

SUFFOLK COUNTY PLANNING COMMISSION

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Thomas A. Isles, Director of Planning

AGENDA

July 7, 2010

1. Adoption of minutes for March.
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers : Michael White, Director of Long Island Regional Planning - Sustainability Plan
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Village of Poquott Moratorium on Installing Solar & Wind Generation Facilities (Inc Village of Poquott)
 - Willow Wood@Coram 0200 52300 0100 001002 (Brookhaven)
7. Section A14-24 of the Suffolk County Administrative Code
-NONE-
8. Discussion:
 - a) Comprehensive Plan
 - b) Amityville IMA
 - c) Amendments – Rules of Proceedings/Guidelines
 - Community Sewage Treatment Works
 - CR-39 et al.
 - Native Vegetation Clearing
9. Other Business
 - * Suffolk County Planning Commission Training – 9:30 A.M. @ Suffolk County Department of Planning in the Kunz Library Conference Room.
 - Land Use Planning Overview – Daniel Gulizio
 - Referrals and Meeting Conduct – Thomas Young

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, **August 4, 2010, in the Legislative Auditorium in Hauppauge.**

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SUFFOLK COUNTY PLANNING COMMISSION

County Legislature Building
Hauppauge, New York
July 7, 2010
12:00 p.m.
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MEMBERS PRESENT:

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- DAVID CALONE, Chairman
- CONSTANTINE KONTOKOSKA, Vice Chairman
- ADRIENNE ESPOSITO, Secretary

- MATTHEW CHARTRAND, Town of Islip
- VINCENT TALDONE, Town of Riverhead
- CHARLA BOLTON, At-Large
- BARBARA ROBERTS, Town of Southampton
- LINDA HOLMES, Shelter Island

- SARAH LANSDALE, At-Large
- MICHAEL KELLY, Town of Brookhaven

- JOHN FINN, Smithtown
- THOMAS A. ISLES, Planning Director
- THOMAS YOUNG, ESQ., County Attorney for
Planning Department
- DANIEL J. GULIZIO, Deputy Planning Director

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THE CHAIRMAN: We don't have a microphone,
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3 so everyone should speak loudly and clearly. Welcome to
4 the July meeting of the Suffolk County Planning
5 Commission. I would note that we have a quorum present.
6 I ask the vice chairman to lead us in the pledge.

7 (Recitation of the pledge of allegiance)
8 First item is the adoption of the minutes for
9 March. I had given my comments to the editor-in-chief
10 and I think she passed those along to our court
11 reporter.

12 COMMISSIONER HOLMES: Yes. Between us, we
13 discovered thirty-nine errors. Some of them were repeat
14 errors. But most of them were pretty minor. But I will
15 give them to the -- if we can pass them down to the
16 court reporter.

17 THE CHAIRMAN: Anyone else have any comments
18 or additions, edits to the March minutes? Seeing none,
19 I'll entertain a motion to adopt the minutes as amended.
20 As indicated, these were minor.

21 COMMISSIONER HOLMES: I move that.

22 THE CHAIRMAN: Second by Commissioner Bolton.
23 All in favor of the March minutes, please raise your
24 hand. (Show of hands) Minutes are adopted ten to
25 zero.

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2 Next item on the agenda is the public portion.
3 We have Mr. Klar here with us. Sir, you're recognized
4 for three minutes. Just spell your last name for the
5 record.

6 MR. KLAR: Thank you members of the
7 Commission. I am Steven Klar. I'm the developer of
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8 Willow Road at Coram, which is an application before you
9 today. I just wanted to make a comment or two about
10 it. I appreciate your reviewing it.

11 I have owned this property for almost
12 twenty-five years. I've thought long and hard and
13 spoken to the Town, over various periods, as to what to
14 do with the property. We have come up with a plan for
15 affordable and moderate housing for two different type
16 of products here. One is a quad, which is made up of
17 four flats with one car garages. It's a similar product
18 that we have used at our Waterways at Moriches for
19 seniors, but this is not a senior project.

20 We came up with a four-plex of townhouses, of
21 which twenty percent of the units on the job, which
22 would be a hundred forty homes, will be for affordable
23 workforce housing. In all, everything will be
24 moderately priced on this job, and we believe this is a
25 scarred piece of property that I bought that had been

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2 mined years ago. Brian Foley used to call it the
3 desert. It is a big flattened area on Route 112 that
4 they took many, many thousands of yards of fill and sand
5 off of it. So it is a site that is not as desirable for
6 the Town to continue to leave in any kind of pristine
7 way. It's not pristine.

8 We believe, and I think the town is in our
9 favor of moving ahead with this. Certainly we would
10 like you to consider it for the benefit it will bring.
11 We are one of the few developers, I believe, that can
12 still get some form of financing and have the ability to

13 finish projects, which is what we have been known to do
14 throughout Long Island.

15 We recently took over a project in Patchogue.
16 These are tough times. They will create employment and
17 needed affordable housing for our citizens near
18 Brookhaven. Thank you very much for thinking of it and
19 reviewing it. Nelson & Pope have a very qualified
20 professional group who are our engineers. We have Gary
21 Kinella as our architect firm. We brought together a
22 good team ready to do everything necessary to bring this
23 to fruition. Thank you very much.

24 THE CHAIRMAN: Thank you very much for your
25 time. If there is no further public comment, I will

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2 close the public portion and move to the Chair
3 report. I'm pleased to have Michael White with the Long
4 Island Regional Planning Council here. He will be
5 talking in a few minutes. I'm so excited to have him
6 here. I had to say that first. We'll get to Michael in
7 a few minutes. It's a critical plan for Long Island's
8 future, and we will be talking about that a little later
9 in the meeting.

10 Also circulated to most of you an op ed
11 written by Nancy Rauch Douzinas in which she highlighted
12 the work of the Suffolk County Planning Commission as
13 one of the bright spots of regional cooperation on Long
14 Island.

15 A brief update on the Commission's
16 activities. The Comprehensive Plan we will discuss a
17 little bit later. Just an update on task forces. On

18 public safety, the staff has been assisting the task
19 force in looking at model design standards could help
20 promote public safety, and the design standards would be
21 based on the research done by the task force over the
22 last several months. I want to thank Andy and Ted. Tom
23 McAdam is not here due to a family medical emergency,
24 and we will plan to present on that at the next meeting
25 and send it out to electeds for feedback.

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2 Energy and Environmental, we are hoping to
3 have a full task force meeting at the end of the month.
4 Our solar project, the final draft form has finally been
5 completed. I have indicated that I was disappointed
6 with the speed in which this project moved. We have
7 finally gotten there, and it's good that we are finally
8 getting some comments back from the various towns who
9 have been working with us on it. That is a great thing.

10 The state just passed legislation requiring
11 the state building codes board to look at the very issue
12 of streamlining solar applications. This happened in
13 the last week or so.

14 COMMISSIONER ESPOSITO: Yes.

15 THE CHAIRMAN: I'm told we're one of the only
16 ones in the state looking at this issue, so we will be
17 asked to testify at some point before that group, so our
18 work here may well drive state policy on that issue.

19 I particularly want to thank the Long Island
20 Regional Planning Council for their support on this.
21 They were involved in the kickoff event we had back in
22 November. A bunch of the towns have been involved in

23 contributing thoughts and work on the solar effort.

24 On the wind effort, now that solar is done,
25 the wind application is also close to being completed.

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2 We are working on putting together guidance to the towns
3 and villages on how to approach wind energy issues, what
4 to be aware of, et cetera.

5 Native vegetation and natural habitat. We had
6 a discussion at last month's meeting on this. We will
7 bring it back to the full task force at the end of the
8 month. Last item on the energy and environment is the
9 potential for doing a task force on commercial green
10 building. As you all know, Islip used the commercial
11 model this commission put forth about a year ago, as the
12 basis for their commercial energy efficient building
13 code. Southampton recently adopted a somewhat similar
14 but a little different standard.

15 I think we have been talking about bringing
16 the towns together to discuss some kind of standard
17 energy efficiency code for commercial buildings. If we
18 don't do that soon, everybody is going to be off doing
19 their own thing. LIPA expressed an interest in perhaps
20 facilitating that effort. Constantine and I have been
21 asked to make a presentation along those lines at next
22 week's meeting of the Long Island Clean Energy
23 Leadership task force. As you may recall, Constantine
24 and I made a similar presentation to the LIA Energy
25 Committee meeting about a month ago.

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On housing, Constantine is here, so if you would --

VICE CHAIRMAN KONTOKOSKA: The housing task force is moving forward. We have a detailed, which has been circulated in the past, outline and discussion of the various components of a successful affordable housing program that could be used as a guideline and model perhaps for the municipalities, towns and villages to kind of pick and choose, select what is appropriate for them from the different components, understanding the issue and decision making behind each of the issues, such as the affordability percentages.

I believe we will be presenting this at the Planning Federation meeting training in the fall, and we will be doing more outreach with the towns and villages, getting this out to them to begin to kind of at least put it out and have the towns and villages understand what we have been working on.

THE CHAIRMAN: Sounds great. Our last task force, economic development and smart growth. Charla has been heading up the historic preservation incentive group. Do you have an update on that?

COMMISSIONER BOLTON: We met on June 13th. We met with most of the members present, which includes

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municipal officials as well as preservation representatives and several members of the planning commission. What we did was review about twenty plus or minus incentives that are out there in the universe that

6 have been adopted by various communities, not only in
7 New York State but moreover throughout the nation, and
8 we discussed those at length. Had a very lively
9 discussion about what we thought would be workable here
10 on Long Island in what context.

11 So our program this year going forward is to
12 develop a list of incentives which might with some
13 annotation of each incentive, a description of what
14 community they have been used in, so people can go and
15 do further research, if we want to, as an addendum,
16 include things like tax incentives. We feel like things
17 like tax incentives are appealing to the consumer. They
18 might not be appealing to the municipality at that
19 point. We are going to distinguish these as a separate
20 bundle of incentives. We will be producing a document
21 that lays all that out. We hope to do that over the
22 summer and have something for circulation sometime in
23 the early fall.

24 THE CHAIRMAN: That sounds great. Any
25 comments?

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2 COMMISSIONER BOLTON: Vince, do you have any
3 additions to that?

4 COMMISSIONER TALDONE: That covers it.

5 THE CHAIRMAN: I think we may have an
6 opportunity in the fall, at the training, to do an
7 overview of things we found throughout the country. We
8 will have a commission kind of class. We will highlight
9 a bunch of the things that the various task forces work
10 on.

11 COMMISSIONER BOLTON: Can you give me the
12 dates of that?

13 MR. FRELENG: September 29th.

14 COMMISSIONER HOLMES: I thought in meeting
15 with Charla and the group that one helpful thing is the
16 New York State Guidelines for Municipalities to create a
17 Landmarks commission. And I thought the criteria that
18 the state has given as a guideline is very helpful.
19 That, to me, is a very nice document, a very good
20 document.

21 COMMISSIONER BOLTON: There is a model code
22 that presently the state uses that is connected to the
23 certified local government program, which is the federal
24 historic preservation program that speaks to the state.
25 That model code, while it hasn't been updated recently,

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2 there are intentions on the part of the state staff to
3 update it. It's basically the working model code that
4 people use for developing historic preservation
5 ordinances on the local level.

6 Linda's thought, and it's a good thought, is
7 to somewhere in our document to sort of underscore the
8 fact that there is such a model code and its
9 availability, and how people can avail themselves of
10 it. No sense reinventing the wheel.

11 THE CHAIRMAN: That is often the
12 circumstances, getting information out there. That is
13 great. Thank you for your leadership on that.

14 COMMISSIONER BOLTON: Thank Linda for that.

15 THE CHAIRMAN: Another aspect is the transit

16 oriented development best practices, and Vince had
17 conversations with Sarah and Mike and Vision Long Island
18 has also been doing work along those lines. I think
19 right now there may be more questions than answers about
20 how do we incentivize downtown development and what
21 zoning laws parking codes need to be changed, in what
22 way. How do we create parking zones and overlay
23 districts. I think that is an issue that we are going
24 to be wrestling with.

25 Sarah's organization, Sustainable Long Island,

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2 is interested in doing some work on this. Vision Long
3 Island is working with the EPA on this, and the Long
4 Island Regional Planning Council has made it a priority
5 of theirs as well. I think what we will probably do is
6 make sure we don't get in each others' way and duplicate
7 efforts and rather work together, the end result being
8 that the villages and towns have resources available to
9 them saying we want to develop around this train station
10 or whatever, that they have resources available to them
11 to know how get that done, whether it's a parking code,
12 overlay zone, et cetera. I think that is something we
13 need to keep pushing and keep working on.

14 Vince, is there anything that you want to add
15 to that?

16 COMMISSIONER TALDONE: No, that sums it up.

17 THE CHAIRMAN: We have Sewer Summit 2.

18 Adrienne is our point person on that. Do you want to
19 update on that? Bottom line, planning is under way. We
20 expect it's going to happen in the fall.

21 COMMISSIONER ESPOSITO: The county is working
22 to coordinate a date with County Executive Steve Levy.
23 Originally, it was going to be September. It's going to
24 be pushed back a bit for more planning purposes. And we
25 will keep you posted as things evolve.

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2 THE CHAIRMAN: Thanks, Adrienne. We talked
3 around this table about Sewer Summit 2, and we talked
4 about how do you get new funding sources. Constantine
5 is wearing one of his other hats on this issue, and we
6 are hoping to take some of his research and bring that
7 forward to talk about ways of doing a better job to get
8 sewer funding and how do they do it in other places
9 around the country.

10 Some of our local elected officials said if
11 there is some legislation you need to get introduced in
12 Albany, let us know. That could be hopefully an outcome
13 of Sewer Summit 2.

14 Our last thing under the task force is the
15 Suffolk Unified Permit Portal. That involves the idea
16 of uniting planning through technology, better
17 communication with the towns, villages and county
18 leading to increased clarity and predictability for
19 applicants. As you may recall, the county executive was
20 very supportive of this idea. Several towns told us
21 they're interested in exploring this, Southampton,
22 Riverhead, Brookhaven.

23 Last month the Planning Commission hosted,
24 along with the County Executive's Office, the first
25 brainstorming session on this. We had over twenty

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2 people from seven towns, including Southampton
3 Supervisor Anna Throne-Holst. County Executive Levy
4 joined us for a little while. Commissioner Roberts was
5 there. She will be our point person on this. I want to
6 thank Commissioner Kelly and Commissioner Finn for being
7 there as well.

8 The only update is that Brookhaven appears to
9 be stepping up in the last few weeks, expressed an
10 eagerness to work with the county on this project.
11 Since that is our largest town, that is an important
12 town to be involved. I'm told that the Long Island
13 Business News is doing a cover story on this project
14 that we are working on. We will see what how that turns
15 out. You never can tell. They were very interested in
16 the idea and the possibility of Suffolk County pursuing
17 it.

18 That is our task forces. I want to thank the
19 department for adjusting the Website to make the task
20 force projects easier to find. We were working on the
21 agenda for the Federation training event on September
22 29th. Andy and I will be talking about it after the
23 meeting. If you want to be involved, stick around
24 afterwards.

25 The annual report, we are still working on

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2 that; hopefully next month. I said that two months in a
3 row now, so I apologize for that. It's a lot of work.

4 Lastly, we talked about future presentations.

5 Yves Michel from the County Economic Development
6 expressed an interest and willingness to come visit with
7 us. We will see if we can fit him on the agenda. If
8 there are other folks that you would like to hear from,
9 let us know.

10 That is my report. Next we have Director
11 Isles.

12 COMMISSIONER ROBERTS: What is the start and
13 end time of the Planning Federation meeting?

14 MR. FRELENG: We are looking to get a mobile
15 workshop at one o'clock. The official kickoff, the
16 conference will be three and it will go until about
17 nine-thirty.

18 THE CHAIRMAN: Any other questions or
19 thoughts or comments? Director Isles.

20 MR. ISLES: Thank you, Mr. Chairman. If I'm
21 not speaking loud enough, send a signal of some type.
22 Thank you. Regarding the Federation, I would like to
23 point out, since we have Michael White present today, we
24 are getting that underwritten and co-sponsored with the
25 Regional Planning Council, which we appreciate very

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2 much.

3 Number one, the update to the Commission is
4 the county executive convened a meeting of a number of
5 the departments in the county early June regarding the
6 oil spill in the Gulf of Mexico, it concerned if Suffolk
7 was adequately prepared in the event it were able to
8 arrive here. He directed the department to work with
9 approximately eight other departments and agencies to

10 examine where we are and what action we need to take in
11 the event it starts having an impact in Suffolk County.
12 We completed a report on that. Dan Gulizio was the
13 contact person.

14 The report was delivered to the county
15 executive yesterday and is being printed for general
16 distribution by the end of next week. The chance of us
17 getting affected is very low; nonetheless, there was a
18 desire to do a review of procedures and any actions we
19 need to take in the event it does occur.

20 Secondly, in no particular order, we
21 customarily will apply for grants for the acquisition of
22 farmland and open space. We did get notified last week
23 that we have secured a grant of about a million dollars
24 for the purchase of farmland. At this point, we are
25 finalizing the notification of that award before we

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2 announce it. That brings us to about six million
3 dollars in the past two and a half years that the
4 department brought in for both state and federal grants
5 to buy farmland. Not as much for open space.

6 Next item is keep you updated on the Sunrise
7 Highway Corridor Study. It's been a long process. The
8 most recent involvement with that is the Town of
9 Brookhaven indicated some concerns for some of the
10 language in the final report. And also the Town of
11 Islip indicated a desire to make some changes as well.
12 We ended up working with them and have now reached the
13 point where we believe we have a final document and
14 final language satisfactory and hope to issue that

15 report sometime this month. We think it's a very
16 important report in terms of the corridor, one of the
17 major, really development growth centers in Suffolk
18 County, especially as you get into the Town of
19 Brookhaven, and more directly to the point, one of the
20 big issues with that became the issue of large lot
21 development for mixed uses.

22 The concept of mixed uses on large lots in
23 itself certainly has potential. The problem that we
24 were facing from the planners on the group is the idea
25 of building a large shopping center with apartments and

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2 industrial on it, per se, we felt did not qualify as
3 smart growth or good growth for Suffolk County. We do
4 have a finite amount of retail spending disposable
5 income in Suffolk County. Historic studies have shown
6 we are over-retailed as it is. Our concern is future
7 development for retail should be within the six nodes
8 identified on Sunrise Highway. Any additional retail
9 should be ancillary. I mean, a small percentage needed
10 for commercial or residential development in the
11 vicinity. That became an important factor.

12 The County Planning Department has done a
13 retail inventory and study for the past thirty or forty
14 years of Suffolk County. The last one was done in
15 2005. We are updating that study this summer in terms
16 of doing the field work. We will be inventorying over
17 twelve thousand storefronts and downtowns and shopping
18 centers. We are about halfway through the inventory.
19 It will be done probably towards the end of the year.

20 Let me let you know that the vacancy rates
21 that we are observing at this point in retail are about
22 double what they were in 2005, which is not a big
23 surprise. We will break it down in terms of the
24 characteristics of the vacancies and what it tells us
25 about the different areas of the county as well as

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2 retail development.

3 The next item, we are working with a number of
4 agencies concerning New York Regional Planning Council
5 on a HUD grant that caused a lot of attention in the
6 planning world. It was approved by Congress in December
7 2009 providing, nationwide, a hundred fifty million
8 dollars for planning purposes. The announcement of the
9 specific funding availability was made about two weeks
10 ago. We had a number of conference calls with the
11 involved agencies in terms of filing an application.
12 Dan Gulizio has been the primary person on it. It
13 appears that it has to be filed as a regional
14 application, potentially a multi-state application, in
15 terms of the direct benefit to Suffolk County, it's a
16 little vague to me at this point.

17 The announcement does talk about some
18 demonstration projects. Perhaps that is something we
19 could access in terms of some real money to either Long
20 Island or Suffolk County, specifically.

21 THE CHAIRMAN: Is that for housing?

22 MR. ISLES: It's called the HUD Sustainable
23 Communities Regional Planning Program. The intent is to
24 knit together and tie together the issue of land use,

25 transportation, energy consumption and so forth. The

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2 idea of good planning in terms of looking at development
3 and transportation issues holistically. I think it's
4 something we have been doing. HUD's initiative is to
5 take it to another level to support efforts. I think
6 the way the New York Metropolitan area application is
7 shaping up, is to look at all the regional and area-wide
8 plans and to identify gaps, holes that exist in those
9 plans and the need to knit those together.

10 We are concerned that it becomes a little
11 centered in the Metropolitan area, New York City.
12 Obviously, that is an important part of our region, and
13 there are important transportation issues with the
14 Tappan Zee Bridge reconstruction and so forth. Here we
15 have significant planning and transportation challenges
16 and we want to make sure that any needs at the local
17 level are addressed within this effort. This is
18 ongoing.

19 The applications have to be filed by early
20 August, so it's quite intense at the moment. In case
21 you hear about it or have any questions I'll try and
22 address the questions.

23 Chapter 8, I've kept you apprised of that. We
24 attended a hearing of the legislature June 22nd. I
25 think we addressed most of the legislative issues. We

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2 have one final issue that we are ironing out. We will

3 be back on August 3rd to close the hearing. I cannot
4 underscore the importance of this legislation. We are
5 dealing with a number of enforcement issues with regard
6 to the farmland. This is a modernization of the code
7 reflecting current agricultural practices and
8 substantially improving the quality of the code in terms
9 of not only its day-to-day administration, but also its
10 ability to be enforced, if need be.

11 Next is, just to make you aware that we are
12 also sitting on the Great South Bay Hard Clam
13 Restoration Committee. DeWitt Davies from the
14 department is the chair of the committee working with
15 the towns, primarily Islip and Brookhaven, as well as
16 other entities. Just here again, we can provide you
17 with more information as that proceeds along, just so
18 you are aware.

19 COMMISSIONER ESPOSITO: No brown tide this
20 year, which is good. I think it's too warm now. Hot
21 weather is good because it dies off.

22 MR. ISLES: Gaming task force, I informed you
23 that is ongoing. There was a presentation of the task
24 force at the last meeting for a proposal for a gaming
25 facility at Calverton at the Epcal facility. I believe

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2 the next meeting was to schedule public sites. I'm not
3 aware of any sites that came forward other than what I
4 read in the press.

5 A meeting was held last week by the Long
6 Island Planning Council. Michael White, Helena
7 Williams, President of the Long Island Railroad as well

8 as planning officials from the railroad. There was an
9 informative issue regarding the double tracking, the
10 issue of positive train control, and this commission
11 discussed it a couple of months ago and sent a letter to
12 the elected delegation. It was a good dialogue on rail
13 issues in the region, specifically Suffolk County.

14 This is the single most, I think, important
15 rail project for Suffolk County, double tracking. It
16 does exist in some locations in the county. This would
17 fill in the gaps. Very important, very beneficial to
18 the county. No right-of-way acquisition is necessary.

19 THE CHAIRMAN: It ends in Ronkonkoma.

20 MR. ISLES: Farmingdale to Ronkonkoma. We
21 will keep you posted. It's highly important. I'd like
22 to thank Dan Gulizio and Tom Young for the training
23 session conducted today upstairs. We did talk about the
24 Federation. We are now in crunch time. Andy does head
25 that up. We need to, in the next few weeks, finalize

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2 the agenda, get a program out on the street by early
3 August. I appreciate the meeting today because that
4 needs to be buttoned down very quickly.

5 The last thing, I will point to the op ed
6 piece in the Wall Street Journal yesterday that I think
7 is thought provoking. It may be a point-counterpoint.
8 Obviously, we deal with planning and development. We
9 deal with suburban areas. We are the largest suburban
10 area in the country. Nassau could be the first, and
11 they are in many respects. We are the largest,
12 population-wise. Suburbia is part of what we are.

13 In terms of the future of this county, future
14 of development, the idea of downtowns and transit
15 oriented development, I think is an important part of
16 that package. I realize suburbia is not going away.
17 Most of Suffolk County is a suburban pattern that will
18 stay. I'm not saying it's bad; it is what it is. There
19 are characteristics of suburbia that people are
20 attracted to.

21 The article talks about some counter
22 information in terms of census trends, in terms of
23 migration to certain cities. I think it's an important
24 force and as an intellectual body something to consider
25 in terms of planning. I call your attention to it. I

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2 do have copies if you want to take a look at it.

3 THE CHAIRMAN: If you have enough copies for
4 everyone, maybe at the end of the meeting we can
5 circulate those around. Anybody have any questions for
6 Director Isles? Seeing none, thank you, sir.

7 COMMISSIONER ROBERTS: Can you comment
8 progress on the East Hampton commissioner?

9 THE CHAIRMAN: There have been conversations
10 with people.

11 COMMISSIONER HOLMES: None of them have
12 passed Jay's muster?

13 THE CHAIRMAN: I don't think anyone has been
14 formally brought over. I don't think the county
15 executive would -- he will pick who he picks. There
16 have been, just to be clear with everyone, what kind of
17 skill set, to be helpful here, that is part of the

18 issue. They are also doing a search for one at-large
19 member. Also, there are two vacancies, thirteen of us,
20 two vacancies.

21 COMMISSIONER ESPOSITO: Will Suffolk County
22 be playing any role in the newly initiated Carmans River
23 Watershed District and Overlay Study?

24 MR. ISLES: Dan Gulizio attended a meeting
25 conducted by the Town of Brookhaven, as well as Loretta

25

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2 Fisher, an environmental analyst from the department.
3 So we would like to participate in terms of attending
4 those meetings. In terms of other participation, we
5 have the county overall has been sharing information in
6 terms of specifically Health Department information on
7 the work done by CEM on groundwater, modeling and so
8 forth.

9 The third category would be the town planning
10 director. Planning Commissioner Bertoli has reached out
11 to me in terms of informing me where they are on that
12 process, also coordinating in terms of identification of
13 development projects within that area. That is the
14 extent of the involvement we have had.

15 THE CHAIRMAN: Let me ask you, as Director
16 Isles said, we have had some concern around this table
17 about Brookhaven and lack of responsiveness on a project
18 or two. I want to share with you, in the last couple of
19 months we have been really building a strong
20 relationship with the Town of Brookhaven. I have had
21 meals with the supervisor as well as Planning Director
22 Isles, had sit-downs with Planning Commissioner

23 Bertoli.

24 Whatever kind of impediments to communication
25 that may have existed a few months ago, I think we are

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2 breaking through that. As Director Isles indicated, we
3 had better outreach from the town to us. I think we are
4 doing a good job of reaching out to them, as well as the
5 fact that they are willing to play a role in the Unified
6 Permitting Portal. I want to report to you on that that
7 things are moving well in that direction. Okay.

8 Now, we have the executive director of the Long
9 Island Regional Planning Council. Thank you, Michael,
10 for being here. Thank you for your leadership across
11 Long Island. 2035 Plan, and where we are going.

12 MR. WHITE: Thank you very much,
13 Mr. Chairman, and members of the Commission. I do want
14 to talk about our 2035 Regional Comprehensive
15 Sustainability Plan. If I could take a moment, some
16 comments that Tom Isles made, this is, I think, an
17 illustration of how the council is extremely important
18 to the towns, working with both counties, and the two
19 things Tom mentioned, of course, with respect to the HUD
20 sustainable community. A lot of agencies have been
21 following this.

22 There is still some confusion, but our goal,
23 as Tom Isles said, is really try to find some of this
24 money for Long Island. This is one of the struggles
25 that we have. So, we are going to be working solidly

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2 with both Nassau and Suffolk County. If it's a bigger
3 group or impact or bigger MPO, I think it's extremely
4 important to bring some of the money back for Long
5 Island. We are going to pursue that.

6 With respect to the double track, I totally
7 agree and we had these conversations with the planning
8 council, I know you all have been discussing this. The
9 planning council, as an example, has taken the position
10 in favor of a third track on the main line. That is a
11 political hot potato over there. There is no money
12 anyway. Second track is a different animal altogether.
13 It's a lot less money, it's not a controversial item.
14 When you look at the map of where the gaps are of the
15 double track, the double track goes all the way to the
16 Farmingdale side of Route 110. There are some gaps
17 that fills, these three places along the stretch that
18 has the double stretch. When you look at the work this
19 commission is doing and County Planning Department is
20 doing, those are key growth areas. It's the potential
21 Deer Park, Tanger and hopefully Heartland, and
22 Ronkonkoma, Wyandanch Rising, potential New Republic
23 rail station.

24 We did find out Friday, at least there is some
25 money in the capital program left in the MTA program in

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2 the next two years in terms of environmental review for
3 the project. Small amount. The major piece of money
4 that disappeared that was in the program was the result
5 of the three hundred fourteen million dollars for the
6 Long Island Railroad, of which two hundred sixty-four

7 would have been planned for double track.

8 COMMISSIONER HOLMES: What happened?

9 THE CHAIRMAN: We wrote a letter. But in
10 context, the city getting eight billion dollars for the
11 Second Avenue subway and eight billion dollars for East
12 Side access. The fact that they can't find a few
13 million dollars is obviously terrible.

14 MR. WHITE: I fully agree. I raised this
15 issue when the federal stimulus money came. Long Island
16 Railroad got a train watch.

17 COMMISSIONER HOLMES: What happened to the
18 money?

19 MR. WHITE: The amount of money that could
20 have come to the Long Island Railroad was reduced by
21 some three hundred fourteen million dollars, just in the
22 first two years of that capital program, because of the
23 requirements of the federal government on positive train
24 control. It's a safety issue with respect to
25 controlling the trains from not hitting each other.

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2 The Long Island Railroad already has an active control
3 system. It was by the way, we have it right now. Why
4 don't we wait for a more modern technology.

5 The technology that the federal government
6 wants to impose is from the '80's. That battle is still
7 going on. I want to raise the issues because I think
8 that the connectivity that we have from a regional
9 standpoint, certainly that second track area being the
10 focus.

11 COMMISSIONER HOLMES: Is there any way of
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12 getting that money released?

13 MR. WHITE: There is a lot of lobbying going
14 on in Washington to either fund it or get relief for the
15 Long Island Railroad.

16 COMMISSIONER TALDONE: The MTA imposed the
17 payroll tax for Eastern Long Island. It's a huge
18 burden. The only way to provide commuter rail service
19 for Western Suffolk and Nassau to the North Fork is to
20 have that double track system. Helena met with us and
21 basically said we can't do it, we have too many trains
22 running into the city. That is the primary goal.

23 The East End can't get the service it needs
24 without the double track, but we can pay increasing
25 commuter taxes. And the money goes to the city.

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2 MR. WHITE: I think Suffolk County Planning
3 is right on top of this issue from the regional
4 standpoint. We will be working as hard as we can. We
5 have to see more for Long Island. If we could name a
6 priority, the double track would be our focus.

7 Let me talk about what I came here for. I'm
8 going to talk about the progress, which is still a work
9 in progress, on the Regional Comprehensive
10 Sustainability Plan. We are really formulating this
11 plan around the classic sustainability planning of
12 environment, economy and equity. We are going to go
13 through today a framework of what we call sustainable
14 strategies. These were arrived at through a lot of
15 outreach from a leadership advisory cabinet. A group of
16 stakeholders in twelve categorical areas, the county

17 planning department, towns, villages as well as our
18 council.

19 What it's meant to do is complement the work
20 that is going on in both counties in terms of updates in
21 comprehensive plans and of course every initiative this
22 commission is focused on. When I say "work in
23 progress," over the next month and a half we will have
24 continuing outreach of the stakeholder meetings. I will
25 go through the schedule at the end of the presentation.

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2 We have approached it as a classic sustainability
3 model. I can share the work in progress of the largest
4 document which lays out the strategies, the context of
5 the strategies in terms of the need and issues, near
6 term, short term, long term, longer term goals as well
7 as the beginning of a matrix of how that has to
8 happen, as well as some cases that says that is a good
9 idea, someone has done something like this, so we can
10 look at how that works and how we can adapt that
11 strategy for us on Long Island.

12 First point out that that really begins, we
13 have a visual is not so good. This is the first piece
14 of a foundation for a sustainability plan was the Long
15 Island 2035 Regional Initiative which the county was
16 involved with. That was a grant made from NYMTC to do a
17 basic vision, and the purpose was to achieve a regional
18 public consensus of where the next generation of Long
19 Islanders can live and work, the transportation needed
20 to support the settlements and the institutions needed
21 to provide for a brighter, more prosperous, stronger and

22 sustainable Long Island.

23 What the visioning work provides is the basic
24 analysis and findings to be incorporated into a
25 sustainability plan. But the vision work provides basic

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2 analysis and findings that are to be incorporated into
3 the sustainability plan.

4 We worked through the visioning initiative to
5 form the sustainable plan. Visioning initiative began
6 with a baseline scenarios against what the baseline
7 scenario could be in 2035 with no action. We had a
8 visioning workshop where we assembled tables of
9 disparate interests, developers, environmentalists, et
10 cetera, looking at how to accommodate the growth, what
11 growth models we should be looking at and the land use
12 patterns and the transportation infrastructure connected
13 to that.

14 Three basic scenarios came out of that. The
15 first one was, which was the least favorite, distributed
16 growth throughout Long Island. That kind of looks like
17 no action. We just continued the suburban sprawl model
18 throughout Long Island. The other two is where the
19 consensus started building around. Concentrating growth
20 around existing transit network, particularly the mass
21 transit train stations. And the other one, developing
22 new centers of population and jobs. Some examples that
23 we continue to hear about is the example of potential of
24 the Lighthouse project, Heartland, Yaphank, Epcal
25 development. So again, not necessarily just against

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2 existing transit, but perhaps against transit
3 improvements to connect new potential population and
4 growth centers, population both in terms of housing and
5 in terms of jobs.

6 Basically, the recommendations for the studies
7 were really to be part of the sustainability plan. I
8 think we made very good use and great help from the
9 counties as well as all the other agencies to begin to
10 formulate the sustainability plan. In the approach,
11 first looking at our assets, this is not going to be any
12 surprise to anybody sitting here, but our assets,
13 national leading public services, some of the best
14 schools in the nation, although we pay a lot for the
15 schools and developing a whole bunch of information
16 surrounding that asset. Close proximity to the largest
17 job center and market in the U.S. Premier research and
18 academic institutions. Quality of life and treasured
19 natural resources.

20 If you ask anybody on Long Island how they
21 suffer through the taxes, traffic congestion and bad
22 stuff, they would say because we love the beaches and
23 parks and boats. It's a good place to be. That is the
24 general population as well as businesses. If you ask
25 businesses, we will look at a little bit later about how

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2 businesses struggle to stay on Long Island. They do
3 because of these assets, additional assets,
4 institutions, social, cultural and political networks,

5 entrepreneurial, access to capital, although investment
6 capital is still a struggle for Long Island. Abundant
7 and clean water supply from the aquifer; it's cheap
8 water and great water. We look at places around the
9 country that have to worry about it every day. We have
10 to worry about protecting that water supply, but it's a
11 very valuable asset to us.

12 Long Island Railroad providing service to the
13 city. Long Island highway and arterial grid, while
14 congested, provides access to pretty much all points on
15 Long Island. Our property tax burden is unsustainable.
16 This is a particular focus of our tax and governance
17 piece. The school tax, cost of education on Long Island
18 is a key driver of the property tax; sixty-five to
19 seventy percent of the property tax. We actually
20 created a separate piece to this work on schools through
21 a working group that we established, which includes
22 school superintendents, school board association, school
23 teachers unions, BOCES from all Long Island trying to
24 come up with a common interest package about how we can
25 change that. The cost of living is expensive and the

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2 cost is growing.

3 Services are duplicated. You can live on
4 different places in Long Island and you get your
5 services in different ways and the costs are different
6 and are not the same.

7 THE CHAIRMAN: Is that triggered by pension
8 costs? You see it's a rapid increase from here. People
9 feel burdened as it is.

10 MR. WHITE: The fourth bar there, you cannot
11 read it very well, in 2008, the next one is 2015, right
12 about now we're almost at the eight percent. 2008 at
13 seven point eight percent. We are looking at a
14 trajectory, by 2015, we are at eight point four percent.
15 It's a greater portion of the school taxes driving the
16 property tax, and within that growth factor the biggest
17 growth are the teachers. It's actual salaries and
18 steps. For the other drivers for all services, it's to
19 the retirement system costs and health system costs, all
20 the governments, particularly local governments and
21 counties are a small portion of those property taxes.
22 Schools are the larger and larger portion.

23 The point of the bar graph, when you do
24 surveys around the country, when you see property taxes
25 at about that eight percent of income, that's like tax

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2 revolt. We are right there, not surprisingly so.

3 COMMISSIONER FINN: Michael, when you talk
4 about property tax, it seems Albany has figured out a
5 way to tax if we blow our nose these days. The tobacco
6 tax, DMV, alcohol tax, is that factored? We all stare
7 at the tax bill that we have on our residences. What
8 about the other external taxes?

9 MR. WHITE: This one is just property tax.
10 But when we look at Long Island, the struggle, these are
11 all forces, when you look at Long Island, the struggle
12 is that property tax bill. That bears out by the
13 numbers, bears out by what every elected official hears
14 about all the time.

15 For the challenges, high wages stagnating in
16 recent years. Long Island falls below the national wage
17 average. Relatively high cost of doing business.
18 Increasing dependence on population growth to sustain
19 the economy and attracting and retaining young workers.
20 The little box shows Long Island in terms of how we rank
21 on doing business on Long Island. This is not a pretty
22 picture. You have a picture that our business climate
23 is driven by cost affordability, as an example, property
24 taxes, high energy cost, these are detractors to our
25 business retention and attraction efforts.

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2 Part of the good news is the educational
3 attainment. The schools generally are a tremendous
4 asset K through 12, as well as the other academic
5 institutions and universities.

6 COMMISSIONER ROBERTS: That is a hundred
7 thirty-eight; out of what?

8 MR. WHITE: Two hundred.

9 COMMISSIONER ROBERTS: Out of what?

10 MR. WHITE: They were counties. I can give
11 you the back up on that. What we try to do in these
12 numbers that you see in the bigger document,
13 particularly when we do the work on schools and property
14 taxes, we try to look at similar types of counties so we
15 are not comparing apples and oranges. This is a Forbes
16 survey of Long Island and other similar suburban areas
17 surrounding large metropolitan areas. Long Island has
18 this element of uniqueness. It's not an exact science,
19 but in terms of the relative comparisons, it doesn't put

20 us in a good place that as a review out of two hundred
21 metro-suburban areas.

22 Fragmented and inefficient delivery of key
23 public services, racial segregation issues. We read
24 about that all the time, special districts and so forth.
25 The racial issues. We are the third most segregated

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2 community in the United States. The tenuous
3 relationship between immigrant population and post
4 communities. When you look at the job market and jobs
5 being created, there is a reliance on the immigrant
6 community.

7 Last page on challenges, something you all
8 know a lot about, transportation. We have the railroad
9 to get us back and forth to the city, but we are still
10 an automobile based sprawl suburb, and for the most part
11 the single purpose Long Island Railroad back and forth
12 to the city. We would like to see a double track that
13 will provide more service to the East End or the work
14 center on Route 110. Lack of financing for
15 transportation, social stigma with respect to buses,
16 which is still an issue out there, and water, mentioned
17 the great water supply, cheap water supply, but we have
18 issues of contamination and potentially over pumping on
19 Long Island.

20 Inadequate sewer provision. That is a key
21 financing issue for infrastructure. High energy rates;
22 although LIPA is doing everything to change it up, but
23 it's going to take awhile and we realize that. Above
24 average waste generation. High cost and impact. A good

25 portion of our garbage gets shipped states west. That

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2 puts a lot of trucks on the Expressway and look at the
3 carbon footprint of that. That is a big environmental
4 imprint. Global climate change.

5 COMMISSIONER KELLY: Under Transportation, I
6 know Brookhaven Town submitted an application to build a
7 better burb; that created a north-south link. Light
8 rail or light transit to connect some of their major
9 hubs down to the Ronkonkoma hub. I don't know that if
10 that is something we can look at instead of just an
11 east-west connection with the railroad, north-south
12 connection to some of the larger hubs.

13 MR. WHITE: When we did the workshop, there
14 are limitations on north-south, Route 110 being a
15 perfect example. If you had a double track at the
16 Republic station, you could get people from Deer Park
17 and Wyandanch to the bottom of 110. It's a major
18 commercial industrial employer on Long Island. You see
19 it today. If you're in the Huntington train station,
20 people get off the train and take the HART bus
21 down. Long Island bus comes into Farmingdale a little
22 bit. The idea of a better north-south on 110 -- okay.

23 I'll move along, I have this one here because
24 I certainly remember this, the 1978 series of
25 crossroads. There is an update going on in Newsday.

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2 The next one is going to be the economy, coming out in
3 about two weeks. Frankly, when they did this full

4 update about a month or so ago, they were very gracious,
5 I think, to Long Island.

6 Goals, ensure Long Island is rationally
7 governed, more efficiently coordinated, affordable to
8 all, prosperous, a stronger local economy and protected,
9 meaning a strengthened infrastructure, but also
10 environmental protection as well for a sustainable
11 future.

12 This lays a little schematic about identifying
13 the issues, working through the mechanism of planning
14 through thematic areas, the inputs that we are still
15 working on. Okay, I called this our plan, but it's
16 certainly not the full plan yet. It's a work in
17 progress. First off, I want to say equity is
18 holistically across all the strategies. I'm not going
19 to repeat these here because you will see these later.
20 I want to say while there is a separate equity thematic
21 area, we weigh the strategies against equity issues,
22 crafting a fair housing action plan, distribution of
23 affordable housing plan and a task force with respect to
24 low wage immigrant work force. Categorize social and
25 economic development through arts and cultural

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2 programs. People are part of a cultural community.
3 Establish training and educational and employment
4 centers for technical jobs,, particularly in low income
5 and minority areas.

6 Tax and governance, this one always gets
7 everybody's attention. We are told by government
8 officials you can't do this, implement a tax freeze and

9 tax cap. I know the governor is talking about that.
10 The point is, there has to be some sort of recognition
11 that we may have gone over the cap already. Whatever
12 the cap is, it's like the rest of us working with our
13 household budget. We have to establish a budget to work
14 with.

15 Shared services. County Executive Levy has
16 been a leader on this. More has to be done. Streamline
17 government permitting and approval process for
18 significant projects. You are working with that with
19 your task forces. Various changes in the SEQRA process.
20 Maybe it's firm deadlines, either approve them or don't.
21 Let's move them along. It's not so much this
22 commission, but it's villages and towns out there.

23 Coordinate and centralize property tax
24 assessment. Implement regional collective bargaining
25 for government units, schools and police. This is

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2 something, everybody is negotiating their separate
3 contracts. We think there is a potential savings if we
4 go through regional collective bargaining and also
5 perhaps transferability of employers.

6 Improve voter turnout so we can actually see
7 people voting in school budgets and special district
8 budgets. Focus collective resources on boosting the
9 poorest schools. This should be in bold red letters.
10 This is a major problem. You all know we have failing
11 school districts on Long Island. Not nearly enough has
12 been done with respect to making these schools work;
13 Wyandanch, Hempstead, Roosevelt. That is a government

14 and tax issue and equity issue.

15 Retooling grade twelve. I had boys recently
16 in twelfth grade. Now they're in college. Both felt
17 twelfth grade could be a lot more effective. We had a
18 school's group providing input on that. Transforming
19 schools into a community center. Replace or expand
20 secondly school course offers with less expensive
21 distance learning opportunities. With today's video
22 conferencing in today's world, you can have a teacher
23 serve several school districts at the same time. Meet
24 the health needs of an aging diverse and sedentary
25 population. Expand health care reform coverage, cost

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2 containment.

3 The economy. Build consensus for a regional
4 economic strategy and implementing entity. Long Island
5 has never made this. We never made it there. A
6 regional economic strategy. How are we going to make
7 this economy grow, how are we going to sustain the
8 economy and who is going to do it? A lot of work to be
9 done there. We are working on right now with the Empire
10 State Development to establish an economic development
11 strategy. Make more federal funding available for Long
12 Island. Both counties are participating, as well as
13 some universities.

14 Level the economic playing field for business
15 retention and attraction incentives. We are working
16 closely with looking at a strategy developed in the City
17 of Rochester, a group called the Greater Rochester
18 Enterprise. They took what was said to be a dead city

19 and made it economically vibrant, building housing
20 downtown and economic growth that surpasses what we are
21 having on Long Island. We are having the executive
22 director and CEO of the Greater Rochester Enterprise at
23 our July 9th meeting.

24 Market Long Island's assets nationally to
25 attract new business and workforce. Create a new

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2 industry and competitive job base for innovation in home
3 energy efficiency, distributed energy generation and
4 renewable energy sources. Here we have Long Island, we
5 have the Technology Center at Stony Brook. It's the
6 home of the New York State Energy Policy Institute. It
7 doesn't have the money to open. We need to be doing
8 that. Enhance supportive resources for high tech
9 start-ups. Establish mechanisms to train workers for
10 21st century jobs. Stimulate development and
11 preservation of workforce housing options.

12 This is not just the issue of affordable
13 housing. We need to look at something other than sprawl
14 single and separate suburban sprawl homes. The lack of
15 rental housing on Long Island is impeding our economic
16 growth. People can't find affordable places to live,
17 either young people or older people that don't want
18 their houses any more. That is a key feature for
19 economic growth. Institute local preference laws for
20 publicly funded procurement. This is a controversial
21 issue. Suffolk County actually has some basis of a
22 preference law. When you do public contracting, you try
23 to focus on giving the jobs to workers and businesses

24 that exist here in Suffolk County.

25 THE CHAIRMAN: I have asked the LIPA staff to

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2 figure out what to do from the LIPA standpoint. There
3 is an issue with fiduciary responsibility for the
4 ratepayers, local preference probably doesn't work. I
5 think we can do a better job letting local companies
6 know when there is an RFP. I think the staff is going
7 to report either at the September or October trustee's
8 meeting on a new plan for that at the next meeting.

9 MR. WHITE: That is great idea. Obviously,
10 there is legal research to be done on that. When you
11 look at it, it seems to make sense. County Executive
12 Mangano is looking at it also for Nassau County. Health
13 care industry is an employment source. It already is the
14 largest employment source, other than the government, on
15 Long Island. North Shore - LIJ is up to forty-one
16 thousand workers.

17 Infrastructure is a category that includes
18 the transportation, environment and land use, built and
19 as built. Implement a plan to protect Long Island
20 natural water resources. Skipped a page; I'm sorry.
21 Transportation first. Vibrant downtown and transit
22 supportive communities. I went to a public debate on
23 one of those last night. We were in the room together.
24 This is what needs to be done; you know it, Long Island
25 generally knows it. Culture rich downtowns. Cultural

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2 programs are economic drivers. Transit job centers.
3 This has to do with the downtowns as well as the growth
4 of the new population center meaningful suburban transit
5 system, buses, light rail, whatever that might be, other
6 than cars or very expensive taxis.

7 Create an ongoing funding program through
8 NYMTC. By the way, it's not just NYMTC, it's the Long
9 Island Railroad, it's the MTA. Improve and create new
10 regional connectivity. Cross-Sound connections, is
11 there going to be tunnel? Let's build a tunnel. Cross
12 harbor freight. There is an environmental impact study
13 going on on how to better move freight trains on and off
14 Long Island? By the way, they now come across on barge.
15 It looks like the 17th century. Those are important
16 elements to us. Having rail freight on Long Island, we
17 can start to see some differences by getting trucks off
18 the road. We have the Calverton rail spur going on in
19 the Epcal Center. We have an intermodal going on in
20 Yaphank, still have the potential for another
21 intermodal, whether it's Pilgrim State or somewhere
22 else. Rail freight can make a difference.

23 Develop a deepwater port for Long Island.
24 This looks like out of the box thinking, except when you
25 say we live on an island and we don't have a port?

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2 Think about how many trucks we could take off the
3 Expressway if we had a port both for bringing in
4 materials but also exporting materials. The grain
5 harvest of Eastern Suffolk goes through the Expressway
6 and the Hunts Point Market and beyond.

7 COMMISSIONER HOLMES: Doesn't Greenport have
8 the best deepwater port on the East Coast?

9 MR. WHITE: No.

10 COMMISSIONER HOLMES: A friend of mine did a
11 program for oil barge people, or barge people, you know,
12 and he found Greenport has the best deepwater port on
13 the East Coast.

14 COMMISSIONER ESPOSITO: I don't think that's
15 true.

16 MR. WHITE: There is some of that going on.
17 Port Jefferson is one. We are talking about a deep port
18 that has steamships and barges. Manage congestion and
19 make transit competitive. Bicycle mobility. Create
20 alternative funding sources for transportation
21 projects. We go back to the East River tolls, carbon
22 tax; there has to be permanent funding for the
23 projects.

24 I'm running out of time. I'll move along.
25 Environment.

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2 COMMISSIONER ESPOSITO: Let's do this one.

3 MR. WHITE: Implement a plan to protect Long
4 Island's natural water resources. This is going on. We
5 all know that is a key element for Long Island survival,
6 quality of life. One of the things we are suggesting
7 there, not that we need another level of government,
8 perhaps something like a water board. We have the water
9 authority. We have sewer districts, sewer authority.
10 Maybe we really connect that asset with the protection
11 asset, protect water. Perhaps there is a better

12 mechanism for funding. Maybe water doesn't have to be
13 so cheap if it's going to fund wastewater funding.
14 Sewers are protecting the drinking water. We have some
15 ideas about how to change the governance on that.
16 develop strategy.

17 Develop a regional energy strategy to realize
18 an affordable, reliable and diverse low carbon energy
19 supply. This is part of our work both with the state as
20 well as LIPA. Zero waste plan as part of the regional
21 strategy. This doesn't mean we wouldn't generate any
22 waste, but there is clearly a lot that needs to be done
23 in terms of recycling. It's really a waste reduction
24 plan. Protecting Long Island Sound beaches and bays.
25 Climate change resilience plan to anticipate sea level

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2 rise.

3 COMMISSIONER ESPOSITO: This is a small
4 thing. One second of input. On Page 90, when you talk
5 about protecting Long Island Sound's beaches and bays,
6 you identify the Long Island Sound and Peconic Estuary,
7 but not the South Shore Estuary Preserve. We have three
8 of the five in the state of New York here. I would
9 request if you could include the South Shore Estuary
10 Preserve. You include the Great South Bay and many
11 others.

12 Also, then you can include, on Page 91, the
13 link to the South Shore Estuary Comprehensive Plan to
14 give our South Shore residents estuary protection, as
15 well as the other parts of Long Island.

16 MR. WHITE: Point well made. We probably

17 looked at eight or nine hundred documents, but this is a
18 work in progress. The climate change, sea level rise
19 must be a concern for Long Island. Emergency
20 preparedness plan for Long Island. Tom was talking
21 about with respect to the oil spillage.

22 Land use, I'll go through this quickly because
23 you deal with this all the time. Complement town-level
24 land use with overlay guidelines. You have discussions
25 and work then and seeing overlay district. The

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2 opportunity for potential for workforce housing
3 development. A year and a half ago, we drafted
4 legislation with County Executive Levy for overlay
5 zones. Preserve open space and protect the natural
6 environment.

7 Protect farmland and ensure food access.
8 Taking advantage of the great agricultural region of
9 Long Island. Protect neighborhood character and provide
10 for location compatible and appropriate new development.
11 This is the issue, where do you accommodate the growth?
12 Where do you put the density or find the infrastructure
13 or improve the infrastructure? As we said earlier, we
14 are not going to change the character of Long Island,
15 but we need to be able make changes to accommodate the
16 growth and make us more economically and culturally
17 resilient.

18 Here is the bottom line. We want to avoid a
19 Newsday series in 2050 that said the same things as the
20 one a few months ago. I may or may not be here in
21 2050. If you are here, we will talk about that.

22 With respect to schedule, where are we, what
23 are we doing. We are having meetings of the advisory
24 cabinet and stakeholder resource groups. The cabinet is
25 core people, but we hold the door open for anybody that

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2 wants to have input and wants to participate. On July
3 15th, we are having a group session for tax governance,
4 and on July 19th, we will have a meeting on the economy.
5 That is when Mark Peterson from the Rochester Greater
6 Enterprise is going to come. Infrastructure on July
7 29th and equity on August 4th. The hope is to have a
8 document or strategy launched in September.

9 Part of what you see and what I talked about
10 is the dialogue, what everybody is asking, how are you
11 going to do these things? That is why we need to expand
12 the input on the interest groups. We need the buy-in
13 and the plan how this is going to happen.

14 THE CHAIRMAN: And the resources. Do you
15 have a location of these?

16 MR. WHITE: Actually July 15th is going to be
17 at the National Grid facility in Melville, their
18 training center. I will send out the notices to
19 everybody. The economy one, actually, we are going to
20 be probably renting space. We will do a later luncheon
21 with Mark. The 29th is going to be at Farmingdale.
22 August 4th will back in Mollooy. What we try to do,
23 being a bi-county group, we try to be on the borderline,
24 even though geographically it's over a little bit.

25 COMMISSIONER ESPOSITO: Mentally it's right

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2 in the middle.

3 MR. WHITE: I will send out the notices so
4 everybody hopefully will participate.

5 THE CHAIRMAN: Thank you, Michael. A number
6 of people around the table have had a chance to
7 participate in the visioning. I appreciate you
8 involving me and others on the leadership advisory
9 cabinet. This is obviously a critical step for Long
10 Island. You said it before and I think it goes to the
11 heart of it. We don't want it to be sitting on a
12 bookshelf someplace. The goals are right on. They have
13 been identified. There is nuance, obviously, but the
14 end is who has to do what to make it happen. That will
15 be a real challenge.

16 MR. WHITE: That is why -- so the plan here
17 in terms of moving forward by September we will have
18 this really solid. Then focusing on the matrix that
19 appears in the documents and probably taking not all of
20 the strategies but several of the strategies to full
21 distance, exactly what it's going to take to do what,
22 the road map to achieve that.

23 COMMISSIONER KELLY: Great plan and vision.
24 How do you get the political leadership to enact that
25 plan? I was at a meeting that night. It wasn't a

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2 hearing, it was more of a luncheon. News 12 comes out
3 in favor of the plan, Newsday comes out in favor of the
4 plan and the town board can't make a move. How do you
5 generate that political leadership to take these bold

6 steps, right steps to achieve these things?

7 MR. WHITE: I did, by the way, have a hard
8 time holding myself up against the wall last night.
9 That was an example of a transit oriented plan which
10 came before this commission in the Town of Huntington.

11 THE CHAIRMAN: We have called it a model for
12 the county.

13 MR. WHITE: When you really look at it, it's
14 like one of those, if you can't do it here, you can't do
15 it anywhere. The council has not taken a formal
16 position on that project. I'm expecting I will see an
17 application to do that. I live in Huntington, so I was
18 certainly there watching. You are exactly right. I
19 think there are several steps. The first -- one of the
20 things we continue to hear is we want to get the buy-in
21 on this element so others aren't ready to pounce, well,
22 you didn't ask us, you didn't take this into
23 consideration, why didn't you do X, Y and Z. Well, we
24 are trying to achieve that.

25 The other thing is a good portion is the

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2 diplomatic position, trying to visit with the
3 supervisors and the Commission, trying to get the
4 message across. If we are going to do this in terms of
5 implementation, we need to take that to a whole other
6 level. Part of the meetings is in listing the partners
7 to do that. As an example, one of the things we are
8 doing with this, partnering with the Energeia
9 Partnership. Some of you may have been graduates of
10 Energeia. You are taking it forward. We are tapping

11 into those kinds of resources and say be ambassadors of
12 the plan.

13 COMMISSIONER FINN: We had the chance to
14 review the material for the report. I was wondering
15 does the council have a goal set in mind? We're
16 obviously doing a projection for taxes and expenditure
17 side. We all talk about affordable housing and how that
18 will affect all the components of real estate. Do you
19 have a number of units that we need to develop from now
20 to 2035 on Long Island so we can have that as a
21 benchmark so when we come across opposition to the
22 development of housing, say the number is twenty-five
23 thousand units here, we are trying to do it, do five
24 hundred units and it's going nowhere, so we can show the
25 municipalities how we're failing on that front.

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2 Affordability is Economics 101. It's supply and demand.
3 If we are not creating anything on the supply side, how
4 is that going to affect the matrix on the cost side?

5 I didn't see anything in the data that shows
6 goals on number of housing units. Is that something
7 that you are looking into?

8 MR. WHITE: One part of the strategy talks
9 about the fair housing plan. Part of that would be to
10 establish the numbers. By the way, some of that work
11 exists out there. Suffolk County economic and workforce
12 housing has studies begun by Rutgers. There are numbers
13 connected to that. One of the strategies for the next
14 phase, we would come up with those numbers in terms of a
15 distribution.

16 THE CHAIRMAN: We expect that the Suffolk
17 County Comprehensive Plan, I don't know if it will be a
18 number, it will be some kind of analysis or goal. We
19 have to put that together, an overlay of the region.

20 COMMISSIONER KONTOKOSKA: Do you plan with
21 the plan making specific recommendations regarding
22 zoning, because the scale? It seems like ninety percent
23 of what you are trying to accomplish is a zoning issue.
24 I didn't see anything that kind of complements with
25 overlays, which has limited servability. Are there

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2 specific recommendations or will there be on zoning
3 patterns on Long Island?

4 MR. WHITE: I don't think we are going to
5 recommend specific zone changes. Frankly, what we are
6 trying to do there is compliment the work that Suffolk
7 County does in their Comprehensive Plan and what several
8 towns have done with their master plan. We want to take
9 it one step further and say well, your initial zone was
10 created, but it's not established to address certain
11 situations like affordable housing. I think rather than
12 zoning maps, the overlay potential, if you focus on the
13 downtowns and growth areas, that is where you would
14 suggest zones as you have seen and suggested.

15 COMMISSIONER KONTOKOSKA: On the housing
16 recommendations, are you looking at the full spectrum of
17 income?

18 MR. WHITE: Yes.

19 COMMISSIONER KONTOKOSKA: Are you addressing
20 the homeless issues as well?

21 MR. WHITE: Yes, it's the full spectrum from
22 what we call workforce, the eighty percent of median to
23 the homeless issue. The prime focus on the housing
24 issue is not only affordability but the options.

25 COMMISSIONER TALDONE: A quick mention, I'm

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2 not sure under what category accessibility would fall.

3 MR. WHITE: We have had this discussion.
4 It's not there. We had a discussion because I have been
5 working with the Suffolk County Community Council on
6 their accessibility. We will include that. I didn't
7 have a separate strategy for that. It will be included
8 in part of the housing options.

9 COMMISSIONER TALDONE: It's not just housing,
10 it's accessibility to work, to recreational. There is a
11 third of the population with mobility issues that is
12 growing. As the population ages, those people that
13 remain in housing of any kind to get to work. Those
14 places have to be accessible.

15 MR. WHITE: Very good point. We will make
16 sure that gets injected into it.

17 THE CHAIRMAN: We can use your help and Vince
18 and some others around the table worked with the
19 Community Council to put together a model code, which we
20 in the last month or two sent out to the different
21 municipalities. Some have already done work on it, but
22 we need to see more. You as the bully pulpit with a
23 regional perspective can articulate the issue. It's a
24 tool that they can use to quickly get to a positive step
25 in this direction.

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2 MR. WHITE: Agreed. We are ready to do
3 that.

4 THE CHAIRMAN: We will make sure you have
5 that.

6 COMMISSIONER TALDONE: I'd be happy to help.

7 THE CHAIRMAN: Vince is certainly the expert
8 on that issue, among many others. Commissioner
9 Roberts.

10 COMMISSIONER ROBERTS: How are you funded?

11 COMMISSIONER ESPOSITO: Poorly.

12 COMMISSIONER ROBERTS: Are you a government
13 agency or funded by business?

14 MR. WHITE: That is a good question. We are
15 a regional planning council established under the New
16 York State General Municipal Law and exist on a
17 cooperation agreement between Nassau and Suffolk County,
18 so the key funding comes from both counties. There is
19 an annual budget given to us. However, now that we are
20 a planning council and not a planning board, we have the
21 ability to go out and get other funds from
22 municipalities, from private foundations. We can take
23 money from just about anybody.

24 It's a good question. Very clearly, we rely
25 heavily on the funding that comes to us from each

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2 county. We have twelve voting members, six from each
3 county. They're appointed by the county executive and

4 confirmed by the county legislature. A major piece of
5 the funding that we received for this work is actually
6 Nassau County IDA. When you look at the economics that
7 we are trying to advance, IDA is an important
8 complement. I will send e-mails on the dates as well as
9 location.

10 THE CHAIRMAN: I certainly encourage everyone
11 to participate if are you able. Thank you for the time
12 and great work that the council is doing. We will move
13 onto the regulatory agenda.

14 The Village of Poquatt has a representative
15 here. I understand that you are making a presentation
16 on the village.

17 MR. SVERD: My name is Peter Sverd. I'm the
18 village attorney. I thank you for inviting the village
19 to express its view. Recent developments happened in
20 the village where a resident constructed about a
21 sixty-two foot array of solar panels in their backyard,
22 which abutted a bulkhead. This came to much surprise
23 and consternation of most of the residents that there
24 was nothing in the code about how you regulate about
25 installing or designing renewable energy sources on

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2 people's property. That prompted the trustees and mayor
3 to say we need to have regulations on the issue.

4 COMMISSIONER ESPOSITO: It's sixty-two feet
5 flat on the ground?

6 MR. SVERD: I have eight copies of
7 photographs. They're black and white.

8 COMMISSIONER ESPOSITO: It's not sixty-two

9 feet tall.

10 MR. SVERD: No, it's not.

11 COMMISSIONER HOLMES: There are sixty-two two
12 panels altogether?

13 MR. SVERD: It appears to be a sixty-two feet
14 long array. This moratorium has a very big exclusion,
15 and the exclusion is if someone wants to build solar
16 roofs or panels on their roof that don't protrude
17 greater than three feet from any roof line, that is
18 permissible under the moratoria. The village is
19 concerned that you will have people converting their
20 backyards to a solar field without regulation as well as
21 pertinent structures that are necessary to generate the
22 batteries.

23 The other issue is the village is also
24 concerned that people may be, at some point,
25 constructing what may be wind turbines for their own use

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2 at home, which might be thirty-five feet in length. We
3 are pleased to learn that the Commission is developing
4 rules and some kind of sample regulations as far as
5 zoning. The village is aware of that we researched
6 NYSERDA with respect to their wind sample and
7 regulations that have been passed in other
8 municipalities. This is simply a shortstop measure
9 while the village gets a handle on how to properly zone
10 for solar and wind. There is no exclusion, if someone
11 wants to put solar panels on their house, there is no
12 restriction to it in the village.

13 The officials are cognizant of that and this

14 was added to the proposal of the law. I'm hoping the
15 council approves or basically doesn't object to the
16 actions of the the village.

17 COMMISSIONER ESPOSITO: Can people see it?
18 It's on his property, it's lying flat.

19 MR. SVERD: It's not lying flat, it's about
20 three feet up. It blocks the view shed of one or two
21 neighbors who brought the complaint.

22 COMMISSIONER ESPOSITO: You're saying it's
23 three feet and it's blocking the view shed? It must be
24 small people.

25 MR. SVERD: There is a woman standing next to

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2 the array to sort of illustrate the height. I didn't
3 have the village engineer, I apologize. I did this on
4 short notice.

5 COMMISSIONER ESPOSITO: Either they're more
6 than three feet, or she's very tiny.

7 COMMISSIONER HOLMES: They're raised, but she
8 is standing in the yard behind them.

9 COMMISSIONER TALDONE: It's more like eight
10 or nine feet high.

11 MR. SVERD: I apologize.

12 COMMISSIONER HOLMES: They do stand taller
13 than three feet.

14 THE CHAIRMAN: This is the village's
15 opportunity in the guest speaker portion to simply relay
16 what their thinking was in making this motion.

17 MR. SVERD: If you have any questions, I'd be
18 happy to answer them.

19 THE CHAIRMAN: Any other representative of
20 the Village of Poquott?

21 COMMISSIONER TALDONE: Do you have, I'm sure
22 somewhere in your code, a prohibition against commercial
23 use of a residential property.

24 MR. SVERD: That is absolutely correct,
25 there is absolutely no commercial zoning at all within

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2 the village.

3 COMMISSIONER TALDONE: If someone wanted to
4 line their property with solar panels to sell the power,
5 wouldn't that be a commercial use?

6 MR. SVERD: That is a tricky question. That
7 would be a thorny legal issue, to deal with that.

8 COMMISSIONER ESPOSITO: The corrected version
9 of the law has yet to be passed this year.

10 THE CHAIRMAN: The people that are selling
11 back are selling what they don't use. It's not really
12 commercial.

13 MR. SVERD: It's a thorny legal issue to
14 determine whether or not a solar array is a structure --

15 COMMISSIONER BOLTON: This is mostly on the
16 subject of solar and renewable energy systems. What
17 sort of zoning regulation, area, bulk, height regulation
18 do you have in the village, if there is one, that
19 governs the size of a residence that you can build?

20 MR. SVERD: We certainly have provisions in
21 the zoning law which governs the height as well as the
22 surface area of a lot.

23 COMMISSIONER BOLTON: The FAR, or the actual

24 just underlying footprint?

25 MR. SVERD: I'm sorry, but I can't answer

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2 that question. There are guidelines that regulate the
3 size of the residential structures.

4 COMMISSIONER ESPOSITO: I think it's a
5 critical question. You can, instead of as an
6 alternative, to put in the moratorium of renewable
7 infrastructure, you can use the existing code to
8 accomplish your goal.

9 MR. SVERD: I think you make a very
10 interesting point. However, the wholesale regulation of
11 wind generated facilities as well as now that we see
12 solar structures on premises, I think fall largely
13 outside of what the present zoning law sort of
14 encompasses. We don't have any particular guidelines
15 with respect to height requirements on windmills on
16 people's houses. For the village to take a more
17 reasonable and rational approach, the village feels it's
18 very important to have a moratorium, so this commission
19 can put in its input, we can review it and review other
20 municipalities' regulations so that can fit into our
21 structure, rather than hastily act.

22 COMMISSIONER ESPOSITO: Going back to her
23 question, do you have any kind of ordinances that talk
24 about footprint use of the property or height? If I
25 have to put a shed on my property, I have to get a

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2 permit from my village for a small shed. You must have

3 something of that nature which would govern the
4 footprint.

5 MR. SVERD: There is a provision regarding
6 accessory structures; again, the definition of
7 structure, I believe, would be quite strained to
8 include, I don't know, that would be quite strained,
9 that definition, to approve a solar array such as what
10 the Commission is presented with. I would nary a guess
11 what portion of it is fixed to the ground and how much
12 of that square footage -- I think the village is seeking
13 for more time to review what is going on.

14 COMMISSIONER BOLTON: The purpose of the
15 exclusion is to buy a certain amount of the time to look
16 at the overall issue of how one regulates such uses;
17 that's correct, right?

18 MR. SVERD: That is absolutely correct.

19 COMMISSIONER BOLTON: Because my overriding
20 question is really sort of an equity question, which is
21 where you really look at similar classes of uses, but
22 regulating them separately because of certain feelings
23 you have, for example, about aesthetics of particular
24 use.

25 MR. SVERD: Would that be a discrimination

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2 against wind versus solar?

3 COMMISSIONER BOLTON: No, I'm saying
4 discrimination against, for example, this person
5 building a pool house versus solar panels.

6 MR. SVERD: Pool houses are clearly governed
7 under the regulations.

8 COMMISSIONER BOLTON: It's a question. Why
9 would you need separate regulations? Why aren't you
10 just looking at overall how that particular item
11 occupied that property? It's obviously an accessory
12 residential use.

13 MR. SVERD: That is a thorny question. It's
14 not necessarily a shed or attached garage, it's not a
15 fence, it's a thirty-five foot wind tower in the
16 backyard with a battery that is six by six sitting on a
17 residential lot. Because this is such a new area and
18 because commissions like this are charged with the duty
19 to really tackle these complicated issues, I'm not an
20 expert. I glean information from NYSERTA and try to
21 discern what might be good. This is buying for time and
22 the moratorium will do that.

23 COMMISSIONER KONTOKOSKA: How many pending
24 permits do you have for solar installations or wind
25 turbine installations?

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2 MR. SVERD: We have no others at this time.

3 COMMISSIONER KONTOKOSKA: Thank you.

4 THE CHAIRMAN: I appreciate you being here.

5 Any other questions? Seeing none, thank you to the
6 village for presenting and explaining their rationale.

7 So our guest speaker time is now done.

8 We will move onto Item 6 of the agenda, which
9 is the consideration of projects under the Suffolk
10 County Administrative Code, and the first item up is the
11 Village of Poquott moratorium. Andy will be presenting.

12 MR. FRELENG: Thank you, Mr. Chairman,

13 members of the board. As indicated, the first
14 regulatory referral is from the Village of Poquott and
15 jurisdiction for the Commission is this is a moratorium
16 that is effective village-wide. As you know, the
17 application is on the village board of trustee's own
18 motion to enact a moratorium that affects local zoning
19 law that presently permits but does not regulate the
20 erection of certain renewable energy sources in the
21 village.

22 In terms of location, you can see up on the
23 screen that that is the Village of Poquott. The
24 moratorium is village-wide, as indicated, is not
25 applicable to the installation of solar panels on the

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2 roofs of principal dwellings.

3 The majority of the village is single family
4 residential development, with the exception of public
5 beach and property associated with the Port Jefferson
6 power station. You can see the power station in the
7 lower right-hand corner. In terms of the staff
8 analysis, in accordance with the Incorporated Village of
9 Poquott submission material, the purpose of the
10 moratorium is to prohibit the construction or
11 installation of certain solar and wind electricity
12 generating facilities, as well as their support
13 facilities on residential properties and homes for a
14 reasonable period of time, pending the completion of
15 applicable zoning ordinances and regulations for the
16 construction or installation of these facilities.

17 The present zoning regulations of the village
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18 do not regulate the installation and construction of
19 solar and wind generating facilities. The Village of
20 Poquott is in the process of updating its Comprehensive
21 Master Plan and it is preferred that the directive and
22 conclusions contained therein be reflected in
23 comprehensive zoning rules that will govern future
24 installation and construction of solar and wind
25 electricity generating facilities, as well as their

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2 support facilities in the village.

3 The Suffolk County Planning Commission has
4 published guidelines on the structure and content of
5 moratoria. It should be tied to legitimate planning
6 initiatives, such as the completion of zoning or master
7 plan updates. The commission also states that where
8 possible, the moratoria should be limited and allow for
9 due process of applications and ensure the proper
10 balance between property rights and community planning.
11 It's the belief of the staff that referred local law
12 would be strengthened, if the village investigated
13 whether there are any alternatives less burdensome than
14 the proposed moratorium. It should indicate what recent
15 circumstances occurred that justify the adoption of the
16 moratoria, and the local law does not indicate how
17 serious or urgent the circumstances warranting the
18 moratorium are, or what hard evidence there is to
19 support the necessity for it.

20 It's the belief of the staff that the proposed
21 local law for the moratorium should be approved subject
22 to the following conditions: First condition is that

23 the local law be revised to include additional findings
24 which discuss alternatives or recent circumstances or
25 how serious or urgent the circumstances are that warrant

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2 the moratorium, or what hard evidence there is to
3 support the necessity of moratorium.

4 The second condition is that the local law
5 should redefine and expand on the hardship provisions.
6 We list those specific expansions as A through C, and D
7 through G or specific subsets of burden of proof for the
8 hardship.

9 That is the recommendation of staff in an
10 abridged version of the staff report.

11 THE CHAIRMAN: Any questions?

12 COMMISSIONER TALDONE: I do. Andy, have you
13 had any discussions with the staff at the village
14 regarding the conditions that you are suggesting?

15 MR. FRELENG: No, we have not.

16 COMMISSIONER TALDONE: We don't know if they
17 object in any way.

18 MR. FRELENG: No. These are generally
19 standard conditions that we put specifically with regard
20 to the hardship criteria.

21 THE CHAIRMAN: Any other thoughts?

22 (No response) Recommendation 2-C, the subsequent
23 paragraphs are actually kind of subsets of C.

24 MR. FRELENG: Yes.

25 THE CHAIRMAN: This is not the most

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substantive of comments.

MR. FRELENG: We would change D through G to numbers just so you can refer to them easily.

COMMISSIONER HOLMES: That is a good idea.

THE CHAIRMAN: From the perspective of the Commission's work, we are obviously trying to come up with a guidance for municipalities, what we call the mainstream, the ninety percent in particular, ninety-five percent. What that means for solar panels, it's generally stuff on the roofs. That is kind of an easier case where you want to be able to provide the municipalities with some easy tools and look through application quickly and easily and we would hope be supportive of these.

This commission identified renewable energy as a regional value and regional goal. This moratorium does not affect those what I call in the fair way kind of renewable energy installations. It talks about ones more limited to ones where they are out on the grass. We have actually had some debate in the task force about what kind of guidance we could provide. It varies quite a bit in terms of parcel size, whatever.

There will undoubtedly, when we talk about outside the mainstream applications, there will

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be reasonable variation in terms of how the villages and towns look at these applications. That said, a moratorium is somewhat an extreme measure. That is something not to be taken lightly. I was glad to see

6 that there was a six month limit on it. I think if that
7 had not been the case, I would have felt it was clearly
8 inappropriate, just as we felt the Old Field prohibition
9 last month was inappropriate.

10 The question for this commission is whether a
11 six month moratorium would provide the town to look at
12 this issue without the pressure of new applications
13 coming in is appropriate. The flip side, there were no
14 other applications, but that does not prevent someone
15 from putting something in while the village is trying to
16 figure this out. If this goes to press, someone who
17 wants to put something in will put in the application
18 quickly before the town makes a decision.

19 I don't think anyone would say the town should
20 not come up with some guidelines here. The question is
21 simply whether allowing the town to put a stop to any
22 development of that kind for a six month period is
23 appropriate.

24 COMMISSIONER CHARTRAND: I have a comment.
25 There is some new technology coming up. The solar,

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2 they're taking them off the roof and putting them in the
3 backyard. It's a lot cheaper to do it now. It's like
4 they drive heavy duty stakes in the ground. I think you
5 might be seeing more of this type coming out in the
6 future from the new technology.

7 THE CHAIRMAN: Your point is well taken. It
8 certainly is a lot cheaper to do it that way.

9 COMMISSIONER HOLMES: I think the moratorium
10 makes a lot of sense because they had now, we learned,

11 they had an example of somebody doing this in their yard
12 in an obtrusive way. The village is very fortunate that
13 they don't have other applications for this type of
14 installation, so I believe that a moratorium is very
15 well taken right now, but I certainly agree with the
16 staff that conditions should be put on the approval so
17 they focus their intent a little more seriously and
18 clarify their intent so that it would pass the muster,
19 if necessary.

20 COMMISSIONER BOLTON: I will support a six
21 month moratorium regulating these types of
22 installations. It's important in the sense there is
23 very obvious safety issues at the very bottom of this,
24 but I also think they have to be very careful in over
25 regulating something because it's called a solar energy

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2 structure or wind structure as opposed to some other
3 type of structure on the property. That has to be
4 looked at very carefully.

5 THE CHAIRMAN: That will come back to us. We
6 would have an opportunity whenever they pass it to
7 review it.

8 COMMISSIONER BOLTON: That is what I want to
9 hold out for and say specifically to the moratorium, I'm
10 not uncomfortable with a six month opportunity to look
11 at those things by the board.

12 THE CHAIRMAN: It can't hurt to remind the
13 board to include a comment to say we look forward to A,
14 looking forward to working with you on this. And B,
15 reviewing that.

16 COMMISSIONER BOLTON: I think Matt is right
17 in saying that the technology is constantly changing,
18 and what we look at when we look at regulations apart
19 from the obvious safety issue.

20 THE CHAIRMAN: I think that was an issue with
21 the Old Field application. You don't want to say no
22 forever when the technology is changing.

23 COMMISSIONER ESPOSITO: I think while this
24 application is a lot more thoughtful than the Old Field
25 application, I still don't see the need for them to

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2 single out renewable energy structure. While I think
3 that this particular resident may have some deep regrets
4 in locating this solar array so close to the water,
5 particularly after a very strong nor'easter. It's a
6 little unclear why he would do that. I've never seen
7 this before and never heard of it before in the last
8 twenty years.

9 However, it seems also that this seems like
10 this kind of development on folks' property could be
11 handled in a different manner by the village in crafting
12 language about the footprint of the property.

13 I'm not an attorney, so I'm not convinced that
14 this doesn't already exist. To single out renewable
15 energy infrastructure sends the wrong message to
16 villages in Long Island. It contradicts the spirit that
17 the planning commission has had to advance this type of
18 infrastructure and energy. Look at yesterday, we almost
19 hit another peak, more than fifty-eight hundred
20 megawatts from LIPA. They say conserve energy, use

21 renewables, be more efficient, yet this contradicts what
22 has been moving forward on Long Island.

23 I'm voting kind no, because I think there are
24 other ways of accomplishing this, although it's a more
25 thoughtful application than we have seen previously.

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2 COMMISSIONER HOLMES: I'm a little bothered
3 that there are those on the Commission that feel that
4 this may already be provided for in the village's zoning
5 where the village has clearly said that this type of
6 thing is not provided for.

7 COMMISSIONER ESPOSITO: He didn't say that,
8 he said it was sticky.

9 COMMISSIONER HOLMES: It's too vague, their
10 current regulations are too vague. That is that I got
11 in reading this, that they do need to make provision for
12 this type of structure because it says it's allowed on a
13 roof. But when people begin to put this type of thing
14 on the ground, that is a whole different thing. I think
15 they do need to provide for that and regulate that.

16 THE CHAIRMAN: It's interesting. I
17 appreciate Adrienne's comment, but I look at it from a
18 different perspective. I'd rather them get it right so
19 they have something that's good. I'm assuming in good
20 faith they're going to actually try and put something
21 together that makes sense and also provides for the
22 safety aspects and how far it should be set back from
23 the bulkhead or whatever aspects may play in this
24 particular village. I see it being a positive to give
25 them time to make reasoned rules. Vice Chairman.

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2 COMMISSIONER KONTOKOSKA: I'm going to have
3 to agree with Adrienne in a lot of respects. A lot of
4 local levels do it without moratoriums. What is
5 confusing, why are solar roof installations allowed but
6 not the ones on the ground when solar panels on the roof
7 have more safety issues. I'm confused why solar
8 installations for the roof are regulated in the code. I
9 have to defer and agree with Adrienne on this.

10 I think a moratorium opens the door for, while
11 it's a six month moratorium, anyone familiar with these
12 on Long Island knows that these six months can be
13 extended for years. The end result could be an
14 application like Old Field to abandon it in its
15 entirety. So I am going to have to vote against the
16 staff on this one.

17 THE CHAIRMAN: If they move to extend the
18 moratorium, they would have to come back.

19 MR. FRELENG: It would be another local law
20 to extend the moratorium.

21 COMMISSIONER FINN: The point about the solar
22 panels themselves, as we talk about alternative energy
23 uses, one of the reluctance for homeowners to put things
24 on their roof, you're inviting the town in to inspect
25 your property. There may be other infractions that they

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2 have. Everyone wants to be friendly to renewable
3 energy, but starting a look from tip to tail, whether
4 your shed has a permit, or it's a foot too close to the

5 fence, so it's a deterrent for these homeowners to go
6 out there and get a permit and put things on their
7 structure.

8 The fact that this is put on the ground and
9 it's more cost effective, I think that is more of a
10 message than putting in a moratorium. Not to say
11 moratoriums are against my religion, but they usually
12 don't have a good outcome.

13 COMMISSIONER HOLMES: Doesn't a person have
14 to apply for a permit to do this on their property?

15 THE CHAIRMAN: Yes. They didn't, but there
16 is no doubt that they will. There is not any debate
17 about whether or not there should be permits or not.
18 One of the issues with permits, it's just what John
19 said, it invites officials to look at their property.
20 They may have a pool that they didn't have the right
21 permit on. That has certainly been an impediment.
22 There are conversations about how to get around the
23 issue to encourage people to do so, even if they have
24 those concerns.

25 I don't think that is necessarily an issue

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2 here because one way or another the towns and villages
3 will come up with some kind of regulatory process for
4 these things. I think for us it's really whether a six
5 month moratorium makes sense for them to do that. We
6 heard people on either side of that. Anybody have
7 comments? Vince and then I would like to move on.

8 COMMISSIONER TALDONE: One more question. As
9 I listen and read through this. The woman standing next

10 to the unit is several feet below this. It's down by
11 the bulkhead. If they wanted to build an eight or ten
12 foot fence down to the bulkhead and block the neighbors'
13 view, they probably couldn't do that, but they can do
14 this right up at the waterfront and obstruct views from
15 neighboring properties. Perhaps there were other places
16 where it could have been put that would have been more
17 friendly to the neighbors.

18 I'm not against the moratorium so they can
19 put something in place. I don't think we should object
20 to their making a rule.

21 COMMISSIONER KELLY: I think in light of the
22 fact there are no applications for the village right
23 now, the sense of urgency really goes back to the
24 village to go ahead, create a new code for it. If you
25 have issues, you don't have to create a moratorium to

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2 create a code. You can do that right now. There is
3 plenty of information out there to create a sound code
4 without having to stop for six months.

5 COMMISSIONER ESPOSITO: Also I want to say,
6 just because there are no applications doesn't mean that
7 a resident hadn't done their due diligence, done the
8 pricing. Doesn't mean a process hadn't started and they
9 just have not applied for this. I'm saying just because
10 there isn't anything in there for the village doesn't
11 mean that residents aren't planning this type of
12 installation.

13 THE CHAIRMAN: That is my concern. That is
14 why I'm going to vote for the moratorium. Somebody that

15 throws in an application now to do exactly what this
16 person did --

17 COMMISSIONER ESPOSITO: Not everyone is going
18 to do the wrong thing. You're speculating that people
19 were going to do this bizarre thing that this one man
20 did. There is always one bad apple.

21 THE CHAIRMAN: I think that is probably why
22 the village wants a moratorium, even though that is
23 possible and not definitive.

24 COMMISSIONER ESPOSITO: I think what the
25 village can do, instead of putting a moratorium on

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2 renewables, they can actually work out some kind of code
3 where you are not blocking the water view. I feel what
4 they did was targeted renewables. That was not the
5 issue here. The issue is the siting. It's not that the
6 person put in renewable energy, the issue is improper
7 siting, and that can be dealt with without a moratorium
8 on renewables, but with some kind of code for view shed
9 allowance.

10 COMMISSIONER HOLMES: Doesn't a code take
11 time; you can't do that overnight.

12 COMMISSIONER ESPOSITO: Well, they're just
13 stopping renewals.

14 THE CHAIRMAN: They're only stopping
15 renewables that are not on the house, which is a very
16 small percentage. Ninety-five percent are based on the
17 roof. There were only only a few that exist on the
18 ground. I think we probably fleshed out both sides
19 pretty well. I'll entertain a motion.

20 COMMISSIONER HOLMES: I move to approve the
21 the staff report.

22 COMMISSIONER ROBERTS: I second.

23 THE CHAIRMAN: I should probably note for the
24 record that we were going to make C of Number 2 in terms
25 of the conditions into to one, two, three, four.

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2 Someone else mentioned something else about -- I think
3 what I want to say was a comment that we look forward
4 seeing what they come up with, the regulations they come
5 up with, as well as encouraging them to get involved in
6 our energy and environment task force. Without
7 objection, we will add that as a comment.

8 MR. FRELENG: As a point of order, when they
9 adopt a zoning amendment, they're required to send it to
10 us anyway.

11 THE CHAIRMAN: No matter how this comes out.
12 A motion is to adopt the staff report as amended with
13 the additional comment, and change in the numbering.
14 Please raise your hands. All in favor? Six. And
15 opposed is four. Commission takes no action.

16 With respect to without objection -- let me
17 throw this out there. I would appreciate it if we would
18 authorize the staff to simply let them know that we do
19 have the energy and environmental task force is looking
20 at these issues so they can be cognizant of the work.
21 Is there any objection to that, sending a letter about
22 that? Okay.

23 COMMISSIONER ROBERTS: David, I have to
24 leave.

25 COMMISSIONER TALDONE: I have a question

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2 about the process. A submission has come in. We have
3 some knowledge about that. The department doesn't
4 contact the referring agency to discuss what they may be
5 learning about today as they sit in the audience, is
6 there any administrative or legal reason why we wouldn't
7 or should not contact the referring entity to discuss
8 these things ahead of the Commission?

9 MR. FRELENG: Only from the point of view,
10 this morning we discussed the Commission has the benefit
11 of looking at a referral based on the merits. Usually
12 when we contact a local municipality, we get off the
13 merits rather quickly and start talking about a lot of
14 local issues. There is no policy, but we generally try
15 to review the application based on the merits as sent,
16 and compare that to the guidelines of the Commission as
17 adopted. When we talk to the local municipality we get
18 a lot of other information.

19 THE CHAIRMAN: You can filter that. That is
20 why we have a staff that is so knowledgeable. Your
21 recommendation comes to us. Whether there is a nugget
22 of useful information for us from the town or not, you
23 can kind of sort that out.

24 MR. FRELENG: In this case, I don't know what
25 information the board would have wanted prior to the

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2 meeting.

3 COMMISSIONER TALDONE: Offering your
4 assistance as a department or county entity to assist
5 the village in moving this forward, and they can still
6 have that now.

7 MR. FRELENG: That is not a regulatory issue,
8 it's more of a policy issue in reaching out to the towns
9 and villages.

10 MR. YOUNG: It's not our purpose to be part
11 of this municipality's decision making. It's our
12 purpose to get a referral here. To look at that
13 referral on its face and make a determination, and using
14 the expertise of the county, the assets that you have.
15 Then to make our recommendations, as we do.

16 We like it, but A, B and C, we have a problem.
17 Then it's up to them. We are not supposed to be in the
18 bargaining position. It's not let's make a deal with
19 whoever is referring it to us. It may come out as a
20 result of your recommendations that it's going to go
21 back and that the applicant is going to make changes.
22 That is not our purpose.

23 MR. ISLES: Informally, we do communicate
24 with the towns and villages. The guidebook has been
25 sent to every municipality. There is informal

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2 communication. If they call up to make an inquiry on
3 commission guidelines, certainly we will do that.

4 Mr. Young, in terms of the parameters of the
5 law dealing with the County Planning Commission, looks
6 at that perspective in terms of what the municipality
7 asks the Commission to review. I think informally,

8 certainly we do do that and help, upon request by the
9 municipality.

10 THE CHAIRMAN: I thought Vince was asking,
11 there was a question earlier about their village code.
12 We might reach out to the village and get a copy of
13 their code, if we don't have it.

14 MR. FRELENG: We have all the codes.

15 THE CHAIRMAN: If we didn't, we would ask. I
16 don't think that is a problem. If while you're asking
17 them for it they provide information you think not
18 germane, you don't include it.

19 MR. ISLES: I think in terms of
20 institutionalizing a process where we meet prior to the
21 Commission seeing the cases, we meet with the
22 municipality and do some sort of preapplication. We
23 don't have enough time and we don't have enough staff.
24 I understand the idea in terms of communications and
25 coordination. That happens in many different ways

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2 informally from the Planning Federation and distribution
3 of the guidebook and day-to-day questions we get from
4 the town and village in terms of clarification and input
5 or resource sharing. That does happen. It's not at a
6 formal level at this point.

7 THE CHAIRMAN: We will move to our last item.

8 MR. FRELENG: The referral of Willow Wood at
9 Coram. The subject property is within five hundred feet
10 of New York State Route 112. The subject property is
11 within a Suffolk County Pine Barrens Zone. The
12 applicants are seeking Town Planning Board site plan

13 approval for the construction of one hundred forty
14 non-age restricted condominium units. Twenty percent of
15 the total units are to be workforce housing.

16 Sanitary wastewater to be conveyed off site to
17 Bretton Woods Treatment Plant. Zoning and density as
18 indicated are established by a stipulation of
19 settlement. The location of the subject property is on
20 the west side of Patchogue-Port Jefferson Road,
21 approximately six hundred eighty-five feet south of
22 Paul's Path, which is a town street.

23 If we look at the character and use and
24 zoning, take a look at the zoning first. The subject
25 property is in an area dominated by A-1 Residence zoning

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2 established by the green. Subject property is currently
3 zoned as MF as a result of the stipulated settlement and
4 to the left is Nursing Home and L-1, which is a light
5 industrial category.

6 The predominant land uses surrounding the
7 subject property include high density residential to the
8 west, single family detached housing to the north. To
9 the east is a health care facility, supermarket, vacant
10 land. South of the subject property is industrial use,
11 which is a metal scrap yard, and further south of the
12 open space land is undeveloped land, with the northern
13 portion of the land being the Diocese of Rockville
14 Centre cemetery.

15 Take a look at the tax map. That is a
16 significant amount of public land on the open lands
17 surrounding the subject property. The subject property

18 is technically land locked. In terms of access, the
19 property has jointly agreed to use a road for ingress
20 and egress. In the past, the project sponsors sold that
21 property and retained the access easement. There is no
22 alternative access to the condominium development as
23 proposed.

24 Environmental conditions, the subject property
25 is located in the Hydro-geological Groundwater

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2 Management Zone located in the Central Suffolk New York
3 State Special Groundwater Protection Area located in
4 Yaphank. The subject property is in the Central Zone of
5 the Pine Barrens, also within the Compatible Growth
6 Area, as regulated by the Central Pines Barren Joint
7 Planning and Policy Commission.

8 There are no mapped wetlands on the site or
9 adjacent to the property. However, it should be noted
10 that the Suffolk County Water Authority well fields
11 located adjacent and to the north of the subject
12 property. As noted prior, the site is extensively
13 disturbed and it's believed that was mined prior to the
14 enactment of the Pine Barrens Protection Act in '96.

15 The Town of Brookhaven 1996 Comprehensive Land
16 Use Plan recommends this site for high density
17 residential. However, recent trends in local planning
18 initiatives have not underscored this site for high
19 density housing. Brookhaven proposed amendments
20 designates this area as part of the Glacial Ridge
21 Critical Environmental Area. This CRA is also proposed
22 by Brookhaven Town to be a voluntary sending area for

23 Pine Barren credits.

24 In 2006, Brookhaven adopted the Middle Country
25 Road Land Use Plan for Coram, Middle Island and Ridge.

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2 Among other things, it recommended the creation of
3 compact and dense mixed use hamlet centers and reduction
4 in development density in outlying areas. The planning
5 initiative, now an amendment to the Comprehensive Plan,
6 does not include the subject property into the Coram
7 node, and for development purposes of the site implies
8 greater deference to the naturally occurring regional
9 environment.

10 When reviewing this, staff noted that the
11 Commission has had some history with the intended
12 development of the site. In 2002, the Commission
13 disapproved a referral for requested change of zone
14 petition from D-1 Residence to MF-2, multi-family.
15 Reasons for disapproval, among other things, is that the
16 proposed plan is inconsistent with the Central Suffolk
17 West SGPA Plan which designated this area for cluster
18 development purposes.

19 In 2003, the Suffolk County Planning
20 Commission disapproved a special exception permit
21 petition referral from Brookhaven Town. This was for
22 the construction of multi-residences, in accordance with
23 the MF-1 requirements. The reasoning was similar for
24 the disapproval.

25 At the Local Town of Brookhaven level review

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2 of the change of zone petition and development proposal
3 resulted in a dispute between the town and project
4 sponsors. After ensuing litigation, the town and the
5 project sponsor agreed that the town, on its own motion,
6 would rezone the property to MF, that the project
7 sponsors would be entitled to construct one hundred
8 forty units of multi-family housing. Upon referral of
9 the board's own motion for the zone change to the
10 Suffolk County Planning Commission, department staff, in
11 light of the stipulated settlement, returned the matter
12 with a local determination response.

13 The current referral from Brookhaven that is
14 before the commission is for site plan approval. The
15 stipulation of settlement indicates that the sponsors
16 are entitled to construct a hundred forty units, subject
17 to the conditions set forth by the state Environmental
18 Quality Review Act. The settlement leaves the door open
19 for modifications to the site plan application in that
20 the stipulation allows for the inclusion of other
21 drawings that address inter alia, site drainage, grading
22 and landscaping and any other documents required in
23 Article 6, which is the site plan.

24 Those documents required to supplement and
25 update the submitted EAF as required pursuant to SEQRA

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2 Article 6 of the Brookhaven Town Code provides for the
3 town to consider open spaces and the impact of the
4 proposed use on the adjacent land.

5 The State Environmental Quality Review Act
6 provides that among the reasonable alternatives

7 available, the action must be one that avoids or
8 minimizes adverse environmental impacts to the extent
9 practicable, and that adverse environmental impacts will
10 be avoided or minimized by incorporating as conditions
11 to the decision mitigative measures.

12 It is the belief that of staff that the
13 proposed site plan is unimaginative and does not
14 appropriately take into consideration the comprehensive
15 environmental planning initiatives reflective of the
16 significant regional environmental resources the subject
17 site is situated in.

18 Staff is recommending disapproval for the
19 following reasons: The map should be redrawn to
20 condense the units to the east and provide for a
21 continuous block of open space at the west end of the
22 subject site. The paragraph that follows is rationale
23 from the staff report. I just want to point out we
24 believe that tighter cluster of the development to the
25 east would be in order to provide an open space corridor

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2 linking this.

3 I just want to stop here for the site plan
4 layout. This is the adjacent property which they
5 secured the right-of-way easement for. This is the
6 layout of the subject property. I want to point out
7 this little node of open space. What they were
8 recommending, and then we will go to the aerial, is
9 redesign this and push this part of the plan eastward
10 and create an open space block like this. Again, if you
11 look at the tax map, Suffolk County and Suffolk County

12 Water Authority secured a lot of the open space here.
13 This is the north end of the cemetery, which is not
14 developed, and there is public lands in here as well.

15 What we are suggesting is, you can see all the
16 open space reserve here. What we are trying to do is
17 create a linkage between this northern cluster of open
18 space and this southern cluster and developed land and
19 pull this to the east so there a corridor.

20 THE CHAIRMAN: What is the advantage of a
21 contiguous corridor?

22 MR. FRELENG: It creates a migratory path for
23 fauna to get from a nesting area or habitat protection
24 and allow linkages of the open space.

25 THE CHAIRMAN: The benefit is for the animals?

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2 MR. FRELENG: That's correct. Second
3 condition staff is pointing out is that the site plan
4 appears to be an over-intensification of the use of the
5 premises. Notwithstanding that there are a hundred
6 forty units, according to Suffolk County guidelines for
7 the clearing of native vegetation in zoning categories
8 for lots greater than five acres, only twenty-five
9 percent of the site should be cleared. Granted, the
10 site was cleared prior to the application proposals.

11 On the flip side, we would be looking for
12 landscaping or vegetation that would approach that. It
13 looks like they only cleared twenty-five percent of the
14 site the proposal, leaving thirty percent of the site to
15 remain natural if it was a commercial development. We
16 would allow sixty-five percent of the site to be

17 cleared. That would require thirty-five percent to
18 remain open. We only have thirty-three percent. We are
19 thinking in terms of the natural vegetation or
20 revegetation that is being proposed, it does not meet
21 the standard of the Pine Barrens and that it's an
22 over-intensification.

23 As-of-right yield for the subject property is
24 indicated in prior referrals of the Commission. It was
25 fifty-nine single family residences. Current proposal

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2 is for a hundred forty residential units. We know the
3 size and number of bedrooms, they're attached units, do
4 not equate necessarily to a single family home. We did
5 a little bit of a wastewater calculation. The
6 wastewater difference between what is allowed
7 as-of-right and what is being proposed bounces out at
8 approximately eighty units. Divide that by three
9 hundred, that is single family flow, that application is
10 getting a bonus of eighty single family homes.

11 What they are not doing is the increase of
12 deficit should be tied to the purchase and/or transfer
13 of development rights. They have got the density but
14 they haven't TDR'd the density from anywhere else. They
15 haven't created open space and the town has not
16 downzoned. This does not conform.

17 There is no alternative accessibility. Fifth
18 reason, there is no reference to the conservation of
19 energy and sixth reason, there is no accommodations for
20 public safety. Conservation and public safety are
21 outlined in the Suffolk County Planning Commission

22 Handbook.

23 THE CHAIRMAN: The report was very thorough.
24 One question I have with the settlement, we are taking
25 that as a given, what basically comes out as a result of

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2 that density and all that stuff. They're allowed now to
3 do that under the settlement?

4 MR. FRELENG: Correct.

5 THE CHAIRMAN: How we configure the property
6 and whether there is any kind of offset.

7 MR. FRELENG: The department's interpretation
8 of the stipulated settlement is the requiring submittal
9 of a full site plan application at the time pretty much
10 leaves the door open to manipulate the site plan into an
11 appropriate application which conserves the environment.

12 THE CHAIRMAN: We are going to debate what
13 the impact is. You can change the size of the
14 development or configuration of the development based on
15 the stipulation; is that how you read the settlement?

16 MR. FRELENG: That is how I read the
17 settlement.

18 THE CHAIRMAN: This is a Brookhaven project.
19 Mike, any thoughts on this?

20 COMMISSIONER KELLY: A few. We sat through
21 Michael White's presentation. One of the key points
22 that I found was the need for workforce housing and the
23 need for economic development in some way, shape or
24 form, as well as a need for environmental protection. I
25 think this application really ties a lot of that in.

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2 Because we have the component of workforce housing, we
3 cleaned up a blighted site.

4 I have driven by this site almost weekly for
5 the past ten years and the place is an eyesore. It's a
6 stripped sandpit. It's really a blighted area. Any
7 redevelopment of that site would be a blessing. The
8 applicant is tapping into Bretton Woods, which is a
9 related sewerage treatment plant, which will provide the
10 environmental protection as well.

11 The fact that when you talk about density,
12 this is only five units to the acre. To create this
13 type of workforce housing the applicant needs even
14 greater density than this. In order for him to be
15 required to go out and buy additional pine barren
16 credits or development rights would economically burden
17 this development. It would not be feasible to go out
18 and buy eighty developments; very difficult to do that.
19 The builder has created several other jobs within the
20 Town of Brookhaven and Town of Huntington, has a solid
21 reputation

22 That aside, what concerns me is the court
23 stipulation. While it's stipulated that the zoning is
24 in place for a hundred forty units, I would be a little
25 concerned getting back into any type of governance over

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2 final approvals. So, with that said, while it's a
3 complicated issue, I think it's obvious that the town
4 wants this to happen. I think with that being said, and

5 the court stipulation, I would probably put this back on
6 the Town to let them configure something.

7 THE CHAIRMAN: Thanks Mike.

8 COMMISSIONER ESPOSITO: Is this where they
9 did the illegal sand, Mike?

10 COMMISSIONER KELLY: I think there were a
11 lot. I don't know for a fact.

12 MR. FRELENG: The filing on the subject
13 property predates the Act and goes back to about the
14 '70's.

15 COMMISSIONER TALDONE: Now that it's been
16 mined, how substantial is the fill required to bring
17 this up to grade?

18 MR. FRELENG: We did a site inspection. The
19 site look pretty flat. It doesn't look like they dipped
20 too much into the terrain. It looks like they removed a
21 hill and left a relatively rolling topography.

22 COMMISSIONER TALDONE: With the county
23 wastewater credits, is there a way to apply them to
24 affordable housing? If we were to require the
25 acquisition of development rights, the county could

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2 contribute.

3 MR. FRELENG: They can see if they can work
4 out some sort of arrangements. Workforce housing has
5 several programs, including transferring wastewater
6 credits to the project that could make it work. Yes,
7 they can reach out to the county and yes, it is possible
8 that wastewater credits would be transferred to the site.

9 COMMISSIONER TALDONE: I'm a little torn on

10 this because you need the multi-family housing and we
11 know it is expensive. It has to be done in large enough
12 density to make it affordable to the developer or it
13 wouldn't happen. We have to guard the density. I
14 really don't know to do with that.

15 MR. ISLES: Just a couple of comments.
16 Number one, on Mr. Kelly's point on the litigation
17 involved with this matter and the so ordered stipulation
18 or settlement, I would just make the point that while we
19 are aware that is certainly a factor in terms of land
20 use, I don't believe it should be a strong factor with
21 the Commission. We are not involved with that
22 litigation. There are a lot of cases that come before
23 the Commission that at some point or another had
24 litigation involved with them.

25 I think the Commission should look at it as

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2 its standard criteria that you would apply. I don't
3 think that should overly influence the fact that there
4 was a settlement. Well, it's a fait accompli and the
5 Commission should not give it the review that you
6 normally would.

7 In terms of the wastewater credits, the fact
8 that it's connected to a sewage treatment plant or it's
9 proposed to be connected to one might obviate the need
10 for that or the benefit of that.

11 COMMISSIONER KONTOKOSKA: First I would like
12 to thank Andy and the staff on a thorough presentation
13 and analysis. I agree with most of what you are saying.
14 My concern is the comments or condition with the

15 over-intensification of use, I'm concerned that the ship
16 may have sailed with the change of zone that has already
17 taken place. That this is therefore an as-of-right
18 application. I think we may have missed the
19 opportunity.

20 The other thing, I agree that the layout is
21 very problematic; I agree with that. The one big
22 problem that I have, I think we need to revisit this. I
23 think it has come up at each of the previous planning
24 meetings that increases in density should be tied to the
25 transfer or purchase of development rights. I don't

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2 believe that is our policy. I know we talked about
3 this. I know it says it should be tied, but I never
4 thought that -- I think that is a very strong regional
5 policy that we need to have a very thorough and
6 comprehensive discussion about. There needs to be a
7 policy and program in place where developers can address
8 these issues and have a say in these issues and purchase
9 these development rights outside of the county's specific
10 programs and Pine Barrens credit program.

11 I think this is a topic for another discussion
12 that has to be. I don't think that this simple
13 statement that we have in our commission guidelines,
14 it's a very strong sentence, and I'm not sure we have
15 the backup to actually implement it. Not to add to your
16 analysis, I think it's an important component of
17 changing development patterns for Long Island. I think
18 the Commission as a whole should discuss this and see
19 how we can actually implement it.

20 MR. FRELENG: My only response is there is an
21 enumerated policy guideline in your guidebook.

22 COMMISSIONER KONTOKOSKA: We discussed this
23 and I think the "should" is a very important part of the
24 policy. I think it has come out a little strong in the
25 policies. It's not that it's a bad thing or anything.

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2 I don't think it's -- I think we need to have a formal
3 discussion about how we are going to implement it before
4 we start mandating it to people. I just don't see where
5 the program is in place for this to occur on a regional
6 scale or county-wide scale.

7 The market doesn't exist. We need to revisit
8 that. That being said, taking up Issue 2 and 3, I think
9 the others are conditions of approval rather than
10 reasons for disapproval based on previous applications
11 and how we handled these kind of issues in the past.

12 THE CHAIRMAN: Certainly four, five and six
13 could go either way. I had a question for Director
14 Isles. Number 3, if we are tying into a sewage
15 treatment plant, does that obviate the need for in lieu
16 of community benefit anyway?

17 MR. FRELENG: The only thing that staff points
18 out is that high density housing has spillover impact.
19 Transportation, impact to schools that impact the
20 community directly. Change of zones is supposed to
21 offset those impacts through substantial community
22 benefits. If are you not going to create open space
23 when you increase the density, then there must be other
24 substantial community benefits that the community would

25 be willing to accept.

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2 We have an increase in density that could
3 equate to eighty additional single family homes that
4 would not otherwise be built on that property. There is
5 an impact and the change of zone has to address the
6 substantial public benefits that offset that impact.

7 If it's not going to be a TDR, it should be
8 other things that relate or has a nexus to that
9 project. Staff did not believe that the substantial
10 community benefits were described to justify the
11 increase in density. The courts might have given them
12 that density, but there was no discussion on the
13 mitigations to that density which would come out in the
14 site plan.

15 THE CHAIRMAN: It really depends on the
16 wording of the settlement. Constantine is right and
17 it's basically an as-of-right development.

18 MR. FRELENG: I quoted the language in the
19 staff report. It is the zoning shall be in place, so
20 the town went ahead and changed the zoning. The density
21 shall be a hundred forty units subject to SEQRA and site
22 plan review. At the local level, when you do SEQRA and
23 site plan review, you have the map in front of you and
24 by the time you're done, it could be very
25 different. The courts left it open to modify the site

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2 plan.

3 THE CHAIRMAN: I think Comment Number 1 is a
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4 reasonable comment. I think in the context of the
5 settlement we can say that the site plan has been
6 changed because of the reason in Number 1. My question
7 is Number 3; when you tie it to a density and the Court,
8 through its wording and whatever, it has been agreed
9 through the courts has already said this density, does
10 that make it a more as-of-right kind of development and
11 therefore not necessarily one that we can be playing
12 around with?

13 That is different than a site plan. The site
14 plan is more Number 1, I think Number 2, also. I think
15 clearing, I might disagree on that.
16 Over-intensification of use is not density, it's in
17 regard you can cluster the buildings a little better and
18 have less clearing, but there has been a lot of clearing
19 already.

20 MR. FRELENG: Revegetation.

21 COMMISSIONER FINN: I just want to echo that.
22 The thoroughness of the report from staff really
23 identified the issues with this property are well
24 documented. Looking at this brings up a couple of
25 points to my mind. Last month's hearing at Brookhaven

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2 we saw a video that could have represented downtown
3 Detroit as it pertained to the issues with blight in the
4 commercial aspect of the town. Having driven by this
5 property, to bring up my point, I always thought what
6 happened here, why is this property in this condition,
7 why has it been left this way. Something terrible must
8 have happened to this property.

9 It's ironic that we are looking at the
10 application today. The wastewater, the property owner
11 is tapping into a sewer treatment plant. I think that
12 is something we should promote. In our training
13 session, we talked about nitrates in our ground
14 depleting our drinking water. We should encourage
15 property owners to tap into sewer treatment plants where
16 possible.

17 I can tell you from experience that that
18 process is not an inexpensive one. There is a buy-in to
19 open the conversation. The legal paperwork and
20 processes that go along with having the ability to tap
21 into the sewage treatment plant, not to mention once you
22 finally get that ability, that plant does not meet DPW
23 requirements to have multiple owners tap into it. so
24 that requires new guidelines to basically rebuild that
25 sewage treatment plant. We did it and it cost us a

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2 million dollars on a project.

3 There are other things that are off the
4 balance sheet that will cost to bring this one hundred
5 forty units off the ground. The other issue is the site
6 in its current condition, the town has a code of
7 thirty-three percent of vegetation. You will have to
8 revegetated the property which is a major cost. Its
9 proximity to the south, you have a light industrial or
10 maybe a heavy industrial usage. Then to the north you
11 have a drug and alcohol treatment facility. There are
12 some major development risks going along with this
13 project.

19 access to the easement, access to this parcel is still
20 not necessarily fixed; is that correct?

21 MR. FRELENG: No, it is fixed.

22 COMMISSIONER BOLTON: You have an easement
23 that has been granted?

24 COMMISSIONER ESPOSITO: Where is it?

25 COMMISSIONER KELLY: On the south side.

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2 COMMISSIONER BOLTON: So my next question and
3 then I'll get onto a couple of comments. My question
4 this reallocation of a recharge basin, it's like large
5 and is there any opportunity to share the recharge basin
6 with adjacent parcels so less of the site would be
7 consumed with allocating the recharge basin entirely to
8 this development? Just a question. I am getting to
9 layout.

10 MR. FRELENG: If there is a simultaneous
11 application on an adjacent property they might be able
12 to do that. I don't know if there is an application in
13 there and whether they have the ability.

14 COMMISSIONER BOLTON: Just an observation.
15 Our guidelines for affordable housing include generally
16 possible distribution of the affordable units throughout
17 the application, throughout the site. So that there
18 isn't one particular site that is defined like the low
19 income area of the site. That's supposed to impart
20 better value throughout the project and obviously there
21 is an equity issue as well. That, I believe, should be
22 a comment in whatever we submit.

23 The other thing is another sort of value

24 observation, which is directed towards layout. I know
25 our report as it's been presented by the staff suggests

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2 that the units should be pulled closer together, in
3 order to create more of a buffer, not a buffer, but
4 corridor, green corridor that would enable, at least in
5 theory, the passage for wildlife, et cetera. I'm going
6 to question, I feel that this is a relatively large but
7 by no means huge development in an area which is
8 otherwise not particularly apparently well served by
9 various facilities.

10 I'm going to say that I think that the
11 recreational facilities which are proposed should be
12 more centrally located and more available to all of the
13 residents on the site. I am basing that on my own
14 personal experience, which is any of the developments
15 that I have looked at when I have been interested in
16 buying property, the units that had more access to
17 facilities had better values and were more competitive
18 in the marketplace. And I think that I would rather
19 see, if anything, the interior more opened up and those
20 facilities not allocated to one small corner of the site
21 but moved at least a portion of them into a more central
22 location.

23 MR. ISLES: I just want to make one comment.
24 I appreciate the comments from Commissioner Bolton and
25 the other members. Just in terms of the observation in

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2 terms of the location and recreation and so forth, I
3 think it's a well founded comment. Typically, that is
4 something left to the locality to work out. I wanted to
5 comment to the Commission, I think it's useful, but I
6 I'm not sure it's your role.

7 COMMISSIONER BOLTON: What inspired it is the
8 comment from the staff report talking about pulling in
9 the units. You're looking at a push-pull. If you pull
10 that in, you're not going to be able to have that
11 option. I'm saying that seems to be a reasonable option
12 that somebody might want to consider.

13 MR. ISLES: Understood. The staff's
14 standpoint was the regional area was having a countywide
15 or larger perspective to it.

16 THE CHAIRMAN: Our public safety guidelines
17 do talk about these kinds of amenities, and being
18 careful not to stick them back in a corner because of
19 safety issues; we might capture a portion of it. It
20 doesn't talk about the value. It's not to say amenities
21 like that can't be saved if they're thought out well.

22 COMMISSIONER BOLTON: Each type of layout has
23 its benefits and non benefits. I think if we're talking
24 about building housing, particularly affordable housing
25 I'm concerned with the value question.

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2 THE CHAIRMAN: The affordable housing issue
3 is well taken. It is in our affordable housing
4 guidelines. There is no reason why we can't pull it out
5 as a comment. They are doing twenty percent, which is
6 consistent with the Commission guidelines. We are

7 supportive of that. An important aspect is that these
8 units are distributed throughout the complex.

9 COMMISSIONER KELLY: On the location of that
10 recreation building, when you are a developer you have
11 what is called a marketing drift. That is your entryway
12 off 112. He's going to make that as attractive as
13 possible so when a possible homebuyer comes into the
14 site and sees that stunning recreation center, that is a
15 wow factor. That is why a developer would put it in a
16 place like that as opposed to tucking it in. That is
17 going to be a selling factor. It's a really powerful
18 tool for a developer.

19 THE CHAIRMAN: I would think that the
20 developer can make a decision about whether it should be
21 placed there for a wow factor or more in the middle so
22 the units are closer so they can charge more for those
23 units.

24 COMMISSIONER KELLY: That open circle in the
25 middle creates some open space where you can sell lots

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2 for a little bit more money.

3 THE CHAIRMAN: I think the regional issue is
4 the corridor as mentioned in Condition 1, if you pull
5 those in closer you could actually, instead of having
6 open space only available to the community you would
7 have --

8 COMMISSIONER KELLY: On the flip side, if he
9 can't sell these units because they're not marketable
10 because they're too tight then you will have an even
11 more regional issue because you will have more blight.

12 MR. ISLES: We have to watch our trying to
13 take the role of the developer's point of view. The
14 developer will represent his interest and I think this
15 commission has to represent the public perspective. I
16 know the concern for blight and decay, but I would be
17 real cautious of going down the road of trying to make
18 decisions based on the developer's point of view. That
19 is not what we should be doing.

20 COMMISSIONER KELLY: Some other comments on
21 school age kids and nitrates. There is a multiplier
22 either done by the Director's study or Pearl Kramer,
23 just came out with another study on a single family
24 home, it's one point five school age kids for a single
25 family detached home. Worst case, seventy-four school

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2 age kids. In this case, the multiplier is point one
3 eight, which would yield out twenty-five school age
4 kids, so the impacts would be far less based on the
5 multi-family. Any one single family detached on septic
6 versus multi-families on sewers, I imagine is a little
7 more preferable to do multi-family.

8 Talking about impacts, those are some of the
9 things -- I think this whole conversation is really
10 driven to what is going to happen in the Town of
11 Brookhaven. If this is so difficult to get to
12 multi-family site plan where litigation is involved, we
13 will promote single family detached development in the
14 town, and that is the direction we will go.

15 THE CHAIRMAN: Bottom line, that may all be
16 true. The bottom line is we are faced with a

17 multi-family site plan. The Court ordered the density,
18 so we are not talking about single family.

19 COMMISSIONER KELLY: It came up.

20 THE CHAIRMAN: I agree. It's getting late
21 and I want to focus on the issue in front of us. Issue
22 is simply whether -- Constantine raised the issue
23 whether it should be an approval with a few conditions,
24 or whether this should be disapproved. It seems to me
25 the conversation revolves around two and three. Those

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2 are not in, there then we might consider this as an
3 approval rather than disapproval.

4 COMMISSIONER HOLMES: Commissioner Kelly was
5 mentioning local determination.

6 THE CHAIRMAN: Personally don't see this as
7 local determination; I think it's regional issues where
8 our job is to identify them.

9 COMMISSIONER TALDONE: I don't think there
10 are the votes necessary to approve it as a disapproval.
11 Why don't we decide which conditions, if we can, that we
12 would like to place in this as an approval and maybe we
13 can get a consensus there.

14 THE CHAIRMAN: Okay. Any other thoughts or
15 comments on that idea?

16 COMMISSIONER BOLTON: At the risk of beating
17 a dead horse, I want to be on the record that I was not
18 making comments to support the developer's agenda. The
19 purpose of my comments was to address the question of
20 how, in a stipulated settlement like this, where you
21 have multi-family stipulated so you don't have

22 discretion over what is going to be there in terms of
23 the number or units, that should you have long-term
24 value or economic stability to this particular
25 development. That, in fact, is a reasonable goal.

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2 That is not my shilling for the developer. I
3 want that clear, or otherwise I never would have made
4 those comments.

5 COMMISSIONER ESPOSITO: You mentioned a
6 couple of times leave out one and two.

7 THE CHAIRMAN: Two and three. The only
8 reason that three has come up a couple of times is
9 because it's going to be attached to the sewer treatment
10 plant, and I believe there is an issue when you actually
11 have it stipulated, whether you can actually impose
12 costs on that. I don't know the answer to that.

13 COMMISSIONER ESPOSITO: I would not want to
14 eliminate the concept of Number 2. I know there has
15 been some concern about over-intensification. Still,
16 the Commission requirement of seventy-five percent, they
17 could revegetate. I know a lot of the area has been
18 severely damaged. Perhaps we can have something there
19 about maximizing the areas that are not being used to
20 provide needed vegetation or revegetation.

21 COMMISSIONER TALDONE: I will agree with that
22 entirely. I think that should be a condition. That is
23 one of the community benefits that we are requiring.

24 COMMISSIONER BOLTON: I would support that
25 also. Just not the characterization.

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2 THE CHAIRMAN: You used the phrase maximize
3 the use of native vegetation. Is the idea that you are
4 maximizing the revegetation with native vegetation or
5 maximizing native vegetation wherever you are going to
6 vegetate?

7 COMMISSIONER ESPOSITO: What I meant to say,
8 and apparently did a poor job of it, is to maximize
9 where they get the ability to revegetate to provide more
10 green spaces on this property.

11 COMMISSIONER BOLTON: There should be
12 something about using native vegetation.

13 COMMISSIONER TALDONE: And not specifying
14 percentage. Make sure it's not a bunch of evergreens
15 thrown together.

16 THE CHAIRMAN: I think someone said the
17 town's standards were lower than ours. Maximize the
18 revegetation on this property, preferably using native
19 vegetation.

20 COMMISSIONER TALDONE: I would leave out the
21 "preferably."

22 COMMISSIONER KELLY: Can I ask a question
23 regarding Number 1?

24 THE CHAIRMAN: I just want to keep really
25 focused. I want to see whether there is any objection

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2 to changing Number 2 to the wording that Adrienne -- in
3 other words, amend Number 2 to the wording Adrienne
4 used. Any objection?

5 COMMISSIONER BOLTON: No.
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6 THE CHAIRMAN: Michael, wants to go to Number
7 1. Go ahead, Michael.

8 COMMISSIONER KELLY: I'm trying to figure out
9 how much space we are contemplating to set aside for the
10 western portion of the site. How much space are you
11 talking in terms of a setback?

12 THE CHAIRMAN: It doesn't say. It's a very
13 loose condition. They can meet the condition pretty
14 easily. Assuming you could maintain the same open
15 space, you can hypothetically move the outer western
16 road in a little bit and create --

17 COMMISSIONER KELLY: Does that get enough
18 space?

19 THE CHAIRMAN: I don't know that there is an
20 exact answer to that. It's not cut off. Is that the
21 idea, Andy? Provides a pathway.

22 MR. FRELENG: Right.

23 THE CHAIRMAN: This is not a quantifiable
24 thing. Therefore, the only thing we can do is have it
25 as a condition on the map. Keep in mind this issue,

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2 which might not have even been thought of before, so I
3 think there is a value to mentioning the issue. My
4 guess is that you could probably accommodate that
5 condition in a relatively straightforward way without
6 changing much of that site plan.

7 You can go to the other extreme and change
8 that site plan considerably. That is not what the
9 condition asks for.

10 COMMISSIONER HOLMES: What are we doing,
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11 amending two to take out over-intensification?

12 THE CHAIRMAN: We have done two. Anything
13 else on one?

14 COMMISSIONER FINN: Was there a point made by
15 the Director that we shouldn't be involved with maps, of
16 drawing maps of site plans?

17 THE CHAIRMAN: We should not be placing this
18 here or that there. The idea of a general point of view
19 as to the map.

20 MR. ISLES: This has a regional implication
21 to it. I think that in my opinion, it is certainly
22 germane for the Commission.

23 COMMISSIONER ESPOSITO: I think we should
24 capture that because the contiguous open space is not
25 only beneficial as a wildlife habitat, it's beneficial

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2 for filtration of groundwater. That is one of the
3 reasons you want to leave that kind of vegetation
4 standard. Maybe we can still capture the essence or
5 what Andy wrote here.

6 COMMISSIONER KELLY: That is why he needs to
7 know how much of the site is going to get cut off to be
8 contiguous. If you take off a third of the site to make
9 a contiguous corridor, then the site plan becomes
10 obsolete.

11 THE CHAIRMAN: At the end of day, the town
12 makes the decision. We define the issue. We make it
13 broad enough so that can be met by a reasonable
14 redrawing of the map. That does not mean redrawing the
15 entire map, or it can be overridden if they decide they

16 can't change it to accommodate this. They need a super
17 majority to override any condition.

18 Anything else on one? Adrienne, are we going
19 to leave it the way it is? Are you proposing to change
20 one in some way? Two we already dealt with. Three.

21 COMMISSIONER HOLMES: Aren't we knocking that
22 out?

23 THE CHAIRMAN: That was certainly proposed.
24 Constantine, are you saying taking it out altogether?

25 COMMISSIONER KONTOKOSKA: Yes.

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2 THE CHAIRMAN: Someone may have another
3 thought. Any objection to deleting three?

4 COMMISSIONER TALDONE: No.

5 THE CHAIRMAN: Four, five and six are very
6 standard. We use them in many things. I'm assuming
7 there is no objection. I should not prejudge that. Any
8 change? Seeing none, okay.

9 COMMISSIONER FINN: Just one, are we
10 recommending that Shady Lane be opened up as an access
11 point to this development?

12 THE CHAIRMAN: Andy, why don't you?

13 MR. FRELENG: That was a condition -- reason
14 for disapproval. If you want to make it a condition,
15 then you would have to condition that it be opened.

16 THE CHAIRMAN: It's the ability to access.

17 MR. FRELENG: Either open it or create an
18 emergency access. If you want to create an emergency
19 access, you have to put in a crash gate there. Shady
20 Lane is accessed by ATV's. That is what Shady Lane

21 looks like if you look at the screen. That is what the
22 terminus of Shady Lane looks like so it wouldn't be much
23 to open it.

24 COMMISSIONER BOLTON: You would have to
25 redesign it a little bit.

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2 COMMISSIONER HOLMES: We're saying it should.
3 We're not making --

4 THE CHAIRMAN: It's a condition.

5 COMMISSIONER ESPOSITO: You need an access.
6 It's not frivolous.

7 THE CHAIRMAN: We need to change four to an
8 alternative to emergency means of access shall be
9 created at Shady Lane terminus; at the end of Shady
10 Lane? How would you say it?

11 COMMISSIONER TALDONE: Specify where.

12 THE CHAIRMAN: I think that's the only
13 place.

14 COMMISSIONER ESPOSITO: Shady Lane or other
15 location.

16 THE CHAIRMAN: Andy makes a good point. Five
17 and six were rationales for disapproval, so we need to
18 put in our standard language that the applicant shall be
19 directed to --

20 COMMISSIONER ESPOSITO: Include information?

21 THE CHAIRMAN: Not include information,
22 consult or -- what is our standard language? I'm sorry,
23 it's been a long day.

24 MR. FRELENG: Applicant shall be directed to
25 review the Suffolk County Planning Commission

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2 Guidelines.

3 THE CHAIRMAN: We don't make it they have to
4 abide by them. It's for everyone's reference. They're
5 not the kind of thing that you can say you have to do,
6 there is a lot of nuance to that. The idea is public
7 safety is a regional value add needs to be incorporated
8 as well as energy efficiency in the buildings.

9 COMMISSIONER TALDONE: Just suggest, on
10 Number 6, adding after public safety and universal
11 design.

12 THE CHAIRMAN: We don't have that in our
13 guidebook.

14 COMMISSIONER ESPOSITO: But the town adopted
15 universal design.

16 COMMISSIONER TALDONE: There is no need to
17 put it in there. It's their own law.

18 THE CHAIRMAN: Perhaps we should, in a
19 comment, make comment to Brookhaven's law and that they
20 should utilize it. We have two comments, one on
21 recommend affordable housing be distributed throughout
22 the property, and two, that the applicant make use of,
23 or is encouraged to make use of Brookhaven's Design
24 Code.

25 COMMISSIONER TALDONE: Exactly, Brookhaven's

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2 Design Code.

3 THE CHAIRMAN: Any other comments? Anything

4 else to add? Seeing none, entertain a motion to approve
5 with Condition 1 as written, Condition 2 as modified to
6 read the applicant should maximize revegetation on the
7 property using native vegetation. I actually think it
8 should be preferable using. You want to make it clear
9 that the maximizing relates to the revegetation.

10 COMMISSIONER HOLMES: Maximizing the ability
11 to revegetate with native species.

12 THE CHAIRMAN: Maximizing the revegetation.
13 Three is deleted. Our new three is the emergency
14 access. New four is shall consult the Commission
15 guideline on energy efficiency. Maybe we should use
16 energy efficiency building.

17 Number 5, the applicant should be directed to
18 consult with the Suffolk County Planning Commission
19 Guidebook for Public Safety Policy.

20 Two comments, affordable housing distributed
21 throughout the property and applicant encouraged to make
22 use of the design code.

23 COMMISSIONER TALDONE: Make the motion.

24 COMMISSIONER HOLMES: Second.

25 THE CHAIRMAN: All in favor? Seven.

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2 Opposed? Two. There is no action.

3 COMMISSIONER ESPOSITO: That is no action?

4 THE CHAIRMAN: Yes. That ends the
5 administrative portion. We move on to Director Isles on
6 an update to the plan. We are running late.

7 MR. ISLES: Two things we are working on,
8 finishing up Volume 1 of the plan during the summer

9 months. At this point, let me also relate this to
10 Michael White's presentation, we did receive, on Friday
11 afternoon, documents that we shared with you. We are
12 reviewing those. We did have a conversation with
13 Michael this morning indicating that in my initial
14 review of the plan, there are several things that we
15 have issues with.

16 What I would also like to do is have members
17 of the Planning Department review that document as
18 well. So, we will be doing that here again as part of
19 the Comprehensive Plan effort that we are doing, and
20 also our role in the sustainability in planning. I
21 would like to get back to you on department comments on
22 that on the 2035. It's related, obviously, to our
23 Comprehensive Plan. It devotes staff resources to
24 reviewing the documents in terms of our plan, but also
25 in terms of providing feedback to the regional counsel

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2 on that product. The plan is under way. Hope to have a
3 draft to you at the end of the summer.

4 THE CHAIRMAN: Amityville IMA proposed some
5 changes to the IMA. Director Isles will circulate what
6 the proposed changes are and we will circulate them at
7 the next meeting.

8 Lastly, we have the community sewage treatment
9 plant guidelines. We have an idea about where we are
10 going with that. What we will do is put that on the
11 agenda for next time. We wanted to bring that up.

12 Our native vegetation, we will deal with after the
13 full task force meets again. Any other comments or

14 questions?

15 Motion to adjourn.

16 COMMISSIONER HOLMES: So move.

17 COMMISSIONER TALDONE: Second.

18 (Time noted: 3:35 p.m.)

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CERTIFICATION

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4 STATE OF NEW YORK)

5)

ss:

6 COUNTY OF SUFFOLK)

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

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THAT this is a true and accurate transcription of the Suffolk County Planning Commission meeting held on July 7, 2010.

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I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

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I am in no way interested in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto set my

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hand.

JUDI GALLOP

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