

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) 853-5191 F: (631) 853-4767

Theresa Ward, Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

AGENDA

March 7, 2018 at 2 p.m.

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

1. Meeting Summary for February 2018
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Watermill Suites, Town of Smithtown
0800 10600 0500 032001 et al
s/e Corner Smithtown Bypass (NYS Rte 347) and Terry Road (CR 16)
Construction of a 130 unit, 4 floor Hotel
7. Section A-14-24 of the Suffolk County Administrative Code
 - None
8. Other Business
 - Discussion - Parking Stall Demand Reduction (PSDR)

**NOTE: The next meeting of the SUFFOLK COUNTY PLANNING COMMISSION will be held on
April 4, 2018, 2018 2 p.m.. Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725
Veterans Memorial Highway, Smithtown, NY**

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AGENDA

March 15, 2018 at 2 p.m.

**Maxine S. Postal Auditorium
Evans K. Griffing Building, Riverhead County Center, 300
Center Drive Riverhead, New York 11901**

1. Meeting Summary for February 2018
2. Public Portion
3. Chairman's Report
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NOTE: The next meeting of the SUFFOLK COUNTY PLANNING COMMISSION will be held on April 4, 2018, 2018 2 p.m.. Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Theresa Ward
Deputy County Executive and Commissioner

Department of Economic Development and Planning
Division of Planning and Environment

STAFF REPORT

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

Applicant: Watermill Suites
Municipality: Smithtown
Location: s/e/c of NYS Rte. 347 (Smithtown Bypass) & CR 16 (Terry Road)

Received: 1/29/2018
File Number: SM-18-01
T.P.I.N.: 0800 10600 0500 032001
Jurisdiction: Adjacent to NYS Rte. 347 and CR 16

ZONING DATA

- Zoning Classification: Wholesale and Service Industry (WSI) & Neighborhood Business (NB)
- Minimum Lot Area: 20,000. 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, EAF
- SEQRA Type: Pending
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: Commercial
- Existing Structures: Catering Hall
- General Character of Site: sloping
- Range of Elevation within Site: 68.5' - 110' abmsl
- Cover: buildings, asphalt pavement landscaping and woods.
- Soil Types: cut and fill, Plymouth and Haven Associations

- Range of Slopes: 0% to >25%
- Waterbodies or Wetlands: none

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Special Exception
- Layout: standard
- Area of Tract: 7.16Acres
- Yield Map:
 - No. of Lots: 1
 - Lot Area Range: N/A
- Open Space: N/A

ACCESS

- Roads: NYS Rte 347 & CR 16 are public
- Driveways: on-site to remain private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: Cb - Lp
 - Recharge Basins: no
- Groundwater Management Zone: I
- Water Supply: public
- Sanitary Sewers: on site STP

PROPOSAL DETAILS

OVERVIEW – Petitioners seek approval from the Smithtown Town Board for Special Exception permission to site a four (4) story 130 room hotel with a gross floor area of 96,788 SF. Construction of the proposed hotel will also require Site Plan approval from the Town of Smithtown Planning Board and area variances from the Zoning Board of Appeals for disturbance of environmentally sensitive land and building height 40% above the maximum height allowance for the zoning district (49’ where up to 35’ permitted). The proposed hotel is to include 1.5 acres of landscaped areas, an open-air courtyard with a pool, outdoor service bar, service area and outdoor seating. An indoor fitness center, and guest laundry is also proposed. The existing 22,810 SF catering hall on the 7.16 acre subject property is intended to remain on site. An enclosed “Link Corridor” to the catering hall from the hotel is proposed. In total 119,598 SF of gross floor area is requested on the subject property.

The subject property is comprised of eight Suffolk County tax map parcels totaling approximately 7.16 acres and is located at the south-east corner of Smithtown Bypass (NYS Rte. 347) and Terry Road (CR 16) in the hamlet of Nesconset. The site has frontage on both roads as well as, frontage on Rhoda Avenue (a Town road) to the south.

The subject development site is split-zoned Neighborhood Business (NB) on the western portion and Wholesale Service and Industry (WSI) on the eastern half of the property.

The proposed hotel is to be located on site east of the catering facility where there is currently surface parking area (including the majority of 341 off street parking stalls) associated with the catering facility. A new parking area is proposed south of the catering facility into sloped wooded area identified by the Town of Smithtown as “Environmentally Sensitive Land.” A total of new and previously existing parking stalls will equal 346 stalls. Of the total off street parking stalls proposed 299 will be constricted and striped while 47 spaces on the east side of the property are intended to

be land-banked.

Access to the proposed hotel is to be from a relocated existing curb cut easterly to NYS Rte. 347. Two existing access curb cuts to CR 16 are intended to be closed as part of the new parking arrangement and a new curb cut to the south to Rhoda Avenue (a town road) is proposed.

The demolition of two (2) one-story frame and masonry structures located at the southwest corner of the subject development site is to commence along with the construction of the proposed hotel and parking area. No estimate of the amount or type of demolition material to be removed from site was indicated in the referral materials to the Suffolk County Planning Commission from the Smithtown Town Board. An estimate of 14,215 cubic yards of natural material identified as rock, earth and trees are intended to be removed from site (EAF pg. 7; dated 12/21/17; William J. Lahti).

Potable water is to be supplied to the proposed development by "public" means though there is no indication that the Petitioners have had any conversations with the water authority with respect to new water demand, irrigation, fire flow or infrastructure improvement requirements.

Sanitary Waste is indicated on the Conceptual Plan for Watermill Suites (prepared by Lahti Engineering and Environmental Consultants, dated 12/19/17; referred to the Suffolk County Planning Commission by the Smithtown Town Board) to be situated at the southeast corner of the subject property in the form of a Chromaglass denitrification treatment system (subject to SCDHS approval). There is a note on the Plan and indicated in the referred Environmental Assessment Form (EAF pg. 9; dated 12/21/17; William J. Lahti) that connection to a sewer district may be feasible subject to SCDHS review. The closest municipally managed or monitored sewer districts are Smithtown Galleria (Avalon), approximately 1,900 feet north of the subject property; Hidden Ponds at Smithtown located approximately 3,800 feet southwest, and the Nesconset Nursing Center approximately 2,000 feet east of the subject development site. No waste water engineering report was included in the referral from the Smithtown Town Board to the Suffolk County Planning Commission.

Storm water runoff from the contemplated development is to be collected via on-site storm water catch basins and leaching pools.

The subject property is situated in a corridor of commercial and neighborhood business district zoning and improved parcels. The development site is bounded on the north, west and south by roadways. Residentially zoned and improved land is beyond the commercial/business roadway corridors and at the southeast corner of the development site.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone I. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetlands occur on or immediately near 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 are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The proposed Watermill Suites hotel development project appears to be a conditionally compatible land use considering the prevailing pattern of zoning and land use character of the State and County

roadway corridors. The development plan (prepared by Lahti Engineering and Environmental Consultants, dated 12/19/17; referred to the Suffolk County Planning Commission by the Smithtown Town Board) does require several variances including the amount of landscaping, disturbance into “environmentally sensitive land” with respect to slopes, and a 29% - 40% variance in height allowance. Both of these “Area Variances” may indicate a potential adverse impact on community character particularly to the residentially improved lands to the southeast.

The majority of existing woods that may potentially buffer the residences from the height of the hotel are to be cleared for the placement of parking and sewage treatment. It is noted that “proposed extensive landscaping in area of (28) 9’x18’ land-banked parking stalls” is proposed along the eastern property boundary and 60’ of “natural vegetation to remain” between the proposed 210 LF retaining wall of the sewage treatment plant and the adjacent residential property to the east.

The Petitioner has indicated on the submitted EAF (pg. 6) that the total height of the tallest structure within a quarter-mile is 44 feet though it is not indicated which structure is referred to. The general character of the area is two stories (35’). It is noted that this Special Exception petition to the Town of Smithtown does not include approval of the height variance. Approval of the height or “Area variance” is the purview of the Smithtown Board of Zoning Appeals. Pursuant to NYS General Municipal Law a petition for area variance must demonstrate that the request will not have an undesirable change to nearby properties, whether the benefit can be achieved by other means feasible to the petitioner, whether the request is substantial, whether the request will have adverse physical or environmental effects and whether the alleged difficulty is self-created. No information on these points have been included in the referral to the Suffolk County Planning Commission from the Smithtown Town Board. It should be noted that an approval of the Special Exception referral by the Suffolk County Planning Commission should not be construed as either an approval or denial of the pending Area (height) Variance before the Smithtown Board of Zoning Appeals.

Public convenience may be impacted by motor-vehicular trip generation from the proposed hotel as it is indicated in the Environmental Assessment Form, prepared by the petitioner and referred to the Suffolk County Planning Commission by the Smithtown Town Board, that trip generated per hour will increase by 97% (EAF Pg. 9; dated 12/21/17; William J. Lahti). No parking or Traffic Impact Analysis report was submitted with the referral materials to the Suffolk County Planning Commission (see below comments on transportation).

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Smithtown Comprehensive Plan (1961) makes no specific recommendation for the subject property. The Comprehensive Plan generally indicates commercial land use for the NYS Rte. 347 corridor. The Town of Smithtown draft Comprehensive Plan Update (Volume VIII, February 2015) also has no specific recommendations for the subject parcel. Generally, the plan recommends Mixed-use automobile related uses for NYS Rte. 347 and CR 16 road corridors. Terry Road (CR 16) south of the subject parcel is also indicated as a Mixed-use automobile related Multi-family Corridor. Section VI D Community Identity Nesconset, of the Smithtown Comprehensive Plan Update does indicate a desire to “...prohibit additional commercial development on the By-Pass (NYS Rte. 347). It is important to note that the draft plan has not yet been adopted by the Town and is provided herein for informational purposes.

The recommendations from “Framework for the Future – Suffolk County Comprehensive Master Plan 2035” Section 2, Key Policy Areas makes broad recommendations to “Strengthen the Tourism and Adventure Recreation Sector” but has no specific recommendation for the subject site or area.

It is not apparent that the subject proposal is in conformance with the Town Comprehensive planning initiatives. The proposal is however, allowed in the existing Wholesale service and Industrial (WSI) zoning district (section 322-100 of the Town of Smithtown Zoning Law) as a “special

exception” use provided that, among other considerations, there is a minimum of 1,800 SF of “site” area for each guest room and that there be adequate provisions for off-street parking. In this respect, the application cannot be considered in conformance.

The subject property is indicated (on plans prepared by Lahti Engineering and Environmental Consultants, dated 12/19/17; referred to the Suffolk County Planning Commission by the Smithtown Town Board) as being 7.16 acres. The subject property is split zoned where approximately 2.27 acres (98,718 SF) are designated NB. The remaining approximate 4.898 acres (213,360 SF) are zoned WSI. According to the Town of Smithtown Table of Use Regulations for Business and Industrial Districts, Neighborhood Business (NB) does not permit as-of-right or by special exception, hotels. Only the WSI zoning district via Town Board Special Exception is permitted to have a hotel use. The standard for special exception hotel density within the WSI per Section 322-100 of the Town of Smithtown Zoning Law is permitted at a minimum of 1,800 square feet of site area for each guest room. It is not clear if the Town of Smithtown zoning law permits the Petitioner to include the NB portion of the overall property in the action. If only the WSI zoned portion can be considered then the unit density should not exceed 213,360 SF/1,800 SF or 118 guest rooms; the Petitioner requests 130 guest rooms by taking credit off of the entire development site. Moreover, the approximate 19,533 SF foot print of the catering facility plus outdoor brick patio and surface parking area cover all of the NB and some of the WSI zoned land area.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS: The Suffolk County Planning Commission has identified six general Critical County Wide Priorities that 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:

Storm water runoff from the proposed project is required via best management practice to be retained and recharged on-site. Little detail is provided on the method of storm water control for the development other than in the EAF (EAF pg. 8; dated 12/21/17; William J. Lahti) which indicates Leaching pools. The general area surrounding the subject property is known to have poor drainage and major flooding issues. The petitioner has indicated that a retaining wall proposed in the steeply sloped area at the south of the subject property will minimize the potential for erosion on site after construction. The EAF submitted with the referral materials to the Suffolk County Planning Commission by the Smithtown Town Board indicates that depth to the surface of the water table is 17 feet but it is not clear if that is from the top of the southern hill or from the level parking area 30 feet below. The petitioner should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

As noted above, an onsite sewage treatment plant has been proposed which is intended to be located at the southeast corner of the property. Relocated surface parking is to be constructed at the southern end of the subject property as well. Both of these features require excavation of a wooded steep-sloped area identified by the Town of Smithtown as “Environmentally Sensitive Land.” According to the Conceptual Plan (prepared by Lahti Engineering and Environmental Consultants, dated 12/19/17; referred to the Suffolk County Planning Commission by the Smithtown Town Board)

7,085 SF of environmentally sensitive land with slopes greater than 25% are found on the subject property. Of this land, 5,281 SF will be excavated to accommodate the parking area and sewage treatment plant. This equates to the removal of 75% of the steep sloped environmentally sensitive land on site. The excavation that will result in the construction of a retaining wall will remove approximately 14,215 cubic yards of earth, sand and rock (EAF pg. 7; 12/21/17; William J. Lahti). Suffolk County Planning Commission policy as reflected in the Suffolk County Planning Commission Guidebook is to confine clearing and construction to slopes no greater than 10%.

No waste water engineering report was included in the referral from the Smithtown Town Board to the Suffolk County Planning Commission. As indicated on the Conceptual Plan for Watermill Suites (prepared by Lahti Engineering and Environmental Consultants, dated 12/19/17; referred to the Suffolk County Planning Commission by the Smithtown Town Board) sanitary waste treatment is to be situated at the southeast corner of the subject property in the form of a Chromaglass denitrification treatment system (subject to SCDHS approval). The treatment facility will require excavation of the steep sloped area and it is not clear what the depth to the groundwater table will be after excavation. As noted above there are storm water flooding issues in the area. This is suspected to be due to localized geological formations of "clay lenses" beneath the surface soils interfering with typical natural recharge and groundwater flow patterns (Town of Smithtown Draft Comprehensive Plan Update, Volume III Natural and Cultural Resources Study, Page 8). There is a note on the Plan and indicated in the referred Environmental Assessment Form (EAF pg. 9; dated 12/21/17; William J. Lahti) that connection to a sewer district may be feasible subject to SCDHS review. The closest municipally managed or monitored sewer districts are Smithtown Galleria (Avalon), approximately 1,900 feet north of the subject property; Hidden Ponds at Smithtown located approximately 3,800 feet southwest, and the Nesconset Nursing Center approximately 2,000 feet east of the subject development site. A waste water engineering report should be prepared by the Petitioner for submission to the Suffolk County Department of Health Services and the Suffolk County Department of Public Works/Suffolk County Sewer Agency to determine the appropriate method of sanitary waste treatment for the proposed Watermill Suites hotel/catering facility complex prior to final approval of the Special Exception request.

The petitioner is proposing the demolition of two (2) one-story structures located on site. This should be in accordance with the prevailing environmental laws and regulations. The petitioner should evaluate options for addressing project-related recycling and reuse of construction and demolition debris. The petitioner should prepare, if relevant, an asbestos-containing materials (ACM) removal program and asbestos abatement should be conducted as applicable prior to the demolitions of the building/structure that is to be removed from the site and be disposed in accordance with prevailing regulations. No final approval should be granted for the Special Exception request until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for ACM, florescent light, thermometer components, etc.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein for the residential and clubhouse components of the proposal.

No Parking and Traffic Impact Study was referred to the Suffolk County Planning Commission with the referral materials from the Town of Smithtown regarding the Watermill Suites Special Exception petition to the Town Board. It is indicated in the Environmental Assessment Form, prepared by the petitioner and referred to the Suffolk County Planning Commission by the Smithtown Town Board, that motor vehicle trip generated per hour will increase by 97% (EAF pg. 9; dated 12/21/17; William J. Lahti). The 1st Floor plan prepared by Lahti Engineering and Environmental Consulting P.C.

dated 12/19/17 and submitted to the Suffolk County Planning Commission most represents a "Business Hotel" as defined by the Institute of Transportation Engineers Trip Generation Manual (6th edition). A Business Hotel is defined as being a place of "...lodging providing sleeping accommodations and other limited facilities, such as a breakfast buffet bar and an afternoon beverage bar (no lunch or dinner is served, and no meeting facilities are provided). Each unit is a large single room. All locations nationwide are in suburban areas." The proposed hotel is 130 rooms and at the ITE multiplier of 7.27 trips per day an additional 945 motor vehicle trips per day over the existing catering facility's trip generation would be produced (approximately 73 trips during the AM peak hour). If the proposed trip generation increases by 97% it would mean that the existing catering facility produces approximately 974 trips per day as it stands today. It is not clear if the trip generation of the proposal will adversely affect vehicular circulation patterns on the state and county roadways diminishing the safety and traffic carrying capacity of those roadways in the local area. The Petitioner acknowledges the increase in trip generation but indicates in the EAF (pg. 11) that the resultant increase in traffic can be accommodated by the existing multi-lane State Highway that serves site. There is no indication in the information provided indicating if the recent reconstruction of the NYS Rt. 347 - CR 16 intersection took into account the proposed growth on site.

The petitioner proposes, after construction of the 130 room hotel and reconstruction of the surface parking area to net an increase of six (6) parking stalls over the existing parking stall count. Parking provided for the existing catering facility is 341 off street parking stalls. There is no indication in referral material with respect to the adequacy of the existing parking during events at the catering facility. Of the 346 proposed off street parking stalls for the catering hall and hotel 299 are to be striped and 47 spaces are to be land-banked.

Parking adequacy and State and County roadway improvements should be provided consisted with a Parking and Traffic Impact Analysis acceptable to the New York State Department of Transportation (DOT) and the Suffolk County Department of Public Works.

Suffolk County Bus Transit route SCT-62 runs along Smithtown Bypass (NYS Rte. 347). This route provides access to Lake Grove (Smithhaven Mall), Port Jefferson Train Station and Riverhead to the east and New York State and County Offices to the west. Pedestrian connections should be assured from the interior of the site to bus transit shelters on the state sidewalk system along the state roadway corridor.

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. 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.

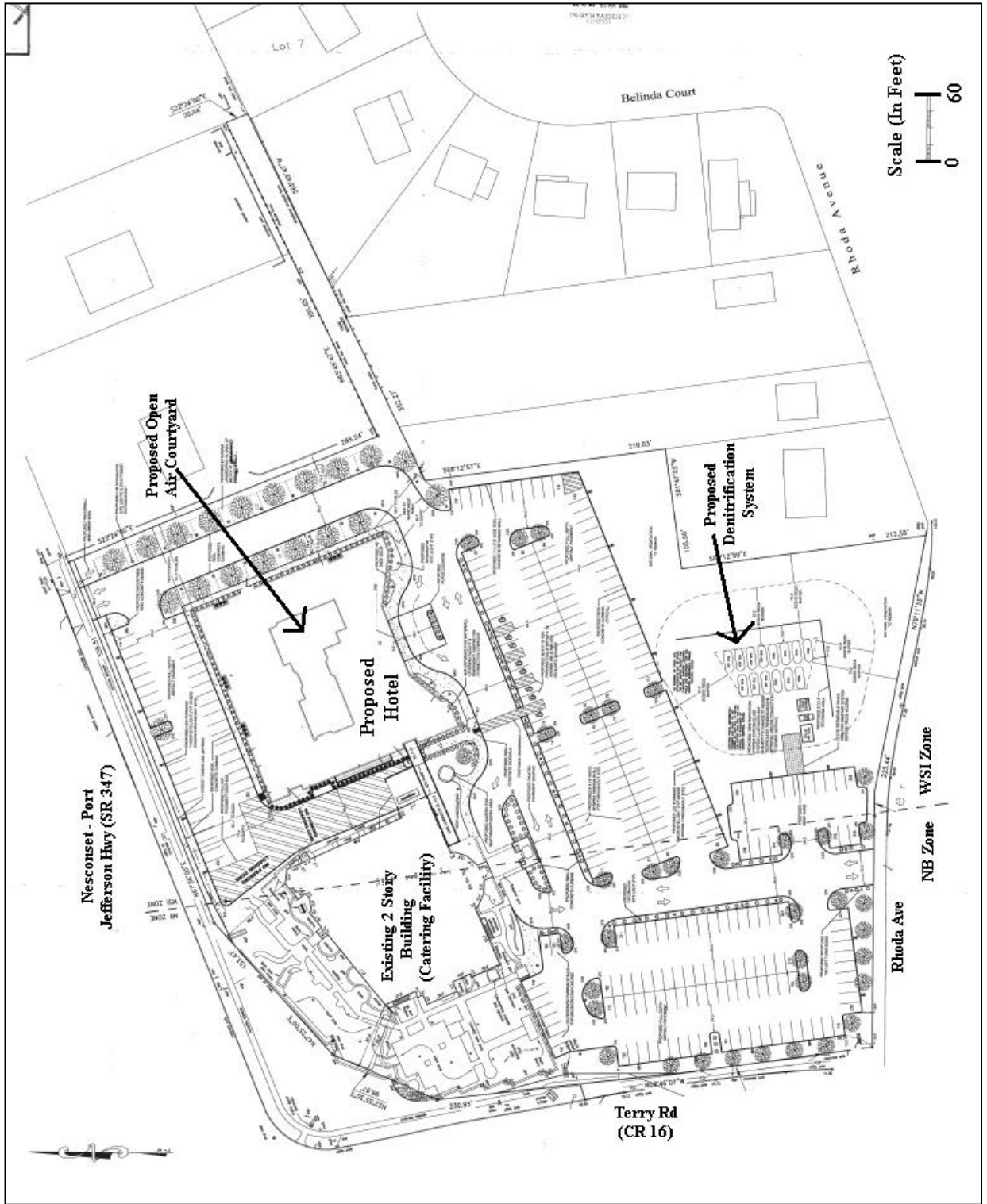
STAFF RECOMMENDATION

Approval of the Special Exception petition to the Smithtown Town Board for Watermill Suites to construct a four (4) story 130 room hotel, with the following comments:

- 1) It is not clear if the Town of Smithtown zoning law permits the site to include the Neighborhood Business (NB) District zoned portion of the overall property to be included in the action. Only the WSI zoning district via Town Board Special Exception is permitted to have a hotel use. It is not clear if the Town of Smithtown Zoning law permits the site, in this case, to include the NB portion of the overall property in the action for hotel room yield. If only the WSI zoned portion can be considered then the unit density should not exceed 213,360 SF/1,800 SF or 118 guest rooms; the petitioner requests 130 guest rooms by taking credit off of the entire development site. Moreover, the approximate 19,533 SF foot print of

the catering facility plus outdoor brick patio and surface parking area cover all of the NB and some of the WSI zoned land area. This should be clarified prior to additional review of the petition.

- 2) Approval of the Special Exception referral by the Suffolk County Planning Commission should not be construed as either an approval or denial of the pending Area (height) Variance before the Smithtown Board of Zoning Appeals.
- 3) Disturbance on site should be limited to slopes no greater than 10%. Disturbance to the "Environmentally Sensitive Land" should be avoided.
- 4) Dialogue should begin immediately with the Suffolk County Department of Health Services. A waste water engineering report should be prepared by the Petitioner for submission to the Suffolk County Department of Health Services and the Suffolk County Department of Public Works/Suffolk County Sewer Agency to determine the appropriate method of sanitary waste treatment for the proposed Watermill Suites hotel/catering facility complex prior to approval of the Special Exception request.
- 5) No final approval should be granted for the Special Exception petition until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for Asbestos Containing material (ACM), florescent light components, thermometer components etc., with respect to the demolition of existing structures on site.
- 6) The Petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
- 7) The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
- 8) No Parking and Traffic Impact Study was referred to the Suffolk County Planning Commission with the referral materials from the Town of Smithtown regarding the Watermill Suites Special Exception Petition to the Town Board. Parking and State and County roadway improvements should be provided consisted with a Parking and Traffic Impact Analysis acceptable to the New York State Department of Transportation (DOT) and the Suffolk County Department of Public Works.
- 9) Pedestrian connections should be assured from the interior of the site to bus transit shelters on the state sidewalk system along the state roadway corridor.
- 10) The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
- 11) The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.



COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey
Chairwoman

Sarah Lansdale, AICP
Director of Planning

Date: March 15, 2018
Time: 2:00 p.m.
Location: Maxine S. Postal Auditorium
Evans K. Griffing Building, Riverhead County Center
300 Center Drive, Riverhead, New York 11901

Members Present (9)

Michael Kelly – Town of Brookhaven (arrived late)
Jennifer Casey – Town of Huntington
John Condzella – Town of Riverhead
Nicholas Morehead – Town of Shelter Island
John Finn – Town of Smithtown
Adrienne Esposito – Villages Over 5,000
Michael Kaufman – Villages Under 5,000
Errol Kitt – At Large
Rodney Anderson – At Large

Members Not Present (3)

Samuel Chu – Town of Babylon
Matthew Chartrand – Town of Islip
Kevin Gershowitz – At Large

Staff Present (5)

Sarah Lansdale – Director of Planning
Andrew Freleng – Chief Planner
Ted Klein – Principal Planner
John Corral – Senior Planner
Christine DeSalvo – Principal Clerk Typist
Valerie Smith – Assistant County Attorney (Counsel to the Commission)

Call to Order

- The Suffolk County Planning Commission meeting of March 15, 2018 was called to order by Chairwoman Jennifer Casey at 2:15 p.m.

The Pledge of Allegiance

Adoption of Minutes

- The adoption of the February 2018 Meeting Minutes. Motion to adopt the minutes, as written, was made by Commission member Kaufman, seconded by Commission member Esposito. Vote Approved: 8 ayes, 0 nays, 0 abstentions (Commission member Kelly had not arrived yet).

Public Portion – One member of the public, Donald King Esq. spoke to the Commission regarding the application on the agenda, the 'Watermill Suites'.

Chair's Report – Chairwoman Casey reported that Presiding Officer Dwayne Gregory is assembling a Super-storm Sandy Review Task Force headed up by former Commission member and Chair David Calone, and Chairwoman Casey said that she and the Commission will be part of that process.

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

- **Watermill Suites;** the application is referred by the Town of Smithtown, received on January 29, 2018 - the Commission's jurisdiction for review is that the application is adjacent to the Smithtown-By-Pass (NYS Route347) and Terry Road (County Road 16). Applicants seek approval from the Smithtown Town Board for Special Exception permission to site a four (4) story, 130 room hotel with a gross floor area of 96,788 SF. Construction of the proposed hotel will also require Site Plan approval from the Town of Smithtown Planning Board and area variances from the Zoning Board of Appeals for disturbance of environmentally sensitive land and building height 40% above the maximum height allowance for the zoning district (proposing 49' where up to 35' is permitted). The proposed hotel is to include 1.5 acres of landscaped areas, an open-air courtyard with pool, outdoor service bar, service area and outdoor seating. The existing 22,810 SF catering facility on the 7.16 acre subject property is to remain on site. An enclosed "Link Corridor" to the catering facility from the hotel is proposed. In total 119,598 SF of gross floor area is requested on the subject property.

The staff report recommended approval of the Special Exception application; and offered eleven (11) comments for their consideration and use by the Town of Smithtown Town Board. After lengthy deliberation and the amendment with an additional comment to the staff report the Commission could not resolve to adopt the amended staff report with sufficient number of affirmative votes.

The motion to approve the Special Exception application with twelve (12) comments for their consideration and use by the Town of Smithtown Town Board was made by Commission member Finn and seconded by Commission member Kelly, but the motion did not carry enough votes to approve the application; 6 ayes, 3 nays, 0 abstention; Vote Failed.

A motion to deem the application incomplete was made by Commission member Kaufman because some of the Commission members articulated that they wanted certain information regarding the proposed development before they would vote to approve, and the motion was seconded by 1st Vice Chair Esposito but the

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

Watermill Suites (continued) - motion did not carry enough votes to be approved as an incomplete application; 5 ayes, 4 nays, 0 abstention; Vote Failed.

Therefore the application was sent back to the Town of Smithtown as a "No Action" by the Commission.

Other Commission Business

- The Commission members discussed the issues of referral completeness and what they are allowed to consider when determining how they will vote on a referred application, with Counsel and Staff to the Commission offering guidance.

Director's Report (taken out of order) – Director Lansdale reported that new court decision reversed a prior ruling that nullified a County Farmland Program policy. The latest decision is in favor of the County but that it is eligible for appeal and that she would hear from the County Attorney's Office and update the commission on the appeal timeline when she finds out.

Other Commission Business (continued)

- The Chair recognized Chief Planner Andy Freleng, who then gave a presentation overview of an 'in-house' planning report for parking stall requirement reduction strategies.

Meeting Adjournment (4:00 p.m.)

- The motion to adjourn the meeting was made by Commission member Kaufman, seconded by Commission member Kelly; and approved unanimously.