

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099

T: (631) 853-5192 F: (631) 853-4044

Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development
and Planning

Sarah Lansdale, Director of Planning

Agenda

December 2, 2015 at 2:00 p.m.

**Rose Caracappa Auditorium,
W.H. Rogers Legislature Bldg.,
725 Veterans Memorial Highway, Smithtown, NY.**

1. Meeting Summary for November 2015
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
 - Village of Shoreham
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Comprehensive Plan, Village of Shoreham
 - Tuckahoe Center, Town of Southampton
0900-15800-03-004000, 005, 006 and
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on January 6, 2016 2 p.m. Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY.

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Notice of Meeting

December 2, 2015 at 2:00 p.m.

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W.H. Rogers Legislature Bldg.,
725 Veterans Memorial Highway, Smithtown, NY.**

Tentative Agenda Includes:

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2. Public Portion
3. Chairman's Report
4. Director's Report
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 - Village of Shoreham
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Comprehensive Plan, Village of Shoreham
 - Tuckahoe Center, Town of Southampton
0900-15800-03-004000, 005, 006 and
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on January 6, 2016 2 p.m. Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY.



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Village of Shoreham Comprehensive Plan; Zoning Code and Zoning District Map
Municipality: Inc. Village of Shoreham
Location: Town of Brookhaven, Suffolk County

Received: 10/19/2015
File Number: Sm-15-01

Jurisdiction: Adoption of Comprehensive Plan, Zoning Code and Zoning District Map

ZONING DATA: Four zones: Residence A, Res B, Public Utility & Business

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: Yes
- Received Health Services Approval: NA
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: Yes
- SEQRA Information: Yes
- SEQRA Type: FEAF
- Minority or Economic Distressed: No

PROPOSAL DETAILS

OVERVIEW – The Inc. Village of Shoreham in accordance with Village Law section 7-722 has caused the preparation of a Comprehensive plan and in accordance with Municipal Home Rule Law section 20 and Village Law Article 7 has caused the preparation of the Village of Shoreham Zoning Law and accompanying Zoning District Map. The current zoning code and District Map was last printed September of 1989. The Enactment would replace, in its entirety, the Zoning Chapter of the Village Code. The enactment addresses the zoning districts, permitted uses, parking, fences and walls, mechanical equipment, pools, lighting, tents, waterfront lots, nonconforming uses and

structures, single and separate parcels, merger, compulsory termination, planning board, site plan review, board of appeals, administration and enforcement.

STAFF ANALYSIS

The Village of Shoreham is roughly 276 acres 30 acres of which are parkland. The Village has a population of approximately 530 residents. The Village, according to the Comprehensive Plan, has “no significant commercial activity.”

The Comprehensive Plan indicates that “property is mostly developed in the Village. Presently, there are only three conforming lots remaining where a new house could be built without subdividing. There are some larger properties, ...[11 parcels, approx. 42.8 acres]...where a subdivision of the land could provide more building lots.”

Village Law section 7-722 1. (h) indicates that the preparation and adoption of a village comprehensive plan is encouraged, but not required. As such, a village comprehensive plan may include 15 or more topics (listed by Village Law) at the level of detail adapted to the special requirements of the village.

The Plan includes a statement of the vision and general goals and objectives of the Village, environmental issues, existing and potential locations of land uses, infrastructure projects and existing and future challenges to the village. The Comprehensive Plan for the Village of Shoreham is concise, direct and establishes the basis for the several zoning districts and the zoning district map accompanying the referral to the Suffolk County Planning Commission.

The “consideration of regional needs and the official plans of other government units and agencies within the region” is a suggested content item listed in Village law (7-722 3. (b)) that staff believes would be a valuable addition to the Village of Shoreham Comprehensive Plan.

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). It is the belief of the staff that the efforts of the County Planning Commission articulating general Suffolk County Planning Commission priorities should be reviewed by the Village and the village should incorporate elements contained within the document.

Sections within the Comprehensive Plan touching on environmental issues are important to the health and wellbeing of the Village. In addition to the Planning Commission Guidebook, it is recommended that the village review the Planning Commissions publication on Managing Stormwater-Natural Vegetation and Green Methodologies, and include into the Village of Shoreham Comprehensive Plan practical elements contained therein. Moreover, the Village should review the SCPC East End Wind Model Code, the geo-thermal Model Code and Utility Solar Model Code for further insight into environmental protection and energy efficiency related to land use.

The Inc. Village of Shoreham has a Business District zoning category, Public Utility category and a Residence B zoning district along North Country Road that can be appropriate for economic growth by supporting a broad range of business and economic opportunities. Encouraging development opportunities that create a range of employment prospects for a variety of ages, educational levels and skill levels can be the goal of these districts. Further consideration on economic development policies for these districts within the Village is encouraged.

With respect to housing it is the written policy of the Suffolk County Planning Commission to *“Encourage a diversity of housing types, equitably distributed across all communities, including the development of multi-family and/or rental housing as well as the development of low and moderate income housing units.”* The village plan makes no accommodation for affordable/workforce housing though the plan indicates approximately 42 developable acres within the Village. It is the belief of the staff that the document would be more comprehensive if the Village Plan addressed the need for an affordable diverse housing stock within the Village.

The Village should review the Suffolk County Planning Commission Universal Design Model Code to encourage housing modifications where Village of Shoreham residents can age in place. Relevant aspects of the Planning Commission’s Model Code should be incorporated into the Village Comprehensive Plan.

The Inc. Village of Shoreham borders NYS Rte. 25A at its southern boundary. The Village Comprehensive Plan makes no mention of Transit opportunities along this route. The accommodation of public transportation opportunities for residents within the Village should be expanded. Suffolk County (bus) Transit lines S62 and S5A run along NYS Rte 25A to points east, west and south. The 5A line enters the village area along Kings Road just west of the Village of Shoreham boundary. Opportunities for Village residents to more easily access the County Transit system should be more fully explored within the Comprehensive Plan.

Public safety and security are not mentioned in the Comprehensive Plan. In conjunction with the New York State Attorney General’s Office, the Planning Commission is creating a model public security design code which will help municipalities make sure that development projects are designed with public security principles in mind. The Village should monitor the progress of the Commission’s Public Security initiative and incorporate appropriate elements into the Comprehensive Plan.

The proposed Zoning Code for the Village of Shoreham has been contemporized and detailed with respect to area and dimensional aspects of lots and structures and expands upon the powers of the boards related to land use. This is a positive aspect. The permitted uses within the four zoning districts however, have been simplified and reduced particularly in the Business District. Permitted uses in the prior Business District code allowed, any use in a residential district, a store for on the premise retail trade, a store for the furnishing of services, a studio, living quarters over or in connection with...a store..., Post office..., bank, the office of a professional person, restaurant, and liquor store. The new zoning code limits permitted uses in the Business District to uses permitted in the residential zones, the practicing of medical arts and the sale of antiques. The Public utility District remains predominantly for Public utility functions and vehicle servicing center for minor repair and storage for public utility vehicles... However; “any permitted use in the Business District” (medical arts and antiques) was added to the new code. Limiting the allowable uses to a small number of permitted uses may over burden the Zoning Board of Appeals in the future as modernized development proposals are made to the Board for Use Variances as land along NYS Rte. 25A or in the Business District becomes attractive for economic purposes.

As indicated above, “encouraging development opportunities that create a range of employment prospects for a variety of ages, educational levels and skill levels” is a county wide priority. It is the

belief of the staff that the proposed zoning code should revisit permitted uses within the Business District to provide for a broader selection of economic development opportunities within the districts. Moreover, mixed use buildings should be reintroduced to the Districts to enable the provision of apartments over stores and expand upon the diversity of housing types in the Village and provide a proportional amount of workforce housing in the Village to help address the regional need.

STAFF RECOMMENDATION

Approval of the Village of Shoreham Comprehensive Plan, Zoning Code and Zoning District Map with the following comments:

1. The Village appears to be making progress on the development of a Comprehensive Master Plan and a new zoning ordinance and should be commended for its efforts. The update of the Village Comprehensive Plan will help to ensure that future development adheres to the goals of the community of Shoreham as reflected in the Plan.
2. The Village should review the Suffolk County Planning Commission Guidebook which articulates the Suffolk County Planning Commission's regional priorities and incorporate, where practical, elements contained within the document.
3. The Village should review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate, where practical, design elements contained therein.
4. The Village should review the Suffolk County Planning Commission's East End Wind Model Code, the Geo-thermal Model Code and Utility Solar Model Code for further insight into environmental protection and energy efficiency related to land use and incorporate, where practical, elements contained therein.
5. The Village should review the Suffolk County Planning Commission's policies on Housing Diversity and is encouraged to incorporate elements that would foster a diverse and affordable housing stock within the Village.
6. The Village should review the Suffolk County Planning Commission's Universal Design Model Code to encourage housing modifications where Village of Shoreham residents can age in place and incorporate, where practical, design elements contained therein.
7. Suffolk County (bus) Transit lines are located in close proximity to the Village. Opportunities for Village residents to more easily access the County Transit system should be more fully explored within the Comprehensive Plan.
8. The Suffolk County Planning Commission is creating a model public security design code which will help municipalities make sure that development projects are designed with public security principles in mind. The Village should monitor the progress of the Commission's Public Security initiative and incorporate appropriate elements into the Comprehensive Plan.
9. The Village should revisit the permitted uses within their Business District to provide for a broader selection of economic development opportunities.



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

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and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Tuckahoe Center
Municipality: Southampton
Location: s/s/o CR 39 (North Highway) approx. 200 feet east of Magee Street

Received: 2/17/2015
File Number: SH-15-01
T.P.I.N.: 0900 15800 0300 004000 et al
Jurisdiction: adjacent to CR 39 (North Highway)

ZONING DATA

- Zoning Classification: HB & R-20
- Minimum Lot Area: 40,000. Sq. Ft.
- Section 278: No
- Obtained Variance: No

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: No
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Yes
- SEQRA Type: DEIS
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: motel, restaurant, residential, inactive soil and materials storage
- Existing Structures: vacant retail shop, motel, dwellings, garages & sheds
- General Character of Site: rolling
- Range of Elevation within Site: 50'-60' above msl
- Cover: woods grass cleared area

- Soil Types: plymouth association and Cut and fill
- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: none

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: change of zone
- Layout: site plan
- Area of Tract: 7.3Acres
- Yield Map:
 - No. of Lots: 1

ACCESS

- Roads: CR 39 -
- Driveways: private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: green technology
 - Recharge Basins bioswales.
- Groundwater Management Zone: IV
- Water Supply: public
- Sanitary Sewers: CT-LP

PROPOSAL DETAILS

OVERVIEW – Applicants seek change of zone approval from the Southampton Town Board for the construction of a 58,500 SF shopping center. The subject parcel is a 7.3 acre parcel zoned Highway Business (40,000 SF minimum lot size) and R-20 (Residential, minimum lot size 20,000 SF) located at the northeast corner of Magee Street (Town road) and North Highway (County Road 39) in the hamlet of Tuckahoe. The petitioners are requesting a change of the zone on three parcels and part of a fourth parcel to Shopping Center Business to construct a 40,000 SF supermarket, an 8,400 SF retail and commercial use building, a 6,600 SF retail/commercial use building and a 3,500 SF bank with drive-thru. Two-hundred-seventeen (217) surface parking spaces are shown on the Conceptual Site Plan. A 46,488 SF access easement for public right of way is also proposed from Magee Street through the project site to North Highway.

The conceptual site plans submitted with the referral materials to the Suffolk County Planning Commission indicates four buildings aligned parallel to the frontage of CR 39 with surface parking to the rear and southeast on the site. A portion of SCTM lot No. 0900 15800 0300 019000 is to be utilized as a proposed access easement and transition yard buffering. Cross access easements are proposed to be established between the subject lot and the properties adjacent to the east and west.

The main access to the subject property is intended via North Highway (CR 39). Uncontrolled ingress east and westbound from CR 39 is proposed. The entrance lane into the subject site has been relocated from previous iterations of the conceptual site plan to the west, to be located nearer to the western limit of the site’s frontage. This modification is intended to increase the available que length for vehicles entering the site from the left hand turning (westbound) lane on CR 39. Egress to North Highway is via a right turn only (east bound). A second alternate egress to North Highway that was proposed at the eastern property line is no longer an element on the conceptual site plan. This exit was determined to be potentially too near to the intersection of CR 39 and CR 52 (Sandy Hollow Road) and was removed to address potential traffic and safety concerns expressed by the public.

Secondary ingress/egress to the proposed project is to be from Magee Street via a 50 foot wide “public access easement” to provide “improved circulation (not only at the site but in the vicinity) by providing vehicles the opportunity to avoid the intersection of Magee Street and CR 39 and traverse through the subject property. This access point does not appear to be restricted, signalized or controlled in any way.

Information included in the referral to the Suffolk County Planning Commission indicate that the subject property is or has been improved with a 7,725 square foot, 11 room motel, a 1,950 square foot restaurant, a 950 Square foot vacant retail shop, residential uses and inactive soil and materials storage areas. All said structures are to be demolished and removed. Copies of any prepared Phase I and II Environmental Site Assessments have not been submitted to the Suffolk County Planning Commission and it is not known if any have been prepared and submitted to the appropriate agencies.

The proposed Tuckahoe Center intends to utilize conventional on-site sanitary systems to accommodate sanitary wastewater generated by the proposed development. Total anticipated sanitary waste water flow to be generated is approximately 2,177 gallons per day (DEIS pg.269).

Storm water runoff from the contemplated development is intended to use leaching pools and bio-retention basins to provide for the adequate storage and recharge of storm water runoff generated from a two-inch rain event across the site. It is also noted that the proposed shopping center design includes the creation of green roofs atop the two proposed retail buildings, and the use of pervious pavement is intended to be incorporated into the design of the shopping center. In addition, native plant species are proposed to be used throughout the proposed site to reduce irrigation demands.

A traffic Impact Study Report for the Tuckahoe Center project was prepared by the petitioner’s consultant (VHB Engineering, Surveying and Landscape Architecture, PC. February 14, 2014) and submitted with the DEIS for the project and referred to the Suffolk County Planning Commission. Based on the results of the analyses conducted VHB concluded that the site generated traffic from the proposed Tuckahoe Center will not have a significant impact on the overall intersection level of service at the nearby signalized study intersections of CR 39 (North Highway) at Magee Street and CR 39 at CR 52 (Sandy Hollow Road). According to the FEIS the “overall levels of service in the Build with Mitigation scenarios in the new analysis (on the revised FEIS plan) are equal to those in the DEIS with two minor exceptions. At the intersection of Magee Street and Sebonac Road during the Friday p.m. and Saturday midday peak analysis periods there are isolated intersection movements that change from Level Of Service (LOS) A to LOS B when the original DEIS results are compared to the revised results in this FEIS. However, the increases in delay that precipitate this change in level of service are not more than three-tenths of a second per vehicle.” The FEIS goes on to read that “this change will not be noticeable to motorists and only results in the level of service slipping because the original results are very close in delay to the level of service threshold between A and B.”

The petitioner has been in dialogue with the Suffolk County Department of Public works and has indicated several mitigations to the trip generation of the proposed project including: 1) Increasing the lengths of the northbound and southbound left-turn lanes on Magee street as they approach CR39. The extension of these lanes will reduce the possibility of through-movement queues blocking entry to the left turn lane during peak periods. 2) Dedication of 17 feet of property along the entire site frontage on CR 39 to the SCDPW for uses in future roadway improvements. 3) Additional mitigation includes changes in traffic signal cycle length, adjustment of phased splits to better correlate with future volumes and proposed changes to signal coordination.

Potable water is to be supplied to the proposed development by the Suffolk County Water Authority.

The subject property is bounded on the north by CR 39 and lands in the Highway Business District; to the east by improved lands in the Highway Business and R-20 (Residence-minimum lot size 20,000); to the south by the remaining property of the Independent Group Home Living Corporation (and the vacant bldg.) and improved and unimproved land in the R-20 district; to the west improved lands in the HB District, and across Magee Street improved land in the HB and MF-44 (Multifamily Family-minimum lot area 44,000SF) District know as Southampton Commons.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone IV. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetland occur on the subject site.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-l provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

The petitioners put forth that the purpose of the change of zone request is to “create a shopping center...to address existing and projected demands for these uses in the surrounding area.” The petitioners authorized a market study which concluded that “from a socio-economic perspective, there is a significant demand within the surrounding community for the types of development proposed at the subject property.” The proposed action has been designed to service the existing area population, including the seasonal population, the projected population growth and the existing and proposed multi-family developments in the vicinity of the subject property. According to submitted materials to the Planning Commission the “nearest substantial full-service supermarkets are greater than five miles in either direction (east or west) of the subject property, and a smaller supermarket is situated within the Village of Southampton, approximately 1.3 miles from the subject site.”

Suffolk County Planning Commission staff compiled and presents the following for informational purposes:

Supermarkets in Hampton Bays (Approximately 7 miles from the Tuckahoe Center project site):

- Stop and Shop – 50,000 Square Feet
- King Kullen – 38,000 Square Feet
- Wild by Nature – 20,000 Square Feet

Supermarket in the Village of Southampton (Approximately 2 miles from the Tuckahoe Center project site):

- Waldbaums – 24,000 Square Feet

Supermarket in the Bridgehampton Commons (Approximately 7 miles from the Tuckahoe Center project site):

- King Kullen – 42,000 Square Feet

Note: the square footage data is based on analysis of aerial photographs and is approximate in nature: the total square footage of the Bridgehampton Commons is approximately 288,000 Square Feet

The petitioners argue that “the purpose for the proposed action is to eliminate the exiting uses at the

subject property, which are blighting and detract from the character of the community, and develop the subject property in a manner that is consistent with, and achieves relevant goals of, the Town of Southampton's Comprehensive Plan..."

With respect to inter-community issues as outlined in GML it is the belief of staff that the proposal is a compatible land use with the uses adjacent to the subject property particularly with the cross access and buffering proposed by the petitioners. While the change of zone and development of the site as proposed by the petitioner will increase motor vehicle trip generation from the site over current conditions, the Town's traffic consultant, the applicant's traffic consultant and the Suffolk County Department of Public Works have determined that with the mitigations proposed the public convenience will not be altered.

The Highway Business zoning and uses along the corridor define the immediate community character and a change of zone to Shopping Center Business is not anticipated to have a significant impact on the community character of the County Road 39 Corridor in this area. It is noted that the hamlets of Bridgehampton, Hampton Bays, West Tiana and Riverside, have a SCB zoning district surrounded by a similar zoning pattern and appear to be maintaining a satisfactory community environment for these hamlets.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Southampton Comprehensive Plan Update (1999) makes no specific recommendations for the land area of the subject property but includes several relevant generic recommendations and goals that are proposed to be included in the preliminary design of the propped shopping center including:

- Innovative storm water management
- Elimination of pre-existing, nonconforming uses
- Improving the highway business corridors by improving and coordinating access and circulation; promoting more attractive signage and landscaping; providing incentives for redevelopment and consolidation; and providing greater flexibility as to use, but with greater attention to design

According to submitted materials by the petitioner, Chapter VI ("The Economy") – Implementation Strategies of the Town Comprehensive Plan includes language that indicates that "the Town should prohibit stores larger than 15,000 square feet, except by special exception, in Shopping Center Business (SCB) districts...the special exception review should include consideration of the economic impacts of large-scale retail development on existing centers, especially with regard to the continued health of hamlet and village anchors." The petitioners put forth that the proposed Tuckahoe Center redevelopment includes a change of zone to "SCB" and the development of a 40,000 SF supermarket, which would require a special exception. In accordance with the above recommendation, a Market analysis was prepared and submitted to the town. This Market Analysis demonstrated that, among other things, the proposed development of a supermarket would not be expected to substantially affect the area's small-and medium-sized food and beverage stores..." The Town of Southampton authorized a peer review of the VHB Market Analysis and traffic report in the DEIS and the FEIS for the proposed Tuckahoe Center by an independent engineering/planning firm (Cashin Associates P.C.). The review indicated that "there is a significant need for the proposed shopping center. This is also reportedly supported the findings of the traffic study for the FEIS, which indicated that the proposed Project will significantly reduce the amount of trips outside of the area for grocery store shopping."

The County Road 39 Corridor Land Use Plan 2014, prepared by the Town of Southampton, indicates (for Quadrant 3 that contains the area of the subject referral site) no specific recommendations for the subject property. The petitioners indicate that the design for the Tuckahoe Center project incorporates several of the recommendations for traffic management found in the Draft Access Management Plan for the CR 39 corridor (pg 56 FEIS). Two of the key

recommendations in the CR 39 Access Plan are to reduce the overall numbers of driveways on CR39 and to limit left turns and cross traffic from intersecting streets and driveways. The proposed site plan incorporates both of these recommendations.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

As indicated above, the proposed Tuckahoe Center is to utilize conventional on-site sanitary systems to accommodate sanitary waste water generated by the proposed development. Total anticipated sanitary waste water flow to be generated is approximately 2,177 gallons per day (DEIS pg.269). Approximately one quarter of a mile (0.25 miles) to the west is the Southampton Commons private sewage treatment plant (STP). The permitted flow of this facility is 0.040 million gallons per day (mgd). Also to the east, is the private STP to the Hampton Rehab Center approximately 0.7 miles away. This STP has a permitted flow of 0.045 mgd. These are the only STP facilities in the immediate area. It is not known if there is additional capacity at either of these two STP's to accommodate the flow of the proposed development. Best management practices and state-of-the-art technologies are being investigated by the Suffolk County for advance waste water treatment facilities that may impact consideration of the placement of a conventional individual wastewater treatment facility. Early review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted for waste water treatment considerations and the petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services and the SCDPW as early as possible.

As previously noted, storm water runoff from the contemplated development is intended to use leaching pools and bio-retention basins to provide for the adequate storage and recharge of storm water runoff generated from a two-inch rain event across the site. Various additional sustainable design components are intended to be incorporated into the proposed Tuckahoe Center including permeable pavers, native landscaping species, rooftop solar photovoltaic PV panels, Green roofs, low-flow plumbing fixtures and drip or low-flow irrigation systems, and energy-efficient LED site lighting fixtures among others. The petitioners may benefit from a review of the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency if they have not been reviewed already, and incorporate into the proposal, where practical, additional design elements contained therein.

A Traffic Impact Study Report for the Tuckahoe Center project was prepared by the petitioner's consultant (VHB Engineering, Surveying and Landscape Architecture, PC. February 14, 2014) and submitted with the DEIS for the project and referred to the Suffolk County Planning Commission. As part of the DEIS review process the Town of Southampton has hired its own traffic consultant to assess the submitted traffic report and make further recommendations as to congestion management at the Magee Street intersection along the CR 39 corridor (see above).

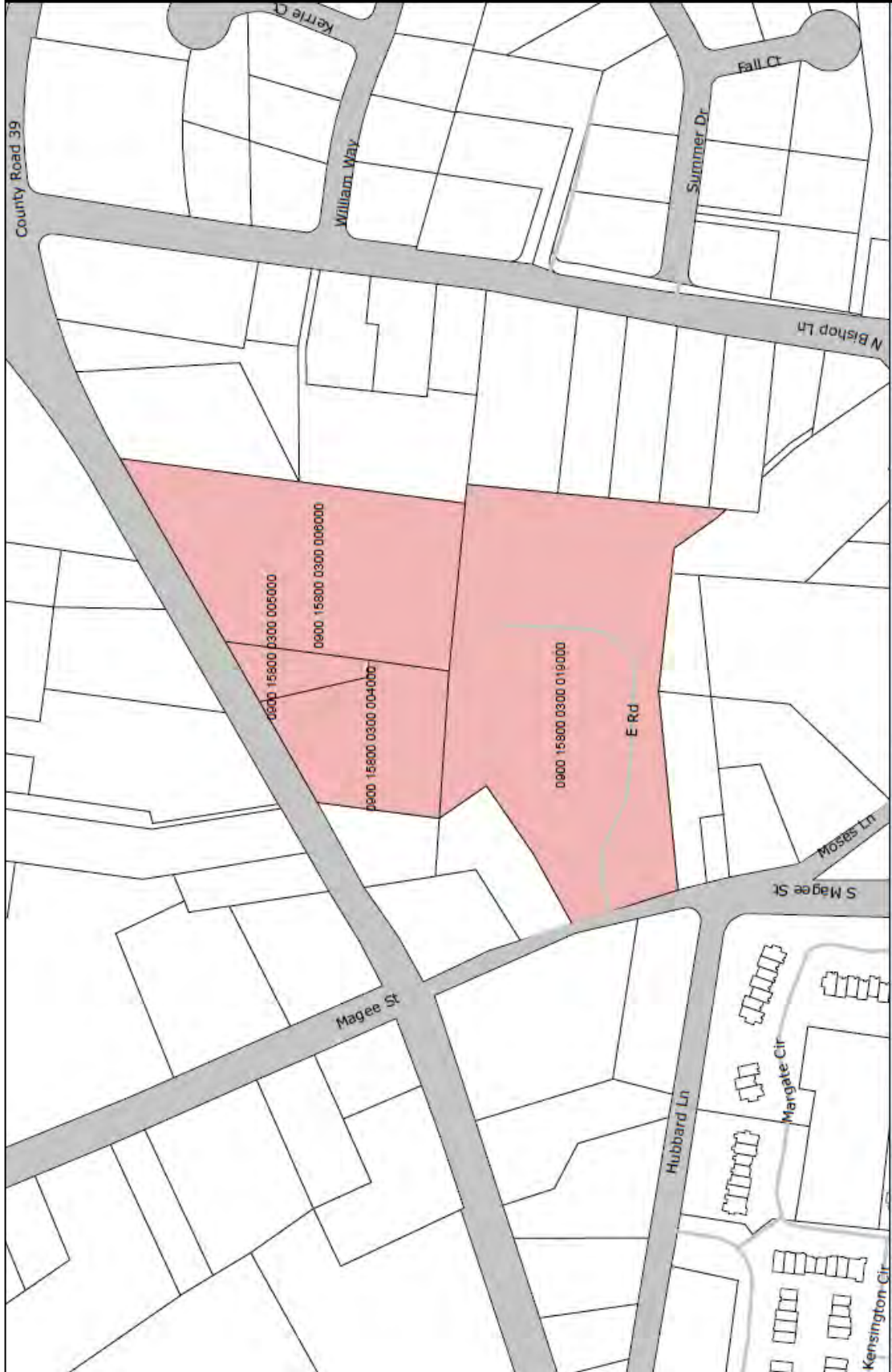
Bus service to the proposed Tuckahoe Center shopping area is provided by S92 to points east and west along CR 39 with connecting service at Hampton Bays and Southampton village. Train stations are located in Hampton Bays to the west and Southampton Village to the east. The applicant has indicated a willingness to install a bus shelter. The petitioner should begin/continue dialogue with Suffolk County Transit to determine if a bus stop at this site would be appropriate.

Little discussion is made in the change of zone petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design and incorporate into the proposal, where practical, design elements contained therein.

STAFF RECOMMENDATION

Approval of the change of zone from HB and R-20 to SCB for the Tuckahoe Center with the following comments:

1. Early review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted for waste water treatment considerations and the petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services and the SCDPW as early as possible.
2. Copies of any prepared Phase I and II Environmental Site Assessments have not been submitted to the Suffolk County Planning Commission and it is not known if any have been prepared and submitted to the appropriate agencies. These should be made available.
3. The petitioners may benefit from a review of the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency if they have not been reviewed already, and incorporate into the proposal, where practical, additional design elements contained therein.
4. The petitioner should continue to work with Suffolk County Department of Public Works to mitigate any potential traffic congestion identified for CR 39 as a result of the proposed change of zone.
5. The petitioner should begin/continue dialogue with Suffolk County Transit to determine if a bus stop at this site would be appropriate.
6. The petitioner should review the Planning Commission guidelines particularly related to public safety and universal design and incorporate into the proposal, where practical, design elements contained therein.



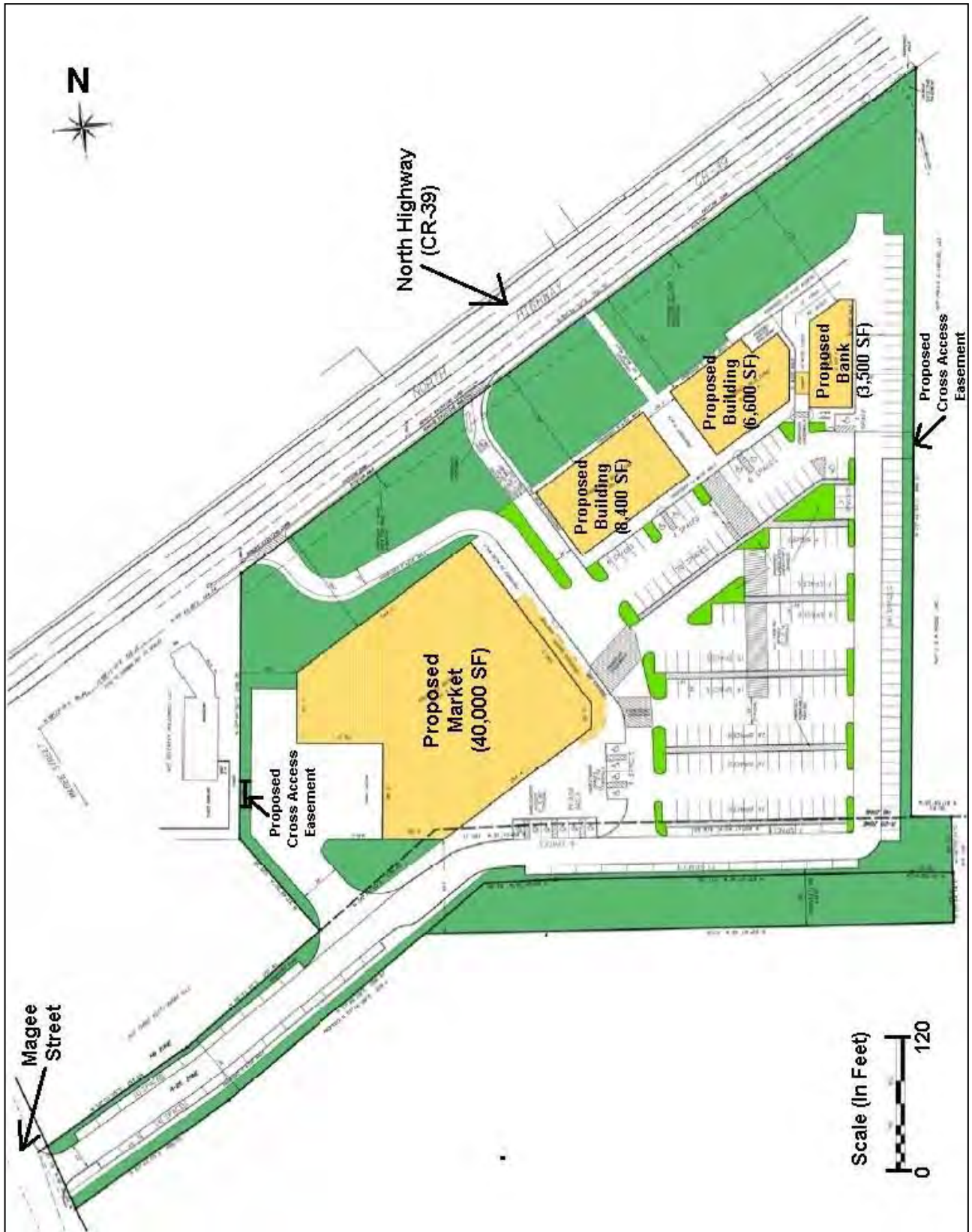
COUNTY OF SUFFOLK, N.Y.
 State Property Taxing parcel lines, used with permission of Suffolk County Real Property Tax Service Agency (RPTSA). This rendering is a PROPERTY MAP and not a site plan. It is not a final agency determination. It is not a substitute for a final determination. Some cases correct data that has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a PROPERTY MAP produced in an effort to aid in the correction of data and errors that are being corrected or corrected in any way.
 *Excerpted from F.O.U.L.I. the provisions of the Freedom of Information Law (Public Officers Law Article 8 Section 84-200) by section 87(2)(g).

SUFFOLK COUNTY
 Planning Board
 100 N. Main St., Room 201
 Suffolk, NY 11983

SCTM No.: 0900 15800 0300 004000,
 0900 15800 0300 005000,
 0900 15800 0300 008000 &
 0900 15800 0300 019000

SCRP TAXMAP BASE, 2012
 Application: Tuckahoe Center
 SCPD No.: SH-15-01
 Date: 03/19/15

1 inch = 250 feet
 0 125 250 500 Feet



COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

David L. Calone
Chairman

Sarah Lansdale, AICP
Director of Planning

Date: December 2, 2015
Time: 2:00 p.m.
Location: Rose Caracappa Legislative Auditorium
William H. Rogers Legislature Building
North County Complex
Hauppauge, New York 11788

Members Present (13)

Ramon Accettella Jr. – Town of Babylon
Michael Kelly – Town of Brookhaven (left meeting @ 4:39 p.m.)
Samuel Kramer – Town of East Hampton
Jennifer Casey – Town of Huntington
Matthew Chartrand – Town of Islip
Carl Gabrielsen – Town of Riverhead
John Finn – Town of Smithtown (left meeting @ 4:40 p.m.)
Barbara Roberts – Town of Southampton
Nicholas Planamento – Town of Southold
Adrienne Esposito – Villages Over 5,000 (left meeting @ 4:42 p.m.)
Michael Kaufman – Villages Under 5,000
David Calone – At Large
Kevin Gershowitz – At Large (arrived after meeting start @ 2:12 p.m.)
Samuel Chu – At Large

Staff Present (5)

Andrew Freleng – Chief Planner
Ted Klein – Senior Planner
John Corral – Senior Planner
Christine DeSalvo – Senior Clerk Typist
Brittany Gelormino – Assistant County Attorney (Counsel to the Commission)

Call to Order

- The Suffolk County Planning Commission meeting of December 2, 2015 was called to order by Chairman David Calone at 2:12 p.m.

The Pledge of Allegiance

Adoption of Minutes

- The adoption of the November 2015 Meeting Minutes. Motion to adopt as amended made by 2nd Vice Chair Kelly, seconded by Commission member Accettella. Vote Approved: 12 ayes, 0 nays, 0 abstentions. (Vote take prior to Commission member Gershowitz arrival).

Public Portion – Twenty two members of the public spoke to the Commission about one of the application on the agenda.

Chairman's Report – Chairman Calone updated the Commission as follows:

- On "Professional Certification", the Chairman stated that the Long Island Business News did an article on professional certification a week or two ago that included the Commission's effort to get a pilot project going; and indicated that once the New York State legislative session starts in January, the Commission will need to work with ABLI to get the necessary state legislation passed, mentioning that there are several towns including the Towns of Brookhaven and Huntington that are interested in pursuing this if the Commission can get the necessary state approvals.
- On the issue of "North Fork Traffic", Chairman Calone indicated that the Commission has talked about putting together a working group to look at how it can help improve North Fork traffic flow during the busiest tourist times of the year. The Chair stated that after the tragic accident, the Commission has discussed expanding that effort to include traffic safety. Chairman Calone noted talking with Legislator Al Krupski, as well as the Supervisors of the Towns of Riverhead and Southold, indicated that the working group would get going soon.
- On the "Public Safety" model code which the Commission adopted in concept last year that would provide guidelines to help municipal planning boards keep public safety principles in mind when evaluating site plans. The Chair indicated that the County Executive's office and the State Attorney General's office are eager for the Commission to complete this project. The Chairman stated that Governor Cuomo's former head of Public Safety for New York State has reviewed our proposed code and thought it was well done. The Chair stated that the Commission has had further discussions at the staff level with the Towns of Babylon and Brookhaven this past month and they have indicated interest and support. Chairman Calone acknowledged the work and time that was put into this public safety model code and is looking forward to seeing it completed soon.

Chairman's Report (continued)

- Regarding "Housing", the Chairman stated that the Commission's Housing Survey has gone out in draft form to a few of the towns for feedback, the goal is to allow the Commission to start collecting that data from Suffolk's municipalities on an annual basis so it can better establish regional housing strategies and goals.
- On the 'East End Wind Code', which has already been adopted by the Town of Brookhaven, the Chairman indicated that the Code is also up for adoption in the Town of Riverhead. Chairman Calone stated that he and David Pennetta from the Commercial and Industrial Brokers gave a presentation on the code to the Long Island Regional Planning Council last month with the idea of getting their support as well as generating some interest from the western Suffolk towns in looking at the code.
- The Chair acknowledged that Director Lansdale presented the County's Comprehensive Plan, which was recently adopted by the County Legislature, to the Long Island Regional Planning Council this past month. In addition, the Chairman indicated that he would be presenting an overview of the Comp Plan at the next Supervisors and Mayors conference.
- The Chairman stated that the next Commission meeting will be held on January 6th at the Legislature in Hauppauge at 2 o'clock.
- On the topic of establishing a "regionally valuable" designation to support development projects that the Commission determines particularly worthwhile and important based on the Commission's existing guidelines, the Chairman indicated that he has circulated some proposed draft criteria which he hopes to discuss amongst the Commission towards the end of the meeting.
- On the "Village Innovation Award", which is intended to recognize villages doing good things to support regional and county-wide goals; the Chair stated that Commission member Kaufman and himself will be giving those awards to the Village of the Branch and the Village of Old Field at the Village Officials Association dinner tonight for their water quality work.
- And lastly, Chairman Calone reminded the Commission that the organizational meeting where they will elect Commission officers is coming up at the beginning of next year and that he has appointed Commission members Carl Gabrielsen and Kevin Gershowitz, and asked Matt Chartrand also, to serve on the nominating committee to propose an officers slate and rules for 2016.
- Chairman Calone mentioned the "Development Retrospective Event" – that would look back at a few projects that have been proposed and completed over the last few years, looking back to see what the claims were made by developers and what were the claims made by those opposed to the project, and see actually what impacts have come to pass. The Chair indicated that he believes that the "Event" could happen in early 2016, and the staff was beginning to work on.

Director's Report – The Planning Director Sarah Lansdale informed the Commission about recent activities within the Division including the following:

- Director Lansdale announced that the Farmland Protection Board approved the 2015 County's Parkland Protection Plan yesterday, and indicated that she would present an overview of the newly adopted plan to the Commission at a future date.

- The Director stated that the Legislature adopted three bills relating to planning; the first was a resolution creating the Regional Planning Alliance, which was recommended as part of the framework in the County's Comprehensive Plan. In addition to that, two bills regarding wastewater; one requiring training for persons in the septic pool industry for the installation of innovative alternative septic systems. And the other bill requiring septic system upgrades to all failing systems at County parks. Director Lansdale acknowledged appreciation to all the stakeholders that help on those bills.

Guest Speaker(s)

Anthony Tohill, Village Attorney for the Village of Shoreham, gave a presentation overview of the Village of Shoreham's proposed Comprehensive Plan, and addressed the questions and concerns of the Commission.

Gilbert Andersen, Commissioner of Department of Public Works for the County of Suffolk, gave an opinion of potential traffic impacts and mitigations relating to the Tuckahoe Center shopping center proposal referred to the Commission by the Town of Southamton, and expressed the confidence DPW staff has that impacts to traffic as a result of the proposal can be addressed and mitigated with no reduction in the level of service.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code

- **Tuckahoe Center;** the application is referred by the Town of Southamton, received on November 10, 2015 – the Commission's jurisdiction for review is that the application is adjacent County Road 39 (North Highway). The applicant seeks change of zone approval from the Southamton Town Board for the construction of a 58,500 S.F. shopping center on a 7.3 acre parcel of land located at the southeast corner of Magee Street (Town road) and North Highway (County Road 39) in the hamlet of Tuckahoe. The petitioner is requesting a change of zone on three parcels and part of a fourth parcel from Highway Business and R-20 Residence to Shopping Center Business to construct a 40,000 SF supermarket, an 8,400 SF retail and commercial use building, a 6,600 SF retail/commercial use building and a 3,500 SF bank with drive-thru.

The staff report recommended approval of the change of zone application and offered six (6) comments for consideration and use by the Town of Southamton Planning Board. After deliberation the Commission resolved to disapprove the application for (4) reasons.

The motion to disapprove the change of zone application was made by Commission member Roberts and seconded by Commission member Kramer, vote to Approve; 8 ayes, 5 nays, 0 abstentions.

- **Village of Shoreham Comprehensive Plan (Zoning Code and Zoning District Map);** the Incorporated Village of Shoreham in accordance with Village Law section 7-722 caused the preparation of a Comprehensive Plan in accordance with Municipal Home rule Law section 20 and village Law Article 7 has caused the preparation of the Village of Shoreham Zoning Law and accompanying Zoning District Map. The enactment

- addresses the zoning districts, permitted uses, parking, fences, and walls, mechanical equipment, pools, lights, tents, waterfront lots, nonconforming uses and structures, single and separate parcels, merger, compulsory termination, planning board, site plan review, board of appeals, administration and enforcement.

The staff report recommended approval of the Comprehensive Plan, Zoning Code and Zoning District Map, and offered nine (9) comments for consideration and use by the Shoreham Village Board. After deliberation the Commission resolved to generally agree with the staff report and approve the application with twelve (12) comments.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code (continued)

- **Village of Shoreham Comprehensive Plan** (continued)

The motion to approve the Comprehensive Plan, Zoning Code and Zoning District Map with twelve (12) comments for their consideration and use by the Shoreham Village Board was made by Commission member Kaufman and seconded by Commission member Chu, vote to Approve; 10 ayes, 0 nays, 0 abstentions.

Other Commission Business

- The Commission briefly discussed regionally significant criteria for determining a "regionally valuable" designation to support development projects that the Commission determines particularly worthwhile.

Meeting Adjournment (5:10 p.m.)

The motion to adjourn the meeting was made by Commission member Accettella and seconded by Commission member Gabrielsen. The motion was unanimously approved.