

SUFFOLK COUNTY PLANNING COMMISSION

MINUTES

A regular meeting of the Suffolk County Planning Commission was held at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, NY 11787 on Wednesday, September 1, 2004 in the Rose Y. Caracappa Auditorium at 12:00 P.M.

MEMBERS PRESENT:

Robert Martin (Smithtown) - Acting Chairman
Louis Dietz (Babylon)
Linda Petersen (At Large)
Thomas Thorsen (East Hampton)
Frank Tantone (Islip)
Richard O'Dea (Riverhead)
Linda Holmes (Shelter Island)
Laure Nolan (Village 5000 & Over)

MEMBERS ABSENT:

John Caracciolo, (Huntington)
Richard London (Village 5000 & Under)

ALSO PRESENT:

Thomas Isles - Suffolk County Director of Planning
Basia Braddish - Suffolk County Attorney
Gerald Newman - Suffolk County Chief Planner
Andy Freleng - Suffolk County Principal Planner
Claire Chorney - Suffolk County Planning Department
Chris Wrede - Suffolk County Planning Department
Peter Lambert - Suffolk County Planning Department
Kevin LaValle - Aide to Legislator Losquadro
Charles Bender - Aide to P.O. Caracappa

MINUTES TAKEN BY:

Eileen Schmidt - Secretary

(THE MEETING WAS CALLED TO ORDER AT 12:25 P.M.)

ACTING CHAIRMAN MARTIN:

I'm going to call the meeting to order. Will you please rise and join us in the salute to the flag.

SALUTATION

ACTING CHAIRMAN MARTIN:

We thank you. Before we get into the regular agenda I think it's appropriate to talk about Robert Gardiner who served on this Commission who died at 92 years old, I think it was somewhere around there. He served here right before I came on. It must have been in the late 60's because I came on 1970. Okay, I knew him by his presence I guess everybody knew him even if they knew him or not. Everything you read about him in the paper is true. I mean, he was quite a tour guide.

MS. SCHMIDT:

Please speak into the mike.

MR. ISLES:

Speak closer to the mike.

ACTING CHAIRMAN MARTIN:

Okay, I have to be a little bit closer to the mike he tells me. And I think Robert Gardiner was an asset to us. He invited us to Sagtikos Manor and was always concerned and in his later years we didn't see him as much because I don't think anybody else did. The next sad thing we have to do is Frank. Frank Cichanowicz who was a good member of this board whose a personal friend of mine. I knew him before he came on the board; he was a real east ender who was concerned with not only the County and the farmers, but us in general. He was a gentleman no two ways about that. I think now we should stand for a moment of prayer. I'm going to ask Tom Isles to lead us in it and we thank you all for coming today.

MR. ISLES:

We would just like to recognized that the Chairman has indicated the passing of former Commission members Robert David Lion Gardiner and Frank Cichanowicz served this Commission and this County with dignity and honor.

A MOMENT OF SILENCE

ACTING CHAIRMAN MARTIN:

The agenda of the minutes of April 7th, are these the minutes we have here.

MR. ISLES:

Yes.

ACTING CHAIRMAN MARTIN:

Oh, April 7th. A motions in order.

MS. HOLMES:

I'll make a motion to approve the minutes.

MR. THORSEN:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. So adopted approved. **(Vote: 8-0)**
Tom.

MR. ISLES:

Members of the Commission there are two items of correspondence to bring to your attention. One is a letter to the Chairman, Mr. Martin and this involves a matter that was actually on your agenda at the last meeting. This was an application in the Town of Riverhead in the Hamlet of Jamesport an application of {K. McVey.} So I note this for the record although at this point you've already taken action on it. There was a letter in opposition to the matter. The second item of correspondence is a letter from Stanley Allen the Town Clerk of the Town of Brookhaven. This is actually an item that will be on your agenda later regarding a request from the Town of Brookhaven for a request to the County Planning Commission and that is Item 5 on the agenda which we'll discuss later on as we proceed in the meeting.

In terms of the Director's Report at this point there are a couple of items I would like to bring to your attention. The first off is the Town of Brookhaven has made a referral to the County Planning Commission for a change to the composition and structure of the town planning board and zoning board of appeals. This was a matter as you may recall that was before you I believe at the June meeting and at that time there was proposed legislation in Brookhaven to eliminate the planning board. The Commission took that under consideration and passed a resolution recommending to the town disapproval of that resolution. The town subsequently withdrew the matter from consideration. They have done some reexamination of the proposal and it has been referred back to the Commission. At this point it is radically different in the sense that the original proposal called for the elimination of the planning board and the zoning, pardon me, the planning board. In this case the resolution calls for continuing the planning board as a seven-member board by putting in certain additional requirements involving a mixed composition on the board of civic and professional representation. A process for a public meeting to consider board members for the town planning board. A requirement for certain meetings in the evening or latter part of the day versus the early part of the day. So that's been reviewed as being a matter of local determination. So we are not presenting it to any formal manner because here again the nature of the change is not substantial we feel in terms of the elimination of the board. We applaud the town's

action to retain the board and to try to strengthen the board. I believe the board will be having -- the town board of the Town of Brookhaven will be having the hearing on this in the near future. I think next week, but just to advise you that there was a change and I think the recommendation of this Commission did have some weight on that and we're encouraged by the change.

In terms of the status of Planning Commission appointments I'd like to begin by thanking all the members here for attending and I know there are times when that's difficult in terms of everyone's schedules. We do today have a quorum and the total composition of the Commission at this point is 10 members. They're three appointments that are pending now with the Legislature, one for an At Large position which is currently vacant one for the Town of East Hampton and one for the Town of Riverhead. Those are under review at the present time by the Environment Committee. So once again your diligence in coming to these meetings is very much appreciated by staff.

A couple of other items, the County Legislature and the County Executive have enacted new legislation to change the acquisition process for the County's land acquisition program. We have as a result of that a new board that's called the Environmental Trust Review Board. The Planning Department has been put in charge of that from an administrative standpoint. I've been appointed as the Chairman of that board. We will be doing reviews of all acquisitions as they're prepared by the Real Estate Division and this board will be reviewing the appraisals, the appraisal reviews and so forth and then confirming the values for any negotiations that occur. All of the negotiations are subject to legislative review and approval, but it's the hope that this will provide for a better process of more oversight and flexibility in determining value and more involvement by both Executive and Legislative branch personnel. Related to that the Legislature did approve a referendum that will be going before the voters in November to bond \$75 million for the purchase of farmland open space and hamlet parks. This is something that we feel from the County Planning Department's perspective is important. We have been tracking the expenditures in the various programs and we feel at this point that there is a danger of possibly exhausting those funds next year. So we feel additional funding is necessary. The legislation doesn't include a transfer of development rights component to it for the open space portion of the bond and once again the bill does require the administration of that by the County Planning Department; so just to keep you aware of that. If the voters of Suffolk County approve this bond act in November the Legislature would then have to act one more time to adopt the bond act and then the program would go into effect on January 1st of 2005. It would be a two-year program.

Another item is the, as you know, once a year the Planning Department works on the formation of a training seminar every October under the auspices of the Suffolk County Planning Federation. We do have a seminar now scheduled for October 14th; we will be sending out a registration program early next week. And we are once again teaming up with the New York State Department of STAP, but we are also including two new programs. We will have courses from the Department of State including planning and

zoning case law. A mock public meeting to provide instruction on meeting procedures and so forth. We're also having a program on homeland security infrastructure planning issues and also a program on advance site plan review. And those are both going to be conducted by local staff.

The last item to bring to your attention is an update is the Planning Department periodically applies for federal and state grants for farmland. We were recently notified that a \$500,000 farmland grant has been awarded to Suffolk County for the purchase of a farm in Riverhead. So we have a resolution we will be submitted to the Legislature via the County Executive to authorized acceptance and appropriation of those funds and the funds will become available in the early part of next year. So those are some highlights. I did send out with the package a request from the members for an indication of your occupation and any of the return forms or if you just want to verbally provide that information to me today that would be helpful. Just to give you a little background, the Legislature is considering a number of appointments to the Commission and I believe some of the Legislators had concerns about the -- just what the occupational backgrounds were of the board members. I believe in the interest of balancing the membership of the board and here again no specific concern about the current members, but just wanting to have a sense in terms of what the backgrounds are now to represent a broad cross section of the citizens of Suffolk County. So if you can either provide me the form today or just let me know what you indicate is your occupation that would be helpful to us. That's it, thank you.

ACTING CHAIRMAN MARTIN:

Next on the agenda is the public portion. Anybody in the audience wish to be heard on any matters on the agenda today? Hearing none we'll move on to number four. There's a presentation by Richard Hanley, Director of Planning.

MR. ISLES:

I don't see Mr. Hanley here; he is on his way. I did speak to his office earlier today. He's going to be here at 12:30 so at this point he's five minutes past that. So if you'd like we can go ahead and just come back to that.

ACTING CHAIRMAN MARTIN:

Yes. Okay, we'll go past four and go to five. It's a request for the Planning Services.

MR. ISLES:

Okay, what we have before you in item #5 on the agenda is under the County Administrative Code Section 14-13. The County Planning Commission has the authority to provide planning services to municipalities when those services are requested by the municipality, by the town or village. In this particular case we have received a request in the form of a resolution from the Town of Brookhaven as indicated earlier in the correspondence. Resolution #50 dated August 3, 2004 from the Town of Brookhaven is a request of the town board to allow the Suffolk County Planning Department to assist in the study of Mastic Road and Neighborhood Road in Mastic Beach. The background of this is that the Town of Brookhaven Planning Department in

the Town of Brookhaven overall have been working with the residents and business owners in the Neighborhood Road/Mastic Road area along with Legislator O'Leary and Councilman Hennessy I believe was also been involved. Specifically on efforts to plan for the improvement of this particular location. The town has approached us with a request for certain assistance in this primarily in the nature of demographic and economic analysis and perhaps some land use survey analysis. And everything else that might be further defined upon for the refinement of the project. I've reviewed this and I've talked to the Planning Commissioner of Brookhaven. I've also spoken to a member Peterson who has also been involved with this in a role with the town. I feel that this is something that the County Planning Department based on our current work schedule and so forth could assist in at least to some extent. We can't obligate the department overly, but I think that for the nature of services that have been described to me at this point we feel -- I feel that we can do that adequately. So we have prepared for you and I believe we handed it out today a copy of a resolution for this Commission to consider. Did we do that Claire?

MS. CHORNEY:

Yes.

MR. ISLES:

You did, okay. Fine. A copy of a resolution to have the County Planning Commission authorize the County Planning Department to provide us planning services to the Town of Brookhaven as requested in resolution number 50 from the Town of Brookhaven.

MS. HOLMES:

I make a motion to approve.

MR. O'DEA:

I'll second.

ACTING CHAIRMAN MARTIN:

All in favor signify buy say aye. Contrary minded. So approved. **(Vote: 8-0)** Has everybody seen the actual resolution?

ALL ANSWERED YES

ACTING CHAIRMAN MARTIN:

We go to Gerry I guess, right; no, I mean, the Commissioner's Roundtable. Let start with Laure.

MS. NOLAN:

The Village of Asharoken will be adopting their master plan at the September meeting, which is next Tuesday. And the Village of Northport is mostly preoccupied with a road that is in the process of falling into the Northport Bay so they're working closely with the Army Corp in hoping to have bids out and a program going before October 1st. because

the Army Corp of Engineers is under a federal mandate to start no projects during fiscal 2005, 6. So that's about the maintenance going on in Northport.

MS. PETERSEN:

In the Town of Brookhaven on Tuesday, September 7, 2004, the town board will be holding hearings to look at changing the way the various departments within the Town of Brookhaven are composed. Different divisions will be moving around and based upon the outcome of the hearing, I guess by the next months meeting I'll be able to report whether or not that has occurred. It would entail in creating a whole new department and removing the building department from the planning department where it presently exists and putting it into its own division. So there might be a number of changes and I will keep you informed.

ACTING CHAIRMAN MARTIN:

Thank you, Linda. Lou?

MR. DIETZ:

I have nothing Mr. Chairman.

ACTING CHAIRMAN MARTIN:

Tom?

MR. THORSEN:

Hello, just to make sure you can hear it. I just wanted to say that this is probably going to be my last session and that I've enjoyed working with the Commission, members, and the staff. And it's kind of an interesting thing I'm sitting in a building that was one of the first buildings that I came to work in for Suffolk County Planning back in early '60's. I think it was '61 or '62 and Gerry was one of my first planners and Lee was the director at the time. So we've come a long way since then and Planning is those days was a dirty word throughout most of the County. Most of the people didn't want to hear us, but we worked very hard and finally everybody tooled up with professional departments and I want to say it was it's been a long road. A very satisfying road and I appreciate winding up my planning career on the Commission. Thank you.

ACTING CHAIRMAN MARTIN:

All I can say Tom, thank you. It's been a privilege knowing you; I know you since those early days we were both a lot, lot younger. And it was a dirty word, but I think the towns pretty much came out because we were honest with them. We spoke what we felt was right for them. We never slighted the town till today it's done the same way and I think that pays off in the long run. So thank you Tom for your service. And we'll now go to Mr. O'Dea.

MR. O'DEA:

Yes, thank you. The Town of Riverhead town board is moving rapidly to implement and adopt and implement the zoning other than residential, which they've already handled. They've promised to get it done by September 30th and they're moving kind of rapidly

as you see in this report -- presentation I guess we'll have today is part of it. The Suffolk Theatre on Main Street has had two live offers the town board is considering. So that's on an upward note. I just have a question for Tom on the minutes that you have the Health Department commencing and updated on the Comprehensive Water Resource Managing Plan is anything moving along with that? That's a nice piece of work.

MR. ISLES:

It is moving along. It is not however in the actual study phase. My understanding is they have done an RFP for consultants; they've identified a consultant. They're now I guess beginning a contract process. So I don't think we're actually going to see the start of the project until probably beginning of next year sometime the first quarter of next year.

MR. O'DEA:

Thank you. That's all I have.

ACTING CHAIRMAN MARTIN:

Frank.

MR. TANTONE:

I don't really have all that much I just want to welcome everybody to Islip Day. Obviously, you've heard me speak a few times about the number of larger projects that we've had come through in the past six, eight months and they're all here today. So hopefully you'll see the fruits of our labor and hopefully you'll give us your opinion on them because we'd like to move along; we think they're in good form at this point and hopefully you'll share that opinion. That's all.

ACTING CHAIRMAN MARTIN:

Linda.

MS. HOLMES:

Am I the representative from the only town in Suffolk that doesn't yet have a professional planning department and if so I have a retirement project for you Tom? I'm pleased to say that the Shelter Island town board is moving forward with my proposal after Andy gave me all this good research on lot clearing and runoff protection. And they have now put out a notice inviting people to apply to be part of a five member commission which the town board plans to appoint in the next week or so to make recommendations to the town board on how to protect neighboring property from water runoff. And to consider whether we should make some restrictions on tree clearing on individual lots. You wouldn't be surprised to know that I was I think the first to write a letter to ask to be appointed to that commission and I hope it gets formed shortly. And I hope we are able to find out what case law has already transpired in New York State. I understand there has been case law on both sides of courts deciding that an individual is liable for damage caused to his neighbor's property by water runoff. And in other cases if an individual can show that he has taken reasonable steps to ameliorate runoff

then he is not held liable. And I'm very anxious to find if we can locate that case law because that feeds right into what I was proposing, that it would help everybody in our town to have some protection both for the property owner to prevent him from being held liable and also for the neighbors.

The other item that has come up very recently in our town and I'm a little surprised at our planning board, there has been an application from an individual who owns a buildable lot on a subdivided lot on our very large pond area, our fresh pond. And he got all the permits to build a house, but then the final question is that he needs 300 foot access to make a driveway to his property and the access passes through not only wetland, but historic Indian artifact area because it's an old creek which is still there. And our planning board said that it was all right for him to put in that driveway and with these great estimates of the amount of fill that had to be brought in. So that has become a subject of tremendous concern and contention in the past couple of weeks. So I'll keep you posted. Thank you.

ACTING CHAIRMAN MARTIN:

We thank you Linda and wish you luck on getting on the committee.

MS. HOLMES:

Thank you.

ACTING CHAIRMAN MARTIN:

You'll be an asset to any committee we appreciate your input. Tom. As I heard the door slam we're going back to number four and that would be Mr. Hanley. Mr. Hanley.

MR. HANLEY:

Yes.

ACTING CHAIRMAN MARTIN:

Would you stand up and introduce yourself?

MR. HANLEY:

Sure.

ACTING CHAIRMAN MARTIN:

And we are going to start with you today.

MR. HANLEY:

I'm Richard Hanley I'm the Planning Director for the Town of Riverhead and I'm here today to talk about some commercial districts that the town is considering.

ACTING CHAIRMAN MARTIN:

Thank you.

MR. HANLEY:

As the Commission is aware in November of 2003 the town board adopted a comprehensive plan for the town that was done as a result of the last master plan for Riverhead being completed in 1973. So we thought it was high time that we looked at the town again in terms of zoning land use planning. We were successful with the help of this Commission in June of this year in adopting all of the residential districts that were proposed as a function of the master plan. Those were adopted in their entirety. The moratoria that was in place has been lifted and that is the law of the land as I speak. Since that time we have been working very diligently with respect to all of the commercial districts that were proposed as a function of the master plan. And we employed the same consulting firm that worked on the master plan that's APP & S it's not PPS & A and we have been working with them over the past months developing 13 new commercial districts. We are dispensing with all the archaic commercial districts which have been in existence since '73 and we are also today speaking to two new industrial districts as well as a transfer of development rights program. Just as a note the TDR program was really a function of the residential districts, but at the time it was not closure in terms of the town board's opinions with respect to the yields that would be forthcoming in the use of a transfer development rights. So that has been resolved at the town board level in terms of policy and I think in your package you may have seen a draft of a TDR program, which we can talk about, if you'd like.

The most notable changes with respect to the commercial districts essentially the first being downtown Riverhead. Believe it or not downtown Riverhead though it looks and appears as a commercial district and in fact was a mixture of Business D Commercial some Industrial B and as well as some residential uses. So what we've done is we've sectioned the downtown into five discrete new zoning districts and I think the one that you might be most interested in as a Commission is the new DC-1 district which is the old essentially is downtown Riverhead. And what we've done there is we are actively encouraging residential development on the second, third and fourth stories. Most of the buildings that exist presently are about 35 to 40 feet and we are recommending to the town board that they consider an as of right 60 foot height limit with retail on the first floor without any residential on the first floor. And the remaining square footage would be in apartments. It was a recommendation of the consultants that in order for Riverhead to be vitalized that it really needed a human presence down there and the town board will be considering a major change to allow for residential apartments downtown. They're not required to be affordable units, but we believe with the densities that we're talking about with a 60-foot height and a minimum square footage for a residential unit of 550 sq. ft. We believe that those will come in at a market rate, which will be considered affordable in the Town of Riverhead.

The other most notable change is and this Commission is probably well aware of it the western portion of Route 58 has been traditionally been an industrial district. A number of years ago the Riverhead Sewer District extended the appurtenances of the district to the Expressway terminus with the industrially zoned property at the old Calverton site. It was the view of the town's as well as the consultants that there was no reason for industrial zoning on Route 58 and what we have done there is displace that industrial

district with a destination commercial district. The intent is to try to bring in nationals, large uses, no strip development in order to complete development in that area.

We're also thinking in terms of reducing the floor area, which is presently 30% in the industrial district to 15%, and the intent is to allow for higher floor areas through the use of transfer development rights. Now this is really untested. We don't know how to equate necessarily a residential right to a commercial square footage. The Pine Barrens Program is interesting in that regard, but that is more of a water use credit under Article 6. This is not that since this is a commercial sewer district there so there's really no way we can use water credits there. So we're testing an idea such that each development right that would be purchased by a commercial user would result in an additional 1500 sq. ft. of floor area. So we're going to adopt it that way hopefully and let the market take off.

One of the departures that the town is considering with the transfer program is we had originally identified and I think when I appeared in front of you when we were talking about the residential districts we had identified approximately 5,500 development rights which could come off the APZ or the Agricultural Protection Zone in Riverhead Town. And essentially had a balance between residential landing zones as well as some commercial and industrial landing zones. However when the town board was deliberating with this new administration started in January they've decided as a compromise to cap the total number of residential rights coming off the farm area at 500. So the thought is once 500 rights are redeemed then all-additional development rights transfer would have to find a home within a commercial or industrial district. That has advantages in that it reduces the saturation population of the town as well as providing ratables with respect to increased industrial and commercial uses. So that's an interesting change that I think is made part of your report hopefully.

We are also considering rezoning the large tracks of industrial areas that are just to the east of the Calverton facility. There is probably close to 3,000 acres of light and heavy industry there and the intent is to remove all heavy industry completely and to zone that area into a mixture of a regional recreational area and a light manufacturing zone. Those areas essentially are served by Edwards Avenue, Route 25 and the Long Island Expressway from Exit 71. So we'll be avoiding all those heavy industrial uses that could have been constructed and improved in that area under the old zoning districts. That's essentially my brief comments about this very arduous tasks that we've been working on for the past several years and I would appreciate any comments the Commission might have or I could answer any questions if you have some on the report.

ACTING CHAIRMAN MARTIN:

Thank you, Mr. Hanley. Yes, Linda.

MS. PETERSEN:

Mr. Hanley, with the changes you're proposing on CR 58 to more retail

MR. HANLEY:

Yes. Right.

MS. PETERSEN:

Are you making any considerations on how to handle the additional traffic because it seems as if there's a good deal of traffic now?

MR. HANLEY:

Yea. There was an element to the master plan which was the whole traffic element not just on Route 58, but on all the highways and byways of Riverhead Town and the suggestion was and I don't know whether the County is entertaining this yet. But it was thought that the best way to control traffic congestion rather than having additional traffic lights was to minimize the number of left hand turns that could occur on that highway. And the thought was to take the, if you're familiar with Route 58 there's a turning lane essentially that runs the length of it from Tanger all the way out to at least to the Circle and maybe even beyond, was to remove that lane and to essentially build a center mall, a planted mall, and have left hand turns every couple a thousand feet whatever the engineers had stated. So the thought was if that were done it would minimize those left hand turns in the turning lane have less congestion and that would be an improvement that would have to be paid for by any development that would occur on 58. It would be essentially as a function of the highway bill permit that would be that improvement made. So that was the thought on traffic congestion.

MS. PETERSEN:

Thank you.

MR. HANLEY:

Also just to note we are reducing in that industrial area that was originally zoned at 30% floor area maximum building area we're reducing that to one half. So the thought is even though retail uses may have more trip ends generated, but with a large industrial user it would probably less than that.

ACTING CHAIRMAN MARTIN:

Thank you.

MR. HANLEY:

Thanks.

ACTING CHAIRMAN MARTIN:

Tom.

MR. THORSEN:

Rich.

MR. HANLEY:

Hi Tom.

MR. THORSEN:

If you put a planting mall down the center of that turning lane can your emergency vehicles get by in a traffic condition?

MR. HANLEY:

Yes. We had done engineering as a sub-consultant on the master plan and they essentially have a roadway spec for that to be sure that adequate width is there.

MR. THORSEN:

Okay. Because I know they've been talking about this sort of thing like in Bridgehampton and different places.

MR. HANLEY:

What was the concern that for emergency vehicles to make an emergency left hand turn?

MR. THORSEN:

No, no, the idea, well, in Bridgehampton and Water Mill ambulances from East Hampton, Montauk, Springs and Amagansett. What they generally do is run down the median because if you're going eastbound and the ambulance is coming that way you wouldn't be able to get by except using that center median strip.

MR. HANLEY:

Right.

MR. THORSEN:

So that would be a concern because you have the hospital.

MR. HANLEY:

We'll make a note of that, right.

MR. THORSEN:

Because you have the hospital and if you got heavy traffic an ambulance is moving easterly to that hospital you might have troubles.

MR. HANLEY:

Right.

MR. ISLES:

Yeah, we'll point out that the Suffolk County Department of Public Works is doing a study on Route 58 corridor basically in conjunction with the town's plan that will be looking at these issues specifically and a specific plan put forward. It actually has to come to this Commission for at least an advisory review by you and so we consider it to be a significant aspect of the County's 58 corridor there with the commercial development that has occurred there. Obviously, the issue raising an important whether

it's done through some design in the median whether the median doesn't go in and there's some other solution or whether the shoulder for that purpose would have to be considered. But here again we're not there yet and there will be a formal study done and relatively soon at this point.

MR. THORSEN:

Yeah, it might be wide enough because you don't have parking along 58.

MR. HANLEY:

That's correct, right.

MR. THORSEN:

And in Bridgehampton and Water Mill you have parking on both sides so you might have a little more room. Thank you.

MR. HANLEY:

One thing I failed to mention was in the creation of the commercial district map. There was a recommendation by this Commission on the master plan itself to try to reduce some of the commercially zoned area within the eastern part of Riverhead essentially from 105 to the town line and we've done that. So we have shrunk that commercial area on both sides of Route 25 so we just avoid sprawling influences there.

ACTING CHAIRMAN MARTIN:

Richard.

MR. O'DEA:

I have nothing.

ACTING CHAIRMAN MARTIN:

Frank.

MR. TANTONE:

(inaudible)

ACTING CHAIRMAN MARTIN:

Linda.

MS. HOLMES:

I also was concerned listening to County Road 58. I gather that you are already or continuing to study some of the retail businesses there are really right close to the road. And if you were doing a median would you have to move some of those business areas further back? Is that part of your long range plan to maybe free up some of the area around either side on the roadway there?

MR. HANLEY:

The thought by the planners was to utilize the existing turning lane that's there.

MS. HOLMES:

I see.

MR. HANLEY:

And I don't believe that their design was predicated upon improvements beyond the curb line that exist. I know that the County right-of-way is greater than the curb to curb that's there now. I don't know Tom maybe as part of their study there's some taking that's being thought about.

MR. ISLES:

Definitely.

MR. HANLEY:

Okay.

MR. ISLES:

And here again we think it's going to be, you know, modest, but I mean certainly we can't say there will be no takings and it's likely there will be takings. We're not at that point in making that determination, but it would probably be strip acquisitions of a few feet most likely, but we don't know that for a fact yet.

MS. HOLMES:

Just one other point. Having sat as the Shelter Island representative to the planning committee that the town put together trying to decide to do with Calverton --

MR. HANLEY:

I haven't forgotten you.

MS. HOLMES:

I'm very pleased to see your conclusions here and I certainly hope that they come to fruition in a good way.

MR. HANLEY:

We hope so too, thanks.

MR. DIETZ:

Mr. Chairman, I make a motion, I'd like to make a motion to approve staffs recommendation.

MR. THORSEN:

I'll second it.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. So approved. (Vote: 7-0-1-2 Abstain: O'Dea, Absent: Caracciolo and London)

MR. HANLEY:

Thank you all. Thank you again for your attention.

MR. ISLES:

Thank you.

MR. THORSEN:

Nice job, Rick.

MR. ISLES:

We give you a lot of credit for adopting the plan or having the town board adopt the plan and then implementing it so the town board should be congratulated.

MR. HANLEY:

I'll pass that along.

ACTING CHAIRMAN MARTIN:

Andy.

MR. FRELENG:

Okay. The first subdivision matter before the Planning Commission comes to us from the Town of Brookhaven. This is the application of County View Estates situated in Middle Island. Jurisdiction for the Commission is that the subject property is adjacent to Rocky Point Road otherwise known as CR 21 and the application subject property is located in the Pine Barren Zone. The applicants are proposing the subdivision of approximately 24 acres of land into 20 lots in the A-1 residential zoning category as stated in the Hamlet of Middle Island. The minimum lot size in the zone is 40,000 sq. ft. The map is being processed pursuant to 278 cluster provisions of town law. The proposed lots range in area from 25,614 sq. ft. to 49,485 sq. ft.

If you take a look at the subdivision map approximately six acres of open space is proposed. A recharge basin approximately 59,450 sq. ft. in area is proposed as part of the open space. The subject parcel fronts on Miller Place - Yaphank Rd., which is a town street to the west. Across the street is active sand mining operation. If we flip back to the air photo, sorry, Chris. You can see the sand mining to the west; to the north and south the site abuts improved residentially developed land. There are some commercial uses, which are situated in the area. To the east the subject parcel fronts on CR 21 Rocky Point Road. The general character of the area surrounding the subject parcel could be described as a mix of developed medium density residentially zoned land. There's commercial and agricultural uses in the area and the character of the property itself can be described as being vacant wooded land. Access for the proposed action is intended via the creation of a 1,400 foot long dumbbell shape cul-de-sac street. A third cul-de-sac, Pfeiffer Ct. is located approximately half way down the right-of-way on the south side and extends for a short distance to the south. The length of the street network exceeds Commission guidelines. No alternate or emergency

access is proposed, which is also contrary to Commission guidelines. Emergency access to Rocky Point Road in the staff's opinion should be provided. The proposed street arrangement creates a corner lot which is Lot 14 that is one of the smaller lots in the subdivision. The staff believes corner lots should be provided extra area in order to buffer the noise and traffic impacts from the additional street frontage and the complications associated with locating with located typical accessory structures such as pools, etc., where there are two front yards involved. Lots 14, 15 and 20 in the staff's opinion should be redesigned to be larger area. More of the proposed street layout creates five double fronted lots with CR 21. There is no buffering proposed along the rear of these lots, which front on 21. In addition to road front buffering, double fronted lots should be provided with extra depth in order to lessen the compounded impacts of being between the two roadways.

The subject parcel is located within Ground Water Management Zone III. Potable water is to be supplied via public systems. Sanitary waste is to be collected and disposed of via individual systems on site. The subject site is located in the Central Suffolk Special Groundwater Protection Area as such the site is in a Critical Environmental Area of Long Island. The parcel is located within the Central Suffolk Pine Barrens area of Suffolk County. Moreover, being in the Central Suffolk Pine Barrens, the project site is situated in the Compatible Growth area of the Central Pine Barrens Comprehensive Land Use Plan as promulgated by the Central Pine Barrens Joint Planning and Policy Commission. No more than 57% of the subject property may be cleared of naturally occurring vegetation because of its situation in the Pine Barrens. This leaves 43% as open space or 10.33 acres of the subject parcel. The proposed map provides for 5.68 acres in open space and if you recall that includes the proposed recharge basin.

While there is no prohibition in providing the remaining open space via clearing covenants or restrictions on the created lots it does not seem possible in the staff's opinion that the remaining 4.65 acres can be provided and still have viable building envelopes without the possibility of over clearing. The staff did a quick analysis and if a 50-foot buffer was created along the rear of Lots 1-20 and along the side yards of Lot 1 only a total of another 3.8 additional acres could be added to the proposed 5.68 acres for a total of 9.5 acres of open space or 39.5% of the overall subject parcel. So in the staff's opinion the map is not demonstrating that they can meet the 43% open space. The staff believes the natural vegetation-clearing plan needs to be provided that demonstrates the compliance of the proposed application with the clearing restrictions of the Compatible Growth Area of the Central Pine Barrens. The subject parcel does not have mapped wetlands on this site.

Soils on the subject parcel consist of Haven and Carver associations. Haven soils are considered prime farm soils in Suffolk County. The subject property is not located in a Suffolk County Agricultural District. Slopes on the subject parcel are generally between 0 -15%. A ridgeline is located along the western portion of the property.

So in conclusion in the issues before the Planning Commission stems from the Commission's policy related to subdivisions constructed in a Pine Barrens zone and

issues related to good planning and land use. Staff is recommending disapproval for the following reasons which are contrary to Commission policy in the creation of a 1,000 ft. long cul-de-sac is one issue. The length of the street network exceeds Commission guidelines. There is no alternate or emergency access proposed. The staff believes the reason for denial is that the corner lots should be provided with extra area. Lot 14, 15 and 20 should be redesigned to be larger in area. There are double fronted lots and they should be provided with extra depth. In addition, staff believes the Commission should deny the application because the natural vegetation-clearing plan needs to be provided that demonstrates the compliance of the proposed application with the clearing restrictions of the Suffolk County Pine Barrens Zone. Those are the recommendations of staff and that's the staff report.

ACTING CHAIRMAN MARTIN:

Thank you Andy. Members of the board have any questions? Members of the board a motions in order.

MS. HOLMES:

I move to adopt the staff recommendation.

MR. TANTONE:

Second.

ACTING CHAIRMAN MARTIN:

Frank, second. All in favor signify by saying aye. Contrary minded. So approved.
(Vote: 8-0-0-2 Absent: Caracciolo and London)

MR. FRELENG:

Thank you.

MR. NEWMAN:

Today we have nine applications on the agenda. They're all from the Town of Islip; they've all been recommended for approval from the Islip Town Planning Board as you can see by the staff reports that were mailed out. The staff was also recommending approval subject to conditions that are very similar to those set forth by the Islip Town Planning Board. Considering the fact that Commissioner Tantone is unable to vote we don't have enough votes. I'd like to summarize this quickly and then the Commission can ask any questions they want of me on this because there's not enough votes on this. If the Commission so desires I will just briefly summarize each one; these were mailed out. I don't know if Commission Caracciolo will be here so that the vote would be sufficient to carry these applications. I'm looking for guidance from the Commission on this on how you want to proceed.

ACTING CHAIRMAN MARTIN:

I would just go along with it; do what you said. If Mr. Tantone can't vote it goes back or if Mr. Caracciolo was here I'm certainly he can't take it he's not here. So we'll vote and so be it. Everybody agree with that? I see Frank shaking his head yes. So that's how

we'll do it. And that more and more shows how important it is to get more people appointed.

MR. NEWMAN:

Right.

ACTING CHAIRMAN MARTIN:

Okay, Gerry.

MR. NEWMAN:

The first one the Gardiner Manor this is an application for a Lowe's Home Improvement Center and Garden Center on Sunrise Highway South Service Road and Manor Road in Bay Shore. This application was originally submitted to the town. It's been significantly diminished in size. This is the former Macy's site and when you compare the development proposed here it's much less than that under existing zoning which is currently existing on this property with the Macy's. We're recommending approval subject to six conditions (1) that all traffic improvements that will be provided and the attachment indicates under mitigation measures those traffic improvements will be provided. There will be a limitation on the single user bulk retail establishment. We're suggesting appropriate operational restrictions and they're particularly important here because of the proximity of residences to the south and west of the premises. We're also agreeing that as submitted by the petitioner there be sufficient buffers, berming and sound walls once again to adequately protect the nearby residences.

And another consideration (5) would be that the building height would be limited. Currently, the Macy's I think is two or three stories; this would only be one story to keep it a low profile and close proximity to the residences. And the last, but not least in accordance with Smart Growth policies of the County we're recommending that the applicant owner maintain cross parking agreements with the shopping center to the east which is part of the Gardiner Mall to allow for patron parking and cross pedestrian trips between the centers. So we're recommending approval subject to those conditions.

MR. DIETZ:

Mr. Chairman, I make a motion to recommend staff.

MR. THORSEN:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. Abstentions.

MR. TANTONE:

One abstention.

ACTING CHAIRMAN MARTIN:

The vote is 7 and I, it does not carry. 7-0-1 and does not carry. **(Vote: 7-0-1-2 Abstention: Tantone, Absent: Caracciolo, London)** Okay, Gerry.

MR. NEWMAN:

Application #3, again, from the Town of Islip. This is an application to rezone a 27 acre unimproved parcel of land from a single family requirement which requires 7,500 sq. ft. lots to a senior citizen category for the purpose of erecting 240 senior citizen housing units at a density of 8.9 to the acre at the northeast corner of Sunrise Highway and Connetquot Avenue in Islip Terrace. In this case there's the proposal to provide 200 rental units. The rental units will be on the southerly portion of the property. The 40 for sale units will back up to the houses along the northerly boundary in the property. There'll be affordable component of 10%. There'll be significant open space component 42% of the site. There'll be one point of ingress and egress via Connetquot Avenue which will extend easterly to and through lands of the Water Authority to the east of the subject property. Currently, there's a right-of-way in that same area, but it's north of the proposed right-of-way that follows the southerly boundary line of the houses to the north of the subject property which connects Connetquot Avenue with the Water Authority property. There'll be connection to the Southwest Sewer District and the Water Authority will be providing water.

Under existing zoning this property can accommodate 105 single-family residences. This project was initially submitted for 294 units; it was reduced to 256 and the finally version before you today is the 240. The staff report has a chronology of events relative to planning and zoning for the property. The staff believes the important component is the latest addition of the planning studies in the Town of Islip indicated that the property would be utilized for high-density residence purposes. It's the belief of the staff that this proposal appears conditionally appropriate considering the prevailing pattern of zoning and character of the surrounding area as a complimentary transition use and conformance with the latest town planning studies. We are recommending approval subject to seven conditions. (1) that there'll be no more than a 240 units proposed preferably less. There'll be an affordable component. (3) the affordable units will be appropriately encumbered to insure long term affordability. The applicant and the Suffolk County Water Authority will enter into a mutual perpetual cross access agreement for vehicular purposes.

There'll be appropriate buffering and landscaping provided throughout the periphery of the property with particular consideration giving to berming along the off ramp of Sunrise to Connetquot Avenue to enhance suitability of use for residence purposes consistent with maximum preservation of existing vegetation. That would also help with the noise aspects as well. Traffic improvements will be provided consistent with the traffic analysis acceptable to the State DOT and the Town of Islip. I might point out that the traffic under proposal as submitted is slightly less than that permitted under existing zoning. This application when the hearing were held there was great concern about traffic. The proposal as submitted has less traffic generation than that permitted under existing zoning. And in accordance with Smart Growth policy the last aspect we're

recommending on site pedestrian walkways to Connetquot Avenue to enhance accessibility to nearby public bus transportation services. So we're recommending approval subject to those seven conditions.

ACTING CHAIRMAN MARTIN:

Any question from the board if not a motion's in order.

MR. THORSEN:

Mr. Chairman I'd move for the staff report.

MS. PETERSEN:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by say aye. Contrary minded. Abstentions.

MR. TANTONE:

One abstention.

ACTING CHAIRMAN MARTIN:

One abstention. 7-0-1 was the vote. **(Vote: 7-0-1-2 Abstention: Tantone Absent: Caracciolo and London)**

MR. NEWMAN:

Okay. The next six applications are all affecting lands comprising the former Central Islip State Hospital grounds. Four of the six have a residential component of which there's a total of 769 units of which 365 will be for affordable purposes not only in accordance with what the town is proposing, but in accordance with the 20% of affordable component of the Suffolk County Planning Commission. And I think the Town of Islip is to be truly commended for their activities and efforts in the affordable housing area. Two-thirds of these will be non-age restricted; a third will be age restricted. There's no rentals and the primary reason of these rezonings are before you and the town is because the New York Institute of Technology is not expanding as expected so they're looking at alternate land use patterns for various sections of the subject property, of the hospital lands.

The first application relates to a 25 acre parcel of land. The intent is to rezone it, that's parcel 12 on the attached map from an educational to a multi-family category for the purpose of erecting 280 single family dwelling units. That's at a density of 11.2 to the acre at the northwest corner of Lowell Avenue and Belt Drive East again on lands of the former Central Islip Hospital. The property is currently occupied as you can see on the aerial by former hospital buildings. There's are the Cochrane Buildings and this proposal constitutes an expansion of land to the west which is currently occupied by the Park Row Townhouse units of which there are a total of 458. The site plan has 46 buildings; the staff report has 108 that's a correction, there's 46 buildings. There'll be 92 two-story townhouses, 192 stacked two bedroom one over one flats. 92 of the units

will be age restricted, 192 units will be non-age restricted. There'll be 642 parking spaces, one point of vehicular access via Belt Drive East and one by Audwin Drive. There'll be a community center and a refurbished firehouse. There'll be recreational facilities and walkways throughout the periphery of the property with a pond and central area.

The staff is recommending approval on the grounds that we consider this to be an appropriate rezoning considering the prevailing pattern of zoning and character of the surrounding area, particularly as an extension of Park Row complex on adjoining lands to the west consistent with the goals of the Master Plan update which is a land use response to the unanticipated lack of expansion of the New York Institute of Technology. The emergence of the PDD as a legal center and the demand for diversified housing.

We're recommending approval subject to seven conditions. First would be a limitation on the number of units at 280 preferably less. And the reason in the staff report as well as the one to follow we mention in accordance with the Town of Islip Master Plan for the Central Islip Planned Development District is because the density at 11.2 to the acre exceeds that permitted under current MF district. So there would have to be amendment of the Master Plan as well as the town code to effectuate that increase yield.

The adopted Master Plan of the town for the Central Islip District is herein accepted so we're doing a current acceptance of the Master Plan as well as the rezoning concurrently with this. There'll be an affordable component of 20% in accordance with permission criteria. The affordable units will appropriately encumbered again in accordance with our policy. Traffic improvements will be provided. The requirements -- pursuant to the requirements of the Master Plan payments shall be made to the Central Islip Transportation Improvement Fund for further traffic improvements in the area. And finally that the property should be developed with adjoining Park Row lands to the west. We're recommending approval subject to those conditions.

ACTING CHAIRMAN MARTIN:

Board member, any comments? If not a motions in order.

MS. HOLMES:

I would like to not only move to adopt the staff recommendation, but I would hope that our formal notice of approvals would echo Mr. Newman's observation about commending the town for having such a strong affordable housing program. And particularly targeting some affordable housing to be not restricted to age, but I would just shorten that say I hope that our formal notice of approvals will echo that commendation.

ACTING CHAIRMAN MARTIN:

Is there a second?

MR. THORSEN:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye.

MR. ISLES:

I think any comments well certainly in the staff report plus Mr. Tantone as chairman of the Planning Board I'm sure can relay that back to the town as well.

MR. TANTONE:

Absolutely.

MR. ISLES:

Good.

MR. TANTONE:

For the record I'm abstaining on that application.

ACTING CHAIRMAN MARTIN:

Basia, did you want to speak before we vote on it?

MS. BRADDISH:

I just want to clarify these aren't approvals because they're not passing with the sufficient number of votes. So I didn't want a misconception that these are approval. They failed because of a lack of appropriate number of votes.

ACTING CHAIRMAN MARTIN:

Okay, Basia, thank you. As long as that's cleared up. Now we have a motion on the floor. We have a motion from Linda and a second. All in favor signify by saying aye. Contrary minded. So approved. 7-0-1. **(Vote: 7-0-1-0 Abstention: Tantone Absent: Caracciolo and London)**

MR. NEWMAN:

Application #5, again, affects hospital lands. This involves the rezoning of a 15.4 acre parcel of land that's parcel 16 on the attached map from a Municipal/Retail category to an Educational Campus category for the purpose of erecting a Touro Law Center building to be utilized by the Suffolk County Courts and the Law School. It's in close proximity to the nearby county and federal court complexes. We feel it is an appropriate and reasonable use and it's consistent with the goals of the master plan update. We're recommending approval subject to four conditions. These are basically repeats of conditions previously set forth that they be consistent with the Master Plan update, traffic improvements and the payments will be made into the Transportation Fund. And finally in accordance with our Smart Growth policies a pedestrian walkways will be provided from this area to connect to the school to the nearby county and federal court

complexes. We're recommending approval. This is a perfect complement to the legal aspects of that area.

MR. DIETZ:

Mr. Chairman, I'd like to make a to recommend staff.

MS. NOLAN:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. Abstention one Frank Tantone. **(Vote: 7-0-1-2 Abstention: Tantone Absent: Caracciolo and London)** Thank you Frank, thank you everyone.

MR. NEWMAN:

Application #6 affects two parcels comprising about 23 acres. They're on the east and west sides of Courthouse Drive and the parcel to the east is an abandon power plant. The proposal if for 156 units at 10 to the acre. The parcel to the west is 6.9 acres that's an abandon laundry building and the proposal on that one is 69 units at 10 units to the acre. The staff believes that this proposal appears reasonable considering the prevailing pattern of zoning and character of the surrounding area consistent with the goals of the Master Plan and the emergence of the PDD as a legal center and the demand for diversified housing. We're recommending approval limiting the number of units to those numbered proposed. That it be consistent with the Master Plan there'd be affordable component appropriate encumbered just to the affordable units. Traffic improvements and again payments into the fund as previously set forth. So we're recommending again, approval subject to those six conditions.

ACTING CHAIRMAN MARTIN:

Staff any questions? Motion by Richard O'Dea to approve.

MR. THORSEN:

Second.

MR. TANTONE:

Abstain.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. 7-1-0 -- 7-0-1. **(Vote: 7-0-1-2 Abstention: Tantone Absent: Caracciolo and London)**

MR. NEWMAN:

Application #7 involves a one-acre parcel of land on the south side of Courthouse Drive, 800 ft. east of Carlton Avenue. The intent here is to relocate a residence currently situated at the northeast corner of Carlton Avenue and Courthouse Drive. I don't know how many feet east of that area to this subject property for the purpose of providing an

adaptive reuse for 12 homeless families for transitional housing by Transitional Services of Long Island, Inc. And the area where this building currently situates is to be developed for a hotel so the intent is to relocate this building so many feet easterly and there would be no expansion of that building. It's right opposite the Ducks Stadium you can see on the aerial. The staff believes that this appears to fulfill a demonstrative need for such housing accommodations. It's in a transitional area; its reusing a nearby building that cost over a million dollars. It's consistent with the goals of the Master Plan update which is a land use response to the unanticipated lack of expansion of New York Institute of Technology emergence to the PDD as a legal center and the demand for diversified housing. We're recommending approval subject to the acceptance of the Master Plan update to effectuate this proposal. We're recommending approval.

MR. THORSEN:

Mr. Chairman I'd like to move staff report.

ACTING CHAIRMAN MARTIN:

Do I hear a second?

MS. HOLMES:

I'll second it.

ACTING CHAIRMAN MARTIN:

Second Linda Holmes. All in favor signify by saying aye. Six, seven ayes. Abstentions is one. 7-0-1 it is. **(Vote: 7-0-1-2 Abstention: Tantone Absent: Caracciolo and London)**

MR. NEWMAN:

Application #8 involves two parcels of land comprising almost 20 acres of land. The primary focus is on the easterly parcel comprising 17 acres. The intent is to rezone that property from a Educational Campus category to a Multi-category with a purpose of erecting 252 townhouse units and in this case they're all affordable. The staff believes that this proposal significantly fulfills a demonstrable need for such housing accommodations in a transitional area in compliance with the goals and objectives of the County's Workforce Housing Program consistent with the goals of the Master Plan update and the demand for diversified housing. We're recommending approval subject to six conditions and the conditions are such that they more or less mirror those -- one of the conditions by the way is that other parcel would be encumbered for open space and drainage purposes only. There would be no development on that small parcel of land comprising of three acres to the west of the subject property. We're recommending approval subject to the conditions similarly set forth on previous staff reports. We're recommending approval.

ACTING CHAIRMAN MARTIN:

Thank you Gerry. A motions in order.

MR. O'DEA:
I'll make a motion.

MR. DIETZ:
Second.

MR. TANTONE:
Abstain.

ACTING CHAIRMAN MARTIN:
All in favor signify by saying aye. Abstention is one and contrary is none. 7-0-1. **(Vote: 7-0-1-2 Abstentions: Tantone Absent: Caracciolo and London)**

MR. NEWMAN:
Application #9 involved a series of rezonings on seven parcels comprising 58 acres. Parcel (1a) the intent is to rezone it to a PDD-RI. The proposed use is offices. Parcel (30) comprising 9.11 acres; the intent is to rezone to an office category currently used for Town Department of Public Works yard. The intent is for office use. Parcel (4) six acres that is to rezone to office; it's currently -- the premises currently is has unoccupied buildings on it. It's the former staff cottages and a chapel. The intent is to rezone it for office purposes and other adaptive reuses such as bed and breakfast and assisted living and with a small park area in the middle portion. Parcel (8) would be an extension to the Gull Haven Town Golf Course, which currently exist on this property. Parcel (13a) and parcel (13b) are currently vacant and they will be cleared of debris and they will be left for future municipal purposes or probably for park purposes. And the last parcel (17) the intent is to rezone it to a RI for an office purposes which is adjacent to other parcels that are currently zoned RI. The staff believes that these rezonings are reasonable and appropriate and we're recommending approval including acceptance of the updated Town of Islip Master Plan for the Central Islip Planned Development District as set forth herein.

ACTING CHAIRMAN MARTIN:
Thank you Gerry. A motion's in order.

MS. HOLMES:
I move to approve the staff recommendations.

MR. THORSEN:
Second.

MR. TANTONE:
Abstain.

ACTING CHAIRMAN MARTIN:
That's Linda, Tom. All in favor signify by saying aye. Abstention was one. 7-0-1. **(Vote: 7-0-1-2 Abstention: Tantone Absent: Caracciolo and London.)**

MR. NEWMAN:

Application (10) also Town of Islip. This is an application to rezone a 8.11 acre parcel of land from a General Service "C" to a Resident "CA" category for the purpose of renting eight two story buildings with 32 condominium units at a density of four to the acre on lands at the northwest corner of Montauk Highway and Lakeview Avenue in Bayport. This property was rezoned by the town board from Residence A to Residence C for the purpose of erecting a nursing home for comprising 120,000-sq. ft. with 100 apartment type units. It's currently occupied by dilapidated greenhouses, a building and small house all to be removed. It's on Montauk Highway and lands to the north and west comprising Sans Souci Lake County Preserve. It's the belief of the staff that this rezoning appears conditionally appropriate considering the prevailing pattern of zoning and character of surrounding area as a reasonable alternate use consistent with locational criteria for multi family accommodations. We're recommending approval subject six conditions #1 that the property be limited to 32 attached single family units. It'll be affordable component. The affordable units will be appropriately encumbered. No vehicular access via Montauk Highway. Traffic improvements consistent with a traffic analysis acceptable to the Department of Public Works and Town of Islip. They've effectuated those for widening purposes and (6) in accordance with Smart Growth policies of the County on-site pedestrian walkways should be provided to Montauk Highway to enhance accessibility to nearby public bus transportation facilities. We're recommending approval subject to six conditions.

MR. THORSEN:

Mr. Chairman I move to the staff report.

ACTING CHAIRMAN MARTIN:

Do I hear a second?

MS. PETERSEN:

I'll second.

ACTING CHAIRMAN MARTIN:

Second, Linda. All in favor signify by saying aye. Contrary minded. Abstentions. One. 7-0-1. **(Vote: 7-0-1-2 Abstention: Tanton Absent: Caracciolo and London)** Thank you. That's it, right Gerry? Motion to adjourn by Mr. O'Dea.

MR. THORSEN:

Aye.

ACTING CHAIRMAN MARTIN:

Abstentions. 8-0. **(Vote: 8-0-0-2 Absent: Caracciolo and London)**

(The meeting was adjourned at 1:35 P.M.)

{ } DENOTES BEING SPELLED PHONETICALLY.

