

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Thomas A. Isles, Director of Planning

NOTICE OF MEETING

March 2, 2011

12:00 P.M.

Maxine S. Postal Auditorium in Riverhead

Tentative Agenda Includes:

1. Adoption of minutes for September 2010 & January 2011
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
 - Tullio Bertoli - Town of Brookhaven – Island Green
 - Villiage of Poquott – Solar & Wind Facility Moratorium Extension (Local Law No. 1 -2011)
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Island Green Residential @ Selden 0200 47400 0100 001003 (Town of Brookhaven)
 - Local Law No. 1 -2011 Village Wide (Village of Poquott)
7. Section A14-24 of the Suffolk County Administrative Code

NONE
8. Discussion:
 - Suffolk County Comprehensive Plan 2035 – Vol. 1: Inventory
 - Suffolk County Planning Commission Guidebook
9. Other Business:
 - Presentation to Suffolk County Planning Director Tom Isles

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, April 6, 2011 in the Board Room in the Town of Huntington.

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SUFFOLK COUNTY PLANNING COMMISSION

Evans K. Griffing Building

Riverhead, New York

March 2, 2011

12:00 p.m.

- - - - - X

MEMBERS PRESENT:

DAVID CALONE, Chairman

ADRIENNE ESPOSITO, Secretary

VINCENT TALDONE, Town of Riverhead

DIANA WEIR, Town of East Hampton

LINDA HOLMES, Shelter Island

THOMAS McADAM, Town of Southold

SARAH LANSDALE, Town of Huntington

MICHAEL KELLY, Town of Brookhaven

JOHN FINN, Town of Smithtown

THOMAS YOUNG, ESQ., County Attorney for
Planning Department

THOMAS A. ISLES, Planning Director

DANIEL J. GULIZIO, Deputy Planning Director

ANDREW FRELENG, Chief Planner

ANDREW AMAKAWA, Planning Department

THEODORE KLEIN, Planning Department

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1 3/2/11 Suffolk County Planning Commission

2 THE CHAIRMAN: Welcome to the March 2, 2011
3 meeting of the Suffolk County Planning Commission. I
4 note that we have a quorum, and I ask our secretary to
5 lead us in the pledge.

6 (Recitation of the Pledge of Alliegence.)

7 The first item on the agenda is the adoption
8 of the minutes for our September, 2010 and January,
9 2011 meetings. You will recall that the September,
10 2010 minutes needed some substantial correction.
11 Commissioner Holmes and I submitted a bunch of changes
12 and we got another version back from the court
13 reporting service, and Commissioner Holmes went through
14 that, and I think has a generally positive report.

15 COMMISSIONER HOLMES: All but two were still
16 uncorrected, but they're kind of minor.

17 THE CHAIRMAN: Any other corrections or
18 additions to the September, 2010 minutes? Seeing none,
19 I'll entertain a motion to adopt the September, 2010
20 minutes as they have been corrected and with the two
21 addendums that Commissioner Holmes will provide for the
22 service.

23 COMMISSIONER HOLMES: So moved.

24 THE CHAIRMAN: Second by Commissioner
25 Taldone. All in favor please, raise your hand. (Show

1 3/2/11 Suffolk County Planning Commission
2 of hands) That is nine-zero.

3 Next item is the adoption of the minutes for
4 January, 2011. Both Commissioner Holmes and I reviewed
5 those and had a handful of more technical or typos type
6 edits. Anything else you wanted to add?

7 COMMISSIONER HOLMES: Well, you found lots
8 more errors than I did. I found twenty-three, but one
9 of those was a multiple. So, they're fairly minor, but
10 I still would pass them on for the final.

11 And we must tell the Five Star service that
12 they absolutely have to, when they're typed for the
13 final, they have to go back to what they have done up
14 until now, which is to give an indication of where the
15 original page ended, and sometimes we would find that
16 in the middle of our final page. Without that
17 reference to the original page, it's extremely hard to
18 find the errors and to see whether they were corrected.
19 So Five Star absolutely has to go back to that method,
20 I insist.

21 THE CHAIRMAN: I think that was clear for the
22 record. Judi, take that back. As for January,
23 there were a number of little things, but I would vouch
24 for the Commission that they were de minimus in nature.
25 Any other additions or edits to the January, 2011

1 3/2/11 Suffolk County Planning Commission
2 minutes? Seeing none, I will entertain a motion to
3 adopt the minutes as amended.

4 COMMISSIONER HOLMES: So move.

5 THE CHAIRMAN: Seconded by Commissioner
6 McAdam. All in favor, please raise your hand. (Show
7 of hands) That is unanimous, nine to zero.

8 The next item on the agenda is the public
9 portion. We have Gina Pellettieri from the Long Island
10 Housing Partnership. Gina, welcome. If you would come
11 to the mic, I believe you probably have to press the
12 button. There is a timer on the wall. Please spell
13 your last name for the record.

14 MS. PELLETTIERI: Gina
15 P-E-L-L-E-T-T-I-E-R-I. Good afternoon. My name is
16 Gina Pellettieri. I'm the Director of Technical
17 Assistance at the Long Island Housing Partnership. I'm
18 also a resident of the Town of Brookhaven and I
19 actually live a couple of blocks away from where this
20 Island Green development will be located.

21 As many of you probably already know, the
22 Housing Partnership's mission is to work towards the
23 creation of affordable housing on Long Island. The
24 proposed development would really be a smart growth
25 development. It would provide walkability to

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2 businesses and access to local transportation
3 opportunities.

4 It will include thirty-two workforce housing
5 units, which is approximately twenty-five percent of
6 the total units, and will be located near the LIE,
7 shopping and even the local library. It is exactly the
8 type of development that many young adults and senior
9 citizens on Long Island would like to live in..

10 The Housing Partnership strongly supports
11 this type of workforce housing development. Thank you
12 very much for allowing me the opportunity to address
13 you today on this very important housing issue.

14 THE CHAIRMAN: Thank you, Gina, I appreciate
15 it. Any other public speakers? If not, we will close
16 the public portion and move to the Chair report.
17 Today's meeting is significant not only because we get
18 to recognize Tom Isles' tenth anniversary as Director
19 of Planning, but this is also his last meeting before
20 he retires later this month. We will have a chance to
21 talk about that later in the meeting.

22 Our goal this year is to continue to make the
23 planning commission a place where critical ideas and
24 issues relating to Long Island's future are debated and
25 get addressed. Our focus will be on major county-wide

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2 issues, such as the development of the Comprehensive
3 Plan and housing and infrastructure financing.

4 With respect to the Comprehensive Plan, as
5 you know, the first draft of Volume 1 has been
6 circulated. We have received comments from a number of
7 you, and staff is working on incorporating the
8 comments. Our goal is to look again at Volume 1 as
9 edited and hopefully allow the draft to be issued
10 to the legislature and key stakeholders for review and
11 feedback. We have that on the agenda for next month's
12 meeting. When we finish Volume I -- obviously Volume I
13 is the foundation document.

14 I also want to have, at the next meeting,
15 have a meeting of the steering committee next month so
16 we can start planning out Volume II in coordination
17 with Deputy Director Gulizio, and we talked about doing
18 a meeting with the Towns in the coming months. One
19 thing we need to have the steering committee work on is
20 frame questions that we would like to have feedback
21 through the Towns, whether it's the Towns themselves or
22 the residents of Suffolk County as we look toward
23 Volume II, which is much more focused on where Suffolk
24 County should be going.

25 The Comprehensive Plan steering committee is

1 3/2/11 Suffolk County Planning Commission
2 commissioners McAdam, Holmes, Weir, Roberts and Kelly.
3 We will try to coordinate a meeting for after perhaps
4 our meeting next month.

5 In terms of our task forces, we have a ton of
6 things going on sun, solar, permitting. We are
7 finishing a cover memo now that is going to the Nassau
8 County Planning Commission and LIPA for their approval
9 before a letter can go out to municipalities later this
10 month laying out requirements of the program and LIPA
11 incentive. There are a number of municipalities in
12 Suffolk and some in Nassau who expressed an interest in
13 moving quickly on that.

14 We will continue to work on the wind code
15 initiative. We had the second meeting in East Hampton
16 a few weeks ago; Diana Weir and I were there. The Town
17 of Riverhead has offered to host the next meeting and
18 we will do that in -- actually, it's an e-mail today
19 from the Town saying they want to do it on March 23rd.
20 The purpose of the meeting in Riverhead would be to
21 have the smaller group to work on details for policy
22 for the East End wind code.

23 Stormwater runoff and native vegetation. We
24 had the green methodologies for stormwater runoff
25 guidance document that went out to the Towns and

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2 villages.

3 MR. FRELENG: It's in press right now. It
4 will be going out next week.

5 THE CHAIRMAN: I know that two other aspects
6 of that group, our working group on clearing standards
7 is going to be meeting late this month. Constantine
8 Kontokosta and John Finn are hosting that meeting at
9 his office toward the end of March, sort of looking at
10 some of the proposals that are made and whether
11 regional standards make sense and what those might be.

12 The last item on stormwater runoff is put
13 together a symposium on green methodologies. We
14 probably should start working on that right now, so
15 I will ask Secretary Esposito to start thinking about
16 that now. The idea behind that initially is to
17 introduce to the municipalities the technologies out
18 there on green methodologies for stormwater runoff.
19 Sort of a show and tell kind of thing.

20 The energy efficiency standards which
21 Constantine is heading up, that is to discuss a
22 standard energy efficiency code for commercial
23 buildings. The county executive expressed an interest
24 in being involved in that effort, so we will keep him
25 aware going forward.

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2 On the economic development front, we have a
3 number of things going on. Our protect and grow
4 committee has been working with the county executive.
5 The county executive hosted a meeting a few weeks ago,
6 including members of the Commission and various
7 stakeholders, to focus on where we should grow, where
8 we should preserve and how we should pay for
9 infrastructure.

10 There will be another meeting of that group
11 next week, and those that are involved should expect an
12 e-mail today from the County Executive's Office.

13 On the Suffolk Unified Permitting Portal,
14 Yves Michel and I are heading the steering committee.
15 We have Michael Kelly, Barbara Roberts and John Finn.
16 We are starting quarterly meetings. The first meeting
17 is March 23rd, one o'clock in the County Executive's
18 Office. That is the e-mail going out today.

19 Universal design, Babylon adopted our
20 proposed policy essentially as written. And Vince met
21 with the Town of Smithtown and I had the chance to
22 speak with the supervisors of the Town of Southold and
23 East Hampton. Vince will focus on that.

24 We have another effort that has arisen on
25 professional certification for commercial interiors.

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2 John Finn is helping coordinate that. We had some
3 interest from the law firm of Farrell, Fritz in working
4 on that as well as the ABLI, and importantly the Town
5 of Brookhaven has expressed an interest in piloting a
6 program on commercial certification for professional
7 interiors. The idea being if you are renovating the
8 interior without changing of a load bearing aspect,
9 that an architect or professional engineer can certify
10 any kind of drawing or re-jiggering of walls isn't load
11 bearing and doesn't need additional inspection by the
12 Town.

13 That is something that is done in New York
14 City now and has been done for the last year or so.
15 We will be able to learn from their experience. The
16 Town of Brookhaven is interested in piloting this,
17 having spoken with the supervisor about it. They want
18 to see the details. We will put together the pilot
19 project and they can take it from there.

20 On public safety, we have the draft design
21 standards they have been circulated to some of the key
22 electeds who have a public safety background for
23 comments.

24 On housing, we talked about possibly doing a
25 county housing summit on late 2011. We will coordinate

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2 with the County Executive's Office on that. We have in
3 this commission some of the leading thinkers and doers
4 on housing. I think it's a ripe opportunity. The last
5 couple of things, the guidelines committee, myself,
6 Mike Kelly, John Finn and Linda Holmes and Diana Weir
7 will meet briefly after this meeting to keep going
8 through the guidelines and potential edits. I know
9 staff is going to join on that. I need some feedback
10 on that.

11 The Nassau County Planning Commission asked
12 to do a joint meeting, perhaps sometime in summer.
13 They want to do a special meeting. They want to learn
14 about all the things we are doing. At the same time, I
15 think we can learn from them the comprehensive planning
16 effort that they went through in the last few years, so
17 I need some feedback from all of you about whether you
18 think it's a good idea.

19 When they suggested that we do it in the
20 Route 110 corridor, we suggested maybe a little place
21 in Western Suffolk near the LIE, so it's near the East
22 End members, so I appreciate some feedback on that.

23 Lastly, next month we will have our meeting
24 at Huntington Town Hall. Mitch Pally, the new
25 executive director of the Long Island Builders

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2 Institute will speak on the priorities of LIBI.

3 That is the Chair report. I know I kind of
4 summarized a lot of different things going on and a lot
5 of you are playing the lead role on. If there is
6 anything that you want to add, feel free. If not,
7 we will move onto the Director's report. Let me ask
8 you about the Nassau County Planning Commission thing
9 first so I don't lose it. Thoughts on it, is it a good
10 idea. It would be obviously a special meeting. I
11 don't think it would be technically an on the record
12 meeting.

13 COMMISSIONER HOLMES: They want to meet with
14 the entire commission, is that it?

15 THE CHAIRMAN: That is what they suggested,
16 kind of a joint meeting of the two commissions.

17 COMMISSIONER ESPOSITO: What would be our
18 goal?

19 COMMISSIONER WEIR: I understand there are
20 regional issues that go beyond Suffolk County. I do
21 work with both counties very closely. I think we were
22 probably head and shoulders above where they were
23 going. Having worked in both counties and attending
24 the regional planning commission meeting and seeing
25 their operation up close and from afar, I have to say

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2 Nassau County is not as together. So I can understand
3 them wanting to learn from us and I think you put it
4 very nicely when you said we would learn lessons from
5 what they have or have not done.

6 They have had, in their defense, very major
7 changes in their planning commission over the last year
8 or so, I think probably three or four, so I don't think
9 there is a continuity. I have no problem with it
10 because I think there are some significant regional
11 issues. I don't think anyone attends the regional
12 planning council to hear the differences.

13 COMMISSIONER ESPOSITO: I don't think it's a
14 problem at all. I like to go into meetings wanting to
15 know know what the goal is. What do we want to achieve
16 when we are there. I agree with my fellow
17 commissioner's evaluation, that the planning department
18 and Planning Commission in Suffolk is more proactive,
19 say, than Nassau County. I just would want us to have
20 an agenda or goal for the meeting, as we do.

21 I absolutely agree there are regional issues.
22 I think we should have more regional perspective than
23 we do as an island. Maybe this is a good beginning.

24 THE CHAIRMAN: Other thoughts or comments?
25 Commissioner Kelly.

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2 COMMISSIONER KELLY: Maybe that is the
3 agenda, the listing of the regional issues that we can
4 put on paper, and that would be the focal point of the
5 discussion between us.

6 COMMISSIONER WEIR: I agree.

7 COMMISSIONER FINN: A quick point. It's of
8 note, the dire financial condition of Nassau County.
9 Their Planning Department, I understand, has been taken
10 over by Public Works or something. Their Planning
11 Department has changed.

12 More at the macro level, they're a failing
13 county and we share a border with them. I think we
14 should all be mindful of what they have done and how
15 they are going to go forward. We want to make sure we
16 stay on healthy footing here in Suffolk County.

17 THE CHAIRMAN: Obviously, they have their
18 financial issues which range back a decade or more of
19 long-term structural problems. When it comes to land
20 use and planning, I think there is clearly a lot of
21 overlap. I will tell you two examples where we worked
22 with them, at least in an initial level. One is the
23 solar thing. You remember Neal Lewis from the Nassau
24 County Planning Commission, he was Vice Chair. Has
25 been very involved reporting back to the Nassau County

1 3/2/11 Suffolk County Planning Commission
2 Planning Commission about what we are doing. I was
3 hoping they would adopt it.

4 The Nassau County Executive asked me to come
5 in and explain what we are doing. They were interested
6 in it. They think the Nassau County Planning
7 Commission should sign off on it. Whether they do or
8 not is up to them. When it comes to policy putting
9 solar on the roof, it doesn't matter if you are in
10 Melville or Montauk or Manhasset.

11 The other thing we are working with them on
12 a little bit is the infrastructure bank idea. That is
13 something that they want to pursue. One of their
14 current vice chairs, Marty Glennon, has been doing
15 research on that. That would be something we can
16 clearly work on together, if that is something that the
17 County has decided they want to pursue. I think that
18 remains to be seen.

19 Two examples to John's point and Diana's
20 point; there is certainly lots of issues that are
21 regional in nature. Other thoughts, comments,
22 questions?

23 DIRECTOR ISLES: One other thing to add is
24 projects of regional significance, and extreme regional
25 significance, Heartland certainly is a project of

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2 regional significance on Long Island. Lead
3 jurisdiction of the Suffolk County Planning Commission,
4 certainly I could see where there would be impact
5 extending it to Nassau County.

6 One example is part of the project is
7 encouraging use of the rail system. Right now we have
8 a sporadic single track system extending out to
9 Ronkonkoma. The plan calls for double tracking that.
10 In addition, there is a triple track proposal in Nassau
11 County. There has been opposition to that. So it is
12 linked in terms of Heartland being the largest
13 development project in the history of Suffolk County,
14 potentially impacting Nassau, and it's tied to impacts
15 of development in Nassau County.

16 As a suggestion, if this venue does happen,
17 or this conversation, there has been, here again, those
18 super large projects that are of Island-wide impact
19 truly, and even just communication of sharing
20 information and sharing a point of view, that might be
21 helpful as well.

22 THE CHAIRMAN: Did you call them extreme
23 regional projects?

24 DIRECTOR ISLES: I have to work on that.

25 THE CHAIRMAN: You have about an hour, Tom.

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2 Your point is well taken. The other thing, we may want
3 to invite the Regional Planning Council, at least the
4 Chairman and Executive Director, Michael White. Is
5 anything new on what is going on with the Regional
6 Planning Council?

7 COMMISSIONER WEIR: Last I heard they were
8 being defunded by Nassau County as well. I haven't
9 heard any more.

10 THE CHAIRMAN: We will see where things go.
11 No matter what their funding situation, they will be in
12 some role going forward, and an important voice for the
13 region.

14 Let's move onto the Director's report.
15 Director Isles.

16 DIRECTOR ISLES: Thank you, Mr. Chairman
17 Couple of updates for today. Beginning with the Arthur
18 Kunz annual event, which I think I indicated to you the
19 American Planning Association does host a scholarship
20 fund. We have two members of the Commission that were
21 recipients of the scholarships in the past. That is
22 scheduled for March 18th at noon. That is teamed with
23 a workshop on the conversion of strip commercial
24 development. That is something apropos to Long Island,
25 and Randall Arent is coming down to give a workshop on

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2 that.

3 Andy Freleng has some additional information
4 on that if you are interested. It's going to be at LIA
5 headquarters in Melville.

6 MR. FRELENG: There is information in the
7 packet.

8 DIRECTOR ISLES: Next we have received a copy
9 of Brookhaven Town's plan for Carmans River Watershed.
10 Commissioner Bertoli is here today, not on that. Just
11 to make note of that that is a project of regional
12 significance, certainly. The staff has begun reviewing
13 the plan and I believe there will be a referral to the
14 Commission, depending on how the Town acts and
15 addresses this. I call your attention to it because it
16 is important. It is proposing an extension of the Pine
17 Barrens core area to some locations, and proposing a
18 transfer of development rights program, aspects
19 certainly affecting local land use policies and
20 regional considerations.

21 Next, pointing out that related to another
22 plan that is under way, here again we have provided
23 updates on it. We have Walter Dewidiak presented to
24 the Commission in February. That is the Comprehensive
25 Water Resources Management Plan. The deadline for that

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2 plan for comments has been extended to the end of
3 March. Just to make you aware of that. Certainly, if
4 the Commission or any members wish to further review or
5 comment on that, there is extra time on that.

6 I would like to point out and make you aware
7 that the Council on Environmental Quality, similar to
8 the Suffolk County Planning Commission, had a
9 legislative requirement that verbatim minutes be
10 maintained. CEQ has requested of the legislature that
11 that be changed and that the requirement be eliminated.
12 What they suggested is that the records be maintained
13 electronically, that the records then be available,
14 that someone can go into the County Website and
15 actually play the meeting electronically.

16 Legislator Viloría-Fisher put in legislation
17 to allow them to do that. It went to the legislative
18 hearing and it will go to the full legislature next
19 week. I mention that to you as sort of a sister board,
20 just for your information.

21 COMMISSIONER ESPOSITO: Did they say how much
22 money it saves?

23 DIRECTOR ISLES: We spend eight to twelve
24 thousand dollars a year for CEQ minutes and more for
25 Planning Commission, usually. Here again, just for you

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2 to know that.

3 THE CHAIRMAN: Is there any legal reason why
4 we wouldn't want to follow that step?

5 COMMISSIONER HOLMES: Are they talking about
6 the Planning Commission also doing away with verbatim
7 minutes?

8 DIRECTOR ISLES: They are not -- the
9 legislature does not propose that at this time.

10 THE CHAIRMAN: You are suggesting we may want
11 to think about that.

12 DIRECTOR ISLES: I want you to be aware of
13 that. Obviously, it's up to you or the legislature to
14 decide how you want to go. My suggestion is to see how
15 it goes with CEQ in the beginning see how it works.

16 In regional planning updates is the Pine
17 Barrens Plan, which was adopted in 1995, is going
18 through an amended process; it has been for years.
19 There is an effort now in the Pine Barrens Commission
20 to take a component of that and seek an amendment in
21 the short-term. That is dealing with mandatory
22 redemption of credits as part of development in the
23 compatible growth area that increases density as part
24 of the as-of-right density and seeking redemption at
25 that point of fifteen percent. If you gain a hundred

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2 units above and beyond the as-of-right zoning, you
3 would have to retire fifteen credits from the Pine
4 Barrens core.

5 To make you aware of that, there is also some
6 housekeeping language that they are seeking to amend as
7 well. That will be the subject of a public hearing
8 before the Pine Barrens Commission on September 16th
9 and subsequently taken up for decision down the road.
10 That has been a subject of debate, so I'm not sure of
11 the outcome what they are doing to advance some of the
12 key issues facing the Commission in terms of
13 development. I think that is something for the
14 Commission to be aware of and monitor.

15 Lastly, in terms of my position, the County
16 Executive is going to be making a nomination for my
17 position, as I understand it, just so you are informed
18 as to the status of the position, I believe in the near
19 future. There may not be a perfect synchronization
20 with my retirement from the county, but Dan Gulizio, as
21 Deputy Director, will continue to serve and the
22 department is certainly interested in providing full
23 service to the Commission. I know the County Executive
24 is definitely on it and I expect there will be an
25 announcement in the next few weeks or thereabouts,

1 3/2/11 Suffolk County Planning Commission
2 certainly will be happening soon.

3 The County Executive has made a nomination
4 for the Commissioner of Environment and Energy. Brian
5 Culhane has been nominated. That will be considered by
6 the full legislature on March 22nd.

7 THE CHAIRMAN: When is that person's start
8 date?

9 DIRECTOR ISLES: My understanding it's a
10 start date around April 1st of this year.

11 THE CHAIRMAN: Certainly it makes sense to
12 have the new commissioner meet with us. We had a good
13 relationship with the previous commissioner. She
14 stepped down as commissioner at the end of December.
15 That position has been vacant for the last few months,
16 so it would be good to have someone in.

17 COMMISSIONER HOLMES: Tom, you said there are
18 are two members of the Commission who had gotten Arthur
19 Kunz scholarships. Who were they?

20 DIRECTOR ISLES: Sarah Landsdale and Mike
21 Kelly.

22 THE CHAIRMAN: Anything new on where
23 Heartland is?

24 DIRECTOR ISLES: The only thing I can report
25 to you that I'm aware of is that the Department did

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2 meet with Commissioner Genaway from the Town of Islip
3 about three weeks ago and Mr. Genaway did give us an
4 update, and indicated that the Town Board is in the
5 final stages of review of the Final Generic
6 Environmental Impact Statement, and the question would
7 be for the Town Board to determine whether the impact
8 statement is complete. If so, they would then schedule
9 it for a public comment period and also schedule it for
10 a hearing for zoning and so forth.

11 I'm not sure at this time if they have
12 accepted the document. The sense I got from Mr.
13 Genaway, that it's possible that that could occur in
14 the next couple of months. Unfortunately, that was as
15 specific as it got.

16 THE CHAIRMAN: Tom McAdam mentioned to me,
17 it's a reminder that we want to do the TDR slash Pine
18 Barrens credit slash sewer credit. We have at least
19 one member starting hopefully next month. There are
20 one or two other vacancies that I think the County
21 Executive is looking to fill in the near term. We may
22 want to wait a month or two to do it, but keep it in
23 mind. You may want to put that on the agenda to keep
24 in mind and to plan for.

25 The other last question I have is the status

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2 of money for the county-wide TDR plan. I know
3 there were was federal money, hopefully coming in. I
4 was wondering if there is an update.

5 DIRECTOR ISLES: Although the federal money
6 is still coming in, as far as we know, the money is
7 about three hundred twenty-three thousand dollars. We
8 are part of a consortium of Nassau-Suffolk-New York
9 City, the lower Hudson Valley counties as well as well
10 as four cities in Connecticut.

11 Deputy Gulizio and I participate in weekly
12 conference calls. Where we are right now, the grant
13 was done in the fall and is proceeding with the
14 documentation Memorandum of Agreement, and also the
15 public announcement process, which is also being talked
16 about among the principals of the organizations.

17 I'm expecting probably spring to late spring
18 for the finalization of the agreement with HUD. Then
19 we would commence the procurement process for
20 soliciting consultants under various aspects of the
21 plan and the project is an eighteen month project.

22 COMMISSIONER ESPOSITO: Are these funds
23 secured from the 2010 budget? I'm concerned that they
24 won't be there in the 2011 budget if that was the case.

25 DIRECTOR ISLES: There has been talk about

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2 that in terms of the funds being rescinded in some way.
3 There is always the possibility of that. That has come
4 up in conversations. At this point in time, the funds
5 are still there, as far as we know. Our senators have
6 been supportive. At this point, we are still
7 proceeding forward with the funds in place.

8 COMMISSIONER McADAM: I have a legal question
9 regarding the minutes, whether they are recorded or
10 written. In event that say CEQ, since that is what Tom
11 was just talking about, if any of their applications
12 went to court, does the Court recognize recorded
13 minutes or do they require written minutes?

14 MR. YOUNG: At that point, the recorded
15 minutes would have to be transcribed. You would have
16 to have a written summary or written, so to speak,
17 verbatim minutes at that point, but they would be
18 created out of the recording.

19 THE CHAIRMAN: I assume the CEQ will still
20 have minutes recording their actions, but it wouldn't
21 be all the dialogue.

22 COMMISSIONER HOLMES: A summary?

23 MR. YOUNG: They would do a summary of
24 minutes, who appeared, what the decision was, what the
25 vote was.

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2 THE CHAIRMAN: Let's see if it passes the
3 legislature and see what happens with the CEQ for the
4 next couple of months. We have Commissioner Bertoli;
5 there are a lot of interesting things going on in
6 Brookhaven. Commissioner Bertoli is going to focus on
7 Village Green.

8 Just for the record, both Mike Kelly and
9 Sarah Lansdale will recuse when they actually hear this
10 item. Is the village of Poquott here?

11 Why don't we have the Village of Poquott?
12 I'll ask counsel about this for the presentation from
13 the Town do we need to have the folks who are going to
14 recuse leave or not. I'll defer to you on that. If we
15 do, I don't want to have Tullio talk about it; other
16 things first, and then Diana, are you recusing yourself
17 on something?

18 COMMISSIONER WEIR: Yes, on Island Green.

19 THE CHAIRMAN: Then we don't have a quorum on
20 Island Green then. That will make life look simple.
21 So we will do the Village of Poquott first. This
22 relates to the solar and wind facility moratorium
23 extension.

24 MR. SVERD: Thanks very much. The Village
25 of Poquott has been working through its Planning Board

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2 to compose and create some kind of draft legislation
3 regulating solar and wind installations in the Village.
4 My name is Peter Sverd; I'm their counsel.

5 The Village of Poquott has proposed a local
6 law to extend the moratorium that is in place on the
7 installation of certain solar and wind generating
8 facilities within the Village. We are seeking to
9 extend that moratorium because the Planning Board of
10 the Village of Poquott has not been able to come up
11 with any cogent regulations unto itself. We are aware
12 that the Planning Commission here in Suffolk is
13 preparing its own model or draft regulations concerning
14 solar installations that the Village of Poquott is
15 interested in seeing and may be inclined to adopt your
16 model as their local law.

17 The Village is asking for more time on this
18 moratorium so that pre-legislation can be prepared.

19 COMMISSIONER ESPOSITO: The moratorium has
20 been in place for six months?

21 MR. SVERD: Yes.

22 COMMISSIONER ESPOSITO: What have you done;
23 have you contacted NYSERDA to ask for their model
24 ordinances; what exactly have you done for six months?

25 MR. SVERD: The Planning Commission members

1 3/2/11 Suffolk County Planning Commission
2 of the Planning Board have attend a symposium hosted
3 here in the Suffolk County and attended a presentation
4 at which LIPA was present, discussing wind facilities,
5 and they have basically been compiling and discussing
6 what regulations might look like. But they are
7 anxiously awaiting a report from the county with
8 respect to their model code.

9 COMMISSIONER ESPOSITO: Did you reach out to
10 other entities for model codes that currently exist,
11 like NYSERDA in New York State or Pace Energy, which is
12 part of the law school. They have model codes
13 available. Have you looked at any existing model codes
14 around New York State?

15 MR. SVERD: I know that the Planning
16 Commission has been looking at some of the statutes in
17 other jurisdictions, as well as NYSERDA.

18 COMMISSIONER ESPOSITO: I have another
19 question about your application. You said that it
20 restricts certain kinds of wind and solar. Please
21 correct me if I'm wrong, you're the attorney. It seems
22 to restrict all wind because the exceptions only deal
23 with solar exceptions, not wind exceptions, so it's
24 really a blanket on all wind for residential and some
25 solar.

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2 MR. SVERD: That is absolutely correct.

3 COMMISSIONER ESPOSITO: How much more time do
4 you think you will need?

5 MR. SVERD: We are asking for an additional
6 six months time. I will report back to the Village
7 that this commission will by the end of the month, have
8 some kind of paper out to the municipalities regarding
9 the solar regulations, and we will anxiously await
10 that.

11 COMMISSIONER ESPOSITO: Have you looked at
12 Town of Islip's wind code?

13 MR. SVERD: I believe that the Village has
14 been looking at codes throughout the County and New
15 York State. I have not personally sat with any member
16 while they reviewed these documents.

17 COMMISSIONER KELLY: Have there been
18 any applications that have come before you in the past
19 six months? It's pretty much all residential in the
20 Village, isn't it?

21 MR. SVERD: Yes, it is pretty much all
22 residential. No there have not been any applications
23 for solar installation. With respect -- there is a
24 rather large exception to the moratoria and generally
25 solar installations on roofs are going to be permitted.

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2 We did have a situation where a large solar project was
3 constructed on someone's lawn, and that gave the
4 Village great pause and they decided they wanted to
5 regulate installing solar infrastructure on places on
6 property other than the home.

7 COMMISSIONER KELLY: Was that application
8 withdrawn? That is what caused this, right?

9 COMMISSIONER ESPOSITO: We didn't see the
10 application for the solar, what we saw was the
11 application for the six month exemption, and they used
12 that for an example. That is the guy that did it by
13 his bulkhead.

14 COMMISSIONER KELLY: What happened with that
15 guy?

16 MR. SVERD: As far as I know, the
17 installation is still there and the Village has not
18 moved to have that person remove that structure.

19 THE CHAIRMAN: Any other thoughts?

20 COMMISSIONER WEIR: There are no wind
21 applications at this point?

22 MR. SVERD: That is correct, there are no
23 wind applications.

24 COMMISSIONER WEIR: There probably won't be.
25 But the code does not give exceptions to wind in any

1 3/2/11 Suffolk County Planning Commission
2 way. Like Commissioner Esposito said, it negates the
3 wind turbines.

4 MR. SVERD: That is correct, as of now we
5 have a moratorium on the installation of wind
6 facilities within Poquott, which is a residential
7 community.

8 COMMISSIONER ESPOSITO: One could think that
9 the moratoria on wind and partial moratoria on solar
10 has dissuaded people from putting in applications?

11 MR. SVERD: I'm not going to come to that
12 conclusion.

13 COMMISSIONER ESPOSITO: I was suggesting as a
14 possibility. I know many municipalities received many
15 applications for solar, not for wind, but for solar.
16 It seems Poquott has not.

17 THE CHAIRMAN: You mentioned the Planning
18 Commission. When this moratorium came six months ago,
19 it wasn't a reliance of the Planning Commission, you
20 guys were going to work it out. The Planning
21 Commission working groups are focusing on wind, working
22 with the East End towns on permitting and really siting
23 policy.

24 Just so you know, that conversation is not
25 completed, it's focused on kind of a larger scale wind,

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2 ten kilowatts and a hundred kilowatts. As you may
3 know, the wind ordinances out on the East End, the ones
4 that exist, I think Islip has one and Southold and
5 Riverhead and some of the other East End towns are
6 looking to put one together, which is why we're working
7 with them.

8 None of them allow, as of yet, the small
9 stick on your roof kind of wind turbine. We are not
10 going to get into that with our code. It's focusing on
11 the bigger piece of that. It's up to you if you are
12 going to allow smaller scale, just so you know.

13 Secondarily, on the solar, this is a joint
14 project kind of with LIPA. We are hoping to get the
15 letter out to LIPA and municipalities in the next
16 month. We are not focusing on where you should or
17 should not do solar, it focuses on incentivizing
18 municipalities to fast track applications on certain
19 types of solar, the ones that are flush mounted on the
20 roof and kind of the standard solar application that
21 captures eighty or ninety percent of the solar
22 applications that tend to be out there.

23 We are not addressing much larger scale that
24 might be on outfields and those kinds of things. It's
25 focused on flush mounted on a residential roof, which

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2 encompasses the vast majority of applications out there
3 on Long Island, but certainly not all of them.

4 If the Village wants to regulate where you
5 can put it on the ground or not put it on the ground,
6 that is something you need to decide on, but you should
7 not rely on that because we are not focusing on that.

8 MR. SVERD: I appreciate that. The rather
9 large segment of the applications which are flush
10 mounted on the roofs have not been prohibited within
11 the last six months in the village.

12 THE CHAIRMAN: The extension would continue
13 to allow those?

14 MR. SVERD: Yes, without question.

15 THE CHAIRMAN: I appreciate your time. Any
16 other thoughts or questions? If not, I appreciate your
17 time. Why don't we move onto Mr. Bertoli. Tullio,
18 I'll save you from talking about Island Green because
19 we don't have a quorum on it.

20 COMMISSIONER KELLY: Can we stay?

21 THE CHAIRMAN: Yes, we are not addressing
22 Island Green because we have three recusals.

23 COMMISSIONER FINN: What happens in this
24 instance?

25 THE CHAIRMAN: It goes back as a no action to

1 3/2/11 Suffolk County Planning Commission
2 the Town. So, anyway, the good thing is there are lots
3 of other things going on in Brookhaven. What we will
4 do is do the Poquott moratorium, and that will be the
5 end of the regulatory agenda.

6 COMMISSIONER BERTOLI: First of all, thank
7 you for letting me come. We will be back next month as
8 well. Tom, congratulations, good luck. I was talking
9 to Lee Koppelman last night. I said I was coming today
10 to wish you well. He said, "you know what happens to
11 Suffolk County planning directors when they retire?" I
12 said, "no, Lee, tell me." He said, "They come to
13 Brookhaven as consultants and they become overworked."

14 So I extend that same offer to you. Should
15 you decide to stop fishing and sitting on the beach, we
16 would be happy to have you helping us out in
17 Brookhaven. There are a number of items to talk about
18 globally. The Carmans River plan first and foremost,
19 it's been referred over to you. It's probably the most
20 sweeping regional plan since '93, I'm told.

21 We managed to get a detente, if you will,
22 between the business community and environmental
23 community. It's a creative plan which is very complex
24 in its nature. I feel it kind of requires a separate
25 presentation in and of itself. It does talk about the

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2 Pine Barrens Commission redemption component, which in
3 the past year we have been advocating, but mostly the
4 Carmans River plan talks about those areas that are
5 critical to preserve, the conditions under which they
6 will be preserved, and where we need to build and the
7 conditions under which they will be built, and the
8 essential nexus between the two.

9 It talks about preserving the watershed and
10 it also means to attack sprawl, to attempt to repair
11 it. We have a complicated multi-family and a
12 supplement to the Town's code, which deals with
13 transfer of density into our corridors. It's a
14 component that we feel got sweeping support by all the
15 members of my work group. It really is an attempt to
16 look at sprawl, what caused it, to try to reverse it
17 and look at areas to reverse it.

18 Island Green is the poster child for that
19 effort. It looks at creating a walkable area within
20 twenty-five basic services. It seeks to create a
21 neighborhood. We talk about smart growth. I don't
22 particularly care for that term. As an architect, I
23 look at building shapes, form, services. As a planner,
24 buildings, streets, neighborhood hamlets; how do we
25 reinforce them.

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2 I think what I want to do next month is talk
3 about the Carmans River plan and the regional
4 implications, and talk to you more specifically about
5 Island Green at that time and the various typologies we
6 need to look at in order to start to reverse the
7 direction of the pattern that we have going. I guess
8 you're going to put me on for both these things, and
9 also coming down the pike is the AVR Realty project at
10 the William Floyd and LIE.

11 As you know, that is a little tiny village
12 not to the extent that Heartland is, but it ties into
13 Mark Lesko's Accelerate Long Island effort. I will
14 leave it up to you how you want to format those items.

15 THE CHAIRMAN: Island Green, unless it was
16 referred in the last week, which I don't think it was,
17 will go back to the town as a no action by the Planning
18 Commission because we have a forty-five day window
19 unless otherwise agreed. The staff may have some
20 thoughts that they wish to share with the Town on an
21 informal basis. Formally, the Commission will take no
22 action on that.

23 MR. FRELENG: For the record, if the Town of
24 Brookhaven proceeds with a site plan, we will get that
25 referral. If the Zoning Board of Appeals has to

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2 address that, we will get that back.

3 THE CHAIRMAN: Then we will have a chance to
4 opine on Island Green, perhaps for the purpose of
5 pre-flagging some of the concern of staff's, perhaps
6 Andy and Tullio will be able to talk a little bit.

7 COMMISSIONER BERTOLI: We already talked.

8 THE CHAIRMAN: With regard to the Carmans,
9 obviously extremely exciting opportunity. And
10 congratulations to you and your leadership in pulling
11 that group together. I know Mike Kelly was involved in
12 that effort and I heard that there was a lot of give
13 and take, and at the end of the day you were able to
14 fashion a majority report there somehow.

15 COMMISSIONER BERTOLI: Lee had his larger
16 group and he had the Koppleman rules of order, where
17 everyone was dictatorially told what to do, and with my
18 group I relied on Mohammad Ali's rope a dope strategy
19 against Foreman, and they were slugging it out and we
20 were able to come up with a consensus. I'm not sure
21 about the management style, but it worked.

22 THE CHAIRMAN: We will be in Huntington next
23 month. I thank you for being here. Any questions for
24 Mr. Bertoli about the things he mentioned about
25 Carmans? Seeing none, we will, obviously, have a more

1 3/2/11 Suffolk County Planning Commission
2 in-depth update next month. Okay. Do we need to open
3 and close the Island Green thing at all? Just note for
4 the record that we don't have a quorum because of the
5 the recusals are Mike Kelly, Sarah Lansdale and Diana
6 Weir.

7 We will move onto the next item on the
8 agenda, which is the Village of Poquott Local Law
9 1-2011.

10 MR. FRELENG: Thank you, Mr. Chairman. The
11 first item that the Commission will look at under the
12 regulatory agenda is the moratorium on solar and wind
13 power generation facilities sent to us by the Village
14 of Poquott. The jurisdiction is that the moratorium is
15 village wide and the Commission has jurisdiction over
16 moratoriums.

17 On July 7, 2010, the referral from the
18 Incorporated Village of Poquott was presented to the
19 Suffolk County Planning Commission, and after
20 deliberation, the Commission was unable to secure a
21 sufficient number of votes to carry a resolution to
22 either approve or deny the moratorium. In August, 2010
23 the Village Board of Trustees adopted the six month
24 moratorium.

25 Facing expiration of the moratorium this

1 3/2/11 Suffolk County Planning Commission
2 February, the Village is proposing to extend the
3 moratorium for another six months. For the record, the
4 Commission has met with the representatives from the
5 Incorporated Village and you have discussed the reasons
6 for the extension of the moratorium.

7 Staff is recommending approval of the
8 moratorium with conditions recommended in the prior
9 staff report going back to the original referral.
10 Those are, the first condition being that the local law
11 would be strengthened if there were some language in it
12 which indicated which recent circumstances have caused
13 the necessity of moratorium. How serious or urgent the
14 circumstances are. What evidence there is to support
15 the necessity of the moratorium or any alternative less
16 burdensome than the moratorium itself that the Village
17 reviewed.

18 The second condition goes to the alleviation
19 to the extraordinary hardship clause in the moratorium
20 language. We believe that is much too subjective. The
21 hardship provisions should be strengthened as indicated
22 in the staff report.

23 Mr. Chairman, that is the staff report.

24 THE CHAIRMAN: Thank you, Andy. Any
25 questions? This is a Brookhaven related item. Mike,

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2 any particular thoughts?

3 COMMISSIONER KELLY: A couple. I agree with
4 Andy's analysis. I'm never in favor of a moratorium.
5 Again, he summed it up quite well, and I would make a
6 recommendation to accept Andy's report.

7 THE CHAIRMAN: That is not a motion, you're
8 just saying your inclination is to support it.

9 COMMISSIONER KELLY: Yes.

10 COMMISSIONER ESPOSITO: I have a question.
11 You said that you met with the Village representatives
12 to discuss the reasons for an additional six months.
13 I'm sorry, you didn't say that?

14 MR. FRELENG: I didn't say that; I misspoke.
15 In the referral there was rationale on why the Village
16 was extending the moratorium.

17 COMMISSIONER ESPOSITO: Why? I asked the
18 attorney and those were the vaguest answers I've seen
19 in a long time.

20 MR. FRELENG: I can quote the referral and
21 ordinance itself. "An extension of the moratorium is
22 required because the Village intends to model the local
23 law governing the installation of solar and wind
24 electric generating facilities after the model being
25 prepared by the Suffolk County Planning Commission,

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2 which is not completed. In addition, the Village needs
3 to extend the moratorium because its updated master
4 plan has not been completed."

5 COMMISSIONER ESPOSITO: Thank you, that was
6 my concern. So, as the Chairman rightly pointed out
7 to the Village representatives, we are not doing --
8 they should not rely on us to do their work. That is
9 why they're there. There are model ordinances out
10 there now for them to look at. When I asked him if
11 they looked at NYSERDA, well, we looked at ordinances.
12 When I asked about Pace, I don't know if we looked at
13 that one. Did you look at Islip. I don't know if we
14 looked at that one.

15 He was unclear what they have done and what
16 they will do to bring this to an end. They seem to be
17 waiting for us to fix their problem. At least from
18 what I heard today, it didn't seem like they were
19 actually moving to bring it to closure, so I'm
20 wondering if they will be back here in six more months
21 wanting to know what did you do to fix our problem.

22 If I might add, if you look at how they
23 justified the law, Page 2 of the handout, "the local
24 law includes that these facilities," which I assume
25 solar and wind, quote, "have a detrimental influence

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2 upon residential and recreational uses of property."
3 Well, if someone is putting it on their own property,
4 it's their property -- "as well as real estate values
5 in the Village." And that I can say is flatly wrong. I
6 have read studies that solar actually enhances value of
7 homes and property values, so the reasoning and
8 justification for their local law is wrong and/or
9 flawed.

10 As you know, I said this last time. At least
11 I'm consistent. I have a real problem with a
12 moratorium on new greener, cleaner technology while
13 everywhere else in the nation we are supposed to be
14 promoting it. The Village got their six month
15 moratorium, and they have done nothing basically, or at
16 least he reports nothing of substance to advance
17 implementation of this.

18 To me, another six month moratorium, there
19 was not any commitment that they would complete their
20 process and move forward.

21 THE CHAIRMAN: Commissioner Taldone.

22 COMMISSIONER TALDONE: Thank you,
23 Mr. Chairman. I actually agree with Commissioner
24 Esposito on this issue. In fact, I am sympathetic of
25 municipalities who come forward requesting a moratorium

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2 so they can work out a critical issue and get some
3 breathing space, but they have had a six month period
4 of time where it appears that they haven't done much
5 other than wait for us to come up with some kind of
6 guideline. There is plenty out there.

7 I understand, and I'm sympathetic to people's
8 concerns about view corridors. No one wants to look
9 out from their deck and see a field of reflected light
10 because their neighbor put a set of panels in their
11 yard. There are codes that address that. I'm
12 concerned moratoria tends to grow and keep going, and
13 this is something we should be supporting and promoting
14 and not putting the brakes on. I'm more inclined not
15 to support the extension.

16 COMMISSIONER ESPOSITO: I want to say for the
17 record, Commissioner Finn, who has apparently won this
18 wonderful iPad, has an aerial view of of the home which
19 just sparked this, which I just looked at. You have to
20 see it to understand. I questioned even more why they
21 did this, because it is not visible to the surrounding
22 corridors. I'm saying you should go look at it.

23 THE CHAIRMAN: We need to restrict our
24 thinking and deliberations to what has been referred to
25 by the staff and arguably what the representative of

1 3/2/11 Suffolk County Planning Commission
2 the Village has represented.

3 COMMISSIONER ESPOSITO: I think it's
4 important that they keep raising that it will have
5 visual impacts and impacts to the neighbors, and I
6 question that.

7 THE CHAIRMAN: It raises an interesting
8 issue. Obviously, any of us could have gone on line
9 before the meeting and looked at it and reported to the
10 group. If you are driving by and you saw it you could
11 have reported back to the Commission what you saw and
12 thought. I don't know how you do this in real time.
13 The perils of modern technology, Counselor.

14 MR. YOUNG: I know we discussed this many
15 times, but we are here today on the referral from the
16 Village. That is really our charge, to go through the
17 referral as opposed to anything else that is submitted.

18 THE CHAIRMAN: Which draws the larger issue
19 that counsel talked about, it in some ways limits the
20 amount of information we have, which is the challenging
21 part. We have a debate in that regard. The issue in
22 front of us is the moratorium, what it was used for,
23 and certainly we all recollect that six months ago when
24 this came through, there was a project that prompted
25 the moratorium.

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2 I will let you know one thing as a result of
3 the last thing that came through, we sent a letter to
4 the Village of Old Field. Old Field had the same
5 issue. And in the letter I wrote one of task forces
6 encouraging to get involved with them were one of the
7 task forces working group is specifically focused on
8 developing a model code and permitting process of
9 residential wind energy systems.

10 I don't know that we sent the same letter to
11 Poquott; we may have. I couldn't find it. We did,
12 just to be fair, represent to Old Field that we were
13 working on this. The way that it progressed over the
14 last six months, with respect the support of the East
15 End Mayors Association, we pulled together the
16 symposium in December and have sort of worked on this
17 with the East End towns. We have not worked on this
18 more broadly on behalf of the villages or in areas not
19 quite as windy as the East End.

20 I want to put on the record that we may have
21 sent a letter. We did to Old Field indicating that we
22 were working on, at least for wind, the possibility of
23 a model code and permitting process. When we get that
24 finalized in the next couple of months, we will share
25 that with the other municipalities around the county to

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2 let them know what the East End towns are doing.

3 I don't know that will be applicable to the
4 smaller villages and that sort of thing where there are
5 not the larger pieces of property. Commissioner
6 Holmes.

7 COMMISSIONER HOLMES: I was wondering if the
8 staff has been aware of what the focus of your wind and
9 solar committee has been, because you articulated just
10 recently here you articulated what you are focusing on
11 and what you are not focusing on, and I was wondering
12 if staff was aware of your foci, because I would wish
13 that it would be at least part of a comment in the
14 staff report articulating what this commission's
15 committee is working on and the focus of it.

16 THE CHAIRMAN: I think that is a good point.
17 They should not be waiting on us on that regard. We
18 can include that as a comment. Also, on solar, to
19 answer your question, I think staff has been generally
20 aware we have had good support from staff specifically
21 on the wind. I know John Corral has been helpful to
22 us. I don't know other than these updates whether
23 staff is intimately focused on the specifics of that.

24 But, as it relates to this moratorium, I
25 think it is important, whether we approve it or

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2 disapprove it, to indicate at least with respect to
3 wind, kind of looking at something a bit more narrower
4 than they have to grapple with. We want the
5 Department, the Commission and Village to be seen as a
6 resource. I don't think we should say go figure it out
7 yourself. I think we should send them some model
8 codes.

9 The American Wind Energy Association has one
10 for wind. I think we want to be a resource to all the
11 municipalities, particularly the villages, because they
12 don't have the staff to figure this out themselves.
13 So, Commissioner McAdam.

14 COMMISSIONER McADAM: I just want to make
15 sure I'm not confused on this. They're not prohibiting
16 solar panels on house roofs at this point, they're
17 allowing that. That is not part of this moratorium.

18 COMMISSIONER ESPOSITO: As long as they're
19 not more than three feet high. It says -- yes, you're
20 correct, there is a height restriction there.

21 THE CHAIRMAN: I'll say with regard to the
22 solar thing, it seems to me that this carve-out for the
23 moratorium would include the things that we are
24 considering sort of mainstream solar or the expedited
25 permitting process that we are working on with LIPA. I

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2 think if it didn't have the carve-out, I would say it's
3 clearly a bad moratorium. It has this carve-out. It
4 makes it not such a bad thing, but the thing that
5 concerns me is the why six months. That is a little
6 bit of a problem, particularly since we can provide
7 them with model codes.

8 COMMISSIONER McADAM: Does LIPA or the
9 federal government, do they provide any kind of aid to
10 solar?

11 COMMISSIONER ESPOSITO: Dave can't say this
12 because he's a LIPA trustee, but they are so successful
13 that they ran out of money last year and had to get
14 more money to put in the program because so many people
15 applied for the solar rebate. It's a good program.

16 THE CHAIRMAN: The vast majority of these
17 refunds go to the ones mounted on the roof. There
18 seems to be a carve-out for that here.

19 COMMISSIONER WEIR: I agree with you on the length
20 of the extension. I think six months was a hefty
21 moratorium time. I think probably three months would
22 probably be more agreeable to me. I don't agree on
23 extending the same length over and over again because
24 they didn't do it the first six months, but I'm not
25 against it totally.

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2 East Hampton, we have a huge solar facility
3 on a concrete pad and it's on a very wealthy mansion
4 and the property values there are not affected. We
5 have a lot of that and we think it's important to go to
6 the alternative sources of energy.

7 DIRECTOR ISLES: The question is, what is the
8 time on the referral? As I understand it, they're
9 already into that second six month period because of a
10 delay in getting to us, so the Commission is fully
11 aware is it six months from now, are we already into
12 it?

13 THE CHAIRMAN: That is a good point. There
14 was an article in the papers up in that area indicating
15 that the mayor -- they did conditionally approve this a
16 few weeks ago and they blamed the Planning Commission
17 for not getting them information for deriving model
18 codes. No good deed goes unpunished.

19 COMMISSIONER ESPOSITO: Where do they get the
20 three feet from? Is that -- I honestly don't know if
21 that is a reasonable height restriction on solar or
22 some of the panels are three and a half feet. I don't
23 know how restrictive this is or isn't for roof top
24 mounting because I'm not sure of the average height
25 depending.

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2 THE CHAIRMAN: All I can tell you from
3 working with the contractors for the solar process, six
4 inches is the standard. If you have anything over six
5 inches, you need extra engineering review. That is why
6 we are not clear. It does raise -- wind issues do come
7 into play because those things can act as a sail. It
8 may work if you put them on the ground because you have
9 less wind and they're usually anchored into concrete
10 and not your roof.

11 MR. FRELENG: To answer the Director's
12 questions, we received the application on February 1st,
13 deemed it complete with a full statement of facts, so
14 forty-five days from date of receipt would be March
15 17th. I cannot address what happened at the local
16 level.

17 DIRECTOR ISLES: Do you know when the
18 existing moratorium expired or will expire?

19 MR. FRELENG: I don't know exactly. It's my
20 understanding that it would expire this month. Six
21 months from the original moratorium would be February.

22 COMMISSIONER TALDONE: Just a quick question
23 for the staff. Have we actually received request for
24 assistance from the Village during the six month
25 period? Have they asked us for model codes from other

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2 entities? Have they requested information from the
3 County Planning Department?

4 MR. FRELENG: No, the Village has not reached
5 out to the Department of Planning for any assistance.
6 The staff has not had any conversations with the
7 Village. I think it's March 7th I spoke with counsel
8 for the Village. That is the expiration on the
9 original moratorium.

10 COMMISSIONER TALDONE: I express my support
11 for Commissioner Weir's proposal to shorten the
12 extension.

13 THE CHAIRMAN: We don't have that option. We
14 get it as it comes. We can deny it, we can approve it
15 on the condition that they make it three months, or we
16 can deny it because it's too long.

17 COMMISSIONER TALDONE: I prefer the
18 affirmative, that we approve it for three months on the
19 condition that they do.

20 THE CHAIRMAN: When do we need to get back to
21 them?

22 MR. FRELENG: The 17th is the forty-five
23 days.

24 THE CHAIRMAN: In the next couple of days, I
25 think members of the Commission can identify for staff

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2 a couple of codes that we have looked at and have
3 access to that we might be able to include in response
4 to the Village. The good news, this isn't a unique
5 problem, people have been grappling with this for the
6 last year or two.

7 We have a proposal that we approve with the
8 condition, I assume Vince, the motion is that the
9 existing conditions in there, which are lack of clarity
10 on the carve-outs and a few other things that staff
11 recommended we condition it on.

12 COMMISSIONER TALDONE: Yes.

13 THE CHAIRMAN: You are adding that we
14 condition it to three months?

15 COMMISSIONER TALDONE: Yes.

16 THE CHAIRMAN: Is there a second?

17 COMMISSIONER WEIR: Second.

18 THE CHAIRMAN: There is a motion that we add
19 a comment that the Planning Commission will provide
20 materials to the Village, but has not actually drafted
21 model codes with respect to all levels of wind.

22 COMMISSIONER HOLMES: With some reference to
23 what your focus is and what it's not on.

24 THE CHAIRMAN: It's on larger scale wind,
25 primarily directed to the East End, but not limited to

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2 the East End, and that solar is focused on the
3 permitting process, not the site process, which is an
4 important difference, not where you go but how you go
5 about it.

6 Any objection to adding that as a comment?
7 Seeing none, we will add that. The motion is to add a
8 condition with the three months. Any objection to
9 adding the three month condition?

10 Vince makes a motion to approve the staff
11 report as amended with the additional condition and
12 additional comment. Seconded by Commissioner Weir.
13 All in favor please raise your hand. (Show of hands)
14 Seven to two. That fails.

15 Point of order by Commissioner McAdam.

16 COMMISSIONER McADAM: I make a motion to
17 adopt staff's, with your changes, except for the three
18 months.

19 THE CHAIRMAN: Alternative motion is to adopt
20 the staff report with the added comment, but not the
21 added condition about the three months. All in favor
22 of adopting the staff report with the one amendment,
23 with the comment, please raise your hand. (Show of
24 hands) Two. Opposed is seven. Any further motions?
25 It goes back to the Village; no action.

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2 COMMISSIONER ESPOSITO: I'll make a motion to
3 oppose the moratorium, and we can add comments if you
4 want.

5 THE CHAIRMAN: You have to give reasons for
6 disapproval and you can add comments, yes.

7 COMMISSIONER ESPOSITO: I think one comment
8 would be that we would have rather there was clarity in
9 the need for additional time from the original
10 moratorium. We would have wanted to see some of the
11 progress that was made in the first six months, which
12 we did not see, and a commitment that the additional
13 time would be used to complete the process, and would
14 be the last request for additional time.

15 THE CHAIRMAN: That is a condition. You have
16 to give reasons for why you are turning it down. You
17 say there is a lack of commitment to complete the
18 process in six months.

19 COMMISSIONER ESPOSITO: There was a lack of
20 illustration to us that there was a commitment to
21 succeed at the goal.

22 THE CHAIRMAN: You can take any of the staff
23 items and say there is a lack of any of these.

24 COMMISSIONER ESPOSITO: I like the staff
25 recommendations.

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2 THE CHAIRMAN: Those are two items that the
3 staff proposed as conditions, which you would say are
4 reasons for disapproval. The lack of legislative
5 intent is one and lack of Section 7, Number 2; is that
6 correct?

7 COMMISSIONER ESPOSITO: Yes.

8 THE CHAIRMAN: I have the motion is for
9 disapproval because of the lack of clarity on the need
10 for the extension, lack of progress in developing code
11 during the prior moratorium period, lack of commitment
12 to complete code during the proposed extension, lack of
13 Condition Number 2; is that right?

14 COMMISSIONER ESPOSITO: Yes.

15 MR. FRELENG: Can you give staff the second
16 reason again.

17 THE CHAIRMAN: Two is the lack of progress in
18 developing code during the previous moratorium period.
19 Three was lack of apparent commitment. I don't like
20 that wording; it seems very negative. I suggest you
21 consider taking that out. We talked about lack of
22 progress in developing the code already.

23 COMMISSIONER HOLMES: It's sort of redundant.

24 COMMISSIONER ESPOSITO: I guess the goal was
25 to articulate that we do a moratorium here because we

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2 believe it's a time out to achieve a certain end or
3 achieve a certain goal at the end. It didn't appear on
4 the documentation that we received. That we believe
5 six months was adequate for the first one. I think we
6 all had that discussion; in six months you can review
7 codes. I work for a nonprofit, we can do it in six
8 months, we can do it in six weeks.

9 There seems to be, I'm trying to rephrase it,
10 an uncertainty as of the commitment to achieve the
11 goal.

12 THE CHAIRMAN: Uncertainty about timing of
13 completion. So the five that I have, lack of clarity
14 on the need for moratorium. Lack of progress in
15 development of the code. Uncertainty as to the timing
16 of completion, even if a moratorium were granted,
17 Number 3. Number 4 is lack of Condition Number 1,
18 legislative intent. And then the last reason is lack
19 of a Condition Number 7, alleviation of the
20 extraordinary hardship provision, and we add the
21 comment that Commissioner Holmes earlier suggested,
22 about what we are doing; is that correct?

23 COMMISSIONER HOLMES: And what we are not.

24 THE CHAIRMAN: Who would like to make that
25 motion?

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2 COMMISSIONER ESPOSITO: I'll make the motion.

3 COMMISSIONER TALDONE: I will second it.

4 THE CHAIRMAN: All in favor of disapproval
5 with the reasons documented and the comment, raise your
6 hand. (Show of hands) I will vote yes as well. That
7 is -- any opposed to the motion? One, two opposed.
8 All in favor. Abstentions.

9 These are independent motions. You can vote
10 for all of them or none of them. I voted yes for all
11 of them.

12 COMMISSIONER ESPOSITO: You can't sit it out?

13 THE CHAIRMAN: You can abstain. With that
14 said, all those in favor of adopting the motion, please
15 raise your hand now. (Show of hands) Five. All opposed.
16 (Show of hands) Three. That motion fails.

17 We will say nothing, without objection. I
18 would ask staff to simply send different codes to the
19 Village. Since their attorney is here, they will know
20 that they will be receiving it.

21 MR. SVERD: Thank you very much for your
22 time.

23 COMMISSIONER TALDONE: Is it possible to
24 consider, it's possible, could we consider an approval
25 with fairly direct language about the period that we

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2 are now approving producing something, that we have an
3 expectation that by the end of the second six month
4 period they will actually make a good faith effort to
5 actually get done what they didn't get done in the
6 first six months.

7 By taking no action, I know it's not
8 officially an approval, if we approve it with the
9 comments and perhaps a fairly strong comment about what
10 our expectations are for the next six months.

11 THE CHAIRMAN: I have to ask counsel, but I
12 think we did it all three ways. I think we hit the
13 approval and it failed. Can someone make a motion for
14 an approval for different reasons?

15 MR. YOUNG: Yes.

16 THE CHAIRMAN: Vince, you can make a
17 substantively different motion than the one that
18 failed.

19 COMMISSIONER TALDONE: I make a motion that
20 we approve the staff report with the comments added by
21 Commissioner Holmes, but also with an additional
22 comment to express our expectation that within the next
23 six months they will be able to demonstrate a good
24 faith effort to create the completion of a code
25 suitable for the Village, and that is our expectation.

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2 COMMISSIONER ESPOSITO: They have to come
3 before us?

4 THE CHAIRMAN: You can't require them to come
5 before us unless it's something that falls within our
6 jurisdiction. If they were actually going to implement
7 a code, they would have to come here because that is a
8 code that applies for all parcels in the Village. Yes,
9 they would have to come before us.

10 Vince, your motion is to approve as written
11 with Commissioner Holmes' comments, and what is the
12 other comment?

13 COMMISSIONER TALDONE: Reasonable good faith
14 effort demonstrated, good faith effort to create the
15 completion of the code within those six months be made.

16 THE CHAIRMAN: Any objection to adding that
17 to the staff report? Seeing none, any other
18 conversation about the proposal? Seeing none, Vince,
19 you made that motion?

20 COMMISSIONER TALDONE: Yes.

21 THE CHAIRMAN: Seconded by Commissioner
22 McAdam. All in favor of adopting the staff report as
23 written, with the addition of two comments,
24 Commissioner Holmes' honorable comment on where we are
25 going on wind and solar, and the second comment

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2 expressing the sense of the Commission that they need
3 to wrap this up in six months. That is ineloquently
4 worded, but you know where that is.

5 All in favor of adopting that, please raise
6 your hand. (Show of hands) Six. Opposed, three. I
7 think we have done enough.

8 The next item on the agenda is touch base on
9 the Comprehensive Plan and the guidebook. With regard
10 to the Comprehensive Plan, Director Isles, any other
11 update? I want to make sure that our working group
12 meets after the meeting.

13 DIRECTOR ISLES: We did receive the comments.
14 I went over some of the comments with the Chairman on
15 Friday, so the department is working on reflecting the
16 comments, and revised draft to be presented to you in a
17 future meeting of the Commission.

18 THE CHAIRMAN: Just as an update to everyone
19 on the guidebook, we had a meeting a couple of weeks
20 ago, Commissioner Kelly, Commissioner Holmes,
21 Commissioner Finn, Commissioner Weir and myself along
22 with Andy and Dan where we worked with the guidebook.
23 We will go at it again after this meeting and hopefully
24 get through the rest of the guidebook.

25 We are identifying the easy edits, typos, as

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2 well as identifying the areas where we need to go back
3 and probably have a deeper debate. Once we have the
4 conversation about the more substantive issues we will
5 bring the proposals or counter-proposals back to the
6 Commission as a whole and decide how we want to edit
7 the guidebook on the substantive issues. This will
8 take another two months or so to finish up.

9 Any questions about the guidebook? All
10 right. Seeing none, we are onto our last item of
11 business, presentation to Suffolk County Planning
12 Director Tom Isles.

13 As I mentioned, this is Director Isles' last
14 meeting, also his tenth anniversary as planning
15 director. That is a memorable milestone, but in this
16 time at least a bittersweet one. We have a few folks
17 that want to say a few words. The supervisor of
18 Shelter Island is here, Jim Dougherty. Jim, if you
19 want to say a few words I'll turn it over to you.

20 SUPERVISOR DOUGHERTY: Thank you very much.
21 There is a wonderful deli in downtown Riverhead, so I
22 thought I'd swing by. We all love Tom on Shelter
23 Island. He has done a lot for us, a fine gentlemen to
24 work with. I'm delighted and honored to be here.

25 A quick letter to Tom Isles. Dear Tom,

1 3/2/11 Suffolk County Planning Commission
2 personally on behalf of all Shelter Islanders I can't
3 begin to thank you enough for all you have done for
4 Shelter Island. Barney Ryan's horse farm, Shelter
5 Island Nursery, Dering Harbor Woods, two different
6 sections, Crab Creek peninsula, one of our best
7 estuaries, Fresh Pond, our biggest fresh water pond.
8 There are supposed to be turtles this big in that pond;
9 I've never seen them. Cackle Hill, Linda can tell you
10 was an old chicken farm that Mr. Price ran and has now
11 been preserved, thanks to Suffolk County and Tom.
12 Westmoreland Farm.

13 The list goes on. Please, Tom, if you will,
14 I know you are very humble and modest, please accept
15 this chunk of Sylvester Manor turf with our thanks, and
16 I requested the parenthetical comment Shelter Islanders
17 are firm believers in home rule and we don't part with
18 any chunk of our jurisdiction lightly. For you, Tom,
19 we do. (Applause).

20 THE CHAIRMAN: Thank you, Jim, for being
21 here. Mike Kelly has a few words to say.

22 COMMISSIONER KELLY: Thank you, Jim. I want
23 to say thank you very much to Tom for all his direction
24 and guidance and insight on all the matters that we
25 focus on each and every month. You will be missed.

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2 I've learned a lot in our brief conversations, so I
3 just want to say thank you.

4 DIRECTOR ISLES: Thank you very much, Mike, I
5 appreciate that.

6 COMMISSIONER HOLMES: I mean, to follow an
7 act like Jim Dougherty is really something, but for me
8 personally, Tom really helped me over a rough spot
9 early on. I noticed he shows up at all the legislative
10 meetings when any of us are up for appointment or
11 reappointment, he manages to get there.

12 What I especially appreciate and will miss so
13 much is Tom's way of being able to clarify something
14 that the staff has mentioned that seems to confuse a
15 few commissioners, and he comes right to the point with
16 clarifying what that issue is, what it's about. That
17 I will miss very much.

18 DIRECTOR ISLES: Thank you.

19 COMMISSIONER WEIR: I just want to reiterate
20 what I said before, Tom, is an ultimate professional in
21 every arena. When he handled difficult developments,
22 and we have seen him in a public forum when we were
23 working on Yaphank, and really he is the ultimate
24 professional. You will be sorely missed. I thank you.

25 What I said before about Suffolk County

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2 planning under your leadership, it is head and
3 shoulders above. That is your legacy.

4 COMMISSIONER McADAM: In addition to all the
5 work and all the help he has given us as the Planning
6 Commission, as an East Ender, I would personally like
7 to thank you for all the help that you have given us on
8 preserving farmland. I see it every day. I look out
9 my window and I can see the farms. It's something I'm
10 proud of and I'm sure you're proud of too.

11 As a former county employee back in the
12 1970's when we started the farmland program, it's
13 terrific to see where you brought it. Thank you very
14 much.

15 THE CHAIRMAN: We wanted to give Director
16 Isles a chance to say a few words. We will let him
17 wrap up the meeting. I'll say a few words now and make
18 a presentation to Tom. Ten years of service. I was
19 thinking about how many Planning Commission meetings
20 that is. A hundred twenty some odd from one end of the
21 county to the other, and that is a small part of what
22 he does. Dealing with a couple of different county
23 executives and several dozens of county legislators
24 during that time.

25 I had the privilege of learning quite a lot

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2 from Tom. I consider you a mentor and more importantly
3 a friend. Thank you for everything you taught me. I
4 know everyone around this table has benefited from his
5 sage advice and wise counsel. I know that wherever I
6 have seen Tom speak, whether it's here, before the
7 County Legislature, Regional Planning Council, you
8 always know when Director Isles stepped to the mic
9 there would be, as Diana said, a professionalism and
10 knowledge base that is unsurpassed with regard to Long
11 Island. In that regard, you will be very much missed.
12 And we obviously all wish you well.

13 We wanted to present this to you. I'll read
14 it. This is a dedicated service award presented to Tom
15 Isles in appreciation of a decade of leadership,
16 guidance and expertise as Director of Planning for
17 Suffolk County, 2001 to 2011, presented with gratitude
18 by the Suffolk County Planning Commission, March 2,
19 2011. (Applause)

20 DIRECTOR ISLES: I think I will say a few
21 words, so I can at least see everyone, rather than
22 being in the back. I appreciate this very much. It
23 has been an honor to work for Suffolk County, to work
24 for this Commission. I do consider the work of the
25 Suffolk County Planning Department and the work of this

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2 Commission to be highly important, and as I look back,
3 as I bring this part of my career to an end, I did want
4 to recap some of the work that this department, the
5 County Planning Department has done that I think is
6 noteworthy, and I think it has had lasting meaning to
7 Suffolk County.

8 I came into the county at a time, there was
9 this explosion called the Suffolk County Real Estate
10 Program that went through a difficult process. I
11 remember one day in the afternoon four federal
12 investigators came in to talk to me. It was a trying
13 time and distracting time.

14 County Executive Gaffney announced that he
15 was wasn't going to run in January, 2003, so it was a
16 whole year of waiting for the next county exec to come
17 forward. Steve Levy came on and asked me to stay on,
18 which I did, and I appreciate it. As I look back, in
19 2002 we were asked by the Village of Patchogue to help
20 them in downtown Patchogue. Peter Lambert and Carol
21 Walsh embarked on a study, and came up with the idea,
22 but not only basing it upon extensive research, there
23 was a preponderance of commercial and industrial
24 zoning, way more than than the Village could support in
25 today's economy. The need to substitute housing for a

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2 lot of that commercial zoning. The need to have
3 recreational and entertainment type uses in the
4 downtown.

5 A lot of that has moved forward. I'm not
6 saying it simply due to that study, but I know the
7 Village was able to apply for grants using that study.
8 I think it became one of the number of items that were
9 converging on let's look at that downtown again.

10 The Port Jefferson Waterfront District,
11 Village came forward, they were having problems
12 with the waterfront management zoning. We came forward
13 with suggestions and the Village recently adopted a
14 number of the changes.

15 The growth center study, initiated by County
16 Executive Steve Levy was looking at a situation where
17 we had applications such as Heartland, PJ Ventures in
18 Smithtown, where we have the convergence of four towns
19 where each town was doing their own thing, looking at
20 their development, but hopping across the line, what is
21 going on in Islip, what is going on in Babylon, so we
22 looked at these areas where we had the intense growth
23 pressures, making sure everybody saw the cumulative
24 picture. What does all this mean.

25 I think it was a useful tool, not only for

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2 this commission, as you review applications, to
3 understand the big picture, but for the towns
4 themselves. I heard that from the town planning
5 directors in some of those cases.

6 It became the impetus for the Sagtikos Study.
7 We received a federal grant for two hundred fifty
8 thousand dollars for an overall land use and
9 transportation study. The Sunrise Highway Corridor
10 Study, which I liked because it was based on
11 intermunicipal cooperation. It was Islip and
12 Brookhaven Planning Departments getting together with
13 the towns to look at the corridor holistically.

14 Looking back, this is what I think that
15 Planning Department could really add value to the
16 process. Lastly, on planning, certainly there is a
17 Comprehensive Plan, which is the preeminent planning
18 project, before you. I'm glad that we were at least
19 able to get it off the ground. It has a long way to
20 go, but it hopefully is on its way, and I do believe
21 that.

22 Environment is one that County Planning, the
23 County overall and Suffolk County is taking a lead role
24 on in recognition of the fact that we are a sole source
25 aquifer. We have over nine hundred miles of coastal

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2 resources. We are very dependent in terms of our
3 environment.

4 The County Planning Department during this
5 time, did four open space lists, including two master
6 list parcels and including a list of acquisitions and
7 target areas. We actually completed the purchase of
8 forty-six hundred acres of open space, adding a little
9 more than ten percent to the County's inventory and
10 some key parcels for further protection of the water
11 supply and critical habitats, and a major implement is
12 the parks, such as in Mount Sinai, Sagtikos Manor in
13 West Bay Shore and so forth.

14 Another enviornmental project is the
15 Aquaculture Program. When I first got into it, DeWitt
16 Davies sat me down and gave me the story about the
17 Suffolk County Aquaculture Program where it was
18 authorized by the state legislature in 1969. Every
19 time they made a run at trying to create a lease
20 program, it was DOA.

21 We began the process and the program has been
22 created. Even though we have opposition to some
23 extent, there was controversy, but the legislature
24 approved it eighteen-zero in August, 2009 and the
25 program is up and running. I consider that a success

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2 of the department.

3 DeWitt's group recognized the impact of the
4 former duck farms in Suffolk County. I don't know if
5 you realize we had over ninety duck farms in Suffolk
6 County. They were the rural brownfields of our time.
7 They didn't just exist and go away and they're not an
8 issue, they persist. A number of county parks were
9 former duck farms. A number of sites were not
10 developed because of duck farm conditions and were
11 passed over. Meeting House Creek in Riverhead, I
12 remember seeing pictures when they dredged it. The
13 surface water was duck sludge, the entire water body
14 was filled with duck waste.

15 The real issue, based on Health Department
16 quality water sampling, the impacts of that are still
17 emanating into Meeting House Creek. There is legacy
18 duck sludge. It's not quite at the surface any more,
19 but it is significantly impacting it, but DeWitt worked
20 on a program of remediation, what do we do with this.
21 Robinson Duck Farm, which is one of the cases proposed
22 to go into the core in the Carmans River and DeWitt's
23 staff and the County Planning Department completed a
24 feasibility study for restoring that property last
25 year.

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2 We are about ready to go into Mud Creek in
3 East Patchogue. This was a parcel that was skipped
4 over for development. The former owner failed to pay
5 their taxes. The County took possession of the
6 property. It was on its way to be auctioned off. We
7 identified it, even though it was a disturbed site, it
8 had important environmental value, including the only
9 native trout population on Long Island, in terms of an
10 indigenous species of trout on Long Island. That began
11 the process of getting the legislature to protect that
12 property, put it into Parks and we are now in the
13 process -- we met in the County Attorney's Office last
14 week, to begin to do an RFP and begin a restoration of
15 that property as well working with County Parks.

16 In terms of farming, the interesting thing
17 about this, from a personal standpoint, I worked as an
18 intern in the Suffolk County Planning Department in the
19 1970's and the project I worked on was a Suffolk County
20 farmland project. That began the program in the
21 1970's. During the past ten years, we added to that
22 program with another three thousand acres of farmland.
23 We continue to buy acres of farmland.

24 Right now, about ten thousand acres of
25 farmland, which means about a third of the county

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2 farmland is now protected under the County's program.
3 Another five thousand acres or so are protected by
4 other methods, including town programs. That is
5 important and a success.

6 An example of where planning makes a
7 difference. I go back to John Klein and Lee Koppleman.
8 They were looking at the rapid loss of farmland and
9 identified the need for protection. They looked at it
10 rather than letting it disappear, what should we do in
11 terms of effecting public policy. That is now
12 evidenced in terms of the ten thousand acres that is
13 preserved today.

14 And we were also successful this past year in
15 the Department in terms of getting the amendment to
16 Chapter 8 which are the laws that regulate the County
17 program. It's not the sexy stuff in terms of something
18 that might get a headline, but given the thirty years
19 of the program, the program was facing real threats in
20 terms of the public's loss of confidence, in terms of
21 activities potentially happening on farmlands, such as
22 mining of sand materials and topsoils, things really
23 destructive to the public interest.

24 The amendment to Chapter 8 was a two and a
25 half year hard fought process. Success was achieved in

1 3/2/11 Suffolk County Planning Commission
2 September, and it's already paying benefit in terms of
3 we had a farm in Southold recently where they were
4 accepting municipal waste material from a town in
5 Nassau County. There was truck load after truck load
6 of leaf material, along with a lot of other stuff that
7 was dumped on the property that was threatening the
8 agricultural resource. We were able to step in and
9 take action to prevent further damage and recognize
10 remediation for property. A little bit of leaves for
11 compost is fine, but creating a waste site is not.

12 Twenty-two thousand acres of farmland were protected.
13 Agricultural Grants Program, which is a ton
14 of work in terms of state and federal grants that we
15 applied for, close to ten million dollars in state
16 grants, working with Supervisor Dougherty, Sylvester
17 Manor. We are in a race to get that property closed by
18 July. That is something that is a lot of work it
19 doesn't grab a lot of outside attention, but it's
20 important.

21 Couple of other programs. TDR program, in
22 terms of taking development rights off open space
23 acquisitions for the purpose of affordable housing
24 completely designed and administered through the County
25 Planning Department, and the census data status that we

1 3/2/11 Suffolk County Planning Commission
2 are the Nassau-suffolk agency for the dissemination for
3 that information. We continuously get calls from
4 businesses and school districts as well as other
5 government agencies.

6 As far as the Commission, couple of things
7 that certainly I think are, as I look back, are
8 noteworthy. I was thinking last night about there was
9 a case that came in that Andy presented to me; this is
10 years back, maybe 2005 or thereabouts. We do our
11 monthly zoning review. So Dan, Andy and his staff sit
12 in on that. We had a two lot subdivision in Brentwood,
13 but it was a substandard lot. It was less than the
14 requirement. It was an item that had to go to the
15 Suffolk County Planning Commission.

16 Then as we were moving along the agenda, the
17 Caithness power plant came up. It's an LD. I said,
18 "how can that be an LD. That's ridiculous." So we have
19 a two lot subdivision that is a project that comes
20 to the Commission. Obviously, things were out of whack
21 there in terms of the filter that is going to capture
22 those projects that should really be reviewed in this
23 forum.

24 Obviously, this Commission did move in that
25 direction and I thought that is one of the best things

1 3/2/11 Suffolk County Planning Commission
2 this Commission has done. Here again, I think it's
3 focusing its attention on the things that really do
4 have significance and not diluting the Commission's
5 role by other things that are not intermunicipally
6 important to this Commission.

7 The implementation of the IMA's, the Unified
8 Permit Portal, which needs a lot of work going into the
9 future. The first step is done. The other ninety-nine
10 is waiting for you. The federation is coming along
11 with the Commission's participation and I think is the
12 preeminent training for local planning officials in
13 Suffolk County.

14 I would just like to wrap up with the
15 Department itself. I was blessed, if I can use that
16 term, coming into a department that really was already
17 the gold standard of planning in Suffolk County.
18 Mentioning folks such as DeWitt Davies, Jim Bagg, Andy
19 Freleng, Loretta Fischer, these are people I dealt with
20 often and have full respect for. A lot of the people
21 were people that Lee Kopplemen hired in the '70's and
22 they age and retire. I was present during the past ten
23 years where we had a turnover of about half the
24 department. It was a little disruptive in a sense of
25 losing a lot of that institutional memory and talent,

1 3/2/11 Suffolk County Planning Commission
2 but it was instructive in terms of bringing in the next
3 generation.

4 From my prospective, I'm pleased with the
5 Department as it is. We have an excellent freshman and
6 sophomore class coming up that I hope stay with us for
7 the next twenty-five years. They're superb people. I
8 think the Department maintained professionalism. I
9 consider that the top of the list. It remained
10 nonpolitical. I think that is also a legacy that goes
11 back to Lee Koppleman, that is the department is not a
12 department -- that politics is not permitted in the
13 department.

14 I thank you for the time working with you; I
15 certainly appreciate it. Having worked at the town
16 level and having worked at the national level in a
17 certain way and having worked at the county level, it's
18 been an interesting perspective to see. We are often
19 challenged as planners, and yourselves as planning
20 commissioners in terms of is this important, are we
21 really achieving anything? Are we doing plans that are
22 going to sit on shelves? We have to ask ourselves, how
23 do we make this relevant, how do we make a difference.

24 I mentioned the farmland plan. Had nothing
25 happened, I think we certainly would have seen the

1 3/2/11 Suffolk County Planning Commission
2 continued suburbanization of farmland and potentially
3 the loss of that industry. It certainly wouldn't be
4 what it is today.

5 The 208 study done in the late '70's in terms
6 of identifying we have a sole source aquifer, we don't
7 get our water in the Hudson Valley or the Catskills,
8 and policies and laws put into effect to protect that
9 resource. The Sunrise Highway Corridor Study, the
10 first one done in the Town of Islip, the first one
11 doing the eastern half of the town which was basically
12 strip zone commercial.

13 There was an interest which the Town Planning
14 Board, by that time, what is the alternative. We have
15 shopping centers from one end of Islip to the other. A
16 planning study was initiated. Recommendations were put
17 forward to roll back a million square feet of
18 commercial and retail development to do alternatives,
19 residential and office development. And here again,
20 you drive down, it looks different based upon that.
21 It's a sense where the plan did not sit on a shelf, the
22 plan was put into effect.

23 The final example of a local plan was Central
24 Islip, Michael LoGrande, Steve Jones in the 1980's
25 looked at it. This was a closing facility, the state

1 3/2/11 Suffolk County Planning Commission
2 hospital, the psychiatric center was winding down. It
3 was eight hundred acres in one of the most depressed
4 areas in the town, at one time housing ten thousand
5 patients, supporting thousands of jobs. The attitude
6 was taken to step out in front, to come up with a plan,
7 which we did in 1987. We did a Generic Environmental
8 Impact Statement and basically moved forward with
9 proposals in terms of redevelopment of that property.

10 Here again, the alternative would have been
11 to sit back and see what happens. But a proactive
12 attitude and plan brought in the federal courthouse,
13 Ducks Stadium, a lot of things then began to happen.
14 Suffolk County supported with road improvements and
15 infrastructure for sewers.

16 I wish you well as you go forward, especially
17 with the Comprehensive Plan, because you are the only
18 ones that have the perspective necessary on this. We
19 have very good Town Planning Department. Jim Dougherty
20 was the CEO of Pathmark Supermarkets. He's an amazing
21 guy of what he gets accomplished.

22 The towns are doing the planning for the
23 towns, Regional Planning Council is doing its planning
24 for Island. Believe me, there is a gap there we have
25 to, as a county, we have to look at the big picture for

1 3/2/11 Suffolk County Planning Commission
2 Suffolk County because if it's not you, it's no one
3 else.

4 Obviously, we like to think we can spend more
5 time to do this. There are a couple of critical
6 questions laid out in the draft of the Comprehensive
7 Plan, the first volume. Yes, we are potentially
8 getting another three hundred thousand people in this
9 county. How do we handle that. Diversity, smart
10 growth, we talk about what should be the application of
11 housing in terms of housing types. In one sense, we
12 can say we need more apartment or townhouses. I'm not
13 sure if that is quite descriptive enough. We talk
14 about changing demographics.

15 This is a real opportunity for you as a
16 commission. I envy in many ways the continuation on
17 that, but I also see the responsibility to you. In
18 thirty years, as we look back on the 208 study and
19 farmland study we can look at plans that had success
20 and plans that had not achieved what was perhaps hoped
21 for in the beginning.

22 I'll close by extending my real appreciation
23 to the County Planning Department. They're the
24 horsepower behind the work that comes before you. As
25 you see the regulatory review section, which is maybe

1 3/2/11 Suffolk County Planning Commission
2 fifteen percent of the Department's functions, the
3 other part of the iceberg that you don't see is equally
4 important in terms of the work that they do. I made a
5 list of the committees and boards and I stopped at
6 thirty in terms of where we provide the professional
7 services to.

8 Thank you very much for the plaque and thank
9 you for the attention to the issues that you raise
10 to the Department; I appreciate it.

11 (Applause and standing ovation)

12 THE CHAIRMAN: We wish you well and with
13 that, entertain a motion to adjourn.

14 COMMISSIONER WEIR: So move.

15 COMMISSIONER HOLMES: Second.

16 THE CHAIRMAN: We will see in you in
17 Huntington Town Hall next month.

18 (Time noted: 2:00 p.m.)

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CERTIFICATION

STATE OF NEW YORK)

)

ss:

COUNTY OF SUFFOLK)

I, JUDI GALLOP, a Notary Public in and for
the State of New York, do hereby certify:

THAT this is a true and accurate record of
the meeting of the Suffolk County Planning
Commission held on March 2, 2011 as reported and
transcribed by me.

IN WITNESS WHEREOF, I have hereunto set my
hand this 13th day of March, 2011.

JUDI GALLOP

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2

ERRATA SHEET

3

PAGE/LINE

CORRECTION

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