

SUFFOLK COUNTY DEPARTMENT OF PLANNING

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SUFFOLK COUNTY PLANNING COMMISSION MEETING

August 3, 2011
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725 Veterans Memorial Highway
Hauppauge, New York
August 3, 2011
12:15 p.m.

B E F O R E:

DAVID CALONE, Town of Babylon
ADRIENNE ESPOSITO, Villages of 5,000
LINDA HOLMES, Town of Shelter Island
JOSHUA HORTON, At-Large
THOMAS McADAM, Town of Southold
MICHAEL KELLY, Town of Brookhaven
JOHN FINN, Town of Smithtown
DIANA WEIR, Town of East Hampton
WILLIAM SCHOOLMAN, At-Large
JENNIFER CASEY, Town of Huntington
THOMAS YOUNG, ESQ., Suffolk County Attorney
DANIEL J. GULIZIO, Deputy Director



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2 CHAIRMAN CALONE: The first item
3 on the agenda is adoption of minutes for
4 June 2011. That was a rather lengthy
5 meeting. Without objection we will table
6 the adoption of the minutes for the June
7 2011 meeting.

8 We'll move to the public portion.
9 There's a few cards here. First, I ask
10 Tim Shea to join us. You know the drill.
11 If you could spell your last name. You
12 have three minutes.

13 MR. SHEA: Good afternoon chair
14 members of the board. Jay Timothy Shea,
15 Jr., S-h-e-a. I represent Jefferson
16 Meadows. The project in question is a
17 redevelopment project of a vacant and
18 derelict eight-acre site located east of
19 Route 112 in Port Jefferson Station that
20 was primarily used as a car dealership and
21 landscaping business. There are three
22 buildings on the site. The development
23 project here would result in demolition of
24 the two landscape buildings, retrofitting
25 of the existing car dealership and



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2 construction of 96 affordable rental units
3 on site together with a health club open
4 to the public, office space, and a
5 concession that would be open to the
6 public. This was the first
7 blight-to-light application made in the
8 Town of Brookhaven pursuant to a new code
9 provision for the redevelopment of
10 blighted property for mixed use special
11 permit rather than having to go through
12 the time consuming process of the change
13 of zone. Part of the reason why we
14 brought this application the way we have
15 was to allow the mixed use development.

16 The other reason was because the
17 property in question is the subject of a
18 foreclosure action that is currently being
19 prosecuted by the lender. If the
20 blight-to-light application in front of
21 the planning board is not granted, it's
22 likely a foreclosure process will beat us
23 to the finish line. The bank would take
24 the property back, and we would anticipate
25 the property to remain vacant and derelict



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2 for a substantial period of time.

3 The project itself will cost
4 construction approximately \$13 million and
5 will result in 112 construction jobs over
6 a 12-month period of construction. At the
7 end of the day there will be 25 full-time
8 jobs on site and the real estate taxes
9 will jump on the current \$45,000 to
10 \$356,000 when fully assessed.

11 We have worked together with the Civic
12 Local Association and Long Island Housing
13 Partnership with regard to this project.
14 And you should be hearing from them. The
15 staff comments that we have reviewed make
16 two major issues.

17 Mr. Calone, If I may take three
18 minutes of Robert Renda's time who is next
19 on the list.

20 CHAIRMAN CALONE: Mr. Renda needs
21 to come forward to yield to you and myself
22 the time.

23 Welcome, Mr. Renda. State your name
24 and spelling of your last name.

25 MR. RENDA: Robert Renda,



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2 R-e-n-d-a. I would like to give my time
3 to Mr. Shea.

4 CHAIRMAN CALONE: Mr. Shea, you
5 have an another three minutes.

6 MR. SHEA: Thank you very much,
7 Mr. Calone. They make two major points
8 here in recommending the dialogue of the
9 application. The first of which is the
10 fact that it is not within 500 or 1,250
11 feet of a commercial center or a downtown
12 area and they note the distance is 2,600
13 feet from the nearest commercial center
14 itself and to a certain extent which has a
15 Uncle Giuseppe's supermarket, restaurant,
16 liquor store and other uses on site.

17 The staff comments include the fact
18 that Route 112 is under reconstruction.
19 That reconstruction project includes
20 sidewalks all along 112 between our site
21 and Uncle Giuseppe's. It also includes
22 bike lanes. Furthermore, the staff
23 comments include the fact there is in fact
24 a bus route that goes through 112 and
25 could stop at the commercial center. I



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2 disagree with the conclusion, however,
3 that that makes it too far a distance.
4 The 2,600 feet is the equivalent of 880.
5 I don't believe that that is far enough to
6 dissuade this board from recommending
7 approval on this.

8 You should also note that there are
9 other services in the immediate vicinity
10 closer to the site. Immediately to the
11 south there is a redevelopment of an
12 existing gas station, which will have a
13 convenience store that people can walk to
14 for their emergency needs. To the east is
15 a bank within 500 feet. Furthermore,
16 there are other derelict properties along
17 112 both to the north and south some
18 within 500 feet including the 84 site and
19 a little bit further up is Dodge/Subaru
20 dealership. Those properties are
21 eventually going to come in for
22 redevelopment, but somebody has to be the
23 first in the pool. My client was willing
24 to be the so-called guinea pig. We have
25 worked with the planning department of the



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2 Town of Brookhaven at length to massage
3 this application to meet their
4 requirements, and we feel that we will
5 have a positive hearing in front of the
6 planning board.

7 Lastly, the other issue they brought
8 up is the night trade loading with regard
9 to sanitary waste. It is our full
10 intention to hook up to an existing sewage
11 treatment plant and, thus, we will meet
12 Article 6 or to the treatment plant in
13 compliance with law with the regard to
14 nitrate loading so we do not believe that
15 that is an issue which is the basis of
16 denial.

17 I would like to thank the board for
18 its time and hopefully we can have a local
19 determination letter out of this board.
20 Thank you very much.

21 CHAIRMAN CALONE: Thank you, Mr.
22 Shea.

23 Next we have Gina Pellettieri.
24 Please state your name and spell your last
25 name for the record. You have three



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2 minutes.

3 MS. PELLETTIERI: Sure. My name
4 is Gina Pellettieri,
5 P-e-l-l-e-t-t-i-e-r-i. I am the director
6 of technical assistance of the Long Island
7 Housing Partnership. The proposed
8 Jefferson Meadows Development will be an
9 affordable rental development with 96
10 apartments at or below 80 percent and 120
11 percent of the area meeting income. As a
12 point of reference under the present
13 income guidelines, a single person has to
14 make under \$59,400 to fit in the 80
15 percent category and and under \$89,100 to
16 fit into the 120 income category. LHP
17 receives many phone calls daily from
18 people looking for affordable, safe rental
19 apartments. Many of them are young
20 professionals looking for a place to
21 live. The site is on a major north/south
22 corridor with access to the bus transit.
23 The positive impact on the local community
24 will be twofold since the 112 corridor has
25 many strip malls, some of which will be



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2 within walking distance.

3 First, it will attract young people
4 who will be new customers for the local
5 businesses; and second, it will eliminate
6 blight in the area. Rental apartments are
7 critical to Long Island. According to the
8 Long Island Index only 17 percent of all
9 housing units on Long Island are
10 multifamily versus other parts of the
11 region outside of the New York City area
12 that have 39 percent.

13 It is also important to note that the
14 Town of Brookhaven already designated this
15 development as part of the blight-to-light
16 initiative which takes blighted property
17 and redevelops them.

18 The Housing Partnership supports this
19 development and would like to see it bring
20 much needed affordable housing to the
21 area. Thank you.

22 CHAIRMAN CALONE: Thank you,
23 ma'am, for being here. I appreciate your
24 time.

25 Mr. Tsunis, you're up and you have



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2 three minutes.

3 MR. TSUNIS: Tim Tsunis,
4 T-s-u-n-i-s, the Northern Group. I too
5 read the report and they were very
6 thorough with what they put out in the
7 report. There are a few items that I
8 would like to go over with the commission
9 in regards to this site.

10 First, workforce housing in Suffolk
11 County and Nassau County is very hard to
12 get approved in municipalities. I've
13 tried to do certain workforce housing
14 areas and it never got past first base,
15 and support from the local civic and
16 neighbors in the area have been
17 overwhelming for this site. They do not
18 want to see a retail strip centers and
19 other retail strip centers on the Route
20 112 corridor. I was the chairperson in
21 the Port Jefferson Station Terryville
22 Hamlet study and one of the many focuses
23 was to eliminate any closed down or
24 blighted center. Unfortunately four years
25 ago when we did this study, this car



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2 dealership was still running and since
3 then it's closed. I'm sure if it was
4 closed back then, we would have endorsed a
5 multifamily site on this property.

6 The location has a bus line and has
7 been told a new highway. And what's
8 increasingly difficult to find in the area
9 of Suffolk County is an SVP plant. There
10 is an STP plant across the street that
11 we'll be hooking into. That coupled with
12 the fact that we're doing the 100 percent
13 build workforce housing on this site leads
14 me to believe that this is a perfect storm
15 in a perfect area to workforce housing. I
16 can't emphasize how difficult it is to get
17 all these parts lined up to do a community
18 like this.

19 I'd also like to point out that there
20 are three other dealerships on 112 that
21 have closed over the last three years.
22 The car dealerships in particular in Port
23 Jefferson have been closing. They are
24 relocated down in Medford and Smithtown.

25 The other point that I would like to



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2 talk to you about is that I've been
3 working with the civics and attended just
4 about every meeting over the last year.
5 This is going to be the beginning of Main
6 Street in Terryville/Port Jefferson
7 Station. We intend on putting antique
8 lightposts from Washington Avenue all the
9 way down to Nesconset Highway so that the
10 Giuseppe Market will be the focal point
11 and will be the Main Street of Port
12 Jefferson Station and Terryville. For
13 those reasons that not only do I believe
14 you will make a local determination, but
15 you owe it to the young people in Suffolk
16 County and on Long Island to give this
17 application your full support and approval
18 to refer it to the Town of Brookhaven. I
19 want to thank you for your time.

20 I have pictures. If I can show you,
21 one second, this is what the property
22 looks like now.

23 CHAIRMAN CALONE: I appreciate it.
24 That ends the public portion moving
25 now to the chair report. A few things to



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2 update.

3 As you know, our goal this year is to
4 continue our focus on land use issues that
5 are critical to Suffolk County's future.
6 In that regard, we are emphasizing major
7 countywide issues such as the development
8 of the Comprehensive Plan as well as
9 related issues like housing,
10 infrastructure financing and storm water
11 management.

12 In June, the Planning Commission voted
13 to release the draft of Volume 1 of the
14 Comprehensive Plan. This was an important
15 step, a step that has not been taken by
16 Suffolk County in 30 years. Director
17 Lansdale and I will be presenting this
18 draft and a sketch of future plans for the
19 Comprehensive Plan process to the
20 Legislature's EPA Committee on August
21 8th.

22 We would like to have a brief meeting
23 of our Comprehensive Plan Steering
24 Committee with Commissioner Roberts,
25 Holmes, McAdam, Weir and Kelly for a



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2 couple of minutes to discuss Volume II of
3 the Comp Plan and next steps.

4 With regard to our energy and
5 environment taskforce-solar, solar permit
6 streamlining, we had an exciting
7 development with New York Department of
8 State. Director of Codes Ron Piester came
9 to Suffolk about four weeks ago to meet
10 with our solar initiative and gave us his
11 full support and wants to potentially roll
12 out this solar permit streamlining plan
13 statewide. With regard to the plan
14 itself, the final issues have been
15 resolved; LIPA's legal department has
16 signed off; the draft letter has been sent
17 to Nassau County Executive Mangano for his
18 approval. Once we get that, a letter will
19 go out from the two county planning
20 commissions and LIPA to the 103
21 municipalities laying out the requirements
22 of the program and LIPA incentive that it
23 has \$15,000 for each town and \$5,000 for
24 the first ten villages.

25 The County is also piggybacking on



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2 this work to apply for a new Department of
3 Energy grant aimed at helping regions
4 streamline solar permitting and take other
5 steps to make it easier to install solar
6 panels. We have our four largest
7 townships now on board for that. Director
8 Lansdale and her team are heading up that
9 effort and she can report more fully about
10 that.

11 Wind Siting/East End Wind Code, we
12 seem to have this back on track. The
13 staff from East Hampton and Southampton
14 who are working on the draft, as I think
15 you know, we've had four meetings now
16 among the East End municipalities. I hope
17 that they will be in a position to give an
18 overview of their finished work to the
19 Planning Commission at our September
20 meeting in East Hampton.

21 With regard to commercial building and
22 energy efficiency standards, Vice Chairman
23 Constantine Kontokosta and John Finn are
24 leading that effort and have had two
25 meetings including the last one a few



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2 weeks ago where the Department of State
3 came down to support the working group's
4 efforts. My understanding is that the
5 working group is focusing on the new green
6 building code which New York State is
7 going to approve for adoption as of
8 January 1st for the municipalities which
9 choose to do so. The working group is
10 going to focus on educating municipalities
11 about the new green building code and help
12 municipalities which want to adopt it,
13 ease into following it.

14 As you know, for the last year the
15 Planning Commission has made sewer
16 financing a major priority. To that end,
17 we co-hosted the County Executive Sewer
18 Summit II in October where a major theme
19 was sewer infrastructure financing
20 mechanisms. We then encouraged the County
21 Executive to create a group to focus on
22 building the Suffolk County's future--
23 where we should grow, where we should
24 preserve and how we should pay for
25 infrastructure.



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2 As a result of the effort, the County
3 Executive came up with a proposal that
4 would, for the first time, provide an
5 annual source of funding for sewer
6 infrastructure development and upkeep.
7 This is a tremendously important step for
8 Suffolk County's future. And I'm excited
9 to let you know that the Legislature
10 approved the legislation last night.

11 While I was disappointed that the bill
12 did not end up having specific criteria to
13 ensure that this financing goes to the
14 areas in the county where development is
15 most needed and correspondence with the
16 Comprehensive Plan and to projects that
17 support the values that the Planning
18 Commission and others have identified as
19 important to Suffolk's future, such as
20 workforce housing, transit-oriented
21 development, energy efficient buildings,
22 public safety, et cetera. The good news
23 is that a committee has been created to
24 look at potential criteria and that
25 committee is going to be chaired by



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2 Director Lansdale.

3 With regard to Suffolk Unified Permit
4 Portal, we have started holding quarterly
5 steering committee meetings and things are
6 progressing, but this will definitely be a
7 multi-year process. We are going to have
8 the next quarterly meeting in the next
9 month or so.

10 With regard to professional
11 certification for commercial interiors,
12 the idea here is follow the lead of NYC
13 and eliminate the need for building
14 inspections for routine interior
15 commercial alterations. This effort has
16 the support of ABLI and other groups. At
17 our request, John Racanelli of Farrell
18 Fritz has put together a draft plan which
19 we have reviewed. Brookhaven Town has
20 indicated an interest in piloting this
21 once we get the details reviewed. I want
22 to thank Jennifer Casey is now going to be
23 heading up this effort with the help of
24 John Finn.

25 We are going to be starting a new



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2 effort on agriculture that will be headed
3 by Carl Gabrielsen. Sarah and Carl met
4 recently to get going on that. Update
5 with regard to public safety, we have
6 drafted design standards and are waiting
7 from feedback from a few town council
8 members for across Suffolk on that. Once
9 we get that, we are going to meet with
10 District Attorney Tom Spota to see if we
11 can get the help of his office to endorse
12 this initiative. Brookhaven has expressed
13 a strong interest in moving on this.

14 With regard to housing, as all of you
15 know, we started work on planning a
16 Suffolk County Housing Conference for
17 January. We had a brainstorming meeting
18 today. I have spoken with the Suffolk
19 County Village Officials Executive
20 Committee and the head of the Suffolk
21 County Town Supervisor Association and
22 both of those organizations have expressed
23 a desire to be co-hosts for the event.
24 Commissioners Kontokosta, Weir, Kelly,
25 Roberts and Casey are going to be the



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2 leaders in putting that event together.

3 We had a discussion last meeting on
4 Pine Barrens credits and water credits.
5 The commission struggled a little bit
6 about what to do particularly related to
7 specific projects. I don't know what the
8 right answer is, but I do know we need to
9 come up with a way of addressing these
10 from the Regional Commission standpoint.

11 I was asked by the Suffolk County
12 Village Officials Association to meet with
13 their executive committee a few weeks ago.

14 They are very interested in our work and
15 are happy to spread our model to Suffolk's
16 33 villages.

17 The Guideline Committee will meet
18 after today's meeting to continue to
19 review. Next month, East Hampton, the
20 prettiest town hall in the county, will be
21 our 10th town that we have had a meeting
22 in over the last two plus years.

23 MS. LANSDALE: Thank you so much,
24 Mr. Chairman. I just wanted to update you
25 on a couple of additional planning items



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2 by Department of Suffolk County and
3 elaborate on some of the things.

4 We have submitted a letter of intent
5 last Friday to partner with the Towns of
6 Brookhaven, Babylon, Islip, and Huntington
7 and we're currently seeking additional
8 partners on that effort. It's a \$1
9 million grant by the Department of Energy
10 to streamline commercial and residential
11 photovoltaic tag permits and also come up
12 with innovative financing to expand the PC
13 market on Long Island. The second
14 initiative is the Comprehensive Planning.
15 It's been a long time coming. We are
16 proud to announce that the chairman and I
17 will be presenting the first volume of
18 this Comprehensive Plan at Monday's
19 environment Planning and Agriculture
20 Committee of the legislature.

21 Also, proud to note that this is the
22 first document in Suffolk County that
23 actually has QR code on. QR codes are the
24 black and white code you see in
25 advertisement print where you take cell



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2 phones and scan it and it goes immediately
3 to the link. It will be linked to the
4 website to go and get additional
5 information, the information that's
6 contained in our comprehensive plan.

7 The specific information in the
8 comprehensive plan is demographic
9 information, quality of life and economic
10 information. And members of the
11 Commission have seen and received a
12 preview of that information two meetings
13 ago. It includes 2010 census
14 information.

15 The next thing I want to report on is
16 the food and farming initiatives by the
17 Suffolk County Planning Commission. I had
18 a great meeting last week with Carl
19 Gabrielson and he has agreed to serve as
20 the chair of the agriculture committee
21 plan. That will be one of the next
22 sections of our comprehensive plan. He is
23 looking into organizing something on
24 behalf of the Planning Commission for
25 October 24th, which is National Food Day,



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2 and organizing a session at the October
3 12th planning federation meeting related
4 to zoning issues around local food
5 production.

6 I also want to remind members of the
7 planning commission that September is the
8 open enrollment period for the acquisition
9 of farmland development rights. As you
10 may know, earlier this year Chapter 8 was
11 updated and Chapter 8 is the County's
12 farmland acquisition process. So, the big
13 change is that there's an open enrollment
14 period so we're looking at all of these
15 properties and potentially holistically
16 comparing properties against one another
17 rather than on own individual merits. It
18 will be a great process and it is
19 beginning in September. Thank you so
20 much.

21 CHAIRMAN CALONE: Any questions
22 for Director Lansdale? I see none. I
23 just should have noted that I mentioned
24 that Ron Piester, the Head of Codes New
25 York State came down to Suffolk County,



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2 but the reason he came down was because he
3 heard of the various things going on and
4 wanted to be part of them and wanted to
5 know what we were up to on the various
6 things including the solar thing, which we
7 will be announcing and releasing in the
8 next few weeks, and commercial energy
9 efficiency that John and Constantine are
10 working. There's a lot of good things and
11 these could be models for New York State
12 and he was, you know, full-throated
13 enforcing many of these projects. So
14 thank you you all again on letting that
15 happen.

16 MS. LANSDALE: I just wanted to
17 make another announcement. Suffolk County
18 has been involved in development with Long
19 Island Farm Bureau. On August 5th,
20 there's the Long Island Farmers Market Day
21 from 12:00 to 5:00 at the Suffolk County
22 Farm in Yaphank. I just want to make note
23 there's fliers posted outside this room
24 with further information. It's important
25 that we support our local farmers.



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2 CHAIRMAN CALONE: Thank you. Next
3 we're going to move on to the guest
4 speakers portion. We have -- the Town of
5 Islip has an update on their comprehensive
6 plan. In a few minutes, we have the
7 director, David Genaway.

8 David, you want to tell us what's up
9 in Islip.

10 MR. GENAWAY: Thank you, Chairman
11 Calone. Just for the record, David
12 Genaway, G-e-n-a-w-a-y, Commissioner of
13 Department of Planning and Development
14 from the Town of Islip. Thanks for
15 allowing us to present and speak today.
16 We are very honored. This is an
17 initiative we are very energized about.
18 We're happy to embark on another round of
19 update. And I guess I will try to move
20 through this pretty quickly. I will give
21 a little bit of background and then I
22 would like to jump into some of the
23 numbers in the plan itself, and then just
24 have a little commentary about the format
25 of the plan.



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2 Historically, the Town of Islip has
3 had a pretty rich tradition of
4 Comprehensive Planning beginning even in
5 the sixties carrying all the way through
6 the seventies. Technically the most
7 recent comprehensive plan update was done
8 in 1979 and, again, sort of revalidated in
9 1989.

10 In addition, there have been a few
11 more hamlet-specific or sites
12 neighborhood-specific comprehensive plan
13 updates since then including, the
14 Sunnybrook Plan, which is a neighborhood
15 in Bay Shore which was adopted in 2001,
16 and the Oakdale Vision Plan, which was
17 adopted in 2008. So since the adoption of
18 the '79 plan, we have been continuously
19 active, just not in a holistic way. It's
20 something we really want to get back to.
21 Many of you may know when it comes to
22 building and planning in the Town of
23 Islip, what's happened over time is that
24 we've become an extremely permit centric
25 planning department. Our volume is



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2 extraordinary. The vast majority of our
3 human capital within the department is
4 spent on permit review. I think this is
5 the function fact of the building division
6 falling underneath the planning department
7 umbrella. So we've really got boots on
8 the ground when it comes to building
9 activity. The effects of that is that
10 it's been more and more difficult for us
11 to spend a lot of time in the vision
12 process in the comprehensive plan process,
13 and I think that's something we should get
14 back to. We really should do some
15 front-ended planning here and have all of
16 our land development, especially our
17 larger land development proposals be in
18 accordance with a comprehensive plan.
19 This is exactly what section 272-A of the
20 town law was intended to do. So that's
21 really just a little of bit of history.
22 That's why we're here. And I won't read
23 every slide word for word. By the way, I
24 have very few slides. I have for you five
25 or six slides here.



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2 I guess, Andrew, as we go through
3 them, you can click on them.

4 The first slide here is really, again,
5 a statement of the seven goals of our
6 comprehensive plan that was originally
7 adopted in 1979, diversified housing,
8 protect natural resources, provide
9 recreational services, provide efficient
10 quality public services, transportation,
11 education, health, safety and consumer
12 protection, promote identifiable
13 communities to promote those commercial
14 and industrial developments that are
15 compatible and harmonious, and to promote
16 attractive environments.

17 I guess the points that we would like
18 to convey here is that those are exactly
19 the same kind of policy initiatives we
20 want to continue. Those are still valid.
21 One of the paragraphs in Section 272-A of
22 the town law, which was actually a recent
23 amendment to the state law, obligates
24 municipalities or towns to set a schedule
25 for the constant restudying and



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2 revalidation of the comprehensive plan.
3 So that's really part of what this is as
4 well is that, although, we're not making
5 any specific policy changes here, we want
6 to, at least in a fair and open
7 governmental process, really take a good
8 hard look at these things and ask the
9 question are these things still valid.
10 And after doing so, we do believe those
11 items are still valid. That's slide
12 number one.

13 I guess we will go into phase two of
14 the presentation. That's really to jump
15 into if the numbers really quickly.
16 Really this round of Comprehensive
17 Planning update is really strictly related
18 to some of the demographic updates. As
19 Director Lansdale mentioned before, the
20 emergence of 2010 census data has created
21 new opportunities now that we have this
22 fresh data and we're able to really look
23 at it again.

24 Really to briefly summarize this one,
25 76.3 percent of housing stock is made up



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2 of single-family dwellings. Relative to
3 Suffolk County and New York State
4 comparatively speaking, Islip is more
5 diversified. Housing is compared to the
6 nation as a whole. We are less
7 diversified.

8 Next slide, Andrew.

9 This is a very common graph that I'm
10 sure that we've all seen, especially in
11 Nassau County and Suffolk County. During
12 the post-war era, we've seen a gradual
13 leveling off of population growth, that's
14 true, and that's true coming after the
15 2010 census updates. We're up to 335,000
16 now up from 322,000 in 2000. So that's
17 generally what our population numbers are
18 looking like.

19 Next slide, Andrew.

20 Ethnicity is another element of
21 demographic updates that we looked at. In
22 a snapshot view the town continues to be
23 largely made up of a white population.
24 One of the most notable numbers that we
25 like to point out here is the piece of pie



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2 that's colored red here, that's the 29
3 percent of our population that's of
4 Hispanic or Latino origin. As you will
5 see in future slides, that population is
6 largely made up of living Brentwood,
7 Central Islip and Bay Shore.

8 Next slide, Andrew.

9 This is a really interesting slide. I
10 will give the staff credit for this. By
11 the way, I'm remiss if I didn't
12 acknowledge the extraordinary efforts of
13 Jessica Joyce and Dan Turner who are two
14 of our fantastic employees. Thank you.
15 This graph is a sorting of population
16 growth by hamlet of all the hamlets within
17 the town. As you can see, the graphic
18 that really jumps out at us is the overall
19 population growth in Brentwood. Central
20 Islip and Bay Shore are in distant
21 second. And all the way on the right side
22 you can see the hamlet -- I will go in
23 reverse order -- the hamlets of Islip,
24 Ronkonkoma, West Islip and Islip Terrace
25 and Oakdale actually lost population.



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2 Next slide, Andrew.

3 This is another graph that should look
4 relatively familiar to us. Our population
5 is aging. You can see the differences
6 between the blue and the red bars. Blue
7 representing the year 2000. The red
8 representing the year 2010. We're seeing
9 a shift in age-courts. We are losing
10 young people and older people.

11 This is the second to the last slide.
12 This is our population density curve.
13 Showing, again, to really briefly
14 summarize here, Brentwood has the highest
15 population density followed by Central
16 Islip and West Islip.

17 Next slide, Andrew.

18 This slide is good a comparative slide
19 with the previous. You can see 20 percent
20 of the population exists in Brentwood.
21 Even though Brentwood is one of our larger
22 hamlets making up the largest percentage
23 of the town's land area, 26 percent of the
24 population is within Brentwood. So that's
25 basically it. That's slide eight of



1 Department of Planning Meeting, 8/3/11
2 eight.

3 MS. ESPOSITO: Just to clarify, is
4 26 percent of the landmass in Brentwood.
5 How does it compare to the landmass --

6 MR. GENAWAY: Andrew, can you go
7 to the previous slide? The percentage of
8 land area in Brentwood -- Brentwood makes
9 up 15.5 percent of our land area,
10 meanwhile it's holding 26.6 percent of our
11 population. The irony here is that if we
12 did take a closer look at our housing
13 stock, Brentwood is the vast majority of
14 the housing stock. Brentwood is our
15 detached single-family dwellings. So we
16 simultaneously have a housing stock which
17 is traditional post-war single-family
18 dwellings. Meanwhile population density
19 is our highest there and our level of
20 population growth immigration is the
21 highest in Brentwood.

22 This is a perfect way to segue into
23 phase three of the presentation, which is
24 just a few notes on the -- I wanted to
25 talk about two things, first of all, about



1 Department of Planning Meeting, 8/3/11
2 the media, the formal of this plan
3 itself. We can talk about content all
4 day, what are the demographic updates,
5 what are the future policy initiatives.
6 One of the things I really want to
7 implement here is a change in the way we
8 think about the Comprehensive Planning in
9 the town. Specifically, its method of
10 distribution, and one of the things that I
11 think is problematic across the island and
12 across the country is that there's always
13 a perception that if you want to build
14 somewhere, you have to have a connection
15 to the planning staff, you have to have a
16 connection to the planning board of the
17 town board, if you want to build, you have
18 to know somebody in town hall. That's a
19 perception that I really think is
20 problematic. I think historically,
21 especially in the Town of Islip, we always
22 had a planning doctrine that is larger
23 than ourselves and that if there were a
24 reason for recommending the granting or
25 denial of the zoning change, it wasn't



1 Department of Planning Meeting, 8/3/11
2 because we had a personal problem with it
3 or because there was a particular person
4 making the application, but because there
5 was something wrong with the application
6 itself violating an adopted planning
7 doctrine, that there was a philosophy
8 larger than ourselves that we were basing
9 our recommendation on. That's always been
10 true. One of the things that I think is
11 difficult is that traditionally
12 comprehensive plan was a book that sat on
13 the shelf. The development community
14 didn't really know what the planning dogma
15 was for the town.

16 So really I guess one of the primary
17 points to make here is -- as you can see,
18 all of the slides we've just gone through
19 are in this poster format here. It's all
20 consolidated in one document. It's thin.
21 It's distributable. It could be PDF. It
22 could be put up on the town's website. We
23 could create color printouts and have them
24 distributed all over the place. In fact,
25 the staff has -- we have another copy of



1 Department of Planning Meeting, 8/3/11
2 this. We put it up in the corridor
3 outside of our office so when people in
4 the waiting area waiting for meetings with
5 planning staff, they can read these things
6 and think to themselves this is what a
7 planning department is supposed to do.
8 They don't just process permits. They
9 implement a vision.

10 The other thing I'd like to point out
11 -- it's very difficult to see, I'm not
12 sure if the members can see -- in the
13 upper left-hand corner, you see we've
14 created a control number system. It's
15 never existed before. In this case, we're
16 calling this round of updates CP2011-01,
17 really representing a first in a new
18 system of comprehensive updates.
19 Although, there is an extraordinary amount
20 of background data and charts and graphs
21 and analysis that we've got in the files
22 in the office and certainly all of which
23 are available for anybody to view, we want
24 to have a single document that is the
25 summary document with a control number on



1 Department of Planning Meeting, 8/3/11
2 it that provides a message to everyone,
3 the development community and all
4 policy-makers, that the statements
5 contained within these posters are really
6 part of a system, a larger system. The
7 next round, which I'm sure the commission
8 will see soon, will be labeled CP2011-02
9 and so on down the road.

10 I will close with this. This round,
11 as most of us are aware, the comprehensive
12 plan really has a pretty standard table of
13 contents. Here is a snapshot of reality,
14 here's what's wrong with reality, here's
15 our opportunities and constraints, what
16 can we do and what can't we, what are the
17 recommendations, how do we change the
18 future, how do we steer the bus here. As
19 you can see here, there are virtually no
20 recommendations yet. We're not at that
21 point yet. We still have to take the
22 snapshot of what is our environment
23 today. So I'll close with that.

24 This is just really just the beginning
25 step of an ongoing recurring comprehensive



1 Department of Planning Meeting, 8/3/11
2 plan update. As always, demographic
3 updates are always a great starting
4 point. As you can see, although we're not
5 making any policy recommendations, you can
6 see in looking at some of the numbers,
7 there are some policy recommendation
8 numbers that come out. We diversified
9 housing in Brentwood and everywhere.
10 Basically all of our downtown. I will
11 close with that, Mr. Chairman. I will
12 take any questions if the members have
13 any.

14 CHAIRMAN CALONE: Two things, I
15 think your articulate comprehensive plan,
16 particularly in these days, is important.
17 I have been talking about the
18 comprehensive plan the County is doing as
19 a strategic plan because at the end of the
20 day unless it is a strategic plan for the
21 County that has really the road map where
22 it's going, it's not worth doing in the
23 first place. It's where are we, what are
24 we doing, how do we get there? I think
25 you're making this format accessible makes



1 Department of Planning Meeting, 8/3/11
2 sense.

3 I have a question. Brentwood shows
4 10,000 more folks there over in the last
5 decade. Since 10,000 more heads on
6 pillows and I'm wondering where are they
7 going? I know we haven't seen a ton of
8 new development in Brentwood. Is it
9 really just sort of crowding into the
10 spaces that already are -- or how would
11 you characterize it?

12 MR. GENAWAY: I would say it's the
13 former because of the housing stock is so
14 monotonous. Again, this data was derived
15 from the census data using their standard
16 surveying techniques rather than using a
17 formal head count using local data.

18 It's my belief that we're seeing a lot
19 of illegal immigrations, basement
20 apartments. One corollary that we should
21 do here to take it to the next level is to
22 do all of the board of appeals data. In
23 the Town of Islip, the board of appeals
24 has as a matter of original jurisdiction,
25 not just variance authority but the



1 Department of Planning Meeting, 8/3/11
2 issuance specific for exception of two
3 different types of accessory houses.
4 Basically a mother/daughter, the general
5 term is a mother/daughter, family use only
6 for an accessory apartment. We would
7 expect to see a spike in ZBA activity
8 authorizing more legal accessory
9 apartments in Brentwood. Everyone else
10 who's living in a basement without that
11 ZBA approval, it's an illegal conversion.
12 So naturally from a safety perspective, a
13 fire code perspective, we want to make
14 sure that we are diversifying our housing
15 stock in Brentwood to accommodate the
16 growing immigration.

17 CHAIRMAN CALONE: I know this
18 commission sees the whole county. It's
19 not unique for Brentwood. Brentwood has
20 probably had the highest spike among our
21 hamlets across the county. That's one of
22 the important reasons we want to have this
23 housing summit for Suffolk County to share
24 and discuss ways of solving that problem
25 and how do we get ahead of that problem in



1 Department of Planning Meeting, 8/3/11
2 other places. I know we have a couple
3 questions. I appreciate you raising that
4 issue.

5 Mr. Schoolman.

6 MR. SCHOOLMAN: I have a question
7 about your comprehensive plan which has
8 existed since 1979. Could you inform me
9 of some specific efforts that have gone on
10 with regard to Goal Number 6?

11 MR. GENAWAY: Yes, I can. I don't
12 have it memorized. There we go.

13 MR. SCHOOLMAN: The reason is, I
14 have a business and I'm in Islip and
15 personally I would say to you I did not --
16 have been there a while and I have not
17 observed any efforts with regard to number
18 six, so maybe you could cover that.

19 MR. GENAWAY: Sure. I guess one
20 of the first things that come to mind is
21 one of the elements of Comprehensive
22 Planning that I failed to mention aside
23 from the Sunnybrook and the Oakdale Vision
24 plan in 2008, was the Town Overall
25 Economic Development Plan, which was



1 Department of Planning Meeting, 8/3/11
2 adopted in 1996. This was a key plan and
3 largely stemming from some of the
4 outsourcing and downturn of the firms like
5 Grumman, some of the military contracts
6 and military industrial firms. And the
7 key recommendation in that plan was, to
8 boil it down, industrial zoning is good in
9 the Town of Islip. It provides jobs. It
10 provides a tax base. It doesn't provide a
11 tremendous burden to the school district.
12 So that generally speaking, when the town
13 is considering zoning changes, they should
14 attempt to keep industrial zoning unless
15 the proposal was so overwhelmingly in
16 accordance with other recommendations that
17 it passed merit. Specifically, I don't
18 know how detailed you'd like us to get.

19 We've been successful in denying
20 multiple applications that sought to
21 remove industrial zoning in favor of
22 retail, for example. The Serota
23 application comes to mind. It's a key
24 parcel located on the north side of
25 Sunrise Highway confluence of Nichols



1 Department of Planning Meeting, 8/3/11
2 Road. I think examples like that, where
3 we got a series of zoning applications
4 that came in that were successfully denied
5 or conversely where there were
6 applications to change to industrial one
7 zoning in order to provide that local
8 employment need identified in number six.
9 Those are some good examples.

10 MR. SCHOOLMAN: Could you point to
11 any project that taxpayer money has been
12 used for in a proactive way that promoted
13 job growth in the Town of Islip?

14 MR. GENAWAY: Well, I think rather
15 than the use of taxpayer money, probably
16 not so much, however, our Director of
17 Economic Development, Bill Mannings and
18 even the County themselves has an IDA.
19 There are extraordinary tax amenities that
20 can be offered to firms in order to
21 regroup, to get them to your local
22 municipality. Unfortunately, I don't have
23 the numbers off the top of the head, but I
24 can say the local IDA and actually even --

25 MR. SCHOOLMAN: I'm not referring



1 Department of Planning Meeting, 8/3/11
2 to tax breaks. I'm referring to any--

3 CHAIRMAN CALONE: I don't want to
4 get into a long colloquy here, but there's
5 certainly -- I don't want to talk about
6 this offline. I want to focus on the
7 comprehensive plan. The issue with regard
8 with the comprehensive, we're going to
9 discuss in a few minutes.

10 MR. KELLY: Is there any insight
11 or any thought about the definition of
12 "family structure" in terms of the
13 immigrants that do come in? Many of them
14 to the same house, let's say, and would
15 that impact or would that drive the
16 single-family detached dwelling versus
17 need for more housing diversification?
18 The family structure is not really there.

19 MR. GENAWAY: I think it would.
20 That's a great question. The thing that
21 comes immediately to mind when you ask the
22 question is, we do have a very explicit
23 definition of family in our zoning
24 ordinance. I think it's prudent to do
25 that, otherwise, you have something so



1 Department of Planning Meeting, 8/3/11
2 subjective, it's extremely difficult for
3 your code enforcement arm to enforce
4 whether someone is living in a legal
5 house. In this case, our definition of
6 family is extremely tight. There's a term
7 called consanguinity. There's a first
8 degree of consanguinity that one has to
9 have. You can't have your eighth cousin
10 living in your house and still have that
11 count as a family. You have to have a
12 central cooking facility. You can't have
13 multiple cooking facilities. You can't
14 have multiple utilities. You can't have
15 multiple cable bills. So we've done our
16 best to try to really define this in a way
17 that's defensible. At the same time, we
18 realized that we've got to do more on the
19 visioning side. In fact, a duly adopted
20 comprehensive plan, should result in board
21 in motions on the change of the zoning
22 proactively. Why wait for a developer to
23 pitch us something? Specifically in
24 Brentwood, that's a good item to point
25 out.



1 Department of Planning Meeting, 8/3/11

2 Second item in Brentwood. The second
3 more limiting factor in Brentwood is not
4 local zoning. It's Article 6, County
5 Health. There's no sewers in Brentwood.
6 Zoning may be gratuitous. You may be able
7 to get an enormous number of units by
8 local zoning in Brentwood, but you can't
9 get it by County Health rules. So that's
10 another element that really should be
11 flushed out more. I'm happy to talk about
12 it.

13 CHAIRMAN CALONE: Last comment,
14 Commissioner Finn.

15 MR. FINN: Listening to you speak
16 here today is very refreshing. And some
17 of the initiatives that Commissioner
18 Calone is taking is Planning Commission
19 corrective which is to kind of help with
20 your process. And one of those that you
21 alluded to earlier were the boots on the
22 ground statement. We have a new member,
23 Jennifer Casey, so I'd like to hear your
24 thoughts about how you would welcome that
25 input from the County, like other



1 Department of Planning Meeting, 8/3/11
2 townships, Town of Brookhaven perhaps
3 adopting such as we craft this
4 legislation.

5 Also, the hearing on the zoning on the
6 zone town motion is something that is
7 great to hear you bring up that point, but
8 on the business side and economic
9 development side, the barriers entering
10 this marketplace over the last two decades
11 are now coming to fruition with the major
12 macroeconomic problems that we're
13 confronted with here on Long Island. So
14 the fact that you're taking that proactive
15 approach is refreshing, and we'd like your
16 efforts too of freeing up your staff and
17 so you can focus on that vision, which we
18 all are welcoming while we give our time
19 here on this Commission.

20 MR. GENAWAY: Agreed and duly
21 noted. As always, we appreciate advice
22 and the analysis that the commission and
23 staff can give us from county level.
24 We've got a great relationship, constantly
25 meeting and we want to make sure we're



1 Department of Planning Meeting, 8/3/11
2 coordinating. Specifically relating to
3 the boots on the ground, I also think that
4 our involvement in the SUPP process is
5 helpful too. Especially if we can create
6 a more official way of coordinating
7 between some of the parallel County
8 reviews that are happening either for
9 County Health along with some of the local
10 reviews too. So I have to qualify that by
11 saying, as far as we've come on our
12 computer systems and tracking systems in
13 town, we still have to retrofit a little
14 bit. We have to fix up our own shop
15 before we can coordinate with a larger
16 county SUPP system, we're well on our way
17 and we look forward to continuing to that.

18 CHAIRMAN CALONE: Well, let me
19 give you credit there because with the
20 SUPP or SUPP, as I call it, program, we
21 wouldn't have been able to launch that
22 without your leadership and the leadership
23 of a few other folks like you across the
24 county that see that the future is making
25 this stuff digital, making this stuff



1 Department of Planning Meeting, 8/3/11
2 electronic, making these applications
3 easier and streamlined and consistent and
4 transparent. All that is what that
5 subprocess is aimed to doing. As I said
6 earlier, it's going to take us a while.
7 It's going to take a lot of work to do 43
8 municipalities in Suffolk County. It's
9 worth doing. It wouldn't be possible
10 without your help in getting it off the
11 ground.

12 I also want to recognize you've only
13 been in your job now six months or so, so
14 I think you've established yourself as a
15 regional leader, not only with that, but
16 also I want to acknowledge and let
17 everyone know that we had our East
18 End/East Wind meeting out in East Hampton
19 and Dave drove all the way out to East
20 Hampton Town Hall to brief everyone, the
21 east end towns on the Islip code and
22 what's going on, pros and cons, lessons
23 learned and all that. So I want to
24 acknowledge your leadership in the Town of
25 Islip and helping us think regionally as



1 Department of Planning Meeting, 8/3/11
2 well. Thank you.

3 MR. GENAWAY: Thank you.

4 CHAIRMAN CALONE: Last brief goes
5 to Commission Weir.

6 MS. WEIR: I want to thank you.
7 Islip has been the leader in workforce
8 housing for over 25 years before it was
9 even a word. So we thank you for you
10 that. I see nothing in your statement
11 goals about energy efficiency or
12 accessibility universal design.

13 MR. GENAWAY: I couldn't agree
14 more. I think those are valid elements to
15 include. Again, because Comprehensive
16 Planning is a precursor process, in other
17 words, a constant iterative process, I
18 think immediately the next or future
19 rounds of this should include elements
20 like that. As you're aware, Diana, we
21 really try not to codify, but we have
22 established a track record in terms of
23 negotiation on zoning changes really
24 implementing affordable housing and energy
25 techniques. Over time we do expect that



1 Department of Planning Meeting, 8/3/11
2 to emerge as statute not just a
3 negotiation, but it will be in our code
4 and really we shouldn't put the cart
5 before the horse. It should be here
6 first. We want to do our visioning first
7 and then implementing that vision.

8 CHAIRMAN CALONE: Thank you, Dave,
9 for your time.

10 Next up is a brief update on Shelter
11 Island from Commissioner Holmes.

12 MS. HOLMES: I'm sorry, our
13 supervisor could not come today to talk
14 about the extension of the causeway
15 moratorium. If he had been able to come,
16 he would have also mentioned that he
17 announced at the town board meeting
18 yesterday, which was that the county
19 legislature has agreed to fund \$700,000
20 and the town with funds the other \$300,000
21 to acquire the development right for a
22 little over 26 acres at Sylvester Manor.
23 That's step one.

24 And step two will happen after January
25 when another 57 acres will be purchased



1 Department of Planning Meeting, 8/3/11
2 for development rights at Sylvester
3 Manor. So we're very excited about that
4 and very grateful for the legislature
5 because both the legislature and the town
6 agreed that wait for federal funding
7 that's supposed to come offset our
8 expenses with all the turbulence in
9 Washington, so we're moving it ahead.

10 CHAIRMAN CALONE: Thank you
11 Commissioner Holmes for the update.

12 We'll move now on to the four items on
13 the regulatory agenda. First up is the
14 Town of Islip Comprehensive Plan update.

15 MR. FRELENG: The Islip Town Board
16 proposes to amend and update the Town
17 Comprehensive Plan to highlight the
18 demographics of the town in terms of
19 population, race, housing, and growth in
20 order to understand the current population
21 and trends to properly plan for future
22 needs and development. The one-page
23 amendment released as a single electronic
24 web page seeks to highlight current
25 demographics and trends within the Town of



1 Department of Planning Meeting, 8/3/11
2 Islip in order to set the stage for future
3 changes to the Town's Comprehensive Plan.

4 From the staff's interpretation and
5 review of the material we've heard from
6 the Town of Islip, the Town of Islip
7 appears to be making progress in the
8 development of a Comprehensive Plan
9 update. The update of the Town
10 Comprehensive Plan will help to ensure
11 that future development adheres to goals
12 of the community of Islip as reflected in
13 the Plan. The inclusion of factual
14 demographic data sets the foundation for
15 the derivation of all assumptions and
16 recommendations of the Plan.

17 CHAIRMAN CALONE: Any questions?
18 Any comments around the tables? Motion to
19 adopt? Motion by Commissioner Kelly and
20 second by Commissioner Weir. All in favor
21 for adopting the staff recommendation for
22 reasons indicated, please raise your
23 hand. That is nine to zero.

24 Next item on our agenda is Shelter
25 Island Moratorium on Development of



1 Department of Planning Meeting, 8/3/11
2 Causeways Areas.

3 MR. FRELENG: Thank you, Mr.
4 Chairman.

5 The next referral is the Extension of
6 Temporary Moratorium on Development of
7 Causeway Areas of Shelter Island. What
8 you see before you is an addendum to the
9 second.

10 The Shelter Island Town Board proposes
11 to enact a five-month moratorium extension
12 on Development of Causeway Areas and will
13 be December 31, 2011.

14 The Town of Shelter Island has
15 indicated while draft legislation to
16 address the zoning and wetland issues in
17 the subject areas are close to completion.

18 It will not be ready to adopt by the end
19 of the current moratorium. In order to
20 address the issues raised, the existing
21 moratorium is proposed to be extended.

22 The staff analysis for this is that
23 the Town of Shelter Island has adopted the
24 Moratorium on Development of Causeway
25 Areas incorporating some of the comments



1 Department of Planning Meeting, 8/3/11
2 of the Suffolk County Planning Commission
3 on April 6, 2011 referral approval related
4 to the necessity of the moratorium and
5 cases involving hardship. It would appear
6 that progress is being made toward the
7 development of a local ordinance and the
8 process of soliciting public comment has
9 resulted in some reconsiderations of the
10 law. The five month extension would
11 appear reasonable bringing the entire
12 moratorium period for the Moratorium on
13 the Development of Causeway Areas to nine
14 months current.

15 The staff is recommending approval for
16 the following reason: The Town of Shelter
17 Island has indicated pursuant to their
18 resolution, that they are making progress
19 in pursuing a local ordinance to deal
20 directly with the special development
21 regulations necessary for the low-lying
22 areas along the two Ram Island Causeways.
23 That is the recommendation of staff.

24 MR. CALONE: Thank you, Andy.
25 Just to clarify, this is the same



1 Department of Planning Meeting, 8/3/11
2 application that we saw five months ago?

3 MR. FRELENG: That is correct.
4 This is an extension on that review.

5 CHAIRMAN CALONE: Those of you who
6 were on the Shelter Island tour, we drove
7 through this area. Commissioner Holmes,
8 any thoughts on Shelter Island?

9 MS. HOLMES: Yes. Sorry about
10 that, Andy. We are grateful that the
11 staff has recommended approval because the
12 town board had to go ahead and vote last
13 Friday evening extending the moratorium
14 because the moratorium expired on July
15 31st, and as the staff has noted, the town
16 has been making progress in the initial
17 moratorium period. The town had a
18 committee, which met many times to
19 recommend how to draft the new law because
20 at our June 10th public hearing, it became
21 apparent that members of the public were
22 saying why are you talking about a coastal
23 barrier district moratorium. We're really
24 talking about the causeways because all
25 the rest of our coastal barrier areas are



1 Department of Planning Meeting, 8/3/11
2 owned by the Town or the county. So we
3 have been focusing. The Town has been
4 focusing on the causeways. And it is in a
5 process of hiring a consultant to
6 delineate the wetland and inventory the
7 vegetation on the causeways. And we hope
8 that process gets done before October
9 because the vegetation dies. And we are
10 all very glad that the Town is working so
11 much on this moratorium and on making the
12 causeway. The big change that they're
13 probably going to do with their new law is
14 make the causeway a separate zone rather
15 than part of an overlay district. So that
16 is an important change.

17 CHAIRMAN CALONE: We are looking
18 forward to getting that in due course.

19 Any questions for the staff?

20 MS. CASEY: I was presenting an
21 application issue with the hardship.

22 MS. HOLMES: There was one
23 application that prompted the original
24 moratorium, which was one dwelling which
25 had been constructed on the causeway and



1 Department of Planning Meeting, 8/3/11
2 was damaged by fire about three years
3 ago. And the owner of that property
4 applied to rebuild his house, and the Town
5 had to give him a permit to enter onto the
6 wetland to demolish the existing house and
7 then the DEC gave him a permit to rebuild,
8 but not in the same location. He had to
9 move the dwelling near the road and the
10 dwelling is on stilts. And as a matter of
11 fact, there's a lot of concern because the
12 stilts go 12 feet above the ground, but
13 they go 40 feet below the ground and
14 that's of concern to us. That dwelling is
15 being rebuilt now. And that's the one
16 dwelling that's there.

17 CHAIRMAN CALONE: Thank you. Any
18 other thoughts, questions, comments, or
19 other suggestions? I see none. Motion to
20 adopt? Motion by Commissioner Holmes and
21 second by Commissioner Weir. All in favor
22 of adopting the resolution approving the
23 moratorium in five months, raise your
24 hands? That's nine to zero.

25 Next item on the agenda is the



1 Department of Planning Meeting, 8/3/11
2 Jefferson Meadows project.

3 MR. FRELENG: Thank you, Mr.
4 Chairman and good afternoon members of the
5 board. This application comes from the
6 Town of Brookhaven and the application is
7 Jefferson Meadows, LLC, location of the
8 property is at the southeast corner of New
9 York State Route 112 and Jefferson Avenue
10 and the jurisdiction is adjacent to New
11 York State Route 112.

12 The applicants are requesting a
13 special permit from the Town of Brookhaven
14 Planning Board pursuant to Article 41,
15 redevelopment Initiative, Section 85-493.C
16 of Brookhaven Town Zoning Law.

17 Applicants proposed a demolition of
18 blighted buildings previously used as a
19 car dealership and a landscaping business
20 with accessory uses and proposes the
21 construction of a multi-family attached
22 unit development, including the
23 construction of 96 workforce housing
24 rental units.

25 The applicant proposes to retrofit the



1 Department of Planning Meeting, 8/3/11
2 existing car dealership building to house
3 office space, a health club for use by the
4 public, a community clubhouse and a
5 concession stand.

6 In addition, the Town of Brookhaven
7 Zoning Law requirement for off-street
8 parking relevant to this proposal is 240
9 stalls. The proposal includes 240
10 off-street parking stalls, 40 of which are
11 land banked to provide additional greenery
12 around the subject development.

13 A storm water retention pond is
14 proposed as part of the storm water
15 management system on site as well as to be
16 an aesthetic amenity.

17 The application material indicates
18 that the development is to connect to an
19 existing sewage treatment facility.

20 The applicant also proposes the
21 incorporation of approximately five acres
22 of landscaping and recreational areas
23 including gazebos, putting green, walking
24 trails, playground, tennis and bocci
25 courts.



1 Department of Planning Meeting, 8/3/11

2 In terms of staff analysis, general
3 municipal law considerations, the staff
4 believes that the application issues are
5 compatible with the existing residential
6 and commercial character of the area.

7 The local comprehensive plan
8 recommendations of the Town of Brookhaven
9 1996 Comprehensive Land Use Plan
10 identifies the subject parcel as
11 appropriate for one acre or less
12 residential development. The applicant
13 also puts forth that the 1996 plan states
14 that consideration should be given to
15 placement of multi-family housing along
16 major roadways, as well as the need to
17 continue to provide a choice of housing
18 types for an aging population desiring to
19 remain in the community.

20 Brookhaven Town is currently preparing
21 a new Comprehensive Plan entitled
22 "Brookhaven 2030." Goals for this plan
23 include protecting open space and the
24 environment, redirecting growth to areas
25 with existing infrastructure, revitalizing



1 Department of Planning Meeting, 8/3/11
2 downtowns, making them pedestrian
3 oriented, among other recommendations.

4 The subject parcel was included in the
5 Port Jefferson Station, Terryville,
6 Comsewogue Moratorium area, there were no
7 specific recommendations for the subject
8 parcel in the Port Jefferson, Terryville,
9 Comsewogue Hamlet Comprehensive Plan.

10 The Department notes the nuanced
11 recommendations of the Town's 1996
12 Comprehensive Plan relative to this
13 parcel. The plan recommends zoning of one
14 acre residential or less, but generally
15 recommends the consideration of
16 multi-family housing along major
17 transportation corridors throughout the
18 town. This proposal is not at a
19 one-unit-per-acre-or-less density as
20 recommended by the plan map but rather
21 proposes a density of approximately 12
22 units to the acre. Moreover, the proposal
23 is not in a downtown development center as
24 envisioned in any of the updates in
25 progress.



1 Department of Planning Meeting, 8/3/11

2 In terms of the redevelopment
3 initiative of the Town of Brookhaven
4 Zoning Law, Section 85-493.C of said
5 article allows the petition for inclusion
6 in the program by property owners whose
7 property has not been targeted for
8 redevelopment and elimination of blight in
9 a community-based adopted hamlet plan or
10 corridor plan or land use plan or the
11 Town's Comprehensive Plan and the property
12 does not have a blight plan adopted by the
13 Town Board which determines the property
14 is blighted and appropriate for
15 redevelopment. Pursuant to this section,
16 random parcels may apply to the planning
17 Board of inclusion in the redevelopment
18 initiative.

19 Applicability for a redevelopment
20 designation by the Planning Board is based
21 upon the submission by the applicant of a
22 point analysis or score card and review
23 and approval by the Planning Board.

24 Suffolk County Department of Planning
25 staff does not have the facts on hand to



1 Department of Planning Meeting, 8/3/11
2 review and assess portions of the score
3 card. As a matter of practice, the
4 Suffolk County Planning Commission does
5 not make determinations on the
6 interpretation petitions to the local
7 Planning Board where the Planning Board is
8 acting in a fact-finding quasi-judicial
9 capacity.

10 In terms of Suffolk County Planning
11 Commission Guideline Considerations, there
12 are four policy goals and specific
13 policies of the Suffolk County Planning
14 Commission that the goal application
15 contradicts. Section 4.2A, which is a
16 policy relating to promoting sustainable
17 land use by encouraging density, transit,
18 and mixed uses in downtowns, hamlet
19 centers and areas with adequate
20 infrastructure.

21 The subject property is not located in
22 the downtown, hamlet center or within 500
23 feet of a Main Street Business District.
24 The subject property is more than
25 one-quarter mile from any above land



1 Department of Planning Meeting, 8/3/11
2 forms. Pedestrian sidewalks and bicycle
3 lanes along any of these routes, along any
4 of these destinations is sporadic and at
5 the time of this Route 112 a redevelopment
6 is going on, and drive up and down the
7 road, all the sidewalks are not complete.
8 It should be noted that New York State
9 Route 112 is undergoing a design upgrade
10 as I just indicated. It should also be
11 noted that an inquiry to the website
12 WALKSCORE.COM rates the walkability of the
13 subject property to typical residential
14 amenities to be 32 out of a possible 100.
15 The intended 100 percent affordable rental
16 complex at this location may be remotely
17 situated. Moreover, it is the belief of
18 the staff that the premises could be
19 developed in accordance with the existing
20 J-2 Business District zoning requirements
21 which are applicable to the site.

22 Section 4.2.B of the specific land use
23 policies: Increases in density should be
24 tied to purchase and transfer of
25 development rights or to one-for-one



1 Department of Planning Meeting, 8/3/11
2 density offset through upzoning of vacant
3 privately owned land.

4 Section 4.4.B is specific energy
5 efficiency policies the applicant
6 indicated, through the submitted
7 materials, that the proposal will conform
8 to a LEED.

9 Section 4.5.A and B with regard to
10 commission guidelines regarding public
11 safety. Apart from the special permit
12 action, that would improve and occupy a
13 vacant and abandoned land use. The
14 application material does not indicate
15 public safety. The applicant should be
16 directed to consult the Suffolk County
17 Planning Commission Guidelines on Public
18 Safety prior to referral of the final site
19 plan application.

20 Section 4.7.A regarding
21 transportation: The subject property is
22 not located in a downtown or hamlet or
23 center or within 500 feet of a Main Street
24 Business District. Staff also notes that
25 112 is undergoing an upgrade and may



1 Department of Planning Meeting, 8/3/11
2 include bike lanes and sidewalks. It is
3 also noted by the staff that Suffolk
4 County Transit Operates a bus line along
5 New York State Route 112.

6 It is the belief of the staff that by
7 design, 100 percent rental and 100 percent
8 affordable, the subject of special permit
9 will have a lower single occupant motor
10 vehicle demand than a typical suburban
11 development and have high dependence on
12 pedestrian, bicycle, mass transit or
13 multi-modal options. This is
14 substantiated by the U.S census analysis
15 and for this reason and locational
16 parameters, proximity to a Main Street
17 Business District, downtown or hamlet
18 centers are a significant element in the
19 consideration of that request.

20 Section 4.8.B in terms of the
21 environment and in terms of the
22 application is not foul of any significant
23 constraints. It should be noted that the
24 applicants are proposing a pump station
25 estimated of 22,980 gallons of waste water



1 Department of Planning Meeting, 8/3/11
2 to off-site treatment plant, which
3 tentatively has been identified. The
4 closest identified would be associated
5 with Woodhaven Nursing Home to the north
6 or Sterling Woods Condominiums to the
7 south or the newly being developed
8 commercial park to the west.

9 It is premature at this time to be
10 able to determine how to comply with the
11 goals of the special ground water
12 protection area which indicates that
13 sewage water treatment should be
14 regionalized or discharged out of the
15 special groundwater protection areas. The
16 issue of the viability of the connection
17 to existing STP's in the area is the
18 jurisdiction of of the Suffolk County
19 Department of Health Services, the Suffolk
20 County Department of Public Works and the
21 Suffolk County Sewer Agency. Staff
22 believes the applicant should be in
23 contact with these agencies as soon as
24 possible.

25 Section 4.9.A&B with regard to



1 Department of Planning Meeting, 8/3/11
2 universal design principles and utilize
3 green infrastructure: There is no
4 indication in the referral that the
5 applicants have given consideration with
6 respect to the universal design. Staff is
7 also recommending that applicant take a
8 look at managing stormwater-natural
9 vegetation and green methodologies and
10 study of man-made ponds in Suffolk County,
11 New York.

12 Staff is recommending disapproval with
13 the reason that the proposed special
14 permit use contradicts Suffolk County
15 Planning Commission Guidelines as
16 follows: Section 4.2.A, which regards to
17 promote sustainable land use by
18 encouraging density, transit, and mixed
19 uses in downtowns, in hamlet centers and
20 areas with adequate infrastructure.

21 The second reason for disapproval is
22 that it contradicts Section 4.2.B of the
23 specific land use policies which increases
24 to the density should be tied to the
25 purchase and/or transfer of development



1 Department of Planning Meeting, 8/3/11
2 rights or to a one-for-one density offset
3 through upzoning of vacant privately owned
4 land. The application makes no increase
5 in density.

6 The third policy the application
7 contradicts is regarding public safety.

8 Apart from the proposed special
9 action, that would improve and occupy a
10 vacant and abandoned land use of public
11 safety in relation to commission
12 guidelines.

13 And lastly, Section 4.9A&B, there is
14 no discussion material on universal
15 design. Staff, therefore, is recommending
16 there are four reasons that contradict the
17 Planning Commission Guidelines.

18 CHAIRMAN CALONE: Thank you.
19 Commissioner Kelly.

20 MR. KELLY: Well, I'd like to
21 applaud the Town of Brookhaven supervisor
22 and the Planning Commission on this
23 Blight-To-Light initiative. I think
24 Blight-To-Light is an innovative and
25 progressive tool used to expedite parcels



1 Department of Planning Meeting, 8/3/11
2 throughout the Town of Brookhaven. I
3 believe we recommended approval value for
4 that legislation some time last year. And
5 in regards to this applicant, in
6 particular, it looks like this application
7 provides to the town much needed rental
8 units and this application goes above and
9 beyond providing rental units because a
10 lot of those units are the much needed
11 affordable units. We have an application
12 that provides rental units all in the same
13 application.

14 The fact that it is a redevelopment is
15 something that is also a benefit to the
16 town in that it will clean up a blight as
17 well as increase the taxpayers of the
18 town.

19 I believe the sewer treatment plan
20 connection is very much positive, as well
21 as the fact that the application would be
22 a LEED certified development, which is,
23 again, a benefit to the environment.
24 Those are my comments. I would make a
25 motion -- after the dialogue and



1 Department of Planning Meeting, 8/3/11
2 discussion, I would make a motion to
3 approve this application.

4 CHAIRMAN CALONE: We'll hold off
5 on that and have some discussion.

6 Secretary Esposito?

7 MS. ESPOSITO: It's a little
8 confusing on page 6. A couple of the
9 different STP's are identified, but then
10 it also says that it's unclear if those
11 STP's will be discharging into the SGPA or
12 the hydrologically Zone 3.

13 Can you just elaborate for me the ones
14 that have been tentatively identified is
15 discharged point into hydrologically Zone
16 3 or SGPA or do we know that?

17 MR. FRELENG: We don't know that.
18 Presumably there are one of them
19 discharging.

20 MS. ESPOSITO: Some of them, but I
21 don't know all.

22 MR. KELLY: They are both
23 existing.

24 MS. ESPOSITO: I understand they
25 are existing, yes. That's it. Thank



1 Department of Planning Meeting, 8/3/11
2 you.

3 CHAIRMAN CALONE: Director
4 Deputy Gulizio has a quick comment.

5 MR. GULIZIO: One of the
6 conversations of the staff has not been
7 discussed today as far as today the actual
8 ordinance Blight-To-Light Code, which
9 Commissioner Finn stated during the
10 meeting out at Shelter Island, I believe.
11 One aspect of the code requires in order
12 for a property to be considered pursuant
13 to the Blight-To-Light program one of two
14 actions must take place. First,
15 specifically the property must either be
16 identified blighted pursuant to adopted
17 plan, hamlet plan, corridor plan, or
18 comprehensive plan, or the property must
19 be designated by the Town Board pursuant
20 to resolution. One of the concerns staff
21 had in connection with this application is
22 that neither of those actions has, in
23 fact, taken place.

24 CHAIRMAN CALONE: How is the law
25 set up to do that?



1 Department of Planning Meeting, 8/3/11

2 MR. GULIZIO: It would be pursuant
3 to reviewing of the code that that action
4 either on the part of the Town or would be
5 pursuant to the plan would take place
6 prior to the Planning Board considering
7 the application.

8 CHAIRMAN CALONE: Commissioner
9 Casey.

10 MS. CASEY: The consideration for
11 the application if we do decide to do
12 that, they would need to do that.

13 CHAIRMAN CALONE: Sure. We can
14 condition anything, if the board so
15 desires.

16 MR. FRELENG: Mr. Chairman, just
17 to follow up on Deputy Gulizio's
18 comments. We had several discussions with
19 Town of the Brookhaven regarding their
20 interpretation of their law. We
21 interpreted differently than they
22 interpreted it, but they come under the
23 section which allows random sites to come
24 in, however, we don't interpret it the
25 same way. However, Brookhaven has



1 Department of Planning Meeting, 8/3/11
2 interpreted the ordinance, the process and
3 pursuant to that Section 8549C3 allows
4 properties included through a special
5 permit application and ranking of the
6 score card, which as staff indicated,
7 staff of the Town of Brookhaven and
8 applicant are outside of the rank of this
9 property.

10 CHAIRMAN CALONE: The question
11 is: Do either of one of the ranks have
12 some score they need to get to meet the
13 standard in order to get to the corridor?

14 MR. FRELENG: That is correct.
15 They need to meet a certain score in order
16 to meet under the initiative. Also, the
17 Town of Brookhaven maintains 89 zoning map
18 lists five criteria for density on zoning,
19 go from very low to low one, acre or less
20 to high density to plan development. With
21 the understanding of staff's
22 interpretation there certainly is a high
23 density designated parcel on the zoning
24 map.

25 CHAIRMAN CALONE: On the zoning



1 Department of Planning Meeting, 8/3/11
2 map it doesn't indicate it's high
3 density?

4 MR. FRELENG: Again, there's very
5 low density, low density, one acre or
6 less, high density and planned
7 development. This property is mapped as
8 one acre or less and it is not a high
9 density or plan development.

10 CHAIRMAN CALONE: That does not
11 mean one acre or less. It means one acre
12 or more.

13 MR. FRELENG: We can interpret
14 what it is not as high density.

15 CHAIRMAN CALONE: Director
16 Lansdale.

17 MS. LANSDALE: I just wanted to
18 add and follow up on comments and discuss
19 about how this project fits in the
20 Blight-To-Light Code. Discussions Town of
21 Brookhaven they have acknowledged will be
22 updating their Blight-To-Light initiative
23 so that it becomes clearer in the future,
24 the projects, how random projects without
25 the blight designation.



1 Department of Planning Meeting, 8/3/11

2 MR. FRELENG: The subject
3 application is the property outlined in
4 red.

5 CHAIRMAN CALONE: On the corner
6 there, the triangle.

7 MR. FRELENG: That's the
8 application of Sterling Woods. This is a
9 61-unit project on 13.8 acres. The
10 density on this project is 4.4 acres. The
11 subject application is outlined in red and
12 just to the south is the application
13 theatre development. The Town of
14 Brookhaven will determine if it's
15 blighted.

16 CHAIRMAN CALONE: There has to be
17 some definition. I think it's pretty
18 clear it's an unused car dealership in
19 terms of the fact they haven't been using
20 it for anything.

21 Let me make one statement. These
22 car dealerships are going to be coming
23 back to us time and time again. The car
24 industry was hit hard within the past
25 couple of years. In Suffolk County a



1 Department of Planning Meeting, 8/3/11
2 bunch have been closed. We have been
3 getting a lot of these things. This is an
4 important issue for this Commission, but
5 also for our County with regard to how to
6 deal with these paved over, unused and as
7 they are now unusable property. Something
8 needs to be done with them. The question
9 is what, but to leave it like it is.
10 Obviously no one wants that. My personal
11 opinion, they clearly could be blighted
12 because it isn't usable the way it is in
13 we have lots of these around the county.

14 MR. FRELENG: Mr. Chairman, the
15 subject property is Zone J2 business.
16 There are almost two dozen as of right
17 uses for the subject property, there's a
18 commercial center, health club, schools,
19 offices, pharmacies, some undertaken
20 pharmacies, so it's not like they're not
21 permitted uses on the subject property.

22 CHAIRMAN CALONE: Commissioner
23 Kelly.

24 MR. KELLY: How long has the
25 property been vacant?



1 Department of Planning Meeting, 8/3/11

2 MR. FRELENG: The Commission has
3 no knowledge of the the fact find of the
4 endeavor plan.

5 MR. SCHOOLMAN: I think it's four
6 years.

7 CHAIRMAN CALONE: It might be
8 closer to three. I drive by there all
9 time. Several years, Mike.

10 MR. KELLY: Thank you.

11 CHAIRMAN CALONE: Commissioner
12 Finn.

13 MR. FINN: I want to follow up on
14 what Commissioner Esposito said about the
15 loading on this site. One of the things
16 from the Commissioner we've identified I
17 think is to encourage parcels to connect
18 to existing sewer treatment plants
19 wherever possible so we don't have sites
20 that maintain their individual cesspool's
21 septic on site. Clearly, the one point
22 this applicant addresses is discharging
23 theirs to a different site will be treated
24 as a plus for this location.

25 MS. ESPOSITO: You're half



1 Department of Planning Meeting, 8/3/11
2 correct. Yes, it is true we do agree that
3 treated sewer and sewer treatment plants
4 are more advantageous than two septic
5 systems. However, if you read the Suffolk
6 County Special Ground Protection Area
7 Plan, it is very, very clear that adding
8 even treated sewerage load to special low
9 hydrologic areas, zone 3 is a designation
10 of the overall drinking water supply for
11 Long Island, and in the case Suffolk and
12 it is strongly advised not to do that. So
13 part of the goals of this Commission is to
14 attain the goals of SPGA plan, not a force
15 of law. So that is true. That's why most
16 towns ignore it with the exception of
17 Oyster Bay. So, you know, we have to take
18 that to the next level. It's not cross
19 poles but how do we deal with it on a
20 hydraulic basis.

21 CHAIRMAN CALONE: Commissioner
22 Finn.

23 MR. FINN: That's well said. In
24 the Suffolk County Comprehensive Plan and
25 there is a graph on



1 Department of Planning Meeting, 8/3/11
2 Page ES-7.

3 CHAIRMAN CALONE: Commission
4 Comprehensive Plan?

5 MR. FINN: Yes, Suffolk County
6 Commission Comprehensive Plan 2035
7 Executive Summary on Page E8-7 is a
8 graph. To me this graph is alarming and
9 that graph says a story that we're hearing
10 time and time again on this island about
11 how we're not catering to our young people
12 and we're catering to affordability. So
13 just wondering, as a commission member,
14 when we as a Commission and as a County
15 sound the alarm?

16 Just a little background note is I
17 gave a presentation to the Smithtown
18 School District this past week about
19 housing with housing of students they're
20 expecting a 15 percent rate decrease in
21 school-aged children, kindergarten to
22 fifth grade the next five years.
23 Moreover, currently there is 70 percent of
24 households in Town of Smithtown do not
25 currently have a school-aged children



1 Department of Planning Meeting, 8/3/11
2 residing at residences. These are
3 statistics and we have to do something
4 about that. Not to say this particular
5 application here.

6 CHAIRMAN CALONE: Thank you.
7 Director Lansdale.

8 MS. LANSDALE: Because it is very
9 easy to misinterpret on that graph, I want
10 to point out a clarification, that what
11 you're seeing in that demographic
12 information is that the age group that
13 many people talking about leaving Long
14 Island is actually smaller demographically
15 than other age groups. During the fifties
16 and sixties, Suffolk County's population
17 tripled in size and what you see is the
18 birthrate in the seventies was lower,
19 hence, you have a smaller demographic of
20 children in that group. What you see in
21 that graph, as the children age that were
22 born in the late sixties, early seventies,
23 what you see is that smaller age group
24 moving through different age corridors.
25 So that's part of what that graph is



1 Department of Planning Meeting, 8/3/11
2 explaining, and I'll go into further
3 details about that on Monday. I would
4 like to talk to you more about it
5 offline.

6 CHAIRMAN CALONE: Commissioner
7 McAdam.

8 MR. McADAM: Could you tell me
9 about the sewer district? Is it a private
10 district? Is it a county district? Do
11 you know anything about that capacity?

12 MR. FRELENG: We have no
13 information in the referral package where
14 they were connecting or capacity, only a
15 general indication that they tend to
16 connect to the existing sewage treatment
17 plant.

18 CHAIRMAN CALONE: Commissioner
19 Kelly.

20 MR. KELLY: I am familiar with the
21 Sterling Woods, also there's a nursing
22 home in close proximity as well above, all
23 private plants. And in advancement of the
24 application, such as the subject
25 application, would require Health



1 Department of Planning Meeting, 8/3/11
2 Department approval for connection to that
3 plant and would have to meet whatever
4 regulations the department has.

5 Andy, in your commentary you had
6 mentioned that the code -- I don't know if
7 it was 96 plan or the more recent family
8 code in Brookhaven, recommended high
9 density housing on major thoroughfares?

10 MR. FRELENG: That's correct.
11 There was a general recommendation for
12 that.

13 MR. KELLY: Thank you.

14 CHAIRMAN CALONE: Commissioner
15 Esposito.

16 MS. ESPOSITO: I want to make one
17 general comment to my good friend
18 Commissioner Finn. I read other county
19 plans, also, I feel alarmed about, you
20 know, again the Suffolk County Drinking
21 Water Comprehensive Plan which illustrates
22 even under Health Department approval for
23 all treatment facilities and cross polls,
24 we are still seeing, what I would
25 characterize as dramatic degradation of



1 Department of Planning Meeting, 8/3/11
2 quality and quantity of drinking water.
3 So I agree that we need to keep young
4 people and do affordable housing. What
5 I'm asking is that we do it in a way that
6 allows the ability of drinking water
7 supply that carries to the future because
8 if we don't have an adequate clean, safe
9 drinking water supply, then we haven't
10 really done them justice and we haven't
11 really started our function in managing
12 our resources in a holistic manner and
13 achieve the goals as well as, you know, a
14 healthy and safe environment.

15 CHAIRMAN CALONE: Do you think
16 this project doesn't protect fairly the
17 ground water?

18 MS. ESPOSITO: We know it's a
19 hydrologically Zone 3 SGPA. We know those
20 areas are more sensitive drinking water
21 than other areas. Hydrologically Zone 3 is
22 probably the most important zone on all of
23 Long Island. We need to keep that in mind
24 and move forward. It's not one project.
25 It's the mere fact of all of these types



1 Department of Planning Meeting, 8/3/11
2 of projects adding up to that. I know
3 that is a bigger question than what we
4 have before us, but that's the issue.

5 CHAIRMAN CALONE: It's the same
6 issue with the Pine Barrens. We can look
7 at one project and say there's Pine Barren
8 credits on that. It's a nice project. We
9 like this project. At the same time you
10 can say that for every project and all of
11 a sudden you have a real problem. I think
12 your points are well taken.

13 I'd like to entertain a motion that
14 the application to be approved. Motion to
15 approve? Second by Commissioner McAdam
16 all in favor of adopting resolution for
17 approval of the project, please raise your
18 hand.

19 Move on to the next item, Lowe's Home
20 Centers, Inc. Town of Smithtown.

21 MR. FRELENG: Lowe's application
22 located on the west side of Crooked Hill
23 Road and north side of Long Island
24 Expressway Service Road south of Henry
25 Street in the hamlet of Commack,



1 Department of Planning Meeting, 8/3/11
2 jurisdiction is adjacent to County Road 13
3 and County Road 4 and Expressway 495, 500
4 feet of the county line of the Town of
5 Huntington and Islip.

6 Regional significance of the proposal
7 of the development proposes over 100,000
8 square feet and the staff was provided
9 with affidavits and certificates of
10 certified mailing of the public note of
11 today's meeting to owners/occupants of the
12 property of 1,000 feet of the subject
13 property. The main parcel is 19.77 acres
14 and the corner property has .26 acre.

15 The applicant seeks Zoning Board of
16 Appeals approval in order to construct a
17 free-standing Lowe's Retail Store having a
18 total of 187,925 square feet, which
19 includes both the building of 149,667
20 square feet.

21 The proposal requires a special
22 exception, several variances and relief by
23 the Zoning Board of Appeals.

24 Special Exception Variance would
25 permit the sale and exchange of propane;



1 Department of Planning Meeting, 8/3/11
2 that is, 20 gallons barbecue type propane
3 tank cylinders. The applicant may request
4 a variance to increase the maximum on site
5 propane of 200 gallons to 400 gallons.

6 Also, there is a parking variance in
7 question. The proposal in accordance with
8 the town code is classified as a Community
9 Shopping Center and defined in that code
10 requires one parking stall for 125 square
11 feet for overall store area. The
12 application requires 1,504 parking stalls
13 plus two for proposed propane exchange for
14 a total of 1,506 parking stalls. The
15 applicant proposes the physical
16 construction of 517 parking stalls and
17 land-bank 493 parking stalls for a total
18 of 1,010 parking stalls on site
19 Accordingly, the applicant seeks a 496
20 stall parking variance or 33 percent
21 reduction which may be considered
22 significant. No marking site has been
23 provided show that the on site parking
24 would be adequate.

25 Another variance is height variance:



1 Department of Planning Meeting, 8/3/11
2 Permission to increase the maximum
3 building height from 35 feet to 52 feet.

4 There's several sign permits, one
5 being off site sign permit for the corner
6 of Commack Road and Henry Street to
7 increase the maximum number of ground
8 signs to increase the quake foot of the
9 wall sign and then to add six wall signs.

10 That staff analysis as follows
11 regarding general municipal laws, Section
12 239-L authorizes the Suffolk County
13 Planning Commission to consider
14 inter-community and countywide issues.
15 Staff reviewed the application as
16 generally compatible with existing
17 community character.

18 And with regard to the local
19 Comprehensive Planning of the Town of
20 Smithtown, which was last adopted in 1957
21 and they currently do have in-house
22 updates underway, the staff proposed that
23 the Lowe's Home Center would be considered
24 consistent with the goals of the plan.
25 The proposal will improve the local



1 Department of Planning Meeting, 8/3/11
2 economy.

3 Regarding Suffolk County Planning
4 Commission Guidelines, four of the five
5 general critical countywide priorities
6 being addressed in the application with
7 the exception of the housing diversity.

8 Of have commission guidelines to
9 Section 4.2(B) of the guidelines relate to
10 specific land use policies, promoting
11 redevelopment and infill development as an
12 alternative to continued sprawl.

13 Section 4.5(B) of the SCPC Guidelines
14 relates to the specific public safety
15 policies specific, incorporate design
16 traffic, increase public safety regarding
17 the plan. There is an existing access
18 point which a proposal calls for moving
19 over to here, which will be opposite the
20 existing ingress/egress from the Coscto
21 property and they will install a traffic
22 light.

23 The staff will propose a development
24 improvement of local roadway regarding
25 Section 4.7(A) of the guidelines regarding



1 Department of Planning Meeting, 8/3/11
2 general transportation policy goals. The
3 site of the houses and shopping by the
4 nature of its location which is Suffolk
5 County Transit Bus Route 41 and also close
6 proximity east and westbound exit of Long
7 Island Expressway.

8 Section 4.7(B) of the SCPC Guidelines
9 relates to the specific transportation
10 policy of access management standards.
11 It's the belief by staff by relocating the
12 one ingress along Crooked Hill Road,
13 opposite I think egress of the Costco
14 sight, possibly installing a traffic
15 signal light there will address that
16 concern. And also the application calls
17 for relocating an ingress/egress adjacent
18 to the gas station. There's a drive right
19 here I will show you on the onsite photos,
20 that's going to be moved westbound along
21 the service road which will alleviate
22 conflicts along that section of the
23 roadway. Therefore, to eliminate
24 conflicts and eliminate on those
25 neighbors' properties as well as the



1 Department of Planning Meeting, 8/3/11
2 Suffolk property.

3 Section 4.8(A), general environment
4 policy goals resources. Based on the
5 referral material conception site plan, it
6 will consume less land.

7 Section 4.9(B) of the guidelines
8 relates to specific design policy to
9 utilize green infrastructure.

10 Section 4.10(A) of the guidelines
11 relates to general cooperation policy
12 goal. The County recognizes the
13 importance and need for cooperation and
14 coordination between County agencies,
15 local municipalities and neighboring
16 jurisdictions.

17 The staff has influence of the 1,000
18 foot law and the Suffolk County guidelines
19 has notified the neighboring
20 municipalities, Town of Huntington and
21 Town of Smithtown and also
22 occupants/owners of properties within
23 1,000 feet of today's public meeting.

24 The County has received
25 correspondences; one yesterday from the



1 Department of Planning Meeting, 8/3/11
2 Town of Huntington and the Town of
3 Smithtown required the applicant to
4 provide a traffic study regarding the
5 Lowe's application. Today the Town of
6 Islip also repeated that request of a
7 traffic study be requested that the Town
8 Planning Commission be aware of the
9 substantial potential development across
10 the street from the LIE, Muttontown
11 Square.

12 Staff analysis recommendation of
13 approval with the following
14 modifications: One, the building shall be
15 reduced in size to be in accordance with
16 the on site parking requirements of Town
17 of Smithtown's Zoning Code or the
18 applicant shall be directed to provide a
19 Comprehensive Parking Analysis to
20 determine that the proposed number of on
21 site parking stalls, both improved and
22 land-banked, would be adequate to
23 accommodate all future parking demands.

24 Modification 2, the applicant shall
25 meet the Suffolk County Planning



1 Department of Planning Meeting, 8/3/11
2 Commission Guidelines relating to Energy
3 Efficiency.

4 Modification 3, the applicant
5 shall meet the Suffolk County Planning
6 Commission Guidelines relating to Public
7 Safety.

8 Modification 4, the applicant shall
9 incorporate elements of the Suffolk County
10 Planning Commission publication on
11 Managing Storm Water Natural vegetation
12 and Green Methodologies.

13 It is noted that there are two areas
14 containing a significant number of
15 land-banked parking stalls that are
16 designated as landscaped areas to be used
17 for storm water infiltration purposes, but
18 then it requires the conversion of the
19 land-banked parking stalls should be a
20 component of the proposed Lowe's storm
21 water management plan.

22 This is the existing point of access
23 that is going to be moved westbound
24 farther away from the point of access gas
25 station. This is the north service road



1 Department of Planning Meeting, 8/3/11
2 looking west, the multiplex. This is the
3 parking field in front of the Commack
4 Multiplex looking west. This is that same
5 parking field looking here. This area
6 here would be converted back to a
7 landscape area. This is a rear parking
8 area that's also designated for parking,
9 land-banked parking, which would be
10 landscaped. This is the same parking
11 field looking south. This along here is
12 land-banked and this area is land-banked.
13 This is Henry Street looking east. This
14 traffic light is Crooked Hill Road and
15 Henry Street. This is the aerial of the
16 parking field land-banked area. This is
17 the proposed ingress/egress that's
18 supposed to be moved southward. This is
19 that egress along Crooked Hill Road. If
20 you move down, opposite this point of
21 egress from the property, this is SPB
22 property onto the site proposal of the
23 traffic light. This is looking
24 northbound. That's the presentation staff
25 report.



1 Department of Planning Meeting, 8/3/11

2 CHAIRMAN CALONE: Thank you. A
3 couple of things. First of all, this is a
4 note for staff. This is FYI for future
5 purposes when listing planning guidelines,
6 there really should be six. It's my fault
7 because one time in a letter I combined
8 them into five -- environmental and energy
9 efficiency. And we should split them out
10 for future letters to talk about this. I
11 think it was in the preface of something,
12 and somehow -- again, it is my fault, but
13 it really should be separate. We don't
14 want energy efficiency environment
15 protection in some ways related to switch
16 together. Just to clarify that.

17 Secondly, at the beginning of the
18 staff analysis it says where in the New
19 York State General Municipal Law, the
20 Commission gets authority to enforce
21 jurisdiction. There's been some questions
22 in the last couple of months what the
23 Commission's jurisdiction is. I never
24 know off the top of my head what section.
25 This is all the Commission members. The



1 Department of Planning Meeting, 8/3/11
2 folks asked what the Commission
3 jurisdiction is they're supposed to be
4 looking at, you can direct them to GML
5 Section 239-L. Now, this is a little
6 summary, but it does use this phrase I
7 remember, "consider inter-community and
8 countywide issues." You need to focus on
9 the bigger picture issue like the one we
10 just talked about in the last application,
11 Affordable Housing and Redevelopment and
12 inground water protection. All completely
13 valid issues. All issues where regional
14 thought needs to be conveyed to the
15 municipality decision. That's the role of
16 the Planning Commission. If folks ask you
17 about what's the jurisdiction, Section
18 239-L, again, summarized there in the
19 middle of page 2.

20 Now, with regard to this specific
21 application, the Smithtown Project, I'd
22 like -- I want to just mention one thing,
23 we have a few conditions in here that we
24 don't typically have. The word being used
25 is modification. It's actually the right



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2 word under the law. The law calls them
3 modifications. They're substantively the
4 same I think. I think the Department uses
5 the correct word under the law. I think
6 that's appropriate. We'll try to remember
7 to call them modifications.

8 Number 3 here, the public safety
9 guidelines were never meant to be a
10 condition because they're sort of
11 principals and it would be hard for an
12 applicant to meet all of them; some of
13 them would be divergent, quite frankly,
14 but the idea is to bring up to the
15 applicant those principals so they're
16 aware of the general considerations. The
17 same is for energy efficiency standards.
18 We do have some numbers in there. Those
19 numbers are several years old. The state
20 law has actually sort of passed them by a
21 little bit. I would caution us against or
22 staying to meet our guidelines on energy
23 efficiency and public safety in
24 particular. I think consulting is a valid
25 raising of that issue of exactly what we



1 Department of Planning Meeting, 8/3/11
2 should be doing in observing the
3 guidelines. Maybe if we get them updated,
4 maybe at some point we can have that as a
5 condition and modification. It is not in
6 that state now. Just to be clear, public
7 safety was never really intended a
8 modification. It should be sort of a
9 comment or soft condition -- consult --
10 because it's meant to raise the issues to
11 the eyes of the applicant.

12 What is more important of in terms of
13 public safety of the work we're doing now
14 is reaching out to downtown villages and
15 have them actually incorporate design
16 standards correctly.

17 Lastly, I will refer to storm water to
18 shall incorporate elements, I don't know,
19 Secretary Esposito can chime in on this.
20 The publication doesn't have specific
21 things. It has examples of things you can
22 do and should do. And, again, our
23 condition or modification should, they
24 should consult it and try to incorporate
25 it, we want them to be thinking about



1 Department of Planning Meeting, 8/3/11
2 this. I just urge not to use that
3 language. That's all. Just for future
4 reference for the staff.

5 MS. LANSDALE: I wanted to see if
6 you'd like us, from a staff perspective,
7 to elaborate further on the modification
8 and the comments versus condition versus
9 modification for the Commission.

10 CHAIRMAN CALONE: Is there
11 something you would like to share? You
12 can do it now or later.

13 MS. LANSDALE: It's your pleasure.

14 CHAIRMAN CALONE: If there is
15 something quick, you can do it.

16 MS. LANSDALE: I am looking at
17 Daniel or Thomas, Tom Young, to see if
18 they'd like to add anything at this
19 point.

20 MS. WEIR: Can I just ask a
21 question then?

22 CHAIRMAN CALONE: Let me just say
23 that I don't want to hang up too long on
24 this. I have an airplane to catch. If
25 there is something with regard to this



1 Department of Planning Meeting, 8/3/11
2 application, if not then we can postpone
3 it after we discuss this application.

4 Diana, you have a question?

5 MS. WEIR: The modification is now
6 a condition that's interchangeable is what
7 I'm asking. That's all.

8 MR. YOUNG: The correct term is
9 modification. Cases have held that to be
10 the same as saying the condition, but the
11 proper term in the statute is
12 modification.

13 MS. WEIR: Just to be clear, it's
14 still a condition now called
15 modification?

16 CHAIRMAN CALONE: All right. If
17 you don't mind, if we postpone any further
18 conversation about that until after we get
19 through this in case folks leave and I
20 have limited time myself.

21 Before we go to John, one other thing
22 I want everybody to know is we have the
23 packet letter of the Town of Huntington
24 expressing some concerns, and Ted, you
25 said this was Islip also, expressing



1 Department of Planning Meeting, 8/3/11
2 concerns. I assume they're somewhat
3 similar. We have the author right here.
4 He'll sign copies for you after.
5 Commissioner Finn, if you want to start
6 off.

7 MR. FINN: I'm excited to see
8 another applicant in the Town of
9 Smithtown. We've been pretty quiet, a
10 town of 100,000 people very few give very
11 limited opportunity to review any
12 applicants for the Town of Smithtown.

13 This applicant, this location has seen
14 a kind of a -- over the years has intended
15 uses and through market conditions, it
16 kind of went and failed, and then have
17 been redeveloped. It's an ongoing area
18 that's on a major thoroughfare there, the
19 Long Island Expressway and the Sagtikos to
20 the north/south parkway. Lowe's coming
21 into this site -- we have another site
22 that's on the eastern boundary of the
23 town, however, it's not in the town. It's
24 in the Town of Brookhaven. They took over
25 a vacant KMart site, which, you know, as a



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2 Smithtown resident, I enjoy that
3 location. It did take some considerable
4 amount of time for a boarded up KMart to
5 turn into a Lowe's site. This site being
6 now a vacant movie theatre site. Just
7 immediately to the east is, I believe, a
8 new shop right there.

9 CHAIRMAN CALONE: Costco is on the
10 corner.

11 MR. FINN: In particular, there's
12 a Kitchen Expo right there. I've visited
13 the Expo site frequently and it has been
14 vacant and redeveloped as a Shop Rite.
15 Just immediately to the south of this
16 parcel is a redevelopment site off Crooked
17 Hill Road that encompassed a WalMart, I
18 believe a Home Depot, if I'm not mistaken,
19 which used to be what is being proposed on
20 this movie theatre site. We see in the
21 area that I believe is pretty evident is a
22 sea of asphalt here obviously through to
23 conduct and vacant asphalt. Unfortunately
24 that's a theme throughout Long Island, but
25 that's another story. We have a sea of



1 Department of Planning Meeting, 8/3/11
2 asphalt and that would require for the
3 vacant movie theatre.

4 The applicant I think is intending to,
5 by your description, Ted, is to kind of
6 clean up some of the access points to this
7 site. And as a commercial developer
8 myself, I like to see landscaped areas and
9 more green on a site plan and they're
10 going to be converting a lot of this
11 asphalt into some parking. From a
12 regional standpoint and commission's
13 input, I don't think as personally
14 counting parking spaces, as far as, you
15 know, dictating size of the building at
16 this level. I don't think that's a
17 regional component for what this
18 Commission should be instructed to give
19 their input. I think the vacancy and the
20 economic development, those were some of
21 the principles that were highlighted. I
22 don't see in your comments, Ted, but
23 obviously the job creation, the tax-based
24 increase, and the point noted on the
25 20-acre site and looking at the Home Depot



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2 behind is on a much smaller site. My
3 recommendation would be the approval and
4 eliminate the first modification of
5 reducing the size of the building and have
6 that be more of a town issue. Obviously,
7 the Commissioner already pointed out some
8 of the other conditions or modifications
9 that are more general in nature and it
10 would be hard for an applicant to pinpoint
11 and see to its successful compliance to
12 these issues. So we may want to change
13 that language from shall meet to
14 considering or some of the other past
15 language that we've used for the
16 Commission.

17 CHAIRMAN CALONE: Which one are
18 you talking about?

19 MR. FINN: Two, three and four.

20 MR. KLEIN: On modification number
21 one, we would like to delete the first
22 half of this statement or the whole
23 thing?

24 CHAIRMAN CALONE: There is no
25 proposal.



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2 MS. ESPOSITO: He just made one.

3 MR. FINN: My comment was the
4 Commission

5 discussion would be that we shouldn't
6 recommend the reduction of the size of the
7 building, and, again, counting parking
8 spots, I don't think this is something
9 regional. I think that is more of a site
10 plan specific matter that's to be
11 considered under this standpoint.

12 CHAIRMAN CALONE: There is no
13 formal proposal. I understand your
14 perspective. There is no motion here.
15 Let's just have a conversation about that.

16 Does the staff want to respond in any
17 way to that?

18 MR. FRELENG: The only comment
19 that staff would have is the insufficient
20 parking could result in overflow to the
21 counting right-of-way or the state
22 right-of-way. That's a criteria and
23 that's why we do count parking.
24 Jurisdiction to the Commission is, you
25 know, adequate flow of traffic on county



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2 and state right-of-ways. That is the
3 indicator. Do you have a shortfalling or
4 required parking overflowing also
5 indicates over possible intensification.
6 That is generally why we count parking
7 spaces.

8 MR. KLEIN: Regarding the Town
9 classification and it's quite old, goes
10 back to 1960, based on the definition
11 based on the size of property, it's 20
12 acres. It's a proposal of 100,000 square
13 feet. It meets certain classifications
14 within the shopping center. It could be
15 classified as a community shopping
16 center. That's how they set their parking
17 requirements, so it's that code that was
18 written in the sixties we're still going
19 by. We have surveyed the area. It is a
20 sea of asphalt. The town has acknowledged
21 the code is old, the parking restrictions
22 are old.

23 CHAIRMAN CALONE: When you say,
24 that, you mean they ask too much or the
25 requirement is overgenerous?



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2 MR. KLEIN: Asphalt on site, they
3 are aware of that.

4 CHAIRMAN CALONE: So it seems to
5 me when you put there in the second piece,
6 kind of adds the flexibility that might be
7 -- which I think makes sense -- which is
8 if that code doesn't make sense or doesn't
9 make any sense on the property, just do a
10 parking analysis and show you don't need
11 that many.

12 MR. KLEIN: That's nationwide,
13 these kind of uses. They all have parking
14 variances.

15 CHAIRMAN CALONE: I have no doubt
16 that Lowe's is capable of doing that. I
17 think your modification by putting in or
18 down there I think makes a lot of sense in
19 that. Abide by the parking or if the town
20 and you guys seem to think it doesn't make
21 sense, do a little study and figure then
22 what makes sense. As John said, keep
23 green as much as you can. What Andy said
24 is right. The bottom line, this is on
25 several county, you know, jurisdictional



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2 roads and I think has the implication that
3 we want to make sure there is enough
4 parking so it doesn't cause problems
5 spilling out in the roads. One of the
6 jurisdictional items is keep an eye on
7 that issue. That's why over the years, we
8 always sort of kept a vague eye on that.
9 We don't get number by number by making
10 sure they are sufficient.

11 CHAIRMAN CALONE: Commissioner
12 Kelly.

13 MR. KELLY: The land-banked
14 parking and the landscaped stalls, if
15 those were in the parking, would the
16 applicant meet the local code?

17 MR. SCHOOLMAN: Not the Town of
18 Smithtown Code. It would meet -- if you
19 remember we had a Lowe's in the Town of
20 Huntington a few months ago ago -- it will
21 meet their code. So to answer your
22 question, no, it wouldn't meet the county
23 code.

24 MR. KELLY: What's the size of the
25 existing --



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2 CHAIRMAN CALONE: Let's take a
3 quick break.

4 (Whereupon, a short recess was taken.)

5 CHAIRMAN CALONE: Go ahead, Mike.

6 MR. KELLY: Just on the square
7 footage to the existing cinema in
8 comparison of the footage --

9 MR. KLEIN: I don't know what the
10 square footage is of the multiplex. I
11 know what the square footage of the
12 parking requirements are for the
13 multiplex. The 38,000 square feet garden
14 center, is that roofed over or is that an
15 open area? I can't say for certainty what
16 it is, but it is within the Department's
17 regulations.

18 CHAIRMAN CALONE: Commissioner
19 Schoolman.

20 MR. SCHOOLMAN: I want to comment
21 that I would be in favor of the proposal.
22 I would personally like to see the
23 modifications or conditions, whatever
24 we're calling it, be converted to
25 comments, because I think a condition has



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2 to be very specific and understandable and
3 not something that is vague. All of these
4 are too vague for me. That's just my
5 comments.

6 CHAIRMAN CALONE: Certainly the
7 wording is a question. What do you mean
8 by "vague?" The question from a legal
9 perspective for myself is sort of too
10 vague if you don't know whether you have
11 accomplished the condition or the
12 modification.

13 MR. SCHOOLMAN: Just take number
14 three, you pointed to that earlier. I
15 mean, you know, you can get a pass or fail
16 from 1,000 different people with different
17 answers. What does that mean, the
18 guidelines relating to the public safety?

19 CHAIRMAN CALONE: We have specific
20 guidelines that we provide.

21 MR. SCHOOLMAN: Are they very
22 specific that --

23 CHAIRMAN CALONE: They are two
24 pages long, the guidelines relating to
25 public safety, and we send them with



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2 referral.

3 MS. LANSDALE: I will be more than
4 happy to send those to you.

5 CHAIRMAN CALONE: Your point is
6 well taken from the perspective. We have
7 public safety guidelines that are 23 pages
8 long, and then the guidebook itself --
9 excuse me, the managing itself of the book
10 we put out. I think what's important here
11 from the perspective of making these
12 conditions is we call them consultant. It
13 is a wording we use of know whether you
14 actually look at them or not, have you
15 consulted them.

16 MR. SCHOOLMAN: I guess my
17 interpretation was making it into a
18 comment that you have to do it, but I
19 couldn't want to kill or see something
20 killed for that modification.

21 CHAIRMAN CALONE: Two points on
22 that. I think it's a good point. One, we
23 can't presume kill or not kill. However,
24 we certainly know how strong our
25 conditions are by how we word them. If we



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2 meet the guidelines, that is a very
3 different thing than saying "consult the
4 guidelines." And I think the tradition of
5 the Commission is sort of on some of these
6 is say "consult the guidelines." Are we
7 aware of these issues? Are there a strong
8 order of options? It's very difficult for
9 us to say you have to meet them because
10 they are principals -- they're ideas.
11 They may or may not work on any particular
12 project. That's why I think consult those
13 guidelines and are very specific and staff
14 that with the letter.

15 CHAIRMAN CALONE: Thank you for
16 raising that issue, Bill. I think that's
17 a good one.

18 Commissioner Casey?

19 MS. WEIR: Do you take into
20 consideration or do planning guidelines
21 take into consideration the usage of the
22 property, because as a movie theatre, they
23 are only usually used in the evenings and
24 during the day for the matinees? You have
25 a shopping center, an active shopping



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2 center, people are going to be in and out
3 all day because they are open 9:00 to
4 10:00. How does that work? You know, in
5 a movie theater all the parking spots are
6 used at the same time. It's just a
7 question in general on any case.

8 MR. GULIZIO: Different uses has
9 different parking requirements.

10 MS. WIER: Okay. I just wanted to
11 make sure of that.

12 CHAIRMAN CALONE: Commissioner
13 Casey.

14 MS. CASEY: With respect to
15 traffic analysis, I think that is very
16 important and I refer to the letter of
17 Town of Islip and the Town of Huntington.
18 There is a lot of commercial activity in
19 the area. There's a Costco across the
20 street as well as others. I think it is
21 very important that we incorporate the
22 traffic analysis in any recommendation
23 that we mention.

24 Also, with respect to the stormwater,
25 having attended that seminar, I think it's



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2 very important that they consult and maybe
3 incorporate those elements into now
4 asphalt which is was more than new than in
5 the future.

6 CHAIRMAN CALONE: Commissioner
7 Finn.

8 MR. FINN: One point I know we
9 have the issue of park land which has been
10 kicked around and we the Town of Islip
11 director here. When we look at this
12 application, according to what counsel
13 instructed us several times, we have to
14 look at what this means for this
15 applicant, not what is a pending
16 development in the future or what that
17 applicant would look like. I just wanted
18 to reiterate that point.

19 MR. YOUNG: We are basing it on
20 the referral that was sent to us. The
21 referral is what was presented to the
22 Planning Department and what they're
23 reporting to us. That is the total of any
24 personal knowledge of the individual.
25 There should not be any other



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2 documentation or anything, just the
3 referral.

4 CHAIRMAN CALONE: The fact is, we
5 can't erase it from your mind. It is what
6 it is. When the analysis is done,
7 particularly traffic, because it's an
8 accumulative kind of thing, you know, the
9 traffic is kind of coming down the line.
10 That's a different analysis. All we can
11 say is you should do a traffic analysis.
12 That's our recommendation.

13 MS. CASEY: Any traffic analysis
14 is important because the theatre will use
15 it more in the evening, and Lowe's will
16 use it during the daytime. There is
17 always a lot of daytime traffic for other
18 stores and shopping centers around there.

19 MR. FINN: An applicant of this
20 nature, wouldn't it be safe to make the
21 assumption that they've done their traffic
22 study?

23 MR. FRELENG: We can't presume
24 that. It may be logical to think that,
25 but they didn't refer it to us.



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2 MR. FINN: Your conversation with
3 the town, did you ask them about the
4 traffic impact analysis or any traffic
5 information on the project given this
6 size, given this location and given all
7 the things we know as Commission? Did you
8 ask the applicant to provide traffic
9 impact analysis?

10 MR. KLEIN: I did not supply that
11 to the town as of yet. They did not
12 provide a traffic impact study. The town
13 does not intend for them to require to.

14 CHAIRMAN CALONE: Other townships
15 are asking that.

16 MR. KLEIN: The question that is
17 going to go in the modification.

18 CHAIRMAN CALONE: John, the
19 question is, did it come up? The answer
20 is no, it has not come up. That's a fair
21 question.

22 Were there any objections to editing
23 the conditions two, three, and four with
24 regard to the applicant shall consult
25 rather than the applicant shall meet and



1 Department of Planning Meeting, 8/3/11
2 the applicant shall incorporate? Is there
3 any objection to that? I see none.

4 MS. ESPOSITO: This is not an
5 objection, but it is a comment. At some
6 point I think this commission should talk
7 about how we do this a little bit better.
8 We work very, very hard on the
9 guidelines. The committee develops and
10 crafts guidelines that we believe in and
11 then we ask the Suffolk County Planning
12 Department to assess each of these
13 applications according to those
14 guidelines. I think what we need to do is
15 figure out how we can incorporate those
16 guidelines and to get the actual
17 guidelines implemented. On the first two
18 segments of that and we need to do a third
19 one. At some point we need to have a
20 meaningful discussion of implementation of
21 guidelines because I think they are very
22 specific and I think there are a number or
23 numerous portions of the different
24 guidelines that can and should be
25 implemented by the application. We should



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2 talk more about how that actually happens
3 rather than suggesting to them that they
4 read the work that's been done.

5 CHAIRMAN CALONE: Commissioner
6 Holmes.

7 MS. HOLMES: We already have
8 instituted the practice of sending the
9 copy of the specific guideline. When we
10 say we want them to consult the guideline,
11 we include a copy of it so they you know
12 --

13 MS. ESPOSITO: I don't want to
14 discuss now. We send it to them, but I
15 know I get a lot of mail I don't read, but
16 not including anybody here.

17 CHAIRMAN CALONE: It's a fair
18 point. The guidelines are written in
19 several different ways. Public safety is
20 a set of principles. It's something the
21 town is working on something. Tom and
22 Andy are working on actually changing that
23 into a code townships could actually
24 adopt. That would be ideal. Energy
25 efficiency is actually a standard. Some



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2 towns adopted that and others haven't.
3 What do we do about that? Is that okay or
4 is that something that we sort of wanted
5 to impose? It's difficult when we stand
6 at the end of the food chain to impose
7 that.

8 We have a modification to those middle
9 three terms and edits or changes to those
10 three modifications. Without objection,
11 the traffic study requested by Huntington
12 and Islip.

13 Any other comments or questions or
14 considerations.

15 MS. CASEY: The traffic study.

16 MR. FINN: We are going to
17 eliminate the restriction of the size of
18 the building?

19 CHAIRMAN CALONE: No. Sorry. You
20 did mention that. I thought we were -- if
21 you'd like to raise that as a suggestion,
22 you can do that. We will take everyone's
23 temperature on that.

24 MR. FINN: The point is if we're
25 requesting the applicant to do a traffic



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2 analysis and parking analysis, that should
3 be determined after reviewing that it is
4 in compliance. Obviously, the size issue
5 will be encompassed in that.

6 CHAIRMAN CALONE: You would not
7 reduce the size if the traffic analysis
8 prevails.

9 Is that clear enough, the way it's
10 written?

11 MS. HOLMES: It's an either/or.

12 CHAIRMAN CALONE: John, are you
13 removing that suggestion or leaving that?

14 MR. FINN: Again, this applicant
15 of this size with this applicant being
16 Lowe's, I think it's quite clear on what
17 they need from a parking requirement for
18 their successful operation of their
19 store. They wouldn't go in and buy this
20 location and knock it down and redevelop
21 it and under park their lot as a result of
22 from their analysis. If we're going to
23 require them to do a parking and traffic
24 study and analysis, then I just have an
25 issue to reduce the size of the building



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2 on twenty acres. That's my point.

3 MS. HOLMES: That's why we have
4 either/or in here. The either need to
5 reduce the size of the building or do a
6 study or show why they don't need to
7 reduce the size.

8 MS. ESPOSITO: I just want to
9 comment on the issue that that has been
10 the role of the commission for years for
11 parking and traffic as part of the
12 analysis of these projects. I'm a little
13 curious as to why you're wondering about
14 that.

15 MR. FINN: From my experience,
16 going through the town process, all these
17 questions have been asked and answered at
18 the town level, whether there's a
19 sidewalk, whether there's an issue.
20 Again, I don't think this Commission has
21 done that in the past.

22 CHAIRMAN CALONE: I think there
23 are things that we throw away and things
24 that we focus on. Parking is one of those
25 and traffic is one of those because of



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2 where the location is, if it's on a major
3 county road, our job is supposedly under
4 the county, to protect the road. It's not
5 the right word, but sort of keep an eye of
6 the roads. When you have a situation
7 where a township controls zoning on their
8 property and burden the county, because
9 it's a county road, that's the kind of
10 thing. We can either do it or not.

11 Linda.

12 MS. HOLMES: John was raising an
13 objection to requiring reducing the height
14 barrier. But the people are -- the
15 applicant is asking the increase in height
16 variance from 35 to 52 feet. We're saying
17 either lower the height or prove why you
18 have adequate parking to take care of that
19 increase in size. That's what we're
20 saying.

21 MR. FINN: My point, Commissioner
22 Holmes, is towards height not the size of
23 the building. We are asking them to
24 reduce the size of the building.

25 MS. HOLMES: Maybe we misused the



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2 word "size."

3 CHAIRMAN CALONE: Tom just wanted
4 to make a very good point. He just said
5 the state law requires to look at
6 traffic. One of the ramifications of that
7 of why it's a regional thing regional is
8 because it can impede on county or state
9 roads, which I think is why we tend to
10 look at it.

11 MR. FINN: Again, I'm not saying
12 not to look at traffic. I'm not saying
13 not to look at the parking study. They
14 are saying to reduce the size of the
15 building to meet the parking requirement.
16 What I'm saying is that if we're going to
17 make a statement that has to do with
18 parking study and traffic impact analysis,
19 then so be it. And if they did not, if
20 the parking is insufficient, then
21 obviously reducing the sheer size of the
22 building will be better parking.

23 CHAIRMAN CALONE: The option is
24 reduce the building size or you get rid of
25 the landbank?



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2 MR. FINN: Yes.

3 CHAIRMAN CALONE: Your point is
4 why dictate reducing the size when they
5 can also reduce the land bank?

6 MR. KLEIN: There is a third
7 option. It hasn't been mentioned.

8 CHAIRMAN CALONE: John, I'm going
9 to brief this to try to summarize this a
10 little bit. This is saying either reduce
11 the size if you do a traffic study. The
12 traffic study is, you know, if you have
13 enough in the plan or don't have enough in
14 the plan. If you don't have enough in the
15 plan, there are several options to address
16 that. One can be reduce the building
17 size. One can be reducing the landbank.
18 One can be cross-access.

19 MS. HOLMES: Exactly.

20 MR. GULIZIO: Just to clarify.
21 There is landbank parking proposed on the
22 site. There is parking proposed on the
23 site. When you combined those two, there
24 are 30 percent of parking. So improving
25 all of the landbank parking doesn't



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2 eliminate the 30 percent of the parking
3 that is being sought. That's not a
4 solution to the problem recognized by the
5 staff.

6 MR. KLEIN: There are strict
7 requirements required. The one stall
8 12,500 square feet across the floor area
9 is excessive. For comparison, the Town of
10 Huntington, that is only required one 200
11 square feet.

12 MR. FINN: You bring up a point
13 about the Town of Smithtown's and its
14 comprehensive plan, because I happen to be
15 a resident of Town of the Smithtown.

16 CHAIRMAN CALONE: This doesn't
17 bother me that much. If you want to make
18 a motion to strike that first part of the
19 condition or modification, do it if you
20 will and we will vote on it.

21 MR. FINN: I think the mere fact
22 of having a number five that requiring the
23 town to do a parking analysis and impact
24 analysis, we should remove the part of the
25 building to reduce in size.



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2 CHAIRMAN CALONE: Your motion is
3 to strike everything before the
4 semicolon?

5 MR. FINN: That would be correct.

6 CHAIRMAN CALONE: That's the
7 motion.

8 All in favor of stripping out the
9 semicolon, please raise your hand? Five
10 proposed, four. We don't need eight votes
11 on an internal resolution. This is simply
12 just amending what's going to be
13 proposed. So the majority of the
14 commission voted to take that out.
15 Right? We don't need eight votes for the
16 action. It's not to actually make the
17 motion.

18 MR. YOUNG: I think that's still
19 an action.

20 CHAIRMAN CALONE: Tom, there
21 hasn't been a motion made on the question
22 in question, the item time in question,
23 right?

24 MR. YOUNG: Right.

25 CHAIRMAN CALONE: This is what's



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2 the language of the motion, then you
3 second, then you need your vote on it.
4 Quite frankly, if you make a motion right
5 now, as long as I recognize it and we
6 would vote on it. This is sort of how to
7 work together to figure out where people's
8 heads are at. Tom.

9 Tom, to avoid that, why don't I just
10 entertain a motion that doesn't include
11 beginning and just do it straight up.

12 Make a motion with 1 through 5 with 2,
13 3 and 4 saying "consult" and without the
14 condition one reading "The applicant
15 should be directed to provide a parking
16 analysis to determine the on sight parking
17 stalls for approved improved landbank to
18 be adequate for all parking demands." Can
19 I make that motion?

20 MR. FINN: So moved.

21 CHAIRMAN CALONE: Second by
22 Commissioner Kelly.

23 All in favor of adopting it is as
24 proposed, please raise your hand. That
25 should be eight. 8-0-1 the motion carries



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2 as proposed.

3 Thank you all. The meeting is
4 adjourned.

5 (Time noted: 3:20 p.m.)

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Department of Planning Meeting, 8/3/11
I, SUZANNE CATALANO, a Notary
Public for and within the State of New
York, do hereby certify that the above is
a correct transcription of my stenographic
notes.



SUZANNE CATALANO



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