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SUFFOLK COUNTY PLANNING COMMISSION  
MINUTES OF MEETING

March 5, 2008  
12:00 p.m.

H. Lee Dennison Building  
THE ARTHUR H. KUNZ MEMORIAL LIBRARY  
100 Veterans Memorial Highway, 4th Floor  
P.O. Box 6100  
Hauppauge, New York 11787

BEFORE:

DAVID CALONE, Chairman

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

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

3

EDWARD J. PRUITT, Vice Chairwoman,  
Town of Brookhaven

4

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THOMAS ISLES, Director of Planning

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ADRIENNE ESPOSITO, Secretary,  
Villages Once 5,000 Population

7

JOHN CARACCILO, Commission Member  
Town of Huntington

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LINDA HOLMES, Commission Member  
Town of Shelter Island

10

CHARLA BOLTON, Commission Member  
At Large

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DONALD J. FIORE, Commission Member  
Town of Islip

13

BARBARA ROBERTS, Commission Member  
Town of Southampton

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ROBERT BRAUN, Commission Member  
Town of Smithtown

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THOMAS MC ADAM, Commission Member  
Town of Southold

17

18

CONSTANTINE KONTOKOSTA, Commission Member  
Village Under 5,000 Population

19

SARAH LANSDALE, Commission Member  
At Large

20

21

DANIEL GULIZIO, Deputy Director of  
Suffolk County Planning Department

22

ANDREW P. FRELENG, Chief Planner  
Suffolk County Planning Department

23

24

PETER LAMBERT, Principal Planner  
Suffolk County Planning Department

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

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4 LINDA SPAHR, County Attorney

5 CLAIRE CHORNY, Staff

6

7 ABSENT MEMBERS:

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

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10 TED KLEIN, Senior Planner  
Suffolk County Planning Department

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

6 (Time noted 12:05 p.m.)

7 CHAIRMAN CALONE: Okay. The March  
8 meeting of the Suffolk County Planning  
9 Commission's in session. I note that we  
10 have a quorum, and would ask the Vice  
11 Chairman to lead us in the Pledge.

12 (WHEREUPON, the Pledge of  
13 Allegiance was recited.)

14 CHAIRMAN CALONE: Okay. The first  
15 item on the agenda, the review of the  
16 minutes of our December 5th, 2007  
17 meeting.

18 Editor in Chief Holmes, if you  
19 would --

20 COMMISSIONER HOLMES: We have  
21 just --

22 CHAIRMAN CALONE: -- give us an  
23 update.

24 COMMISSIONER HOLMES: -- a few word  
25 corrections, and as I say, I try to only

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2 point out a word that would change the  
3 meaning of the sentence.

4 The first one is on page 25,  
5 line 17. The word should be "cite,"  
6 C-I-T-E, not "site," S-I-T-E.

7 The second one, page 46, line 20,  
8 the words are "macular degeneration,"  
9 not "the factor of." It -- it was a  
10 phonetic. But it's important because I  
11 was pointing out that macular  
12 degeneration disables seven times as  
13 many older Americans as Alzheimer's.  
14 And I think it's one of the most  
15 important tools we have to be insisting  
16 on, pedestrian safety in plan  
17 development to get to goods and  
18 services. And so that was why I wanted  
19 to point that out.

20 Page 47, line 8, the word is  
21 "confidence" not "competence."

22 And page 52, line 24, it's "as" not  
23 "a."

24 And 113, line 7, should be  
25 "clearing" not "cleaning."

2 So those are my corrections.

3 CHAIRMAN CALONE: Thank you.

4 Anyone --

5 COMMISSIONER BOLTON: (Indicating)

6 CHAIRMAN CALONE: Charla.

7 COMMISSIONER BOLTON: I just have  
8 one small, on page 5 it says -- they're  
9 talking about Roy Fedelem, and it says  
10 "Roy Fedelem needs to be spelled  
11 correctly" --

12 COMMISSIONER HOLMES: Yes.

13 COMMISSIONER BOLTON: And "spelled"  
14 is not spelled correctly.

15 COMMISSIONER HOLMES: Oh, dear.

16 COMMISSIONER BOLTON: Yes.

17 COMMISSIONER HOLMES: Oh, well,  
18 we're sorry.

19 COMMISSIONER BOLTON: And then  
20 "Fedelem" is not spelled correctly.

21 COMMISSIONER HOLMES: Oh, it's  
22 still not? Oh, because --

23 COMMISSIONER BOLTON: No.

24 COMMISSIONER HOLMES: -- we tried  
25 to --

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2 COMMISSIONER BOLTON: It's

3 F-E-D-E-L-E-M.

4 MS. HOLMES: Okay.

5 COMMISSIONER BOLTON: Okay?

6 CHAIRMAN CALONE: Thank you.

7 COMMISSIONER HOLMES: And this is

8 page 5 of the December meeting? We're

9 working on the December meeting.

10 COMMISSIONER BOLTON: Oh, sorry.

11 COMMISSIONER HOLMES: Yeah.

12 COMMISSIONER BOLTON: Okay. I'm up

13 to the --

14 COMMISSIONER HOLMES: The

15 February --

16 COMMISSIONER BOLTON: -- February.

17 COMMISSIONER HOLMES: -- sorry,

18 I --

19 CHAIRMAN CALONE: Well, we'll hold

20 that edit for next time --

21 COMMISSIONER HOLMES: Yeah -- yes,

22 please --

23 COMMISSIONER BOLTON: Okay. Sorry.

24 COMMISSIONER HOLMES: -- make that

25 note.

2 CHAIRMAN CALONE: -- and does  
3 anyone else have anything for the  
4 December minutes, that were sent out in  
5 the mail.

6 (WHEREUPON, there was no response)

7 CHAIRMAN CALONE: Okay.

8 VICE CHAIRMAN PRUITT: Motion to  
9 accept the minutes --

10 CHAIRMAN CALONE: Make a motion to  
11 accept with Linda's --

12 COMMISSIONER HOLMES: As amended.

13 CHAIRMAN CALONE: -- as amended.

14 COMMISSIONER HOLMES: As --

15 CHAIRMAN CALONE: Vice Chair

16 Pruitt.

17 Second?

18 COMMISSIONER BOLTON: I'll second

19 it.

20 CHAIRMAN CALONE: Commissioner

21 Bolton.

22 All in favor?

23 (WHEREUPON, the Members voted.)

24 CHAIRMAN CALONE: Pass is

25 unanimous. Thank you.



2 COMMISSIONER HOLMES: The next  
3 month we get to look at, is February.

4 CHAIRMAN CALONE: At least we know  
5 that there are definitely edits in  
6 February.

7 COMMISSIONER BOLTON: Yes.

8 CHAIRMAN CALONE: Next, I'm going  
9 to take just a few minutes to recognize  
10 some folks who deserve to be recognized,  
11 and also make a few remarks as we start  
12 the beginning of the Commission year.

13 John, Linda and Charla led this  
14 Commission in a transitory, when it went  
15 for a Commission whose members were  
16 chosen for their party membership, to a  
17 time now, when those of us were chosen  
18 for our professional qualifications.  
19 They did an outstanding job  
20 professionalizing this Commission, and  
21 the people of Suffolk County owe them  
22 their thanks.

23 So we wanted to just give  
24 Certificates of Appreciation to John  
25 Caracciolo (handing) --

2 COMMISSIONER BRAUN: Where's the  
3 photographer when you need one?

4 COMMISSIONER ROBERTS: Press  
5 opportunity.

6 COMMISSIONER CARACCIOLO: Just in  
7 time; right?

8 COMMISSIONER ROBERTS: Press  
9 opportunity.

10 COMMISSIONER CARACCIOLO: Can I  
11 open it up?

12 CHAIRMAN CALONE: Mental limits.  
13 Vice Chairman Holmes (handing) --

14 COMMISSIONER HOLMES: Thank you  
15 very much.

16 CHAIRMAN CALONE: And Secretary,  
17 Charla Bolton (handing).

18 COMMISSIONER HOLMES: That's very,  
19 very nice, and very pretty.

20 COMMISSIONER BOLTON: Thank you  
21 very much.

22 CHAIRMAN CALONE: I just wanted to  
23 make a few remarks. Like I said, at the  
24 start of the Commission year, I had a  
25 chance to have one-on-one conversations

2 with each member of the Commission over  
3 the last month or so. And in  
4 consultation with Director Isles and the  
5 Planning Department, I've kind of taken  
6 what you've said, and we've tried to  
7 focus around some goals for the  
8 Commission for this year, that are fully  
9 reflective of the tasks that the law  
10 gives us as the Planning Commission.

11 As some of you know, the Commission  
12 is charged by the law with five tasks:

13 One, site plan and subdivision  
14 review;

15 Two, establishing a comprehensive  
16 plan for the County;

17 Three, making recommendations to  
18 the towns, about land use and planning  
19 policies;

20 Four, issuing an annual report to  
21 the Legislature on the status of the  
22 County;

23 And five, adopting rules to  
24 oversee the Planning Department.

25 The goals I'm about to mention,

2 kind of fall into two main categories:

3 Continuing to improve how we  
4 accomplish our review of individual  
5 projects; and working towards carrying  
6 out our other responsibilities under the  
7 law, to focus on the bigger, broader  
8 issues effecting our County.

9 Regarding the individual project  
10 review, first, we need to make sure that  
11 the Commission's remaining vacant seats  
12 are filled. So that we always have a  
13 quorum, and so that the people of the  
14 County have full representation on this  
15 Commission.

16 So, starting this month,  
17 Director Isles and I are going to work  
18 with the County Executive's Office to  
19 quickly fill those last two vacant  
20 seats, and we would welcome your  
21 suggestions for candidates. And we  
22 will, probably, by e-mail, let you know  
23 exactly the areas we need covered, and  
24 the skill set that we need covered.  
25 Because the law requires both; a

2 geographical representation, and that  
3 this Commission have a full skill set.  
4 And there is one or two of those skill  
5 sets that are not yet filled.

6 COMMISSIONER HOLMES: Oh, they are?  
7 They are.

8 SECRETARY ESPOSITO: Do you know  
9 what they are, off the top of your head?

10 CHAIRMAN CALONE: Sure. We have  
11 the East Hampton seat open. And the two  
12 qualifications that are not filled as of  
13 yet are, one, someone with background in  
14 transportation, and then two, someone  
15 who is approved by the Association of  
16 Supervisors.

17 DIRECTOR ISLES: Right.

18 CHAIRMAN CALONE: So, we need to  
19 hit the -- kill two birds with one  
20 stone, so to speak, with that person.  
21 There may be some things we can do with  
22 moving some people around. So we're  
23 going to look at that too, but --

24 COMMISSIONER BOLTON: How do we  
25 know whose been approved by the

2 Association of Supervisors?

3 CHAIRMAN CALONE: I don't think it  
4 would involve details that it has to be  
5 someone who they organically kind of  
6 say, "here's our person," but it has to  
7 be someone who has their blessing. So  
8 there has to be a more consultative  
9 process for that particular person --

10 COMMISSIONER BOLTON: Okay.

11 CHAIRMAN CALONE: So, they -- they  
12 technically have to recommend them. I  
13 think there is -- you know, since they  
14 have not done that, I think we can maybe  
15 approach them --

16 COMMISSIONER BOLTON: Now, that's  
17 something --

18 CHAIRMAN CALONE: -- with some  
19 possibilities.

20 COMMISSIONER BOLTON: -- that's on  
21 the town level? No, it's on the County  
22 level.

23 SECRETARY ESPOSITO: No, Supervisor  
24 is the County.

25 COMMISSIONER BOLTON: Oh, okay.

2 CHAIRMAN CALONE: The Town  
3 Supervisors.

4 SECRETARY ESPOSITO: Yes.

5 COMMISSIONER BOLTON: But both --

6 CHAIRMAN CALONE: Or their  
7 association.

8 COMMISSIONER BOLTON: But it would  
9 be all of --

10 CHAIRMAN CALONE: Through their  
11 association. And I forget --

12 COMMISSIONER BOLTON: Okay.

13 CHAIRMAN CALONE: -- whose the  
14 head of and Chair of that right now.

15 COMMISSIONER BOLTON: Okay.

16 DIRECTOR ISLES: It changes. I'm  
17 not sure --

18 COMMISSIONER BOLTON: I'm just  
19 trying to understand it.

20 DIRECTOR ISLES: -- I think it's  
21 Phil Cardinale.

22 COMMISSIONER HOLMES: Speaking of  
23 East Hampton, do I remember correctly,  
24 Tom, that there was somebody, some  
25 months ago, proposed for East Hampton,

2 and Jay Schneiderman, our Legislator  
3 from East Hampton, did not want that  
4 person. And so, it has been vacant ever  
5 since. So, I guess, one of the criteria  
6 would have to be somebody -- if somebody  
7 is proposed, that they find out right  
8 away whether Jay Schneiderman wants that  
9 person, or is in favor of that person.

10 COMMISSIONER ROBERTS: I don't  
11 think that was the history on that.

12 CHAIRMAN CALONE: One second.

13 The bottom line is, that there was  
14 someone -- there were some issues with  
15 the Legislature with that. The local  
16 Legislator was involved, as well as  
17 others. And the bottom line is yes,  
18 whoever the County Executive nominates,  
19 has to get approved by the Legislature.  
20 And, perhaps, at some portion, they  
21 didn't see eye-to-eye on that, but the  
22 bottom line is, we need to keep trying.

23 And so, what I want to convey to  
24 you is that Tom and I are going to make  
25 that a priority, wherein which we're



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2 going to meet with them -- the County  
3 Executive's Office, this month, on that.

4 COMMISSIONER HOLMES: I would like  
5 to see Jay come up with a name.

6 CHAIRMAN CALONE: That's certainly  
7 a possibility, but the County Executive  
8 has to be the one who appoints --

9 COMMISSIONER HOLMES: Right.

10 CHAIRMAN CALONE: -- so it has to  
11 also be approved by that person as well.

12 So our role here is just to state  
13 the need, and to try and push the  
14 process along. I don't think it's top  
15 on the minds of a lot of these folks, so  
16 we need to remind them of the need. And  
17 I think we would all agree that, we'd  
18 like to have a full compliment of folks,  
19 so that we can make sure that we have a  
20 quorum when we need a quorum, make sure  
21 we have our motions passed or  
22 disapproved, at least, with a majority,  
23 so we can act as such. So that's our  
24 first thing.

25 The second thing is to make sure

2 that we're taking full advantage of the  
3 wisdom of our current Commission  
4 Members, by taking a moment or two for  
5 each of us to tell a little bit about  
6 ourselves and our backgrounds, so we  
7 get to know each others areas of  
8 expertise. And I'd like to, if  
9 possible, if time allows, do that at the  
10 Commissioner's Roundtable today. And we  
11 have a full -- a rather full agenda, so  
12 if we don't have that opportunity,  
13 perhaps, we'll have a chance to say a  
14 little bit about ourselves at the next  
15 meeting. But it would be good, I think,  
16 for all of us to kind of learn a little  
17 bit about the expertise and background  
18 of each of the people sitting around  
19 this table. I will say that having met  
20 with each with you, it's a pretty  
21 talented and interesting and diverse  
22 group. And I think there would be a lot  
23 to learn, just from learning a little  
24 bit more about each other.

25 The third thing, in order to enable

2 those who represent particular areas to  
3 share their knowledge about locations of  
4 particular projects, at the start of the  
5 discussion about each project, I will  
6 ask the person from that town to comment  
7 first, if they would like to do so,  
8 about that project.

9 That came out of conversations Don  
10 and I had, and I thought it was a good  
11 idea, and I would like to see how that  
12 works.

13 Fourth, we need to work with  
14 Director Isles and the staff, to review  
15 the process in determining what projects  
16 actually come before the Commission.  
17 Vice Chair Pruitt, along with  
18 Commissioners Goodale and McAdam, have  
19 volunteered to lead the thinking about  
20 how we approach our work, what kinds of  
21 applications need to come to the full  
22 Commission, and how we allocate our  
23 time.

24 One thing that struck me, is that  
25 we spend about the same amount of time

2 focusing on each project, no matter if  
3 it's a single lot or a large  
4 development. And the project that comes  
5 to mind, for me, was the Tall Grass  
6 development last year. And some  
7 newspapers call it, at the time, the  
8 most significant development in  
9 Brookhaven in decades, and we spend  
10 about the same amount of time on that  
11 project as any other project we did that  
12 day.

13 So, we need to just, at least,  
14 think about what we're -- the projects  
15 that are coming before us. Should we  
16 spend more time on the bigger projects  
17 that significantly impact the future of  
18 the County? Perhaps we should spend  
19 less time on the more localized  
20 projects. Perhaps we should have a  
21 screening committee, or on bigger  
22 developments, maybe there's a way for  
23 the staff to work with the local  
24 commissioner, and other interested  
25 commissioners, to dig down on that

2 project ahead of time. Perhaps we can  
3 improve our identification of potential  
4 affordable housing sites.

5           Anyway, there's a lot of  
6 possibilities here. Vice Chair Pruitt  
7 and Commissioners McAdam and Goodale  
8 will help us think about these issues.  
9 I know Commissioner Roberts also has  
10 ideas along these lines, and if anyone  
11 else is interested in being part of that  
12 brainstorming, please let Ed know today.

13           Lastly, we need to finish updating  
14 our guidelines. This Commission is the  
15 land use overseer for the County. It's  
16 the place where the priorities of our  
17 region and the values of our County  
18 touch the individual developments. It  
19 is through this Commission over time, in  
20 application by application, that those  
21 priorities and values are reflected in  
22 the physical development of Suffolk  
23 County.

24           Now, our guidelines set the tone  
25 for that development, and they provide

2 critical direction for developers, towns  
3 and villages into our own Planning  
4 Department Staff about what those  
5 priorities and values are. What  
6 matters.

7 The guidelines review effort has  
8 been going on for nearly two years, and  
9 it's now time to put it on a path  
10 towards a conclusion. I've asked  
11 Commissioners Lansdale and Kontokosta to  
12 help lead the Guidelines Committee to  
13 make sure that our guidelines effort  
14 progresses towards finality over the  
15 next few months.

16 In conjunction with Director Isles  
17 and Deputy Director Gulizio, they've  
18 come up with a plan to make sure that  
19 our basic guidelines updates are  
20 accomplished, as well as our more  
21 flexible affordable housing guidelines  
22 get before this Commission, in the next  
23 two to three months, if not sooner. And  
24 then, after that, over the summer, we  
25 can consider what additional County-wide

2 values should be reflected in our  
3 guidelines. Be it energy-efficient  
4 buildings, environmentally-sensitive  
5 buildings, neighborhood guidelines,  
6 public safety guidelines -- there's a  
7 lot of possibilities, but the bottom  
8 line is, we need to move in the next  
9 month or two to get our basic guidelines  
10 updated. And that includes,  
11 importantly, the flexibility of  
12 affordable housing.

13 The second category of goals  
14 briefly revolves around the Commission's  
15 responsibility to help provide a vision  
16 for overall County development, and to  
17 make recommendations to the towns about  
18 their planning policies. We are charged  
19 by law with developing a comprehensive  
20 plan for Suffolk County, and we should  
21 start that process this year.

22 Director Isles and the Planning  
23 Department are in full support of using  
24 limited staff resources to begin taking  
25 the critical first steps needed to

2 accomplish this task. In addition, in  
3 order to build our own knowledge base,  
4 as time allows, the Commission Meetings  
5 in the coming months, we will look to  
6 invite those working on important issues  
7 pertaining to the future of our County,  
8 to update us here on their work.

9 Another opportunity that Director  
10 Isles has suggested, is that the  
11 Commission consider taking a leadership  
12 role over the annual fall training  
13 program. There's a possibility that we  
14 could use that unique occasion, when  
15 commissioners and board members from  
16 every jurisdiction in Suffolk County are  
17 gathered together, to host a summit to  
18 discuss critical issues effecting our  
19 County. Something we'll have to think  
20 about, whether we'll have the time and  
21 resources to do it, but I think it's  
22 certainly worth considering, and I  
23 appreciate the idea.

24 Lastly, I heard from all of you  
25 that the Commission needs to do a better



2 job in making the public aware of the  
3 role the Commission plays.

4 I've asked Commissioners Holmes and  
5 Roberts to help lead the thinking about  
6 what more we can do in this regard. If  
7 you're interested in working with them,  
8 please let them know. We certainly  
9 would want to hear your ideas relatively  
10 quickly, perhaps by the next meeting.

11 In conclusion, let me say this:  
12 Our Commission is a unique entity in  
13 Suffolk's governmental ecosystem. The  
14 law requires that we be from every part  
15 of the County. The law requires that we  
16 collectively have certain skills. And  
17 the law requires that we look at  
18 individual land use projects, and that  
19 we think more broadly about our County's  
20 development. Whether we're exercising  
21 our reactive authority, when we review  
22 zoning applications and site plans, or  
23 our proactive authority, when we work  
24 towards creating a comprehensive plan,  
25 or when we bring the towns together to

2 discuss critical-issue space in Suffolk,  
3 we are here as business people, as  
4 activists, as advocates, as planners and  
5 leaders of our Community, to apply our  
6 collective judgment and wisdom to the  
7 critical land use issues that face this  
8 County. And in that spirit, I look  
9 forward to working with all of you this  
10 year.

11 Thank you.

12 COMMISSIONER ROBERTS: David, could  
13 you restate the Commissioners in charge  
14 of Process and Guidelines, please?

15 CHAIRMAN CALONE: Yes. I had asked  
16 Vice Chair Pruitt and Commissioner  
17 McAdam, as well as Commissioner Goodale  
18 to help lead that effort. And I  
19 certainly know that you have thoughts on  
20 those lines --

21 COMMISSIONER ROBERTS: And  
22 guidelines?

23 VICE CHAIRMAN PRUITT: That's not  
24 guidelines, that was --

25 CHAIRMAN CALONE: Oh, I'm sorry --

2 VICE CHAIRMAN PRUITT: -- process.

3 SECRETARY ESPOSITO: Yes --

4 CHAIRMAN CALONE: -- yes, that was  
5 process.

6 COMMISSIONER ROBERTS: Process.

7 And guidelines?

8 VICE CHAIRMAN PRUITT: Sarah and --

9 SECRETARY ESPOSITO: Sarah.

10 CHAIRMAN CALONE: Sarah and --

11 COMMISSIONER ROBERTS: Thank you.

12 CHAIRMAN CALONE: Now, I've always  
13 found -- you know, in making sure things  
14 get done, it helps to have folks who own  
15 it and who are, you know, helping to  
16 make sure everyday that the ball gets  
17 moved on all these things. But that  
18 does not in any way preclude anyone  
19 around this table from being involved in  
20 any of the couple of things we've talked  
21 about. It's important. So, appreciate  
22 the leadership that you folks have  
23 offered, and -- but we all need to pitch  
24 in on these couple things. So, that's  
25 all I have.

2 Tom.

3 DIRECTOR ISLES: Great. Thank you  
4 very much.

5 COMMISSIONER HOLMES: Could I  
6 mention, case and point, that we got  
7 mentioned in the Sunday Times, Long  
8 Island section --

9 COMMISSIONER BRAUN: From the  
10 editorial.

11 COMMISSIONER HOLMES: -- on  
12 Barbara's favorite project at Sag  
13 Harbor, but the Planning Commission was  
14 mentioned quite extensively in this  
15 article. And the fact that our  
16 recommendation looked as if it was going  
17 to be overridden by the local planning  
18 board. So that's kind of one of the  
19 things that we can work on for getting  
20 the Commission better known.

21 CHAIRMAN CALONE: Let me say one  
22 comment about that project. That was a  
23 project where we -- the Bulova project  
24 in Sag Harbor, where we played an  
25 important role.

2 COMMISSIONER HOLMES: Yes.

3 CHAIRMAN CALONE: And it actually  
4 started with Don's comment about there  
5 being asbestos --

6 COMMISSIONER HOLMES: Uh-huh.

7 CHAIRMAN CALONE: -- which raised  
8 that issue --

9 COMMISSIONER HOLMES: Yes, that  
10 was --

11 CHAIRMAN CALONE: -- and it  
12 continued with our recommendation of  
13 affordable housing. And our  
14 recommendation was the 20 percent, which  
15 is within our guidelines. And it's  
16 become apparent, based upon Commissioner  
17 Holmes' experience, as well as that of  
18 the town, that there needs to be  
19 flexibility in our affordable housing  
20 guidelines. We all know that, the  
21 commission's been talking -- the  
22 Guidelines Commission has been talking  
23 about it. But it's an example of,  
24 definitely, the need for the Commission  
25 to update its guidelines, and to be

2 thinking about how it goes about its  
3 business.

4 I know that Commissioner Roberts  
5 wants to talk more about that at the  
6 Roundtable, and we can save the rest for  
7 that I guess.

8 COMMISSIONER ROBERTS: That will be  
9 good.

10 CHAIRMAN CALONE: Tom.

11 DIRECTOR ISLES: Thank you,  
12 Mr. Chairman.

13 I too would like to echo the  
14 sentiments of the Commission in  
15 appreciation to the officers -- the  
16 previous year's officers. And, John,  
17 your help in particular, as we went  
18 through each meeting, it was very  
19 helpful, as well as, Linda, through all  
20 the aspects of the Department's contact  
21 with the Commission, as well as  
22 Charla. So, we appreciate it as well.  
23 And we look forward to working with the  
24 new Board as well.

25 Just a couple of matters to update

2 the Commission on. We have presented in  
3 your package, three letters as way of  
4 correspondence to the Commission:

5 The first one being a letter to a  
6 Mr. Michael McCarthy, written on behalf  
7 of an application for an applicant known  
8 as Pinewood Development Corp. This is a  
9 case that appeared before you, I  
10 believe, it was in January, or a couple  
11 of months ago. This was a rezoning of  
12 an industrial building in the Town of  
13 Huntington. He has, on behalf of the  
14 applicants, written a letter requesting  
15 a rehearing. As you know, the  
16 Commission Guidelines require that that  
17 come in through the municipality. We've  
18 directed Mr. McCarthy in that direction.  
19 Chief Planner, Andy Freleng, drafted the  
20 letter, with the reply.

21 The second item of  
22 correspondence --

23 SECRETARY ESPOSITO: Wait, wait --

24 DIRECTOR ISLES: I'm sorry.

25 SECRETARY ESPOSITO: -- did he say

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2 why he's asking for a rehearing? I'm  
3 just -- I don't --

4 DIRECTOR ISLES: He had a very  
5 lengthy letter --

6 SECRETARY ESPOSITO: -- have that.

7 DIRECTOR ISLES: -- and we've  
8 included that as well --

9 SECRETARY ESPOSITO: Oh, it's here?

10 DIRECTOR ISLES: -- as to why he --

11 SECRETARY ESPOSITO: Okay, sir.

12 COMMISSIONER HOLMES: It's here? I  
13 didn't -- I didn't see it.

14 COMMISSIONER BRAUN: This  
15 stationary here (indicating).

16 COMMISSIONER CARACCIOLO: I put it  
17 in your hand, Linda.

18 COMMISSIONER HOLMES: Yeah, but --  
19 you know, Dave just loaned me his, but  
20 was it on the table somewhere?

21 COMMISSIONER CARACCIOLO: It was on  
22 the table.

23 COMMISSIONER HOLMES: Okay. Sorry.

24 CHAIRMAN CALONE: Yes, it should be  
25 on the table.



2 COMMISSIONER BRAUN: I'm sorry --

3 COMMISSIONER CARACCIOLO: Tom --

4 COMMISSIONER BRAUN: -- did you say

5 we have Andy's reply too?

6 DIRECTOR ISLES: Yes.

7 COMMISSIONER HOLMES: We have

8 Andy's reply?

9 CHAIRMAN CALONE: Are there

10 additional packets down the end there?

11 COMMISSIONER HOLMES: Are there

12 other packets, Claire, that --

13 MS. CHORNY: They were put out

14 at -- in every seat.

15 CHAIRMAN CALONE: Okay.

16 MS. CHORNY: Now, I don't know

17 where they wound up, but --

18 COMMISSIONER FIORE: (Indicating)

19 CHAIRMAN CALONE: Don.

20 COMMISSIONER FIORE: I read both

21 letters, and I'm a little concerned with

22 the -- not so much the answer -- yeah, I

23 am concerned with the answer, but I'm

24 also concerned with the letter that this

25 is -- it appears to be, on the surface,

2 something similar to what happened out  
3 in the East End out there.

4 DIRECTOR ISLES: Which one?

5 COMMISSIONER CARACCIOLO: Trumpet.

6 COMMISSIONER FIORE: Trumpet.

7 SECRETARY ESPOSITO: You had to  
8 ask?

9 DIRECTOR ISLES: Okay.

10 COMMISSIONER FIORE: All right.

11 DIRECTOR ISLES: I want to be  
12 clear.

13 COMMISSIONER FIORE: Good going,  
14 Tom. The Trumpet.

15 Okay. But in the replay it say,  
16 "As you may note, there is no mechanism  
17 in the law for the Suffolk County  
18 Planning Commission to reconsider  
19 actions it has taken." And I -- then  
20 I'm going to question that here, because  
21 there was an action taken at Trumpets.  
22 And because of that action taken -- and  
23 I'm going to go to legal -- where does  
24 that sit?

25 DIRECTOR ISLES: I think the

2 reference to that is that, independent  
3 of the referral -- rereferral back to  
4 the municipality. So, if an attorney  
5 for an applicant writes a letter and  
6 requests a reconsideration, that's not a  
7 basis for the Commission to reconsider.  
8 The matter is that it has to be referred  
9 to the municipality. I believe that was  
10 the intention of the reply.

11 MR. FRELENG: That's the intent.  
12 Right.

13 COMMISSIONER FIORE: Okay. All  
14 right.

15 CHAIRMAN CALONE: Good point.

16 COMMISSIONER HOLMES: Yeah, and we  
17 discussed that quite a bit in the sense  
18 that there had been additional  
19 information --

20 COMMISSIONER FIORE: Right.

21 COMMISSIONER HOLMES: -- submitted  
22 to it.

23 COMMISSIONER FIORE: And I  
24 understand it, but was like --  
25 February 28th was the letter that was

2 written out --

3 COMMISSIONER HOLMES: Yes.

4 COMMISSIONER FIORE: -- it's  
5 probably within his grasp right now.

6 DIRECTOR ISLES: Right.

7 COMMISSIONER FIORE: And I just --  
8 now, getting back to this one, I thought  
9 this was going to go a little -- a  
10 little further, and almost take the  
11 position that Trumpets took. I mean,  
12 that's my personal opinion by reading  
13 this thing, that's all. Reading between  
14 the lines, or reading the lines.

15 DIRECTOR ISLES: All right. Well,  
16 we --

17 COMMISSIONER FIORE: That's all I  
18 have, I just wanted to make a statement.

19 DIRECTOR ISLES: Okay. That's  
20 fine. And we would expect then, he  
21 would contact the town and request a  
22 resubmission to the Commission, and take  
23 it from there.

24 Okay. So that's that item.

25 The second item is a letter from

2 the Empire State Development  
3 Corporation. Andrea Lohneiss is the  
4 Regional Director. This is a point of  
5 information that the State is announcing  
6 a grant program for, what they call,  
7 "Restore New York Communities  
8 Initiative," just to help revitalize  
9 urban centers, induce commercial  
10 reinvestment and improve housing stock.

11 We point out, in the second  
12 paragraph, that the eligible applicants  
13 are cities, towns and villages, not the  
14 County. So I pass this along for your  
15 information, and however you may want to  
16 dispense it at the local level. There  
17 is a fact sheet that's also included  
18 with the letter.

19 And the third item, upon request of  
20 Commissioner Roberts, is we have  
21 included a letter written by Chief  
22 County Executive, Jim Morgo, dated  
23 December 27th, 2007, dealing with the  
24 Bulova Watch Case referral to the  
25 Commission. We'll put that off in terms

2 of, I think, a further discussion later  
3 on. But just as way as correspondence,  
4 we'll include that as well.

5 So that completes it in terms of  
6 the correspondence from the Commission.

7 A few items dealing with upcoming  
8 events. Here again, I believe we gave  
9 notification through Chairman Calone of  
10 the Sewer Summit that's coming up on  
11 March 20th, here in the Dennison  
12 Building. We will have the Commissioner  
13 of DEC here from New York State,  
14 Commissioner of DOS, I believe, and then  
15 the County Executive will also be there.  
16 So that's in the evening of March 20th.

17 SECRETARY ESPOSITO: The  
18 Commissioner of DOS.

19 DIRECTOR ISLES: It's the  
20 Commissioner of DEC, and another  
21 Commissioner --

22 SECRETARY ESPOSITO: Yeah,  
23 Secretary of State of DOS.

24 DIRECTOR ISLES: Secretary of  
25 State --

2 SECRETARY ESPOSITO: Oh, okay.

3 Okay.

4 DIRECTOR ISLES: You're right,  
5 yeah. I don't have it in front of me,  
6 but you're right, yeah. And County  
7 Executive Levy.

8 There was also notice provided, I  
9 believe, on a NYMTC annual meeting,  
10 which is being held on March 20th.  
11 That's in New York at NYU. They will be  
12 talking about regional growth centers,  
13 of which -- the one identified in  
14 Suffolk, there's a NYMTC process  
15 sponsored and initiated by the County  
16 Executive, which is Sagtikos Growth  
17 Center. We have over growth centers in  
18 the County, which we've also studied,  
19 but for the purposes of the NYMTC  
20 process, there was one per county in the  
21 surrounding counties, New York City had  
22 several. So there's a further away out  
23 of that on March 13th (sic).

24 And the third Board Meeting, just  
25 to make you aware of, one of the

2 functions of the County Planning  
3 Department is to administer the Suffolk  
4 County Agricultural Districts Program.  
5 It's kind of a quiet function that's  
6 tremendously labor-intensive. But there  
7 are several thousand acres -- literally,  
8 tens of thousands of acres of farmland  
9 in the County that are included in  
10 agricultural districts.

11 The Agricultural and Farmland  
12 Protection Board will be conducting a  
13 meeting this Friday, at three o'clock,  
14 at Cornell Cooperative Extension  
15 Building in Riverhead, for the purpose  
16 of considering an open-enrollment period  
17 on that. So we're in a rapid process  
18 here in the Department of updating all  
19 the Ag Districts.

20 Ag District 3, which are the  
21 western towns, were submitted formally  
22 last month to the Commissioner of Ag and  
23 Markets for certification.

24 Ag District 1, which is Southold  
25 actually, was approved a couple of years



2 ago for renewal and certification.

3 The next two that are coming along,  
4 they're odd numbers, 1, 3, 5, and 7,  
5 will be -- number 7 is next, which is  
6 the Town of Riverhead. It's almost  
7 complete for its new certification. And  
8 then the South Fork, which is  
9 Southampton and East Hampton.

10 So in terms of upcoming events, for  
11 your information, involving the  
12 Department.

13 A couple other items of information  
14 to the Board, we do have a public  
15 hearing coming up at the next meeting.  
16 In the sense that -- as you know, there  
17 was the law known as 1354, it passed  
18 about two years ago, that required  
19 notification for commercial development,  
20 in excess of 25,000 square feet, that  
21 fell within 500 feet of a municipal  
22 border.

23 We've had a couple of those,  
24 including one at the -- in Commack. We  
25 had one recently at the Sports Plus

2 location in Lake Grove.

3 The one that's coming up in  
4 April -- April 2nd, assuming all the  
5 notification's completed as per  
6 Commission Standards, is for a  
7 development in Islandia for a -- what  
8 they call a new Main Street Plan  
9 Development district. This is a parcel  
10 that's located at the intersection of  
11 Vets Memorial -- Veterans Memorial  
12 Highway and Motor Parkway, the southwest  
13 corner. That's a site of about  
14 12 acres, on which mixed use development  
15 of residential and commercial  
16 development is proposed, totalling about  
17 a half a million square feet of space.  
18 So, rather intensive. The staff is,  
19 obviously, going to be reviewing it  
20 before the meeting, but here again, to  
21 give you a heads up that that's coming  
22 up on your agenda.

23 Related to that, the next meeting  
24 of the Commission will be held in  
25 Riverhead, at the Horticultural Research

2 Center. We've had prior meetings there.  
3 We hope the capacity will be sufficient,  
4 we think it will be. Apparently, in the  
5 public hearing that they held already,  
6 they really did not have a lot of people  
7 appear. Obviously, that's beyond our  
8 control in terms of projecting that.  
9 We'll do our best to accommodate anyone  
10 who does attend.

11 Several other quick items:

12 The Department is in the process of  
13 completing the Sunrise Highway Corridor  
14 Study. I'd like to thank Commissioner  
15 Lansdale for -- we did meet with the  
16 staff of Sustainable Long Island, to  
17 coordinate with the project they're  
18 doing in the Greater Bellport area, so  
19 we appreciate that very much. It's a  
20 significant study as being one of the  
21 growth centers in the County  
22 encompassing about a 13 mile corridor,  
23 in both Islip and Brookhaven. We'll be  
24 making a presentation to the Commission  
25 on that, possibly in April, depending on

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2 when we can actually get everything  
3 done. But it's in the final stages.  
4 We're actually meeting with some  
5 community groups as well, as we complete  
6 the recommendations on that.

7 SECRETARY ESPOSITO: So, did that  
8 come out of the call from -- there was a  
9 lot of discussion within the Town of  
10 Brookhaven, the Town of Islip, that  
11 there should be joint planning -- this  
12 is -- oh, this is very --

13 DIRECTOR ISLES: Exactly.

14 SECRETARY ESPOSITO: -- good.  
15 Excellent. Excellent.

16 DIRECTOR ISLES: So this is the  
17 South Shore Civic Alliance --

18 SECRETARY ESPOSITO: Yes. Yes,  
19 yes --

20 DIRECTOR ISLES: -- that have  
21 been --

22 SECRETARY ESPOSITO: -- okay.

23 DIRECTOR ISLES: -- grouped  
24 together --

25 SECRETARY ESPOSITO: Good.

2 DIRECTOR ISLES: So it concerned  
3 about a number of projects, and the two  
4 towns talking to one another.

5 One aspect of this, that we're  
6 excited about is, we have the towns as  
7 part of the working group of the study.  
8 We also have New York State DOT and  
9 County DPW. So they're actually all  
10 co-authors on this. We're doing most of  
11 the work, and Peter -- in particular,  
12 Peter Lambert's doing a lot of the  
13 writing, or most of the writing. But  
14 we've had active participation in the  
15 towns, because we want this to be  
16 something they take ownership of, as  
17 Dave mentioned earlier, in terms of  
18 having this be a document that will be  
19 implemented in terms of the  
20 recommendations.

21 SECRETARY ESPOSITO: It could also  
22 be used as a model --

23 DIRECTOR ISLES: True.

24 SECRETARY ESPOSITO: -- I mean, I  
25 don't know of other towns who have done

2 this; have they? Brought in two towns,  
3 the County, and the other kind of board  
4 perspectives for --

5 DIRECTOR ISLES: I don't know of it  
6 either. I mean, the growth --

7 SECRETARY ESPOSITO: Yeah.

8 DIRECTOR ISLES: -- center studies  
9 we did last year, we certainly brought  
10 them in, but they didn't -- they weren't  
11 as engaged.

12 SECRETARY ESPOSITO: Uh-huh.

13 DIRECTOR ISLES: We certainly got  
14 their comments on things, and so forth,  
15 so we're trying to move that up to a  
16 greater level.

17 SECRETARY ESPOSITO: It seems  
18 like --

19 DIRECTOR ISLES: It's been working  
20 well. It's been working well, actually.

21 SECRETARY ESPOSITO: Good.

22 DIRECTOR ISLES: And where I think  
23 a lot of people sort of write off  
24 Sunrise Highway -- it's a corridor, it's  
25 strip commercial on a large part, it's

2 basically spoken for. There's a vast  
3 amount of vacant land that would be --  
4 and the future of that is to be told in  
5 terms of what happens to that. And  
6 there are also some key things that are  
7 happening in terms of land use in both  
8 of those towns. Along that corridor  
9 represents 10 percent of the population  
10 of our County. A high number of jobs --

11 SECRETARY ESPOSITO: Wow.

12 DIRECTOR ISLES: -- and so forth.  
13 And -- you know, real questions as to,  
14 fundamentally, are we looking at  
15 maintaining certain industrial space,  
16 pushing more retail, what are the  
17 consequences of that; residential, where  
18 Islip has done a lot of multiple family,  
19 in lieu of retail development. So the  
20 horse is not out of the barn in total,  
21 and there -- the future of large  
22 sections of that corridor and  
23 redevelopment will be effected by town  
24 policies and state policies and so  
25 forth. So we think it's important, and

2 it did flow out of that process.

3 The last item to mention is, as  
4 you'll see in many of the presentations  
5 we give you, we do provide two aerial  
6 photographs to you. One being what's  
7 called the ortho-imagery, which is a  
8 vertical shot. We've also been  
9 introducing to you, over the past --  
10 we'll get one example -- there's one  
11 (indicating) -- pictometry, which is  
12 shot at in an angle.

13 This is from photography from 2006.  
14 We were the beneficiary of a homeland  
15 secure grant that came into the police  
16 department, where we've been able to  
17 access this information at no cost to  
18 us. To get ortho-imagery, or to get  
19 these pictometries of the County is a  
20 very expensive process.

21 We've now been put on notice that  
22 the police department will not be able  
23 to --

24 SECRETARY ESPOSITO: Share this?

25 DIRECTOR ISLES: -- maintain this.



2 SECRETARY ESPOSITO: Oh.

3 (Overlapping conversations)

4 DIRECTOR ISLES: -- every three  
5 years, because, obviously, the world  
6 changes. So I've made a case to the  
7 County Executive for a method of funding  
8 that's gone forward, because the next  
9 time they do, it will be 2009 --

10 COMMISSIONER BRAUN: There's always  
11 Google Earth.

12 DIRECTOR ISLES: -- and we'd like  
13 to be able to do that.

14 COMMISSIONER BRAUN: There's always  
15 Google Earth.

16 DIRECTOR ISLES: Yeah, I know, but  
17 it's not going to give you what we have  
18 in terms of registration on this, and  
19 being up to scale and so forth.

20 COMMISSIONER BOLTON: Has the  
21 Planning Department volunteered to  
22 create the updates for this?

23 DIRECTOR ISLES: We don't have the  
24 funds to do it. Here again, it's over a  
25 million dollars to do this, and we don't

2 have that.

3 We think it's highly important.

4 The pictometry saves us so much time --  
5 we just did the land use update for the  
6 entire County, quite a big effort, but  
7 we're able to do a lot of that just  
8 using pictometry aerial photographs and  
9 other information we have. So we think  
10 it's a real aid in efficiency, as well  
11 as useful for these types of meetings.

12 So, I just wanted you to be aware  
13 that that is progressing, and we think  
14 it's something that needs to be done.  
15 We may enlist the support of the  
16 Commission at some point. We may go to  
17 our U.S. senators and ask for  
18 consideration of funding, and so forth.  
19 So we intend to --

20 COMMISSIONER ROBERTS: I think it's  
21 a great idea.

22 DIRECTOR ISLES: -- we think it's  
23 important and we want to mobilize it,  
24 but to put you into -- aware of that,  
25 that we will be progressing with that

2 this year.

3 COMMISSIONER CARACCIOLO: Can the  
4 County apply for a grant for that?

5 DIRECTOR ISLES: That's one of the  
6 things we're going to explore. Since it  
7 was an original grant that paid for it  
8 through the Police Department, is there  
9 a way that we can reapply or somehow  
10 access money --

11 COMMISSIONER CARACCIOLO: Does the  
12 Police Department still utilize it?

13 DIRECTOR ISLES: Our understanding  
14 is that -- and here again, I'm getting  
15 more information on that -- it hasn't  
16 been as effective or as useful as they  
17 wanted it to be. So we're not sure what  
18 the problem is, if we can help -- help  
19 improve that. We do see where it  
20 certainly passed the benefits from -- in  
21 terms of Homeland Security and so forth.  
22 But we know it has benefits from the  
23 planning standpoint. And, by the way,  
24 it's used by many other users, besides  
25 us. It is available --

2 COMMISSIONER CARACCIOLO: In the  
3 County?

4 DIRECTOR ISLES: In the County,  
5 right.

6 COMMISSIONER CARACCIOLO: And is it  
7 a licensing fee, or is it a one-time  
8 fee?

9 DIRECTOR ISLES: This is actually  
10 paying to actually send somebody to fly  
11 the aerials, and then putting it into  
12 digital -- in a registered form. So  
13 it's pretty expensive.

14 COMMISSIONER CARACCIOLO: But once  
15 you own it, the County owns it. I  
16 mean --

17 DIRECTOR ISLES: Yes.

18 CHAIRMAN CALONE: But you own the  
19 old -- the previous version --

20 DIRECTOR ISLES: Right. The 2006  
21 version --

22 CHAIRMAN CALONE: -- is ours.

23 DIRECTOR ISLES: Right. So we'll  
24 have that, so that's good. But --

25 COMMISSIONER CARACCIOLO: So each

2 year, you need to do a million  
3 dollars --

4 DIRECTOR ISLES: Every three  
5 years --

6 COMMISSIONER CARACCIOLO: Every  
7 three years.

8 DIRECTOR ISLES: -- or so, you need  
9 to update it. Right.

10 So I'm just making you aware that  
11 that's something that we think is  
12 important, and we'll be pushing for.

13 CHAIRMAN CALONE: Okay.

14 DIRECTOR ISLES: Thank you,  
15 Mr. Chairman.

16 CHAIRMAN CALONE: Thank you,  
17 Director.

18 My first working mistake, I missed  
19 the public portion. Luckily, I think,  
20 there were no one from the public who --

21 SECRETARY ESPOSITO: There's going  
22 to be a real outcry.

23 CHAIRMAN CALONE: -- who is  
24 troubled by this, but formally I just  
25 want to open the public portion. We

2 don't have any cards; right?

3 And I see no one from the public,  
4 so we will close the public portion and  
5 move on. And I thank Ed for keeping me  
6 in line here.

7 COMMISSIONER CARACCIOLO: That's a  
8 trick I used to do. I just used to move  
9 us around a lot so they couldn't find  
10 us.

11 COMMISSIONER ROBERTS: Right.

12 CHAIRMAN CALONE: Brilliant.  
13 Simply brilliant.

14 COMMISSIONER CARACCIOLO: Thank  
15 you. Thank you.

16 CHAIRMAN CALONE: I think we're  
17 ready now to begin to review the  
18 projects.

19 DIRECTOR ISLES: And if we could,  
20 while Andy's starting that, what I'd  
21 like to request is that we just have one  
22 item on the agenda regarding the  
23 jurisdictional map.

24 You've seen previously -- as we get  
25 into regulatory review, which

2 Andy has -- we have before you, on the  
3 corkboard on the wall, an updated  
4 version of the jurisdictional map. We  
5 also have a more detailed version than  
6 we had available earlier in the meeting;  
7 a table-size version.

8 So what we've done is we've  
9 presented to you the concept of a  
10 jurisdictional map, some time ago, which  
11 is basically to depict, where does the  
12 Suffolk County Planning Commission have  
13 jurisdiction within the County. So,  
14 therefore, it's by all the different  
15 criteria that apply. Obviously,  
16 municipal boundaries, State and County  
17 highways, State and County lands, Pine  
18 Barrens, coastal areas. All of that is  
19 reflected on the map.

20 What we did previously, in working  
21 with the Commission, is that we then  
22 sent this out to all 42 municipalities  
23 of the County, requesting their comments  
24 on it. We did receive comments back  
25 from several municipalities, with some

2 generally minor changes to it. Some  
3 just said, "Hey, it's great, we love it.  
4 Can we get an electronic copy  
5 ourselves," and so forth. No negative  
6 reaction, other than some corrections  
7 that we appreciated.

8 So, with that, this -- the  
9 jurisdictional map is legally ready for  
10 public use. And the intent, here again,  
11 is to guide -- what we'd like to suggest  
12 is that the Commission consider adopting  
13 the map. It does have a disclaimer on  
14 it that Commission jurisdiction is  
15 subject to change; for example, if the  
16 County buys parkland. Which we do every  
17 day of the week almost. We buy a lot of  
18 land. But -- at least once a week we're  
19 buying something. That's going to  
20 change --

21 CHAIRMAN CALONE: So this is good  
22 for today?

23 DIRECTOR ISLES: This is good for  
24 today. And it's a good guide in --  
25 obviously, it's subject to verification



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2 on -- if there's a real close call on  
3 something. So there is that disclaimer  
4 in terms of its use.

5 What we'd like to suggest is, we do  
6 have a County Planning website, which  
7 does have an atlas of maps already.  
8 That includes a wide range of  
9 environmental, political, public  
10 facility-type map sources on it already.  
11 We'd like to include it on that, tag it  
12 into the County Planning Commission  
13 portion of the site.

14 SECRETARY ESPOSITO: So this  
15 doesn't have any environmental features,  
16 such as watersheds or wetlands or --

17 COMMISSIONER BOLTON: No.

18 DIRECTOR ISLES: No, it doesn't.

19 SECRETARY ESPOSITO: Okay.

20 DIRECTOR ISLES: We do have other  
21 maps --

22 SECRETARY ESPOSITO: Right. Okay.

23 CHAIRMAN CALONE: Any comments

24 or --

25 COMMISSIONER HOLMES: And I would

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2 support this, because now Shelter Island  
3 is labeled as Shelter Island --

4 CHAIRMAN CALONE: Okay.

5 COMMISSIONER HOLMES: -- and not  
6 Greenport. So, I'm in favor of this --

7 COMMISSIONER CARACCIOLO: We're  
8 happy.

9 COMMISSIONER BRAUN: I would move  
10 that.

11 COMMISSIONER ROBERTS: (Indicating)

12 CHAIRMAN CALONE: Commissioner  
13 Roberts.

14 COMMISSIONER ROBERTS: Tom, what is  
15 the plan to update this? I mean, that  
16 would be critical.

17 DIRECTOR ISLES: Exactly. We've  
18 talked about it in the Department. We  
19 feel that doing an annual update, in  
20 terms of them running the program to  
21 check on changes to land ownership and  
22 so forth, so once a year we would  
23 provide an update.

24 COMMISSIONER ROBERTS: Okay.

25 CHAIRMAN CALONE: Any other

2 thoughts or comments?

3 (WHEREUPON, there was no response.)

4 CHAIRMAN CALONE: If not --

5 COMMISSIONER HOLMES: I would

6 move --

7 CHAIRMAN CALONE: -- I'll entertain

8 a motion --

9 COMMISSIONER HOLMES: -- the

10 adoption of this matter.

11 COMMISSIONER BRAUN: Yeah, second.

12 COMMISSIONER ROBERTS: Second.

13 CHAIRMAN CALONE: Commissioner

14 Holmes moves, and Commissioner Braun

15 seconds.

16 All in favor of adopting the

17 Suffolk County Planning Commission

18 Jurisdictional Map, as of today, and

19 placing it on the County website, please

20 indicate --

21 (WHEREUPON, the Members voted.)

22 CHAIRMAN CALONE: And all opposed?

23 (WHEREUPON, the Members voted.)

24 CHAIRMAN CALONE: Okay. It

25 unanimously passes.

2 DIRECTOR ISLES: Thank you very  
3 much, and I'll get back to --

4 COMMISSIONER ROBERTS: Wait, wait,  
5 wait.

6 Do we want to make some mention of  
7 the suggestion that we also --

8 CHAIRMAN CALONE: Sure.

9 COMMISSIONER ROBERTS: -- build  
10 some public relations around this, that  
11 we've talked about? I'm sorry, I should  
12 have made that before --

13 CHAIRMAN CALONE: That's --  
14 that's --

15 COMMISSIONER ROBERTS: --  
16 suggestion before the motion.

17 CHAIRMAN CALONE: Let me just  
18 say --

19 COMMISSIONER ROBERTS: And, Linda,  
20 maybe we'll follow-up with a meeting  
21 before --

22 CHAIRMAN CALONE: I don't know that  
23 we need a motion for that, but let me  
24 just say that this is an opportunity for  
25 us to do -- advance the ball on the

2 publicity that we've been talking about,  
3 and Commissioner Roberts and  
4 Commissioner Holmes had some ideas about  
5 how we might do that.

6 Do you want to just briefly mention  
7 one of your ideas --

8 COMMISSIONER ROBERTS: My thought  
9 was to write a press release to go to  
10 all of the local newspapers and also to  
11 the key government officials in our  
12 various and sundry towns, announcing the  
13 map, including a brief paragraph about  
14 what we're up to. Including a paragraph  
15 about each of us, and the backgrounds  
16 and whatever, to raise our visibility in  
17 the community.

18 If we wanted to do this on a super  
19 big scale, I think there was a little  
20 bit of brainstorming that we might even  
21 have a press conference with Steve and  
22 really -- to use this as an opportunity  
23 to raise our public persona.

24 COMMISSIONER HOLMES: Also, we  
25 certainly -- our TV channels, and our

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2 radio stations, it would be a very nice  
3 opportunity for Channel 12, for example,  
4 to show the map.

5 SECRETARY ESPOSITO: It would.

6 COMMISSIONER HOLMES: And that  
7 would be a very -- a lot of people watch  
8 Channel 12. So --

9 COMMISSIONER ROBERTS: If the  
10 Commission is interested in this, I have  
11 volunteered, and hopefully with the help  
12 of Linda, to even work with the press  
13 office, over the next few days, to get  
14 organized on this, if there isn't any  
15 concerns or anyone thinks it's not a  
16 great idea.

17 CHAIRMAN CALONE: I know the  
18 Planning Department is supportive of  
19 that. Does anyone have any concerns or  
20 issues about that? Obviously, we'll  
21 have an opportunity to see the press  
22 release before it -- it was -- in the  
23 drafting stage.

24 COMMISSIONER HOLMES: By e-mail.

25 CHAIRMAN CALONE: By e-mail, yes.

2 Okay, great. Why don't we proceed  
3 with that.

4 We have several projects to go  
5 through, so why don't we get rolling on  
6 those?

7 MR. FRELENG: Okay. Thank you,  
8 Mr. Chairman.

9 Good afternoon, Members of the  
10 Board.

11 The first regulatory matter that  
12 comes before the Suffolk County Planning  
13 Commission, comes to us from the Town of  
14 Babylon. This is the application of  
15 Greater New York Corp. of Seventh-Day  
16 Adventist Church.

17 Jurisdiction for the Commission is  
18 that the subject property is within  
19 500 feet of a New York State Road; it's  
20 within 500 feet of the Village of  
21 Lindenhurst; and it's also within 500  
22 feet of Grand Canal.

23 The applicants are seeking Town  
24 Planning Board Special Exception and  
25 Site Plan approval, for a change of use

2 of an existing 1,973 square foot  
3 building into a church. The Town of  
4 Babylon Zoning Law requires  
5 42 off-street parking stalls; 16 are  
6 provided.

7 The subject property is located on  
8 the southwest corner of Merrick Road,  
9 which is New York State Route 27A, and  
10 Buena Vista Boulevard, which is a Town  
11 Road, in the Hamlet of Lindenhurst.

12 A review of the character of the  
13 land use and zoning pattern in the  
14 vicinity indicates that the subject  
15 premise is located within a corridor of  
16 E-Business zoning. Across Merrick Road,  
17 to the north, is situated the Village of  
18 Lindenhurst.

19 Land use in the area includes a mix  
20 of commercial and residential uses along  
21 Route 27A, and predominantly residential  
22 uses to the north and south.

23 Access to the proposed site is  
24 intended to be from an existing two-way  
25 curb cut, to Buena Vista Boulevard.



2 There are no significant  
3 environmental constraints on the subject  
4 property.

5 The 1998 Town of Babylon  
6 Comprehensive Plan recommends Highway  
7 Commercial for the parcel.

8 It's the belief of the staff that  
9 the application is an unwarranted  
10 over-intensification of the use of the  
11 premises. The change of use will  
12 require a variance of nearly 64 percent  
13 of the Town of Babylon Zoning Law  
14 required off-street parking. This would  
15 necessitate the use of surrounding  
16 roadways for parking purposes, thereby  
17 diminishing the safety and traffic  
18 carrying capacity of the state and local  
19 road. Moreover, the subject parcel  
20 appears to be nearly six percent short  
21 of the minimum lot area for the zoning  
22 designation, and will require relief  
23 from the zoning ordinance. In addition,  
24 as this is a change of use application,  
25 it is not clear if residential uses are

2 permitted in the E-Business Zone.

3 Quoting Section 213-130 of the Town of  
4 Babylon Zoning Law, "In an E-Business  
5 District, buildings used for residential  
6 purposes, in whole or in part, shall be  
7 strictly prohibited. Any building used  
8 for residential purposes in an  
9 E-Business District, prior to the  
10 effective date of this section, shall be  
11 a nonconforming use, and shall conform  
12 to the lot area, width and yard  
13 requirements at least equal to the  
14 C-Residence District," which this  
15 application does not. It does not  
16 appear that the subject site and the  
17 existing building can be considered  
18 conforming, relative to the change of  
19 use request.

20 Okay. So they are looking for a  
21 residential component in this. As you  
22 can see, there's an apartment over the  
23 church (indicating). Residential, in  
24 whole or in part, is not permitted in  
25 the E-Business Zone, so the action that

2 they're requesting -- they're not asking  
3 for a variance on that particular  
4 action, so we're not quite sure whether  
5 this application is even suitable --

6 COMMISSIONER BRAUN: Andy --

7 MR. FRELENG: -- or right for  
8 review.

9 COMMISSIONER BRAUN: I'm sorry.  
10 What's the current use of the building?

11 MR. FRELENG: The current use is  
12 not clear. It's a -- I believe it is  
13 being used for a church, but it's  
14 certainly not -- make sure that I have  
15 this accurate.

16 Yeah, I'm not quite sure what the  
17 existing use is.

18 COMMISSIONER BRAUN: A  
19 nonconforming church --

20 MR. FRELENG: Yeah, it's a  
21 nonconforming church.

22 COMMISSIONER BRAUN: So, in other  
23 words, they're trying to legalize what's  
24 already there?

25 MR. FRELENG: They're trying to

2 legalize what they have --

3 SECRETARY ESPOSITO: They're trying  
4 to legalize the church.

5 MR. FRELENG: -- but they can't  
6 bring it into the zone, because they  
7 have a residential component.

8 So staff is recommending  
9 disapproval for the following reasons:

10 The application is an unwarranted  
11 over-intensification of the use of the  
12 premises. And notwithstanding that it's  
13 being used as a church, if they legalize  
14 it as a church, they're 64 percent short  
15 of the required parking for a church.

16 In addition, staff is recommending  
17 that the Commission forward a comment to  
18 the Town of Babylon, with regard to the  
19 change of use request into the  
20 E-Business Zone, and the aspect of the  
21 apartment being a component of the use.  
22 So the application is a little muddy,  
23 but staff is recommending disapproval  
24 just based on the parking requirement.

25 CHAIRMAN CALONE: Thank you, Andy.

2 I'll start by recognizing the  
3 representative from the Town of Babylon,  
4 which is me. And, I really have not  
5 much to add, other than this is an  
6 extremely busy road, and, obviously,  
7 cause for concern with the parking part.  
8 It just exacerbated by the fact that it  
9 is such a busy road.

10 Any other comments --

11 COMMISSIONER BRAUN: I just have a  
12 question.

13 CHAIRMAN CALONE: Mr. Braun.

14 COMMISSIONER BRAUN: Are you  
15 familiar with the property?

16 SECRETARY ESPOSITO: Yeah, with  
17 that church?

18 CHAIRMAN CALONE: I don't. I  
19 attend church in Smithtown, so I --

20 COMMISSIONER BRAUN: No, no, the  
21 reason -- I mean, if this is something  
22 that's been going on for -- forever, I  
23 mean, 15 years, and now somebody says,  
24 "You know, you really should do  
25 something about legalizing this," I

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2 don't know that we want to put a church  
3 out of business. That's my --

4 COMMISSIONER FIORE: I don't think  
5 that's --

6 CHAIRMAN CALONE: I'm sorry.  
7 Don.

8 COMMISSIONER FIORE: I'm not sure  
9 that's the issue. I think it's the  
10 residential that's the issue.

11 COMMISSIONER BRAUN: I mean, for  
12 example --

13 COMMISSIONER FIORE: Because it  
14 says --

15 COMMISSIONER BRAUN: -- if the  
16 clergy lives above the church, you  
17 know --

18 COMMISSIONER FIORE: But it's still  
19 residential. And I believe Andy had  
20 quoted from the Zoning Law that  
21 "Buildings used for residential  
22 purposes" -- I'm just taking a part of  
23 it -- "in whole or in part, shall" --  
24 "in whole or in part, shall be strictly  
25 prohibited."

2 COMMISSIONER BRAUN: All right.

3 I --

4 COMMISSIONER HOLMES: But I

5 think --

6 CHAIRMAN CALONE: Hold it, hold it.

7 Mr. Braun.

8 COMMISSIONER BRAUN: Yeah, no, I --

9 I'm -- I just think -- I'd hate to see  
10 something existing, that's the center of  
11 a religious community, or something  
12 that's been there for a period of time,  
13 that people have come to depend on, and  
14 so forth, where, perhaps, it's the  
15 clergy that lives above the church, and  
16 so forth, and we say to them, "No, you  
17 can't do that." Well, then what?

18 I mean, maybe they shouldn't have  
19 done it in the first place, but somebody  
20 hasn't been -- unless it's only there  
21 two weeks. You know, that's what I'm  
22 just trying to find out.

23 CHAIRMAN CALONE: I don't have any  
24 independent knowledge, but --

25 MR. FRELENG: Mr. Chairman --

2 CHAIRMAN CALONE: Andy.

3 MR. FRELENG: -- it's just a --  
4 it's just a procedural matter. They're  
5 before the planning board for a site  
6 plan and special permit. They need to  
7 go to the zoning board for a use  
8 variance and -- and those other things.  
9 So it's really just a procedural matter,  
10 they just should be directed to the  
11 right board.

12 CHAIRMAN CALONE: That's a good  
13 point, and obviously the --

14 COMMISSIONER HOLMES: But if  
15 that --

16 CHAIRMAN CALONE: -- Town will  
17 still have the opportunity to do what  
18 they will with this stuff.

19 COMMISSIONER HOLMES: (Indicating)

20 CHAIRMAN CALONE: Commissioner  
21 Holmes.

22 COMMISSIONER HOLMES: Would we add,  
23 perhaps, a comment that if they could  
24 make it clear what the residential use  
25 is -- is it for a member of the clergy,



2 or are they going to have several  
3 apartments there, I think that -- that  
4 point is --

5 MR. FRELENG: Well, we --

6 COMMISSIONER HOLMES: -- is very  
7 well taken.

8 MR. FRELENG: We know that the  
9 application -- we're just saying,  
10 looking beyond the application, we know  
11 that the application is for an apartment  
12 over a church.

13 COMMISSIONER HOLMES: An apartment.

14 MR. FRELENG: Today it may be for  
15 the pastor, tomorrow it may be for a  
16 family, and the next day, it may be  
17 rented out. So we don't know, beyond  
18 what the application is before us.

19 COMMISSIONER HOLMES: But that was  
20 how they specified, it was an  
21 apartment -- an apartment.

22 MR. FRELENG: And they did not  
23 clarify what the apartment's being used  
24 for.

25 COMMISSIONER BOLTON: (Indicating)

2 CHAIRMAN CALONE: Commissioner  
3 Bolton.

4 COMMISSIONER BOLTON: I just  
5 thought, if we are sending this  
6 recommendation back, that perhaps we  
7 should say somewhere in here -- and  
8 maybe we have, but I don't see it -- a  
9 recommendation that they seek the use --  
10 the use --

11 MR. FRELENG: Variance.

12 COMMISSIONER BOLTON: -- aspect of  
13 it, should be a use variance before the  
14 zoning board. Because that's really not  
15 clear in this, and as a result, it's a  
16 little incomprehensible. At least it  
17 was for me. I mean, I really read this  
18 over two or three times, and I still  
19 couldn't figure out exactly what was  
20 going on. So --

21 CHAIRMAN CALONE: Any reaction to  
22 that?

23 DIRECTOR ISLES: No, we wouldn't  
24 have an objection to making -- adding a  
25 sentence to suggest that it's a --

2 COMMISSIONER BOLTON: You know,  
3 talking about the --

4 DIRECTOR ISLES: -- use variance  
5 aspect --

6 COMMISSIONER BOLTON: And  
7 especially, the use permit aspect.  
8 Because they get muddy very easily, and  
9 they're two very different things under  
10 the law.

11 CHAIRMAN CALONE: Okay.

12 SECRETARY ESPOSITO: Just a tiny  
13 modification. I just -- you know, I  
14 think it's worth noting that even if we  
15 send this back and send them to the  
16 correct entity, the zoning board, it  
17 doesn't put the existing use out of  
18 business. So I don't -- wouldn't want  
19 to -- to think that it does. It puts  
20 what they applied for --

21 COMMISSIONER BRAUN: No, I -- I  
22 understand it.

23 SECRETARY ESPOSITO: Okay?

24 COMMISSIONER BRAUN: No, I --

25 SECRETARY ESPOSITO: Okay.

2 COMMISSIONER BRAUN: It was an  
3 oversimplification of our function when  
4 I said out of business.

5 SECRETARY ESPOSITO: We're not  
6 closing down any religious institutions.

7 CHAIRMAN CALONE: Okay. Any other  
8 comments or questions about this  
9 application?

10 (WHEREUPON, there was no response.)

11 CHAIRMAN CALONE: Was there any  
12 objection to Commissioner Bolton's  
13 suggestion that there be a comment  
14 about -- the use variance should be  
15 referred to the zoning board and the  
16 Town?

17 (WHEREUPON, there was no response.)

18 CHAIRMAN CALONE: Seeing none,  
19 we'll accept the -- motions in order to  
20 approve the staff report?

21 COMMISSIONER CARACCILO: I make a  
22 motion.

23 CHAIRMAN CALONE: Commissioner  
24 Caracciolo makes a motion, as amended.

25 COMMISSIONER BOLTON: (Indicating)

2 CHAIRMAN CALONE: Second,  
3 Commissioner Bolton.

4 All those in favor of adopting the  
5 staff report, sending it back to the  
6 Town for disapproval, for the reasons  
7 indicated, with the indication that the  
8 use variance should be referred to the  
9 zoning board, please raise your hand.

10 (WHEREUPON, the Members voted.)

11 CHAIRMAN CALONE: All opposed?

12 (WHEREUPON, the Members voted.)

13 CHAIRMAN CALONE: The motion  
14 carries unanimously. Thank you.

15 Moving along.

16 MR. FRELENG: Okay. The next  
17 application before the Commission is the  
18 application of GAMA Properties,  
19 Incorporated. This come to us from the  
20 Town of Brookhaven.

21 Jurisdiction for the Commission is  
22 that the application is within 500 feet  
23 of Lake Grove, and adjacent to New York  
24 State 25, which is Middle Country Road.

25 The applicants are seeking Town

2 Board Change of Zone approval from  
3 J-2 Business and B-Residence to all  
4 J-2 Business, for the construction of an  
5 18,000 square foot two-story-retail  
6 building with office space on the second  
7 floor. Town of Brookhaven Zoning Law  
8 requires 128 off-street parking stalls;  
9 98 parking stalls are provided.

10 The subject property is located on  
11 the north side of Middle Country Road,  
12 which is New York State Route 25,  
13 approximately 200 feet east of Main  
14 Avenue, which is a Town Road, in the  
15 Hamlet of Centereach.

16 A review of the character of the  
17 land use and zoning pattern in the  
18 vicinity indicates that the subject  
19 premises is located within a corridor of  
20 J-2 Business zoning. Residence B zoning  
21 is predominant in the area. The Village  
22 of Lake Grove is less than 500 feet to  
23 the west.

24 Land uses in the area include  
25 mostly commercial uses along New York

2 State Route 25, and a mix of commercial  
3 and residential uses north and south.

4 You can see that a little better on  
5 the bird's eye view of the air photo.

6 Okay. Access to the proposed use  
7 is intended to be from two existing curb  
8 cuts to New York State Route 25, and  
9 they are intended to be right turn curb  
10 cuts only.

11 There are no significant  
12 environmental constraints on the subject  
13 property.

14 The 1996 Town of Brookhaven  
15 Comprehensive Plan recommends Highway  
16 Commercial for this parcel.

17 It's the belief of the staff that  
18 the application is approaching an  
19 unwarranted over-intensification of the  
20 use of the premises. The proposed  
21 change of use will require a variance of  
22 nearly 23 percent of the Town of  
23 Brookhaven Zoning Law required  
24 off-street parking. This may tend, as  
25 you know, to necessitate the use of the

2 surrounding roadways for parking  
3 purposes, diminishing the safety and  
4 traffic carrying capacity of the roads.

5 However, a reduction in the overall  
6 building, by 4,500 square feet, would  
7 bring the building into conformance with  
8 the parking requirement. It is the  
9 belief of the staff that the building  
10 should be reduced in size until the  
11 zoning law required off-street parking  
12 stall to building ratio is achieved.

13 A prior application on-site,  
14 reviewed by the Suffolk County Planning  
15 Commission, was for a request to change  
16 the zoning on-site to J-5 Business to  
17 construct a gas station, convenience  
18 store and car wash. The Commission  
19 disapproved that action.

20 Planning Commission staff is aware  
21 of New York State DOT initiatives to  
22 reconstruct and/or widen portions of New  
23 York State Route 25. It is not clear,  
24 however, if the applicants have met or  
25 corresponded with the State agency.



2 Considerations for the future  
3 disposition of New York State Route 25  
4 should be accounted for in the proposed  
5 site plan.

6 Moreover, no further subdivision of  
7 the subject property should be allowed  
8 after completion of the zone change.

9 The requested zone change would result  
10 in a combined parcel, greater in area  
11 than the minimum lot size of the new  
12 zoning destination.

13 The subject zone change may be  
14 construed as an unwarranted encroachment  
15 of commercial zoning into a  
16 residentially zoned and developed area.  
17 However, a review of the land use  
18 pattern in the area would indicate that  
19 the proposal may be a reasonable request  
20 if substantial buffering is provided  
21 along the common boundary with any other  
22 residentially zoned property.

23 So we can see the zoning  
24 encroachment would go into the  
25 residentially zoned area (indicating),

2 and this is all B-Residence  
3 (indicating).

4 However, if you look at the land  
5 use pattern, probably between these two  
6 (indicating), this is BOCES -- Suffolk  
7 County BOCES (indicating); these are  
8 residential uses -- I think this one is  
9 a commercial use (indicating), but these  
10 two are residential uses with deep  
11 backyards (indicating). Certainly, this  
12 area here could be buffered well  
13 (indicating); this could be buffered  
14 well (indicating).

15 It's this property here that's a  
16 mystery (indicating). There are one,  
17 two, three, maybe four single-family  
18 dwellings on the access pole to this  
19 flag lot (indicating).

20 CHAIRMAN CALONE: I take it that  
21 was --

22 COMMISSIONER BRAUN: Yeah --

23 CHAIRMAN CALONE: -- came before us  
24 at some point?

25 COMMISSIONER BRAUN: -- really.

2 MR. FRELENG: Right.

3 To the extent of future disposition  
4 of this property, staff can only assume  
5 that in the future it will be cleaned  
6 up. And, therefore, there would be  
7 opportunities to buffer this area.

8 So, taking a look at that, staff is  
9 recommending approval with the following  
10 conditions:

11 That the building shall be reduced  
12 in size until the zoning law off-street  
13 problem to the building ratio is  
14 achieved.

15 That the applicant shall  
16 demonstrate coordination with the New  
17 York State DOT with respect to future  
18 road work.

19 The third condition being that no  
20 further subdivision of the subject  
21 property be allowed after completion of  
22 the zone change.

23 Four, that the Town shall require  
24 significant vegetative buffering in the  
25 setback areas along the common boundary

2 with the residentially zoned properties.

3 Also, staff is recommending that  
4 the Commission provide a comment to the  
5 Town, that a review of the land use and  
6 zoning pattern along New York State  
7 Route 25, in this area, would indicate  
8 that a completed corridor or "block"  
9 study would assist the Town in  
10 developing nodes of commercial  
11 development at logical locations along  
12 the State right-of-way.

13 Similar to what's going on now with  
14 the Sunrise Highway Corridor Study, if  
15 we take a look at the Middle Country  
16 Road Corridor (indicating), I'm sure I  
17 don't have to tell you, but it is a  
18 continuous strip of mixes of different  
19 types of commercial uses, sometimes  
20 there's a smattering of a house or two  
21 along the roadway.

22 We know that there have been some  
23 initiatives to take a look at, perhaps,  
24 creating nodes of commercial area.

25 Perhaps, this would be a node

2 (indicating), or maybe further up the  
3 road somewhere (indicating), and then  
4 eventually phase out the uses in  
5 between. So taking a look at the area  
6 and the zoning pattern, this looks like  
7 it would be an appropriate node.

8 Having said that, we felt that the  
9 Commission should remind Brookhaven that  
10 they need to do this type of corridor  
11 planning. And if they are going along  
12 with the current trend in planning, we  
13 want to create the node, and then  
14 transfer out that density from the  
15 transition areas into those nodes.

16 That is the staff report.

17 CHAIRMAN CALONE: Thank you, Andy.

18 As the representative of  
19 Brookhaven, do you have anything --

20 VICE CHAIRMAN PRUITT: No, I don't  
21 have anything else today.

22 CHAIRMAN CALONE: Okay. Any other  
23 comments?

24 COMMISSIONER HOLMES: (Indicating)

25 CHAIRMAN CALONE: Commissioner

2 Holmes.

3 COMMISSIONER HOLMES: Andy, do I  
4 recollect that this area has a very high  
5 accident rate also?

6 MR. FRELENG: I don't --

7 COMMISSIONER HOLMES: It seems to  
8 me, I --

9 MR. FRELENG: I don't know  
10 specifically about this location, but  
11 State Route 25 is a high accident road.

12 SECRETARY ESPOSITO: It's  
13 notorious.

14 COMMISSIONER HOLMES: Yes.

15 MR. FRELENG: There's a lot of curb  
16 cuts.

17 COMMISSIONER HOLMES: It might  
18 be -- I don't know whether we would add  
19 anything like that, you know, in view of  
20 the high hazard that's already existing,  
21 you know, it just sort of -- it -- it's  
22 like, duh (sic), you know --

23 (Overlapping conversations)

24 COMMISSIONER LANSDALE:

25 (Indicating)

2 CHAIRMAN CALONE: Commissioner  
3 Lansdale.

4 COMMISSIONER LANSDALE: I just  
5 wanted to let everyone know that,  
6 actually, Sustainable Long Island is  
7 involved in a corridor study right now,  
8 with the community and the Town of  
9 Brookhaven, in this very area -- both in  
10 Centereach and Selden.

11 CHAIRMAN CALONE: Thank you.

12 COMMISSIONER KONTOKOSTA: Just a  
13 question.

14 Andy, how do you make a left turn  
15 into this property?

16 COMMISSIONER BRAUN: Isn't there a  
17 center turn lane there?

18 COMMISSIONER KONTOKOSTA: Well,  
19 there is -- there's kind of a turn lane,  
20 but the way that they have the turn-in  
21 design -- the right turn only design  
22 entrance, it seems like that's going to  
23 be problematic making a left turn into  
24 that --

25 COMMISSIONER BRAUN: Yeah, that's

2 true.

3 COMMISSIONER MC ADAM: That's true.

4 COMMISSIONER KONTOKOSTA: -- make a  
5 mention of.

6 COMMISSIONER BRAUN: Good point.

7 CHAIRMAN CALONE: On that far  
8 right-hand side, you're talking about?

9 COMMISSIONER KONTOKOSTA: Yes.

10 SECRETARY ESPOSITO: Well, yeah.

11 MR. FRELENG: Well, you can't --

12 COMMISSIONER KONTOKOSTA: You can't  
13 really make a left turn in there.

14 MR. FRELENG: It would be difficult  
15 to make a left-turn in there.

16 SECRETARY ESPOSITO: And given the  
17 access --

18 COMMISSIONER BRAUN: And the other  
19 way is one-way out.

20 MR. FRELENG: It's supposed to be  
21 one-way out, right.

22 DIRECTOR ISLES: All right. And  
23 maybe to minimize left-turn movements,  
24 by design, to encourage them to go to  
25 the next intersection --



2 COMMISSIONER FIORE: And make a  
3 U-turn.

4 COMMISSIONER BRAUN: And make a  
5 U-turn.

6 COMMISSIONER FIORE: Make a U-turn  
7 further up.

8 DIRECTOR ISLES: As Andy indicated,  
9 we haven't received any information  
10 regarding that in there. We can contact  
11 the New York State DOT --

12 CHAIRMAN CALONE: So that might be  
13 something that --

14 DIRECTOR ISLES: -- which would be  
15 the agency with jurisdiction.

16 We could point that out, certainly.

17 CHAIRMAN CALONE: Any objection to  
18 pointing that out?

19 COMMISSIONER BRAUN: No, it's a  
20 good idea.

21 CHAIRMAN CALONE: Okay. Any other  
22 comments or questions?

23 COMMISSIONER MC ADAM: (Indicating)

24 CHAIRMAN CALONE: Commissioner  
25 McAdam.

2 COMMISSIONER MC ADAM: Andy, I have  
3 a question.

4 Could you flip back to the other  
5 map?

6 MR. FRELENG: The aerial?

7 COMMISSIONER MC ADAM: Yeah. When  
8 the lot behind it -- I guess it's a flag  
9 lot?

10 MR. FRELENG: Yes.

11 COMMISSIONER MC ADAM: At some  
12 point in the future, assuming it gets  
13 developed -- the property in question  
14 today requires a buffer to that  
15 property.

16 MR. FRELENG: Yes.

17 COMMISSIONER MC ADAM: When that  
18 one is developed, is that one also going  
19 to require a buffer, or is it --

20 MR. FRELENG: Well, that would be  
21 up to the local board to require the  
22 buffer. There is a setback -- there  
23 would be a setback from this property  
24 line, and logic would dictate that they  
25 leave some vegetation here to buffer and

2 add to the buffer that's there -- I'm  
3 sorry. Yeah, add it to -- add it here  
4 (indicating), so the two buffers would  
5 combine --

6 COMMISSIONER MC ADAM: Would  
7 combine.

8 MR. FRELENG: -- buffer.

9 COMMISSIONER MC ADAM: Okay. So it  
10 wouldn't be a hardship on this guy -- on  
11 this applicant to provide a buffer, when  
12 the next applicant applies, he or she  
13 will also be required to provide a  
14 buffer, to some degree.

15 MR. FRELENG: We can't predict  
16 that --

17 COMMISSIONER MC ADAM: You can't  
18 predict that.

19 MR. FRELENG: -- but logic would  
20 dictate that they would do that, they  
21 would build on the buffers.

22 COMMISSIONER MC ADAM: Okay. Thank  
23 you.

24 MR. GULIZIO: (Indicating)

25 CHAIRMAN CALONE: Dan.

2 MR. GULIZIO: Just one quick point  
3 on that issue, Mr. McAdam, that the  
4 buffer's required for a commercial use  
5 adjacent to a residential use. So, the  
6 adjacent property, that flag lot to the  
7 north, is zoned residentially;  
8 therefore, the buffer's required, if the  
9 property -- the subject property's  
10 developed commercially.

11 If the flag lot is developed  
12 commercially, there's no requirement for  
13 a buffer adjacent to commercial use.

14 COMMISSIONER MC ADAM: Oh, I see.

15 MR. GULIZIO: It's just adjacent --  
16 for a commercial use adjacent to a  
17 residential use.

18 COMMISSIONER MC ADAM: To a  
19 residential.

20 Okay. Thank you.

21 MR. GULIZIO: Sure.

22 CHAIRMAN CALONE: Any other  
23 comments or questions?

24 (WHEREUPON, there was no response.)

25 CHAIRMAN CALONE: If not, are

2 motions in order?

3 COMMISSIONER HOLMES: I move the  
4 adoption of the staff report.

5 VICE CHAIRMAN PRUITT: Second by  
6 Commissioner Pruitt.

7 CHAIRMAN CALONE: Second by  
8 Commissioner Pruitt.

9 All those in favor of adopting the  
10 staff report, with the comments that  
11 Commissioner Kontokosta added about the  
12 left-hand turns -- all in favor?

13 (WHEREUPON, the Members voted.)

14 CHAIRMAN CALONE: All opposed?

15 (WHEREUPON, the Members voted.)

16 CHAIRMAN CALONE: Abstentions?

17 (WHEREUPON, the Members voted.)

18 CHAIRMAN CALONE: One.

19 Thank you. And moving along.

20 MR. FRELENG: The next application  
21 before the Commission is the application  
22 of No Nonsense Haircutters. This comes  
23 to us again from the Town of Brookhaven.

24 Jurisdiction for the Commission is  
25 that it's adjacent to New York State

2 Route 112.

3 These applicants are seeking Town  
4 Board Change of Zone approval from  
5 A-1 Residence and J-2 Business to all  
6 J-2 Business. Town of Brookhaven Zoning  
7 Law requires nine off-street parking  
8 stalls, and nine are provided.

9 The subject property is located on  
10 the west side of Medford Avenue -- I'll  
11 show you that (indicating) -- west side  
12 of Medford Avenue, which is New York  
13 State Route 112, approximately 200 feet  
14 east of Main Avenue, in the Hamlet of  
15 North Patchogue.

16 A review of the character of land  
17 use and zoning pattern in the vicinity  
18 indicates that the subject premises is  
19 located in a corridor or J-2 Business  
20 zoning. Residence A-1 zoning is  
21 predominant in the area.

22 Land uses in the area include  
23 mostly commercial uses along New York  
24 State Route 112. Residential uses  
25 predominate to the west.

2 Access to the proposed use is  
3 intended to be from an existing curb cut  
4 to New York State Route 112.

5 There are no significant  
6 environmental constraints on the site,  
7 and the '96 Town of Brookhaven  
8 Comprehensive Plan recommends Highway  
9 Commercial for this parcel.

10 It's the belief of the staff that  
11 the application is an unwarranted  
12 encroachment of commercial zoning into a  
13 residentially zoned and developed area.

14 Approval of the requested zone  
15 change would tend to establish a  
16 precedent for further such requests in  
17 the area.

18 (WHEREUPON, Staff's overhead  
19 projector stopped functioning.)

20 MR. FRELENG: We're going to have  
21 to get technical help.

22 If you recall from the zoning map,  
23 this property is -- and if you can see  
24 from the tax map parcel, this property  
25 extends all the way into a residentially

2 zoned area. And it is adjacent to one,  
3 two, three, four, five, six, seven --  
4 about seven residential lots in the  
5 back.

6 Okay. The property to the west --  
7 which you can't recall from the zoning  
8 map, but the property adjacent to the  
9 west and in the back is -- has a unique  
10 layout on the zoning. The zoning comes  
11 back, and then stays to the west of the  
12 lot.

13 When we get that back up, we can  
14 take a look at it.

15 Okay. So staff believes that this  
16 is a unwarranted encroachment into the  
17 residential zoning area, and that it  
18 would set a precedent for further  
19 requests in the area.

20 A review of the land use and zoning  
21 pattern along New York State Route 112  
22 in this area would indicate that a  
23 completed corridor or "block" study  
24 would also assist the Town in developing  
25 nodes of development.



2 So this comment is similar to the  
3 past comment, with regard to the Town  
4 taking a look at the corridor.

5 (WHEREUPON, Staff's overhead  
6 projection use was restored.)

7 CHAIRMAN CALONE: Thank you.

8 MR. FRELENG: Okay. So while this  
9 warms up -- where was I? Okay. We were  
10 taking a look at the zoning.

11 As you can see, the zoning here,  
12 it's a little bit unusual (indicating).  
13 The property to the west -- this whole  
14 lot --

15 COMMISSIONER BRAUN: To the north?

16 MR. FRELENG: -- is split zoned  
17 here (indicating).

18 COMMISSIONER BRAUN: To the north.

19 MR. FRELENG: Right, to the north.

20 Okay. But the request is to extend  
21 all the way back here (indicating), and  
22 what concerns staff are these  
23 residential lots right here  
24 (indicating).

25 Okay. So if this whole use becomes

2 a commercial use, we just think that --  
3 I don't know what the plan is here  
4 (indicating), but --

5 COMMISSIONER BRAUN: Yeah, what  
6 happened to that one single lot --

7 MR. FRELENG: This one here  
8 (indicating)?

9 COMMISSIONER BRAUN: Yeah.

10 MR. FRELENG: It's split zoned. I  
11 don't know how they got the zoning  
12 designation, but it is split zoned. So  
13 that would be this parcel right here  
14 (indicating). The zoning comes to the  
15 back. So this might have been  
16 previously nonconforming, or this might  
17 have been an expansion. I don't know,  
18 but somehow the zoning came here  
19 (indicating).

20 If it was not for these residential  
21 houses back here, it might be a good  
22 node, for commercial use. However,  
23 staff is concerned that this extension  
24 will wind up just allowing something  
25 like this to happen, and just keep

2 creeping along into the back.

3 The site inspection of this --  
4 there's a fence here (indicating), and  
5 this here is a storage of abandoned and  
6 used vehicles (indicating). So staff  
7 was concerned that this may expand.

8 So, staff is recommending  
9 disapproval for the following reasons:

10 The application is an unwarranted  
11 encroachment of commercial zoning into a  
12 residentially zoned and developed area.

13 Approval of the requested zone  
14 change would tend to establish a  
15 precedent for further such requests in  
16 the area.

17 And then the comment is with regard  
18 to completing a corridor or "block"  
19 study.

20 CHAIRMAN CALONE: Okay.

21 Ed, any comments about the area?

22 VICE CHAIRMAN PRUITT: No. Nothing  
23 else to add.

24 CHAIRMAN CALONE: Okay.

25 COMMISSIONER HOLMES: (Indicating)

2 CHAIRMAN CALONE: Commissioner  
3 Holmes.

4 COMMISSIONER HOLMES: Would you say  
5 there was already an automobile  
6 graveyard there?

7 MR. FRELENG: Well, just on the  
8 other side of the fence, to the extent  
9 that we could see, there was just a --  
10 there's a junk truck or bus, I can't  
11 recall, and there's a couple of junk  
12 cars back there. It's just a -- it's a  
13 yard.

14 COMMISSIONER HOLMES: It's just a  
15 yard?

16 MR. FRELENG: Right.

17 COMMISSIONER HOLMES: In other  
18 words, it's not a commercial automobile  
19 junkyard?

20 MR. FRELENG: No. No. It looks  
21 like storage for some --

22 COMMISSIONER HOLMES: It's just --

23 MR. FRELENG: -- some use.

24 COMMISSIONER HOLMES: -- somebody  
25 threw stuff there.

2 I just, you know, thought, if that  
3 already was what was happening there,  
4 that this wouldn't be so bad. But --

5 SECRETARY ESPOSITO: Yeah, but you  
6 don't want to encourage the bad  
7 behavior.

8 COMMISSIONER HOLMES: We don't want  
9 to, yeah.

10 Okay. Thank you.

11 CHAIRMAN CALONE: Any other  
12 comments or questions about this  
13 application?

14 MR. GULIZIO: (Indicating)

15 CHAIRMAN CALONE: I'm sorry.

16 Dan.

17 MR. GULIZIO: I'm sorry to  
18 interrupt. Could I just make one quick  
19 comment?

20 Andy, could you just put the zoning  
21 map back up?

22 MR. FRELENG: (Complying)

23 MR. GULIZIO: This gives you an  
24 idea of the complexity of the problems  
25 with some of the zoning in a local

2 level, particularly in a Town like  
3 Brookhaven (indicating).

4 If you just look at the pattern,  
5 there really is -- it's a random pattern  
6 of zoning. You have -- the L-1 is a  
7 Light Industrial zoning district  
8 (indicating). The green color is a  
9 Residential district (indicating). J-5,  
10 down here, is a gas station  
11 (indicating). This is strip retail,  
12 with split zoning; so as the residential  
13 portion is the western portion, the  
14 commercial portion is in the front  
15 (indicating). You can't develop viable  
16 commercial uses within this area,  
17 because it's not deep enough; it's only  
18 a hundred foot deep.

19 And I know it's off point, but  
20 these are the types of areas that we  
21 need to be thinking about as larger  
22 development applications are coming in  
23 Brookhaven, because if you don't use  
24 those as vehicles or as an economic  
25 engine to help redevelop these areas,

2 we're just going to be adding density on  
3 top of the sprawl that we have, and  
4 just -- I think exacerbating some of the  
5 existing problems that we have with the  
6 land use pattern here.

7 So while you're looking in an area  
8 like this, it's just -- I think it's  
9 important just to take a moment to  
10 consider the difficulty that's -- the  
11 Town planners and regional planners are  
12 going to encounter in trying to  
13 encourage a more rational pattern of  
14 land use for these areas that are  
15 already developed, particularly in the  
16 western portions of Brookhaven and the  
17 western portions of Suffolk.

18 It's not a simple problem, and  
19 we're going to have to think about it, I  
20 think, comprehensively. Not just in  
21 terms of how to fix this particular  
22 area, but how to tie other areas that  
23 are going to be more likely targeted for  
24 development, in order to use them to  
25 help focus redevelopment in these areas

2 also.

3 It's not a simple -- it's a  
4 haphazard pattern of land use, where one  
5 parcel came in, they got a rezoning, and  
6 then another parcel came in and got a  
7 rezoning. They weren't rationally  
8 related or discussed in terms of -- from  
9 a comprehensive standpoint. It's  
10 something that, I think, is going to  
11 take a lot of effort to do, but it's an  
12 important consideration to look at  
13 applications like this.

14 CHAIRMAN CALONE: Thank you, Dan.

15 MR. GULIZIO: Sorry.

16 CHAIRMAN CALONE: No, thank you.

17 COMMISSIONER ROBERTS: That's  
18 helpful.

19 CHAIRMAN CALONE: It's moments like  
20 that that are teachable, I guess, and we  
21 appreciate your incites.

22 Any other comments or questions?

23 (WHEREUPON, there was no response.)

24 CHAIRMAN CALONE: Then a motion is  
25 in order.



2 COMMISSIONER BOLTON: I'll move the  
3 staff report.

4 CHAIRMAN CALONE: Commissioner  
5 Bolton.

6 Second?

7 SECRETARY ESPOSITO: Second.

8 CHAIRMAN CALONE: Secretary  
9 Esposito.

10 SECRETARY ESPOSITO: Oh, I like  
11 that.

12 CHAIRMAN CALONE: The motion is to  
13 approve the staff report, which  
14 indicates disapproval for the reasons  
15 indicated.

16 All in favor, would you raise your  
17 hand?

18 (WHEREUPON, the Members voted.)

19 CHAIRMAN CALONE: All opposed?

20 (WHEREUPON, the Members voted.)

21 CHAIRMAN CALONE: Abstentions?

22 (WHEREUPON, the Members voted.)

23 CHAIRMAN CALONE: It passes

24 unanimously.

25 Thank you.

2 MR. FRELENG: Okay. The next  
3 application comes to us from the Town of  
4 Islip. This is the application of Exxon  
5 Mobil Corporation in Brentwood.

6 Jurisdiction for the Commission is  
7 that it's within 500 feet of County  
8 Road 7, Wicks Road, and New York State  
9 Route 495, Long Island Expressway, and  
10 within 500 feet of the Town of  
11 Smithtown.

12 The applicants are seeking Change  
13 of Zone approval from Business 1 and  
14 Business 3 zoning districts, to all  
15 Business 3. The applicants also seek  
16 Town Board Special Permit for a gasoline  
17 filling station and a Planning Board  
18 Special Permit for a convenience market.  
19 The Town of Islip Zoning Law requires  
20 32 off-street parking stalls; 16 are  
21 provided, necessitating relief.  
22 Landscape relaxations are also being  
23 requested as part of this petition.

24 The subject property is located on  
25 the southeast corner of Wicks Road,

2 which is County Road 7, and the Long  
3 Island Expressway, which is New York  
4 State Route 495, in the Hamlet of  
5 Brentwood.

6 Okay. A review of the character of  
7 land use and zoning pattern in the  
8 vicinity indicates that the subject  
9 property is located within the mix of  
10 zoning, predominated by residential  
11 zoning in the Town of Islip, and light  
12 industrial zoning and commercial zoning  
13 north in the Town of Smithtown. The  
14 Long Island Expressway corridor, on the  
15 east side of Wicks Road, is dotted with  
16 some businesses and industrial zoning.

17 Okay. Land use in the area  
18 includes a mix of institutional --  
19 that's the Suffolk Community College to  
20 the west here (indicating). That's the  
21 parking lot for it (indicating) --  
22 commercial to the east, residential to  
23 the south, and the Long Island  
24 Expressway to the north. The site is  
25 adjacent to the Wicks Road right-of-way

2 to the west, and Expressway Drive, which  
3 is a service road, to the LIE.

4 Access to the proposed site is  
5 intended to be from four existing  
6 two-way curb cuts. Two of the curb cuts  
7 are to Wicks Road, approximately 60 feet  
8 apart, and less than 50 feet to the  
9 intersection with the LIE right-of-way.  
10 The other two curb cuts are to  
11 Expressway Drive, a one-way westbound  
12 service road. These two curb cuts are  
13 also approximately 50 feet apart,  
14 approximately 50 feet west of the  
15 intersection with CR7, and approximately  
16 50 feet east of a two-way curb cut to  
17 the adjacent property, which is  
18 500 Expressway Drive.

19 So, let me just go back a second to  
20 the oblique. It may be difficult to see  
21 on this one. Let's see, there's a curb  
22 cut here (indicating), there's a curb  
23 cut here (indicating), you've got one on  
24 the adjacent property (indicating),  
25 there's a curb cut here (indicating),

2 and there's a curb cut here  
3 (indicating).

4 Okay. There are no significant  
5 environmental constraints on the subject  
6 property.

7 It should be noted that the subject  
8 application is located in a minority and  
9 economically distressed community, as  
10 defined by Commission guidelines, and  
11 required to be reported pursuant to  
12 Resolution 102 of '06, Suffolk County.

13 The Town of Islip Comprehensive  
14 Community Identity Plan made no specific  
15 recommendations for this parcel. There  
16 are no other comprehensive plan  
17 recommendations for this parcel.

18 In terms of the staff analysis, the  
19 subject property has maintained a valid  
20 C/O for a gasoline service station since  
21 1967. The current petition involves  
22 renovating the existing 2,100 square  
23 foot service garage building, on-site,  
24 to provide for a convenience store.

25 It is a belief of the staff that

2 the proposal is an unwarranted  
3 over-intensification of the use of the  
4 premises. Town of Islip Zoning Law  
5 requires 32 off-street parking stalls;  
6 only 16 are provided, necessitating a  
7 variance of 50 percent. The parking  
8 shortfall would tend to necessitate the  
9 use of the surrounding roadways, again,  
10 for parking purposes, and that would  
11 diminish the safety and traffic carrying  
12 capacity of the roadways.

13 Moreover, allowing the proposed  
14 special permit convenience store would  
15 tend to substantially undermine the  
16 effectiveness of the zoning ordinance.  
17 The subject property is only 0.6 acres,  
18 significantly less than the required one  
19 acre for a gasoline service station, and  
20 would further exacerbate adverse  
21 conditions on-site with the addition of  
22 the convenience store.

23 Access to and from the site is  
24 unorganized and tends to create unsafe  
25 motor vehicle and pedestrian circulation

2 patterns. It is not apparent that the  
3 applicants have contacted the County  
4 Department of Public Works, or the State  
5 Department of Transportation, for review  
6 of access permits to the public  
7 right-of-ways. The redundant curb cuts  
8 to the public right-of-ways should be  
9 reduced to lessen the possibility of  
10 conflicting motor vehicle turn  
11 movements. There does not appear to be  
12 any consideration for cross access to  
13 the adjacent property to the east, to  
14 lessen curb cuts to the State  
15 right-of-way.

16 Staff is recommending disapproval  
17 for the following reasons:

18 The first thing, that the proposal  
19 is an unwarranted over-intensification  
20 of the use of the premises; and that's  
21 reflected in the shortfall in the  
22 parking requirement.

23 The proposed special permit  
24 convenience store would tend to  
25 substantially undermine the

2 effectiveness of the zoning ordinance;  
3 and that reflects to the amount of uses  
4 they're trying to put on this parcel,  
5 which is only 0.6 acres.

6 And the third reason for  
7 disapproval is that access to and from  
8 the site is unorganized and tends to  
9 create unsafe motor vehicle and  
10 pedestrian circulation patterns.

11 And that is the staff report.

12 CHAIRMAN CALONE: Thank you.

13 Commissioner Fiore, do you have  
14 anything from the Islip perspective?

15 COMMISSIONER FIORE: Other than  
16 that there is an existing gas station  
17 there, that's a heavy traffic area  
18 there. I think the staff is right on  
19 target with their recommendation, and I  
20 wholeheartedly support the staff's  
21 recommendation.

22 CHAIRMAN CALONE: Thank you.

23 Any other comments?

24 COMMISSIONER BRAUN: (Indicating)

25 CHAIRMAN CALONE: Commissioner



2 Braun.

3 COMMISSIONER BRAUN: Did I  
4 understand you to say that -- Andy, that  
5 there is a curb cut access, or some kind  
6 of access to the parcel to the east?

7 MR. FRELENG: Yes, there is.

8 COMMISSIONER BRAUN: Does that  
9 imply that there's some parking easement  
10 between them, or something like that?

11 COMMISSIONER FIORE: That's a  
12 separate building.

13 MR. FRELENG: No, it's --

14 COMMISSIONER FIORE: That's a --

15 MR. FRELENG: -- there is no  
16 easement shown.

17 COMMISSIONER FIORE: That's  
18 separate --

19 CHAIRMAN CALONE: Commissioner  
20 Fiore.

21 COMMISSIONER FIORE: That's a  
22 separate building.

23 COMMISSIONER BRAUN: No, I  
24 understand that, but -- but, I mean,  
25 there is internal -- inside that paved

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2 area there, both the subject parcel and  
3 the one to the east, they're contiguous  
4 and there's some kind of --

5 COMMISSIONER FIORE: No, not  
6 continuous.

7 MR. FRELENG: They're contiguous,  
8 and there is no cross-access, physically  
9 or proposed.

10 COMMISSIONER BRAUN: Oh, no, no,  
11 that's the question, is there a little  
12 retaining wall or a little curb or  
13 something separating them? Or is  
14 there --

15 MR. FRELENG: I believe there  
16 is a --

17 COMMISSIONER FIORE: There is.

18 COMMISSIONER BRAUN: -- like a  
19 little --

20 MR. FRELENG: -- curb --

21 COMMISSIONER FIORE: There isn't --

22 MR. FRELENG: -- a curb running  
23 along there.

24 CHAIRMAN CALONE: All right.

25 Don.

2 COMMISSIONER FIORE: There is.

3 CHAIRMAN CALONE: Okay.

4 COMMISSIONER FIORE: You're right.

5 CHAIRMAN CALONE: Thank you, Don.

6 Charla, did you have --

7 COMMISSIONER BOLTON: No, I was  
8 just going to say, I know this site too,  
9 and I would agree with the staff report.

10 CHAIRMAN CALONE: Any other  
11 comments, questions, additions?

12 (WHEREUPON, there was no response.)

13 CHAIRMAN CALONE: Don, a motion is  
14 in order.

15 COMMISSIONER FIORE: (Indicating)

16 CHAIRMAN CALONE: Commissioner  
17 Fiore.

18 COMMISSIONER FIORE: I made the  
19 motion.

20 CHAIRMAN CALONE: Okay. The motion  
21 to approve the staff report, calling for  
22 disapproval of the application for the  
23 reasons indicated.

24 Second?

25 COMMISSIONER ROBERTS: Second.

2 CHAIRMAN CALONE: Commissioner  
3 Roberts.

4 All those in favor of the staff --  
5 approving the staff report, raise your  
6 hands.

7 (WHEREUPON, the Members voted.)

8 CHAIRMAN CALONE: All those  
9 opposed?

10 (WHEREUPON, the Members voted.)

11 CHAIRMAN CALONE: Abstentions.

12 (WHEREUPON, the Members voted.)

13 CHAIRMAN CALONE: Passes  
14 unanimously.

15 Thank you.

16 MR. FRELENG: Dan is going to take  
17 over; right, Dan?

18 MR. GULIZIO: This property is  
19 located in the Town of Babylon, in the  
20 Hamlet of Copiague. It's on the west  
21 side of Great Neck Road, which is the  
22 basis for the Commission's jurisdiction.

23 It maintains a lot area of about  
24 66,000 square feet, or roughly, about an  
25 acre and a half, and it's zoned

2 C-Residence. C-Residence is the  
3 single-family zoning district, which  
4 allows for the development of  
5 single-family homes on lots, to maintain  
6 a minimum lot area of 7,500 square feet.

7 This site has been the subject of  
8 two prior reviews by the Commission.  
9 The first dates back to January of 2002,  
10 at which time the staff, on behalf of  
11 the Commission, issued a letter of local  
12 determination involving a subdivision of  
13 the property. A subdivision identical  
14 to what is being proposed today, which  
15 is a six lot subdivision of the  
16 property.

17 That basis for local determination  
18 was based upon the fact that the  
19 subdivision conformed to Town standards,  
20 and included the dedication of a roadway  
21 and cul-de-sac, consistent with Town  
22 guidelines; a 50 foot right-of-way, and  
23 a conforming cul-de-sac.

24 In 2006, the application was  
25 re-referred to the Commission, for a

2 subdivision. But instead of having a  
3 road opened and improved to Town  
4 standards, and dedicated to Town  
5 standards, they proposed an easement  
6 system, along with a right-of-way  
7 providing access to the four lots that  
8 don't have frontage along Great Neck  
9 Road -- these four lots (indicating).

10 The application that is before you  
11 today is a follow-up to that  
12 application, except variances are  
13 required in connection with that  
14 subdivision, without a road and  
15 cul-de-sac, but with a right-of-way  
16 instead.

17 At the time, in 2006, staff  
18 recommended denial of the application  
19 for the subdivision, because  
20 subdivisions with lots that don't have  
21 direct access onto a road, opened and  
22 improved to Town standards, is  
23 inconsistent with Commission guidelines.

24 This variance application is also,  
25 therefore, in our view, inconsistent

2 with Commission guidelines, and  
3 that's -- and it's really -- I'm a  
4 little perplexed as to why the  
5 application would even be modified or  
6 submitted.

7 You had a subdivision that met Town  
8 standards, where the roadways were  
9 opened and improved to Town standards.  
10 That was switched to a right-of-way and  
11 easement system, which really -- from a  
12 planning and land use standpoint, in  
13 terms of long-term maintenance for the  
14 road, long-term service to those homes,  
15 utilities, et cetera, it doesn't make a  
16 lot of sense to switch to an easement  
17 system.

18 Based upon that, we're recommending  
19 disapproval of the application, for the  
20 same considerations we made back in 2006  
21 in conjunction with the subdivision.  
22 But just to be clear again, the purpose  
23 of today's application is the variances  
24 associated with the subdivision --  
25 which, again, instead of improving the

2 road and dedicating to Town standards,  
3 includes a right-of-way and easement  
4 system.

5 If the Commission has any  
6 questions, I'd be happy to try to  
7 address them.

8 CHAIRMAN CALONE: From the Town of  
9 Babylon standpoint, I have nothing to  
10 add. But does anyone else have  
11 questions for Dan or the staff about --

12 COMMISSIONER BRAUN: (Indicating)

13 CHAIRMAN CALONE: -- Bob.

14 COMMISSIONER BRAUN: Yeah. Is  
15 there something about the cost of doing  
16 it to the -- to Town standards, or was  
17 it the Town didn't want the thing  
18 dedicated, or -- is there any --

19 MR. GULIZIO: Again, we don't get  
20 that backup background information as  
21 part of the submission. I'm guessing  
22 it's related to exactly those issues.  
23 But, again, that wouldn't be a basis, in  
24 our view, from a planning standpoint, to  
25 not dedicate the roadway, and not open



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2 and improve it, and have it placed on  
3 the official Town map. That seems to  
4 be, from a planning and land use  
5 standpoint, the long-term, best  
6 solution.

7 CHAIRMAN CALONE: Any other  
8 comments or questions, if not, are  
9 motions in order?

10 COMMISSIONER BOLTON: Move the  
11 staff report.

12 CHAIRMAN CALONE: Commissioner  
13 Bolton moves the staff report.

14 Second?

15 COMMISSIONER HOLMES: (Indicating)

16 CHAIRMAN CALONE:  
17 Commissioner Holmes.

18 All those in favor of approving the  
19 staff report to disapprove -- of the  
20 application, for reasons indicated,  
21 please raise your hands.

22 (WHEREUPON, the Members voted.)

23 CHAIRMAN CALONE: Those opposed?

24 (WHEREUPON, the Members voted.)

25 CHAIRMAN CALONE: Abstentions?

2 (WHEREUPON, the Members voted.)

3 CHAIRMAN CALONE: Passes

4 unanimately. Thank you.

5 Dan?

6 MR. GULIZIO: Thank you.

7 The next application is another  
8 interesting application. This involves  
9 property located in the Town of  
10 Brookhaven, in the Hamlet of East  
11 Moriches, along the south side of  
12 Montauk Highway -- in close proximity to  
13 Spardaro Airport, if you're familiar  
14 with that. This is Frowein Road  
15 (indicating), which is a major east/west  
16 bypass road in Brookhaven. This runs  
17 north of Montauk Highway.

18 Again, this is an application --  
19 it's 5.1 acres in size, it's zoned A-1,  
20 which is a single-family residential  
21 zoning district, with minimum lot sizes  
22 of one acre.

23 Rather than submitting an  
24 application that showed a road and  
25 cul-de-sac, similar to what you see --

2 if you can just go back to --

3 MR. FRELENG: (Complying)

4 MR. GULIZIO: Directly adjacent to  
5 the east is a road and cul-de-sac which  
6 was submitted, in accordance with Town  
7 standards, which allows for the  
8 subdivision of property to the east.  
9 Rather than submitting a similar  
10 situation here on this lot (indicating),  
11 which, again, is a very deep lot, it  
12 maintains frontage of about 280 feet  
13 along to roadway -- it's 8.22 -- I'm  
14 sorry, 5.1 acres in size -- the  
15 applicant, again, submitted an  
16 easement-type of access provision, where  
17 there's a 20- or a 30-foot-wide  
18 right-of-way, which runs along the east  
19 side of the property, in order to allow  
20 access to the three southerly lots, in  
21 addition to providing direct access on  
22 the road to the most northerly lot.

23 Again, there are subdivision  
24 regulations in place in the Town of  
25 Brookhaven, which require a 50-foot

2 right-of-way, and a 60-foot radius  
3 cul-de-sac. There's no reason why this  
4 property couldn't be developed with such  
5 a system. The only thing I can think  
6 of, again, as indicated previously by  
7 Commissioner Braun, is that a  
8 right-of-way of 20 or 30 foot is a much  
9 cheaper alternative than doing a road in  
10 accordance to Town standards; proper  
11 drainage, sidewalks, utilities and  
12 paving.

13 That wouldn't be a basis for  
14 approving this -- the variances  
15 associated with this subdivision. And,  
16 again, similar to the last application,  
17 we're recommending disapproval for the  
18 reasons stated in the staff report.

19 CHAIRMAN CALONE: Anything from the  
20 Town of Brookhaven?

21 VICE CHAIRMAN PRUITT: No.

22 COMMISSIONER BOLTON: (Indicating)

23 CHAIRMAN CALONE: Commission  
24 Bolton.

25 COMMISSIONER BOLTON: Do you

2 have -- I mean, was a -- like a yield  
3 study plan sent in, that showed us how  
4 it could be developed with a cul-de-sac?

5 MR. GULIZIO: We don't have a yield  
6 map, but the property is wide enough.  
7 It's a 60-foot radius cul-de-sac, so  
8 it's 120 foot diameter. The property is  
9 over 200 foot in width, so certainly you  
10 could fit the cul-de-sac in the roadway  
11 in accordance with Town standards.

12 I think this is more of a cost  
13 issue than anything else. Again --

14 COMMISSIONER BOLTON: Thank you.

15 MR. GULIZIO: -- not really a basis  
16 for good planning.

17 COMMISSIONER BOLTON: Okay. Thank  
18 you.

19 CHAIRMAN CALONE: Anyone else?

20 COMMISSIONER CARACCILO: I'll make  
21 a motion to accept the staff report.

22 SECRETARY ESPOSITO: (Indicating)

23 CHAIRMAN CALONE: Commissioner  
24 Caracciolo; second, Secretary Esposito.

25 All those in favor of accepting the

2 staff report, raise your hands.

3 (WHEREUPON, the Members voted.)

4 CHAIRMAN CALONE: All those

5 opposed?

6 (WHEREUPON, the Members voted.)

7 CHAIRMAN CALONE: Abstentions?

8 (WHEREUPON, the Members voted.)

9 CHAIRMAN CALONE: Passes

10 unanimately. Thank you.

11 MR. GULIZIO: The next site is  
12 located in the Town of Smithtown, in the  
13 Hamlet of Saint James, along the south  
14 side of Route 25A.

15 I believe the staff report says  
16 Route 25, so I apologize for that --

17 COMMISSIONER BRAUN: And it also  
18 says northerly side.

19 MR. GULIZIO: I'm sorry, what  
20 was -- it's absolutely on the south  
21 side. And I apologize for those errors,  
22 we'll make sure that doesn't happen next  
23 time.

24 The property is zoned Central  
25 Business district, and it actually

2 involves two parcels which were adjoined  
3 to the first -- to this application.

4 This property (indicating) and this  
5 property (indicating) are both zoned for  
6 commercial purposes. There's a small  
7 sliver of this property, right here  
8 (indicating), which is zoned  
9 residentially, just so you're aware.  
10 It's R-10, and it's because residential  
11 zoning districts require a minimum lot  
12 area of 10,000 square feet.

13 The purpose of this application is  
14 to allow for the addition of a retail  
15 building of 8,200 square feet and  
16 change, along this property  
17 (indicating), and the southeasterly  
18 corner of this property (indicating),  
19 which is already improved with a  
20 restaurant.

21 The site plan that was submitted  
22 with the application joins these two  
23 properties, so we're going to discuss  
24 them as a whole. This existing shopping  
25 center (indicating) is about

2 32,000 square foot in size, and it's  
3 currently improved with a variety of  
4 retail and restaurant uses, along with  
5 accessory parking.

6 The critical issue associated with  
7 this application involves parking. When  
8 you look at the variety of uses that are  
9 proposed in conjunction with this -- the  
10 existing shopping center (indicating),  
11 the existing restaurant (indicating),  
12 these two buildings which are going to  
13 be removed (indicating), and then the  
14 proposed retail complex -- there's a  
15 minimum required parking, but I believe  
16 there's 441 space. What the applicant  
17 is proposing is actually 294 spaces,  
18 meaning a loss of approximately  
19 147 parking spaces. That is a  
20 relaxation of 33 percent overall for the  
21 site.

22 If we look at it more specifically  
23 in conjunction with this portion of the  
24 property (indicating), it's even more  
25 concerning. The restaurant here



2 (indicating) requires 49 parking spaces.  
3 The retail use requires 82 parking  
4 spaces, for a total of 131 parking  
5 spaces on-site. If you were just to  
6 look at it independently for this  
7 portion of the property (indicating),  
8 there's actually 25 spaces provided on  
9 that property, instead of the 131;  
10 that's an 81 percent relaxation.

11 I should point out also that there  
12 are land bank parking spaces that's  
13 shown within this area here on the site  
14 (indicating). That's an additional  
15 handful of spaces. We wouldn't count  
16 those typically, and I doubt the Town  
17 would, because it's also located within  
18 the buffer zone. So if it's a buffer  
19 zone, it's supposed to be intended as a  
20 buffer between the residential use and  
21 the commercial use --

22 CHAIRMAN CALONE: Right.

23 MR. GULIZIO: -- you can't put land  
24 bank parking in there and double count  
25 it, so you get the benefit of a buffer

2 and you get the benefit of parking.  
3 Because ultimately, as land bank  
4 parking, we would be comfortable with  
5 the idea of being improved, in the event  
6 it's actually needed. If it's within  
7 the buffer area, than I don't think that  
8 would be something you would support.

9 CHAIRMAN CALONE: You're not  
10 counting in that number though, Dan, the  
11 parking spaces that are to the right of  
12 that building, that are technically on  
13 the other parcel.

14 MR. GULIZIO: No. When you look at  
15 it overall, there's still a 33 percent  
16 shortfall, even with these parking  
17 spaces taken into consideration  
18 (indicating).

19 The other thing that should be  
20 pointed out, just from a practical  
21 standpoint, all of these parking spaces  
22 in the back are behind the stores  
23 (indicating). There aren't public  
24 access points behind the stores for this  
25 retail center. All the parking the

2 customers use are actually out front.

3 COMMISSIONER CARACCILO: And  
4 you're still counting that in the back  
5 in your calculation?

6 MR. GULIZIO: That's actually still  
7 counted --

8 COMMISSIONER BRAUN: That's where  
9 Roslyn Savings Bank is, Dan; is that the  
10 one? Oscars --

11 MR. GULIZIO: This is --

12 COMMISSIONER BRAUN: Oscars is the  
13 restaurant?

14 MR. GULIZIO: There's a sushi  
15 restaurant --

16 COMMISSIONER BRAUN: Yeah.

17 MR. GULIZIO: -- a Japanese  
18 restaurant --

19 COMMISSIONER BRAUN: Yeah. There  
20 used to be --

21 MR. GULIZIO: -- a coffee place --

22 COMMISSIONER BRAUN: Right.

23 MR. GULIZIO: They tell you the  
24 temperature and the time here on the  
25 sign (indicating).

2 COMMISSIONER BRAUN: Right.

3 MR. GULIZIO: So based upon the  
4 concern over parking, and the buffer  
5 relaxation as requested, we're  
6 recommending disapproval of the  
7 application. It seems like a fairly  
8 simple over-intensification of use of  
9 the property.

10 CHAIRMAN CALONE: Commissioner  
11 Braun, anything from Smithtown --

12 COMMISSIONER BRAUN: Yes, this is  
13 the shopping center that I thought it  
14 was. And I -- I agree with the staff  
15 report, that -- I don't see how that  
16 would work, the way they're proposing  
17 it.

18 CHAIRMAN CALONE: My familiarity  
19 with it is, it's a pretty windy area,  
20 and --

21 COMMISSIONER BRAUN: Yeah, it's  
22 across the street from Hitherbrook  
23 Nursery.

24 COMMISSIONER BOLTON: (Indicating)

25 CHAIRMAN CALONE: Commissioner

2 Bolton.

3 COMMISSIONER BOLTON: Isn't this  
4 the area that was designated scenic  
5 (inaudible) by the State in the 1970s?

6 MR. GULIZIO: Honestly, I'm not  
7 certain of that. It is a beautiful  
8 section of --

9 COMMISSIONER BOLTON: I think  
10 there's --

11 MR. GULIZIO: -- 25A.

12 COMMISSIONER BOLTON: -- an area --

13 MR. GULIZIO: Particularly --

14 COMMISSIONER BOLTON: -- along  
15 there --

16 MR. GULIZIO: -- as you continue  
17 east.

18 COMMISSIONER BOLTON: -- in Saint  
19 James.

20 COMMISSIONER BRAUN: It's a little  
21 further east.

22 CHAIRMAN CALONE: Just past that,  
23 as you head east.

24 COMMISSIONER BRAUN: Yeah, a little  
25 east --

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2 CHAIRMAN CALONE: Either --

3 COMMISSIONER BRAUN: Yeah, near the  
4 bird house there.

5 COMMISSIONER BOLTON: Yeah. Yeah,  
6 but I'm not --

7 CHAIRMAN CALONE: We're sorry.  
8 I'll do better. We're sorry.

9 MR. GULIZIO: It's a beautiful  
10 stretch of the highway, particularly as  
11 you continue east into Stony Brook.

12 COMMISSIONER BOLTON: Okay.

13 CHAIRMAN CALONE: Okay. Whose  
14 next?

15 (WHEREUPON, there was no response.)

16 CHAIRMAN CALONE: All right.

17 Motions in order.

18 COMMISSIONER BRAUN: Yeah --

19 COMMISSIONER BOLTON: Move the --

20 COMMISSIONER BRAUN: -- so moved.

21 COMMISSIONER BOLTON: -- staff  
22 report.

23 CHAIRMAN CALONE: Commissioner  
24 Braun; seconded by Commissioner Bolton.

25 All in favor of approving the staff

2 report, indicating disapproval.

3 (WHEREUPON, the Members voted.)

4 CHAIRMAN CALONE: All opposed?

5 (WHEREUPON, the Members voted.)

6 CHAIRMAN CALONE: Abstentions?

7 (WHEREUPON, the Members voted.)

8 CHAIRMAN CALONE: That too passes  
9 unanimately.

10 MR. GULIZIO: Okay. The next  
11 application involves a parcel in the  
12 Town of East Hampton. It's an  
13 interesting parcel, it's located along  
14 the north side of Country Road, which is  
15 the basis for the Commission's  
16 jurisdiction, as it's County Road  
17 No. 59. It's also in the Hamlet of East  
18 Hampton, as well as being in the Town of  
19 East Hampton.

20 This is East Hampton High School  
21 (indicating), directly adjacent to the  
22 east. And the parcel in question is a  
23 flag lot, which is currently improved  
24 with one single-family residence. It's  
25 zoned A-2, which requires a minimum lot

2 area of roughly two acres, or  
3 84,000 square feet.

4 What the applicant is seeking is to  
5 subdivide this property, which currently  
6 maintains a lot area of 59,000 square  
7 feet, into two roughly 24,000 to  
8 25,000 square foot parcels. That  
9 doesn't include approximately  
10 9,000 square foot of a flag. Just so  
11 we're clear in terms of the lot sizes.

12 The concern that we have with this  
13 application is -- there's just two  
14 principal concerns. One is the degree  
15 of relief that's being sought. It's  
16 two-acre zoning. The current property  
17 was one single-family home, which is  
18 already less than 50 percent of the  
19 minimum required lot area. With the  
20 subdivision, there are therefore less  
21 than 25 percent of the minimum lot area,  
22 for the lots that are being proposed.

23 Based upon that, we feel it's  
24 inconsistent with the spear intent of  
25 the zoning, and represents an



2 over-intensification of the use of the  
3 property.

4 In addition, it should be pointed  
5 out that these are flag lots, primarily,  
6 which are accessible over this flag,  
7 which is 20-feet wide (indicating).  
8 Providing access not only to this  
9 existing home (indicating), but that  
10 access is also shared by two homes along  
11 the west side of that right-of-way.

12 Based upon the degree of relief  
13 that's requested, and, again, the  
14 variances are significant in terms of  
15 lot area, it's a two acre minimum zoning  
16 requirement for 25,000 square foot  
17 proposed, we're recommending disapproval  
18 of the application. We also think it  
19 would exacerbate the existing access  
20 situation.

21 If the Commission Members have any  
22 questions, I'd be happy to try to  
23 address them.

24 CHAIRMAN CALONE: We don't have  
25 anyone from East Hampton, but Barbara,

2 do you have anything to add, maybe, on  
3 that, in any way?

4 COMMISSIONER ROBERTS: I know the  
5 area --

6 CHAIRMAN CALONE: Let me ask a  
7 question then.

8 Did you guys think about doing a  
9 local determination on this at all? I  
10 mean, I understand the planning reasons  
11 why it's not ideal planning. But just  
12 from a resource issue, I'm asking this,  
13 actually, broadly, because this is  
14 something we probably want to think  
15 about, broadly, going forward.

16 MR. GULIZIO: I think you could  
17 look at all four of these applications  
18 that I just presented, and have  
19 questions as to whether or not they are  
20 truly regionally significant.

21 Are they significant in terms of  
22 the theory of relief that are requested?  
23 Yes. Are they significant in terms of  
24 their degree of relief from the code?  
25 Yes. But I don't know if that

2 necessarily makes them regionally  
3 significant in the sense is it -- do you  
4 want to spend your time looking at all  
5 of them. I think that's an important  
6 discussion for the Commission to have.

7 Traditionally, we have brought  
8 applications before the Commission that  
9 are significant in terms of the  
10 magnitude of relief being requested in  
11 the code. And that's been one of the  
12 triggers that we've looked at from the  
13 staff's standpoint. And there's some  
14 logic to that, in that, in the long run,  
15 every time you're undermining the spear  
16 and intent of the zoning ordinance,  
17 you're setting a dangerous precedent  
18 that ultimately could have a regionally  
19 significant impact on the cumulative  
20 basis. So that's been the rationale  
21 behind bringing applications like this.  
22 But certainly when we're taking in 2,400  
23 applications a year, it does give us  
24 pause in terms of which ones we are  
25 bringing to the Commission for

2 consideration.

3 CHAIRMAN CALONE: Right. And I  
4 think that's something, as indicated, we  
5 all want to think about. And I didn't  
6 mean in any way to criticize the  
7 selection, because I think it is being  
8 consistent with what -- the way things  
9 have been done, I just --

10 MR. GULIZIO: Sure.

11 CHAIRMAN CALONE: -- wanted to  
12 raise that as an issue.

13 COMMISSIONER HOLMES: (Indicating)

14 CHAIRMAN CALONE: Commissioner  
15 Holmes.

16 COMMISSIONER HOLMES: It just so  
17 happens that Long Lane, very often,  
18 becomes a very busy road. People use it  
19 as a back road to get to Route 114,  
20 going from East Hampton to Sag Harbor  
21 and vice versa. And because there's a  
22 school there, the thought of these  
23 fairly well-healed people I happen to  
24 know, you know, to try and maximize the  
25 use of the property and put even more

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2 dwellings there, gives me great deal of  
3 concern. So, you know, I certainly --

4 COMMISSIONER ROBERTS: I guess --

5 CHAIRMAN CALONE: Commissioner  
6 Roberts.

7 COMMISSIONER ROBERTS: I did start  
8 to talk, actually --

9 CHAIRMAN CALONE: Sorry, I --

10 COMMISSIONER ROBERTS: -- okay.

11 I think it is important to note  
12 that. Particularly in East Hampton,  
13 there is more conversation to allow  
14 second homes to come onto property,  
15 particularly when families are at issue  
16 of losing their homes or giving to the  
17 children. I don't know if that's the  
18 case here, but there certainly is a lot  
19 of conversation in East Hampton to allow  
20 more subdivisions. I think there's  
21 discussion in the community to change  
22 the law. So I -- I kind of agree with  
23 your thought that, perhaps, this might  
24 be one for local determination, that the  
25 County's significance might not be that

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2 great. But I don't feel really strongly  
3 about that.

4 CHAIRMAN CALONE: Nor do I. I  
5 think it's more an --

6 COMMISSIONER ROBERTS: Yeah.

7 CHAIRMAN CALONE: -- issue for us,  
8 maybe looking forward.

9 COMMISSIONER ROBERTS: Going  
10 forward.

11 CHAIRMAN CALONE: And I apologize  
12 for putting you on the spot --

13 COMMISSIONER ROBERTS: No problem.

14 CHAIRMAN CALONE: -- a little  
15 earlier.

16 COMMISSIONER HOLMES: Was there an  
17 indication that they wanted to subdivide  
18 it for family use? Was that  
19 indicated --

20 MR. GULIZIO: No.

21 COMMISSIONER HOLMES: -- at all?

22 MR. GULIZIO: Not from the  
23 information --

24 COMMISSIONER HOLMES: Oh.

25 MR. GULIZIO: -- that was submitted

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2 as part of the application.

3 COMMISSIONER MC ADAM: (Indicating)

4 CHAIRMAN CALONE: Commissioner

5 McAdam.

6 COMMISSIONER MC ADAM: On this

7 particular one, but also, I have a

8 question in general.

9 This one here indicated that there

10 was an increased -- as we know the

11 Hamptons, increased traffic during the

12 summer. Now, in the future, and maybe

13 as part of our guidelines, should we be

14 considering that? Like even though this

15 particular one could be local

16 determination, if traffic is going to be

17 an impact, is that more regional than

18 local? You know, and -- I'm not looking

19 for an answer, I'm just trying to --

20 CHAIRMAN CALONE: That's a good --

21 COMMISSIONER MC ADAM: -- you

22 know --

23 CHAIRMAN CALONE: -- criteria to

24 think about.

25 COMMISSIONER MC ADAM: -- bring up

2 a criteria.

3 COMMISSIONER ROBERTS: We need  
4 someone from the Town of East Hampton on  
5 our Commission to help us with that.

6 CHAIRMAN CALONE: And we'll move on  
7 that.

8 Anything else?

9 (WHEREUPON, there was no response.)

10 CHAIRMAN CALONE: Comments,  
11 questions. If not, a motion --

12 COMMISSIONER HOLMES: I'll move the  
13 adoption --

14 CHAIRMAN CALONE: -- is in order.

15 Commissioner Holmes is --

16 COMMISSIONER HOLMES: -- of the  
17 staff report.

18 CHAIRMAN CALONE: Commissioner  
19 Holmes --

20 VICE CHAIRMAN PRUITT: Second by  
21 Commissioner Pruitt.

22 CHAIRMAN CALONE: Second by the  
23 Vice Chairman.

24 All in favor of agreeing to the  
25 staff recommendation for disapproval,



2 please indicate.

3 (WHEREUPON, the Members voted.)

4 CHAIRMAN CALONE: And all those  
5 opposed?

6 (WHEREUPON, the Members voted.)

7 CHAIRMAN CALONE: And abstentions?

8 (WHEREUPON, the Members voted.)

9 CHAIRMAN CALONE: And that too is  
10 unanimous.

11 Okay. Next, we'll move on to the  
12 Commissioner's Roundtable. I think it  
13 may make sense, in light of how long  
14 we've been going today, and I don't want  
15 to butt up against the Caracciolo rule  
16 of two hours --

17 COMMISSIONER CARACCIOLO: That's  
18 the rule.

19 SECRETARY ESPOSITO: Apparently  
20 it's living infamously.

21 CHAIRMAN CALONE: No, no, no, I  
22 want to do the Commissioner's  
23 Roundtable, I just know that  
24 Commissioner Roberts has a bunch of,  
25 actually, important things to bring to

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2 our attention about Sag Harbor. So,  
3 what I was going to say was, rather than  
4 doing the introductions, which I think  
5 could easily take a minute or so each,  
6 because it will last 20 minutes, rather,  
7 just make sure we gave her the time to  
8 speak about Sag Harbor, because it is  
9 important.

10 So why don't we start down that end  
11 (indicating), and work our way this way  
12 (indicating), with regard to the  
13 Commissioner's Roundtable.

14 Bob, do you have anything?

15 COMMISSIONER BRAUN: Yeah, I -- no.  
16 Welcome to the Chair.

17 CHAIRMAN CALONE: Thank you, sir.

18 COMMISSIONER BRAUN: And, other  
19 than that, I don't want to take up any  
20 unnecessary time either.

21 CHAIRMAN CALONE: Appreciate it.

22 COMMISSIONER ROBERTS: Very much,  
23 welcome to the Chair.

24 And, just one small comment. I  
25 very much appreciate the Officers that

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2 we have chosen and whatever, but I would  
3 like to go on record that I would hope  
4 in the future that the process by which  
5 we choose our Officers is a little bit  
6 more open, a little bit more inclusive  
7 in how we solicit people, and how the  
8 decision is made. And I also very much  
9 hope that we can know our Officers'  
10 slate at least a month in advance, or  
11 before the meeting next year. So --

12 COMMISSIONER CARACCIOLO: I'm going  
13 to comment on that, because, you know,  
14 the -- I was in charge of the Nominating  
15 Committee, with Charla and Linda. We  
16 aggressively seek, and sought  
17 applicants. We only got two, and nobody  
18 ever contacted me about your interest in  
19 running. And if you contacted somebody  
20 who is not a Member of this Planning  
21 Commission, or not on the Nominating  
22 Committee --

23 COMMISSIONER ROBERTS: Not -- that  
24 wasn't the case, actually.

25 COMMISSIONER CARACCIOLO: Okay.

2 COMMISSIONER ROBERTS: But it's  
3 fine. I'm not -- just the process, even  
4 that the Officers --

5 COMMISSIONER CARACCIOLO: I, at  
6 times, had to pull teeth to get people.

7 CHAIRMAN CALONE: Right.

8 COMMISSIONER CARACCIOLO: So --

9 COMMISSIONER HOLMES: And he did --

10 COMMISSIONER CARACCIOLO: -- I'm  
11 going to --

12 COMMISSIONER HOLMES: --  
13 consistently announce --

14 COMMISSIONER CARACCIOLO: And I  
15 consistently announced --

16 COMMISSIONER HOLMES: -- at each  
17 meeting --

18 COMMISSIONER CARACCIOLO: Right.

19 COMMISSIONER HOLMES: And he kept  
20 saying, we just got two candidates, and  
21 if anybody else -- and I know that at  
22 least at one of those meetings, you were  
23 not there. So, you know, that might  
24 have been --

25 COMMISSIONER ROBERT: I also --

2 COMMISSIONER FIORE: (Indicating)

3 CHAIRMAN CALONE: Don -- hold on.

4 COMMISSIONER ROBERTS: I wanted

5 just to go on record --

6 CHAIRMAN CALONE: Okay. We're

7 talking about the election?

8 COMMISSIONER ROBERTS: -- and also

9 explain --

10 COMMISSIONER FIORE: Yeah. I'm

11 going to --

12 CHAIRMAN CALONE: Why don't we stay

13 on that topic then.

14 COMMISSIONER FIORE: I'm going to

15 echo what John said, because -- and I

16 was partially in the running, and --

17 that was brought out at -- I believe, at

18 least two consecutive -- possibly three

19 consecutive meetings, that I'm aware of.

20 I know it was brought out at the

21 December meeting, and I believe it was

22 brought out at the January meeting. I'm

23 not sure where the February meeting came

24 in, but I believe -- and I don't know

25 who was there, because I don't take

2 anybody's inventory. But I believe that  
3 it was done -- it was -- two years prior  
4 to that, it was done a lot different.  
5 You know, and then -- anybody who was  
6 sitting on the Board then knew that.  
7 But this time, I thought it went real  
8 well. I believe that the process went  
9 well, and I believe that it was a fair  
10 and equitable election, or -- election,  
11 there was only one person running. But,  
12 you know, if in fact somebody has an  
13 idea, I believe -- and this is what  
14 happened at -- the last time people were  
15 running. A Nominating Committee was set  
16 up -- there never used to be a  
17 Nominating Committee, and that was set  
18 up. And I believe that anybody who  
19 really wanted -- that had aspirations,  
20 that wanted to run for whatever office  
21 that they may seek, that that should  
22 have been known.

23 And I'm not knocking what you're  
24 saying, don't get me wrong, but I'm just  
25 saying, from what it was and what it is

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2 right now, I think it's running really,  
3 really well. And John did do his due  
4 diligence to do that.

5 CHAIRMAN CALONE: Okay.

6 Ed, you have something you would  
7 like --

8 VICE CHAIRMAN PRUITT: Yeah, I just  
9 want to add to that. I think the  
10 process worked a lot better this time  
11 around than it did a couple years ago.  
12 I was here when it -- a couple years  
13 ago, and I do believe the process was  
14 very open. I like the process of the  
15 Nominating Committee, and there were two  
16 opportunities, by the way. You could  
17 have gone through the process of the  
18 Nominating Committee, and at the  
19 meeting -- at the Planning meeting, that  
20 organizational meeting, at the time that  
21 we announced the slate of Officers, we  
22 said, are there any other nominations.  
23 At that point in time, any name could  
24 have been submitted and voted on at that  
25 particular time as well.

2 CHAIRMAN CALONE: All right.

3 COMMISSIONER ROBERTS: I'd just  
4 like to clarify. I did think I brought  
5 my name to attention as a nominating  
6 committee person, and I'm sorry if the  
7 person didn't hear it, but I thought I  
8 did. And second of all, the reason why  
9 I didn't bring it up last time is  
10 because I thought I missed an e-mail  
11 where the slate was sent around before  
12 the meeting, and -- I just really think  
13 the slate should have been sent around  
14 before we walked into the meeting, I  
15 don't think --

16 COMMISSIONER CARACCIOLO: I don't  
17 think that's --

18 COMMISSIONER ROBERTS: -- that  
19 happened.

20 COMMISSIONER CARACCIOLO: I don't  
21 think that's the purpose of the  
22 Nominating Committee. The Nominating  
23 Committee presented the slate at the  
24 meeting, and asked for other  
25 nominations.



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2 COMMISSIONER ROBERTS: Okay.

3 COMMISSIONER CARACCIOLO: If you  
4 want to change the guidelines, by all  
5 means --

6 COMMISSIONER ROBERTS: I think the  
7 guidelines are -- they're supposed --

8 CHAIRMAN CALONE: I think --

9 COMMISSIONER CARACCIOLO: And  
10 that's the way --

11 COMMISSIONER ROBERTS: -- to be  
12 January 15th.

13 COMMISSIONER CARACCIOLO: And  
14 that's the way I ran it.

15 CHAIRMAN CALONE: I think in the  
16 fall, we can discuss --

17 COMMISSIONER ROBERTS: The  
18 guidelines are January 15th, we're  
19 supposed to hear --

20 COMMISSIONER HOLMES: No.

21 COMMISSIONER ROBERTS: -- the --

22 CHAIRMAN CALONE: There's something  
23 in the rules.

24 COMMISSIONER HOLMES: No, the  
25 guidelines are that we set up the

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2 Nominating Committee in November --

3 COMMISSIONER CARACCIOLO: Right.

4 COMMISSIONER HOLMES: -- and the  
5 Nominating Committee presents its slate  
6 at the February Organizational Meeting.

7 CHAIRMAN CALONE: The --

8 COMMISSIONER HOLMES: I don't  
9 remember anything about --

10 CHAIRMAN CALONE: There is a rule  
11 that the members should -- the  
12 Nominating Committee should nominate by  
13 January 15th. And --

14 COMMISSIONER HOLMES: Oh, I  
15 believe --

16 CHAIRMAN CALONE: -- we'll do our  
17 best --

18 COMMISSIONER HOLMES: -- the  
19 names --

20 COMMISSIONER CARACCIOLO: And if  
21 you --

22 CHAIRMAN CALONE: And we'll do our  
23 best --

24 COMMISSIONER HOLMES: -- people  
25 were to submit their names by --

2 CHAIRMAN CALONE: And we'll do our  
3 best the next time.

4 COMMISSIONER CARACCIOLO: And,  
5 Mr. Chairman, I just want to make one  
6 more point. You know, and if you recall  
7 on January 15th, I had one person that  
8 just -- that -- two people that just  
9 responded, and I said at that meeting --

10 CHAIRMAN CALONE: Yes.

11 COMMISSIONER CARACCIOLO: -- after  
12 Charla, Linda and I spoke, please, if  
13 there's anybody else -- and you can go  
14 back to the minutes and you can look at  
15 that. I constantly solicited people to  
16 do it, and I had to pull teeth --

17 COMMISSIONER HOLMES: We did --

18 COMMISSIONER CARACCIOLO: -- the  
19 week before.

20 COMMISSIONER HOLMES: We did say --  
21 what we did say was that we --

22 SECRETARY ESPOSITO: Ed has the  
23 gaps --

24 COMMISSIONER HOLMES: -- wanted  
25 people to give their names in --

2 COMMISSIONER CARACCIOLO: That's  
3 right.

4 COMMISSIONER HOLMES: -- by January  
5 15th. That was -- that's the January --

6 CHAIRMAN CALONE: I think your  
7 points are well taken, and I think, you  
8 know, in the fall, we'll have a chance  
9 to do it again. And, we'll address it  
10 again at that time. So --

11 COMMISSIONER CARACCIOLO: I'll just  
12 go on record with no good deed goes  
13 unpunished.

14 CHAIRMAN CALONE: We do thank John  
15 and Linda and Charla for their service  
16 on that committee.

17 Barbara, I want to make sure you  
18 have time to get into some of the more  
19 substantive stuff on Sag Harbor, bring  
20 everyone up to speed on what's going on.  
21 So, if we could focus on that.

22 COMMISSIONER ROBERTS: Just real  
23 quickly, contrary to what the New York  
24 Times said, this is by no means a done  
25 deal yet. Basically, I just wanted to

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2 bring to the Commission's attention that  
3 we were very rigid in our wording that  
4 20 percent on-site housing is what we  
5 were asking for at Bulova. For the  
6 Village to override that, it actually  
7 has to be -- get a super majority from  
8 two boards, both the Planning Commission  
9 and the ZBA, which the New York Times  
10 did not --

11 COMMISSIONER HOLMES: Did not.

12 COMMISSIONER ROBERTS: --  
13 recognize.

14 Just so you know, there's been  
15 55 meetings, on this issue, so far in  
16 Sag Harbor. Half of --

17 SECRETARY ESPOSITO: Over what time  
18 period? I'm just curious.

19 COMMISSIONER ROBERTS: In about a  
20 year. We --

21 SECRETARY ESPOSITO: Oh, my --

22 COMMISSIONER ROBERTS: -- just  
23 about a year.

24 SECRETARY ESPOSITO: -- God.

25 CHAIRMAN CALONE: We dealt with it

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2 about a year ago. So after our  
3 board meeting?

4 COMMISSIONER ROBERTS: After. And  
5 half of those are the result --

6 CHAIRMAN CALONE: I'm glad we  
7 didn't have to be there.

8 COMMISSIONER ROBERTS: -- of our  
9 decision, and whatever. So,  
10 basically -- then -- Jim Morgo then was  
11 invited to come to the Town, which is  
12 what this letter was about. And the  
13 hope was that he was going to negotiate  
14 pulling people together on what really  
15 can happen.

16 And, unfortunately, Jim did not  
17 show up at the last moment, and sent  
18 this letter in the interim. So there  
19 was -- a month or so where really our  
20 Commission was not looked upon in too  
21 good an eye in the community; that we  
22 had made a mistake, that we weren't  
23 really looking at the issue properly or  
24 whatever.

25 I did reach out to the press, and

2 we did get good coverage last week  
3 that -- I personally had learned through  
4 this process, and I was urging for the  
5 guidelines of the Commission to be  
6 changed, that in the future, perhaps, we  
7 don't use such rigid wording. That we  
8 do allow other options such as the trust  
9 fund or off-site housing also to be  
10 considered.

11 What I'm also going to probably be  
12 talking about in the community this week  
13 is that, at the Commission meetings  
14 coming -- at the Board meetings coming  
15 up, that they possibly consider  
16 overruling us on the rigid requirement,  
17 but then opening the discussion to the  
18 community of exactly how this trust fund  
19 could work and how one could go forward.

20 In my own sitting at the -- all the  
21 hearings with the community, I  
22 personally feel that the trust, in this  
23 incident, is definitely a superior idea  
24 over on-site condos. And, certainly, as  
25 we get involved in the affordable

2 housing discussion, I'll come -- I'd  
3 like to participate in that discussion.

4 Also, the Town of Sag Harbor has  
5 put together the beginning of an  
6 excellent draft on affordable housing  
7 issues in the Village, which I think  
8 also should come to the Commission, if  
9 you're interested. So, I'll note that  
10 issue.

11 On the other issue, Sag Harbor is  
12 in the process of redoing all the zoning  
13 in their downtown district. And one of  
14 our organizations, Save Sag Harbor, has  
15 put together this compendium, which  
16 covers all of the language, for the  
17 entire U.S., of positive things that had  
18 been done to preserve Main Street  
19 downtown. So if there are other  
20 Commission Members who would like copies  
21 of this compendium, it can be downloaded  
22 from our website, or we can get you  
23 copies --

24 CHAIRMAN CALONE: What's the  
25 website?



2 COMMISSIONER ROBERTS:

3 Savesagharbor.com.

4 And then, the other thing that Save  
5 Sag Harbor is doing is that Sag -- Sag  
6 Harbor is a 300-year-old Village. We  
7 are designated by the National Trust as  
8 an historic area, and they have a  
9 program called the Main Street Center  
10 Project, where they help local business  
11 associations, village boards, really get  
12 organized on how they can promote local  
13 business at the downtown area, develop  
14 branding and whatever. There's no real  
15 strong program in New York State.  
16 They're very strong in Connecticut and  
17 New Jersey. Sag Harbor is inviting them  
18 to Sag Harbor, April 29th, and again,  
19 people such as Shelter Island,  
20 Greenport, Riverhead, I would think,  
21 would be very interested in attending  
22 this meeting. So once the details are  
23 finalized, I'll also get that around to  
24 the Board.

25 That's just the update on

2 interesting Sag Harbor politics.

3 CHAIRMAN CALONE: Thank you,  
4 Barbara.

5 COMMISSIONER ROBERTS: Okay.

6 CHAIRMAN CALONE: And thank you for  
7 your involvement there.

8 And also, I think it just goes to  
9 show that our decisions do matter, and  
10 that our guidelines matter. And that's  
11 why it's important that we work on  
12 reforming those.

13 And with regard to the flexibility  
14 on affordable housing, both Constantine  
15 and Sarah have gotten comments to -- to  
16 Dan, I know, and I know the whole group  
17 needs to get together in the next --  
18 probably two months is probably our  
19 goal, to get these things -- the  
20 affordable housing component of that  
21 done.

22 While I'm on the topic of  
23 guidelines, let me just --

24 COMMISSIONER BOLTON: (Indicating)

25 CHAIRMAN CALONE: If you would

2 just --

3 COMMISSIONER BOLTON: Sure.

4 CHAIRMAN CALONE: -- bear with me  
5 one second.

6 COMMISSIONER BOLTON: Yeah.

7 CHAIRMAN CALONE: We -- I think  
8 we're going to be able to pass the basic  
9 reforms to our guidelines, that's kind  
10 of the easy stuff, at our next meeting.  
11 What we need to happen before that, and  
12 we'll see -- hopefully it will work out,  
13 is for Tom and Dan to get -- to  
14 circulate to all of us a redline version  
15 that shows the changes from the original  
16 guidelines, as they exist now --

17 COMMISSIONER BOLTON: Yeah, they --

18 CHAIRMAN CALONE: -- to the kind  
19 of, as proposed. And if that could get  
20 done in enough -- in the next week or  
21 two, everyone has a chance to flip  
22 through that, if you have other  
23 suggestions, you can get it back, and  
24 then we could then have one last kind of  
25 go around, say, okay, here's the last

2 couple of suggestions, so everyone can  
3 see exactly what the suggestions are.  
4 That's the basic guidelines.

5 The affordable housing component,  
6 there's some trickier issues. It will  
7 probably take us another month or so.  
8 And, as we discussed, there's some other  
9 things we could do with the guidelines  
10 that are not of the highest priority at  
11 this moment.

12 So, hopefully we'll get, in the  
13 next week or two, the redline version,  
14 and we can -- everyone can have a  
15 chance -- an opportunity to comment on  
16 that. Quickly though, because we want  
17 to try and get it on the agenda for the  
18 next meeting. So, we'll leave it at  
19 that.

20 Sorry. Charla.

21 COMMISSIONER BOLTON: With respect  
22 to Commissioner Roberts comments about  
23 Sag Harbor, and about the possibility of  
24 shifting from on-site affordable housing  
25 to a trust fund arrangement, I would

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2 just like to mention that one -- the  
3 most historic black community on Long  
4 Island is Sag Harbor in Eastville. And  
5 I would caution anybody considering  
6 off-site affordable housing, to keep the  
7 potential impacts to that area in mind.

8 CHAIRMAN CALONE: Okay. Thank you.  
9 Madam Secretary.

10 SECRETARY ESPOSITO: What's the  
11 question?

12 CHAIRMAN CALONE: The answer is no.

13 SECRETARY ESPOSITO: Do you want me  
14 to comment on affordable housing?

15 CHAIRMAN CALONE: No, no.

16 SECRETARY ESPOSITO: Well,  
17 actually --

18 CHAIRMAN CALONE: Any comments?

19 SECRETARY ESPOSITO: Yeah,  
20 actually, one quick thing. I don't know  
21 if anybody here attended, there was a  
22 presentation in the Village of  
23 Patchogue, at the Patchogue Theatre,  
24 about the revitalization plan. And  
25 hundreds of people showed up.

2 COMMISSIONER HOLMES: Oh,  
3 wonderful.

4 SECRETARY ESPOSITO: I think  
5 unexpectedly, somewhat. And I think the  
6 good news about the public reaction is  
7 that the public didn't have a negative  
8 reaction. Which was good. I mean,  
9 there was a lot of thoughtful comments  
10 and questions, or suggestions, or even  
11 just -- you know, if people had  
12 concerns, they weren't overly -- they  
13 just had questions.

14 So I thought it was a very good  
15 presentation. There was a lot of people  
16 there who actually could answer the  
17 questions people asked. Which was nice,  
18 instead of getting "I don't know" as an  
19 answer.

20 (WHEREUPON, Commissioner Caracciolo  
21 left the meeting room.)

22 (Time noted 1:57 p.m.)

23 SECRETARY ESPOSITO: You know, it  
24 was a really big plan presented. This  
25 was a nine-story building, and, you

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2 know, the mixed use -- and overall, I  
3 thought it went -- overall, I thought it  
4 went very well. Just to add that.

5 CHAIRMAN CALONE: Thank you,  
6 Adrienne.

7 Constantine?

8 COMMISSIONER KONTOKOSTA: Nothing  
9 to report.

10 CHAIRMAN CALONE: All right.

11 Vice Chairman?

12 VICE CHAIRMAN PRUITT: Nothing to  
13 report.

14 CHAIRMAN CALONE: Linda?

15 COMMISSIONER HOLMES: Only that the  
16 Cornell people have come and started to  
17 try and count the deer on Shelter  
18 Island. And --

19 CHAIRMAN CALONE: That is big news.

20 COMMISSIONER HOLMES: -- it's quite  
21 remarkable, we've never had anybody  
22 physically trying to count our deer  
23 before. So we're all --

24 CHAIRMAN CALONE: How do the deer  
25 feel about that?

2 COMMISSIONER HOLMES: Well, they  
3 put nets over them and tranquilize them,  
4 tag them and -- but anyway, the process  
5 is happening, and we are hoping that  
6 the --

7 (Overlapping conversations)

8 (WHEREUPON, Commissioner Holmes was  
9 asked to repeat her last comments, by  
10 the court reporter.)

11 COMMISSIONER HOLMES: It was only  
12 that we finally have neighborhood  
13 professionals, from Cornell Co-op,  
14 counting the deer -- wildlife experts  
15 counting the deer on Shelter Island. As  
16 part of our four-poster project, the  
17 state DEC demanded that we go to the  
18 expense of having a deer study, along  
19 with setting up the four posters. And  
20 it's costing a great deal of money. So  
21 I hope it has some good use for it.

22 CHAIRMAN CALONE: Okay. So that's  
23 the news from Shelter Island.

24 COMMISSIONER HOLMES: Yes.

25 CHAIRMAN CALONE: Sarah?



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2 COMMISSIONER LANSDALE: The State  
3 Commissioner of the Department of  
4 Transportation is coming to Long Island  
5 tomorrow, and holding a public hearing  
6 at four o'clock. Astrid Glenn  
7 (phonetic) is her name.

8 CHAIRMAN CALONE: Where is it?

9 COMMISSIONER LANSDALE: It's at  
10 Republic Airport.

11 SECRETARY ESPOSITO: But what's the  
12 hearing on?

13 COMMISSIONER LANSDALE: Traffic.

14 COMMISSIONER HOLMES: Regional  
15 transportation.

16 CHAIRMAN CALONE: She's come to the  
17 right place.

18 COMMISSIONER FIORE: Water.

19 SECRETARY ESPOSITO: Funny how  
20 she's starting here, huh?

21 CHAIRMAN CALONE: All right.

22 Well, John has --

23 COMMISSIONER FIORE: Tell them  
24 water.

25 CHAIRMAN CALONE: Okay.

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2 John scrupulously abides by  
3 Caracciolo time, and so, Don, do you  
4 have anything?

5 COMMISSIONER FIORE: I'm right  
6 behind him. Nothing to report.

7 CHAIRMAN CALONE: Tom.

8 COMMISSIONER MC ADAM: I just have  
9 a question for Tom.

10 There's a meeting, you said,  
11 Friday, at three o'clock?

12 DIRECTOR ISLES: (Nodding)

13 COMMISSIONER MC ADAM: Is that open  
14 to Members, or is that a private  
15 meeting.

16 DIRECTOR ISLES: It's open to the  
17 public --

18 COMMISSIONER MC ADAM: It is.

19 DIRECTOR ISLES: -- so anyone can  
20 attend. It's the --

21 COMMISSIONER MC ADAM: So it's  
22 three o'clock, Cornell on -- right in  
23 town, not the one up on --

24 SECRETARY ESPOSITO: What is it?

25 COMMISSIONER MC ADAM: -- Sound

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2 Avenue.

3 DIRECTOR ISLES: It's the  
4 Agricultural Farmland --

5 SECRETARY ESPOSITO: Oh.

6 DIRECTOR ISLES: -- Protection  
7 Board. It's the board that runs the Ag.  
8 District. Before you leave, I'll just  
9 verify to make sure we're talking about  
10 the right Cornell for you. I thought it  
11 was the one in downtown.

12 COMMISSIONER MC ADAM: Downtown.

13 DIRECTOR ISLES: I want to make  
14 sure --

15 COMMISSIONER HOLMES: Oh, isn't it  
16 the one on Sound Avenue?

17 DIRECTOR ISLES: Well, that's what  
18 I'm going to verify --

19 COMMISSIONER MC ADAM: Yeah,  
20 there's two.

21 CHAIRMAN CALONE: That's where  
22 we're going next month --

23 COMMISSIONER HOLMES: Yes.

24 CHAIRMAN CALONE: -- just so  
25 everyone's clear.

2 SECRETARY ESPOSITO: We are?

3 CHAIRMAN CALONE: We're back with  
4 the greenhouses next month.

5 DIRECTOR ISLES: Right.

6 CHAIRMAN CALONE: Sorry about that.

7 COMMISSIONER MC ADAM: No, I  
8 just -- and I had a second question  
9 about deer.

10 I was in New Zealand for a while,  
11 and in New Zealand they actually keep  
12 the deer inside the fence, and they  
13 raise it like sheep and so on. So  
14 that's how they handle their deer  
15 problem.

16 CHAIRMAN CALONE: They really do,  
17 they fence in the humans.

18 COMMISSIONER MC ADAM: They do.  
19 They eat the meat and everything else,  
20 so --

21 CHAIRMAN CALONE: Any other  
22 comments?

23 (WHEREUPON, there was no response.)

24 CHAIRMAN CALONE: If not, we have a  
25 motion to adjourn?

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2 COMMISSIONER BRAUN: Yes, so moved.

3 COMMISSIONER LANSDALE: Yes.

4 CHAIRMAN CALONE: Commissioner  
5 Braun; second, Commissioner Lansdale.

6 All in favor?

7 (WHEREUPON, the Members voted.)

8 CHAIRMAN CALONE: Thank you. See  
9 you next month.

10 (WHEREUPON, the meeting was  
11 adjourned at 2:00 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 5th day of March, 2008.

18

19

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21

\_\_\_\_\_  
THERESA PAPE

22

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