SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Sarah Lansdale, Director of Planning

NOTICE OF MEETING

March 7, 2012
12:00 P.M.
Maxine S. Postal Auditorium, Riverhead County Center
Town of Southampton

Tentative Agenda Includes:

1. Adoption of minutes for August, October and November 2011 & Jan 2012-Meeting Summary

2. Public Portion

3. Chairman's report

4. Director's report

5. Guest Speakers:

6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code

   - Manors@Colony Preserve 0200 97600 0100 001003 (Town of Brookhaven)

7. Section A14-24 of the Suffolk County Administrative Code

   - Country Woods@Colony Preserve 0200 97670 0100 001003 (Town of Brookhaven)

8. Discussion:

9. Other Business:

   - Nassau County Planning Commission combined Meeting - April 4, 2012

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **April 4, 2012** in the Rose Caracappa Auditorium @ 725 Veterans Memorial Highway in Hauppauge.

STEVE BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

SARAH LANSDALE, AICP
DIRECTOR OF PLANNING

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

Addendum

Applicant: Country Woods @ Colony Preserve; Manors @ Colony Preserve
Municipality: Brookhaven
Location: East Side of CR 46 (William Floyd Parkway)~594' N/of Chanel Drive

Received: 2/10/2012
File Number: BR-11-06.01
T.P.I.N.: 0200 97670 0100 001003
Jurisdiction: Adjacent to County Road (CR46) William Floyd Parkway

PROPOSAL DETAILS

OVERVIEW: On February 10, 2012, the Suffolk County Planning Commission ("Commission") received a two-part application consisting of a Major Subdivision and Site Plan for the "Colony Preserve @ Shirley Planned Development (CPSPD)" on the subject site in the hamlet of Brookhaven, Town of Brookhaven.

The first part of the current application is for a Major Subdivision entitled "Country Woods @ Colony Preserve" which proposes 79 lots totaling 94.43 acres within the CPSPD subject site and includes: 75 single-family lots (on 22.32 acres), 3 Home Ownership Association open space lots (on 29.31 acres) clustered in the southwestern portion of the CPSPD site, as well as, one large Planned Retirement Community (PRC) lot (on 42.8 acres) for condominium development in the northwestern portion of the site. In addition, a large 97.83 acre open space lot along the eastern portion of the site is proposed for dedication to the Town of Brookhaven for active recreational purposes. The net area of Town regulated wetlands on the property will be increased from approximately 10.4 acres to 11.71 acres. Two site access points are proposed from William Floyd Parkway (C.R. 46) to the west and Chanel Drive to the south which would serve both the clustered single-family development on the south western portion of the site, as well as, the PRC development on the north eastern portion of the site. Lastly, three private roadways are proposed within the site.

The second part of the current application is for a Site Plan entitled "Manors @ Colony Preserve" which proposes a Planned Retirement Community (PRC) development with a total of 150 two-bedroom age-restricted PRC residences (on 42.8 acres) in the northwestern portion of the CPSPD subject site (proposed Lot 79). The PRC units would be evenly distributed among 25 buildings (3 PRC units per building) along three proposed interconnected cul-de-sacs within the PRC development. The proposed 326 spaces of offstreet parking (200 driveway and 126 offstreet spaces) would meet the Town of Brookhaven's offstreet parking requirement of 300

spaces. The proposed amenities include a clubhouse (5,000 SF), pool, bocci courts and putting green. As previously mentioned in the Subdivision Plan, two access points are proposed from William Floyd Parkway (C.R. 46) to the west and Chanel Drive to the south. Lastly, an emergency access is proposed at the southwestern corner of the PRC development to facilitate more direct access to William Floyd Parkway (CR. 46).

The Commission has reviewed three Major Subdivision referrals for the subject site since May of 2007 all of which were conditionally approved (See attached Files S-BR-07-02, S-BR-07-02.1 and S-BR-07-2.2). Most recently on October 5, 2011, the Commission approved with comments a Change of Zone request for CPSPD from A-1 Residence to Planned Development District for the construction of 225 residential units on 205.64 acres (See attached File BR-06-01). The Town of Brookhaven adopted said Change of Zone along with SEQRA findings for the CPSPD on October 18, 2011.

STAFF ANALYSIS

Section 5.1 Housing Affordability Guideline of the Suffolk County Planning Commission

On October 5, 2011, the Commission issued an approval for the CPSPD Change of Zone subject to the following comment: "In accordance with Suffolk County Planning Commission Policy, twenty percent (20%) of the 225 residential units (44 units) should be set aside for affordable/workforce housing purposes." The Town of Brookhaven addressed the Commission's aforementioned comment by stating the following in its October 18, 2011 adoption resolution for the CPSPD Change of Zone: "It should be noted that the project will also be required to provide a minimum of ten (10) percent residential dwelling units maintained in perpetuity as affordable units offered for an amount affordable to occupants whose Incomes are at eighty (80) percent or less of the median family Income for the Nassau-Suffolk region as published by HUD based on family size. These units will substantially exceed Suffolk County's guideline... In comparison the current median family income in the Shirley area is estimated to be $57,294 (October 2011. Zillow.com), substantively less than the Nassau-Suffolk average. Current housing sales prices reflect income levels in Shirley, with average sales prices of $182,900 and home index value at $193,000 (October 2011, Zillow.com). Based on this information, it can be concluded that the majority of the existing housing stock and current home sales in the Shirley hamlet already provide substantial affordable housing that exceeds the guidelines suggested by Suffolk County. It is anticipated that the proposed Colony Preserve "market rate" housing units will be priced reflective of this market demand." (See attached Brookhaven Town Board Resolution dated 10/18/2011)

Section 4.7.B Transportation Guideline of the Suffolk County Planning Commission Guidebook:

On October 5, 2011, the Commission commented "that the applicant should note the Suffolk County Planning Commission Guidebook and Guidelines for future referrals related to the Site Planning and internal configuration of the development" since it appeared that the two residential components of the proposed PDD were physically separated and not connected. This issue continues to be noted with the current Site Plan & Subdivision applications.

In accordance with Commission Policy, it is recommended again that the applicant promote connectivity between internal components of the PDD and external developments in order to improve both pedestrian and vehicular access and circulation consistent with smart growth principles.

Section 4.4 B. Specific Energy Efficiency Policy:

On October 5, 2011, the Commission commented that, "the petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site.

It is the belief of the Suffolk County Planning Department that stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Energy Efficiency. This comment should be reiterated since it appears that the applicant has not indicated a specific energy efficiency plan in regard to the current Site Plan & Subdivision applications.

Section 5.3 Public Safety Policy:

On October 5, 2011, the Commission commented that, "the application materials do not make an in-depth analysis of Public Safety issues. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook."

This comment should be reiterated since no further analysis has been indicated in the current Site Plan & Subdivision applications. In addition to the housing areas, the Town should consider public safety issues related to the large 97.83 open space dedication area.

Managing Stormwater & Green Methodologies:

On October 5, 2011, the Commission commented that, "the proposed action would benefit from the review of the Suffolk County Planning Commission Publication *Managing Stormwater-Natural Vegetation and Green Methodologies.*

The proposed development utilizes recharge basins, created wetlands, catch basins, leaching pools and dry wells to handle storm water runoff and drainage on site, however, it is the belief of Staff that current and future proposals for the subject site could still benefit from the incorporation of green methodologies (e.g., bio-swales, rain gardens, permeable pavement) per the Commission's publication suggestions.

STAFF RECOMMENDATION

Approval with the following comments:

1. In accordance with Commission Policy, it is recommended that the applicant promote connectivity between internal components of the PDD and external developments in order to improve both pedestrian and vehicular access and circulation consistent with smart growth principles.

2. It is the belief of the Suffolk County Planning Commission that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication *Managing Stormwater-Natural Vegetation and Green Methodologies.*

3. The application materials do not make an in-depth analysis of Public Safety issues. It is the belief of the Suffolk County Planning Commission that stages of design for the project's housing and open space elements would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety.

4. The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site. It is the belief

of the Suffolk County Planning Commission that stages of design for the project would benefit from a review of the Suffolk County Planning Commission Guidelines on Energy Efficiency.

5. Covenant and Restrictions should be placed on the Home Owner Association designated open space areas to ensure that said areas continue to remain as viable open space into the future and do not end up in County ownership due to non-payment of taxes.

6. A restrictive covenant should state that no further subdivision of any land in this subdivision may occur.

7. As in prior representations, Town regulated wetlands with 100 foot buffer setbacks should be appropriately identified on all sketches, plans and maps.

8. It is recommended that universal design features be incorporated into building design for the Planned Retirement Community (PRC) development to ensure accessibility/mobility needs for an aging population per the Suffolk County Planning Commission's Guidebook guidelines (Section 4.9, page 32).

SUPPLEMENTAL INFORMATION

ZONING DATA

- Zoning: Planned Development District (PDD)
- Minimum Lot Area: Sq. Ft.

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: Yes
  BR-11-06 – Colony Preserve@Shirley-Approval with Comments
  S-BR-07.02 – Hamlet Preserve-Conditional Approval
  LS-G-2162 – SEQRA Coordination
- SEQRA Information: Yes
- SEQRA Type FEIS

SITE DESCRIPTION

- Present Land Use: Golf Course (Links @Shirley)
- Existing Structures: Yes - Club House Maintenance Buildings
- General Character of Site: Rolling
- Cover: Turf & Rough areas (golf course)
- Soil Types: Plymouth Series
- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: Yes - created water hazards =freshwater wetlands

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

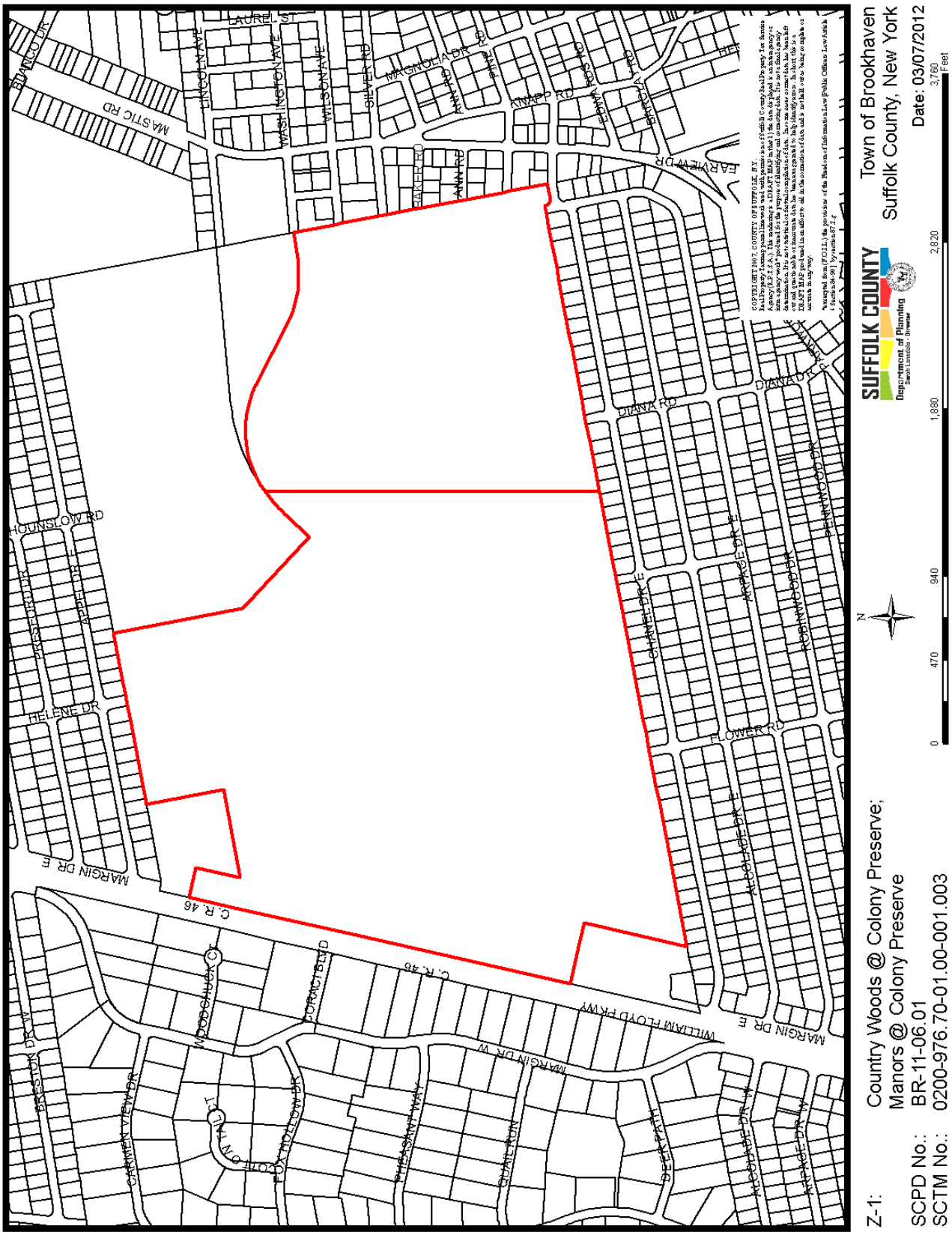
- Type: Major Subdivision & Site Plan
- Layout: Cluster
- Area of Tract: 205.64 Acres
- Yield Map:
  - No. of Lots: 79
  - Lot Area Range: 11,900 to 1,913,155 Sq. Ft.
- Open Space: 97.83 Acres

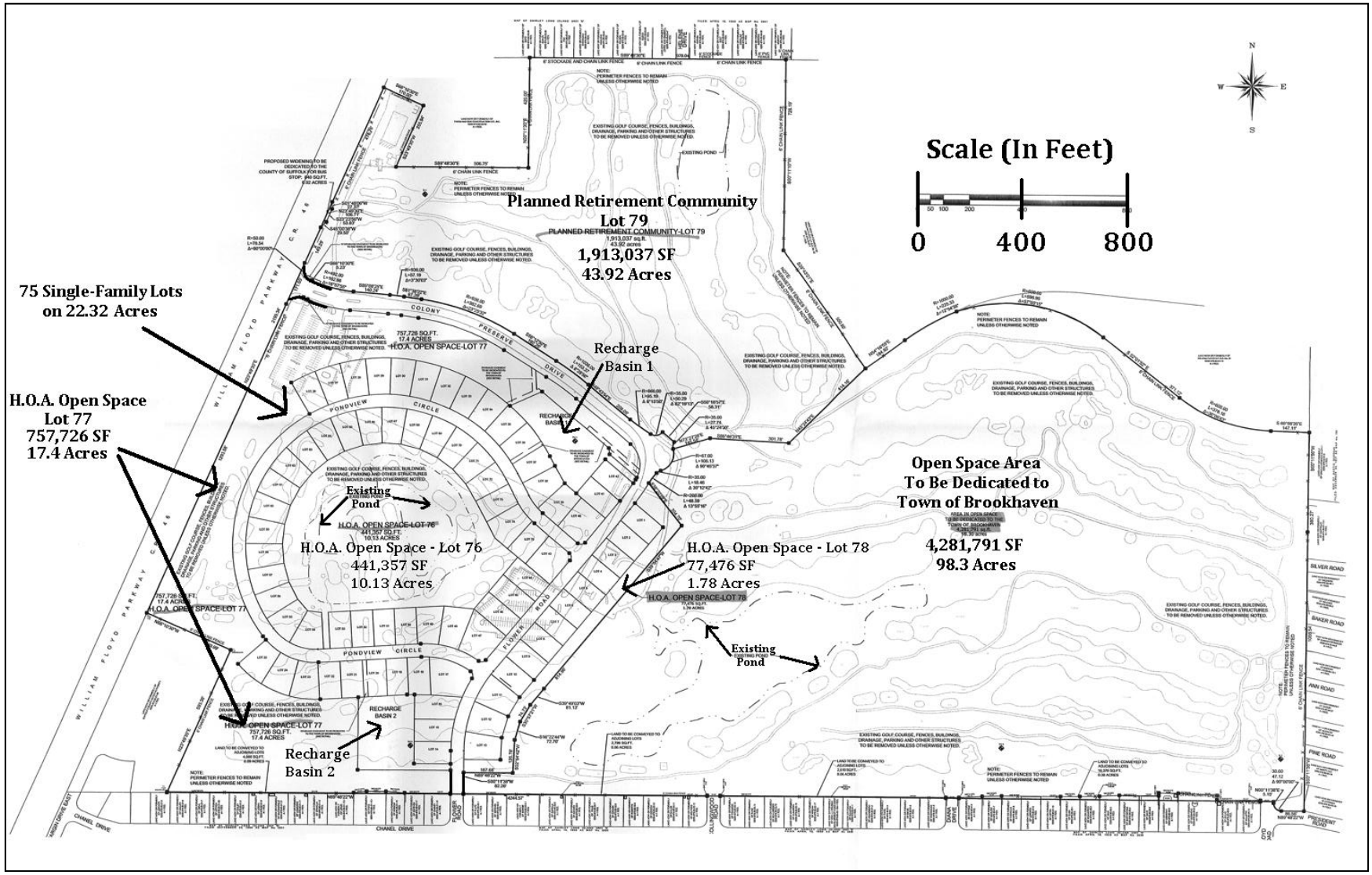
ACCESS

- Roads: Existing (CR 46)
- Driveways: Internal Private

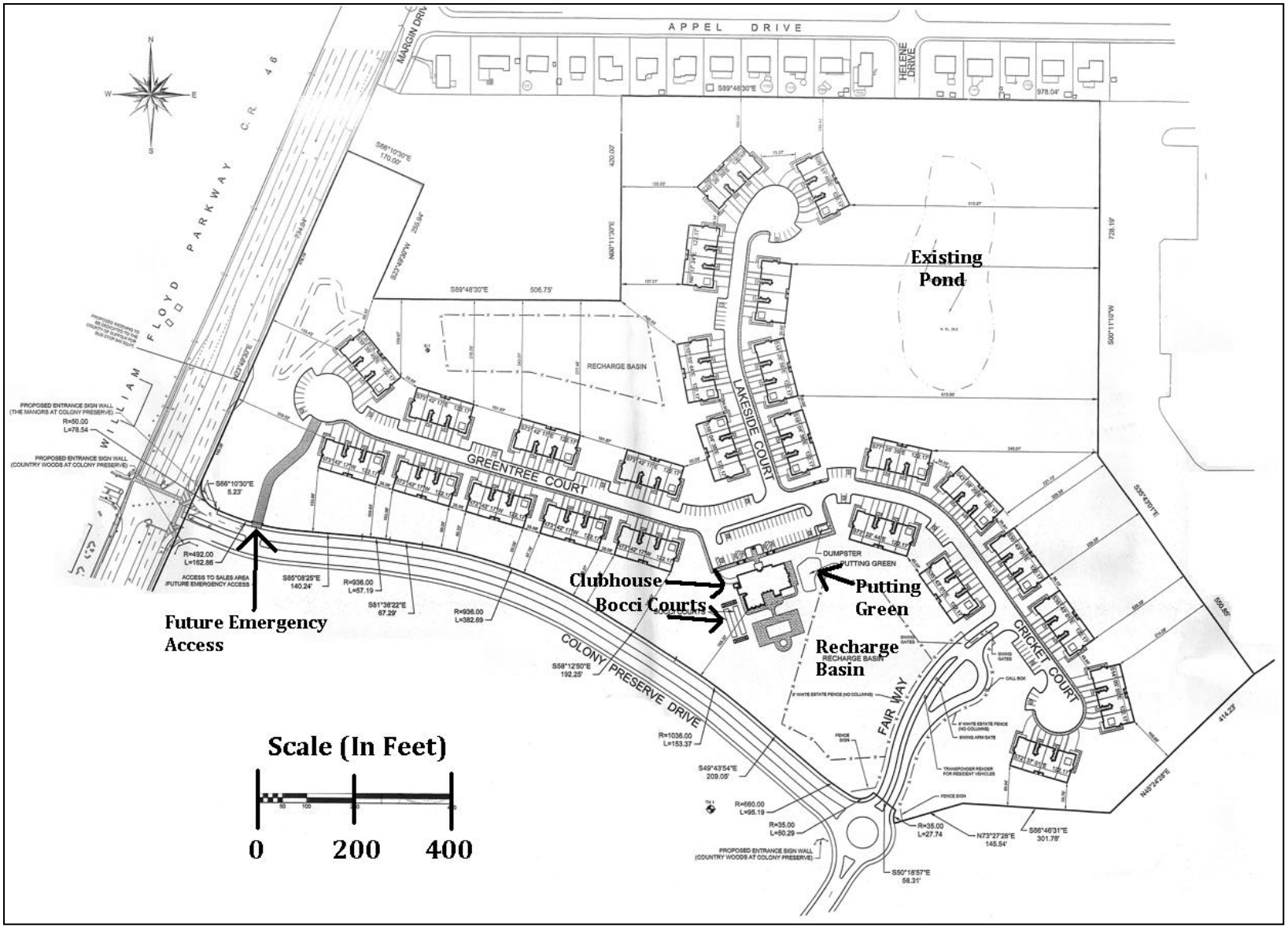
ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB/LP
  - Recharge Basins Yes
- Groundwater Management Zone: VI
- Water Supply: Public
- Sanitary Sewers: On Site - ST & LP


Z-1:
Country Woods @ Colony Preserve;
Manors @ Colony Preserve
SCPD No.: BR-11-06.01
SCTM No.: 0200-976.70-01.00-001.003
Town of Brookhaven
Suffolk County, New York
Date: 03/07/2012
SUFFOLK COUNTY
Department of Planning
Sarah Lansdale - Director
0
470
940
1,880
2,820
3,760
Feet
N
LAUREL ST
MASTIC RD
LINCOLN AVE
WASHINGTON AVE
WILSON AVE
SILVER RD
MAGNOLIA DR
KNAPP RD
FAIRVIEW DR
DIANA RD
DIANA DR
HOUNSLOW RD
HELENE DR
MARGIN DR E
C.R. 46
WILLIAM FLOYD PKWY
MARGIN DR W
FLOWER RD
CHANTICLEER
WOODCHUCK
CONTRACT BLVD
COLONY LN
FOX HOLLOW DR
PHEASANT WAY
QUAIL RUN
DEER PATH
HICKORY DR W
ORANGE DR W
CHERRY VALLEY DR
BOSTON DR W



Z-1: Country Woods @ Colony Preserve
SCPD: BR-11-06.01
SCTM No: 0200-976.70-01.00-001.003



Z-1: Manors @ Colony Preserve
SCPD: BR-11-06.01
SCTM No: 0200-976.70-01.00-001.003

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

DECISION NO. 1
MEETING: October 18, 2011

RESOLUTION OF ADOPTION – GRANTING THE APPLICATION KNOWN AS COLONY PRESERVE AT SHIRLEY FOR A CHANGE OF ZONE FROM A RESIDENCE 1 TO A PLANNED DEVELOPMENT DISTRICT (PDD)

WHEREAS, on August 2, 2011, a duly advertised public hearing was held to consider the application of Shirley Links Development, LLC for the project known as Colony Preserve at Shirley for a change of zone from A Residence 1 to a Planned Development District (PDD) on property located on the east side of William Floyd Parkway, 280' ± south of Appel Drive, in the hamlet of Shirley, further identified as SCTM No. 0200-976.70-01-1.3; and

WHEREAS, approval of this application will allow for construction of 150 Senior Housing units and 75 Non-Age Restricted Housing units on a 205.64 acre parcel; and

WHEREAS, Suffolk County Planning Commission, by letter dated October 5, 2011, unconditionally approved the project; and

WHEREAS, notwithstanding that Suffolk County Planning Commission approved this project without conditions, and further notwithstanding that there is no legal requirement to address "comments" nor any existing legal authority which would require that 20% of the proposed units be set aside for affordable housing the Town of Brookhaven responds to the comments as follows:

In order to promote affordable housing, Suffolk County Planning Commission has suggested to the Town of Brookhaven that 20% of the proposed Colony Preserve housing units meet affordably guidelines of 120% of the Suffolk-Nassau average median family income. It should be noted that the project will also be required to provide a minimum of ten (10) percent residential dwelling units maintained in perpetuity as affordable units offered for an amount affordable to occupants whose Incomes are at eighty (80) percent or less of the median family Income for the Nassau-Suffolk region as published by HUD based on family size. These units will substantially exceed Suffolk County's guideline.

Review of HUD data finds that the current 2011 Nassau-Suffolk average median family Income is $106,100. Applying Suffolk County's 120% income guideline and utilizing industry standards of 20% down payment and 30% of income applied towards housing expense, this results in a potential housing purchase price of approximately $450,000.

In comparison the current median family income in the Shirley area is estimated to be $57,294 (October 2011. Zillow.com), substantially less than the Nassau-Suffolk average. Current housing sales prices reflect income levels in Shirley, with average sales prices of $182,900 and home index value at $193,900 (October 2011, Zillow.com). Based on this information, it can be concluded that the majority of the existing housing stock and current home sales in the Shirley hamlet already provide substantial affordable housing that exceeds the guidelines suggested by Suffolk County. It is anticipated that the proposed Colony Preserve "market rate" housing units will be priced reflective of this market demand.

The Master Plan and Phasing plan provides for a unit mix for age restricted, rental and single family housing that will be built proportionally throughout each phase of the project; and

WHEREAS, The Town of Brookhaven acknowledges Suffolk County Planning Commission suggestion to utilize Suffolk County Planning Commission Publications as a guide for the future design and development of the site development plan for Storm water, LEED Standards, and Public Safety Issues;

WHEREAS, after due consideration and deliberation; and

BE IT RESOLVED that the above application for a change of zone is hereby conditionally approved subject to the following:

CONDITIONS

1) The applicant must submit proof to the satisfaction of the Town Attorney's Office that the covenants and restrictions, approved as to form and substance, referenced below have been filed with the Suffolk County Clerk's Office;
2) The applicant shall update the Colony Preserve PDD Conceptual Plan (drawing C-101, dated 4/19/2011) to illustrate the following provisions:
   a) Eliminate the eight (8) lot cul-de-sac east of the main boulevard (Lower Road). The eight (8) lots may be relocated west of the main boulevard (Lower Road).
   b) Provide a fifty (50') foot common area under the control of the home owners association between the subject parcel and the dedication parcel.
   c) Relocate the main access boulevard to align with the existing main access roadway and preserve existing access roadway street trees.
3) The applicant shall provide a final Colony Preserve PDD Master Plan that shall consist of the Colony Preserve PDD Conceptual Plan (drawing C-101) as revised and updated herein and a copy of this resolution and grant.

and be it further

RESOLVED, that the property owner shall impose covenants and restrictions which run with the land and in such form as shall be approved as to substance and form by the Town Attorney's office, recorded in the Suffolk County Clerk's office and thereafter filed with the Town Clerk requiring the following:

COVENANTS AND RESTRICTIONS

1) All development shall be in general conformance with the Colony Preserve PDD Master Plan.
2) As a requirement of any site plan, final plat, and/or land division approval, the applicant shall dedicate an approximately 99 acre area as generally depicted on the Colony Preserve Conceptual Plan to the Town of Brookhaven for active recreational purposes. Improvements to the dedication area shall be as follows, subject to final Planning Board determination:
   a) A six (6') foot high black vinyl chain link fence (or superior fence), four (4") inches above the ground, shall be provided between the development parcel and the dedication parcel.
3) The approximately 99 acre area designated to be dedicated to the Town of Brookhaven for active recreational purposes which may include ballfields, recreational facility(ies), community center, etc., shall be utilized by the applicant for compliance with Suffolk County Sanitary code, subject to Suffolk County Department of Health Services review and approval. Additionally, the Suffolk County Health Department has indicated a willingness to allow for a transfer back of sanitary credits as needed by the Town of Brookhaven to satisfy requirements in connection with the construction of any of the recreational facility(ies) or community center. The deed to the Town for this parcel will specifically state that the sanitary yield is being retained by the grantor.
4) As a condition of site plan, subdivision and/or land division approval, the applicant shall submit and execute an advisory covenant on all of the units/homes regarding the site vicinity to an active recreation facility(ies) with potential associated improvements, noise and lighting. The covenant shall be subject to the approval of the Law Department and upon execution by all parties, said agreement shall be filed as a covenant in the Office of the Suffolk County Clerk.

5) As a condition of obtaining the first building permit for any structure or building, the applicant/owner shall contribute $1,000,000 to the Community Center fund account number A-846 established by resolution number 2011-861.
6) A natural and landscaped front yard of not less than one hundred (100') feet shall be provided along the William Floyd Parkway frontage with the exception of direct driveway access, retaining walls, walks and utilities, pursuant to the satisfaction of the Planning Board at the time of site plan/subdivision/land division review.
7) Pursuant to the satisfaction of the Planning Board at the time of site plan/subdivision/land division review, existing large trees dispersed throughout the subject property and perimeter buffers shall be preserved to the greatest extent practicable.
8) The applicant/owner is authorized and encouraged to reduce street widths to twenty eight (28') feet or less to promote a pedestrian friendly environment, reduce impervious surfaces and reduce stormwater generation, subject to the satisfaction of the Planning Board at the time of site plan/subdivision/land division review.
9) At the time of site plan/subdivision/land division review, the applicant/owner shall explore the feasibility of donating all existing golf course lighting, with exception of approximately 6 lights, to the Town of Brookhaven on behalf of the Mastic Sports Club.

COUNTY OF SUFFOLK

FILE COPY

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

SARAH LANSDALE, AICP
DIRECTOR OF PLANNING

October 5, 2011

Town of Brookhaven
One Independence Hill
Farmingville, New York 11738
Att: Patricia Eddington, Clerk

Re: Colony Preserve@Shirley
Zoning Action: Change of Zone from A-1 Res. to PDD
Municipal File No.: 2008-025-CZ
S.C.T.M. No.: 0200 97670 010 001003
SCPC File No.: BR-11-06

Dear Ms. Eddington:

The Suffolk County Planning Commission at its regular meeting on October 5, 2011 reviewed the referral from the Town of Brookhaven "Colony Preserve@Shirley" referred to the Commission pursuant to Section A14-14 thru A14-25, Article XIV of the Suffolk County Administrative Code.

The attached Resolution signifies action taken by the Commission relative to this application.

Very Truly Yours,

Sarah Lansdale
Director of Planning

Andrew P. Freleng
Chief Planner

APF:ds

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5190
TELECOPIER (631) 853-4044

File No.: BR-11-06

Resolution No. ZSR-11-28 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on September 15, 2011 at the offices of the Suffolk County Planning Commission with respect to the application of **"Colony Preserve@Shirley"** in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on October 5, 2011, now therefore, Be it

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action,
Be it further

RESOLVED, that the Suffolk County Planning Commission Approves said referral with the following comments:

Comments:

1. In accordance with Suffolk County Planning Commission Policy, Twenty percent (20%) of the 225 residential units (44 units) should be set aside for affordable/workforce housing purposes. There is no indication in the submitted referral materials to the Suffolk County Planning Commission that any of the proposed units will be set aside as workforce housing units pursuant to State Law or Suffolk County Planning Commission Guidelines. Section 5.1 (standards: Affordable Housing Guidelines pg. 37 of the Suffolk County Planning Commission Guidebook) elaborates on section 4.3 of the Suffolk County Planning Commission Guidebook and indicates that for change of zone applications "a minimum of twenty percent (20%) of all units be set aside as affordable units."

2. It is the belief of the Suffolk County Planning Commission that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication *Managing Stormwater-Natural Vegetation and Green Methodologies.*

3. The application materials do not make an in-depth analysis of Public Safety issues. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook.

4. The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on energy efficiency found in the Suffolk County Planning Commission Guidebook.

5. Applicant should note the Suffolk County Planning Commission Guidebook and Guidelines for future referrals related to the Site Planning and internal configuration of the development.

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and20Information.aspx#SCPC
A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.

Motion by: Commissioner – Kelly

Seconded by: Commissioner - Schoolman

Commission Vote: Present –12

Ayes - 11
Nays - 0
Absent - 2
Recusal- 0
Abstentions- 1 (Esposito)

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
CALONE, DAVID Town of Babylon	X			
CASEY, JENNIFER Town of Huntington	X			
CHARTRAND, MATTHEW Town of Islip	X			
ESPOSITO, ADRIENNE Villages over 5,000			X	
FINN, JOHN Town of Smithtown	X			
GABRIELSEN, CARL Town of Riverhead	X			
HOLMES, LINDA Town of Shelter Island	X			
HORTON, JOSHUA At-Large				X
KELLY, MICHAEL Town of Brookhaven	X			
KONTOKOSTA,CONSTANTINE Vill.Under 5,000				X
MC ADAM, TOM Town of Southold	X			
ROBERTS, BARBARA Town of Southampton	X			
SCHOOLMAN, BILL At-Large	X			
WEIR, DIANA, Town of East Hampton	X			

Dated: October 5, 2011
Location: Town of Smithtown Board Room

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

SARAH LANSDALE, AICP
DIRECTOR OF PLANNING

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

Applicant: Colony Preserve @ Shirley
Municipality: Brookhaven
Location: East Side of CR 46 (William Floyd Parkway)~594' N/of Chanel Drive

Received: 9/15/2011
File Number: BR-11-06
T.P.I.N.: 0200 97670 0100 001003
Jurisdiction: Adjacent to County Road (CR46) William Floyd Parkway

PROPOSAL DETAILS

OVERVIEW: Applicants request a change of zone from A-1 Residence to Planned Development District (PDD) for the construction of 225 residential units on 205.64 acres. Of the residential units, 150 are intended to be two-bedroom, age-restricted Planned Retirement Community (PRC) residences (between 1,200 and 1,600 SF in size) confined to 42.8 acres of the subject property at the northwest corner. The remaining 75 units are proposed to be detached single family homes (three bedroom) on lots clustered over 56.18 acres at the southwest corner of the subject property. Of the remaining acreage, 97.83 acres are proposed to be dedicated to the Town of Brookhaven for public recreational open space. A clubhouse (5,000 SF), pool, bocci courts and putting green are also provided for the PRC development. In addition, the approximate10.4 acres of created wetlands by the prior use would remain as Town regulated wetlands.

Town of Brookhaven Zoning Law requirements for off-street parking relevant to this action can be met by the proposal and would be further detailed and reviewed in later Site Plan submissions.

Storm water drainage systems are to be in conformance with Town requirements and include two recharge basins (as required by Town standards) for the clustered-lot component and subsurface leaching pools for the PRC component. Both residential components intend to utilize two of the existing wetlands on site as part of the storm water drainage system.

The application material indicates that the development is to utilize on-site sanitary systems for the two residential components and is not proposing to construct/connect to a sewage treatment facility.

The subject property has been improved but is currently vacant. The Links at Shirley golf course received a Special Permit from the Town in 1998 and was constructed on site in 1999. The facility closed in late 2010. The property consists of an 18 hole championship golf course, an 18 hole par-3 course, a driving range and a 116 seat restaurant that was also utilized for catering events.

The Suffolk County Planning Commission has reviewed several referrals related to this property going back to 2007 (see attached):

S-BR-07-02	Hamlet Preserve	182 lot subdivision	Conditionally Approved
S-BR-07-02.1	Hamlet Preserve	148 lot subdivision	Conditionally Approved
S-BR-07-02.2	Hamlet Preserve	155 lot subdivision	Conditionally Approved

The Department of Planning also reviewed a SEQRA coordination referral in August of 2008. The proposed project at the time was for a change of zoning district to PDD for the construction of 450 age restricted (seniors 55 + yrs.) for sale condominium units, 10% of which were proposed to be set aside as affordable units. The proposed PDD also included approximately 53,500 SF of commercial space including restaurants. A new sewage treatment plant to treat effluent was proposed and approximately 70 acres of open space was intended to be dedicated to the town. Correspondence was sent from the Department of Planning indicating that there was no objection to the Town of Brookhaven assuming Lead Agency for the purposes of environmental review. The Department reserved the right to comment on any proposal in the future and requested to be kept informed of all actions taken pursuant to SEQRA. It was also noted that prior to final approval the action needed referral to the Suffolk County Planning Commission pursuant to state and county law. Preliminary concerns of the Department were the proposals impact on nearby hamlet business districts/commercial areas and the shortfall in affordable units as per Suffolk County Planning Commission Guidelines. No subsequent referral pursuant to NYS GML section 239 or Article XIV of the Suffolk County Administrative Code was received at the office of the Department of Planning (on behalf of the Suffolk County Planning Commission) regarding this proposal.

STAFF ANALYSIS

The current referral to the Planning Commission appears to reflect the evolution of planning efforts and considerations regarding lot yield (density) and impacts of additional commercial and certain residential housing types to the community.

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

The proposal intends to redevelop an improved but vacant golf course and provide a use that is presumptively compatible with the existing land use character of the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Mastics Tri-Hamlet Comprehensive Plan; a 1995 hamlet study for the Mastic Shirley area, as a preamble to an update to the Town's 1987 plan, recommended that the subject site be developed pursuant to a planned development district concept.

The Town of Brookhaven 1996 Comprehensive Land Use Plan identifies the subject parcel as appropriate for "Planned Development."

The proposal is for a change of zone to a mixed-use Planned Development District and is presumptively compatible with the 1996 Comprehensive Plan.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted January 2009).

Economic Development, Equity and Sustainability:

The current referral appears to be a significantly revised and down-sized project from the original PDD and change of zone application to the Town for 450 age restricted units (10% affordable) and 53,500 SF of commercial space including restaurants and a new sewage treatment plant. In addition, the current proposal is a significant departure from the various residential density plans approved. It is indicated in the referral material that town and community concerns have led to this renewed PDD proposal. The current proposed project significantly reduces the overall intensity of land use on the site compared to the residential/commercial PDD component and addresses local school district concerns by including an age restricted element. Redevelopment of the subject parcel positively addresses economic development issues and the new design is reported to be environmentally compatible and sustainable.

One concern of staff however, is that there does not appear to be an inclusion of affordable units (see below) and may touch on equity issues.

Section 5.1 Affordable Housing Guidelines, of the Suffolk County Planning Commission Guidebook:

Section 5.1 (standards: Affordable Housing Guidelines pg. 37 of the Suffolk County Planning Commission Guidebook) indicates that a minimum of twenty percent (20%) of all units be set aside as affordable units for change of zone applications.

The current referral makes no mention of the provision of affordable housing units. Notwithstanding that the proposal meets comprehensive planning goals of providing housing options for the growing senior population and that the project will generate fewer school-age children than other development scenarios considered for this parcel, it is the belief of the staff that the workforce housing element of the proposal should be modified to reflect SCPC policy.

Section 4.4 B. Specific Energy Efficiency Policies:

The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site have. It should be noted that Chapter 123, Article 5 of the Town Code sets forth certain requirements relating to energy conservation that must be adhered to in the construction of new residential homes. As indicated in subsection 123-37(A), any new dwelling must be built to comply with the LIPA New York Energy Star labeled home program. The petitioner indicates that all residences under the proposed action would conform to the relevant energy efficiency requirements set forth in the Town, but have not indicated a specific LEED standard goal.

These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

Section 4.5 Public Safety:

The application materials do not make an in-depth analysis of Public Safety issues.

These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

Section 4.8 Environment:

The project site is located within groundwater management zone VI, a recharge zone with considerations for point source sanitary discharge and storm water runoff. The subject development is not intending to utilize a sewage treatment plant or connect to any existing district or regional treatment facility. The prior approved yield for the property (155 one acre lots) appears to be in conformance with Suffolk County Department of Health Services regulations pursuant to Article 6 of the Suffolk County Sanitary Code. The approved yield would generate approximately 46,500 gpd of waste water flow as per Article 6. The anticipated sanitary flow of the proposed change of zone to PDD development of 150 age-restricted Planned Retirement Community (PRC) residences (between 1,200 and 1,600 SF in size) a 5,000 SF clubhouse and the remaining 75 detached single family homes (three bedroom) is no more than 46,500 gpd (DEIS pg. 1-25). As proposed, the PDD development would conform to Article 6 requirements by the use of individual sanitary systems and thus, no STP is anticipated to be necessary or required. The petitioners will be required to submit development concepts to the Suffolk County Department of Health Services for review and approval of waste water treatment methodologies.

The proposed PDD development intends to utilize recharge basins, created wetlands, catch basins, leaching pools and dry wells to handle storm water runoff and drainage. The proposal indicates that all drainage is to remain on site and be in conformance with Town of Brookhaven engineering requirements. It is the belief of the staff that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication *Managing Stormwater-Natural Vegetation and Green Methodologies.* These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

In terms of a density offset via TDR or other means (Section 4.2.B of the SCPC Guidebook), the project as-of-right density and waste water equivalent has been set at 155 units and 45,500 gpd. (see above). While the proposed PDD development does have more density in terms of number of units, the intensity of development in terms of wastewater discharge is equivalent to the as-of-right use. Moreover, the evolution of the development proposal away from an intense commercial use element and the large percentage of open space (~ 108 acres or ~ 52%), may not justify the necessity of a density shift as a result of this proposal.

Section 4.7 Transportation:

The Traffic Impact Study prepared by the project sponsors indicate that the construction of the proposed PDD will not result in an adverse traffic impact on the adjacent street system. The Traffic Impact Study will be reviewed by the Suffolk County Department of Public Works and the NYS Department of Transportation for accuracy and adequacy of the transportation analysis.

It should be noted however, that the two residential components of the proposed PDD are physically separated and not connected. Moreover the PRC component is gated. In accordance with Suffolk County Planning Commission Policy, the promotion of connectivity between internal components of

the development and external developments in order to improve both pedestrian and vehicular access and circulation consistent with smart growth principles would be in order. These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

STAFF RECOMMENDATION

Approval with the following modification and comments:

Modifications:

1. In accordance with Suffolk County Planning Commission Policy, Twenty percent (20%) of the 225 residential units (44 units) shall be set aside for affordable/workforce housing purposes.

Reason:
There is no indication in the submitted referral materials to the Suffolk County Planning Commission that any of the proposed units will be set aside as workforce housing units pursuant to State Law or Suffolk County Planning Commission Guidelines. Section 5.1 (standards: Affordable Housing Guidelines pg. 37 of the Suffolk County Planning Commission Guidebook) elaborates on section 4.3 of the Suffolk County Planning Commission Guidebook and indicates that for change of zone applications "a minimum of twenty percent (20%) of all units be set aside as affordable units."

Comments:

1. It is the belief of the Suffolk County Planning Commission that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication *Managing Stormwater-Natural Vegetation and Green Methodologies.*

2. The application materials do not make an in-depth analysis of Public Safety issues. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook.

3. The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook.

4. Applicant should note the Suffolk County Planning Commission Guidebook and Guidelines for future referrals related to the Site Planning and internal configuration of the development.

SUPLEMENTAL INFORMATION

ZONING DATA

- Zoning A-1 Res.
- Minimum Lot Area: 40,000. Sq. Ft.

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: Yes
  S-BR-07.02 Hamlet Preserve-Conditional Approval
  LS-G-2162 – SEQRA Coordination
- SEQRA Information: Yes
- SEQRA Type FEIS

SITE DESCRIPTION

- Present Land Use: Golf Course (Links @Shirley)
- Existing Structures: Yes - Club House Maintenance Buildings
- General Character of Site: Rolling
- Cover: Turf & Rough areas (golf course)
- Soil Types: Plymouth Series
- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: Yes - created water hazards =freshwater wetlands

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

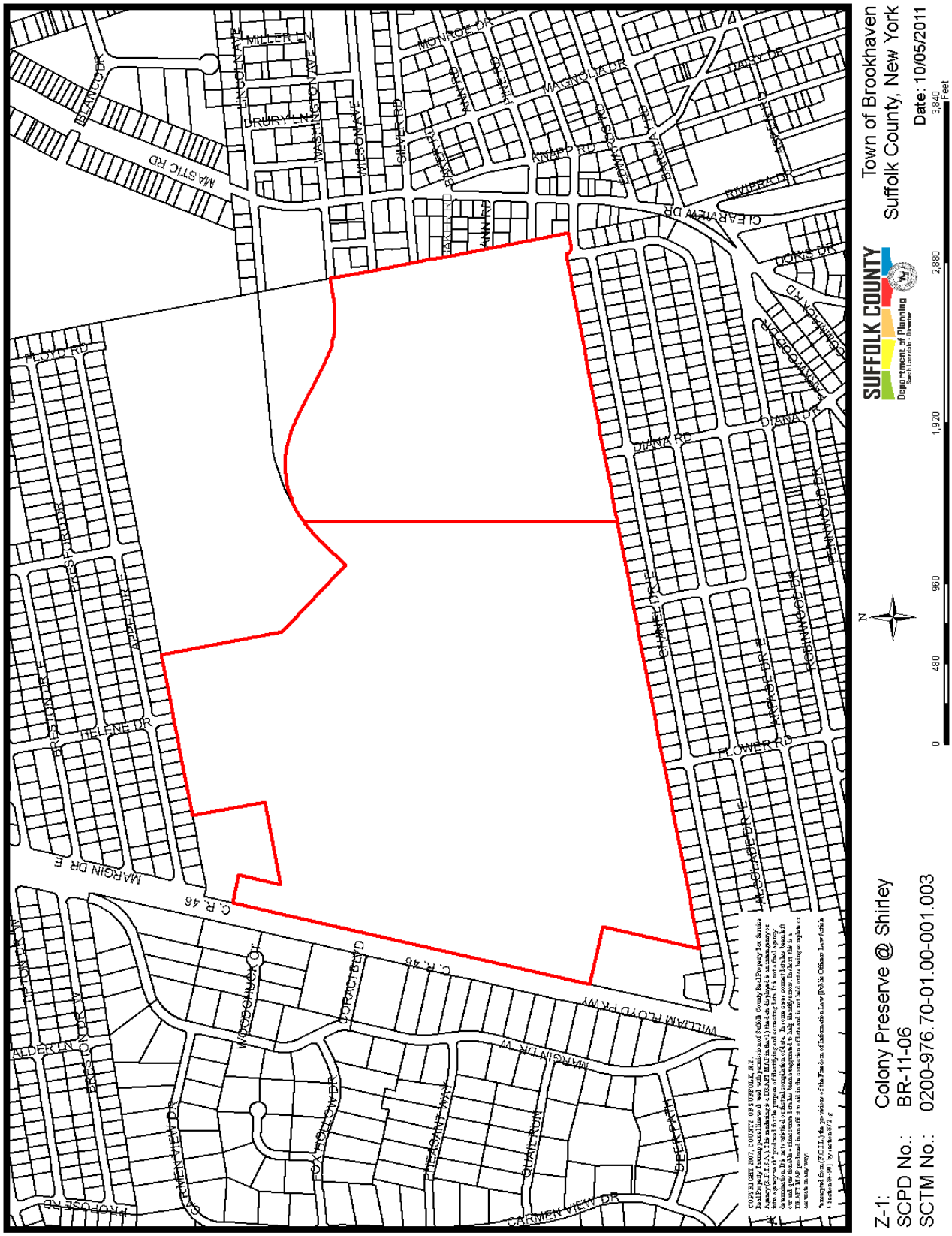
- Type: Change of Zone
- Layout: Cluster
- Area of Tract: 205.64 Acres
- Yield Map:
  - No. of Lots: 75 + 150 Units
  - Lot Area Range: Sq. Ft.
- Open Space: 97.83 Acres

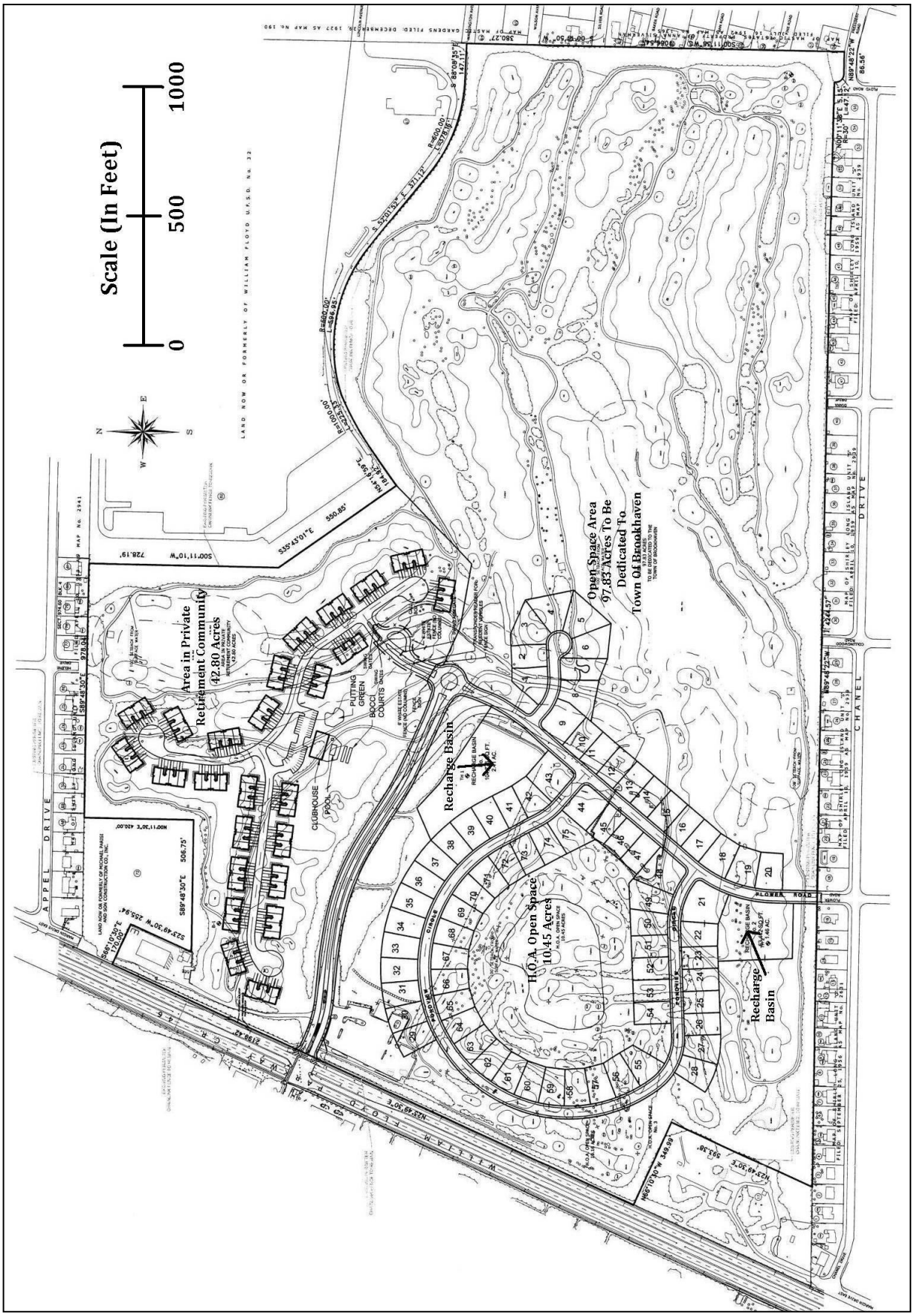
ACCESS

- Roads: Existing (CR 46)
- Driveways: Internal Private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB/LP
  - Recharge Basins Yes
- Groundwater Management Zone: VI
- Water Supply: Public
- Sanitary Sewers: On Site - ST & LP


Z-1: Colony Preserve @ Shirley
SCPD No.: BR-11-06
SCTM No.: 0200-976.70-01.00-001.003
Town of Brookhaven
Suffolk County, New York
Date: 10/05/2011
SUFFOLK COUNTY
Department of Planning
Smart Growth
0
480
960
1,920
2,880
3,840
Feet
N
MILLER LN
DRURY LN
MASTIC RD
BLANCO DR
WASHINGTON AVE
WILSON AVE
SILVER RD
MONROE DR
MAGNOLIA DR
DAISY DR
KNEPP RD
CLEARVIEW DR
RIVIERA DR
DORIS DR
FLOYD RD
DIANA RD
FLOWER RD
HELENE DR
MARGIN DR E
C.R. 46
WILLIAM FLOYD PKWY
MARGIN DR W
CARMEN VIEW DR
ALDER LN
WOODCHUCK CT
GORACT BLVD
FOX HOLLOW DR
PIEDMONT WAY
QUAIL RUN
DEER PATH
PROSPECT RD
COPYRIGHT 2007, COUNTY OF SUFFOLK, N.Y.
Real Property Tax map parcels have been updated with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). The underlying ORAFT BASE is an digital aerial photography of Suffolk County, New York, taken in the spring of 2006. Parcel boundaries are approximate and are for illustrative purposes only. Parcel boundaries do not imply any legal or survey accuracy. The data is provided "as is" without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. In no event will the Suffolk County Department of Planning be liable for any damages (including, without limitation, damages for loss of business profits, business interruption, loss of information) arising out of the use of, or inability to use, the data provided hereunder, even if the Suffolk County Department of Planning has been advised of the possibility of such damages. In no event will the Suffolk County Department of Planning be liable for any third party claim against the user. The data provided hereunder may be subject to the Freedom of Information Law (Public Officers Law Article 6 Section 84-90) by section 87.2 g
*exempt from (FOIL) the provisions of the Freedom of Information Law (Public Officers Law Article 6 Section 84-90) by section 87.2 g



Z-1: Colony Preserve @ Yaphank
SCPD: BR-11-06
SCTM No: 0200-976.70-01.00-001.003

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS ISLES, AICP
DIRECTOR OF PLANNING

May 2, 2007

Town of Brookhaven Planning Dept.
1 Independence Hill
Farmingville, NY 11938

Re: Hamlet Preserve
SCPC File No.: S-BR-07-02
SCTM No.: 0200 97670 0100 001003

Dear Sir:

Pursuant to the requirements of Section A14-24 of the Suffolk County Administrative Code, the m Suffolk County Planning Commission on May 2, 2007 reviewed the above captioned application and after due study and deliberation resolved to conditionally approve it subject to the following conditions:

1. At least one additional emergency access point shall be created, preferably on the east side or north side of the property. Emergency access roads allow access for emergency vehicles in the event that alternative roadways are blocked by storm damage or floods, for example.
2. A conservation easement of at least 50 feet in width along William Floyd Parkway shall be created to help preserve the natural vegetation along the road to enhance the aesthetics of the road, and to buffer the proposed residences from traffic activities and noise.
3. Sidewalks should be created on at least one side of the proposed streets in this neighborhood. Additionally, sidewalks or walkways should connect this residential development with sidewalks along William Floyd Parkway, and with a walkway and gate to the school properties to the northeast.
4. The final map shall state that the open areas of this subdivision are to be dedicated to the Town of Brookhaven for open space purposes or to a homeowners association. A restrictive covenant shall state that no further subdivision of any land in this subdivision may occur.
5. Twenty percent (20%) of the lots in this subdivision shall be set aside for workforce housing.

Comment:

This proposed subdivision represents a missed opportunity for a smarter development. A mix of housing types, and clustering the units so that a larger block of publicly accessible open space could be created and perhaps donated to the Town of Brookhaven, would have been desirable.

Very truly yours,

Peter K. Lambert

Peter K. Lambert
Principal Planner

PKL:cc

Corrected copy
. PKL

File No. S-BR-07-02

Resolution No. ZSR-07-25 of Suffolk County Planning Commission
Pursuant to Sections A14-24, Article XIV of Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-24, Article XIV of the Suffolk County Administrative Code, the Suffolk County Planning Commission received a referral on April 11, 2006 with respect to a proposed plat entitled, "Hamlet Preserve" located on the east side of William Floyd Parkway, south of Appel Drive, in the Town of Shirley, and

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on May 2, 2007, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as may be amended, as the report of the Commission, Be It Further

RESOLVED, that said proposed plat is conditionally approved subject to the following conditions:

1. At least one additional emergency access point shall be created, preferably on the east side or north side of the property. Emergency access roads allow access for emergency vehicles in the event that alternative roadways are blocked by storm damage or floods, for example.

2. A conservation easement of at least 50 feet in width along William Floyd Parkway shall be created to help preserve the natural vegetation along the road to enhance the aesthetics of the road, and to buffer the proposed residences from traffic activities and noise.

3. Sidewalks should be created on at least one side of the proposed streets in this neighborhood. Additionally, sidewalks or walkways should connect this residential development with sidewalks along William Floyd Parkway, and with a walkway and gate to the school properties to the northeast.

4. The final map shall state that the open areas of this subdivision are to be dedicated to the Town of Brookhaven for open space purposes or to a homeowners association. A restrictive covenant shall state that no further subdivision of any land in this subdivision may occur.

5. Twenty percent (20%) of the lots in this subdivision shall be set aside for workforce housing.

Comment:

This proposed subdivision represents a missed opportunity for a smarter development. A mix of housing types, and clustering the units so that a larger block of publicly accessible open space could be created and perhaps donated to the Town of Brookhaven, would have been desirable.

Motion by: Commissioner Calone Seconded by: Commissioner Holmes

Commission Vote: Present - 10

Yeas	10
Nays	0
Abstentions	0

Dated: May 2, 2007
Legislative Auditorium, 725 Veterans Memorial Highway, Hauppauge, NY
Suffolk County Planning Commission

Hamlet Preserve

S-1

File No.: S-BR-07-02

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
BOLTON, CHARLA, At-Large	✓			
BRAUN, ROBERT, Smithtown	✓			
CALONE, DAVID, Town of Babylon	✓			
CARACCIOLO, JOHN, Town of Huntington	✓			
ESPOSITO, ADRIENNE, Villages over 5,000				✓
FIORE, DONALD, Town of Islip				✓
GOODALE, JESSE R. III, Town of Riverhead	✓			
HOLMES, LINDA, Town of Shelter Island	✓			
KONTOKOSTA, CONSTANTINE, Vill. Over 5,000	✓			
LANDSDALE, SARAH, At-Large	✓			
MC ADAM, THOMAS, Town of Southold	✓			
PRUITT, EDWARD, Town of Brookhaven				✓
ROBERTS, BARBARA, Town of Southampton	✓			

Motion: Commissioner Calone

Present: 10

Seconded: Commissioner Thomas

Absent: 3

Voted: 10

Abstentions: 0

DECISION: Conditional Approval

Add comment:

COUNTY OF SUFFOLK

FILE

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P
DIRECTOR OF PLANNING

August 4, 2010

Town of Brookhaven
Department of Planning, Environment and Land Management
Division of Planning
One Independence Hill
Farmingville, NY 11738
Att: Mr. Glenn Pisano, Planner

Re: Application of "**Hamlet Preserve**"
SCTM No.: 0200-976.70-01.00-001.003
SCPC File No.: S-BR-07-02.1

Dear Mr. Pisano:

Pursuant to the requirements of Sections A14-24 of the Suffolk County Administrative Code, the Suffolk County Planning Commission on August 4, 2010 reviewed the above captioned application and after due study and deliberation have resolved to **Approve** the Subdivision with the following Conditions and Comments.

Conditions:

1) A conservation easement of at least 50 feet in width shall be created along William Floyd Parkway (C.R.46) with the exception of the access road (Colony Drive) and potential bus turnout and with the exception that any encroachment by Proposed Lots 106 and 107 and the cul-de-sac Greentree Court (as shown on the "Preliminary Map – Overall Colony Preserve" Date May, 2010) be buffered by appropriate landscaping.

William Floyd Parkway (C.R. 46) is a highly utilized and important regional roadway. A conservation easement would help preserve natural vegetation, enhance the aesthetics of the roadway and buffer the proposed residences from related traffic and noise impacts.

2) A sidewalk or a "Pedestrian Right-of-Way" within the street shall be included on at least one side of the proposed roadways. The sidewalk or dedicated street pedestrian right-of-way shall also connect to the existing sidewalk on William Floyd Parkway.

Sidewalks within the proposed subdivision that also connect to William Floyd Parkway will help to foster community walkability and reduce traffic congestion.

3) A minimum of ten percent or fifteen (15) lots shall be set aside as affordable in accordance with the Suffolk County Planning Commission Guidelines on Affordable Housing.

)CATION
LEE DENNISON BLDG. - 4TH FLOOR
) VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
TELECOPIER (631) 853-4044

In response to the County wide need for affordable housing the Suffolk County Planning Commission has recently adopted Guidelines on Affordable Housing.

4) The applicant shall offer as dedication a built Bus Turnout and the land necessary for the Bus Turnout if deemed appropriate by the Suffolk County Department of Public Works Transportation Division.

There are two Suffolk County Transit Bus Routes that run along William Floyd Parkway and the Suffolk County Department of Public Works Transportation Division may want to add a Bus Turnout to facilitate service to the new subdivision.

5) The applicant shall be directed to consult the Suffolk County Planning Commission's adopted Energy Efficiency and Public Safety Guidelines.

The Suffolk County Planning Commission has recognized the importance of energy efficiency and public safety and has recently adopted related guidelines.

Comments:

1) The applicant should work with the Town in determining whether all of the open space areas should be dedicated to the Town or possibly limiting the dedication to the large tract of open space in the eastern portion of the lot and placing the remaining open space portions under a restrictive covenant. In either case any dedication and/or restrictive covenant should be shown on the Subdivision Map prior to final subdivision approval.

2) The subdivision application materials make reference to wetland vegetation growing in close proximately to the man-made water features. Prior to final approval wetlands, if present, should be flagged in the field by a qualified expert and indicated on the final subdivision map.

3) If applicable, the Town of Brookhaven should insure that the proposed subdivision is in compliance with the New York State Long Island Workforce Housing Act that has taken effect as of January 1, 2009. The act states that "this act shall not apply to any development or project for which a valid application has been filed with the appropriate municipal entity before such effective date".

4) This large 205.6 acre parcel presented an opportunity for a smarter type of development with a greater mix of housing types in a tighter cluster layout. This smarter type of development would have helped diversify the region's housing stock while also providing a larger block of open space suitable for Town dedication.

5) The Suffolk County Planning Commission acknowledges that this subdivision may be an opportunity to provide pedestrian access to the adjacent School property. This should be discussed with the Town, Developer and School District.

6) The Town should consider green methodologies for stormwater runoff such as rain gardens, permeable pavements, and bio-swales as alternatives to conventional drainage design like recharge basins.

Please Note:

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
  http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and%20Information.aspx#SCPC
  A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.

- Pursuant to 239-m6. of the General Municipal Law, the referring municipality within (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action.

Sincerely,

Thomas Isles, AICP
Director of Planning

John H. Corral

John H. Corral
Planner

JHC:jc

OCATION
. LEE DENNISON BLDG. - 4TH FLOOR
)0 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
TELECOPIER (631) 853-4044

COUNTY OF SUFFOLK

FILE

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

January 10, 2011

Town of Brookhaven
Department of Planning, Environment and Land Management
1 Independence Hill
Farmingville, NY 11738
Att: Lawrence Costantino, Principal Planner

Re: Hamlet Preserve
S.C.T.M. No.: 0200-976.70-01.00-001.003
S.C.P.C. File No.: S-BR-07-2.2

Dear Mr. Costantino:

The Suffolk County Planning Commission at its regular meeting on January 5, 2011 reviewed the referral from the Town of Brookhaven entitled **"Hamlet Preserve",** referred to it pursuant to Section A14-14 thru A14-25, Article XIV of the Suffolk County Administrative Code.

The attached Resolution signifies action taken by the Commission relative to this application.

Very Truly Yours,

Thomas A. Isles
Director of Planning

John H. Corral
Planner

JHC:jc

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5190
TELECOPIER (631) 853-4044

Resolution No. ZSR-11-01 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on December 14, 2010 at the offices of the Suffolk County Planning Commission with respect to the application of **"Hamlet Preserve"** located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on January 5, 2011, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as may be amended, as the report of the Commission, Be it further

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, Be it further

RESOLVED, that the Suffolk County Planning Commission **Approved** said referral subject to the following Conditions and Comments:

Conditions:

1. Prior to final subdivision approval, wetlands, if present, shall be flagged in the field by a qualified expert and indicated on the final subdivision map.

   Reason:
   The location of mapped wetlands is an important consideration in determining the yield for the subject property as well as the setbacks for the residential lots.

2. Covenants and restrictions shall be placed on the homeowners association open space areas to insure that the designated areas remain properly maintained open space.

   Reason:
   The open space areas resulting from the clustered subdivision layout are an important component of the subdivision and should be protected to prevent potential future unwarranted uses.

3. A sidewalk or a "Pedestrian Right-of-Way" within the street shall be included on at least one side of the proposed roadways. The sidewalk or dedicated street pedestrian right-of-way shall also connect to the existing sidewalk on William Floyd Parkway.

   Reason:
   Sidewalks within the proposed subdivision that also connect to William Floyd Parkway will help to foster community walkability and reduce traffic congestion.

4. A minimum of ten percent or sixteen lots (16) lots shall be set aside as affordable in accordance with the Suffolk County Planning Commission Guidelines on Affordable Housing.

   Reason:
   In response to the County wide need for affordable housing the Suffolk County Planning Commission has recently adopted Guidelines on Affordable Housing. Please see the Suffolk County Planning Commission Guidebook for specific details.

5. The applicant shall offer as dedication a built Bus Turnout or dedication of land for the Bus Turnout if deemed appropriate by the Suffolk County Department of Public Works Transportation Division.

Reason:
There are two Suffolk County Transit Bus Routes that run along William Floyd Parkway and the Suffolk County Department of Public Works Transportation Division may want to add a Bus Turnout to facilitate service to the new subdivision.

6. The applicant shall be directed to consult the Suffolk County Planning Commission's adopted Energy Efficiency and Public Safety Guidelines.

   Reason:
   The Suffolk County Planning Commission has recognized the importance of energy efficiency and public safety and has recently adopted related guidelines.

Comments:

1. If applicable, the Town of Brookhaven should insure that the proposed subdivision is in compliance with the New York State Long Island Workforce Housing Act that has taken effect as of January 1, 2009. The act states that "this act shall not apply to any development or project for which a valid application has been filed with the appropriate municipal entity before such effective date".

2. This large 205.6 acre parcel presented an opportunity for a smarter type of development with a greater mix of housing types in a tighter cluster layout. This smarter type of development would have helped diversify the region's housing stock while also providing a larger block of open space suitable for Town dedication.

3. The Suffolk County Planning Commission acknowledges that this subdivision may be an opportunity to provide pedestrian access to the adjacent School property. This should be discussed with the Town, Developer and School District.

4. The Town should consider green methodologies for stormwater runoff such as rain gardens, permeable pavements, and bio-swales as alternatives to conventional drainage design like recharge basins.

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
  http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and20Information.aspx#SCPC
  A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.

Motion by: Commissioner Weir

Seconded by: Commissioner Holmes

Commission Vote: Present – 10

Ayes - 9
Nays - 1
Absent - 3

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
CALONE, DAVID Town of Babylon	X			
CHARTRAND, MATTHEW Town of Islip	X			
ESPOSITO, ADRIENNE Villages over 5,000				X
FINN, JOHN Town of Smithtown	X			
HOLMES, LINDA Town of Shelter Island	X			
HORTON, JOSHUA At-Large	X			
KELLY, MICHAEL Town of Brookhaven		X		
KONTOKOSTA,CONSTANTINE Vill.Under 5,000				X
LANSDALE, SARAH Town of Huntington				X
MC ADAM, TOM Town of Southold	X			
ROBERTS, BARBARA Town of Southampton	X			
TALDONE, VINCENT Town of Riverhead	X			
WEIR, DIANA, Town of East Hampton	X			

Dated: January 5, 2011
Location: Rose Caracappa Auditorium at 725 Veterans Memorial Highway in Hauppauge