

SUFFOLK COUNTY PLANNING COMMISSION

MINUTES

A regular meeting of the Suffolk County Planning Commission was held in the conference room of the Planning Department, 4th Floor of the H. Lee Dennison Building located in Hauppauge, New York on June 5, 2002.

PRESENT:

Donald Eversoll (At Large) Chairman
Robert Martin (Smithtown) Vice-Chairman
Carl Berkowitz (Brookhaven)
Thomas Thorsen (East Hampton)
Laure Nolan (Village 5000 & Over)
Linda Petersen (At Large)
Richard London (Village 5000 & Under)
Ronald Parr (At Large)
William Cremers (Southold)
Nancy Graboski (Southampton)
Frank Tantone (Islip)
Michael Macco (Huntington)
Thomas Isles - Director
Harold Withers - Deputy Director

ALSO PRESENT:

Gerald Newman - Chief Planner
Andy Freleng - Principal Planner
Kathleen Rigano - Planning Commission
Claire Chorny - Planning Commission

MINUTES TAKEN AND TRANSCRIBED BY:

Donna Barrett - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 12:15 P.M.*)

CHAIRMAN EVERSOLL:

I would like to start the meeting. A meeting of June 5th, and welcome everyone. I'd like to entertain a motion to approve the minutes of the -- of the May 1st meeting.

MR. BERKOWITZ:

So moved.

MR. TANTONE:

I'll second.

CHAIRMAN EVERSOLL:

Moved and seconded. Any questions on it? All those in favor? Opposed? Any abstentions? Unanimous. Correspondence, Tom.

MR. ISLES:

Okay. We have two pieces of correspondence to report to you this month. Number one is we did receive a correspondence from the Village of Asharoken. They've submitted to the department a copy of a revised master plan. I can circulate it for your examination today. We did note and reply back to them that when they're ready, this does require formal review by the Planning Commission. We're given 45 days to comment on it. So when they do make the submission to us for consideration by the Commission, we will provide that to you. The report is pretty comprehensive, and it addresses a major property in Asharoken known as the Morgan Estate, which encompasses, I think, upwards of a third of the land area of the Village. And I've made recommendations dealing with upzonings and also suggesting that the Village adopt a cluster provision in their subdivision regulations. A second piece of correspondence to bring to your attention is the Legislator from the 1st Legislative District has contacted me and requested attendance records of the Planning Commission members. That has been provided, and we've heard nothing further from that point. Just so you're aware of that. It was an official correspondence. Thank you.

MS. GRABOSKI:

Who is that requested that?

MR. ISLES:

Mr. Caracciolo.

CHAIRMAN EVERSOLL:

Thank you. Director's Report. You're up again.

MR. ISLES:

Just a couple of items to bring you up-to-date on. Number one, we have provided to you today a copy of the annual report. We had previously presented a draft of that. I'll just note that the picture on the cover is not Louisiana, it's actually -- it's actually Mud Creek in East Patchogue. And it's actually a rather interesting preservation effort that began a year ago with a report prepared by the Planning Department that is bearing fruit now with the preservation of over a hundred acres of stream corridor in a

relatively densely developed community. We appreciate the comments we received from the Commission members on the development of the report. A couple of other odds and ends we have. As I noted at the last meeting, the Planning Department was notified by the American Planning Association that we're receiving an award from the Planning Association. That award was given last night in New York City, and it was for a project known as the Mastic-Shirley Land Exchange Program. A couple of other items we have is the Planning department is now in the process of completing on aquaculture study of Peconic and Gardiner's Bay. This was done by Legislative direction. Last June we were put into the responsibility of forming a committee and ushering through a planning process for aquaculture. That report will be delivered to the Legislature next week. And we'll put forth recommendations policy for the Legislature in the future. One basic recommendations we've come up with on that one is that, and it's a little bit of a complicated subject, but a lot of the parcels of land underwater land in that system are privately owned parcels. And in terms of having control and doing a management of an aquaculture program, one of the recommendations is as those properties are in tax default that the county retaining the deed versus selling those properties again. We recently have accepted deed for 5900 acres, and it represents a significant change in our ability to then manage the aquaculture program in Peconic and Gardiner's Bay. We will provide copies of that report to you at the next meeting.

At this time, I'd like to ask Harry Withers, the Deputy Director just to comments on the -- we've been working on putting together some summer meetings in July and August. Harry's been that, he'll just give you an update on where we are with that at this time.

MR. WITHERS:

We'll be on the road for July and August, and this has become a tradition of the Planning Commission. The next meeting is July 3rd, and we're planning to go to the -- the County Golf Course in Riverhead, that's Indian Hills. And we worked out an agreement with the vendor there to have lunch in the clubhouse. And there's a number of topics in that area that we can discuss, one the them being the Hubbard Duck Farm, which is adjacent to the area and what's happening with that. And then in August, we don't have it locked down yet, but we're considering now, I just spoke to Bill Cremers about going to Southold. As you know, there's many planning issues that are surrounding that town and can be discussed out there, plus we'll meet before then. But it looks like we're going to aim for the Southold Town Hall Building and to have our meeting there the first Wednesday in August. So we'll be out in the East End end for July and August.

CHAIRMAN EVERSOLL:

Wonderful.

MR. ISLES:

Just two other quick items. The County Executive signed legislation yesterday implementing certain changes to the procedures for the acquisition of land by the County of Suffolk. That's given the Real Estate Division clarity now to proceed. The program had been put into a little bit of suspension with this process of reviewing procedures.

At this point, the program is very much alive and well. We're, in fact, the County Executive is at a press conference today for a significant acquisition in the town of Southhold, known as the Strawberry Festival Site, an active recreation site. We're closing today on a farm parcel on the South Fork known as the Wesnofski Farm. We closed last week on parcels at Orient Point known as the Dam Pond Parcels, a very significant acquisition. We're compounding or expanding on acquisitions previously done by the County and Southhold town. We have at least a dozen other parcels in the works that we hope to close within the next four weeks or so. So the program is -- is definitely alive and doing what it was intended to do and moving forward.

The last item to mention is the -- we have two members who have resigned from the Commission; Mr. Dickerson and Mr. Rosavitch. We have prepared proclamations and would ask for your consideration in signing those today. We do have with us today Roy Fedelem, who is our Principle Planner, and heads up the census section. Roy is -- has been reviewing the recent census information that's come. We are starting to get the sample form information. And if I could ask the Commission to provide us with a few minutes to give Roy -- to allow Roy to give us just a rundown on what this information means to Suffolk County.

MR. FEDELEM:

As you know, the census is conducted in two parts; the short form or the 100% form data was released last year; the sample data, which is basically a one in six or sample or short -- or long form was released about two weeks. And actually, we ended up scooping Newsday on this one. The data was released at eleven o'clock in the morning, at 11:01 it was on our website. And if you go to the Suffolk County Planning Department Website, you'll see Carol Walsh has done a fantastic job with this data. It's easy to access, you can get the data for any community, any hamlet, village in Suffolk County. And if you look at the packets I've provided you, the first page is the 100% questions that was were released last year. The next three pages contains a lot of sample data that we just got. It contains information on school enrollment, education, incomes, poverty, language spoken ancestry. And for Tom Isles there, Sayville is one of the ranking communities in Irish people in Suffolk County. So there's a higher percentage of Irish in Sayville in all but one or two communities in Suffolk County. Peter Lambert of our staff has also been working on this. We get questions for this, we get maybe ten, perhaps 20 questions a day where we can answer using census data. What Carol Walsh did on the website, we can refer people to our website and us answer their question and give them access to the data.

Some of the tables we put together are in the sheets in front of you. One is on income, and you may have seen an article in Newsday on income saying that incomes lagged. Actually, if you look at median family incomes in Suffolk County, it went up 35.4%. Inflation went up 35.5%. To me that means inflation and income kept pace with each other in Suffolk County at least. Median household income was a little bit lower, but basically incomes have been going up similar to inflation. Hence, we can use inflation to come up with a 2001 income figure. And this is something that we hand out so people have an

up-to-date idea of what incomes are in our community. Next table was on poverty, and there was a significant increase in poverty. And this is somewhat hard to explain. And I perhaps don't have all the explanations, part of it may be they counted people that they didn't count in the last census. I believe this census was more accurate. And part could be where we have immigrant groups of lower income coming into the area. Anyway, it does look a little suspicious that poverty increased 35.5% or roughly inflation. We have civilian labor force, and thus unemployment figures. And here again, you can get more up-to-date unemployment figures from the Labor Department. You can get it on a monthly basis at it lags behind two or three months. However, you cannot get it for each hamlet, village, community. So this is the data that will be used for the next ten years in grant preparation. If you want to know what Yaphank's unemployment rate is, we have that in this data.

Education attainment has been going up. We have -- we have over 1/4 of our adults being college graduates in Suffolk County. You see we have one chart for the two counties, and then another chart town by town. Again, we also have the data for hamlets and villages. Median house value is something that we've been waiting to look at. And you can see from these numbers that home value actually did not keep pace with inflation. So we attained some better measure of affordability during the 1990s. Of course, that's all shot to heck over the last couple of years, because prices have gone up roughly 28% in the last year. But if you look at the chart, housing was relatively affordable in the 1960 census, 1970 and 1980, where the ratio was about two to one house home value to income. And you can get a mortgage if you're income is half of what -- or you income is half of the mortgage you're looking for. 1990, housing became unaffordable. Hence, the Suffolk County Program for Affordability, where it was more than three to one. As I said, housing became more affordable during the 1990s. However, the last couple of years, it's taken a swing back to unaffordability again.

The next chart shows -- we can tell how much people spend of their income for housing. Another indication of economic distress, and it's also something that can be used in helping people achieve homeownership. We have other tables. I'm not going to go over each one. Fuel used, for heating, home heating. Here again, there's been changes because of LIPA's direction to change to natural gas. At one point, fuel oil was used by three quarters of the homes. Now it's used by a little more than half the homes. And natural gas is used for about one third of the homes. So there has been some changes there. We have gross rent.

And the last page is something that I'm kind of proud of because it shows economic distress. What I did was I took each of a number of different categories showing economic distress like home value, poverty, income, and I ranked each one, and I added up the rankings and ranked them. And what I came out with is an economic distress index that shows you what areas are needful of grants where you can -- to help the areas. I've already used this table three times in grant preparations for different areas; Wyandanch has used it, Riverhead, Patchogue. From this one table you can show very quickly what areas need help. And that's what it's used for.

Something like this ten years ago it would have taken a computer programmer and main frame computer and several weeks to do. Now we have the capability of doing it in an hour or so. So we're busy analyzing the data. We're going to do some reports. Peter Lambert is here, and he's been working with the data, and also preparing reports. As I said, Carol Walsh has been great in getting this data on the internet. If you have any questions, I'd be happy to answer them.

MR. LONDON:

Roy, first of all, I commend you, as I'm sure everyone will on the results of this, but how does this compare with other Planning Departments? Do they do this? Is this a regular thing, or is this just because of greatness of our Commission?

MR. FEDELEM:

Actually, we belong to an affiliate center in New York State, and there are many other Planning Commissions that do this same type of thing. I'd like to think that we're as advanced and in some cases, more advanced. And I'll give you one instance. The data came out from the census, it didn't have headings across it, it was just a bunch of numbers. But we had codes -- Peter Lambert went in, he put in the headings for each one of these, I sent out to the lists served so everybody in New York State was using our headings. And it was something that all of New York State Planning Departments found invaluable that we were able to provide these headings so quickly to them to add. Other counties like Nassau County, I've been helping with some bond rating statements, because they don't have any capabilities yet at this point to deal with this type of thing.

MR. MACCO:

It amazes me how many people between 35 and 44 years of age live on Long Island. And how those three -- three decades of people; 25 to 35, 35 to 45 and 45 to 55 make up over half our populations.

MR. FEDELEM:

That's a baby boom generation. And we like to think of aging occurring -- actually it doesn't happen uniformly because before the baby boomers get to be elderly, there's a little trough in there, and in Nassau County certain age groups like 60 to 64 actually went down. And Suffolk County only went up marginally in that age cohort; 55 to 59. But you're right, the baby boom generation is coming, and it's something that has to be planned for in the very near future.

MR. MACCO:

And how many young people we have living here under the age of 15, 14 years of age.

MR. FEDELEM:

This has contributed to all school districts expanding, adding additions to it and reopening schools.

CHAIRMAN EVERSOLL:

Any other questions. Roy, this is really a remarkable convolution of statistical information, and it's very helpful. And I'm sure it will help you in your planning forecasts, so then we won't have any excuses for any errors. Thanks again. This is really -- and I particularly

enjoyed your economic distress table. It really tells an awful lot about, you know, our areas and the communities where we can do outreach to.

MR. MACCO:

Roy, can I use this in my dating.

MR. FEDELEM:

I'm sorry, I don't have names.

MR. MACCO:

Thank you, Roy.

CHAIRMAN EVERSOLL:

Tom, it's may day to Labor Day, so things are happening in East Hampton, right?

MR. THORSEN:

We had a big expose on the, I guess, Channel 7 here, and it's unfortunate that they played up the singles dating ritual and that sort of stuff and all the bars. That does go on, and it has gone on in my community for some years now. But it's shifted, I think, further west now. They showed a lot of other nice little things in there, but I think they got overwhelmed by the party aspect. My grandson was on it marching the 4th of July Parade with a trumpet, so it was nice to see him.

CHAIRMAN EVERSOLL:

Glad we didn't see him in a bar.

MR. THORSEN:

Right. He's a little young for that. But things are moving fast now anyway.

CHAIRMAN EVERSOLL:

Frank.

MR. TANTONE:

I don't really have a lot. Just I want to thank the Commission members who came to Mr. O'Connell's retirement party. That's official now. My appointment was approved by the Town Board, so I guess that's official now. So we're kind of changing the guard as we speak at this point. Really not anything that's that controversial, thank goodness, so far.

CHAIRMAN EVERSOLL:

So you only have another 40 years.

MR. TANTONE:

Let's hope so. We'll see.

CHAIRMAN EVERSOLL:

Nancy.

MS. GRABOSKI:

Things in Southampton kind of crank up, and it hits you like a sledge

hammer. Over Memorial Day Weekend, all of a sudden the -- you know, the tourist season which ended on Labor Day you've kind of healed up from, and here it is back again. But we must remind yourselves that these folks who come out here and own second homes and hefty property tax and do spend their dollars there are there for a brief period of time. So if we need to adjust out times of travel and routes of travel, we do that knowing that these dollars are essentially are the only thing that make it possible for us to even live there. Because there's nothing else in the economy to put tax dollars into the coffers. There's no industrial base. So with that in mind and reminding ourselves that we really feel we have the best part of the season, that being from September right through Christmas, we heal up and we brace ourselves for another -- for another season.

I just wanted to mention another thing which real to me has made a big improvement in the traffic flow, kudos to the Suffolk County DPW, is a main intersection in Southampton. You may be familiar with it, it's County Road 39. There's a 7-11 on the corner and two gas stations, one on one side of the road and one on the other. They've redesigned that entire intersection, and it's taken -- it's taken almost a year, I think, for it to be finished. But they stripped it about two weeks ago, two or three weeks ago. And that whole intersection works very, very well. That coupled with another intersection approximately two miles further down near where the PC Richard is. Those two things make a big difference. So we kick and we carry on about traffic on the one hand, but you can look at any other major resort area in the country and in Europe that depends upon a seasonal tourist attraction to support itself, you can look at the Maine Coast, The Cape, Nantucket, The Vineyard. You can look in towns in Europe on the Riviera, they all experience the same issues and the same problems with huge numbers of cars on the road. What does that all amount to? It means that it takes longer for people to get where they're going. But I see the responsibility of town officials as, yes, this is true, and the likelihood that we're going to be able to build newer and faster highways to get people where they want to get more quickly is not great given the price of land and the way that the populations has settled. I see a responsibility as moving these people safely, quickly as very much ancillary to that. And to the extent that these intersection that have been redesigned by the County do that and do it very effectively, they're doing a good job.

CHAIRMAN EVERSOLL:
Thank you.

MS. GRABOSKI:
Thank you. I didn't mean to take up too much time.

CHAIRMAN EVERSOLL:
No. No. That's very helpful. Bill.

MR. CREMERS:
Not much is happening in Southold right now. By the end of this month, hopefully we'll have something from our Blue Ribbon Commission and reporting what they're going to do. Again, we also have the traffic and that started Memorial Day, and it was kind of horrendous for that first weekend, so we expect more for the rest of the summer.

So if you come out to Southold in the beginning of the week, it won't be that bad so.

CHAIRMAN EVERSOLL:

Thank you. Carl.

MR. BERKOWITZ:

Not related to Brookhaven, but Nancy sort of provided an introduction to what I would like to talk about. When Bill and I appeared before the Legislature to be interviewed, every other question was about Smart Growth and what we thought about Smart Growth and how we were going to educate ourselves about Smart Growth and etcetera, etcetera, if you recall, Bill. And in the mail just the other day, I received a flier from the American Society of Civil Engineers, and it's titled "Engineered Smart Growth, What Works." And it's a conference that's going to be held in, I believe, {Weston}, Virginia in the end of June. It's not very expensive. I know we don't have a budget for continuing education, but I think in light of what Bill and I heard from the Environmental Committee Chair, that they seem to be anxious for us to be educated better in the area of Smart Growth as well as the towns and villages. So maybe this is a good time to begin initiating some kind of continued education budget for the Planning Commission.

CHAIRMAN EVERSOLL:

Can we put that in our request for next year?

MR. ISLES:

We certainly could. It would up to the Legislature and the Executive so see if we have the money for that.

MR. BERKOWITZ:

Let me pass this forward to you.

MR. ISLES:

The idea is certainly one that the County of Suffolk and this Commission in particular has supported. We did host a Smart Growth Conference last fall. And, in fact, there is a Smart Growth Committee which has been designated by the Legislature, sponsored by the County Executive, which began meeting in May. And the purpose of that is to take the Smart Growth Policy Plan that was completed by Steve Jones about a year and a half ago and sorting out the recommendations and deciding where to put the priorities, the County's priorities and implementing those recommendations.

I will point out too that the Suffolk County Planning Federation is the entity that held the conference last fall. We're planning an event for this coming fall, although we're in the process of looking for topics, so any ideas you may have. We probably won't do Smart Growth specifically again, but maybe it will be related or a spin-off topic from that. But any other opportunities, whether it be {Weston}, we can do that or if there are local opportunities, certainly anything you can pass along, we can share it in the Commission to gather more information, that would be great. The only final point I would like to make is that we do the Arthur Kunz Memorial Fund, which is administered by the Planning Association, has a budget for buying books. And it's part of the -- the idea of the Arthur Kunz Memorial

Fund is to provide a scholarship for a student studying planning and provide resources materials; textbooks and videotapes and so forth to provide a greater understanding of planning. We have been buying from the American Planning Association a number of textbooks and materials and videos and so forth regarding Smart Growth, which we can make those available to the Commission members as well.

CHAIRMAN EVERSOLL:
Thank you. Linda.

MS. PETERSEN:
Brookhaven Town is sending a number of delegates down to the Congress on New Urbanism in Miami this -- coming up next week. So it's an intensive three days of courses regarding Smart Growth. So if there's materials that are available that I can bring back to everyone, I certainly will do that. I'll be attending on behalf of the town. Also for anyone who cares, we found Piping Plovers at Cherry Grove. And there's a nest with the eggs, and once they hatch, driving will be prohibited for about a month on Fire Island between Cherry Grove and Davis Park. So we're having a big meeting tomorrow, a planning meeting to determine how this will be managed. But we've never had that happen before where it affects four beaches.

MR. LONDON:
What was the second town, Cherry Grove and what?

MS. PETERSEN:
It will start at Cherry Grove and you won't be able to go Fire Island Pines, Water Island or Davis Park by the vehicle until the birds are a certain age.

CHAIRMAN EVERSOLL:
Richard.

MR. LONDON:
Thank you. Okay. A couple of things. First of all, in the papers you all may have seen that Riverhead at Calverton there is doing a reappraisal of all their land. There have been several applicants wanting different parcels. One of them being a polo facility a race track for motor racing and other things like that, a water park, I believe, or an amusement park. So anyway, they're doing an appraisal to see what the land value is. Apparently, they feel that it's justified at this time since they've been working with older figures. Secondly, and near and dear to my heart is the West Nile Virus. It's now shown up in birds in both Connecticut and New Jersey, and it's expected to show up ant time on Long Island. Sorry. Anyway. Sorry about that. When this happens, they're probably -- this is going to be quite a bad year for it because of the results of the warm temperatures we had all last winter, there's an enormous amount of mosquitos out there. This will start off earlier than July 1st, and the encouragement from the Ag Department is to start spraying in the wetlands and, of course, not let water collect. Nothing's changed on that. That's about all I have. Thank you.

CHAIRMAN EVERSOLL:
Ron.

MR. PARR:

In addressing the traffic on the East End, I understand there's -- there's a proposal about to be made using the right-of-way of the Long Island Railroad, two additional lanes. It's an interesting concept. I'm curious to see what the -- any members of this commission might have -- what their feelings may be about something like that.

MS. GRABOSKI:

Actually, I'm not sure what current status is. I know the Town of Southampton currently is doing a transportation study comprehensively. And that suggestion was actually made public, I want to say, about two months ago. And there was quite -- some heavy press coverage and a follow up of about a four week period with back and forth on letters ranging from one extreme to the next. Right off the top of my head conceptually, you know, I think it's a very interesting concept. Whether the reality is something that's practicable, I think, remains to be seen. I mean, I'm trying to envision this, for example, coming through the heart the Hamlet of Bridgehampton where the railroad tracks go through, you have light industrial on one side and a street on the other, you have street -- you know major street crossings that go over the railroad tracks, how will they deal with those practicalities. So that remains to be seen in my mind. The concept is always there. You hear those ideas that seem high in the sky. What about something like the Disney World concept of going up and over? What about going under? I don't know.

MR. THORSEN:

I'd be opposed to it myself, because it's just adding more traffic in a very narrow, you know, congested area. There are a lot of very tight fits in the hamlets, like East Hampton and places like that. I think they should use the rail better, much more efficiently and go to light rail in some ways, some main stations up west in Southampton on the west end where you transfer from the regular railroad into rapid small cars. And that I think -- because if you saw that program on Channel 7, it showed some people going on the rail early in the morning and how comfortable they are traveling out there, instead of sitting in traffic jams. Those buses you sit in the traffic jam too, you know. So I think we have to do more with the rail first and try that out.

MS. GRABOSKI:

I think -- I think Tom -- Tom -- Tom's comments are right on target and are all together reflective of the recommendations made in our 1999 comprehensive plan, which is essentially encouraged alternative modes of transport. You know the car is there, but whatever you can do; Jitneys to the beach, better intermodal motor transportation centers, for example, you know, if you have a railroad -- if you have a railroad station, there needs a bus connection, there needs to be ability to transport bicycles, there needs to be transport from the railroad to the beach on a regular basis and to the hamlet centers. Those things -- those things ought to be happening in my view. The bike paths need to be built on the sides of the road. You know, you hear neighbors who, you know, don't like the concept, but they work. They work in Europe, and they work in other areas. It's demonstrated. So definitely, I mean, the townships need to bite the bullet and go --

go ahead on all of those fronts. Insofar as the, you know, the likelihood of another roadway, you may have -- my earlier comment was I don't -- I don't think it's going to happen, but it needs to be eliminated. Interestingly, our early comprehensive plan, the 1970 master plan in the Town of Southampton, actually recommended a bypass which would have been up along the high tension lines. It would have been in the -- not unlike I envision, a Route 114, which goes from Sag Harbor to East Hampton. I don't know if you are familiar with that road. It's -- it's very limit access, there's no commercial development to speak of along it. The speed limit is 55 on that. We'll see.

MR. ISLES:

In addition to what Southampton is doing in their plan, there is an overall regional planning transportation effort under way known as SEEDS, which is Sustainable East End Development Strategies. They've started public meetings, public hearings and so forth. Andy Freleng from our staff has been attending a number of those meetings as a member of that committee. The idea on that is to take five towns and to talk regionally about some of these solutions as well.

MR. MARTIN:

Tom, just to add one thing to that. It must have been in 1970, the late '70s, this department also recommended the Long Island Railroad do an extensive amount of work done on that, but the villages and towns there didn't want to hear of it, they didn't want any roads going through their towns. So I don't think that will ever be happening. We did a lot of work on that.

MR. ISLES:

Yeah.

CHAIRMAN EVERSOLL:

Ron.

MR. PARR:

I thought it was an interesting concept, since the right-of-way was there, and basically being a tow road even, that would pay its way and with a lot of costly condemnation and possibly a solution.

CHAIRMAN EVERSOLL:

Laure, now that you're up to speed, we'll go back to you.

MS. NOLAN:

Just on the whole issues of the towns and whatever. I attended a meeting this month with the Town Supervisors Association. And you may have heard from them, Tom, about the Smart Growth Committee, but they were quite upset with the idea that the County has the Smart Growth Committee and the towns that really have the planning power have one seat on it. And I think their final decision was not to participate and sort of do their own thing. So I just put that before you as something that's happened.

MR. ISLES:

The orientation on the committee was based upon the report that the County prepared about a year and a half ago. And it was really

looking at County issues. And one thing with the structure of government that we have in New York State and Suffolk County is that there are very definite obviously home rule powers to the towns and villages, but there is also the role of the County, for example, County Health Department policies and so forth. So although there are certain lines of distinction, there are certain common issues. And so primarily the purpose of this -- this effort was to look at what are the decisions and what are the direct roles that the County has with County building facilities and things like that that can reflect Smart Growth ideas, and what are the things that blend into more of a shared area with jurisdiction with towns and villages. So I'm a little disappointed to hear that, but certainly the spirit of it was to try to start moving in a cooperative way.

MS NOLAN:

They also wanted -- I think they also plan to ask you to come speak at their next meeting.

MR. ISLES:

I haven't received correspondence at this point, but I look forward to it.

CHAIRMAN EVERSOLL:

Michael.

MR. MACCO:

From the great Town of Huntington. I've been on trial for three weeks, and I'm so glad to be here not wearing a suit. I sold my office building to the Chamber of Commerce in the Town of Huntington. So now I have to relocate. The Chamber is going to be right in the Village of Huntington where I am now, and I have to move to Melville. I don't have to, but I am. I've been spoiled all these years being in the Village of Huntington. The Village -- the Village is a great place to be. It's close to home, close to the water. And when you don't go to court, it's a great place to be. The Village is just wonderful. I've been driving pass the Walt Whitman Mall recently looking at all those cars hoping that they would be going to Tanger and not to the Walt Whitman Mall. But the expansion of Walt Whitman Mall seems to working because that place is packed. I've passed it during Christmas, and I pass it every -- you know, one a month I think I leave the Village, it's packed. I don't know who all those people are, but I guess they're all Huntington residents.

Been out on the water in Huntington, the water's very clean. Good to see the water's getting cleaner. There's an article in the paper you see about where all the pollution in the water is coming from, and you think it's all these small boaters, but there's more natural leaks of oil from the ocean floor than all the pollutions of the small boats. You get tremendous amount of pollution from pesticide runoff and jet liners dropping their fuel before they land. Caught my first stripped bass, Tom, 30 inches, the other day. But it's great to be here today. I totally support continuing education for all the Commissioners, but for the Commissioner from Smithtown, with the proviso that it's tough to teach an old dog new tricks. I have nothing else to say.

MR. MARTIN:

I'm taking that from where it comes from. Next I'm going to say you went to court in your suit, but you came here in your work clothes. I don't understand that. Okay. Want to defend yourself again?

MR. MACCO:

Go ahead and tell me about the great Town of Smithtown.

MR. MARTIN:

The Town of Smithtown is great, but nothing new.

CHAIRMAN EVERSOLL:

I'd just like to mention that Linda Petersen has been named the Deputy Director of Planning in the Town of Brookhaven, so she's going to be instrumental in shaping and planning in that town. I also just mentioned that we made we made a -- we made a presentation to Moe at his retirement, and I said I was going to speak for two minutes, and Moe said, no, only one. As you -- those of you who knew Maurice, I felt I was lucky to get one minute. But it was a pleasure to see a man of 86 years old as lively and active as he is. It gives me hope. So with that, we'll go on. Andy.

S-EH-02-05

MR. FRELENG:

Okay. The first regulatory matter for the Commission is the subdivision of K&K Kalbacher. This comes to us from the Town of East Hampton. The jurisdiction from the Commission is that the subject property is in the eastern Pine Barrens zone. The applicants are proposing the subdivision of approximately one acre of land into two lots in the B Residential Zoning District. This is the Hamlet of West Amagansett. Minimum lot size in the zone is 20,000 square feet. The map is not being processed pursuant to 278 cluster provisions. The lots range in size from 20,001 square feet and 24,758 square feet. There is no open space proposed. A 25 scenic easement is proposed along Accabonac Road along the front, right here. The property is bound on the north, east and south by large lot improved residential properties, to the west the subject property abuts Accabonac Road, a local street. Across the street is the town landfill, you can just barely make out a piece of it. Less than one mile to the north lies Bistriian Heliport. The character of the area surrounding the property is predominantly large lot attached dwellings and wooded land. The property itself is characterized as being generally level. The parcel is improved with single family residence located near the rear portion of the property.

An existing driveway traverses the parcel and leads to a small parking area and the house. Access is proposed via a shared common driveway. An access easement over lot one encompasses an existing driveway that services the existing residents on lot two. However, lot two is proposed to be created as landlocked, that is it does not have frontage on an existing or proposed public right-of-way. And as we know the creation of landlocked parcels is contrary to Commission policy. Staff believes the issue can be remedied by reconfiguring lot two into a flag lot with frontage on Accabonac Road, and the access strip would be approximately 145 feet long and the lot would otherwise conform to Commission policy.

The parcel is located in Hydrogeologic Zone IV, potable water is intended via public supply, sanitary waste is to be collected and disposed of with individual systems on-site. And the parcel is in the South Fork SGPA and the Eastern Pine Barrens. Soils on the subject property consist of Carver and Plymouth sands, and the soils are not considered prime farm soils in Suffolk County. So the issues that relate to this subdivision stem from the creation of landlocked parcels. Again, staff believes this is easily remedied. Good planning would just create this lot in the back to a flag lot so you don't have an easement over a parcel and then this lot has access to a public right-of-way, Accabonac Road. This is a little ditch over here, so this makes a swing to the east a little bit. But still that all could be accommodated into a flag lot arrangement. It doesn't change the layout, and the physical access could still be through the shared common driveway.

Also since the parcel is in the Pine Barrens, staff is recommending to the Commission that a condition of no more than 60% of the entire track be cleared of that natural vegetation, and that no more than 15% of each of the lots be placed in fertilizer dependant vegetation, and that some notification on the map should be made relative to the proximity of the Bistriian Heliport, which I was unable, Tom, to figure out whether it's still operative.

MR. THORSEN:
I didn't know it existed.

MR. FRELENG:
It's on our -- it's on our jurisdictional map. When I went out there and drove around, I didn't see a helicopter land so I couldn't tell whether -- whether it was in operation. But that is the staff report.

MR. THORSEN:
Is that on this sand pit, the heliport?

MR. FRELENG:
No. It's way up in -- it's way off site, but it's about a mile away. So staff is recommending conditional approval.

CHAIRMAN EVERSOLL:
Do we have a motion?

MR. TANTONE:
I make a motion.

MS. PETERSEN:
Second.

CHAIRMAN EVERSOLL:
Any discussion? All those in favor? Opposed? Any abstentions?
Unanimous. APPROVED (VOTE:12-0-0-0)
S-EH-02-06

MR. FRELENG:

I'd like to introduce our new 1991 aerial photography. So we have now aerial images, which as you can see, can get very detailed. I believe with decent resolution we can even move in closer on some of these air photos. I don't know if we can work on the tinting, I'm not too happy with the tinting as compared to the other photos. But Suffolk County keeping up in the tradition of being high tech and in the cutting edge of the 21st Century we now have our 91 air photos available to us. So the next subdivision matter also comes from East Hampton. This is the matter of Springwood Way. The jurisdiction for the Commission is that the project site is within 500 feet of the shoreline of Three Mile Harbor, which you can just see on the edge of the air photo. This application is very similar to the previous application except that the rectangle is shifted in a different direction. They're proposing to split the property horizontally. So they're proposing to subdivide approximately two acres of land into two lots, also in the B Residence Zoning District in the Hamlet of Northwest. The minimum lot size in the zone is 20,000 square feet. Is the map is not being processed pursuant to 278 cluster provisions. The lots range in size from 39,366 square feet, and the other lot is 50,830 square feet. There is no open space proposed. The property is bound on the northeast and west by the large lot improved residential properties, to the south the subject project abuts Springwood Way, which is a local street.

The character of the area surrounding the subject property is predominantly large lot attached dwellings and wooded land. The property itself is generally rolling. The parcel is improved with the single family residence that is presently under renovation, and there is a garage and a pool on-site. Access for this subdivision is proposed via a 25 foot access strip for lot two, and this easement is located along the western property boundary of lot one, along this side right in here. This essentially creates lot two as a landlocked parcel, which we know is contrary to Commission policy. The issue can in this map can also be remedied by reconfiguring lot two into a flag lot with frontage on Springwood Way. The access strip for this lot would be approximately 152 feet long and would otherwise conform to Commission policy.

The parcel is in Hydrogeologic Zone IV, potable water is intended via private well on-site, sanitary waist is intended via individual disposal systems. Soils consist of Carver sands, which is are not prime farm soils in Suffolk County. East Hampton Planning Staff indicate that the property has the potential to contain archaeological remains and some sort of historical significance. And the issues related to the subdivisions stem from the Commission's policy on the creation of landlocked parcels. Staff is recommended conditional approval. The primary condition being that the subdivision be reconfigured to allow lot two to be a flag lot. It does not create nonconforming lots in any way, and, therefore, there would be public right-of-way frontage for both lots. Also since the property is locate in proximity to Three Mile Harbor, and that gives us our jurisdiction, we're recommended that all stormwater runoff not be

allowed to flow off of the site. And since there is the possibility that the site may contain material of archaeological value, staff is recommending to the Commission that the Commission condition that this subdivision be subject to a archaeological survey prepared by a qualified archaeologist. I know from speaking with the town that that's already under way. That's the staff report.

MS. GRABOSKI:
(Motion made by raise of hand).

CHAIRMAN EVERSOLL:
Is there a second?

MR. LONDON:
Second.

CHAIRMAN EVERSOLL:
Any discussion? All those in favor? Opposed? Abstentions?
Unanimous. APPROVED (VOTE:12-0-0-0)

MR. MACCO:
Andy, can I ask you a question now about that condition? You say no stormwater runoff is allowed off the property because you're worried about Three Mile Harbor. Now, how does that actually work? This is a dry well, it's Long Island with all sand, the water goes into the sand and flows to Three Mile Harbor anyway, right? Isn't that how it works?

MR. THORSEN:
At least there's going to a lot of filtration -- you're going to have a lot of filtration.

MR. MACCO:
The dry wall is only going to be ten feet underneath the ground. It's not going to be deep set. Doesn't all that water work its way back to the harbor anyway?

CHAIRMAN EVERSOLL:
It would work its way back to the harbor because of the substantial amount of filtration. Otherwise, when you were talking before about the pollution in the harbor coming from runoff, that's, you know, just runoff of peoples lawns, it's fertilizer, the geese, everything else that flows into it untreated or with no treatment at all. It's remarkable if you can --

MR. THORSEN:
Road endings and so forth make it, you know, directly discharged.

CHAIRMAN EVERSOLL:
And I think that, you know, we get our water from the aquifer and yet most of our sewage goes into the ground and is filtered. So the aquifer -- the internal moraine glacier is a very effective filtration system.

MR. MACCO:
I would thing that it's so close to the shore that the -- the ground

is very drenched or wet. And I would think that it's -- how far can you dig before you hit water when you're that close.

MR. MARTIN:

But I don't think that's why you do the roof runoff. I mean, in our town, we started a long time ago. All water must be subcontained in the lot, because it was flooding the roads. When the water runs into the road, most roads aren't pitched to the Sound.

MR. MACCO:

That's what I always thought.

MR. MARTIN:

That's the biggest problem, not what goes into the ground into the harbor, is to keep it from puddling on the roads, because we have places like in the Pines where it's hilly, but it will wash everything down in a heavy rain. So if you self-contain it, you're holding on the first ten feet on the land, and I think that's more important than worrying about the harbor.

MR. MACCO:

That's what I always thought.

MR. MARTIN:

That's why. That's what we do in our town. If you put anything else that's acid or waist, then you wouldn't even put it in the ground. That would be a problem. Cesspools are a bigger problem than the water.

MR. ISLES:

I think Andy had one more statement to make.

MR. FRELENG:

The Commission has two sets of regulations relating to stormwater runoff. When we have jurisdiction related to a County or state Road, the comments related to runoff is to prevent flooding, keep all the stormwater on-site. When we have jurisdiction related to a surface body, the stormwater is to be kept on site so it doesn't carry the pollution and sediments into the water body. The Suffolk County Department of Health Services only requires two feet of clean fill or sand above the water table, and that two feet is very effective in removing the solids, the nitrogens and the phosphors before it reaches the water table. So if there's less than two feet to the water table here, they're require fill to be brought in.

MR. THORSEN:

These are very sandy soils, the Plymouth, Carver series, so they filtrate.

CHAIRMAN EVERSOLL:

Thank you, Andy.

BR-02-30

MR. NEWMAN:

Today we have four applications on the agenda. They are all from the

Town of Brookhaven. The first is an applications to rezone a 1.5 acre parcel of land from a single family one acre category to an office category for the purposes of erecting a two story office building comprising 7360 square feet. It affects land situated on the north side of Sunrise Highway North Service Road between William Floyd Parkway and Forest Avenue at Shirley. Currently located on the property are two model homes and a parking area, as you can see on the aerial photo. A previous applications to rezone the same parcel for a general business category for retail purposes was denied by the Suffolk Planning Commission, they recently submitted this amendment before you. Of particular importance to the staff in this application is the fact that all lands surrounding the property, all this white area, are all single family. If this were be to rezoned they would be planting a seed and obviously provide precedence for further rezoning in the immediate vicinity, particularly areas on the northwest corner here where there's also model homes, which we've also denied in general business category. That application is still pending. So we're recommending denial for the same reasons we did on the original submission.

CHAIRMAN EVERSOLL:
Is there a motion?

MR. LONDON:
Motion to staff.

MR. CREMERS:
Second.

CHAIRMAN EVERSOLL:
Second by Mr. Cremers. Any discussion?

MR. MACCO:
How are they using those houses now?

MR. NEWMAN:
Model homes.

CHAIRMAN EVERSOLL:
All those in favor? Any opposition? Any abstentions? Unanimous.
DISAPPROVED (VOTE:12-0-0-0)
BR-02-31

MR. NEWMAN:
Application number two again, also from the Town of Brookhaven. This is an applications to rezone a 26.5 acre parcel of land from a single family category allowing single family dwellings on one acre lots, also partially L1 Light Industrial. And the intent is to rezone to a planned retirement category for the purposes of erecting 92 two-bedroom senior citizen housing units at a density of 3.5 to the acre on land situated on the west side of Brookfield Avenue south of Wading River Road at Moriches. In conjunction with the request, the petitioner is dedicating a 1.9 acre parcel of land immediately opposite the property to the Town of Brookhaven for park purposes.

The entire frontage of the property in this area here is comprising 17 acres zoned for single family purposes, boxed in this area here is zoned Light Industrial purposes. The property is bounded on the north, you can see it on this -- I don't know if you can see the Xerox copy of the zoning map -- immediately to the north is industrial zoned lands, to the west is industrial and immediately to the south in this area is all zoned industrial. This is a junk yard with associated uses on this particular property. All the remaining lands are zoned for single family residence purposes, with scattered residences, as you can see on the area. A previous application to rezone the front of the subject property mainly -- if I can get this thing working here -- the front portion of the property, it was previously requested for a rezoning comprising 17 acres. The intent was to provide the rezoning on the frontage portion of the property for the (PRC) purposes at a density of 5.4 to the acre. He subsequently amended the application to acquire the lands immediately to the west, this parcel. One again, and this application is the previous one, we're recommending denial for the same reasons. We don't think that this property has the location or attributes that are appropriate for single family housing -- multi-family housing, I'm sorry.

CHAIRMAN EVERSOLL:
Do we have a motion?

MR. CREMERS:
I'll make a motion.

MS. GRABOSKI:
(Raises hand).

CHAIRMAN EVERSOLL:
Motion by Mr. Cremers, second, Ms. Graboski. Any discussion? All those in favor? Any opposition? Any abstentions? Unanimous.
DISAPPROVED (VOTE:12-0-0-0)
BR-02-32

MR. NEWMAN:
Okay. Application number three involves the rezoning of a two acre parcel of land from a single family one acre category to a general business category as well as gas station category affecting land situated on the south side of the Sunrise Highway South Service Road, west of Hewlitt Avenue at East Patchogue. The intent is to rezone two portions of the property for a gas station as well general business use. The northerly portion of the property, namely this portion on the site plan, the intent is to rezone that portion comprising 0.6 acres. The acreage on the two parcels was mislabeled, so the northerly parcel comprising 0.6 acres, namely in this area here, the intent is to provide that in a J5 category and provide a canopy over a gasoline dispensing island, in this case, there will be seven. Now the easterly southerly portion of the property, namely, in this area here, the intent is to provide a convenience store comprising 3817 square feet in this area, as well as a car wash in this area here, it would be unmanned with a building in this area on the site plan. The site calls for coordinated development of both of the parcels to

be rezoned with two points of vehicular ingress and egress via the service road. They'll be 33 parking space, and there'll be an area accommodating approximately 20 cars for the car wash. The property in this case is also occupied by a couple of model homes. Of particular importance in this application is -- is it significant lands immediately to the south and west of the property that are currently zoned for L1 purposes. The town board in January of this year, recently rezoned this property from a general business category to an L1 with use restrictions as set forth in the staff report. That was the L4 for the rezoning on this property by Reckson Associates to rezone it from a J2 as well as a residence A1 to a plan development category for the purpose of erecting two restaurants as well as multi family units.

It is the belief of the staff that this particular proposal appears inappropriate as it constitutes the unwarranted imposition of commercial uses in this area where there are none. It would establish a precedence for further commercial downzonings in the area. It can be reasonably developed for noncommercial purposes, and it's inconsistent with the town plan, which designates this area for single family residence purposes. We're recommending disapproval.

CHAIRMAN EVERSOLL:
Do we have a motion?

MR. MACCO:
So moved.

CHAIRMAN EVERSOLL:
Do we have a second.

MS. PETERSEN:
Second.

MR. CREMERS:
Second.

CHAIRMAN EVERSOLL:
Any discussion? All those in favor. Opposed? Abstain? Unanimous.
DISAPPROVED (VOTE:12-0-0-0)

MR. NEWMAN:
The final application involves a rezoning of a 25.6 acre parcel of land from a single family one-half acre category as well as a light industrial category to an affordable subsidized senior citizen housing category for the purpose of erecting 145 rental -- senior citizen rental units at a density of 5.7 to the acre affecting land situated on the southeast corner of Chestnut Avenue and Oak street at Port Jefferson Station. The northerly portion of the subject property comprising 10 acres -- I don't know if you can see this line, the subject property is in this area here, there's a zone line through here. The northerly portion of the property comprising 10.2 acres is currently zoned for single family purposes. The southerly portion comprising 15.4 acres is currently zoned for light industrial purpose. The preliminary site plan calls for the property to be developed for

residence purposes only. On that portion, the property is currently zoned for industrial purposes with the exception of the residence area to the utilized only for vehicular access and drainage purposes. Primary vehicular access to the subject property is via a private right-of-way that extends throughout easterly boundary of the property to service the Lawrence Aviation Facility situated immediately to the south, and that access is over joining lands up the north up to Sheep Pasture Road in this area here, which is in the Incorporated Village of Patchogue. In conjunction with this request, the Lawrence Aviation people are going to relocate to a gatehouse from this northerly to an area immediately on the south side of the subject property. In conjunction with this request, he's going covenant and restrict that the residence zoned portion of this property will be maintained in an undeveloped manner except for the roadway and drainage purposes, which would service those acres.

Also located on the industrial zoned portion of the property there's an existing residence. There's also an out piece in the middle that's also occupied by residents. That's also zoned for industrial purposes. The site plan, by the way, does accommodate this residence with access up in this area here on that residential roadway. On November 6th of 1996, the Suffolk County Planning Commission approved the rezoning of the industrial zone portion of the subject property as well as industrial zoned lands to the north and east of the property -- in this area here on the zoning map, I don't know if you can see that -- as part of a town board effort to upzone the lands to a residence B1. No action has been taken on that as of yet. Also a previous application to rezone adjoining lands to the east, namely in this area here on the aerial, to an MF1 category was denied by the Planning Commission in '91. Of particular importance on this application is adjoining industrial zoned lands to the north and east and south comprising approximately 74 acres are currently listed as a Class II superfund site on the state registry of inactive hazardous waste disposal site. It's also on the federal list. A Class II site involves a significant threat to the public health and environment, which requires action. And that's information that the staff obtained in the Suffolk County Department of Health Services. All of those actions are the result of activities associated with Lawrence Aviation. I believe they have a contract with the military to produce certain items, I don't know exactly what they are. I don't know. When operations were significant, there was some discharge ponds immediately to the north of this subject property in this area here. So it's obviously the result of their former operations that these classifications have been set forth as superfund areas. It is the belief of the staff that this proposal appears inappropriate as the property is remotely situated and possesses limit amenities designed for multi residence purposes and incongruous with existing and permitted industrial development on the surrounding industrial zoned lands. It can reasonable be developed in accordance with existing zoning. It contravenes previous actions of the town -- actions of the town board to reclassify these lands for single family residence purposes. And it's inconsistent with their town plan, which designates this area for development consistent with existing zoning. We're recommending disapproval.

MR. THORSEN:
I'd like to move staff report.

MR. LONDON:
Second.

CHAIRMAN EVERSOLL:
Any discussions?

MR. MACCO:
Do we have any official policies on the building of senior citizen housing and how close that has to be to amenities like food and mass transit? I mean -- I mean, to take a parcel of property from light industrial and make it for -- for senior citizen housing seems like a pretty good idea to me. I think people would be happy with that, but they'd be situated in the middle of nowhere. So these people who would live there would have no place to go to get some milk or food, or walk to a bus station or something.

MR. NEWMAN:
From a planning standpoint we obviously desire that, as also the town codes with their various multi family districts in the preamble to those districts says that these areas should be in close proximity to services, facilities and so forth. He's arguing this in case he's going to provide public transportation to accommodate the residents of this. We feel it's an inappropriate location.

MS. GRABOSKI:
I support the staff the recommendation. I do tend to speak in favor of disapproving it, but I just have a question out of curiosity. There's a landlocked parcel right in the center of this parcel?

MR. NEWMAN:
That's right. Correct.

MS. GRABOSKI:
Is there anything taking -- is there anything taking --

MR. NEWMAN:
There's a house here and a -- there's a house and a farm right in here.

MS. GRABOSKI:
Do they have -- my only other question is do they have legal access out of there?

MR. NEWMAN:
They can't deprive them of access. So what they're doing if they get this rezone, they're going to provide an access to this roadway, which will provide the alternate means of ingress and egress to subject property. This is entirely landlocked.

MS. GRABOSKI:
So they're currently using that little -- that looks that driveway through the woods.

MR. NEWMAN:

Yes. And you see on the site plan they're going to tie it into this roadway right in here.

MS. GRABOSKI:

I see.

MR. MARTIN:

Is this the same Mary Haven that has the orphan asylum? It's in Rocky Point? You don't know, huh?

MR. NEWMAN:

I'm not sure of that.

MR. MACCO:

That's a superfund site?

MR. NEWMAN:

Superfund site to the north, east and south comprising 34 acres. They also indicated that the (inaudible) has an interest in those lands. What that interest is, I don't know.

MS. GRABOSKI:

Could you remind me one more time about what the water situation is her. Would that be public water, or they would have to put wells in, or do we know?

MR. NEWMAN:

I would assume it would have to be public water here.

CHAIRMAN EVERSOLL:

Any other discussions? All those in favor. Any opposition? Any abstentions? Unanimous again. DISAPPROVED (VOTE:12-0-0-0)
Thank you. May we have a motion to adjourn.

MR. LONDON:

So moved.

CHAIRMAN EVERSOLL:

Okay. We'll see you at island -- Indian Island Golf Course on the third. And I urge you to signing the certificates for both Ed and George. Thank you very much.

(*THE MEETING WAS ADJOURNED AT 1:25 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY