

**SUFFOLK COUNTY PLANNING COMMISSION**

**MINUTES**

A regular meeting of the Suffolk County Planning Commission was held in the conference room of the Planning Department, 4th Floor of the H. Lee Dennison Building located in Hauppauge, New York on September 5, 2001.

**PRESENT:**

Robert Martin (Smithtown) Vice-Chairman  
Edward Rosavitch (Brookhaven)  
Thomas Thorsen (East Hampton)  
Linda Petersen (At Large)  
Frank Tantone (Islip)  
Louis Dietz (Babylon)  
William Cremers (Southold)  
Michael Macco (Huntington)  
Richard London (Village 5000 & Under)  
Basia Braddish, Esq. - Counsel  
Thomas Isles - Director  
Harold Withers - Deputy Director  
Gerald Newman - Chief Planner  
Andy Freleng - Principal Planner

**NOT PRESENT:**

Ronald Parr (At Large)  
Donald Eversoll, Chairman (At Large)  
Richard O'Dea (Riverhead)  
Laure Nolan (Village 5000 & Over)  
George Dickerson (Shelter Island)

**ALSO PRESENT:**

Henry Barton - Clerk of the Legislature  
Lori Talmadge - County Executive's Office  
Marian Zucker - Director of Affordable Housing  
Seth Forman - Regional Planning  
David Casciotti  
Kathleen Rigano - Principal Stenographer  
Claire Chorny - Sr. Clerk Typist

**MINUTES TAKEN BY:**

Donna Barrett - Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 12:05 P.M.\*)

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**CHAIRMAN MARTIN:**

okay. Let's start. The minutes of the August 1, 2001. Do we have a motion to approve.

**MR. ROSAVITCH:**

motion to approve.

**CHAIRMAN MARTIN:**

Is there a second?

**MS. PETERSON:**

here.

**CHAIRMAN MARTIN:**

all in favor signify by saying aye.

**ALL PRESENT:**

aye.

**CHAIRMAN MARTIN:**

contrary minded? So approved.

**MR. CASCIOTTI:**

Mr. Chairman, question. I have a question. Dave Casciotti. I'm not here in an official capacity today, I just -- I'm not sure if I should stay in the horseshoe or how it should be handled as far as my presence here. I'm here to basically say good b ye.

**MR. ISLES:**

So you would be here today as with guest then and not participate in the deliberations.

**CHAIRMAN MARTIN**

Okay .

**MR. ISLES:**

Maybe, if I could, Mr. Chairman, make note of Mr. Casciotti's appearance and to express regret that he has submitted a resignation to the Planning Commission. And we consider that to be an unfortunate circumstance in stepping aside from the Planning Commission. And speaking for the Department, we've appreciated Mr. Casciotti's very active participation and availability on telephone calls and questions and so forth. And we've dealt with the Town of Southampton. He's represented the town very well, and we wish Mr. Casciotti well in his future endeavors. And we thank you for your service to the Commission and to the Department.

**MR. CASCIOTTI:**

thank you .

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**CHAIRMAN MARTIN**

Now, we're up to the Commissioner's Round Table. We'll start --

**MR. ISLES:**

I believe we have the correspondence.

**CHAIRMAN MARTIN:**

oh, yes.

**MR. ISLES:**

We have two pieces of correspondence to bring to the Board's attention from the last meeting. Number one, is that at the last meeting the Planning Commission discussed and passed a resolution involving the Village of Patchogue. The Village of Patchogue had requested the Planning Commission's authorization for the Planning Department to perform certain planning services. Basically, we're going to be doing an update to the downtown plan in Patchogue. One point that was made at the meeting was that the Commission had asked that the Village furnish us with a resolution from the Village Trustees. I just wanted to report to you that we did receive a letter from the Deputy Mayor -- pardon me -- from the Deputy Village Clerk of the Village of Patchogue enclosing a copy of the resolution from the Patchogue Village Board unanimously requesting the services of the Planning Commission. So we now have that and we have commenced that study work.

It will probably be about a four month time frame for the study review. The second correspondence to bring to your attention is we've received a letter from a Peter Danowski from the Town of Riverhead. Mr. Danowski is an attorney in private practice representing an applicant under the name of TS Haulers. In the letter, Mr. Danowski makes reference to a review of an application by TS Haulers that was conducted by the Planning Commission several months before. Mr. Danowski makes the point that he wanted to be assured that the Commission was aware of a court settlement on this matter. And I want to inform you that this matter was handled by Mr. Newman, Jerry Newman, in our staff. He did make a presentation to the Planning Commission on this application, and in the staff report that he provided to the Commission, we do make reference to the fact of the history of this application, the court issues with this application. So we do feel that Mr. Danowski's concerns on behalf of his client were made known to the Planning Commission. So I did write a letter back to Mr. Danowski with those comments. So I believe that satisfies the inquiry that was made to the Commission at that time. So that's the extent of the correspondence.

**MR. MACCO:**

Did you give us a copy of the letter you sent back?

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**MR. ISLES:**

No, but I can get that to you today .

**MR. MACCO:**

okay. I would like that.

**MR. ISLES:**

as well as the original letter.

**MR. MACCO:**

I got the letter from Mr. Danowski.

**MR. ISLES:**

okay.

**CHAIRMAN MARTIN:**

We'll start now with the Commissioner's Round Table.

**MR. ISLES:**

Director's report .

**CHAIRMAN MARTIN:**

why do I keep bulkheading you?

**MR. ISLES:**

i'm sorry.

**CHAIRMAN MARTIN:**

All right.

**MR. ISLES:**

Just a couple of things on the general departmental matters. The first I'd like to do is the County Executive, as part of his program for this year, has set a priority for affordable housing, and with the support of the County Legislature, our budget included an additional staff position for a Director of Affordable Housing. I'm pleased to report that we've hired someone for that position at this point within the Planning Department, and she's here today. I'd like to introduce Marian Zucker is -- came on board about a month or so ago and will be in charge of all County affordable housing efforts, working with the municipalities and so forth. Marian comes to us with a Masters Degree from Harvard University, with several years of housing experience in New York City, about 18 years of experience in Wall Street dealing with financing of affordable housing. So we look forward to a lot of success in that program.

Just a couple of others points to bring the Commission up to date on is the Planning Commission, as well as the Legislature and the County Executive, have directed the County to work on a policy of encouraging Smart Growth in the County. We can do that in terms of County projects, in terms of County

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

facilities, and public highways and so forth. We are planning at this point -- we have been authorized certain funding to put together a training program for Planning Board members, for Zoning Board of Appeals members, Town Board members, and the general public. So our first session -- I think we've talked about this in the past -- is set for October 3rd. We will have a training session on Smart Growth right here in the Dennison Building, in the Media Center. We have a mailing going out of the actual program later that will be going out later on this week. And so we're looking for as much participation in that as possible. We think we put together a very strong program with the idea being workshops to provide Planning Board members of the opportunity to go to those sessions that they feel are most pertinent to their areas of expertise.

A couple of other matters. The Legislature has directed the Planning Department to work with a new committee of the Legislature dealing with the issue of aquaculture, which is marine farming of sorts; shellfishing, fin fishing, so forth. This process is taking place in the study area of Gardiner's Bay, and Peconic Bay. I serve as Chair of that committee. The committee first met in August, our second meeting is this Friday morning, September 7th. And we are mandated by the Legislature to also hold public hearings, so we will be doing that later on this month, setting up a public hearing to consider the issue of aquaculture in Suffolk County. So just that the Board members are made aware of that. Once we do set the meeting date, we'll send out notices just so you're aware of those notices. Another public hearing that we're also mandated by the Legislature to hold is -- apparently in 1999, the Legislature required that the Planning Department conduct two public hearings a year to gain input from citizens of Suffolk County. One of those is to be in Western Suffolk during -- between the months of January to June and in the -- between July and December in Eastern Suffolk. So we'll be scheduling a public hearing in Eastern Suffolk sometime in the next several months before the end of the year, and it will be an open session for the public to inquire to present ideas concerning the Suffolk County Planning Department.

I will point out to the Board too that there is another resolution that is pending in the Legislature at this time to reconstitute the Suffolk Planning Commission from 15 members to 11 members. At this point in time that resolution has been tabled in the Environment Committee as recently as yesterday afternoon. So there's no further action on that matter at this time. The Legislature did hold a public hearing on the matter and closed the hearing and referred it back to committee. At this point here again, it has been referred out of committee. But I will keep you posted if there is anything new on that one.

the last item to report is we periodically keep tabs on our

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

open space acquisition, which are done through the Planning Department, the Division of Real Estate. Last year, the County purchased a record amount of open space, about \$50 million worth. This year, as of about a month ago, we've completed closings on \$32 million in open space, and we expect at this point to be breaking last year's record of \$50 million. So we're purchasing now an excess of a million dollars a week in open space, and we see that continuing, especially in farm land over the balance of this year. A major acquisition that will be occurring is in Western Suffolk is the OBI, which is getting very close to the actual point of closing as well. So those are updates in terms of some of the departmental activities at this point.

**CHAIRMAN MARTIN:**

The only question I would have; on the open space required of farmland, is any of it laying down shallow? At one time, we had quite a bit of it, which would get updated. Is there any of those farms down --

**MR. ISLES:**

Were we purchase development rights?

**CHAIRMAN MARTIN:**

yes.

**MR. ISLES:**

there are several, though I don't -- from what I understand, it's not a large amount at this point. We appear to have a pretty active market. And one thing Real Estate has been doing is working with actual farmers who are looking to expand their acreage, and we have actually done some partnerships, whereby, we'll buy developmental rights from someone who wants to get out of the business, but the remaining -- the acquisition is done by a farmer who actually wants to farm the land and not develop it. So I can find out for more about it. My understanding is -- okay. And Roy Fedelem is our Farm coordinator if you would like more information on that. I would like to introduce Peter Lambert. The department has completed two draft studies that we have before you today, and one deals with a study initiated by Steve Jones, the former Director of Planning, and that dealt with the question of railroad usage in higher density developments gathered around railroad stations. The second study deals with retail occupancy rates within shopping centers in downtown Suffolk County. Peter Lambert, one of our senior planners, has worked on both of these studies. What we'd like to do is maybe Peter can give just a brief rundown on the findings of the study, and in particular, we'd like on the retail study if you have any comments -- this is still in a draft form at this point -- if you could just let us know in the next couple of days or a week. But at this point, I'd like to ask Peter if he can just

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

give a little idea.

**MR. LAMBERT:**

First, I'll talk about this one, which is the railroad study. The purpose of this study was to gather information about the railroad usage of people who live in higher density housing near railroad stations. We wanted to better understand the transportation needs of those people who live adjacent to the railroad stations because one of things that Smart Growth talks about is having the higher density near the shopping areas so it's just a little less of a dependence on the automobile. So we've devised a questionnaire to send to the people who live near the railroad stations. Something that's simple to maximize the response rate and then that it would have a self-selecting sample. It was just a mail-back of a survey. And the people who chose to send them back are the people who are included in the study. So it's not scientific, it was not to be statistically significant. It's just to gather information of the railroad use of the people who live near the railroad.

We've selected complexes within a quarter of a mile of the railroad station, sometimes up to half a mile (inaudible) and then we generated the mailing list of the people to send the questionnaires to. The response rate was 23%, which was pretty favorable, pretty happy about that. There were three questions. The first question told us that 37% of the responding households have somebody in the household, who at some point, has used the railroad to get to work. So more than a third have at some point used the railroad. Almost a quarter of the people who responded -- a quarter of the working people currently use the nearby railroad station to get to work and we compared that to the 1990 census with the latest that we have so far. And in the 1990 census, 6% of people used the railroad. So there's definitely a -- there seems to be a higher percentage of the people using the railroad of the people who live near the railroad in multi-unit housing. And 265 of responding households use the railroad for leisure purposes at least a few times a month, which is not surprising. We came up with a few recommendations based on the study and based on Smart Growth principles that new multi-unit housing near railroad stations should be located near railroad stations, especially those railroad stations that are near business districts. Abandoned or underutilized property near the railroad station should be redeveloped for multi-unit housing because it's a good idea to keep it close to the railroad stations. And another Smart Growth principle is to construct apartments above stores, especially in business districts near railroad stations. The Long Island Railroad has done a good job of upgrading a lot of the stations and parking lots, and we recommend that they should continue to do so, which will help create an attractive, vibrant and safe areas near the railroad station. That's an overview of the railroad report. If anybody has any

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

questions?

**MR. MACCO:**

Did you make a distinction between low-income housing and regular housing by the railroad to find out if people with lower income use the railroad more because the lack of ability to afford a car?

**MR. LAMBERT:**

I looked at the proportion of people in apartments to how many vehicles are available to people. Based on 1990 census, there's a clear distinction that there are a lot more vehicles available to people in homes -- single family homes -- than there are in people in apartments. But I didn't make any distinction in the questionnaire, which was meant to be very simple, but that would have a lot to do with it. People that have no other means of transportation tend to rely on the railroad. But it makes sense that people in the apartment complexes have fewer vehicles so they're going to rely on the railroad instead, but there wasn't a distinction.

The other report is much larger. Several months in the making. And it's called Shopping Centers in Central Business Districts in Suffolk County, New York. We maintain an inventory of shopping centers. I keep track of it as best I can. Anything new that comes on line, changes, changes in anchor stores, we try to keep it up-to-date. But we went out in the field in the fall, November, December, and looked at every single shopping center. There's 804 that we counted, large and small, anything with four or more stores connected --

**MR. MACCO:**

You personally looked at every shopping center on Long Island?

**MR. LAMBERT:**

Every one in business in Suffolk County. It took a couple of months. Seventy-three downtown areas. I swore I'd never do it again. The last time we did, which was in '96 -- this time I had help -- it's not an easy job.

**MR. MACCO:**

How long were you on Sunrise Highway ?

**MR. LAMBERT:**

The worst part is Middle Country Road, Centereach/Selden, that's the place where you can almost get killed. So it is an update to our '96 field work, and we updated the inventory, made all the changes, new square footage figures, new major stores, new shopping centers and performed an analysis of the other. In terms of the total square footage of shopping centers, we've had quite an increase over the years.



**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

In 1970, we had about 12 million square feet of shopping space. By 2001, we have 35.5 million square feet of shopping center space with an additional 4.3 million square feet proposed. Per capita or per person, the amount of square footage of shopping space has also increased, where there were 10 or 11 square feet per person in 1970, we have now have 25 square feet of shopping centers for each person. So the increase in shopping centers square footage has outpaced the increase in population. Looking at the shopping centers by the date when they were constructed, the largest percentage of shopping center space was build before 1970, 36%, but that includes the three regional malls, each of which is a million square feet or more; the South Shore Mall in Bay Shore, the Smith Haven in Lake Grove, and the Walt Whitman Mall in Huntington Station, that's all included -- most of that is included in the before 1970 category.

In the 1970's, another 21% was built, in the 1980's, which people think of as a large construction type decade where a lot of things were built, only 17% were built, and we had 22% of our space built in the 1990's. And a lot of that is a lot of these big box stores, each of which has over 100 thousand square feet. A lot of Home Depots, and Targets, K-Mart's, large super markets adding up to 22% of our square footage being added in the 1990's. And so far this decade we have another 4% added, which is quite a bit considering it is only two years. And we also looked at downtown business districts. And in terms of the vacancy rates, the vacancy rates in (inaudible) downtown was 8.1%, which historically is not particularly high. A big improvement from 1996, when the vacancy rate was 11.4%. Compare that to the vacancy rate of shopping centers, we're down from the 19% in 1996, but we still have 12% of the stores vacant in 2000, that's one out of every eight stores.

So historically, we're still relatively high in terms of vacancies. We came up with a bunch of recommendations, some of them were strip commercial, basically to create a plan for strip commercial areas in terms of out limiting access, controlling signage, controlling architecture, things like that. Surplus commercially zoned land should be rezoned. The strip commercial areas can be contained because there's an oversupply of commercial strips. For central business districts, add mixed use, higher density housing, apartments and offices above stores and in-fill development in downtown areas. These are basic Smart Growth principles. In-fill development have helped to maintain downtown districts a little more (inaudible). Some of them that we counted as downtown districts are a little bit scattered. They are clusters of storefronts, but there is still space in between where there's a little more in-fill that could be a little more cohesive to the centers. Introduce proven successful retailers into the downtown, things that increase food traffic like restaurants, movie theatres, drug stores, coffee shops

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

that kind of thing.

In the case of chronic vacancies which would be retail uses; offices, commercial use, real estate offices, things like that, there has been a trend more and more toward more non-retail uses. We're seeing more real estate offices, more Kinder Care Centers, things like that we don't have the traditional retail stores. They're not -- they're acceptable, there's chronic vacancies, but they're not the most desirable type of development. Also, add attractive signs to identify the downtown, give people a sense of place, and add signs designating municipal parking areas, because it helps to guide people and it also adds to the attractiveness of the downtown district. Some more recommendations for central business districts; parking should be studied, in some cases parking is disjointed and it doesn't function very well, and some cases key parcels would be acquired by local governments for additional parking or for public spaces.

The Village of Lindenhurst acquired a parcel right in the center of the downtown. There's now a gazebo and a small public space there, which is very successful. Avoiding shopping center construction near downtown areas is another way to preserve the integrity of the downtown. Some business -- improvement districts have been instituted in different downtowns. That might help some of them. It might be a good idea for others to do that. Downtown stores might emphasize personal service to distinguish themselves from some of the larger stores.

As for shopping centers, we have a few recommendations that municipalities should carefully consider new (inaudible) proposals, where already, there are vacancy problems. In some areas, some communities, there's 15, 20, 25% vacancies in shopping centers. Or if there's a limited market in terms of population and income, it is not a good idea to have too many shopping centers. Municipalities should amend zoning codes in certain cases if they want to prevent large store developments of the big box stores if they're not prohibited from development, such as in the East End. So those communities might be wise to amend their zoning codes. The municipalities should also carefully review site plans to make sure the parking lots are functioning properly, there's enough of the ingress and egress, that the parking lot functions and also connects with neighboring businesses.

A lot of times shopping centers close off access to neighboring uses, where if the site plan was better, you can have a little better access to neighboring businesses. We always recommend the use of redevelopment of shopping centers before new construction. There have been a lot of successful redevelopments in recent years; the Big H Shopping Center has finally been redeveloped. It's working out pretty well. Gardiner Manor Mall, most of that was demolished and has

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

become a successful shopping center.

In addition, expanding a store on the site is a good idea before any new construction elsewhere, it just makes sense to do that. Some of the drug stores have been building freestanding stores, where they're leaving shopping center locations, that's probably not a smart idea; it adds to shopping trips and additional development of increasing businesses. In terms of hopeless cases, certain shopping centers have been vacant for years. It might a good idea to redevelop them, demolish them or each center redevelop what's useful. Access is already good. If half the shopping center remains, it will reinforce the strength of that shopping center by having additional residents nearby. For both shopping centers and business districts, we have a few recommendations on aesthetics of pedestrian safety; that the centers upgrade their lighting and upgrade their lighting fixtures, not only for the appearance of the area, but for safety, maintenance of buildings, parking lots is also important for safety and also for aesthetics, introducing new landscaping is a good idea for aesthetics, improving signage. Certain villages have Architectural Review Boards, which is a strong way to keep things in line and keep things moving properly. And finally, pedestrian-friendly parking lots and streets go hand in hand with Smart Growth -type things and making things more aesthetically pleasing and easier for shopping. That's the report in a nutshell. Any questions?

**MR. ISLES:**

I think it's rather remarkable what we've seen in recent years in a lot of the downtown areas where there has been a significant absorption of vacant space, so it's very good news, I would say in terms of overall -- of Suffolk County. One example is the downtown area of Bay Shore, which had a 42% vacancy rate, I think it was at the last study. And in this particular study, the vacancy rate was down to 18%, a major, major dent in a relatively short period of time. And what Peter has indicated in terms of the amount of reinvestment we've seen, not only in downtowns in terms of filling in vacant and stores, but also in older shopping centers, many of which were built in the 1950s and 60s. A lot of redevelopment, a lot of reduction in vacancy, so I think much of what we see here is very positive.

In terms of some of the recommendations, that many of the local Town and Village Boards have been doing of tightening up zoning, of commercial zoning, and encouraging reinvestment in business centers, looking at alternatives in terms of higher density housing as an alternative to commercial development has been very positive. Peter put a lot of work into this report. I think he did an excellent job, and I appreciate his presentation today. Thank you very much.

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

**MR. MACCO:**

We've had a real problem with the Big H Shopping Center in Huntington for years and years. And they've totally rehabbed it, but they rehabbed it around two big box stores or three big box stores; Home Depot, the K-Mart and the Gap. And many times we're here and we complain about those big box stores, but without those stores, you couldn't redevelop the Big H land. You needed them to bring in the people. Nobody was going to the Big H Shopping Center whatsoever. Now it's got tremendous traffic, but because of those big box stores that we're always complaining about. Of course, the Big H Shopping Center is right outside the Town of Huntington, and you move in a Home Depot, a K-Mart, you're going to end up all -- I don't think we've had all the end affects on the Town yet, but it could have a real serious impact on the downtown Huntington.

**MR. LAMBERT:**

Huntington is far enough away and established enough .

**MR. ISLES:**

And I don't think we're going to say from a department standpoint that there's never going to be another big box, or we're going to close every big box. I think it's a locational thing. And I think an example in the Big H is that, at least it's coming into an older center, where it's reinvigorating that center. The Gardner Manor Mall in Bay Shore which is severely blighted -- I think the vacancy is 65%, and they are big box uses, but I think our position is we'd rather -- if we're going to have them, we'd rather see them in there taking up surplus vacant space, commercial space, versus out in the middle of a farm field somewhere were it's expanding the (inaudible).

**MS. PETERSEN:**

We're experiencing the same situation in Coram. Home Depot is coming in and taking over our shopping centers, and it's been severely blighted for many years. And the town is anticipating that it will rejuvenate the entire Coram area. And it opened a few weeks ago, and almost all of the other stores have been rented. So it's already starting to generate businesses in the area.

**MR. ROSAVITCH:**

With the change of use in Bay Shore, was that -- that wasn't retail. Wasn't that service; doctors, lawyers? How did that redevelop? It was n't all retail?

**MR. ISLES:**

No. It certainly wasn't all retail. There is very definitely an increased medical health industry, an expansion, in downtown Bay Shore, but very noticeably too there is also -- as Peter mentioned -- this factor of destination use of

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

restaurants and things of that nature that are not competing head to head with the comparison shopping of the malls and so forth. So Bay Shore has kind of found it's niche or is working towards that right now. And you're right, it's across the board. So it's partial retail, it's partial office development. We're seeing things -- as Peter mentioned -- in terms of just a diversity of uses in both downtown and shopping centers, where spreading out from retail of child care centers, of health clubs and so forth and more of a mix, but that's my observation.

**MR. TANTONE:**

That's absolutely right. As a matter of fact, we just approved a theatre in downtown Bay Shore to show you the diversity that is actually going down there.

**CHAIRMAN MARTIN:**

Okay. You now what else I've noticed too? Going to the ballpark down in CI, I see attorneys are starting to take over some of the older buildings and remodeling them. And if that starts a trend, you know, you've got to go to the railroad tracks.

**MR. TANTONE:**

There's a very large office building that's currently being rehabbed, and from what I understand, it's going like hot cakes , attorneys want to be there.

**CHAIRMAN MARTIN**

Because the town right now -- as it is without being fully developed, it's a lot cleaner looking now. That's what we're looking for, I guess. That's what Smart Growth should be. We should recycle and not keep building new out there. Anybody else? Peter? Nothing. We thank you. It's an excellent report. Can't wait to see next year. Let's start with Round Table.

**MR. THORSEN:**

Representing Town of East Hampton. I haven't been in touch with the Town in the last two weeks because I've been in Europe. So I really don't have too much to say. I'm very pleased that you did hire Marian Zucker. We've been colleagues on the Village Master Plan as part of the Citizens Advisory Group working on that. So maybe next time.

**MR. MACCO:**

I was in East Hampton the other day, and I didn't catch a stripped bass I want you to know, Tom. I hold you personally responsible. Over the last 90 days, we've had an affordable housing project open up across the street from the Huntington Train Station. Everyone's been moving, I bet things have been closing a little bit longer than that, but it's actually --

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

it's very visually appealing. You know, they had a big parking lot there before, which was -- was always a mess and they built this, and now they're closing. It's good to see that we have all these families moving in to this project. It looks like it's going to be real successful. It's not affecting parking by the train station at all. Now that I saw my railroad study, I've got to find out if people are going to use the rail -- the railroad over there. It's just nice to see young families and needy families to move into a nice visually appealing place. The problem with the Town of Huntington is we do not have enough apartments. We don't have enough affordable housing for young people, and it's a real problem. So it's good to see some of the stuff moving into Huntington. Besides that, I really have nothing else.

**MR. CREMERS:**

Town of Southold. The Town has been working on an affordable housing project -- since we're talking about affordable housing -- for the last nine months or so, and I'm on that committee. And the Town came up with four locations for affordable housing. Right now the Town is changing the code because they're going to put rentals -- affordable apartments in there also. So that's being worked on. In addition, a developer has come to the Town -- and I think, Tom, you were involved in that one -- 160 units, senior citizen or they would be using County funds for that project. And that's still pending as to where that goes. So those are the things we are working on affordable housing.

**MS. PETERSEN:**

Town of Brookhaven held it's balloon festival, it was very successful; good weather, good turnout. Other than that, things are pretty quiet in the Town. We're reviewing the proposal for an alternative energy source at Exit 66, and, I guess, the Town will have a position after we've discussed all the issues. It's really not in our hands. It's in the Public Service Commission's hands, but certainly, it's in our Town, and it's a very large plant. There has been a lot of issues in other towns since the proposal has come forward .

**MR. ROSAVITCH:**

I had the opportunity of going out to Greenport and attending that Tall Ship Festival they had out there. It was a pretty nice turn around in the Village of Greenport. They did some nice job with the river front and the boardwalks. And I'd like to commend the Village of Greenport for the job that it's done. I also had an opportunity to visit the Long Island Maritime Museum over the weekend, and it was pretty interesting some of the exhibits they had that I didn't know were there. I'd make a recommendation that possibly next summer we have a meeting there so that the rest of the Commission can take a look at it.

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

**MR. LONDON:**

A couple of things. First, I was out at the North Fork Classic, which was held out on the Grumman property, and it was outstanding the way it was put together. The Supervisor of Riverhead was there, and we spent about a half hour talking about the future of Grumman and the facilities there, relative to having a so-called County or State horse park, and he seemed very encouraged by that. There were other notable people along with him, like Dave {Willmont} who was in on the discussion. It really was a heck of a great event for that property. And then as a sequel to that was the Hampton Classic that everyone knows about that just ended on Sunday, and it was the best one -- it was the 26th Edition -- never had a drop of rain. It was so well attended, I mean, it was like bursting at the seams. And this past year, they dedicated Friday -- I guess that was August 31st -- and they called it Fiesta Day -- dedication to Spanish and Latin people. And they were being brought in by the bus loads from all over parts of our metropolitan area. And it was extremely well received, and I wouldn't be surprised if the tax revenue from that 10 days at the Classic in time exceeded any previous amounts. It was just really outstanding, and I would encourage people next year to check it out.

And then finally, the only other thing, which I always report on from the Board of Health every month is the West Nile Virus. I don't know if you people saw the piece on News 12 that I did last week, but we, in the Smithtown area, had the first two reported fatalities of horses in the state. That took place in the Kings Park/Smithtown area. Now, reported cases have been found as far as Wisconsin and as far south as Florida, which is going to cause a new type of problem being that our problem is over once we get a heavy frost. Well, Florida doesn't get a heavy frost, which is most unlikely. They'll have a year round problem. And it's believed now since there are more breeds of mosquitoes that are starting to contract and carry this virus that it will get more out of hand and work up the coast rather than just originate every spring from the egg larvae and all here in the North East.

Simply put, the only thing is as repeated all the time, you have to try and prevent pooling of water, prevent your exposure at dawn and dusk and try to use some kind of insect repellent to keep biting insects away from your family, yourself and your animals. This is the worst year. This is the third year on Long Island, and already they have hundreds of dead birds that are showing up all over; on the East End, on the West End, the South Shore, the North Shore. Nobody is exempt. That's all I have to say.

**CHAIRMAN MARTIN:**

Why is it so predominant in animals or birds than a human ?

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

**MR. LONDON:**

Because what happens is the only way anybody can get it is through a mosquito bite. And a mosquito tends to bite warm-blooded individuals; human beings, horses and the such. Apparently, dogs don't contract this, cats don't, raccoons and so forth. But blue jays and black birds, crows, tends to be the attractant for the mosquito. The mosquito gets it and injects it into a horse then the horse gets this encephalitis and it goes on. You cannot get it from an infected animal. You can only receive this virus through the bite of an infected mosquito. So if your horse or your whatever pet should have this disease, you do not get it from the pet. You can only get it from the mosquito sucking this blood or giving this through their blood through their digestive system, I suppose and then biting the individual, the human.

**MR. TANTONE:**

As far as Islip goes, I just want to expand on two points I made here earlier, Commissioner Macco mentioned on additional housing. We've had a number of significant apartment complexes come in, and we're dealing with them only because we -- at this point, we are looking to do a few more apartment complexes to bring up the amount of stock, housing stock, in that particular area. And unfortunately, sometimes that brings out people who are at least looking for information or perhaps there to oppose the applications, and they are always some of the more raucous public hearings, but we're trying to be very careful with the selection of our sites. There are one or two, I believe, under way on Sunrise Highway that we feel will be appropriate, obviously, we felt it would be appropriate. And to expand on Commissioner Martin, for those of you who have not been down to the Central Islip area, I recommend you take a look because it is one of the growing areas in our town. And as far as Smart Growth goes, it's a textbook; I mean, we have the ballpark, we have restaurants, we have hotels, we have housing. We're still hoping and keeping our fingers crossed as far as the traffic goes, but that area is developing quite nicely. And the residents of Central Islip are quite happy with the way things have progressed.

**CHAIRMAN MARTIN**

Thanks. Louis.

**MR. DIETZ:**

In Babylon, the Village of Lindenhurst Village Board, after numerous hearings, they last week approved the Narragansett Inn Project, where they're going to put 136 senior condominiums in there. They approved that, I think, with like 58 stipulations so that should be moving along now.

**CHAIRMAN MARTIN:**

That's all done now? It's all approved? They're ready to build.



SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**MR. DIETZ:**

well, the final cycle is not, but everything else is approved on it, yes.

**CHAIRMAN MARTIN:**

Anybody else? Everything's fine in Smithtown. You can't improve on the good.

**S-1 POST FIELDS (S-Qu-01-03)**

**MR. FRELENG:**

the first regulatory matter before the Commission is a subdivision of Post Fields. This is being referred to us from the Village of Quogue. Jurisdiction for the Commission is that the application is within one mile of the Frances Gabreski Airport, which happens to be a County airport. The applicant's proposed subdivision of approximately 33 acres of land into 29 lots in the A-5 and the A-9 residential zoning district in the Village of Quogue. Minimum lots size in the two zones is 20,000 and 40,000 square feet, respectfully. The proposed map is not being processed pursuant to 278 cluster provisions. It is noted however, that the proposed map is a voluntary reduction in on site density. A standard plat proposed for the subject property indicates a yield of 31 lots that conform to zoning requirements. The proposed 29 lot subdivision represents the reduction of in allowable density of 7%. The proposed lot range in size from 35,000 square feet to almost 45,000 thousand square feet. Approximately one and a half acres of open space is proposed. A single family dwelling does exist on the subject parcel adjacent to Scrub Oak Road. If you look at the air photo, it's in this finger extending down to a town Road -- I'm sorry, village road.

The subject parcel is bound on the north by the Long Island Railroad right-of-way, which is this gray area running across this map here, to the east and west by improved residential lots to the south by Scrub Oak Road, a village street. Jessup Avenue, a partially open village residential street also abuts the subject property to the west. It's open from Meeting House Road, comes up and ends approximately here, but it is a dirt road that continues on all the way up to the railroad right -of-way.

Access to the proposed subdivision is intended via the creation of a 3730 foot long cul-de-sac extending north from Scrub Oak Road. It's supposed to come up from Scrub Oak Road here, and extend 3000 plus feet all the way to the end terminating in a cul -de-sac. Creation of a cul-de-sac in excess of 1000 feet is contrary to adopted Commission policy. Moreover, the extension of a cul-de-sac creates double funded lots for an existing subdivision to the west. This subdivision here -- which is hard to see on the air photo -- but there several lots, and the extension of this cul-de-sac

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

by opening it up here and coming through creates double funding lots, which is contrary to the planning practices of the Commission policy.

The extension of Jessup Avenue into to the subject property, rather than opening up the street to Scrub Oak Road, would eliminate the double frontage lot issue. The staff took a look of this map and believes that if you took Jessup Avenue and turned it in to all this open land here, and basically -- on the air photo -- if you took Jessup Avenue and turned it in here and subdivided the property here, you can bring either a small flag lot in here or a common drive. There's a -- it's hard to see. If you look at the tax maps in the package, there is Evergreen Path, which also comes in and abuts the property. There are several places where the south portion of the lot could be subdivided and enough creating a street. Jessup Avenue can come up and extend into the street, tying up here, and therefore, eliminating the double fronted lot issue.

Okay. So the rest of that paragraph basically talks about the options of opening up this parcel for subdivision and using these extensions down here as access into the lower part of the lot. Okay. Let's see. In addition, no alternative access or emergency access is proposed into the subdivision. For 29 lot subdivision, emergency access would be prudent, at least emergency access, if not alternate access. Several opportunities exist within the proposed configuration to create an alternative access. It should be noted that there is a small out-parcel that runs along the top of the map here and a small lot, 10,000 square feet, if that, that makes the connection. But there is note on the map or information provided in the application of what the purpose of that right-of-way is or that small lot is. We believe that that could be an emergency access if they develop a notation to that effect.

A compounding problem is that the proposed lot pattern provides some of the lots with the smallest lot area up along the top of the map to be along the Long Island Railroad right-of-way. These -- one, two, three -- lots are the smallest of the lots in the whole subdivision. It should be the exact opposite. These lots should be smaller, and these lots should be larger so you can extend the setbacks and create a buffering along the railroad.

There's another note in the staff report. The tax map information that was provided on the application is all awry and is not accurate. The subject parcel is located within Hydrogeologic Zone IV. Potable water to the lots is intended via public supply. Sanitary waste is to be collected and disposed of on site with individual systems. Subject property can be characterized as being generally level according to submitted materials to this office, due to previous use at

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

this site, approximately 22 acres of the subject parcel have been disturbed. Roughly, this piece of property up here. The disturbed areas were used either for relatively minor mining operating or as an informal landfill for the of brush and construction demolition debris. The applicants propose to remove the surface debris and excavate the former landfill area. The clean-up will be performed under and direction of the New York State DEC. An engineering report, the clean up and DEC sign off of the property is still pending. And currently the site is covered by brush and some woods.

Issues related to the proposed subdivision stem from the Commission's policy on creating subdivisions with exceedingly long cul-de-sac access and issues relating to good subdivision design. The staff is recommending disapproval for the following reasons; number one, the creation of an excessively long cul-de-sac is contrary to Commission policy; number two, that paragraph refers to the creation of double fronted lots, which is contrary to good planning and Commission policy; reason number three, is that no alternate or emergency access is proposed, meaning that there is significant opportunity for the alternative arrangement; condition four or reason number four, is that it's just a poor subdivision assignment. Some of the smaller lots being in some of the more impacted the areas due to noise and impacts of the railroad and notation number five, is that the tax map information is all awry and it took some time to actually located the subject property. Based on that information, staff is it recommending disapproval.

**CHAIRMAN MARTIN:**

Andy, this is not going to be a private road or any kind of gated community. It's going to be a town street, right?

**MR. FRELENG:**

the information we have is that it's going to be a public street.

**CHAIRMAN MARTIN:**

it actually shouldn't be -- if they need it, it should be one open road.

**MR. FRELENG:**

with alternate access?

**CHAIRMAN MARTIN:**

you can't have alternative access. What happens if a house is on fire? The whole place will burn down. I think we should consider -- there should be another access.

**MR. FRELENG:**

so reason number three then, no alternate emergency access proposed --

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**CHAIRMAN MARTIN:**

It shouldn't be emergency access, it should be access, period. Garbage truck gets down that street, he has to back all the way out, because he can't turn around.

**MR. MACCO:**

I move to adopt the staff report.

**MR. LONDON:**

second .

**CHAIRMAN MARTIN:**

all in favor signify by saying aye.

**ALL PRESENT:**

aye.

**CHAIRMAN MARTIN:**

contrary minded? So adopted . (VOTE:9-0-0)

**MR. THORSEN:**

I have a question, Andy. On your tax map drawing, there seems to be a diagonal -- almost looks like a right-of-way -- underneath that big oval.

**MR. FRELENG:**

you're talking about the paper street running through?

**MR. THORSEN:**

is that paper street?

**MR. FRELENG:**

that's a paper street that runs north/south through the subdivision --

**MR. THORSEN:**

no. I was talking east/west.

**MR. FRELENG:**

and it has an elbow or a jug handle down at the bottom.

**MR. THORSEN:**

i'm just wondering whether that is a bonafied right-of-way that could be brought in as an alternative.

**MR. FRELENG:**

well, it could. You'd just have to cross over and open up a piece of Jessup Avenue and just go right across.

**MR. MACCO:**

There's no road on the map.

**MR. THORSEN:**

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

It doesn't show that.

**MR. FRELENG:**

We didn't go into there -- I don't know if that's a transmission right-of-way or what that might be. It seems like it down here. This is it right here. It could feasibly be opened. Again, that just underscores the point that there are many, many alternatives creating an additional access into the subject property.

**MR. THORSEN:**

right.

**MR. FRELENG:**

Do you want me to note that? Do you want me to further elaborate that in the staff record?

**MR. THORSEN:**

yes. That might be helpful.

**MR. FRELENG:**

It says Long Island Lighting Company.

**MR. THORSEN:**

does it continue through the rest of this area ?

**MR. FRELENG:**

Not according to the tax map . This looks like some sort of LILCO right-of-way, but I'll note that.

**MS. PETERSEN:**

it's not on the Hagstrom. Andy.

**MR. FRELENG:**

Maybe it was abandoned. I'll note it.

**MR. THORSEN:**

The only reason for it -- my comment is that it maybe another bonafied way into the subdivision that, you know, makes the plan workable, you know, if they redesign it .

**MR. FRELENG:**

Right. Okay.

**Z-1 ANTHONY CORACI (BR-01-69)**

**MR. NEWMAN:**

Jerry Newman, staff. Okay. First, we have the business of the agenda. The purpose from the Town of Brookhaven. This is an application to rezone a two-acre parcel of land from a single family one acre category to a general business category for the purpose of establishing or erecting a mini-storage

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

warehouse facility on land situated west of the Sunrise Highway/Montauk Highway intersection at Southaven. The site plan submitted today indicates a number of multiple building, there's six two-story buildings. There will probably be 100,000 square feet. There is a thousand square foot office. There is one point of vehicular egress and ingress via the County roadway, and there is 57 parking spaces, including 38 that are going to be landbanked. Under existing zoning, the property can accommodate three single-family residences.

On or about 1998, the Town Board -- 1988, I'm sorry -- the Town Board and Suffolk County Planning Commission approved the rezoning of the subject premises and adjoining land to the west from a J-3 Shopping Center Category to a Residence A-1 as part of a series of townwide commercial upzonings. It's the belief of the staff that this proposal appears inappropriate, as is inconsistent with pattern of zoning in the surrounding areas, and therefore, must be considered a spot zoning. It is inconsistent with the prevailing single-family residence and limited to prevailing single-family residence character of the surrounding area. It would establish a precedent for further such downzoning in the locale. It contravenes past actions of the Town Board in reclassifying the premises and lands to the west thereof from (inaudible) to single family as part of this series of townwide commercial upzoning. The property can be reasonably developed in accordance with existing zoning. And finally, it is inconsistent with the Town plan, which designates this area for single-family residence purposes. So we're recommending disapproval.

**MR. ROSAVITCH:**

I move to staff.

**MR. THORSEN:**

Second.

**CHAIRMAN MARTIN:**

anyone need to make any comments?

**MS. PETERSEN:**

just a question. How many feet is it from the Carman's River?

**MR. NEWMAN:**

That, I don't know. The exact distance -- I don't know. The Carman's River section -- there is a significant open space -- County open space proponent immediately to the south of the property. How close it is, I don't know .

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**CHAIRMAN MARTIN:**

okay. We have a motion to disapprove. All in favor signify by saying aye.

**ALL PRESENT:**

aye.

**CHAIRMAN MARTIN:**

contrary minded? Abstentions? (VOTE:9-0-0)

**Z-2 M.I. PEG HOLDING CORP. & MARGARET KRUCKEL (BR-01-70)**

**MR. NEWMAN:**

application number two is also from the Town of Brookhaven. This is an application to rezone a 35,000 square foot parcel of land from a single family one acre category as well as a general business category to an entire general business category for purpose of providing an expanded parking area in conjunction with an existing building, which is situated on the easterly portion of the property. It is currently being used for tavern/restaurant and office purposes. The entire frontage of the property comprising approximately 6000 square feet is zoned for J-2 purposes, the remaining portion of the property is zoned for single family. A portion of this property is currently being used for parking purposes. Whether or not that's legal or illegal, I don't know. The preliminary site plan called for the development of the reappropriation of the subject property; namely, this area here for a paved parking area, accommodating 45 spaces with one point of vehicular ingress on the east end as well as on the west end of the property, so there's two points of access via Wood Avenue. Under existing zoning, 67 parking spaces are required for the uses that currently exist.

On or about 1996, the Suffolk County Planning Commission approved the rezoning of a portion of the property, in this case, the existing J-2 Business Zone portion of the property, including surrounding land, have all been considered by the town for upzoning from J-2 to Residence A-1. The Town Board implemented that, but left this parcel, this piece, to the north and a small piece right along the railroad here there's (inaudible), so they eliminate significant J-2 Business in the immediate area. It's the belief of this staff that this proposal appears inappropriate as we believe it constitutes the unwarranted extensive encroachment of commercial zoning into the Residence District, it would establish a precedent for further downzonings in the area, particularly the residence zone lands immediately to the north of the property, it contravenes past actions of the Town Board to diminish business zoning in the surrounding area. Finally, it's inconsistent with the Town plan, which designates all land in this area for single-family residence purposes. So we're recommending disapproval.

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**MR. ROSAVITCH:**

I move to staff.

**MR. LONDON:**

second .

**MR. THORSEN:**

Where do patrons now park ?

**MR. NEWMAN:**

Right behind the building. I don't know if this is legal parking, they park right in this area here. The building's here, the parking's in here. I have no information whether the ZBA has authorized that or whether or not they're doing it legally or illegally, I don't know. What we're saying here is if they want to use it for parking, fine, but don't downzone it because it will have an interment upon land immediately north of the property and the surrounding areas. They might go for a variance with the Board of Appeal and attack it in that Manor.

**MR. THORSEN:**

I'd be concerned, if that generates a lot of traffic, people would be parking on the streets.

**MR. NEWMAN:**

Well, the intent here is legitimate, to provide adequate parking accommodations. I do not know the extent to which there is excessive parking on the surrounding roadways. I don't have the answer to that.

**MS. PETERSEN:**

the restaurant that occupies -- I believe the restaurant that occupies that space is Mike's, which is very popular, inexpensively priced sports-bar type restaurant, which has been there for a number of years. It is loaded with traffic. The parking lot fills up, the streets fill up, and it's a very popular establishment. So I concur. I don't agree with extending parking into residential areas, but there is an existing problem on site, which apparently, he's trying to address. So your suggestion that perhaps they look at it through the Town Board of Appeals, limiting it to their particular use of the owners might be a good way to try to address the problem .

**MR. THORSEN:**

Are they showing landscaping of any sort here?

**MR. NEWMAN:**

they have plans, I believe we have available, but not showing landscaping, but we have no idea of lighting, shielding lighting, things of that nature, we have no idea. They just show the parking area with one point of ingress and egress on



**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

both ends of the property. The concern the staff has is the zoning. The use -- the parking use, we have no objections to. We're suggesting that they address another Board, who's name is the Zoning Board of Appeals.

**MR. DIETZ:**

maybe make a comment to send it back to the Zoning Board, instead of the rezoning application.

**MR. NEWMAN:**

we could add that if we want. If we feel this matter should be addressed, we could indicate that.

**CHAIRMAN MARTIN:**

I think that's the feeling.

**MR. DIETZ:**

as a comment, just add that .

**MR. NEWMAN:**

we could add that.

**CHAIRMAN MARTIN:**

Make all the comments -- make those comments, so if it comes back to us, we'll approve it .

**MR. MACCO:**

Well, it doesn't feel like the appropriate use of the property .

**MR. NEWMAN:**

The parking use isn't the problem, it's the zoning, the downzoning on that piece that we have concerns about, and then subsequent to that, if the ZBA does grant it, then it's a question of buffer and shielded lighting and how it protects the surrounding residents because the area surrounding this is all residential. There's a firehouse immediately to the south, but here is all residential.

**MS. PETERSEN:**

by doing it with the Zoning Board of Appeals, I would be concerned to have a zoning change and then if this owner should go out of business, then you've got an awful large piece of J-2 Zoning in a residential area. It could lead to problems down the line.

**CHAIRMAN MARTIN:**

It could be rezoned only to be a parking lot for the restaurant. You don't have to rezone it and put a store on it.

**MS. PETERSEN:**

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

that would be, I think, the Town Board's ultimate decision.

**CHAIRMAN MARTIN:**

Does he need that much space? Forty-five cars is a lot of cars .

**MR. NEWMAN:**

yeah, he needs spaces. He's even short with the addition based on the current toll, but this is a legal --

**MR. MACCO:**

How can a tavern next to a firehouse ever go out of the business on Long Island?

**CHAIRMAN MARTIN:**

In any town.

**MR. ISLES:**

We have the applications before us .

**CHAIRMAN MARTIN:**

So make all those comments --

**MR. NEWMAN:**

And add the comment that this matter should be addressed to another Board, maybe the ZBA without changing the zone, something of that nature.

**CHAIRMAN MARTIN:**

We're not against them. Just the opposite. So the motion is all in favor signify by saying aye.

**ALL PRESENT:**

Aye.

**CHAIRMAN MARTIN:**

contrary minded? Abstentions? So carried. (VOTE:9-0-0)

**Z-3 COMMERCE BANK (Pa-01-2)**

**MR. NEWMAN:**

Application Number 3 is from the Village of Patchogue. This is an appeal to the Zoning Board of Appeals for a special exception to establish drive-through teller services in connection with the erection of a bank on land situated northwest of the Montauk Highway/ Route 112 intersection, in the village. And this property is situation in a D-1 General Business Zone. The lands are situated immediately to the south of a gas station. This is a very busy intersection in downtown Patchogue. The proposal here is to provide four drive-through windows attached to an existing bank, to a proposed bank comprising 3669 square feet. The preliminary

**SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01**

site plan calls for a drive-through queing area or stopping area accommodating approximately 22 vehicles. There'll be 30 on-site parking spaces. There'll be one point of vehicular ingress and egress by each of the adjoining roadways. The point of ingress and egress via East Main Street will have a prohibition on left turns out of the property. As you can see, these proposed point of vehicular ingress and egress are situated in quite close proximity to a very busy intersection. The distances are set forth in the staff report.

the property is currently occupied by historic Canfield House and a catering hall addition. This is the historic house, this is the catering hall addition. It is now the home of the Elk's Club. The intent is to rip the catering hall addition down and remove it, and to take this historic house and to relocate it on a alternate site within the village. The application is being submitted in accordance with the section of the D-1 Zoning District. They allege that they need a special permit to provide for uses of the same general character as those listed in the district.

the staff believes that to provide drive-through facilities, the only place that you can do that is in a D-1/D-5 Zoning District, which allows services to persons -- said persons owning automobiles or other motor vehicles. The position of the staff was collaborated about two years ago. We had a Taco Bell immediately to the north of the property -- I'm not sure exactly where that is -- and the Chairman of the Planning Board at that time had a discussion with me, and he indicated he also believed at that time, when that application was submitted that a D-5 Zoning Category would have been appropriate for that type of use. However, subsequent to that, I believe that that restaurant facility was placed with drive-through facilities in the D-1 as a special exception or a use variance request. I did not get an answer for that from the Village of Patchogue.

It is the believe of the staff that this proposal appears inappropriate as sufficient information has not been submitted to demonstrate compliance with applicable special exception criteria, particular as it relates to traffic impacts. This is a very, very busy intersection for those of you who live in Patchogue. We feel that concern times of the day, when the bank is very active there is going to be some traffic circulation problems. The property can be reasonably developed in accordance with permitted uses in a D-1 Business District. The intended drive-through facility did not appear to constitute a use of the same general character as those permitted in the D-1 District. And finally, it appears to constitute an infringement upon Legislative powers exclusively delegated to the Village Board of Trustees as these uses, the drive-through uses only appear to be authorized in the D-5 District. The staff recommendation is for disapproval.

SUFFOLK COUNTY PLANNING COMMISSION MINUTES - 09/05/01

**MR. DIETZ:**

I recommend staff .

**MR. MACCO:**

Second.

**MR. ROSAVITCH:**

I have to abstain.

**CHAIRMAN MARTIN:**

all in favor signify by saying aye.

**MAJORITY PRESENT:**

aye.

**CHAIRMAN MARTIN:**

contrary minded? (VOTE:8-0-1) (ABSTENTION;Mr. ROSAVITCH)

**MR. ROSAVITCH:**

I abstain.

**MR. MACCO:**

You're no .

**MR. ROSAVITCH:**

In that building.

**MR. ISLES:**

I'd like to thank you, Mr. Barton for your help today.

**MR. MARTIN:**

adjourned.

(\*THE MEETING WAS ADJOURNED AT 12:55 P.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY