 when you change densities, there is a cost benefit
19 equation. You look at the mitigation that you are
20 deriving on the flip side of it as a public benefit to
21 offset this other so-called at least in some part
22 cost. In this case, apparently because this is a large
23 density, that is quite meaningful.

24 My feeling is this should be straight out a
25 public benefit based on that.

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2 MR. GULIZIO: Not to add to the misery, I
3 think the way this is worded clearly delegates the town
4 the responsibility of quantifying how the amenities can
5 be justified. It doesn't state what the ratio is. It
6 says they need to do some analysis to ensure that the
7 amenities used to justify the increase in density
8 should be accessible to the public. It doesn't say
9 which ones should or should not be. At this point, I
10 would vote for Adrienne's.

11 THE CHAIRMAN: Amenities provided to justify
12 the increase in density should be accessible to the
13 public.

14 COMMISSIONER ESPOSITO: I think that is
15 fine. The town will get it.

16 MR. GULIZIO: I'll take a motion.

17 THE CHAIRMAN: Without objection, we will
18 make that change. Any objection? Seeing none, we will
19 make that. Should or shall; comment or condition?

20 MR. GULIZIO: Condition. Amenities provided
21 to provide the increase in density should. It doesn't
22 matter. It says "shall" now. We will keep it as
23 "shall."

24 THE CHAIRMAN: Let's get back to one. I
25 think this is the condition we had an issue on. The

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2 condition is "shall consider." We had plenty of
3 discussion about it. The question is simply, I'd like
4 someone make a motion to strike it or make it a
5 comment. I would encourage to make it a comment. It's
6 at least worth the town board considering or at least
7 thinking about it. Then we will vote up or down on
8 whatever change is proposed.

9 COMMISSIONER HORTON: It may be helpful,
10 does the Town of Islip have a transfer development
11 right program? Do they have one in their code? If
12 they don't, the suggestion should be that they consider
13 a transfer development program so that projects of this
14 nature can benefit from it.

15 MR. GULIZIO: I don't believe they have a
16 formal provision in their code for transfer of
17 development rights. They have used transfer rights
18 with similar applications that saw increases in
19 density. The Windham Windwatch development, which was
20 previously before this committee, the thirteen story
21 development tower included a transfer of development
22 rights provision. I believe this commission
23 recommended they consider an offset in density. I
24 believe that included a provision where the developer
25 went out, acquired additional property for open space

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2 purposes.

3 THE CHAIRMAN: If anyone would like to
4 suggest changing what is now Condition 1, indicate and
5 say how you would like to change it.

6 COMMISSIONER KELLY: I'd make it a comment.

7 THE CHAIRMAN: The motion is to change
8 Condition 1 to a comment. Is there a second?
9 Commissioner Finn second.

10 COMMISSIONER BOLTON: We did cross out that
11 one section for one to one densities.

12 THE CHAIRMAN: We didn't get that far.

13 COMMISSIONER BOLTON: It doesn't seem we
14 should make a motion until we have that statement
15 cleaned up.

16 COMMISSIONER KELLY: Withdraw the motion.

17 THE CHAIRMAN: A one-to-one density offset.
18 We don't want to be in the business of identifying what
19 the offset should be.

20 COMMISSIONER HOLMES: We struck that phrase
21 and put "through upzoning."

22 THE CHAIRMAN: So we put the town shall
23 consider an increase in density tied to the purchase
24 and/or transfer of development rights through
25 upzoning. Or through upzoning. There is "and/or"

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2 because there are three options.

3 Any objection to making that? It doesn't
4 matter if it's a condition or comment, it's just
5 amending the existing document.

6 COMMISSIONER HOLMES: Motion.

7 THE CHAIRMAN: Without objection. Thank you
8 for that point. Michael will make remake the notion to
9 make that a comment. Second by Commissioner Finn. All
10 in favor of making the condition a comment, raise your
11 hand. (Show of hands) This is eight. Opposed? (Show
12 of hands) Three. That passes. We will make it a
13 comment. The staff report now has two conditions and
14 one comment. There are two conditions and one comment.
15 The second condition was as amended. Entertain a
16 motion, unless there is any other conversation?

17 COMMISSIONER KELLY: Motion.

18 THE CHAIRMAN: To adopt the staff report as
19 amended. Seconded by Commissioner Bolton. Eleven to
20 zero.

21 MR. FRELENG: Mr. Chairman, can you indicate
22 how many conditions and comments we have?

23 THE CHAIRMAN: Condition 1 became a comment;
24 it also was amended. Then you have two conditions; two
25 and three are still conditions. Three got edited as

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2 indicated. One other thing we need to vote on request
3 for planning services. We need to vote on that. The
4 way the county charter works, the county can provide
5 planning services to towns and villages, but only if
6 the Planning Commission agrees that the county should
7 spend to do that. That is fairly straightforward.

8 You have a letter from the Incorporated
9 Village of Poquott. They are asking for assistance for
10 the GEIS and some mapping. From the staff perspective,
11 I assume we have no problem with that.

12 MR. GULIZIO: That's correct.

13 THE CHAIRMAN: Any comments or questions
14 around the table? I think this is straightforward.

15 COMMISSIONER KELLY: Do you charge a fee?

16 MR. GULIZIO: We don't. You are authorized
17 but we don't typically.

18 COMMISSIONER BOLTON: It's a very tiny
19 village.

20 THE CHAIRMAN: We just need to authorize
21 that they can do it.

22 COMMISSIONER ESPOSITO: Make a motion.

23 COMMISSIONER BOLTON: Second? All in
24 favor? Ten, nothing. One moment quickly, we don't
25 need to go over this, I want everyone to know that the

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2 packet has the standards. Andy, I will give you one
3 minute, what the main things you found on the towns'
4 clearing standards. Take a look at this.

5 MR. FRELENG: Four of the ten towns have no
6 natural vegetative clearing standards by percentage.
7 Four of the ten villages looked at by the Nature
8 Conservancy had no natural vegetation clearing
9 standard, forty percent of the towns. Sixty percent of
10 the villages roughly have no clearing standards for
11 lots. Most municipalities have requirements for tree or
12 land clearing permits, usually reserved for buffering,
13 large caliper or historic type trees.

14 Few municipalities have the same standards.
15 The Pine Barren towns, Brookhaven, Riverhead and
16 Southampton have similar standards which reflect Pine
17 Barrens standards. Southold has a standards similar to
18 the Pine Barrens. There are some small percentage
19 differences on smaller lots. East Hampton has a
20 complicated formula which goes above and beyond the
21 Pine Barrens standards, but that is related to their
22 aquifer overlay districts, but the glaring holes really
23 are in Huntington, Smithtown, Babylon and Islip. They
24 have no clearing standards or percentage of lot
25 clearing, and unfortunately Shelter Island has no lot

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2 clearing standard.

3 COMMISSIONER HOLMES: It's a hotly contested
4 subject.

5 COMMISSIONER WEIR: They're all cleared
6 already.

7 COMMISSIONER KELLY: Of those municipalities
8 that do not require or have clearing limits, do they
9 require any type of landscape or planting plans on new
10 applications?

11 MR. FRELENG: Yes, they do.

12 THE CHAIRMAN: We will find some time on the
13 January agenda. The most important thing is I want to
14 want to read you the certificate of appreciation for
15 Charla. She has been a member of the commission for
16 six years, and has been a mentor to me and I know many
17 of the people around this table. Her term is ending at
18 the end of the year and we will definitely miss her. I
19 wanted to read the certificate for her.

20 "Whereas Charla Bolton has served with
21 dedication and distinction on the Suffolk County
22 Planning Commission from October 2004 to December 2010,
23 and whereas the Suffolk County Planning Commission has
24 benefited from her insight, expertise and gained from
25 her services to the Planning Commission, and whereas

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2 Charla Bolton's input and contribution to the
3 deliberations of the Suffolk County Planning Commission
4 will be missed, as she moves onto new endeavors, now
5 therefore be it resolved that the Suffolk County
6 Planning Commission acknowledges and thanks Charla
7 Bolton for her thoughtful contributions to this body."
8 Thank you. (Applause)

9 COMMISSIONER BOLTON: I didn't want to leave
10 without first thanking Tom and Dan, and the staff most
11 particularly Andy and John and Ted, who have been with
12 us so often and have taken a leadership position in
13 trying to enlighten us and help us make more informed
14 decisions. I would also like to thank my esteemed
15 colleagues on the board on the commission, and most
16 particularly thank the Chairman, David Calone, who has
17 been a real leader in moving us forward, and most
18 particularly I'd like to note his discretion,
19 judiciousness and intellectual rigor. And which he
20 brings to the job and which I will take as a model when
21 I go to other places. Perhaps not serve in that
22 capacity, but expect other people to do as well.

23 I'd like to leave with a couple of sort of
24 personal thoughts. In my experience as a practicing
25 planner, one of the very telling quotations I carried

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2 with me was from a planner who was an APA president at
3 one point and who served as director of planning on the
4 City of Cincinnati during the worst years, in the
5 sixties, "a planner should always have their bags
6 packed," by which he meant, that a planner should
7 always be willing to take risks in the pursuit of good
8 planning, and I see the county doing that. I see us
9 doing that, and I hope that that will be that it's not
10 always enough to do the safe thing.

11 Another observation is that guidelines and
12 regulations should never overwhelm reason. They're
13 there to bring a rational consistency to decisions and
14 equity to both participants and those effected by the
15 decisions, but each case has its uniqueness and those
16 features should not be subsumed by the need to put it
17 into a proverbial planning Procrustean bed.

18 On a personal note, it's probably the
19 opportunity because I literally made this decision
20 about six o'clock this morning, given certain things
21 that came together. I will be moving, relocating to
22 Pasadena, California which I note for the record is a
23 place of good planning and wonderful historic
24 preservation, open space preservation and good
25 comprehensive planning, and I look forward to being a

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2 resident there. I think it will be a good place for me
3 and so, lastly, I would like to thank one and all for
4 enlightening me in my professional life these past
5 eight years, being so much a part of my intellectual
6 development. Thank you.

7 THE CHAIRMAN: Thank you. The good news is
8 there are a few little people in Pasadena that will be
9 happy to have their grandmother around. Entertain a
10 motion to adjourn.

11 COMMISSIONER BOLTON: I make a motion to
12 adjourn. I think we had a wonderful day and made very
13 good decisions. Motion to adjourn.

14 COMMISSIONER HOLMES: Second.

15 THE CHAIRMAN: All in favor? Thank you all,
16 and best wishes, Charles.

17 (Time noted: 3:15 p.m.)

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CERTIFICATION

STATE OF NEW YORK)

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ss:

COUNTY OF SUFFOLK)

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 December 1, 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 21st day of December, 2010.

JUDI GALLOP

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