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SUFFOLK COUNTY PLANNING COMMISSION

Evans K. Griffing Building

Maxine S. Postal Auditorium in Riverhead

December 7, 2011

12:00 p.m.

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MEMBERS PRESENT:

- DAVID CALONE, Chairman
- ADRIENNE ESPOSITO, Secretary,
- CARL GABRIELSEN, Town of Riverhead
- DIANA WEIR, Town of East Hampton
- LINDA HOLMES, Shelter Island
- MICHAEL KELLY, Town of Brookhaven (At 1:10 p.m.)
- JOHN FINN, Town of Smithtown
- BARBARA ROBERTS, Town of Southampton
- GLYNIS BERRY, At-Large

THOMAS YOUNG, ESQ., County Attorney for
Planning Department

- SARAH LANSDALE, Planning Director
- ANDREW FRELENG, Chief Planner
- THEODORE KLEIN, Planning



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2 THE CHAIRMAN: Welcome to the
3 December 7, 2011 meeting of the Planning
4 Commission. I defer to Commissioner Holmes to
5 note the significance of the day.

6 COMMISSIONER HOLMES: Just as we
7 recite the pledge, could we please remember
8 that today is the 70th anniversary of the
9 Japanese attack on Pearl Harbor, which thrust
10 us into World War II.

11 THE CHAIRMAN: Thank you,
12 Commissioner Holmes. Would you like to lead us
13 in the pledge?

14 (Recitation of the Pledge of
15 Allegiance.)

16 As noted in the agenda, we are going
17 to table the adoption of the minutes we have
18 some work to do before bringing them to the
19 next Commission meeting. We hope to bring
20 those before you at January's meeting.

21 The next item is the public portion.
22 I don't have any cards. Do we have any cards?
23 No. Okay. If anyone from the public would
24 like to be recognized to speak? Seeing none,
25 we will close the public portion.



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2 The next item on the agenda is the
3 Chairman's report. We have a short
4 administrative agenda today, so we will focus
5 mainly on the revisions to the guidelines and
6 talk about additional areas that we need to
7 focus on to get those completed. I had
8 breakfast with our incoming county executive,
9 Steve Bellone, last week. He was very
10 supportive of the Planning Commission's efforts
11 to focus on larger issues affecting the county,
12 like housing, infrastructure, renewable energy,
13 et cetera. He is eager to work with us
14 starting in January. I think we will have a
15 very strong and engaged partner in the new
16 county executive.

17 With regard to the Suffolk County
18 Comprehensive Plan, work continues on Volume
19 1B, which is continuing the baseline analysis.
20 I know we hope to complete that certainly by
21 early 2012 and spend the rest of next year
22 working on Volume 2, the goals and policies.
23 I will add our new Commission member, Glynis
24 Berry, to the Comprehensive Plan working group
25 and we hope to have a working meeting in



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2 January. It's been two or three months since
3 we had a working group meeting. We will meet
4 with staff to sketch out the plan to finish up
5 Volume 1B and get into Volume 2, which is going
6 to be the goals and policy section.

7 With regard to some of our task force
8 efforts, energy and environment, with regard to
9 the solar permit streamlining, it's proving to
10 be a great success. All ten towns are actively
11 pursuing it. Riverhead adopted it yesterday,
12 Brookhaven adopted it and Southampton is up for
13 next week. It looks like we will get all ten
14 of them.

15 COMMISSIONER HOLMES: Shelter Island
16 adopted it last Friday.

17 THE CHAIRMAN: Thank you, Linda.
18 Linda helped make sure it was high on the
19 agenda. We appreciate that. At the end of the
20 day, we will put together a program that makes
21 sense for installers for the municipalities for
22 the homeowners and supports for renewable
23 energy and it's going to be uniform across the
24 ten towns and county. A number of villages are
25 getting on board. The Village of Babylon



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2 already passed it.

3 The other thing is the East End Wind
4 Code. We have been working with the board
5 members and staff to draft a model wind code.
6 We had our fifth meeting on this November 14th
7 in Southampton. We are looking to complete
8 that effort early next year. I want to thank
9 Commissioner Holmes and Commissioner Weir who
10 have been assisting in that effort.

11 On the commercial building energy
12 efficiency standard working group, we have the
13 new green working codes coming down. The state
14 is permitting the municipalities to implement
15 those as of January 1st. We are looking to
16 play a role by educating the municipalities
17 about the new green building code and help
18 municipalities that want to adopt the aspects
19 of the green code to do so. The vice chairman
20 is going to be transitioning that to
21 Commissioner Berry the next month or so before
22 he leaves us. You guys are going to do a task
23 force meeting in January. That continues to be
24 a work in progress.

25 On the SUPP, Suffolk Unified Permit



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2 Portal, that continues to progress. Steve
3 Bellone is very interested in turbo-charging
4 that effort, which would be great. I have been
5 co-chairing that with Yves Michel, the head of
6 Economic Development. Sarah has been very
7 involved and Yves actually is going to be
8 losing his job as of January 1st as a result of
9 the legislative changes. We will see what
10 Steve Bellone wants to do as a result of that
11 new leadership going forward. I have no doubt
12 that the effort will be ongoing. That is one
13 of the things that Steve identified to me as
14 part of his economic agenda is getting this
15 permit portal going. A lot of the groundwork
16 has been done by Sarah and others behind the
17 scenes to get that happening.

18 Then we have professional
19 certification for commercial interiors. The
20 idea is to follow the lead of New York City and
21 eliminate the need for building inspections for
22 routine interior commercial alterations. That
23 is something that the ABLI has asked us to look
24 at. John Finn and Jennifer Casey have been
25 heading that up. We met with Brookhaven and



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2 they are considering piloting that effort and
3 teaming up with the county. That is something
4 that the county executive will be working at
5 after he comes in. It looks like the Long
6 Island Business News is going to be having an
7 article on that effort.

8 We have the county housing summit;
9 that's coming together. We are honing in on
10 February 8th; that is a date that works for
11 members of the Commission and some of the
12 keynote speakers. Stony Brook University has
13 offered to host the event. There may be a
14 small fee attached to that. The new county
15 executive, Steve Bellone, was excited to be our
16 keynote speaker, and the Town Supervisors and
17 Village Officials Association will be
18 co-hosting it with us. I expect LIBI also to
19 be involved. We need to hone the agenda, work
20 on logistics, and I would like to meet with the
21 folks involved with that right after the
22 meeting for a few minutes to work on what we
23 have accomplished in the next couple of weeks, .

24 COMMISSIONER ROBERTS: Do you have
25 any sense of the time of day of that?



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2 THE CHAIRMAN: We are looking at
3 nine-thirty to three. That will include lunch
4 and maybe we will actually get going around
5 ten. Multiple hours for the heart of the day.

6 COMMISSIONER McADAM: Is there a
7 registration?

8 THE CHAIRMAN: We haven't figured
9 that out. Staff will be involved with this,
10 obviously. One thing we want to hear back from
11 Stony Brook is the minimum amount they can
12 charge us. We are hoping, with the help of the
13 Housing Partnership and LIBI, to get some
14 partnerships for this. It will help us pay for
15 a simple lunch, and if we need to pay a small
16 facilities fee, we will do that also. We will
17 figure this out over the next few weeks. I
18 want to get together on that after this
19 meeting.

20 Tom McAdam is. We presented
21 Brookhaven with our public safety principals.
22 They provided feedback last night. They
23 indicated they would like to implement these
24 principals. They will be the first township on
25 the Island to incorporate public safety



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2 principals into their design considerations.
3 That is nice to have the largest town being the
4 pilot on that.

5 The last few things, the nominating
6 and rules committee appointed last month with
7 Diana Weir, Tom McAdam and Constantine
8 Kontokosta. They will be reporting back to us
9 on proposed officers and bylaw changes. Diana
10 sent an e-mail to all of you asking for
11 nominations. You can nominate yourself or
12 other folks.

13 We have three officer positions and
14 also this group will also be taking a look at
15 our rules, which I believe we have here today,
16 should be in our packets. Everyone should take
17 a look at them offline and let us know or Diana
18 or Tom know if you have any comments. We did a
19 substantial review and revision of these last
20 year, not anticipating anything major. If you
21 see anything major, let us know. Tom Young did
22 a lot of work on them also. Please let the
23 nominating and rules committee know by the
24 holidays if you have anything that you suggest
25 we change.



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2 Also, I want to congratulate Diana on
3 two things, one happy and one sad, from our
4 prospective. She has been named for the search
5 committee for the Suffolk County Police
6 Commissioner. So, we are happy for you. The
7 sad one is Diana is going to be accepting a
8 position on the Town Planning Board in East
9 Hampton, which is exciting for her because it
10 cuts down on her commute and also has other
11 fringe benefits, not that our sandwiches and
12 Shelter Island cole slaw and Riverhead
13 kielbasa aren't -- it's nice to be compensated
14 for one's work. We will miss Diana on the
15 Commission. This will be Diana's last meeting.

16 What we need to do is figure out
17 a way to kind of transition the rules
18 committee, which only has a few more weeks of
19 work ahead of it.

20 We talked about doing a joint meeting
21 with the Nassau County Planning Commission
22 with the idea of getting to know each other and
23 learn from each other a bit. I insisted that
24 they had to come to us because we are a bigger
25 county and they don't have that far to go.



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2 COMMISSIONER ESPOSITO: I think we
3 went to them last time.

4 THE CHAIRMAN: It was on the Route
5 110 corridor. I know that feels like Nassau
6 sometimes, especially for the East End people.
7 Anyway, so, they're getting back to us as to
8 whether they can join us in Hauppauge for about
9 an hour or so before our meeting in January. I
10 haven't heard from them. Make a note, we may
11 do something for an hour or so before the
12 meeting. Pencil in something around ten a.m.

13 The other thing we need to figure out
14 is where we are meeting in January. We usually
15 try to do it in the legislature building, but
16 we haven't gotten the calendar yet. Have they
17 had their organizational meeting yet, Andy?

18 MR. FRELENG: No, they won't do that
19 until January. The legislature has to set the
20 calendar for the committees as well as their
21 own calendar when they first meet as a new
22 body. We are in touch. We will know as soon
23 as the room is available, if we can get the
24 legislative auditorium. The only thing, they
25 can't commit to us until the presiding officer



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2 is selected.

3 COMMISSIONER ESPOSITO: We might be
4 safe; they're not going to do much that week.

5 THE CHAIRMAN: We can always go
6 to the Dennison building. Assume we are going
7 to meet in Hauppauge with a possibility that
8 we will do a joint meeting with the Nassau
9 County Planning Commission. We think we can
10 fit both planning commissions around the
11 horseshoe in Suffolk County.

12 That is it for me. Thoughts,
13 comments, questions? I want to thank Diana for
14 all her work on the various things.

15 COMMISSIONER McADAM: The legislative
16 meeting yesterday, I think there were three
17 resolutions.

18 THE CHAIRMAN: The Director can give
19 us an update.

20 COMMISSIONER McADAM: Do you know if
21 they are going to go to the next meeting?

22 DIRECTOR LANSDALE: Yes, they're
23 going to go before the environment planning and
24 agriculture committee next week next, Monday,
25 at one p.m. at the legislative building in



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2 Hauppauge.

3 THE CHAIRMAN: The three or four
4 resolutions relating to the Planning
5 Commission.

6 DIRECTOR LANSDALE: There are three
7 relating to the Planning Commission. One is to
8 eliminate verbatim minutes. The second is to
9 make sure that the county executive consults
10 with town supervisors when appointing
11 representatives to serve and represent certain
12 towns, and the third is to raise Planning
13 Commission fees for all of the referral
14 materials.

15 This would be the first time in more
16 than fifteen years that any department fees
17 have increased.

18 COMMISSIONER ESPOSITO: Do those fees
19 go to the Planning Department?

20 DIRECTOR LANSDALE: The fees would go
21 into the general fund, but be counted as
22 revenue source for the Planning Department.

23 THE CHAIRMAN: The bottom line, the
24 Planning Department gets credit for it. The
25 fees, which the resolution is to increase them,



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2 was to simply bring them up to the level of
3 what other planning commissions in other
4 counties do. Sarah can provide more
5 information on that.

6 DIRECTOR LANSDALE: Thank you,
7 Chairman. The Planning Department conducted a
8 nationwide survey of planning commission fees
9 and looked at sixteen peer counties across the
10 country to determine what the new fees could
11 be, and we are still, under this proposal,
12 lower than Nassau County's fees, just as a
13 point of reference.

14 THE CHAIRMAN: We are talking about
15 fifty bucks here or there.

16 DIRECTOR LANSDALE: Exactly. What
17 we are trying to do is make sure we are
18 covering staff costs and covering the time that
19 it costs to actually review all of the
20 materials and referrals that come before the
21 Commission. Currently, we do not cover our
22 costs, our staff costs.

23 THE CHAIRMAN: That isn't up to us.
24 It's a legislative thing. It's the county
25 executive's bill.



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2 DIRECTOR LANSDALE: No, Legislator
3 Vivian Vilorio-Fisher's bill.

4 COMMISSIONER WEIR: The fee is paid
5 by the municipality or by the applicant?

6 MR YOUNG: The applicant.

7 DIRECTOR LANSDALE: There is also, I
8 want to note, there is a clause in the
9 legislation relating to the fees, that it's up
10 to the discretion of the Planning Department to
11 waive fees. Of course, criteria would have to
12 be established to determine when and if to
13 waive those fees associated with the
14 development.

15 COMMISSIONER WEIR: Such as
16 affordable housing or whatever.

17 DIRECTOR LANSDALE: That could be
18 criteria, yes.

19 COMMISSIONER McADAM: Sarah, one of
20 the resolutions, did that have something to do
21 with the distribution of Commission members
22 throughout Suffolk County or --

23 DIRECTOR LANSDALE: The resolution I
24 think that you are referring was one that I
25 spoke about. It's Legislator Romaine's



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2 legislation requiring that the town -- that the
3 county executive confer and consult with the
4 town supervisors in the ten towns in
5 reappointing or selecting new Planning
6 Commission members. That is what it is. If
7 the county executive then chooses to go with an
8 independent recommendation against the wishes
9 of the town supervisor, then it would require a
10 two thirds majority vote of the legislature.

11 COMMISSIONER HOLMES: Would this
12 mostly impact reappointments or selection of
13 replacements, because I know when I was
14 appointed, my town supervisor had to send a
15 letter to the county executive recommending me,
16 and then the county executive made the
17 recommendation to the legislature. But that
18 was the way it worked back then. I think it's
19 because the current county executive has
20 independently made replacement appointments.

21 DIRECTOR LANSDALE: That's correct.
22 As I understand it, there was a tradition of
23 conferring with the town supervisors.

24 COMMISSIONER HOLMES: So, I am
25 wondering, I think it's be set in stone now,



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2 yes?

3 DIRECTOR LANSDALE: If this
4 resolution passes. May I update you on other
5 things that the Planning Department is doing?
6 Thanks. There is a transit oriented
7 development funding opportunity available for
8 local towns and villages that was sent out to
9 members of the Commission. Letters of intent
10 are due December 16th. It's funding. The
11 range is between ten and fifty thousand dollars
12 to do public outreach and kind of consensus
13 building around additional development around
14 transit centers.

15 We are continuing to work on the
16 guidelines, and I look forward to that
17 discussion later on in this meeting, to
18 finalize or at least move forward the
19 discussion of the guidelines, and I want to
20 thank all the members of the Commission working
21 on that. I want to thank and acknowledge
22 Carmen Miranda, she is our intern, for putting
23 all of her time and effort into the minutes and
24 making preliminary recommendations and edits to
25 those minutes, several sets of months. Thank



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2 you.

3 COMMISSIONER HOLMES: Very

4 appreciated.

5 DIRECTOR LANSDALE: We also, in the
6 Planning Department, produced a draft transfer
7 of development rights study. This is a key
8 milestone in the HUD sustainable communities
9 funding. Earlier this year we received funding
10 from HUD to do this study. There are four
11 deliverables. This is the first of the four
12 deliverables. Looking at all the transfer of
13 development rights programs, the next step is
14 to really dive in and do some in-depth research
15 into how many credits are used, where the
16 sending and receiving sites are. Kind of the
17 nuts and bolts of the study.

18 If anyone would like a final copy of
19 the study once it is approved, I would be more
20 than happy to send it out to members of the
21 Commission. Along within that same project,
22 January 31st we are hosting a public meeting,
23 seven to nine p.m., to engage -- it's held in
24 the evening deliberately to engage the public.
25 It's going to be in the Dennison building in



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2 the media center to talk about development,
3 transfer of development rights program.

4 And we are, in addition to working on
5 the housing summit, and we want to thank the
6 Chairman for all your efforts and everyone else
7 on the Commission, we are also working on a
8 parking summit for later in the year, next
9 year. Andy and I are going to meet with the
10 mayor of Port Jefferson tomorrow to continue
11 that discussion.

12 I also want to thank Ted for your
13 effort in stepping up to volunteer to make
14 meeting summaries moving forward if the
15 legislation does pass to eliminate verbatim
16 minutes. Ted has generously volunteered to
17 draft the meeting minutes. I want to thank
18 Andy for all your work on the TDR study and
19 team. It was Andy that really picked up this
20 project and moved it forward in a big way in
21 the past month, so thank you.

22 That is the end of my report. If
23 there are any questions, I'd love to answer
24 them.

25 THE CHAIRMAN: Any questions?



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2 Commissioner McAdam.

3 COMMISSIONER McADAM: How did you do
4 during the budget process?

5 DIRECTOR LANSDALE: I will thank you
6 for asking that question. The legislature had
7 to make some difficult choices, and
8 there were -- the county executive's budget
9 proposed four staff eliminations. The Planning
10 Department has been impacted by three positions
11 that have been eliminated. The deputy director
12 of planning, the secretary, and then a land
13 management specialist, so it's a huge loss for
14 the Planning Department.

15 THE CHAIRMAN: Thank you for
16 mentioning that. Obviously, I should have
17 mentioned it earlier, that there are some big
18 changes coming in the Planning Department,
19 which the Planning Commission has the
20 responsibility of overseeing and helping with.
21 Obviously, Dan is not going to be with the
22 Department after December 31st. Obviously,
23 he's been a friend to this commission and a
24 valuable asset to all of us. I've learned a
25 lot from him over the years. I think we should



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2 think about doing something at our January
3 meeting for Dan, as we did for Tom before him;
4 that is one thing.

5 Two, the Planning Department itself
6 is going to have folded into it Economic
7 Development and Environment and Energy. So the
8 Planning Department is going to be having --
9 it's touching a lot more areas. In a way,
10 having that consolidation makes a lot of sense
11 from an integration perspective. There are a
12 lot of things that need to be integrated. That
13 will be a challenge for Sarah and all the
14 staff.

15 But with Economic Development coming
16 underneath the Planning Department as well as
17 Environment and Energy, the Planning Department
18 is sort of touching many of the key things.
19 Larger county-wide issues are now going to be
20 coming through the Planning Department. Those
21 are issues that we, as a commission, would have
22 and could have impact on. This is a way more
23 holistically to figure out where the county
24 should go.

25 It's regrettable that Yves Michel,



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2 the Director of Economic Development is losing
3 his job and Dan is losing his and Chrissy and
4 others. It's a big change. I would just say
5 on behalf of the Commission to the Department,
6 please let us know how we can be helpful in
7 structuring those kinds of things going
8 forward.

9 Sarah mentioned the parking summit.
10 We talked about a year or so ago. We try to do
11 these summits every once in a while. We had
12 the sewer summit, which we had with the county
13 executive over a year ago. In the summer we
14 did the green methodologies summit, which
15 Adrienne and CCE helped organize. We have the
16 housing one in February and the parking one
17 sometime in the summer. Every six months or so
18 we are trying to do these educational, policy
19 kinds of things. So far, so good.

20 COMMISSIONER ESPOSITO: I just want
21 to suggest for you to just make a mental note.
22 I think we will need to do another sewer summit
23 in the fall. Hopefully, we will have the
24 planning document done by then. There will be
25 more work on evaluating and prioritizing sewer



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2 needs for the county. I think the public might
3 want to participate in that. I think it's a
4 good time to put that on our mental calendars.

5 THE CHAIRMAN: The Department of
6 Health has approved two new technologies for
7 stand alone sewer STP's. It might be
8 interesting for us to get a briefing on that,
9 whether from staff or someone from DOH to come
10 to our next meeting. We will let Sarah sort of
11 decide what makes the most sense. We are used
12 to seeing the Chroma Glass over and over again.
13 There are two more technologies that seem to be
14 more effective than the old Chroma Glass
15 system.

16 One of the issues that comes up
17 constantly here when you come across the Chroma
18 Glass system, you say hey, that's good but how
19 long is it going to last and how effective will
20 it be keeping us below the ten parts per
21 million standard. Hopefully, those two new
22 technologies will be a big step in that
23 direction.

24 COMMISSIONER ESPOSITO: The
25 legislature will be getting a presentation on



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2 the data from the Chroma Glass systems and how
3 it is or isn't filtering out nitrogen. I'm
4 wondering if it would be appropriate for this
5 commission to request to have a presentation by
6 the Health Department on all three systems,
7 what is the data, why did they approve them,
8 how did they envision them being used. I think
9 it could be used for us to consider which ones
10 to use in the planning process.

11 THE CHAIRMAN: Sounds like a good
12 idea. I think that makes a lot of sense. Tom?

13 COMMISSIONER McADAM: I was going to
14 suggest maybe along with that, inviting the
15 town planning directors, because they would be
16 first in line to listen to it.

17 THE CHAIRMAN: Sarah is starting
18 regular calls with the planning directors on a
19 monthly get together, or at least conference
20 call. This would be another good thing to
21 offer to the Planning Department. Maybe we can
22 line it up for January. We always have that
23 issue we don't want to be here forever.

24 COMMISSIONER ESPOSITO: We haven't
25 had any presentations in a long time, which has



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2 been a nice break. January, new year, there is
3 new science. I would love for it to be January
4 if we can work it out.

5 COMMISSIONER SCHOOLMAN: Dave, could
6 you give some clarity on the parking summit; is
7 that for areas like Lower Port or Huntington
8 where there are immense parking problems?

9 THE CHAIRMAN: Yes. Two things. It
10 can be anything we want it to be. If you have
11 ideas about what we should include, we are all
12 in this together as a planning commission
13 thing, obviously, with the Department and
14 staff. This was an idea, in a nutshell, we
15 have seen parking issues time and again on
16 these projects over the last couple of years,
17 particularly in downtowns.

18 We have had some villages come to us
19 for guidance, such as the Village of Babylon
20 and Port Jefferson. A bunch of villages are
21 all dealing with the same thing at the same
22 time. The thought was why don't we get
23 together and talk about best practices, share
24 ideas. If there are things that you think
25 should be included, we can do that.



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2 COMMISSIONER SCHOOLMAN: Did you pick
3 a date, Sarah, for that?

4 DIRECTOR LANSDALE: No. This is in
5 the beginning planning stages. I would love
6 your input. I look forward to working with
7 you. COMMISSIONER

8 SCHOOLMAN: Tell me about the transit thing
9 that you brought up. I know there was
10 something in writing and I think I missed it.

11 DIRECTOR LANSDALE: There is
12 funding available through the Tri-State
13 Transportation Campaign, which is funding from
14 the One Region Funders Network, which is a
15 collaboration of many foundation funders in the
16 tri-state region to provide funding in the form
17 of grants to municipalities. The range is ten
18 thousand dollars to fifty thousand dollars.

19 Letters of intent are due December
20 16th. I think information was sent out by the
21 Chairman a week or so ago.

22 COMMISSIONER SCHOOLMAN: Any
23 opportunity to coordinate that with the parking
24 issue?

25 DIRECTOR LANSDALE: In terms of a



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2 parking summit?

3 COMMISSIONER SCHOOLMAN: Some people
4 have used shuttle runs to deal with parking
5 problems like downtown Huntington. Years ago,
6 Port Jeff got a subsidy to do something like
7 that.

8 DIRECTOR LANSDALE: Definitely. It's
9 up to the discretion of the local
10 municipalities. It's a grant application, so
11 it's at the discretion of the funders making
12 those grants, if they will fund those ideas.

13 MR. FRELENG: The working goal for
14 the parking summit was to establish a guideline
15 for the Commission to look at parking. We know
16 that the villages all have various different
17 standards for parking, and sometimes it's used
18 as an indicator for an overintensification of a
19 project.

20 We want to, number one, establish
21 a new guideline for the Commission with regard
22 to parking, and secondly, establish some sort
23 of model shared parking code. As part of
24 shared parking and as part of parking
25 management, employee options and other types of



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2 congestion management could be considered, so
3 shuttles could be considered as part of that
4 mix.

5 THE CHAIRMAN: Other thoughts or
6 comments? If not, we will move on. We have a
7 light administrative agenda today. We have one
8 project from Riverhead. Andy.

9 MR. FRELENG: Thank you,
10 Mr. Chairman, members of the Commission. For
11 the record, the applicant is the development of
12 Saber Riverhead, LLC. This is coming to us
13 from the Town of Riverhead. The location of
14 the property is south side of Old Country Road,
15 otherwise known as County Road 58,
16 approximately a hundred and fifty feet east of
17 Kroemer Avenue. Jurisdiction for the
18 Commission is that the subject property is
19 adjacent to County Road 58.

20 Since we have a little bit of time, I
21 wanted to go through the slides. We will get
22 to the aerial. This is the subject property.
23 You can see that in front it has slight
24 frontage on County Road 58. The north side has
25 development. The east side as well has



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2 development. This is a manufactured home park.
3 This here is the Riverhead Raceway. In general
4 that is the aerial of the subject property.

5 This is the site plan. We will go
6 back to that in a little while. You can see
7 there are three distinct retail layouts as well
8 as one stand alone retail bank. This is the
9 zoning map. Subject property is in the BC
10 zone. These are residential to the east as
11 well as some other downtown recreation zoning
12 in the area. Subject property in the school
13 district.

14 This is the subject property looking
15 at it from County Road 58. You can see we have
16 public water in the area. There is a sidewalk
17 and curbing.

18 This is a slide looking west along
19 County Road 58. This is a slide looking east
20 along County Road 58. I just wanted to point
21 out this structure here is currently vacant or
22 being used as a commercial retail building, but
23 it will be removed as part of the application.

24 This is looking at the Riverhead
25 Raceway from across the street from the subject



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2 property. This is adjacent to and to the west
3 of the subject site. Across the street of the
4 subject property is relatively new development
5 of automobile dealerships. Across from the
6 subject property is a proposed Cosco.

7 Again, this is other views looking
8 east and west along the subject site. Moving
9 down, I wanted to point this out. This is on
10 the adjacent property, the manufactured home
11 park. There is a piece there where as you go
12 through the staff report, you can see there is
13 an opportunity for cross-access for pedestrian
14 and/or motor vehicle.

15 THE CHAIRMAN: Is the home park
16 occupied?

17 MR. FRELENG: Yes, it is. This is --
18 we drove around inside the mobile home park for
19 comparative purposes. We had other
20 applications before the Commission which are
21 manufactured home parks.

22 THE CHAIRMAN: Slight difference.

23 MR. FRELENG: We don't have time to
24 go through all the slides. The applicants are
25 requesting site plan approval from the



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2 Riverhead Town Planning Board for the
3 construction of one hundred eighteen thousand
4 six hundred fifty square feet of retail
5 shopping center on thirteen point one nine
6 acres of land. The subject property is zoned
7 business center.

8 The proposed shopping center would
9 include a three thousand nine hundred square
10 foot retail pad with a drive-through in the
11 northern portion of the property, and
12 approximately one hundred fourteen thousand
13 seven hundred fifty square feet of three
14 attached retail spaces on the southern portion
15 of the property.

16 The proposed action also involved the
17 creation of five hundred ninety-four at grade
18 parking stalls and is in conformance with the
19 Town of Riverhead zoning law for off street
20 parking. We wanted to note that there is some
21 parking in the utility easement and there are
22 some issues regarding the parking layout, which
23 are slightly problematic.

24 Landscaped areas and storm water
25 basin are proposed to be installed on site.



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2 Waste water, according to the submitted papers,
3 would be connected to the Riverhead Sewer
4 District, and potable water would be drawn from
5 the Riverhead Water District.

6 Access to the development is proposed
7 via County Road 58 through a new signalized
8 ingress-egress. No alternate or emergency
9 access is proposed, and there is no
10 cross-access proposed.

11 The subject property is covered with
12 scrub vegetation and some mature trees. There
13 is part of a freshwater wetland system on site
14 in the southwestern corner of the property.
15 There are issues regarding illegal filling on
16 the subject property, which we learned.
17 However, there was no information referred in
18 the submittal material.

19 With regard to General Municipal Law
20 considerations, which is the New York State
21 law, which requires the Planning Commission
22 review certain issues with regard to
23 development, with regard to this application,
24 we believe, in addition to compatibility of
25 land uses, community character and maintaining



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2 of a satisfactory community environment, that
3 really public convenience and the carrying
4 capacity of County Road 58 is the regional
5 concern. Access to the proposed development is
6 intended via County Road 58, as indicated.

7 The referral materials indicate that
8 a traffic impact study is to be submitted under
9 separate cover. The site plan referred to the
10 Commission indicates that a proposed street
11 signal at the proposed ingress-egress will be
12 constructed. Traffic signalization curb cut
13 permits will be required from the Suffolk
14 County Department of Public Works for any
15 improvements to the county road. The referral
16 materials did not indicate that there has been
17 any communication with County DPW, and
18 therefore staff recommends that the project
19 sponsors contact and coordinate with the County
20 DPW as soon as possible.

21 In addition, the applicants should
22 investigate with the Suffolk County DPW Transit
23 Division possible accommodations for bus
24 riders.

25 With regard to emergency access, you



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2 automobile cross-access would be suitable, that
3 is another story. We believe that the town
4 should definitely take a look at creating a
5 pedestrian cross-access, and we mentioned
6 working with DPW Transit to see if it's
7 suitable to have a stop here or work it into
8 the shopping center.

9 We mentioned before that we noted
10 there is a utility easement along the west side
11 of the subject property. This is a wetland.
12 As you can see, there are parking spaces which
13 are in the utility easement, not really a
14 problem, but something you don't want to
15 necessarily put asphalt or curbing or any kind
16 of infrastructure on any kind of an easement
17 that may be dug up. We suggest a comment that
18 that they take a look at that, maybe land bank
19 that if necessary, or maybe taking a look at
20 moving the parking off the easement.

21 Again, some site plan elements. I
22 know the Commission doesn't go into that level
23 of detail all the time, but this is the only
24 site plan we have, I did want to point out that
25 staff noted that this looks like an unsafe



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2 condition in terms of speed for coming into the
3 site plan. It looks like it can create
4 excessive speeds coming in here.

5 As you can see, there is very little
6 attention at the site plan paid to pedestrian
7 amenities, perhaps to retail, if you did your
8 shopping and want to go across to the bank.
9 There is not that much detail paid to
10 pedestrian amenities.

11 With regard to the Local
12 Comprehensive Plan recommendations, the Town of
13 Riverhead Comprehensive Plan dated November,
14 2003 designated the parcel as Business Center
15 District. Retail stores or banks are
16 permitted. Shopping centers, quote, unquote,
17 are not indicated as a permitted use. Article
18 48 of the Riverhead Zoning Law indicates, in
19 its purpose and intent, that the intent of the
20 Business Center Zoning Use District is to
21 encourage single, freestanding roadside
22 commercial uses, mainly along 58, between the
23 destination retail center district and the
24 shopping center district, so, also, the Local
25 Comprehensive Plan recommends the employment of



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2 transfer and development rights where
3 appropriate.

4 It wasn't clear that the proposed
5 site plan for a shopping center is in
6 conformance with the Local Comprehensive Plan
7 recommendations as reflected in the zoning law
8 of the Town of Riverhead. We thought that
9 perhaps while the use may not be permitted, we
10 did note that there was no consideration of a
11 TDR as recommended in the code, and that may be
12 something that could reconcile the proposed
13 action with the zoning district.

14 With regard to the Suffolk County
15 Planning Commission guideline considerations,
16 it does not appear, from the nature of the
17 referred material, that the applicants have
18 given consideration to the contents of the
19 Suffolk County Planning Commission Guidebook.
20 It's the belief of staff that the applicant may
21 find some benefit in reviewing the Commission's
22 guidebook, particularly with respect to energy
23 efficiency and public safety. Therefore, staff
24 is recommending approval subject to the
25 following modifications:



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2 The first modification is that the
3 applicant contact the Suffolk County Department
4 of Public Works and seek all the appropriate
5 approvals.

6 The second modification is that the
7 town and applicant clarify permitted use for
8 the subject property and the text that follows
9 is excerpted from the staff report.

10 The third recommended modification is
11 that the town investigate the utilization of
12 TDR for the subject property.

13 And the fourth recommended
14 modification is that all storm water runoff be
15 kept on site and treated in accordance with
16 best management practices.

17 Staff is recommending seven comments.
18 The first comment being that the applicant
19 review the Suffolk County Planning Commission
20 Guidebook, particularly relating to energy
21 conservation, public safety and storm water
22 management and incorporate, where practical,
23 design elements recommended therein.

24 The second comment is related to the
25 parking within the utility easement, that it



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2 should have further review.

3 The third comment is that the parking
4 layout seems to be problematic with regard to
5 long straight-aways and may induce excessive
6 speeds.

7 The fourth comment is that there
8 seems to be limited pedestrian amenities for
9 movement between parking areas and the retail
10 uses including sidewalks, lighting and other
11 public safety elements.

12 We are recommending to add to the
13 staff report a fifth comment asking the town to
14 take a look at the cross-access between the
15 property to the north and south; that would be
16 the manufactured mobile home park and the
17 subject property.

18 The sixth comment that staff is
19 recommending, create emergency access.

20 The seventh comment would be to flag
21 the wetlands, contact the DEC and resolve any
22 issues related to the wetlands and make all
23 appropriate setbacks in accordance with our
24 guidelines for any structures proposed on the
25 site.



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2 That would be the staff report.

3 THE CHAIRMAN: Thank you, Andy. I
4 appreciate that. This is a Riverhead project.
5 Carl, as a Riverhead representative, any
6 particular thoughts or comments?

7 COMMISSIONER GABRIELSEN: I think
8 overall it's a good project, certainly in the
9 right area for shopping centers. There are
10 numerous shopping centers close by.

11 As far as motor vehicle traffic, you
12 mentioned the state recently -- that was a two
13 lane highway, now it's four lanes, which really
14 alleviated the traffic in that area. We had a
15 four mile stretch that would take fifteen,
16 twenty minutes to get through and now we are
17 through in five minutes.

18 I think the parking is adequate.
19 Waste water is going to be connected to the
20 Riverhead Sewer District, so that is not an
21 issue.

22 One of the problems we have with the
23 application is, according to the Town of
24 Riverhead Comprehensive Plan, which designates
25 the subject parcel as a business center, retail



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2 stores and banks are permitted uses, but I
3 don't know with regard to shopping centers, if
4 that is allowed in the planning. If you go to
5 the Riverhead law, it says that the intent is
6 to encourage single, freestanding roadside
7 commercial uses, mainly along Route 58. Then
8 it talks about about the employment of the
9 transfer development rights where appropriate.

10 I agree with the staff that I think
11 that the town needs to clarify the permitted
12 use for the property and see if they need
13 utilization of the TDR's on it. I also agree
14 that the applicant probably needs to give
15 consideration to the Suffolk County Planning
16 Commission Guidebook, especially with regard to
17 storm water runoff. There are some wetlands on
18 the property. I think that is minor.

19 MR. FRELENG: The site plan does
20 indicate that there are wetlands just in the
21 bottom left corner. So those haven't been
22 indicated to us in any referral material other
23 that there has been a qualified expert that
24 investigated the whole issue flagging any
25 wetlands, to clarify if there is any issue with



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2 regard to the existence of those wetlands.

3 COMMISSIONER HOLMES: Did you
4 indicate, Andy, that there were indications
5 that there had been fill placed in that
6 wetland?

7 MR. FRELENG: We've had some hearsay
8 indications that there is a history of a
9 violation on the site. Just to remind the
10 Commission that the New York State DEC does
11 have jurisdiction over wetland violations.
12 That is why we are recommending that the town
13 and applicant go to the DEC to secure permits,
14 flag wetlands and resolve any unresolved
15 issues.

16 COMMISSIONER GABRIELSEN: I think
17 there are some issues which I think were
18 resolved. I think they clear cutted that about
19 five or six years ago. I think they were
20 fined. I think that has been taken care of. I
21 know that that is what has gone on. I didn't
22 know about the dumping or the landfill there.

23 COMMISSIONER McADAM: Andy, do you
24 know what the buildings will be used for?

25 MR. FRELENG: No, it was not



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2 indicated other than just retail uses.

3 THE CHAIRMAN: It seems to me the
4 Comprehensive Plan says single retail use along
5 County Road 58. This parcel is a little
6 unusual. There is very little frontage on
7 County Road 58.

8 Couple of thoughts. We have moved
9 generally towards making reflections, when an
10 applicant needs to go to other bodies to get
11 those approvals, that they would need to get to
12 do their projects any way they would need
13 typically to make the modifications.

14 Adrienne and Constantine and I want
15 to recommend to this group, six months ago at
16 least, sometime in the beginning of this year,
17 that we need to be careful about that because
18 of some of the legal issues that we might trip
19 up some of the applications that we don't mean
20 to trip up, simply by our wording, whether they
21 should be comments rather than modifications.
22 If they have to go to the DPW or no matter
23 what, so whether we tell them to do that or
24 not, the issue of us making it a modification
25 has a legal angle to that that might be



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2 problematic. We need to get staff's feedback
3 on that.

4 MR. FRELENG: The referral material
5 seems to be very preliminary. We recognize
6 that they were proposing a traffic signal right
7 after, as indicated by the Commission member,
8 right after the county improved the road. We
9 did not have the level of detail to make much
10 of an assessment. We felt since there was an
11 impending traffic study coming, the most
12 important aspect of the project is its impact
13 on the regional resources in the county.

14 We felt if the town had a reason to
15 override the recommendation -- the modification
16 from the Commission and approve the project
17 without a traffic study or without
18 communications with DPW, that would be
19 problematic, that they should have on the
20 record the traffic study and communications
21 with DPW before approving it. So the mechanism
22 for the modification was to have the town take
23 a hard look, and if they felt like moving
24 ahead, putting their rationale and findings
25 into the record without the benefit of a



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2 traffic study or communication with DPW.

3 As a sidebar, the applicant might
4 have already had interaction with DPW. It's
5 just not in the referral material.

6 THE CHAIRMAN: With regard to the
7 TDR, it's in the Comprehensive Plan that there
8 may be an appropriate use. I suggest we may
9 want to investigate "utilization."
10 Modification seems to be very clear about when
11 they have accomplished the thing. What
12 constituted investigating. I wonder if that
13 should be changed to "consider." We should
14 investigate whether or not that might be a
15 little bit more of a clear phrase.

16 Similar comment on Number 4 with
17 regard to some water runoff, which I think is a
18 perfectly fine modification, it says, "treated
19 in accordance with best management practices."
20 It would be probably difficult to know what
21 exactly is best management practices or how we
22 should define that. We might want to define it
23 in some way if we want to have it in there.

24 MR. FRELENG: Mr. Chairman, with
25 regard to the utilization of TDR, the zoning



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2 ordinance for that district mandates the use of
3 TDR. So, we felt that since the subject
4 application was coming in questionably as a
5 permitted use, that perhaps the use of TDR
6 could be a way to reconcile the use with the
7 zoning district, so we believe that the town
8 should really look at that, since it's required
9 in the zoning district.

10 Secondly, the zoning application
11 doesn't really fit, so that looked like a good
12 way to mitigate the issues raised by staff.

13 THE CHAIRMAN: I personally don't
14 have a problem with that. My problem was with
15 the word "investigate." Maybe I'm overreading
16 it. We are not telling them they should or
17 should not. We are telling them they should
18 consider it.

19 COMMISSIONER HOLMES: We are using
20 the word "shall." That is a mandate.

21 THE CHAIRMAN: The word
22 "investigate." My only point here, how does
23 one know what the word "investigate" means?
24 How would the town know that they accomplished
25 this? I'm not quibbling with the suggestion, I



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2 think there's probably a clearer term. Whether
3 you "considered" it or not is probably easier
4 to figure out than whether you "investigated"
5 it or not.

6 I may be reading a little bit too far
7 into it. I want to be careful when we do
8 modifications that we be very clear, so someone
9 would know they accomplished the task.

10 MR. FRELENG: I have no problem with
11 the semantics. We wanted the town to put grist
12 in the mill and put in their findings why they
13 were not following their code.

14 THE CHAIRMAN: They have to consider
15 it and least have dialogue on the record about
16 whether it's appropriate or not. Any
17 objection, by the way, to changing that word
18 from "investigate" to "consider?" Seeing none,
19 I'll make that change.

20 Okay, my last point was on
21 Modification 4, which is in accordance with
22 best management practices. That sounds in the
23 same line of thought about being concrete about
24 what a modification is or isn't. What best
25 practices is. You end the sentence, "all storm



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2 water run off needs to be kept on site and
3 treated." If you want to say something more,
4 you should say something more, perhaps in a
5 more concrete way. Thoughts?

6 COMMISSIONER HOLMES: Would we refer
7 them to our guidelines for best management
8 practices?

9 THE CHAIRMAN: That would be one way
10 of tying that down. We have specific
11 guidelines on storm water run off.

12 MR. FRELENG: I think the Commission
13 has two things. We have the guidelines, which
14 address the storm water permit program through
15 the state that is implemented by the
16 localities, as well as the Commission's
17 publication on treating storm water through
18 natural methodologies, which would include best
19 management practices.

20 If the Commission felt so inclined,
21 we could reword that modification so it simply
22 sends the applicant to the guidebook and
23 publication on natural treatment for storm
24 water runoff.

25 THE CHAIRMAN: That can work. Okay.



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2 Any other thoughts? Commissioner Berry.

3 COMMISSIONER BERRY: Just a couple of
4 thoughts. This parcel is a little unusual
5 because it really is a flag lot and it's a
6 buffer between a residential area and a very
7 intense use on Route 58. So it meets the
8 regulations for a buffer, but in actuality, it
9 might be something we consider in the future
10 guidelines when you have that difference of
11 intensity.

12 Another aspect of this property is
13 its southern border lines the boundary for the
14 Peconic River. It's a recreational river and
15 regulated by DEC, and land use is regulated by
16 DEC, so it's just outside the range. It's in
17 the watershed for the Peconic estuary, which is
18 an estuary of national importance.

19 This meets the regulations for the
20 imperviousness. Again, it's not something that
21 we can hold them to the fire on. In future
22 consideration, a lot of research is showing
23 that in estuaries, you need to limit
24 imperviousness to twenty-five percent, so it's
25 exactly the opposite ratio as what is here to



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2 have a healthy ecosystem, and that twenty-five
3 percent, if it's over it, has a severe impact.
4 So we are talking about a land use that is
5 having an environmental impact. Again they
6 meet the code as it is now, but I think it's
7 something we need to consider as we move
8 forward.

9 Just a couple of little changes.
10 Where you do talk about the TDR, I was hoping
11 you could also add, the purchase and
12 restoration of land for conservation within the
13 Peconic River corridor, because I don't believe
14 the land along the river is part of the TDR
15 program, but this project is having a negative
16 impact on the estuaries, so if there is any
17 remediation, it would be nice if it was within
18 the same watershed. That was one addition. I
19 totally support everything else.

20 The only other issue might be marking
21 the wetlands on site before they were altered.
22 That might also have an impact on build out and
23 the understanding of that. So when you refer
24 it to DEC, pre-altered wetlands as well as
25 existing, I think would be good.



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2 COMMISSIONER HOLMES: Do we have
3 information on the pre-altered?

4 COMMISSIONER FINN: They may have old
5 maps.

6 THE CHAIRMAN: What would the
7 implementations of that be? What does that
8 mean to the development?

9 COMMISSIONER BERRY: It depends on
10 what the ruling is on, if those actions were
11 taken legally or illegally, which isn't in our
12 purview, but if there is some questionable
13 aspect of that that would have had an impact on
14 the yield of the property because you reduce
15 the square footage by the amount of wetland
16 before you figure out the yields.

17 COMMISSIONER HOLMES: It was a common
18 practice in past years to fill in the wetlands
19 until the Wetlands Act came along in the '70's.

20 THE CHAIRMAN: Sounds like someone
21 may have done something more recently on that.
22 This development, even if it was found to be
23 dug improperly, my guess this owner or whoever
24 owned it at the time would be fined. Our
25 understanding, there were fines and such. If
they were to mark the wetland, what do they do



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2 mark it on the site plan itself? It wouldn't
3 impact the building here.

4 COMMISSIONER BERRY: When they go
5 out, they mark the actual on the site and then
6 it's recorded. So, the issue is, whether the
7 findings are on the past action, which I
8 believe isn't by the current owner, but that
9 did impact build out.

10 THE CHAIRMAN: Staff have any
11 thoughts on it?

12 MR. FRELENG: You know, the
13 Commission doesn't have jurisdiction or
14 expertise on wetland issues. I would suggest
15 that we require the applicant and town to
16 investigate the history with the DEC. If the
17 DEC is satisfied or involved with the wetland
18 violation, there is not much more that the
19 Commission can do.

20 It's the role of the Commission to
21 raise issues and have local jurisdictions make
22 findings and address the issues that the
23 Commission raises. The history of the wetland,
24 while it does occur on site, is relevant. All
25 we can really do is have the appropriate agency



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2 investigate the history and flag the limit of
3 the appropriate boundary.

4 THE CHAIRMAN: Is that what you are
5 suggesting for Comment Number 7?

6 MR. FRELENG: We would work up
7 language for that, yes.

8 THE CHAIRMAN: We would want to know
9 what the language is before we vote on it. You
10 should note that the parcel has a history that
11 the town and DEC should be aware of.

12 COMMISSIONER BERRY: I'd like to add
13 at the same time there is environmental
14 sensitivity. It is an appropriate place for
15 intense use being right at the end of the
16 highway. I actually prefer to see the
17 development in that tight area.

18 THE CHAIRMAN: The code says that and
19 the Comprehensive Plan, which is why it's
20 coming to us as a site plan. Andy?

21 COMMISSIONER HOLMES: Dave, I don't
22 understand the reference to the Peconic River
23 estuary. I am placing the Peconic River south
24 of Route 25 behind the old Swezey's. I don't
25 understand how that estuary could impact this



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2 development.

3 COMMISSIONER BERRY: It's in the
4 watershed. It's not directly adjacent to it.
5 It butts up against the boundary that is
6 regulated by DEC for a recreational river.

7 THE CHAIRMAN: It isn't, it's outside
8 that area.

9 COMMISSIONER BERRY: It's just
10 outside.

11 THE CHAIRMAN: The only point is, if
12 they're going to investigate TDR, what you're
13 saying is they should also think about -- if
14 they were going to require something here,
15 which is up to the town, it could be a TDR, or
16 you were suggesting a purchase of land along
17 the corridor. Any other -- let's focus on that
18 because I don't want to lose that. Any
19 thoughts on that? Let's discuss before what
20 should be included or not. Commissioner Kelly.

21 COMMISSIONER KELLY: Is there an
22 historical issue on this property in terms of
23 the wetland? Is that what was raised? Is that
24 what I heard before?

25 THE CHAIRMAN: I think we were



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2 talking about different things.

3 COMMISSIONER ESPOSITO: You're
4 talking about two different things.

5 THE CHAIRMAN: Commissioner Berry
6 suggested we include it in the modification,
7 that they also consider purchase of land along
8 the Peconic River corridor. Any thoughts on
9 that? It says "consider;" is there any
10 objection to adding that?

11 COMMISSIONER FINN: I'm a little
12 unclear what that suggestion is calling for.
13 This site is hooked up to the sewer. It's in
14 the sewer district, Andy?

15 MR. FRELENG: Yes, that's correct.

16 COMMISSIONER FINN: So what are
17 we looking to do to this applicant is put on
18 this applicant as a condition, or modification,
19 that they go and buy property along the river
20 for this application? Is that what we are
21 talking about as a commission?

22 MR. FRELENG: I believe the
23 Commission member recommended modifying the
24 language that begins "shall consider the
25 utilization of or the purchase of." It's to



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2 consider the utilization of TDR or the purchase
3 of.

4 COMMISSIONER BERRY: Yes, that is the
5 right interpretation.

6 COMMISSIONER FINN: Is there a dollar
7 amount that you are looking for this applicant
8 to come up with? What does the final end along
9 the river constitute in order to meet our
10 modification? We are viewing the material this
11 is hooked up to the sewer district. It's
12 hooked up to the Riverhead Water. And the
13 applicant is going to have all runoff is going
14 to be kept on site.

15 MR. FRELENG: The code says consider
16 the transfer of development rights where
17 appropriate.

18 THE CHAIRMAN: What does where
19 "appropriate" mean?

20 MR. FRELENG: That is the problem.
21 The district requires the transfer of
22 development rights where appropriate. There is
23 nothing in the referable meeting material or
24 the findings of the Town of Riverhead that
25 indicates it's not appropriate.



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2 THE CHAIRMAN: Then it's appropriate?

3 MR. FRELENG: So the Commission,
4 through its review, should indicate their are
5 findings in the record of the town. We're not
6 saying it is or it isn't. I think Commissioner
7 Berry suggested as an alternative to doing TDR,
8 maybe the applicant wants to provide some open
9 space along the Peconic River corridor.

10 THE CHAIRMAN: I think the
11 modification should be that the town should
12 determine whether it's appropriate or not. It
13 doesn't say anything about buying land or
14 anything like that in the code, it says "TDR."
15 The town should determine whether or not it's
16 appropriate for this site. The answer may be
17 yes or no, but the town will figure it out. I
18 don't think we should be imposing a value
19 judgement on whether it's appropriate or not.
20 From a regional perspective, it's their plan
21 and zoning code. I don't know that we need to
22 be imposing a value judgment.

23 In certain circumstances we might say
24 hey, there is a problem, we should look at it,
25 but this doesn't seem to be one of those



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2 situations. COMMISSIONER FINN:
3 The other thing I'm a little vague about in
4 this application, that maybe Sarah, you can
5 help me out, is that we are relying on somewhat
6 hearsay and things that are not presented in
7 the reference material from the municipality.
8 Further from that, what level of conversation
9 do we have with the Planning Departments so
10 when we get to the point of having our meeting
11 and having an application put before us, we
12 have more concrete answers.

13 Andy, you put up a lot of valid
14 points. Do you have a chain of correspondence
15 with the municipality to vet out some of these
16 concerns? I think we are stabbing in the dark.
17 With this day and age of communication and
18 information out there, we should be able to
19 talk about concrete, clear information so when
20 we come to the point of seeing this before the
21 Commission, that we are making our
22 recommendations on factual information.

23 MR. FRELENG: Commissioner Finn, I
24 had a direct conversation with Director Handley
25 last week. I handed him a handwritten note.



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2 He said he would get back to me. He did not
3 get back to me.

4 DIRECTOR LANSDALE: Increasing the
5 communication between the town planning
6 directors and county planning staff was
7 definitely a goal. It's something that we are
8 implementing.

9 COMMISSIONER ESPOSITO: If he feels
10 that he didn't have time to get back to Andy,
11 then maybe we don't have time to look at the
12 application. I really think it's very
13 inappropriate on the part of the
14 municipalities.

15 MR. FRELENG: I agree with you. I
16 tried to get ahold of him. As far as the
17 grant, again, he didn't get back to me either.
18 We have to open these lines of communication.
19 I was looking at this issue. There were
20 questions on the application of course I really
21 can't go in there to talk to him about, but we
22 need to address them. This is something
23 between the towns and --

24 THE CHAIRMAN: Because of the legal
25 handcuffs that we wear on the Commission, which



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2 are frustrating enough to begin with, it's
3 imperative that the staff gets us that
4 information. If not because the town isn't
5 responding, then we go back to the town that
6 it's incomplete from our perspective. We can't
7 make a good decision. If it only goes through
8 the staff, it has to be through a referral, as
9 our attorney admonishes us about. If we don't
10 have the resources available, then we can't do
11 our job under the law and look at it from a
12 regional perspective.

13 This could be all changed. Tom, do
14 you have a thought?

15 MR. YOUNG: Yes, one of the things,
16 the Commission has taken the step to put the
17 staff report on line. All of the
18 municipalities know that. So they have an
19 opportunity to respond to the Department when
20 they see this. So, I think you have taken the
21 step to open the dialogue.

22 THE CHAIRMAN: At the end of the day,
23 it comes to us and our credibility as to
24 whether we can make good decisions or not. If
25 we don't feel comfortable making decisions



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2 based on the information that we have, then we
3 say no, we can't make a decision, we have
4 another meeting in four weeks, we look forward
5 to hearing from you then.

6 COMMISSIONER HOLMES: I support the
7 idea of saying this is an incomplete
8 application.

9 MR. FRELENG: Staff's thought is that
10 the submission include all material pursuant to
11 your guidelines and guidebook for a complete
12 submission of statement of facts. It would be
13 up to the Commission to deem their application
14 referral incomplete, but you would have to
15 indicate which materials are incomplete.

16 COMMISSIONER HOLMES: I think we
17 could do that. We could say why.

18 COMMISSIONER BERRY: I actually
19 think the way the staff proposed it is fine and
20 it would keep the process moving, because it's
21 really not our issue to resolve, it's to just
22 make sure that somebody addresses it. I think
23 the way staff mentioned it is appropriate.

24 THE CHAIRMAN: You mean with respect
25 to the TDR issue in particular?



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2 COMMISSIONER BERRY: Right, and
3 referral to the other agencies to make sure
4 there is adequate review of the issue. I might
5 be making a mountain out of a molehill and I
6 don't want to impede progress either.

7 THE CHAIRMAN: Other thoughts?
8 Commissioner Holmes.

9 COMMISSIONER HOLMES: I'm troubled
10 because I think that we could articulate what
11 we find incomplete about this application. The
12 nonresponse to queries for information. I
13 think that is -- I think Adrienne is right. I
14 think that makes it a very problematic thing
15 for us to consider.

16 COMMISSIONER McADAM: I think part of
17 the problem is that Andy and the staff are
18 never going to know what questions we are going
19 to raise at a meeting. How would he convey
20 that to the town afterwards? He would have to
21 kind of anticipate what he thinks we are going
22 to raise and then address that in a report.

23 COMMISSIONER HOLMES: He made a
24 query.

25 COMMISSIONER GABRIELSEN: Which was



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2 not answered.

3 THE CHAIRMAN: That is one thing. We
4 have implemented John Finn's suggestion about
5 six months ago so we get these on Fridays
6 generally and staff is available to answer
7 questions. At least find out what questions
8 the Commission members have. I think on Monday
9 or something like that, Monday or Tuesday, a
10 day or two before the Commission meeting so
11 they can get back to the town to get
12 information. I know a couple of Commission
13 members did query, Andy was able to get some
14 information ahead of time.

15 My concern is, less with that,
16 because you were right, we are never going to
17 be able to have a hundred percent knowledge of
18 what is going to be on the table. Sometimes
19 they don't know and I have to make a decision.
20 It's more an issue when Andy asks questions to
21 fill in information that he feels is important
22 for the staff report and is not given
23 information, that to me is more troubling.

24 MR. YOUNG: If we are going to come
25 to this point and make decisions on something



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2 that we think is incomplete, we are going to
3 run the risk of not completing our task in the
4 time limit that is set out. It's going to be a
5 question of fact as to whether or not it's
6 proper to send it back, and whether the clock
7 stops or not. To me, a lot of things that we
8 go over in these recommendations from the
9 board, from the Department, are based on the
10 application and on their concerns.

11 They, as I said before, the applicant
12 or the municipality has had the ability to see
13 these and respond to anything. So, from my own
14 personal thing I think legally we are safe to
15 make our determinations based on what they have
16 sent us. If that means a little more
17 restrictive thing than it might have been had
18 they answered, I think we still then fulfilled
19 our obligation.

20 THE CHAIRMAN: So everyone knows what
21 Tom is talking about, the forty-five days is a
22 statutory limit. The Planning Commission has
23 forty-five days to respond to a referral once a
24 complete referral is sent to the Commission.

25 The question to Tom's point, factual



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2 point is if this ever came to litigation, was
3 this a complete referral. We sometimes see
4 things incomplete where from our perspective
5 the forty-five days isn't running. That could
6 also be an issue of fact for litigation. Now
7 we have standards in our guidelines, that
8 indicate what we consider a complete
9 application. What Andy is saying is, we may
10 not love the completeness of the information,
11 but we have gotten the information that we
12 asked for, at least at a baseline level; is
13 that right?

14 MR. FRELENG: That's correct. We
15 can't for anything that isn't produced. The
16 applicants indicated they didn't produce a
17 traffic study and we asked the town for some
18 things they haven't produced either.

19 THE CHAIRMAN: Under the terms of our
20 guidelines and what we require.

21 MR. FRELENG: The application
22 referral submitted to the Commission does have
23 a full statement of facts based on our
24 definition of completeness.

25 MR. YOUNG: The Commission should be



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2 aware that there are applications that the
3 Department deems incomplete and they're sent
4 back. It's just that you never see them at
5 that point.

6 THE CHAIRMAN: If nothing else, this
7 is a separate issue about the responsiveness
8 and the town. I'm happy to talk to the
9 supervisor about it. Putting that aside, the
10 question is with regard to this application,
11 whether we feel comfortable moving forward.
12 The issue is simply that it -- I think Number 1
13 and Number 2 are fairly straightforward
14 modifications.

15 We seem to be noodling over the third
16 one, which right now reads, "the town shall
17 consider the utilization of TDR in order to
18 reconcile the subject application with the Town
19 of Riverhead Zoning Law." Glynis suggested some
20 additional language which may or may not be
21 added.

22 I have a little problem even as
23 written. We did change from "investigate" to
24 "consider," by the way. I also have a problem
25 with the back part of the sentence, which sort



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2 of implies a value judgment. I don't have a
3 problem with saying your zoning code says use
4 TDR where appropriate, and we are just saying
5 you should determine whether it's appropriate
6 or not, without any value judgement, just your
7 code says this, just be sure you made that
8 decision.

9 It isn't clear what we are
10 reconciling. You can almost read into this
11 that you should use TDR in order to reconcile
12 it. That is not what we are saying. I don't
13 think we should make a value judgment on
14 whether TDR is appropriate or not. That is
15 something for the town to determine in this
16 situation.

17 I would suggest perhaps we change
18 Number 3 to "the town will consider whether TDR
19 is appropriate."

20 COMMISSIONER HOLMES: You said
21 "determine," which I think is better. The town
22 shall determine whether a TDR is --

23 THE CHAIRMAN: Is appropriate and
24 site the law, period. That is what they are
25 supposed to do, anyway. You raised the issue.



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2 They can determine whether it's appropriate or
3 not.

4 MR. FRELENG: The town shall
5 determine if the TDR is appropriate. Period.
6 And the reasoning following, that the town
7 zoning law requires the transfer of TDR.

8 THE CHAIRMAN: It says, "TDR where
9 appropriate."

10 MR. FRELENG: But you said the reason
11 that follows.

12 THE CHAIRMAN: The reason would be
13 Article 8 says determine whether it's
14 appropriate or not. Any objection to changing
15 it in that regard? Seeing none, what we are
16 not including is the purchase of land. In my
17 opinion, that's outside of what the code
18 implies or requires. You can arguably add it
19 as a comment. I don't know. Okay. We will
20 leave it alone then.

21 MR. FRELENG: Mr. Chairman, I'm
22 sorry, the reason which follows, modification
23 of the three, are you changing that at all?

24 THE CHAIRMAN: No, your reason still
25 works.



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2 MR. FRELENG: Thank you.

3 THE CHAIRMAN: Number 4, to keep
4 storm water runoff on site, and the
5 anticipation is that they are and they should
6 consult the guidelines on green methodologies.

7 Let's move to the comments. Any
8 comments on Number 1. We are pulling up storm
9 water into the fourth condition I think that is
10 probably fine. On two, I would just say that
11 the second sentence, you make the point about
12 utility easement, that is fine. This may
13 warrant further review.

14 Should we say anything further than
15 that? That is a vague statement. Should we
16 say anything about why? Any feelings that we
17 should add anything there, or is that okay? No
18 one is jumping up and down.

19 3, parking layout. 4, pedestrian
20 thing. 5, cross-access. 6, emergency access.
21 Where were you indicating the emergency access,
22 or suggesting that they consider it?

23 MR. FRELENG: We are suggesting that
24 they consider it, but we think the most obvious
25 spot would be here. (Indicating)



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2 THE CHAIRMAN: Your recommendation is
3 that we not say anything about where, just that
4 they consider it.

5 MR. FRELENG: Yes.

6 COMMISSIONER McADAM: Could you tell
7 me what those buildings are? I'm kind of
8 familiar with the area.

9 MR. FRELENG: From my notes, this is
10 vacant. This is a gas station, I'm sorry
11 7-Eleven. There is, I believe this is the -- I
12 just want to note the south side of Old Country
13 Road, this is the Holiday Inn, the new P.C.
14 Richard site. There is a 7-Eleven. That is a
15 Yamaha motor cross quad dealer.

16 COMMISSIONER FINN: Is that a LIPA
17 easement to the left that you are referring to?

18 MR. FRELENG: It just says "utility
19 easement," it does not say what it is. I
20 didn't see any power lines there.

21 COMMISSIONER FINN: In this area,
22 from my own personal knowledge from looking at
23 real estate on 58, with the expansion and
24 roadwork, they have gone from overhead power
25 lines to bury them in the ground. You will see



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2 actual physical easements where the property
3 has been cleared which are in effect abandoned,
4 but the utility still has those easements. As
5 the parcels have come up, the town will look at
6 them on a parcel by parcel basis to see if they
7 should be abandoned. It may be abandoned
8 through this process.

9 THE CHAIRMAN: The last thing is
10 Number 7, which I think we need to know that
11 you are suggesting the verbiage before we vote
12 on it. Number 5 you said they should
13 investigate cross-access opportunities with
14 properties to the south. 6, they should
15 consider having emergency access. 7, all I
16 wrote down was flag wetlands.

17 COMMISSIONER HOLMES: In Number 5
18 aren't we saying pedestrian access; wasn't that
19 what Andy suggested?

20 THE CHAIRMAN: Pedestrian
21 cross-access.

22 MR. FRELENG: We wanted to do two
23 things, one, to make sure that the applicant
24 contact DEC and number two, what the limit of
25 wetlands is. That they are flagged in the



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2 field by a qualified consultant, verified by
3 the appropriate regulatory agency, and all
4 setbacks for structures are in accordance
5 with the Commission guidelines, which are one
6 hundred feet from the most landward limit of
7 wetlands.

8 THE CHAIRMAN: It looks like on this
9 site plan they achieved that.

10 MR. FRELENG: On the current site
11 plan yes, they were in excess of a hundred feet
12 from the wetlands limit.

13 THE CHAIRMAN: To verify the wetlands
14 are accurate.

15 MR. FRELENG: There are no notes on
16 the map that investigated by the DEC or flagged
17 by a qualified consultant.

18 THE CHAIRMAN: That's fine. What you
19 noted is fine. Any other changes or additions,
20 considerations? Seeing none, I'll entertain a
21 motion to adopt. Motion by Commissioner
22 Gabrielsen as amended. Second by Commissioner
23 Holmes. All in favor raise your hand. (Show
24 of hands) That is eleven-zero. Thank you.
25 That took a little while for our lone item on



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2 the agenda.

3 We want to have some time for Sarah
4 and the staff to update where we are on the
5 guidelines, so I ask you to focus on that for a
6 little bit. So, I will turn it over to Sarah.
7 Everyone should have in their packets or on the
8 table. Guidelines review. As Sarah mentioned
9 earlier you want to thank the folks on the
10 guidelines review, particularly Commissioners
11 Finn, Holmes, Kelly, the Vice Chairman,
12 Commissioner Roberts and Weir for their work so
13 far. I think we made a lot of good changes.

14 I think there is a little bit more to
15 go. One of the issues I want everyone to think
16 about is whether we should have some of these
17 standards in here need to change and the issue
18 is some of these things, for instance energy
19 efficiency, may be a little bit more in a model
20 code than as a condition. Since the towns have
21 their own standards, we don't not to want to be
22 inspirational and say you should do better or
23 should do more, but we don't want to impose
24 guidelines. Director Lansdale.

25 DIRECTOR LANSDALE: Thank you,



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2 Chairman Calone. So you have before you, in
3 front of all our seats, the memo produced
4 summarizing several meetings that were held
5 with stakeholders, municipal officials and
6 members of the Planning Commission. To go over
7 and collect input on the guidelines, it was the
8 first time ever, I should note, that we did
9 actually outreach to municipal officials and
10 stakeholders to get input on how to shape the
11 revisions to these guidelines.

12 What you have before you is, as the
13 Chairman indicated, a number of issues that
14 staff is seeking guidance on and clarity in the
15 future direction of these guidelines including
16 energy efficiency and housing and others. The
17 red line version of the document before you is
18 essentially all of the edits, grammatical edits
19 suggested by members of the Commission as well
20 as the consolidation of Chapters 4 and 5, in
21 the past we did have Chapter 4 was policies and
22 guidelines. Then Chapter 5 was a second set of
23 guidelines which made it unclear.

24 The feedback that we received back
25 from the municipalities that it was unclear



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2 which chapter they should be looking at when
3 they were developing and looking at two
4 proposals. So we consolidated both chapters.
5 I want to thank Andy on his effort. The staff
6 needs to understand where you would like to go
7 with these guidelines, specifically, what
8 should our role be from a Commission level in
9 terms of affordable housing, and how should
10 that -- what would you like staff to propose as
11 a subsequent conversation.

12 What is the direction; do you want
13 additional guidelines? We are looking for your
14 direction. I guess there is a number of issues
15 on the table. Affordable housing, transfer of
16 development rights, parking, community
17 character, storm water runoff and energy
18 efficiency. Mr. Chairman, how would you like
19 to proceed in the conversation?

20 THE CHAIRMAN: I would ask everyone
21 to take a look at their own edits. You can
22 see, it's all red lined for you, you will see,
23 a lot of the stuff in the back. It's black
24 lined, I apologize. Look at the changes.
25 These are all changes that the guidelines



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2 committee has worked on and come up with. I
3 know a few members of the guidelines committee
4 found a few things that we like to additionally
5 changed that maybe weren't captured before.
6 I'm talking fairly minor things.

7 The bigger issue is, as Sarah said, a
8 few of these major items, we need to figure out
9 what makes sense. And one of the drivers is,
10 as I mentioned in the beginning, what should we
11 do in situations where the townships have their
12 own code. For instance, on energy efficiency,
13 most of the townships have it. Ours is pretty
14 specific. Islip actually adopted ours as their
15 standard. There is some stuff in there about
16 swap, SWIP procedures -- not swap. Swap is my
17 other world. That is actually in our
18 guidelines, even though that is part of state
19 code.

20 The question is whether that should
21 stay in the guidelines or simply be something
22 that they have to follow anyway. Should that
23 be in there? That is an easier question. We
24 can get rid of it, put it in the appendix or
25 send a note to the municipalities and say hey,



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2 don't forget about this.

3 Anyway, what I would suggest we
4 probably do is sort of divide up the handful of
5 issues that are left. The ones that Sarah
6 mentioned, housing, TDR, parking, community
7 character, storm water runoff, couple of
8 others, and probably have the guidelines
9 committee, have one or two people on the
10 guidelines committee focus on write writing
11 each of those and come back to the Commission
12 with suggestions that we can take back to the
13 whole group.

14 I would be interested in feedback on
15 what we have done so far as part of this
16 process. I think we have done, from a time
17 perspective, most of the work because we have
18 gone through carefully, read through the
19 document and from the substantive perspective,
20 the hard work is yet to be done. Any other
21 thoughts?

22 COMMISSIONER McADAM: I have a
23 general question, but I'm not sure if it
24 follows the guidelines. When we approve an
25 application, a referral, I'm sorry, how long is



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2 that good for?

3 MR. FRELENG: It's indefinite. Until
4 the project substantively changes, the
5 Commission's review is binding.

6 THE CHAIRMAN: Your words are
7 forever.

8 COMMISSIONER ESPOSITO: Not many
9 things are forever, diamonds and this.

10 THE CHAIRMAN: You can see the
11 similarities.

12 COMMISSIONER HOLMES: I was wondering
13 what the consensus was for modifying the
14 affordable housing question because I know
15 there has been a lot of discussion,
16 particularly by Commissioners Kelly and Finn,
17 that points out that housing market has
18 plummeted so that, you know, people are able to
19 afford houses that are built in a subdivision,
20 and the question is, do we need to continually
21 mandate twenty percent in this particular
22 market.

23 I'm leaning to the idea of
24 temporarily we might relax that twenty percent
25 mandate. I'm curious to know.



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2 COMMISSIONER FINN: Market conditions
3 will determine what percentage. Mr. Kelly is
4 the expert on residential, but myself being in
5 the real estate business, I think we all have
6 to have some sort of understanding of the
7 residential market as we continue to evolve
8 here on Long Island. The one thing about
9 affordability to me is not so much about
10 percentile. There is a lot of euphemisms
11 involved in affordable housing and I think that
12 is why so many people on Long Island are faced
13 with the challenge of actually identifying how
14 to solve our affordability issue.

15 To me in Economics 101 we learned
16 supply and demand. If you look at every
17 outside agency that talks about population of
18 this many people and what type of housing stock
19 you have to deliver, forget about the diversity
20 of housing stock. We know that we are failing
21 miserably on the percentiles of home rentals
22 versus homeownership.

23 Just on the sheer number of
24 deliverables. Commissioner Kelly has often
25 reminded us as an island we have less than a



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2 thousand building permits pulled on houses in
3 recent years, which is just astonishing from a
4 deliverable standpoint. From a commission
5 standpoint, from regional significance, I think
6 we should talk more about housing goals. Six
7 or eight months ago we had the Commissioner of
8 Economic Development and Affordable Housing,
9 and a commissioner asked him how many
10 affordable housing units are we going to
11 deliver in Suffolk County this year, and his
12 answer, to my disbelief was none.

13 I think we should get more in focus
14 of goals and numbers of deliverables and hit
15 those points we when we speak to the various
16 townships, and say we have done nine hundred
17 housing starts on Long Island. How does that
18 sit with your town plan. If we talk about
19 sewer infrastructure, if we are going to build
20 a sewer infrastructure and not deliver any
21 people into the sewer, it doesn't make sense to
22 build the sewer. We know we have to build our
23 tax footprint in a way that we can sustain the
24 affordability here on Long Island. That is my
25 little thing on the percentile.



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2 Nowhere have I seen data that
3 supports, as a model, that supports where
4 twenty percent is the percentile to make an
5 environment sustainable. I think the Urban
6 Land Institute uses the ten percent. I think
7 we may want to get more factual information of
8 how we got to twenty percent.

9 THE CHAIRMAN: It was a historical
10 number. History can be a guide, but it doesn't
11 have to dictate what we do. Circumstances have
12 changed. I think we all agree that the biggest
13 issue on Long Island is the type of housing.
14 If we want to be focusing and putting our
15 weight behind one or two things, it's the mix,
16 saying hey, we need more rentals. We have
17 about sixteen percent of rentals on Long Island
18 as opposed to double that in northern New
19 Jersey and Westchester. We might want to focus
20 our guidelines more in that direction.

21 Another question is if that is -- if
22 you have more than that, is there a community
23 benefit. Beyond that, is that a community
24 benefit that you would be willing to offset,
25 derive more density. We have Diana here, who



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2 is probably the most expert of us than anybody
3 around the table. There will be a housing
4 summit coming up in February. We may want to
5 let that inform us a little bit.

6 Two, we have a comprehensive plan.
7 We haven't had data in a long, long time to
8 buttress the analysis or the facts. What are
9 the facts. We are not going to have that until
10 the end of next year, but we are going to put
11 the guidelines in place the early part of this
12 coming year. If we need to tweak them a little
13 bit a year from now, we will do that. The
14 Comprehensive Plan should identify exactly how
15 many units we have, how many they think we
16 need. So we do have information and events
17 coming down the pike that will be helpful.

18 COMMISSIONER ROBERTS: Dave, that's
19 the only point that I was going to make was
20 that I thought we should postpone this
21 conversation until after the February 8th
22 housing summit. I would like that six hours of
23 information before I have an opinion on this.

24 THE CHAIRMAN: I'd like to make
25 sure -- that's cool. I'm just saying there are



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2 other aspects to the guidelines that we should
3 get towards finished so if we want to be
4 informed by the housing thing, we can do that,
5 but it's essentially done otherwise.

6 COMMISSIONER WEIR: By the way, it
7 has been a tremendous pleasure. I'm sorry that
8 it's so short because I was enjoying it, and
9 I am a worker, so I hope I was able to
10 contribute something. I think, as I mentioned
11 a couple of times before, I don't know if it
12 was a meeting that we had after the meeting,
13 the economic climate right now is something
14 that we have to consider when we were doing, as
15 a committee, as a region and town, the
16 municipalities put in twenty, twenty-five
17 percent.

18 We had double digit increases in
19 housing prices. Prices were really through the
20 roof, and we have seen that plummet. So the
21 point is that we as an affordable housing
22 developer have units that are basically pretty
23 close to market price right now. I think the
24 market and economy have put us -- what John is
25 saying we're there, as far as prices.



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2 People will look at some of the homes
3 that we have, resales of affordables that we
4 sold that are now selling for less than the
5 affordable price that we sold them for five
6 years ago. People are asking for grant request
7 relief because they can't repay the grant.

8 Just so everybody knows, you get a
9 grant to get into the house. Suffolk County
10 down payment assistance was fifteen thousand
11 dollars. It has a time frame. You must stay
12 in the home for ten years before the grant is
13 forgiven. Because the idea of the government
14 money is to build communities. You will join
15 the Little League, kids will be in school, you
16 will be a participating member of the
17 community. They don't want you in and out.

18 Because the prices were so
19 ridiculously high, put further restrictions on
20 resales because they didn't want people getting
21 a windfall profit selling a home. So when you
22 sell an affordable home, you are selling it
23 with the grants attached and all the covenants
24 and restrictions attached and people are saying
25 for ten thousand dollars more, we'll just go



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2 buy a house. We're having trouble selling our
3 affordable homes. That's just a little warning
4 that I'm putting out there.

5 If we ask developers who have the
6 land and preserve and do cluster zoning, and do
7 different types of housing that we want, I
8 think we should stick to the ten percent, which
9 is the law right now, on the multiple units.
10 Some towns have more, but that's great if
11 they're able to give relief. Great.

12 With the economic climate now, I
13 think we have to reflect that in what we do;
14 otherwise, we will have units out there that
15 can't sell. We have developers coming to us
16 that have units that are built and want to now,
17 because they're empty and they can't sell them,
18 I'm talking about attached units, because they
19 should be lower in price, because they're
20 attached, they want to say can I put ten
21 percent on affordable. Can I get a grant to
22 reduce the price?

23 Things are very different than they
24 were in the last ten years. That is the
25 reality that we are dealing with that you are



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2 not going to be able to sell these units. When
3 people try to move up, which is a goal. They
4 bought an affordable home and they want to sell
5 it and buy another home. They're not making
6 any money, they just want to sell it and move
7 out without any restrictions.

8 I share that with you so you have
9 more information to make a more informed
10 decision. We see a lot of these units that
11 come before us and a lot of them have no
12 grants. The developer is biting the bullet and
13 they're the ones saying okay, we will put in
14 the ten percent or twenty affordable, in some
15 places Avalon Bay in Huntington is putting
16 twenty-five percent affordable. The town is
17 going to dictate that according to their needs.
18 I give that you as a backdrop of the economy
19 and what the housing issues are now.

20 Rentals we need desperately because
21 that is a step up. If they're market rate
22 rents and there is no supply, the prices are
23 very high. People would rather buy a house
24 than pay twenty-four hundred dollars in rent.
25 That is where the restrictions need to happen,



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2 on the rental side, because of supply and
3 demand, an affordable, legal rental is pretty
4 high because of fair market rents. I think
5 that is something to consider as well.

6 COMMISSIONER KELLY: One topic that
7 we talked a little bit about, and Diana hit it,
8 another component is the 72-H program within
9 the county. The county takes back a number of
10 parcels through foreclosures, tax liens,
11 etcetera. There is a significant amount of
12 parcels that lay vacant, whether they're
13 improved or not. That entire program, if we
14 can as a commission, if we can somehow -- I'm
15 trying to figure out how to get properties out
16 of that program onto the marketplace. There
17 are a lot of restrictions to that program.
18 Very cumbersome.

19 THE CHAIRMAN: Are these restrictions
20 imposed by the county?

21 COMMISSIONER KELLY: Yes.

22 COMMISSIONER WEIR: They have to sold
23 to people at eighty percent or under. They're
24 given to the municipalities free and the
25 municipalities have to use them for affordable



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2 housing.

3 COMMISSIONER KELLY: You have to pay
4 back the taxes. Some of the properties lie
5 vacant for a number of years before being put
6 out on the market. This whole program doesn't
7 make any sense.

8 DIRECTOR LANSDALE: I just want to
9 mention the consolidation of the Planning
10 Department with Economic Development and
11 Workforce Housing and Environment and Energy,
12 the 72-H program would fall under the Planning
13 Department in the future.

14 COMMISSIONER KELLY: It's definitely
15 an opportunity for us. The other component is
16 when you speak about affordable housing, the
17 definition is typically eighty to a hundred
18 twenty percent of income. When you look at the
19 restrictions on the affordable housing
20 component that we place on the deed
21 restrictions, we have to look at that again and
22 say is it eighty to a hundred twenty percent,
23 at four and a quarter interest rate, like Diana
24 said, if I have to pay fifty or sixty thousand
25 more, I'm going to go to a property that



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2 doesn't have the restrictions.

3 COMMISSIONER WEIR: Under eighty
4 percent always sell well. The eighty to a
5 hundred twenty in this market they can pay
6 anywhere.

7 COMMISSIONER KELLY: That is
8 something that we should look at to adjust
9 that, possibly. We will let Mr. Finn talk
10 about the overall restrictions, governmental
11 restrictions on any program, but that can take
12 a couple of hours.

13 COMMISSIONER McADAM: I just wanted
14 to kind of dovetail on what Diana and Mike said
15 is that the experience I'm seeing now is
16 parents and children are getting together and
17 buying houses, which I would guess they won't
18 be permitted to do under some affordable
19 housing programs.

20 The other thing is a bit of history.
21 I bought two houses years ago. They were both
22 in developments these two. They had a bank
23 finance the whole project. Then when they
24 financed the construction loan, at the end of
25 the project the people that were moving in went



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2 to the bank and got a better rate on their
3 mortgage and it worked out for everybody.

4 The thing now is that there are so
5 many houses available. A lot between short
6 sales and foreclosures or on the verge. There
7 are so many available and the prices just go
8 down because the houses are deteriorating
9 because people are walking away from them.
10 There is so much affordable housing out there
11 right now. But most of the younger people that
12 you would expect are going to buy it aren't
13 able to buy it because they do not have a
14 credit rating unless they go in with a parent
15 or such.

16 COMMISSIONER ESPOSITO: It's not just
17 that they don't have a credit rating. One of
18 the things I remember Diana raising at the
19 forum we held, they don't want a house yet. We
20 need the mixed use, even if they did have a
21 credit rating at twenty-five, maybe they're not
22 ready yet. I think there is lot to be said.
23 There is affordable housing, but there a gap in
24 the market, which I think is confusing people
25 and they sometimes associate that with



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2 affordable housing. There is a little
3 confusion there.

4 THE CHAIRMAN: From a reasonable
5 perspective if maybe the options, the mix,
6 rentals, et cetera. Remember the history
7 behind this; the Commission used to have this
8 twenty percent affordable. Then we had the
9 issue of Bulova in Sag Harbor and that tripped
10 up a project we really didn't want to trip up.
11 Barbara led the charge to refine the guidelines
12 a little bit. Constantine worked a little bit
13 on it. It's almost making a model code rather
14 than a broad standard.

15 I think everyone agrees we need
16 flexibility. Whatever number we decide is
17 right for now, there should be some kind of
18 payment in lieu of option. That didn't exist
19 in the past. There were a bunch of other
20 things in there that go to what a model code
21 should be. Those are good things to recommend
22 to a municipality when they're putting a code
23 together, but it doesn't belong in a guideline.

24 When it's at our level, we shouldn't
25 be saying, oh, what you need to have is



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2 transferability restriction thirty years
3 instead of twenty-five years. The town isn't
4 going to change that based on what we say.
5 Unless we go with a model code and try to
6 standardize things across the county. That is
7 not the role we play when we're talking around
8 the table about individual projects. It's a
9 bigger picture role, like some of the other
10 things that we're doing.

11 I think Michael, going back to your
12 72-H thing, this commission plays a role in
13 saying here's where the policy needs to be
14 involved. Can't we say hey, here is what makes
15 sense from a building perspective, we will bat
16 it around the table and make the recommendation
17 to staff and the new county executive and
18 here's how we would change the 72-H program.

19 We need to keep our eye on the
20 individual projects. We have a mandate to do
21 so statutorially. At the end of the day,
22 policy is advanced one development at a time.

23 COMMISSIONER WEIR: Because we are
24 little villages and townships and some
25 townships, like Easthampton, has very little



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2 developable land left that is applicable. Sag
3 Harbor, one of the reasons Bulova was a problem
4 was because of the three options, building on
5 site, building off site or putting money into a
6 fund. The village was looking into putting
7 money into a fund. The state legislation
8 allows for that as well.

9 That fund, we have a model code that
10 we established because that fund can use the
11 money because they don't have land, to help
12 give loans for people who want to put an
13 affordable apartment, to help down payment
14 assistance within the village. There are other
15 ways that that money can be used to incentivize
16 them. I think a lot of that, it's very
17 difficult for us to get into the weeds of
18 everything all the time. I think that is where
19 we get caught up and an application that should
20 have taken twenty minutes takes an hour and a
21 half, where we get caught up.

22 And our goal should be the
23 overarching regional effect of what is
24 happening at the town. We can't tell the towns
25 what to do. We have to give them why



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2 regionally this would have an effect that would
3 negatively impact them as a town or region. I
4 don't think getting into the weeds that they
5 should have two more parking spaces or it's two
6 feet too high. I think really and truly, we
7 waste a lot of time. I can say that because
8 I'm leaving.

9 I think we can do more forward
10 thinking and kind of the vision of the regional
11 goals that we are trying to establish.

12 THE CHAIRMAN: I appreciate that. We
13 try to move in that direction.

14 COMMISSIONER BERRY: One thing is I
15 think the emphasis should be on availability
16 rather than construction. Because sort of
17 re-purposing existing buildings I think would
18 be a good focus.

19 The other thing is if we are going to
20 consider changing the goals, then it should be
21 based on something. I'm hoping that that
22 probably comes from you Sarah and based on
23 research. Part of that is also where the
24 employers are and access to that. So you can
25 do more than one thing with one program. For



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2 instance, you can cut down on travel time and
3 traffic impacts by having your housing close to
4 major employment destinations and that type of
5 thing.

6 COMMISSIONER GABRIELSEN: Can we talk
7 about farming?

8 THE CHAIRMAN: You can always talk
9 about farming. Anything else about housing?

10 DIRECTOR LANSDALE: If I can make a
11 few quick comments. Yes, I recommend to the
12 Commission that we think about this as a two
13 step process, one that we talk about updating
14 the guidelines sooner rather than later because
15 we use these guidelines by staff to evaluate
16 the projects. We apply these guidelines, good
17 bad or, to review projects which creates that
18 hour and a half debate. So, that is one thing
19 just on the timing of this update.

20 Hearing that comments around this
21 table, I'd like to summarize, if that is okay.
22 The affordable housing comments, one would be
23 to, under the specific affordable housing
24 guidelines, would be to remove that language,
25 every paragraph except for Paragraph 7, which



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2 COMMISSIONER GABRIELSEN: Long-term
3 suggestion. Sustainability in farming; I know
4 we have to address the guidelines for lands
5 that have been sold, the development rights
6 have been sold. Farming has changed so much in
7 the last two or three years. Now, a lot of
8 vegetable farmers are processing their own
9 foods on their own farm. They're not able to
10 because of the guidelines. I tried to present
11 a field out that was I couldn't even put gravel
12 down on the field. Things like that we could
13 probably tweak.

14 DIRECTOR LANSDALE: That is not
15 addressed here in these Planning Commission
16 guidelines, that is Chapter 8 of the county's
17 Farmland Preservation Program.

18 THE CHAIRMAN: The Planning
19 Commission doesn't have authority over that but
20 the Planning Commission can make
21 recommendations to Chapter 8. At the planning
22 federation you had some good ideas. Taxpayer
23 money went to purchase development rights and
24 therefore there is some oversight with what is
25 done with the land.



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2 As you said, things are changing.
3 Whatever the regulations, you should keep up
4 with it. If you have specific suggestions,
5 including the one that came up in the
6 federation panel, why don't you put an e-mail
7 together on what your thoughts are on that.
8 And what changes we would suggest and we can
9 bring it to the staff and bring it to the
10 legislature.

11 COMMISSIONER GABRIELSEN: Okay.

12 THE CHAIRMAN: Chapter 8 went through
13 a big revision in the last year.

14 DIRECTOR LANSDALE: There is a
15 meeting of the farmland committee on January
16 24th. It would be probably a good time to
17 bring those ideas forward at that time, at that
18 meeting. It's at one p.m. at the Dennison
19 building.

20 MR. YOUNG: Normally they're in
21 Riverhead. This will be in Dennison building.

22 THE CHAIRMAN: The committee meets
23 every month.

24 DIRECTOR LANSDALE: No, every other
25 month.



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2 THE CHAIRMAN: If you want to make
3 suggestions to this group, we can endorse them
4 and bring them to the farmland committee at
5 their next meeting or meeting after.

6 COMMISSIONER SCHOOLMAN: I just want
7 to -- Section 4.7, which is Transportation.
8 I'm in the transportation business and I
9 skimmed over this. This was meaningless to me.
10 It could be because of my own shortcomings.

11 John brought up something about
12 deliverables. The single one of the biggest
13 problems is the gridlock of Long Island. And
14 Dave, the question really is, is that part of
15 the charter of the Suffolk County planning
16 Commission? I assume that it is, correct?

17 THE CHAIRMAN: It would depend.
18 Policies can be recommended by the Planning
19 Commission. Then we have our individual
20 project we would look at. If a project creates
21 a lot of traffic, that we would look at. I
22 don't know if that answers your question.

23 COMMISSIONER SCHOOLMAN: No, it
24 doesn't. Here's the point. There is a thing
25 called personal mobility and it affects our



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2 standard of living. Part of the charter of the
3 Suffolk County Planning Commission, the same
4 way that protecting drinking water is an
5 obligation affecting our standard of living,
6 the same way official transportation systems
7 economically impact us.

8 I don't get that coming out of these
9 guidelines. I don't see any measurables.
10 Should I be thinking about that to make
11 suggestions of what? For example, I have
12 forty-one motor coaches. Each one of them is
13 fifty-five passengers. That is a lot of
14 people. There are whole new types of systems
15 called graphic bus systems that should be
16 really running up and down the Long Island
17 Expressway. We are trapped by the Long Island
18 Railroad.

19 Where does that belong in that agenda
20 before I make a big deal out of it?

21 THE CHAIRMAN: Guidelines are focused
22 on the individual projects that come before us.

23 COMMISSIONER SCHOOLMAN: Projects
24 that you deal with is because there are no
25 transactions really in transportation. There



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2 are very few.

3 THE CHAIRMAN: Threshold issues; if
4 you want to go through the transportation
5 section and make comments, all of us would love
6 that because you're the transportation guy.
7 Yes, these particular guidelines are the
8 guidelines that we give staff to look at
9 individual projects. So the transportation
10 stuff you see are things like we want to
11 encourage things in downtowns because it's less
12 of an impact on transit.

13 Now, the Comprehensive Plan is the
14 bigger policy document that goes to things like
15 you're talking about, which is what we are
16 working on in the course of the coming year.
17 What should we be doing as a county, as a
18 region for transit. That is a comprehensive
19 plan issue. Think of this document, this is
20 what gets applied to individual projects. The
21 Comprehensive Plan is applied more broadly.
22 What policy should we have more broadly. Those
23 are things that would be perfect for the
24 Comprehensive Plan which is a bigger longer
25 range issue.



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2 I want to wrap up. There are a
3 couple of other issues we need to focus on as a
4 commission with regard to guidelines. Transfer
5 of development rights is a bigger open issues,
6 parking, community character, storm water
7 runoff, all of those are easier. TDR is a
8 tricky one, mostly because we have in effect a
9 TDR system that doesn't cross town lines to
10 begin with. There are these various studies
11 going on right now, Carmans, et cetera.

12 The question is what role should the
13 commission play, particularly with regard to
14 individual projects on TDR. We know about the
15 Pine Barrens credits. Town of Riverhead,
16 Southampton, are trying to figure that out.
17 There aren't enough credits being retired.
18 What kind of situations do you put it on
19 individual projects. Andy, I do not know if
20 you have any thoughts on that.

21 MR. FRELENG: No. I want to give you
22 a glimpse of the findings of the TDR study.
23 The ten towns and forty-three municipalities in
24 the county in total have fourteen TDR programs
25 that they implemented at their local level.



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2 Add to that three regional TDR programs all
3 essentially targeting the same sending areas
4 and same receiving areas. It's very
5 convoluted.

6 None of them -- this is would be the
7 analysis section -- none of them are working to
8 full potential.

9 THE CHAIRMAN: That is the broader
10 policy issue. The question for the individual
11 projects, there is some wording in our
12 guidelines about requiring one to one. There
13 is an uptick in density, or downzoning
14 elsewhere. I think that was from a conceptual.

15 It's been applied by staff, or has in
16 the past, at least, sometimes been applied as a
17 condition. I think we have been generally
18 taking that off more recently. Constantine,
19 who was the one that wrote that section, didn't
20 feel that one to one made sense, that this
21 should be more flexible. We will flag that.

22 THE CHAIRMAN: Those who are involved
23 in the housing, can you stick around for about
24 fifteen minutes?

25 DIRECTOR LANSDALE: Can we just, for



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2 staff's purposes, can we just be here on who is
3 going to be following up on which sections of
4 the guidelines and by when?

5 THE CHAIRMAN: I think we should have
6 members of the guidelines committee probably
7 work on these aspects. If anyone wants to
8 volunteer to sort of be the point person for
9 any of these sections.

10 COMMISSIONER HOLMES: Diana will be
11 the point person for affordable housing.

12 COMMISSIONER ESPOSITO: I'll do the
13 storm water run off section.

14 THE CHAIRMAN: Community character,
15 parking, transfer of development rights.
16 Anyone have a great passion for any of those
17 areas?

18 COMMISSIONER FINN: Not to add wood
19 to the fire, one of the things that we talked
20 about in our meeting was, which wasn't
21 reflected in one of these bullets, is the
22 economic development and the impacts that these
23 applicants have on economic development. I
24 think that is something that we should have as
25 a -- something that is a focus as we go to



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2 modify our guidelines, because I think after
3 listening to Commissioner Schoolman's little
4 pep rally about the tax burdens that we have, I
5 think it's something that it should be as we
6 need to expand our tax footprint, that should
7 be an item to which job creation, tax benefits
8 and sales tax revenue, that should somehow make
9 its way there.

10 COMMISSIONER HOLMES: I'm glad you're
11 going to spearhead that.

12 COMMISSIONER ESPOSITO: I'm
13 concerned. Do we have the expertise to do
14 sales tax that is being generated predictions
15 and creation predictions? I have seen some of
16 the applicants that come in with predictions
17 that are flat out wrong. I think we need to be
18 careful about how we assess and evaluate
19 economic development as it relates to some of
20 these proposals.

21 A word of caution. I'm not sure we
22 have that expertise.

23 THE CHAIRMAN: That is a good thing.
24 Economic development is one of our six regional
25 priorities. I encourage John or anyone else to



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2 take a special look at the economic guidelines
3 and see if there is anything that needs to be
4 beefed up or changed in any way. I know we
5 have some strong language about the need for
6 growing in a smart way. Those are vague
7 statements, however.

8 One thing we talked, about we
9 concluded in our staff reports going forward,
10 and the staff started to do this, take each of
11 our six criteria and how does each criteria
12 impact those things. Staff generally said any
13 application can be seen as economic
14 development; that is true. Can we quantify
15 that in any way? What are the applicants
16 saying about what they are doing; is there any
17 kind of quantification?

18 COMMISSIONER FINN: That is the
19 point. Applicant hires professionals that
20 create a DEIS that they submit to the town and
21 we should at least have a chance to look at it,
22 or view it. How we funnel that down, I think
23 that is something we can talk about.

24 THE CHAIRMAN: I think having the
25 information is a good idea. Like what does the



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2 parcel provide as far as tax revenue. Those
3 are estimates, and so are estimates about many
4 other things. There is science and economics,
5 and as someone who is sort of an economist,
6 it's called dismal science for a reason, but
7 there are good faith estimates we can make and
8 that is what applicants are asked. There are
9 metric sheets on what is the impact of X, Y or
10 Z..

11 It doesn't mean you go with a project
12 that is great economics and has all sorts of
13 other things wrong with it.

14 COMMISSIONER SCHOOLMAN: I completely
15 agree with John. I don't agree that you can
16 come up with estimates on taxes, but you can
17 have measurables of how many temporary
18 employees are going to be employed in a
19 project, how many permanent jobs, and in
20 looking at economic development, why wouldn't
21 you require a documented estimate of the
22 economic impact in terms of job creation,
23 permanent job creation separated by temporary
24 job creation.

25 Everybody says do this, I'm going to



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2 getting you money because it's going to get you
3 jobs and we all know it's crap. I think it's
4 incumbent on any project to define at least
5 something that relates to job creation.

6 THE CHAIRMAN: If they do a DEIS,
7 they have to do that. The interesting thing to
8 Adrienne's point would be, to go back, it could
9 be something the Planning Department can do
10 going forward is look at what was projected and
11 look back, projects built in the last five
12 years, what was projected and what was actually
13 built.

14 COMMISSIONER SCHOOLMAN: Especially
15 when public money was involved.

16 DIRECTOR LANSDALE: That is a great
17 analysis if we had more staff.

18 THE CHAIRMAN: If the new county
19 executive wants to push economic development,
20 hopefully he can publish the benefits of that.

21 COMMISSIONER McADAM: They may have
22 that by zip code. I remember when I was doing,
23 it has to be fifteen, seventeen years now, we
24 had information back then I can imagine by now
25 they have it much more definitive.



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2 THE CHAIRMAN: Projections, this
3 projects is going do generate X amount of sales
4 tax.

5 COMMISSIONER ESPOSITO: If all these
6 projects were so great for our economy where is
7 Nassau and Suffolk County in the economy in the
8 toilet. The reality is it hadn't proven to do
9 so. We can look at projections all the D E I
10 S's, F I S's, all the job creation numbers
11 sales tax revenue and then look at history and
12 they're telling us two different stories.

13 I'm adding a word of caution that as
14 we look at a regional perspective and at as we
15 look at the story of economic growth in Nassau
16 and Suffolk, the real story is what I hear us
17 say over again. If you think this is going to
18 get us out of the recession, you are on a
19 different planet. I don't want you to think
20 this is going to move us out of the recession.

21 These numbers used in the DEIS's
22 aren't always real. Some are more real than
23 others. I don't think you can use it as a
24 driving tool. We are looking at many multiple
25 factors. I'm cautioning that it's the more --



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2 what as the word I'm looking for -- it's the
3 less scientific factor, I guess is what I'm
4 saying.

5 Parking, you can understand the
6 economic impact, I think is more challenging to
7 really understand. I think it's a little bit
8 we have to be careful about making a definitive
9 decision on that because it is harder to
10 quantify.

11 THE CHAIRMAN: As someone who was an
12 economics major, I can agree with almost
13 everything you said. You can quantify the
14 impact of nitrogen. The economic projection is
15 much more fluid because there are so many
16 factors that impact it. Having more
17 information, keeping in mind, hey, the
18 developer is probably putting the rosy glasses
19 on is probably okay.

20 It would be better if we had the
21 Planning Department with more staff able to
22 look back and say here is what the claims were
23 for the top ten projects in the county, and
24 that is what actually went forward. Having the
25 information is probably better than not having



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2 the information, as long as we look at it with
3 a critical eye.

4 COMMISSIONER ROBERTS: It's dangerous
5 to take these projects in a vacuum without
6 seeing the whole picture. I think the county
7 did a study. Even now with the opening of CVS
8 at Exit 70 on the LIE, we are seeing an impact
9 on the East End, the independent pharmacies.
10 The applicant there could have presented a
11 fantastic story about jobs and whatnot, but the
12 regional impact is not such a great impact.
13 How many children are going to come in and what
14 happens to our schools; that is the counterside
15 of having more development.

16 Looking at a project with the
17 economic impact and without doing more regional
18 studies, I think there is something lacking in
19 that kind of thinking.

20 COMMISSIONER WEIR: On the developer
21 side, not that I'm taking the developer side,
22 we have to understand the developer is making
23 an investment. Did you think he's going to
24 make an investment with rosy glasses, kidding
25 himself that it's not going to make money?



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2 That is not too smart. We are seeing that
3 because the economy said not because the
4 developer, you don't think there looking to
5 see.

6 THE CHAIRMAN: Two different things.

7 COMMISSIONER ESPOSITO: I'm not
8 blaming the developer. I don't think someone
9 like John wants to go out and lose money.

10 THE CHAIRMAN: If you are doing a
11 zone change and you own that land, you want
12 that zone change to go through. It's
13 convincing, as members it's good for the
14 economy. They can be rosy on that. That is
15 not their bottom line that is convincing the
16 authority to change, what they care about, I'm
17 not blaming them, they care about generating a
18 return on their piece of property.

19 COMMISSIONER WEIR: That is the
20 landowner, not the developer.

21 THE CHAIRMAN: Economic development
22 and economic impacts are not something that the
23 developer is betting on. They're betting on
24 selling the property.

25 COMMISSIONER SCHOOLMAN: I think we



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2 carried this in the wrong direction. I was
3 looking for something simple. You have a
4 project. The guy is opening up five or six
5 retail stores. You should be able to ask him
6 how many managers are you going to employ. If
7 Cosco opens up a store, there is a database to
8 say how many employees he's going to add. That
9 is part of the economic picture.

10 What is wrong with knowing how many
11 new jobs are possibly going to be created? You
12 wouldn't know it on every single type of
13 project, but on certain types of projects it's
14 a reasonable question to ask.

15 COMMISSIONER FINN: I brought up the
16 point originally. I'm glad to see this type of
17 dialogue going back and forth. It's not to
18 have that to be the only determination of
19 whether or not an application is good.

20 I think what the Commission members
21 have to understand, as I'm learning to
22 understand is we are in a completely different
23 environment right now. The reasons why we have
24 issues here on Long Island, to use Adrienne's
25 term, build ourselves out of this, we have



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2 historically been an intellectual hotbed of
3 intellectual capital. When you hear the State
4 of South Carolina is opening a business
5 development office in Nassau County, they're
6 not waiting for the company's owners to go
7 there, they're coming here. We are losing a
8 big company in Yaphank that is going down to
9 Tennessee.

10 When you open up a business, there
11 are certain things that go into your
12 determination. One is property costs and
13 property taxes. We fail on miserably on every
14 account. On land where we derive revenue on
15 tax collection and we are not increasing the
16 tax base. We just lost four members of our
17 planning commission. What is next year going
18 to look like? These are things of economic
19 development.

20 It's one component, but the tax base
21 is what is the genesis of all that.

22 THE CHAIRMAN: I appreciate all the
23 thoughts. We have two things left that we
24 have. Affordable housing, Diana is going to
25 take the lead. Mike will take a look at the



1 12/7/11 Suffolk Planning Commission
2 transfer of development rights. Bill has
3 transportation. We have community character
4 and parking. Linda has community character.

5 COMMISSIONER SCHOOLMAN: What is the
6 deadline?

7 THE CHAIRMAN: I think I would like
8 to get feedback at the next meeting in January.
9 Glynis is going to take parking.

10 COMMISSIONER KELLY: We just did a
11 parking study in Patchogue.

12 THE CHAIRMAN: If everyone can get
13 their comments to Sarah by the 28th, that will
14 allow the staff to incorporate those for our
15 meeting in January. Thank you. Entertain a
16 motion to adjourn.

17 COMMISSIONER HOLMES: So move.

18 COMMISSIONER KELLY: Second.

19 THE CHAIRMAN: All in favor? Let's
20 say goodbye to Diana. Thank you very much.

21 (Time noted: 2:45 p.m.)

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CERTIFICATION

STATE OF NEW YORK)

)

ss:

COUNTY OF SUFFOLK)

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

THAT this is a true and accurate
record of the meeting held by the Suffolk
County Planning Commission on December 7,
2011, as reported by me and transcribed by
me.

Judi Gallop

JUDI GALLOP



E R R A T A

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I wish to make the following changes, for the following reasons:

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WITNESS' SIGNATURE DATE



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