

**PLANNING COMMISSION
ARTHUR KUNZ MEMORIAL LIBRARY
H. LEE DENNISON BUILDING, 4TH FLOOR
MINUTES**

DATE: Wednesday, March 3, 2004

TIME: 12:07 p.m. – 1:55 p.m.

PRESENT:

Robert Martin, Acting Chairperson, Town of Smithtown
Louis Dietz, Secretary, Town of Babylon
Linda B. Petersen, At Large
Thomas M. Thorsen, Town of East Hampton
Frank A. Tantone, Town of Islip
Richard M. O’Dea, Town of Riverhead
Richard London, Village Under 5,000 Population
John Caracciolo, Town of Huntington
Laure C. Nolan, Village Over 5,000 Population
William Cremers, Town of Southold

ABSENT:

Carl M. Berkowitz, Town of Brookhaven

STAFF:

Thomas A. Isles, Director, Department of Planning
Gerald Newman, Chief Planner
Andrew Freleng, Principal Planner
Christopher Wrede, Planning Aide
Basia Braddish, Esq., Counsel
Peter Lambert, Senior Planner
Claire Chorny, Secretary

GUESTS:

W. Charles Bender, Office of Hon. Joseph Caracappa, Presiding Officer

The meeting of the Suffolk County Planning Commission was called to order by Acting Chairperson Martin at 12:07 P.M. at the Arthur Kunz Memorial Library, H. Lee Dennison Bldg., Hauppauge, N.Y.

MINUTES:

On a motion by Commissioner London and seconded by Commissioner Cremers the minutes of the November 5, 2003, December 3, 2003 and January 7, 2004 Planning Commission meeting, as amended and duly noted, were **unanimously approved. 10-0-0.**

Planning Director Isles suggested that, because of the current number of members on expired terms and the County Executive's appointment of new officers, it might be appropriate to table the election of new officers for the Planning Commission at this time. A motion to table the election was made by Commissioner London, seconded by Commissioner Cremers. **Motion carried. 10-0-0.**

CORRESPONDENCE:

Mr. Isles discussed a memorandum to the Commissioners included in their packet addressing the changes in the Planning Commission By-Laws. County Executive, Steve Levy, has requested that a time for public participation be provided. If any person wishes to speak the request shall be made on a card identifying the person and/or organization and topic, prior to the start of the meeting. Each speaker will be allowed three (3) minutes. Any speaker may relinquish their time to another speaker, but the transfer of time will be limited to six (6) minutes per speaker.

Mr. Isles brought to the attention of the Commission a letter addressed to Acting Chairman, Martin from the Clerk of the Legislature, dated January 23, 2004, stating that he will be unable to provide secretarial support for the required verbatim minutes at the H. Lee Dennison Bldg. He is, however, willing to provide transcription services if the Commission is willing to meet at the William H. Rodgers Legislative building in Hauppauge. Five (5) of the Commission's regular meeting dates are in conflict with the Legislature's calendar. Director Isles presented two (2) options to the Commissioners. One option was to hold the conflicting meetings at the Riverhead County Center at 10:00 A.M. where stenographic services could be provided, and the remainder at the Legislature building in Hauppauge. The second option being, to push the dates back a week to the second Wednesday of the month. Each Commissioner spoke giving their reasoning for their choice of day, time and location.

The decision was reached by the members to retain the first Wednesday of the month, holding five (5) of the meetings at 10:00 A.M. in Riverhead and the remainder of the meetings will be held in Hauppauge at 12:00 P.M. Because of restriction, food will not be available.

Correspondence was received from the Supervisor of Shelter Island submitting the name of Linda Homes to be appointed to the Commission. The position is currently vacant. The name has been sent to the Legislature by the County Executive.

A copy of correspondence was received from Commission O'Dea of Riverhead indicating his intention to resign from the Commission and expressing his appreciation of his reappointment to the chair position of the Town Planning Board. He will serve as a holdover until someone else is named. The letter was addressed to Town Supervisor Cardinale.

Commission Thorsen of East Hampton submitted a letter rescinding his letter of resignation of December 17, 2003 and indicated his willingness to continue to serve on the Commission until a replacement is appointed.

DIRECTOR'S REPORT:

Two matters from the February 4, 2004 meeting were discussed by Director Isles. A memorandum received from the County Attorney's office regarding recusal of Planning Commission members. Commission members are asked to recuse themselves if they maintain a dual membership with their local Town Planning or Zoning Board in order to avoid a conflicting situation. A County Planning Board member must recuse himself from voting on any matter that would be subject to a vote, application or a proposal before any Town Board in the municipality in which that member is also an officer. Mr. Isles also discussed the annual reports for the Zoning and Subdivision divisions which were distributed at last month's meeting.

Director Isles discussed a summary report provided by the Long Island Regional Planning Board that was distributed to the Commissioners entitled, "Open Space Plan Segment". The Long Island Regional Planning Board is not taking any action at this time. The report is provided for the Planning Commission's information only.

Mr. Isles mentioned the attendance of Commissioners, Martin, O'Dea and Petersen at the Transfer of Development Rights Seminar held February 25, 2004.

An introduction of Roy Fedelem, Principal Planner, was made by Director Isles. Mr. Fedelem spoke on the Agricultural District program and gave a presentation on three (3) Resolutions he prepared for the Commission's consideration.

Resolution # 1 - Ag District # 1 in the towns of Southold and Shelter Island. **A motion for approval was made by Commission Tantone and seconded by Commission O'Dea. Motion carried. 10-0-0.**

Resolution # 2 - Ag District #7 in Riverhead. **A motion for approval was made by Commissioner Dietz and seconded by Commissioner Thorsen. Motion carried 10-0-0.**

Resolution # 3 - Amendment to the N.Y.S. Ag & Markets Law to allow any farm in the County to join within a restricted period of time. **A motion for approval was made by Commissioner Thorsen and seconded by Commissioner Petersen. Motion carried. 10-0-0.**

COMMISSIONERS' ROUNDTABLE:

Commissioner Tantone updated the Commission on the application of Good Samaritan Hospital and that there will be a public hearing on the Pilgrim State property on March 4, 2004.

Commissioner Cremers told the Commission that the town of Southold is rewriting its subdivision regulations. Mr. Cremers thanked the staff for everything that he has learned and that this would probably be his last meeting.

Commissioner O'Dea also thanked everyone because this probably be his last meeting as well.

The KeySpan property, Riverhead Town Board trying to decide whether or not to extend the moratorium, and finishing the master plan are some of the present business issues being addressed.

Commissioner Nolan informed the Commission that Asharoken is close to finalizing their master plan.

Commissioner Caracciolo spoke to the Commission about the Di Napoli-Balboni Bill, the resubmittal of plans to build Orchard Park on an existing sand mine and Huntington's preparation of an updated Comprehensive Plan.

Commissioner Petersen discussed the consolidation of Brookhaven's offices and their move to the Allstate Building. The move should be completed by May.

PUBLIC PORTION DISCUSSION:

A brief discussion on the changes in the by-law rules and process of the Public Portion, including the use of the cards. **A motion was made to accept the by-law changes by Commissioner Dietz, seconded by Commissioner London. Motion carried. 10-0-0.**

There were no cards submitted requesting time for public discussion.

REGULATORY REVIEW:

Pursuant to the requirements of Section A 14-14-24 of the Suffolk County Administrative Code of the Suffolk County Charter, the proposed subdivision plats and zoning actions were duly considered and acted upon as appended hereto:

<u>Resolution Number</u>	<u>File Number</u>
ZSR-04-05	S-BR-04-01
ZSR-04-06	S-RH-04-01
ZSR-04-07	S-EH-04-01
ZSR-04-08	S-SH-04-01
ZSR-04-09	BR-04-11
ZSR-04-10	BR-04-15

S-1 -East Moriches Estates (S-BR-04-01)

Motion: Approved, as per staff report, by Commissioner Tantone, seconded by Commissioner London. Vote: 10 Ayes - 0 Nays - 0 Abstentions

S-2 -Smith, Allen M. & Janice G. (S-RH-04-01)

Motion: Disapproved, as per staff report, by Commissioner London and seconded by Commissioner Caracciolo.

Vote: 9 Ayes - 0 Nays - 1 Abstention (Commissioner O'Dea)

S-3 -Merchant's Path Haven (S-EH-04-01)

Motion: Approved, as per staff, by Commissioner O'Dea, seconded by Commissioner Petersen.
Vote: 10 Ayes - 0 Nays - 0 Abstentions

S-4 - Sophia Place (S-SH-04-01)

Motion: Approved, as per staff, by Commissioner Tantone, seconded by Commissioner Dietz.
Vote: 10 Ayes - 0 Nays - 0 Abstentions

Z-1- Exxon Mobil Corporation (BR-04-11)

Motion: Disapproved, as per staff, by Commissioner Thorsen and seconded by Commissioner O'Dea
Vote: 10 Ayes - 0 Nays - 0 Abstention

Z-2 -Grandfeld, LLC (BR-04-15)

Motion: Disapproved, as amended, by Commissioner Tantone and seconded by Commissioner London
Vote: 10 Ayes - 0 Nays- 0 Abstentions

There being no further business, the meeting was adjourned at approximately 1:55 p.m.

Respectfully submitted
Claire J. Chorny