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SUFFOLK COUNTY PLANNING COMMISSION

Legislative Auditorium  
725 Veterans Memorial Highway  
Hauppauge, New York

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July 11, 2007  
12:00 p.m.

BEFORE:

JOHN CARACCIOLO, Chairman

ACCURATE COURT REPORTING, INC.  
6 FRANCES LANE  
PORT JEFFERSON, NEW YORK 11777  
631-331-3753

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2 A P P E A R A N C E S :

3

4 LINDA HOLMES, Vice Chairwoman,  
Town of Shelter Island

5

6 THOMAS ISLES, Director of Planning

7

8 DAVID CALONE, Commission Member,  
Town of Babylon

9

10 EDWARD J. PRUITT, Commission Member,  
Town of Brookhaven

11

12 DONALD J. FIORE, Commission Member,  
Town of Islip

13

14 ADRIENNE ESPOSITO, Commission Member,  
Villages Once 5,000 Population

15

16 BARBARA ROBERTS, Commission Member,  
Town of Southampton

17

18 SARAH LANSDALE, Commission Member,  
At Large

19

20 CONSTANTINE KONTOKOSTA, Commission Member,  
Villages Under 5,000 Population

21

22 JESSE R. GOODALE, Commission Member,  
Town of Riverhead

23

24 TOM MC ADAM, Commission Member,  
Town of Southold

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A P P E A R A N C E S (Continued):

JENNIFER B. KOHN, Assistant County Attorney

ANDREW P. FRELENG, Chief Planner,  
Suffolk County Planning Department

TED KLEIN, Senior Planner,  
Suffolk County Planning Department

CLAIRE CHORNEY, Staff

JESSICA KALMBACHER, Staff

ABSENT MEMBERS:

CHARLA BOLTON, Secretary, Commission Member  
At Large

ROBERT BRAUN, Commission Member  
Town of Smithtown

PETER LAMBERT, Principal Planner,  
Suffolk County Planning Department

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2 (WHEREUPON, this hearing convened  
3 at 12:00 p.m. Off-the-record  
4 discussions ensued, after which the  
5 following transpired:)

6 (Time noted 12:13 p.m. )

7 CHAIRMAN CARACCIOLO: Good  
8 afternoon, everyone. We'll call the  
9 meeting to order.

10 The meeting of the Suffolk County  
11 Planning Commission is now in session.

12 The first item on the agenda is the  
13 Pledge of Allegiance. Can we all please  
14 rise for the Pledge?

15 (WHEREUPON, the Pledge of  
16 Allegiance was recited.)

17 CHAIRMAN CARACCIOLO: Thank you.

18 First item on the agenda is the  
19 review of the May 2nd meeting. Do we  
20 have any comments on that?

21 VICE CHAIRWOMAN HOLMES: I have  
22 several comments on a couple of typos.

23 CHAIRMAN CARACCIOLO: May 2nd, and  
24 we also have the June 6th in our  
25 package. So we can look at both of

2 those.

3 VICE CHAIRWOMAN HOLMES: On the May  
4 2nd minutes, on page 17, lines 23 to 25,  
5 there were dollar signs. I don't think  
6 that they were meant to be there. The  
7 average was in building permits, not in  
8 dollars.

9 And on page 79, Southold is spelled  
10 with two "Hs," and I think Tom would  
11 like to see just one.

12 And on page 83, and a couple of  
13 other locations in that discussion, the  
14 word Sagaponack is "A-C," not "I-C."

15 Those were my only comments for  
16 that.

17 CHAIRMAN CARACCIOLO: Thank you.

18 Con, you had a couple of comments?

19 COMMISSIONER KONTOKOSTA: Yes. On  
20 the May 2nd as well -- actually, just  
21 going through here, just the ones which  
22 are most critical, page 74, I believe,  
23 line 25, the mixture of types, not  
24 housing ties.

25 And also on page 75, I believe it's

1 - Suffolk County Planning Commission - 6

2 line 18, I have, "We have indicated in  
3 the notes," it should be "dedicated".

4 I think that's about it.

5 CHAIRMAN CARACCIOLO: Okay. Any  
6 other comments on the minutes of May 2nd  
7 or June 6th?

8 (WHEREUPON, there was no response.)

9 CHAIRMAN CARACCIOLO: With no other  
10 comments, motions in order to accept the  
11 minutes?

12 VICE CHAIRWOMAN HOLMES: I move to  
13 accept --

14 CHAIRMAN CARACCIOLO: Linda made  
15 the motion.

16 VICE CHAIRWOMAN HOLMES: -- the  
17 minutes --

18 CHAIRMAN CARACCIOLO: Second?

19 VICE CHAIRWOMAN HOLMES: -- as  
20 amended.

21 COMMISSIONER PRUITT: (Indicating)

22 CHAIRMAN CARACCIOLO: Seconded by  
23 Ed.

24 All those in favor?

25 (WHEREUPON, the members voted.)

2 CHAIRMAN CARACCIOLO: The motion  
3 carries.

4 The next item on the agenda is the  
5 Public Portion. We have one person to  
6 speak, Ms. Rona Smith.

7 MS. SMITH: (Indicating)

8 CHAIRMAN CARACCIOLO: Come on up to  
9 the podium, Ms. Smith.

10 MS. SMITH: I'm not going to speak  
11 at this moment.

12 CHAIRMAN CARACCIOLO: Okay. Thank  
13 you very much for coming.

14 DIRECTOR ISLES: -- if there's a  
15 question when her application comes up.

16 CHAIRMAN CARACCIOLO: Okay. Thank  
17 you.

18 We'll head onto the Director's  
19 Report.

20 DIRECTOR ISLES: Mr. Chairman, a  
21 couple of items. First to -- you know,  
22 the reappointment of three members to  
23 the Planning Commission. One being  
24 Charla Bolton, the other being Ed  
25 Pruitt, and also Jesse Goodale. All

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2 reappointed by the Legislature recently,  
3 and we congratulate them at this point.

4 At this point, we have two  
5 vacancies remaining on the Commission.  
6 One in East Hampton, and one At Large.  
7 Otherwise, we're 13 members strong.

8 Secondly, the Department did run a  
9 training event in June. It was well  
10 received. We had about 75 participants,  
11 including two Commission Members, Tom  
12 McAdam and Charla Bolton. This was  
13 basically a repeat of the session we did  
14 for the Commission in April as an  
15 At Large attendance.

16 A couple of items, just to bring  
17 you up-to-date with the Department. We  
18 have received the first two volumes of a  
19 comprehensive plan update for the  
20 Town of Smithtown. They deal with  
21 backgrounds, demography and economic  
22 information. The Town is making good  
23 progress on that. It will require  
24 Commission review upon the formal  
25 submission when that occurs. Probably



2 in the next year or so.

3 We also have been -- have received  
4 formally the referral from the Village  
5 of Sagaponack. So that will be on for  
6 the next meeting on April 1st (sic) for  
7 the adoption of their comprehensive  
8 plan, as well as the adoption of their  
9 mission planning ordinance for the  
10 Town -- for the village, pardon me.  
11 This is Village No. 32 in Suffolk  
12 County, so it's the newest village at  
13 this time.

14 So, here again, there will be a  
15 presentation on that in --

16 MR. FRELENG: August.

17 CHAIRMAN CARACCIOLO: August.

18 DIRECTOR ISLES: -- August.

19 Also, just keeping you updated on  
20 some activities. The Department has  
21 been working with the Department of  
22 Economic Development and Workforce  
23 Housing on a number of planning issues  
24 with Gabreski Airport, which is a  
25 Suffolk County owned airport. And a

2 major achievement was made with the  
3 adoption of the Town airport master plan  
4 for a large part of the property,  
5 incorporating about 50 acres of  
6 industrial land that the County of  
7 Suffolk developed for personal reasons  
8 in the past ten or 15 years.

9 It was kind of at a logjam with the  
10 Town. And with the leadership of the  
11 Department of Economic Development and  
12 Workforce Housing, we were able to work  
13 towards getting community consensus on a  
14 revised plan. And, subsequently, the  
15 County's acting on that.

16 The Department of Economic  
17 Development is now moving forward with  
18 an RMP. The Department of Planning has  
19 assisted on that, with both planning  
20 functions as well as a number of the  
21 SEQRA environmental review functions  
22 through CDQ.

23 The Department is also gearing up  
24 on a work level analogy on the Fire  
25 Island to Montauk Point reformulation

2 study. This is the \$26 million Federal  
3 study that's been in the works for over  
4 a decade. And it's getting to the  
5 point -- actually, there's a meeting  
6 going on as we speak, where it is  
7 getting to a final plan that will then  
8 be put forward to the County and the  
9 State and so forth.

10 This will be something that will  
11 gear up in the fall as well as next  
12 year, as the Army Corp of Engineers  
13 moves towards the consideration and  
14 ultimate adoption of a plan.

15 Extremely significant to the  
16 interest of Suffolk County, both  
17 directly with property that the County  
18 owns, such as Smith Point County Park,  
19 property on both sides of Shinnicock  
20 Inlet, but also as a planning document  
21 in terms of land use policies effecting  
22 private property as well in the barrier  
23 beach system.

24 We have been asked by -- another  
25 item -- the New York Metropolitan

1                   - Suffolk County Planning Commission -       12  
2                   Transportation Council, NYMTC, to  
3                   provide a presentation to them -- to  
4                   that group, on September 21st, on the  
5                   status of plans in Suffolk County -- to  
6                   give an overview of Suffolk County to  
7                   the region. The region includes New  
8                   York City as well as surrounding  
9                   counties.

10                   This is the metropolitan planning  
11                   organization that funnels -- all Federal  
12                   transportation dollars have to go  
13                   through NYMTC. The County Executive of  
14                   Suffolk County, as well as the other  
15                   counties serve on NYMTC and are voting  
16                   members. And, here again, we will give  
17                   a full presentation on September 21st.  
18                   There will be a written document to that  
19                   that I will be presenting to the  
20                   Planning Commission as well.

21                   And just a couple of other quick  
22                   items. New York State Department of  
23                   Transportation is completing the  
24                   environmental review for an intermoto  
25                   truck to rail facility, on property that

2 was formally part of the Pilgrim State  
3 Hospital property in Brentwood. That  
4 was subject to a public hearing in late  
5 June. The Planning Department -- it did  
6 attend that hearing, as well as the  
7 County Executive, and we are preparing  
8 comments in conjunction with the  
9 Department of Public Works. We'll be  
10 submitting those to DOT next week.

11 The County generally supports the  
12 concept of an intermoto freight facility  
13 at that location. Based on the review  
14 thus far, we have issues with the access  
15 to that facility. But overall -- in  
16 terms of reducing the -- relying  
17 strictly on truck access, and then they  
18 reduced trickling in through the city  
19 and in western parts of Suffolk County.

20 I'll point out too, the -- we  
21 received notice from the Army Corp of  
22 Engineers for a winter line proposal out  
23 in Plum Island. This has received some  
24 press attention recently as well. The  
25 project is known as the Win-Energy

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2 Proposal -- Winergy Proposal (phonetic).

3 It's a proposal to construct three

4 turbines on -- off of Plum Island, in

5 the Town of Southold.

6 The specific interest of the County

7 itself is that the County was deeded the

8 underwater lands several years ago, the

9 recent amendment to State law in 2004,

10 and we feel that without taking an issue

11 at this point in terms of whether the

12 winter lines make sense or not -- not on

13 merits but just from a legal

14 standpoint -- the County does have

15 rights and responsibilities to that, and

16 we've made that known to the Army Corp

17 of Engineers on the letter that was sent

18 yesterday.

19 We requested the Army Corp of

20 Engineers to conduct a public hearing so

21 that all the information relevant to the

22 County can be expressed.

23 Lastly, we --

24 COMMISSIONER ESPOSITO: Tom?

25 DIRECTOR ISLES: Yes.

2 COMMISSIONER ESPOSITO: Don't they  
3 -- they have to conduct a public  
4 hearing.

5 DIRECTOR ISLES: The notice that  
6 was sent to us said that the -- one of  
7 the questions in there was whether to  
8 conduct a public hearing. And so we  
9 wrote back and said we feel there should  
10 be a public hearing. So the way it was  
11 written was that -- it was that they  
12 didn't say that they were going to  
13 conduct a public hearing, they said they  
14 were going to consider whether there  
15 should be a public hearing.

16 COMMISSIONER ESPOSITO: It would be  
17 kind of unusual for them not to.

18 DIRECTOR ISLES: Let me just point  
19 out, too, that Jenny Kohn, from the  
20 County Attorney's Office, was  
21 instrumental in formulating our response  
22 back to the Army Corp of Engineers  
23 through the Legal Resources Department.

24 COMMISSIONER ESPOSITO: Can the  
25 Commission Members see a copy of that?

2 DIRECTOR ISLES: Sure. It's a  
3 matter of public record.

4 COMMISSIONER ESPOSITO: Great. And  
5 does the Commission have any role to  
6 play -- will that come before us?

7 DIRECTOR ISLES: That's a good  
8 question.

9 COMMISSIONER ESPOSITO: Because I  
10 was thinking about that, once the  
11 application gets out, I was wondering if  
12 the Commission would be -- have it come  
13 before us?

14 DIRECTOR ISLES: I'm not sure of  
15 the answer to that question. I think  
16 there's a good chance that it could. If  
17 we look at the condition and  
18 jurisdiction -- and actually, that's  
19 something we're going to talk about  
20 today a little bit, the only question I  
21 think we'd have to get back to is would  
22 there be some exemption in -- a  
23 preemption by a Federal agency. I don't  
24 think so, but I don't know that for sure  
25 at this point.



2 The immediate issue we addressed,  
3 with the limited notice time that we  
4 were given right now, which was only a  
5 matter of a couple of weeks, was the  
6 direct County interest in the title that  
7 was vested to us back in 2004. So we  
8 know there's an issue there -- a  
9 question there.

10 As far as the regulatory role in  
11 that, we can -- will they make an  
12 application in the Town of Southold?  
13 Certainly, if they do, it would require  
14 (inaudible) before the Planning  
15 Commission. But, here again, I'm not  
16 certain as to how that process will be  
17 unfolding.

18 Jenny, I think I may have to defer  
19 that question to you.

20 MS. KOHN: It just depends on the  
21 statute that the agency is implementing,  
22 so that's something we would have to  
23 research.

24 COMMISSIONER ESPOSITO: Okay.

25 DIRECTOR ISLES: That's a good

2 segue then to the last item I had today,  
3 which was the jurisdictional map. What  
4 we have done -- the County Planning  
5 Commission has jurisdiction based on a  
6 number of criteria. This includes  
7 properties within 500 feet of a  
8 municipal boundary, properties and  
9 applications within 500 feet of a State  
10 or County road -- State or County  
11 property, or within a Pine Barrens or  
12 coastal area.

13 We frequently get questions from  
14 municipalities regarding jurisdiction.  
15 We often get applications referred to us  
16 when they're not sure of the  
17 jurisdiction but they send it anyway.

18 One of the things that Andy Freleng  
19 has done with our cartographic unit and  
20 his unit is to seek to come up with a  
21 updated, modern electronically based  
22 digital map, that would then serve as  
23 both a guide for us in the Department,  
24 as well as the 42 municipalities in  
25 Suffolk County to help them in terms of

2 identifying jurisdictions.

3 So I'd like to pass it on to Andy  
4 for a minute, just to give you a preview  
5 of what that is. And our intention then  
6 is to share this with the municipalities  
7 in the near future.

8 MR. FRELENG: If you can't hear me,  
9 Teri, just let me know.

10 Thank you, Tom.

11 This is our jurisdictional map  
12 (indicating), and it's in direct form.  
13 You can take a look at it, I'll bring it  
14 around later if you want.

15 As you may know, the regulatory  
16 review unit of the Department of  
17 Planning processes about 24 applications  
18 a year -- 2,400 applications a year that  
19 comes to us -- I wish it was only 24.

20 Although we've anecdotally known  
21 that we don't get everything that's  
22 supposed to be referred to us -- and we  
23 know that because sometimes there's  
24 litigation, and the procedural defect is  
25 noted, and the court's remanded back to

2 the locality because they forgot to send  
3 it to us.

4 So I didn't bring the old map. But  
5 the old map is not digital. It pretty  
6 much just had a dark line that ran down,  
7 let's say, a County roadway and then  
8 staff would have to scale off or  
9 guesstimate whether or not we had the  
10 jurisdiction. So we -- usually, if  
11 something comes to us, we assume we have  
12 the jurisdiction, unless, in the process  
13 we discover we don't.

14 But if you think of the County  
15 roadways and the State roadways as our  
16 main jurisdiction, and the distance from  
17 the shoreline as our main jurisdiction,  
18 you'll see that as we go further  
19 (inaudible) County roads, you would  
20 think that we don't really have much  
21 jurisdiction on the east end. But I  
22 want to show you a piece of Southold  
23 Town (indicating), and each one of these  
24 colors represents some jurisdiction that  
25 we might have. I don't know how well

2 you can see that.

3 COMMISSIONER ESPOSITO: We can see  
4 it.

5 MR. FRELENG: But, you know, you  
6 have two -- two roads where we have  
7 jurisdiction. So a lot of this stuff in  
8 the middle (indicating). If it's more  
9 than 500 feet away, you generally don't  
10 see it. But now that we've mapped  
11 wetland pocket and distance from the  
12 shoreline, Ag districts where possible,  
13 County Open Space where possible, you  
14 see that we do get a big piece of the  
15 east end that the localities might not  
16 even know we have the jurisdiction.

17 So we brought this to a digital  
18 format, we're working -- Jessica, on my  
19 staff, is working with cartography and  
20 IT and all the information data people  
21 to try and convert this into a  
22 GIS format. So we can just punch in the  
23 tax map number and it will tell us  
24 immediately whether or not we have the  
25 jurisdiction on the property, and then

2 we can call up the map and make that  
3 part of it. It's going to make our job  
4 easier in determining the jurisdiction,  
5 on one hand; on the other hand, when the  
6 localities get these maps, I think that  
7 they're going to start sending us a lot  
8 more.

9 So we're also trying to balance  
10 that off on another initiative that our  
11 deputy is working on, into municipal  
12 agreements where minor things don't have  
13 to be sent.

14 So we're in this process of  
15 resorting what has to be sent to you,  
16 the Commission, and what our  
17 jurisdiction is.

18 So I just wanted to show you real  
19 quick that -- I didn't want to take up  
20 much time, but it is in draft form,  
21 we're working out the bugs and the  
22 details and at some point I'd like to  
23 bring it to the Commission so it can be  
24 our working jurisdictional maps.

25 COMMISSIONER ESPOSITO: Thank you.

2 COMMISSIONER ROBERTS: Do you have  
3 an idea when you may finish, Andy?  
4 When -- particularly on the south fork,  
5 a lot of things are not coming here, but  
6 just to --

7 MR. FRELENG: We could probably  
8 work out the bugs in about a month or  
9 so. I don't know how long it would take  
10 to actually get that into a digitized  
11 GIS format, but we're using it now --

12 COMMISSIONER ROBERTS: And then the  
13 plan is --

14 MR. FRELENG: -- informally.

15 COMMISSIONER ROBERTS: -- to  
16 publicize it to the local communities --

17 MR. FRELENG: Yes.

18 COMMISSIONER ROBERTS: -- so that  
19 they're clear what you've done here?

20 MR. FRELENG: Yes.

21 COMMISSIONER ROBERTS: Fabulous.

22 CHAIRMAN CARACCIOLO: You're really  
23 getting us into the computer age here,  
24 Andy.

25 MR. FRELENG: Dragging me kicking

2 and screaming.

3 CHAIRMAN CARACCIOLO: Okay.

4 Tom, you have an Open Space Policy  
5 Plan for us?

6 DIRECTOR ISLES: What we're handing  
7 out to you today, and would like to  
8 present to you for your consideration,  
9 possibly with the resolution to be  
10 considered at your next meeting -- I'll  
11 give you a chance to read it -- is an  
12 Open Space Policy Plan for Suffolk  
13 County.

14 The origin of this is that Suffolk  
15 County has really been a leader in Open  
16 Space preservation efforts for many  
17 years in these past 30 years, and the  
18 County has had two things happen.

19 One is the evolution of programs  
20 over time where the County's programs  
21 began, really, from a programatic  
22 standpoint with the Farmland Protection  
23 Program. Prior to that, the County  
24 would buy parkland and so forth, using  
25 the capitol budget, on a



2 parcel-by-parcel basis. And, certainly,  
3 some great acquisitions were done at  
4 that time.

5 The Farmland Protection Program was  
6 the first programmed Open Space  
7 acquisition effort in the County, which  
8 was then followed up by the Drinking  
9 Water Protection Program and the Open  
10 Space Protection Program. But over the  
11 course of time, the direction of  
12 acquisitions has been -- you know, very  
13 focused with Farmland and very focused  
14 with drinking water protection, and has  
15 expanded over time to include other  
16 things, such as other goals of open --  
17 of recreation, of Active Recreation,  
18 Passive Recreation, Historic  
19 Preservation and so forth.

20 What we wanted to do with this  
21 report was to do a macro view of the  
22 County's programs, and to use it as a  
23 tool to help -- do a recognizance of  
24 what are the policies that have lead up  
25 to the current program of acquisition by

2 Suffolk County, how do those  
3 acquisitions go forward and what are  
4 some of the guidelines that should be  
5 used for that.

6 We put together the report and  
7 we've also put together a POWERPoint  
8 just to run through some of the concepts  
9 within that plan.

10 So, obviously, Open Space is  
11 something that, here again, has been  
12 important to Suffolk County and it  
13 relates to not only the benefits of  
14 health and quality of life, it's also an  
15 economic benefit.

16 I'll go through this pretty  
17 quickly.

18 In the case of Suffolk County,  
19 we've had a pretty lengthy history of  
20 Open Space planning, beginning with Lee  
21 Koppelman's study in 1964. And what I  
22 always liked about what he said in there  
23 is that "Open space has to be done in  
24 anticipation of need." Meaning that,  
25 you can't come in when the County's all

2 developed and say, well, now we have to  
3 preserve Open Space. You have to  
4 anticipate what that need is for the  
5 various uses, and then do it at that  
6 time.

7 And then over the years, the County  
8 has continued to look at the big picture  
9 of what are its needs and how to plan  
10 for that.

11 We have protected over 46,000 acres  
12 of land in Suffolk County, and then  
13 9,000 acres of Farmland. Our -- you  
14 know, we began this report with looking  
15 at the basic -- the first of -- what is  
16 our environment, what are the things  
17 that are important to protect in terms  
18 of -- we hear about sustainable  
19 development, we hear about protecting  
20 the future of Suffolk County. The real  
21 core of that is to preserve our  
22 environment, those natural resources  
23 that are essential to our health and  
24 well-being -- of us, as well as our  
25 environment.

2 So we look at the basic  
3 environmental setting of Long Island,  
4 which is a landform that was heavily  
5 effected by a glacial presence,  
6 1,200 years ago. We have these five  
7 major river corridors (indicating), we  
8 have a number of stream corridors.

9 Very importantly, at the next  
10 slide, we are a sole source aquifer.  
11 What does that mean? Actually, I was at  
12 a college class -- a graduate class of  
13 Stony Brook about two months ago, and  
14 asked the question, "Do you know where  
15 our water comes from?" And I was  
16 startled --

17 COMMISSIONER ESPOSITO: It's  
18 startling.

19 DIRECTOR ISLES: -- no one knew the  
20 answer. They said the Catskills and  
21 things like that. It wasn't a science  
22 class, but nonetheless, they didn't know  
23 the answer.

24 COMMISSIONER ESPOSITO: Don't they  
25 say the city a lot.

2 CHAIRMAN CARACCIOLO: The faucet.  
3 Doesn't it come from the faucet?

4 DIRECTOR ISLES: So very  
5 fundamentally, our water comes from  
6 below our feet and -- everyone here  
7 knows that -- but it's a -- you know, we  
8 hear about it -- I read an article in  
9 the Wall Street Journal this morning  
10 about Australia and their problems with  
11 water and so forth. Many parts of the  
12 world have that problem, we do not if we  
13 take care of what we have. We have  
14 plenty of quantity, it's a matter of  
15 quality. So that's certainly one  
16 important aspect. The streams and  
17 rivers are often groundwater expressions  
18 of groundwater and are, here again,  
19 important.

20 The next item we come to is just,  
21 here again, from an environmental  
22 standpoint, is one aspect. The other is  
23 just from who we are. Well, if we look  
24 at the next slide, we're a County that  
25 has a lot of great attributes to it.

2 We're also a County, if we look at  
3 the next slide, of -- we have a  
4 population of about  
5 one-and-a-half-million people. We're  
6 continuing to grow. We're larger than  
7 12 states, and just -- simply, Suffolk  
8 County is larger than 12 states. Out of  
9 over 3,000 counties in the country,  
10 we're ranked number 23 of -- in  
11 population. We're the largest suburban  
12 County in the United States.

13 In terms of where we're going,  
14 well, we still feel we have the  
15 potential to grow by another  
16 200,000 people at least. It's hard to  
17 believe. And that's like another  
18 17 percent growth. We have 600,000 jobs  
19 in Suffolk County. Here again, we have  
20 the 6th largest seasonal housing market  
21 in the United States. But, here again,  
22 out of those 3,000 counties, we're  
23 number 6 in terms of seasonal homes.  
24 And then, here again, our agricultural  
25 economy of a direct agricultural impact

2 of \$175 million.

3           What's the point to that? The  
4 point to that is that we're highly  
5 populated. We're relatively dense in  
6 some parts of the County. We're  
7 environmentally constrained in terms of  
8 our -- protection of our aquifer. Of  
9 our coastal resources, our bays and  
10 estuaries that are also important parts  
11 of our environment, but they're also  
12 important parts of our economy.

13           The definition of Open Space --  
14 here again, one that this Commission  
15 knows well, and it's defined in New York  
16 State law -- but basically, looking at  
17 the potential value of the parcel itself  
18 in terms of the environmental and  
19 economic values, and the value to the  
20 surrounding community.

21           We'll move onto the next one.

22           We did want to talk about Open  
23 Space preservation techniques. Here  
24 again, the County of Suffolk is heavily  
25 involved in the acquisition of Open

2 Space. A lot of that's done in fee  
3 simple or direct acquisition. We  
4 sometimes do conservation easements or  
5 development rights purchases, but  
6 there's actually a rather large toolbox  
7 of techniques, and we'll just go through  
8 some of those quickly.

9 Here's a fee acquisition that the  
10 County did of Indian Island County Park.  
11 But there's also zoning and subdivision  
12 regulations. Many Towns do require  
13 clustering. The Town of East Hampton,  
14 right now, is considering a mandatory  
15 cluster set aside of 50 percent of the  
16 land as Open Space in future  
17 subdivisions.

18 So some of it's done by negotiation  
19 on each application, some is done by  
20 specific set asides. East Hampton also  
21 has in their Ag zone a 70 percent  
22 mandatory set aside for a Farmland Open  
23 Space in that case. So that's a  
24 technique that's used, and one that  
25 certainly can be powerful. Clustering.



2 Resource Protection Overlay

3 District would be a wetlands regulation  
4 or a steep slope regulation.

5 Covenants and conservation  
6 easements -- we'll move along.

7 Transfer of development rights is  
8 one that has become very significant.  
9 Certainly in the Pine Barrens, but also  
10 it's one -- for example, the Town of  
11 Brookhaven is considering an Open Space  
12 Program, known as the Community  
13 Preservation Fund, which would have a  
14 transfer of development rights component  
15 to allow for protection of important  
16 space areas, but also development and  
17 redevelopment in those locations that  
18 are capable of receiving development.

19 Purchases of development rights  
20 certainly is the use of lot and  
21 Farmland.

22 And then agricultural districts can  
23 be a preservation technique. Although  
24 it can also be temporary, that -- that  
25 it's not permanent.

2 Here again, incentives to  
3 landowners and other techniques,  
4 tax-lien procedures.

5 We'll move onto the next one.

6 The interesting thing about  
7 Suffolk's programs, if we look back over  
8 time -- we'll just flip to the next  
9 slide here -- this is Smith Point Park  
10 being opened up in 1959. And, you know,  
11 an important milestone was looking at  
12 the development of regional recreational  
13 facilities. It was not environmentally  
14 based, it was -- well, looking at the  
15 fact that Suffolk's population was  
16 exploding at that point and there was a  
17 need to set aside land for that. And  
18 wisely so, certainly it made sense.

19 We then move to the 1970s where  
20 there is more of an environmental  
21 consciousness. And this is a Statement  
22 of Policy of Suffolk County, at that  
23 time, which started to recognize the  
24 importance of the environmental  
25 protection of Suffolk County's natural

2 resources. (Indicating)

3 Then we move to the next slide  
4 where -- this is 1998, if we look at  
5 policy statement for Suffolk County,  
6 once again, reaffirming the benefits of  
7 Open Space.

8 But what happened during the 90s,  
9 and getting into this current decade, is  
10 that -- just more of a broad based  
11 program. And I think that's, in  
12 particular, what we wanted to address  
13 with this policy document we've prepared  
14 at this point. Here again, looking at  
15 the evolution of the County's programs  
16 and interests.

17 And, as we move to the next slide,  
18 we'll see just the diversity of Suffolk  
19 County's programs.

20 So let's just flip quickly through  
21 some of these.

22 Here again, this is some of the  
23 current programs, the Farmland we've  
24 talked about.

25 We have a program called the

2 Multifaceted Land Preservation Program,  
3 and really for the first time, starting  
4 in the late '90s, this had a very broad  
5 application. So it's been used --  
6 that's Sagtikos Manor in West Bay Shore,  
7 and George Washington allegedly slept  
8 there. It's a spectacular location  
9 across from a County park. It's not an  
10 Open Space acquisition, but it's an  
11 important County acquisition. The  
12 Legislature in approving these  
13 resolutions, has broadened out the  
14 programs to allow historic preservation  
15 as part of that.

16 The Drinking Water Protection  
17 Program is really the granddaddy of the  
18 Suffolk County programs, having had  
19 expenditures probably in excess of  
20 \$200 million.

21 The Community Greenways Fund, with  
22 the program in 1998, approved by the  
23 voters, but here again, representing  
24 some variation of the typical Open Space  
25 of Farmland, it introduced a new

2 component called Active Recreation which  
3 enabled the County to buy land for the  
4 purpose of soccer fields, baseball  
5 fields, hamlet parks, things of that  
6 nature. So it's a new domain for  
7 Suffolk County.

8 Here again, a summary of some of  
9 the statistics -- we'll move along --  
10 continue on.

11 So, here again, not to repeat the  
12 programs too much, but we have the --  
13 the first one was a quarter percent, the  
14 next one -- which, by the way, this is  
15 the one up for renewal at the present  
16 time -- under discussion right now in  
17 the legislature and potentially going to  
18 the voters this November.

19 The next slide is multifaceted,  
20 which I spoke of. A little bit more  
21 diversification of program.

22 The next one is SOS. This was  
23 approved by the voters in 2004.  
24 \$75 million. This was the first time in  
25 Suffolk County's history we've actually

2 done a transfer of development rights  
3 coming off of this program and Open  
4 Space. But as you'll see here, there's  
5 specific mention -- obviously, there's  
6 Open Space and Farmland, but also hamlet  
7 greens, hamlet parks and pocket parks.  
8 That has not been a traditional role in  
9 Suffolk County to build those downtown  
10 parks. The County was concentrating on  
11 regional facilities in the past.

12 Some of the concerns we expressed  
13 in our report, and we've expressed with  
14 the legislature, is that the County  
15 really doesn't have the ability to  
16 manage and maintain those facilities.  
17 It's more of a local operation, and so  
18 we feel it's very important to those  
19 partnerships to have perpetual  
20 agreements that could then take care of  
21 that local need.

22 Moving onto the next one, this is  
23 the newest program right now, the  
24 Environmental Legacy Program and Capitol  
25 Program. Here again, providing funding

2 for those purposes.

3 Next slide.

4 We then look at the goals, and I'll  
5 go through this very quickly given the  
6 limitations of time. As we talked  
7 about, what are -- why do we buy Open  
8 Space? And there are three categories  
9 that we've identified. One being the  
10 natural environment, the second being  
11 Farmland and the third being Active  
12 Recreation.

13 So in the natural environment, of  
14 course, the protection of groundwater --  
15 drinking water is first and foremost.

16 Secondly, would be looking at  
17 coastal resources. It's been a major  
18 emphasis in Suffolk County's programs.

19 The third would be wetlands. Here  
20 again, a no-brainer, certainly in many  
21 respects, but the importance of  
22 wetlands -- when we talk about such  
23 issues as global warming and rising sea  
24 levels and so forth, the protection of  
25 wetlands -- if there was ever any

2 question in the past in terms of their  
3 value, flood protection for habitat,  
4 diversity and so forth, it's even more  
5 accentuated with other global conditions  
6 that are happening.

7 Continuing on to watersheds and  
8 stream corridors -- this is the Carmans  
9 River corridor right here (indicating).  
10 There are literally thousands of acres  
11 in the public domain of Federal  
12 property, County property and State  
13 property. An important resource  
14 protected within Central Brookhaven and  
15 Central Suffolk.

16 And then plant and animal habitat.  
17 That's a Tiger Salamander up there  
18 (indicating). They're not seen that  
19 often, but there it is. And we do have  
20 many -- we do have a pretty diverse  
21 environment here in Suffolk County.  
22 We're lucky with that. And we have the  
23 opportunity to protect that with a lot  
24 of the remaining development.

25 And then, just the character of our



2 community in terms of vistas and open  
3 areas, it does define part of the  
4 suburban character or rural character of  
5 Suffolk County, and becomes another  
6 asset to protect.

7 We then move onto Farmland. Here  
8 again, this has been since 1977.

9 And then we move into recreation,  
10 both passive -- of our 1.5 million  
11 residents, our -- a significant  
12 population increase on the east end,  
13 that happens during the summer months.  
14 It's a reason why people come here.

15 And just very quickly moving on,  
16 one of the things that certainly came  
17 out with the Greenways Program and the  
18 SOS Program, in western Suffolk County,  
19 in particular, was just the diminished  
20 land available for recreation and the  
21 loss of quality of life. So, here  
22 again, that became a focus and it's been  
23 manifested in a number of projects you  
24 see here.

25 Continuing on.

2 Here again, this is just an example  
3 of some of the cultural resources. We  
4 bought the property across from the  
5 Vanderbilt Museum a couple of years ago,  
6 known as Normandy Manor (phonetic). It  
7 was part of the original Vanderbilt  
8 Estate. The County picked it up and was  
9 able to maintain the integrity of that  
10 historic resource.

11 We'll just continue on through a  
12 couple of these slides.

13 These are just some examples.

14 So the end result of our report and  
15 the recommendations in it are a number  
16 of specific recommendations. I won't go  
17 through these individually. They're in  
18 the Executive Summary, they're in the  
19 report itself, but basically laying out  
20 some guidelines for the County as to why  
21 we should buy Open Space.

22 The practical aspect of this is  
23 that the County Planning Department  
24 prepares on a regular basis, a periodic  
25 basis, an Open Space plan. But the

2 County Executive has directed us to  
3 prepare something called the master  
4 list. We've done four of those at this  
5 point, in terms of identifying, on the  
6 basis of an environmental planning  
7 process, those sites that are important  
8 and should be protected for Open Space  
9 from the County's perspective.

10 It doesn't mean to say that there  
11 are parcels that shouldn't be purchased  
12 by the State or the Town. It may be  
13 different, and that's fine, but the  
14 point being is that there should be a  
15 criteria -- a merit-based criteria for  
16 Open Space acquisitions. And so the  
17 method of using a master list of an Open  
18 Space plan has been very helpful in  
19 staying on target with a plan program of  
20 acquisitions.

21 The other method that parcels are  
22 brought forward for acquisition would be  
23 by individual resolution. Whether it be  
24 from the County Executive or the  
25 Legislature, and many fine parcels can

2 be identified in that manner. But it  
3 becomes a little bit more sporadic in  
4 terms of judging those against the other  
5 parcels.

6 So what we have done -- and we're  
7 just going to flip through these slides  
8 right now, going through some of these  
9 criteria -- and, here again, I won't go  
10 into the details right now, given the  
11 time limitation -- there is a total of  
12 17 recommendations within this, and as  
13 we get to the next slide here  
14 (indicating), what we have done is we've  
15 developed updated rating forms.

16 This is something that we have used  
17 with the Legislature. They appreciate  
18 the -- an attempt to quantify  
19 acquisitions and give a comparative  
20 analysis to other acquisitions. And  
21 then what we've done with this process  
22 is to take the -- the thought process  
23 that was generated with the  
24 identification of the important  
25 properties, and relating them to actual

2 characteristics itself.

3 We have three rating forms that we  
4 then suggest for consideration by the  
5 Legislature. This one dealing with  
6 natural environment (indicating). We  
7 also have them in the subsequent slides,  
8 as we move on, with more of the Active  
9 Recreation, Historic and Cultural uses.  
10 And then the last one is for Farmland  
11 uses.

12 So we present this then today for  
13 your consideration. It would be a  
14 report issued by the Department and the  
15 Suffolk County Planning Commission.

16 The intention is that, number one,  
17 this is an exercise that historically  
18 has been done by the County, beginning  
19 with Dr. Koppelman in '64. We think  
20 it's important to periodically review  
21 the County's goals, what are we trying  
22 to achieve. But then, secondly, here  
23 again, with the County's consideration  
24 at the present time of the extension and  
25 reconfiguration reported from sales tax,

2 the County's program has been very  
3 active in the last few years.

4 If that's approved, there  
5 potentially will be a surge -- I  
6 shouldn't use that word, but a surge in  
7 acquisitions, and the important thing is  
8 to stay on target with the process to do  
9 the best we can for the residents of  
10 Suffolk County in terms of how we select  
11 and put together acquisition programs.

12 One fundamental difference that has  
13 happened over the 50 years -- 40 years  
14 that the County has been doing this is  
15 that, the old days, the County could go  
16 out and buy large tracks of land and put  
17 them into a County park system  
18 relatively easily. The one that I  
19 remember, in the early '90s, I guess was  
20 Hampton Hills, was 1,400 acres. We  
21 don't see any of those anymore.

22 The County -- a lot of the  
23 acquisition -- the average acquisition  
24 now is probably around 10 acres. The  
25 County obviously should not be buying

2 two acre parcels as part of a County  
3 park system, but the County should be  
4 buying two acre parcels as part of a  
5 stream corridor or river corridor. And  
6 the County owns a substantial number of  
7 properties already. In fact, that's  
8 what we're seeing a lot of. That we're  
9 picking up Pine Barrens quarter pieces,  
10 we're picking up a lot of parcels -- for  
11 example, in the Mastic-Shirley  
12 conservation area -- it's a flood plan  
13 area, a velocity zone. It's an area  
14 where the balance of the Mastic-Shirley  
15 community is heavily developed. We  
16 think that's a targeting point of  
17 acquisition. But it's going to be  
18 little quarter acre pieces and so forth.

19 So we do have a fundamental change  
20 in the County's program, but I think,  
21 here again, it stresses the importance  
22 of trying to tie it into a larger plan  
23 that fits into an appropriate County  
24 goal in that particular acquisition.

25 So --

2 COMMISSIONER CALONE: My question  
3 was really the Commissions role here in  
4 short of endorsing what you have done in  
5 your report. What role can the  
6 Commission play to support these  
7 policies? And what role can the  
8 Commission play in terms of helping to  
9 prioritize the acquisition projects to  
10 sort of meet our goals.

11 DIRECTOR ISLES: Okay. Two good  
12 questions. One great role that the  
13 Commission would play would be to adopt  
14 a resolution supporting the plan.

15 This is actually the first role out  
16 of this plan. The intention is that we  
17 are going to go to (inaudible), Parks  
18 Trustees, the Environment Committee of  
19 the Legislature and to the Legislature.  
20 So, perhaps, at the next meeting on  
21 August 1st we could have a draft  
22 resolution to put forward for your  
23 consideration.

24 The second item in terms of -- you  
25 know, in terms of reviewing parcels,



2 that's the effort that -- we feel that  
3 this document is kind of a standing  
4 document. As a list of developed or  
5 individual parcels come in, we could  
6 always go back to this, does it make  
7 sense or does it not make sense.

8 Our intention then is, as we've  
9 done these four previous master lists  
10 over the past three years --  
11 three-and-a-half-years, we're  
12 contemplating this fall doing another  
13 master list -- another Open Space list  
14 for the County, and certainly the  
15 involvement of the Commission would be  
16 great on that.

17 And that's where we're going to get  
18 into the nitty-gritty. We haven't done  
19 that --

20 COMMISSIONER CALONE: Right.

21 DIRECTOR ISLES: -- this is more  
22 the policy framework, and then from  
23 that --

24 COMMISSIONER CALONE: Prioritizing  
25 your characteristic plan --

2 DIRECTOR ISLES: Right. Exactly.  
3 We're certainly in that part of the  
4 process.

5 COMMISSIONER CALONE: Right.

6 CHAIRMAN CARACCIOLO: Okay -- I'm  
7 sorry.

8 VICE CHAIRWOMAN HOLMES: I was just  
9 going to say, I can certainly speak from  
10 personal and grateful experience from  
11 Shelter Island on how this plan works.  
12 Because in our instance, we came to the  
13 County -- because it took me 24 years,  
14 but this one developer wanted to develop  
15 the most pristine and prettiest flood  
16 plain on Shelter Island. And it was --  
17 you know, it flooded periodically, it  
18 wasn't suitable for development. We  
19 thought we had a bond issue to  
20 prioritize purchasing it, but it was  
21 used for other purposes.

22 But we came to the County, and the  
23 County agreed to acquire the 33 acres.  
24 And we got over the concerns about  
25 public use by having it designated for

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2 Passive Recreation. So there wouldn't  
3 be bus loads of people. And the piping  
4 plovers nest there, and whatnot.

5 And the County doesn't like to take  
6 property that has any easements. So we  
7 got the Town to buy the little two acres  
8 that has an easement on it, and it's  
9 really -- it was a textbook case. It  
10 worked out very well. And it makes --  
11 it makes quite a difference.

12 CHAIRMAN CARACCIOLO: Thank you.

13 And at the pleasure of the  
14 Commission, what we'll do is we'll  
15 review this, and next month, if staff  
16 can propose a resolution for us --

17 DIRECTOR ISLES: Sure.

18 CHAIRMAN CARACCIOLO: -- and then  
19 we could look at adopting that  
20 resolution.

21 DIRECTOR ISLES: Okay. I'd like to  
22 just thank the Planning Department  
23 staff, in particular, Laretta Fischer,  
24 Peter Hoffman, Carol Walsh and Carl  
25 Lind.

2 CHAIRMAN CARACCIOLO: Thank you.

3 Moving onto Commission Business.

4 Andy, if you'll start us off.

5 MR. FRELENG: Thank you,

6 Mr. Chairman, Members of the Board.

7 The first regulatory matter before  
8 the Commission comes to us from the Town  
9 of Brookhaven. This is the application  
10 of Sandy Hills, LLC. And the  
11 jurisdiction for the Commission is that  
12 the subject property is adjacent to  
13 County Road 21, New York State Route 25,  
14 and within the Central Pine Barrens  
15 Zone.

16 The applicants are seeking Town  
17 Board change of zone approval for a 38.6  
18 acre parcel from A-1 and J-2 districts  
19 to J-6 and MF-1. This is for the  
20 construction of 134 residential units.  
21 13,000 square feet of commercial space,  
22 and a 5,800 square foot village  
23 clubhouse for the residents of the  
24 development. Also proposed is an  
25 on-site sewage treatment plant for the

2 treatment of sanitary waste. 421  
3 parking spaces are proposed. 111 are  
4 proposed as accessory to the commercial  
5 space. The project is in conformance  
6 with the Town of Brookhaven Zoning Law  
7 requirements for off-street parking.

8 As you can see, the subject  
9 property is located on the east side of  
10 Rocky Point Road, which is County  
11 Road 21, approximately 300 feet north of  
12 Middle Country Road, which is New York  
13 State 25, in the hamlet of Middle  
14 Island.

15 I should amend that, if we could go  
16 back a little bit.

17 A piece of the property is  
18 located -- the butting of 25.

19 A review of the character of the  
20 land use and zoning pattern in the  
21 vicinity indicates that the subject  
22 premises is located in an area of  
23 predominately A-1 residential zoning.  
24 Some J-2 business is found particularly  
25 along a corridor straddling Middle

2 Country Road. An out parcel and some  
3 properties on the east side of CR 21 are  
4 also so zoned. There is health facility  
5 zoning and a large industrially zoned  
6 parcel, which is the sand and gravel --  
7 if we could go back to the aerial for a  
8 second. You can see the sand and gravel  
9 over here (indicating). Some of us know  
10 that intimately.

11 CHAIRMAN CARACCIOLO: Some of us do  
12 not.

13 MR. FRELENG: There is residential  
14 development, which predominates to the  
15 east, in the form of single family  
16 housing and an attached multifamily  
17 community. West of the subject property  
18 are some single family homes and  
19 underdeveloped institutional zoning.  
20 The Middle Country Road corridor is  
21 improved with commercial development on  
22 either side of the road.

23 Access to the proposed use is to be  
24 from one ingress/egress curb cut to New  
25 York State Route 25, and one

2 ingress/egress curb cut to County Road  
3 21. The two access points are connected  
4 via an internal road linking the  
5 commercial and residential components.  
6 An internal loop roadway provides access  
7 to the remainder of the development  
8 northward.

9 You can see here, this is the road  
10 that comes from 25, goes to 21, and then  
11 there's an internal road that goes and  
12 meanders through the rest of the  
13 development. (Indicating)

14 With respect to the environmental  
15 conditions on the subject property, the  
16 subject property is situated in  
17 Hydrogeologic Groundwater Management  
18 Zone III, pursuant to Article 6 of the  
19 Suffolk County Sanitary Code.

20 As you know, that is a deep  
21 recharged zone. (Indicating)

22 The site is located in the Central  
23 Suffolk (West) Special Groundwater  
24 Protection Area. The SGPA recommends  
25 Cluster Development for the parcel. The

2 subject site is located in the Middle  
3 Island-Yaphank State Critical  
4 Environmental Area. No local, State or  
5 Federally regulated wetlands occur on  
6 site; however, west of the subject  
7 property is a State regulated wetland  
8 reported providing habitat for the  
9 Eastern Tiger Salamander.

10 We just saw a picture of the  
11 salamander in Tom's presentation.

12 Open Space considerations for the  
13 project include a buffer area to the  
14 pond and migratory routes or tunnels  
15 under County Road 21 for the Mole  
16 Salamander.

17 See, over here is the wetland.  
18 It's off-site. It's on the other side  
19 of County Road 21. This piece of the  
20 development here is part of a radius,  
21 which is -- New York State DEC  
22 regulations require 50 percent of the  
23 habitat within a thousand foot radius to  
24 be preserved. So this project is  
25 preserving this corner here, which is



2 part of that radius. In addition, the  
3 project is building coverts underneath  
4 21 to allow the Mole Salamanders to  
5 migrate back and forth. (Indicating)

6 Okay.

7 COMMISSIONER CALONE: Do they know  
8 to go to --

9 COMMISSIONER ESPOSITO: Will there  
10 be directional signs put in --

11 COMMISSIONER CALONE: -- the  
12 tunnel? I mean --

13 MR. FRELENG: I don't think so.

14 COMMISSIONER ESPOSITO: -- "Tiger  
15 Salamanders please go here."

16 MR. FRELENG: I don't have any  
17 information specifically on this, but I  
18 would imagine that the DEC, in working  
19 with the applicant, has some knowledge  
20 that the salamanders do migrate somehow  
21 across 21 now. And with the coverts, I  
22 guess, they'll just follow the drainage  
23 and body surf, I guess, across --  
24 underneath the road.

25 COMMISSIONER CALONE: Do you want

2 me to quote you on that, Andy?

3 MR. FRELENG: You can quote me on  
4 the body surfing.

5 COMMISSIONER ESPOSITO: I know I'll  
6 be quoting you on that.

7 MR. FRELENG: The site is located  
8 in the Central Pine Barrens region of  
9 Suffolk County and regulated by the  
10 Central Pine Barrens Joint Planning and  
11 Policy Commission, as well as this body.  
12 The subject property is in the  
13 Compatible Growth Area of the Central  
14 Pine Barrens, subject to clearing,  
15 fertilizer and other development  
16 standards.

17 Okay. It should be noted that the  
18 property is not in a economically  
19 distressed or minority community,  
20 pursuant to reporting requirements of  
21 the Legislative Resolution.

22 With regard to Comprehensive Plan  
23 Recommendations, the 1996 Town of  
24 Brookhaven Comprehensive Land Use Plan  
25 recommends one acre or less density for

2 this site. The Middle Country Road  
3 Corridor Study and Land Use Plan for the  
4 Coram, Middle Island and Ridge Corridor,  
5 which was adopted in 2006, indicates  
6 that the site should be a mixed use,  
7 consisting of commercial, high density  
8 and medium density residential.

9 It's the belief of the staff that  
10 the proposed zone change is conceptually  
11 approvable in order to further the  
12 implementation of the local Corridor  
13 plan.

14 Just to remind you that they are  
15 coming in for a change of zone, which is  
16 J-6 in the front, which is the  
17 commercial component, and then MF for  
18 the back, which is the attached unit  
19 component. (Indicating)

20 Certain design elements of the  
21 proposed Preliminary Site Alignment  
22 Plan, and certain aspects of the  
23 proposal are problematic and will need  
24 modification prior to final site plan  
25 approval.

2 The theoretical as-of-right yield  
3 of the residentially zoned portion of  
4 the subject property, pursuant to the  
5 local zoning, is approximately 33 lots.  
6 The proposed yield of the development is  
7 to be 134 units, not to mention the  
8 commercial aspect of the property. It  
9 is a difference of 101 units, or the  
10 as-of-right yield is approximately only  
11 25 percent of the proposed yield. It's  
12 the belief of the staff that the  
13 proposal provides no substantial public  
14 benefit to the community impacted by the  
15 increase in density as a result of the  
16 zone change.

17 The location of the subject, site  
18 in the Compatible Growth Area of the  
19 Central Pine Barrens, makes discussion  
20 of the retirement of Pine Barren Credits  
21 essentially mandatory. Yet the project  
22 sponsor provides no rationale as to how  
23 the yield of the site is increased to  
24 134 units without the capture of Open  
25 Space in the area. The A-1 Residential

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2                   zoning district, in the Town of  
3                   Brookhaven. Is a designated receiving  
4                   area in the Central Pine Barrens, in  
5                   accordance with the Comprehensive Land  
6                   Use Plan, and an increase of yield of  
7                   this magnitude warrants the transfer  
8                   development rights or Pine Barren  
9                   Credits to achieve the desired density.  
10                  The applicant should be directed to  
11                  retire 101 Pine Barren Credits to  
12                  achieve the requested density. The  
13                  Central Pine Barrens Commission should  
14                  be consulted for discussion -- consulted  
15                  by the project sponsor that is -- for  
16                  discussion of the Pine Barren Credits  
17                  transfer issue. Moreover, the  
18                  preliminary Site Alignment Plan  
19                  indicates that only 33.5 percent of the  
20                  site remains in Open Space, after  
21                  construction of the proposed  
22                  development. The proposed Open Space  
23                  reserve is not in conformance with the  
24                  clearing restrictions of either the Town  
25                  of Brookhaven or the Central Pine

2 Barrens Joint Planning and Policy  
3 Commission. A variance from the Town  
4 and/or a hardship permit from the  
5 Central Pine Barrens Joint Planning and  
6 Policy Commission may be warranted.

7 In addition, there is no workforce  
8 housing component as proposed  
9 substantial public benefit in the  
10 intended development. An increase in  
11 yield to 134 units from an as-of-right  
12 yield of approximately 33 lots should  
13 include a 20 percent workforce housing  
14 component. Of the 101 unit bonus, as a  
15 result of the zone change, a minimum of  
16 20 units should be set aside as  
17 workforce housing units. As a point of  
18 reference, 20 percent of the overall  
19 requested yield of 134 units would  
20 equate to 27 units.

21 The preliminary Site Alignment Plan  
22 indicates a through street or bypass  
23 road from New York State 25 to County  
24 Road 21. If it is intended that the  
25 street be a private road, then its

2 function as part of the implementation  
3 of the Middle Country Road Corridor  
4 Study and Land Use Plan for the Coram,  
5 Middle Island and Ridge Corridor may be  
6 problematic. Should the street be  
7 intended for dedication into the Town  
8 Highway system, the median and other  
9 elements (intersections with the  
10 internal roadways and parking areas,  
11 lighting, et cetera) may be problematic  
12 as part of a bypass network.

13 So let me just reState that in the  
14 Coram, Middle Island plan, they are  
15 proposing a road that bypasses the  
16 intersection of 21 and 25. This  
17 development picks on that proposal of  
18 making a connecting street. However,  
19 there's no indication if this is to be a  
20 public street or a private street. If  
21 it's to be a private street, then we've  
22 got intersections here and here  
23 (indicating), with the County and State  
24 roads that need to be reconciled with to  
25 make sure we have the proper sight

2 distance and turning lanes, et cetera,  
3 on and off the State and County road.  
4 If this is to be a public road, then the  
5 State and County really should weigh in  
6 and find -- as well as the Town highway,  
7 and determine whether or not these  
8 intersections, as well as the alignments  
9 of intersections here and here  
10 (indicating), whether or not it's  
11 appropriate to have access from the  
12 residential areas coming in through a  
13 commercial area. So if this is to be a  
14 public street (indicating), and the  
15 median as well (indicating), it may be  
16 an issue with regard to a State highway  
17 or Town highway. So the staff is  
18 recommending that that be looked at  
19 again.

20 Okay. In order to achieve the  
21 desired density for this development,  
22 the project sponsors have proposed the  
23 incorporation and construction of an  
24 individual sewage treatment plant. The  
25 Suffolk County Planning Commission is



2 aware that there are several sewage  
3 treatment plants in the area, and that  
4 the Suffolk County Sewer agency is  
5 studying the necessity of consolidating  
6 individual package sewage treatment  
7 plants. The project sponsors should be  
8 directed to the Suffolk County Sewer  
9 Agency for preliminary discussions on  
10 the viability of an individual sewage  
11 treatment plant for this project.

12 The Suffolk County Planning  
13 Commission staff is aware of the Bailey  
14 Road public water supply well field,  
15 owned and operated by the Suffolk County  
16 Water Authority. This well site is  
17 situated on the north side of Bailey  
18 Road, approximately 370 feet east of  
19 Rocky Point Road. The applicant should  
20 be directed to the Suffolk County Water  
21 Authority for discussions as to the  
22 potential impact of the proposed Sewage  
23 Treatment Plant on the integrity of the  
24 well field.

25 The STP is being proposed here.

2 The well site -- if we go to the aerial  
3 for a second -- is up here. So the well  
4 site is about here somewhere, and the  
5 STP is proposed to be about here. Staff  
6 is not directly sure of the direction of  
7 groundwater flow. Whether it is from  
8 the north to the south, whether it is  
9 from this site moving towards the open  
10 water body here in the sand and gravel  
11 mine (indicating), or if the flow is  
12 southward towards the Carmans River or  
13 Artist Lake. Staff does not have that  
14 information. And the well field is  
15 really a subject of the Health  
16 Department and the Water Authority. But  
17 we believe that the applicant should be  
18 directed to them for discussion, as well  
19 as the Sewer Agency.

20 The proposed action is presented as  
21 a response and an implementation of the  
22 Middle Country Road Corridor Study and  
23 Land Use Plan for the Coram, Middle  
24 Island and Ridge Corridor. However,  
25 said plan cannot be fully implemented

2 until such time as the Town Board, under  
3 its own motion, adjusts the zoning  
4 district outside of the planned hamlet  
5 centers.

6 Can we go to the aerial? I'm  
7 sorry, you were at the aerial.

8 So outside of the hamlet centers,  
9 this would be the proposed hamlet center  
10 for Middle Island -- all right -- in  
11 addition to some commercial properties a  
12 little bit to the east, just off the  
13 map. If the Town does not change the  
14 zoning along the corridor here, what  
15 we're going to wind up with is high  
16 density in these hamlet centers as well  
17 as sprawl density, if you will, in  
18 between the hamlet of Coram -- over  
19 here -- to the hamlet of Middle Island.

20 (Indicating)

21 So without that corresponding  
22 zoning adjustments between the planned  
23 hamlet centers, as-of-right development  
24 along the corridor will blur the  
25 distinction of the hamlet centers.

2 Without the corresponding zoning  
3 district amendments outside of the  
4 hamlet centers, the approval of the  
5 proposed plan would simply be a "density  
6 grab" and serve to further exacerbate  
7 the ramifications of unplanned and  
8 uncoordinated suburban sprawl.

9 Finally, while there are certain  
10 plan elements that remain problematic,  
11 the Suffolk County Planning Commission  
12 staff reminds the Town that it will  
13 reserve detailed comments on the site  
14 plan until such time as a  
15 formal/official site plan application is  
16 referred to the Suffolk County Planning  
17 Commission.

18 So, as you're aware, when this  
19 comes in -- this is now a change of zone  
20 application, when the applicants make an  
21 application to the Town for a site plan,  
22 that will be re-referred to us. So we  
23 can save specific comments on the site  
24 plan itself for that time.

25 Staff is recommending approval of

2 the requested zone change.

3 The proposed zone change is  
4 conceptually approvable in order to  
5 further the implementation of the local  
6 Corridor plan. Certain design elements  
7 of the proposed Preliminary Site  
8 Alignment Plan and certain aspects of  
9 the proposal are problematic, however,  
10 and will need modification prior to  
11 final site plan approval.

12 The theoretical as-of-right yield  
13 of the residentially zoned portion of  
14 the subject property pursuant to the  
15 local zoning, as indicated, is 33 lots,  
16 and the proposed yield of the  
17 development is to be 134 units. This is  
18 a difference of 101 units or the  
19 as-of-right yield, as indicated before,  
20 is 25 percent of the proposed yield.  
21 And to remind the Commission, the  
22 proposal provides no substantial public  
23 benefit to the community impacted by the  
24 increase in density.

25 Therefore, the conditions that the

2 staff is recommending to the Commission,  
3 the first condition being that the  
4 applicant shall be directed to retire  
5 101 Pine Barren Credits to achieve the  
6 requested density.

7 The paragraph which follows is an  
8 excerpt from the staff report's  
9 rational.

10 The second condition recommended to  
11 the Commission is that 20 percent of the  
12 proposed units be set aside for  
13 workforce housing purposes.

14 The third condition is that the  
15 applicant provide written correspondence  
16 from the New York State DOT and the  
17 Suffolk County DPW, as to issues of the  
18 proposed bypass road and access permits  
19 to the public's right-of-way.

20 The fourth condition is that the  
21 applicant shall provide written  
22 correspondence from the Suffolk County  
23 Sewer Agency and the Suffolk County  
24 Department of Health Services, as to the  
25 viability of the proposed on-site sewage

2 treatment plant.

3 The paragraphs which follow each of  
4 these conditions are excerpted from the  
5 rationale of the staff report.

6 The fifth condition is that the  
7 applicant provide written correspondence  
8 from the Suffolk County Water Authority  
9 as to the potential impacts of the  
10 proposed action on the Bailey Road well  
11 field.

12 The comment which follows is  
13 recommended from staff to be relayed  
14 from the Commission to the Town, and  
15 essentially, that just reiterates the  
16 fact that the Town needs to change the  
17 zoning between the hamlet centers in  
18 order to implement the Corridor plan.

19 And that is the staff report.

20 CHAIRMAN CARACCIOLO: Thank you,  
21 Andy.

22 I guess my question is, you know,  
23 why would we approve something that  
24 seems so problematic, and the applicant,  
25 you know, seems like it has a lot of

2 issues, not one -- you know, I mean, one  
3 major one being the Pine Barren Credits,  
4 but the sewage treatment plans, the  
5 groundwater wells and -- you know, we  
6 could just go on an on. But, I guess --

7 COMMISSIONER ESPOSITO: The lack of  
8 affordable houses.

9 CHAIRMAN CARACCILO: -- lack of  
10 affordable houses. But I guess the --  
11 the answer is, you just -- if you could  
12 just clarify it for me, if we are  
13 approving the zone change and we're not  
14 approving this application.

15 MR. FRELENG: That is correct. The  
16 staff is recommending the approval of  
17 the zone change. The applicants have  
18 responded to the Corridor study -- the  
19 Middle Island, Ridge, Coram Corridor  
20 study. The studies do recommend this  
21 type of development for the site. So  
22 the zone change is consistent with the  
23 Corridor study. The problem comes into,  
24 how do they get to that zone change and  
25 certain design elements of the project



2 site itself?

3 The main issue, with respect to  
4 staff, is that the property is in the  
5 Central Pine Barrens Compatible Growth  
6 area. In the Town of Brookhaven, the  
7 A-1 zone is the receiving site for  
8 density, which is transferred out of the  
9 core of the Pine Barrens. While the A-1  
10 zone is massive in the Town of  
11 Brookhaven, it almost -- almost blankets  
12 the entire Town. They have, over the  
13 past 10 or 11 years of the Central Pine  
14 Barrens plan, done a lot of zone changes  
15 in that receiving area. And staff is  
16 concerned that they might not have  
17 enough receiving area for development  
18 rights, when you consider their proposal  
19 for the CPF Program -- which is also a  
20 TDR Program -- as well as their Overton  
21 Preserve Program -- which is another TDR  
22 Program.

23 So they have three competing TDR  
24 Programs. And there is no discussion in  
25 the application material referred to the

2 Commission, how they achieve that  
3 density, other than just a simple zone  
4 change. There are no substantial public  
5 benefits being offered to the community,  
6 particularly, a discussion on the  
7 retirement of Pine Barren Credits or any  
8 other development density transfer.

9 So staff is recommending 101 Pine  
10 Barren Credits be transferred to this  
11 property, as a point of discussion  
12 really, either for the Commission or for  
13 the Town itself.

14 If you've been following the  
15 history of the Central Pine Barrens and  
16 the value of Pine Barren Credits, in the  
17 Town of Brookhaven, 10 years ago, a Pine  
18 Barren Credit was about \$18,000 or so.  
19 Now, a Pine Barren Credit is about  
20 \$100,000. So staff realizes that we are  
21 recommending to the Commission that the  
22 applicant, through this condition, spend  
23 \$10 million to buy Pine Barren Credits  
24 to achieve this density. We understand  
25 that, and we are putting this forth as a

2 point of discussion.

3 COMMISSIONER KONTOKOSTA:

4 Obviously, the opportunities here for  
5 affordable housing are -- are  
6 significant and that's definitely an  
7 important condition.

8 With respect to the credit  
9 transfer, the hundred thousand dollars a  
10 unit, I think it should be understood,  
11 and I think we all need to understand  
12 that the -- the affordable housing  
13 problem in the County is not simply a  
14 matter of transferring density from one  
15 area to the next. There needs to be a  
16 net increase in density to begin to  
17 address these problems.

18 Simple land economics will tell us  
19 that those hundred thousand dollar  
20 credits will simply be past through the  
21 home buyer, and you will have units that  
22 are much more -- a hundred thousand  
23 dollars more expensive than they  
24 otherwise could have been.

25 So I think this is in conformance

2 with the recent Middle Country Road  
3 Corridor study and recommendations  
4 therein. It seems like there's -- there  
5 should possibly be some other  
6 consideration, rather than actually  
7 purchasing a hundred thousand dollar  
8 credits for each one of these additional  
9 units.

10 Whether that benefits or is traded  
11 off in terms of more affordable housing  
12 or some other way, that's not maybe our  
13 position to say here. But it seems like  
14 that would be kind of an excessive  
15 burden to place, and we're not -- we'll  
16 miss an opportunity, perhaps, to address  
17 some affordable housing issues with this  
18 project.

19 COMMISSIONER GOODALE: (Indicating)

20 CHAIRMAN CARACCIOLO: Jesse?

21 COMMISSIONER GOODALE: Yes. I'm  
22 maybe a little bit confused about this.

23 Are we basically telling the  
24 Town -- giving them some recommendations  
25 about their zoning changes in accordance

2 with their Corridor plan?

3 MR. FRELENG: Yes.

4 COMMISSIONER GOODALE: And at the  
5 same time, though, we're recommending  
6 for this specific site plan -- I'm  
7 thinking that, are we premature with  
8 recommending for this -- if we tell the  
9 Town, listen, before we move on this,  
10 you have to engage in the actual  
11 particular zoning changes, which would  
12 be in accordance with your -- with your  
13 Corridor plan. And then after that,  
14 when a particular application comes  
15 which would be in accordance with your  
16 change of zone, then these issues might  
17 arise. Or are these issues -- are these  
18 really recommendations to this applicant  
19 or are they more recommendations for the  
20 Town in considering -- regardless of  
21 this application -- what kind of zoning  
22 and zoning regulations they should have  
23 when they get the particulars about  
24 this -- changing a plan to a specific  
25 zoning regulation?

2 MR. FRELENG: The conditions are  
3 directly responding to the application.  
4 The comment which would follow is in  
5 response to the Town's procedure in  
6 implementing the plan.

7 The Town adopted a moratorium, they  
8 did a study. The plan came out, they  
9 adopted the plan. They're in the  
10 implementation phase. They have done  
11 some zone changes up and down the  
12 Corridor. They haven't done -- and I  
13 understand, talking to the staff, that  
14 they're about to undergo several hundred  
15 parcels of zone changes.

16 The comment is a reminder to the  
17 Town that they need to do that in order  
18 to implement the plan, and it is  
19 obvious, otherwise they'll have sprawl  
20 up and down the Corridor.

21 COMMISSIONER GOODALE: Exactly.

22 MR. FRELENG: So it's a comment,  
23 basically, to the Town, to give the Town  
24 Board some ammunition or a reminder  
25 saying, go ahead and change the zone,

2 but you can't forget about --

3 COMMISSIONER GOODALE: -- these  
4 other issues.

5 MR. FRELENG: -- the other issues.

6 So the comments respond directly to  
7 the application, which is responding to  
8 the plan.

9 So I think that the -- the  
10 application may be a little premature  
11 with --

12 COMMISSIONER GOODALE: It sounds  
13 like, to me, it's premature.

14 MR. FRELENG: -- regard to  
15 implementation, but they are responding  
16 to the plan. So I think in order to  
17 implement the plan, whether the Town  
18 Board does it or whether applicants do  
19 it, the zone changes need to be done.  
20 The problem is that this comes first and  
21 there are no substantial public  
22 benefits -- one of them being Pine  
23 Barren Credits -- being offered by the  
24 application.

25 CHAIRMAN CARACCILOLO: Ms. County

2 Attorney, you have a comment?

3 MS. KOHN: Yes. I was just  
4 wondering, just for my own information,  
5 the 20 percent set aside for workforce  
6 housing, is that a Commission guideline  
7 or --

8 MR. FRELENG: No, that --

9 MS. KOHN: -- how did you come to  
10 that 20 percent?

11 MR. FRELENG: That's a Commission  
12 guideline that's been historically a  
13 Commission requirement for many years.

14 MS. KOHN: Thank you.

15 CHAIRMAN CARACCILO: Any other  
16 comments?

17 COMMISSIONER FIORE: As a  
18 Commission guideline, why did you opt to  
19 go with the minimum of 20 units and not  
20 stick with the 27?

21 MR. FRELENG: It's a standard  
22 requirement that 20 percent of the units  
23 be set aside for affordable housing.

24 I -- I understand what you're  
25 saying, is that, why did I go with the



2 bonus of a hundred -- of the hundred  
3 units. I can't answer that really. I  
4 think that I was focused on the bonus  
5 that they were getting and what benefits  
6 they should provide back to the  
7 community. And I think of that bonus,  
8 20 percent of that bonus, should be  
9 affordable units.

10 Historically, you are correct,  
11 Commission Fiore, that we have required  
12 20 percent of the overall development.  
13 We can amend that.

14 COMMISSIONER FIORE: Thank you.

15 MR. FRELENG: If that's your  
16 pleasure, we can amend that.

17 COMMISSIONER FIORE: Well, I'm not  
18 speaking for the Board, but I would like  
19 to see something like that.

20 (Inaudible)

21 CHAIRMAN CARACCILO: Yeah, I  
22 don't -- you were saying, Don.

23 COMMISSIONER FIORE: 134 units.

24 CHAIRMAN CARACCILO: Oh, and you  
25 mean of the 101.

2 COMMISSIONER FIORE: (Inaudible)

3 CHAIRMAN CARACCIOLO: Okay. Could  
4 you change that, Andy?

5 MR. FRELENG: Yes, I can change it.

6 COMMISSIONER FIORE: And the  
7 actual --

8 CHAIRMAN CARACCIOLO: Right. I  
9 understand, Don. That's a good point.

10 MR. FRELENG: Yeah, we can fix  
11 that.

12 Staff is, though, looking for --

13 CHAIRMAN CARACCIOLO: This one says  
14 101 --

15 MR. FRELENG: Right.

16 CHAIRMAN CARACCIOLO: -- not  
17 20 percent of the 134. So we want  
18 20 percent of the 134.

19 MR. FRELENG: Right. Which would  
20 be 27 affordable units, not 20. Right.  
21 I can fix that.

22 DIRECTOR ISLES: As far as the  
23 issue on the Pine Barren Credits  
24 acquisition or retirement, here again,  
25 as Andy's explained, we think it's an

2 issue to be addressed. We're not -- you  
3 know, we've come up with a number of  
4 101 credits, we do understand, however,  
5 that that may be a lot in this case, in  
6 balance with the application.

7 And as Commissioner Kontokosta  
8 said, we certainly are cognizant of the  
9 affordable housing (inaudible). So,  
10 perhaps, there can be some blending, a  
11 suggestion, maybe, at this point, added  
12 to it, at least in that comment or  
13 something else.

14 We think that that should be on the  
15 table because it's an integral part of  
16 the Pine Barrens Program is that  
17 (inaudible) transfer development rights.

18 In this case, you know, maybe  
19 there's an equation whereby there's an  
20 affordable housing component that's part  
21 of a -- there'll be some retirement of  
22 credits.

23 Keep in mind too, that this is an  
24 early staged application. We have not  
25 received an environmental impact

2 statement yet. We did receive a  
3 referral from the Town, because we only  
4 have 35 days on that. There's still a  
5 lot more information that has to be  
6 gathered, including a more thorough  
7 inspection of the Pine Barrens Credit  
8 issue. But you're going to -- depending  
9 on your pleasure today, we can accept  
10 the recommendation as it is, you can  
11 modify it, make a comment. We just feel  
12 something should be brought to the  
13 attention of the Town on that topic.

14 COMMISSIONER FIORE: Could we  
15 require that the --

16 CHAIRMAN CARACCIOLO: Could we make  
17 it a comment, Andy, that this must be  
18 addressed. And maybe, as Commissioner  
19 Kontokosta has said, that there could be  
20 a trade off between affordable housing.  
21 But we have to address this issue of --  
22 you know, make it a comment rather than  
23 a condition.

24 VICE CHAIRWOMAN HOLMES: You know,  
25 just the issue of credits should be

2 discussed, should be addressed --

3 CHAIRMAN CARACCIOLO: Or must be.

4 VICE CHAIRWOMAN HOLMES: --

5 maybe -- you know, maybe a reducing of  
6 the number of credits.

7 MR. FRELENG: If that is the wishes  
8 of the Chair and the Commission, we can  
9 do that. I would -- staff would  
10 recommend, though, that it be a  
11 condition that the Town discuss the Pine  
12 Barren Credits issue.

13 To the extent of the number of  
14 credits that be retired, I'd leave that  
15 to the discretion of the Commission,  
16 whether or not you want to pick a number  
17 or do you just want to say, this project  
18 warrants the retirement of a significant  
19 number of Pine Barren Credits, and leave  
20 it at that.

21 VICE CHAIRWOMAN HOLMES: I think a  
22 significant number --

23 COMMISSIONER KONTOKOSTA:  
24 (Indicating).

25 CHAIRMAN CARACCIOLO: Commissioner

2 Kontokosta?

3 COMMISSIONER KONTOKOSTA: If I may,  
4 I think it would -- it would probably be  
5 best to leave that up to some sort of  
6 alternative discussion and arrangement  
7 here. I think us coming up with some  
8 arbitrary number would just seem --

9 COMMISSIONER ESPOSITO: Yeah.

10 COMMISSIONER KONTOKOSTA: -- the  
11 point, without a full discussion of the  
12 entire program would seem kind of  
13 strange.

14 At the same time, it seems slightly  
15 incongruous with -- given this new  
16 study, and the plan, and the  
17 recommendations for higher density  
18 zoning in this area, it seems  
19 unnecessary almost for the credits to be  
20 transferred in this case, because you're  
21 placing even more onus on the individual  
22 landowner, eventual home buyer for this  
23 transfer. That has already been deemed  
24 by the Town, who I presume, performed  
25 this study as -- in the best interest of

2 overall planning principles and in the  
3 public's best interest that this be an  
4 area of higher density.

5 So I think there needs to be a  
6 serious discussion in terms of how this  
7 credit difference is going to be  
8 handled. Perhaps, larger than this  
9 simple project here with respect to  
10 adopted studies that endorse increased  
11 density.

12 DIRECTOR ISLES: Just to add to  
13 that, sir.

14 The Town of Brookhaven is a  
15 participant in the Pine Barrens plan.  
16 They adopted the plan and so forth.

17 So I think the point is, and we  
18 don't want to forget about that, there's  
19 a micro issue here at this site, this  
20 hamlet study. But there's no question  
21 that the larger picture for the Town as  
22 well as the County of Suffolk was the  
23 reallocation of development. Areas that  
24 need to be preserved as well as  
25 recharged in the Central Pine Barrens

2 core, that property owner interest is  
3 protected in terms of fair -- whether  
4 they sell their land or transfer rights.  
5 So it's more of a reallocation. So we  
6 like the idea of the intensifications,  
7 but if they're not going to be somehow  
8 dealing with that, absorbing those  
9 credits for development, whatever that  
10 number may be, then it's going to  
11 undermined the Pine Barrens Program.

12 COMMISSIONER ESPOSITO: The whole  
13 program was designed around relocating  
14 and retiring the credits, so we can't  
15 leave them out.

16 CHAIRMAN CARACCIOLO: Yeah.

17 COMMISSIONER KONTOKOSTA: Yes --  
18 okay. No, I --

19 CHAIRMAN CARACCIOLO: I agree  
20 that --

21 COMMISSIONER KONTOKOSTA: -- I -- I  
22 agree. Yes, I -- I just -- I guess I  
23 was just saying that, again, this number  
24 has to be -- obviously, there needs to  
25 be some negotiation as how alternatives



2 proposed --

3 CHAIRMAN CARACCIOLO: Right. We're  
4 not prepared to come up with the  
5 number --

6 DIRECTOR ISLES: Perhaps the  
7 language that Andy suggested would --

8 MR. FRELENG: I can bring it to the  
9 attention of the Town that they need  
10 to --

11 CHAIRMAN CARACCIOLO: Right. I  
12 like Andy's second suggestion that it is  
13 not a comment, but it is a condition --

14 COMMISSIONER ESPOSITO: I think we  
15 should --

16 CHAIRMAN CARACCIOLO: -- upon them.

17 So if you could reword that,  
18 Andy --

19 MR. FRELENG: Yes.

20 CHAIRMAN CARACCIOLO: -- and  
21 include Don's 20 percent on the overall  
22 number of units?

23 MR. FRELENG: Yes.

24 CHAIRMAN CARACCIOLO: Are there  
25 anything other comments?

2 VICE CHAIRWOMAN HOLMES: There was  
3 one thing that you did address, and I  
4 don't know whether this would be more  
5 discussed at the site plan or here, but  
6 I was concerned that the staff did not  
7 have the information about the leaching  
8 of the groundwater, and whether or not  
9 that sewage treatment water would --  
10 would go toward the well or not.

11 Is there -- is that appropriate to  
12 ask them to supply that information  
13 later, or is that something that could  
14 be also brought to their attention that  
15 that's an important aspect --

16 MR. FRELENG: Well --

17 VICE CHAIRWOMAN HOLMES: -- of --

18 MR. FRELENG: -- we certainly want  
19 to bring it to their attention that it's  
20 an important aspect. This unit doesn't  
21 have the expertise really to review the  
22 wastewater --

23 VICE CHAIRWOMAN HOLMES: Right.

24 MR. FRELENG: -- discharge and that  
25 sort --

2 VICE CHAIRWOMAN HOLMES: Right.

3 MR. FRELENG: -- of stuff --

4 VICE CHAIRWOMAN HOLMES: Right.

5 MR. FRELENG: -- but the agencies  
6 that do, the Health Department, the  
7 Sewer Agency, DEC, maybe, in certain  
8 cases, they have that jurisdiction. And  
9 the applicant knows they have to go  
10 there, but they really need to go there  
11 now not later.

12 VICE CHAIRWOMAN HOLMES: Well,  
13 that's what I'm wondering. Is that  
14 something that could be included in the  
15 conditions, that they immediately  
16 address this with the County Water and  
17 Health.

18 MR. FRELENG: Well, if it's not  
19 clear, that's what was meant by those  
20 conditions, where they have to go to the  
21 Sewer Agency and the Health Department  
22 to get written correspondence.

23 VICE CHAIRWOMAN HOLMES: It's here,  
24 yeah. Oh, I see. Yeah.

25 MR. FRELENG: Condition 4.

2 VICE CHAIRWOMAN HOLMES: Of the  
3 viability and you -- because of the  
4 proximity to the well; is that --

5 MR. FRELENG: Yes, that would be --

6 VICE CHAIRWOMAN HOLMES: -- is that  
7 understood?

8 MR. FRELENG: That's on Item 5.

9 VICE CHAIRWOMAN HOLMES: Yeah.

10 MR. FRELENG: That's Condition 5,  
11 the proximity of the well and the  
12 issues --

13 VICE CHAIRWOMAN HOLMES: Yeah.

14 MR. FRELENG: -- related to the  
15 sewage treatment plan.

16 VICE CHAIRWOMAN HOLMES: Yeah.

17 CHAIRMAN CARACCILO: I think  
18 that -- It think they're covered with  
19 that.

20 VICE CHAIRWOMAN HOLMES: It's  
21 covered. All right.

22 CHAIRMAN CARACCILO: Yes.

23 COMMISSIONER ESPOSITO: I have a  
24 comment.

25 CHAIRMAN CARACCILO: Of course.

2 COMMISSIONER ESPOSITO: I would  
3 like it to be reflected in our comments  
4 under Item 4 also that the adopted SGPA  
5 plan, it's very clear that no new STPs  
6 should be established in the SGPA. And  
7 I think that the -- that just  
8 substantiates the comment that they  
9 should look at and evaluate other STPs  
10 in the area for capacity and ability to  
11 take this on, rather than to establish a  
12 new one.

13 Thank you.

14 COMMISSIONER ROBERTS: Can you  
15 please explain that to some of us who  
16 are newer members what exactly an STP --

17 COMMISSIONER ESPOSITO: Oh, I'm  
18 sorry.

19 COMMISSIONER ROBERTS: -- is?

20 MR. FRELENG: The --

21 COMMISSIONER ESPOSITO: An STP is a  
22 Sewage Treatment Plant.

23 MR. FRELENG: Right.

24 COMMISSIONER ESPOSITO: And so this  
25 is cause for an established -- a new STP

2 to deal again -- in order to cover this  
3 development.

4 The SGPA plan is the Special  
5 Groundwater Protection Area plan, which  
6 this is. This is right in the middle of  
7 the deep flow recharge zone, and this  
8 plan was adopted -- although it's just  
9 an advisory plan, but it is adopted by  
10 the County.

11 So it would be advantageous for  
12 us -- we just heard a presentation by  
13 our -- the Director that we don't have a  
14 quantity problem, but we have a quality  
15 problem of the drinking water. So in  
16 order for us to be judicious about the  
17 protection of the water, we should, when  
18 and all -- when and if at all possible,  
19 follow the recommendations of the SGPA  
20 plan, which this does not.

21 COMMISSIONER ROBERTS: Okay. Thank  
22 you.

23 CHAIRMAN CARACCIOLO: Okay. So we  
24 could add that in there as well,  
25 Condition 5; correct?

2 MR. FRELENG: Condition 4.

3 CHAIRMAN CARACCIOLO: Okay. So  
4 with those three new -- is there any  
5 other comments -- I'm sorry.

6 Don, you were raising your hand?

7 COMMISSIONER FIORE: I already  
8 spoke, but I'll speak after him.

9 COMMISSIONER MC ADAM: In  
10 Recommendation No. 1, you refer to the  
11 Central Pine Barrens -- the Central Pine  
12 Barrens Commission should be consulted  
13 for discussion of the PBC transfer  
14 issue.

15 Do they have any regulatory  
16 approval in this regard, or is it just a  
17 discussion as you pointed out?

18 MR. FRELENG: The only regulatory  
19 issue for the Central Pine Barrens  
20 Commission, at this time, is the  
21 clearing. If the applicants amend their  
22 plan to meet the clearing restrictions,  
23 this project would be essentially  
24 as-of-right in the Compatible Growth  
25 Area of the Pine Barrens.

2 The issue that the Pine Barrens  
3 Commission has been wrestling with for  
4 the last couple of years, has been zone  
5 changes in the Compatible Growth Area  
6 without the accommodation of bringing in  
7 density.

8 But to answer your question  
9 directly, if they do amend their  
10 clearing restrictions to meet -- their  
11 clearing to meet the restrictions, it  
12 would be an as-of-right development in  
13 accordance with the Central Pine Barrens  
14 Commission.

15 COMMISSIONER MC ADAM: Okay. Thank  
16 you.

17 CHAIRMAN CARACCIOLO: Don?

18 COMMISSIONER FIORE: Yeah.

19 Andy, before you had mentioned that  
20 this was a -- this strictly was for a  
21 zoning change?

22 MR. FRELENG: That's correct.

23 COMMISSIONER FIORE: All right.

24 Will we be getting a second bite at  
25 this?



2 COMMISSIONER ESPOSITO: Yes.

3 MR. FRELENG: We should get a  
4 second review opportunity, but --

5 COMMISSIONER FIORE: I mean,  
6 because if we're talking about different  
7 things, it should come back with what  
8 these -- the comments that --

9 MR. FRELENG: Let me clarify. The  
10 County Administrative Code requires site  
11 plans to be referred to the Suffolk  
12 County Planning Commission if they meet  
13 certain criteria. This project meets  
14 the criteria, but we don't go out  
15 looking for them to refer it.  
16 Brookhaven is pretty good with their  
17 procedures and I believe that they will  
18 refer it to us when the site plan comes  
19 in, but I can't guarantee that.

20 CHAIRMAN CARACCIOLO: They're  
21 supposed to.

22 MR. FRELENG: They're supposed to.

23 CHAIRMAN CARACCIOLO: Okay.

24 That's -- I guess that's --

25 COMMISSIONER ESPOSITO: So we're

2 supposed to see it.

3 MR. FRELENG: Right.

4 CHAIRMAN CARACCIOLO: Any other  
5 comments or questions from the  
6 Commission?

7 (WHEREUPON, there was no response.)

8 CHAIRMAN CARACCIOLO: Okay. A  
9 motion is in order.

10 COMMISSIONER CALONE: A motion to  
11 pass the recommendation as amended.

12 CHAIRMAN CARACCIOLO: Second?

13 COMMISSIONER FIORE: (Indicating)

14 CHAIRMAN CARACCIOLO: Second, Don.  
15 All those in favor?

16 (WHEREUPON, the members voted.)

17 CHAIRMAN CARACCIOLO: Opposed?

18 (WHEREUPON, the members voted.)

19 CHAIRMAN CARACCIOLO: Abstentions?

20 (WHEREUPON, the members voted.)

21 CHAIRMAN CARACCIOLO: Okay. The  
22 motion carries.

23 MR. FRELENG: Thank you.

24 I'd like to bring the complicated  
25 ones to get your -- to do some mental

2 pushups. So I'm going to turn it over  
3 to Ted to do the rest of the zoning,  
4 then I'll come back with some  
5 subdivisions.

6 MR. KLEIN: Okay. The next  
7 application is Jonathan Tejada. It was  
8 brought to us by the Town of Babylon.

9 The subject is located on the north  
10 side of Simmons Street, adjacent to  
11 Sunrise Highway, in the hamlet of  
12 Copiague.

13 The parcel is zoned RC Residence,  
14 which requires a minimum lot size of  
15 7,500 square feet.

16 The applicant is seeking a lot area  
17 variance to subdivide 10,000 square feet  
18 into approximately two 5,000 square foot  
19 lots. The applicant is requesting a  
20 33 percent reduction or relief from a  
21 lot area requirement as a zone  
22 classification.

23 There are other variances being  
24 sought, like front and rear yard  
25 setbacks. But staff feels that the

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2 requested reduction lot area is  
3 substantial and unwarranted.

4 And not to mention the location,  
5 you know, by virtue of it being adjacent  
6 to the on ramp of Sunrise Highway, an  
7 oversized lot with a side buffer is  
8 preferable to squeezing in an additional  
9 house on the property.

10 Therefore, staff recommends denial  
11 for the reasons stated in the staff  
12 report.

13 CHAIRMAN CARACCIOLO: Thank you,  
14 sir.

15 Any comments or questions?

16 (WHEREUPON, there was no response.)

17 CHAIRMAN CARACCIOLO: Motions in  
18 order.

19 COMMISSIONER GOODALE: So moved.

20 CHAIRMAN CARACCIOLO: Jesse.

21 COMMISSIONER ROBERTS: Second.

22 CHAIRMAN CARACCIOLO: Second.

23 All those in favor?

24 (WHEREUPON, the members voted.)

25 CHAIRMAN CARACCIOLO: The motion

2 carries.

3 MR. KLEIN: The application of  
4 Unicorp National Development, Inc.,  
5 doing business as Walgreens Pharmacy.

6 The subject is located on the south  
7 side of West Main Street, better known  
8 as Sunrise Highway -- excuse me, Montauk  
9 Highway, and the west side of River  
10 Avenue, in the Incorporated Village of  
11 Patchogue.

12 The subject is zoned D-2 Business,  
13 which permits retail use. The applicant  
14 is seeking parking variances in  
15 connection with the construction of a  
16 12,242 square foot retail pharmacy  
17 building, with a 3,395 square foot  
18 mezzanine for storage and other  
19 purposes.

20 The two variances being sought, the  
21 staff thought, were significant enough  
22 to bring to the Commission are as  
23 follows:

24 The applicant is proposing  
25 51 parking stalls where 102 parking

2 stalls are required in accordance with  
3 the zoning code, which states one stall  
4 for 150 square foot of retail space and  
5 one stall for 200 square foot of  
6 mezzanine.

7 The applicant is requesting a  
8 50 percent reduction, or relief from the  
9 parking requirement of the zoning  
10 classifications.

11 50 percent, we feel, is pretty  
12 significant. But in addition to that,  
13 the applicant is also -- would like to  
14 reduce the required parking stall  
15 dimensions from 10 feet by 20 feet, to  
16 9 feet by 18 feet, which is a 19 percent  
17 area reduction or relief from the  
18 parking -- from the code requirement.

19 Therefore, staff recommends denial  
20 for the reasons stated in the staff  
21 report, with the suggestions -- you  
22 know, we would recommend a comment  
23 regarding the ingress and egress, at the  
24 intersection of Waverly Avenue and  
25 Main Street, be offered to the Village

2 for consideration.

3 CHAIRMAN CARACCIOLO: Thank you,  
4 sir.

5 As much as Linda likes pharmacies,  
6 I think we're going to -- motions in  
7 order?

8 COMMISSIONER ESPOSITO: I'll make  
9 the -- as a resident of the Village,  
10 just two quick things.

11 One is that, not only, as we all  
12 know, 50 percent of parking is not  
13 reasonable, but there's nowhere else in  
14 that area to park. So if there wasn't  
15 adequate parking -- that particular area  
16 of Main Street is very difficult to pull  
17 over on as well.

18 CHAIRMAN CARACCIOLO: It would be  
19 less than 50 -- it's probably more than  
20 50 percent if you're squeezing from the  
21 side of the street.

22 COMMISSIONER ESPOSITO: Well,  
23 that's what I mean.

24 CHAIRMAN CARACCIOLO: Right.

25 COMMISSIONER ESPOSITO: And the

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2 Village residents are not known to drive  
3 smaller cars --

4 VICE CHAIRWOMAN HOLMES: Do they  
5 have a requirement for subcompact cars?

6 CHAIRMAN CARACCIOLO: Adrienne's  
7 going to the pharmacy in her Hummer.

8 Motions?

9 VICE CHAIRWOMAN HOLMES: That  
10 wasn't funny.

11 COMMISSIONER ESPOSITO: I'd like to  
12 make a motion to accept the staff's  
13 recommendation.

14 VICE CHAIRWOMAN HOLMES: I'll  
15 second it.

16 CHAIRMAN CARACCIOLO: All those in  
17 favor?

18 (WHEREUPON, the members voted.)

19 CHAIRMAN CARACCIOLO: Opposed?

20 (WHEREUPON, the members voted.)

21 CHAIRMAN CARACCIOLO: Abstentions?

22 (WHEREUPON, the members voted.)

23 CHAIRMAN CARACCIOLO: The motion  
24 carries.

25 MR. KLEIN: Okay. The next one is



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2 the Greenport Gateway Partnerships.

3 The applicant is proposing a mixed  
4 use housing development in the Village  
5 of Greenport. The subject is located on  
6 the southeast corner of Front Street and  
7 3rd Street.

8 The property is zoned W-C, which is  
9 waterfront commercial.

10 The parcel is approximately 8,834  
11 square feet and is currently improved  
12 with a metal "Butler" building that once  
13 housed the Village's carousel.

14 There it is. (Indicating)

15 The applicant --

16 CHAIRMAN CARACCILO: Where is that  
17 going? Could you just point out where  
18 it's going, Ted?

19 VICE CHAIRWOMAN HOLMES: Yeah, the  
20 red --

21 COMMISSIONER ROBERTS: The red  
22 building.

23 VICE CHAIRWOMAN HOLMES:

24 -- building in the --

25 MR. KLEIN: The red building.

2 VICE CHAIRWOMAN HOLMES: -- by the  
3 movie theatre.

4 CHAIRMAN CARACCIOLO: Okay.

5 MR. KLEIN: The applicant is  
6 proposing a building -- a three-story  
7 mixed-use building, consisting of one  
8 floor retail and two stories of  
9 affordable housing.

10 We first received this application  
11 several months ago. And the applicant  
12 submitted a proposal that didn't have  
13 any on-site parking. We've been in  
14 conversations with the Village regarding  
15 this, and they've since amended their  
16 application and revised their first  
17 floor proposal, which now is to reduce  
18 the retail portion, which is roughly  
19 3,000 square feet, and included  
20 8 parking stalls on-site.

21 The applicant is requesting several  
22 variances in association with this  
23 application, and they are as follows:

24 1. Lot coverage variance, whereby  
25 the applicant is proposing 86 percent

2 lot coverage, and 40 percent is the  
3 maximum allowed.

4 2. A front yard setback variance,  
5 whereby the applicant is proposing  
6 0 setback, where a 6 foot setback is  
7 required.

8 3. A use variance for the  
9 residential use in a Waterfront  
10 Commercial zoning district.

11 4. An interpretation and possible  
12 variance regarding parking, whereby the  
13 applicant will not comply with the  
14 applicable parking requirements of the  
15 zoning, and actually of the Village  
16 Code, which requires one-and-a-half  
17 parking stalls per residential unit, and  
18 one stall for 300 square foot of retail  
19 space.

20 And the fifth variance, an  
21 interpretation regarding the height,  
22 whereby the applicant is proposing a  
23 three-story building. The Village  
24 Zoning Code limits the height of a  
25 building to two stories of 35 feet high.

2 There are additional variances  
3 being sought, but they're like minor,  
4 regarding courtyard, wall height, which  
5 aren't considered to rise to the level  
6 of Commission review.

7 The staff recognizes the benefits  
8 associated with this application for the  
9 multifamily and affordable housing  
10 component, and this could potentially  
11 revitalize the more western portion of  
12 downtown Greenport. The applicant is  
13 proposing 12 affordable units, which  
14 will range in size from 1,000 square  
15 feet to 1,200 square feet.

16 COMMISSIONER FIORE: How many  
17 units?

18 MR. KLEIN: 12 affordable units,  
19 which will be strictly regulated and  
20 afforded to individuals of families in  
21 accordance with the Village's own  
22 affordable housing criteria.

23 This being true, there appears to  
24 be a significant public benefit, and  
25 therefore relief would be warranted from

2 the use regulations of the Waterfront  
3 Commercial zoning district.

4 Furthermore, given the nature of  
5 the proposal and the relatively small  
6 size of the parcel, there are practical  
7 difficulties, and it's understood that  
8 many of the standard area dimensional  
9 requirements could not be met, and a  
10 variance relief is reasonable.

11 However, the applicant is seeking a  
12 variance to provide an insufficient  
13 number of on-site parking stalls.

14 The plan is, I believe, an  
15 improvement, and it might be conceptual  
16 because there are transformers on this  
17 site, and this has to be taken into  
18 consideration. They're located right  
19 here (indicating). And they are deeded  
20 onto the property, and according to the  
21 Village, they will not be moved.

22 As the plan is now, there's only  
23 11 feet from the corner of the  
24 transformer to the edge of the wall, and  
25 there might be some practical

2 difficulties for a car to maneuver  
3 around it.

4 And also I spoke to the State  
5 Department of Sanitation. There would  
6 be permits required to access the State  
7 road, which is Front Street here  
8 (indicating). But we do -- we do see  
9 the benefit of the proposal.

10 The applicant has really not  
11 provided an analysis or any alternative  
12 off-site or off-street parking plan to  
13 the Commission to demonstrate there  
14 would be adequate parking for the  
15 residents of the proposed dwelling  
16 units.

17 Staff feels that given the use and  
18 dimensional variances sort, it is  
19 reasonable and appropriate to provide an  
20 adequate on-site and/or convenient  
21 off-street parking to the residents of  
22 this proposed project.

23 The staff recommends approval,  
24 subject to the following conditions:

25 The developer shall mitigate the

2 on-site parking deficiency by submitting  
3 a viable parking plan to the Board prior  
4 to approval. This plan shall not  
5 include on-street parking, but may  
6 include, in whole or part, the  
7 following:

8 On-site parking with a  
9 consideration given to the location and  
10 right-of-way of the Village transformers  
11 (this could require the scaling down or  
12 elimination of the ground floor retail  
13 use). Also, possibly, the acquisition  
14 of property within walking distance to  
15 the subject site that will be designated  
16 to serve as parking for the proposed  
17 development, or a parking agreement with  
18 the adjacent land owners, which is  
19 approved by the Village, and/or an  
20 agreement with the Village of Greenport  
21 to allocate public lands to satisfy the  
22 parking requirements.

23 And, also, if the final parking  
24 plan is included -- includes an access  
25 onto Front Street, the applicant and the

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2 architect shall refer their proposal to  
3 the New York State Department of  
4 Transportation for design review and  
5 permits to enter the State highway.

6 CHAIRMAN CARACCIOLO: Thank you,  
7 sir.

8 Let me just add, you know, I think  
9 there are practical difficulties in this  
10 area that would make any concept of  
11 construction, or any concept difficult.  
12 Knowing the area well, I think it's  
13 pretty warranted and it's a good  
14 project. So that's my comment.

15 Any other comments from the  
16 Commission staff?

17 COMMISSIONER PRUITT: (Indicating)

18 CHAIRMAN CARACCIOLO: Ed?

19 COMMISSIONER PRUITT: This may  
20 sound like a silly question, but I'll  
21 ask it anyway. What's the definition of  
22 "walking distance"?

23 DIRECTOR ISLES: Typically a  
24 quarter-of-a-mile. That's a pretty easy  
25 walk.



2 MR. KLEIN: Yeah. The aerial that  
3 shows the neighborhood -- okay --

4 VICE CHAIRWOMAN HOLMES: There are  
5 several --

6 MR. KLEIN: Yeah, there is --

7 VICE CHAIRWOMAN HOLMES: -- parking  
8 areas there already, and that -- you  
9 know, that was something that  
10 Constantine and I were talking about  
11 earlier.

12 MR. KLEIN: Let me just point out  
13 some of the municipal parking areas  
14 right now that -- these are two, and  
15 there was a third built over here.  
16 There is some over here on the  
17 (indicating) --

18 VICE CHAIRWOMAN HOLMES: And there  
19 is one -- you know, a parking area  
20 behind --

21 MR. KLEIN: Yeah.

22 VICE CHAIRWOMAN HOLMES: -- the --

23 MR. KLEIN: I was there --

24 VICE CHAIRWOMAN HOLMES: --  
25 building right across the street. But

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2 the question is --

3 MR. KLEIN: This is private  
4 property. (Indicating)

5 VICE CHAIRWOMAN HOLMES: -- did  
6 they say whether they were entering into  
7 any meaningful discussions with people  
8 of -- who control the other parking  
9 areas to make an arrangement? Did they  
10 indicate they had had discussions of  
11 that type?

12 MR. KLEIN: No.

13 VICE CHAIRWOMAN HOLMES: Well --

14 CHAIRMAN CARACCIOLO: We also --  
15 I'm sorry, Linda.

16 We also have our Director of  
17 Affordable Housing for the County in the  
18 house today, and not to put her on the  
19 spot, but --

20 VICE CHAIRWOMAN HOLMES: You are.

21 CHAIRMAN CARACCIOLO: -- I'm going  
22 to put you on the spot. Would you  
23 comment a little bit about the project,  
24 and what the County's opinions of the  
25 project is, and how --

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2 (WHEREUPON, Ms. Jill Rosen-Nikoloff  
3 approached the podium.)

4 MS. ROSEN-NIKOLOFF: Sure.

5 CHAIRMAN CARACCIOLO: -- you feel  
6 about the project?

7 MS. ROSEN-NIKOLOFF: Sure.

8 I also have the developer here,  
9 Rona Smith, and the -- Marian Garvan  
10 from the Community Development  
11 Corporation of Long Island, who would be  
12 the non-for-profit we'd be pairing with  
13 here.

14 I've been on for about three months  
15 as the Director of Affordable Housing,  
16 and I've seen a lot of proposals. To  
17 me, this represents the best of what's  
18 in front of me, because it revitalizes a  
19 corner of downtown area that is  
20 beginning to come back and needs some  
21 assistance in that regard. This has all  
22 of those elements.

23 It provides home ownership for a  
24 group of people under 120 percent of the  
25 HUD median income, and it provides

2 retail in a corner that is currently  
3 underutilized. These people, we  
4 believe, will help to patronize the  
5 existing commercial structures in  
6 Greenport Village, which, you know, are  
7 a little bit -- they need some help down  
8 there, and these people will add to  
9 that.

10 So from our perspective -- oh, it's  
11 also near transportation, and -- but --  
12 and a couple of things I would just like  
13 to point out. When this parcel was  
14 purchased from the Village, it was  
15 purchased with the understanding that  
16 the past practices of the Zoning Board  
17 in Greenport would be adhered to. And  
18 those being, they never required parking  
19 and they never adhered to the coverage  
20 ratios.

21 So on behalf of the developer, I  
22 would just like to say that, there's  
23 been a lot of economic reliance on past  
24 practice here. And while adhering to  
25 the letter of the -- of the zoning

2 regulations, it seems palatable, but  
3 it's not fair. And it is impacting on  
4 the economics on this, and I just think  
5 that that should be brought into  
6 anything that you consider when you  
7 reach your final decision.

8 CHAIRMAN CARACCIOLO: Thank you,  
9 Commissioner.

10 Are there any questions for the  
11 Commissioner?

12 VICE CHAIRWOMAN HOLMES: Yes,  
13 for --

14 CHAIRMAN CARACCIOLO: For Ted?

15 VICE CHAIRWOMAN HOLMES: Well,  
16 yeah. Well, there are several issues  
17 with 3rd Street, because that is the  
18 main artery of vehicles and foot  
19 passengers coming to and from the  
20 Shelter Island Ferries.

21 As it is, if there is even one  
22 vehicle parked in front of the Legion  
23 Hall, the people trying to get off the  
24 ferry, and make a right turn to get to  
25 the crosstown ferry, which is always

2 problematic, because that traffic light  
3 is so badly timed that only two or three  
4 cars can get through at a time. And so  
5 it's nerve wracking when you're in the  
6 left lane having to wait, but the people  
7 in the right lane can move if they  
8 aren't already blocked by vehicles. And  
9 so that is a big consideration because  
10 the people from Shelter Island come and  
11 shop in Greenport too.

12 But, also, by having 0 buffer --  
13 of -- or -- you know, building right out  
14 to the curb, people also walk along  
15 there to get from the ferry to the  
16 shopping area.

17 And so I think some provision needs  
18 to be made. But I am concerned with  
19 whether -- and I understand the point,  
20 if the DBA has never had parking  
21 requirements, then it's unfair to  
22 suddenly say there needs to be some.  
23 But in this situation of -- because of  
24 street parking would make a problem that  
25 already exists even worse, if there

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2 could be some encouragement to have an  
3 arrangement with people who own the  
4 other parking areas, or maybe the  
5 Village -- which I would imagine would  
6 like to see this project, if the Village  
7 would be --

8 COMMISSIONER ESPOSITO: I think it  
9 says that, though.

10 VICE CHAIRWOMAN HOLMES: Yeah, it  
11 does say, but -- that -- you know, the  
12 Village to acquire some property. But  
13 the issue of parking is something that  
14 does need to be addressed very much.

15 CHAIRMAN CARACCIOLO: Thank you.

16 VICE CHAIRWOMAN HOLMES: Because  
17 it's going to be bad enough when they  
18 start building and blocking off  
19 3rd Street for all that ferry traffic.  
20 That's going to be a nightmare for as  
21 long as this project goes on.

22 CHAIRMAN CARACCIOLO: Thank you,  
23 Linda.

24 Don?

25 COMMISSIONER FIORE: I just have a

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2 couple. I'm confused with this so  
3 you're going to have to help me  
4 understand, I'm not familiar with the  
5 Greenport area.

6 The units that are to be built are  
7 for affordable housing?

8 MS. ROSEN-NIKOLOFF: Correct.

9 COMMISSIONER FIORE: Okay. If  
10 there's a vacancy, if somebody leaves,  
11 it still stays as affordable housing?

12 MS. ROSEN-NIKOLOFF: That's  
13 correct.

14 COMMISSIONER FIORE: It could never  
15 be used for anything else but affordable  
16 housing?

17 MS. ROSEN-NIKOLOFF: That is  
18 correct.

19 COMMISSIONER FIORE: Okay. So now,  
20 is parking an issue with the residents  
21 of the affordable housing?

22 MS. ROSEN-NIKOLOFF: You mean for  
23 the prospective occupants?

24 COMMISSIONER FIORE: Yes.

25 MS. ROSEN-NIKOLOFF: I don't know,



2 I haven't met them.

3 COMMISSIONER FIORE: Well, I  
4 know -- I know, that's a good question  
5 to come back with -- a good answer to  
6 come back with I should say.

7 Because if it is, and they have  
8 cars, why are we straying off any rules  
9 or regulations that says you must have  
10 "X" amount of parking spaces for any  
11 type of a building that's going up  
12 there? Is there any regulations in the  
13 Town of Greenport -- if somebody can  
14 help me out here who's familiar with  
15 it -- that says you have to have at  
16 least one parking space for every unit  
17 that's going up? And if there is a  
18 regulation, I just would like to know  
19 why -- help me understand why we're  
20 coming off of it?

21 Because you showed me some parking  
22 areas that's maybe -- I don't know how  
23 far that is, but you said parking is a  
24 quarter-mile. I mean, that's kind of  
25 tough to somebody in a rainstorm or

2 something like that, walking a  
3 quarter-mile to get to his -- his or her  
4 car.

5 So I just want -- just help me  
6 understand why you're doing this, that's  
7 all.

8 DIRECTOR ISLES: The answer to your  
9 question is yes. There are parking  
10 requirements in the Village of  
11 Greenport. That's part of their  
12 application for a variance and those  
13 requirements.

14 It's actually one of the things, we  
15 as staff, discussed. And a point to be  
16 labored on is, that if you look at this  
17 strictly on the current Code of the  
18 Village of Greenport, the answer is that  
19 this project should not happen. It  
20 should be a much reduced version.  
21 However, if you look at it from the  
22 standpoint of what it is that we talk  
23 about when we talk about -- where do we  
24 want to put higher density housing? We  
25 want to put it where it's within walking

2 distance of transportation. A downtown  
3 commercial area where there's sewers,  
4 which Greenport does have, rather than  
5 have a hinterland.

6 So we were a little bit torn, from  
7 the staff's standpoint, that there's a  
8 trade off here. There's an exchange  
9 here between, this is a good location to  
10 redevelop in terms of the proximity to  
11 services -- there is a trade off in  
12 terms of the parking.

13 The response to the applicant, from  
14 the staff's standpoint, is there's been  
15 an adjustment of some on-site parking,  
16 probably not enough, but some. But then  
17 I think an acknowledgment with downtown  
18 development is that people in a lot of  
19 these buildings in downtown Greenport --  
20 many of them do not have parking and  
21 they rely upon a shared parking. Often  
22 a municipal parking arrangement and more  
23 of a walkable street environment.

24 So, you're absolutely right that  
25 this is not maybe textbook, but maybe

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2 the textbook code is a little off for  
3 downtown. This code really seems to  
4 foster more of a suburban design with a  
5 lot of lots of paid parking, it doesn't  
6 really seem to foster a downtown design.

7 And, here again, from the staff's  
8 standpoint, if we're going back to  
9 flipping a coin, and we feel that if we  
10 talk the talk of encouraging new  
11 development in our downtowns, that  
12 sometimes we have to trade in something.  
13 And it's a little inconvenient in terms  
14 of the parking, but we feel -- we felt  
15 upon the larger consideration, only from  
16 the staff's standpoint, that that was  
17 reasonable under the fact given.

18 MS. ROSEN-NIKOLOFF: May I add  
19 something?

20 CHAIRMAN CARACCILO: Commissioner.

21 MS. ROSEN-NIKOLOFF: I'd just like  
22 to add that I've had -- I met with the  
23 Mayor of Greenport a few times on this  
24 project, and it's my belief, and I'm not  
25 speaking for him, that he is 100 percent

2 behind it. And he and I have had  
3 discussions about the parking, and I  
4 know that he's going to look into  
5 municipal parking.

6 But he's also said to me that -- I  
7 think that the area of Greenport Village  
8 is about one mile, you know, wide, and  
9 he envisions it of being a walk-to area.

10 So he did not seem, to me, to be as  
11 concerned with people's -- meaning the  
12 occupant's, as you inquired about --  
13 reaction to not having designated  
14 parking spaces. That it's almost  
15 anticipated.

16 COMMISSIONER FIORE: And I don't  
17 have a problem with anybody saying  
18 they're wrong, I'm just asking questions  
19 about --

20 MS. ROSEN-NIKOLOFF: Okay.

21 COMMISSIONER FIORE: -- trading off  
22 and the rules --

23 VICE CHAIRWOMAN HOLMES: How nearby  
24 is it?

25 COMMISSIONER FIORE: -- that's

2 number one.

3 Number two is, what happens now  
4 when another applicant comes before us  
5 and has a different venue? They might  
6 want a restroom or something to that  
7 effect. Do we stray off that again  
8 or -- you know, how do we do that  
9 because it's walking distance? That  
10 becomes a difficult decision to make for  
11 the Commissioners, I -- I believe --  
12 well, I'm going to speak for myself. It  
13 would be a difficult decision for me to  
14 make for another -- another entity  
15 coming in there, other than affordable  
16 housing or whatever.

17 MS. ROSEN-NIKOLOFF: Right.

18 Well --

19 CHAIRMAN CARACCIOLO: Yeah, I  
20 respect that. And I -- I can tell you,  
21 Don, I -- yeah, I do respect that and  
22 the rules and the regulations. I  
23 understand that.

24 I really like to look at things,  
25 you know, not -- you know, and I know

2 Greenport, it's downtown and I know it  
3 well. It does take maybe putting the  
4 textbook aside.

5 We're going to make some changes  
6 here. You know, if a restaurant came in  
7 and it's a walking Village, I would  
8 encourage it. You know, and -- even if  
9 they didn't have the parking.

10 You're right, maybe I wouldn't  
11 encourage that on Jericho Turnpike in  
12 Huntington, but I would encourage that  
13 here.

14 So I think there's times when we do  
15 have to put the textbook aside if we're  
16 going to make progress on the Island and  
17 move forth, you know, affordable housing  
18 and revitalizing some of these  
19 downtowns. But I do respect your  
20 opinion on that.

21 COMMISSIONER FIORE: If there's no  
22 comments, I'll make a motion. I just  
23 had to say that.

24 CHAIRMAN CARACCILOLO: Well, there  
25 are --

2 COMMISSIONER FIORE: I'm sorry.

3 CHAIRMAN CARACCIOLO: I think we've  
4 got a lot to go.

5 COMMISSIONER FIORE: Well, let's  
6 go.

7 COMMISSIONER LANSDALE: I just want  
8 to commend the applicant on this. I  
9 think that this is an initiative  
10 project. It's transit oriented to sell,  
11 and it's downtown revitalization  
12 affordable housing. And there's been  
13 other projects across Long Island that  
14 have dealt with these issues of islands  
15 and other communities in Nassau County.  
16 And it's shared parking, that is -- that  
17 really solves the issue of parking.  
18 Because if you look at it, the residents  
19 who will be living here will probably be  
20 working in another place. So that  
21 parking issue becomes a parking -- if  
22 you look at the use of the parking  
23 stalls at night, not during the day, I  
24 mean, there's a way to get around it.  
25 And it's worked in other municipalities,



2 so I commend it.

3 COMMISSIONER MC ADAM: I have  
4 actually a couple of questions.

5 How many parking spots are for  
6 sure? They have eight on the plan --

7 MR. KLEIN: Yeah. As it stands  
8 now, the calculations would probably  
9 call for 28 -- 28 would be required.  
10 18 for the residential 12 units at  
11 one-and-a-half stalls per unit, and  
12 10 stalls for the commercial as it  
13 stands now, which is approximately  
14 3,000 square feet.

15 So 28 stalls. They're proposing 8,  
16 so they're short 20.

17 COMMISSIONER MC ADAM: Are the  
18 residents guaranteed a parking space in  
19 their agreements -- their sale  
20 agreements or rental agreements? I'm  
21 not sure which one it is.

22 MR. KLEIN: The applicant has not  
23 indicated that to the Commission as of  
24 yet.

25 CHAIRMAN CARACCILO: Commissioner,

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2 do you have any comments on that?

3 COMMISSIONER ESPOSITO: I would  
4 guess no.

5 MS. ROSEN-NIKOLOFF: Sure. I mean,  
6 it largely depends on what you all  
7 recommend, and what the Greenport  
8 Village does in terms of accepting your  
9 recommendations or rejecting it. I  
10 mean, I suspect that -- we anticipated  
11 not offering parking spaces. And when I  
12 say "we," I mean the developer.

13 COMMISSIONER ESPOSITO: That's  
14 probably a wise move on your part.

15 MS. ROSEN-NIKOLOFF: I mean, we're  
16 not anywhere near that part yet, but --

17 CHAIRMAN CARACCIOLO: Well,  
18 Commissioner, if the developer would  
19 like -- you want to --

20 (WHEREUPON, Ms. Rona Smith  
21 approached the podium.)

22 CHAIRMAN CARACCIOLO: -- Ms. Smith,  
23 would like to comment?

24 MS. SMITH: May I?

25 CHAIRMAN CARACCIOLO: Sure.

2 Absolutely. You put a comment card in,  
3 you've got three minutes. We held it  
4 for you.

5 MS. SMITH: My name is Rona Smith  
6 and I represent Greenport Gateway  
7 Partners, and I just thought I might add  
8 some information to this discussion. In  
9 general, parking in Greenport Village is  
10 thought to be a municipal  
11 responsibility. There is virtually no  
12 dedicated parking for any of the  
13 residential units which are accessory to  
14 the commercial properties at the ground  
15 level. So that this would be atypical  
16 to the way Greenport has developed, in  
17 spite of what's in their Zoning Code.  
18 So that makes it difficult.

19 When we originally showed the  
20 proposal, there was not any parking  
21 spaces. And as we had proceeded, we  
22 wanted to satisfy the desire for parking  
23 on the part of the Planning Commission.  
24 And what they thought was satisfaction  
25 of the code, as they read it, and that's

2 not incorrect, it's just different than  
3 the precedent. And so that is a little  
4 bit of a tangled web.

5 So we drew in the eight parking  
6 spaces, which were being asked for,  
7 which means giving up half of the retail  
8 space on the ground floor. We put them  
9 on the inside of the building because we  
10 were so bellowed to put them on the tree  
11 side -- so that at the entrance to  
12 Greenport Village, which is where this  
13 corner is, you'd see a parking lot,  
14 which just seems to us to be very poor  
15 planning and a poor harbinger for the  
16 future of Greenport. So we put them on  
17 the inside. But now as we've proceeded,  
18 since we first submitted that drawing  
19 with the eight parking spaces, we had  
20 now had begun to do a very careful  
21 financial analysis and looked for  
22 subsidies for available forms in order  
23 to create this as workforce housing.

24 We're trying to go as low as  
25 50 percent of the area median income in

2 terms of the units, which is really  
3 difficult, requires an extremely sharp  
4 pencil. And what has happened is that  
5 we realize that in order to provide that  
6 parking, it may make this a completely  
7 unbuildable project, except as  
8 marketable housing. Because the way it  
9 was originally conceived, the division  
10 of costs, construction costs and the  
11 like, would be the residential portion,  
12 which is all workforce, would be  
13 66 percent of all the costs. And the  
14 retail would provide 34 percent of all  
15 of the costs.

16 When we dedicate that to parking to  
17 residential, it changes the ratio. So  
18 that 85 percent of all the costs now  
19 have to be allocated to the residential  
20 portion, and only 15 percent of the  
21 costs would be allocated to the retail  
22 portion. By saddling that, it literally  
23 doubled the number of the dollars we  
24 would need in subsidies to build it.  
25 Which means, to me, that for eight

2 parking spaces, we'd be taking away  
3 eight potential workforce housing units  
4 somewhere else.

5 DIRECTOR ISLES: I'll just make a  
6 point.

7 The Commission has a particular  
8 application in front of them that shows  
9 the parking, and that's what we're  
10 looking at.

11 MS. SMITH: Okay.

12 DIRECTOR ISLES: If you want to  
13 change it -- and I'm not sure where you  
14 leading with this, but we can't go  
15 astray of what we have before us today.

16 MS. SMITH: Okay. I just wanted to  
17 give that information about the costs  
18 that this building brings with it. And  
19 I -- if I'm inappropriate, I'm sorry.

20 COMMISSIONER KONTOKOSTA: I guess  
21 in the interest of disclosure, I should  
22 say that I am involved with several  
23 properties in close proximity of this.  
24 And, of course, very familiar with  
25 Greenport, it's my residence.

2 And I would say, conceptually, this  
3 is a fantastic project. I think having  
4 all affordable housing on the east end  
5 is -- it appears to be, hopefully, a  
6 nice architectural design. With retail  
7 space on this corner, will -- will add a  
8 lot to what is probably the most  
9 important intersection in the Village.  
10 And, of course, the affordable housing  
11 will go -- move -- you know, move along  
12 in addressing a lot of the affordable  
13 housing, even on the north fork, which  
14 is substantial.

15 I just have two concerns. I guess  
16 one, with the plan as submitted, and  
17 this is a minor point, just with the  
18 curb cut that's shown on 25. That's a  
19 very difficult area. And I know that  
20 you -- you know, the applicants were in  
21 a bind in terms of laying out this to  
22 provide parking.

23 On the other side of the coin,  
24 given the affordable housing and the  
25 nature of where this property is, I

2 would almost say that, you know,  
3 parking -- any on-site parking, we're  
4 not even going to need. I mean, I  
5 wouldn't even need to see this much  
6 on-site parking given the area. I think  
7 there are other arrangements that could  
8 be made.

9 And I also -- if this plan is how  
10 it goes forward, I would say that we  
11 probably don't need to recommend that  
12 all 28 of the required parking slots be  
13 provided. We could say that only for  
14 the units be provided on-site, rather  
15 than trying to provide all 28. Which  
16 given the practice and pattern of  
17 development in the Corridor there, most  
18 of the (inaudible) would not have --  
19 provide parking in the Corridor there.

20 CHAIRMAN CARACCIOLO: But as the  
21 Director said, we have an application  
22 before us so we have to act on this  
23 application. And I think, you know,  
24 taking your comments and taking the  
25 Commissioner's comments into -- into



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2 play, if you want to resubmit your  
3 application -- I think you could take  
4 our pulse.

5 So a motion is in order -- Oh,  
6 sorry, John.

7 COMMISSIONER GOODALE: I'm sorry.  
8 One -- this has -- goes beyond this  
9 project, which I'm prepared to support.

10 Now, I've been told on more than  
11 one occasion by the Planning Commission  
12 that the rules that are going to apply  
13 to housing development are not going to  
14 be made different for what we call  
15 affordable housing or not affordable  
16 housing. That that distinction is not  
17 one that then leads to a change in the  
18 way in which you apply the regulations  
19 for parking or other things. I've never  
20 supported that view, but that has been,  
21 as far as I understood, the view.

22 Now, plainly and clearly that is  
23 not being applied in this case. And I  
24 don't think it should be applied. But  
25 as a policy matter, and I see we are

2 working on toward that in some stuff  
3 here, we have to come up -- we cannot  
4 have a policy and then on an individual  
5 basis say, well, it's not going to apply  
6 here, it's not going to apply there.

7 We need, and I trust it's being  
8 worked on, to have a general policy  
9 about how to handle these questions of  
10 affordable housing. And it's not  
11 adequate in my mind to have a policy and  
12 then, when a particular circumstance  
13 comes up, here, there, we're not going  
14 to apply that policy. Rather than have  
15 a policy that deals with these questions  
16 of affordable housing. Particularly, in  
17 downtown areas, you know, like  
18 Greenport. And I would hope that --  
19 maybe with this project and others, that  
20 we'll be moving towards having a more  
21 clear cut way in which we can apply a  
22 policy to a particular application.

23 CHAIRMAN CARACCILO: That's a good  
24 point, and maybe that's a great  
25 discussion for another time.

2           You know, I always felt that we're  
3           15 individuals up here that are very  
4           smart and very -- with diverse  
5           backgrounds that don't need -- that  
6           could look at an application and look  
7           at, you know, the circumstances that  
8           surround that application and make the  
9           right judgment call for the future of  
10          Suffolk County. And that's always the  
11          way I looked at my position here. I  
12          didn't need a book or a regulation to  
13          tell me, you know, the number of parking  
14          stalls needed in a certain area.

15                 But you're right. You're a hundred  
16          percent right. We open ourselves up to  
17          possible --

18                 COMMISSIONER ROBERTS: I would just  
19          add that my opinion on parking has  
20          nothing to do with whether or not its  
21          affordable housing or not. I think the  
22          strongest argument I heard, was that the  
23          tradition of Greenport was that people  
24          are not required to have affordable  
25          housing elsewhere. So I don't see that

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2 to be --

3 CHAIRMAN CARACCIOLO: Parking you  
4 mean. Parking elsewhere.

5 COMMISSIONER ESPOSITO: I want to  
6 echo that because I think it's a very  
7 important distinction for the record.

8 I know when I vote, it won't be an  
9 exception made because it's an  
10 affordable housing project, but rather  
11 it's more in line with the traditional  
12 way the Village handles parking in  
13 general.

14 COMMISSIONER GOODALE: I appreciate  
15 that comment.

16 CHAIRMAN CARACCIOLO: And that's a  
17 good comment. You know, and I -- as I  
18 agree with you, you know, my point that  
19 we --

20 VICE CHAIRWOMAN HOLMES: And we are  
21 right now working on the affordable  
22 housing component of our new  
23 guidelines -- our revised guidelines.

24 CHAIRMAN CARACCIOLO: Thank you,  
25 Jesse. Good comment.

2 Motions in order?

3 COMMISSIONER CALONE: Motion to  
4 support.

5 CHAIRMAN CARACCIOLO: Okay.

6 Second?

7 COMMISSIONER LANSDALE: Second.

8 VICE CHAIRWOMAN HOLMES: Second.

9 CHAIRMAN CARACCIOLO: Okay. Sarah,  
10 Linda.

11 All in favor?

12 (WHEREUPON, the members voted.)

13 CHAIRMAN CARACCIOLO: Opposed?

14 (WHEREUPON, the members voted.)

15 CHAIRMAN CARACCIOLO: Abstentions?

16 (WHEREUPON, the members voted.)

17 CHAIRMAN CARACCIOLO: The motion  
18 carries.

19 Thank you, Commissioner, for your  
20 time. We appreciate it.

21 MS. ROSEN-NIKOLOFF: Thank you.

22 (WHEREUPON, Ms. Rosen-Nikoloff and  
23 Ms. Smith left the podium.)

24 MR. FRELENG: Mr. Chairman, we just  
25 have two more. These are subdivisions.

2 As you may have noted, we have some  
3 staff on vacation today, so we're doing  
4 double duty.

5 The next application is a  
6 subdivision application from the Town of  
7 Islip. This is the application of Fox  
8 Run Estates.

9 The jurisdiction for the Commission  
10 is that the subject property is within  
11 500 feet of Lower -- okay --  
12 Wingannauppage Lake and Champlin Creek,  
13 a tributary to Great South Bay.

14 I wish Peter was here so he could  
15 have said that street name.

16 The present land use of the subject  
17 property is a private school, known as  
18 the Hewlett School. There are existing  
19 structures on the property. There are  
20 five various school buildings.

21 The applicant is proposing to  
22 subdivide the nine acre school parcel  
23 into seven parcels. The main school  
24 building would be retained, and six  
25 additional residences would be

2 constructed. The other buildings  
3 on-site would be demolished.

4 The subject property is located in  
5 East Islip, west of Suffolk Lane, east  
6 of Adelhaide Lane, south of Haide Place.  
7 The property is surrounded by primarily  
8 medium density residential development,  
9 and some low density residential  
10 development.

11 Access is proposed via a new  
12 1,500 foot long cul-de-sac, having  
13 access to Suffolk Lane on the east side  
14 of the property. Individual driveways  
15 would have access to the cul-de-sac.

16 Lower Wingannauppauge Lake and  
17 Champlin Creek are within 500 feet from  
18 the site.

19 The Comprehensive Plan  
20 Recommendations from the Town, there are  
21 no specific recommendations for this  
22 property in the Town of Islip  
23 Comprehensive Plan.

24 With respect to staff analysis,  
25 this subdivision contains two double

2 frontage lots, lots one and two  
3 (indicating) -- you can see them better  
4 in the staff report. Double frontage  
5 lots are, as you know, lots that have  
6 frontage on two roads. That is contrary  
7 to good planning practices.

8 Moreover, the length of the  
9 cul-de-sac in this subdivision is  
10 1,500 feet, which is longer than the  
11 Commission's standard.

12 A large portion of the subject  
13 property is proposed to be used for the  
14 cul-de-sac. Of the 9.0 acres of the  
15 subject parcel, 2.0 acres are comprised  
16 of road right-of-way.

17 The Lane itself, the private road  
18 to the west of the subject property, is  
19 owned by Wingan Estates Homeowners  
20 Association. The most desirable layout  
21 of the subdivision on this subject  
22 property would allow a small cul-de-sac  
23 off of Adelhaide Lane. But since the  
24 Lane is a private road -- and if the  
25 homeowners association will not allow



2 access for this subdivision, then this  
3 subdivision should, as proposed, take  
4 access off of Suffolk Lane, but in the  
5 form of a cul-de-sac no longer than  
6 1,000 feet. Several flag lots could  
7 extend from the end point of the  
8 cul-de-sac, providing access to several  
9 homes.

10 Staff is recommending disapproval  
11 then for the following reasons:

12 The first being, the subdivision  
13 contains two double frontage lots  
14 where -- two double frontage lots.

15 And the second reason for denial is  
16 that the length of the cul-de-sac in  
17 this subdivision is 1,500 feet, which is  
18 longer than Commission standards.

19 The staff is recommending that the  
20 Commission forward a comment to the Town  
21 of Islip that if this subdivision is not  
22 permitted to take access from the  
23 private lane, then the subdivision  
24 should take access off of Suffolk Lane,  
25 but in the form of a cul-de-sac no

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2 longer than 1,000 feet. Several flag  
3 lots could extend from the end point of  
4 this cul-de-sac, providing access to  
5 several homes.

6 That's the reiteration of the staff  
7 report.

8 CHAIRMAN CARACCIOLO: Thank you,  
9 Andy.

10 Any questions of comments?

11 (WHEREUPON, there was no response.)

12 CHAIRMAN CARACCIOLO: A motion is  
13 in order.

14 COMMISSIONER ESPOSITO: I make a  
15 motion to accept the staff  
16 recommendations.

17 COMMISSIONER PRUITT: Second.

18 CHAIRMAN CARACCIOLO: Second, Ed.

19 All those in favor?

20 (WHEREUPON, the members voted.)

21 CHAIRMAN CARACCIOLO: Opposed?

22 (WHEREUPON, the members voted.)

23 CHAIRMAN CARACCIOLO: The motion  
24 carries.

25 MR. FRELENG: Thank you. And I'm

2 making you earn your pay today.

3 This is the application of Windwood  
4 Oaks. It's being referred to us from  
5 the Town of Brookhaven. The  
6 jurisdiction for the Commission is that  
7 the subject property is within 500 feet  
8 of the lands owned by Suffolk County,  
9 and those are to the east.

10 The applicant proposes to subdivide  
11 15.5 acres into 14 lots; 1 recharge  
12 basin, and 2.9 acres of Open Space. The  
13 Open Space to be dedicated to the Town  
14 of Brookhaven.

15 The subject property is located on  
16 the south side of Park Street, 184 feet  
17 west of Crescent Street and  
18 approximately 1,100 feet east of Yaphank  
19 Avenue, in the hamlet of Yaphank. The  
20 southern portion of the subject property  
21 contains overhead LIPA wires running  
22 east-west across the property. The  
23 property is bounded on the east by  
24 medium density residential development  
25 mixed with vacant land, on the north by

2 medium density residential and  
3 industrial development, to the south by  
4 medium density residential, and to the  
5 west and southwest by Farmland.

6 Access in the northern part of the  
7 subdivision is proposed for 12 lots via  
8 a cul-de-sac off of Park Street, and for  
9 the southern 2 lots via an extension of  
10 Sterling Path.

11 There are no specific or  
12 significant environmental conditions for  
13 the site.

14 The Comprehensive Plan  
15 Recommendations from the Town of  
16 Brookhaven recommends residential, at a  
17 density of one acre or less, be  
18 conducted for this property.

19 With respect to the staff analysis,  
20 the proposed main cul-de-sac is  
21 1,200 feet long, which exceeds  
22 Commission standards. If the two parts  
23 of this subdivision were to connect, a  
24 through street would be created,  
25 allowing traffic circulation between

2 Park Road in the north and Gerard Road  
3 in the south. The resulting street  
4 would tend not to be used as a "cut  
5 through," in the opinion of staff,  
6 because it would run parallel to the  
7 more major Yaphank Avenue to the west.

8 The large parcel of farmland  
9 adjacent to the subject property to the  
10 west could easily be developed in the  
11 future for residential purposes.  
12 Therefore, a tap street should be  
13 created between the proposed Woods Edge  
14 Drive of this proposed subdivision, and  
15 the farm property to the west. This  
16 would provide for coordinated, alternate  
17 or emergency access with subdividable  
18 lands to the west.

19 Staff is recommending conditional  
20 approval, subject to two conditions.  
21 The first being the two separate  
22 cul-de-sacs comprising this subdivision  
23 should be connected.

24 Let me just -- these are the power  
25 lines right here (indicating). If it's

2 not apparent, the power lines went  
3 through here (indicating), and for  
4 whatever reason, the developers have  
5 decided to bifurcate the two pieces of  
6 this subdivision. Staff is recommending  
7 that this -- the continuous street -- an  
8 attached street be created to properties  
9 to the west.

10 And the second condition relates to  
11 the tap street. A tap street should be  
12 created between the proposed Woods Edge  
13 Drive of the proposed subdivision, and  
14 the farm property to the west, providing  
15 for coordinated, alternate or emergency  
16 access with subdividable lands to the  
17 west.

18 The staff is recommending that a  
19 comment be forwarded from the Commission  
20 to the Town, regarding the yield on the  
21 subdivision seems high. A parcel of  
22 15.5 acres with zoning for 40,000 square  
23 foot lots should yield fewer than 14  
24 lots, and 1 recharge basin proposed. No  
25 yield map was submitted demonstrating

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2 how 14 lots could be achieved.

3 Therefore, it is recommended that a  
4 yield sketch be checked at the local  
5 level.

6 That is the staff report.

7 CHAIRMAN CARACCIOLO: Thank you,  
8 Andy.

9 Are motions in order?

10 COMMISSIONER PRUITT: (Indicating)

11 CHAIRMAN CARACCIOLO: Ed, made a  
12 motion.

13 COMMISSIONER PRUITT: Yes.

14 COMMISSIONER ESPOSITO:  
15 (Indicating)

16 CHAIRMAN CARACCIOLO: Adrienne,  
17 second?

18 COMMISSIONER ESPOSITO: No, I'm not  
19 seconding.

20 CHAIRMAN CARACCIOLO: You're not  
21 seconding?

22 COMMISSIONER ESPOSITO: No.

23 COMMISSIONER ROBERTS: Second.

24 CHAIRMAN CARACCIOLO: Thank you,  
25 Barbara.

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2 All those in favor?

3 (WHEREUPON, the members voted.)

4 CHAIRMAN CARACCIOLO: Opposed?

5 (WHEREUPON, the members voted.)

6 CHAIRMAN CARACCIOLO: The motion  
7 carries.

8 Onto the Commission Roundtable.

9 Jesse, you want to lead us off?

10 COMMISSIONER GOODALE: Nothing at  
11 this time.

12 CHAIRMAN CARACCIOLO: Tom?

13 COMMISSIONER MC ADAM: Yes. I  
14 would like to thank the Planning  
15 Department, the Director and also the  
16 APA for the training course -- my first  
17 training course that I attended, it was  
18 terrific. Thanks again.

19 CHAIRMAN CARACCIOLO: Thank you.  
20 Sarah?

21 COMMISSIONER LANSDALE: I have  
22 something to report. Sustainable Long  
23 Island is facilitating a community  
24 planning process in North Bellport next  
25 month. If anyone's interested in



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2 observing how that process happens, let  
3 me know. I'll distribute door hangers.

4 CHAIRMAN CARACCIOLO: Thank you.

5 Don?

6 COMMISSIONER FIORE: Nothing.

7 CHAIRMAN CARACCIOLO: Linda?

8 VICE CHAIRWOMAN HOLMES: Just

9 gratitude to the County Legislature for  
10 approving at the last minute a  
11 resolution to help Shelter Island set up  
12 a tick control program. We have a real  
13 health emergency on the Island. So  
14 don't come and visit until we get fixed.

15 CHAIRMAN CARACCIOLO: That's great.

16 David?

17 COMMISSIONER CALONE: Yeah, just  
18 real quick.

19 First of all, I think Director  
20 Isles has a summary of activities that  
21 he started. It was great and I really  
22 appreciate that.

23 Secondly, I look forward to  
24 (inaudible) aspects of our guidelines  
25 and also talk about what other aspects

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2 and guidelines, be it sustainability or  
3 park roads or whatever other types of  
4 things we should be putting in our  
5 guidelines, I look forward to the  
6 discussion on that also.

7 CHAIRMAN CARACCIOLO: Thank you.  
8 Barbara?

9 COMMISSIONER ROBERTS: I wanted to  
10 compliment Andy again on the work that  
11 he's doing on the jurisdictions. I  
12 think it's going to be extremely helpful  
13 on the south fork because there are a  
14 number of communities that aren't aware  
15 of how their property or projects are  
16 really under our jurisdiction. And I  
17 hope that, along with that, we do some  
18 PR or publicity about really what the  
19 Planning Board is about and how we can  
20 help the community more.

21 MR. FRELENG: Thank you,  
22 Commissioner. I will extend that to  
23 those involved in it directly. I'm just  
24 overseeing, really, the project, but I  
25 will extend that. Thank you.

2 CHAIRMAN CARACCIOLO: Ed?

3 COMMISSIONER PRUITT: Nothing to  
4 report.

5 COMMISSIONER ESPOSITO: Nothing.

6 COMMISSIONER KONTOKOSTA: Nothing  
7 to report.

8 CHAIRMAN CARACCIOLO: Okay. A  
9 motion to adjourn. Adrienne, will you  
10 do that one?

11 COMMISSIONER ESPOSITO: Yes.  
12 Motion to adjourn.

13 VICE CHAIRWOMAN HOLMES: Second.

14 CHAIRMAN CARACCIOLO: Thank you,  
15 everyone.

16 (WHEREUPON, this hearing was  
17 adjourned at 2:16 p.m.)

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C E R T I F I C A T E

5

6 I, THERESA PAPE, a Shorthand Reporter and  
7 Notary Public of the State of New York, do hereby  
8 certify:

9 That the foregoing is a true and accurate  
10 transcription of the stenographic notes taken  
11 herein.

12 I further certify that I am not related to  
13 any of the parties to this action by blood or  
14 marriage; and that I am in no way interested in the  
15 outcome of this matter.

16 IN WITNESS WHEREOF, I have hereunto set my  
17 hand this 11th day of July, 2007.

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THERESA PAPE

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