

SUFFOLK COUNTY PLANNING COMMISSION

MINUTES

A regular meeting of the Suffolk County Planning Commission was held at the Evans K. Griffing County Center in the Maxine S. Postal Legislative at 300 Center Drive, Riverhead, New York on July 6, 2005 at 12 P.M.

PRESENT:

Robert Martin (Smithtown) - Acting Chairman
Louis Dietz (Babylon)
Charla Bolton (At Large)
Frank Tantone (Islip)
Richard London (Village 5000 & Under)
Richard O'Dea (Riverhead)
Laure Nolan (Village 5000 & Over)
John Caracciolo (Huntington)
Linda Holmes (Shelter Island)
Linda Petersen (At Large)

ALSO PRESENT:

Thomas Thorsen -
Thomas Isles - Suffolk County Director of Planning
Andy Freleng - Suffolk County Principal Planner
Claire Chorny - Suffolk County Planning Department
Loretta Fisher - Suffolk County Planning Department
Chris Wrede - Suffolk County Planning Department
Christina Farrell - Suffolk County Attorney
Kim Kennedy - Aide to Legislator Caracciolo
Peter Lambert - Suffolk County Planning Department
Charles Bender - Aide to P.O. Caracappa
Valerie Scopaz - Director of Planning - Town of Southold

Minute taken by:

Eileen Schmidt – Secretary

Before the meeting was called to order a proclamation was presented to Thomas Thorsen by Tom Isles for his many years of service on the Planning Commission. Also mentioned were his many years of service with the Towns of East Hampton and Southampton. Mr. Thorsen accepted graciously.

(THE MEETING WAS CALLED TO ORDER AT 12:15 P.M.)

ACTING CHAIRMAN MARTIN:

Good afternoon ladies and gentlemen. The Suffolk County Planning Commission is now in session. Will you please rise and join us in the salute to the flag, Louis Dietz please.

SALUTATION

ACTING CHAIRMAN MARTIN:

Just stay up a minute please everybody.

MR. TANTONE:

Before we have a sit I'd -- Mr. Martin, Commissioner Martin has asked me to briefly ask the members for a brief moment of silence. The former Chairman of the Planning Board in Islip for a sum of forty sum odd years, Mr. Maurice O'Connell a former member of this board passed away about a week and a half ago or so ten days. Mr. O'Connell, as I said, served in Islip for forty years and was the pillar of integrity and an example of civil services as far as I'm concerned. So I'd ask the Commission to indulge us briefly in a brief moment of silence in remembrance of Mr. O'Connell.

A MOMENT OF SILENCE

MR. TANTONE:

Thank you.

MR. ISLES:

Good man.

ACTING CHAIRMAN MARTIN:

We thank you. Tom.

MR. ISLES:

Accepting the minutes of the last meeting.

ACTING CHAIRMAN MARTIN:

The minutes of the May 4th and June 1st. meeting notice any errors or omissions?

MS. HOLMES:

I move the minutes be accepted as presented.

ACTING CHAIRMAN MARTIN:

Linda, do we have a second?

MR. O'DEA:

Second.

MR. ISLES:

Second by Mr. O'Dea.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. So carried. **(Vote: 10-0)**
Now Valerie, introduce Valerie please, Tom.

MR. ISLES:

Yes. At this time we'd like to request of the board the ability to spend some time with the presentation from the Director of Planning for the Town of Southold. Valerie Scopaz is here today to provide us with an update on the town's planning activities specifically relating to the local waterfront revitalization plan. Valerie may choose to go into the conservation subdivisions; it's up to her, but Valerie is also facing a point of transition at this time. You'll notice she has a big smile on her face at this point, but Valerie has served at the Southold Town Planning Department for many years probably close to two decades at this point also served as a planner with the Town of Smithtown and also with the Suffolk County Planning Department. So another professional that we admire and respect and we thought it appropriate given her transition now moving out of the Town of Southold and the accomplishment that's recently happened with the acceptance of the LWRP by the State of New York and Valerie being a key person many of the planning issues in Southold provide an opportunity for her to provide this presentation to the Commission. We will undoubtedly be seeing many applications from Southold for better or worst, but the fact that we now have these controls, these regulations both from LWRP and Valerie's efforts with the zoning and subdivision laws we think will help. So at this point I'd like to turn it over to Valerie Scopaz, Planning Director of Southold for a presentation. Thank you, Valerie.

MS. SCOPAZ:

Thank you very much for the opportunity Tom. The last time I appeared before this board was when I worked for the Suffolk County Planning Department and actually Loretta and I had to do a presentation on the Pine Barrens. We actually got to drive around and try to define the boundary of the Pine Barrens; so it's been a long, long time.

I decided to keep my presentation very short; I know you have a busy schedule and what I've decided to do is just give you a really brief overview of where Southold is going. We basically have six primary goals and they're listed here (**referring to a screen**) its farm and farmland preservation. We're really focused on not just protecting the land, but the industry of farming and the industry of farming requires more than just land preservation. You need a critical mass of land, but you also need the support industry and you need the market. Our second key goal is open space preservation primarily focused on saving ecologically sensitive properties and recreational properties for the town. The third is social economic diversity; I know the buzz word right now is affordable housing, but I have a long history of not liking standard buzz words. So you're not going to hear Smart Growth from me; I think we need to be more precise. Socio-economics diversity is what Southold is about. We want to be a regular functioning community, a normal community and that means that you can't have everyone living at one end of the economic spectrum. You also need a diversity of economic opportunities so that you have a true year rounded community. Our fourth goal is a high quality ecological environment and the reason for that is Southold would be nowhere if we didn't take care of our environment. Why do people live in Southold; why do they come out is because it's unique. It's the unique juxtaposition of farmland and bays and waters and beaches and it's that very uniqueness that is its attraction, but it's also a very, very fragile ecosystem. If any of you have had the opportunity to fly over the East End you would notice in Southold that at its' widest it's only four miles. It's a very, very narrow peninsula.

The fifth goal is preservation of our character and that's a catch all term for historical and our cultural character and the last one is sustainable development. We recognize that we need to grow, but we want to make sure that new growth is integrated with existing growth in a way that's compatible. Southold has a long history going back to 1640 and, in fact, we've had a running battle with Southampton and I'm sure Tom Thorsen is aware of as to who was the first English-speaking community in New York State. And every administration the supervisors battle it out and I'm going to say for the record we are the oldest, but the idea is you had to cross Southold to get to Southampton, but anyway.

The foundation for our long range plan is really our comprehensive plan which we do not have a single comprehensive planning document yet, but what we have done through the years is we have a body of work and right now the local waterfront program which I have brought you a complimentary copy of Tom, it's in the three volumes here. This project was started literally eighteen years ago when I started the job I was told we're going to let you do the program; we had consultants at the time.

Southold is one of the first towns to sign up for the local waterfront program when it was first offered and we had received a grant for \$30,000 to pay a consultant to do the work and it quickly become evident to all concerned that this program

needed to be more than just a coastal zone management program. So what I've done with this program is I literally made it our comprehensive plan minus a few plans which I will discuss later. So the following, what I'm going to do is run through the body of work that is referenced within the local waterfront revitalization program and which will become part of our comprehensive plan which we are in a draft stage with right now.

The first part is the Southold Township 2000 Planning Initiative which was a strategic plan that was adopted by Supervisor Cochrane and it was basically an initiative of planning things that needed to be done to prepare Southold for the 21st Century and it was actually adopted back in like 1998-99. Another program the Stewardship Task Force Report and some of you may or may not know in 1991 Southold was a host community for the US. UK Stewardship Exchange Program. This is a very unique program where four US planners and four planners from the United Kingdom are chosen through the US Park Service and the British equivalent which is the Countryside Stewardship Program. And they descend on your community for two weeks and basically it's a problem, a professional problem solving exercise for the team, but what it also is for the community is to set fresh eyes. They come in and they listen to all parties, community, the stakeholders, the planners, the bureaucrats, the politicians and then they come back to everyone and they tell you their opinion. After that group wrapped up Southold Town issued a task force of twenty members to implement the strategy that was discussed in the 1991 report and that was the 1991 Stewardship Task Force Report.

We had a comprehensive plan in 1985 which we are (inaudible) update. We also have the Fisher's Island Growth Plan. There have been updates from '84 through 1991; there's another one right now. I don't know if you all are familiar with this, but Fisher's Island is part of Southold Town. It's off the coast of Connecticut and they have a very different life style and situation there so we have tended to treat them a little bit differently.

The local waterfront program also includes what's called the eight plus preservation action plan which is the final report of the blue ribbon commission for all Southold in 2002. In that report set out a goal of preservation 80% of Southold remaining farmland. Now back in 2002 we knew that we had about 10,000 acres of land that was still undeveloped; that represents about a third of our total land mass. So a third of Southold is still available for development and we made it a goal that we wanted to preserve 80% of that land in either active farming or open space. We also ---- that report also set forth a goal of 60% reduction in density, overall population density projected density. In 2000 we adopted a farm and farmland protection strategy which again it targeted not just toward the acquisition of land, but for all those little things that we could do as a community to bolster our agricultural industry including, for instances, allowing farmers to have business related activities on their property that would help keep them in business.

We've had a farmland preservation program since 1983; Southold and Suffolk County were the forerunners in the development rights acquisition effort. We also have a community preservation project plan along with the other East End towns dated from 1998. A wish list covers about 12,000 acres of land; we have a very large wish list. So all of the 10,000 acres that's undeveloped plus an additional 2,000 acres of land that we, you know, here and there that we would like to see preserved. We have an open space preservation plan dating from 1989.

We have a groundwater protection and public water supply management plan that was done in 2000-2001. Southold Town has two special groundwater protection areas within it. One is in the west on the west side of Mattituck Creek and the rest of it runs along the spine of the island. I'm sorry I don't have a map here for you, but -- all of our groundwater is coming from underground supplies like the rest of Long Island. We have a recreational facilities plan from 1982 and we are updating that with the Park and Recreation Plan which is in the works.

On the transportation side we have a transportation access management plan from 2000 which basically set up a commission. We have a transportation management commission of which the planning department, the police department, public works department are ex-officio members and that commission tries to deal with day to day transportation related issues in town. In 1998 through 2000 we rezoned County Route 48 business properties for basically up zone to reduce the amount of retail business. One of the lessons we took from the development and the rest of Long Island was that if you don't protect your bypasses they no longer become bypasses they become just as congested as your main road. So we moved rather quickly to prevent that from happening on County Route 48.

The East End Transportation Council which has been in existence from 1996 to the present. This is a research arm of the Supervisors and Mayors Association which is an ad hoc group of the five east end towns and the nine villages within those five towns. The Council has been a research arm of this organization and we have basically been working together as a region to try to deal with our transportation issue from a regional point of view. This has been a necessity because the East End population is such that we don't have the electoral clout when it comes to votes; legislators are going to look to satisfying the voters up west and they're really not going to pay much attention to the East End. So the East Enders have to band together and work as a group, but this particular council has led to a very strong working relationship with the county and the state as well as the Long Island Rail Road in terms of access management. So when we're doing site plan reviews or subdivision review we are working with the agency to make sure that we're not creating future traffic problems.

Southold also has a scenic byway corridor management plan which we adopted in 2001, County Route 48 and County Route 25 for their entire length of state recognized byways, scenic byways and we have a sea view trails at the North Fork plan which is a series of bicycle trails on roads off of the two scenic byways. At this point we are reviewing hamlet plans and they were actually delivered to the town board yesterday and later this month they will be adopted. These are plans that were done with stakeholders from each hamlet. This is probably the most un-planning like document that's ever come out of the Southold planning department. We hired an outside consultant and the town board picked stakeholders from every single one of the eight hamlets and basically sat them down and said we need to do, plant the greater density within the hamlets. And when I say the hamlets I'm basically meaning the post office designations so Mattituck, Cutchogue, Peconic, New Suffolk, Southold, East Marion, Orient and Greenport west. Each one of those districts has a core business area and what we told the hamlets stakeholders was in order to accommodate new growth we need to know from you where you want to see it, where you're willing to see it go and where you're not willing to see it go. And the town board made one thing very clear within this growth area we call them HALOS, hamlet locus zones; within this growth area you have to tell us where affordable housing can go.

A lot of people held their breath with that; they thought the answer was going to be not in my back yard, but to our amazement every single hamlet came back with recommendation for either specific pieces of property or in the case of one hamlet, two hamlets that didn't really have a lot of vacant property they made a very strong recommendation that some of the larger older homes be allowed to be broken up into apartments so long as the façade was maintained. So this is really an exciting plan because we've got the community behind this.

Our local waterfront program is also based on the Peconic Estuary Program, the Long Island Sound Estuary Program and the Special Groundwater Protection Area. A lot of these policies are compatible with that.

I'm going to talk a little bit about our subdivisions regulations because that is what I was asked to and second it is an integral part of the implementation of our long range plan. Southold as you may know had a moratorium for about three and a half years and one of the reasons for the moratorium was that we did not have strong regulations in place to encourage preservation. So we've adopted a two tier subdivision process. The first one we're calling the standard division; it's your standard full yield development of a piece of land. It has a mandatory affordable housing component if you create five or more lots 25% of the yield with a minimum of at least one lot has to be affordable and it has to meet our affordable housing guidelines. It has to be an integral part of the community; it can't be stuck off some place, you know, hidden from view.

We also have mandatory clustering when the original parcel of seven acres or larger and in mandatory clustering 60% has to be opened either farmland or

open space. The option we have to this is what we're calling a conservation subdivision and you have two options within this. One is you can do 75% preservation of the entire parcel or and a 75% reduction in yield. So for instances if you had a 24 acre piece of land, I wanted to give you an actually example so it makes it easier to explain it. If you had a 24 acre piece of land 18 acres would be preserved; you would have three lots on six acres. Okay, I'm assuming a two acre density in a two acre density area; so each of the two lots would be two acres, okay. Your other option is to go the 80/60 route, 80% preservation with a 60% reduction in yield. So the same 24 acres you would have 19.2 acres preserved which is a little bit more than the 75% option, but you get five lots on 4.8 acres; so you get more lots, but they're on smaller lots.

Within this option here we also as an incentive for those land owners who really are farmers we offer them what we're calling the open development area option and I just want to explain that to you. We tailored this to property owners who have a real interest in preserving land, but we also recognize that there are developers out there who really don't care what happens to the land. For them the bottom line is dollars; how fast can I turn this property over. How much money can I make? So those people who decide that they're going the conservation subdivision route they sell their 75% or their 80% of their development rights and do their development. They're going to go through the subdivision process right away, but if you're a farmer who is planning on staying on the land for the next ten, fifteen or twenty years and you're just doing you're selling development rights as part of your estate planning process it doesn't make sense for you to subdivide your land. The reason is this, once you subdivide that property and you send the map into the County Clerk's Office and to your town tax assessors the tax assessors are immediately changing the tax bill. So when you might have been paying for \$200 an acre for raw land your tax bill might go up to \$5,000 an acre for raw land. So there's a real disincentive for a farmer to do a subdivision and sell the development rights.

So we created this open development area option for those people who need to sell those development rights, but also retain some value for the future. They may have children who may want to live on the land or they may just have as an insurance policy. If something terrible comes up I need to be able to take this land and turn it into cash. Many of these farmers really don't want to subdivide, but the lawyers and their tax accountants are telling them well you've got the hedge your bet. So we created this option because what it allows us to do it allows us to file a map that shows the open development area as an undefined area and if at some point in the future the fellow decides that they're going to split one or all those parcels up at that point he pays, he puts up the money for the development bond, you know, the performance bond. All of the costs that are associated with filing a subdivision would come into play at some point in the future. This offers Southold a second advantage; some property owners have made it quite clear to us that if they don't need to cash in on that lot in 20 years

that they will offer those development rights to the town in the future. So the town still retains the ability to potentially protect some of these lots in the future.

Our whole focus is geared toward environmental protection and what we've done is we have a new process called an existing resource site analysis and we target primary, secondary conservation areas when we do development. In this process applies to all development including residential site plan and what it is and I'm just going to briefly define it. We define, what's a primary area for conservation, and it's basically areas that are legally protected by town code and/or other jurisdictional agencies. So that would include things like fresh and saltwater wetland, underwater land, beaches, land within the one hundred year flood plain. It includes slopes equal to or greater than 15%; it includes all land that's seaward of the coastal erosion hazard area line and it includes easements or restrictions preventing the use of land for construction or development. So for instances, if you have a local easement line running across your property you cannot include that land area as part of your building yield property because you had given the right to Lilco. Okay, next.

The secondary areas are defined as open space recreational and environmental resources that may exist on the property. All land within jurisdictional buffers, for instances within Southold anything that's within 100 foot of a wetland is within trustee jurisdiction. Prime farmland is included within this category as well as woodland, aquifer recharge, special groundwater protection areas, flood plains and natural drainage swells. We have a policy in Southold of not disrupting existing and natural drainage swells. We have been known to redesign sites to maintain those swells because we find that it does two things, one is ecstatically it's much more pleasing than a recharge basin with six foot chain link fence and with barbed wire at the top. Secondly, we're trying to prevent, you know, drainage swell can filter a stormwater before it hits the -- either the bay or the sound and since shell fishing and fishing are very important parts of our economic base we have done this to protect that resource. Next.

We also take a look at protected species, significant wildlife habitat, historical cultural features, trails, potential trails for walking and scenic views on to the property from adjacent properties and existing road. Our whole focus here is people coming to Southold and what do you see, what is your first impression of Southold; it's the view from the road when you think about it. It's the view from State Route 25, it's the view from County Route 48, it's the view when you go down New Suffolk Avenue or Narrow River Road in Orient. The view from the road is what people take away from when they come to this community; we're a resort community. If we don't take care of that view from the road we have killed the goose, the golden goose. So we take a great deal of effort to look into this; so new development is incorporated in so that you don't notice it. It's very much a Japanese principle of creating the art of illusion, creating the illusion that there's more open space than there really is. Okay, I think this is the end of my presentation. If any of you have any questions I'd be happy to answer them. I

brought along for each of you a copy of our, we did a PowerPoint presentation on subdivision and site plan regulations of Southold. If you have an interest in it I brought here for you to take. Okay. Thanks.

ACTING CHAIRMAN MARTIN:

We thank you Valerie. Would you wait one second I want to see if the board members have any questions. Linda.

MS. HOLMES:

Valerie --

MS. SCOPAZ:

Yes.

MS. HOLMES:

I hope that the residents of Southold Town will all get free tickets to the 2012 Olympics in London as guest of Southold Town in England that's the least you should have from your exchange program. I was wondering if you could or if you have any updated information on the thematic groundwater contamination. I remember when thematic was first discovered the estimates were just so vague they ranged from 40 years to 400 years of contamination. I wonder if you've got any updated progress that you could share.

MS. SCOPAZ:

Okay, I don't have specific statistics, but what I do know is that since the use of thematic was banned after I think it was 1976 what has happened is the Suffolk County Health Department has been tracking the progress. What has happened is if you look at County Route 48 in Southold it really runs along the spine of the North Fork and all groundwater that hits Southold runs north of 48 or south of 48 for the most part. It's going down and out, okay, and so what they're finding is that the plumes of thematic are going down and out. In some cases it's migrated from around the farm house to some where else on the farm and so it's still an issue, but it's less of an issue than it was before.

MS. HOLMES:

Okay. Thank you.

MS. SCOPAZ:

Okay.

MR. CARACCILO:

You talked a little bit about the hamlet plan that you just recently got some community input on that. How are you reaching out to the community; are you doing meetings, websites, surveys, direct mails?

MS. SCOPAZ:

Okay, what we did was the town board asked people in the community if they would like to be part of the stakeholders group and they gave them a month to send in their names, all right. From that pool they picked approximately 20 people per hamlet; those stakeholders were each asked to pick a chairperson for that group. The consultant met with every single one; he put together a handbook an inventory of their business district. So they had like what we in planning do they have little maps showing the zoning, showing which properties were in business use. Which properties were vacant and which properties were in residential use; where the main institutions were so it was like a little bible of their hamlet. Basically, we met in local libraries, in school basements and said okay this is your hamlet how do you want to see it grow and it was visioning, brainstorming.

MR. CARACCILO:

And what was the response from the community, the initial response was it good?

MS. SCOPAZ:

It was excellent, it was excellent. We had more people who wanted to be members of the thing that really couldn't be accommodated. Granted once some people got on the committee they didn't show up at the meeting, but you know that always happens. But with each community there was a core group of people that really got into it, but what was really fascinating about this was in a sense we gave each group a little mini course in planning. I would go from meeting to meeting on a resource basis, my staff and I and we would ask the questions about for instances people wanted to know what was happening in our community. Are you approving any site plans in this vicinity; so we would kind of give them a heads up on what was coming in so that they could get a feel for what was, what might happen down the road. We asked them to look at things like is there a need for more municipal parking, off street parking within your business hamlet. Is there a need for more walking and bike trails? Do you think there should be more parks; what about streetscape. What else, security issue; we asked them a lot a different things. It was really interesting.

I'm going to give you one example of something that blew our socks off even the town board was amazed. You've driven through East Marion on your way to the ferry or to Orient Point State Park; if you blink you miss it. There's the community church on south side, it's the firehouse on the north and next to the fire house is the only post office in the United States that's also a World War II memorial and a coffee shop that's opened like maybe four weekends out of the year when you can buy coffee and a newspaper. I mean, that's it. The people in East Marion and we always thought that East Marion, you know, when you asked them what do you want they would say leave us alone. This particular group said you know we would like to have a village green like all the other hamlets do. We would like to be able to go to our post office and not worry about getting rear ended by people coming down the road from the ferry. So what we would like to

do is if you would negotiate with the adjoining property owner who has a big piece of land so that we can have a little road that cuts through north of 25 and goes over to Rocky Point Road by {Seps} farm stand so we can have little playground and a bigger retail coffee shop than what we have at the moment. Everybody sat there stunned and they wanted the affordable housing complex to be right there --

MR. CARACCIOLO:

Are you sure you were talking to those people in East Marion?

MS. SCOPAZ:

Yes.

MR. CARACCIOLO:

Really, they wanted affordable housing right there with a bigger coffee shop and more retail?

MS. SCOPAZ:

Yes.

MR. CARACCIOLO:

Wow.

MS. SCOPAZ:

Amazing, so it was really interesting; all the groups that came up and they said, you know, we're talking about people who live and work in the community. Southold is at a point right now where the people who grew up there are really feeling the pinch because the wages in Southold are just not comparable to what people up west can earn. So what's happened is the real estate market has -- it's being driven by people in Manhattan, New Jersey and Connecticut and their earning power is so much greater that we are in Southold. And so what's happened is that they've realized that if they don't stand up for themselves they're going to be totally priced out of the community and what's going to happen to us is what happened to Southampton where everybody has to, you know, the working staff of the community have to live somewhere else. In Southold the people get it, they understand that if we don't do something we've lost it and they have no intention of losing it; they know exactly what they've got. So interesting.

MR. CARACCIOLO:

Thank you, thank you.

MS. SCOPAZ:

You're welcome.

ACTING CHAIRMAN MARTIN:

Thank you. Anybody else? Hearing none, thank you Valerie it's been a pleasure and as I say we go back a long, long time when you worked when you worked for the Town of Smithtown.

MS. SCOPAZ:

Yes, yes I was a planner when Bobby Martin was chairman of the planning board in Smithtown, it was a long time ago 1981. 1981 I think.

ACTING CHAIRMAN MARTIN:

Yes, in the early 80's.

MS. SCOPAZ:

1981 I think. 82, August of 82. Okay thanks.

MR. ISLES:

Thank you, Valeria.

ACTING CHAIRMAN MARTIN:

Thank you, Valerie, thank you again. Now this is the public portion and there's nobody in the audience that wishes to be heard today so now I go right to the Director's Report.

MR. ISLES:

Mr. Chairman, a few items to bring you up to date on number one is the New York State as you may know is planning the reconstruction of Nesconset Highway State Route 347. They are in the middle of a comment period on their EIS. We have advised the state that general municipal law does require a review of the plans by this Commission, the Suffolk County Planning Commission so at the appropriate time they will be referring this to you for review. Meanwhile the department, the staff is continuing to review the actual plans and we are meeting with actually the planning director of Smithtown next week also. We will also reach out to Brookhaven Town Planning as Brenda Prusinowski takes over that job there.

Secondly, to keep you updated on Gabreski Airport as you know the County of Suffolk owns that airport of about 1400 acres. There is an overall master plan for the airport that's under development and has been for several years. We're now in the process of the review of the final draft plan for the airport, but more specifically there is also an industrial park within that of about 58 acres. And we have been working over the past couple of months with the Town of Southampton and have recently provided finally comments on that plan that will come to you as a referral from the Town of Southampton for the adoption of that plan sometime before the end of the year we expect.

I have informed you of the Yaphank Development Committee, as I indicated the County Executive has directed the Planning Department to look at options for the development of certain vacant lands in Yaphank that are owned by the County of Suffolk. In addition the Legislature has put in place a committee to look at the future uses of that vacant land. The Planning Department has been put as the chairman of that committee and we're having our first meeting on that next week; we're on a very tight time frame that we will be over the next three or four months shaping out with the committee and then reporting back to the Legislature and the County Executive suggested uses and conceptual uses and ideas for that location. What will happen with this is by the end of the year there will be a request for expressions of interest that will be sent out for the surplus Yaphank properties. As you may have heard there had been proposals for a NASCAR facility. We received proposals for a minor league lacrosse facility, a minor league soccer facility seating about 7,000 people each. So the ideas are starting to roll in and it's obviously a key opportunity for the County to properly plan and develop that site. Here again, if it's deemed to be surplus ultimately.

As I mentioned at the last Commission meeting the County Executive has put a bill into amend the composition of the County Planning Commission. As I explained at that time the proposal would keep the Commission at a membership of fifteen. It would have ten members from each of the ten towns; would still have village representatives in three at-large representatives and the County Executive's bill has a requirement that the membership be tied into certain occupations that are spelled out in the legislation. In addition it prohibits anyone from serving on an appointed board or elected official from serving on the Commission as well. That went before the Environment Committee about two weeks ago and was tabled and remains pending at this time. There has also been a bill filed by a Legislator, Legislator Caracciolo to also amend the County Planning Commission just to make you aware of that. That proposal was laid on the table last week and will go before the committee process in August. That proposal would involve amending the County Planning Committee to a composition of eleven members, one from each of the ten towns and one from a village. It would also have different requirements for the membership in terms of different backgrounds in planning whether it be on a planning board or professional planning and similar types of criteria of that nature. So certainly just to keep you up dated on that; if you want copies of that you can certainly let me know.

There was a recent article in Suffolk Life that talked about the County Planning Commission and that was related to the County Executive's bill. There was a statement made by a supervisor of one of the towns that he noted that some of the referrals that have come to the Planning Commission have not been acted on in the 45 days that's prescribed as the maximum time limit. We looked at that very carefully and at this point we have not seen any cases where the Commission or the staff on behalf of the Commission has exceeded the 45 days. I've contacted the supervisor and asked if he could bring the actual cases to my

awareness so we could then check on it, but just in case you had read that article and were under the belief that the Commission is or the staff is not providing the timely review to my knowledge that is not the case and we're going to confirm that hopefully in the near future.

The next meeting of the Commission, we were looking for a location as we do in the summer months remote and we ended up in Riverhead. Valerie had offered to host us in Southold; there were some logistical problems and we didn't want to get too far east at this time of year for the travel arrangements so that's why we settled here. For the next meeting we have made arrangements through the chairman and the director of planning for the Town of Smithtown to meet at a golf course operated by the Town of Smithtown in Kings Park; and the planning director there will be giving us a presentation regarding the towns zoning and plans for the Kings Park Psychiatric Center. We may also be able to do a site visit before or after the meeting. So we will send out notices to you with directions to that location. It is in Kings Park and that will be on August 3rd and the time will be 12 o'clock in the afternoon.

And just the last item, as you may have heard about is the County Executive had proposed certain amendments to the composition of the Long Island Regional Planning Board. Those were heavily debated and through various changes and compromises that were made the Legislature has approved that bill and that bill essentially increases the size of the Long Island Regional Planning Board for the voting members from three voting members to five voting members from Suffolk County. There is a companion bill also in Nassau County which has not been acted on; once that is acted on then the two sister bills then will go into effect and the Commission then will be the board pardon me will be renamed the Regional Planning Council in accordance with state law. The membership will be increased and the legislation does talk about working closely with the County Planning Department as well as the Planning Commission. So we expect that that will upon adoption by Nassau will become more active at that time and certainly I'll keep you posted on that from a regional planning perspective and that's it, Mr. Chairman.

ACTING CHAIRMAN MARTIN:

Thank you. Is Andy up to bat now?

MR. ISLES:

No, we have the roundtable.

ACTING CHAIRMAN MARTIN:

Oh, the roundtable. Laure, anything new in Huntington?

MS. NOLAN:

No nothing.

MR. O'DEA:

Riverhead was presented June 17th by Vision Long Island for a smart growth award for their work on the master plan which is a real nice honor. It's an island wide environmental group and to land in Riverhead was as I said a quite an honor. I would think a particular credit for this would go two people, Councilwoman Blass whose since inception as been the point person on this and planning director Rick Hanley have done an immense amount of work to get the plan and the zoning in place deserve a lot of credit. That's it.

ACTING CHAIRMAN MARTIN:

Cara.

MS. BOLTON:

Charla.

ACTING CHAIRMAN MARTIN:

Charla.

MS. BOLTON:

I have two things. Our organization the Society for the Preservation of Long Island Antiquities has worked closely with a citizens group over the past year to protect a historic and culturally important African American community in Setauket and that district was approved by the Town of Brookhaven on June 21st at the same meeting in which it was heard and that was practically unprecedented I understand. We're very excited it was a long year; it was precipitated by a loss of a very important historic resource and we're happy to report that things are looking up for the future. The other thing I wanted to report is our organization one of our board members has been over the past several years serving barns in the Town of Southold and completed a comprehensive survey of all barns in the Town of Southold which are coded to tax map numbers. So that survey should be available to municipalities or the Town of Southold certainly and the Suffolk County Planning Department for use in reviewing applications. I'm also presenting a photo essay which is a book, really a coffee table book of wonderful photographs since she's also a photographer to the Arthur Kunz Memorial Library to be included in the library particularly in the future when it's better organized than I understand it is now. So those are the two things I have to report today.

ACTING CHAIRMAN MARTIN:

Thank you. Linda.

MS. PETERSEN:

(inaudible)

ACTING CHAIRMAN MARTIN:

You need the microphone Linda.

MS. PETERSEN:

Thank you. Dan Gulizio former Commissioner of Planning for Brookhaven Town has left Brookhaven and Brenda Prusinowski who is the acting, who is the Deputy Commissioner is now the Acting Commissioner. So we anticipate that she'll be in that capacity at least until the new year.

ACTING CHAIRMAN MARTIN:

Thank you, Linda.

MS. PETERSEN:

Thank you.

MR. LONDON:

On villages I have a couple things, first of all on County Route 111 that runs through the Village of the Branch there's a shopping center the Hillside Village Shopping Center that is being totally renovated. There was a store Waldbaums that moved out of there a little over two years ago leaving the shopping center vacant. It's now occupied and just opened this past week by an Italian food chain known as Uncle Giuseppe's and it's quite intriguing. If anybody hasn't been in one of those kind of stores they should check it out. It's like unbelievable the stuff that they sell and have there; it's quite a piece. Then the other thing is only through hearsay I find out that the Village of the Branch against apparently regulations they were informed about regarding cell towers is approving a cell tower within 500 feet of state property on what they deem is Village parkland, and the statement I had been told was it didn't matter what anybody else thought they were going to do it because they wanted to have the revenues from the recipients who would be affixed to the cell tower. So that might be what you hear coming up or read about or what have you and I would like to ask the planning board in some way or direction to inform the Village of the Branch in Smithtown that I still am their commissioner of planning representing the villages under 5,000 and if they'd be so kind as to just send me copies which I've requested many times of their planning board sessions so I know what's going on. I've been told here's one, here's one and then I never get anymore until I go chasing after it. That's all I have to report, thank you.

ACTING CHAIRMAN MARTIN:

Thank you, Dick. Lou.

MR. DIETZ:

No.

ACTING CHAIRMAN MARTIN:

Frank.

MR. TANTONE:

I don't really have anything to report other than the unfortunate passing of Mr. O'Connell and just as a brief little side light. I remarked earlier that he had served for over 40 years which basically meant that he became the planning board chairman about the time I was born. So I'd like to just go on record as saying he's one of the two or three people that's responsible for planning in Islip being as excellent as it has been over the years. Obviously, Tom to my right is also one of the people responsible for that, but we'll miss him dearly and I just wanted to publicly recognize that all of us me in particular owe a lot to Mr. O'Connell.

ACTING CHAIRMAN MARTIN:

Thank you, Frank. Linda.

MS. HOLMES:

First, Charla I'd to congratulate you I certainly thought of you when I read the article in the Long Island section of last Sunday's Times about the Setauket designation. I'm very pleased to say that we are inching forward about affordable housing on Shelter Island. Last week the town board authorized the planning board to waive the park fee or 10% open space requirement on a subdivision if some of the property was going to be used for affordable housing. So although we don't have a new sight yet for affordable lots the town is hoping to be able to acquirer some space and lease property to people or come up with some other workable formula. They've got several feelers out, but nothing firm yet and we are just hoping that this will give a little incentive to people to submit a plan that includes affordable housing.

ACTING CHAIRMAN MARTIN:

Thank you, Linda. John.

MR. CARACCILO:

I'd like to make a motion that we get our lunch catered at Dick's Italian food gourmet grocery store now.

(Laughing)

MR. LONDON:

It's not my place, but it's (inaudible).

ACTING CHAIRMAN MARTIN:

That statement is as formal as I can get, but I don't think -- I think that's his uncle Giuseppe, you know that don't you because I come from the same town you know.

MR. CARACCIOLO:

That was a commercial, that was a commercial Mr. Chairman. I just wanted to let everyone know that Huntington announced new legislation a few weeks ago a law that's intended to preserve sensitive steep slopes in Huntington and to regulate building on lots that would otherwise be devastated by construction they feel. And under the new ordinance the town will regulate subdivision of/or on construction of any land that contains a hill or slope greater than 10% including those smaller plots that require only building permits. So I'll keep you updated on that.

ACTING CHAIRMAN MARTIN:

Okay, John, thank you.

MR. CARACCIOLO:

You're welcome.

ACTING CHAIRMAN MARTIN:

Andy, Andy's at bat.

MR. FRELENG:

I just want to say that I'm flying solo today; Ted Klein had an emergency in his family so I'll be doing both the municipal zoning actions and the subdivisions today. The first regulatory matter before the Commission comes to us from the Town of Islip. This is a town board owned motion action; I just want to indicate to the Commission that the first two applications are both from the Town of Islip and they relate to each other. The first being this one that I'm about to do for you is a code amendment at the second is a change of zone application which is applicable to the code amendment that we're about to review.

As stated this is an application on the town board own motion for an amendment to the zoning code Section 86-336 entitled Planned Development District Hauppauge which would allow high-rise multi-family residential condominium development with accessory facilities ancillary to the residential units on a minimum of five acres. This amendment is applicable only to an approximate five acre site along Motor Parkway in the hamlet of Hauppauge currently zoned B-3 that would be this site here. (pointing to a large screen) The property is situated on the north side of Motor Parkway approximately 3500 ft. east of Blydenburgh Road.

When we look at the character of area it indicates that the parcel is located in an area of Business-3 and residential zoning. If you take a look at the zoning map real quick, I don't know if you can see, but the zoning is indicated by the various bold type. To the west the site abuts the Hyatt Windwatch Hotel. To the south the site abuts the Windwatch Golf Course and residential development. This site is adjacent to town and County owned open space know as Twin Pond Park and

the Suffolk County Hauppauge Greenbelt to the east. At the southern boundary the site abuts CR 67 Motor Parkway. Properties located immediately to the north of the subject site fall within the AA and AAA Residence zoning district. Properties adjacent to the sites eastern and western boundary lines are within the AAA and Residence B-3 Business zoning districts respectively. Properties south of the site immediately across Motor Parkway lie with the Industrial-1 zoning district.

The new zoning category would allow the construction of one residential dwelling unit per one-thousand and five hundred sq. ft. of lot area or maximum of 150 attached residential dwelling units which ever is less. The resulting density for the targeted parcel is roughly 28 units per acre. Density is proposed to be provided in a "mid-rise tower". The subject property is proposed to yield a 12-story building and analysis of the general area indicates that while there are no 12-story buildings currently in the town or the vicinity other tall buildings in the area exist and are as follows: Computer Associates is 7 stories, the Marriott Hotel is 10 stores and the adjacent Windwatch Hotel is 10 stories.

The subject site is part of a larger overall parcel that involved the development of which is now the Hyatt Regency Windwatch Hotel, as well as, the Hamlet of Windwatch Golf Course and attached and detached residential development. The original project known as Colonie Hill envisioned a mixed-use development involving a hotel and conference center, commercial office, housing in the form of golf villas and golf course recreation. A 10-story 362 guest hotel was built as was a clubhouse to serve the golf course. The originally proposed 226 villa units and the 100,000 sq. ft. office building were not built. However in 1997 a modified golf course site plan was submitted and approved to construct 228 residential units integrated between the golf course. The 5.32 acre subject site was the previously approved site for the 100,000 sq. ft. 7-story office building as part of the original overall concept. Back up to the aerial a second. So this site here was part of an overall development concept which included the construction of the hotel, construction of golf villas, the golf course and there was to be as mentioned an office building on this site. That was never built so now the town is considering the change of zone from B-3 to the plan development district Hauppauge for this site here for a mid-rise tower.

It is the belief of the staff that this location is not appropriate for high density housing. A change of zone to allow 28 units per acre as of right at this location would present spot zoning and is inconsistent with the pattern of zoning in the surrounding area. This action may set a precedent for future such high density residential down-zonings in the area. The density of this residential development is higher that the density of any other residential development in the Town of Islip and is out of character with residential development in the remainder of the town. Moreover, while the adjacent structure to the west is a 10-story building it not as close to public land to the east as is the proposed action. A 12-story building at this location considering aesthetic and shadowing impacts to the adjacent

parkland to the east appears to be incongruous with the municipal facilities on the adjoining lands.

The Business 3 District that is the existing zoning for the subject parcel does allow single-family and two-family detached dwellings, stores, offices, banks, other retail, child day-care and other general business uses including uses permitted by special permit which are restaurants, billiard halls, motor vehicle repair, convenience market, etc. It is the belief of the staff that the premises could be reasonably developed in accordance with the existing B-3 zoning district requirements.

The staff is recommending disapproval then for the following reasons, it is inconsistent with the pattern of zoning in the surrounding area and is considered a spot zoning, it appears incongruous with the municipal facilities on adjoining land to the east and it would tend to establish an undesirable precedent for future such dwelling density increases in the Town of Islip.

The staff is also recommending that the Commission provide this comment. It is the belief of the Commission that this location is not appropriate for high-density housing. A change of zone to allow 28 units per acre as of right at this location would represent spot zoning and is inconsistent with the pattern of zoning in the surrounding area. This action may set a precedent for future such high-density residential down-zoning in the area. The density of this residential development is higher than the density of any other as of right residential development in the Town of Islip and is out of character with residential development in the remainder of the town. Moreover, while the adjacent structure to the west is a 10-story building it is not as close to public land to the east as the proposed action as I had mentioned and that a 12-story building at this location considering aesthetic and shadowing impacts to the adjacent parkland to the east appears to be incongruous with the municipal facilities on the adjoining lands. I would ask that the Commission not vote on this yet until we do the other staff report and then if you would vote on them separately.

So the next matter before the Commission then is an application of the Holiday Organization for a change of zone on this 5.2 acre site. The jurisdiction for the Commission as stated before is that the site is adjacent to CR 67 on Motor Parkway. (Chris if you could flip ahead a minute to some of the renderings) This is the site plan for the proposed mid-rise tower; I just wanted to show you how it's laid out on the 5.2 acre site. It pretty much covers the entire site between the building and some of the amenities and the parking.

MR. CARACCILO:

Could you show me where Motor Parkway was on that Andy?

MR. FRELENG:

Sure. Motor Parkway is down here, so if you just forward one that would make it down here, go one more and that would put it off the map a little bit, but down here. Okay. The site plan didn't do this application justice; I needed to show you the rendering of what was being proposed. This is the front entrance of the building; the next slide is the back of the proposed building. So you can see this building in context with the existing 10-story structure.

As mentioned the applicant seek a change of zone from Business-3 district to a planned development district to permit the construction of a 12-story residential condominium tower on 5.32 acres of land in the hamlet of Hauppauge. I'm not going to go through the location it's the same as the previous staff report. I'm not going to go through the first part of the analysis because it is the same as the previous staff report. The second paragraph on the page three is where I'll begin.

The current application for the five acres subject site was the previously approved site for a 100,000 sq. ft. 7-story office building as part of the original overall concept going way back. The applicant contends that the current proposal would expand housing opportunities and types on the overall site as a substitution for the originally planned office use. While this may be argued considered the history of the larger property as envisioned as a mixed use site the construction of the pre-yielded residential component, the residential conversion of the previously envisioned office building appears to be an overintensification of residential development in the immediate area.

The proposal is to erect 150 units, 12-story building on 5.2 acre. The large parent parcel already contains attached and detached residential units yielded out as part of the preplanned area development concept. As such the development of the site to 150 units or 28 units to the acre constitutes the unwarranted overintensification of the use of the premises. If I could just translate that; when the original overall development concept was conceived they yielded out the residential component. While they didn't build it immediately they did come back and ask to change the residential component a little bit. They got two more units out of the deal and they went ahead and built golf villas up and around the golf course. So staff wonders where the density for residential units would come on this particular parcel.

The proposed development is situated and -- the proposed development is remotely situated and is not within walking distance of any retail that would be food or drug or clothing stores or community services. While the applicant contends that the adjacent hotel will provide amenities these cannot be considered appropriate services for occupants of the 150 new dwellings. The applicant also contends that the movie theaters -- that movie theaters and other entertainment uses are in the immediate vicinity of the proposed project and that several retail opportunities exist within close proximity of the proposed project. For purposes of smart growth none of these movie theaters, entertainment uses

or shopping centers are located within a half mile or even one mile of the proposed site and are not within walking distance. There are no public transportation -- there is no public transportation along Motor Parkway in this area for residents to avail themselves of and therefore an automobile must be used to reach any shopping or entertainment amenities.

The adjacent parcels that were originally planned in connection with this lot already contain attached and detached residential units. If the creation of a truly mixed-use development were desired in conjunction with the adjacent uses an office building would introduce a new use whereas a residential complex duplicates a use that already exists on adjacent sites. An office building presents more opportunities for walkability a key element of smart growth. Workers in an office building could walk to the minor services in the hotel. Moreover, business travelers visiting the office building could walk from the hotel to the office building. In addition, residents in the nearby existing residences could walk to work at the office building presuming they work there.

The staff is recommending disapproval then for the following reasons: number one, the proposal constitutes the unwarranted overintensification of the use of the premises and the paragraph that follows is the rationale pulled out of the staff report. The second reason for denial is that the premises is remotely situated and possesses limited amenities desired for multi-residence purposes. Again, the paragraph is pulled out of the staff report as the rationale and staff would also like to recommend the third reason for disapproval and that is that the site could reasonably developed in accordance with the existing B-3 district. That is the staff report. So in conjunction we have two referrals, one from the Town of Islip and the second referral is from the Holiday Organization for a change of zone. Those are the staff reports.

ACTING CHAIRMAN MARTIN:

Let me ask you a question so we're all clear in mind. The Town of Islip has asked us to change the zone, right?

MR. FRELENG:

No. The Town of Islip has asked us to amend their code --

ACTING CHAIRMAN MARTIN:

Yeah, well --

MR. FRELENG:

To allow a zone.

ACTING CHAIRMAN MARTIN:

Okay, I'm just telling them so they understand what we're doing. Now the Wind Watch or Holiday or whatever they are, are coming in with a site plan for that piece of property.

MR. FRELENG:

They're asking to apply the new zoning designation to that site.

ACTING CHAIRMAN MARTIN:

But at this point it's not zoned for what they want to do; so should we vote on this? How can we do that?

MR. FRELENG:

Yes, we can vote on it because the Town of Islip referred to them -- referred it to us as part of a three part package; we got the environmental review, SEQRA coordination. The referred to us the change in the code amendment and they referred to us concurrently the applicants --

ACTING CHAIRMAN MARTIN:

Suppose we agree with the Town of Islip on the change to B-3, but we disagree with this one?

MR. ISLES:

You can do that.

ACTING CHAIRMAN MARTIN:

Then it's not part of the package anymore.

MR. FRELENG:

Well, that is the prerogative of the Commission.

ACTING CHAIRMAN MARTIN:

If you approve this one you're approving this one that's what you're doing because they would have never put this in unless the Town of Islip told them to or asked them to whatever.

MR. FRELENG:

Right.

ACTING CHAIRMAN MARTIN:

So how are we going to handle that?

MR. FRELENG:

Well, staff is recommending denial of the code amendment.

ACTING CHAIRMAN MARTIN:

So two of them.

MR. FRELENG:

And then denial of the zone change.

ACTING CHAIRMAN MARTIN:

Okay, so this way they understand that. If you vote on one you're voting on the two of them. So you have to take the two of them as the same vote yes or no.

MR. FRELENG:

They came as a package, but in order to make it --

ACTING CHAIRMAN MARTIN:

Yeah, that's what I'm saying so they have to understand you can't vote one or the other because that's not the package.

MR. FRELENG:

Right.

MR. ISLES:

Right, so what the town would have to do then if they wanted to approve this then is to approve the code amendment first and then right after that they could approve the actual application from Holiday if they wanted to. If I could just for a minute to add to Andy's presentation, I'd just like to point out that this was a difficult application for us to review; we looked at it very carefully. The town planning department staff did recommend approval of this. The town planning department contains many rock solid professionals who I respect tremendously. I did have a conversation with the planning commission on this application just to find out the reasoning why this staff recommended it. Andy has provided a complete presentation in terms of the County planning staff recommendation, but just to give you some inclination in terms of when I spoke to the town planner there, Gene Murphy. They went back and forth on it and this lot as well. What he expressed to me was that he felt that this site was unique and that it was part of a much larger overall development; that it wasn't just a site taken by itself even though as Andy points out those sites are currently spoken for with the hotel and the townhouses and the golf course.

Gene also pointed out that they had a preference to not have office buildings north of Motor Parkway to keep them south of Motor Parkway next to Computer Associates etc. And finally he pointed out to me that he feels that looking at the Town of Islip where there are tens of thousands of single family detached homes and garden apartments and so forth to have some variety of housing type with the mid-rise building. He said there aren't too many locations in the town where we can do this and he said in our opinion this was a suitable location. So I wanted to let you know that we went back and forth on this quite a bit from a staff standpoint obviously, our recommendation is to not recommend to you at this point. It was not a flipped decision; it was one, you know, here again I take Gene's recommendation with a lot of weight, but in this case we respectfully disagreed with him.

ACTING CHAIRMAN MARTIN:

Members of the board have any questions? Let's start at one end and work around. Laure.

MS. NOLAN:

I note that on both applications it says property considered for affordable housing criteria, yes, but there's no follow-up in terms of whether there is any affordable component tied to the zone change. Was that discussed at all or is there?

MR. FRELENG:

In the referral it was indicated to us that while there be no affordable units within the high rise tower the applicant is providing funding or dollars to the town for affordable housing. So as part of the applicants change of zone which would be second referral they did offer to the town money in lieu of affordable units on site.

MS. NOLAN:

But there's nothing in the new zoning code that requires affordable units in exchange for the use of this code?

MR. FRELENG:

You know I would have to get back to you on that, but I do believe in the amended ordinance that they do speak to providing affordable units in one way shape or form either on site or in lieu of.

MR. O'DEA:

Andy or anybody, what's the recent facts and figures on office space in this -- in your report you usually give out every year a change --

MR. FRELENG:

Yes, I'd have to defer to what Mr. Lambert --

MR. O'DEA:

Is there an abundance or is --

MR. FRELENG:

On office space?

MR. O'DEA:

Yes.

MR. LAMBERT:

Is there an abundance of office space in the whole County or in this one region?

MR. O'DEA:

Both maybe.

MR. LAMBERT:

There's plenty in that area.

MS. SCHMIDT:

You need to use the mike.

MR. ISLES:

Just speak on the vacancy rate if you know it.

MR. LAMBERT:

Well, in the County well, overall I don't know the exact number of millions of square feet that we have, but that area the Hauppauge area is one of the largest concentrations, I think it's the second largest after Melville. And as far a vacancy rates, the vacancy rate there is higher there than in other areas of the County, but the vacancy rates in recent years have been relatively modest across the County.

MS. BOLTON:

When you spoke with Mr. Murphy did you discuss at all a question of whether something that wasn't 12-stories that maybe was a few stories short of that and some units short of that did they ever even contemplate something like that?

MR. ISLES:

We discussed that a little bit. I believe the original application was for more units somewhere around 200 units as I recall. He did indicate that this is not any taller than the existing hotel even though it's more floors because of the smaller distances, but in terms of beyond that, no. We've received a referral and that's what we're asked to review and here again, Gene expressed his point of view to me and I expressed mine and that was it.

MS. BOLTON:

Okay, thank you.

MR. TANTONE:

If I could just shed some light; the other important factor that hasn't come out is do to the topography of the land. The reason that the two buildings are basically the same height is that this new proposed building will be substantially lower when it starts. So although its two stories higher it's going to wind up being the same height because the land slopes that dramatically there.

MR. O'DEA:

Is this a candidate for your future work on TDR or PDR or --

ACTING CHAIRMAN MARTIN:

Wait, wait we're going back and forth, we're not going to do that. We're going around in a circle after Linda, is Linda okay. Linda, your turn then we'll come back to you if you want.

MS. PETERSEN:

I'll pass.

ACTING CHAIRMAN MARTIN:

You're passing.

MR. LONDON:

I'll pass.

ACTING CHAIRMAN MARTIN:

Dick London is passing. Lou.

MR. DIETZ:

Pass.

ACTING CHAIRMAN MARTIN:

Frank's not talking on it. Linda, John. Okay, Dick you again.

MR. O'DEA:

So basically, this developer or project has used up the component of residential density on the land, correct?

MR. FRELENG:

That's the belief of the staff is that the residentially yield on this site has been used for the golf course villas.

MR. O'DEA:

It would be a real nice start for TDR or PDR project that you're working on something like this could really eat up some units.

MR. FRELENG:

I wouldn't disagree with you, but that was not part of the application materials.

ACTING CHAIRMAN MARTIN:

Andy, as far the site goes there'd be more impact on the Town of Smithtown that it would be on the Town of Islip. I mean the industrial park in there and my feeling is that it would fit right in because it's Marcus office buildings along the line and shopping I don't know how many people along there. How many people here walk to shopping and come home? I don't know of anybody. I mean, I know everybody gets in their car when it's two blocks away or where ever it they

go. I don't know the height of the Marcus Building that must be near 12 ft. right, stories --12-stories high.

MR. ISLES:

Which one is that?

ACTING CHAIRMAN MARTIN:

The Marcus Building, the office buildings that are on the corners on Motor Parkway.

MR. FRELENG:

I think with the exception of the seven and ten story buildings that we mentioned most of the other high-rise if you will building are usually about five or six stories.

ACTING CHAIRMAN MARTIN:

Yeah, but they're high that's what I mean they're not the normal 35 foot buildings.

MR. FRELENG:

Right, no, they're not the two-story 35 ft., right.

MR. ISLES:

As you may recall too, the Commission received a referral from the Village of Islandia a few months ago for a 10-12 story --

MR. FRELENG:

No, that was 14-story.

MR. ISLES:

14, pardon me, yes, which is a little bit about a half a mile I guess to the west of this on Motor Parkway, south of Motor Inn and west of Vets. Highway.

ACTING CHAIRMAN MARTIN:

You know maybe a thing like this maybe the town should set the requirement on the land and then we'll review it. Wouldn't that be an easier thing for them to do or more appropriate for them to do? If they feel there's no harm in the height and the yield why do we want to get into something maybe we really don't belong?

MR. FRELENG:

Well, the Commission does have the inter-municipal and regional viewpoint that we --

ACTING CHAIRMAN MARTIN:

Oh, I understand our duties I'm not saying that, but I think the town should have more input on this than people who don't even live near the town or that. I think it'll fit right in and you wouldn't know it's there that's myself personally and I live --

MR. ISLES:

The town has ultimate decision making powers on this certainly.

ACTING CHAIRMAN MARTIN:

Well, they could override us, but I don't like to force a town, just override us because we're not thinking that maybe the town should make the decision. For the town to put in their regular change of zone for it, it shows their in favor of it, right? That's what I would say I mean, otherwise they wouldn't ask for us to change it.

MR. ISLES:

But they're in favor of considering it.

ACTING CHAIRMAN MARTIN:

I think we should leave it up to them to consider it and then let us review the site plan and if the yield is too high or their buildings are too high at that point we can change it. Yeah, Linda.

MS. PETERSEN:

I would think to get an application which has that much density to it that doesn't come right out front and say this is going to have affordable housing component that would be major to offset giving them that kind of density doesn't make a lot of sense to me.

MR. ISLES:

But it does have an affordable housing component.

ACTING CHAIRMAN MARTIN:

It does.

MR. ISLES:

Yes, it's just that it's off premises.

MS. PETERSEN:

They're going to give money, but they're not going --

MS. HOLMES:

They're going to give money.

MS. PETERSEN:

They could put an awful lot of people who need homes into a building of that -- if we're going to go with that kind of height which is rather unusual for Suffolk County and then to have that kind of density as well and still say, well, we'll give you money and you go find some place else to put it. But in the interim this is what we want to do there, I don't think that makes a lot of sense to me personally.

ACTING CHAIRMAN MARTIN:

Okay, Linda. Thank you. Anybody else wish to be heard? Yes, Linda.

MS. HOLMES:

I have the same concern and I was -- I refrained from bringing it up because you said that the town code gave someone the option unfortunately as far as I'm concerned gives a developer the option of creating providing affordable housing or just giving the town money in lieu of having affordable housing. I would wish that we could, but it doesn't look possible that we could say we might be more amenable to this if there were an affordable housing component. Something that would offset the tremendous amount of additional residential space they want to create.

MR. FRELENG:

The Commission's prerogative is to add comments; you can add any comments you want to your decision either way. I do want to mention though that it is typical for people to pay money in lieu of a park fee or recreation fee which is also a component of this project as well. They are providing funds for recreational amenities.

MS. HOLMES:

But affordable housing is such a focus because it's a countywide concern that is equal to or in some ways more crucial than the open space requirement. I think that the project needs -- I can see why the town is asking us to review this before they accept a site plan because if they go so far as to accept a site plan that just puts the developer further along in the project and with greater expense and makes the town more inclined to feel that if they have gone as far as to accept a site plan that, you know, is inherent that they would be preparing to approve it. I would certainly go along with the staff recommendation with the comment that absent an affordable housing component we see less reason to approve both of these projects which are linked.

MR. TANTONE:

I think I just need to weigh in quickly and obviously need to remain as neutral as possible on this. Respectively, I don't think it's within this board's purview to tell us how to enact our affordable housing programs in the Town of Islip. It is perfectly acceptable to accept fees in lieu of building affordable housing-- or having them on site. We have taken those fees and translated it into a multitude of affordable housing in the Town of Islip. So if that's your only concern it shouldn't be.

MS. HOLMES:

I see.

MR. TANTONE:

I understand and share your viewpoints to a certain extent, you know, not having it on site, but in a practical world that's not always possible. So we do the next best thing and we do what we can with whatever we have. We have been very successful by taking contributions and going elsewhere. So I just want to kind a mitigate the comments a bit.

MR. FRELENG:

So if I might, one of the reasons why we divided this into two is because we have a code amendment on the concept of a planned development district which would allow 28 units to the acre that is a code amendment concept. Then we have an application to apply that code amendment. You could make comments to the particular change of zone application. So we split this up into two for that reason so you can consider a concept of a code amendment in the code and then you have a particular application of that amendment to a change of zone.

MR. LONDON:

Mr. Chairman.

ACTING CHAIRMAN MARTIN:

Yes.

MR. LONDON:

Do you wish us to be voted on individually or collectively then?

ACTING CHAIRMAN MARTIN:

Well, we're going to go one by one so we get the vote right and we're going to do the one the zone change; either one they're both the same because if they don't have the zone change number two or three it don't mean anything. So we have to do one and we'll do two next time around. Okay, let's do it that way. Let's do the first one --

MR. FRELENG:

The amendment to the code.

ACTING CHAIRMAN MARTIN:

You have to do it that way anyway because there's two applications.

MR. LONDON:

Mr. Chairman may I make a motion then?

ACTING CHAIRMAN MARTIN:

Well, I guess everybody say what they want to say, sure.

MR. LONDON:

Okay. If a motion is in order, I will motion for the staff report.

MS. PETERSEN:

Second.

ACTING CHAIRMAN MARTIN:

I have a second, Linda. All in favor signify by saying aye. Contrary minded. Abstentions. Okay. Let's go one by one.

MS. PETERSEN:

I'll abstain.

ACTING CHAIRMAN MARTIN:

Laure.

MS. NOLAN:

Abstain.

MR. O'DEA:

What's the vote; the motion of the -- accept the staff?

ACTING CHAIRMAN MARTIN:

9-1. On one, to approve or disapprove. She did the staff report.

MR. ISLES:

Which is disapproval.

MR. O'DEA:

Yes.

ACTING CHAIRMAN MARTIN:

Charla.

MS. BOLTON:

I'll say aye, but I have comments for the site plan.

ACTING CHAIRMAN MARTIN:

Dick made the motion. Lou.

MR. DIETZ:

I abstain.

ACTING CHAIRMAN MARTIN:

I abstain. Frank.

MR. TANTONE:

I obviously, abstain.

ACTING CHAIRMAN MARTIN:

Linda.

MS. HOLMES:

Aye.

MR. CARACCIOLO:

I accept the staff report.

MR. ISLES:

So the motion does not carry.

ACTING CHAIRMAN MARTIN:

Raise your hand if you abstain that's the important one.

MS. NOLAN, MR. DIETZ, ACTING CHAIRMAN MARTIN AND MR. TANTONE raised their hands.

ACTING CHAIRMAN MARTIN:

One, two, three, four, five and six.... four and six, okay. So the motion doesn't carry.

MR. ISLES:

Any other motions.

MS. NOLAN:

Can I make a motion to send it back for local determination?

MR. DIETZ:

I second that.

ACTING CHAIRMAN MARTIN:

Okay, let's go around the room again the same exact way.

MR. DIETZ:

If it's the way it is it's going to be that anyway so.

ACTING CHAIRMAN MARTIN:

Dick.

MR. O'DEA:

Is there a motion?

MR. ISLES:

Yes, there's a motion and a second.

MR. O'DEA:

No.

ACTING CHAIRMAN MARTIN:

No. Carrie.

MS. BOLTON:

Yes.

MS. PETERSEN:

No.

MR. LONDON:

No.

MR. DIETZ:

Yes.

ACTING CHAIRMAN MARTIN:

Yes.

MR. TANTONE:

Abstain

MS. HOLMES:

No.

MR. CARACCILO:

Yes, to local determination.

ACTING CHAIRMAN MARTIN:

Okay, what do we have now?

MR. ISLES:

So it's 5-4-1. **(Vote: 5-4-1-0)**

MR. DIETZ

So it doesn't pass either.

MR. ISLES:

The motion fails, yes.

MR. DIETZ:

So it goes back to local determination.

MR. FRELENG:

No, it goes back as no action however, staff can send the letter back saying that the Commission was unable to carry a determination, but I can provide comments. So if there are any comments relative to our no action that you would like to provide to the town I can add that to our letter.

ACTING CHAIRMAN MARTIN:

Well, as far as comments go that was always important to me after all the years I've been here, but being we do have a member of Islip on our board he'll probably carry the comments back. I assume he will.

MR. TANTONE:

Yes.

ACTING CHAIRMAN MARTIN:

I don't want to put you on the spot, but you can bring the comments back and I think that's one of those important things about having somebody on the board from each town. Okay let's go now just in case we have to on Z-2 okay.

MS. BOLTON:

Okay (inaudible)

MR. FRELENG:

Commissioner Martin.

MR. O'DEA:

But they should be on paper, the comments.

MS. BOLTON:

With all due respect to Mr. Tantone I disagree on the fact that payments in lieu of actually providing units has the same utility. The reason for that is there is a rapidly diminishing supply of land; this to me represented an opportunity because of the land mass to provide some and the density to provide some affordable housing on site. So I really do not consider them equivalent in this case.

ACTING CHAIRMAN MARTIN:

Thank you for that. You know in all fairness and I think the Town of Islip probably provided more housing than any town in the whole County maybe even the whole State of New York (inaudible) the town really made an effort. It amazed me in the last few years what happened there. They torn down all those old so called -- I use to be afraid to walk on those streets in the night time...you could walk anytime you wanted down those streets. They did a good job and that's why I like to see them get a fact full local determination because they are concerned. Do I like high risers, of course not? I'd like everybody to have a one story house, but it's not practical anymore. We have to give a little bit and take a little bit and that's the only reason why I'm not disputing her views or Linda's view

or anybody's views if it comes to that, but Islip as been a champion in low cost housing I feel. Okay. Let's take the other application we might as well take that too, right?

MR. ISLES:

Yes, we have to do that.

MR. FRELENG:

Right, this is the change of zone application.

MS. CHORNY:

Mr. Chairman.

ACTING CHAIRMAN MARTIN:

Yes.

MS. CHORNY:

I think we're probably going to have to go over the vote again and I think if everybody says their name and the vote so that it's on the tape because we're not getting it. I don't need it I think because we're returning it the way we are.

MS. SCHMIDT:

But to shake your head or you're sitting back or whatever I can't get it.

MS. CHORNY:

Or you're saying one, two, three it's not going on the tape and on the next vote too we're going to have to do that.

ACTING CHAIRMAN MARTIN:

Okay, why don't you call out the name and let them vote to you.

MR. ISLES:

This is Commission Nolan's motion to do an LD which failed 5-4-1 we're just going to restate the motion by each member then.

MS. CHORNY:

Who second that?

MR. DIETZ:

I did.

ACTING CHAIRMAN MARTIN:

Okay, we'll go around with the names.

MS. CHORNY:

Commission Nolan.

MS. NOLAN:

Yes.

MR. O'DEA:

Was this on the first or second?

MS. CHORNY:

Second.

MR. O'DEA:

To send it back?

MR. DIETZ:

Yes.

MR. O'DEA:

I voted no.

MS. BOLTON:

Bolton, yes.

MS. PETERSEN:

Petersen, no.

MS. LONDON:

London, no.

MR. DIETZ:

Dietz, yes.

ACTING CHAIRMAN MARTIN:

Martin, yes.

MR. TANTONE:

Tantone, abstention.

MS. HOLMES:

Holmes, no.

MR. CARACCILO:

Caracciolo, yes.

MR. ISLES:

Okay, that's it.

ACTING CHAIRMAN MARTIN:

That's it?

MR. ISLES:

Yes, that's fine it's done.

ACTING CHAIRMAN MARTIN:

Okay, number two now, right?

MR. FRELENG:

The referral on the Town of Islip, change of zone request by the Holiday Organization for a change of zone from B-3 to the PDD Hauppauge.

MR. O'DEA:

I move the staff report.

MR. LONDON:

Second.

ACTING CHAIRMAN MARTIN:

Let's say one thing here now. We had no action on the first one, right?

MR. FRELENG:

That's correct.

ACTING CHAIRMAN MARTIN:

So this has to be basically the same thing; this can't go yes.

MR. FRELENG:

No. This can go either way. This is a change of zone application.

ACTING CHAIRMAN MARTIN:

Okay, let's go around the room again in the same way. Linda, I mean, Laure.

MS. NOLAN:

I'm going to abstain.

ACTING CHAIRMAN MARTIN:

Richard.

MR. O'DEA:

Yes.

ACTING CHAIRMAN MARTIN:

Carra..

MS. BOLTON:

Yes.

MS. PETERSEN:

Yes, for the staff report.

MR. LONDON:

London, yes.

MS. CHORNY:

Dietz.

MR. DIETZ:

Abstain.

MS. CHORNY:

Commissioner Martin.

ACTING CHAIRMAN MARTIN:

Abstain.

MS. CHORNY:

Commissioner Tantone.

MR. TANTON:

Abstain.

MS. CHORNY:

Commissioner Holmes.

MS. HOLMES:

Yes.

MS. CHORNY:

Commissioner Caracciolo.

MR. CARACCIOLO:

Yes.

MR. ISLES:

6-0-4

ACTING CHAIRMAN MARTIN:

Okay, so it's the same thing. So we did that's all. **(Vote: 6-0-4-0)**

MR. FRELENG:

And again, just for the record there are no comments you want to send back on that no action letter. Okay, the minutes will reflect your comments and Commissioner Tantone will bring the comments back.

Okay, then the next application before the Commission municipal zoning action is referred to us from the Town of Babylon. This is the application of Adolph Siegel; jurisdiction for the Commission is that the subject property is within 500 ft. of New York State Route 27 otherwise known as Sunrise Highway. Applicant seek a change of zone from Business E which is Neighborhood Business to Residence D which is 2-Family Residence to permit the construction of a two-story, two-family dwelling.

Subject parcel is located on the west side of Green Ave. approximately 110 ft. south of Sunrise Highway. An analysis of the character of the area indicates that the subject parcel is located in a corridor of Business E zoning as you can see from the zoning map. To the north and west the site abuts commercial property improved with a one-story masonry building and parking. To the south the subject site abuts Business E zoned property improved with an asphalt parking lot as overflow to the commercial building to the west and the site abuts -- the site fronts on Green Avenue to the east. You can see the site is surrounded by commercial buildings to the north and west. There is some parking back in here for this commercial building as well as overflow parking; you can see the connection here to an asphalt parking lot and this being the subject property.

The subject parcel is surrounded on three sides by improved lots in the Business E zoning district. Residential development in between commercial uses would be an incompatible land use and would result in conflicts between residents and the operation of the commercial use. The proposed use would be inconsistent with the pattern of zoning in the surrounding area and therefore must be considered as a spot zoning. If you take a look at the zoning map you can that. Moreover the premises could reasonably be developed in accordance with the existing Business E district requirements with the exception of lot area. However, given the adjacent uses, an area variance in the opinion of the staff would be warranted.

Issues related to the subject application stem from the Commission's policies regarding spot zoning and issues related to good site planning and land use.

The staff is recommending disapproval for the following reasons the first being that the subject application is a spot zoning. The second being that the premises could be reasonably developed in accordance with the existing Business E district requirements. In addition the staff is recommending that the Commission provide comment that the subject parcel is surrounded on three sides by improved lots in the Business E zoning district and that residential development in between the commercial uses would be an inappropriate land use and would

result in conflicts between residents and operation of the commercial use. The proposed use would be inconsistent with the pattern of zoning in the surrounding area and therefore must be considered as spot zoning. Moreover, the premises could be reasonably developed in accordance with the existing Business E district requirements with the exception of lot area. However, the Commission believes that given the adjacent uses an area variance would be warranted. That's the staff report.

MR. DIETZ:

Mr. Chairman, I'd like to make a motion staff.

MR. CARACCILO:

Second.

ACTING CHAIRMAN MARTIN:

Second. Who second?

MR. ISLES:

John did.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Abstentions. No's. Carried 10 and 0. **(Vote: 10-0)**

MR. FRELENG:

Okay, thank you. Next referral is a subdivision matter referred to us from the Town of East Hampton. This is the application of Further Court. The jurisdiction for the Commission is that the subject application is adjacent to Montauk Highway SR 27. The applicant proposes the subdivision of approximately 9.5 acres into five lots in the hamlet of Amagansett.

The proposed subdivision lies within two zoning categories with the majority of the property zoned A-Residence. The remainder is situated along the property's frontage along Montauk Highway zoned Neighborhood Business which permits general business on a minimum lot size of 10,000 sq. ft.

The subject map -- I'm sorry, the subdivision map of the subject property consists of two tax map parcels. The smaller one roughly 1.5 acres is currently improved with single-family residence and the other larger parcel almost eight acres is utilized to store and display plants and trees.

The proposed subdivision will enlarge the parcel where the existing dwelling and accessory structures are from 1.7 acres to 2.7 acres. So if you could just flip to the map, if you can see this flag lot here they're proposing to enlarge that flag lot to a pen shaped lot if you will. In addition they want to create three residential lots ranging in size from 1.573 acres to 2.346 acres and one lot zoned for a

business use having a size of 1.357 acres. So what they want to do is they want to combine these two parcels, create these two lots here as residential lots and keep the forward lot as a commercial lot. Is that right, Chris? I think this is a lot here actually, so we have one, two, three residential lots. The commercial lot and then this lot they want to expand to a panhandle lot.

Proposed within the boundaries of the modified lot and one of the new residential lots will be a 25 ft. wide access easement. It's hard to see in the staff report, but there's a dead end street right here; what they want to do is as they expand this lot which is taken access off of Montauk Highway they want to take from this dead end street and provide an easement which runs along the front of this lot, along the side of this lot, along this lot to provide access to this lot and that lot.

Since lots 1, 2 and 3 will only be accessible via this proposed access easement they are by Commission definition land locked. The modified lot with the existing residence and lot 4 which is zoned for a business us will maintain their existing access along Montauk Highway. So as stated this lot here will still take its access along Montauk Highway and this pen shaped lot now with the panhandle running to Montauk Highway will still have its original access.

The staff is recommending then disapproval for the following reasons that the proposed subdivision will result in the creation of landlocked lots. And then the paragraph and the bullet which follows is the rationale for why landlocked lots are not good lots and the third bullet being that the layout of the proposed subdivision is of poor design and there are no significant physical, legal or economic feasibility issues which would prevent the applicant from applying good planning principles to avoid a better design and avoid creating these landlocked lots. Therefore, the staff is recommending disapproval.

ACTING CHAIRMAN MARTIN:

Can we recommend to them that they come off a Dee Drive? If you come off a Dee Drive you can do all the lots in the back

MR. ISLES:

If they build a road.

ACTING CHAIRMAN MARTIN:

Yeah.

MR. FRELENG:

Is that the dead end street?

ACTING CHAIRMAN MARTIN:

The Dee Drive is down the bottom of the map.

MR. FRELENG:

Right.

ACTING CHAIRMAN MARTIN:

There's a street right there.

MR. FRELENG:

Well, they could you're right they could extend some sort of sub-street or cul-de-sac and make these as flag --

ACTING CHAIRMAN MARTIN:

Well, I'm thinking of doing the whole layout off of there, you know, but he could do like you said just put a cul-de-sac there; that's all you would need.

MR. FRELENG:

Right.

ACTING CHAIRMAN MARTIN:

It's not the best, but at least it's better than that, right.

MR. FRELENG:

Is that the will of the Commission you'd like to add a specific comment that they should redesign the map to take access --

ACTING CHAIRMAN MARTIN:

Well, I don't know what the rest of the board members what to do that; if they feel it's important enough to do it, but that's what I would recommend to lay it out off of Dee Drive and you wouldn't have all those --

MS. HOLMES:

Is Dee Drive a public road?

ACTING CHAIRMAN MARTIN:

It must be it's on the map I assume it's a public road.

MR. ISLES:

Not always.

MS. HOLMES:

Oh, well, I don't assume it because a lot of times they're not --

ACTING CHAIRMAN MARTIN:

Usually when it's on the map like that it's a public road.

ACTING CHAIRMAN MARTIN:

Okay, a motion in order.

MR. LONDON:

Can I make a motion with a recommendation?

ACTING CHAIRMAN MARTIN:

Sure if you want to sure.

MR. LONDON:

I'll go with staff.

MR. ISLES:

With a comment.

ACTING CHAIRMAN MARTIN:

Linda , second.

MR. LONDON:

With a recommendation for them to consider as Bob had mentioned the cul-de-sac in that southeast corner.

MR. ISLES:

So it's a comment

ACTING CHAIRMAN MARTIN:

A motions on the floor and second it. All in favor signify by saying aye. Contrary minded. Abstentions. Carried 10-0

MR. O'DEA:

No.

ACTING CHAIRMAN MARTIN:

10-0

MS. PETERSEN:

He said no.

MR. O'DEA:

I think dot three is self explanatory as far as the layout the way they want it.

ACTING CHAIRMAN MARTIN:

Okay, so it's 9 and 1. **(Vote: 9-1-0-0 Contrary minded: O'Dea)**

MR. FRELENG:

Commissioner O'Dea are you voting no?

MR. O'DEA:

No.

SPEAKER:

Yes.

MR. FRELENG:

Okay.

MR. O'DEA:

I don't want any comments.

MR. FRELENG:

Okay, the final matter then before the Commission is a subdivision referral from the Town of Brookhaven. This is the application of Beechwood at Miller Place. Jurisdiction for the Commission is that the subject application is adjacent to SR 25A. It's in a Suffolk County Pine Barrens Zone and it's also within the compatible growth area of the Center Pine Barrens Comprehensive Land Use Plan.

The applicant proposes the subdivision of approximately 256 acres into 135 single-family lots and 99 age restricted community units in the hamlet of Miller Place. The proposed subdivision is attempting to create and cluster a total of 234 residential lots, a quantity determined by a yield map that is considered flawed by the staff for the following reasons. The first reason being that the yield map cannot include out parcels that the applicant has no right to develop. The staff must note that while you can't see it within this old file map pattern layout there are a number of parcels that are out parcels that are not in control of the applicant which we believe the applicant is using as yield. In addition there are a number of parcels in here that are designated nature preserve by Suffolk County which we also believe the applicant is using to yield -- to use for yield.

MR. O'DEA:

I'll put some comments on this one.

MR. FRELENG:

Some of these out parcels are classified as nature preserve and can never be developed.

MR. O'DEA:

This calls for comment.

MR. FRELENG:

And the areas of the paper streets in addition the applicant is attempting to yield an area off the paper streets to provide for square footage so they can bang out some lots in my own words.

The proposed subdivision map includes a road plan that will provide single points of access along each one of these existing roads. It's hard to see, but there are some points of access coming in here however, the most southerly portion of the proposed subdivision has a series of short cul-de-sacs streets each only accessible via an excessively long cul-de-sac that is greater than 2,000 ft. in length from the end to the nearest point of alternative access with no provision of means for an alternate emergency point of access in between. So to put in mine own words we've got a cul-de-sac that extends from here to I think right about there, over 2,000 ft. in length there's a bunch of small stubbed cul-de-sac streets that come off.

Staff is recommending disapproval for the following reasons, the first bullet being that the yield map of the property is unacceptable. The second reason being that the proposed subdivision will result in the creation of an excessively long cul-de-sac which exceeds 1,000 ft. in length, and then there are several comments that would indicate to the town -- let see the first bullet being to correct the excessively long cul-de-sac. The second comment being that while this is a cluster design there really is no indication of the amount of open space being provided. It is problematic; they are providing to leave this area as open space however, if you subtract out the paper streets, the County land and the parcels that are out parcels there really is no idea of how much open space is being provided in this cluster plan. And the third comment being that the town should consider acquiring 20% of the total number of units to be set aside for affordable housing on site.

MS. BOLTON:

I'll move the staff report.

MR. O'DEA:

Second.

ACTING CHAIRMAN MARTIN:

Board members?

MS. HOLMES:

Including the staff suggested comments; the whole thing.

ACTING CHAIRMAN MARTIN:

Who made a motion?

MS. BOLTON:

I did.

ACTING CHAIRMAN MARTIN:

So Cara and Linda.

MR. ISLES:

No, Dick O'Dea second it.

ACTING CHAIRMAN MARTIN:

Dick O'Dea, I see two hands up.

MR. ISLES:

Charla made the motion and Dick O'Dea second it. Okay, let's start from Laure.

MS. NOLAN:

Yes.

MR. O'DEA:

Yes.

MS. BOLTON:

Yes.

MS. PETERSEN:

Yes.

MR. LONDON:

Yes.

MR. DIETZ:

Yes.

ACTING CHAIRMAN MARTIN:

Yes.

MR. TANTONE:

Yes.

MS. HOLMES:

Yes.

MR. CARACCIOLO:

Yes.

ACTING CHAIRMAN MARTIN:

There's your answer 10 and 0. **(Vote: 10-0)**

MR. FRELENG:

Thank you, Commissioners.

MR. DIETZ:

Motion to adjourn.

MR. LONDON:

Second.

ACTING CHAIRMAN MARTIN:

All in favor signify by saying aye. Contrary minded. Abstentions. Carried. **(Vote: 10-0)**

(*The meeting was adjourned at 2:15 P.M.*)

{ } Denotes Spelled Phonetically