

SUFFOLK COUNTY PLANNING COMMISSION

MINUTES

A regular meeting of the Suffolk County Planning Commission was held at the Evans K. Griffing County Center in the Maxine S. Postal Legislative Auditorium at 300 Center Drive, Riverhead, New York on November 1, 2006 at 12 P.M.

PRESENT:

John Caracciolo, Chairman (Huntington)
Charla Bolton (At Large)
Adrienne Esposito (Village 5,000 & Over)
Donald Fiore (Islip)
Jesse Goodale, III (Riverhead)
Linda Holmes (Shelter Island)
Constantine Kontokosta (Village 5,000 & Under)
Sarah Lansdale (At Large)

ABSENT:

Louis Dietz (Babylon)
Jesse Goodale, III (Riverhead)

ALSO PRESENT:

Mary Daum - Former Commissioner (At Large)
Thomas Isles - SC Director of Planning
Carrie Meek-Gallagher - SC Asst. Director of Planning
Andy Freleng - Suffolk County Chief Planner
Claire Chorny - Suffolk County Planning Department
Chris Wrede - Suffolk County Planning Department
Ted Klein - Suffolk County Planning Department
Peter Lambert - Suffolk County Principal Planner
Christina Farrell - Suffolk County Attorney's Office
Garrett Gray - Headriver, LLC
John Woods - Local 1500 UFCW
Andrew P. Abraham - Resident
Barbara Roberts - Self - Resident
James Gaughran - Local 1500 UFCW
June Diamant, Esq. - Riverhead PGC LLC
Maureen Dolan Murphy - CCE

Minutes taken by

Eileen Schmidt

(THE MEETING WAS CALLED TO ORDER AT 12:10 P.M.)

CHAIRMAN CARACCILO:

The meeting of the Suffolk County Planning Commission is now in session. Don could you lead us in the Pledge, please.

SALUTATION

CHAIRMAN CARACCILO:

Thank you. Before we get started I'd like to call up Mary Daum. Mary has served with dedication and distinction on the Suffolk County Planning Commission from October 5th to May 3, 2006. Suffolk County Planning Commission has benefited from her insight, her experience and her expertise as a civic activist and Director for the Brookhaven National Lab. Mary's input and contribution to the deliberations of the Suffolk County Planning Commission will be sorely missed as she moves on to new endeavors and we would like to acknowledge you for your positive and your thoughtful contributions to this body. Thank you very much. Could you please come up and take this award.

Applause

MS. DAUM:

Thank you, John.

CHAIRMAN CARACCILO:

We're going to miss you. Would you like to sit in today?

Laughing

MS. DAUM:

That's okay.

CHAIRMAN CARACCILO:

First item on the agenda is the approval of the minutes from the October 4th meeting. Does anyone have any corrections or notes on the minutes; if not has everyone had an opportunity to review them? Then can I have a motion to accept those please?

MR. FIORE:

Motion.

MS. ESPOSITO:

Second.

CHAIRMAN CARACCILO:

Second, Adrienne. All those in favor? Moving right along. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)** Okay, we'll now move to the public portion; we have four people to speak today. I just want to remind the public speakers that you have three minutes. I'll try not to cut you off, but please try to wrap it up in three minutes. I'll try to give you the high sign if you're going a little long. The first speaker is John Woods. Mr. Woods.

MR. WOODS:

Good afternoon members of the Commission; my name is John Woods; I am the political director of United Food and Commercial Workers Local 1500. Local 1500 represents over 22,000 members who work in a variety of supermarkets and retail food stores like Pathmark, King Kullen and Stop and Shop among others. I'm here today because we are opposed to the Wal-Mart application and urge the Planning Board to reject it. One of our primary concerns is that this location of this large Wal-Mart would create a major traffic problem and lead to more development of big box stores along Route 58. We're also concerned of the applicant did not present as part of the SEQRA process a real economic impact study or report. This is very important to my members because I believe that if this Wal-Mart is built it could close down supermarkets in Riverhead such as King Kullen and Walbaum's which have been long time fixtures in this community. This has a real impact on the economics of Riverhead and the east end since permanent jobs will be eliminated and unemployment will increase. The applicant failed to review this.

We are also concerned about the bad precedent that this application will have for other potential development. If the Riverhead Town Board allows a big box store to be built on this site where it is prohibited by their zoning code it will set a bad precedent. Up and down Route 58 more big box stores would be built on parcels where they are not permitted; this unfortunately, could lead to the closing of local stores, downtown shops and existing local commercial activity. More jobs will be lost and traffic will be even worse. I urge you to reject this application and force Wal-Mart to play by the zoning rules that everyone else has to abide by. I thank you for your time.

CHAIRMAN CARACCILO:

Thank you, Mr. Woods. Next is June Diamant. Did I say that right?

MS. DIAMANT:

Close enough. I'm an attorney representing the owner of Riverhead PGC, LLC of Riverhead Plaza Shopping Center which is just over two miles away from the site that Headriver, LLC's application for a Wal-Mart big box is before the Commission on. Wal-Mart now has a store at Riverhead Plaza; there's also a King Kullen and 25, approximately 25 other small retail shops. (inaudible) as Mr. Woods mentioned no thorough economic impact statement was performed that would show that in essence building down the road a big box Wal-Mart would put

25 retail shop owners out of business. Would probably also result in closing the King Kullen. Some of the leases, in fact, have clauses that will permit the shop owners to walk away or to reduce their rent if the Wal-Mart goes dark. That is our concern and we are hoping that Riverhead will and Suffolk County will look at this more closely before giving the right to build that big box store right down the road. Thank you.

CHAIRMAN CARACCILO:

Thank you, Counselor. Next we have Andrew Abraham. Good afternoon.

MR. ABRAHAM:

Hi, I'm sorry go ahead.

CHAIRMAN CARACCILO:

I said good afternoon.

MR. ABRAHAM:

Thank you, good afternoon to you as well. I'm a resident of Suffolk County; I moved out here when I was ten years old and I can speak to the traffic situation that the Wal-Mart development site will create or I can speak to how it's going to affect me in terms of being a taxpayer. I own several houses in Suffolk County and how the County I guess is going to subsidize the off site traffic improvements for this particular development. But, you know, I also just want to speak to the fact that with all the development that's going on, when I move out here when I was ten years old it was all potato farms. We lived in Stony Brook and there was just basically, it was farmland and housing. Now 30 years later we see that the County is gradually becoming more and more like Nassau County and the next 30 years my children are young, what kind of a County are they going to live in when -- 30 years from now? Will it look like Nassau County or, you know, so I mean, when is enough enough?

Wal-Mart's got a location in Riverhead; they seem to do very well there; why do they need another facility? Vacating a shopping center that seems to be thriving tenants are doing very well and that's basically where I'm coming from. I think that Suffolk County is a beautiful County. It's always been a beautiful County, but I see less and less of that -- of becoming less and less beautiful as time goes on. Look at Route, I grew up in Stony Brook, look at Route 357 it's a nightmare. You can't get from Smithaven Mall to Port Jefferson; it takes you 45 minutes to get there depending on what time of day it is. Do you really want the same thing to happen out here? I take my family out to the North Fork a lot and from where I live in Northport to get out there it's just increase that time to get out there. You lose the quality; you lose the personality that Long Island has always had. So basically, that's all I wanted to say and as a resident of Suffolk I hope you do not, you know, look kindly upon this project. Thank you.

CHAIRMAN CARACCILO:

Thank you, I appreciate you coming down. The last speaker is James Gaughran,

MR. GAUGHRAN:

Gaughran.

CHAIRMAN CARACCILO:

Gaughran, I'm sorry. I couldn't read your writing there you must be a doctor.

MR. GAUGHRAN:

That's okay. Close to it I'm a lawyer. Mr. Chairman and members of the Commission thank you very much for this opportunity. My name is James Gaughran whose offices are at 191 New York Avenue, Huntington, New York and I represent Local 1500 United Food and Commercial Workers Union. And I'm here today in opposition to the Headriver Wal-Mart application. I believe that this application for the Town Board of Riverhead to approve would be very dangerous because on the surface while it is presented to you as simply a site plan applica – commercial site plan application it really is not. It is really an application for a change of zone because this particular use a big box Wal-Mart is a prohibited use in the destination retail center zoning that the town board has placed on this piece of property. And it not only violates the town zoning code, but also violates the town's master plan which as you know was very recently in 2004 updated by the town board and both the master plan and the zoning code update are the same for the destination retail center.

My concern is that if the town board goes along with what the applicant is asking for and, in effect, through a site plan application changes a zone it is going to set a terrible precedent for the future. It is going to open up the flood gates that anyone else who owns property along the County Road 58 is going to go to big box stores and seek to get a big pay day and submit a site plan application and then have it approved even though it would violate the zoning. And I think this is exactly one of the primary reasons why this Commission exists because you have a responsibility to really look at these applications and make sure that applicants and sometimes town boards do not get away with, in effect, try to pull these end runs.

Now why does it violate the zoning; well, and the master plan well, the destination retail center zoning was designed for sites to bring in customers from the east end of Long Island and beyond. Permitted uses are only retail stores or shops or hotels and the statute also says very specifically, and I quote, "development is intended to have a campus style layout with no strip or free standing businesses permitted." Clearly, a big box store is a free standing business. In addition, the style is not campus style although the town board wanted to have something that replicated Tanger and they wanted campus style development and they're admitting it's a typical Wal-Mart style architecture. The other reason it violates the code is that they're going to have a tire and lube

center there which is an automotive use. Most of the town's automotive repairs businesses are prior non-conforming uses; any new one would have to go into an industrial zone and even in the industrial zone they would have to file for a special exception from the zoning board and would have to meet very, very restrictive criteria to even get there. What the applicant is suggesting to the town is that it's an accessory use to a legal use and even though it's not a legal use this again is a very bad precedent because if you could allow prohibited uses to be attached to something portably legal then you'd have all sorts of problems. You could have automotive shops all up and down Riverhead including many of their commercial hamlet zones which are, you know the smaller hamlets on the North Fork. You'll have all sorts of automotive and who knows what other commercial uses just coming forward attaching them as accessory uses to something else.

So I think the Commission needs to reject this for a number of reasons. First of all you have to rely as a Commission on zoning codes and master plans; that's the blueprint that the town's give you and if they are going to totally ignore them and in effect violate it how can you possibly guide Suffolk County on a regional basis particularly the North Fork which as you know is under a tremendous amount of development pressure. In documents that were submitted we had at the town level which is before this Commission there was traffic information that we submitted from Brian Ketchum Engineering. I urge you to look at that because he showed very clearly that this would create a traffic nightmare if this application is approved. They only looked at March and May data; they didn't look at the summer, the applicants that is. They did not present any data for Friday afternoon, Friday evening in the summer, Sunday afternoon and evening coming back and he also pointed out in that report that it is going to be perhaps millions of dollars of costs to the taxpayers of Suffolk County to mitigate the traffic caused by this Wal-Mart so in the end there is nothing in the application before the town. Nothing that I've seen from the Suffolk County Department of Public Works requiring Wal-Mart to pay anything towards these improvements so, in effect, if this application is approved the taxpayers of Suffolk County will be subsidizing Wal-Mart which I just as a taxpayer I don't think we need to do.

CHAIRMAN CARACCILO:

You're out of time Counselor, but I don't want to cut you off so why don't you wrap it up.

MR. GAUGHRAN:

If you could give me another minute I'll wrap it up very quickly.

CHAIRMAN CARACCILO:

You've got a minute, Counselor.

MR. GAUGHRAN:

Okay, thank you very much. Again, it'll set a bad precedent; they'll be more big boxes coming in. The new code ties this property into the transfer development right program of the town where they're trying to get large commercial owners to purchase development elsewhere in town particularly agricultural lands to try to preserve them. To increase this yield Wal-Mart has to present a transfer development right credits; also under the law they need to disclose who those people are that are getting the benefit of it whether it's farmers or whom ever. Also you need to know the town board needs to know are the parcels that where the development rights are being transferred from meet the criteria. How do we know they're not swamps, they're not landlocked pieces of property. We need to know that they meet the criteria of farmland preservation and also I think the town board as well as this Commission under ethical rule needs to know who owns the property that's going to get a tremendous economic advantage if this application is approved. And Wal-Mart is refusing to disclose that information to the town board and I'm sure they haven't disclosed it here as well.

The economic impact study needs to be done under SEQRA as other speakers have spoken to and finally, I will point out that the Suffolk County Planning Commission rejected a prior application for this property to build a Lowe's and I would tell you that I believe that this application is much more intensive. The Commission in part in that decision opposed it saying, unwarranted further proliferation of intensified commercial development throughout CR 58 corridor would result from this. So I urge you to reject this application; make them do the right studies and come back to you with a change of zone application if they really want to do this.

CHAIRMAN CARACCILO:

Thank you, sir.

MR. GAUGHRAN:

Okay, I thank you for the additional time.

CHAIRMAN CARACCILO:

You're welcome, appreciate it. That closes our public portion; can we move on to the Director's Report.

MR. ISLES:

Thank you, Mr. Chairman. A couple of items for you today just very briefly, number one, for the information for the board and for any members of the public that are here today let me point out that with Item 8 on the agenda the second bullet PJ Venture, (Starbuck/HomeGoods) has been adjourned from today's meeting with a question regarding the notice compliance. We would expect then that this would be considered at your meeting in December in Hauppauge. The second item is, I'd like to report that the Department did conduct a training session last week under the Suffolk County Planning Federation went very well.

We had an attendance of about 175 people including Commission members, Linda Holmes as well as Sarah Lansdale and we had many town and village board members from both the planning board and zoning board of appeals side so it was very well received and we're pleased with the participation.

I'll note also, here again, I want to keep you informed on the meeting of the Long Island Regional Planning Board; they are meeting again on November 14th in Nassau County. They had met in October to discuss the issue of housing and affordable housing in the bi-county region. The meeting was actually very well attended and they've decided to actually conduct a second session on housing at their November 14th meeting. So you're going to pick up where they left off. It was a very full dialogue from my understanding of the meeting. So certainly, any member of this Commission would be welcomed to attend.

Another item is the County Executive had put forth a Commission suggestion for a representative from the Town of Southampton that has been laid on the table at the Legislature, a person by the name of Barbara Rogers to represent the town and she will then go before committee in about two weeks and be potentially confirmed by the Legislature on November 21st; that position is currently vacant. And then lastly I'd like to note as many of you may have heard that our newly appointed Deputy Commissioner -- Deputy Director of Planning here in the County Carrie Meek-Gallagher has been nominated by the County Executive to serve as the next Commissioner of Environment and Energy and with mixed feelings --

CHAIRMAN CARACCILO:

She just can't hold a job can she?

Laughing

MR. ISLES:

She's not leaving the County though so we'll still have her here to help us and so certainly, here again, with mixed feelings we wish her well, but, you know, and appreciate your service in what you've done so far with us. Thank you.

CHAIRMAN CARACCILO:

Director Isles, Don had a question about the meeting, the Regional Planning meeting; do you have a location for that?

MR. ISLES:

Yes. That's going to be located in Nassau County in the legislative meeting room chambers One West Street, Mineola.

CHAIRMAN CARACCILO:

Great. If it's okay with the Commission members since we have such a large agenda we're just going to move some of the business -- some of the

presentations and the Roundtable to the end and we'll go right into some of the business if that's okay with you guys? So Andy we'll start with you.

MR. FRELENG:

The first regulatory matter before the Planning Commission is the matter of Hudson City Bancorp, Inc. This is referred to us from the Town of Brookhaven and the jurisdiction for the Commission is that the application is adjacent to CR 80 otherwise known as Montauk Highway. The applicants are seeking Town Board change of zone approval from J-2 Business and A-1 Residence to all J-2 Business to allow for the use of an existing building for a bank with drive-thru capability.

Property is located on the south side of Montauk Highway which is known as CR 80 approximately 100 ft. east of Beachfern Road which is a town road in the hamlet of Center Moriches. A review of the character of the land use and zoning pattern in the vicinity indicates that the subject premises is situated in a corridor of J-2 zoning along Montauk Highway. You can see that from the zoning map if you will. The strip is developed primarily with commercial uses. South of the subject property the zoning and land uses are predominately residential in nature. You could take a look at the air photo again. The subject parcel is abutted to the east and west by commercial uses; to the north the parcel is bound by Montauk Highway CR 80. Access to the proposed use will be from an existing curb cut and the new proposed curb cut to Montauk Highway.

As far as the Comprehensive Plan Recommendations of the Town of Brookhaven, Brookhaven recommends commercial uses along this segment of Montauk Highway. The proposed use is consistent with the recommendations of the site plan.

The petitioner is requesting a change of zone on the subject property to utilize a tanning salon once utilized as a bank building to revert back to a bank building with drive-thru services. Staff did a field inspection yesterday, the bank building now -- the building the subject building is vacant it's not being used; its last use was a tanning salon however. The petitioner is also simultaneously making application to the Brookhaven Planning Board for a Special Permit for a drive-thru facility.

It is the belief of the staff that the proposed zone change and use is an over-intensification of the use of the premises as the J-2 Business zone requires a minimum lot size of 65,000 sq. ft. where only 31,109 sq. ft. is proposed for the lot. Moreover, to underscore the intense proposal for the site the petitioner is requesting variances for the location for a sign where a 25 ft. setback is required, but a 2.4 ft. setback is proposed. Finally, the petitioner seeks relief from off street parking requirements for the drive-thru service queue where six queuing spaces per window is required and only four per lane is proposed. And for the

drive-thru ATM machine where six per window is required and only five per lane is proposed.

Staff is recommending disapproval for the following reasons:

The proposed zone change would constitute the unwarranted over-intensification of the use of the premises.

It would only tend to substantially undermine the effectiveness of the zoning ordinance.

And three, the premises does not comply with minimum lot area requirement for the J-2 Business zone.

The paragraph which follows is an excerpt from the staff report just reported to you which indicates that the minimum lot size is 65,000 sq. ft. and the lot proposed for the use is only 31,000 sq. ft and again, it reiterates the other area variances that are being requested. That's the recommendation of staff.

CHAIRMAN CARACCILO:

Thank you, Andy. Any questions or comments from the Commission? A motion is in order.

MS. HOLMES:

I move the adoption of the staff report.

MS. BOLTON:

I'll second it.

CHAIRMAN CARACCILO:

Second, Charla. All those in favor? Opposed? Abstained? Motion carries. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)**

MR. FRELENG:

The next item on the agenda is the application of PJ Ventures (Starbuck and HomeGoods).

CHAIRMAN CARACCILO:

That was off the agenda.

MR. FRELENG:

It's my understanding though for the record though that the Commission is deeming this incomplete; that the applicant has not satisfied the notice of requirements --

CHAIRMAN CARACCILO:
You're way ahead of us, Andy.

MR. FRELENG:
And staff will advise the applicants of that.

CHAIRMAN CARACCILO:
Thank you, sir.

MR. FRELENG:
Okay. The following item then is the referral from the Town of Smithtown. This is the application of Kings Park Executive Plaza. Jurisdiction for the Commission is that the application is adjacent to Indian Head Road otherwise known as CR 14. The applicants are seeking Town Board site plan approval for the construction of a 32,226 sq. ft. two-story office building on a vacant 2.6 acre parcel. I apologize; the staff report only said 16,113 sq. ft. that was for one floor.

The subject property is located on the northwest corner of the intersection of Old Northport Road which is a town road and Indian Head Road which was indicated as CR 14 in the hamlet of Kings Park. A review of the character of the land use and zoning pattern in the vicinity indicates that the subject premises is situated at the edge of an industrially zoned area. You can see that from the zoning map up on the screen. The area is developed primarily with industrial uses. South of the subject property is Old Northport Road and beyond residentially zoned and improved land. To the east the site abuts Indian Head Road and beyond is residentially zoned and improved land. Adjacent to the property to the west is a light industrially zoned parcel utilized as a golf driving range.

Access to the proposed use will be from new curb cuts from the south to Old Northport Road. You can see that from the site plan up on the screen that the access from Old Northport Road is in the southwest corner of the property.

With regard to environmental conditions it just should be pointed out that slopes on the subject property at the western boundary approach 35%. When staff was out there yesterday and did a site inspection we did note that the property is relatively flat and then rises up and over to the next adjacent property and that's a very steep slope. However, that is constraint to the far western portion of the property; it may not be a severe constraint to development.

The Town of Smithtown Comprehensive Plan as you know is currently being prepared. There are not specific recommendations in existence for the site at this time. It is the belief of the staff though that the proposed office use would be consistent with the local zoning. It is the belief of the staff however, that the proposed 32,226 sq. ft. office building on 2.6 acres of land is an unwarranted over-intensification of the use of the premises. The off street parking requirement by the Town of Smithtown Zoning Law is 214 spaces. The applicant

is proposing only 168 spaces which would be a 21% shortfall in the required parking. It has been observed that Old Northport Road is a highly utilized congested road corridor with frequent industrial truck traffic. The lack of available on site parking may necessitate the use of Old Northport Road for parking purposes thereby diminishing the safety and traffic carrying capacity of said road and the intersection with a county right-of-way maybe compromised. It is the belief of the staff that the building should be sized accordingly so that the building to parking ratio established by the Town of Smithtown Zoning Law is achieved.

Staff is recommending disapproval for the following reasons:

1. The site plan would constitute the unwarranted over-intensification of the use of the premises. Then the paragraph which follows is an excerpt from the staff report just read to you.

CHAIRMAN CARACCILO:

Thank you, Andy. Any questions or comments from the Commission?

MS. BOLTON:

I just had one question. When you doubled the amount of square footage of the building did you also recalculate the parking spaces that are needed?

MR. FRELENG:

Yes, the parking came from the site plan and the referral material the requirements.

MS. BOLTON:

Okay. So that's what it would be 214.

MR. FRELENG:

A staff typo basically.

MS. BOLTON:

Thank you.

MR. FRELENG:

Okay.

CHAIRMAN CARACCILO:

Any other comments or questions? Then a motion is in order, please.

MS. HOLMES:

I was just wondering if we might suggest recommending that they amend the plan for a smaller building. Is that something that they might think of to do on their own or would it be something we might recommend that a smaller site plan would perhaps satisfy requirements?

MR. FRELENG:

Yes, Commissioner Holmes what I didn't read to you was the recommendation for disapproval the last sentence in that paragraph reads, it is the belief --

MS. HOLMES:

Yes, sized accordingly.

MR. FRELENG:

Yes, sized accordingly, yes.

MS. HOLMES:

So is there a way to incorporate that into our disapproval?

CHAIRMAN CARACCILO:

I think it will be, correct?

MR. FRELENG:

That would be; if you adopt the staff report then the staff recommendation would go as is into your resolution.

MS. HOLMES:

Then I would certainly recommend approving the staff report.

CHAIRMAN CARACCILO:

So you're making that motion?

MS. HOLMES:

Yes, I'm calling attention to the possibility of a small site plan.

CHAIRMAN CARACCILO:

Good. Thank you, Linda. Second?

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstentions? Motion carries. **(Vote: 8-0-0-2
Absent: Dietz, Goodale)**

MR. FRELENG:

Okay. The next matter before the Commission comes to us from the Town of Riverhead. This is the application of Headriver, LLC. The jurisdiction for the Commission is that the subject property is adjacent to CR 58 Old Country Road. I just wanted to point out that pursuant to resolution 102 of 2006 staff did review

this application and did note that the subject property is in a minority area and an economically distressed community. I wanted to point that out.

The applicants are seeking Town Planning Board site plan approval for the construction of a total of 194,422 sq. ft of retail space in the form of a big box department store and a free standing 27,000 sq. ft. retail structure. Relaxation of applicable parking space dimensions, floor area ratio and impervious surface area limits are required. The proposal is to develop a significant portion of the 21.21 acre parcel of land.

The subject property is located on the north west corner of the intersection of Old Country Road which is CR 58 and Kroemer Avenue which is a town road in the hamlet of Riverhead. A review of the character of the land use and zoning pattern in the vicinity (flip to the zoning for a second) indicates that the subject premises is situated in a Destination Retail Center zoning category. The immediate area is zoned similarly and the area is developed along CR 58 corridor primarily with commercial uses. A NYS DOT maintenance facility is adjacent to the site to the west as you can see from the aerial, and a Long Island Power Authority right-of-way abuts the site to the north and a tiny piece of the Long Island Expressway -- I'm sorry, the Long Island Power Authority property right-of-way abuts it to the north and further to the north is an industrial use (Adchem) that is accessed by a roadway running along the eastern property boundary of the subject site. Beyond this roadway to the east is a big box formula food establishment known as Applebee's restaurant. South of the subject property abuts Old Country Road and beyond the roadway the Destination Retail Center known as the Tanger Outlet Center Complex.

Access to the proposed use will be from new curb cuts to CR 58 at the east and west end of the subject development in alignment with existing roadway intersections of the Tanger Outlet Center and Kroemer Avenue respectively.

With respect to environmental conditions it should be pointed out that the property is located in the Central Suffolk North Special Groundwater Protection Area. The SGPA plan designates this area for industrial park purposes excluding retail uses. It's the opinion of the staff that the application is not in conformance with the recommendations of the SGPA plan which was adopted by the Commission. In addition, with regard to environmental conditions staff wanted to point out that this application involved the transfer of 40 development right the source of which is unknown.

With regard to the Comprehensive Plan recommendations the Town of Riverhead Comprehensive Plan recommends designation retail center for the use of this property. It is the belief of the staff that the proposed use would be inconsistent with the Riverhead zoning law as certain layout and area requirements are not achieved by the proposal. It is the belief of the staff that approval of the requested site plan would tend to substantially undermine the

effectiveness of the zoning ordinance. Analysis of the Town of Riverhead zoning law indicates that uses in destination retail center are to have a campus style layout with no strip or free standing businesses permitted. The proposed Wal-Mart store and the proposed 27,000 sq. ft. retail building are indeed free standing and are not orientated as part of a “campus style” configuration. Each use is surrounded by asphalt and parking stalls and does not convey the campus style intent in the local zoning law.

Moreover, the local zoning ordinance requires that development in the DRC zone, “in order to maintain the town’s scenic and rural quality” is to provide a contiguous landscaped area equal to at least 20% of the lot area. It is indicated in town SEQRA finding statement material referred to the Commission that the development will disturb 21.13 acres of the 21.21 acre site or 99.6% of the site. The proposed site plan appears not to conform to the 20% open space requirement and is not indicated in any referral material that the requirement has been achieved. In addition, according to local code the proposed parking lots are to be landscaped with ground cover, grasses or low scrubs for at least 10% of their area. This requirement is in addition to the 20% contiguous open space requirement. The proposed site plan appears not to conform to this requirement and it is not indicated in any referral material that the requirement as been achieved.

It is the belief of the staff that the proposed site plan constitutes the unwarranted over-intensification of the use of the premises. As proposed the 194,422 sq. ft. of retail space would exceed the allowable lot coverage of 15% by an additional 58,844 sq. ft. or another 43.4%. While the applicant is permitted to transfer in development rights to achieve the additional floor area the resulting building mass requires a reduction in parking stall size where normally 10 x 20 stalls are required in order to achieve the parking they’re requiring, they’re proposing 9 1/2 x 19 ft. per stall size. This also helps them achieve the impervious surface limitations by reducing stall size. Each space would be reduced by 20 sq. ft. This relaxation is an indication of the intensity of the proposed action. Moreover, it is requested by the applicants that 37 parking spaces be land banked rather than constructed in order to meet landscaping requirements. This is a further indication of the over-intensification of the proposal.

The applicant is proposing the transfer of 40 development rights as indicated before from somewhere in the town to achieve the proposed floor area. None of the development rights sending parcels have been identified and approval of the site plan prior to the identification of development rights or parcels would set an undesirable precedent for the development in the DRC zoning designation.

Motor vehicular circulation patterns within the development site are not optimal. The straight-away traffic lane that is in front of the two retail buildings will tend to allow excess speed for motor vehicles in a particularly bad location in terms of

pedestrian activity. This lane should be re-routed to the perimeter of the parking areas and lesser travel lanes should access the retail structures.

On December 5, 2001 the Suffolk County Planning Commission denied a special permit application for a lumber yard on the same premises. The zoning at the time was Industrial A however, reference to the DRC zoning was made. Reasons for the Commission's denial included that it prematurely established location prerogatives for intensified commercial development within the Old Country Road Corridor prior to the enactment of the Master Plan update for the town. That it constituted the unwarranted further intensification of retail commercial development within the CR 58 corridor. That it would tend to establish a precedent for unwarranted further proliferation of intensified commercial development throughout the 58 corridor. The fourth reason for the Commissioner's denial back then was that increase in traffic generation on CR 58 would further diminish the safety and traffic carrying capacity of said road. The fifth reason was that it was inconsistent with the 1997 and 2001 Suffolk County Retail Commercial Development Study which was also accepted by the Planning Commission which calls for promoting identifiable communities, limiting new commercial development along major roadways and providing for the use and rehabilitation of existing businesses and commercial centers including downtown Riverhead. The sixth reason for denial was that it was inconsistent with the Central Suffolk North Special Groundwater protection area plan which we had just gone over. The seventh reason was that it was inconsistent with the 1973 Town of Riverhead Master Plan which designated this area for Commercial Industrial Park purposes. And the last reason for denial back then was that no provision has been made for the necessary off-site traffic improvements to mitigate the expected cumulative impacts throughout the 58 corridor.

While some of the factors related to the above are no longer relevant items 2 thru 6 remain viable comments of the Commission and should be reiterated.

Staff is recommending disapproval then for the following reasons:

Number one, the approval of the requested site plan would tend to substantially undermine the effectiveness of the DRC zoning ordinance. The paragraph which follows speaks to the lack of a campus style layout. It speaks to a lack of a contiguous landscaped area equal to at least 20%. This is an excerpt from the staff report just read to you by the way. It speaks to parking lots which are to be landscaped with ground cover up to 10% is not achieved.

The second reason that staff is recommending disapproval to the Commission is that the proposed site plan constitutes the unwarranted over-intensification of the use of the premises. The paragraph which follows indicates that there's a floor area ratio requested of 43.4% and that the relaxation of the parking requirements and the parking stall requirements is an indication of the intensity of the proposed action. That's excerpted from the staff report.

The third reason is that applicant is proposing to transfer of 40 development rights with none of the development rights sending parcels identified or reviewed.

The fourth reason is that it constitutes the further intensification of retail commercial development within the CR 58 corridor.

Fifth reason being that it would tend to establish a precedent for the unwarranted further proliferation of intensified commercial development throughout the 58 corridor.

The sixth reason being that the increase in traffic generation on 58 would further diminish the safety and traffic carrying capacity of said road.

Seventh recommendation to the Commission is that it was inconsistent with the 1997 and 2001 Suffolk County Retail Commercial Development Study.

And the final reason staff is recommending disapproval is that it is inconsistent with the Central Suffolk Special Groundwater protection area which designates this area for industrial purposes.

Staff is also recommending that the Commission provide a comment to the town although we are recommending disapproval we are noting that the motor vehicular circulation patterns within the site are not optimal and that the straight-away traffic lane should be redrawn. Take a look at the site plan a second you can see that this is the access coming in; this is the proposed straight-away that we're talking about which would again come out this way. It would be more optimum if this was broken somehow and the major access corridor would be over here somehow and then there would be of a minor access to the campus style development which they're not showing here which would be more or less in the center of the property. So that is the staff report recommendation to the Commission.

CHAIRMAN CARACCILO:

Thank you for a very well researched report, Andy. Thank you. Any questions or comments from the Commission?

MS. HOLMES:

As somebody who has traveled Rte 58 for 36 years of increasing frustration my jaw is dropping; I just keep wondering what were they thinking because, am I correct that this Wal-Mart is to replace a smaller Wal-Mart that is already in one of the shopping centers along CR 58?

MR. FRELENG:

It's my recollection from reading the referred material that the petitioners do intend on relocating that Wal-Mart.

MS. HOLMES:

Just boggles me because I use to drive Rte 58 all the time and could move freely on it and lately it's always bumper to bumper and I just cannot imagine the nightmare of having something like this so poorly thought-out and in violation of all the recommendations in zoning. I just keep wondering what were they thinking and I very much regret that our Riverhead Commissioner is not here today to give us some insight on what this is about and all I can think of is what were they thinking and I certainly appreciate the staff report and all the reasons for it.

CHAIRMAN CARACCILO:

Thank you, Linda. Charla.

MS. BOLTON:

I'd be pleased to move the information and conclusions contained in the staff report.

CHAIRMAN CARACCILO:

We have some other questions or comments.

MS. ESPOSITO:

Two quickly; one is that several of the speakers this morning talked about the lack of economic analysis associated with how this would impacted existing businesses and stores in the downtown, you know, infrastructure that they've been building. Can we make that part of our recommendation that an economic analysis impact also be done?

MR. FRELENG:

That's certainly the pleasure of the Commission.

MS. ESPOSITO:

How does the Commission feel about that?

MS. HOLMES:

I heartily support that.

MS. ESPOSITO:

Okay. So we'd like to make that as part of our recommendation as well. My second question is, were they hooking -- planning on hooking up or proposing to hook up to an existing STP?

MR. FRELENG:

It's my understanding that they do not qualify for hooking up to the existing sewerage treatment plant.

MS. ESPOSITO:

Okay. Well, also the Special Groundwater Protection Area Plan recommends as part of it not no more new STP's in SGPA's.

MR. FRELENG:

Again, while the Commission doesn't have jurisdiction on waste water it's my understanding that they would discharge into septic system. A large sanitary septic system and it wouldn't be a sewerage treatment plant.

MS. ESPOSITO:

That would be great: okay, thank you.

CHAIRMAN CARACCILO:

Any more comments or questions? A motion is in order.

MS. BOLTON:

Motion.

MS. HOLMES:

I second it.

MR. FIORE:

Mr. Chairman.

CHAIRMAN CARACCILO:

Yes, sir.

MR. FIORE:

I'm going to have to abstain from that vote do to interest in this project.

MS. HOLMES:

I see, okay.

CHAIRMAN CARACCILO:

Thank you, Don. So a motion has been made and seconded. A vote is in order; all those in favor of the motion for the staff report; all those in favor put hands up please. And opposed and we have one abstention so it's 7-0-1. Does that not carry, Counselor?

MS. FARRELL:

You need eight to carry the motion.

CHAIRMAN CARACCILO:

So it doesn't carry so that goes back for local determination? It goes back with no action?

MR. ISLES:

It goes back with no action?

CHAIRMAN CARACCILO:

It goes back with no action.

MS. HOLMES:

Isn't an abstention a person present who is indicating -- doesn't that count because he's present and has indicated an abstention to me it's --

MR. FIORE:

No. When I was sworn in I was told that there maybe at times projects that were before the Planning Commission that I have interest in that I would have to abstain from voting. Now whether or not that counts as a vote or it doesn't count as a vote in this particular case I have to abstain from voting.

CHAIRMAN CARACCILO:

I don't think you have to explain yourself.

MR. FIORE:

Thank you.

CHAIRMAN CARACCILO:

No, that's not the issue; you don't have to explain yourself. So that goes back with no action.

MR. KONTOKOSTA:

Could the application be deemed incomplete because of the economic impact analysis, would that be something?

MR. ISLES:

I'm not certain; I'd be a little bit concern about that. Has the town issued a finding statement on this for the SEQRA review?

MR. FRELENG:

We do have a finding statement on this.

MR. ISLES:

So they've completed SEQRA at this point and in terms of the materials that the Commission guidelines require to be referred to the Commission have we received those materials that are required for this submission?

MR. FRELENG:

Yes. The staff has received all the materials necessary to review the application. There was no financial analysis provided to the Commission although we're not

aware that the Town of Riverhead required it. And as you know the Commission can only request information that the locality has requested.

CHAIRMAN CARACCILO:

The development rights that there not is that would that deem the application incomplete if they didn't transfer?

MR. FRELENG:

Well, again that's a local requirement as to whether or not they would approve it subject to the identification of development rights. Staff is just relaying to the Commission that that's not good practice however, staff would not feel that that was an incomplete.

CHAIRMAN CARACCILO:

You would not feel comfortable with?

MR. FRELENG:

No.

CHAIRMAN CARACCILO:

This is a reason that we need to have this Commission full.

MS. HOLMES:

Well, I agree with you that the subject of not knowing where the development rights are coming from, you know, you used the word unknown and a couple of the public speakers commented on that. Why is the information complete if the source of the development rights is unknown? To me that means the information is not complete. Has the town and I don't know whether, you know, having just gone to the planning training seminar I don't know whether the guidelines approve of a town approving something subject to some information that don't have.

MR. FRELENG:

Well, to answer the second part of your question certainly a local prerogative to approve something conditioned on the satisfaction of certain requirements. Satisfaction of finding 40 development rights that would be suitable for transfer they could theoretically condition that, but as you know the Commission cannot require anything that doesn't -- cannot be defined as a full statement of facts. In full statement of facts as far as the Commission is concerned is what is referred to us from the locality and what the locality has required. We have no indication that financial statement was required by the town.

MS. HOLMES:

You mean the transfer of development rights?

MR. FRELENG:

Well, that and the identification of transfer development rights, I'm sorry.

CHAIRMAN CARACCILO:

Yes, Sarah.

MS. LANSDALE:

Can I make a recommendation to have a motion for a five minute recess on this?

CHAIRMAN CARACCILO:

Motion

MS. LANSDALE:

I'll second it.

[THE MEETING RECESSED AT 12:58 P.M. AND RESUMED AT 1:05 P.M.]

CHAIRMAN CARACCILO:

Okay, now we're back on the record. So we left off with the vote, we have a 7-0-1 abstention. This report has to go back with no determination --

MR. ISLES:

No action.

CHAIRMAN CARACCILO:

No action. Andy could go include in the letter back to the town all of our comments and suggestions on the application and I think on the record I want to say this goes back to the heart of the problem of not having members appointed to this Commission. Moving along to the next one, Andy.

MR. FRELENG:

Okay, so just to finish this up staff will send a letter back to the town indicating that there were not sufficient number of votes to carry a motion and that the comments and recommendations of the Commission will go along with that letter.

CHAIRMAN CARACCILO:

Thank you and thanks for a very well researched report.

MR. FRELENG:

The next item on the agenda is also referred to us from the Town of Riverhead. This is the application of 365 Harrison Avenue. The jurisdiction for the Commission is that the application is adjacent to Old Country Road. Staff would like to point out that the Town of Riverhead is a economically distressed and minority community.

MS. SCHMIDT:

It's not recording properly.

CHAIRMAN CARACCILO:

Standby for a recording problem, Andy.

MS. SCHMIDT:

Go ahead.

MR. FRELENG:

Just to reiterate pursuant to resolution 102 of 2006 Commission staff reviewed on behalf of the Commission whether or not the subject application was in a economically distressed and minority community; the Town of Riverhead is so we wanted to point that out. The applicant seek Town Planning Board site plan approval for the construction of a 1225 sq. ft. single story retail food building with drive-thru facilities on a vacant 13,605 sq. ft. parcel of land.

The subject property is located at the north west of the intersection of Old Country Road and Harrison Avenue in the hamlet of Riverhead.

The character of land use and zoning patterns in the vicinity indicate that the subject premises is situated in a Business Center zoning category. The immediate area is zoned various business categories including Business Center, Shopping Center and Destination Retail Center. The area is developed along the CR 58 corridor primarily with commercial uses.

Access to the proposed use will be from new curb cuts to Harrison Avenue which is a town road.

There are no environmental conditions of note on the subject site. The Town of Riverhead Comprehensive Plan recommends Business Commercial uses for this property. It's the belief of the staff that the proposed use would be consistent with the local zoning.

While the site plan proposal appears to conform to the Town of Riverhead Zoning Law several aspects of the application lead staff to the belief that the proposal is an over-intensification of the use of the .312 acre premises. Access within the site is a serpentine drive that loops around the proposed building. The teardrop shape of the parcel and the egress to the proposed building make access to two parking stalls via a mountable curb at the far end of the site; the practicality of the spaces is questionable. If I could just point that out; we have the teardrop shaped of the parcel, we have the proposed building which is located here. The ingress coming off of Harrison Avenue would come in here go around the building that's the ingress, the egress should be exit only right here. So assuming that you come in you pick up your hot dogs, your Nathan's and you come around and you want to park you have the option to park here, here or

here. There's actually a space if you zip around there's one here or I don't know if you can see this in the site plan, but there's a curb or some sort of traffic control device here whether it be paint or something, but you're suppose to come around here, go around through here if you don't these parking spaces you can somehow cross this enter only isle and access these two parking spaces back here. So you come in, go around, can't find parking you go over this isle and then park back here. Also if you do get your hot dog and whatever and you park here and you want to leave you need to do some sort of U-turn in this parking lot here in order to get out to the exit only. So the whole arrangement is very, very difficult.

So we have two parking stalls via a mountable curb at the far northern end of the site; the practicality of the spaces is questionable. Moreover, the remaining four parking stalls are not readily accessible to the exit only should one pull into the stall after a pick up from the drive-thru window. The egress from the proposed development is some 115 ft. from the intersection of CR 48 and Harrison Avenue making the egress lane less than an ideal location for safety reasons. Finally, the location of the proposed structure is likely to block the view and sight distance for motorists on the CR approaching the intersection.

Staff is recommending disapproval for the following reasons: This site plan would constitute the unwarranted over-intensification of the use of the premises and the paragraph which follows is excerpted from the staff report.

CHAIRMAN CARACCILO:

So I won't be picking up my hot dog in Riverhead. Thank you, Andy. Any questions? Linda.

MS. HOLMES:

My I ask was that a typo isn't that CR 58 you're referring to and not 48?

MR. FRELENG:

Yes, 58. It is CR 58, yes.

CHAIRMAN CARACCILO:

Thank you Linda.

MS. HOLMES:

Again, I just think what were they thinking, you know, especially if the structure is blocking motorists being able to see along that already congested road; it just boggles my mind.

CHAIRMAN CARACCILO:

I think they were thinking, you know, American hot dogs. Questions or comments? Motion is in order.

MS. HOLMES:

I move the adoption of the staff report.

CHAIRMAN CARACCILO:

Second, Sarah. All those in favor? Opposed? Abstentions? Motion carries.
(Vote: 8-0-0-2 Absent: Dietz, Goodale)

MR. WREDE:

Good afternoon. The next application is the application of Patricia Gillard. The applicant is seeking a use variance to exceed more than 1/3 of the dwelling for office use. The property is 19,022 sq. ft. in area and improved with a two-story residence. It's located on the east side of Montauk Highway approximately 609 ft. south of Hart's Rd., East Moriches. The subject property is bounded on the north by an antique shop and to the east, south and west across the county road by single family residences in the A-1 district.

The applicant seeks a use variance to utilize the entire dwelling for professional office use. The dwelling is her primary residence and 1/3 is utilized as office space for her practice pursuant to a certificate of occupancy issued in 1995. The petitioner would like to move out and convert the whole dwelling to office use. A portion of the front yard comprises stone driveway used for parking purposes.

On January 5, 2005 the Planning Commission denied a change of zone application for the subject property from A-1 Residence to J-4 Business which would have allowed for the office use. The applicant is now seeking a use variance from the zoning board of appeals to convert the entire dwelling for office use. The A-1 zoning district allows for accessory uses when "such use is incidental to the residence and that the use shall be within the main building and occupying not more than 1/3 of the first floor area".

Staff is recommending disapproval of the variance for the following reasons:

It is inconsistent with the 1996 Comprehensive Land Use Plan which designates this area for single family residence purposes.

It contravenes past actions of the town board in reclassifying premises and surrounding lands along Montauk Highway from J-2 Business to single family residence purposes.

And it would tend to establish a precedent for similar variance requests that would re-introduce business type uses in the locale. That's the recommendation of staff.

CHAIRMAN CARACCILO:

So this did this once before you're saying?

MR. WREDE:

Yes, last year, but it was a change of zone application. So basically, I think the applicant was denied the change of zone and now she is seeking another way to basically convert.

MS. ESPOSITO:

Well, when we first looked at it wasn't it just for a small por -- it wasn't for the whole building?

MR. WREDE:

No. It was basically a similar, it was for a change of zone, but the use was similar. She lives in the house and she wants to move out and basically put her office in the building.

MS. BOLTON:

I have a question. My report says special use permit which is it?

MR. WREDE:

Right, I'm glad you pointed that out. The application was originally they called it a area variance and there's different definitions for special use --

MS. BOLTON:

I realize that.

MR. WREDE:

-- permit and use variance and after further research it's more applicable for a use variance and not a special use permit.

MS. BOLTON:

Okay. So it appears that none of the proofs that have been made here for a use variance in any event.

MR. WREDE:

I'm sorry.

MS. BOLTON:

It appears that none of the proofs that are required for use variance have been demonstrated here.

MR. WREDE:

Right. Some of the proofs are financial that they can't have a reasonable return on their property and none of that was provided in the application.

MS. BOLTON:

Uniquely situated, okay.

CHAIRMAN CARACCILO:

Anything else? A motion is in order. I'll make a motion. Second.

MS. HOLMES:

Second.

CHAIRMAN CARACCILO:

Thank you. All those in favor? Opposed? Abstentions? Motion carries. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)**

MS. SCHMIDT:

Who second it?

CHAIRMAN CARACCILO:

Who second it was Linda.

MS. SCHMIDT:

Thank you.

MR. WREDE:

Okay. The next two applications are very similar in nature; they're both indicated on the aerial photograph. Laura Fabrizio and Harvey Gessin.

CHAIRMAN CARACCILO:

Are you doing them both at the same time, Chris?

MR. WREDE:

No, I'm going to do separate, but a lot of the pertinent information applies to both applications.

CHAIRMAN CARACCILO:

Okay.

MR. WREDE:

Fabrizio, the applicant seeks variances for a two lot subdivision. The property is located on the north side of Dune Road, 990 ft. east of Cove Lane in the Village of Westhampton Dunes. The variances associated with the application are as follows. To diminish the lot area for lot 2 from 40,000 sq. ft. to 12,620 sq. ft. and the new dimensional variances that are outlined in your staff report.

Access to the proposed lots is via Dune Road for lot 1 and a 10 ft. flag lot for proposed lot 2. This is an existing single family dwelling. This is a variance request for the second lot and this is a reserved area that the applicant is proposing 25% open space of the lot and I'll get into that later.

The property is located in an estuarine intertidal irregularly exposed wetland as designated by the US Fish and Wildlife Service and it is located within flood zone VE as delineated on Flood Insurance Rate Map which is a 100 year Coastal Floodplain.

The applicant has prepared a cluster map for the proposed subdivision with a 25% reserve area. While staff encourages such techniques to protect the environmental characteristics of the shoreline of Moriches Bay, the minimum lot area for two lots in the R-40 zoning district is 80,000 sq. ft. yet the property is only 52,628 sq. ft. in area. As such preparing a cluster map for the proposed subdivision is flawed. We're recommending a disapproval of the variance for the following reasons:

The yield analysis does not demonstrate that the applicant can meet the R-40 zoning requirements for two conforming lots and as a result the preparation of a cluster map is not appropriate. The applicant should secure area variances for the proposed lots before undertaking any clustering techniques.

An undesirable change will be produced in the character of the neighborhood. Granting the variance may help to establish a precedent for other lots in the locale to seek similar relief which may result in the creation of numerous flag lots behind existing homes on Dune Road.

And the request area variance is substantial. In addition to the dimensional variances required proposed lot 2 is 69% deficient in lot area in accordance with the R-40 zoning category. And as a comment the applicant should secure all applicable federal, state and Suffolk County Department of Health permits before any ZBA approval. That's the recommendation of the staff.

CHAIRMAN CARACCILO:

Any comments, Adrienne?

MS. HOLMES:

May I ask --

MS. ESPOSITO:

None that I can say on the record.

CHAIRMAN CARACCILO:

Linda.

MS. HOLMES:

Wouldn't this also just be a simple case of spot zoning if it were approved by the town?

MR. WREDE:

Well, residential is a permitted use in the R-40 --

MS. HOLMES:

But single residential, this is somebody --

MR. WREDE:

Well, any residential is permitted.

MS. HOLMES:

-- attempting to get away from the flood area, but he's got too many, you know, dwellings proposed.

MR. WREDE:

Right. And as the aerial photograph notes there hasn't been too many lots that have been subdivided with flags behind existing homes on the north side of Dune Road with the exception of this one and I did not find any referral regarding that to the Planning Commission and this subdivision is different by itself. But all these lots were not subdivided so.

CHAIRMAN CARACCILO:

Thank you, Chris. A motion is in order. Adrienne will make the motion.

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstentions? Motion carries. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)** Get the next one out of the way, Chris.

MR. WREDE:

And lastly, the Gessin property. I'm going to go through this very quickly; also they're seeking variances for two lot subdivision. They want to diminish lot area for lot 2 from 40,000 sq. ft. to 30,497sq. ft. along with some dimensional variances which are also required. The staff analysis and recommendations are similar to the Fabrizio application, but in addition, proposed lot 1 is landlocked contrary to Commission guidelines. They're proposing access behind the existing home via a 10 ft. easement through the existing lots. So it's even worse than --

MS. ESPOSITO:

Just when you thought it couldn't get worse.

MR. WREDE:

Right. So again, the reasons for disapproval are the same as the Fabrizio application and that's the recommendation of staff.

CHAIRMAN CARACCILO:

Thanks, Chris. Questions, comments, suggestions? No, lets just move to a motion.

MS. ESPOSITO:

I make a motion.

CHAIRMAN CARACCILO:

Sarah second. All those in favor? Opposed? Abstentions. Motion carries. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)** Thank you. Ted.

MR. KLEIN:

Hello, we have one subdivision application for your consideration today. It's the application of Harold M. Wit. It's referred to us by both the Town and Village of East Hampton. The property is located along the easterly side of Cross Highway approximately 965 ft. south of Montauk Highway in East Hampton. Commission's jurisdiction for review is that the property straddles both municipalities, the Town of East Hampton and also the Village of East Hampton.

The property is zoned R-80 by the Village and also A-5 Residence by the Town of East Hampton. These zoning classifications permit 80,000 sq. ft. and 200,000 sq. ft. respectively for minimum lot size for single family residential purposes. The subject property is 11 acres 11.6 acres; it's presently approved for a single family residential dwelling with several accessory structures which include a studio like cottage and several garage buildings and a shed.

The character of the site is partially wooded with a gently sloping topography down away from the road towards the east. The location of the property is predominately residential with agricultural use to the east. Here you can make out; if you've ever driven down (inaudible) Lane you notice this piece of property here and this is the subject property.

The two points of vehicular access currently exist along the publicly owned and maintained Cross Highway which this is Cross Highway and these two points of access. There are no environmental conditions on the property which would influence or effect its development.

The application is in accordance with both municipalities comprehensives plans. The proposal is -- they're subdivided -- subdivision of the property into three residential lots ranging in size from 101,971 sq. ft. to 283,788 sq. ft. Okay, so these are the three parcels as you see them. The two smaller ones are in the Village where it's zoned R-80.

Contained with the boundaries of lot 1 is a 25 ft. wide proposed driveway access strip which would be the sole means of access to lot 3 back here. And also

proposing a common point of access that will be shared by lots 1 and 3 right here and lot 2 has its own access right there.

Since lot 3 will only be accessible via a proposed access easement it is by Commission definition landlocked. And landlocked parcel is one that does not have frontage on an existing or proposed road; any creation of such is contrary to Commission guidelines.

Staff recommends approval subject to the following conditions.

The subdivision shall be redrawn so the proposed lot excuse me, so the proposed access easement on lot 1 is replaced with an access strip and configured as part of proposed lot 3. This will make lot 3 a true flag lot having physical road frontage along the public right-of-way known as Cross Highway.

So also please note that the principle building envelope for lot 3 is over on this side. This is the principle building envelope and the access they're proposing is this way so what I recommend to the Commission is that they make a suggestion to the town that they reconfigure the proposal to give an access strip either between lots 1 and 2 in the middle there or to the south along the (inaudible) property line. This will, you know, bring the access to the property closer to the Principle Building Envelope and also improve response time of emergency and service vehicles to any future residence. That is the staff report.

CHAIRMAN CARACCILO:

Thank you, Ted. Motion is in order.

MR. PRUITT:

I have a question.

CHAIRMAN CARACCILO:

Okay, sorry Ed.

MR. PRUITT:

I just want a clarification. I just want to understand why would we approve this one if the current plan that we have in front of us is landlocked versus sending it back as disapproval.

MR. KLEIN:

Because it's not really a lot else they can do with it so our proposal really the only way to create access to this piece would be a flat part, fly piece. We wouldn't recommend a road.

MR. PRUITT:

Right. Well, I guess my question is, if I'm reviewing other applications I mean, if we can come up with better recommendations would we approve any other

applications even if it was similar to this one. Meaning that basically, if we feel that we can come up with a better way we'd approve it even though the application was not correct.

MR. KLEIN:

Okay. I believe this is that case; I believe we are approving it with a condition that they --

MR. PRUITT:

Yeah, I was saying for example we had other applicants here, but we talked about reducing the size of the space of the facility. Would we approve that one and say on reducing the size of the space. I just want to understand the consistency.

MR. FRELENG:

If I could Ted, if I could jump in. I think I understand what you're saying; it's a balance often times if there are a number of other things as well then we might recommend a disapproval with a comment change this or that and we might consider it. If it's one thing that would make the map approvable we would make a conditional approval. There is no real rigid guideline on that; usually, if things start to compound where you can't fix the map then it would be a denial. If there are minor things that we can make recommendations to we would approve it subject to those conditions.

MR. PRUITT:

The reason why I'm asking again, I've been on the Commission probably less than a year so I'm trying to understand the guidelines.

CHAIRMAN CARACCILO:

I think it's a great question, Ed.

MS. ESPOSITO:

Yes, it good.

CHAIRMAN CARACCILO:

And I think you said this is a conditional approval based on your comment or Ted's comment, is that correct?

MR. FRELENG:

Yes, you're recommending a conditional approval.

MS. HOLMES:

And also isn't it true that with the others that we disapprove they had so many other flaws in them this one is basically good except for this landlock and that redoing an access road would solve that.

CHAIRMAN CARACCILO:

And you're saying it's conditional so if they don't do it, you know, they have to do it for the --

MR. PRUITT:

I guess I'm -- it appears to be inconsistent.

CHAIRMAN CARACCILO:

That's a good point.

MR. FRELENG:

Well, in staff's defense we try to be consistent; we're trying to look for the best way to move the matter through the Commission. Certainly, if the Commission members feel that the map is approvable with some, you know, conditions we're only making suggestions to the Commission based on our review.

MS. ESPOSITO:

And I think it's a fair point to make that there has to be some level of judgment call based on the staff's expertise in this and what they're offering is exactly that in guiding these applications so that they can be approved when possible, but when not they're not.

MR. ISLES:

Right, and this one we think it could be easily corrected to provide lawful access.

MR. PRUITT:

Right.

MR. ISLES:

So we think that can be done with this.

CHAIRMAN CARACCILO:

So we can move the economy in progress.

MR. PRUITT:

Thank you for the explanation.

CHAIRMAN CARACCILO:

Thanks, Ed. I appreciate it. A motion is in order.

MS. HOLMES:

I'll move the adoption of the staff report with the recommendation you suggested.

CHAIRMAN CARACCILO:

Second? I'll second it. All those in favor? Opposed? **(Vote: 8-0-0-2 Absent: Dietz, Goodale)** All right that so concludes our business. We're going to get

into Tom and your report on the official map, but before we do that I'd like to recognize in the audience we have Barbara Roberts who is our nominee from Southampton Town. She came to look at the festivities and I'm confident she will be running out the door and not coming back, but which is not always a good thing to come prior to your appointment. Thank you for coming today; we appreciate it and we look forward to having you sit here with us. Director Isles your report on the official map.

MR. ISLES:

Next item on the agenda is the official map; before I go to that let me just point out to the Commission that Ted whose served us for two years in subdivisions is going to be assisting the Department with farmland matters now and so he will be replaced at least for a while by Peter Lambert who's often before you anyway. So you do know Peter.

CHAIRMAN CARACCILO:

You're shipping Ted out to the farm.

MR. ISLES:

We have to save farmland too as well as reviewed subdivisions and Ted's going to help us with that and I thank Ted for his service to the Commission.

CHAIRMAN CARACCILO:

Good luck, Ted.

MR. ISLES:

On the official map the Commission had considered this or at least brought it up for discussion; earlier this year we had provided copies of the draft official map. We have before you today and I realize that it's been a while since we've talked about this is once again bringing up the official map resolution. State law and County law requires that before the County can consider the adoption of official map it must be referred to you as well as to the Commissioner of Public Works. What we've done today is we've amended the resolution to put the Commission in the position where you are accepting the map as complete and you're not taking a position either way. It's obviously your call as to what you want to do on this; let me point out that the resolution of the Legislature is that this all began back in, I think, 1999 when the Department was charged with preparing an official map. We had until January of '05 to do that; we completed that and then we had to refer it to the Legislature. They have to act on this by the end of 2006 one way or another and they've begun their deliberations on it and so forth. And quite frankly, I'm not sure if an official map is really in the best interest of Suffolk County given other forms of regulatory tools that are available. But in terms of at least moving it through the process whether it be today or whether it be at your next meeting we would ask for your consideration of this resolution or as need be modified on your choice.

CHAIRMAN CARACCILO:

Thank you, Director. Any comments, suggestions or questions?

MS. HOLMES:

Will I get to ask for a modification that the name be taken off the Shelter Island --

MR. ISLES:

You may ask for that; the only point is, is that our index map is --

CHAIRMAN CARACCILO:

Our member from Greenport.

SPEAKER:

(Inaudible)

MS. HOLMES:

But Roy Fedelem did point out that if these designations are based on population that Shelter Island does have a larger population that Greenport.

CHAIRMAN CARACCILO:

Well, I don't know. Do we need a motion?

MR. ISLES:

Yes, I think we would.

CHAIRMAN CARACCILO:

Can I have a motion to accept the resolution?

MR. FIORE:

I make a motion.

CHAIRMAN CARACCILO:

Thank you, Don. Second.

MR. PRUITT:

Second by Commissioner Pruitt.

CHAIRMAN CARACCILO:

Thank you, Ed. All those in favor? Opposed? Abstentions? **(Vote: 8-0-0-2
Absent: Dietz, Goodale)**

MR. ISLES:

Thank you very much and so noted your comment.

CHAIRMAN CARACCILO:

We thank you Linda.

MR. ISLES:

If I could just introduce if you don't mind Mr. Chairman.

CHAIRMAN CARACCILO:

No, go ahead.

MR. ISLES:

As you know, we've been working on a growth study that was required and I'm not going to take the presentation out of Carrie's hands here, but I think it does deserve an introduction. This is rather a significant report that the Department has been engaged in. I'd like to thank Carrie for her work on this as well as Peter Lambert and other staff members including Carol Walsh in our cartographic unit including Carl Lind and his staff.

We are not releasing this report today; it is in the final review by the County Executive as we speak, but what we would like to do however, is at least give you the key findings of the report as Carrie will present to you today and as soon as it is released we will send you copies of the full report. So with that I'd like to turn it over.

MR. PRUITT:

Mr. Chairman.

CHAIRMAN CARACCILO:

Yes, Ed. Sorry.

MR. PRUITT:

Do we have another resolution on the Town of Babylon Inter-Municipal; I just concerned that some Commissioners may have to leave and we may want to vote on that issue before the presentation.

CHAIRMAN CARACCILO:

Okay. Thank you, that's a good point. Ed, with a second good point of the day you're just going to have to go home now.

MR. ISLES:

Two for two.

CHAIRMAN CARACCILO:

Okay. So you want to do that real quick?

MR. ISLES:

Yeah, I'll turn it over to Chris Wrede has been handling this for us. If you could just give a brief presentation to the board.

MR. WREDE:

Right. We had a similar agreement with Town of Southampton regarding site plans that the Commission approved. What this would do, it basically streamlines the referral process. The agreement was approved by the town board of the Town of Babylon and the Zoning Board of Appeals of the Town of Babylon. Planning Commission staff recommends either the adoption of this agreement; what it will do is the Zoning Board of Appeals would not have to send, we use the term full statement of facts, which basically is for each variance application that is required by General Municipal Law we will streamline that by just sending an email notification for three items which are listed in the resolution that hopefully you will have. These applications are basically agreed upon by the town's ZBA and the Planning Commission staff that they're local determination and only email notification will be required. The majority of the applications that the Planning Commission staff does receive are local determination; an example would be a shed that does not meet a side yard minimum which is three quarters of a mile from an airport. We basically send those back for local determination so this will streamline; it will save time on ZBA's end and it will save time on my end. So that's more or less --

CHAIRMAN CARACCILO:

Streamlining government you can't ask for anything better.

MS. BOLTON:

I had one question. Are we going to see these agreements with other towns and villages?

MR. WREDE:

We hope so; again, we have one in place with the Town of Southampton. This is the first one that I've made an agreement, but I am going to spread the word.

CHAIRMAN CARACCILO:

Who initiates the conversation?

MR. WREDE:

I did. They thought it was a great idea, again, it was approved by the town board and zoning board of appeals.

MR. FRELENG:

Mr. Chairman, the Commission may recall last year you did send out a blanket invitation to all municipalities in Suffolk County if they would be interested in partaking in this streamline --

CHAIRMAN CARACCILO:

And who responded back to that?

MR. FRELENG:

Well, we have an agreement with Southampton and Babylon has responded and there's one other.

MR. WREDE:

Right --

MR. ISLES:

Shelter Island was interested.

MS. HOLMES:

Shelter Island was interested.

MR. WREDE:

And I have been in conversation with the Town of Southold's ZBA as well.

CHAIRMAN CARACCILO:

That's great.

MR. WREDE:

And General Municipal Law basically, allows for this streamlining process.

MS. HOLMES:

Shelter Island would like to be contacted.

MR. WREDE:

Okay.

MR. FRELENG:

We've reached out.

MR. ISLES:

We need to follow-up on that.

CHAIRMAN CARACCILO:

Somebody make a call.

MS. HOLMES:

I move the adoption of the resolution.

MR. PRUITT:

I just have one issue because I got two documents in front of me. One says resolution number 8 and the other says resolution number 7 and seems to have the same information on it. I'm just not sure what resolution it is.

MS. CHORNY:

On that says, Inter-Municipal Agreement with the Town of Babylon and the other one is the official map.

MR. PRUITT:

I have two that says --

MS. CHORNY:

Okay, you have Babylon okay. 7 was the Farmland I believe, right does it say Farmland?

MS. ESPOSITO:

Ed I mean, can we double Ed's pay?

CHAIRMAN CARACCILO:

I have to tell you Ed, you're impressing me today.

MR. ISLES:

It says the Inter-Municipal for Babylon so obviously, there were some --

MS. HOLMES:

There were two.

MS. ESPOSITO:

I have two.

MR. ISLES:

I don't know why there were two.

CHAIRMAN CARACCILO:

I only have one.

MS. BOLTON:

I only had one.

Everyone talking at once inaudible.

MR. FRELENG:

I think that might have been last month this was on the agenda so I think what happen was --

MS. CHORNY:

It was Roy having to do and 7 that was last months.

MR. ISLES:

So the one before the board today is resolution number 8.

CHAIRMAN CARACCILO:

Okay. So we got that worked out. We're voting on the Inter-Municipal Agreement with the Town of Babylon.

MR. ISLES:

Correct.

CHAIRMAN CARACCILO:

All right, a motion is in order. Thank you, Ed. Second.

MR. PRUITT:

Second.

CHAIRMAN CARACCILO:

You did the first.

MR. FIORE:

Second.

CHAIRMAN CARACCILO:

Don second. All those in favor? Opposed? Abstentions? It carries. **(Vote: 8-0-0-2 Absent: Dietz, Goodale)** Thanks, Chris.

MS. MEEK-GALLAGHER:

Okay, so now we get to the report that we conducted and I'll ask Peter Lambert to join me up here because he conducted most of the research on the development that is potential in each of the five areas. You can see that this was conducted under Executive Order and it was actually the first job or first project I was handed when I walked in the door on May 1 of this year. And as you can see there are five areas highlighted up here. These were developed in conjunction with NYMTC not necessarily because of the only areas where we foresee major growth and development in the County, but where there's potential for really significant impacts in terms of development and a significant amount of development to occur. So Linda if you were surprised by what was going on in the proposal today you'll see when we get to Riverhead just how much development is proposed there.

So the first area just going from starting on the western boundary is the Rte. 110 Industrial Office Corridor and what you can see what I've put side by side it'll be clearer once you receive copies of the report itself which hopefully by next month we'll be able to give you. This is just the locator maps so the area in blue is the area, the study area and these list all of what we know as of August of this year proposed development. And again, it's you know probably a little difficult to see from where you're sitting, but there's a Wal-Mart, there's a Stu Leonard's, there's a bunch of different residential, Ruby's Costumes. So there's a whole bunch of

development proposed in this area that you would think of, you know, that's already a very heavily developed area. And in fact, just looking at some of the statistics there could be increases of almost a million square feet in retail space that would be a 54% increase over today.

MS. ESPOSITO:

So this is what's already been submitted is already in the pipelines sort a speak?

MS. MEEK-GALLAGHER:

This is what's been submitted and then actually what we use to calculate that's what's up here and then what we use to calculate our potential increase is actually what's been submitted as well as what could be developed given current zoning. So almost a million square feet of retail space could be added; three and a half million square feet of office space, 720 hotel rooms and 2,000 housing units just in this, again, we're looking at just this study area. It doesn't go up to the -- it's just that area. So it's pretty surprising.

Then we get to our favorite area; this has become where we're also doing a separate study on this. This area is basically, we've created call the Sagtikos Regional Development Zone and here are it's all these major developments. Of course, we have Tanger down here; there's a Deer Park Shopping Center, the Heartland Industrial Park which is expanding. The proposed Intermodal Rail site and then the Pilgrim site which is going to become Heartland Town Square, Jerry Wolkoff proposal. And then up here is PJ Ventures which we'll be revisiting next month and then the Commack Multiplex which is being totally reconfigured. So again in this area taking into consideration what's proposed as well as what could happen under current zoning although in this particular area there's not a lot of kind of free space left after what's proposed. But you're looking at huge increases; office space increase of three million square feet that's a 4500% increase over what's there. 2.3 million sq. ft. of retail space could be added that's a 272% increase over what's already there; 300 hotel rooms. And then housing which if Wolkoff gets what he actually -- Heartland Town Square would be 9,000 units. Now currently in this particular regional there is only 60 units so that -- for that zone it would be a 15,000% increase, but the surrounding communities have over 42,000 housing units in them so, you know, in that context it's not such a huge increase though it's highly unlikely that there would be that many housing units added on the site.

Now for this particular -- Adrienne.

MS. ESPOSITO:

It would still be a 20% increase though in housing overall --

MS. MEEK-GALLAGHER:

It would still be a big increase, yea, yea if there were that many units approved. This particular area I'll just run through these quickly because this maybe of

interest as we see PJ Ventures next month. There's been heightened awareness and heightened concern over congestion mitigation measures in this region so because we're doing a NYMTC funded study of this region we've also looked at some initial proposal; these are only conceptual stages of design. They would have to be, you know, much more thoroughly researched. One of the ideas and this is to alleviate traffic either from PJ Ventures or Tanger is here's Crooked Hill Road, here's the LIE and this would be a ramp that would be added to provide eastbound access from Crooked Hill Road to the LIE because right now there is no access eastbound from Crooked Hill Road. And that would then allow, you know, Peter Ventures is up to the north so you'd be able to come around this way and basically, the idea is to try to alleviate and spread out some of the traffic having to all go to Commack Road to get to --

CHAIRMAN CARACCILO:

Whose idea is that; is that something that this office proposed or --

MS. MEEK- GALLAGHER:

No. This actually came from a concerned resident who then DPW, Suffolk County Department of Public Works worked up this potential sketch just to give us an idea of what this idea might look like.

CHAIRMAN CARACCILO:

And where does that stand has that proposed because that's the first time, you know, we've been involved in that. It's the first time I've seen something like that.

MS. MEEK- GALLAGHER:

This is one of the suggestions that would go for further study in this NYMTC funded study. So it's really like as a conceptual stage is very preliminary stages. There are -- DPW has some significant concerns with the geometrics here; not sure that the geometrics would work. There's also {weed} condition concerns because this is already a very highly congested section of the LIE in terms of people exiting and you know, ingress, egress so there's concern of adding anymore entrances or egress to LIE. So it would have to be, you know, further study.

CHAIRMAN CARACCILO:

This is very preliminary.

MS. MEEK- GALLAGHER:

Very preliminary, you're the first to see it.

CHAIRMAN CARACCILO:

Oh, are you going to be here next time, oh no, you'll have a new job sorry go ahead.

MS. MEEK- GALLAGHER:

That's right I should have been confirmed by then so the day before the meeting. Then this is another suggestion that came up again, raised up by a concern resident from Imperial Gardens. Here is the footprint of PJ Ventures, Crooked Hill Road. This is a Waldbaum's shopping center so the idea being that there would be a driveway constructed or a roadway constructed to allow cross access between the two shopping centers and allow access to Vanderbilt Motor Parkway from the site or to and from the site. Again, the idea being let's take traffic off of Commack Road, Crooked Hill Road getting traffic out there.

DPW created this initial sketch; they are not, again, this would have to be further studied. There's concerns about could you actually purchase the land in between; could you get across access agreement. What would it do to traffic flow already on the road here and they don't think that it would alleviate traffic that much. They project that perhaps at most it would take 60 trips off of, you know, the Commack Road, Crooked Hill Road entrance.

This really addresses a more Tanger; it's probably a little difficult to see, but the idea here is that you would add either a partial or full interchange to the Sagtikos from Long Island Avenue and that would the require the extension either by bridge or tunnel a Long Island Avenue over to the Sagtikos you could then eliminate the interchange further down at Pine Aire Drive which is problematic as it stands right now. Again, very conceptual; it would probably be considered also in conjunction with Wolkoff's proposal with their Intermodal site.

Then these, the next three are some of the alternatives put forth by DOT for access to the Intermodal rail site. The first one here's Intermodal site, here's the Wolkoff's site, here's the Heartland Industrial Tanger's down over here. Here you've got PJ Ventures up to the north. This is Suffolk County Community College right here so already, you know, heavily trafficked area. This would allow truck traffic on the Sagtikos for a limited portion between the LIE and Intermodal site. Probably not feasible, highly unlikely to occur, but it is one of the alternatives that's being looked at by DOT. The second and this is a very expensive proposal would be to create a parallel road, access roads along the Sagtikos to, you know, basically, like service roads, north and south service roads. And then the idea being that you could even, you know, if you're going to do that much why not extend it all the way down to Long Island Avenue and have those service roads cause it would really help with all types of traffic in the area. The DOT has projected a \$200 million price tag for this project; so again, not their preferred alternative. This as of the moment is their preferred alternative and that is just too simply use the local roads that already exist as access to the Intermodal site.

MS. ESPOSITO:

And how much was that alternative?

MS. HOLMES:

In lives or dollars?

MS. MEEK-GALLAGHER:

Again, it would probably meet with a lot of community opposition; there are concerns about this, but that you could just take Crooked Hill Road and then Campus Road over to then to Intermodal site. Or come up through the Heartland Industrial Park and over. So that's what, you know, DOT would like to see happen because they don't foresee being able to obtain \$200 million for this project.

Okay, so now we're on to Yaphank and we incorporated the entire hamlet of Yaphank in looking at this. Again, the major developments that we know that are proposed. This is the County property where County is looking to redevelop part of its County Center out there and retain some for future County use. And looking again at the statistics that the way that we put together; what's proposed, what could potentially happen under current zoning. Under current zoning more so in this case you could see a huge increase in industrial space. Seven million square feet of industrial space could be added; that would be almost a 500% increase. Retail space cause there is very little now you'd see a 17,000% increase cause it would be 1.7 million sq. ft. added. And then housing units you could see 2,676 housing units; only a 1000 of those would be on the County Center site the rest are actually already proposed in the or part of a existing zoning in the surrounding area.

Then we look at Stony Brook, the high tech campus; this is the redevelopment of the former Gyrodyne property, but we included that also the hamlets of Stony Brook and St. James and so both be impacted. This is where the research and development campus will be going in. Not a lot of other, you know, not a tremendous amount of other proposed development in the region the biggest impact will be that research and development campus which would add 830,000 sq. ft. of high tech research and development facilities a ten building campus that's projected out over the next seventeen years.

Just some of the additional stuff that is pointed out here; you could get a 25% increase in retail space. That's only 385,000 sq. ft. in this area; 600,000 sq. ft. in industrial space which would be 163% increase and 138 hotel rooms could be added.

Now we get to Riverhead. So this is just pointing out, we included the entire town and some of the major things going on. You have the Calverton site here that's being redeveloped obviously, downtown that's being redeveloped and here is the map of all the proposed development. So Linda, this is – I mean, it's a tremendous amount of redevelopment proposed all along Rte. 58 and in the downtown area. And really, you look at Riverhead it's kind of the gateway to

eastern Suffolk County and, you know, perhaps it's a time to look at what has to happen in terms of planning for all this development that's going to occur. Not that it's bad; not that developments bad, but it does need to be, you know, the cumulative impacts need to be considered and how you're going to mitigate the impacts of that development the traffic etc and so forth. So you could see, Riverhead could see almost four million square feet of retail space added; that would be 143% increase. 622,000 sq. ft. of office space which would be 141% increase. 4.7 million square feet in industrial space could dominantly at the Calverton site, yeah, predominately at the Calverton site. 474 hotel rooms which would double what currently exist and here we get to a large number of housing units again over 9,000 housing units which would be a 62% increase.

So we have then I have some charts that summarize this comparatively across the different areas so you can see looking at just retail square footage here's Rte. 110 black is current and gray is future potential given again all the proposed development and what could happen under current zoning. So it does give you kind of puts it in perspective as to what's happening in what regions across the County there. And you'll have all this in the report once you get it.

CHAIRMAN CARACCILO:

When can we expect this report?

MS. MEEK-GALLAGHER:

That's a good question, soon, soon.

CHAIRMAN CARACCILO:

Coming with the new members?

MS. MEEK-GALLAGHER:

Coming with the new members, yes.

CHAIRMAN CARACCILO:

I'm just giving you a bit of what your new job going to get you.

MS. MEEK-GALLAGHER:

Office square footage, you can see again, how it varies across the different areas with the Sagtikos seeing a tremendous increase in office square footage and Rte. 110 still having a lot of potential for office square footage added. Then industrial square footage added again, you see the biggest increases, potential increases in Yaphank and in Riverhead. Hotel rooms again, Riverhead and the Sagtikos region are going to have the largest increases from where they are now though Rte. 110's numerically is going to have, you know, a very large increase too.

MS. ESPOSITO:

Just as long as they're not in Greenport.

MS. MEEK-GALLAGHER:

As long as they're – or Shelter Island, right. And then housing units which Sagtikos just because it's that zone that we created would have such a huge increase, but you can still see substantial increase in Riverhead and even in Yaphank. And then looking cumulatively here is what retail, I mean, retail would quadruple, office would, you know, not quite double. Industrial would, you know, again go up significantly. So you have you can see here cumulatively what the impact would be just in those five areas across the County.

MR. KONTOKOSTA:

Are these numbers based on proposals or build out type analysis?

MS. MEEK-GALLAGHER:

It's build out, so it's what's – sorry – it's build out so it's what's proposed plus what could happen under current zoning. So maybe the idea is that you'll look at, you know, we didn't realize there was so much, you know, looking holistically there so much development proposed and that this could happen under our current zoning. So do we want to rezone; how are we going to plan for the traffic and start thinking long term. So this would be maybe a 20 year timeframe for this to actually reach this point.

MR. KONTOKOSTA:

So some of these numbers could be there are certain zones that say, allow for retail or office so that could be – so these are kind of full build outs each given each individual possible scenario –

CHAIRMAN CARACCILO:

Is this maximum capacity?

MS. MEEK-GALLAGHER:

Under current zoning and what's already proposed.

MR. LAMBERT:

Well, it's approximated because as you said you can have a variety of development in certain zones. There could be down zonings, up zonings; there could be a lot of things that happen. Property could be acquired; this is our best guess at this point.

MR. KONTOKOSTA:

Okay, sure. Thanks very much.

MS. MEEK-GALLAGHER:

But that's also why we want to get the report out there because, of course, it is kind of a snap shot in time we know as of this is all data as of August of this year

and since then there have already been new proposals that have come in to certain areas.

CHAIRMAN CARACCILO:

And when can we expect this report?

MS. MEEK-GALLAGHER:

Very soon, very soon. So and just to quickly summarize then we had some for each section as you'll see in the report we have some mitigating factors suggested, but overall the recommendations looking at big picture is, you know, really this cries out for, you know, for more coordination among municipalities so that you can see what's happening especially in those areas where you have developments that go across municipalities that are on the boundaries. To promote inter-municipal agreements, obviously, one example is what we're doing with the towns in terms of the Planning Commission referrals, but also inter-municipal agreements for planning purposes. It does exist in other parts of New York State; General Municipal Law does allow for it. It has not been used extensively. Encourage updated comprehensive plans well, actually we were told when we told the town planning director not only encourage updated comprehensive plans, but to make sure they implemented. So for example, you know, we had the case before us today that if the current zone with Wal-Mart the current zoning is DRC they just updated their comprehensive plan they shouldn't vary from that. Really stick to what you've put in your comprehensive plan. Suffolk County itself should update its comprehensive plan; that hasn't been done in a while. There are sections of it there was a never a holistic plan, you know, all put together; the various pieces have been put together of the years, but not as one solid document. Advancing comprehensive transportation planning that's like the SEEDS project that's been happening on the east end. We will be doing that to some extent with this NYMTC funded study for SEEDS Sustainable East End Development Strategies.

The NYMTC funded study for the Sagtikos regional development zone and then just looking at implementing progressive planning practices Smart Growth, Sustainable Development, Traditional Neighborhood Design those things that the APA promulgates and that we are actively working on several members of the Commission to update our own Planning Commission guidelines to take into consideration.

MS. BOLTON:

I have a question regarding these there's a lot of traffic obviously traffic impact with a need to improve the roadways etc. etc. to find solutions to dealing with that. Obviously, that comes with a huge price tag. Is there any sort of effort on the part of Suffolk County to encourage the towns and villages, but mostly the towns? The towns to have some sort of model ordinance that they would for example require of developers to pay in to a fund because, you know, clearly this is huge and clearly it becomes a burden for the taxpayers and there's got to be models in

this country for, you know, like we now have the community preservation fund on the east end which is for open space and for historic preservation purposes. You know something where's there's actually a tax of some kind.

MS. MEEK-GALLAGHER:

I don't know how it relates to the towns in terms of the County, but I know that at the County level Department of Public Works anything that whenever they need curb cuts or access or anything that's going to impact County roads they do require, a) they require mitigation measures upfront before they'll grant any permits, but then they do collect impact fees as well that go into a fund to support transportation improvement in that general vicinity of that development. So there is that process in place; I'm not sure what the –

MR. ISLES:

Towns do a lot --

MS. HOLMES:

The towns do mostly the towns are dealing with subdivisions where performance bonds and road improvements have to be done within the subdivision and the towns do try to look at access. We have a couple that'll be coming up on Shelter Island where they're along a County road that has some blind spots and there are concerns with where the egress roads will be, but I think the point is very well taken because it was appalling to hear that Wal-Mart is planning this huge thing and won't have to pay a cent for all the road improvements that will have to be done by the County along poor little CR 58 to, you know, to accommodate a multi-zillion dollar developer the biggest income producer in the world. You know it's really appalling to think that some framework isn't in place for developers particularly with projects like that that impact directly on retail and on traffic and on roads that they don't have to pay to –

MS. BOLTON:

Well, what I'm thinking is that there really needs to be a regional solution, you know, because clearly the impacts go beyond borders.

MS. MEEK-GALLAGHER:

Right. One of the things we did recommend under encouraging updating comprehensive plans is that also that the towns as they change their zoning in places should dedicate the right-of-ways along the roads that obviously going to have to be widened at a minimum for to, you know, to encourage towns so that the County or the state doesn't have to come in condemn and pay, you know, \$10 million a mile or something to just to get access to doing the projects.

MR. ISLES:

It's really the whole idea of the NYMTC study that we're getting for this Sagtikos corridor to look at it across municipal boundaries. So this is a perfect case where you have the intersection of four towns; an intersection of a state and county

highway system and rail system and all the local decisions are being taken just based on local considerations and not regional considerations. Certainly, developers have to do on site and adjacent site mitigation of the traffic impact as part of, you know, site plan approval, curb cut approval and so forth. Going beyond that it becomes a little trickier and a lot of times it's negotiated either cash contributions, off site improvements and so forth, but it really isn't very well institutionalized at this point.

MS. BOLTON:

That's what I was wondering.

MR. ISLES:

It is a little bit more, you know, case by case. What we're hoping with this first study with NYMTC funds is that as Carrie's pointed out with advance transportation planning is that it's not just looked at as highway project that it's looked at a land use and highway. It's across municipal boundaries and there are solutions that are then put forward that can then be identified, costed, you know, financially figured out and so forth and then seeking funds either private funds as part of development projects aka or example Heartland or federal funds or state funds that maybe allocated towards this. I think what's key about this is I think this is perfect role for County Planning to be involved in where these are inter-municipal issue or inter-jurisdictional issues that if you look at them case by case, parcel by parcel, town by town it's not so bad if you look at collectively. It is remarkable and as Carrie pointed out this is not an editorial statement that this is bad, the end is coming. It's saying we now see what this may be and what are we going to do about it.

MS. BOLTON:

So is it too premature to put in your recommendations something like a sort of institutionalizing of, you know, payments or some sort of system that would support those huge numbers of re-routings cause it isn't just widening, you know, it's like new rights-of-way things like that.

MR. ISLES:

Yeah, I think it is premature at this point and I like to spring board it off this more detailed study that we're going to do next year that then gives us real substantial information to then advocate a particular point of view.

MS. BOLTON:

Super. Thank you.

MS. MEEK-GALLAGHER:

Thank you.

MS. BOLTON:

Thank you, Carrie.

CHAIRMAN CARACCILO:

Thank you Carrie for a wonderful report. Good luck on your new position.

MR. ISLES:

She will be here at the next meeting.

MS. MEEK-GALLAGHER:

John you're going to come and support my nomination.

CHAIRMAN CARACCILO:

Absolutely, I will be there in spirit and body to support your nomination in your new job and this is your third since May? Just keeping track.

MS. MEEK-GALLAGHER:

My second.

CHAIRMAN CARACCILO:

Because she did start she sat sitting here with us, you know, Don. The only woman in Suffolk County with a nine page resume and she's only 22.

MS. BOLTON:

She's just on the fast track.

CHAIRMAN CARACCILO:

Sorry. Commissioner's roundtable we're up to. Commissioner Pruitt since you are on the money sir, member Pruitt I'm sorry

MR. PRUITT:

Nothing to report.

CHAIRMAN CARACCILO:

Charla.

MS. BOLTON:

The only thing I have to report is that I will be retiring as of the end of January and so I'm intending to stay on the Planning Commission and I'm hoping to do some of my own research which I have fondly thought of for the last, you know, low these many years and spend more time with my family. Those are really my goals at this point. I'll stay on the Landmark Commission for the Town of Huntington, but I just I'm ready to as I said I'm ready to sort of tailor my life a little bit more to my needs at this point.

CHAIRMAN CARACCILO:

You saw that report that Carrie just put out you'll get out of here.

MS. BOLTON:

I said it's time to dive for cover.

CHAIRMAN CARACCILO:

That's great, congratulations.

MS. BOLTON:

Thank you.

MR. FIORE:

Nothing to report at this time.

CHAIRMAN CARACCILO:

Thank you, sir. Nothing from me. Linda.

MS. HOLMES:

Nothing really.

CHAIRMAN CARACCILO:

Moving right along.

MS. HOLMES:

Except to thank you for – thank the County for the seminar and hope that our local officials get alerted to the need to attend these.

MS. ESPOSITO:

Just real quick, the Village of Patchogue held a couple of weeks ago their first affordable housing I guess raffle you would call it and preference was given to people who had already lived in the village for a period of time. It was a very big success and in the development came beautiful and now they're building two more areas of co-op's/condominium complexes and they're moving along rapidly and they're looking terrific.

MR. KONTOKOSTA:

Nothing to report.

CHAIRMAN CARACCILO:

Counselor.

MS. FARRELL:

Nothing.

CHAIRMAN CARACCILO:

Thank you. Motion to adjourn.

MR. FIORE:

Second.

CHAIRMAN CARACCILO:

Don second. Thank you. **(Vote: 8-0-0-1 Absent: Dietz, Goodale)**

(Having no further business the Planning Commission adjourned at 2:10 P.M.)

{Denotes spelled phonetically}