

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

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

PLANNING COMMISSION
ARTHUR KUNZ MEMORIAL LIBRARY
H. LEE DENNISON BUILDING, 4TH FLOOR
MINUTES

DATE: Wednesday, February 4, 2004

TIME: 12:30 p.m. – 1:45 p.m.

PRESENT:

Robert Martin, Acting Chairperson, Town of Smithtown
Louis Dietz, Secretary, Town of Babylon
Linda B. Petersen, At Large
Thomas M. Thorsen, Town of East Hampton
Frank A. Tantone, Town of Islip
Richard M. O’Dea, Town of Riverhead
Richard London, Village Under 5,000 Population

ABSENT:

John Caracciolo, Town of Huntington
Laure C. Nolan, Village Over 5,000 Population
Carl M. Berkowitz, Town of Brookhaven
William Cremers, Town of Southold

STAFF:

Thomas A. Isles, Director, Department of Planning
Gerald Newman, Chief Planner
Andy Freleng, Principal Planner
Christopher Wrede, Planning Aide
Basia Braddish, Esq., Counsel
Linda Di Cola, Secretary
Claire Chorny, Secretary
Peter Lambert, Senior Planner

GUESTS:

Michael Deering, Director, Environmental Affairs
William Faulk, Office of Hon. Joseph Caracappa, Presiding Officer

MINUTES:

Due to lack of a quorum, business could not be conducted as usual. For informational purposes only, and in preparation for the next meeting, discussion pursued.

Planning Director Isles introduced Michael Deering, Director of Environmental Affairs. Mr. Deering plays a significant role in that he is the lead person who oversees Suffolk County's environmental efforts and initiatives involving the Planning Department; the Department of Health Services; the Department of Public Works; the Department of Parks and other areas.

Mr. Deering noted that he realizes how important appointments are to the Planning Commission especially to ensure a quorum, and will make every effort to make this a first order of business. He also stated that if there is anything needed from the Office of the County Executive, please feel free to call him.

DIRECTOR'S REPORT:

Mr. Isles announced that the Planning Department will be hosting a Suffolk County Development Rights Summit on February 25th, 2004, from 9:00 a.m. to 12:00 noon in the media center of the Dennison Building. The purpose of this Summit will clarify the Suffolk County Transfer of Development Rights Program in greater detail. Active topics will be discussed to deal with current issues. All Board and staff members are encouraged to attend.

A draft calendar of future meetings was distributed. Commission meetings are scheduled to continue to be held on the first Wednesday of each month. Members will act upon this at the next meeting.

The agenda for this meeting identified a "Public Portion," section. The County Executive has directed all boards, commissions and committees to provide for an opportunity for public comment, noting that this is a part of the County Charter. Mr. Isles noted that we would be implementing this direction. Additionally, he will be requesting assistance from the County Attorney to work on the by-laws to reflect how the public portion section will be put into practice. Depending on the amount of attendees expected for future meetings, a change of location will be considered.

Another topic discussed, for informational purposes only, was that the Clerk of the Legislature advised the Planning Department that they would no longer be able to provide stenographic services. Pursuant to a resolution directive to maintain verbatim minutes of Commission meetings, the Clerk of the Legislature has provided this service for the past two

years. Minutes of this meeting are being taken, not necessarily verbatim as they are not being taken by a court reporter, in addition to an audio tape which will be held (as legally required) for seven years. The Chief Deputy County Executive, Mr. Sabatino, has communicated back to Mr. Barton on this topic and has requested a reconsideration of this situation. A final determination has not been made as of yet.

CORRESPONDENCE:

Mr. Isles brought to the attention of Commission members correspondence from Christine Malafi, County Attorney, regarding recusal of Planning Commission members. Commission members are asked to recuse themselves if they maintain a dual membership with their local Town Planning or Zoning Board thus avoiding a conflict situation. Further, a County Planning Board member must recuse him or herself from voting on any matter that was subject to a vote, proposal, or application that was before any Town Board in the municipality where that member is also an officer. It was also noted that in July of 2004, a State law would be going into effect mandating recusal of a Commission member in such a situation. Assistant County Attorney Basia Braddish will seek further clarification of the recusal issue with the Suffolk County Department of Law. The matter will be discussed further at the next meeting.

Commission member Thomas Thorsen of East Hampton will rescind his letter of resignation to the Planning Commission until additional members are appointed to the existing vacancies.

An invitation was extended to Mr. Deering to return to sit in on a full working body of the Planning Commission.

There being no further business, the meeting was adjourned at approximately 1:45 p.m.

Respectfully submitted
Linda Di Cola