SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

Notice of Meeting

October 7, 2015 at 2:00 p.m.
Town of Huntington
Board Room
100 Main Street
Huntington

Tentative Agenda Includes:

1. Meeting Summary for July and September 2015

2. Public Portion

3. Chairman's Report

4. Director's Report

5. Guest Speaker
   Kyle Collins, Planning and Development Administrator, Town of Southampton, Riverside Revitalization
   Sean McLean, VP Renaissance Downtowns, Riverside Revitalization

6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
   - Shoreham Solar Commons, Town of Brookhaven
     0200-12600-0200-002000

   - MISF, LLC, Town of Brookhaven
     0200-71200-0900-001000

   - Peconic Care at EPCAL, Town of Riverhead
     0600-13500-0100-007002 & 7.56

   - Kings Park Solar, LLC, Town of Smithtown
     0800-04200-0100-001000

7. Section A-14-24 of the Suffolk County Administrative Code

8. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on November 4, 2015 2 p.m. Maxine S. Postal Auditorium, Evans K. Griffing Building, Riverhead County Center, 300 Center Drive Riverhead, New York 11901

COUNTY OF SUFFOLK

Z-1

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-26 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Shoreham Solar Commons, LLC
Municipality: Brookhaven
Location: South side of Cooper Street and east of Randall Road in the Hamlet of Shoreham

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Received: September 3, 2015
File Number: BR-15-06
T.P.I.N.: 0200-126.00-02.00-002.000 et al
Jurisdiction: Within New York State Central Pine Barrens (Compatible Growth Area) and within 500 Feet of a mapped NYS Freshwater Wetland

ZONING DATA

- Zoning Classification: Residence A1, within Planned Conservation Overlay District
- Minimum Lot Area: 40,000 Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: Yes
- Property Considered for Affordable Housing Criteria: N/A
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: Yes
  - File: BR-06-15
  - Date: 08/01/2007
  - Map of: Tall Grass Properties LLC & TGC Operating Co LLC
- SEQRA Information: EAF
- SEQRA Type Type I
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Recreation, daily fee golf course
- Existing Structures: Clubhouse, golf shop, restaurant, practice facility and

	18-hole daily-fee golf course
▪ General Character of Site:	Cleared site, sloping generally to the south and east with variations in elevation due to existing golf course features
▪ Range of Elevation within Site:	Aprox 90' to 125' above mean sea level
▪ Cover:	Grass, scrub-shrub and small area of pitch pine- oak forest (1.93 acres)
▪ Soil Types:	Haven loam (HaA, HaB, He), Riverhead sandy loam (RdB, RdC), Carver & Plymouth Sands (CPC)
▪ Range of Slopes (Soils Map):	0-15%
▪ Waterbodies or Wetlands:	N/A

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: N/A
- Layout: N/A
- Area of Tract: N/A
- Yield Map: N/A
- Open Space: N/A

ACCESS

- Roads: Cooper Street
- Driveways: Tallgrass Clubhouse access/egress & internal roadways

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: Natural infiltration and designated drainage reserve areas
  - Recharge Basins No
- Groundwater Management Zone: III
- Water Supply: Public Water connection to clubhouse
- Sanitary Sewers: Club house has on-site septic system

PROPOSAL DETAILS

OVERVIEW – Applicants seek Site Plan and Special Permit approvals from the Town of Brookhaven Planning Board for the redevelopment of a 149.8 acre golf course into a 24.9 MW solar energy generation facility. The facility will consist of ground-mounted, stationary/non-tracking solar arrays installed on mounting racks and the associated interconnected infrastructure. The applicants have offered the former golf course clubhouse as a community benefit along with a 2 mile recreational loop surrounding the property.

The Shoreham Solar Project will utilize approximately 110,000 72-cell polycrystalline modules approximately 9.8 feet by 3.3 feet in size, to produce the 24.9 MW. The modules will be arranged in arrays running in a general east-west direction across the site with the panels facing south. The bottom edge of the panels is expected to be approximately 24 inches above the ground, but may range from 18 to 30 inches above the ground depending on consideration of factors such as site topography, snowfall, natural vegetation growth and shading form other panels or objects.

The subject property is zoned Residence A1 (minimum lot size 40,000 sf). Solar energy production is a permitted use in the Town of Brookhaven Residence A1 zoning district provided that the facility occupies not less than 10 acres and is allowed as a Special Permit by the Town of Brookhaven Planning Board. The subject property is also affected by a Planned

Conservation Overlay District (PCOD).

The subject parcel is located on the south side of Cooper Street (Town Road), between Randall Road to the west and Cobblestone Drive to the east. The site consists of land currently used as a daily fee golf course (2002 to present) and formerly the site of a sod farm (mid '60's to 1999) and potato farm (early 1900's until mid-1960's).

Land use in the area is dominated by residential and wooded areas, with occasional commercial centers, some farmland, schools, churches and protected conservation/recreation land. Major roads include the William Floyd Parkway (CR 46) to the east, NYS Route 25A to the north and Randall Road (Town road) to the west.

No new connection to public water or generation of additional sanitary waste has been proposed with this application. Review by the SCDHS will be necessary for the re-use of the golf course clubhouse as a community recreation facility.

Access to the proposed solar generating facility is provided via a 24' wide gated entrance off Cooper Street. The interior road system is proposed to be constructed of pervious gravel.

Once completed Shoreham Solar Commons security will be provided by an outlying 6-foot fence encircling the subject property along the property line. Inside the perimeter fence there will be an additional 8 foot high security fence topped with three strands of barbed wire enclosing the solar energy facility. This fence will be set back a distance of approximately 100 feet from the exiting 6 foot perimeter fence. Within this interior 8 foot fencing another 8 foot high security fence with three strands of barbed wire will be installed around the entre perimeter of the facility's switchyard. Additional site specific security measures will include alarm sensors, video surveillance equipment, and a remotely operated main gate.

The subject property is situated in Hydro-geologic Ground Water Management Zone III pursuant to Article 6 of the Suffolk County Sanitary Code. There are no mapped NYSDEC regulated wetlands located within or adjacent to the subject property. A storm water retention area is located on the eastern side of the subject site that is intended to remain. The development site is located in the Central Pine Barrens and is designated as Compatible Growth Area (CGA) where planned development is allowed by controlled.

Stormwater runoff is proposed to be handled via permeable gravel roadways and vegetative buffering. The applicant is required to receive Stormwater Prevention Pollution Plan (SWPPP) approvals from the Town and New York State Department of Environmental Conservation.

The Suffolk County Planning Commission reviewed and approved a proposed 9.5 MW 72.9 acre solar facility adjacent and north of the subject application (BR-14-10; S Power at Shoreham a.k.a. Richwood Greenworks, LLC) on August 6, 2014.

STAFF ANALYSIS

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

It is the belief of the staff that the proposed installation of solar panel arrays would not physically impact surrounding land uses while providing an appropriate location for the proposed solar energy facility and take advantage of a sustainable/renewable energy resource. The solar arrays will have a low profile and will be separated from nearby properties by existing trees and

the proposed landscaping and screening mitigation measures.

The proposed Shorham Solar Commons facility appears to be in general conformance with the Suffolk County Planning Commission model code for Solar Energy Production as the proposal is located on a previously disturbed parcel and meets setback and buffering recommendations.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The 1996 Town of Brookhaven Comprehensive Land Use Plan designates the subject site "as one acre or less" land use density. Town zoning designation for the site is A1 Residence. Solar energy production is a permitted use in the Town of Brookhaven's Residence A1 zoning district provided that the facility occupies not less than 10 acres and is allowed as a Special permit by the Town of Brookhaven Planning Board.

The subject site is also within the Town of Brookhaven 2012 Route 25A Mount Sinai to Wading River Land Use Plan. A Planned Conservation Overlay District, a product of the plan, is applicable to the subject property. It is the contention of the applicant that "the project is consistent with the intent of the PCOD, as renewable energy projects are among the community-endorsed uses for the open space parcels covered by the overlay district. The proposed project does not result in the issues of concern identified in the PCOD."

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

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

In terms of environmental protection, the subject property is situated is situated in Hydro-geologic Ground Water Management Zone III pursuant to Article 6 of the Suffolk County Sanitary Code. There are no mapped NYSDEC regulated wetlands located on or adjacent to the subject property. Stormwater runoff is proposed to be handled utilizing permeable gravel roadways and natural vegetative buffering. It is evident in the referral to the Suffolk County Planning Commission that the applicants will have to work with the Town and NYSDEC in order receive SWPPP (Stormwater Pollution Prevention Plan) approval. It is not evident however, if the applicants have reviewed the Commission's publication on Managing Stormwater-Natural Vegetation and Green Methodologies though drainage reserves with drywells are proposed as an element in the plan. It is the belief of the staff that the publication should be reviewed and additional stormwater mitigations incorporated where practical.

The subject property is located in the Compatible Growth Area of the Central Pine Barrens Zone. The applicant should be directed to contact the Central Pine Barrens Joint Planning and Policy Commission for a jurisdictional determination over the approval of the proposed Shoreham Solar Commons project.

Soils on the subject property are prime agricultural soils in the Haven series. The applicant

should be prohibited from exporting any soil material classified as prime agricultural soils off of the subject site and that the proposed solar panel arrays not negatively impact the viability of the prime agricultural soils on site.

In terms of energy efficiency, it is the belief of the staff that by its very nature the proposal is promoting one of the Suffolk County Planning Commission's County-wide priorities by installing a sustainable and renewable energy production system.

As noted the Suffolk County Planning Commission has recently adopted a Model Utility Solar Code – 2015 that can be used by Towns and Villages to help foster renewable energy facilities while also insuring proper safeguards for locating the facility and protecting environmental resources. Staff notes that this application appears to be consistent with many of the key aspects of the Model Code including but not limited to a suitable siting location, setbacks, design standards and decommissioning.

STAFF RECOMMENDATION

Approval, of the site plan and special permit application of Shoreham Solar Commons subject to the following comments:

1. The Suffolk County Planning Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed and additional stormwater mitigations incorporated where practical.

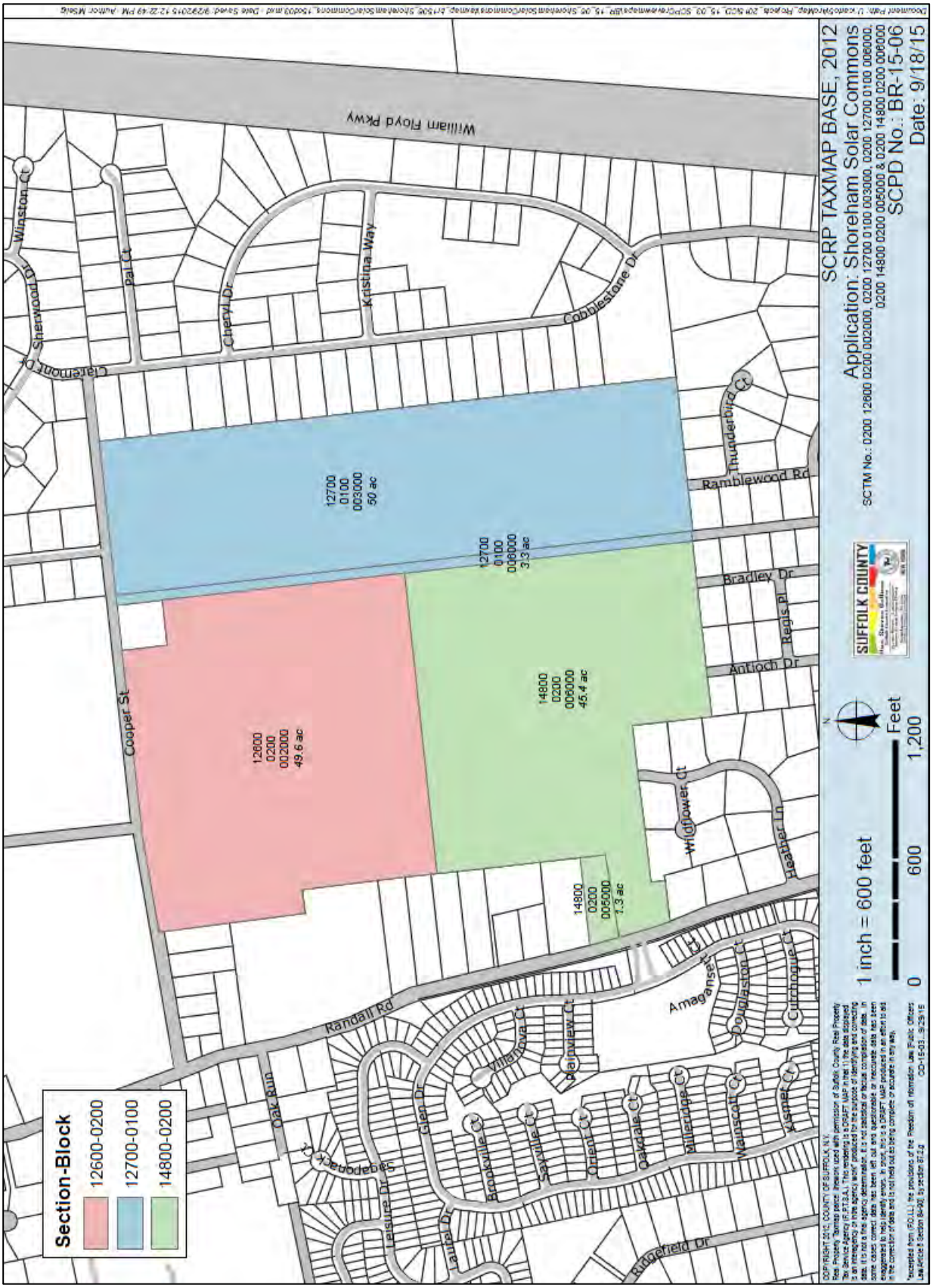
2. The Town and applicant should review the U.S. Department of Agriculture's Natural Resources Conservation Services information on "cover crops and soil health" for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients and suppress weeds, and break pest cycles along with various other benefits.

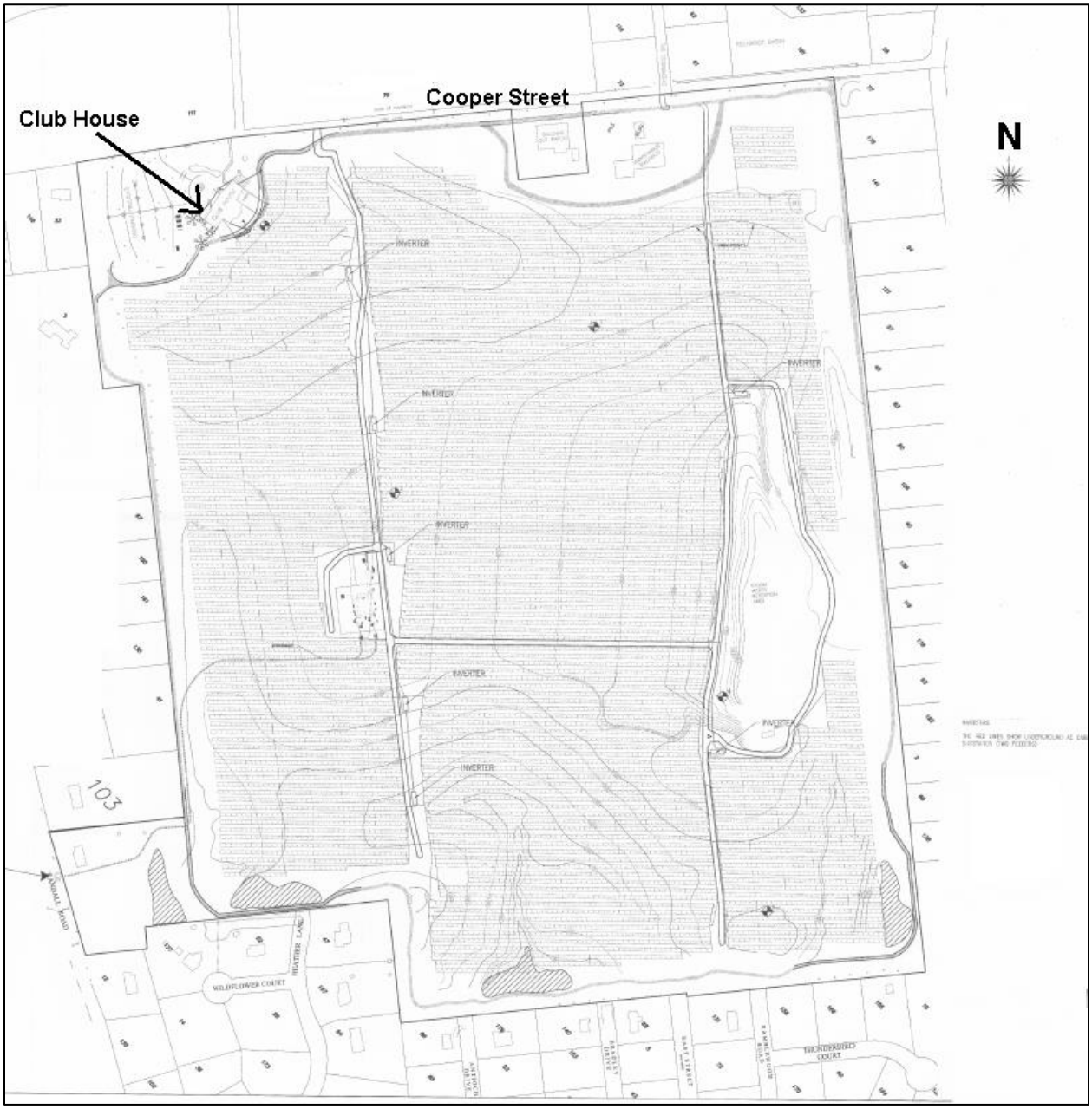
3. The applicant should be prohibited from exporting any soil material classified as prime agricultural soils off the subject parcel and that the proposed solar panel arrays not negatively impact the viability of the prime agricultural soils on-site.

4. The Suffolk County Planning Commission's publication on The Study of Man-Made ponds in Suffolk County should be reviewed and incorporate any appropriate design standards where practical.

5. The applicants should be advised to contact the Suffolk County Department of Health Services to review the repurposing of the golf course club house for community use and secure any review and approval necessary.

6. The applicant should be advised to make a referral to the Central Pine Barrens Joint Planning and Policy Commission as the subject site is located in the Compatible Growth Area of the Central Pine Barrens and should receive a determination of jurisdiction from the Pine Barrens Commission.


SCRP TAXMAP BASE, 2012
Application: Shoreham Solar Commons
SCTM No.: 0200 12600 0200 002000, 0200 12700 0100 003000, 0200 12700 0100 006000, 0200 14800 0200 005000 & 0200 14800 0200 006000
SCPD No.: BR-15-06
Date: 9/18/15
SUFFOLK COUNTY
1 inch = 600 feet
0 600 1,200 Feet
Section-Block
12600-0200
12700-0100
14800-0200
12600 0200 002000 49.6 ac
12700 0100 003000 50 ac
12700 0100 006000 3.3 ac
14800 0200 006000 45.4 ac
14800 0200 005000 1.3 ac
William Floyd Pkwy
Winston Ct
Sherwood Dr
Pat Ct
Cheryl Dr
Kristina Way
Cobblestone Dr
Claremont Dr
Thunderbird Ct
Ramblewood Rd
Bradley Dr
Regis Pl
Antioch Dr
Cooper St
Wildflower Ct
Heather Ln
Randall Rd
Amagansett Ln
Douglaston Ct
Cutchogue Ct
Villanova Ct
Plainview Ct
Oak Run
Glen Dr
Brookville Ct
Seaville Ct
Orient Ct
Oakdale Ct
Millerdale Ct
Walnscott Ct
Asmer Ct
Leisure Dr
Laurie Dr
Ridgefield Dr



Z-1: Shoreham Solar Commons
SCPD: BR-15-06
SCTM No: 0200-126.00-02.00-002.000 et al

COUNTY OF SUFFOLK

Z-2

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-26 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Middle Island Solar Farm
Municipality: Brookhaven
Location: East of Cranford Blvd and South of Moriches-Middle Island Road at Mastic

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Received: Site Plan 8/27/15
File Number: BR-15-05
T.P.I.N.: 0200 71200 0900 010000
Jurisdiction: Within one mile of the Town of Brookhaven Airport

ZONING DATA

- Zoning Classification: Light Commercial with some A1 Residential
- Minimum Lot Area: 20,000. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: Vacant –Open Space
- Existing Structures: None
- General Character of Site: Relatively flat with a gentle slope in elevation from the high area on the NW corner of the site to the low area on the southeast corner of the site
- Range of Elevation within Site: 65’ to 30’ above msl
- Cover: Fully vegetated, composed of Pitch Pine – Oak woodland with low growth shrub and sapling

understory

- Soil Types: Predominately Riverhead Sandy Loam with some Plymouth Loamy Sand and Haven Loam
- Range of Slopes (Soils Map): 0-10%
- Waterbodies or Wetlands: N/A

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Site Plan approval requests.
- Layout: Sprawling cover of property
- Area of Tract: 100.33 acres (61.18 to be disturbed)
- Yield Map: Not applicable
- Open Space: 39.15 acres

ACCESS

- Roads: Cranford Blvd. and Moriches Middle Island Road
- Driveways: Proposed access from Moriches Middle Island Road and

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: N/A
  - Recharge Basins No
- Groundwater Management Zone: VI
- Water Supply:
- Sanitary Sewers:

PROPOSAL DETAILS

OVERVIEW – The applicants proposes to construct a solar energy production facility which consists of the development of a photovoltaic solar energy farm for the production of a 'green' source of electricity. The proposed Middle Island Solar Farm proposes to clear approximately 67% to 68% of the subject property (68.37 acres) for the construction of a field of solar panel arrays. Upon completion, the facility will be interconnected to the PSEG Long Island power grid supplying approximately 19.2 megawatts of electricity to the system for use by customers.

The overall project site is a 100.33 acre parcel of land in Mastic, Suffolk County, NY. The site is situated on the south side of Moriches-Middle Island Road and to the east of Cranford Boulevard, which is east of the Town of Brookhaven Airport. The parcel is rectangular in shape approximately 3,900 feet long by 1,000 feet wide.

Access to the site will be from Moriches-Middle Island Road. Secondary access, for emergency use only, is proposed at the southwest corner of the parcel. Internal access within the solar generating facility as depicted on the preliminary site plan is provided via a proposed 20 foot wide perimeter roadway running around the entire site at the edge of the array field, as well as a 20 foot wide centerline roadway separating 2 banks of arrays. It should be noted that these access roadways will be unpaved surfaces to allow for storm water infiltration.

The proposed solar array will have a maximum height of 16 feet.

A 4,032 SF maintenance and operations building is planned for installation on the northeast corner of the site. The building is intended to be multifunctional with divided areas serving as office space, storage area, security surveillance control room, repair shop and system monitoring.

A parking area adjacent to the maintenance and operations building for six individuals

anticipated to be present during operations will be an extension of the gravel access roadway on site. Supplied parking is in conformance with Town of Brookhaven off street parking requirements.

A conventional septic system will be installed for the maintenance building as well as a dry well for the collection of roof storm water runoff. Water usage for the building and site will be via connection to the Suffolk County Water Authority supply main located along Moriches-Middle Island Road.

Connection to the PSEG Long Island grid for electrical service will be necessary for power required activities occurring in the Maintenance and operations building. In addition, for power generated by the proposed facility, the anticipated overhead point of connection from PSEG Long Island is at the southeastern corner of the site.

The majority (94.20 acres) of the parcel is zoned as L1-Light Industrial (20,000 sf minimum lot size). Isolated "finger" areas on the west side of the property (6.13 acres combined) are zoned as A1-Residential (one acre minimum lot size). The entirety of the proposed development project will occur on a portion of the L1 zoned area of the parcel. Solar energy production is a Special Exception use in the Town of Brookhaven L1 zoning district.

Land use and zoning in the vicinity of the subject project is predominantly residential. West, south and east can be found A1 residential and PRC (Planned Retirement Community) zoning district designations. Land to the west is generally improved parcels with detached single family homes. Further to the west (within one mile) is the eastern runway of the Town of Brookhaven Airport. Lands zoned PRC to the south and east adjacent to the project parcel are vacant lands generally in public ownership between the Town of Brookhaven and Suffolk County. Lands further to the east zoned residential along Weeks Ave. are a mix of detached single family dwellings and commercial uses. As noted the subject parcel itself is vacant and part of a L1 zoning designation that extends northward beyond Moriches Middle Island Road.

The subject property is situated in Hydro-geologic Ground Water Management Zone VI pursuant to Article 6 of the Suffolk County Sanitary Code. The subject property is not in a NYS Critical Environmental area or Special Ground Water Protection Area. The subject property is across the street (Moriches Middle Island Road) from the southern boundary of the Compatible Growth Area of the Central Pine Barrens Comprehensive Land Use Plan and is not within said CGA. There are no mapped NYSDEC regulated wetlands located within the subject property. The nearest water feature is the headwaters of the Forge River which exists over 900 feet to the east of the southeast corner of the site. The project site and surrounding area are located within the 9451 acre watershed area of the Forge River. The majority of the site is in the Groundwater Contributing Area of 5-10 year travel time to the Forge River. A small part of the site at the southern end may be in the 2-5 year Groundwater Contributing Area (source: CWRMP for Suffolk County). The project property is also situated on the northern fringe of the South Shore Estuary Reserve Watershed area that extends across the whole southern portion of Long Island. The entirety of the subject parcel is mature Oak-Pine woodland.

Storm water runoff is proposed to be handled via permeable gravel roadways, and the natural topography of the buffer areas. Development of a Storm Water Pollution Prevention Plan (SWPPP) is intended to be conducted during later stages of the site approval process to address storm water erosion concerns.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-l provides for the Suffolk County Planning Commission to consider inter-community

issues. Included are such issues as compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment. It is the belief of the staff that the proposed installation of solar panel arrays would not physically impact surrounding zoning and land uses and would provide an opportunity for the proposed solar energy facility to take advantage of a sustainable/renewable energy resource. Staff notes however, the recommendations of the Forge River Water-Shed Management Plan that calls for Establishing a Forge River Protection Overlay District (FRPOD) for properties inside the 50-year contributing area to implement special regulations and improve water quality in the estuary.

The Town of Brookhaven crafted a Watershed Management Plan for the Forge River (adopted March of 2013). Quoting from the Management Plan, it indicates that "This plan is intended to be used as a guide to restoring the river to a healthy water body for marine life and community members. The Forge River has experienced poor water quality since the early part of the 20th century. The combination of antiquated cesspools, failing septic systems, polluting duck farms, population growth, and polluted stormwater runoff have adversely and severely degraded the river. The upper Forge River is included in the NYS DEC 303 (d) list as an impaired water body for pathogens, nitrogen, and dissolved oxygen/oxygen demand." Section 24.1.5, - Identify Properties for Open Space Acquisition or Purchase of Development Rights (S5) - indicates that "Reducing future development in the Forge River watershed can lower future nitrogen generation and release. Two typical approaches for reducing future development are acquisition (through fee simple ownership) and purchase of development rights (PDR). A significant portion of the upper reaches of the Forge River watershed comprises vacant parcels that are in private ownership. These undeveloped parcels, located mostly in the West Mill Pond and Ely Creek Subwatersheds, are unprotected from future development."

The proposed Middle Island Solar Farm intends to clear cut approximately 68% (68.67 acres) of the wooded parcel for the construction of the facility. The Suffolk County Planning Commission model Code for Solar Energy Production recommends that a "minimum thirty-five percent shall be preserved as natural and undisturbed open space." This translates to no more than 65% cleared. Across the street in the Compatible Growth Area of the Central Pine Barrens, a regulatory region affected by rules and standards to preserve ground water quality, the clearing restriction for the underlying zoning category is also 65%. In addition, the Suffolk County Planning Commission has met with PSEG and provided proposed recommendations regarding utility solar installations and how to better incorporate land use consideration into their RFP process. The Commission has written that "to minimize the impact on undeveloped land in Suffolk County …should prioritize the installation of solar arrays on…previous developed commercial/industrial properties..."

It is the belief of staff that the proposed utility solar facility may not be in total agreement with the intent of Forge River Management Plan water quality goals as the minimum amount of natural vegetation is not preserved.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The 1996 Town of Brookhaven Comprehensive Land Use Plan designates the subject site as "one acre or less" density. The Town of Brookhaven zoning designation for the property is L1 Light Industrial that has a minimum lot size of 20,000 sf. If developed as zoned the subject property would yield 175 lots for light industrial use [100.33 ac – 20.07ac (20% roads & drainage)/20,000sf/lot = 175.53 lots]. Waste water discharge to the ground would be a consideration for development of a light industrial park that the proposed solar facility does not have. However, a subdivision would have greater flexibility to reduce native vegetative clearing through clustering and individual lot requirements than the proposed utility solar facility. As noted above solar energy production is a permitted principal use in the Town of Brookhaven L1 zoning district provided that the facility occupies not less than 10 acres and is allowed as a Special Permit by the Town.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

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

In terms of environmental protection, the applicant puts forth that the site operations are not expected to negatively affect the Forge River and Peconic Estuary Reserve watersheds as the project will not employ the use of fertilizers or pesticides, will have a small septic system, and will control storm water runoff. However, as indicated above, a 65% maximum native vegetative clearing limit would appear to be best management practice for development of this site. The applicant should consult the Suffolk County Planning Commissions recently adopted Model Utility Solar Code – 2015 for information on design standards that will help protect the environment.

Stormwater runoff is proposed to be handled utilizing permeable gravel roadways and natural vegetative buffers. It is evident in the referral to the Suffolk County Planning Commission that the applicants will have to work with the Town and NYSDEC in order receive SWPPP (Stormwater Pollution PreventionPlan) approval. It is not evident however, if the applicants have reviewed the Commission's publication on Managing Stormwater-Natural Vegetation and Green Methodologies though drainage reserves with drywells are proposed as an element in the plan. It is the belief of the staff that the publication should be reviewed and additional stormwater mitigations incorporated where practical.

In terms of energy efficiency, it is the belief of the staff that by its very nature the proposal is promoting one of the Suffolk County Planning Commission's County-wide priorities by installing a sustainable and renewable energy production system.

Site security will be accomplished by the use of double row of 6 foot high chain link fence that will be placed around the entire perimeter of the site at the edge of the cleared area adjacent to the perimeter roads. The fence rows will be spaced approximately 10 feet apart. The space between the fences will be equipped with double level photoelectric beam detectors that when tripped will alert security personnel in the operations building. This monitoring scenario will aid in the elimination of spurious alarm that could be caused by small animals. Furthermore, controlled access gates will be installed at the primary and emergency entrances to eliminate unwarranted entrance to the site.

The site is intended to be obscured from view by establishing surrounding buffer and screening areas. The west side of the site abuts a residential area. On this side of the property and approximate 210 foot wide buffer will be established between the easternmost rear property line from the residences and the double perimeter security fence of the array field. The existing natural vegetation in this area will be left as is and will not be cleared. In addition, shrubs for screening and/or privacy slats woven into the chain link fence will be installed along the outer

fence line to further obscure visibility of site operations. A minimum 50 foot buffer will be maintained on the north. The east side of the property will have a minimum 75 foot buffer. On these buffers, the natural vegetation will be retained. The south end buffer is approximately 200 feet and includes a required 60 foot wide strip of land for future Town of Brookhaven highway purposes. The north side property line is also further offset by being bordered by a 100 foot deep parcel of Town owned property between the site and Moriches-Middle Island Road.

As noted the Suffolk County Planning Commission has recently adopted a Model Utility Solar Code – 2015 that can be used by Towns and Villages to help foster renewable energy facilities while also insuring proper safeguards for locating the facility and protecting environmental resources. Staff notes that this application appears to be consistent with many of the key aspects of the Model Code including setbacks, and design standards. Staff notes that there was little information provided in the referral materials regarding abandonment of solar facilities. The Brookhaven Town code has a section on the abandonment of solar energy facilities and aspects of the Code should be made obvious for this project. The SCPC Model Code also notes the importance of consulting with the Federal Aviation Administration (FAA) for solar projects located in close proximity to airports. As noted earlier in this staff reports the subject property is located less than a mile to the east of the Brookhaven Airport facility. Staff would recommend that the applicant consult with Brookhaven Airport and the FAA regarding this project as early in the application process as possible.

STAFF RECOMMENDATION

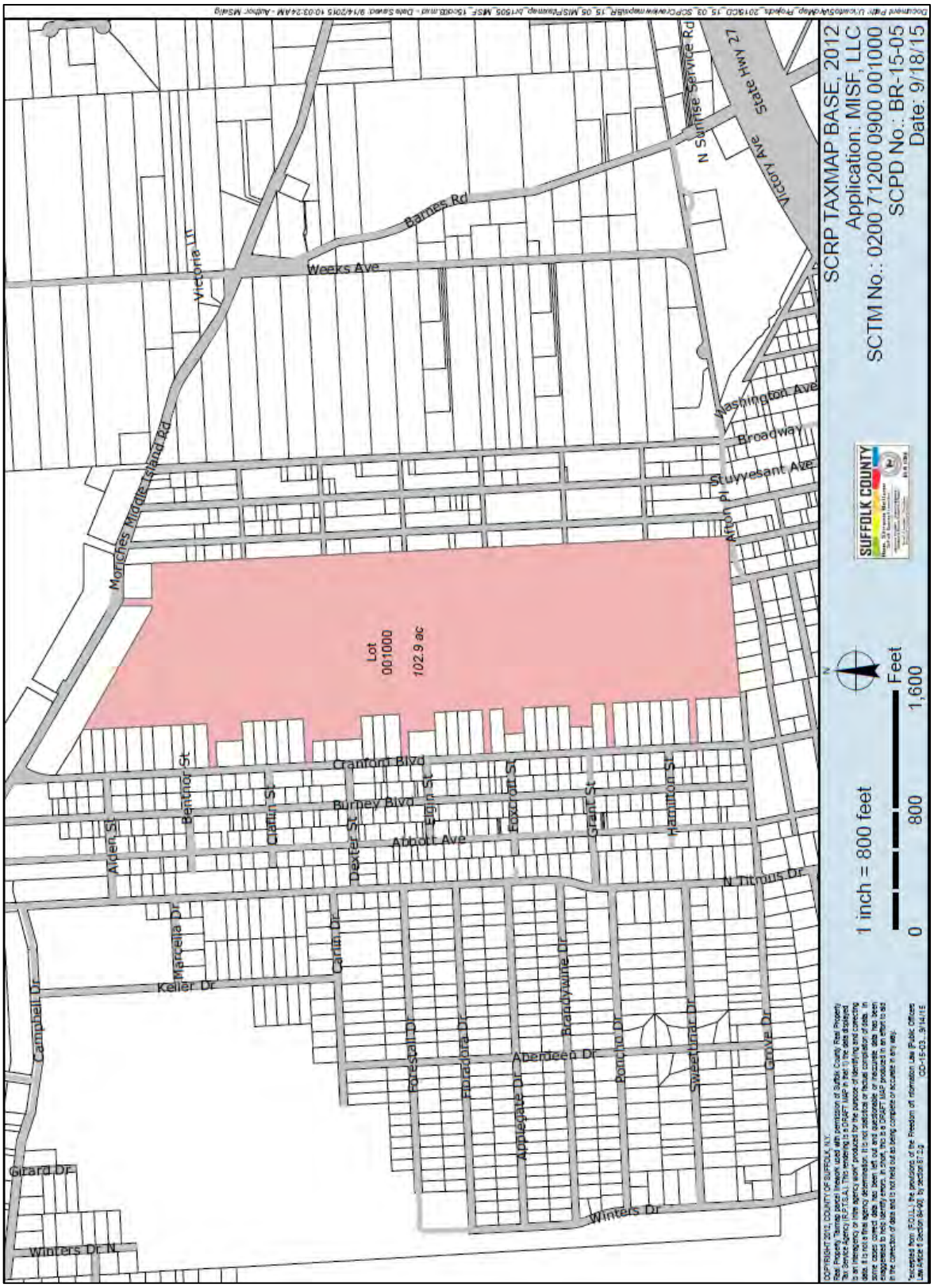
Approval, of the site plan and special permit application of the Middle Island Solar Farm project subject to the following comments:

1. No more than 65% of the subject property should be cleared of native vegetation.

2. It is suggested that the Town and applicant review the U.S. Department of Agriculture's Natural Resources Conservation Services information on "cover crops and soil health" for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients and suppress weeds, and break pest cycles along with various other benefits.

3. The Suffolk County Planning Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed and additional stormwater mitigations incorporated where practical.

4. Due to the project's proximity to Brookhaven Airport the applicant should consult with the Airport and the FAA as early as possible in the application process.


SCRP TAXMAP BASE, 2012
Application: MISF, LLC
SCTM No.: 0200 71200 0900 001000
SCPD No.: BR-15-05
Date: 9/18/15
SUFFOLK COUNTY
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Feet
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Barnes Rd
Victoria Lt
Moriches Middle Island Rd
N Sunrise Service Rd
State Hwy 27
Victory Ave
Washington Ave
Broadway
Stuyvesant Ave
Alton Pl
Cranford Blvd
Burney Blvd
Abbott Ave
Benthor St
Clatin St
Dexter St
Elgin St
Foxcroft St
Grant St
Hamilton St
Alden St
N Titmus Dr
Marcella Dr
Cardin Dr
Keller Dr
Campbell Dr
Forestal Dr
Floradora Dr
Aberdeen Dr
Brandywine Dr
Applegate Dr
Pomona Dr
Sweetbriar Dr
Grove Dr
Girard Dr
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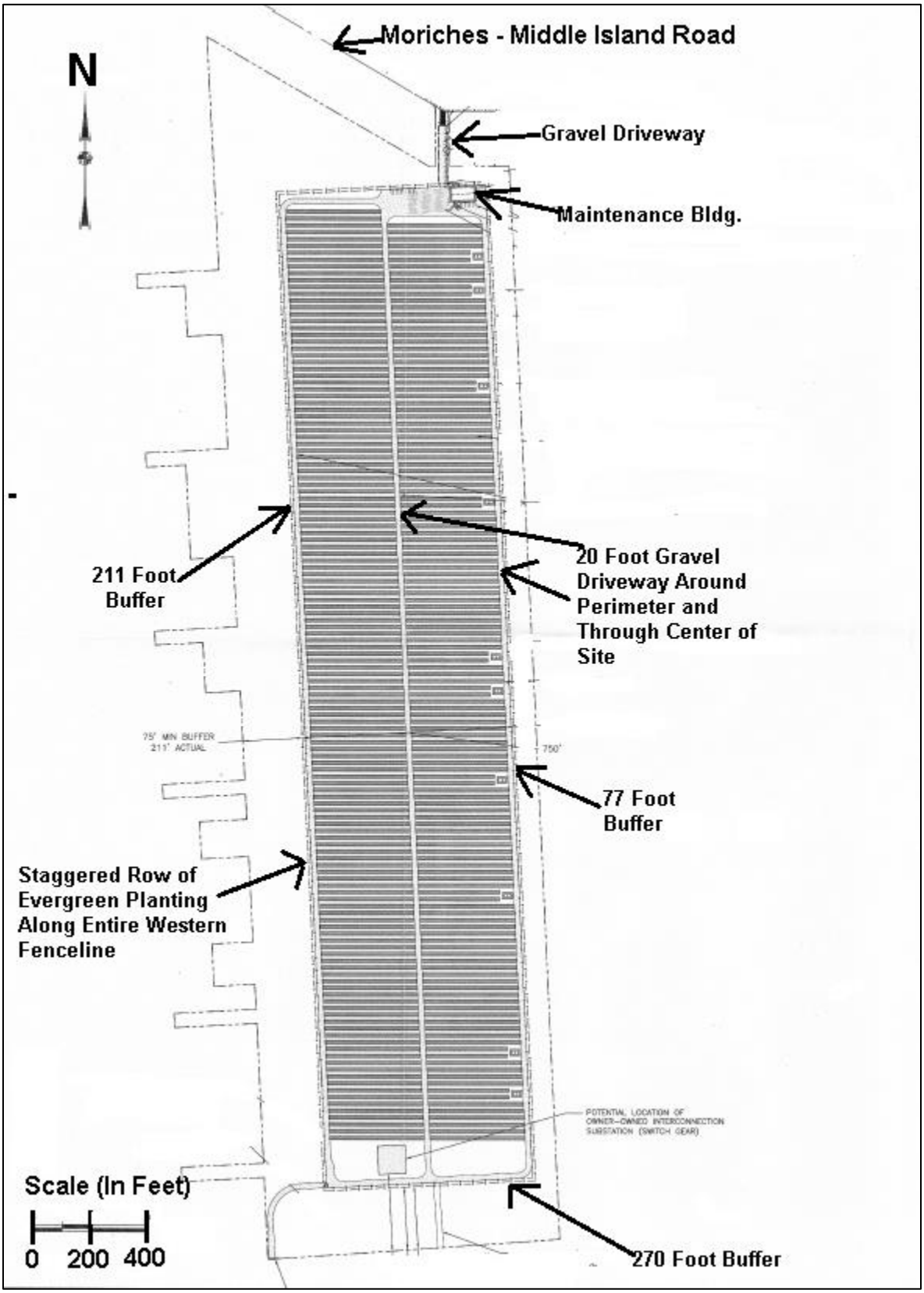


Z-2: MISF, LLC
SCPD: BR-15-05
SCTM No: 0200-712.00-09.00-001.000

COUNTY OF SUFFOLK

Z-3

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Peconic Care at EPCAL
Municipality: Riverhead
Location: n/w corner River Road and Conneticut Ave.

Received: 9/16/2015
File Number: RH-15-04
T.P.I.N.: 0600 13500 0100 007002
Jurisdiction: adjacent to airport & w/in 500' of NYS Land

ZONING DATA

- Zoning Classification: PIP
- Minimum Lot Area: 120,000. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: runway taxiway - storage
- General Character of Site: rolling
- Range of Elevation within Site: 40-55' amsl
- Cover: overgrown disturbed field & woods
- Soil Types: Riverhead; Carver and Cut and fill

- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: none on lease parcel NYS DEC regulated to the west

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: site plan
- Layout: campus
- Area of Tract: 37.023Acres
- Yield Map:
  - No. of Lots: 1
- Open Space: N/A

ACCESS

- Roads: River Road (Town Road)
- Driveways: Jan Way (pivate)

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB LP
  - Recharge Basins yes
- Groundwater Management Zone: III
- Water Supply: Public
- Sanitary Sewers: Public

PROPOSAL DETAILS

OVERVIEW – Applicants request Site Plan approval from the Town of Riverhead Planning Board for the development of a 132,381 SF alcohol and drug addiction inpatient research and rehabilitation facility. The facility is to be in a six building campus containing 160 beds (120 beds to accommodate 30-day rehabilitation; 40 beds to accommodate extended care stays).

There are no outpatient services or treatments proposed. Patients can arrive at any time of the day and be discharged at any time of the day. It is anticipated that there will be approximately 80 full time employees working in three shifts, with the majority of employees working during the day shift (9-5). The facility is however, expected to host seminars and symposiums on addiction research and treatment that may attract up to 200 visitors (auditorium capacity = 200 seats). It is anticipated that these events will occur midweek during the day, a few times a year, and will not be a part of typical daily operations.

The provided 250 parking spaces plus 150 land banked spaces exceeds the Town Code requirement for off street parking stalls.

The project site is located on a 37 acre lease parcel within the Enterprise Park at Calverton (EPCAL) on the north side of River Road adjacent to Jan Way (an internal street) in the hamlet of Calverton. The project site location is at the south end of the active runway on the eastern part of EPCAL. The parent parcels are 95.64 acres in total. The remainder of the lease parcels is not proposed for development at this time. Approximately 21 acres of the 37 acre lease parcel will be physically disturbed.

The subject parcel is zoned Planned Industrial Park (PIP) as per the Town of Riverhead Zoning Law. The proposed use is a permitted use in the zoning district. Open space Conservation, Planned Recreation Park, Light Industrial and a Planned Development District overlay are other zoning categories in the vicinity of the subject site.

Storm water runoff generated from the site is to be accommodated on site in subsurface leaching pools and drywell structures. A 10.2 million gallon, 2.65 acre storm water detention basin is proposed for the eastern portion of the facility site. A 4' high 765' long earth fill berm is proposed for impounding the water in the detention basin.

The anticipated 20,000 (+) gallons per day of wastewater generated by the proposed project will be conveyed for treatment and disposal via a new sewer main extension from Jan Way (for approximately 3,300 feet) and the construction of a pump station to the existing Calverton Sewer District Wastewater Treatment Plant west of the subject site. The design capacity of the plant is 189,000 gpd and has an available capacity of 150,000 gpd. The Calverton STP will over the next two years, undergo reconstruction so as to discharge treated waste water into the ground rather than into the Peconic River.

Vehicle Access to the proposed Peconic Care facility will be through three access driveways. All patients and their visitors will be directed to use a proposed driveway on River Road to access the facility. This access is to create a stop-controlled 4-way intersection with the Peconic Rivers Sportsman's Club. This intersection will be configured for all turning movements. The visitor driveway onto River Road crosses freight railroad tracks operated by New York and Atlantic Railway, at-grade. The access improvements will include pavement marking and signage to conform to current NYS and Federal requirements for railroad crossings. All non-visitor traffic (employees, service, maintenance, deliveries, etc.) will be directed to use Burman Boulevard to access the site via Jan Way. A pair of access points from Jan Way, via an easement through Block/Lot 17 will provide access to the facility from the interior of the EPCAL property. The access point to the west will provide access to the main parking lot and the eastern access point will provide access to the main interior roadway that will be utilized by deliveries and those wishing to park in one of the smaller satellite lots elsewhere on the site. Both access points will be stop-controlled T-intersections configured for all turning movements. A Traffic Impact Study was prepared on behalf of the applicants and concluded that none of the intersections studied in the report "will be adversely affected by the proposed facility."

The subject lease property is predominantly wooded or brush covered land (31.7 ac) with 5.3 acres of paved or impervious surfaces associated with the existing taxiway for the "eastern" runway. Surrounding land uses include the "eastern runway" to the east and vacant Light industrial zoned land beyond. To the north and west the subject site abuts the non-lease portion of the parent lot(s) that are vacant and contain regulated wetlands. Beyond and further to the west can be found the original buildings associated with the Grumman operations associated with the Calverton NWIRP (Naval Weapons Industrial Reserve Plant). These buildings have been repurposed along Burman Blvd as part of an adaptive reuse industrial subdivision. To the south of the subject parcel is vacant land adjacent to River Road. River Road is the northern border of the Swan Lake Golf Club, Babylon Rod & Gun Club Wildlife Reserve, Connecticut Ave., and vacant NYS land along the Peconic River.

The proposed project is located in the Compatible Growth Area of the Central Suffolk Pine Barrens Zone. The subject parcel is located in a NYS Critical Environmental Area and the Central Suffolk Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone III. The subject property is adjacent to State regulated freshwater wetlands associated with Swan Pond (NYS DEC W-27 & w-28 and R-5). The NYS DEC regulated Peconic River Wild Scenic and Recreational River boundary is located to the south of the Peconic Care project site. According to Town of Riverhead submission materials to the Suffolk County Planning Commission the New York State Department of Environmental Conservation has been consulted regarding species of concern and identified the eastern tiger salamander, grassland bird species, and the northern long eared bat. According to submitted material, based on further discussions with

NYSDEC, the 37 acre leased parcel was identified as not presenting a concern for these species. It should be noted that investigation and cleanup activity is proceeding under New York State Department of Environmental Conservation oversight at other locations on the former Grumman/NWIRP property but not at the proposed site. The remaining contamination and the continuing investigation and cleanup activity is not anticipated to affect the proposed site.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS:

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

There are not anticipated to be adverse inter-community issues related to this proposal.

The general public is not anticipated to be significantly inconvenienced by the proposed use. All motor vehicle traffic is to be on to River Road; a Town Road. No local traffic is anticipated on other residential streets in the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:

The Town of Riverhead Comprehensive Land Use Pan, November 2003 identifies the subject property for Planned Industrial Park. The subject lots are part of an overall industrial park subdivision approved by the Town Riverhead. The proposal is a permitted use in the PIP zoning district and therefore in conformance with the Comprehensive Plan for the Town.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies.
There are mapped NYS DEC regulated wetlands on property adjacent to the development site and in the area; storm water runoff for this proposal needs to be carefully considered. It is indicated that storm water runoff from the contemplated development is proposed to be collected and recharged to groundwater via catch basins and leaching pools. A 10.2 million gallon, 2.65 acre storm water detention basin is proposed for the eastern portion of the facility site. Opportunity exists for more state of the art and best managing practices for capturing and treating storm water run-off adjacent to wetland systems. The petitioners should be encouraged to review the Suffolk County Planning Commission publications on The Study of Man-Made Ponds in Suffolk County and Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein. In addition the petitioners are encouraged to continue

dialogue with the NYS DEC regarding protected animal and plant species and obtain any approvals necessary to undergo construction.

The subject property is also located down gradient (groundwater flow) of contaminant flow from former NWIRP activities. The applicants should continue to coordinate with the New York State Department of Environmental Conservation and the Suffolk County Health Department to insure that any possible impacts are considered during project design and construction.

The development is proposed to connect to the Riverhead Sewer District at Calverton. Early review by the Riverhead Sewer District is warranted and the applicant should be directed to contact and begin dialogue as soon as possible.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicants should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate appropriate elements where practical.

This proposed development supports the Planning Commission's priority of Economic Development, Equity and Sustainability. This project should have a positive economic impact on the Town of Riverhead in terms of construction jobs and tax revenue.

The subject project is located at the southern end of the eastern runway of the EPCAL property. This runway is still an active runway and the proposed facility and occupants may be subjected to noise from aircraft flying overhead or nearby. The Peconic Care facility should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development, the Federal Aviation Authority, or any other authority that has promulgated standards for reduction of interior noise levels.

One Suffolk County Transit Bus route runs along Middle Country Road (State Road 25). The applicant should be directed to contact Suffolk County Transit to coordinate bus service to the new Peconic Care facility.

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

STAFF RECOMMENDATION

Approval of the Peconic Care at EPCAL site plan with the following comments:

1. The applicants should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

2. The applicants should be encouraged to review the Suffolk County Planning Commission publication on The Study of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.

3. The most landward limit of freshwater wetland vegetation should be re-flagged in the field by a qualified expert, reviewed by the appropriate regulatory agency and represented on all future final sketches, surveys, site plans or permits.

4. All regulatory setbacks for buffering, construction, etc. should be taken from the most landward limit of the fresh water wetland line flagged in the field.

5. Waste water treatment and disposal issues should be reviewed with the Riverhead Sewer District and the Suffolk County Department of Health Services as early as possible.

6. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.

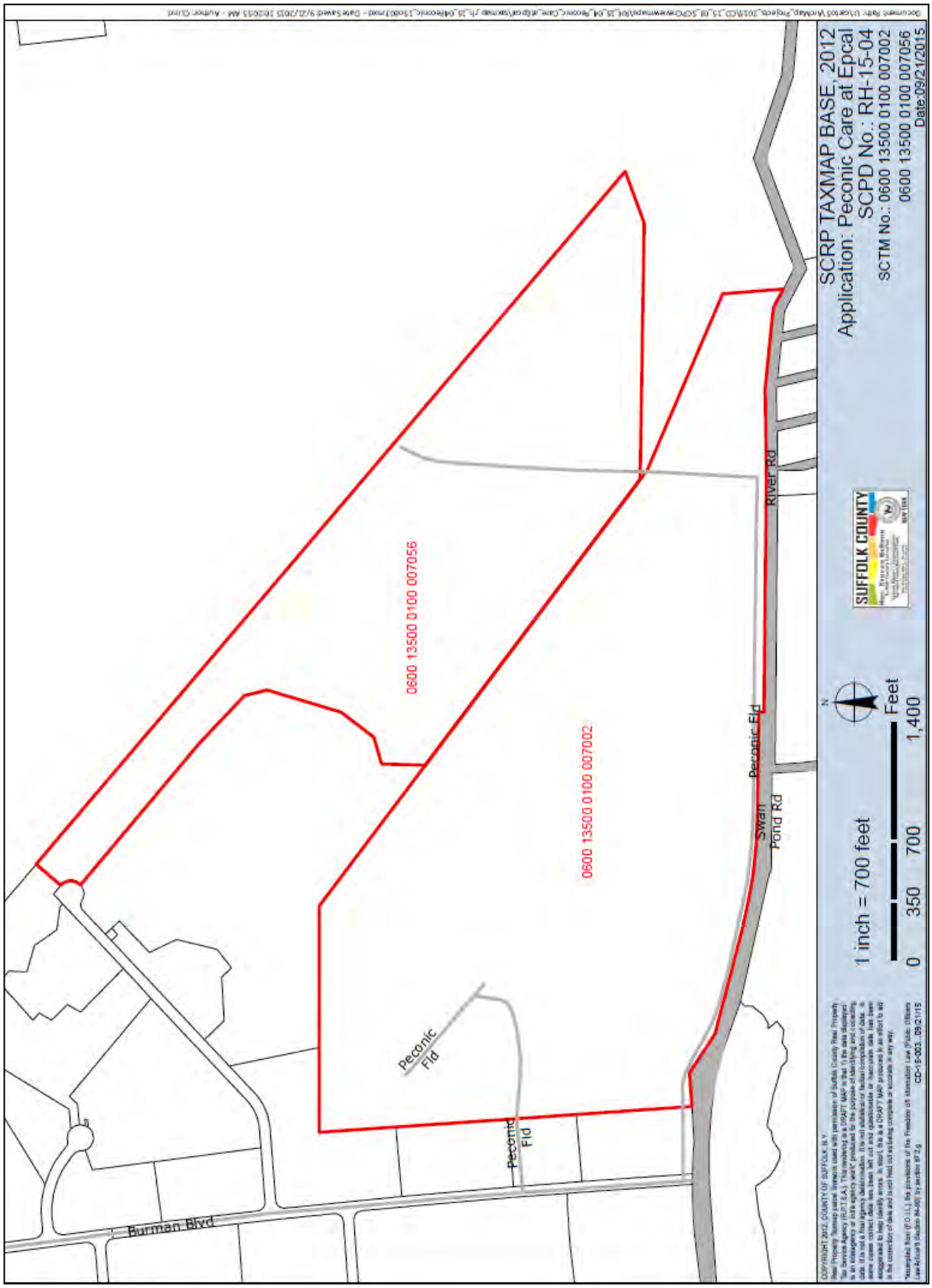
7. The applicant should contact Suffolk County Transit and explore bus service to the Peconic Care facility.

8. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

9. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.

10. The applicants should be directed to the Central Pine Barrens Joint Planning and Policy commission for conformance review pertaining to the Central Pine Barrens Comprehensive Land Use Plan.

11. The subject project is located at the southern end of the eastern runway of the EPCAL property. This runway is still an active runway and the proposed Peconic Care facility may be subjected to noise from aircraft flying overhead or nearby. The applicants should be advised that the Peconic Care facility should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development, the Federal Aviation Authority, or any other authority that has promulgated standards for reduction of interior noise levels.


SCRP TAXMAP BASE, 2012
Application: Peconic Care at Epcal
SCPD No.: RH-15-04
SCTM No.: 0600 13500 0100 007002
0600 13500 0100 007056
Date:09/21/2015
SUFFOLK COUNTY
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River Rd
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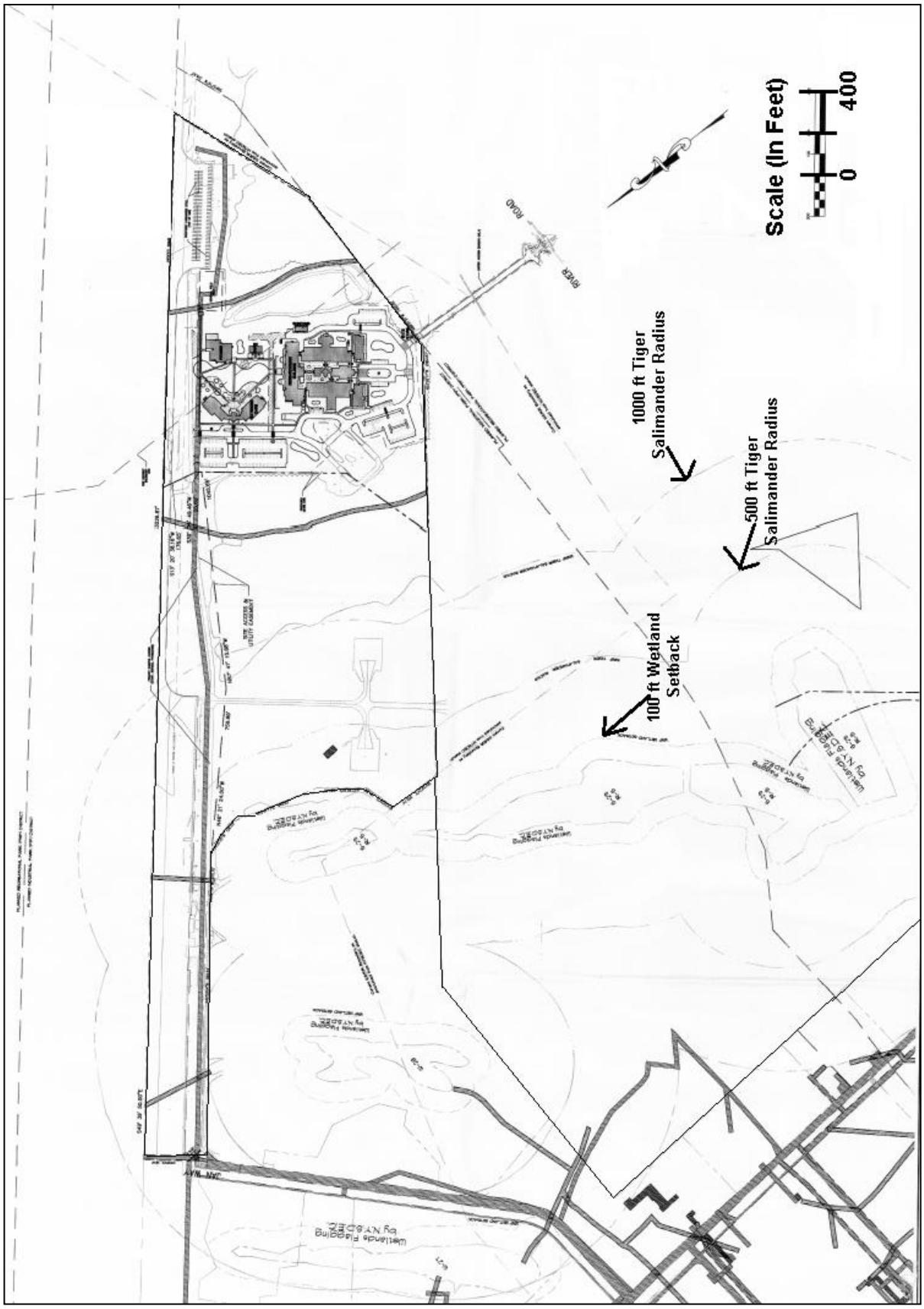
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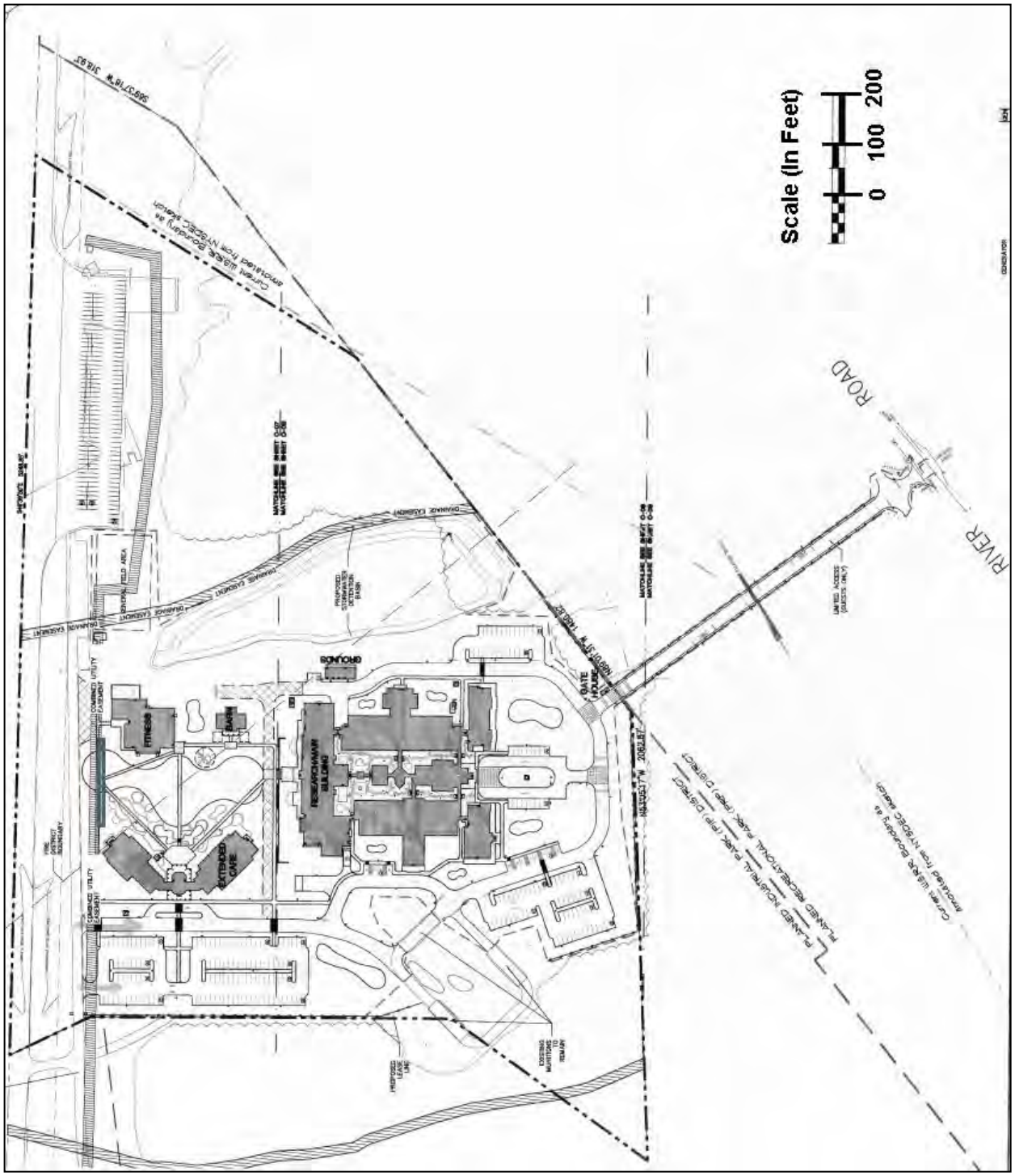
500 ft Tiger Salimander Radius
100 ft Wetland Setback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RIVER
ROAD
GATE HOUSE
RESEARCH/WAR BUILDING
FITNESS
BARN
EXTENDED CARE
GROUNDS
PLANNED NOSTRAL PARK (PIP) DISTRICT
PLANNED RECREATIONAL PARK (PIP) DISTRICT
Certain lands Boundary as approved from NYSDEC Permit
PROPOSED LEACH LINE
EXISTING WATER TO REMAIN
PROPOSED STORMWATER DETENTION BASIN
DRAINAGE EASEMENT
COMBINED UTILITY EASEMENT
FIRE PROTECT SECTION
PARK TRAILER
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N89°37'18"E 1162.87'
MATCHLINE SEE SHEET C-6
MATCHLINE SEE SHEET C-8
UNITED ACCESS (ACCESS ONLY)

COUNTY OF SUFFOLK

Z-4

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-26 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Kings Park Solar, LLC
Municipality: Smithtown
Location: North of Old Northport Road and west of Indian Head Road (CR 14) in the hamlet of Kings Park

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Received: September 14, 2015
File Number: SM-15-03
T.P.I.N.: 0800-042.00-01.00-023.001, 023.005, 024.000
Jurisdiction: Within 500 feet of Indian Head Road (County Road 14)

ZONING DATA

- Zoning Classification: Light Industry (LI)
- Minimum Lot Area: 80,000. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: Commercial Golf Driving Range
- Existing Structures: Structures related to the golf driving range
- General Character of Site: Generally cleared with relatively level slopes in the central portion of the property with moderate downward slopes in the northern, eastern and southern portion of the property

- Range of Elevation within Site: 92' to 149' above mean sea level
- Cover: Grasslands and trees
- Soil Types: Gp (Gravel pits), CpE (Carver and Plymouth sands), and PIB (Plymouth loamy sand)
- Range of Slopes (Soils Map): 3-35 %
- Waterbodies or Wetlands: N/A

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Special Exception
- Layout: 23.4 acre solar production facility
- Area of Tract: 27.4 acres
- Yield Map: N/A
- Open Space: N/A

ACCESS

- Roads: Access off Old Northport Road
- Driveways: Internal private paved and gravel driveway

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: Vegetated swales with two infiltration galleries
  - Recharge Basins No
- Groundwater Management Zone: I
- Water Supply: Public
- Sanitary Sewers: N/A

PROPOSAL DETAILS

OVERVIEW – Applicants seek Special Exception approval for a Public Utility from the Town of Smithtown Town Board to allow the construction of a proposed solar energy production facility to produce 4 megawatts of power to be sold to LIPSEG. The referral materials indicate that the required Site Plan application will be submitted separately from this Special Exception application. The proposed facility is located on three tax map parcels totaling approximately 27.4 acres in size. The solar energy facility is proposed to be enclosed within a chain link fence and includes approximately 18,000 solar panels, a paved access road, inverters, transformers and cables. The maximum height of the proposed solar arrays is less than 11 feet.

The subject property is zoned Light Industrial (LI). Public Utility facilities are permitted in the Town of Smithtown's LI zoning district with a Special Exception approval from the Town Board.

The subject parcel is located on the north side of East Northport Road and to the west of Indian Head Road (County Road 14). The Suffolk County Planning Commission jurisdiction for this property is that the subject property is located within 500 feet of Indian Head Road which is a County Road. Kings Park Solar, LLC proposes to lease this property from the current landowners. Approximately 14 acres of the subject property is currently being used as a golf driving range and the remaining 13 acres is vacant overgrown land. Previously the subject project was a Town of Smithtown landfill. The referral materials indicate that this landfill was capped and is listed by NYSDEC as not requiring any further actions.

Land uses surrounding the subject property are predominately industrial and commercial in nature with some residential land uses located to the north and south of the subject property. To the northeast of the subject property is a residential condominium project and to the northwest is proposed sports complex facility. The solar panels are proposed to be set back

from the northern property line by at least 100 feet. An existing small area of pine forest further buffers the site from the condominium project. To the east of the subject property are vacant and commercial properties followed by Indian Head Road (CR 14). A buffer of 32 feet or greater is proposed between the solar panels and the eastern boundary of the subject property. To the south of the subject property is forested open space area followed by residential properties. A buffer of 114 feet or greater is proposed between the solar panels and the southern boundary of the subject property. Industrial properties are located to the west of subject property. A buffer of 25 foot or greater is present between the solar panels and the western boundary of the subject property.

Application materials indicate that vegetative screening will be planted along a portion of the western property line and new deciduous tree planting are proposed along portions of the other property boundaries. In addition, disturbed areas on the site will be planted with a native groundcover.

All structures associated with the existing golf driving range are proposed to be removed and disposed of at an appropriate landfill facility. In addition, approximately 9,000 cubic yards of soil that was imported to the property will be capped in accordance with a 2012 NYSDEC Consent Agreement. Connection to public water is proposed for minor maintenance uses. The proposed project is not proposed to result in the production of sanitary waste. Access to the proposed solar generating facility is from Old Northport Road. A paved interior road is proposed to connect Old Northport Road to the solar facility with a gravel road to run down the center of the solar facility.

The subject property is situated in Hydro-geologic Ground Water Management Zone I pursuant to Article 6 of the Suffolk County Sanitary Code. There are no mapped NYSDEC regulated wetlands located within or adjacent to the subject property. Stormwater runoff is proposed to be handled by overflow via vegetative swalls to infiltration areas. The applicant is required to receive Stormwater Prevention Pollution Plan (SWPPP) approvals from the New York State Department of Environmental Conservation.

STAFF ANALYSIS

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

It is the belief of the staff that the proposed installation of solar panel arrays would not significantly impact surrounding land uses and is an appropriate location for a sustainable/renewable energy resource.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The proposal appears to be in conformance with the Town of Smithtown Comprehensive Plan Update (February, 2015). The Plan recommends a “limited outdoor industrial” or “commercial recreation” land use for the subject property. In addition, the Plan recommends exploring alternate sources of energy including wind and solar and locating “small alternative energy electricity generating facilities in industrial areas, open areas, and non-sensitive locations”.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

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

In terms of environmental protection, the subject property is situated in Hydro-geologic Ground Water Management Zone I pursuant to Article 6 of the Suffolk County Sanitary Code. There are no mapped New York State Department of Environmental Conservation regulated wetlands located on or adjacent to the subject property. Stormwater runoff is proposed to be handled utilizing overflow via vegetative swalls to infiltration areas. The applications materials indicate that the subject property is a capped landfill that is listed by NYSDEC as not requiring any further actions and that the project will not disturb the underlying landfill. It is recommended that the applicant contact New York State Department of Conservation to insure that the project is in compliance with any regulations related to a capped landfill and with the 2012 Consent Agreement relating to the subject property.

Staff recommends that the Town and applicant consult the Suffolk County Planning Commissions recently adopted Model Utility Solar Code – 2015 for information on design standards that will help protect the environment. It is also suggested that the Town and applicant review the U.S. Department of Agriculture's Natural Resources Conservation Services information on "cover crops and soil health" for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients, suppress weeds, and break pest cycles along with various other benefits.

It is evident in the referral to the Suffolk County Planning Commission that the applicants will have to work with the Town and NYSDEC in order receive SWPPP (Stormwater Pollution PreventionPlan) approval. It is not evident however, if the applicants have reviewed the Commission's publication on Managing Stormwater-Natural Vegetation and Green Methodologies though drainage reserves with drywells are proposed as an element in the plan. It is the belief of the staff that the publication should be reviewed and additional stormwater mitigations incorporated where practical.

In terms of energy efficiency, it is the belief of the staff that by its very nature the proposal is promoting one of the Suffolk County Planning Commission's County-wide priorities by installing a sustainable and renewable energy production system.

As noted the Suffolk County Planning Commission has recently adopted a Model Utility Solar Code – 2015 that can be used by Towns and Villages to help foster renewable energy facilities while also insuring proper safeguards for locating the facility and protecting environmental resources. Staff notes that this application appears to be consistent with many of the key aspects of the Model Code including but not limited to a suitable siting location, setbacks, and design standards. Staff notes that there was not information provided in the referral materials regarding abandonment of solar facilities. Staff believes it would be beneficial for the Town to review the model code including the section on the abandonment of solar energy facilities and incorporate aspects of the Code into the project where practical.

STAFF RECOMMENDATION

Approval, of the special exception subject to the following comments:

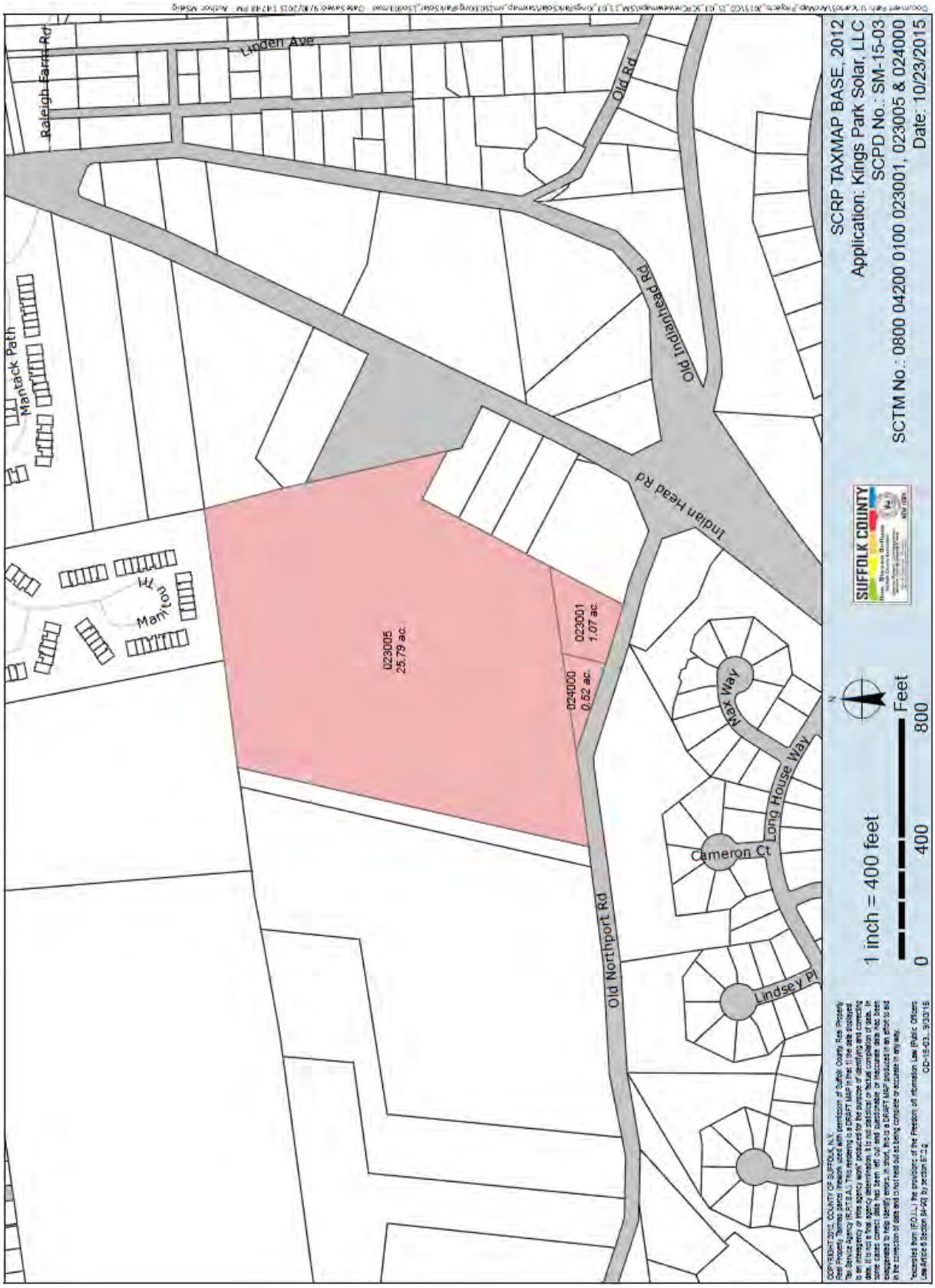
1. The Suffolk County Planning Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed and additional stormwater mitigations incorporated where practical.

2. The Suffolk County Planning Commission's Model Utility Solar Code – 2015 should be reviewed including the section on the abandonment of solar energy facilities and relevant aspects of the Code should be incorporated into the project where practical.

3. The U.S. Department of Agriculture's Natural Resources Conservation Services information on "cover crops and soil health" should be reviewed for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients, suppress weeds, and break pest cycles along with various other benefits.

4. The applicant should contact NYSDEC to insure compliance with any regulations related to the capped landfill and with the 2012 NYSDEC Consent Agreement relating to the subject property.

5. The site plan application for this proposed solar energy production facility should be referred to the Suffolk County Planning Commission for review.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Old Rd
Mantack Path
Old Indianhead Rd
Indian Head Rd
Manitou Pl
023005
25.79 ac.
023001
1.07 ac.
024000
0.52 ac.
Hay Way
Long House Way
Cameron Ct
Lindsey Pl
Old Northport Rd
SCRP TAXMAP BASE, 2012
Application: Kings Park Solar, LLC
SCPD No.: SM-15-03
SCTM No.: 0800 04200 0100 023001, 023005 & 024000
Date: 10/23/2015
SUFFOLK COUNTY
1 inch = 400 feet
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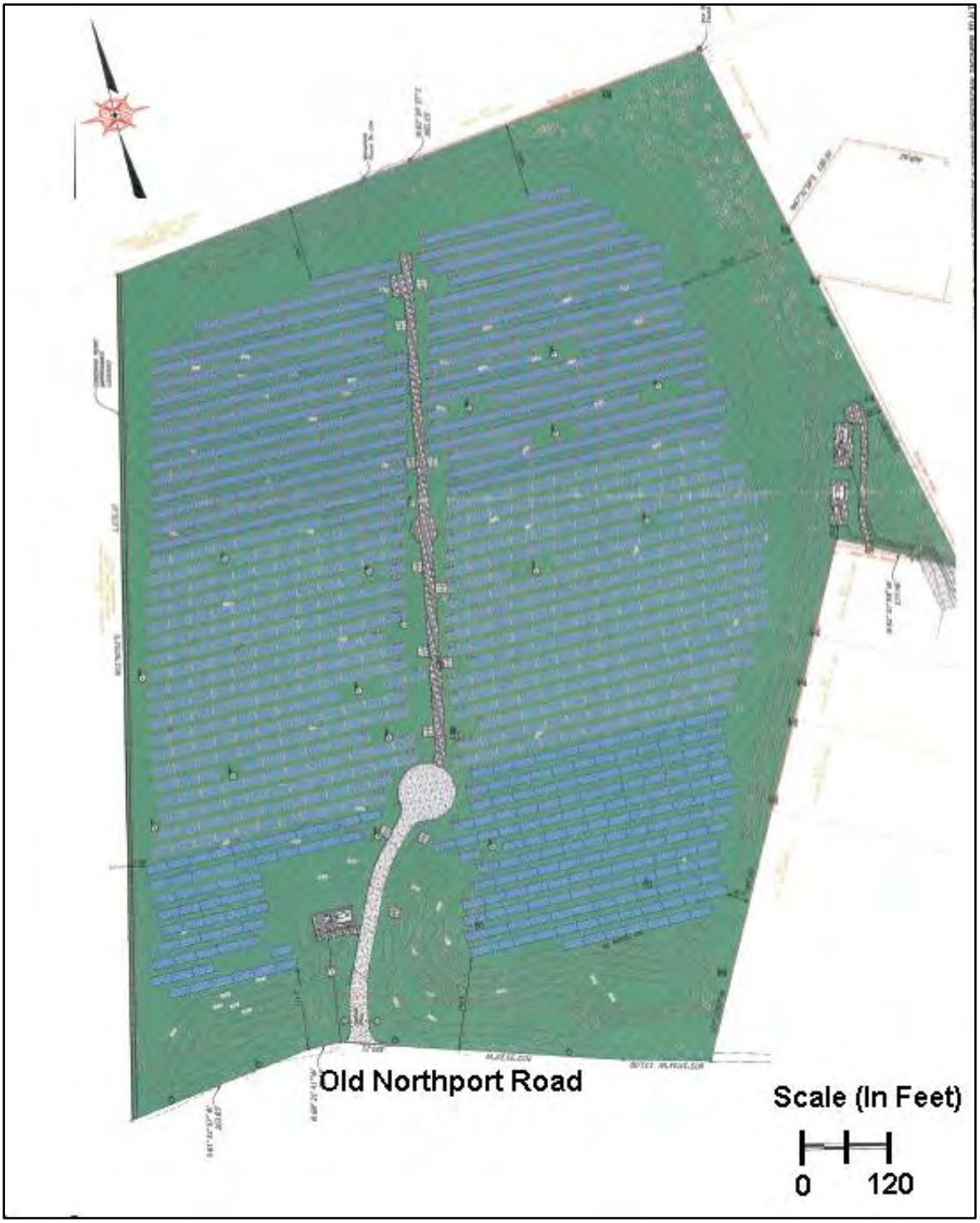
Feet



Z-4: Kings Park Solar, LLC
SCPD: SM-15-01
SCTM No: 0800-042.00-01.00-001.000