

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

David L. Calone  
Chairman

Sarah Lansdale, AICP  
Director of Planning

Date: May 6, 2015  
Time: 2:00 p.m.  
Location: Maxine S. Postal Auditorium  
Evans K. Griffing Building, Riverhead County Center  
300 Center Drive, Riverhead, New York 11901

### Members Present (12)

Ramon Accelletta Jr. – Town of Babylon  
Michael Kelly – Town of Brookhaven (left meeting early – 2nd)  
Samuel Kramer – Town of East Hampton  
Jennifer Casey – Town of Huntington  
Matthew Chartrand – Town of Islip (left meeting early – 1st)  
John Finn – Town of Smithtown  
Barbara Roberts – Town of Southampton  
Nicholas Planamento – Town of Southold  
Adrienne Esposito – Villages Over 5,000  
Michael Kaufman – Villages Under 5,000  
Kevin Gershowitz – At Large  
David Calone – At Large

### Staff Present (5)

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

### Call to Order

- The Suffolk County Planning Commission meeting of May 6, 2015 was called to order by Chairman David Calone at 2:10 p.m.

## The Pledge of Allegiance

## Adoption of Minutes

- The adoption of the April 2015 Meeting Minutes was tabled.

**Public Portion** – Five members of the public spoke to the Commission about two applications on the agenda. In addition, during the public portion the Chair recognized Suffolk County Legislator Monica Martinez of the 9<sup>th</sup> Legislative District, inviting her to participate in the public portion of the meeting which she did, speaking in regard to the King and Queens Transload LLC application. Chairman Calone also recognized Suffolk County Legislator Sarah Anker of the 6<sup>th</sup> Legislative District, inviting her to participate in the public portion of the meeting which she also did, speaking in regard to the Suffolk County Planning Commission's Utility Solar Model Code.

**Chairman's Report** – Chairman Calone updated the Commission as follows:

- On Agriculture; The Chair restated the Planning Commission's "farmers of the future" effort, is working with its partners in the County Executive's office and the Peconic Land Trust on finalizing the details with the State for the \$1 million that the State has awarded towards the program to help young and transitioning farmers afford the capital equipment that they need to get started. The Chair noting that the program should be finalized with the State this month and that the money should be flowing to the farmers imminently.
- On the issue of "North Fork Traffic", Chairman Calone indicated that the Commission has talked about putting together a working group to look at how it can help improve North Fork traffic flow during the busiest tourist times of the year. The Chair noted talking to the Ag community, Legislator Al Krupski, the Supervisors of Riverhead and Southold, as well as the Trustees of the Village of Greenport, and indicated that the working group would get going soon. The Chair also recognized the help of Commission member Nick Planamento, and identified a potential source of funding for this effort as the Long Island Wine Council.
- The Chair announced that one of the highlights for the Commission this past month was the 'Economic Development Conference', which the Commission organized with the Suffolk IDA which was held on April 28<sup>th</sup> at Stony Brook University, and that it was widely praised as a great overview of many of the key economic development happenings in Suffolk County, with 140 attendees; noting about half the Commission was present. The Chair recognized that its success wouldn't have been possible without the work of Commission member Barbara Roberts, and also thanked the staff for their work. Chairman Calone indicated that they would like to do it as annual update on the progress of economic development throughout the County and to highlight various different development and transportation projects, as well as an exchange of new ideas.
- On the 'East End Wind Code', which has already been adopted by the Town of Brookhaven, the Chairman indicated that the Code is also up for adoption in the Town of Riverhead, and is hopeful that the Town of East Hampton will be adopting some form of the Wind Code soon.

**Chairman's Report** (continued)

- On the 'Geothermal Model Code'; Chairman Calone stated that the Commission has been working on rolling out the Geothermal Code to the local municipalities, and that the Town of Smithtown became the first town to adopt the Code. The Chair thanked Commission member Michael Kaufman for helping on that. Mr. Kaufman went on to mention that the Town of Brookhaven plans to adopt the Code this week and that the Town of Huntington also has been working on a geothermal code.
- On the 'Utility Solar' effort; Chairman Calone mentioned that the Commission has been working with the Towns of Brookhaven, Riverhead, Southampton and Smithtown on creating a model zoning code to establish best practices for utility solar. The Chair stated that the working group created by the Commission, comprised of County and Town officials, law departments, utility consultants, representatives from PSEG, solar developers/installers, environmental advocates, and civic leaders, had four meetings and made the recommendation to the Commission of a model code which suggests land use regulations for utility solar including buffering, and recommendations to PSEG regarding how they can better incorporate land use considerations into their solar RFP process. Chairman Calone thanked Vice Chairs Kelly and Esposito as well as Commission member Kaufman and Gabrielsen for their input in the work group's effort.
- With regard to the Comprehensive Plan; Chairman Calone stated that according to the County Charter the Commission is required by law to hold public hearings on the Plan, which he indicated are to happen very soon; the Commission has finished getting feedback from the Towns and Legislature. The Chair indicated that he would leave it for the County's Planning Director Sarah Lansdale to update the Commission on its progress in just a moment.
- Regarding other Commission business;
  - Chairman Calone announced that the next Commission meeting is to be held on June 3<sup>rd</sup> at the Legislature Auditorium at the North County Complex in Hauppauge at 2 p.m.
  - The Chair asked if there were any questions or comments from the Commission. Commission member Barbara Roberts made an announcement about the recent Economic Development Conference stating that one of the highlights was being made aware of the high level of technologies being produced at Cold Spring Harbor Laboratories, Brookhaven National Laboratory and Stony Brook. She went on to say that there is no reason why Suffolk County cannot be the equivalent of Silicon Valley. She indicated that she thought that there was more that needs to be done to attract more business and foster job creation in the high technology industries in Suffolk County.

**Director's Report** – The Planning Director Sarah Lansdale informed the Commission about recent activities within the Division including the following:

- Director Lansdale mentioned the recent release of the Suffolk County Water Resources Management Plan. She also addressed the progress of the County'

Comprehensive Plan. And also updated the Commission on the County's Land-bank program, mentioning a recent meeting upstate with NYS DEC officials to work out a Draft Memorandum of Understanding that would provide relief from both liability as well as fines and liens in order to begin disposing of certain County owned properties.

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

- **King and Queens Transload LLC (taken out of order)**; referred by the Town of Islip, received on April 13, 2015 – the Commission's jurisdiction for review is that the application is adjacent to NYS Sagtikos Parkway R.O.W.. The Applicant seeks a change of zone approval from the Islip Town Board from "Industrial 1" to "Industrial 2", and a Town Board Special Permit for the construction and operation of a ferrous and non-ferrous scrap metal processing and rail freight facility on 3.61 acres in the hamlet of Edgewood.

The staff report recommended disapproval of the change of zone for four (4) reasons stating that 1) to grant application would constitute unwarranted alteration of the community zoning pattern, 2) the applicant provided insufficient information to meet special permit standards, and 3 and 4) there was insufficient information to address issues of environmental and traffic concerns relating to the proposal. The Staff also offered five (5) comments for consideration and use by the Town of Islip. After deliberation the Commission resolved to agree with the staff report and disapprove the application for the four (4) reasons stated and offer the five (5) comments.

The motion to disapprove the change of zone application and provide the four (4) reasons with the five (5) comments for their consideration and use by the Town of Islip was made by Commission member Chartrand and seconded by Commission member Accettella, vote to Disapprove; 11 ayes, 0 nays, 1 recusal (Gershowitz).

- **Overbay LLC**; the application is referred by the Incorporated Village of Port Jefferson, received on March 25, 2015 - the Commission's jurisdiction for review is that the application is adjacent to NYS Route 25A. The applicant requests Conditional Use/Site Plan approval from the Village of Port Jefferson Planning Board for the demolition of an existing single family structure, a boat sales and service building, and the development of two residential only structures containing 52 apartments, six of which will be for workforce housing purposes. Off street parking for 80 vehicles is to be provided in an at-grade, open air, parking garage located beneath the residential structures.

The staff report recommended approval of the Conditional Use/Site Plan and offered ten (10) comments for their consideration and use by the Village of Port Jefferson. After deliberation the Commission resolved to approve with ten (10) comments.

The motion to approve the site plan, conditional use permit, and permission to provide accessory parking applications with ten (10) comments for their consideration and use by the Village of Port Jefferson was made by Commission

member Kelly and seconded by Commission member Casey, vote to Approve; 11 ayes, 0 nays, 0 abstentions.

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

- **Rosko Farm at Magee**; the application is referred by the Town of Southampton, received on April 14, 2015 – the Commission’s jurisdiction for review is that the application is adjacent to municipal boundary lines (Village of Southampton) and within 500’ of County lands. The Applicant proposes to subdivide approximately 34.235 acres of land that was once farmland. The proposed subdivision map depicts a total of 28 lots and open space areas. The proposal intends to subdivide the property consistent with the Town of Southampton land-use regulations as a “reduced density” subdivision, which is one lot less than its as-of-right yield of 29 single family lots (as determined by the Town Planning Board).

The staff report recommended approval of the proposed subdivision and offered six (6) comments for consideration and use by the Town of Southampton. After deliberation the Commission resolved to agree and approve the application with the six (6) comments.

The motion to approve the subdivision application with six (6) comments for their consideration and use by the Town of Southampton was made by Commission member Roberts and seconded by Commission member Finn, vote to Approve; 10 ayes, 0 nays, 0 abstentions.

### Other Business

- Consideration of the Working Group Report on a Utility Solar Model Code; Chairman Calone introduced the proposed recommendations for utility solar installations as developed by the working group. After discussion, a motion to adopt the report as amended, to be the Commission’s Solar Model Code and the Commission’s recommendations to PSEG was made by Commission member Accetella and seconded by Commission member Kaufman, vote to Approve; 10 ayes, 0 nays, 0 abstentions.
- Dates and times of the two (2) public hearings for the County’s Comprehensive Plan were announced by Director Sarah Lansdale as follows:

1<sup>st</sup> a morning meeting at 9:00 a.m. in Riverhead on (Monday) June 15<sup>th</sup>

2<sup>nd</sup> an evening meeting at 6:30 p.m. in Hauppauge (also) on June 15<sup>th</sup>

Mary Porter – Assistant County Attorney, as counsel to the Commission advised the Commission members that the public hearings can be held without a quorum present, but that it is neither recommended and/or advised to take any action without the presence of a quorum during the public hearing.

Chairman Calone requested that the Commission members 'save the date', and all try to attend the public hearings.

**Meeting Adjournment** (4:55 p.m.)

The motion to adjourn the meeting was made by Commission member Accettella and seconded by Commission member Casey. The motion was approved.